



## MINERALS AND MINING (ROYALTY) REGULATIONS, 2025

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## MINERALS AND MINING (ROYALTY) REGULATIONS, 2025

IN exercise of the powers conferred on the Minister responsible for Mines by section 25 and paragraph (v) of subsection (2) of section 110 of the Minerals and Mining Act, 2006 (Act 703), these Regulations are made this ..... day of ....., 2025.

### *Preliminary Provision*

#### **Purpose of Regulations**

1. The purpose of these Regulations is to prescribe the rate for royalty and the manner of royalty payments in respect of minerals.

### *Payment of Royalties*

#### **Rate of payment of royalty**

2. A holder of a mining lease, a restricted mining lease, or a small scale mining licence shall,

- (a) in respect of a mineral obtained from a mining operation, and
- (b) in respect of each lease or licence

pay royalty to the Republic at the rate specified in the Schedule.

#### **Due date for payment of royalty**

3. (1) Subject to regulation 3, a person liable to pay royalty under these Regulations shall, within fifteen days after the end of each month, pay to the Republic on account, royalty on the revenue received from the sale or disposal of a mineral obtained from a mining operation.

(2) A person who is liable to pay royalty under these Regulations shall submit to the Commissioner-General, a monthly report on royalty accrued and payments on account to the Republic.

#### **Payment of royalty in kind**

4. (1) Despite paragraph (a) of regulation 1, the Republic may take all or a part of the royalty to which the Republic is entitled in kind in the form of a refined or an unrefined mineral that has a value equivalent to the amount in the agreed currency payable to the Republic on the day the amount is payable.

(2) The Minister shall give not less than thirty days' written notice of the intention to request for the payment of all or a part of the royalty to which the Republic is entitled in kind.

(3) Where the Republic decides not to receive all or a part of the royalty to which the Republic is entitled in kind, the Republic shall, before any mineral to be delivered under subregulation (1) is scheduled for delivery, give not less than thirty days' written notice of the decision to the person liable to pay the royalty.

(4) Where the Republic decides to receive all or a part of the royalty to which the Republic is entitled in kind,

- (a) the Republic and the person liable to pay the royalty shall agree on the terms and the process for the delivery of the mineral in kind; and
- (b) the terms and the process agreed on under paragraph (a) shall be consistent with standard practice as between a buyer and seller of a mineral.

(5) Despite subregulation (4), where the Republic and the person liable to pay the royalty do not agree on the terms and the process for the delivery of the mineral in kind by a date that falls within one month before the scheduled delivery date for the mineral, the Republic shall receive the royalty to which the Republic is entitled in the agreed currency.

### *Returns and Reconciliation*

#### **Yearly returns of mineral production**

5. (1) A person liable to pay royalty under these Regulations shall, within thirty days after the end of each year, submit **returns of mineral production to the Commissioner-General in the manner determined by the Commissioner-General.**

(2) The returns under subregulation (1) shall contain a signed declaration by an officer not below the rank of a General Manager that the particulars contained in the returns are true and complete.

(3) The Commissioner-General may give notice in writing to a person liable to pay royalty under these Regulations to furnish within the period specified in the notice, further information in respect of any matter

- (a) submitted in an earlier return; or
- (b) which the Commissioner-General may consider necessary for the purposes of these Regulations.

### **End of year reconciliation**

6. A person liable to pay royalty under these Regulations shall, within thirty days after the end of each year,

- (a) compute the royalties payable for the year; and
- (b) pay to the Republic the difference, if any, between the sum due to the Republic and the sum of the royalties paid on account by the person in respect of that year.

### *Administration of Royalties*

### **Assessment and collection of royalties**

7. (1) The Commissioner-General is responsible for

- (a) the assessment, collection and recovery of royalties payable under these Regulations;
- (b) the receipt of returns due under these Regulations; and
- (c) a matter relating to an objection under these Regulations.

(2) For the purposes of subregulation (1),

- (a) the Revenue Administration Act, 2016 (Act 916), or
- (b) any other law generally applicable to the assessment, collection, returns, and recovery of royalties

apply with the necessary modifications.

### **Transfer of royalty to Minerals Income Investment Fund**

8. Except as otherwise provided under any other enactment, the Commissioner-General shall pay royalty collected under these Regulations to the Minerals Income Investment Fund in accordance with section 28 of the Minerals Income Investment Fund Act, 2018 (Act 978).

