



**FACULTY OF LAW**  
**END OF SEMESTER EXAMINATIONS - APRIL 2025**

**PROGRAMME: LLB**

**YEAR/SEM: YEAR 4/SEMESTER 2**

**COURSE CODE: LLB 4214**

**NAME: FUNDAMENTALS OF MINING LAW AND PRACTICE IN UGANDA (ELECTIVE)**

**DATE: 2025-04-15**

**TIME: 9:00AM-12:00PM**

**INSTRUCTIONS TO CANDIDATES:**

1. Read the instructions very carefully
2. The time allowed for this examination is STRICTLY three hours
3. Read each question carefully before you attempt and allocate your time equally between all the Sections
4. Write clearly and legibly. Illegible handwriting cannot be marked
5. Number the questions you have attempted
6. Use of appropriate workplace examples to illustrate your answers will earn you bonus marks
7. Any examination malpractice detected will lead to automatic disqualification.

**DO NOT WRITE ANYTHING ON THE QUESTION PAPER**

## **Section A Section A is compulsory, attempt the entire question**

### **Question 1:**

#### **QUESTION 1**

Mirembe Minerals Ltd, a Ugandan-registered company, applied for a prospecting license to conduct preliminary studies for gold deposits in Karamoja. While waiting for formal approval from the Directorate of Geological Survey and Mines (DGSM), the company went ahead and started extracting and exporting gold. The local community, whose land is affected by the activities, complained that the company was operating without proper consent and had failed to conduct an Environmental and Social Impact Assessment (ESIA).

A whistleblower reported the illegal mining to the National Environment Management Authority (NEMA) and the DGSM. Following investigations, Mirembe Minerals Ltd argued that it had been "verbally assured" that the license would be granted soon and that stopping their operations would result in financial losses. The company further claimed that their activities employed the local community.

1. Examine the legal requirements for acquiring mineral rights under the Mining and Minerals Act, and whether Mirembe Minerals Ltd followed due process. **(8 marks)**
2. Discuss the legal consequences of conducting mining operations without a valid license in Uganda. **(4 marks)**
3. What environmental and social obligations must a mining company fulfill before commencing operations, and what penalties apply for non-compliance? **(6 marks)**
4. Assess the role of regulatory authorities DGSM and NEMA, in ensuring compliance with mineral rights laws and preventing illegal mining activities. **(7 marks)**

## **Section B Attempt at least one question from this section, but donot exceed a total of 4 questions in the entire exam including question one**

### **Question 1:**

#### **QUESTION 4**

Write short notes on the following;

- i) Surface and sub-surface rights (9 marks)
- ii) The principle of Corporate Social Responsibility (8 marks)
- iii) Types of mineral Agreements (8 marks)

### **Question 2:**

#### **QUESTION 2**

Write short notes on the following;

- i) The role of mining law in the mining sector (8 marks)

- ii) The principle of Transparency and Accountability in the mining sector (9 marks)
- iii) The relationship between Mining law and Contract law (8 marks)

**Section C Attempt at least one question from this section, but donot exceed a total of 4 questions in the entire exam including question one**

**Question 1:**

**QUESTION 5**

The Mining and Minerals Act, establishes a legal framework for regulating mineral exploration, extraction, and processing in Uganda. However, illegal mining activities, environmental degradation, failure to comply with licensing requirements, and breaches of occupational health and safety regulations remain major concerns in the sector. In light of the above, critically analyze the offences and penalties provided for under Uganda's mining law.

**Question 2:**

**QUESTION 4**

Examine the legal framework for artisanal and small-scale mining in Uganda. How effective are the current regulations in protecting artisanal miners?

**Question 3:**

**QUESTION 2**

In the process of extracting various minerals, safety protocols are paramount. This among others include ensuring proper handling of hazardous materials and providing comprehensive training for workers thereby ensuring occupational safety and health in the mining sector. Using relevant authorities, analyse the principle of occupational safety and health in the mining sector

**Question 4:**

**QUESTION 3**

Critically analyze the key institutions responsible for the regulation and administration of mining in Uganda. Using relevant authorities discuss their roles and functions in the mining industry.