

FIFTH SCHEDULE

REPUBLIC OF SOUTH SUDAN

MINISTRY OF PETROLEUM, MINING

THE MINING ACT, 2012

THE MINING (MINERAL TITLE) REGULATIONS 2015

156. Designation of Mineral Title Area

(Section [198] of the Mining Act, 2012 and Regulations 101 and 102 of the Mining (Mineral Title) Regulations)

(1) Cadastral system

- (a) For the purpose of establishing a cadastral system for Mineral Titles, Mineral Title applications and Mineral Resource Reserves under these Regulations, the entire surface of South Sudan is divided into Cadastral Units and specified in geographical coordinates of latitude and longitude on the WGS-84 datum.
- (b) For the purposes of area calculation a Cadastral Unit is deemed to have an area of 0,212588 square kilometres.
- (c) Applications specifying polygons that do not conform to the Cadastral Graticule established by sub-section 2(a) of this Schedule or do not conform to the specifications set out on sub-section 5 below shall not be accepted.

(3) Requirements for applications for Mineral Titles

- (a) Subject to the provisions of the Regulations, an applicant for a Mineral Title shall

submit in First Schedule Form I-1 [Identification of Mineral Title Area] to the Mining Cadastre Office:

- (i) the Cadastral Coordinates of all the vertices of the Polygon defining the Mineral Title Area being applied for, conforming to the Cadastral Graticule established under this Schedule, and

- (ii) the approximate size of the Mineral Title Area in square kilometres either
- calculated as the number of Cadastral Units times the deemed area of a Cadastral Unit or derived by an electronic geographic information system used or approved by the Mining Cadastre Office;
- (b) the Cadastral Coordinates to be submitted by an applicant for a Mineral Title shall be integer multiples of 15 seconds corresponding to the Cadastral Graticule and Polygons that do not conform to the Cadastral Graticule shall not be accepted.
- (c) an application for a Mineral Title shall not include two or more isolated Polygons, Polygons in contact by only one vertex, or Polygons containing empty spaces.
- (d) an application for Mineral Title shall include an integer number of Cadastral Units, and no partial Units shall be allowed.
- (e) where a Cadastral Unit subject to a Mineral Title application overlaps the national borders or the boundaries of an area closed to mineral operations by Applicable Law, the shape and dimensions of the affected Cadastral Unit shall not be modified, but that part which is outside the national border or that is closed to mineral operations shall be deemed not to be part of the Mineral Title Area; and
- (f) where a calculation is based on the number of Cadastral Units, such calculation shall be based on entire Units irrespective of whether any part of any of the Cadastral Units is deemed not to be part of a Mineral Title Area.