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SAO TOME AND PRINCIPE

LEGAL REGIME FOR THE MINING AND EXTRACTION OF AGGREGATES

On the 22nd September 2020, was published the Law 9/2020, which approved the Legal Regime for the Mining and Extraction of Aggregates ("RJEEI"), defining the condition under which such mining and extraction is allowed in the national territory.

The RJEEI applies to all individuals, groups, or organisations involved in the management, mining and extraction of aggregates on either a temporary or permanent basis.

According to the RJEEI, the extraction of sands and coastal aggregates is expressly prohibited in the whole national territory, except in the very few cases expressly provided for in the law.

For the purposes of the RJEEI, qualify as aggregates all the raw materials that scientifically fall into such category, such as sands, gravel, basalt, clays, limestones, coral reefs, pebbles, phonolites and trachyte.

The aggregates mining and extraction is subject to either a licensing or an authorization regime, applicable respectively, for quantities of equal or in excess of 500 m³ or lower than 500 m³.

Breaching of the RJEEI's provision subjects the offender to administrative, civil and criminal penalties, depending on the nature and seriousness of the offences.

The RJEEI was approved in order to mitigate the adverse environmental and economic impacts of the current indiscriminate increase of the exploitation of sand, clay, basalt and its derivatives.

The RJEEI shall enter into force on the 22nd October **2021** (one year after its publication in the Official Gazette).