Concessions and applications procedures for geological and mining operations in Poland

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Regulations
The rules on licensing geological and mining activities in Poland are defined in a single regulation Act of 9 June 2011 - Geological and mining law
Protection of deposits by state administration bodies (management of deposits)
Classification of mineral deposits defining concession procedures

Mineral deposits with mining property

„Secondary deposits”
The right to use land (lease of property or land ownership)

Important mineral deposits are covered by the mining ownership
Concession authorities

Minister of the environment

STATE TREASURY
the Mining ownership procedures

The Marshal of the Voivodship

STATE TREASURY

The Starost

REAL ESTATE OWNERSHIP OF LAND

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Important minerals and raw materials of the State Treasury property, licensed under mining ownership procedures

- hydrocarbon (oil & gas) deposits
- hard coal deposits
- deposits of methane occurring as an accompanying mineral
- lignite deposits
- metal ore deposits with the exception of turf iron ore deposits
- metal deposits in the native state
- deposits of radioactive elements
- native sulfur deposits
- rock salt deposits
- potassium salt deposits
- potassium-magnesium salt deposits
- gypsum and anhydrite deposits
- gems
- therapeutic waters
- thermal waters
- brine waters
Types of concessions

1. prospecting for or exploration of mineral deposits, referred to in Art. 10 par.1; (slaid 6) excluding hydrocarbon deposits,
1a. prospecting or exploration of underground structures for carbon dioxide storage,
2. exploitation of mining minerals from deposits referred to in Art. 10 ,
2a. prospecting and exploration of hydrocarbon deposits and extraction hydrocarbons from deposits,
3. exploitation minerals from deposits located in the borders of the maritime areas of Republic of Poland,
4. underground storage with no reservoir (tank) of substances,
5. underground storage of wastes,
6. underground storage of carbondioxide.
Concession procedure scheme

Strategic minerals - with mining property

- Concession for prospecting and exploration
  - Geological documentation
    - Deposit development project
      - Concession for mining

Other minerals - with land ownership

- Concession for mining
  - Deposit development project
    - Geological documentation

OUG supervision

Mine operational plan

- Land development plan - planning procedure
- Environmental impact assessment - environmental procedure
Planning procedure

Local urban development plan / amendment to the plan
(Article 4 (1) of the Act of 27 March 2003 on planning and spatial development)

- strategic impact assessment, art. 46, point 1 (UOOŚ); the Act on sharing information about the environment and its protection, public participation in environmental protection and environmental impact assessments

- execution of the environmental impact assessment, art. 51, par. 1 (UOOŚ)

- reviewing art. 54, par. 3 (UOOŚ) and reconciliation in accordance with (UOPIZP); the Act on planning and urban development

- public participation art. 54, par. 2 (UOOŚ)

- allocation of land for mining purposes

classification of the area as industrial
Environmental Impact Assessment Scheme

MINING AUTHORITY: opinion on Mining area - a space covered by the anticipated harmful impacts of mining operations
Concession application

• Defining the duration (lifetime) of the concession

• Determining a group of entities and representing all parties with a legal interests

• Permission (rights) to operate in the designated space

• Attachment of the environmental decision pursuant to art. 72, par.3 (UOOŚ)
Concession application

• Indication of the commencement date
• Determining the investor's financial resources
• Identification of areas covered by specific forms of protection
• Determining how to counteract negative environmental impacts
• Information concerning land use in the mpzp and separate regulations
Common problems

areas in which we may encounter obstacles that delay the concession procedures
Estimated time of concession procedure to final decision

- The issuance of the concession decision, approx. 3 months
- PZZ (deposit development projekt) and concession application, approx. 2-3 months
- Issuance of an environmental decision, approx. 4 months
- Environmental impact assessment, approx. 12 months
- Change of the mpzp (local urban development plan), approx. 10 - 12 months

from 31 to 34 months
Thank you!