



MINLEX - Greece Country Report

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1. GREECE

1.1. Summary of findings

Mining industry is an important contributor to the economic activity of Greece, as it supplies essential raw materials for primary industries and various downstream users. It covers metallic minerals (bauxite, laterite, magnesite ore, mixed sulphide ores, etc.), industrial minerals (bentonite, perlite, pumice, gypsum, calcium carbonate, huntite-hydromagnesite, clays), marble, ornamental stone and aggregates. The country ranks 1st in the world on perlite production, 5th on bentonite production and 11th on bauxite production [1]. **The Greek Law (Mining Code, L. 210/1973) separates mineral raw materials into two main categories: a) "Metallic Minerals", either on the surface or underground, where the right to explore and exploit may be granted to anybody, regardless of who owns the land, with the exception of those minerals that are excluded in favour of the State and b) "Quarried Minerals", where the right to explore and exploit belongs to the landowner of the area those minerals occur in.** From the legislative point of view (based on the economic significance of mineral raw materials), "Metallic Minerals" include metals, all metallic compounds, precious stones, radioactive and energy minerals, sulphur, talc, fluoride, asbestos, dolomites with MgO content >21%, feldspars, mineral salt, organic sediments, and others. The Mining Code foresees that certain resources classed as "Quarried Minerals" may be treated as "Metallic Minerals" provided that metallic minerals can be extracted from the former via various methods. "Quarried Minerals" comprise three sub-categories: i) raw materials for aggregates, ii) marble, natural stone and other ornamental stone, and iii) industrial minerals, with important exception being feldspars and magnesite, which fall in the "Metallic Minerals" group. The Greek raw materials extractive industry is at present regulated mainly by:

- Law 210/1973 (Mining Code),
- Law 4512/2018 on the exploration and exploitation of quarried minerals and
- Regulation on Mining and Quarrying Activities (KMLE) (Ministerial Decision 12050/2223/2011, Gov.Gaz. B'1227)

Law 4014/2011, on Environmental licensing of projects and activities, provides for the environmental assessment of works and activities in order to grant an authorisation (environmental permitting-AEPO). The Law applies to the permitting of mining projects and activities in combination with:

- (i) Ministerial Decision 37674/2016 (Gov.Gaz. B'2471), as amended by the Ministerial Decision 2307/2018 (Gov.Gaz B'439), describes the classification of projects/activities and divides them into groups and categories according to their environmental impact. Group 5 "Extractive Activities" is subdivided into Sub-categories A1 and A2, whilst some exploration activities fall into Category B.
- (ii) Joint Ministerial Decision 167563/2013 (Gov.Gaz. B'964) as amended by the Joint Ministerial Decision 1915/2018 (Gov.Gaz. B'304), specifies the procedures and criteria for the environmental licensing procedure.

The main first-instance competent authorities responsible for issuing permits and licences relevant to the mining sector are, at national level, the Ministry of Environment and Energy

[1] C. Reichl, M.Schatz, *World Mining Data vol. 34, Minerals Production, Vienna 2019*

(YPEN) and, at regional/local level, the 7 Decentralised Administrations and the 13 Administrative Regions (regional authorities) respectively.

The Ministry (YPEN) is the competent authority for the approval of technical exploitation studies for both quarried and metallic minerals, as per the Regulation on Mining and Quarrying Activities (KMLE), and for the evaluation of each required Environmental Impact Study (EIS) which leads to the Environmental Permission (AEPO) of those extractive activities included in sub-category A1. The relevant Decentralized Administration is the competent authority for the environmental permitting (EIS evaluation and AEPO) for extractive activities grouped in sub-category A2. There is no need for an AEPO for category B projects, but an obligation to submit a declaration of adherence in standardized environmental terms (so-called Standard Environmental Terms or Standard Environmental Commitment-SEC).

The Administrative Regions grant exploration license for ores, the so-called "Mineral Exploration License" (AME). The License has a three years' duration and is valid for an area up to 1,0 ha. The average length of time to get a Mineral Exploration License (AME) is almost 3 months. After obtaining this permit and in order to start the exploration activities, the owner of the right should get the required approvals which include the Environmental Permission (AEPO) and a relevant Standard Technical Commitment (STC) when drilling or extended excavation is taking place during exploration activities. In case of limited exploration activities (max 5m³/ha etc.), a Standard Environmental Commitment (SEC) is needed instead of AEPO. When Exploration is taking place without excavation work (e.g. geophysical methods), is subject to notification (no commitments).

In the case of a successful exploration program, the Licensee has the right to request the concession of the area referred in the AME, following an application to the Governor of the Administrative Region. The application is then forwarded to the Ministry (YPEN) which consults with the Hellenic Survey of Geology and Mineral Exploration (HSGME) on the deposit's features. Provided that HSGME's verdict is positive, the Ministry returns the file to the Governor, who then initiates a public consultation process for granting the mining concession. After obtaining the mining concession (which may take up to about 1 year) and in order to start the extraction activities, the owner of the mining rights should get the required permits and approvals which include the Environmental Permission (AEPO) and the Technical exploitation study (about an extra 0.5 to 1 year). Mining concessions are granted by YPEN in the form of Presidential Decrees, which are valid for 50 years and can be extended for two additional 25-year periods. The holder of a concession has the exclusive rights to conduct exploration and exploitation of all the mineral substances that may occur during the different phases of the exploitation process (extraction or processing), including any quarried minerals that may be found within the boundaries of the concession.

The Decentralized Administration grants exploration licenses for quarried minerals (industrial minerals, marble, aggregates) located on public land. The assignment of the right of exploitation shall be documented by a lease of land contract drawn by a Public Notary

In the case of land owned by first-level local authorities (municipalities), the assignment of the right of exploration of quarried minerals (industrial minerals, marble, aggregates) shall be documented in a decision of the municipal council, and the assignment of the right of exploitation shall be drawn in contract for the lease of land by a Public Notary.

In case of private ownership, the exploration and exploitation activity of quarried minerals (industrial minerals, marble, aggregates) is subject to notification.

The maximum lease term of the right to exploit quarried minerals is set at 70 years.

1.2. General introduction

1.2.1 The Greek mining sector

Greece is a Presidential Democracy and a member of the EU since 1981. It has a GDP of around EUR 190 billion and GDP per capita of approximately EUR 17,701². Greece possesses substantial mineral resources in terms of quality, quantity and variety of ores and quarried minerals of large industrial interest. Greece is a major global producer of several key minerals, notably perlite (the largest worldwide) and bentonite (5th largest worldwide), magnesite (8th largest worldwide), lignite (10th largest worldwide). Greece is also ranks 2nd in nickel and 5th in aluminium production within the EU. Is the only European country producing huntite (an industrial mineral whose main use is as a natural mixture with hydro-magnesite acting as a flame or fire retardant additive for polymers).

Mining industry is an important contributor to the economic activity of Greece. It accounts for almost 3% of the GDP. The sector supplies essential raw materials for primary industries such as cement, energy sector, non-ferrous metals (aluminium, nickel, etc.), the industry of stainless steel etc. The estimated sales of the country's mineral industry and major metallurgy plants, totals almost EUR 2 billion annually. In terms of employment, the industry supports directly approximately 20,000 jobs, in mines, quarries and the two major metallurgy plants of the country and indirectly almost 80,000 jobs that are dependent upon or associated with mining. Since – as a rule – the processing of these raw materials takes place in the region in which they are excavated, the industry contributes considerably to regional growth.

1.2.2 Administrative structure of Greece

The L.3852/2010, known as “Kallikratis project” as amended by L.4555/2018, is considered to be a major turning point in the reform process of, administrative and local government structures and boundaries. A significant number of competencies regarding permitting of mining and quarrying activities have been transferred from Central State (Ministries) to de-centralised levels of governance. For this reason, it is important at this point to present information on the current administrative structure of Greece.

Greece is divided in seven (7) De-centralised Administrations (ran by Central Government) and thirteen (13) Administrative Regions (Regional Authorities or Peripheries) which are further sub-divided in 332 Municipalities (Local Authorities). Administrative Regions and Municipalities are self-governed legal entities and subsequently the respective Councils running these bodies are elected by the registered voters.

Municipality (Demos) is the first-degree unit of local / regional authorities governed by the Mayor and the Municipality Council, elected for a 5 years' term of office. The second-degree unit comprises regional authorities in the form of s the Regional (administrative) Authority Region (Periferia) which covers a much broader geographical area of the country than Municipality. It is run by the Regional Governor (Periferiarchis) and the Regional Council who are elected for a 5 years' term of office. Each Region is (geographically) divided in “Regional Units” (Periferiakies Enotites) which coincide (in most cases), formerly known as prefectures.

[2] IMF 2018, Report for Selected Countries and Subjects

The operating principles of local/regional authorities, as set by the Constitution, are the following:

- Local Authorities are responsible to manage and administer local affairs; in case of a conflict of jurisdiction between local and central government, there is a presumption of competence in favour of local authorities; the central government (ministries) can transfer part of its own responsibilities to local authorities.
- Local Authorities enjoy administrative and financial autonomy and their governments are elected through a secret voting process.
- The control exercised by the government to local authorities is limited to the legality of their decisions and actions. Further, the State is obliged to take all measures required to ensure the financial independence of the Local Authorities, to carry out the responsibilities transferred by the State to them.

The De-Centralized Administrations constitute extensions of the Greek Public Central Administration, at regional level. As mentioned above, seven (7) De-centralised Administrations were established for the whole country. Each one is responsible and supervises 1 to 3 Regions with major task to ensure the implementation of the governmental policies at regional level. Head of the De-Centralised Administration is the Coordinator, a State Officer appointed by the State (not elected) and who has a mandate to operate in accordance with the Governmental guidelines.

Following the above analysis, the 13 Regional Authorities (cited elsewhere in the text also as Administrative Regions) and the 7 De-centralised Administrations, to a lesser extent, include in their organisations services that are involved actively in the accomplishment of mining projects and activities. For example, the elected Governors as heads of the 13 Administrative Regions have the authority to give the first-instance (Metallic) Minerals Exploration Licence, Exploitation Permits for the extraction of aggregates' mineral raw materials, as well as the extraction of clays and slates.

1.2.3 The importance of the Mining Legislation as set with the Greek Constitution

The Greek Mining Legislation is the set of legal rules that regulate the management and exploitation of the Greek mineral resources. Hence, it contains all the provisions ruling the conditions and terms for mineral exploration and exploitation and minerals' ownership in relation to the landownership. It regulates also the mining rights of the Greek State, as well as the role and competencies of the Authorities that grant permit or/and exercise control and inspection on the overall mining activities. The Greek Mining Legislation is framed by extensive environmental legislation, the implementation of which is always a pre-requisite for the final permitting of all mining projects and activities (i.e. exploitation permit).

All Greek Constitutions have recognized the need that mining legislation must be a special legislation, by including the following paragraph in their provisions: «*Special laws regulate issues related with property rights and granting (permits and rights) of mines, quarries, caves, archaeological treasures, thermal, surface and underground waters and the subsurface wealth, in general*». The Greek State's principal policy concerning mineral raw materials is declared with art. 106, paragraph 1, of the Greek Constitution of 2008: "*Mineral raw materials are considered to be sources of national wealth and hence the State must, for the sake of the public interest, take measures for their utilization, promoting regional development and particularly for the enhancement of the economy in mountainous, insular and border areas*". Hence, the Mining Code, the capstone of the Greek Mining Legislation, was established as a special law in 1973 (Legislative Decree 210/1973 as amended by Law 274/1976, Art 102). In compliance with the Constitutional provisions,

the Mining Code's basic principles are that *ores are national wealth and are exploited for the public interest and for the promotion of national and regional economic development of the Country*. Based on the above, it is generally acknowledged that the State has the duty to "manage" mineral resources and their exploitation with main aim to protect by all means the public interest. Subsequently, mineral property and mining rights cannot "be sold" and cannot "be sold out" by the State, but only granted under the presumptions of the prevailing legislative framework.

1.2.4 Significant terms and definitions

Each Member State of the EU has its own terminology regarding legislation in general and mining legislation in specific. Terms and definitions are often translated into English in a very diverse manner due to the absence of a comprehensive common glossary. The legal terms and their abbreviations or acronyms in English, as well as some important definitions that are used often to describe the permitting process are shown in Tables 1 and 2 respectively. For the purposes of this report, these terms, or their abbreviations, will be used throughout the text. In some cases, it is preferred to use the Greek abbreviations or acronyms in Latin characters, instead of those as may derived from their titles in English (e.g. KMLE stands for ΚΜΛΕ as in Regulation for Mining and Quarry Activities in Greek instead of RMQA).

Table 1: Greece. General legal, terms and abbreviations.

Term/explanation in English	English Abbreviation	Term in Greek	Greek Abbreviation
Law	L	Νόμος	N
(Legislative) Decree (equivalent to Law)	L	Νομοθετικό Διάταγμα	N.Δ.
Presidential Decree	P.D.	Προεδρικό Διάταγμα	Π.Δ.
Ministerial Decision	M.D.	Υπουργική Απόφαση	Υ.Α.
Joint Ministerial Decision	J.M.D.	Κοινή Υπουργική Απόφαση	Κ.Υ.Α.
Official Government Gazette	O.G.G.	Εφημερίδα της Κυβερνήσεως	
OGG Issue	FEK	Φύλλο Εφημερίδας της Κυβερνήσεως	ΦΕΚ
Hellenic National Academic Recognition Information Centre	Hellenic NARIC	Διεπιστημονικός Οργανισμός Αναγνώρισης Τίτλων Ακαδημαϊκών και Πληροφόρησης	Δ.Ο.Α.Τ.Α.Π
Environmental Impacts Assessment Study	EIA Study	Μελέτη Περιβαλλοντικών Επιπτώσεων	ΜΠΕ
Bill	B	Νομοσχέδιο	
Legal Council of the (Hellenic) State	N.S.K.	Νομικό Συμβούλιο του Κράτους	N.Σ.Κ.
Decision for the Approval of Environmental Terms	ΑΕΡΟ	Απόφαση Έγκρισης Περιβαλλοντικών Όρων	Α.Ε.Π.Ο.
Ministry of Environment & Energy	ΥΠΕΝ	Υπουργείο Περιβάλλοντος & Ενέργειας	Υ.Π.ΕΝ.

Study (Designer)	Elaborator	Meletitis	Μελετητής	
Mining Waste Management Plan	MWMP		Σχέδιο Διαχείρισης Εξορυκτικών Αποβλήτων	ΣΔΕΑ
Hellenic Council of State (Symvoulío tis Epikrateias)	HCS		Συμβούλιο της Επικρατείας	ΣΤΕ
National Printing House (Ethniko Typografeio)	ET		Εθνικό Τυπογραφείο	ΕΤ

Source: Chalkiopolou and Hatzilazaridou-HSGME, (MINLEX report, 2017)

Table 2: Greece. Key terminology of the Greek Mining Legislation and the Permitting Processes.

