



REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT,  
FORESTRY AND TOURISM  
DIRECTORATE OF ENVIRONMENTAL AFFAIRS  
08 AUG 2023  
Tel: 061 284 2701  
RECEIVED 2  
Signature:.....

**PRO-FORMA ENVIRONMENTAL CONTRACT**

WHEREAS the Applicant/Company referred to below, has been notified under section 48(4) of the Minerals (Prospecting and Mining) Act, 33 of 1992 (hereinafter "the Act"), that the Minister of Mines and Energy is prepared to grant the applicant a Mining Claim subject to certain terms and conditions and;

WHEREAS such terms and conditions include the condition precedent that the applicant enters into an Environmental Contract with the Government of Namibia;

IT is hereby agreed as follows:

**1. PARTIES**

The parties to this contract are AYO JEWELLERY CC (hereinafter referred to as "the Holder") being the holder of Non-Exclusive Prospecting Licence/~~Exclusive Prospecting Licence/Reconnaissance Licence/Mining Claim(s)/Mining Licence~~ (delete those not applicable) number NEPL 8569, Mining Claim 71513

on the one hand, and THE GOVERNMENT OF NAMIBIA (hereinafter referred to as "the Government")

duly represented by: THE MINISTRY OF ENVIRONMENT & TOURISM (MET), and THE MINISTRY OF MINES & ENERGY (MME)

on the other.

**2. GENERAL OBLIGATIONS**

2.1 The provisions contained in this contract are in addition to and do not detract from any obligations which the Holder may have under the Act.

2.2 The Holder recognises that its prospecting/mining operations may have significant impacts on the environment. Accordingly the Holder undertakes that during the course of its operations it will take every practicable step necessary to ensure the mitigation of such impacts. In doing so it will liaise with MET and MME as provided for in 3.3 and 4 below.

2.3 In particular the Holder will undertake necessary and adequate steps to ensure that environmental damage is reduced to a minimum and prevented insofar, as is practicable.

2.4 Should the Holder not carry out its environmental obligations it shall be liable for the environmental damage which may result. In this regard the Government reserves the right to:

2.4.1 demand at any time financial or other guarantees to restore the environment or mitigate environmental damage which has, or which may occur, as a result of the Holder's activities;

A.J.C.

2.4.2 itself undertake such mitigatory or restorative measure and to recover the costs thereof from he Holder;

2.4.3 claim compensation for environmental damage, which may have been brought about by the Holder's activities.

2.5 The Holder shall on completion or suspension of its operations, ensure that the impact on the environment is minimised and that every reasonable and practicable step is undertaken to ensure that the environment is left in a reasonable state. The provisions of clause 2.4 apply *mutatis mutandis* to environmental damage evident after prospecting, mining or other operations have been suspended or completed.

2.6 The Holder acknowledges that should it apply for a mining licence in consequence of its prospecting or other operations, it will have to comply with Namibia's National Environmental Assessment Policy (Directorate of Environmental Affairs, January 1995) and that this will entail the carrying out of an Environmental Assessment (EA).

### **3. THE ENVIRONMENTAL CONDITIONS**

3.1 In accordance with section 68(f) of the Act, which provides that an application for a licence shall contain particulars of the existing condition of the environment, an estimate of the effect which the proposed operations may have, and the proposed steps to be taken to prevent or minimise such effect, the Holder has attached Environmental Conditions marked "Appendix A".

3.2 The Holder acknowledges that once the MET and MME has determined that the information furnished in Appendix A is satisfactory, it will form part of this contract.

3.3 The Holder warrants that the information contained in Appendix A is to the best of its knowledge and belief true and correct and that it will notify the Government of any material changes therein. Should there be such material changes, the Government reserves the right to re-negotiate the terms and conditions of this agreement.

### **4. COMPLIANCE AND NOTIFICATION**

4.1 The Holder acknowledges that the reports, which it is obliged to furnish to MME (which is provided for in the notice from the Office of the Mining Commissioner under section 48(4) of the Act), will include an Environmental Report.

4.2 The Holder acknowledges that officials from MME and/or MET may at any time conduct a compliance and/or performance inspection of its operations.

