

FIRST SCHEDULE

REPUBLIC OF SOUTH SUDAN

MINISTRY OF PETROLEUM AND MINING

THE MINING ACT, 2012

MINING (MINERAL TITLE) REGULATIONS, 2015

128. FORM AT-4 Attestation to Accept Terms of Transferred Mineral Title

(Sections [47, 81 and 105] of the Mining Act, 2012 and Regulations 80 and 81 of the Mining (Mineral Title) Regulations)

Instructions:

When the holder of a transferable and assignable Mineral Title (Exploration Licence, Small-Scale Mining Licence, Large-Scale Mining Licence or a Mineral Title, which was repealed under Article 2 of the Mining Act) applies to transfer or assign its Mineral Title, this form shall be completed by the person or corporation to whom the Mineral Title will be transferred or assigned. This form shall be completed in full and signed by the intended transferee. This form shall be attached to the Mineral Title transfer application before such application is submitted to the Mining Cadastre Office. The attesting signature below shall be witnessed by two persons. The transferee shall attach to this form adequate evidentiary proof to demonstrate its financial and technical competence to fulfil all and every obligation imposed by the Mining Act on the Titleholder.

the person whose signature below attests to accuracy of the attestations provided in this form shall be guilty of an offence and subject to penalty;

- a. the Licence or Licence application to which this form is attached shall be null and void;
- b. any resultant Licence to which this form relates is null and void.

1. Information to be completed by transferee

- a. Type of Licence:
- b. Licence Registration Code Number:
- c. Name of the intended person or corporation to whom the Mineral Title will be transferred to (hereinafter the Transferee):
- d. Name of the current Titleholder:

2. Attestation:

When any attestation provided in this form is found to be false –

- a. the person whose signature below attests to accuracy of the attestations provided in this form shall be guilty of an offence and subject to penalty; and

- b. if so decided by the Minister -
 - i. the Mineral Title transfer application to which this form is attached is null and void;
 - ii. any transfer of the Mineral Title is null and void and the Mineral Title obligations shall revert to the original Titleholder; and
 - iii. any instrument purporting to transfer or assign the Mineral Title is null and void.

By my signature below, I attest that following statements are true (as of the date of signature below): --

- a. I am the intended Transferee or am authorised by the corporate body who is the Transferee to represent and sign this form on its behalf.
- b. I have attached to this form evidentiary proof of the ability of the Transferee demonstrating its ability to undertake all and every obligation of the Mineral Title identified above.
- c. Upon transfer of the Mineral Title identified above, I agree that the Transferee will assume all liability for actions or non-actions arising out of the obligations of the Mineral Title identified above that occurred before the transfer of such title to the Transferee.
- d. Upon transfer of the Mineral Title identified above, the Transferee will assume all and every obligation imposed on the Mineral Title by the Act and its regulations.
- e. The Transferee (and, in the case of the Transferee being a corporation, no director or any shareholder holding a controlling share of the corporate body named below):
 - i. is disqualified under Article 7(2) of the Mining Act 2012, or
 - ii. is presently an officer or employee of the Ministry charged with the responsibility for regulating the development and exploitation of Mineral Resources.

Name of authorised person:

Title or Position:

Signature of authorised person :

Date:

Telephone number:

Mobile number:

Email:

Note: Any communication will be sent to the address indicated in the Licence Application or as amended.

Witness number 1.

Name:

Signature:

Witness number 2.

Name:

Signature: