

Minerals Ordinance (1992:285)

Observe! This translation of the Minerals Ordinance (1992:285) was ordered by the Geological Survey of Sweden on the 8 of March 2018. Any amendments after the 8 March 2018 is therefore not included in this translation.

Applications for exploration permits

Section 1 An application for an exploration permit shall be submitted in writing to the Chief Mining Inspector. It shall contain particulars of

1. the name, residence, and address of the applicant, and a contact person if the applicant is a legal entity,
2. the concession mineral or minerals to which the application relates,
3. the area or areas to which the application relates,
4. whether there are, within the area, areas covered by the provisions of Chapter 3, Sections 6–7, or Chapter 17, Section 3, of the Minerals Act,
5. whether the circumstances are such as referred to in Chapter 2, Section 4, of the Minerals Act (1991:45),
6. whether the circumstances are such as referred to in Chapter 2, Section 9, of the Minerals Act (1991:45),
7. the circumstances which, as provided in Chapter 2, Section 2, first paragraph, of the Minerals Act (1991:45), suggest that exploration of the area could lead to the discovery of a concession mineral,
8. the name proposed by the applicant for the exploration area, and
9. the impact of the operations planned on public and private interests and the measures which, in the applicant's opinion, are necessary for the protection of public interests or private rights.

If the application relates to a mineral other than oil, gaseous hydrocarbons, or diamonds, it shall also include particulars of the properties affected by the application, together with the names and addresses of the property owners and of other concerned parties known to the applicant.

Upon request of the Chief Mining Inspector, the applicant shall submit a plan indicating how the exploration work is to be conducted and an assessment of his capacity to implement that plan.

To the application documentation, the applicant shall append a map where the area covered by the application is indicated. This map, which shall be submitted in the number of copies determined by the Chief Mining Inspector, shall be on a scale of at least 1:10,000 or, if the Chief Mining Inspector allows, on a different scale, but on no account less than 1:100,000. Ordinance 2014:783

Section 2 The applicant shall pay an application fee of SEK 500 for each area of 2,000 hectares or initiated part thereof. This fee shall be paid when the application is submitted to the Chief Mining Inspector.

(Ordinance 1998:218)

Section 3 If an application relating to oil, gaseous hydrocarbons or diamonds is not refused, the Chief Mining Inspector shall insert the application in the Swedish Official Gazette (Post- och Inrikes Tidningar), and in a local newspaper.

If the application relates to any other mineral, the Chief Mining Inspector shall send notification of the application to the property owners affected, other known affected parties and holders of rights of precedence under Chapter 2, Section 4, of the Minerals Act (1991:45).

The county administrative board shall be given the opportunity to state its opinion within a certain period of time on applications referred to in the first and second paragraphs.

If the application relates to an area used for reindeer herding, the Sami Parliament shall have the opportunity to give an opinion on the applications, according to the first and second paragraph, within a certain period of time. Ordinance (2014:783)

Section 4 If the application does not meet the requirements of Section 1, if it is incomplete in other respects, or if the applicant fails to pay the application fee provided for in Section 2 or the advance payment provided for in Section 11, the Chief Mining Inspector shall order the applicant to remedy the matter within a certain period of time. The order shall be served on the applicant. If the applicant fails to remedy the matter, the Chief Mining Inspector shall refuse the application, but only if the deficiency is of such significance that the application cannot form the basis for consideration of the matter, or if the applicant has failed to pay the application fee or advance payment.

Decision regarding an exploration permit

Section 5 To a granted exploration permit a map shall a map of the area to which the permit applies shall be appended.

If the permit relates to an area where the right to a translation of a work plan may arise, as provided for in Chapter 3, Section 5 b, in the Mineral Act (1991:45), a notification of the right to translation is to be submitted with the permit.

The permit and the map shall be issued in accordance with regulations laid down by the Geological Survey of Sweden. Ordinance (2014:783)

Section 6 The Chief Mining Inspector shall send a copy of the exploration permit granted and the map to the County Administrative Board, and the Municipality, and to the Sami Parliament when the exploration permit concerns areas used for reindeer herding.

If the permit relates to oil, gaseous hydrocarbons or diamonds, the Chief Mining Inspector shall

also, within two months of the permit being granted, publish the contents of the permit in the Swedish Official Gazette (Post- och Inrikes Tidningar), and in a local newspaper.

If the permit relates to an area where the right to a translation of a work plan may arise, as provided for in Chapter 3, Section 5 b, in the Mineral Act (1991:45), a notification of the right to translation is to be submitted with the permit.

