

## **CLAIM BOARD**

**CLIM HOLDER:           PATRICK JOHN**

**P.P.S.S. No.             02314**

**Date of location:       17 . 10 . 2003**

**Name of claim:         Jason**

**C H F**

# GUYANA GEOLOGY AND MINES COMMISSION

## TRAINING OF AMERINDIANS AND CAPTAINS

Supprimé :

TO FUNCTION AS RANGERS WITHIN AMERINDIAN COMMUNITIES

APRIL 2004

### INTRODUCTION

This programme has been specially designed with the intention of provide you; the Captains and potential Mining Rangers of Amerindian Communities, with basic knowledge of the Mining Laws and a fair understanding of the legal implications involved in Mining, not only within Amerindian Communities but throughout Guyana.

It is specially structured to enable you to function within your Communities as true GUARDIANS thereof with an understanding of the importance of your responsibility and functions in the context of the Mining Act and Regulations.

At the completion of this programme, you will have a clear understanding of those aspects of the Mining Regulations which must be taken into consideration whenever you, as Captains, have to consider an application from a non-Amerindian to mine with or without a dredge within your community and you which, the Rangers, will be guided by in the execution of your functions. It is good that both the Captain and the Ranger of those communities which are involved in Mining are given the same level of training. You will better be able to discuss issues and to share ideas between yourselves as well as to teach your people that which is right in mining practice and help them to forget that which is wrong. You will be better able to discuss with potential Miners from outside of your Villages and even those from within your Villages who may be inclined to become involved in mining as a business, with the use of dredges and other forms of mining equipment. You will be able to ensure that there is full compliance with the agreement entered into with your Village Council and compliance with the Mining Laws.

1.

This programme will enable you to have an appreciation of some of the responsibilities and functions of Mines Officers and to apply yourself in the manner expected of you.

You will better be able to account to your Village Council and to the Guyana Geology and Mines Commission for the amount of Gold and Diamond mined within the Reservation. You will have knowledge of the amount of minerals from within your communities which help to make up the total Gold and Diamond production in the country at the end of a given period. You will be directly involved in the assessment of the proper Mining Practices within your Reservation and taking action to ensure compliance with the Law and the wishes of the Villages. Generally, You the Rangers, will be the authorised person within your Village to exercise certain functions in the absence of a Mines Officer and the Captains, with basic knowledge of what is expected of a Miner, will be able to advise your Council and the Higher Authorities of activities therein.

## **ADMINISTRATION**

### **The Laws**

**The Guyana Geology and Mines Commission** was established by an Act on Parliament known as **The Guyana Geology and Mines Commission Act No. 9 of 1979**. It was given the ascent by His Excellency the President, Mr Arthur Chung, on 30<sup>th</sup> May, 1979. This Act, sets out the Functions of the Board of Directors of the Guyana Geology and Mines Commission, the Mission Statement and general guidelines for the operations of the Organisation. It is being read in conjunction with **The Mining Act No.20 of 1989**, which replaced the repealed Mining Act, Chapter 65:01, and provides for the Appointment of Mines Officers and their responsibilities; and also makes provisions in relation to granting of land for different purposes relative to mining, Prospecting for and Mining of Metals, Minerals and Precious Stones, regulating their conveyance and matters connected therewith. **The Mining Regulations** which were formerly a part of the old Mining Act, Chapter 65:01, are now incorporated as part of the new Mining Act No. 20 of 1989 and sets the general guidelines for day-to-day functions in the Gold and Diamond Mining Industry of Guyana. The Mining

Regulations provide all of the information necessary for officers appointed under the Mining Act to carry out their functions.

### **AUTHORISED OFFICERS**

#### **1. The Commissioner.**

The Commissioner, Guyana Geology and Mines Commission, is the Chief Executive Officer of the Guyana Geology and Mines Commission. He is held responsible for all decisions being made either by himself or by staff of the Commission or by any person who has been appointed by the Minister of Energy and Mines, ( The Prime Minister) to carry out certain functions under the Mining Act. The Commissioner, by virtue of his office, is a Mines Officer and has all of the powers vested in a Mines Officer and a District Mines Officer under the Mining Act. He has the authority to change any decision that has been made by a Mines Officer or by any person who has been appointed to function under the Mining Act as a Mines Officer or Other Officer. Every Officer so appointed, functions on behalf of the Commissioner and is answerable to him for his function.

