

# Guide to Mineral Legislation and Regulations in Sweden

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**SGU**

Sveriges Geologiska Undersökning  
Geological Survey of Sweden

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## **A guide to Mineral legislation and regulations in Sweden**

This guide is an introduction to the Swedish mineral legislation and regulations. It has no legal status. Those who want to know the exact wording of the Acts are referred to the Swedish law text.

The entire Minerals Act and some of the other Acts mentioned in this guide are also available as unofficial English translations and can be obtained from the Geological Survey of Sweden – or from the website of the Geological Survey of Sweden (<http://www.sgu.se/>).

### **Kind of land covered**

The Act is applicable to exploration and exploitation on land no matter what the ownership. (See limitations p. 3.)

### **Minerals covered by the Act**

The mineral substances (concession minerals) covered by the Act are those containing:

- 1) antimony, arsenic, beryllium, bismuth, cesium, chromium, cobalt, copper, gold, iridium, iron occurring in the bedrock, lanthanum and lanthanide series, lead, lithium, manganese, mercury, molybdenum, nickel, niobium, osmium, palladium, platinum, rhodium, rubidium, ruthenium, scandium, silver, strontium, tantalum, thorium, tin, titanium, tungsten, uranium, vanadium, yttrium, zinc, and zirconium, or
- 2) alum shale, andalusite, apatite, baryte, brucite, refractory clay or clinkering clay, coal, fluorspar, graphite, kyanite, magnesite, nepheline syenite, pyrite, pyrrhotite, rock salt or other similar salt deposits, sillimanite, and wollastonite, or
- 3) oil, gaseous hydrocarbons, and diamonds.

Other minerals, not mentioned above, belong to the landowner.

## **Permit – concession**

Exploration may be carried out only by the holder of an exploration permit (exceptions: See Minerals Act Chapter 1 Section 4) and exploitation only by the holder of an exploitation concession.

## **Ownership – restrictions**

There are no additional restrictions to foreigners compared to Swedish residents to obtain exploration permits and exploitation concessions. Exploration work must however be carried out through a registered Swedish branch office (Act 1992:160 and Ordinance 1992:308).

An exploration permit or an exploitation concession may be transferred after consent by the issuing authority (Mining Inspectorate).

## **Exploration permit**

### **Area**

An exploration permit is granted for a specific area where a successful discovery is likely to be made. It should be of suitable shape and size and no larger than may be assumed can be explored by the permit-holder in an appropriate manner.

### **Prerequisites**

An exploration permit shall be granted, if there is reason to assume that exploration in the area can lead to the discovery of a concession mineral and the applicant has the possibility and intention to conduct appropriate exploration.

A permit for exploration with regard to oil, gaseous hydrocarbons or diamonds may only be granted to a person who can prove that he is suitable to carry out such exploration work.

### **Time**

An exploration permit is valid for a period of three years from the date of issue. After that it may be extended by another period of up to a maximum of three years if suitable exploration work has been carried

out during the first period. The same is valid if the permit-holder has plausible excuses for exploration not yet having been carried out but nonetheless shows it likely that the area will be explored during the period referred to in the application.

In special cases the period of validity may be further extended for a maximum of four years. In exceptional cases it is possible to extend the permit still further, but for no more than a total of five years.

This means that the longest possible valid period for an exploration permit is 15 years.

### ***Moratorium – waiting period***

When an exploration permit has expired, an application will not be considered for the same area or part of it during the first year after the permit was terminated.

### ***Limitations***

Exploration and exploitation cannot be carried out in national parks. For areas described below, exploration may not be carried out without permission from an appropriate authority:

- areas included in detailed town plans or in regional provisions according to the Planning and Building Act (1987:10),
- within 30 metres from public roads, railways, canals, or airports,
- within 100 metres of any site with a building inhabited for the greater part of the year,
- nature reserves and certain areas in the Swedish mountains (“obrutna fjällområden”),
- areas occupied by electric power stations or industrial plants,
- areas occupied by churches or other assembly halls, educational institutions, hotels or boarding houses, hospitals or other comparable establishment intended for more than fifty people,
- areas of fortification,
- churchyards or other burial grounds.

## **Damage**

Damage or encroachment caused by exploration work shall be compensated by the holder of the permit or concession.