If the permit relates to any other mineral, the property owners affected, and other known concerned parties shall be served with a copy of the permit and the map. Ordinance (2014:783)

Extension of the exploration period

Section 7 An application for an extension of the period of validity of an exploration permit shall be accompanied by a report on the exploration works that have been carried out and, if the Chief Mining Inspector so requests, a plan indicating how exploration work is to be conducted in the extension period requested, together with an assessment of the applicant's capacity to implement that plan. If appropriate work has not been carried out during the period covered by the permit, the applicant shall explicate the reasons.

If an application to extend the period of validity only relates to part of the original exploration area, a description and map of the area applied for shall be attached to the application.

In other respects, Sections 1 and 2, Section 3, first and second paragraphs, and Section 4, shall apply to applications to extend the period of validity of an exploration permit.

In individual cases, the Chief Mining Inspector may allow exemptions from the provisions regarding what an application is to contain and what is to be appended to an application. Ordinance 2005:162

Section 8 If a decision to extend the period of validity only applies to part of the original exploration area, a map of the area covered by the extension shall be submitted with the decision. In addition, the decision shall state that the exploration area has been modified.

A decision regarding an extension shall be sent to the County Administrative Board, and the Municipality, and to the Sami Parliament in cases where the decision concerns areas used for reindeer herding.

If the decision relates to a mineral other than oil, gaseous hydrocarbons or diamonds, the Chief Mining Inspector shall send a copy of the decision and, where applicable, of the map to the property owners affected and to other known concerned parties.

If the decision relates to oil, gaseous hydrocarbons or diamonds, the Chief Mining Inspector shall publish the decision in the Swedish Official Gazette (Post- och Inrikes Tidningar) and in a local newspaper. Ordinance (2014:783)

Notification in certain cases, etc.

Section 8 a When an exploration permit has wholly or partially ceased to be valid, the Chief Mining Inspector shall send notification to this effect to the property owners affected and to other known concerned parties.

A permit holder wishing to relinquish his right as provided in Chapter 6, Section 2, of the Minerals Act (1991:45) shall attach to his notification to the Chief Mining Inspector particulars of the properties affected by this action and the names and addresses of the property owners and of other concerned parties known to the permit holder Ordinance 2005:162

Transfer of an exploration permit

Section 9 An application for permission to transfer an exploration permit shall be in writing and shall contain particulars of the names, residences and addresses of the applicant and the transferee, and, if the applicant or transferee is a legal entity, contact persons. A copy of the exploration permit shall be appended to the application. In other respects, Section 1, third paragraph, shall apply in respect to the transferee's capacity, together with Sections 2–4 and Section 8, second to fourth paragraphs. Ordinance 2005:162.

Examination and confirmation of a plan of operations

Section 9 a A permit holder's request, pursuant to Chapter 3, Section 5 a, second paragraph, of the Minerals Act (1991:45), for examination of a plan of operations shall be in writing and submitted to the Chief Mining Inspector. The request shall contain

1. particulars of the name and address of the applicant and, if the applicant is a legal entity, a contact person,
2. the plan of operations to which the request relates,
3. evidence that the affected property owners and holders of special rights have been served with the plan of operations at least three weeks prior to the applicant's request,
4. a copy of the objections made to the plan of operations, and
5. the circumstances which, in the applicant's opinion, make the intended works necessary for an appropriate exploration.

If the permit holder is obliged to supply a translation of the plan of operation according to Chapter 3, Section 5 b in the Minerals Act, the request shall contain a copy of the translation of the plan of operation, as well as and evidence that the property owners and holders of special rights affected have been served with the translation and the plan of operations. Ordinance (2014:783)

Section 9 b The Chief Mining Inspector shall send a copy of a decision on a request for confirmation of a plan of operations to the County Administrative Board, and the Municipality.

If the exploration is to be carried out within an area used for reindeer herding, a copy of the decision also shall be sent to the Sami Parliament. Ordinance (2014:783)

Section 9 c The Geological Survey of Sweden may issue more detailed provisions concerning the contents and format of a report pursuant to Chapter 3, Section 5, of the Minerals Act (1991:45). Ordinance (2014:783)

Fees for exploration permits

Section 10 When a decision is made to grant a new exploration permit, a fee shall be paid, based on the following amounts per hectare or part thereof of the exploration area.

a) If the permit relates to diamonds, oil or gaseous hydrocarbons, SEK 2, of which SEK 0:40 relates to the first year, SEK 0:60 to the second year and SEK 1 to the third year.

b) If the permit relates to any other concession mineral, SEK 20, of which SEK 4 relates to the first year, SEK 6 to the second year and SEK 10 to the third year.