TERM (English)	TERM (Greek)	DESCRIPTION AND EXPLANATIONS
Mining Code (MC)	Μεταλλευτικός Κώδικας (ΜΚ) (Metalleftikos Kodikas)	L.210/1973, as amended by L. 274/1976 and recently by L.4512/2018
Quarrying Law	Λατομικός Νόμος	L. 4512/2018 (on the exploration and exploitation of quarried minerals)
Regulation on Mining and Quarrying Activities (KMLE) (KMLE)	Κανονισμός Μεταλλευτικών και Λατομικών Εργασιών (ΚΜΛΕ)	The M.D. 12050/2223/2011 (G.G.B'1227) The KMLE is setting the rules applied to all Mining and Quarrying Sites during exploration, or extraction, or exploitation, or treatment of mineral raw materials, as well as rehabilitation, regarding the issues of health and safety of the workforce as well as the protection of citizens living in the neighbouring areas and the protection of the environment.
'Metallic Minerals' or 'Ores'	Μεταλλευτικά Ορυκτά ή Μεταλλεύματα	Legal definition, as set by the Greek Mining Code, of a number of mineral resources, mostly metals and metallic compounds, including also energy and radioactive minerals, hydrocarbons, as well as some industrial minerals like magnesite, feldspars etc.
Metallic Minerals' Exploration	Μεταλλευτική Έρευνα (Metalleftiki Erevna)	<i>Mining Code, Article 16</i> 'Metallic Minerals' Exploration includes all types and kinds of scientific studies and / or fieldwork research activities either on the surface or underground, following science and engineering best practices at a specific site, in order to detect 'Ore' deposits.
Mining Sites	Μεταλλευτικοί χώροι	<i>KMLE, Article 2</i> Mining Sites are strictly defined sites for which there are property ownership rights issued in the following cases: i) 'Metallic Minerals' Exploration License (AME, Preliminary Mining Rights); ii) Mine Concessions; iii) "Extraction Permits"; iv) Mine Concessions issued with Ottoman decrees (Firmanias); v) Public (State) Mines; vi) The areas explored by the State; vii) The geothermal Fields;

TERM (English)	TERM (Greek)	DESCRIPTION AND EXPLANATIONS
		viii) 'Mining Sites', as set by the prevailing legislation.
'Metallic Minerals' Exploration License (AME)	Άδεια Μεταλλευτικών Ερευνών (AME)	AME is the ownership title for the right to explore for 'Metallic Minerals' (as set by the Mining Code) within a site strictly defined by co-ordinates. All AMEs have a unique serial identification number recorded in the Mines' Registry at the relevant Administrative Region. This ID number is important, since it defines the priority of the applicants. The owner of an AME has the right to explore all 'Metallic Minerals' occurring within the licensed site. An AME constitutes a preliminary Mining Site property right.
Mine Concession	Παραχώρηση Μεταλλείου	A Mine Concession is the ownership title for the right to exploit 'Metallic Minerals' in a site strictly defined by co-ordinates conceded to a private entity for a time period of 50 years, which can be extended for another 50 years (2 times x 25 years). A Presidential Decree issued by YPEN constitutes the Mine Concession title and is registered in the Mines' Cadastre of the State.
Quarrying Area (QA)	Λατομική Περιοχή	<p>Legally bounded areas, determined all over Greece at regional level, where mineral raw materials are extracted for aggregates' production.</p> <p>The production of primary aggregates in Greece is performed in accordance with by Law 4512/2018. Exploitation of aggregates is permitted only within the defined QAs, with some exceptions, such as: a) exploitation of aggregates for specific uses (e.g. hard aggregates, for road anti-skid wearing course and rail ballast), b) public infrastructure works, c) islands etc.</p> <p>QAs are determined with a decision issued by the competent, Regional Governor, after consultation with an 8-members Committee from various authorities.</p> <p>The Directive 2001/42/EC, concerning Strategic Environmental Assessment (SEA), was transposed into the national legislation with the JMD 107017/2006.</p>
Ownership of Mineral Rights – Owner of Mineral Rights	Μεταλλειοκτησία – Μεταλλειοκτήτης	Ownership of Mineral Rights is an estate in real property. It is the right of the owner to exploit, mine, and/or produce any or all of the 'Metallic Minerals' occurring in the property site.
Private Mines	Ιδιωτικά Μεταλλεία	Private Mines are mines conceded to private entities, in accordance with the MC, or those that were legally owned by privates at the date of enforcement of the MC (Legislative Decree 210/1973).
Public Mines	Δημόσια Μεταλλεία	Public Mines refer to mines where the State owns the exclusive right for exploration and exploitation. These concern: i) All cases of 'Metallic Minerals' exempted over the State; ii) The Public Mining Sites,

TERM (English)	TERM (Greek)	DESCRIPTION AND EXPLANATIONS
		as registered by YPEN (2014), and iii) Sites under exploration by HSGME.
Special Eco Assessment (SEA)	Ειδική Οικολογική Αξιολόγηση (ΕΟΑ)	

Source: Chalkiopoulou and Hatzilazaridou-HSGME, (MINLEX report, 2017)

1.2.5 The Main Greek Mining Legislation

The Greek mining legislation frame contains:

1. The Mining Code (MC) (Legislative Decree 210/1973, as amended by Law 274/1976 and recently by L.4512/2018).
2. The Law 4512/2018 for the exploration and exploitation of quarried minerals
3. The Regulation on Mining and Quarrying Activities (KMLE) (Ministerial Decision 12050/2223/2011, G.G. B'1227)

The aforementioned basic mining legislation is accompanied by a number of legislative documents regulating specific issues regarding the Greek Mining Activity. Detailed reference to these documents exceeds the scope of the present report.

Licensing / permitting of exploration or/and exploitation activities is inextricably linked to the legal classification of the resources under permitting, as regulated by the provisions of the Greek Mining Legislation. Specifically, based on the Mining Code, mineral resources are classified into two broad categories (Fig. 1), namely: (a) "Metallic Minerals" or "Ores", which, either surface or underground do not belong to the landowner of the area they occur, and b) "Quarried Minerals" that belong to the landowner of the area they occur.

Quarried Minerals are divided in three sub-categories:

- Aggregates
- Marble and other ornamental and natural stone
- Industrial minerals

From the legislative point of view, "Metallic Minerals" or "Ores" include metals, all metallic compounds, precious stones, radioactive and energy minerals, sulphur, talc, fluoride, asbestos, dolomites with MgO content >21%, feldspars, mineral salt, organic sediments, and others. The Mining Code foresees that certain resources classed as "Quarried Minerals" may be treated as "Metallic Minerals" provided that metallic minerals can be extracted from the former via various methods.

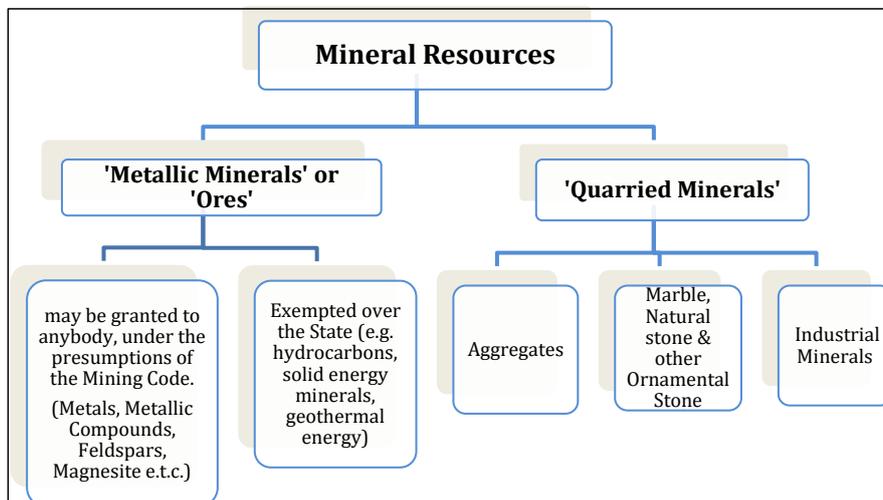


Fig. 1: Greece. Legislative classification of the Greek mineral resources in accordance with the Mining Code. Note: the figure is based mainly on the economic significance of the resource. Source: Chalkiopoulou and Hatzilazaridou-HSGME, (MINLEX report, 2017)

The classification shown in Fig. 1 is purely legislative/contractual and is not always based on scientific data, but rather on (mainly) economic criteria. For example, many mineral resources such as talc, fluoride, asbestos, feldspar, magnesite, are classified into “Ores” by the legislator, taking into consideration their economic importance, but also tradition. However, from both a scientific, and usage point of view they are industrial minerals.

Based on the Mining Code, exploration or/and exploitation rights of all “Metallic Minerals” or “Ores”, *may be granted to anybody, regardless of who owns the land, with the exception of those minerals that are excluded in favour of the State* (e.g. for energy production and radioactive minerals) *and*, given that the Greek Mining Legislation addresses property of mineral rights as a real right (*in rem*) independent of landownership.

1.3. Legislation governing mineral exploration and extraction

The following assumptions and facts must be taken into consideration:

- (1) The analysis presented in the following paragraphs examines the conditions for licensing / permitting of new mining projects and activities in Greece. It is reminded that there may be several types of other permits related to other works and activities within an already licensed project.
- (2) Licensing / permitting of new mining projects and activities requires the approval of a Technical or Feasibility Study and the Environmental Terms Approval otherwise known as environmental permit (AEPO). The latter is granted following the approval

of the Environmental Impact Study. The Technical or Feasibility Study, submitted by the interested party (applicant) for evaluation, is approved eventually, after the issuance of the Environmental Terms Approval. Since AEPO is a pre-requisite for the overall permitting, submission of the required Technical or Feasibility Study is done after the completion of the environmental permitting process.

- (3) Environmental permitting is conducted in accordance with L.4014/2011 (GG A'209) and is the most time consuming and demanding procedure within the licensing / permitting process of the mining projects and activities in Greece.
- (4) Based on L.4014/2011 the complexity and time duration for the required AEPO procedure is affected by the category of the project, as set in the Ministerial Decision 37674/2016 (GG B'2471), which amends the previous Ministerial Decision 1958/2012.

1.3.1 Legislation for environmental permitting of mining projects / activities

Following the above, the legislation below should be considered:

- (1) Law 4014/2011 "On the environmental licensing of projects and activities and other provisions" which applies also for mining activities / projects.
- (2) Joint Ministerial Decision 39624/2209/E103/2009 (GG B'2076) on measures, conditions and limitations for the management of waste from extractive industries, in compliance with Directive 2006/21/EC on the management of waste from extractive industries, as well as decisions of the European Council 2009/337/EK (E102/7/22.4.2009), 2009/359/EK (E 110/46/1.5.2009) and 2009/360/EK (E 110/48/1.5.2009).
- (3) Ministerial Decision 48963/2012 (GG B'2703) "Specifications of the content of the Environmental Terms Approval Decisions (AEPO) for projects and activities of Category A according to the Decision of the Minister of Environment and Energy 1958/2012 (GG B'21), as amended by JMD 1915/2018 (GG B'304)
- (4) Ministerial Decision 46294/2013 (GG B'2001) "Standard Environmental Commitments for projects and activities of Category B, Group V "Extractive and Other Relevant activities" in Annex V, of Decision 1958/2012 (GG B'21), as it currently applies, and more specifically for projects and activities in no 10". Note that the MD 1958/2012 has been amended by 37674/2016 (GG B'2471) which adds projects and activities in class no 9 to the above.
- (5) Ministerial Decision 167563/2013 (GG B'964) "Specification for the environmental permitting procedures and criteria of projects and activities in art. 3, 4, 5, 6 and 7 of L.4014/2011, in accordance to art. 2, par. 13 of this Law, the specialised document templates of the above procedures, as well as any other issue related to those procedures"; as amended by the Ministerial Decision 1915/2018 (GG B'304)
- (6) Joint Ministerial Decision 1649/45/2014 (GG B'45) concerning "Specification of advisory procedures and public consultation during environmental permitting of

projects/activities of Category A, as set in the Ministerial Decision 1958/2012 in accordance with art. 19, par. 9 of L. 4014/2011”

(7) Ministerial Decision 170225/2014 (GG B’135) “Specification of the contents of the files submitted for the environmental permitting of projects and activities of category A, according to the Decision of the Minister of Environment and Energy 1958/2012 (GG B’21), as it applies, in accordance with art 11 of Law No. 4014/2011 (GG A’209), and every other detail”

(8) Ministerial Decision 37674/2016 (GG B’2471) “Amendment and codification of the Ministerial Decision 1958/2012 - Classification of public and private projects and activities into categories and subcategories, in accordance with art. 1, par. 4 of L. 4014/21.9.2011 (GGA’209), as amended by Ministerial Decision 2307/2018 (GG B’439)”

The above list presents the most important legislative tools for all mineral resources and covers all aspects of mining, including health and safety, management of water, environmental issues and the challenges of sustainable development. The applicable legal provisions have been adopted to recent European legislation related to environmental and health & safety issues for the extractive industries, including the EU Environmental Impact Assessment (EIA) Directives 85/337/EC and 97/11/EC, the Habitats Directive 92/43/EC, the Water Framework Directive (WFD) 2000/60/EC, the EU Extractive Waste Directive 2006/21/EC, etc.

More specifically:

1. Protection of NATURA network and sites of high ecological importance (Aesthetic forests, RAMSAR wetlands etc.) under the provisions of:

- L.1650/1986 “For the Protection of the Environment” (GG A’ 160);
- L.3937/2011 “Conservation of Biodiversity and Other Provisions”(GG A’60);
- L.4519/2018 on the Management Agencies of Protected Areas (GG A’25)
- J.M.D.33318/3028/1998 (GG B’ 1289) as amended by J.M.D.14849/853/E103/2008 (GG B’ 645), transposing Directive 92/43/EEC (“Habitats Directive”);
- J.M.D.37338/1807/E.103/2010 (GG B’ 1495) as amended by J.M.D.8353/276/E103/2012 (GG B’ 415), transposing Directive 79/409/EEC as amended by the Directive 2009/147/EC (“Birds Directive”);
- J.M.D.50743/2017 (GG B’4432)
- Other legislation, examined for potential conflicts against the proposed mine development, such as P.D.s or J.M.Ds that set specific protection measures for Sites of important natural environment characteristics that are located in the vicinity of the examined mine sites.

For a mine development located within or close to a site included in the NATURA network (i.e. Special Areas of Conservation, SAC, according to the NATURA Directive, the Habitats Directive, or Special Protection Area, SPA, according to the Birds Directive) an appropriate Environmental Assessment has to be conducted within the EIA Study, so as to assess the potential impacts of the mining project to the integrity and conservation objectives of the NATURA site. The catalogue of the Greek SPAs was published in J.M.D.37338/1807/E.103/2010 (GG B’ 1495), as an Annex to the transposition of the

new Birds Directive. Moreover, 239 sites were characterized as SAC, with the L.3937/2011 (GG A' 60). It is emphasized that according to the data of the Greek Ministry of Environment & Energy, the total area covered by the NATURA network sites, both SAC and SPA, account for 27,27% of the land area of the country [3].

- 2. Protection of Archaeological Sites** of international and national importance, as set in the L.3028/2002 ("Protection of Archaeological Sites and the Cultural Heritage in General", GG A' 153). An indicative example is provided for the Delphi Area which hosts a number of significant heritage monuments and sites of international (UNESCO) and national importance. Various conflicts arise in the Environmental Permitting of projects and infrastructures between stakeholders and the bauxite mining companies active in the area, regarding the adverse effects of bauxite exploitation on the environment and the cultural heritage.
- 3. Protection of Water Resources**, L.3199/2003 (GG A'280) as currently applies, and the P.D.51/2007 (GG A' 54) as currently applies, transposing the Water Framework Directive (WFD) 2000/60/EC. A number of J.M.D.s that amended national legislation adjusting it to the WFD are issued: a) J.M.D.48416/2037/E.103/2011 (GG B' 2516); b) J.M.D.51354/2641/E103/2010 (GG B' 1909); c) J.M.D.170766/2016 (GG B' 69).
- 4. Protection of Forest Areas** according to L.998/1979 (GG A' 289), as amended by L.4280/2014 (GG A' 159) and L.3889/2010 (GG A' 182).
- 5. Protection of Landscape**, as set in L.3827/2010 (GG A' 30) enacting the European Convention for Landscape. Detailed measures are foreseen in specialised legislation regarding areas of high aesthetic importance, located close to the mining site during environmental consultation.

