Ghana's MINING PORTAL

MENU

Home

Minerals Commission

Investor's Guide

Mining Vision

Projects

Institutions

Sector News

Opportunities

Tuesday, August 23, 2016 Register Login

Investor's Guide » Mineral Policy and Fiscal Regime Web Site

Mineral Policy and Fiscal Regime

- Ensuring that Ghana's mineral endowment is managed on a sustainable economic, social and environmental basis and that there is an equitable sharing of the financial and developmental benefits of mining between investors and all Ghanaian stakeholders.
- Encouraging local and foreign private sector participation in the exploration for, and commercial exploitation of mineral resources, consistent with the government's commitment to a free-market enterprise economy. The government recognizes that private sector investors need to be able to operate profitably, be internationally competitive and satisfy their shareholders' and employees' expectations. To this end, the government will establish and maintain:
    - a conducive macro-economic environment for mining investment;
    - a stable regulatory environment that provides for the transparent and even-handed treatment of investors; and
    - a stable, competitive and fair fiscal regime.
- Achieve a socially acceptable balance between mining and the physical and human environment and ensure that internationally accepted standards of health, mining safety and environmental protection are observed by all participants in the mining sector.
- Encourage and facilitate orderly and sustainable development of small-scale mining. There is considerable potential for small-scale minerals exploitation in Ghana and the Government recognises that small scale mining can provide additional or alternative livelihoods in rural areas and can help to foster the development of Ghanaian mining skills, entrepreneurship and capital.
- Empower Ghanaians to become professional miners, mine managers and owners by maximising opportunities for minerals-related education, training, career development and other support.
- Require respect for employee, gender and human rights in mining. The government wishes also to remove obstacles to participation in the mining sector on the basis of gender or marital status
- Encourage mining companies to develop a participatory and collaborative approach to mine planning, development and decommissioning, taking into account the needs of local communities, thereby fulfilling their role as socially responsible corporate citizens.
- Develop streamlined and effective institutional arrangements for the mining sector, together with adequate capacity to promote, authorise, monitor and regulate mining operations
- Apply modern principles of transparency and accountability to the administration of mining laws and regulations and facilitate community participation in such processes. To this end, the government recognises that there is a need for proper co-ordination between government departments and agencies, and that there is a need for dissemination of information to the public on all aspects of mining as a basis for informed participation.
- Endow Ghanaian mining authorities with the capacities to gather, analyse and disseminate geo-data necessary for the promotion of minerals sector investment.
- Act in harmony with regional and international partners and, to this end, to endorse and imple-ment principles that are established in regional and international conventions and other instruments and undertakings that are relevant to mining and to which Ghana is a party or signatory.

My trolley

Product	Qty	Price	Qty Ctrl
Totals:	0	GHS0.00	

View my basket

- Foster the development of a mining sector that is integrated with other elements of the national economy, which will contribute to the economic empowerment of Ghanaians by generating opportunities for local entrepreneurship, increase demand for local goods and services and, creating employment for Ghanaians.

The basic law governing the Minerals & Mining industry is the Minerals and Mining Act 2006, Act 703. This and associated legislation combines regulation of the mining industry with fiscal incentives for investors. Some of the more significant features of the legislation are:

ALL MINERALS ARE OWNED BY THE STATE:
The Minister of Lands and Natural Resources (MLNR) grants exclusive mineral rights. A summary of the types of mineral rights that can be granted under the Minerals and Mining Act is as indicated in the table below. No transfers are permitted without the approval of the MLNR.

APPLICATION OF MINERAL LEGISLATION:
The legislation is applied equally to Ghanaians and foreigners, except for the provisions relating to small-scale mining of minerals, which is reserved for Ghanaians. However, foreigners can participate in the exploration and exploitation of industrial minerals where the proposed investment is not less than US$10 million.

GOVERNMENT PARTICIPATION IN MINING LEASE:
The Government is entitled to a free-carried equity interest of 10% in mineral ventures. Any further participation is to be agreed with the holder.

PAYMENT OF ROYALTIES:
Royalties are 5% of the gross value of minerals produced.

MINING LEASE:
A person, not necessarily a holder of an Reconnaissance / Prospecting License may apply for a mining lease.

STABILITY AGREEMENT:
It seeks to protect the holder of a mineral right for a period of up to 15 years, from any adverse effects of future changes in law that are capable of imposing huge financial burden on the holder. The agreement is subject to parliamentary approval.

DEVELOPMENT AGREEMENT:
The MLNR may enter into a Development Agreement (DA) with the holder of /applicant for a mining lease if the investment exceeds US$500 million. The DA may contain terms of a stability agreement, in addition to terms that may vary the mining law (especially the fiscal regime)