However, a minimum fee of SEK 100 shall always be paid. Ordinance 2005:162

Section 10 a When a decision is made to extend the period of validity of an exploration permit as provided in Chapter 2, Section 6, of the Minerals Act (1991:45), a fee shall be paid, based on the following amounts per hectare and year or part thereof.

a) If the permit relates to diamonds, oil or gaseous hydrocarbons, SEK 2.

b) If the permit relates to any other concession mineral, SEK 21.

However, a minimum fee of SEK 200 shall always be paid. Ordinance 2005:162

Section 10 b When a decision is made to further extend the period of validity of an exploration permit as provided in Chapter 2, Section 7, first paragraph, of the Minerals Act (1991:45), a fee shall be paid, based on the following amounts per hectare and year or part thereof.

a) If the permit relates to diamonds, oil or gaseous hydrocarbons, SEK 5.

b) If the permit relates to any other concession mineral, SEK 50.

However, a minimum fee of SEK 400 shall always be paid. Ordinance 2005:162

Section 10 c When a decision is made to further extend the period of validity of an exploration permit as provided in Chapter 2, Section 7, second paragraph, of the Minerals Act (1991:45), a fee shall be paid, based on the following amounts per hectare and year or part thereof.

a) If the permit relates to oil or gaseous hydrocarbons, SEK 10.

b) If the permit relates to any other concession mineral, SEK 100.

However, a minimum fee of SEK 800 shall always be paid. (Ordinance 2005:162)

Section 11 Fees as provided in Sections 10–10 c shall be paid in advance for the exploration period or extension period.

In connection with the submission of an application for an exploration permit or for an extension of the period of validity, an advance payment in respect of the fee shall be paid. In the case of an application for an exploration permit, the advance payment shall be calculated, taking into account the size of the area applied for, and in the case of an application for an extension, taking into account the size of the area applied for and the extension period requested.

Fees and advance payments shall be paid to the Chief Mining Inspector. (Ordinance 2005:162)

Section 12 If an advance payment calculated in accordance with Section 11 exceeds the amount that is finally determined as a fee, the excess shall be refunded to the applicant. The advance payment for the first year shall only be refunded, however, if an exploration permit is not granted or is granted for a smaller area than that applied for, owing to circumstances beyond the applicant's control. Ordinance 1998:218

Section 13 If the permit holder relinquishes his exploration permit as provided in Chapter 6, Section 2, of the Minerals Act (1991:45), such portion of the fee, provided for in Sections 10–10 c, as has not been utilized, shall be refunded. No refund shall be made for the first year, however, and for succeeding years a refund shall be made only insofar as the remaining fee relates to complete twelve-month periods and complete hectares. Ordinance (2005:162)

More detailed provisions regarding impediments to exploration work

Section 14 Is repealed through ordinance (2010:59).

Section 14 a Without the permission of the County Administrative Board of Norrbotten County, exploration work or exploitation and activities connected therewith may not be undertaken within the Esrange rocket launch area in the Municipality of Kiruna. The extent of the rocket launch area is indicated in the annex to this Ordinance.

The County Administrative Board shall, as far as possible, when making decisions in applications arising under the first paragraph, seek to ensure that space activities and exploration work or exploitation and activities connected therewith can be carried on in parallel. If this is not possible, permission may only be granted if space activities will not be impeded. Permission may be made subject to conditions. (Ordinance 1996:812)

Section 15 Distances referred to in Chapter 3, Section 7, first paragraph, of the Minerals Act (1991:45) shall be calculated on a horizontal plane. In cases referred to in Chapter 3, Section 7, first paragraph, point 1, of the Minerals Act, the distance shall be calculated from the outer edge of any embankment or cutting or, in the absence of the same, from the outer edge of the actual facility. (Ordinance 2005:162)

Section 16 In applications for permission for exploration work in an area covered by a detailed

development plan or area regulations under the Planning and Building Act (1987:10), the Chief Mining Inspector shall obtain an opinion from the Municipality. Ordinance (2011:363)

Obligation to report

Section 16 a The Geological Survey of Sweden may issue more detailed provisions concerning the contents and format of a report pursuant to Chapter 14, Section 3, of the Minerals Act (1991:45). Ordinance 1998:218

Applications for exploitation concessions

Section 17 An application for an exploitation concession shall be in writing and shall be submitted to the Chief Mining Inspector. As provided in Chapter 4, Section 2, of the Minerals Act (1991:45), it shall be accompanied by an environmental impact assessment and shall contain particulars of

