



REPUBLIC OF NAMIBIA

## MINISTRY OF ENVIRONMENT AND TOURISM

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Cnr Robert Mugabe &  
Dr Kenneth Kaunda Street  
Private Bag 13306  
Windhoek  
Namibia

14 December 2017

### OFFICE OF THE ENVIRONMENTAL COMMISSIONER

Michael Inyenga Tonatenti Petrus  
P. O. Box 7223  
Katutura, Windhoek  
Namibia, 9000

Dear Sir or Madam:

**SUBJECT: ENVIRONMENTAL CLEARANCE CERTIFICATE FOR MINING OF MARBLE AND DIMENSION STONE IN THE MINING CLAIM NO 69320 AND 69321 SITUATED AT KARIBIB DISTRICT, ERONGO REGION**

The Environmental Scoping Report and Environmental Management Plan submitted are sufficient as it made provisions of the environmental management concerning the project's activities. From this perspective regular environmental monitoring and evaluations on environmental performance should be conducted. Targets for improvements should be established and monitored throughout this process.

This Ministry reserves the right to attach further legislative and regulatory conditions during the operational phase of the project. In addition, the Environmental clearance certificate is issued with the condition that: all applicable and required permits are obtained and mitigations measures stipulated in the EMP are applied particularly with respect to management of ecological impacts.

On the basis of the above, this letter serves as an Environmental Clearance Certificate for the project to commence. However, this clearance letter 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 Mr Michael Inyenga Tonatenti Petrus and their consultants.

This environmental clearance is valid for a period of 3 (three) years, effective from the date of issue unless withdrawn by this office.

Yours sincerely,

  
Teofilus Nghitila  
ENVIRONMENTAL COMMISSIONER



**"Stop the poaching of our rhinos"**



## REPUBLIC OF NAMIBIA

### 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 N-EPL 7081 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: Mr. Michael I.T. Pefrus (hereinafter referred to as the "Holder") being the holder of Non Exclusive Prospecting Licence / ~~Exclusive Prospecting Licence~~ / ~~Reconnaissance License~~ / ~~Mining Claim(s)/Mining License/~~ (delete those not applicable) number N-EPL 7081 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 Minerals (Prospecting and Mining) Act, 1992 (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 the 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 that 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;

2.4.2 itself undertake such mitigatory or restorative measures and to recover the costs thereof from the 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, Jan, 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 the 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 the MME and/or the 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 03 day of August 20 17

For the Holder: \_\_\_\_\_  
(duly authorised thereto)

For the Government of Namibia:

Mr. T. Nghitila  
Environmental Commissioner  
Ministry of Environment and Tourism



and

Mr. E. Shivolo  
Mining Commissioner  
Ministry of Mines and Energy



**1. Pollution and waste**

1.1 No toxic or hazardous chemicals may be brought into the prospecting area or deposited thereon (this excludes the use of petrol & diesel as fuel).

1.2 All domestic refuse and industrial waste will be deposited in a designated municipal refuse dump at regular intervals, but at least once every three months. No refuse may be dumped or buried within the prospecting or surrounding area, except if the landowner has an own specific designated refuse site for this purpose. Dumping of refuse on this site shall be negotiated with the landowner. It is permissible to store refuse temporarily in containers until such time as they are ready for removal. During such temporary storage, all paper and plastic refuse should be incinerated to avoid wind-blown litter. All attempts should be made to keep the area clean.

1.3 Pit latrines (toilets) will be provided for, and used by, all staff. Non-specific shallow pits may be used for toilets where small groups of people (< five) are staying in an area for less than one week with approval of the landowner.

**2. Vehicles and Earthmoving equipment**

2.1 Vehicular movement shall be restricted to existing fence-lines, roads and tracks wherever possible. Where it is unavoidable that vehicles and machinery need to create new roads or tracks, these new access routes shall be carefully planned so as not to cause unnecessary environmental damage. In any event, no new road may be established without the prior approval of the landowner.

2.2 Any trenches where prospecting or mining has been completed, shall be systematically backfilled with overburden and topsoil, and the area rehabilitated to as near as possible a natural state.

2.3 Notwithstanding clause 2.1, during the reconnaissance and planning phase of exploration, off-road vehicle access is permitted to areas where tracks are sparse. Specifically this access is to define places to which tracks may at a later stage be constructed. Such access is subject to prior approval by the landowner.

**3. Water**

3.1 Water shall be used sparingly and all reasonable attempts will be made to avoid water wastage.

3.2 Water shall be used only for human consumption, washing and essential prospecting-related activities.

**4. Protection of Fauna and Flora**

4.1 No hunting wood or plant collecting shall be allowed within the prospecting or surrounding area. The collecting of dead wood for domestic use may only take place with the concurrence of the landowner.