### *Miscellaneous Provisions*

### **Offences**

9. (1) A person who

- (a) fails or refuses to pay royalty payable by that person, or

- (b) makes or submits a false declaration in respect of the operation costs or the value of minerals won by the person, or
- (c) contravenes any other provision of these Regulations

commits an offence and is liable on summary conviction to a fine of not less than fifty penalty units and not more than one thousand penalty units or to a term of imprisonment of not less than three months and not more than one year or to both.

(2) Despite subregulation (1), where a person is found guilty of an offence under these Regulations, the Minister may, in addition to any punishment a court may impose, cancel or suspend the related lease or licence held by the person.

### **Interpretation**

10. In these Regulations, unless the context otherwise requires,

“Commissioner-General” means the Commissioner-General appointed under section 13 of the Ghana Revenue Authority Act, 2009 (Act 791);

“Court” includes a tribunal or other adjudicating body with jurisdiction in relation tax matters;

“Minerals Commission” means the Minerals Commission established under section 1 of the Minerals Commission Act, 1993 (Act 450);

“Minerals Income Investment Fund” means the Minerals Income Investment Fund established under section 1 of the Minerals Income Investment Fund Act, 2018 (Act 978);

“Minister” means the Minister responsible for mines;

“person liable to pay royalty” includes a holder of a mining lease, a restricted mining lease or a small scale mining licence;

“value of minerals won” means the gross price at which minerals are sold at arm’s length at the time of sale, where, in the case of

- (a) gold, the spot price is the average daily quote on the London Metal Exchange; and
- (b) any other mineral,

- (i) the spot price of the mineral is as reported by a reputable reference market; or
- (ii) where a reputable reference market does not exist, the deemed spot price is the greater of the actual price received by the holder of the lease or licence for the sale of the mineral or the price realised by similar producers of the mineral within the same or comparable markets for the month during which the sale took place as may be reasonably determined by the Commissioner-General; and

“year” means the calendar year from 1<sup>st</sup> January to 31<sup>st</sup> December.

### **Revocation and savings**

11. (1) The Minerals (Royalties) Regulations, 1987 (L.I. 1349) is revoked.

(2) Despite the revocation of L.I. 1349, an order or notice issued under L.I. 1349, a proceeding being conducted under L.I. 1349 or any other act lawfully made or done under the revoked enactment and in force immediately before the entry into force of these Regulations shall be considered to have been issued or done under these Regulations and shall continue to have effect until reviewed, cancelled or terminated.

(3) These Regulations shall not affect L.I. 1349 in the operation of offences committed, penalties imposed or proceedings commenced before the entry into force of these Regulations.

**SCHEDULE**  
(regulation 2(1))

**RATE OF ROYALTIES**

**GOLD**

<b>Gold Price US\$/OUNCE</b>	<b>Royalty applicable</b>
Up to US\$1,900	5.0%
Above US\$1,900 – US\$2,000	6.0%
Above US\$2,000 – US\$2,500	7.0%
Above US\$2,500 – US\$3000	8.0%
Above US\$3,000 – US\$3,500	9.0%
Above US\$3,500 – US\$4,000	10.0%
Above US\$4,000 – US\$4,500	11.0%
Above US\$4,500	12.0%

**Determination of Gold Price:**

1. For the purposes of calculating royalties, the market value of gold obtained pursuant to a mining operation shall be the weekly average of the London PM Fix Price of the London Bullion Market Association in United States Dollars per fine troy ounce with respect to the sales of gold during the month.
2. Should the London PM Fix Price cease to exist, the parties may by mutual agreement designate an alternative market index as the basis for determining the average price at arm's length for the sales of gold during the month.

**LITHIUM**

<b>Spodumene Price, US\$/tonne</b>	<b>Royalty applicable</b>
Up to US\$1,500	5.0%
Above US\$1,500 – US\$2,300	7.0%
Above US\$2,300 – US\$3,200	10.0%
Above US\$3,200	12.0%

**OTHER MINERALS**

<b>Mineral</b>	<b>Royalty applicable</b>
Diamond	5.0%
Bauxite or Manganese	5.0%
Salt	5.0%
Industrial Mineral	5.0%
Limestone	5.0%
Iron ore	5.0%

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**HON. EMMANUEL ARMAH-KOFI BUAH (MP)**

*Minister responsible for Mines*