#### **2. Deputy Commissioner**

The Deputy Commissioner assists the Commissioner with his duties and functions in the Office of the Commissioner whenever The Commissioner is on leave or out of the Country on duty. The Deputy Commissioner is also a Mines Officer with all of the powers of a Mines Officer and a District Mines Officer.

#### **3. District Mines Officers**

A District Mines Officer is appointed by the Minister by a Notice published in the Official Gazette. The District Mines Officer has all of the functions conferred by the Mining Act on a Mines Officer and on a District Mines Officer. This Officer has full powers under the Mining Act to function and exercise full authority over all of the six Mining Districts of Guyana.

#### **4. Mines Officers**

A Mines Officer is a Public Officer or any other person employed by the Government or an employee of the Guyana Geology and Mines Commission appointed by the Minister, by notice published in the Official Gazette specifying the area for which and for the purposes of which provisions of the Mining Act, he is authorised to function.

#### **5. Other Officers**

Other Officers are appointed by the Commissioner or the Minister, as considered necessary, to carry out specific functions within specified areas under the Mining Act.

#### **6. Departmental Managers**

There are seven Departmental Managers at the Guyana Geology and Mines Commission, in addition to the office of the Deputy Commissioner. Those Departments and their heads are:

- (i) **Administrative Division**, headed by Mrs Claudette Small and has responsibility for Recruitment, Personnel and Industrial Relations Matters, and providing Services to the organisation as a whole.
- (ii) **Department of Finance**, headed by Mr Patrick Fraser with responsibility for all financial matters: Income and expenditure, investments, Savings and all forms of disbursements.
- (iii) **Mines Division**, headed by Mrs Dianne Mc Donald with responsibility for Mining, Quarrying, Mineral Processing, Land Surveying, allocation of land within Mining Districts, for Small Claims, Business and Residential purposes, Mining-related Technical Services, Mines Registry and the Mines Inspectorate Section.
- (iv) **Geological Services Division**, headed by Mr Kampta Persaud, with responsibilities for Geological Surveys, Cartographic Section, Mineral Exploration, Drilling, Allocation of Land for Prospecting Permits, Medium and Large Scale, Opening and Closure of areas for prospecting and Mining.
- (v) **Environmental Division**, headed by Mrs Karen Livan, with overall responsibility for Mining-related Environmental matters, Occupational Safety and workers Health.

(vi) **Petroleum Division**, headed by Mr Newel Dennison, with responsibility for Petroleum Exploration and related matters.

(vii) **Legal Department**, headed by Mrs Rosemary Benjamin-Noble with responsibility for all Legal Matters within the Organisation.

### **MINING DISTRICTS**

#### **The six Mining Districts are:**

- District No. 1 Berbice
- District No. 2 Potaro,
- District No. 3 Mazaruni
- District No. 4 Cuyuni
- District No. 5 North West District
- District No. 6 Rupununi.

For the purpose of the Mining Act, the Mining District is not to be construed to be the same as the Administrative Region. Within some Regions, there may be more than one Mining District, For example, within Region No. 7, Cuyuni/Mazaruni, there are two Mining Districts, while Mining District No. 2 is extended over a part of Region No. 8, Potaro and a part of Region No 7. Cuyuni/Mazaruni but Mining District No. 6, Rupununi, includes a substantial part of the North Pakaraimas of Region No. 8. and Mining District No 5 is a part of Region No. 1, Barima Waini.

### **MINING STATIONS**

Mining Stations are established under provisions of the Mining Act within areas where mining operations are in considerably large numbers which would require the presence of District Mines Officers to constantly keep monitoring mining and related activities, production, also attend to disputes, verify claims and treat with the full range of other duties related to their appointment.

5.