1. the name, domicile and address of the applicant, and a contact person if the applicant is a legal person,
2. the concession mineral or minerals to which the application relates,
3. the area and the period to which the application relates,
4. the properties affected by the application and the names and addresses of the property owners, and other concerned parties known to the applicant,
5. whether there are, within the area or in its immediate vicinity, areas covered by the provisions of Chapter 5, Section 10, or Chapter 17, Section 3, of the Minerals Act (1991:45),
6. whether any right of precedence as referred to in Chapter 4, Section 3, of the Minerals Act (1991:45) exists,
7. whether any circumstance as referred to in Chapter 4, Section 4, of the Minerals Act (1991:45) exists,
8. the impact of the operations planned on public and private interests and the measures which, in the applicant's opinion, are necessary for the protection of public interests and private rights,
9. the applicant's plan for the operations planned and, if the application relates to oil or gaseous hydrocarbons, an assessment of the applicant's technical and financial capacity to implement that plan,
10. any exploration permit or permits which the applicant holds or has held within the area,
11. the principal conditions which, in the applicant's opinion, should apply to the operations, and
12. the name proposed by the applicant for the concession area.

In each individual case the Chief Mining Inspector shall, after consulting the applicant, determine the number of copies of the application and of the documents referred to in Section 18 to be submitted.

The Chief Mining Inspector may allow exemptions from the provisions of the first paragraph if

the applicant already holds a staked claim in the concession area applied for. Ordinance (2017:969)

Section 18 To an application referred to in Section 17 the applicant shall append

1. a map and a description of the area to which the application relates,
2. a report on the results of the exploration work undertaken, the geological and geophysical maps that have been prepared, and any other studies that may be relevant to an assessment of whether an economically viable deposit has been discovered,
3. a programme of operations for the operations planned, and
4. a certified copy of the application.

The map and the description shall clearly indicate the location of the requested concession area, as well as the location of any areas to which the provisions of Chapter 4, Section 4, Chapter 5, Section 10, or Chapter 17, Section 3, of the Minerals Act (1991:45) may be applicable, the sites within the concession area at which the concession mineral or minerals, to which the application relates have been discovered, and other circumstances of which the applicant is aware and which are relevant to an assessment of the size, position and direction of the deposit.

If the applicant wishes to apply concurrently for concessions for several areas located close together, a single application may be submitted for all areas.

The Chief Mining Inspector may in individual cases allow exemptions from the provisions of the first paragraph if the applicant already holds, in the concession area applied for, either an exploitation concession for a concession mineral other than the one or ones covered by the application, or a staked claim. This also applies if the application relates to a deposit of a mineral which, prior to the coming into force of the Minerals Act, was not covered by previous mining and minerals legislation, and exploitation of the deposit was in progress when the Minerals Act came into force. Ordinance (2010:169)

Section 19 The applicant shall pay an application fee of SEK 80,000 for each concession area. This fee shall be paid when the application is submitted to the Chief Mining Inspector. (Ordinance 2005:162)

Section 20 If the application does not meet the requirements of Sections 17 and 18, if it is incomplete in other respects, or if the applicant fails to pay the application fee provided for in Section 19, the Chief Mining Inspector shall order the applicant to remedy the matter within a certain period of time. The order shall be served on the applicant. If the applicant fails to remedy the matter, the Chief Mining Inspector shall reject the application, however, only if the deficiency is of such significance that the application cannot form the basis for consideration of the matter, if no environmental impact assessment has been submitted, or if the applicant has failed to pay the application fee. (Ordinance 2005:162)

Section 21 The Chief Mining Inspector shall send notification of the application, and the environmental impact assessment, to the affected property owners, holders of rights of use, holders of easements, industrial companies, as well as holders of right of priority under Chapter

4, Section 4, of the Minerals Act (1991:45).

In announcements and notifications, the Chief Mining Inspector shall state, firstly, that any objections to the application are to be made in writing to the Chief Mining Inspector within a certain specified period of at least four weeks following publication of the announcement, and secondly, that any objections to the environmental impact assessment are to be made to the County Administrative Board within the same period of time. (Ordinance 2005:162)

Decision regarding an exploitation concession

Section 22 The authority granting an exploitation concession shall send a copy of the decision to the County Administrative Board, the Municipality Cadastral Agency, and the Municipality, and to the Sami Parliament if the concession refers to an area used for reindeer herding. If the Government grants a concession, a copy of the decision shall also be sent to the Chief Mining Inspector.

When a concession has been granted, the Chief Mining Inspector shall serve the property owners affected and other known concerned parties with a copy of the concession.

If the concession refers to an area where a right to translation of a plan of operations under Chapter 3, Section 5 b, of the Minerals Act (1991:45) may arise, a notification regarding the right to translation is to be submitted with the permit. Ordinance 2014:783.