It is highlighted that within the Environmental Permitting of a mining project, all potential conflicts arising should be examined, while the competent authorities dictate measures which prevent or mitigate potential adverse impacts.

Where a mining project is considered to have significant adverse impacts on the preservation objectives and the integrity of a NATURA site, then the permit is not granted. However, according to Art. 6.4 of the Habitats Directive, a plan or project may be carried out, despite a negative assessment of the impact to the NATURA site, provided that there are imperative reasons of overriding public interest, including those of social or economic nature and that no other alternative solutions exist. In such an occasion, the State shall take all compensatory measures necessary to ensure that the overall coherence of NATURA 2000 network is protected and shall inform the European Commission of the compensatory measures adopted.

1.3.2 Environmental classification of Mining Projects and Activities

As already stated above, environmental permitting is performed under the provisions of L.4014/2011, in conjunction with the Ministerial Decisions 37674/2016 and 2307/2018 that classify projects and activities into Groups and Types. The types of projects defined in each Group are further classified into categories A (subdivided in A1 and A2), and B. The classification of a project in a specific category depends on the significance of the expected

[3]<https://ec.europa.eu/environment/nature/info/pubs/docs/nat2000news/ENG%20Natura2k%2046%20WEB.pdf>

environmental impact of that project. Sub-category A1 lists projects / activities with significant environmental impact. The provisions for the environmental permitting for such projects are complicated and lengthy, taking into account the legal timeframe set in L.4014/2011. Sub-category A2 lists projects / activities with less significant environmental impact and its procedures for environmental permitting are easier. For each of the above subcategories, an EIA Study is submitted and evaluated. The permit is granted with the Environmental Terms Approval Decision (AEPO).

The Mining Projects and Activities are included in Group V "Extractive and related activities" of the Ministerial Decision 37674/2016 as amended by MD 2307/2018, which includes eleven (11) types of projects/activities. Exploitation activities for industrial minerals, marble and slate slabs (project type 3) and for aggregates (project type 4) are further divided in sub-types, according to: a) the surface area of intervention (E), and b) the existence of a NATURA network. In relation to extraction of aggregates' minerals, it is examined whether the activity takes place in Quarrying Areas (QAs) or not, and whether the respective QA has undergone a Strategic Environmental Assessment (SEA) or not (see 3 for explanations).

For all projects and activities classified into Sub-category A1, the competent authority for the evaluation of the environmental study is the Ministry of Environment and Energy (YPEN). The Environmental Terms Approval Decision (AEPO) takes the form of a Ministerial Decision issued by YPEN. The projects and activities that fall in Sub-category A2 are submitted to the competent De-Centralised Administration for environmental permitting. In this case, the AEPO is a Decision issued by the Coordinator of the relevant De-Centralised Administration.

For environmental licensing of projects and activities listed in category B, submission and evaluation of Environmental Impact Study is not required. However, the applications are subjected to Standard Environmental Commitments (SEC) or Standardized Environmental Terms, which are considered for approval by the Coordinator of the competent Decentralized Authority.

Table 3: Greece. Environmental classification of mining activities

Group 5: Extractive activities					
	Project type	Sub-category A1	Sub-category A2	Category B	Comments
1	Exploitation of solid energy minerals and exploration drillings for energy minerals	X			
2	Exploitation of ores and exploration drilling for ores	X			
3	Exploitation of industrial minerals, marble and slate slabs	Surface exploitation: <ul style="list-style-type: none"> ○ E ≥25ha ○ within NATURA areas, E ≥15ha 	Surface exploitation: <ul style="list-style-type: none"> ○ outside NATURA areas, 15<E <25ha ○ E <15ha Underground exploitation		E: area of intervention
4	Exploitation of aggregates	within QAs without SEA and outside QAs: <ul style="list-style-type: none"> ○ E ≥25ha 	<ul style="list-style-type: none"> ○ within QAs without SEA and outside QAs: <ul style="list-style-type: none"> – E <25ha ○ within all QAs under SEA 		QA: Quarrying Areas

					SEA: Strategic Environmental Assessment
5	Aggregates extraction for the implementation of public, national or regional projects considered to be of national importance				In the classified category of the public, national or regional project
6	Sand extractions not included in the category of aggregates		X		
7	Hydrocarbons extraction and hydrocarbon exploration drillings	X			
8	Exploration and Exploitation drilling of geothermal fields	Geothermal Fields of National Importance (High Enthalpy)	Geothermal Fields of Local Importance (Low Enthalpy)		
9	Exploration drilling of minerals (excl. 1,2,7,8 cases)			X	
10	Other exploration activities constituting intervention to the			X	

	ground (except drillings) or the bottom of seas or lakes				
11	Facilities for the management of extractive waste	<ul style="list-style-type: none"> o All facilities run by "Single Operators" o All facilities that fall in Category A, run by "Joint Operators" 	Facilities not fall in Category A, run by "Joint Operators"		The terms "Single Operators" and Joint Operators": according the MD 39624/2209/103/2009

Table 4: Greece. Legislation relevant to exploration and exploitation permitting.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
mining, minerals management, technical safety, concession	EL-L1	<p><u>L.D.210/1973/(G.G. A' 277) ('Mining Code')</u> Amended by Law 274/1976(GG A'50). Other amendments: Par. 1 of Art. 148 was amended with Art.194 of L.4001/2011 Art.63 of L.4042/2012 'Mine Ownership Rights', concerning royalties and fees, amended Art.84 of the Presidential Decree 210/1973. L.4203/2013 amended Art.84 and Art.176 of the Presidential Decree. L.4280/2014 amended Art.161 of the Mining Code, regulating the procedure for the granting of building licence for mining projects and activities. Last amendment by L.4512/2018</p>	www.et.gr	Y	Y	Y	Y	Y (*)	Y	Y	Y	<p><i>Art. 1-14:</i> Establish the legal classification of all Greek mineral resources in 'Metallic Minerals' ('Ores') and Quarrying Minerals, set the provisions for the minerals' ownership right in relation to the landownership and defines the resources that are exempted over the State. This classification is based on economic criteria and is not always in line with scientific / usage criteria (e.g. magnesite is included in the 'Metallic Minerals' Group). <i>Art. 15-43:</i> Regulate the procedures for the licensing of 'Metallic Minerals' exploration (AME), including timeframes. As amended by L.274/1976, the duration of the AME is 3 years. <i>Art. 44-64:</i> Regulate the procedures for the granting of Mining Concessions for "Metallic Minerals' exploitation. A Feasibility Study is a pre-requisite for the granting. As amended by L.274/1976, Concessions are valid for 50 years and may be extended for 25 years. After consultation of IGME, they may be extended for another 25 years. <i>Art. 65-142:</i> Deal with 'Metallic Minerals' mine ownership issues, as well as obligations and rights of mine operators. (*) As amended by L.274/1976, Art.114β was added addressing rehabilitation issues at preliminary level (note: environmental legislation started developing after 1976...) <i>Art. 143-156:</i> Define the Greek State Mining Rights for hydrocarbons, emery, solid energy minerals, etc. Par. 1 of Art. 148 was amended with Art.194 of L.4001/2011. <i>Art. 157-170:</i> Deal with inspection / supervision /</p>

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
												monitoring issues and the necessary permits for mining operations.
	EL-L2	<u>L.4512/2018 (G.G. A'5)</u> On the exploration and exploitation of quarried minerals	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	
	EL-L3	<u>M.D.12050/2223/2011 (G.G. B'1227)</u> The Regulation on Mining and Quarrying Activities-KMLE	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	The KMLE is a set of rules that apply to all types of mining and quarrying sites during the activities of exploration, or extraction, or exploitation, or treatment of mineral raw materials, as well during rehabilitation. The KMLE defines the criteria that should be considered in order to achieve rational operation for all types of mining/quarrying activities, including exploration, extraction – exploitation and processing of mineral raw materials. Also, it defines the obligations for mine / quarry operators and sets the overall framework for the study, organization, operation, supervision and inspection of all mining / quarrying works. It regulates health and safety

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
												issues for the working staff and the citizens of the surrounding areas and sets terms and measures for the protection of the environment, cultural heritage, infrastructure etc. It envisages the documents required in order to control compliance of the quarry / mine operators with the provisions of the KMLE.
	EL-L4	<u>L.2289/1995 (G.G. A'27)</u> Exploration and exploitation of hydrocarbons). Amended by: i) L.4001/2011 (GG A'179) (concerning Exploration, Production and Transportation Networks of Hydrocarbons, and ii) L.4409/2016(GG A'136) (Framework for the safety of offshore hydrocarbons' exploration and exploitation activities, transposition of the Directive 2013/30/EC).	www.et.gr	Y	Y	Y	Y	Y	N	N	Y	Leasing mineral rights of the Greek State concerning Marine mineral resources in the Greek continental shelf and the exclusive economic zone

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration extraction	post-extraction	local	regional	(central) national		

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L5	L.4042/2012 (O.G. A'24) "Protection of the environment through criminal law-Compliance with Directive 2008/99 / EC - Framework for the production and management of wastes - Compliance with Directive 2008/98 / EC - Regulation of issues concerning the Ministry of Environment Energy and Climate Change"	www.et.gr	N	N	Y	Y	N	Y	Y	Y	Art.63 of L.4042/2012 'Mine Ownership Rights', concerning leasing royalties corresponding to mine ownership rights, amended Art.84 'Leasing Royalties' of the Presidential Decree 210/1973. In accordance with this amendment, new upper leasing limits are defined for the leasing of Mine Ownership Rights and Rights arising from AMEs, calculated as a percentage on the value of the ore or concentrate or intermediate product or final product which is for sale, as follows: 12% for the run of mine ore and sales at the mine site; 8% for the run of mine ore and sales Free on Board or Free on Truck; 4% for concentrates and other processing / treatment products, and sales Free on Board or Free on Truck; 2% for products undergone additional metallurgical processing (no final products), and sales Free on Board or Free on Truck; 1,5% for final products, and sales Free on Board or Free on Truck; It is also regulated that 20% from the fees collected by the State as above are allocated to the Municipalities that host the corresponding mining activity and concern Public Mining Sites.
	EL-L6	J.M.D.10697/2714 (O.G. B'1800) concerning calculation of royalty fees for active, deposit and idle Mine Concessions as well as Metallic Minerals	www.et.gr	N	N	Y	Y	N	Y	Y	Y	Calculation of royalties and fees, based on a mathematical formula.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration extraction	post-extraction	local	regional	(central) national		
		Exploration Licenses (AMEs).										

environment	EL-L7	L. 4014/2011 (G.G. A' 209) "On the environmental licensing of projects and activities and other provisions". Environmental permitting is performed under the provisions of L.4014/2011, in combination with the M.D.37674/2016 that classifies all kinds of projects and activities in Groups and Types.	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	<p>L.4014/2011 is regulating the environmental permitting process for all activities/projects of the public and the private sector. Depending on their impacts to the environment, projects/activities are classified in: 1) Subcategory A1 that concerns those projects/activities which may cause very significant impacts on the environment; 2) Subcategory A2 that includes those projects/activities that may cause significant impacts on the environment; 3) Category B concerning projects / activities with less significant environmental impacts. For the environmental permitting of projects/activities that are classified in Category A (A1 or A2), an Environmental Impact Assessment study (EIA) is conducted and a Decision with the Approval of Environmental Terms is issued by the competent authority. The process required for the environmental permitting of each group is regulated in detail, including legal timeframes envisaged, competent authorities for the issuance of permits, types of permits required per Group. Specifications for "Special Ecological Assessment" for the environmental permitting of projects within the Natura 2000 network are prescribed in accordance with the respective E.U Directives. The L.4014/2011 includes some innovations compared to previous legislation:</p> <ul style="list-style-type: none"> • The procedures for the environmental permitting of projects and activities are simplified and rationalized and the timeframe for the issuance of the relevant decisions is reduced. • The number of projects and activities for which the submission and evaluation of an EIA Study is required (in order to get an Environmental Permit, i.e. an AEPO) is reduced. • There are established obligatory periodical, regular and extraordinary inspections on behalf of the competent
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Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L8	M.D.37674/2016 as amended by M.D.2307/2018 (G.G. B'439) "Amendment and codification of the Ministerial Decision 1958/2012 - Classification of public and private projects and activities into categories and subcategories, in accordance with art. 1, par. 4 of L. 4014/21.9.2011 (FEK 209/A/2011), as amended"	www.et.gr	Y	Y	Y	Y	Y	N	Y	Y	In accordance with this Decision, Mining Projects and Activities, comprise Group V "Extractive and related activities" which includes eleven (11) different types of projects / activities. From these, exploitation activities for 'Quarried Minerals', and specifically Type 3. Extraction of industrial minerals, marble and slate slabs, and Type 4. Extraction of aggregate materials, are divided in sub-cases, with criteria: a) the surface of the area of intervention (E), and b) NATURA Zones. In addition, regarding extraction of aggregates' minerals, it is examined whether it is exercised in Quarrying Areas (QAs) or not, and whether the respective QA has undergone a Strategic Environmental Assessment (SEA) or not. With the exception of type 10. Other exploration activities constituting intervention to the ground (except drillings) or the bottom of seas or lakes, which is classified in Category B, all other cases of mining exploration or/and exploitation projects and activities, are classified in Category A.
	EL-L9	M.D.46294/2013 "Standard Environmental Commitments for projects and activities of Category B, Group V 'Extractive and Other Relevant activities' of Annex V, of the Decision 1958/2012 (B 21), as it applies, and more	www.et.gr	Y	Y	Y	Y	Y	N	Y	Y	This M.D. concerns exclusively mining projects / activities of Category B that do not need an EIA Study. Their environmental permitting is conducted under the provisions of this M.D., comprising a simple declaration submitted by the interested person. The authority 'granting' the license is the same that approves the operation of the project. Mineral exploration activities that do not include a drilling programme (type 10 of Group V), are considered activities with minor environmental impacts and are classified in Category B. The competent Authorities for

