

**GOVERNMENTAL ORDER  
of the Slovak Republic**

dated 19 November 1991

**on Conditions of Utilisation of Deposits of Unlisted Minerals**

The Government of the Slovak Republic under Article 19 paragraph 9 Act of the Slovak National Council number 51/1988 Collection of Laws on Mining Activities, Explosives and on State Mining Administration in wording of the Act of the Slovak National Council number 499/1991 Collection of Laws orders :

Article 1

**Basic Provisions**

- (1) Legal entities and natural persons that within their business activities <sup>1)</sup> mine out deposits of unlisted minerals <sup>2)</sup> (hereinafter only "deposit"), or as the case may be that in connection with extraction also treat or refine <sup>3)</sup> the extracted minerals (hereinafter only "organisation"), are under obligation to observe especially these conditions of economic and safe utilisation of deposits:
- a) mining out of a deposit, inclusive treatment or refinement of extracted minerals is to be concentrated on utilisation of all verified or professionally assessed reserves of unlisted minerals in the specified area, <sup>4)</sup>
  - b) to specify the procedure of mining out on basis of known geological data, mining and technical conditions of the deposit and physical and mechanical properties of minerals so that it would be possible in future also to utilise those minerals of the deposit, which for the time being are not determined for mining out, because of technological, technical or other reasons; at the same time it is necessary to observe conditions of safety and protection of health at work, safety of the operation, <sup>5)</sup> as well as protection of environment and further important universal interests
  - c) to execute strippings work within necessary extent and in advance sufficiently ahead of mining out. Strippings material is to be placed in specified places and in such a way that it does not interfere with mining out of a deposit, does not excessively load the environment and possibly could be used for recultivation or other purposes; the same procedure should be kept in storing of waste material after treatment or in refining of extracted minerals

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<sup>1)</sup> For example Commercial Code number 513/1991 Collection of Laws

<sup>2)</sup> Article 3 of the Act number 44/1988 Collection of Laws on Protection and Utilisation of Mineral Wealth (Mining Act) in wording of the Act of the Slovak National Council number 498/1991 Collection of Laws

<sup>3)</sup> Article 3 letter a) Act of the Slovak National Council number 51/1988 Collection of Laws on Mining Activities, Explosives and on State Mining Administration in wording of the Act of the Slovak National Council number 499/1991 Collection of Laws.

<sup>4)</sup> Article 32 to 40 of Act number 50/1976 on Spatial Planning and Building Order (Building Act) in wording of later regulations.

<sup>5)</sup> For example Order of the Slovak Mining Office number 71/1988 Collection of Laws on Explosives, Order of the Slovak Mining Office number 29/1989 Collection of Laws on Safety and Protection of Health at Work and Safety of Operation in Mining Activities and in Activities Performed in a Mining Way on the Surface, Order of the Slovak Mining Office number 50/1989 Collection of Laws on Safety and Protection of Health at Work and Safety of Operation in Treatment and Refining of Minerals.

- d) to use in treatment and refining of extracted minerals such technological procedures, in which useless losses and deterioration of minerals and excessive load of the environment do not appear
  - e) to create, already in the stage of extraction of deposit, conditions for future liquidation, or as the case may be also for recultivation work.
- (2) In mining out of a deposit such procedure is not permissible, which deteriorates the deposit or limits or as the case be makes its further utilisation more difficult, especially selective mining out concentrated only on high quality parts of the deposit.

## Article 2

### **Giving Permits for Mining out of a Deposit**

- (1) An application for permit for mining out of the deposit is submitted by the organisation to the subdistrict mining office in two copies.
- (2) The application for permit for mining out of the deposit contains
- a) name and place of business of the organisation
  - b) name of the district, community and cadastral area or as the case may closer identification of the place of extraction (for example parcel number of plots affected by extraction or local name)
  - c) planned beginning and end or as the case be interruption of mining out of a deposit
  - d) names and addresses of participants in the proceedings concerning permission of mining out of a deposit that are known to the applicant
- (3) The application will attached by
- a) a spatial decision <sup>4)</sup>
  - b) a document on authorisation for activities executed in a mining way
  - c) plan of utilisation of the deposit according to annex number 1
  - d) documents on solution of clashes of interests, in case that by mining out of a deposit, the objects and interests have been endangered under special regulations<sup>6)</sup> and documents on basis of which the organisation will demonstrate its rights towards land.
- (4) The plan of utilisation of the deposit must be from the aspect of details adjusted to local conditions. Graphic annexes are prepared in such scale which ensures clear view of shown data and facts.

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<sup>4)</sup> For example Act of the Slovak National Council number 1/1955 Collection of Laws of the Slovak National Council on State Protection of Nature, Act number 51/1964 Collection of Laws on Railways in wording of the Act number 104/1974 Collection of Laws., Order of the Ministry of Transport and Central Mining Office number 28/1967 Collection of Laws., through which the rules for contact of railways with mining activities have been enacted, Act number 110/1964 Collection of Laws on Telecommunications, Act number 20/1966 Collection of Laws on Care for Health of People in wording of later regulations, Act number 53/1966 Collection of Laws on Protection of Agricultural Soil in wording of Act number 75/1976 Collection of Laws (complete wording number 124/1976 Collection of Laws) Act number 138/1973 Collection of Laws on Water (Water Act), Act number 61/1977 Collection of Laws on Forests, Act of the Slovak National Council number 27/1987 Collection of Laws on State Care for Monuments, Act of the Slovak national Council number 369/1990 Collection of Laws on Social Order in wording of later regulations.

- (5) As a plan of utilisation of the deposit, documentation or its part made for other purposes under special regulations can be submitted, <sup>7)</sup> if it complies with requirements of this order.
- (6) The plan of utilisation of the deposit is approved by the chief executive officer of the organisation. In individual parts of the plan the following must be entered: date when the plan was made, names and signatures of elaborators, their positions, as well as the names of executives that are in charge of checking of correctness and completeness of individual parts of the plan.

### Article 3

#### Decision on Permission of Extraction

- (1) The Subdistrict Mining Office in the proceedings concerning the permission for extraction of the deposit will examine the following
- completeness of plan for utilisation of the deposit and documentation (Article 2)
  - solution of clashes of interests protected under special regulations,<sup>6)</sup>
  - observing the rules of economic and safe extraction of the deposit
- (2) In the decision concerning the permission for extraction of the deposit the Subdistrict Mining Office, according to the needs, will determine conditions for extraction and will take the decision on objections from the participants of the proceedings.
- (3) The Subdistrict Mining Office will send to the organisation one certified copy of the plan of utilisation of the deposit together with the decision on permission of extraction of the deposit.

### Article 4

#### Alteration of the Extraction of the Deposit

- (1) The permission from the Subdistrict Mining Office will be required for alteration of the following
- alteration of extraction, the consequence of which could be worsening of safety and protection of health at work, safety of operation, utilisation of the deposit or alteration by which the objects and interests protected according to special regulations<sup>6)</sup> will be affected over the extent permissible in the decision on permission of extraction of the deposit
  - alteration of extraction method or way of transport
  - alteration of general slopes of strippings, quarry and pit tip or alteration of parameters of strippings and extraction sections and pit tips
  - alteration of parameters of protective pillars
- (2) To proceedings on alteration of permit for extraction of a quarry apply analogically provisions of Articles 2 and 3.

### Article 5

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<sup>7)</sup> For example Order of the Federal Ministry for Technical and Investment Development number 85/1976 Collection of Laws on a more Detailed Amendment of Spatial Proceedings and Building Act in wording of the Order of the Federal Ministry for Technical and Investment Development number 155/1980 Collection of Laws, Order of the State Commission for Scientific Technical and Investment Development number 43/1990 Collection of Laws on Design Preparation of Structures.

## **Plan of Safeguarding and Plan of Liquidation of a Quarry**

- (1) Before stopping of extraction of the quarry the organisation is obligated to work out a plan of safeguarding or a plan of liquidation of mining works and quarries, for example stone pits, gravel-pits, clay-pits (hereinafter only "quarry").
- (2) Safeguarding of the quarry is carried out with temporary suspension of extraction of the deposit; in doing so the quarry is maintained in such condition so that it would be possible to renew operation in it.
- (3) Liquidation of the quarry is carried out with permanent shutting down of extraction of the deposit. The target of the liquidation of the quarry is obliteration of the consequences of extraction and returning of the area for further utilisation.

### **Article 6**

#### **Permitting of Safeguarding or Liquidation of the Quarry**

- (1) An application for permitting of safeguarding or liquidation of the quarry is submitted by the organisation to the Subdistrict Mining Office in two copies.
- (2) The organisation will attach the following to the application
  - a) a plan of safeguarding or liquidation of the quarry in accordance with the annex number 2;
  - b) documents on solution of clashes of interests, if by safeguarding or by liquidation of the quarry the objects and interests protected under special regulations have been endangered.<sup>6)</sup>
- (3) To proceedings concerning permitting of safeguarding or liquidation of a quarry apply analogically provisions of Article 2 paragraph 2, 4, 5 and 6 and Articles 3 and 4.

### **Article 7**

#### **Records**

On extraction of the quarry, inspection and regulation of the extraction, the organisation is obligated to keep records in which the following is recorded : procedure of extraction, volume and kind of extracted minerals, records of state and fluctuation of reserves of the deposit, important mining-geological and other operating data, as well as findings, orders and measures pertinent to the extraction of the deposit. The organisation is obligated to keep similar records also for safeguarding or liquidation of the quarry.

