

## CHAPTER 21:01

# BASE MINERALS EXPORT CONTROL ACT

*Act 4/1949; 21/2001 (s. 4). R.G.N. 97/1969.*

### AN ACT to prohibit or regulate and control the export of base minerals from Zimbabwe.

[Date of commencement: 30th May, 1949.]

#### 1 Short title

This Act may be cited as the Base Minerals Export Control Act [*Chapter 21:01*].

#### 2 Interpretation

In this Act—

“base minerals” means coal and all other minerals and mineral substances, and includes coke and all such slimes, concentrates, slags, tailings and residues as are valuable and contain base minerals as hereinbefore defined, but does not include precious metals, precious stones, mineral oils and natural gases;

“Minister” means the Minister of Mines or any other Minister to whom the President may, from time to time, assign the administration of this Act;

“precious metals” means gold, silver, platinum and platinoid metals in an unmanufactured state, and includes all such slimes, concentrates, slags, tailings, residues and amalgams as are valuable and contain such precious metals;

“precious stones” means beryls, diamonds, emeralds, rubies and any other substances which the President has declared to be precious stones in terms of the Mines and Minerals Act [*Chapter 21:05*]; “order” means an order made and in force under this Act.

#### 3 Orders prohibiting or regulating the export of base minerals

The Minister may, by order—

- (a) prohibit the export of all base minerals or of any specified base minerals from Zimbabwe either generally or to any territory mentioned in the order; or
- (b) direct that all base minerals or specified base minerals may only be exported from Zimbabwe either generally or to any territory mentioned in the order in accordance with a written permit issued by such person as may be specified in the order.

#### 4 Conditions of permits

A permit issued in terms of an order made under paragraph (b) of section *three* may prescribe the quantity of the base mineral that may be exported, the period within which, the place from which and the manner in which the export is to take place, and the consumers to whom the base minerals shall be consigned and the quantity thereof that may be consigned to any consumer in the period prescribed in the permit and such other conditions as the issuer on the authority of the Minister may impose.

#### 5 Validity of orders

An order shall have effect notwithstanding anything inconsistent therewith in any other enactment or any trade or customs agreement to which the State is a party.

#### 6 Offence and penalty

Any person who contravenes or fails to comply with any order or with the terms and conditions of any permit issued to him under an order shall be guilty of an offence and liable to—

- (a) a fine not exceeding level nine or twice the value of the base minerals in respect of which the offence is committed, whichever is the greater; or
- (b) imprisonment for a period not exceeding two years; or to both such fine and such imprisonment.

[Section substituted by Act No. 22 of 2001]