



سفارت جمهوری اسلامی ایران

کینشازا

## INVEST IN THE MINING SECTOR Democratic Republic of Congo

The creation of a company in the DRC regardless of the sector of activity begins with the formalities at the One-Stop-Shop for Creation Companies (GUCE) namely:

- **RCCM registration** (*Registre de Commerce et du Crédit Mobilier RCCM*)
- **National identification number grant rights**
- **Document authentication rights**
- **Fees for insertion in the official journal of a document typing or manuscript.**

With regard to the mining sector, with regard to the law establishing the mining as amended and supplemented by n ° 18/001 of March og 2018 access to the exercise of mining and quarry rights is granted to legal persons wishing to invest in the sector and are required to provide the following documents:

- **The valid tax certificate or equivalent issued by the competent institution of the applicant's country of origin,**
- **The certificate of good life and morals and the extract from the criminal record valid for the partners of the legal person, issued by the competent authorities of the country of origin,**
- **Written commitment to declare profits and income in the DRC achieved.**

Before having access to the sector, you must be eligible. Are eligible for mining and quarry rights:

- 1-Any legal person under Congolese law which has its head office door and administrative on the national territory and whose corporate purpose**
- 2-Any legal person governed by foreign law whose corporate purpose is of the Republic; (only eligible for mining rights and /exclusively on mining activities and which complies with the laws exclusively on mining activities or research careers).**
- 3. Any organization with a scientific vocation; (eligible only than mining rights and / or research quarries).**

The eligible persons referred to in point 1 are required to elect domicile with a mining and quarrying agent established in the Territory National and act through it,

### **THE PROCEDURE**

Other ceramic industries (cf. Art 129 and 130 of the mining code). Obtaining the career title for the establishment of Cement factories and Public placed under the supervision of the Ministry of Mines), to obtain:

-Submit a request to the Mining Cadaster (Establishment the authorization

to research quarry products by completing an application form. (cf. Art 142 and 143 of the mining code)

-The application package must include the following: For applicants who are legal entities: File filing fees career: 0.12 USD / Square requested For people applicants physical Copy of identity card / passport 1 passport photo Contact details + Geographic map of the requested perimeter.

- Proof of financial capacity which must include: the certificate bank and the extract from the bank account, the choice of domicile with an approved mining agent (formality reserved for foreigners)Career file filing fees: 0.12 USD / Square requested; Tax surface area: 4.25 USD / square for the authorization of research of quarry products In case the research is conclusive, the company concerned can apply for the operating license always of the mining cadaster (cfr 146 to 154 of the mining code).

-Cost to pay \$ 0.20 / square requested Area tax: USD 5.114 / square

Financial capacity: it must be fifty times more than the amount total annual surface rights per square payable for the validity of the research authorization for quarry products requested

## **APPROVAL AS A PURCHASE AND SALE COUNTER OF OPERATING MINERAL SUBSTANCES ARTISANAL**

The application for approval as a counter for the purchase and sale of artisanal mining substances is addressed, by any eligible person in accordance with paragraph 2 of article 25 of the code mining, to the Mines Department and includes the following elements:

- Proof of registration in the Trade and Credit Register movable Property

- Notarial statutes, if it is a legal person;
- The extract from the criminal record of the first residence dating from three months at most and the certificate of good conduct, life and morals, if it is a natural person;
- National identification number;
- Tax number;
- Proof of holding an account opened in the name of the applicant in an approved bank;
- The letter of registration to the Central Bank of Congo and the Import-Export number.

Authorized counters are also bound by the following obligations:

- Communicate to the Minister and the Central Bank of Congo to date of the approval, the fixed and controllable locations of the offices purchase of gold, diamonds and other mineral substances artisanal mining:
- Buy gold, diamonds and other mining minerals artisanal presented at approved counters regardless of their size, quantity and quality:
- Pay taxes and duties relating to their activities:
- Own at least one building in materials sustainable in each activity center within one year:
- Have in the company a participation of at least 25% of the share capital reserved for Congolese