

Government Decree
on mining activities
(391/2012)

Issued in Helsinki 28 June 2012

The following is provided for, pursuant to the Mining Act (621/2011) and according to the Government decision:

Chapter 1

Exploration

1 §

Notification of sampling related to prospecting work

The person responsible for prospecting must file the written notification referred to in section 8 of the Mining Act (621/2011) a minimum of two weeks prior to the commencement of sampling.

2 §

Notification of field work and construction in the exploration area

A notification of work on the terrain, as referred to in section 12 of the Mining Act, must include the following information:

- 1) The name, position and contact information of the person responsible for the work.
- 2) Estimated commencement time and duration of field work.
- 3) An account of what kind of work will be performed and which methods and equipments will be used.
- 4) An estimate of the volume of measures.
- 5) An estimate of the environmental impacts of the field work.
- 6) If necessary, an account of other issues that may be of importance.

A notification of temporary constructions, as referred to in section 12 of the Mining Act, must include the following information:

- 1) The name, position and contact information of the person responsible for the work.
- 2) The area of the temporary construction.
- 3) The purpose of use of the temporary construction.
- 4) An estimated duration of the usage and date of dismantling of the temporary construction.

A map must be attached to the notification of field work and temporary construction, indicating the area in which the work will be performed and where the temporary construction is to be placed.

The notification must also include information on the permits related to the operations.

3 §

Waste management plan for extractive waste in the exploration area

The following must be taken into account when drafting a waste management plan for extractive waste in the exploration area, in accordance with section 13 of the Mining Act:

- 1) The impact of measures on waste management.
- 2) Return of soil and rock material waste and topsoil to the extraction site, if this is financially and technically feasible and will not result in forbidden contamination of the environment.
- 3) Most efficient prevention of harmful environmental impacts caused by the operations.

In addition to the requirements set forth in section 13 of the Mining Act, the waste management plan must include:

- 1) Basic information on the soil and rock material waste generated in exploration, and the properties of that waste.
- 2) An estimate of the total amount of soil and rock material waste and a plan for the utilisation and handling of the waste.
- 3) Information on the major environmental impacts of soil and rock material waste.
- 4) Information on the after-care measures of the exploration area.

In addition, the waste management plan must include other information necessary for assessing whether waste management, as well as prevention of the generation of soil and rock material waste and limitation of its harmfulness, have been organised in compliance with the Mining Act and this Decree.

4 §

Report on exploration activities and results in the exploration area

The annual report referred to in section 14 of the Mining Act must, unless otherwise dictated by 51(2)(4), include information on the exploration and methods used and a summary of performed exploration activities and their primary results.

5 §

Notification of after-care measures of exploration

The notification of after-care measures, as referred to in 15(2) of the Mining Act, must include the conclusion date of after-care measures and a description of the performed measures.

6 §

Exploration report and related data for the exploration permit

The exploration report, as referred to in 15(1)(2), must include:

- 1) A description and map of the exploration area.
- 2) Performed exploration activities and the results.
- 3) Index maps, indicating the geological, geophysical and geochemical surveys conducted in the area, as well as sampling locations.
- 4) An estimate of the mineral resources in the area, based on a widely used standard, and an estimate of the ore potential of the area.
- 5) A list of the analysis, exploration, environmental and map data.
- 6) Information on drill holes and cores, their location and interpretations and analyses performed on them.
- 7) An archival proposal on the drill cores to be delivered to the national archive of drill cores maintained by the Geological Survey of Finland.
- 8) The essential results of concentration tests and other beneficiation tests performed in order to determine the usability of the deposit.
- 9) An itemised summary of the exploration costs.

The exploration report and the related information must be delivered as electronic files. In addition to the exploration work report, the file must include the geological, geophysical and geochemical exploration data, collected GIS data, reports and analyses of drill cores and other exploration material.

The exploration report must cover the exploration area in full, including all prior exploration phases in the exploration area, if these have not been reported.

Chapter 2

Gold panning

7 §

Notification of field work in a gold panning area

Any notification of field work in a gold panning area, as referred to in section 27 of the Mining Act, must not be submitted later than one month prior to the commencement of said work.