Extension of the concession period

Section 23 Before the Chief Mining Inspector makes a decision concerning an extension of the concession period as provided in Chapter 4, Section 8, of the Minerals Act (1991:45), the concession holder shall be given the opportunity to submit a statement. Ordinance 2005:162

Section 24 An application for an extension of the concession period as provided in Chapter 4, Section 9 or 10, of the Minerals Act (1991:45) shall be accompanied by a report on the works in progress in connection to the concession area.

In other respects, Sections 17–22 shall apply, where relevant, to applications and decisions concerning an extension of the concession period as provided in Chapter 4, Section 9 or 10, of the Minerals Act. Ordinance 1993:694

Transfer of an exploitation concession

Section 25 An application for permission to transfer an exploitation concession shall be submitted in writing to the Chief Mining Inspector. It shall contain particulars of

1. the name, residence, and address of the applicant, and the transferee, and
2. the transferee's plan for the continuation of operations and an assessment of the transferee's technical and financial capacity to implement that plan.

A copy of the exploitation concession shall be attached to the application.

The applicant shall pay an application fee of SEK 2,000 for each transferred concession.

In other respects, Sections 19 and 20 shall apply with respect to the applicant.

The Chief Mining Inspector shall serve a copy of the decision on the County Administrative Board, the Municipality Cadastral Agency and the Municipality. The Chief Mining Inspector shall serve a copy of the decision on the property owners affected and other known affected parties. Ordinance 2008:1232.

Relinquishment of a portion of the concession area

Section 26 An application to relinquish the right to a certain portion of the concession area shall be submitted in writing to the Chief Mining Inspector. It shall contain particulars of

1. the remaining resources of concession minerals,
2. the impact of the remaining operations planned on public and private interests and the measures which, in the applicant's opinion, are necessary for the protection of public interests and private rights,
3. the applicant's plan for the remaining operations planned and, if the concession relates to oil or gaseous hydrocarbons, an assessment of the applicant's technical and financial capacity to implement that plan,
4. the principal conditions which, in the applicant's opinion, should apply to the remaining operations. Ordinance 2005:162

Section 27 To an application referred to in Section 26 the applicant shall append

1. a map and a description of the remaining area as per the application, and
2. a programme of operations for the remaining operations planned. Ordinance 2005:162

Obtaining opinions in certain concession applications

Section 28 In connection with the consultations which, under Chapter 8, Section 1, third paragraph, and Chapter 8, Section 3, second paragraph, of the Minerals Act (1991:45), are to take place with respect to applications for the granting of an exploitation concession in accordance with Chapter 4, Section 2, of the Minerals Act and for an extension of the concession period in accordance with Chapter 4, Section 10, of the Minerals Act, the County Administrative Board shall obtain an opinion from the Municipality. The county administrative board shall assess the environmental impact statement.

If an application relates to an area covered by a detailed development plan or area regulations under the Planning and Building Act (1987:10), the Chief Mining Inspector shall obtain an opinion from the Municipality. Ordinance 2011:363.

Costs in certain matters

Section 29 Reimbursement of costs as provided in Chapter 8, Section 6 or 12, of the Minerals Act (1991:45) shall relate to reimbursement of the Chief Mining Inspector's travel and subsistence expenses in connection with attendance for an on-site inspection. Ordinance 2005:162.

Applications for designation of land

Section 30 An application for designation of land shall contain

1. particulars of the name, residence, and address of the applicant,
 2. a description of the land or area within and outside the concession area which the applicant wishes to utilize,
 3. particulars of the properties affected by the application and the names and addresses of the property owners and other concerned parties,
 4. particulars of any dispute which, as provided in Chapter 8, Sections 8, 8 a or 9, of the Minerals Act (1991:45), is to be considered in the land designation proceedings,
 5. particulars as to whether there are, within the area applied for, areas which, under Chapter 9, Section 2, second paragraph, of the Minerals Act (1991:45), may not be designated,
 6. particulars as to whether an agreement as referred to in Chapter 9, Section 2, first paragraph, of the Minerals Act (1991:45) has been reached,
 7. proposals concerning a document keeper as provided in Section 32 and concerning meeting premises if such premises are needed in connection with the proceedings.
- Ordinance 2005:946

Section 31 To an application referred to in Section 30 the applicant shall append

1. a map and a description of the land or space to which the application relates,
2. a copy of an agreement as referred to in Chapter 9, Section 2, first paragraph, of the Minerals Act (1991:45), if such an agreement has been reached, and
3. a copy of the application documents.

The location of the land or space shall be clearly indicated on the map and in the description.
Ordinance 2010:169

Section 32 If applicable, the Chief Mining Inspector shall send a copy of the application documents to an appropriate person on site (the document keeper). This person shall provide the concerned parties access to the documents.

Section 33 If the application relates to land or other area outside the concession area, the Chief Mining Inspector shall obtain an opinion from the Municipality. Ordinance 2005:946
Meetings in connection to the designation proceedings

Meetings in connection to the designation proceedings

Section 34 The Chief Mining Inspector shall insert an announcement regarding the time and place of a meeting provided for in Chapter 9, Section 13, of the Minerals Act (1991:45) in the Swedish Official Gazette (Post- och Inrikes Tidningar), and in a local newspaper not later than four weeks in advance. If the meeting is postponed or if a new meeting is to be held, a new announcement does not need to be issued.

Section 35 The Chief Mining Inspector shall notify the County Administrative Board and the Municipality of the time and place of a meeting provided for in Chapter 9, Section 13, of the Minerals Act (1991:45). Ordinance 1993:694

Section 36 Notifications as provided in Chapter 9, Section 14, of the Minerals Act (1991:45), an announcement as provided for in Section 34, and notifications as provided for in Section 35, shall include a brief account of the contents of the application and information concerning the provisions of Chapter 9, Section 16, of the Minerals Act. If a document keeper has been appointed pursuant to Section 32, the notifications and the announcement shall include particulars of the name of the document keeper and of the place where a copy of the application documents is available. Ordinance 2005:162

Minutes of the designation proceedings

Section 37 Minutes shall be kept of any meeting held in accordance with Chapter 9, Section 13, of the Minerals Act (1991:45). If the application is considered in any other manner during the designation proceeding, a record shall be kept if, in the course of such consideration, a decision is taken, which is to be included in the minutes, or if it is otherwise necessary in order to be able to provide satisfactory documentation of such consideration. The minutes shall be taken by the Chief Mining Inspector.

Section 38 The minutes shall state

1. the time and place of consideration of the application,
2. the names of the executory officers, and of any interpreter engaged,
3. the names of the concerned parties and their representatives or advisers, with particulars as to which of them are present, and of the properties affected by the application, as well as particulars of the concerned parties' connection to the properties,
4. the names of others who are to be notified of a meeting and who are present,
5. who has applied for the proceeding,
6. a brief description of the matter at issue,
7. any proxy notified orally to the executory officers,
8. the executory officers' decision and any dissenting statements of opinion.

If appropriate, the particulars referred to in the first paragraph, points 3–5, may be provided by reference to a document in the file. (Ordinance 2005:162)

Section 39 In addition to what is stated in Section 38, the minutes of a meeting with concerned parties shall include

1. a brief account of the progress of the meeting,
2. the claims and objections presented at the meeting, amendments to claims and objections presented previously, and any acceptance of claims,
3. a brief account of the circumstances invoked at the meeting and statements of opinion regarding these circumstances,
4. an account of the presented investigation,
5. other matters that may be expected to be of importance in the event of an appeal or which for some other reason are considered to be worth preserving for the future.

If any particulars which are to be noted in the minutes, under the first paragraph, item 2–4, are included in another document in the file, the minutes shall simply refer to the document concerned. Ordinance 2005:162

Section 40 A statement made by an expert shall be noted in the minutes to the extent that it may be expected to be of significance for the application. The executory officers may, however, decide that such a statement is instead to be recorded by audio means.

An audio recording shall be transcribed when the executory officers or, on appeal, a court or other authority considers it necessary, or when a concerned party or other person requests a transcript. The accuracy of the transcript shall be confirmed by an official of the Mining Inspectorate of Sweden, after which the transcript shall be appended to the documents associated with the application.

Audio recordings shall be preserved unchanged until the application has been determined by a decision that has gained legal force. If a recording has been transcribed, it may be destroyed. Ordinance 2005:162

Section 41 The minutes of a meeting with the concerned parties shall, if possible, be drawn up as the meeting proceeds. If this is not possible, notes shall be taken. Based on these, the minutes shall be drawn up as soon as possible after the conclusion of the meeting.

Section 42 When the minutes are being drawn up, the Chief Mining Inspector shall make a note to this effect in the minutes. By so doing, the Chief Mining Inspector shall indicate in the record the date on which he or she made the note and appended his or her name or initials to the minutes. Ordinance 2005:162

Costs of the proceedings

Section 43 The applicant shall pay

1. a land designation fee of SEK 80,000 if a meeting is held in connection with the proceeding, and otherwise of SEK 40,000,
2. remuneration for the assessors' attendance at the proceeding,
3. remuneration to experts,

4. other costs of the proceedings, such as the cost of preparing a map and the cost of any necessary marking on the land.

Remuneration to the assessors shall be paid as provided in the Property Formation Proceedings (Remuneration of Assessors) Ordinance (1985:781), etc. Ordinance 2005:162.

