

MINISTRY OF ENVIRONMENT  
FORESTRY AND TOURISM  
DIRECTORATE OF ENVIRONMENTAL AFFAIRS  
15 APR 2024  
Tel: 061 264 7311  
RECEIVED 2  
Signature:.....



REPUBLIC OF NAMIBIA

Ministry of Mines and Energy  
Mining Commissioner  
2024 -04- 02  
Received  
Department of Mines

**PRO-FORMA ENVIRONMENTAL CONTRACT**

WHEREAS the Applicant referred to below applied for the registration of mining claims, or renewal thereof, in accordance with the provisions of the Minerals (Prospecting and Mining) Act, No. 33 of 1992 and that the Mining Commissioner is prepared to grant to the Applicant the **Mining Claim(s)** subject to certain terms and conditions.

WHEREAS such terms and conditions include the condition precedent that the Applicant enters into an Environmental Contract with the Government of the Republic of Namibia.

IT is hereby agreed as follows:

1. PARTIES.

The parties to this contract are:

~~Ministry of Mines and Energy  
Mining Commissioner  
2024 -04- 02  
Department of Mines~~

**Laimi Simon**  
(hereinafter referred to as the "Applicant")

being the holder of  
**Non-Exclusive Prospecting Licence 3750**  
&  
**Mining Claim Allocated Number 69833**

on the one hand, and

**THE GOVERNMENT OF THE REPUBLIC OF NAMIBIA**  
(Hereinafter referred to as "the Government")

duly represented by:

**THE MINISTRY OF ENVIRONMENT, FORESTRY & TOURISM**  
(Hereinafter referred to as "MEFT")

and

**THE MINISTRY OF MINES & ENERGY**  
(Hereinafter referred to as "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 Applicant may have under the Minerals (Prospecting and Mining) Act, 1992 (the Act).
- 2.2 The Applicant recognises that its prospecting/mining operations may have significant impacts on the environment. Accordingly, the Applicant 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 MEFT and MME as provided for in 3.3 and 4 below.
- 2.3 In particular the Applicant 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 Applicant 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 Applicant's activities.
  - 2.4.2 itself undertake such mitigatory or restorative measures and to recover the costs thereof from the Applicant.
  - 2.4.3 claim compensation for environmental damage, which may have been brought about by the Applicant's activities.
- 2.5 The Applicant 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 Applicant acknowledges that should it apply for a mining licence in consequence of its mining operations, it will have to comply with the provisions of the Environmental Management Act, Act No. 7 of 2007 and its Regulations.

## 3. THE ENVIRONMENTAL CONDITIONS

- 3.1 In accordance with section 33(2)(c)(vi) of the Act, which provides that an application for a mining claim 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 Applicant has to duly complete an Environmental Questionnaire and attach it to this pro-forma.
- 3.2 The Applicant acknowledges that once the MEFT and MME has determined that the



information furnished in the attached questionnaire is satisfactory, it will form part of this contract.

3.3 The Applicant warrants that the information contained in the questionnaire is to the best of its knowledge and belief it to be 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 Applicant acknowledges that the reports, which it is obliged to furnish to the MME, will include an Environmental Report.

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

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

**SIGNED AT Windhoek on this 01<sup>st</sup> day of April 2024**

For the Applicant:  
(duly authorised thereto)

*Laimi Suman*.....

For the Government of Namibia:

.....  
Mr Timoteus Mufeti  
Environmental Commissioner  
Ministry of Environment, Forestry and Tourism

and

*Isabella Chirchir* 12/04/2024  
.....  
Ms Isabella Chirchir  
Mining Commissioner  
Ministry of Mines and Energy