The notification must include the following information:

- 1) The name, position and contact information of the person responsible for the work.
- 2) Estimated commencement time and duration of the field work.
- 3) An account of what kind of field work will be performed and which methods and tools will be used.
- 4) An estimate of the volume of measures.
- 5) The number of people working in the area.
- 6) An estimate of the environmental impacts of the field work..
- 7) If necessary, an account of any other issues that may be of importance.

A map indicating the area in which this work will be carried out must be attached to the notification.

8 §

Waste management plan for extractive waste in the gold panning area

The provisions of section 3 of this Decree will apply to the waste management plan for extractive waste, as referred to in section 25 of the Mining Act.

9 §

Gold panner's annual report

The gold panner's annual report, as referred to in section 28 of the Mining Act, must include:

- 1) The amount of gold recovered, in grams.
- 2) The amount of loose soil treated, in cubic metres.
- 3) Exploration and methods used.
- 4) The number of people working in the gold panning area, in man-days.
- 5) Work time in the gold panning area.
- 6) Landscaping and waste management measures performed.

The report must be submitted to the mining authority by the end of March of the subsequent calendar year.

10 §

Gold panner's notification of the completion of after-care measures

The notification of after-care measures, as referred to in section 29 of the Mining Act, must include the conclusion date of after-care measures and a description of the after-care measures performed.

Chapter 3

Permit procedures

11 §

Additional copies of the permit application

Additional copies of any permit application related to a matter, as referred to in section 33 of the Mining Act, must be submitted at the request of the permit authority, if so deemed necessary in order to facilitate communications or requests for comments on the matter.

12 §

Exploration permit

In addition to the provisions of section 34 of the Mining Act, the following must be included in the exploration permit or its annexes:

- 1) The applicant's name, contact information and domicile.
- 2) An account of the applicant's expertise, technical capacity and its financial ability to carry out operations commensurate with the permit sought.
- 3) An account of the professional qualifications of the personnel used by the applicant.
- 4) The geographical location of the exploration area, including the name and real property identification code of the property or other register unit.
- 5) The exploration area's total area and the area of each property or other register unit, to a minimum accuracy of 0.1 hectares.
- 6) A plan of the volume, type and schedule of necessary exploration activities.
- 7) Information on natural and cultural values in the exploration area, deemed significant in terms of nature protection, and related to the implementation of the exploration plan.
- 8) The Land Information System's information on property owners in the exploration area and the names and addresses of the other people whose interests, rights or responsibilities may be affected by issuing the exploration permit.
- 9) The applicant's proposal for the name of the exploration area.

13 §

Appendices to the exploration permit

In addition to the provisions of section 34 of the Mining Act, the following must be attached to the exploration permit:

- 1) An overview map indicating the location of the area for which the application has been submitted.
- 2) At the mining authority's request, a map or aerial image template using the Finnish National Coordinate System and an appropriate scale, with an up-to-date property division, buildings, obstacles to exploration and the required names added as line drawings.
- 3) A file which, based on the Finnish National Coordinate System, includes the borders of the ore exploration area, the property division within the exploration area and the area bordering this area, as well as obstacles to exploration.
- 4) The applicant's extract from the population register or trade register extract.

14 §

Reservation notification

In addition to the provisions of section 44 of the Mining Act, the following must be included in the reservation notification:

- 1) The name, contact information and domicile of the party making the reservation.
- 2) What mining minerals the party making the reservation expects to be found in the area
- 3) The area of the reservation area and the municipality in which it is located.
- 4) The validity period of the reservation decision, if the party making the reservation is applying for a validity period of under 24 months.
- 5) The proposal for the reservation area's name of the party making the reservation.

15 §

Appendices to the reservation notification

In addition to the provisions of section 44 of the Mining Act, the following must be attached to the reservation notification:

- 1) A general map of the reservation area.
- 2) A file showing the reservation area's boundaries using the Finnish National Coordinate System.
- 3) The applicant's extract from the population register, or the relevant trade register extract.

16 §

Mining permit application

In addition to the provisions of section 34 of the Mining Act, the following must be included in the mining permit application or its appendices:

- 1) The applicant's name, contact information and domicile.
- 2) The geographical location of the mining area and auxiliary area of the mine, including the name and real property identification code of the property or other register unit.
- 5) The total area of the mining area and auxiliary area to the mine, and the area of each property, to a minimum accuracy of 0.1 hectares.
- 4) The key factors in determining the mining area and auxiliary area of the mine.
- 5) A report of exploration in the area and the results thereof, which indicate the presence of mining minerals in such abundance and such a form that exploitation of the deposit is likely and would be financially viable.
- 6) A report on the financial preconditions of the mining project (funding plan).
- 7) The Land Information System's information on property owners in the mining area and auxiliary area of the mine, and the names and addresses of the other people whose interests, rights or responsibilities may be affected by issuing the mining permit.
- 8) A report on the basic technical solutions used in mining operations.
 - a) The excavation method and other basic solutions of mining operations.
 - b) The preliminary dimensioning and design principles and cross-sections of the mine.
 - c) The positioning of roads, sewers and power lines and a water use plan for the water required by mining operations.
 - d) Other necessary matters.
- 9) A report on measures to ensure that mining activities do not entail the obvious wastage of mining minerals, or endanger or hamper the potential future use of the mine and excavation work performed there.
- 10) A report on the estimated impacts of mining operations on private and public interests.
- 11) A report on the measures intended to eliminate or reduce the harmful impacts of mining operations.

12) A report on the environmental impacts of planned mining operations to the extent determined in section 25 of the Act on Environmental Impact Assessment Procedure (468/1994), in the event that the environmental impact assessment procedure complying with the Act is not applied to the project.

13) A report on the measures required by the termination of mining activities and their regional scope.

14) A report on the measures related to buildings and constructions after the termination of mining activities.

15) A report on the objectives and primary content of mine closure measures.

16) A report on the options available for the area's future use.

17) An estimate of the schedule and costs of termination measures.

18) Planned commencement date of mining.

19) The applicant's proposal for the name of the mining area.

17 §

Appendices to the mining permit application

In addition to the provisions of section 34 of the Mining Act, the following must be attached to the mining permit application:

1) An overview map indicating the location of the area for which the application has been submitted, and the area in relation to the use of other areas in accordance with the requirements set forth in 47(4) of the Mining Act.

2) At the mining authority's request, a map or aerial image template using the Finnish National Coordinate System and an appropriate scale, with an up-to-date property division, buildings, obstacles to the mining permit and the required names added as line drawings.

3) A file which, based on the Finnish National Coordinate System, includes the borders of the mining area, the property division in the mining area and the area bordering this area, as well as obstacles to the mining permit.

4) The applicant's extract from the population register or trade register extract.

18 §

Application concerning redemption permit for a mining area

An application concerning a redemption permit for a mining area must either include the information determined in section 16, or a reproduction of a granted mining permit. In order to assess whether the mining project is based on public need, the application must describe the mining project's local effects and impact on the local economy and employment, as well as issues related to society's need for raw material supply.

19 §

Application concerning the extension of redemption permit for a mining area

In addition to the provisions of 71(2) of the Mining Act, an *application concerning the extension of a redemption permit for a mining area must be capable of demonstrating that the preconditions for extending the redemption permit exist in accordance with section 63 of the Mining Act*. The application must indicate the desired extension period, unless the party is applying for an extension until further notice.

20 §

Application for a mining safety permit

In addition to the provisions of section 122 of the Mining Act, the following must be included in the application for a mining safety permit:

- 1) The applicant's name, contact information and domicile.
- 2) The applicant's extract from the population register or trade register extract.
- 3) Information on measures performed by subcontractors.
- 4) Planned mine construction schedule.