Mining Stations established during 2004 are as follows:

Mining District	Mining Station	Officer – in – Charge	Designation
Potaro	Mahdia	Amarnauth Rancharran	Surveyor Technician
	47 miles Mabura Road	Ricardo Veeren	Mines Officer
Mazaruni	Bartica	Mrs Unata De Freitas	Geological Technician
	Itaballi/Puruni	Vejay Deodatt	Surveyor
	Issano/Semang	Mark De Freitas	Geological Technician
	Enachu	Anthony Paul	Geological Technician
Cuyuni	Kurupung	Bhemraj Ramkelawan	Surveyor Technician
	Arimu/ Cuyuni	Julius Griffith	Geological Technician
N.W.D.	Eclipse Falls Top	Claude Duncan	Surveyor Technician
Rupununi	Lethem	Bertune Mickle	Geological Technician
Georgetown	Ogle Aerodrome	Keith Marshall	Assistant Mines Officer
	Head Quarters	Kwame Liverpool	Surveyor Technician
	Verification	Elton Sampson	Geological Technician
Head of Section	Georgetown	Jack O. Morgan	Chief Mines Officer

For Supervisory purposes within the Mining Districts, there are two Zone Supervisors responsible for the two Zones which are made up of as follows:

Northern Zone	Districts No. 3, 4 & 5	Mohan Persaud,	Senior Mines Officer
Southern Zone	Districts No. 1, 2, & 6	Linton Butters,	Deputy Chief Mines Officer (ag)

### **MONITORING**

Monitoring of Mining and other related activities is a function being undertaken from the Mining Stations and by Inspection and Supervisory tours, mainly by staff of the Inspectorate Section of the Mines Division. Mining Station Officers are responsible for monitoring of all operations and mining related activities within the outreach of their respective Mining Stations and are frequently visited by their Supervisors to observe their functions and to give assistance and support.

6.

Those areas which do not fall under the outreach of a Mining Station, (eg. Upper Mazaruni and Upper Cuyuni) are visited periodically by Supervisors who attend to all matters during their visits. Monitoring of environmental matters within Mining Districts is also being done by staff of the Environmental Division and Mining Engineers of the Mines Division monitor activities within Quarries, Sand and loam mining, Tailings management and safety in all categories of mining operations,

Monitoring is an integral part of the activities of the Mines Division and has to do with ensuring that all operations are carried on in accordance with the Law, all persons satisfy the legal requirement for being and working on claims, that all minerals are recorded in a book known as the Daily Production Record, as provided for in Mining Regulation 181, conveyance of minerals in the prescribed manner, from a claim to a place outside of the claim, ensuring that mining practices are safe and environmentally friendly, that conditions on camp sites satisfy the Sanitary Regulations of the Mining Regulations The Inspectorate Section also attends to disputes between adjacent claim owners, Verify claims to determine their legal status and eligibility for Claim Licence, Issue Licences and Permits for various types of activities within Mining Districts, Prosecutes Mining Offences in the Magistrates' Court and all of the other ancillary activities provided for in the Mining Regulations. All of these functions however, are not generally carried out by all officers appointed under the Mining Act. There are officers who are appointed with limited powers which would enable them to function only at the Head Office, while there are those, also with limited powers which enable them to function at Head Office and in the field but cannot exercise full authority under the Mining Act as the District Mines Officers could.

**The District Mines Officer is the Officer in Charge of the Mining District.** He has the authority to do all things under the Mining Act and to supervise the functions of any other Officer who has been appointed with limited powers to function within a particular area of a District. Persons in this category are: Mines Officers, Officers –in – charge of Police Stations, Regional Executive Officers, Deputy Regional Executive Officers, Rangers and any of such Officers who have been gazetted to function under the Mining Act. Such Officers are also expected to submit reports to the Commissioner in relation to matters attended under the

Mining Act. It must be noted, that at the Guyana Geology and Mines Commission, there are many officers who are not Gazetted to carry out any function under the Mining Act.

### **RANGERS**

Rangers are appointed by the Commissioner, to carry out limited functions within specific mining areas of a Mining District where there is the need for an officer's presence but not of the level of a Mines Officer or a District Mines Officer. Such appointments are made either upon request by an Organisation or a Community or may be out of necessity and in the interest of the Commission to have a representative present to oversee mining and related activities, to monitor and take action where necessary, within the limits of their authority and to report to the Commissioner on issues and action taken, either fortnightly or immediately, depending upon the urgency of the need for further action in more complex matters.

Rangers who may be appointed to monitor mining operations within Amerindian Reservation could be regarded by their communities as the people's representatives who would be responsible for doing the following things:

1. To monitor all Mining activities within their respective Amerindian Reservations.
2. To record the presence of every person involved in mining on every operation within the Reservation
3. To ensure that every such person is duly entitled to be within the Reservation and to work on the mining operation.
4. To check and ensure that a correct account of all production is being recorded in a production book to be kept by the Miner or Crew Leader at the operation's Camp and
5. To endorse every such book after checking the record, as evidence of your visit and knowledge of the amount of gold or diamond produced up to the time of the visit.
6. To keep a record of all minerals produced by every operation, (Amerindian or non-Amerindian). Such record should be extracted at the time of every inspection and the total for each operation is to be included in the monthly report.