Decision regarding designation of land

Section 44 The Chief Mining Inspector shall send a copy of the decision regarding designation of land to the County Administrative Board, the Municipal Cadastral Agency, and the Municipality. Ordinance 2008:1232

Payment of compensation

Section 45 When compensation is deposited as provided in Chapter 10, Section 2, of the Minerals Act (1991:45), the person liable to pay compensation shall submit to the County Administrative Board an excerpt from the record of the land designation proceeding and certificates of search for the properties concerned. If the person concerned fails to do so, the County Administrative Board shall obtain the documents at his or her expense. Ordinance 2005:162

Section 46 If the person liable to pay compensation fails to pay or deposit compensation as provided in Chapter 10, Section 2, of the Minerals Act (1991:45) within the time prescribed, the County Administrative Board shall, by request of the person entitled to the compensation, apply for enforcement of the decision regarding compensation.

Section 47 If compensation has been deposited with the County Administrative Board or the County Administrative Board has levied compensation, the County Administrative Board shall, as soon as possible, pay the compensation into an interest-bearing account with a bank or credit market enterprise. Ordinance 2004:338

Mineral compensation

Section 48 When mineral compensation is determined as provided in Chapter 7, Section 7, of the Minerals Act (1991:45), the quantity of ore brought to the surface and its concession mineral content shall be determined based on what can be utilized following enrichment.

In calculating the average price during the year, the following information shall be used:

1. for silver, the daily Fix Spot Price on the London Bullion Market,
2. for other precious metals, the daily afternoon Fix Prices on the London Bullion Market,
3. for other metals apart from iron, the daily cash official selling prices on the London Metal Exchange,

4. for iron, the pellets price published by the mining enterprise concerned, and
5. for other minerals, such amount as is reasonable. Ordinance 2008:1232

Section 49 A decision concerning mineral compensation shall be served on the concession holder and property owners within the concession area. Ordinance 2008:1232

Section 49 a Payment of mineral compensation to the State shall be effected by payment into a special account administered by the Geological Survey of Sweden. Ordinance 2005:162.

Certain maps etc.

Section 50 Maps provided for in Chapter 14, Section 4, of the Minerals Act (1991:45) shall be prepared and updated by a person declared by the Geological Survey of Sweden to be qualified to undertake mining surveys.

Extracts from such maps shall be sent to the Chief Mining Inspector.

More detailed regulations concerning such maps and the making and submission of extracts from them may be issued by the Geological Survey of Sweden. (Ordinance 2005:162)

Section 51 The holder of an exploitation concession for thorium, uranium, coal, oil, or gaseous hydrocarbons shall keep records of exploration work and exploitation. More detailed regulations concerning the keeping of such records may be issued by the Geological Survey of Sweden. (Ordinance 2005:162)

Section 52 Samples and reports as referred to in Chapter 14, Section 5, first paragraph, of the Minerals Act (1991:45), shall be submitted to the Geological Survey of Sweden. More detailed regulations concerning such reporting may be issued by the Geological Survey of Sweden. (Ordinance 2005:162)

Cessation of validity of an exploitation concession

Section 53 If the period of validity of an exploitation concession expires or the concession holder relinquishes his right as provided in Chapter 6, Section 2, second paragraph, of the Minerals Act (1991:45), the Chief Mining Inspector shall notify the County Administrative board, the Municipal Cadastral Agency, and the Municipality and, if possible, the property owner to this effect. Ordinance (2008:1232)

Journals and files to be maintained by the Chief Mining Inspector

Section 54 The Chief Mining Inspector shall maintain a journal of applications received. For each matter, it shall be noted when the application was received, the measures taken, the documents received or drawn up, and the date on which the application was determined. Separate

journals may be maintained for different groups of applications.

A journal shall contain a list of the applications received, and journal sheets recording the administration of the individual applications. Journal sheets need only be drawn up, however, when this is called for by the nature of the application.

Section 55 The documents that are submitted or drawn up with respect to an application shall be assembled into a file.

Decisions which are not entered in the record shall be noted on the journal sheet or in another document in the file.

Register

Section 56 The Chief Mining Inspector shall maintain a register of exploration permits and exploitation concessions. In this register entries shall be made concerning decisions and measures relating to an exploration or concession area, and concerning other circumstances, relevant to an assessment of the right to a mineral deposit within such an area.

If a court or other authority has made a decision which should be entered in the register, a copy of the decision shall be sent to the Chief Mining Inspector within one week.

More detailed regulations concerning the establishment and maintenance of the register may be issued by the Geological Survey of Sweden. (Ordinance 2005:162)

Notification of mining operations

Section 57 When mining or corresponding operations are commenced, terminated, discontinued for a period exceeding six months, or being resumed, the Chief Mining Inspector shall be notified immediately. If a notification is received, the Chief Mining Inspector shall immediately inform the County Administrative Board of the county in which the operations are being undertaken.

