

TURKS AND CAICOS ISLANDS

**MINERALS (EXPLORATION AND EXPLOITATION)
(AMENDMENT) BILL 2026**

ARRANGEMENT OF CLAUSES

CLAUSE

1. Short title and commencement
2. Interpretation
3. Section 6 amended
4. Section 7 amended
5. Section 30 inserted

TURKS AND CAICOS ISLANDS

**A
PROPOSAL
FOR
A
BILL
FOR**

AN ACT TO AMEND THE MINERALS (EXPLORATION AND EXPLOITATION) ACT.

ENACTED by the Parliament of the Turks and Caicos Islands.

Short title and commencement

1. This Act may be cited as the Minerals (Exploration and Exploitation) (Amendment) Act 2026 and shall come into operation on publication in the *Gazette*.

Interpretation

2. In this Act “principal Act” means the Minerals (Exploration and Exploitation) Act.

Section 6 amended

3. Section 6 of the principal Act is amended by repealing subsection (1) and substituting—

“(1) An application for a licence under section 7 shall be made to the Governor in the prescribed form and shall be accompanied by—

- (a) such fee as the Governor may prescribe; and
- (b) such evidence in support of the application as the Governor may require.”.

Section 7 amended

4. Section 7(2) of the principal Act is amended by repealing paragraph (a) and substituting—

“(a) upon payment of such fee or royalty as the Governor may impose by regulations prescribed under this Act; and”.

Section 30 inserted

5. The principal Act is amended by inserting the following new section after section 29—

“Regulations

30. The Governor may make regulations generally for giving effect to this Act and specifically in respect of anything required or permitted to be prescribed by this Act.”.

PASSED by the Parliament this day of 2026.

.....
Tracey Parker
Clerk to the Parliament

.....
Gordon Burton
Speaker

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Minerals (Exploration and Exploitation) Act, “principal Act” to provide an enabling provision for the Governor in Cabinet to make regulations to establish fees and royalties for a licence to explore for or exploit minerals as specified in the licence or under such land or in such part or parts of any controlled waters specified in the licence.

Currently section 6(1) of the principal Act requires the Governor to determine the application fee, whilst section 7(2)(a) empowers the Governor to grant a licence on such consideration, whether by way of royalty or otherwise, as the Governor may determine. These provision enables the fees or royalty to be determined and does not set out the manner in which this will be set out. In the past, royalties have been provided by Notice published in the *Gazette*, and in 2012 a Notice was issued to increase royalties to \$10 per cubic yard for beach-quality sand and \$2 per cubic yard for other minerals for all existing and new licences on or after 30 September 2012. To ensure that a structured framework with legislative effect is in place, this amendment seeks to enable the fees and royalties to be set out by subsidiary legislation under the principal Act. This is in line with recent legislative regimes applicable in the Islands and accords with best practice where the fees or royalties are within the ambit of the principal Act.

THE BILL

Clauses 1 and 2 of the Bill provides for the Short title and commencement and the Interpretation clause.

Clause 3 of the Bill seeks to amend section 6 of the principal Act to enable the fees for application of a licence to be prescribed.

Clause 4 of the Bill seeks to amend section 7 of the principal Act to include an enabling provision for the royalties of a licence to be prescribed.

Clause 5 of the Bill seeks to amend the principal Act by inserting a provision to enable the making of Regulations under the Act.