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
		specifically for projects and activities with no 10"										the submission of the SEC Declaration, are: - For mining exploration activities that will be accomplished within public (state-owned) areas: The Technical Division of the relevant De-Centralised Administration. The permit in this case is the Consent of the Division, as envisaged in art.10 of L.669/1977; - For mining exploration activities that will be accomplished in private and municipality-owned areas, the competent authority is the same authority which approves the Technical Study, according art. 4 of KMLE.
	EL-L10	M.D.1649/45/2014 "Specification of advisory procedures and public consultation during environmental permitting of projects/activities of Category A, as set in the Ministerial Decision 1958/2012 in accordance with art. 19, par. 9 of L. 4014/2011"	www.et.gr	Y	Y	Y	Y	Y	N	Y	Y	This M.D. regulates the procedures followed for the public consultation, as well as the submission of the opinions by the competent authorities, during the environmental permitting process. It concerns: i) new projects/activities; ii) already licensed projects/activities requesting permit extension or renewal (a new E.I.A. Study should be submitted); iii) projects/activities performed in another Member State which may affect the Greek Territory. The M.D. annexes standard templates to be completed by the parties involved in the process and tables listing the authorities that express their opinions. Tables 5.1 and 5.2, included in this M.D., are specific for mining projects/activities and list the authorities which articulate their views for the environmental permitting of mining projects and activities of Sub-category A1 and Sub-category A2, correspondingly.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L11	M.D.170225/2014 "Specification of the contents of the files submitted for the environmental permitting of projects and activities of category A, according to the Decision of the Minister of Environment and Energy 1958/2012 (B 21), as it applies, in accordance with art 11 of Law No. 4014/2011 (A 209), and every other detail"	www.et.gr	Y	Y	Y	Y	Y	N	Y	Y	This M.D. defines the specifications (requirements / contents) for the E.I.A. Study needed for the environmental permitting of projects and activities which are included in categories A1 or A2. It concerns almost all mining projects / activities, with the exception of exploration works that do not include a drilling programme.
	EL-L12	M.D.48963/2012 "Specifications of the content of the Environmental Terms Approval Decisions (AEPO) for projects and activities of Category A according to the Decision of the Minister of Environment and Energy 1958/2012 (GG B' 21), as it applies, in accordance with art. 2, par. 7 of Law No. 4014/2011 (GG A' 209)"	www.et.gr	Y	Y	Y	Y	Y	N	Y	Y	This M.D. defines the specifications for the Decision for the Approval of Environmental Terms (AEPO) granting the environmental permit to projects and activities which are included in categories A1 or A2. It concerns almost all mining projects / activities, with the exception of exploration works that do not include a drilling programme.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L13	M.D.167563/2013 "Specification of procedures and criteria for the environmental permitting of projects and activities of Art. 3, 4, 5, 6 και 7 of L.4014/2011, in accordance with Art.2, Par. 13 of this Law, the special forms for the above procedures and any other relevant with these procedures subject"	www.et.gr	Y	Y	Y	Y	Y	N	Y	Y	This Decision regulates the specific procedures for the granting of environmental permits to projects and activities of Category A. It regulates the legal timeframes for each separate step of the process amongst the competent authorities involved and provides the document templates that must be completed.
	EL-L14	J.M.D.39624/2209/E103/2009 of the Ministers of Interior, Economy and Finance, Development, Environment, and Public Works on measures, conditions and limitations for the management of waste from extractive industries, in compliance with the provisions of Directive 2006/21/EC of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC as well as the decisions of the European	www.et.gr	N	N	Y	Y	N	N	N	Y	This M.D. is enforcing the provisions of Art.11 and 12 of L.1650/1986 and harmonizes the Directive 2006/21/EC of the European Parliament and of the Council 'on the management of waste from extractive industries and amending Directive 2004/35/EC'. The aim is to define measures, terms and procedures for the environmentally rational management of the extractive waste, to ensure prevention or limitation of any potential environmental impacts, specifically to air, water, soil, biodiversity and the landscape, as well as any health risks. From the scope of the Decision the following are exempted: i) Any wastes that are produced during exploration or exploitation activities, but do not stem from these activities; ii) Wastes stemming from offshore exploration and exploitation activities; iii) Inert extractive wastes and non-polluted soil which are produced from exploration and exploitation of mineral resources and quarries' operation, as well as wastes from

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
		Council 2009/337/EK (E 102/7/22.4.2009), 2009/359/EK (E 110/46/1.5.2009) and 2009/360/EK (E 110/48/1.5.2009).										extraction, processing and storage of peat, with the exception of wastes which are deposited in Waste Facility classified into Category A, in accordance with this Decision.
	EL-L3	M.D.12050/2223/2011 (G.G. B'1227) (The Regulation on Mining and Quarrying Activities-KMLE)	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	Chapter IX Articles 85-90 of this Regulation
nature conservation, forestry	EL-L15	L.1650/1986 (G.G. A'160) "For the Protection of the Environment", as amended and valid.	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	The L.1650/1986 is the basic Law for the protection of the environment. The L.4014/2011 amended Art. 3, 4 and 5 of L.1650/1986 regulating the classification of projects/ activities in categories in relation with the significance of their environmental impacts, approval of environmental terms, and the content and publicity of E.I.A. Studies. The improvement introduced with L.4014/2011 is that the preliminary environmental assessment which was mandatory for the environmental permitting of projects / activities, is now optional.
	EL-L16	L.3937/2011 (G.G. A'60) "Conservation of Biodiversity and Other Provisions"	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	Art.5 amends Art.59 of L.1650/1986, as amended and valid. In accordance with the provisions of Art.5 (amending Art.19 of L.1650/1986) mining and quarrying activities may be allowed within natural parks, under the provisions of the law (Par.3.a), provided that these activities contribute in the economic development of local communities and they don't cause degradation of the environment. Also, based on the same article, mining

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
												and quarrying activities are allowed in areas of wildlife refuges, provided that an E.I.A. Study of Category A has been compiled and the corresponding Environmental Terms Approval Decision (AEPO) has been granted to these activities.
	EL-L17	J.M.D.37338/1807/E.103 (G.G.B'1495) as amended by J.M.D.8353/276/E103/2012 (O.G.B' 415)	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	It is harmonizing Directive 79/409/EEC as amended by the Directive 2009/147/EC ("Birds Directive")
	EL-L18	J.M.D.33318/3028/1998 (G.G.B' 1289) as amended by J.M.D.14849/853/E 103	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	It is harmonizing Directive 92/43/EEC ("Habitats Directive")
	EL-L19	L.998/1979 (G.G.A'289) , as amended by L.4280/2014 "Environmental upgrade and private building - Sustainable development of settlements - Forest legislation regulations and other provisions".	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	L.998/1979 is the basic legislation for the protection of forests and forest land areas. Approval of Intervention is required for exploration and exploitation mining projects and activities which are operating within forests and forest areas. This approval is not required for simple research activities (e.g. economic geology, geophysical, etc.) that do not include drilling or excavations. The major 'innovation' and improvement introduced with the L.4280/2014, regarding environmental permitting, is that the Approval of Intervention, whenever needed, is incorporated in the Environmental Terms Approval Decision (AEPO) (project Categories A1 and A2), or the Standard Environmental Commitment Declaration (project Category B), issued for the environmental

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
												permitting of mining projects and activities accomplished within forests and forest areas.
	EL-L20	<u>L.3889/2010 (G.G. A'182)</u>	www.et.gr	N	N	N	N	N	Y	Y	Y	The Law includes provisions for the validation of forest maps. It supplements Art.3 of L.998/1979.
	EL-L21	<u>L.4280/2014 (G.G. A'159)</u> "Environmental upgrade and private building - Sustainable development of settlements - Forest legislation regulations and other provisions"	www.et.gr	Y	Y	Y	Y	Y	Y	Y	N	<i>Art.36:</i> It replaced Art.45-Art.61 of L.998/1979. With this amendment, Art.57 of L.998/1979 (Mining and Quarrying Activities) was replaced by Art.52 'Mines-Quarries'. <i>Art.51, Par.11:</i> It is amending Art.40 of L.4030 concerning establishment of facilities for the treatment of Construction and Demolition Waste is allowed within inactive quarrying sites, independent of their ownership status, under the provisions of the law. Rehabilitation costs for public or municipality owned inactive quarries are charged to the C&D Waste operators established in the corresponding sites. Installation of C&DW in forest areas is allowed after approval of intervention by the competent authorities.
	EL-L22	<u>L.3827/2010 (G.G. A'30)</u>	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	It is enacting the European Convention for Landscape. More specific measures are provisioned in specific legislation regarding areas of high aesthetic importance, if they are located close to the mining site under consultation.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration extraction	post-extraction	local	regional	(central) national		
	EL-L3	M.D.12050/2223/2011 (G.G. B'1227) (The Regulation on Mining and Quarrying Activities-KMLE)	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	Chapter IX-Articles 85 & 88 of this regulation
water management	EL-L23	L.3199/2003 (G.G.A'280) "Protection and management of waters – Harmonization with the Directive 2000/60/EC (WFD) of the European Parliament and of the Council of 23 October 2000".	www.et.gr	Y	Y	N	Y	Y	N	N	Y	L.3199/2003 (FEK 280/A/9-12-2003) as amended, and the P.D.51/2007 (FEK 54/A/8-3-2007) as amended, are harmonizing the Water Framework Directive (WFD) 2000/60/EC. A number of J.M.D.s amending the relevant prevailing national legislation and further adjusting it to the WFD were issued: a) J.M.D.48416/2037/E.103 (FEK 2516/B/7-11-2011); b) J.M.D.51354/2641/E103 (FEK 1909/B/8-12-2010); c) J.M.D.170766/2016 (FEK 69/B/22-1-2016).
	EL-L24	P.D.51/2007 (G.G.A'54) "Measures and procedures for the integrated protection and management of water, in compliance with the provisions of the Directive 2000/60/EC 'establishing a framework for Community action in the field of water policy', of the European Parliament and of the Council of 23 October 2000".	www.et.gr	Y	Y	N	Y	Y	Y	Y	Y	L.3199/2003 (FEK 280/A/9-12-2003) as amended, and the P.D.51/2007 (FEK 54/A/8-3-2007) as amended, are harmonizing the Water Framework Directive (WFD) 2000/60/EC. A number of J.M.D.s amending the relevant prevailing national legislation and further adjusting it to the WFD were issued: a) J.M.D.48416/2037/E.103 (FEK 2516/B/7-11-2011); b) J.M.D.51354/2641/E103 (FEK 1909/B/8-12-2010); c) J.M.D.170766/2016 (FEK 69/B/22-1-2016).

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L3	<u>M.D.12050/2223/2011 (G.G. B'1227)</u> (The Regulation on Mining and Quarrying Activities-KMLE)	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	Chapter VIII-Articles 80&81 concerning the underground waters protection and treatment during underground excavation and construction works
land use planning, spatial development, soil management	EL-L25	<u>L.2742/1999 (G.G. A'207)</u> "Spatial planning and sustainable development and other provisions"	-	N	N	N	N	N	N	Y	Y	The Law establishes strategic directions and the framework for the spatial planning of the Country, including the tools for the regular update through evaluation of spatial plans, at all scales and levels. For this purpose, it sets the provisions for the establishment of the appropriate entities and mechanisms.
	EL-L26	<u>J.M.D.6876/4871/2008 (G.G. A'128)</u> "Approval of the general spatial planning and sustainable development framework "	-	N	N	N	N	N	N	Y	Y	It comprises a set of documents where: a) The factors affecting the long-term spatial planning of the Country are recorded and assessed; b) The spatial impacts of international, European and national policies are assessed; c) The basic priorities and strategic guidelines towards the integrated spatial development and the sustainable organization of the national territory are determined on a 15-years perspective.
	EL-L27	<u>J.M.D.11508/2009 (G.G. D' 151)</u> "Approval of the Industry's special spatial planning and sustainable development and of its strategic environmental impacts study."	-	N	N	N	N	N	N	Y	Y	Currently, there are five Special Spatial Plans in place with one of them concerning the Industry and the Strategic Study of its Environmental Impacts (Governmental Gazette FEK 151 AΑΠ/13.04.2009). In the specific Spatial Framework, mining and quarrying are addressed for each and every prefecture (older administrative division) of the Country and is examined in relation with forest areas and protected areas.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L28	Regional Spatial Planning and Sustainable Development Frameworks: Crete (GG D' 260/2017), Thessaly (GG D'269/2018), Western Greece (GG B' 1470 B/2003), Epirus (GG D'286/2018), South Aegean (GG B'1487/2003), Sterea Ellada (GG D' 299/2018), Western Macedonia (GG B'1472 /2003), Peloponnesus (GG B' 1485/2003), Northern Aegean (GG D' 181/2019), Eastern Macedonia and Thrace (GG D'248/2018), Central Macedonia (GG B' 218 /2004) and Ionian Islands (GG D' 16/2019)	-	N	N	N	N	N	N	Y	N	The Regional Spatial Planning Frameworks are drawn up for each and every region of the Country and comprise sets of documents in which: a) The position of the region at international and European scales and the role that this region can play at national level in comparison with other regions of the country as well as the trans-regional performance that the specific region has or can acquire, are noted and assessed; b) The factors affecting the long-term development and structure of the region's territory are recorded and assessed; c) The spatial impacts of international, European and national policies are assessed at regional level; d) The basic priorities and strategic choices towards the integrated spatial development and the sustainable organization of the regional territory are determined on a 15-years perspective. Of course, minerals' extraction and quarrying are addressed in the specific Regional Spatial Plans.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L3	<u>M.D.12050/2223/2011 (G.G. B'1227)</u> (The Regulation on Mining and Quarrying Activities-KMLE)	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	Chapter IX-Part C: Environmental Protection-articles 89-90 of this regulation
	EL-L3	<u>M.D.12050/2223/2011 (G.G. B'1227)1</u> (The Regulation on Mining and Quarrying Activities-KMLE)	www.et.gr	Y	N	Y	Y	Y	Y	Y	Y	Chapters IV-V-VI and VII of this regulation

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
	EL-L29	L.4030/2011 (G.G. A'249) on "New way of issuance of building permit, control of constructions and other provisions"	www.et.gr	Y	Y	N	Y	Y	Y	Y	N	Art.40 of L.4030/2011 is concerning establishment of facilities for the treatment of Construction and Demolition Waste within inactive quarrying sites.
culture heritage	EL-L30	L.3028/2002 (G.G.A' 153) on "Protection of Antiquities and Cultural Heritage in general"	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	Relevant Art. 10, paragraphs 2,6 & 8 . The aim of L. 3028/2002 is the protection of Antiquities and Cultural Heritage of the Country from the ancient times up to the present day. The Cultural Heritage of Greece consists of all the cultural goods/assets that are located both within the inland Greek territory and territorial waters as well as of those located in other sea zones in which Greece exercises a relevant jurisdiction in accordance with the International Law. The Cultural Heritage includes also the intangible cultural assets. According to Art. 10, paragraph 2 of this law, i) the exploitation of quarries and mines, ii) carrying out mineral exploration and iii) delineating Quarrying Areas (for the production of aggregates) are prohibited without the prior approval of the Ministry of Culture. This approval is given in a timeframe of three months from the date of the submission of the application, which must be accompanied by all the necessary documents and diagrams that are foreseen in the relevant mining and quarrying legislation. The approval is not given if, due to i) the distance from the monument in question, ii) the visual contact with it, iii) the morphological relief and iv) the type of action requested, adverse effects may be

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	
												caused to the monument or the archaeological site in question.
	EL-L7	L. 4014/2011 "On the environmental licensing of projects and activities and other provisions". Environmental permitting is performed under the provisions of L.4014/2011, in combination with the M.D.37674/2016 that classifies all kinds of projects and activities in Groups and Types.	www.et.gr	Y	Y	Y	Y	Y	Y	Y	Y	According to art. 2, paragraph 4 of L.4014/2011, the competent General Directorate or other relevant Department of the Ministry of Culture and Sports articulates its opinion. The Ephorate of Underwater Antiquities articulates its opinion when the project and/or activity is in marine areas. The Ephorate of Palaeoanthropology-Speleology expresses its opinion when the project/or activity is near a cave.
public administration, court procedures	EL-L31	Appeals to the Council of State by third parties (e.g. companies, Natural Persons, Organisations etc.) against Ministerial Decisions, Presidential Decrees, as being against the Constitution or having arbitrarily interpret the law.	www.ste.gr	Y	Y	Y	Y	Y	N	N	Y	The aim of all these appeals is the cancellation of a Ministerial decision or a Presidential Decree. Numerous of this kind of appeals were successful.