## **Temporary and Concluding Provisions**

### **Article 8**

The plan of utilisation of the deposit worked out according to hitherto regulations is considered to be the plan of utilisation of the quarry under this Order. The Subdistrict Mining Office can, in well-founded cases, order its amendment or as the case may be revision in accordance with requirements of this Order.

### **Article 9**

The Order of the Government of the Slovak Socialist Republic number 1/1978 Collection of Laws on Conditions of Rational utilisation of Deposits of Unlisted Minerals has been cancelled.

#### Article 10

This Order came to force on 1st January 1992.

Čarnogurský, sign manual

### **Annex number 1 of the Order of the Government of the Slovak Republic number 520/1991 Collection of Laws**

#### **PLAN OF UTILISATION OF THE DEPOSIT**

1. Textual part
  - 1.1. Basic data
    - 1.1.1. Name and place of business of the organisation that will mine out the deposit
    - 1.1.2. Name of the district, community, cadastral area, or as the case may be closer identification of the place of extraction (for example parcel numbers of plots affected by extraction, local name).
    - 1.1.3. Planned beginning and ending or as the case may be interrupting of extraction of the deposit
  - 1.2. Geology and reserves of the deposit
    - 1.2.1. Brief geological and hydrogeological characteristics of the deposit
    - 1.2.2. State of reserves of the deposit calculated on basis of results of geological survey or qualified estimation
    - 1.2.3. Planned changes of reserves of the deposit by extraction, volume of reserves bound by protective pillars, reasons for their colligation and measures for their possible later extraction
    - 1.2.4. Planned geological survey on the deposit
  - 1.3. Extraction of the deposit
    - 1.3.1. Measures for ensuring conditions entered in spatial decision
    - 1.3.2. Used extraction method, manner of disintegration of minerals and manner of running of extraction work, its break-up, temporal and material link-up
    - 1.3.3. General slopes of strippings, quarry and parameters of strippings and extraction sections; positioning and temporal succession of operation of hoppers and pit tips, their design capacities and life time; measures against slides

- 1.3.4. Mechanisation, electrification and manner of transport
- 1.3.5. Treatment and refinement of extracted minerals
- 1.3.6. Draining
- 1.4. Safety and protection of health at work and safety of operation
- 1.5. Protection of objects and interests protected under special regulations and observing of measures agreed during dealing with clashes of interests
- 1.6. For extraction of the deposit using an underground manner also manner of excavation and reinforcement of mining works and system of ventilation
- 2. Graphical part
  - 2.1. Map of surface situation with the range of planned extraction inclusive its effects on the environment in reasonable scale with marking of facts, which are necessary for consideration of data entered in items 1.3 to 1.6.
  - 2.2. Characteristic geological sections and sections with specification of working deeps (sections, levels) and with marking of procedure of extraction of the deposit

**Annex number 2 of the Order of the Government of the Slovak Republic number 520/1991 Collection of Laws**

**Plan of Safeguarding and Plan of Liquidation of the Quarry**

- 1. Textual part
  - 1.1. Basic data
    - 1.1.1. Name and place of business of the organisation
    - 1.1.2. Name of the district, community, cadastral area, or as the case may be closer specification of the place of safeguarding or liquidation work (for example parcel numbers of plots, local name).
    - 1.1.3. Reasons for safeguarding or liquidation of the quarry. In case of safeguarding of the quarry also a planned date of resumption of extraction of a deposit
    - 1.1.4. Planned beginning and ending or as the case may be interruption of safeguarding or liquidation work
  - 1.2. Unexploited reserves of the deposit and manner of their possible mining out
  - 1.3. Safeguarding or liquidation of the quarry
    - 1.3.1. Manner of safeguarding or liquidation of the quarry, break-up, temporal and material follow-up of safeguarding or liquidation work

- 1.3.2. Modification of slopes and of the bottom of the quarry and pit tips. Manner of safeguarding of dangerous openings and pits
- 1.3.3. Safeguarding, removing or liquidation of buildings and facilities
- 1.3.4. Manner of inspection of safeguarding or liquidating work. In case of safeguarding also manner and intervals of quarry inspections after completing of safeguarding work.
- 1.4. Safety and protection of health at work and safety of operation  
Measures for preventing of ominous effects on the environment. Manner of ensuring of requirements resulting from decisions of competent institutions and agreements with legal entities or natural persons that are competent for protection of objects and interests according to special regulations as well as with owners of land.
- 1.5. Possible utilisation of the quarry and facilities after completing of liquidation work.
2. Graphic Part
  - 2.1. Map of surface situation in reasonable scale with marking of temporal advancement and manner of safeguarding or liquidating work, objects and facilities of the quarry or as the case may be objects on which detrimental effects of safeguarding or liquidating work or previous extraction of the deposit could appear.
  - 2.2. Characteristic sections of the affected area.