



Prishtina,

**APPLICATION FOR THE TRANSFER OF A LICENCE OR A SPECIAL
OPERATIONS PERMIT**

for

1 AUTHORITY

Pursuant to Article 2,7 and article 10 of the Law No.03/L-163, promulgated on 27 August 2010, and article 7 of the Law with no.04/L-158 on Amending and Supplementing the Law No.03/L-163 on Mines and Minerals the Board of the Independent Commission for Mines and Minerals (ICMM) has the general power to approve the Transfer and Pledge of a Licence or a Special Operations Permit.

2 APPLICATION INFORMATION (to be filled in by ICMM Legal Department)

ICMM Application Number _____

Application date (dd.mm.yyyy) _____

Application time (hour) _____

Received by (Signature) _____

3 APPLICANT'S INFORMATION (TRANSFEROR)

(to be filled in by the applicant)

Name of business

Represented by

Officially registered address

Place of Application

Cadastral Zone - Municipality

Business Registration No.

Phone number

Mobile phone number

E-mail address

4 TRANSFEREE'S INFORMATION

(to be filled in by the applicant)

Name of business

Represented by

Officially registered address

Place of Application

Cadastral Zone – Municipality

Business Registration No.

Phone number

Mobile phone number

E-mail address

5 APPLICATION BACKGROUND

5.1 A licence (hereinafter the “Licence”) to explore _____

at _____ was issued for

_____ (the “Transferor”)

on _____.

5.2 On _____, the Transferee of a Licence or Permit registered a Company

_____ (“the Transferee of a Licence or Permit”)

and has requested that the ICMM transfer the Licence to the Transferee. The Transferee confirms that a person or one partner qualifies under Law on Mines and Minerals 03/L-163, Article 22 as “Responsible Person”.

6 Documentation required pursuant to Law on Mines and Minerals No.03/L-163, Article 10.2 and article 7 of the Law on Amending and Supplementing the Law No.03/L-163 on Mines and Minerals

If a Licensee under an Exploration License or a mining License or a Permit Holder desires to transfer such License or Permit, the Licensee or Permit Holder and the proposed transferee shall submit jointly to the ICMM a completed application for such purpose in the prescribed format, together with the prescribed fee. The following information shall be attached to this application:

6.1. A copy of the concerned License and/or Permit, the proposed transfer agreement and all other material documentation related thereto;

6.2. A statement from the Licensee or Permit Holder setting forth the reasons for the proposed transfer;

6.3. Information demonstrating that the proposed transferee would be eligible, under the applicable provisions of the present law, to receive such License or Permit if such proposed transferee were to apply for such a License or Permit;

6.4. An update of the Exploration, Special Operations and/or Mining Program and a statement issued by the proposed transferee to fulfill the such programs as approved by ICMM; and

6.5. A written commitment by the proposed transferee to accept and discharge of all remaining obligations of the current Licensee or Permit Holder - whether arising under the License, the Permit, the present law or any other element of the Law of Kosovo - as of the effective date of the transfer.

7 CRITERIA FOR TRANSFER

The ICMM shall agree to the transfer of a License or Permit upon application in accordance with paragraph 2 of this article, if at the date of such application the transferee fulfills the conditions of paragraph 2 of this article and the general conditions under this law for the issuance of the concerned license or permit.

Upon approval of the transfer by ICMM, the transferee of the Licence or Permit shall be obligated to fulfill all obligations referred to in sub-paragraph 6.5 of paragraph 6 of this article.

8 TRANSFER OF CONTROL

Any proposed change of a Significant Owner of a Licensee or Permit Holder shall be subject to approval by the ICMM. The ICMM shall deny its approval of such change if the new significant owner fails to meet the eligibility criteria set out in subparagraph 1.2 of paragraph 1 of article 6 of this law or if such change would cause the Licensee or Permit Holder to become ineligible under any other provision of article 6 of this law

On an application for approval as required by this article 11, the ICMM may require the submission of such information as the ICMM may reasonably deem necessary.

9 APPLICANT'S DECLARATION

The applicant ensures that the documentation submitted is complete and truthful. He also declares with his signature that he has been informed about the eligibility criteria of article 6 of Law No. 03/L-163. The submission and/or the use of false documents and misleading statements constitute an offence against the Criminal Code of Kosovo and shall result in a criminal proceeding by the competent authorities

10 AGREEMENT

The Independent Commission for Mines and Minerals ("ICMM"), under the conditions and requirements, stipulated for the original licence application, agrees to transfer the Licence to the Transferee.

The transferred Licence shall be subject to the same terms and conditions as the original Licence

The Transferor and the Transferee shall be jointly and severally liable for any existing and future obligations under the Licence and the new Licence, whether arising before or after the old Licence is cancelled and the new Licence is issued.

THE TRANSFEROR

SIGNED for and on behalf of the Company: _____

by its duly authorised signatory Signature: _____

Name _____

Date: _____

THE TRANSFEE

SIGNED for and on behalf of the Company: _____

By its duly authorised signatory Signature: _____

Name _____

Date: _____

Acknowledged by the INDEPENDENT COMMISSION FOR MINES AND MINERALS

_____ Date: _____

Musa Shabani
Chairman of the ICMM Board