7. To take immediate action within the limits of your authority on all matters of major concern which could result in disaster or which is of a potential disaster to any person, camp, operation or the community as a whole.
8. To report accurately to your Community Councils and to the Commissioner , Guyana Geology and Mines Commission (and the District Mines Officer if he is easily accessible) by first available opportunity, the nature of such matters and the action taken and seek further help where necessary from the Commissioner. Radio contact with the G.G.M.C. must be the first means of communication in cases of emergency.
9. To report in writing, to the Police and by special report to the Commissioner G.G.M.C, all accidents and deaths of workers in the mine, all incidents involving robbery, murder, matters of assault, aggressive behaviour, threats and acts subversive of law and order by any person within the mining area (such matters must also be included in the monthly report).
10. To give a full monthly account to the Commissioner, of all Mining and related activities, including production by each dredge, number of persons (Guyanese and Foreigners) employed on each operation, environmental matters, incidents involving miners on the reservation, No. of accidents names and number of persons injured and died as a result of accidents, visits by officers or other authorities related activities and matter of importance within the mining area.  
Notwithstanding that a report may have already been forwarded on any specific matter.

All reports must be prepared in duplicate and a copy be kept for records and inspection by any visiting supervisor.

### **FUNCTIONS UNDER THE MINING ACT**

Rangers will be expected to understand their functions under the Mining Act and to carry out such functions in a professional manner. Knowledge of those functions will be acquired from 9.

the Mining Regulations, a copy of which, every person present has been provided with for his use during and after this training programme. The authority with which you will be functioning will be spelt out in the appointment when Gazetted. Such publication is necessary for all persons to be notified that you are the Ranger for your community and the Gazetted Officer of the Guyana Geology and Mines Commission within your respective Community.

### **APPLYING THE MINING REGULATIONS**

It is important to be conversant with the related Mining Regulations under which you have been appointed to function. The Regulations must be your guide in determining any matter and when in doubt, seek information from the Chief Mines Officer by radio through the Ministry Regional Development.

The following Regulations must be referred to in attending to matters during the course of your duties.

#### **Regulation 6 (1)**

Persons wanting to **Prospect for Claims** within certain areas restricted by the Regulation.

#### **Regulation 13 (2) (amendment)**

66 ft inland from river edge restricted from mining

#### **Regulation 64 (amended)**

Keeping channels of rivers and creeks free from obstruction.

#### **Regulation 143**

#### **Subletting of a claim**

#### **Regulation 145 – 155**

Requirements to be and to work on a claim;

Endorsement of Mining Privileges and Certificates of Registration.

Dredge Owners to get written Permission from the Commissioner to operate on claim.

**Offences** for non-compliance with these requirements

#### **Regulation 161**

Registration of persons to work on a claim. ( Foreign Nationals)

#### **Regulation 152**

Claim Holder to report monthly on persons working on a claim

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**Regulations 101-110**

Sanitary matters.

**Regulation 163**

**Raiding threatening and subversive behaviour on a claim.**

**Regulation 170 & 179**

Injury and or death on a claim.

Claim Holder to report to the Commissioner

**Regulation 181**

**Keeping record of production.**

**Regulation 185**

Authority to convey,

**Conveying Gold and diamond from a claim to another place outside of a claim.**

**Regulation 205 -212**

Amerindian privileges under the Regulations.

**Regulation 214**

Stopping work on a claim due to unsafe working and/ or potential danger.

Reporting to Commissioner of Order to Cease Work on a claim.

## **Field activities**

- **Visit to a claim**  
Inspection of Claim Boards and Claim Lines
- **Visit to Mining Operations**
  - (a) Amerindians
  - (b) Non-Amerindians
- **Inspection of operations for**
  - (a) Safe working
  - (b) Environmental friendliness
  - (c) Documents
    - 1. Dredge Licence
    - 2. Permission from Commissioner
    - 3. Mining Privileges and Certificates of Registration
    - 4. Proper Record Keeping and production on hand

## **Evaluation**