

**MINERALS ACT**

Act 41 of 1966 – 3 September 1966

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**MINERALS ACT**

**1. Short title**

This Act may be cited as the Minerals Act.

**2. Interpretation**

In this Act—

“authorised prospector” means a person authorised under section 5;

“minerals”—

(a) includes—

- (i) metalliferous minerals containing aluminium, antimony, arsenic, barium, bismuth, cadmium, cerium, chromium, cobalt, colombium, copper, iron, lead, lithium, magnesium, manganese, mercury, molybdenum, nickel, potassium, sodium, tantalum, tin, titanium, tungsten, uranium, vanadium, zinc, zirconium, and all other substances of a similar nature to any of them, and all ores containing them and combinations of any of them with each other or with any other substance, other than those occurring in the form of precious minerals;
- (ii) combustible carbonaceous minerals including—
  - (A) coal;
  - (B) lignite, which includes brown coal and any coal which the President may prescribe to be lignite;
- (iii) other minerals, including those used for their abrasive or refractory qualities and asbestos, barytes, bauxite, china

clay, crystals, fuller's earth, graphite, laterite, marble, mica, nitrates, pipeclay, potash, pumice, quartz, slate, soda, sulphur, talc, and all other substances of a similar nature to any of them; and

- (iv) precious minerals, including—
  - (A) precious stones and semi-precious stones including amber, amethyst, beryl, cat's eye, chrysolite, garnet, and all other semi-precious stones, whether of the same kind as those enumerated or not;
  - (B) precious metals;
- (b) does not include—
  - (i) pottery, clay or rock salt;
  - (ii) any materials, such as clay, sand, limestone, sandstone, or other stones, commonly used for the purpose of road making, building or for the manufacture of any article used in the construction of buildings where such material does not contain any valuable metal or precious stone;
  - (iii) petroleum and associated substances as defined in the Petroleum Act;

"Minister" means the Minister to whom responsibility for the subject of commerce and industry is assigned;

"precious stones" means diamonds, emeralds, opals, rubies, sapphires, turquoises, and such other stones as may be prescribed to be precious stones for the purposes of this Act;

"prospect" means search for minerals and includes such work as is reasonably necessary to enable the prospector to test the mineral-bearing qualities of the land.

[S. 2 amended by Act 48 of 1991.]

### **3. Right to prospect for minerals**

Subject to this Act, and until such time as may be prescribed, no person shall prospect for, mine or work minerals in or under any land in Mauritius, whether he is the owner of the land or not.

[S. 3 amended by Act 48 of 1991.]

### **4. Exclusive right of Government**

Government shall have the exclusive right to prospect for minerals in or under any land.

### **5. Authorised prospector**

The Minister may authorise in writing any person to carry on prospecting operations in or under any land on behalf of Government.

## 6. Notification of intention to prospect

(1) The Minister shall, by notice published in the *Gazette* and in 3 daily newspapers, give notice of the intention of Government to prospect for minerals in or under any land.

(2) A notice under subsection (1) shall give a brief description of the land.

## 7. Powers of authorised prospector

On the issue of a notice under section 6, the authorised prospector may—

- (a) enter upon the land in respect of which the notice has been given with his workmen;
- (b) employ in prospecting on the land any number of persons;
- (c) do all other acts necessary to prospect for minerals in the land.

## 8. Compensation

Government shall pay compensation to the owner or occupier of the land in or under which prospecting operations are carried out for any—

- (a) disturbance of the rights of the owner or occupier;
- (b) damage done to the surface of the land; or
- (c) damage caused to any crops, trees, buildings or works on the land.

## 9. Regulations

The President may make such regulations as he thinks fit for the purposes of this Act.

[S. 9 amended by Act 48 of 1991.]

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