4.3 The Holder will keep records of its environmental performance and make these available to the officials referred to in 4.2.

SIGNED AT Windhoek ON THIS 08 DAY OF 08 2023

For the Holder:   
(Duly authorised thereto)

For the Government of Namibia:

\_\_\_\_\_  
Mr Timoteus Mufeti  
Environmental Commissioner  
Ministry of Environment and Tourism  
And

\_\_\_\_\_  
Ms Isabella Chirchir  
Mining Commissioner  
Ministry of Mines and Energy



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## ENVIRONMENTAL QUESTIONNAIRE FOR MINING CLAIMS IN NAMIBIA

BEING APPENDIX A TO THE ENVIRONMENTAL CONTRACT

### 1. BACKGROUND INFORMATION

- 1.1 Companies/Natural persons applying for **MINING CLAIMS** must complete this questionnaire. (Please fill in ALL questions).
- 1.2 The answers provided in this questionnaire shall be regarded as commitments which will become part of the **Environmental Contract** between the Holder and the Government of the Republic of Namibia, duly represented by the Ministry of Environment Forestry and Tourism (MEFT) and the Ministry of Mines and Energy (MME).
- 1.3 Once the Holder has completed this questionnaire MEFT and MME will either accept/reject/request further information regarding the environmental commitments made therein. MEFT and MME reserve the right to add further conditions.
- 1.4 Once agreed to by all parties concerned, the completed questionnaire shall form part of the **Environmental Contract**.
- 1.5 Please attach a map of the mining claim area and a copy of the application to register mining claims.

### 2. Holder details

2.1 Name of Holder	AYO JEWELLERY CC
	AYO JEWELLERY CC
2.3 Telephone, Fax, Cell Phone and/or E-Mail	Tel: +264 817577309 Fax: Cell phone: +264 817577309
2.4 Postal Address Residential/Registered Address	P.O. BOX 28067, Windhoek, NAMIBIA 1st Floor, Office 103, City Centre, Windhoek, Namibia.
2.5 Reference Number	NEPL No: 8569 Expiry: 02-11-2023
2.6 Registered Number(s)	71513
2.7 Location (Farm, District, Region) of mining claim(s)	STATELAND / ERONGO REGION
2.8 Group(s) of Mineral(s) to be mined	SEMI PRECIOUS STONES

Number of people	Where will they live?
6 MALES	They will live at the temporal Campsite

On the site in tents and temporal set up structures.

### 3. Environmental commitments

#### 3.1 Pollution and Waste

3.1.1 What will you do with normal litter (e.g. Kitchen spoils, cans, bottles, paper, etc.)?

Pollution will be minimized and all waste will be kept safe at one place in bins to avoid damage and contamination of the environment. The well organized waste will then be transported to the nearest dumping area.

3.1.2 What industrial waste will be generated and what will you do with it (e.g. old machinery, vehicles, building rubble, batteries, paint, thinners, vehicle oil, etc.)?

No industrial waste is known to be generated so far in this mining operation, but any industrial waste that might occur for example old machines, vehicle oil and batteries will be kept in one safe area and they will be disposed off at a safe dumping site.

3.1.3 Describe what type of toilet facilities will be provided.

The toilet facilities to be provided is a pit latrine with running water from an elevated water tank.

#### 3.2 Vehicle, earthmoving equipment, drilling and blasting

3.2.1 List the type and quantity of vehicles, earthmoving equipment, drilling equipment, and other machinery likely to be used on your mining claim (e.g. 2 x bakkies; 1 x bulldozer, etc.)

##### Vehicles:

- 1 x mini Excavator
- 1 x Bakkie Pickup
- 1 x mini front end loader

##### Earthmoving equipment:

- 1 x mini Excavator
- 1 x mini front end loader

##### Drilling equipment:

- 1 x Air Compressor Machine
- 2 x Jack Hammers

3.2.2 Describe the environmental damage that is likely to result from the use of vehicles and machinery within the mining claim area (e.g. on the landscape in general, soil, vegetation, noise, dust, etc.)

The mining claim is situated around 50km North of the Town USAKAS near a village "Tubusi". The landscape is flat and mildly rocky with very little vegetation cover. Vehicle usage on the claim will not cause harm to the environment because there are already existing vehicle tracks and small roads which are already in use.