A holder of a mine or similar facility who intentionally or through negligence fails to make such notification as is referred to in the first paragraph shall be sentenced to a fine. Ordinance 2008:1232

Provisions regarding earlier mineral rights

Section 58 Matters referred to in points 4 d and 5 g of the transitional provisions of the Minerals Act (1991:45) shall be considered by the Chief Mining Inspector.

Section 59 A defence fee as provided in Chapter 6, Section 8, of the Mining Act (1974:342)

shall be paid at a rate of SEK 100 per hectare or part thereof of the area of the staked claim.

Section 60 A fee as provided in the fifth point, sixth paragraph, of the transitional provisions of the Act concerning Certain Mineral Deposits (1974:890) shall be paid at a rate of SEK 60 per hectare or part thereof of the area covered by the right.

This fee shall be paid annually to the Chief Mining Inspector in advance, before the end of December.

Appeals

Section 61 A decision of the Geological Survey of Sweden under this Ordinance may be appealed to the Government. A decision of the County Administrative Board of Norrbotten County under Section 14 a, may be appealed to the Government. (Ordinance 1996:812)

Implementation regulations

Section 62 Further regulations for the implementation of the Minerals Act (1991:45) may be issued by the Geological Survey of Sweden. Ordinance 2005:162

Transitional provisions

1992:285

1. This Ordinance comes into force on 1 July 1992, when the Mining Ordinance (1974:344), the Ordinance concerning Certain Mineral Deposits (1974:893) and the Ordinance concerning Remuneration of Assessors in Proceedings regarding Staked Claims (1960:80) shall cease to apply.

If an Act or other statute refers to a provision that has been replaced by a provision in this Ordinance, the new provision shall apply.

2. In applications for an extension of a claim, Sections 9–10 of the Mining Ordinance shall apply instead of Sections 7–8 of this Ordinance.

3. In applications under Chapter 9, Section 4, of the Mining Act (1974:342), Sections 26 and 29 of the Mining Ordinance shall apply.

4. If a right to a staked claim ceases in accordance with Chapter 6, Section 9, 10 or 13, of the Mining Act, Section 25 of the Mining Ordinance shall apply.

5. In applications under Section 15 of the Act concerning Certain Mineral Deposits (1974:890), Section 3 a of the Ordinance concerning Certain Mineral Deposits shall apply.

1993:694

This Ordinance comes into force on July 1, 1993.

1994:1352

1. This Ordinance comes into force on January 1, 1995.

2. The provisions of Section 10, as amended, shall apply to applications for exploration permits submitted after the coming into force of this Ordinance.

1995:1452

1. This Ordinance comes into force on January 1, 1996.
2. Earlier provisions shall continue to apply regarding property registration authorities established under the Act on Municipal Property Formation Authorities and Property Registration Authorities (1971:133).

1996:48

This Ordinance comes into force on March 15, 1996.

1996:812

1. This Ordinance comes into force on August 1, 1996.
2. It follows from Chapter 17, Section 3, second paragraph, of the Minerals Act (1991:45) that the new provision does not affect the right of a concession holder to carry on exploration work or exploitation and activities connected therewith if the concession was granted before this Ordinance came into force.
- 3 Section 14 a shall not apply to exploration work undertaken by virtue of an exploration permit granted prior to August 1, 1996 Ordinance 1996:1497

1998:218

1. This Ordinance comes into force on July 1, 1998.
2. The new provisions of Sections 10–10 c of the Minerals Ordinance shall only apply to applications submitted after June 30, 1998.

1998:879

This Ordinance comes into force on January 1, 1999.

2004:338

This Ordinance comes into force on July 1, 2004.

2005:162

1. This Ordinance comes into force on May 1, 2005.
2. With regard to applications for exploration permits submitted prior to the coming into force of this Ordinance, Sections 1, 3, 6 and 8 of the Minerals Ordinance (1992:285) shall apply in its previous wording.

2014:783

1. This Ordinance comes into force on August 1, 2014.
2. The provisions in Sections 1 and 3, Section 6, second paragraph, and Section 8 in the previous wording still applies to exploration permits where the case was initiated with the Chief Mining Inspector before the coming into force.
3. The provisions in Section 9 a in the previous wording still applies to exploration permits and exploitation concessions granted before the coming into force of this Act.

2017:969

1. This Ordinance comes into force on January 1, 2018.
2. Prior ordinances still apply to administration in cases initiated before the coming into force of this Act.

Senast granskad: 2018-06-25