21 §

Gold panning permit application

In addition to the provisions of section 34 of the Mining Act, the following must be included in the *gold panning permit application*:

- 1) The applicant's name, contact information and domicile.
- 2) The geographical location of the gold panning area subject to the application by municipality.
- 3) The size of the gold panning area at a minimum accuracy of 0.1 hectares.
- 4) A report on the volume, type and schedule of gold prospecting and recovery measures related to gold panned.
- 5) General information on significant environmental values and cultural values of gold panning and on the potential impacts of gold panning on these values and their reduction.
- 6) A report on how access to the gold panning area will be arranged.
- 7) A report on temporary constructions planned for the gold panning area.
- 8) The applicant's proposal for the name of the gold prospecting area.

22 §

Appendices to the gold panning permit application

In addition to the provisions of section 34 of the Mining Act, the following must be attached to the gold panning permit application:

- 1) An overview map indicating the location of the area for which the application has been submitted.
- 2) A file showing the gold panning area's boundaries, using the Finnish National Coordinate System and obstacles to gold panning.
- 3) The applicant's extract from the population register or trade register extract.

23 §

Applications related to joint properties

If an application complying with section 34 of the Mining Act applies to joint property, as defined in the Act on Joint Property (758/1989), or a jointly owned forest, as defined in the Act on Jointly Owned Forests (109/2003), an account must be attached to the application, as required for submitting the requisite notification to the partners of the joint property or jointly owned forest.

24 §

Publicity of application information

In connection with the submission of the permit application, the permit applicant must communicate its opinion, with grounds, of the extent to which the permit application or its appendices contain

information that must be kept confidential in compliance with the Act on the Openness of Government Activities (621/1999), or some other legislation.

To the extent possible, the applicant must accompany the application with a general summary of the application information, as referred to in subsection 1, which can be made available to the public.

25 §

Statements on a permit application

In addition to the provisions of section 37 of the Mining Act, the permit authority must request a statement on an application for an exploration permit, mining permit, and gold panning permit from the following:

- 1) The Finnish Border Guard in the event that the operations subject to the application will be carried out in a border zone.
- 2) The Defence Command, in the event that the operations subject to the application will be carried out in the territorial waters of Finland or near an area used by the Defence Forces.
- 3) The National Board of Antiquities, in the event that an investigation must be made into the application of the Antiquities Act (295/1963).

The appropriate Regional Council must be requested to provide a statement on the mining permit application and the exploration permit application, should the latter pertain to a particularly large area or otherwise entail significant impacts.

A statement must be requested from the Radiation and Nuclear Safety Authority on the mining permit application and the exploration permit application, should it pertain to uranium and thorium exploration.

26 §

Public notices concerning permit applications

A public notice, as referred to in section 40 of the Mining Act, must include the following at a minimum:

- 1) The applicant's name.
- 2) Description of the quality, duration and scope of the operations covered by the application.
- 3) Information on the area in which the operations covered by the application would take place.
- 4) Information on the display of the application documentation for public inspection.
- 5) Information on the submission of complaints and opinions.
- 6) Information on a possible public hearing.

27 §

Application for extending a permit's validity

An application for extending the validity of an exploration, mining or gold panning permit must be submitted to the permit authority two months prior to the expiry of said validity.

The application must indicate the changes the applicant wishes to make in the permit area or any other significant changes and changes of concerned parties.

Reports on the following must be attached to an application for extending the validity of an exploration permit:

- 1) The measures carried out on the basis of the permit being applied for, and their results.
- 2) The exploration costs of the area.
- 3) The exploitation possibilities of the deposit and the need for further exploration.
- 4) Grounds for the demarcation of the area.

Reports on the following must be attached to an application for extending the validity of a mining permit:

- 1) The measures carried out on the basis of the permit being applied for, and their results.
- 2) The preconditions for extending the validity of a mining permit.

Reports on the following must be attached to an application for extending the validity of a gold panning permit:

- 1) The measures carried out on the basis of the permit being applied for, and their results.
- 2) The preconditions for extending the validity of a gold panning permit.