3.2.3 How will you control the movement of vehicles and machinery in order to minimise environmental damage?

By using old existing tracks on the mining claim, this will minimise any possible environmental damage that could have occurred from the movement of vehicles and machineries.

3.2.4 Which routes will be used by vehicles to get to your mining claim and state whether you intend making new roads or tracks (both to your mining claim and within your mining claim)?

I am not intending to make new roads or tracks, as i will be utilising existing old local tracks to access the claim and within the claim.

3.2.5 Will you do any blasting on your mining claim?

Yes: \_\_\_\_\_

No: \_\_\_\_\_

Unsure:   X

3.2.6 If "yes" above, explain how you intend minimising environmental impacts, including the safety of humans, livestock and wildlife? **NO Blasting is planned, but if any blasting is to happen, a qualified professional and certified blaster with a blasting certificate will be hired to carry out the blasting safely to ensure that the safety of humans is not compromised. There are no livestock or wild animals around the mining claim.**

3.3.1 How much water do you intend using for various activities (e.g. human use, washing of equipment, washing sand/stones, dust control, gardens, etc.) and state how you intend saving water within each category of use.

Activity or category of use	Quantity of water needed per month (litres)	Water saving methods
Human Consumption	10 000	Water will be used very wisely.
		All machines and equipments will only be cleaned at the nearby town "USATROS"

3.3.2 Where will you get your water (e.g. river, own borehole, Water Affairs connection, etc.)?

Water will be transported to the site (claim) from the nearby village "Tubusis", from a private borehole.

3.3.3 Explain how you will minimise or completely avoid polluting any water source, including underground water.

No waste will be dumped near any water sources to avoid contamination of the water sources that could lead to the contamination and pollution of the underground water bodies during the rainy season through water seepage.

3.4 Relations with neighbouring communities and/or the general public

3.4.1 Are there any people living in or near your mining claim?

Yes: \_\_\_\_\_

No: **X**

Unsure: \_\_\_\_\_

3.4.2 If "yes", explain where these people live and describe their economic activities.

N/A

3.4.3 If "yes" in 3.4.1, explain what you will do to maintain a good relationship with such people.

N/A

3.4.4 Will the activities on your mining claim restrict the movement of other people in the area (e.g. the general public, tourists, farmers, local people, etc.)?

Yes: \_\_\_\_\_

No: **X**

3.4.5 If "yes" for 3.4.4, please explain why their movements or access will be restricted.

N/A

3.5 Protection of plants and wildlife

3.5.1 How will you ensure that your activities will not cause unnecessary damage to plants and wildlife in or near your mining claim) e.g. hunting, plant collecting, fishing, etc.)

No off road will take place from the tracks used or created to access the mining claim, this will avoid damages to the plants near the tracks and the mining claim surroundings. Wild animals are almost not encountered within the vicinity of this mining claim.

3.6 Historical, archaeological and cultural heritage (e.g. rock art, graves, monuments, fossils, sacred sites, historical buildings, etc.)

3.6.1 Are there any historical, archaeological or culturally important sites within your mining claim area?

Yes: \_\_\_\_\_ No:  Unsure: \_\_\_\_\_

3.6.2 If "yes", please describe briefly.

N/A

3.6.3 If such sites are known, how will you avoid damaging them? I will report them to the institution that is responsible for historical, archaeological and cultural heritage, and they shall advise on how I shall act in order to avoid damaging them.

3.6.4 If such sites are discovered after you have started working your mining claim, would you accept new conditions to this contract so that they can be properly protected?

Yes:  No: \_\_\_\_\_ Unsure: \_\_\_\_\_

3.7 Rehabilitation

3.7.1 When will you rehabilitate the environmental damage done during prospecting? (Tick the appropriate box)

I have no intention of rehabilitating any damage

Only after all prospecting has finally been completed

I don't know

3.7.2 Describe the programme of mining from the start and the methods to rehabilitate damage. The mining operation to take place is a small scale open pit mining operation. Holes and pits will only be made where the mineral ore deposit is suspected to have a high probability of occurrence. After the prospecting and mining period, we intend to ensure that the place is closed up well and that holes and pits made during the mining operation are closed up and rehabilitated.

