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NEWS RELEASE

Mining Industry Ready for Engagement with the DRC Government

(PRESS RELEASE) -- A legal and technical team representing the major mining companies operating in the Democratic Republic of Congo ("DRC") has arrived in Kinshasa for engagement with the government on its new mining code. This follows the meeting on 7 March 2018 where President Kabila gave an assurance that the questions raised by the industry would be resolved through transitional arrangements, mining regulations and in respect of agreements and guarantees that need to be considered after the new code was signed into law. In the meeting, the parties were requested to meet for a 30-day period starting 14 March 2018.

As agreed with the President, a matrix of the industry’s issues and proposals regarding the mining code has been delivered to the Minister of Mines. The companies are now awaiting an appointment with the Minister of Mines to discuss a programme of engagement with his working group. The companies in their meeting with the President did confirm their willingness to negotiate additional royalties and changes to other taxes as part of this process.

The companies said they expected this process will start soon and that it will give priority to the recognition of the stability clauses contained in Article 276 of the 2002 mining code and certain mining conventions. Most notably, Article 276 provided for 10 years of stability after changes are made to the mining code, and formed the basis of many investment decisions in DRC. This period of stability resulted in over US$10 billion in direct investments by the mining industry which created over 20,000 full time jobs in the DRC.

In the meantime, Randgold Resources and AngloGold Ashanti’s Kibali mine, Glencore’s Mutanda Mine and Kamoto Copper Company, the Kamoa-Kakula mine, the Kinsevere mine and the Tenke Fugureme mine have resigned from the FEC, the Congolese Chamber of Commerce, with immediate effect. These mines, which represent more than 85% of the DRC’s copper, cobalt and gold production, said the FEC does not adequately represent their interests.

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