Legislative sector	Code	English title	Web link	Permitting provisions (Y/N)	Deadlines (Y/N)	Relevant to (Y/N)			Relevant at (Y/N)			Remarks
						Exploration	extraction	post-extraction	local	regional	(central) national	

1.4 Authorities governing mineral exploration and extraction

Environmental legislation, L.4014/2011, provides that within the environmental permitting of a mining project and especially during the public consultation stage, competent authorities and other stakeholders provide, among other issues, their views on the compatibility of the project with the relevant legislation. **M.D. 167563/2013** specifies the procedures and sets the criteria for the environmental permitting of type A1 and A2 projects and activities. With regard to public consultation, the procedure as well as the process for the submission of the opinions from competent authorities are regulated by M.D. 1649/45/2014. **Table** and **Table** list the competent authorities that provide views for the environmental permitting of mining projects and activities, as detailed in the M.D. 1649/45/2014.

Commented [ML1]: Πίνακες 5 και 6 μάλλον.

Table 5: Greece. Competent authorities involved in the environmental permitting for type A1 projects.

NB: also valid for activities of Group V “Extraction activities” (as per MD 1649/2014).

No	Competent Authority	Division/department	Comments
1	Ministry of Environment and Energy (YPEN)	a) General Directorate of Environmental Policy b) General Directorate of Forests c) General Directorate of Spatial Planning d) General Directorate of Mineral Resources e) General Directorate of Water Resources	
		Other competent departments	For projects and activities that fall either inside a Natura 2000 area or outside but with potentially significant effect on it, the competent YPEN department forms its opinion after taking into account the position of the corresponding Management Agency of that area.
2	Ministry of Rural	Department for Spatial/Regional Planning and	For projects and activities in agricultural land and especially in cultivated land of high productivity

	Development and Food	Protection of the Environment	
3	Ministry of Culture and Sports	Department of Prehistoric and Classical Antiquities	According to art. 2, paragraph 4 of L.4014/2011, the competent General Directorate or other relevant Department of the Ministry of Culture provides its opinion.
		Department of Byzantine and Post-Byzantine Antiquities	The Ephorate of Underwater Antiquities provides its opinion when a project and/or activity is in marine environment. The Ephorate of Palaeoanthropology - Speleology expresses its opinion when the project/or activity is near a cave.
4	De-Centralised Administration	Department for Water Resources	
5	Ministry of National Defence		
6	Ministry of Infrastructure and Transport	Civil Aviation Authority (YPA)	When the project and/or activity is near to a facility that is run by the Civil Aviation Authority

Table 6: Greece. Competent authorities involved in the environmental permitting for type A2 projects.

NB: also valid for activities of Group V "Extraction activities" (in accordance with MD 1649/2014)

No	Competent Authority	Division/department	Comments
1	De-Centralised Administration	Directorate of Coordination and Inspection of Forestry	According to Art. 2 paragraph 5 of Law 4014/2011, the Directorate of Coordination and Inspection of Forestry articulates its opinion after receiving the opinion of the competent local Forestry Service

			following the procedure of article 3, par. 1 in Ministerial Decision 15277/2012
2	Administrative Region/Regional Unit	<ul style="list-style-type: none"> a) General Directorate of Development b) Regional Committee of Spatial/Regional Planning and Environment 	The Regional Committee of Spatial/Regional Planning and Environment provides its opinion for projects and activities in agricultural land and specifically in cultivated land with high productivity
3	Ministry of Culture and Sports	<ul style="list-style-type: none"> a) Ephorate of Prehistoric and Classical Antiquities b) Ephorate of Byzantine Antiquities c) Ephorate/Service of Modern Monuments and Technical Works d) Ephorate of Underwater Antiquities e) Ephorate of Palaeoanthropology and Speleology 	<p>According to art. 2, paragraph 4, L.4014/2011, the Ephorate of Underwater Antiquities provides its opinion when the project and/or activity is in marine areas.</p> <p>The Ephorate of Palaeoanthropology-Speleology provides its opinion when the project/or activity is near a cave.</p>

4	De-Centralised Administration	Department for Water	
5	Ministry of Environment and Energy (YPEN)	Competent Department of YPEN	For projects and activities that fall either inside a Natura 2000 area or outside but with potentially significant effect on it, the competent YPEN department forms its opinion after taking into account the position of the corresponding Management Agency of that area.
6	Ministry of Defence		
7	Ministry of Infrastructure and Transport	Civil Aviation Authority (YPA)	When a project and/or activity is near to a facility that is run by the Civil Aviation Authority

All the above authorities should provide a positive written opinion (or decision in case of Ministry of Culture) before the environmental permit of a mining project can proceed any further. YPEN is the public entity that finally grants the mining permit. Co-signatories to YPEN are those authorities that participate in the process and their opinion is mandatory according to the law.

Table 1: Greece. Issuing authorities in exploration and extraction permitting.

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
Permitting-Licensing authorities (local, regional, central, national)	EL-E1	Ypourgeio Perivallontos kai Energeias (YPEN)	Ministry of Environment and Energy (YPEN)	www.ypeka.gr	the Technical Study Approval, concerning the extraction of all quarried and metallic minerals	N	Y	N	L.4512/2018, L 210/1973	

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
					the Environmental Impact Study Approval (AEPO), concerning the extraction of all quarried and metallic minerals classified in A1 subcategory	N	Y	Y	L.4014/2011	
					The Standard Technical Commitment Approval	Y	N	N	L. 4512/2018	

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
					Issuance of the Presidential Decrees for Mining Concessions (exploitation of 'Metallic Minerals') - Extension of Concessions' duration	N	Y	N	Legislative Decree 210/1973 (Mining Code), as amended by the L.274/1976	
					Leasing of mineral ownership rights owned by the Greek State	Y	Y	N	Legislative Decree 210/1973 (Mining Code), as amended by the L.274/1976 (articles 143-156 of the Mining Code)	
					Exploration on behalf of the Greek state by the Hellenic Survey for Geology and Mineral Exploration (EAGME) across the country's territory	Y	N	N	Legislative Decree 4433/1964 articles 1 and 2	Areas under exploration performed by the EAGME are 'branded' by Ministerial Decisions as being under exploration on behalf of the Greek State. In those areas, all the provisions of the Mining Code concerning exploration licensing to 3rd parties are suspended.

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
					Leasing mineral rights of the Greek State Concerning Marine mineral resources in the Greek continental self and the exclusive economic zone	Y	Y	N	Legislative Decree 210/1973 (Mining Code), as amended by the L.274/1976 (articles 143-156 of the Mining Code)	L.2289/1995, as amended and valid.
	EL-E2	Apokentromeni Diikisi	De-centralised Administration		1. Exploration Licensing of Quarried Minerals, located on public land	Y	Y	Y	L.4512/2018	
					2. Exploitation Permitting of Quarried Minerals located on public land					
					3. Environmental Permitting of mining projects and activities classified into Sub-category A2.	Y	Y	Y	L.4014/2011	
						Y	Y	Y		

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
	EL-E3	Periferia	Regional Administration		1. <u>Exploration of Metallic Minerals:</u> <ul style="list-style-type: none"> • Granting of 'Metallic Minerals' License (AME); • Approval for the exploitation of ores found during the period that an AME is valid, before the issuance of the Presidential Decree granting the Mine Concession; • Issuance of decisions concerning loss of rights arising from an existing 'Metallic Minerals' License (AME) and annulment of 'Metallic Minerals' License (AME), in cases that the licensee has breached AME's terms. • Examination of the application submitted by a licensee of an AME requesting the granting 	Y	Y	Y	L.210/1973	

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
					of Mine Concession, and issuance of auction for the granting of Mine Concession. <ul style="list-style-type: none"> • Approval for the leasing of the rights arising from an AME • Admission of the request of an AME licensee to give up his rights. • Issuance of decisions to concede exploration drillings performed by HSGME in order to be 					

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
					exploited by municipalities or private entities.					

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
Co-Authorities delivering their opinion during licencing-permitting	EL-E22	Ypourgeio Politismou kai Athlitismou	Ministry of Culture and Sports	http://www.culture.gr/culture/eindex.jsp	Competent co-authority for Environmental Permitting of projects and activities	Y	Y	Y	Art.2, paragraph 4 of L. 4014/2011 "Specification of advisory procedures and public consultation during environmental permitting of projects/activities of Category A, as set in the Ministerial Decision 1958/2012 in accordance with art. 19, par. 9 of L. 4014/2011". Art.10 of L.3028/2002.	The General Directorate of Restorations, Museums and Technical Works or other relevant Department of the Ministry of Culture and Sports articulates its opinion. The Ephorate of Underwater Antiquities articulates its opinion when the project and/or activity is in marine areas. The Ephorate of Palaeoanthropology-Speleology expresses its opinion when the project/or activity is near a cave.

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
	EL-E23	Ypourgeio Agrotikis Anaptyxis kai Trofimon	Ministry of Rural Development & Food	http://www.minagric.gr/index.php/en/	Competent co-authority for Environmental Permitting of projects and activities of sub-category A1 taking place in agricultural land and especially in cultivated land of high productivity	Y	Y	Y	L. 4014/2011/FEK 209/A/2011 and M.D.1649/45/2014 "Specification of advisory procedures and public consultation during environmental permitting of projects/activities of Category A, as set in the Ministerial Decision 1958/2012 in accordance with art. 19, par. 9 of L. 4014/2011".	Competent Department for Spatial/Regional Planning and Protection of the Environment

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
	EL-L24	Ypourgeio Ethnikis Aminas	Ministry of National Defence	http://www.mod.mil.gr/mod/el/	Competent co-authority for Environmental Permitting of projects and activities of sub-categories A1&A2	Y	Y	Y	L. 4014/2011M.D.1649/45/2014 "Specification of advisory procedures and public consultation during environmental permitting of projects/activities of Category A, as set in the Ministerial Decision 1958/2012 in accordance with art. 19, par. 9 of L. 4014/2011"	Competent Division is the Hellenic National Defence General Staff (GEETHA)

Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
					exploration	extraction	post extraction		
EL-L25	Ypourgeio Metaforon kai Epeikinonion	Ministry of Infrastructure and Transport	http://www.yme.gr/	Competent co-authority for Environmental Permitting of projects and activities of sub-categories A1&A2 when the project or activity is near to a facility that is operated by the Civil Aviation Authority	Y	Y	Y	L. 4014/2011 M.D.1649/45/2014 "Specification of advisory procedures and public consultation during environmental permitting of projects/activities of Category A, as set in the Ministerial Decision 1958/2012 in accordance with art. 19, par. 9 of L. 4014/2011"	Competent Authority is the Civil Aviation (YPA)
EL-E2	Apokentrome ni Deikisi	De-centralised Administration		The Water Department of the relevant De-Centralised Administration is delivering its opinion during the environmental permitting of Type A1	Y	Y	Y	L. 4014/2011 and M.D.1649/45/2014 "Specification of advisory procedures and public consultation during environmental permitting of projects/activities of Category A, as set in the Ministerial	The competent Department is the Water Department
EL-E3									

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
					and Type A2 projects and activities.				Decision 1958/2012 in accordance with art. 19, par. 9 of L. 4014/2011". L.3852/2010 "New Architecture of the Local Government and the De-centralized Administration-Kallikratis Programme"	

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
	EL-E26	Demos	Municipality	-	During exploration or exploitation permitting of marble and industrial mineral quarries located in municipality owned areas, the consent of the municipality council is requested in accordance with L.4512/2018	Y	Y	N	L.4512/2018	The country is divided in 332 Municipalities (First Level of Local Self - government). The "Municipality" (Demos) is governed by the Mayor and the Municipality Council (Dimotiko Symvoulío) elected for a 5 years' term of office

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
	EL-E27	Elliniki Arhi Geologikon kai Metalleftikon Erevnon (HSGME)	HELLENIC SURVEY OF GEOLOGY AND MINERAL EXPLORATION (HSGME)	http://www.igme.gr/index.php/en	HSGME is involved in various stages during exploration or exploitation permitting of different mining projects and activities. Indicative are the following cases: a) Delineation of Quarrying Areas , b) Delivers its opinion and data concerning public areas and public mining sites in which has performed previously research, c)Delivers its opinion regarding exploration permit for quarried minerals in public areas	Y	Y	N	L.4602/2019	The HSGME is functioning as an official consultant for the Greek State and more specifically for its supervising Ministry of Environment and Energy (YPEN). The Ministry may ask HSGME to deliver its opinion on various issues regarding mining and quarrying feasibility studies.

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
Court of first instance (lower courts)	EL-E28	Dieikitika Protodikeia	Administrative Courts of First Instance	http://www.adjustice.gr/webcenter/portal/epitropeia/dikastiriaktika/systasi?_adf.ctrl-state=11eajj05bm_297&_afrLoop=6460731772730381#!	Certain categories of judicial review (annulment) cases fall under the jurisdiction of administrative courts, following a special provision by law, for reasons pertaining to their nature and their importance	Y	Y	Y	Art. 94 & 95 of the Greek Constitution. L. 1404/1983. L. 2721/1999	30 Administrative Courts of First Instance in the Greek territory.

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
Court of appeals (higher, appellate courts)	EL-E29	Dioikitika Efeteia	Administrative Courts of Appeal	http://www.adjustice.gr/webcenter/portal/epitr_opeia/dikastiriatiktika/systasi?_adf.ctrl-state=11eajj05bm_297&_afrLoop=6460731772730381#!	Certain categories of judicial review (annulment) cases fall under the jurisdiction of administrative courts, following a special provision by law, for reasons pertaining to their nature and their importance.	Y	Y	Y	Art. 94 & 95 of the Greek Constitution. P.D. 18/1989 as amended and valid. Internal Regulation No 123247. P.D.361/2001. Based on constitutional provisions as formulated in 1975 and revised in 2001, the legislator chose to transfer competences to annul administrative acts mainly to administrative courts of second instance.	9 Administrative Courts of Appeal in the Greek territory.