Describe what environmental damage exists in your mining claim area now, in other words, damage caused by someone else before you began working on the mining claim. Where possible, provide evidence such as photos, statements, etc.

N/A

I hereby declare that the information provided in this questionnaire, is to the best of my knowledge, accurate and correct, and that I'm prepared to keep to the commitments stated therein.

AYO JEWELLERY CC   
Mining Claim Holder

Windhoek  
Place

08.08.2023  
Date



**REPUBLIC OF NAMIBIA**  
**MINISTRY OF ENVIRONMENT AND TOURISM**  
OFFICE OF THE ENVIRONMENTAL COMMISSIONER

**ENVIRONMENTAL CLEARANCE CERTIFICATE**  
**ISSUED**

In accordance with Section 37(2) of the Environmental  
Management Act (Act No. 7 of 2007)

**TO**

Ayo Jewellery CC  
P.O Box 28067, Windhoek, 680 Hudup Street, Cimbebasia.

**TO UNDERTAKE THE FOLLOWING LISTED ACTIVITY**

Mining activities for semi precious stones Mining Claim No. 71513,  
Stateland, Erongo Region.



DEPUTY ENVIRONMENTAL COMMISSIONER



Issued on the date: 2020-01-20

Expires on this date: 2023-01-20

(See conditions printed over leaf)

Reduce  
Reuse  
Recycle



**CONDITIONS OF APPROVAL**

1. This environmental clearance is valid for a period of 3 (three) years, from the date of issue unless withdrawn by this office
2. This certificate does not in any way hold the Ministry of Environment and Tourism accountable for misleading information, nor any adverse effects that may arise from these activities. Instead, full accountability rests with the proponent and its consultants
3. This Ministry reserves the right to attach further legislative and regulatory conditions during the operational phase of the project
- 4.





# MME

Ministry of Mines and Energy

Private Bag 13297, Windhoek, Namibia | Tel: +264 61 284 8111 | Fax: +264 61 284 8363/220 386 | Email: info@mme.gov.na

Ref: 14/2/2/1/2/8569  
Enquiries: Mr Asser /Goagoseb

09 July 2021

Mr Job Nangolo  
Ayo Jewellery CC  
PO Box 28067  
**WINDHOEK**

Email: info@ayojewellery.com

Dear Mr Nangolo,

**REGISTRATION OF ONE MINING CLAIM WITH REGISTRATION NUMBER 71513 IN TERMS OF SECTION 36(1)(a) AND (c) OF THE MINERALS (PROSPECTING AND MINING) ACT, No. 33 OF 1992 (HEREINAFTER "the Act").**

With reference to your application dated 17 October 2019 to register the above-mentioned mining claim we attach the Certificate of Registration of Mining Claims issued in respect of the approval of such registration.

Please note that this registration is subject to certain general terms and conditions as set out on page 2 of the said certificate. Acquaint yourselves with these terms and conditions as well as the general provisions of the Act with respect to mineral licences and mining claims in particular.

In addition, the National Heritage Council is concerned with the protection and conservation of places and objects of heritage significance. Thus, you are to familiarise yourself with the provisions of the National Heritage Act, No. 27 of 2004 and its Regulations. Similarly, familiarise yourself with the provisions of the Environmental Management Act, No. 7 of 2007 and its Regulations.

Bear in mind that should you fail to adhere to these terms and conditions, your mining claim will be cancelled in terms of Section 55 of the Act.

Yours sincerely,

*Smil 09.07.2021*

**MR EI SHIVOLO  
MINING COMMISSIONER**



Page 1 of 1

All official correspondence must be addressed to the Executive Director





# MME

Ministry of Mines and Energy

Private Bag 13297, Windhoek, Namibia | Tel: +264 61 284 8111 | Fax: +264 61 284 8363/220 386 | Email: info@mme.gov.na

Ref: 14/2/2/1/2/8569  
Enquiries: Mr Asser /Goagoseb

**CERTIFICATE OF REGISTRATION OF MINING CLAIMS\***  
Registered and issued in terms of Sections 36 and 37 of the Minerals (Prospecting and Mining Act, No. 33 of 1992 ("the Act"))

