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LEGAL CHALLENGE TO THE GRANT OF ML 183

As previously reported, there has been a legal challenge to the granting of ML 183 (the Omitiomire Mining Licence) to IBML's Namibian subsidiary company, Craton Mining and Exploration (Pty) Ltd (Craton) by the Ministry of Mines and Energy (MME). The principal basis of the challenge is the applicants' interpretation of section 31 of the Environmental Management Act, 2007. Section 31 (1) of the Environmental Management Act, 2007, states that, despite any other law to the contrary, a "competent authority" may not issue an authorisation to engage in a so-called "listed activity" (such as mining) unless the proponent has obtained an environmental clearance certificate in terms of the Environmental Management Act, 2007. The applicants asserted that ML 183 is invalid because it was granted before the environmental clearance certificate was issued.

Craton's legal advisor has informed Craton that the matter was heard by the Honourable Judge Parker in the High Court of Namibia on 16th September. Judge Parker reviewed the decision to grant ML 183 to Craton and set the decision aside. This means that ML 183 has been declared null and void.

Craton is in communication with the MME regarding re-submitting the mining licence application.

Ken Maiden
Executive Director
Craton Mining and Exploration (Pty) Ltd