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
Supreme court	EL-E30	Symvoulio tis Epikrateias	Greek Council of State	http://www.adiustice.gr/webcenter/portal/SteEn?_afriLoop=6460592071195046#!%40%40%3F_afriLoop%3D6460592071195046%26_adf.ctrl-state%3D11eaij05bm_46	The Greek Council of State is the Supreme Administrative Court on Mining Permits	Y	Y	Y	The Greek Council of State, as we know it today, was established by the Constitution of 1911 and began to operate in 1929. The Constitution in force of 1975, as amended in 1986 and 2001, refers to the Council of State in Article 95. At the same time, it guarantees the individual right to judicial protection (Article 20 par. 1). L.D.170/1973. The basic competences of the Council of State according to the Constitution are: a) the hearing of applications for annulment of administrative acts, b) the hearing of applications for revision of judgments of the administrative	The Council of State and the ordinary administrative courts decide on all matters of administrative - law disputes: money claims, the function of the civil service, social security claims, public works' and supplies' competitions, compensation claims against the State, challenges to the legality of administrative acts in general. The judgments of the Council of State provide the highest authority on legal precedent for the lower administrative courts and set the standards for the interpretation of the Constitution and the laws and for the advancement of legal theory and practice. Like all judicial decisions, the judgments of the Council of State provide the authority of "res judicata" and are subject to compulsory enforcement against the Public Sector, local government agencies and public law legal persons. The Council of State exercises its jurisdiction in plenum for cases of special importance or in Sections. In the 5th section belong appeals

Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
					exploration	extraction	post extraction		
								<p>courts, c) the hearing of actions brought by civil servants seeking recourse against decisions of service councils by which they are being lowered in rank or dismissed. Finally, the Constitution provides for a fourth, non-judicial competence, that of the elaboration of regulatory decrees. The Greek Constitution establishes two jurisdictions, the administrative and the civil/criminal, which are organized in three instances: the courts of first instance (lower courts), the courts of appeals (higher, appellate courts) and the Supreme Courts. The Council of State is at the top of the</p>	<p>concerning Spatial and Urban Planning, Environmental and Cultural Protection, Mines and Quarries e.t.c. Many appeals of this kind have been successful.</p>

	Code	Name of entity	English name of entity	Address / web access	Role in permitting	Relevant to			Statute or relevant piece of legislation	Remarks
						exploration	extraction	post extraction		
									hierarchy of ordinary administrative courts (administrative courts of first instance and administrative courts of appeal).	

As an example, for obtaining **environmental permitting**, typically the following co-authorities are involved (depends on the type of project and the potential impacts it may have):

Central administration (Ministries):

- MINISTRY OF ENVIRONMENT AND ENERGY
 - Directorate of environmental permitting
 - Directorate of marble and aggregate quarries
 - Directorate of metallic and industrial minerals
 - General Directorate of mining and environmental inspection
 - Division of water resources
 - Division of atmospheric and noise pollution
 - Department of industries
 - Division of environmental planning
 - Department of Natural Environment management
 - Department of General Environmental Issues
 - Department of waste management
 - Division of land uses
 - Division of urban planning
 - Division of Aesthetic Forests Parks and Hunting
- MINISTRY OF CULTURE AND SPORTS (very critical due to the importance of archaeological sites)
 - General Directorate of Antiquities and Cultural Heritage
 - Directorate of Prehistoric and Classical Antiquities
 - Directorate of Byzantine and Post-Byzantine Antiquities
 - Directorate of Modern Cultural and Intangible Cultural Heritage
 - Division of Seawater (underwater) antiquities
- MINISTRY OF DEVELOPMENT AND INVESTMENTS
- MINISTRY OF FINANCE
- MINISTRY OF HEALTH
 - Division of Sanitary Engineering and Environmental Hygiene
- MINISTRY OF AGRICULTURE DEVELOPMENT AND FOOD
 - Division of land use and environmental protection
- MINISTRY OF SHIPPING AND ISLAND POLICY (in case of port facilities)
 - Division of port facilities
- MINISTRY OF NATIONAL DEFENCE
- MINISTRY OF TOURISM

Decentralized authorities:

- Directorate of water
- Directorate of forests
- Archaeological authority
- Palaeoanthropology and Speleology authority
- Environmental authority
- Environmental Inspectors
- Planning authority
- Industrial authority
- Council of the decentralized government
- Municipal council

1.5 Licencing procedures for exploration and extraction

1.5.1 Metallic Minerals-Process for an exploration permit

An application accompanied with topographic map submitted at the relevant regional authority

1. If the application for an exploration permit satisfies the conditions of L.210/1973 [Articles 20, 21(§1), 22(§1) and 23], the head of region shall, following an inspection of the boundaries and of the surface area of the site to make sure that the requested area is free in accordance with the provisions of Articles 26 and 31 of L.210/1973, issue a declaration confirming that the inspection has been completed and invite the party concerned to define the type and location of the operations it intends to carry out within the requested area, following any area reductions made after the inspection carried out.

2. Depending on the type of exploration, the following shall be required:

(a) Submission of a written declaration, signed by a competent scientist, where the planned exploration work entails no intervention on the land. In these cases, no further administrative permit or act shall be required.

(b) Submission of standard environmental commitment approval and of a standard technical commitment approval, in accordance with Annex II of the L.4512/2018 where the exploration work entails limited excavation (5m³/ha) and a generally limited intervention on the land (such as seismic profiling methods using explosives), following an opinion from the competent Mining Inspection Department of the Special Secretariat of Inspectors and Auditors of the Ministry of the Environment and Energy.

(c) Submission of a decision on the approval of environmental conditions (AEPO) and of a standard technical commitment approval in accordance with Annex II of the L.4512/2018, where the proposed exploration work entails drilling or any intervention deep down in the ground including the opening of exploration galleries, etc.

3. When all supporting documents are submitted, the head of the region shall, within 30 days, issue an act of approval with the title 'Metallic Mineral Exploration Permit' (AME), granting the right to carry out mineral exploration in the requested area subject to the reductions applied, if any, and approving the carrying out of the exploration work in accordance with the data submitted according to paragraph 2.

4. If the exploration results indicate that work needs to be carried out at another location within the site covered by the mineral exploration permit or that work of a type other than that approved by the mineral exploration permit needs to be carried out, the operator shall notify to the region concerned the supporting documents required by paragraph 2 before starting that work and in any event within the effective period of the permit.

5. Exploration work after the mine ownership rights are established, shall be carried out in the cases referred to in paragraph 2(b) and (c) following approval by the competent department of the Ministry of the Environment and Energy of a standard technical commitment approval, in accordance with Annex II of the L.4512/2018 upon submission of standard environmental commitments or of a decision on the approval of environmental conditions, as appropriate. The approval shall be granted following an opinion from the competent Mining Inspection Department of the Ministry of the Environment and Energy.

1. Exploration work after the mine ownership rights are established, shall be subject to a notification requirement where the exploration activity entails no intervention on the land, subject mutatis mutandis to paragraph 2(a). In that case, the notification shall be submitted to the competent department of the Ministry of the Environment and Energy. Metallic Minerals Exploration Licence (AME) is equivalent to the title of ownership of prospecting-exploration rights, and this is strictly defined with specific coordinates establishing a certain exploration area. It is considered also as a preliminary right of a mine

ownership since it is the first step for the acquisition and ownership of the right of exploration and extraction of the whole or part of the site referred to the Mineral Exploration License. The right which results from the license of mining exploration is restricted in duration (to three years), as well as in its content which is restricted only to the exploration of the area. During this exploration period the Licensee has the right to explore for any kind of ore mineralization. The right of AME, although limited in time, has the unique character of a real property lien and that because of the stability and exclusiveness in the enjoyment of this right, both vis-à-vis third parties, as well as against the land (or surface) owner.

The Licensee of an AME, has the right to temporarily pre-empt territories within the site defined in the Licence in order to execute the mineral exploration right. He has also the right to temporarily pre-empt grounds and outside the area of authorisation, if this is necessary for the execution of the exploration activities. The Licensee who temporarily pre-empts these territories must compensate the owner of the ground (top-soil) for this temporary deprivation of his income from the use of his land (Art 38 of the Mining Code). In the case that there is no agreement between the mineral exploration Licensee or his successor and the land Owner, the land space which will be occupied and the duration of this occupation will be decided by the Director of the Mining Department in the relevant Administrative Region. On the other hand, the level of the compensation will be decided by the competent Administrative Courts (Administrative Tribunal) of the Region where the exploration will take place (Art 39 of the Mining Code).

1.5.2 Metallic Minerals-Process for an exploitation permit

The Licensee of an AME has the right to request the concession of the area with an application to the Deputy Regional Governor, as it is strictly defined in the License.

This application must contain, among others:

- The type of the ore deposit that has been found with its basic quantitative and qualitative (minerals to be mined) characteristics;
- A precise description of the boundaries of the concession area in Cartesian coordinates of the Greek Geodetic Reference System 1987 (E.G.S.A. ' 87);
- bank letter of guarantee of € 20.000 (if the concession area is less than 5 km²) and € 30.000 (for a concession area ranging from 5 to 10 km²). (according to MD 24023/4220/2011 – GG B' 2450)
- An economic-technical Feasibility study, adequate and accurate, signed by a qualified geologist and a qualified mining engineer. The feasibility study is a key element for the final decision for the concession to be granted.

After checking the necessary documents, the Deputy Head of the Administrative Region (Deputy Regional Governor) submits them to the competent Minister (Minister of Environment and Energy). The Minister asks the opinion of the Greek Geological Survey, (HSGME) and verifies that the exploration activity of the Licensee was successful, that mineralization has been found, and that the feasibility study is accurate and adequate. After that, the Minister forwards the whole file again to the Head of the Regional Unit for the completion of the process, as described below, i.e. the concession procedure to go ahead. In the case that the feasibility study will be considered by the Greek Geological Survey (HSGME) inadequate or inaccurate, then the Head of the Regional Unit prolongs the duration of the licence for mineral exploration (LME) for one year from the expiry of three years. If and when during this prolongation period, the Licensee will fail to submit a new feasibility study or the new economic-technical feasibility study, will be considered again inadequate, then the Minister of Environment and Energy shall reject the application for the concession to be granted and the area will be released.

The right of mine ownership has the following characteristics:

1. It is a self-contained real right, completely distinct from the land ownership. So with the above legal separation of ore minerals from the territorial property, the right (the mining right) to these minerals are real rights fully distinguished from the territorial ownership.
2. Art 66 of the Mining Code stipulates that in case the mining rights have been established, the provisions applied to real estate, in relation to the civil code are applied, it should be determined that they do not contravene the provisions of the Mining Code. The minerals after extraction from the mine are considered legally as mobile.
3. The right, which results from the license of mining exploration, is restricted in duration (three years), as well as in its content, which is restricted only in the exploration of the area. On the contrary, the right of mine ownership that results from a concession, is valid for fifty (50) years and can be extended for two additional twenty five (25) year periods, based on the judgment of the Minister of Environment and Energy, taken on the basis of the rate of extraction, the degree of treatment - elaboration of the ore mined, the size of the installations and the quantity and quality of the deposits.
4. The concession provides to the holder the exclusive right for exploration and extraction of all the ores that exist into the surface and the underground area of the concession, with the exception of those that have been exempted on behalf of the State.
5. The right of mine ownership is transferrable and can be leased, with a notarized document, and can be inherited naturally after the approval of the Minister of Environment and Energy.
6. The right of mine ownership can be contributed, evaluated and become an asset of the corporation.
7. The concession Presidential Decrees, as well as the contracts for transfer of title, leasing of the rights of mine ownership must be transcribed to the pertinent land registration office, as mines are considered real estate. Land use planning follows relevant national legislation and urban planning studies. A structured national mining plan does exist at strategic only level.

Summarising, there are three pre-requisites for "Ores" exploitation: 1) The mine ownership right, namely the Presidential Decree establishing the right; 2) The Environmental Permit which is granted with the relevant AEPO; 3) The approval of the Technical Study.

1.5.3 Quarried Minerals on Private Land -Process for exploration activity

1. Exploration activity on private land for industrial minerals, marble, natural stone and special-use aggregates, shall be subject to a notification requirement (Article 5, L.4442/2016)

2. The operator concerned notification shall submit the following documents to the competent decentralised administration

(a) evidence that the operator holds the relevant right of the land (Article 44, L.4512/2018)

(b) the standard environmental commitment approval (L.4014/2011 and M.D.46294/2013, GG B'2001), and a letter of guarantee for the fulfilment of environmental restoration obligations. The letter of guarantee shall amount to EUR 500 per (1/10) ha. No letter of guarantee shall be required if exploration is carried out using methods which do not constitute significant intervention on the land, such as geological, geophysical, geochemical and drilling methods.

(c) the agreement of the competent Mining Inspection Department via the submitted standard technical commitment

3. Upon submission of the notification, the operator may carry out exploration work for the quarried minerals referred to article 58 paragraph 1 of the L.4512/2018 on the private land.

4. The competent department of the decentralised administration receiving the notification shall inform all jointly competent services, in order to carry out their control tasks.

1.5.4 Quarried Minerals on Public or Municipal Land-Process for an exploration permit

1. Exploration activity on public or municipal land for industrial minerals, marble, natural stone and special-use aggregates, shall be subject to an approval requirement granted by the Head of the decentralised administration

2. To obtain approval, the party concerned shall submit the following documents to the decentralised administration concerned:

(a) an application, accompanied by a topographic map at a scale of 1:5000 and a fee of EUR 3000. The competent department of the decentralised administration shall examine whether or not, in the area applied for:

(i) exploitation rights had been granted regarding any quarried mineral, and less than five years have elapsed since such rights expired, ended or were withdrawn;

(ii) exploration is being carried out or is due to be carried out by the Hellenic State (HSGME) or had been carried out in the past and deposits have been found;

(iii) there is any previous application for exploration work or lease.

If a previous application has been submitted, the competent department shall reject the subsequent one. If no previous application has been submitted, the party concerned shall be notified forthwith and requested to submit the following additional supporting documents:

(b) a declaration on being subject to standard environmental commitments, along with the other supporting documents required [Article 4 of M.D. 46294/14.8.2013, G.G.B' 2001) and L. 4014/2011, accompanied by a letter of guarantee for the fulfilment of environmental restoration obligations. No letter of guarantee shall be required if exploration is carried out using methods which do not constitute significant intervention on the land, such as geological, geophysical, geochemical and drilling methods.

(c) the agreement of the competent Mining Inspection Department following submission there to of the standard technical commitments declaration.

(d) a decision of the municipal council approving the exploration work, in the case of municipal land.

3. when supporting documents completed, the decentralised administration shall, within 20 days, grant its approval for exploration work for 2 years

4. Approval for exploration work on public land shall be granted, following an enquiry by the competent authority, to the party whose application under paragraph 2 was first registered. If the first applicant withdraws or its application is rejected the land shall become free.

5. Approval for exploration work on land owned by first-level local authorities shall be granted to those parties whose application for the concession of exploration rights was first registered in the decentralised administration concerned. The decentralised administration must forward the application to the local authority concerned, provided that exploration rights for the land in question have not been granted in the past or that no exploration work has been carried out by local authorities. Upon completion of the exploration work, local authorities must lease out the land to the holders of exploration rights

1.5.5 Quarried Minerals on Private Land -Process for an exploitation activity

1. The exploitation (as well as the exploration) of industrial mineral, marble and natural stone quarries on private land shall be subject to a notification requirement [Article 5, L.4442/2016].

2. Before the notification is submitted, the operator must have obtained:

(a) a decision on the approval of environmental conditions (AEPO), depending on the classification of the activity under category A1 or A2 (M.D.37674/2016 (G.G. B'2471);

(b) approval of the exploitation technical study, accompanied by the necessary supporting documents evidencing the right to carry out exploitation work (Article 44(2) of the L.4512/2018)

(c) approval by the Minister for Culture and Sports (Article 10 of L.3028/2002)

(d) submission of a letter of guarantee (Article 55(2) of the L.4512/2018).

3. Before the exploration work, the notification shall be submitted by the operator (via notifybusiness online platform) to the competent authority of the decentralised administration

4. The competent department of the decentralised administration receiving the notification shall inform all jointly competent services, in order to carry out their control tasks.

1.5.6 Quarried Minerals On Public or Municipal Land-Process for an exploitation permit

1. The exploitation of industrial mineral, marble and natural stone quarries on public or municipal land shall be subject to an approval requirement (Article 7, L.4512/2018). The lease contract for the quarrying site shall serve as the final approval.