### PARTICULARS OF MINING CLAIM HOLDER

Registered To	<b>Ayo Jewellery CC</b>
Address	<b>Erf 680 Hudup Street, Cimbebasia, Windhoek</b>
Postal Address	<b>PO Box 28067, Windhoek</b>
Contact Number	<b>264817577309</b>
Email Address	<b>info@ayojewellery.com</b>

### PARTICULARS OF MINING CLAIM

Ordinal Number	Registration Number	Date Pegged	Group of Minerals
<b>2</b>	<b>71513</b>	<b>10 October 2019</b>	<b>Semi-Precious Stones</b>

### VALIDITY OF MINING CLAIM

Date of Registration	Date of Expiry
<b>09 July 2021</b>	<b>08 July 2024</b>
Section 38 of the Act: an application for the renewal of the registration of a mining claim shall be made not later than 90 days before the date of expiry.	

### PARTICULARS OF LOCATION OF MINING CLAIM

Name of Location	Owned By	District	Region
<b>Tumib 20</b>	<b>Government of the Republic of Namibia</b>	<b>Karibib</b>	<b>Erongo</b>

Registered and issued at Windhoek on this 09<sup>th</sup> day of July 2021

  
**MR EI SHIVOLO**  
**MINING COMMISSIONER**



**\* See the general terms and conditions of this registration on page 2.**

**General Terms and Conditions of The Registration of Mining Claims:**

The holder of a mining claim shall –

- Acquaint him/herself with the provisions of Parts I, II, V, VI, VII, XIII, XV, XVI and XVII, and Schedule 1 of the Act.
- In the instance of private land, not exercise any rights under the mining claim until a written agreement has been entered into with the owner of such land (Sections 31(2) and 52) or has been granted an ancillary right (Section 110(4)).
- Not drill any borehole unless such holder has given the Mining Commissioner notice of such holder's intention to drill (Section 53).
- Before the erection or construction of any accessory works, apply to the Mining Commissioner for an accessory works permit (Section 31(3)).
- Exercise his rights under the mining claim reasonably and in such manner that the rights and interests of the landowner or land occupier are not adversely affected, except to the extent to which such owner is compensated (Section 41(1)(a)).
- Submit to the Mining Commissioner a copy of the written compensation agreement entered with the landowner (Section 52(1)(a)(I)).
- Carry on prospecting or mining operations in the claim area in accordance with good prospecting- or mining practices (Section 41(1)(b)).
- Always maintain all beacons in a decent and readable condition (Section 41(1)(c)).
- Take all reasonable steps to secure the safety, welfare and health of all employees and prevent or minimize any pollution to the environment (Section 41(1)(e)).
- Maintain in good condition and repair all accessory works in such claim area (Section 41(1)(f)).
- Remove from the claim area all structures, equipment and other goods not used or intended to be used (Section 41(1)(g)).
- Take reasonable steps to warn persons who may be in the vicinity of any accessory works of possible hazards (Section 41(1)(h)).
- In the case of company –
  - Give written notice to the Mining Commissioner of any change of such company (e.g., name, address, directors, shareholding, etc.) within 30 days as from such change (Section 41(1)(j)).

In the case of a natural person –

- Give written notice to the Mining Commissioner of any change of such natural person (e.g., name, surname, address, etc.) within 30 days as from such change (Section 41(1)(k)).
- Keep at an address in Namibia, and such address shall be registered with the Mining Commissioner, a proper record in relation to any –
  - Prospecting operations (Section 45(1)(a)(ii)), and
  - Mining operations (Section 45(1)(a)(i)),For a period of not less than 3 years.
- Submit monthly returns/reports within 15 days after the end of each month to the Mining Commissioner (Section 45(1)(d)).
- Submit annual returns/reports within 60 days after 31 December of each year to the Mining Commissioner (Section 45(1)(e)).
- Pay annual mining claim fees before or on the anniversary date of the date of registration of the mining claim (Section 123(1)).
- Be penalised for late payments or fees (Section 115).

**It shall be generally accepted that the holder of a mining claim is acquainted with ALL the provisions of the Minerals (Prospecting and Mining) Act, No. 33 of 1992.**