4.2 Every effort shall be made avoid starting veld fires. Should a fire occur as a direct or indirect result of the companies' activities, the company/ claim holder shall make every reasonable effort to extinguish such fire.

4.3 The company/ claim holder shall provide written instructions to its entire staff and sub-contractors to this effect.



## **5. Interaction with neighbouring communities and / or tourists**

5.1 The company/ claim holder shall maintain good relations with any surrounding communities, and shall not deny any person transit rights through the prospecting area. This condition is mainly relevant for prospecting activities on state lands.

## **6. Rehabilitation**

6.1 The company/ claim holder shall ensure that sufficient funds are available to affect appropriate rehabilitation of environmental damage.

6.2 The company/ claim holder shall ensure that rehabilitation of exploration trenches / holes / pits will take place within 8 weeks of the completion of exploration at any site.

6.3 Under no circumstances, shall trenches / holes / pits be left in a state where their existence endangers human or animal life.

## **7. Monitoring and reporting**

7.1 The company/ claim holder shall submit every six months an Environmental Report to the Ministry of Environment and Tourism according to the prescribed format.

7.2 Staff from the Ministry of Environment and Tourism and / or the Ministry of Mines and Energy may at any time inspect prospecting areas.

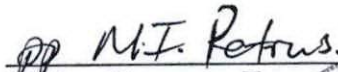
## **8. General**

The conditions stated in this notification are in addition to and do not detract from any obligations which the prospecting company may have under the Minerals (Prospecting and Mining) Act, 1992 The Nature Conservation Ordinance (Ordinance 4 of 1975), or the attached Pro-Forma Environmental Contract including the Environmental Questionnaire for Prospecting in Namibia, being Appendix A.

We agree to abide by the Pro-Forma Environmental Contract and the Environmental Conditions.

For the Holder:

(Duly authorised thereto)

  
Michael Inyenga Tonateni Petrus

14/9/2017  
Date

  
Teofilus Nghitila  
**ENVIRONMENTAL COMMISSIONER**  
Ministry of Environment and Tourism



04.10.17  
Date



MINISTRY OF MINES  
AND ENERGY

MINING REGISTRATION NUMBER

02 AUG 2017

F1 9000 WINDHOEK

OFFICIAL



02.08.2017

## REPUBLIC OF NAMIBIA

### MINISTRY OF MINES AND ENERGY

#### APPLICATION FOR THE RENEWAL OF THE REGISTRATION OF MINING CLAIMS

(Required in terms of Section 38 of Act 33 of 1992)

Receipt No: 1791877	Date entered in TAM:
---------------------	----------------------

Reference: 14/2/2/1/2: 7081

Full name of applicant: Michael Inyenga Tonateni Petrus

Postal Address: POBOX 7233-Katutura

Residential/Registered Address: 4720, Canani str, Katutura

Contact Details: Telephone Home: 061-217214 Telephone Work: .....

Fax: ..... Cell phone: 081 292 8091. Email: .....

Are mining operations ongoing as per section 31(1)(a) of the Act?

Are all monthly reports submitted as per section 45(1) of the Act?

Are all claim fees paid up as per section 123(1)(b) of the Act?

YES	NO
x	
x	
x	

If the answer is "NO" to any of the questions, please submit an explanation for the failure to comply with the requirements of the mentioned sections of the Act: .....

.....

.....

.....

#### IMPORTANT NOTE

Details of any change in personal or corporate particulars, or particulars relating to an accredited agent, must be provided on the prescribed form in terms of Section 41(1)(j) of the Act and appended to this application.

Indicate the attachment of any of the following forms:

	YES	NO
Change in Personal Particulars		x
Change in Corporate Particulars		x
Change in Particulars of Accredited Agent		x

\* Particulars of Mining Claim/s which registration is/are to be renewed must be noted on page 4 of this application form.

REPUBLIC OF NAMIBIA  
MINISTRY OF FINANCE

159999

Receipt

Q 1791877

☒ Cash  
☐ Postal Orders, etc.  
☐ Cheques

Bank Code

Cheque No.

Account No.

Collection for Ministry of

Received the amount of

Dollar

Cents

N\$

In respect of the following liability

Allocation

To

Please write clearly

Receiver of Revenue  
MINISTRY OF MINES  
AND ENERGY

MINING COMMISSIONER

87 AUG 2017  
Private Bag 10037  
F1 9000 WINDHOEK  
OFFICIAL

Date Stamp