2. Prior to lease contract, the operator must have obtained:

(a) the agreement of the competent Mining Inspection Department

(b) the approval from the Minister for Culture and Sports, (Article 10 of L.3028/2002)

(c) approval of an environmental impact assessment (AEPO) (L.4014/2011)

(d) approval of a technical study evidencing that the streamlined planning of the exploitation is possible, in accordance with the Mining and Quarrying Works Regulation (KMLE).

(e) a letter of guarantee for the fulfilment of environmental restoration obligations

(f) a letter of guarantee for the fulfilment of the terms and conditions of the lease contract.

The Head of the decentralised administration shall, within 20 days, issue a decision approving the direct lease of the public land and setting out the financial conditions intended to protect the interests of the Hellenic State –such as the amount of the lease fees, the amounts of the required letters of guarantee, the procedure for delivery and acceptance of the leased property– and shall invite the interested party to sign the lease contract within 20 days.

Problems, restrictions and dysfunctionalities during permitting

A major obstacle in the development of a mining project is related to the impact of mining in society very often expressed as “lack of trust” of the local communities and ecological organisations regarding the actual compliance of the mining industry with prevailing environmental rules and regulations. The non-issuance of a “social license” is often the cause for the significant delays in the development or even the annulment of new mining projects in Greece. The constraints encountered in permitting of new mining projects in Greece during the last decades are in contradiction with the National Strategy for the Development of Mineral Resources (2012) that fully supports the Sustainable Development of Mineral Resources.

The consultation process is characterised by low effectiveness, as the most significant factor of insecurity for enterprises is the possibility of an appeal at a later stage. The general spirit of disbelief among society-state-enterprises combined with the reduced inspection frequency due to reductions in staff contributes further towards this mentality.

However, the legal changes, such as L.4512/2018, and the recently introduced electronic services as the digital environmental registry platform and business notification, are in the right direction, regarding the simplification of the regulations on permitting procedure.

1.6 Court cases on permitting procedures

The procedural and institutional framework of court appeals

Permitting cases appeals associated with exploration and extraction can be introduced into:

1. The Administrative Courts I.e. Administrative Tribunal, Administrative Court of Appeal **and in the highest level the Council of State.**

2. **The Legal Council of State** which is the internal Court of the Greek public administration system.

Most decisive and representative court judgements

It must be clarified that up to now there are no any court cases raising issues of non-compliance with the Treaty on the Functioning of the EU (TFEU) and referring to mining companies who are appealing to the authorities due to the rejection of exploration/extraction permits.

Several court judgments have been issued by the Council of State (*Conseil d'Etat*) i.e. the Supreme Administrative Court on mining permits.

A.

In the following cases, the permit was rejected, the mining company entered a petition of annulment to the Council of State and won the case. All the relevant cases refer to the exploration and exploitation of gold and other minerals in Chalkidiki area in Northern Greece e.g.:

The Council of State judgment 839/2014 accepted the petition of annulment of the mining company regarding the Town Planning Authority decision to stop minor construction works.

The Court held that no building license is needed before minor construction works.

The Council of State judgment 1449/2015 accepted the petition of annulment of the mining company regarding the rejection by the authorities to issue a building license for the necessary constructions in a mine (Skouries, Chalkidiki).

The Council of State judgment 3191/2015 accepted the petition of annulment of the mining company regarding the rejection by the authorities to approve a technical study necessary for the execution of mining (Olympias, Chalkidiki).

The Council of State judgments 217-218/2016 (in Plenum) accepted the petition of annulment of a mining company regarding the repeal by the Ministry of the Environment and Energy of the approval of certain technical studies necessary for the execution of mining (Skouries, Chalkidiki).

The Council of State judgment 221/2016 accepted the petition of annulment of the mining company regarding the rejection by the authorities to approve a technical study (Olympias, Chalkidiki).

B.

A mining company asked for a permit for extracting anhydrite in the area of Chania, Crete. The Authorities rejected the permit and the company entered a petition of annulment. The Council of State judgment 739/2011 did not accept the petition of annulment and held that the rejection was lawful.

C.

In most cases NGOs and municipalities enter petitions of Annulment Authorities regarding exploration or exploitation. Several Council of State judgments dismissed the petitions of annulment of exploration or exploitation permits entered by NGOs, individuals and Municipalities, e.g.:

The Council of State judgments 462-463/2010 (in Plenum) regarding mining under a village (Stratoniki) in Chalkidiki, Northern Greece.

The Council of State judgment 1492/2013 dismissed the petition of annulment of the environmental permit of the whole project of exploitation of gold and other metals as well as the metallurgical industry in Chalkidiki area in Northern Greece.

The Council of State judgment 4013/2013 dismissed the petition of annulment of the land plan on industry, specifically regarding mining in Fokida area. Nevertheless, the judgment provided that the site of the mining as well as the "appropriate assessment" of the Habitats Directive 92/43/EEC, will be examined at the stage of the issue of the environmental permit.

The Council of State judgment 2590/2014 rejected the petition of annulment of the environmental permit of exploration drilling for Ferro-nickel deposits in Kymi area in Euboea.

The Council of State judgments 549-551/2015 dismissed the petition of annulment of the new environmental permits of the Chalkidiki project.

The Council of State judgment 222/2016 dismissed the petition of annulment of the technical study of a part (Skouries) of the Chalkidiki project

The Council of State judgment 1964/2015 dismissed the petition of annulment of the environmental permit entered by an NGO, for the exploitation industrial minerals (bentonite and pozzolan) in Kimolos island.

D.

Older judgments accepted the petitions of annulment entered by NGOs, individuals or Municipalities e.g. CoS judgments 161/2000, 375/2000, 3615/2002 (in Plenum), 998/2005 (in Plenum), and 1990/2007 (in Plenum). The most important is the CoS Judgment 613/2002 (in Plenum) on gold exploitation in Chalkidiki area.

E.

Most of the above-mentioned cases refer to EU law e.g.:

- The CoS judgment 1990/2007, 462/2010(in Plenum), 4013/2013, 1492/2013, 551/2015, 1964/2015, 222/2016 refer on the Habitats Directive 92/43/EEC.
- The CoS judgments 222/2016 and 1492/2013 refer on the Extractive Waste Directive 2006/21/EC. The CoS 1492/2013 refers also on the BATs of the COM 2009/C81/06, and the Communication of the Commission (EE (COM 2000) 265, as well as the COM (2008), 699.

Two further cases which might be representative of the disputes reaching the courts are presented. The first one refers to a decision of the Council of State sat in plenum (20th January 2016), and the other is related with a decision of the legal Council of State.

Court Case 1

Court: Council of State sat in Plenum

Decision number: 219/2016

Day published: 20/1/2016

Category of the legal document: invalidation application

Name of plaintiff (or appellant): Labour society of employees of the company "Hellas Gold"

Defendant: Ministry of Productive Reconstruction Environment and Energy

Summary of the case:

With the decision ΔMEBO/A/Φ.7.49.13/ 177642/1854/19.8.2015 of the Minister of Productive Reconstruction Environment and Energy there was a revocation of the Ministerial Decisions Δ8-A/Φ.7.49.13/ 2809/349/10.2.2012 and Δ8-A/Φ.7.49.13/30258ΠΕ/ 5159ΠΕ/10.2.2012 concerning the approval of the technical studies of the sub-projects of Skouries and Olympiada mines in Kassandra Chalkidiki mining project, based on the art. 4 and 101 of the Regulation on Mining and Quarrying Activities (Ministerial decision 2223-FEK1227/14-6-2011).

The main allegation of this decision goes that the processing and metallurgical pilot-plant tests for the Metallurgy of Cu-Au and Ag in the Kassandra mines they did not take place in situ but on a special installation for such kind of projects in Finland.

According to the Ratio Desidendi of the Council of State the fact, only itself, that the Pilot Plant tests, they did not take place in-situ are not unallowable. Therefore, the argument of the Petitioner is sound.

Based on these facts and arguments the decision of the Council of State is that the decision ΔMEBO/A/Φ.7.49.13/ 177642/1854/19.8.2015 of the Minister of Productive Reconstruction Environment and Energy is illegal and must be cancelled. It must be noted that the decisions of the Council of State are immediate enforceable decisions.

Accordingly, the decision ΔMEBO/A/Φ.7.49.13/ 177642/1854/19.8.2015 of the Minister of Productive Reconstruction Environment and Energy was cancelled.

Implications of EU law on national law

Apparently, in the mentioned Judgment there was no express reference to EU laws as the dispute was focused on the interpretation of the Greek Regulation on Mining and Quarrying Activities.

Recommendations

Although this judgment relates to the interpretation of national mining regulations, this judgment must be considered in light of the principle of freedom to provide services set out in Art. 56 of the TFEU as well as Art. 16 of the Services Directive.

It seems that there has been a very restrictive interpretation by the Court of the technical requirements needed to initiate or maintain a mining activity. The Judgment should have assessed whether the fact that the processing and metallurgical pilot-plant were tested in Finland prevent the operator to obtain feasible data on the functioning of the facilities. Only in case that, due to technical reasons, it is evidenced that the tests must be carried out in situ, the technical projects should have been rejected. Otherwise, if the place in which the test is carried out is not a significant requirement, the projects would have been approved.

Court Case 2

Court: Legal Counsel of the State-division of the Ministry of Environment-Energy and Climate Change (today Ministry of Environment, Energy and Climate Change)

Decision number: 285/20-6-2011 Decision of the second Department of the Legal Counsel of the State, which has been accepted by the Deputy Minister of Ministry of Environment-Energy and Climate Change and hence are mandatory for the Administration on the basis of art. 7 para. 4 of Law 3094/2002.

Name of plaintiff (or appellant): Company "N.A. and others O.E. G.-V." and "The Administrative Division of E. Macedonia and Thrace"

Defendant: Decision with number Δ8-B/Φ.6.14.15/oik.13795/2444/14-6-2011 of the Deputy Minister of Environment-Energy and Climate Change (today Ministry of Environment, Energy and Climate Change), with which cancelled the Decision 906/22-3-2011 of the Secretary-General of the Administrative Division of E. Macedonia and Thrace as well as any other decisions issued in pursuance of this.

Summary of the case:

According to the document 4001/2011 document of the Secretary-General of the Administrative Division of E. Macedonia and Thrace, was not respected the legality. According to the Greek Geological Survey (Institute of Geology and Mineral Exploration), during the exploration and evaluation of the Zeolites in the Petrota area of Evros Prefecture, the implementation of which is essentially disputed.

It must be noted that this area is a Public quarry (belongs to the Greek State). According to art. 3 of the Presidential Decree 285/79 concerning the public quarries of industrial minerals and marble leases this is materialized "By bidding auction public if: a. Either it was under extraction in any form whatsoever or (b). It was under exploration from the Institute of Geology and Mineral Exploration (IGME) (the Greek Geological Survey). According also of the art. 11 of the same Presidential Decree "quarry areas belonging to the Greek state, and encompass deposits of industrial minerals or marble, are released by direct contract, into the first submitter the lease application".

In this specific case within the framework of the operational program of competitiveness of the European Union since 1995 the Greek Geological Survey (IGME) started an exploration program in the region of Eastern Macedonia-Thrace entitled "Mineral exploration and extraction of zeolites in the Prefect of Rhodope" with code 9831531 and a budget of 90000 € and time of implementation between 1998-2000. This program had been approved by the administrative authority of the European Union in Greece and by treatment request. The program was implemented as it has been scheduled and the final reports were submitted and approved by the administrative authority of the European Union in Greece and the Ministry of Environment-Energy and Climate change. Based on this fact the Administrative Division of E. Macedonia and Thrace in 2009 with its 3034/17-6-2009 dismissed the application of the "N.A. and others O.E. G.-V." company for a direct lease of this public area.

However, the Company "N.A. and others O.E. G.-V." and the new Head of the Administrative Division of E. Macedonia and Thrace in 2011, claimed that the Greek Geological Survey (IGME) did not carried out this research project in the area of Petrota and in any case this project had problems of legality.

Based on that the Administrative Division of E. Macedonia and Thrace, according to the art. 11 of the Presidential Decree 285/79, decided (Decision 906/22-3-2011) to go ahead to a direct lease to the company "N.A. and others O.E. G.-V." Which in the meantime made an application for a direct lease and a "cure request" on 26-1-2001 against the dismissive decision 3034/17-6-2009 of the previous Head of the Administrative Division of E. Macedonia and Thrace in 2009.

Afterwards the Deputy Minister of Environment-Energy and Climate Change (today Ministry of Environment and Energy) with the decision Δ8-B/Φ.6.14.15/oik.13795/2444/14-6-2011 revoked the decision 906/22-3-2011 of the Head of the Administrative Division of E. Macedonia and Thrace. At the same time the Greek State introduced the whole case into its internal highest Administrative Court of the Greek public service the Legal Counsel of the State.

This court with its Decision number:285/20-6-2011 unanimously opined a) that the lease of this public quarry area can be made only after a public auction since the Greek Geological Survey (IGME) legally accomplished its project and b) that the Head (Secretary-General) of the Administration of Macedonia-Thrace had not the authority to deal with the "cure request" concerning the 3034/17-6-2009 decision of the previous Secretary-General (Head) of the region of Eastern Macedonia-Thrace. Hence the decision with number Δ8-B/Φ.6.14.15/oik.13795/2444/14-6-2011 of the Deputy Minister of Environment-Energy and Climate Change (today Ministry of Productive Reconstruction Environment and Energy) was legal and definitive. It must be noted that the decisions of the Legal Council of the State are mandatory for the Greek Administration on the basis of art. 7 para. 4 of Law 3094/2002.

1.2. Success rates of exploration and extraction permits

Between years 2010 -2015 about 100 applications for license for Mineral exploration (L.M.E) have been made in Greece. Most of them, about 70% were in Northern Greece, mainly in central and eastern Macedonia as well as in Western Thrace. Out of these applications 42 were accepted (acceptance rate about 42%) and for them the "license for Mineral exploration (L.M.E), was issued by the Heads of the Administrative Region (Regional Governor). The rest applications were not accepted either because were areas where the Greek geological survey, namely the Institute of Geology and Mineral Exploration (IGME), had already an exploration program, or where places of special archaeological or military interest.

Specifically, between 1/1/2010 to 30/4/2016, 42 licenses for mineral exploration (L.M.E), where issued. During this time period 16 applicants were resigned from their rights (mainly in the area of central and eastern Macedonia as well as in the island of Limnos.

However out of these 26 licenses for mineral exploration only one had positive exploration results.

For this case the Licensee made an application to the Ministry of Environment and Energy to get a mining concession with a Presidential Decree according to Legislative Decree 210/1973 as amended by Law 274/1976. This mining concession which was in central Greece for a chromite deposit was issued by a Presidential Decree last year.

Between years 2013-2015, 25 new licenses were issued for marble quarrying, stone materials (stone, shale, etc.) and ceramic clays.

1.3. EU legislation impacting permits and licenses for exploration and extraction

- 1) Does your country have any restrictive regulation on the private or legal entities performing the duties of an exploration or extraction concessioner, operator and/or holder of mineral rights as compared to the Services Directive (2006/123/EC)⁴?

No. According to the Mining Code (Legislative Decree 210/1973 as amended by Law 274/1976) there is no legislative restriction.