Chapter 4

The notification procedure related to pledging

28 §

Pledge notification

The pledge notification, as referred to in section 174 of the Mining Act, must include:

- 1) The name, contact information and domicile of the pledger and pledgee.
- 2) Information on the mining or exploration permit imparting the right or privilege to exploit mining minerals, to which the pledge being notified is subject.
- 3) Information on the mutual priority of pledges, should the right being pledged be subject to several pledges, or notification have been submitted that it is subject to several pledges.
- 4) Information that, prior to notifying the mining authority, the permit holder has notified all holders of pledges with a higher priority of the pledge about which the mining authority is being notified.
- 5) If required, information of the monetary amount of the liability for the pledge commensurate with the pledge being notified.

The permit holder or notification author must sign the notification. The following must be attached to the notification: a copy of the written commitment to pledge or similar document, the pledger's extract from the population register or trade register extract, and all other necessary documentation.

29 §

Obligation to provide information on notified pledges

Upon specific request, the mining authority must provide information and, when necessary, a certificate regarding the pledges of which it has been informed.

30 §

The legal status of pledge holders in the event of the expiry, cancellation or amendment of a permit

The mining authority must immediately inform any pledge holders, of which it is aware of, of any pending matters related to the expiry, cancellation or amendment of their mining or exploration permit, and provide these pledge holders with the opportunity to be heard in the matter.

If a permit holder files for the expiry of a mining or exploration permit, as referred to in subsection 1, the written permission of all known pledge holders must be included in the application.

Chapter 5

Further provisions

31 §

Annual report on mining operations

In the annual report, as specified in 18(2) of the Mining Act, the mining permit holder must report the following:

- 1) The amount of excavated ore and waste rock, in tonnes.
- 2) The amount of topsoil handled at the mine, in tonnes.
- 3) The amount of concentrate or similar intermediate product produced at the mine, in tonnes.
- 4) The amount of personnel working at the mine, in man-months.
- 5) An itemisation of the by-products of mining operations, as determined in 17(1)(2) of the Mining Act.

32 §

Application concerning the assignment of a permit

An application concerning the assignment of an exploration permit, mining permit or gold panning permit, as referred to in 73(2) of the Mining Act, must be submitted to the mining authority within 30 days of the assignment agreement's entry into force.

The following must be attached to the application:

- 1) The assignee's extract from the population register or trade register extract.
- 2) An account of the assignee's expertise, technical capacity and its financial ability to carry out operations commensurate with the permit.
- 3) An account of the professional qualifications of the personnel used by the assignee.

33 §

Information for the confirmation of excavation fee

To the notification referred to in 100(6) of the Mining Act, the mining permit holder must attach a calculation of the amount of metal recovered of the mined and processed ore. Information of the average price must be included in this calculation. If no average price can be included, the permit holder must propose a price to be applied. If the notification pertains to 100(2)(2)(a) of the Mining Act, the agreed price and other information, on the basis of which the mining authority can confirm the excavation fee, must be included in the notification.

A report on the mine's annual production volume, the income received for this and production costs must be included in applications referred to in 100(2)(2)(b) of the Mining Act. Moreover, a report of the indirect costs required by production and investments required by production and amortisation related to them must be attached to the application. In the event that the application has been submitted by the owner of a property, the mining authority must request that the mining permit holder disclose such information.

In the event of a request to verify the excavation fee on the basis of 100(3) of the Mining Act, a report on the agreement between the parties must be included in the application.

34 §

Notification of the registration of proceedings establishing a mining area

A competent land survey office must electronically inform the mining authority of the registration of proceedings establishing a mining area in the Real Estate Register. The right-of-use unit code and a file that shows the boundaries of the mining area and auxiliary area of the mine within the Finnish National Coordinate System must be included in the notification.

35 §

Notification of a complaint regarding the mining authority's decision

The appropriate administrative court must submit electronic notification of any letter of complaint concerning a reservation, exploration permit, mining permit or gold panning permit regarding the mining authority and filed with the administrative court, immediately after the expiry of the appeal period.

36 §

Entry into force

This Decree will enter into force on 1 July 2012.

Measures required for the enforcement of the Decree can be taken prior to its entry into force.

Helsinki, 28 June 2012

Lauri Ihalainen, Minister of Labour

Sari Rapinoja, Senior Government Secretary