

99020044001000

# Mining permit - apply for exclusive right to extract mineral resources

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<https://fimportal.de/xzufi-services/6004807/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99020044001000
Leistungsbezeichnung I	Mining permit - apply for exclusive right to extract mineral resources
Leistungsbezeichnung II	Mining permit - apply for exclusive right to extract mineral resources
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

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Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegen durch	
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• § 3 [Bundesberggesetz (BBergG)](<a href="https://www.gesetze-im-internet.de/bbergg/">https://www.gesetze-im-internet.de/bbergg/</a>)–Bergfreie und grundeigene Bodenschätze               <ul style="list-style-type: none"> <li>• § 6 BBergG – Grundsatz</li> <li>• § 8 BBergG – Bewilligung</li> <li>• § 10 BBergG – Antrag</li> <li>• § 11 BBergG – Versagung der Erlaubnis</li> <li>• § 16 BBergG – Form, Inhalt und Nebenbestimmungen</li> </ul> </li> <li>• § 11 [Unterlagen-Bergverordnung (UnterlagenBergV)](<a href="https://www.gesetze-im-internet.de/unterlagenbergv/">https://www.gesetze-im-internet.de/unterlagenbergv/</a>)– Allgemeine Anforderungen               <ul style="list-style-type: none"> <li>• [Sächsisches Kostenverzeichnis (SächsKVZ)](<a href="https://www.revosax.sachsen.de/vorschrift/19330-Zehntes-Saechsische-Kostenverzeichnis">https://www.revosax.sachsen.de/vorschrift/19330-Zehntes-Saechsische-Kostenverzeichnis</a>), Lfd. Nr. 18 Tarifstelle 1.2 – Bergbauangelegenheiten und unterirdische Hohlräume</li> </ul> </li> </ul>
Teaser	With a mining licence, you are the only person or persons allowed to explore for and extract mineral resources in a defined area. To do so, you must submit an application to the competent mining authority.
Volltext	<p>#### Mining licence for the exclusive right to explore for and extract mineral resources according to § 8 of the Federal Mining Act ( Bundesbegrsgesetz/BergG)</p> <p>With a mining licence, you are the only person or persons allowed to explore for and extract mineral resources in a defined area. To do so, you must submit an application to the competent mining authority.</p> <p>With a permit, you are not yet allowed to implement any technical measures, such as drilling or removing layers of earth. The permit is merely a legal title granting you the exclusive right to mine certain mineral resources within a defined area. The extracted mineral resources then become your property. If you wish to</p>

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technically implement the extraction, you must submit further applications, for example for the approval of operating plans, to the competent authority. Only when these have been approved by the competent mining authority may you carry out such mining activities.

#### Which mineral resources are included?

The mining permit covers so-called non-mining mineral resources that are of particular economic importance. These include energy resources such as hard coal and lignite or crude oil and natural gas, but also metals, salts, geothermal energy and lithium.

The area covered by the permit is limited at the earth's surface and theoretically extends to the centre of the earth.

## Erforderliche Unterlagen

- Work programme with the following details:
  - Description of the planned technical implementation of the extraction
  - Period for which you are applying for a permit
  - planned financial expenditure
  - expected timetable for the extraction activities
- Details of the management as well as the company name and registered office
  - Extract from the commercial register (Handelsregisterauszug)
  - Proof that the discovered mineral resources are extractable according to their location and nature, including information on the content, the nature, the depth of the deposit and the technical extraction possibilities
  - Proof of your financial capacity, e.g. balance sheets, bank statements, loan commitments, showing the extent to which the expenditure will be financed from your own resources, from loans or from public subsidies
  - A map prepared by a mine surveyor in accordance with the criteria of the Documentation Mining Ordinance.
  - The number of application copies depends on the number of affected Länder, districts and other institutions to be involved. Mining licences are not

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issued across state borders.  
• Scale 1:5,000, 1:10,000 or 1:25,000.

## Voraussetzungen

- You must precisely designate the mineral resources that you wish to explore and mine.
- You or your representatives must have the necessary legal reliability.
- You must demonstrate that you can provide the necessary financing.
- You must demonstrate that your project will not endanger the exploration and extraction of non-minable or natural mineral resources.
- Your project must not affect any mineral resources whose protection is in the public interest.
- Your project must not affect any overriding public interests that preclude exploration in the entire field to be allocated, for example, environmental protection and species conservation.
- You must detail the locations where you have discovered the mineral resources by location and depth in a stocktake.
- The field in which you want to extract the mineral resources must be
  - form a section of the earth's body bounded by straight lines at the surface and perpendicular planes to the depth, unless the boundaries of the area of application, such as state or federal boundaries, require a different course,
  - be shown on a map at an appropriate scale; and
  - be shown on a map which complies with the requirements of the Unterlagen-Berg-Verordnung (UnterlagenBergV).
- They must prove that it is possible to extract the discovered mineral resources due to their location and nature.
- They must submit a work programme that
  - describes the nature, purpose and extent of your project, and
  - showing in particular that the technical implementation and the necessary underground and surface facilities are adequate and that the mineral resources will be extracted in a reasonable time.

## Kosten

Procedural fee: EUR 11,500 to 25,000

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### Verfahrensablauf

You can apply for the permit online via the "BergPass" platform or in writing to your competent mountain authority.

#### #### Online application

- Call up the online platform "BergPass" and log in.
- To register, you need a bundID and an identity card or residence permit with active online ID function.
- Call up the application and fill it out completely and truthfully.
- Upload the required documents as a file and submit the application.

#### #### Written application to the competent mining authority

- Contact your competent mining authority and agree on the required application documents.
- Submit the application and all required documents by post to your competent mining authority.

#### #### Approval and decision

- The competent authority will review your application and the submitted documents. If any documents are missing, the authority will contact you.
- The mining authority alone decides on the authorisation, but usually carries out a participation procedure: If your work programme contains measures and areas that affect the remit of other authorities or the municipalities as planning authorities, it then distributes it to all the authorities affected by the project.
- You will receive a notice by post informing you of the decision on your application. In addition, the decision will be delivered electronically to the respective mailbox (bundID or ELSTER company account) in advance and information will be displayed in BergPass.
- You will also receive a cost notification about fees to

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	be paid.
Bearbeitungsdauer	approximately six to nine months if the complete documents are submitted
Frist	<ul style="list-style-type: none"> <li>• Licensing period: up to 50 years depending on the mineral resource and the forecast deposit</li> <li>• Start of extraction: within three years after authorisation</li> </ul> <b>**Remarks:**</b> Authorisations are granted for a limited period of time, which must be appropriate for the implementation of the planned extraction. The period of 50 years may only be exceeded if this is necessary in view of the investments usually required for the extraction. If you do not start extraction within three years after the granting of the authorisation, the authorisation may be revoked. The same applies if you interrupt your extraction work for longer than three years.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Objection (details in the decision)
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	