The Services Directive (2006/123/EC) has been incorporated into the Greek legislation by L.3844/2010 (FEK 63/A/3-5-2010). Based on Art. 5, par. 1 of L.3844/2010 (corresponding to Art. 3 of the Directive 2006/123/EC), it is noted that whenever the provisions of L.3844/2010 come in conflict with a Community Act regulating issues of access and provision of services in special sectors or professions, or with the relevant adjusted Greek Legislation, then the latter (i.e. this Community Act) prevails.

- 2) Does any of your permitting documentation require the involvement/signature of a geologist or mining engineer? If Y, which are these permits? Does it require a BSc or MSc or PhD or chartered (certified) professional?

Yes. All documents associated with permitting procedures require the signature of the respective scientist that has the legal responsibility for the correctness and accuracy of the technical data and computations contained in the study. According to the Legislative Decree/L.210/1973 (the so-called Mining Code, FEK 277/A/5-10-73) as amended and valid, the permits that require the involvement/signature of a geologist or/and mining engineer, are: a) Exploration Permit and b) Exploitation Permit. According to provisions of Art. 101, section 3 of the Regulation on Mining and Quarrying Activities (Ministerial decision 2223-FEK1227/14-6-2011) both Technical Studies for Exploration Permit and Exploitation Permit require the involvement / signature of both a chartered geologist and a chartered mining engineer (in Greece it means in addition to the University Degree is required to be chartered as member in geologists' resp. mining engineers' professional organization).

This duty is also mentioned in the Mining Code' (Legislative Decree 210/1973 as amended by Law 274/1976), which is the most important document for issuing a mining concession requires a "Feasibility study, adequate and accurate signed by Geologist and Mining Engineer having the permission exerting the profession. The study is a key element for the issuing concession for a mine" (Art 47, paragraphs 1c and 2).

Moreover, the submission and approval by the competent authorities, i.e. the Ministry of Environment & Energy or the competent Regional (De-centralized) Administration, of an E.I.A. Study followed by the issuance of a Decision for the Approval of Environmental Terms (AEPO), as per L.4014/2011 (FEK 209/A/21-9-2011), consists a prerequisite in order to acquire the Exploration and Exploitation Permits. The relevant EIA Studies required have to be signed by a professional, who is registered in the relevant Registry of the Ministry of Environment and Energy) as a Study Expert (Meletitis) of the Category 27 "Environmental Studies" as defined in the Presidential Decree. 256/1998(FEK 190/A/12-8-1998). There are three levels of Category 27 Study Experts (A, B, C) depending on their years of experience (4, 8 and 12 years respectively after graduation) and on the overall payment acquired from these Environmental Studies (75.000 Euros and 110.000 Euros for levels B and C, respectively). In the Registry of Study Experts of category 27 a number of geologists and mining engineers are registered. Without provisioned by the law, in

⁴Link to the EU Services Directive: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32006L0123&from=DE>

the study team of an E.I.A. Study of a geological exploration or a mine exploitation project, almost always mining engineers and geologists participate.

Examples:

- *EIS should be signed by certified scientist on environmental sciences.*
 - *Technical studies for exploration (in accordance with art. 101 & 104 of the Regulation Mining and Quarrying Works, Ministerial Decision 2223/2011, GG 1227/vol.B/14.6.2011, <http://www.miningreece.com/mining-greece/investing-in-greece/legislation/>) should be co-signed by a certified geologist and a certified Mining Engineer.*
 - *Technical studies for the construction and operation of mines and ancillary installations (in accordance with art. 101 & 104 of the Regulation Mining and Quarrying Works) should be signed by certified Mining Engineer. In addition, all the topographic drawings should be co-signed by a certified Surveyor Engineer, while the chapters and the drawings related to geology should be co-signed by certified Geologists.*
 - *Technical studies for the installation of electromechanical equipment in mines (in accordance with art. 103 of the Regulation Mining and Quarrying Works) should be co-signed by a certified Mining Engineer and a certified Mechanical Engineer. In addition, if there are concrete works, the relative drawings should be co-signed by a certified civil engineer.*
 - *Building permits for the construction of buildings (i.e. flotation plant, warehouses, etc.) should be signed by a certified civil engineer.*
 - *Technical studies for the operation of electromechanical equipment in mines (in accordance with art. 104 of the Regulation Mining and Quarrying Works) should be co-signed by a certified Mining Engineer and a certified Mechanical Engineer.*
- 3) Do you have legislation on financial guarantees (with regard to the Extractive Waste Directive⁵, Art. 14)? Is the cost calculation of this guarantee done by an independent third party?

Yes. The Joint Ministerial Decision 39624/2209/E103/2009 (GG 2076/v.B/25.9.2009) introduced the application of the Extractive Waste Directive (Directive 2006/21/EC). According to Art. (11 and) 16 of this Joint Ministerial Decision, for the issue of the operating permit of a category A, financial guarantees are calculated for the safe operation and reclamation of a Mine Waste Management Facility and are included in the Approval of the Environmental Terms of the project. They are issued by the competent authorities (the Ministry of Environment and Energy) or the relevant Regional Administration), after the evaluation and approval of the EIA Study. The level of this guarantee is determined by the size of the project and the size of the potential environmental effects of waste installations, especially taking into account the category of the waste facility, the characteristics of the waste and the future use of the rehabilitated land.

The financial guarantee is set by the competent environmental authorities, and is often based on the reclamation and rehabilitation costs included in the EIA Study. These costs are usually calculated by the external, independent Study Team that prepares the EIA Study in cooperation with the mine owner. However, no special procedure is foreseen in the Greek Legislation for cost calculations of this guarantee by an independent third party.

As an example, for Hellas Gold SA project, in the JMD EIS there is provision for the following 2 financial guarantees:

[5] Link to the Mine Waste Directive: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32006L0021&from=EN>

- 50 million € before the technical permitting of the project to provide an assurance that the funds necessary for rehabilitation projects will be available. The cost calculation of this financial guarantee was done by the Ministries based on the closure cost included in the EIS increased by 50%.
- Especially for the Kokkinolakkas tailings management facility (category A), 15% of the financial guarantee of the overall mining and metallurgical project (7.5 million €).

4) Is there a list of inert mine waste published in your country in accordance with Art. 1(3) of Comm. Dec. 2009/359/EC⁶?

Based on the most recent annual report, issued by the Greek Ministry of Environment & Energy in November 2015, the inert mining waste catalogue of the Country is not yet available to be used as a reference for the characterization of mining waste for waste management plans in Greece. Therefore, for the inert waste list compilation, the criteria of the Commission Decision 2009/359/EC are examined below.

According to the criterion (d) of the above Decision, mining waste is considered as being inert only if its content in heavy metals is sufficiently low and does not exceed "national threshold values for areas characterized as being non-contaminated or relevant national natural background levels". In Greece, threshold values for areas characterized as being "non-contaminated" have not been yet set. Threshold values for the concentration of hazardous species in soils have been determined in a few Member States only, whereas there are no corresponding European threshold values. Moreover, so far, a systematic inventory and mapping of national natural background levels has not yet been conducted in Greece. There are only certain background values, for a few elements and for very small areas for which pollution mapping projects' data are available. The Geochemical Atlas of Europe (<http://www.qsf.fi/publ/foreqsatlas>) conducted by the Geological Surveys / Services in 26 countries provides background data. The Atlas provides information about the geochemical composition of surface materials for a significant number of elements. However, this survey was based on a limited sample data per country; therefore, the background information needed to characterize mining waste in specific small areas may not be accurate.

Concluding, with regard to the definition of inert waste in Greece, the application of the criterion (d) of the Commission Decision 2009/359/EC is not yet possible to be applied due to:

- *The lack of national threshold values for non-contaminated areas;*
- *The lack of data of systematic recording and mapping of the heavy metals levels and other hazardous species in the natural soil background. Until these data are collected, competent authorities are advised to adopt the following options, alternatively or/and cumulatively:*
 - *Acceptance, after evaluation, of background threshold values for the target area from previous studies, etc.*
 - *Acceptance, after evaluation, of background threshold values for the target area derived from analytical and systematic environmental research. The research is conducted by the interested party that wishes to characterize waste as inert waste.*
 - *Acceptance of background threshold values from other Member States (the Netherlands, Germany, France etc.). In many cases, if there is documentation that threshold values for a specific element are over stringent*

[6] Link to the Commission Decision: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=L:2009:110:0046:0047:EN:PDF>

for Greece (because of its local geology), competent authorities are able to modify threshold values for that specific element.

Presently the environmental characterization of mine waste is conducted with leachability tests of representative samples, according to the new standard EN 12920:2006+A1:2008. Nowadays - and until the criteria for assessing hazardous mining waste is established - the concentrations of potential pollutants examined in the leachates are compared with the threshold values of the Council Decision 2003/33/EC. However, it should be noted that the evaluation of mining waste leachability data using the criteria set in the Council Decision 2003/33/EC might lead in erroneous conclusions, regarding their potential hazardous properties. The Council Decision 2003/33 EC establishes the criteria for accepting municipal and other waste at landfill sites but not for mining waste, whose management and disposal is regulated by the Extractive Waste Directive as harmonized in the Member States, including Greece.

- 5) Do you use the risk assessment of 2009/337/EC Commission Decision of 20 April 2009 on the definition of the criteria for the classification of waste facilities in accordance with Annex III of Directive 2006/21/EC of the European Parliament and of the Council concerning the management of waste from extractive industries for abandoned sites as well?

Yes. The Joint Ministerial Decision 39624/2209/E103/2009 (GG 2076/v.B/25.9.2009) JMD PROTECTED / 2009 (Government Gazette 2076V / 25.09.2009) "Measures, conditions and limitations for the management of waste from extractive industries", has been drafted in compliance with the provisions of Directive 2006/21 / EC of 15 March 2006 'on the management of waste extractive industries and amending Directive 2004/35 / EC of the Council of March 15, 2006.

- 6) Has your country applied the waiver of the Landfill Directive paragraph 3 of Art. 3: MS may declare at their own option, that the deposit of non-hazardous non-inert mine waste, to be defined by the committee established under Art. 17 of this Directive can be exempted from the provisions in Annex I, points 2, 3.1, 3.2 and 3.3 (location screening, multiple barriers, leachate collection)?

The full landfill Directive has been adopted in Greece by the joint ministerial decision 29407/ 3508 (Government Gazette 1572V, 16-12-2002), which is incorporated into Greek law the EU Directive 99/31 on landfill.

- 7) Does a mine operator have to prepare and submit both a general waste management plan and a mine waste management plan as well? To the same or separate authorities?

No. The mine operator is obliged to submit only the mine waste management plan as an appendix of the EIS (or EIA study). It is included in the EIA (Environmental Impact Assessment) study in accordance with Law No. 4014/2011 and the Ministerial Decisions 1958/2012 on the "Classification of public and private projects and activities into categories and subcategories and the Ministerial Decision 170225/2014 in accordance with art. 11 of this law. They submit the E.I.A to the same authority i.e. to the Ministry of Environment, Energy and Climate Change if the projects belong to the subcategory A1, and to the Head of the Regional Unit(Prefect) if the projects belong to the subcategory A2 (see Chapter 6 on exploitation licensing procedures).

- 8) Has your national legislation transposed the Accounting Directive (2013/34/EC), with special regards its Art. 41-48 on the extractive industry? Do these rules on financial reporting appear in the concession law or mining act either?

Law 4308/14 of the Greek State has incorporated the accounting rules of Directive 2013/34 / EU, in general. However, there is no any special provision to include art.

41-48. Obviously since the Greek mining Code legislation is much older does not include any such rules.

The Accounting Directive is referenced in some provisions of the Greek Legislation concerning accounting issues (L.4308/2014/FEK 251/A/ 24-11-2014 "Greek Accounting Standards, relevant regulations and other legal provisions"). Additionally, a bill incorporating the art. 19, 20, 29, 30, 33, 35 and 40-46 of the Accounting Directive has been submitted to the Greek Parliament on June 2, 2016, following the public consultation phase. This bill is amending mainly the Greek Legislation prevailing for S.A. Corporations (L.2190/1920). Art. 7 of the bill, entitled "Report on payments to governments", which applies to the extractive industry, is adjusting the Greek Legislation to art. 41-46 of the Accounting Directive, by amending L.2190/1920.

Appearance in the concession law or mining act:

In L.210/1973 (the so-called Mining Code, FEK 277/A/5-10-73) as amended and valid, only confidential activity reports are foreseen to be submitted by enterprises in the Extractive Sector, on an annual basis. Also, activity reports are mandatory for quarry operators, on an annual basis, according to L.1428 (FEK 43/A/11-4-84) that is regulating quarrying activities for production of aggregates. In the provisions of both laws, the required payments by the mine/quarry operators to the Greek Government are defined in detail, but no specific obligation arises to publish a separate report regarding these payments. This gap is covered with the new bill mentioned above.

- 9) Has your national legislation transposed the Transparency Directive (2004/109/EC, 2013/50/EU), especially Art. on the extractive industry? Do these rules appear in the concession law or mining act either?

Regarding harmonization with the Transparency Directive:

The Transparency Directive (2004/109/EC) was initially incorporated in the Greek Legislation with L.3556/2007 (FEK A/91/30-4-2007). Further to this, the Greek Legislation was adjusted to the Directive 2013/50/EU which amended the Transparency Directive, with L.4374/2016 issued recently (FEK A/50/1-4-2016). Art. 2 of L.4374/2016 is amending L.3556/2007 (FEK A/91/30-4-2007), by incorporating Art. 6 of the Directive 2013/50/EU "Report on payments to governments" in L.3556/2007 (also Art. 6) "Issuers active in the extractive or logging of primary forest industries, as defined in Art. 41(1) and (2) of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC, to prepare on an annual basis, in accordance with Chapter 10 of that Directive, a report on payments made to governments. The report shall be made public at the latest six months after the end of each financial year and shall remain publicly available for at least 10 years. Payments to governments shall be reported at consolidated level". Issuer means a natural person, or a legal entity governed by private or public law, including a State, whose securities are admitted to trading on a regulated market. In the case of depository receipts admitted to trading on a regulated market, the issuer means the issuer of the securities represented, whether or not those securities are admitted to trading on a regulated market;

Appearance in the concession law or mining act:

Rules for the reporting of payments to the Government do not appear in L.210/1973 (the so-called Mining Code, FEK 277/A/5-10-73), L.1428 (FEK 43/A/11-4-84) (quarrying activities for production of aggregates), L.669/1997 (the so-called Quarrying Code, FEK 241/A/1-9-1977).

- 10) Does your competent authority ask for or check the CE marks of the exploration or extraction equipment when permitting or when having on-site inspections? Does the mining authority have a regulatory/supervision right in product safety/market

surveillance in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance?

Yes. According to the general existing Greek legislation and national regulations, the CE marks must be always available to the competent authorities concerning mining (Ministry of Environment and Energy, Body of mine Inspectorates, etc.). In accordance with the M.D. 12050/2223/2011 (The so-called KMLE - M.D. Δ7/Α/οικ. 12050/2223/2011/FEK 1227/Β/14-6-2011), which regulates health and safety issues in mining and quarrying activities, the equipment used must comply with the prevailing safety principles, and if new, to carry CE mark. In case that the equipment is not new, it must be accompanied by the appropriate documentation, issued by a certified engineer, with regards to its performance and safety. According to the KMLE, the Mine Inspectorate Authority is the competent authority for the fulfilment of the KMLE's provisions. Terms and conditions regarding CE Marking of the equipment are included usually in the Environmental Permit (AEPO). The Mine Inspectorate consists one of the competent authorities that inspect the compliance of a given mining operation with the terms of the Permit.*