

Base Minerals Export Control (Unbeneficiated Base Mineral Ores)
Order, 2023

UNDER the powers conferred upon me by section 3(1)(a) of the Base Minerals Export Control Act [*Chapter 21:05*], I, Wiston Chitando, MP, Minister of Mines and Mining Development, by this my order direct that with immediate effect as follows:—

1. This order may be cited as the Base Minerals Export Control (Unbeneficiated Base Mineral Ores) Order, 2023.

2. In this order—

“mineral” has the meaning given to it by section 5(1) of the Mines and Minerals Act [*Chapter 21:05*];

“ore” means all forms of minerals or mineral aggregates which in the abstract are of economic value;

“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;

“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*];

“unbeneficiated base mineral ore” means any ore of whatever base mineral that has not undergone processing within Zimbabwe to any extent.

3. (1) No unbeneficiated base mineral ores shall be exported from Zimbabwe to another country except under written permit of the Minister given in either of the following circumstances on written application to him by any miner or other interested person—

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- (a) the export of any unbeneficiated base mineral ore in respect of which the applicant produces compelling reasons to the Minister showing that no such ore is capable of being beneficiated to any extent within Zimbabwe; or
- (b) the export of samples of any unbeneficiated base mineral ore for assaying outside Zimbabwe, upon production of proof satisfactory to the Minister that such assay cannot be satisfactorily done in Zimbabwe, and that the quantity to be exported for that purpose is necessary for that purpose.

4. The Base Minerals Export Control (Unbeneficiated Lithium Bearing Ores) Order, 2022, published in Statutory Instrument 213 of 2022, is repealed (without, however, affecting the validity of anything done by the Minister under that Order).

5. To avoid doubt—

- (a) section 5 of the principal Act provides that “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”; and
- (b) section 6 of the principal Act provides that any person who contravenes or fails to comply with any order or with the terms and conditions of any permit issued to him or her under an order shall be guilty of an offence and liable to—
 - (i) a fine not exceeding level 9 or twice the value of the base minerals in respect of which the offence is committed, whichever is the greater; or
 - (ii) imprisonment for a period not exceeding two years; or to both such fine and such imprisonment.