## **Reports**

When an exploration permit is terminated without the granting of an exploitation concession within the exploration area, the permit-holder shall – within three months at the latest – provide a report of the performed exploration work. A map of the explored area shall be appended to the report.

The report shall state:

- who has conducted the exploration work,
- the type(s) of exploration carried out,
- the extent of the exploration, and
- the results of the exploration work as uninterpreted raw data.

## **Exploitation concession**

### **Area**

A concession is valid for a definite area which is decided on the basis of the extent of the deposit, the purpose of the concession, and other circumstances.

### **Prerequisites**

A concession shall be granted if

- a mineral deposit has been found which can presumably be exploited economically,
- the location and nature of the deposit does not make it inappropriate that the applicant is granted the concession requested, and
- in the case of oil and gas, the applicant is considered appropriate for the exploitation of the deposit.

### ***The Environmental Code (1998:808)***

The Environmental Code shall be applicable in matters concerning the granting of a concession, which means inter alia that an Environmental Impact Assessment (EIA) shall be contained in an application for a concession.

#### ***Time***

An exploitation concession is granted for a period of 25 years unless the applicant requests a shorter period of time.

The concession period is extended by ten years at a time without application if regular exploitation is in progress when the period of validity expires. A shorter period may be decided at the request of the concession-holder.

#### ***Designation of land***

A legal proceeding for designation of land is held at the request and cost of the concession-holder (see Minerals' Act Chp 9 Section 20). This determines land within the concession area which the concession-holder may use for exploitation of the mineral deposit. A decision is also taken regarding the land, within or outside the concession area, which the concession-holder may use for activities related to the exploitation. In this connection the nature of the activity shall be stated.

When an exploitation concession is terminated, the concession-holder shall, at that date, forfeit the right to land assigned to him.

#### ***Other Acts affecting exploration and exploitation***

Among the Acts with provisions affecting the activities referred to in the Minerals Act are the following:

- The Environmental Code (1998:808, Miljöbalken)
- Planning and Building Act (1987:10, Plan- och bygglagen)
- Act (1988:950) concerning the Cultural Heritage Management (Kulturminneslagen).

## **Taxes**

Apart from the normal corporate tax, currently 28 percent, there are no additional tax regulations appertaining to mining.

## **Fees related to mineral exploration and exploitation**

An applicant in matters under the Minerals Act shall pay an application fee and an exploration fee to the Mining Inspector at the same time as the application is submitted.

The application fee is SEK 500 for each exploration area and every new 2 000 hectares of each area. The exploration fees are related to the area of interest.

For the first three years exploration period the fees are as follows:

for diamonds	SEK 1.50 per hectare
for oil and/or gaseous hydrocarbons	SEK 3 per hectare
for other minerals	SEK 15 per hectare

The minimum fee is 100 SEK and it covers the entire three year period of validity.

If the period of validity is extended, the fee, for years four to six, is:

for diamonds	SEK 1 per hectare and year
for oil and/or gaseous hydrocarbons	SEK 2 per hectare and year
for other minerals	SEK 21 per hectare and year

The minimum fee here is SEK 200.

Further extended periods have still higher fees.

All fees shall be paid in advance for the exploration period or the extended period. If an area is reduced during the exploration period the fee will be partially reimbursed.

The application fee for an exploitation concession is SEK 6 000 for each area.

## **Authorities**

Matters related to mineral exploration and mining are handled for the Government by the

Ministry of Industry  
S-103 33 Stockholm  
Sweden

Under the auspices of the Ministry of Industry, SGU gives general information on geological and related matters as well as advice in general terms on legal matters in connection with mineral questions, etc.

Geological Survey of Sweden (SGU)  
Box 670  
S-751 28 Uppsala  
Sweden  
Telephone: +46 18 17 90 00  
Telefax: +46 18 17 92 10  
E-mail: [sgu@sgu.se](mailto:sgu@sgu.se)

The Geological Survey also has a mineral information office at Malå in Northern Sweden, which is intended to serve the needs of mineral exploration.

Geological Survey of Sweden  
Mineral Resources Information Office  
Skolgatan 4  
S-930 70 Malå  
Sweden  
Telephone: +46 953 346 00  
Telefax: +46 953 216 86  
E-mail: [mala@sgu.se](mailto:mala@sgu.se)

Compliance with the Minerals Act is governed by the Mining Inspector. Applications for permits or concessions should be sent to one of the Mining Inspector's two offices (Luleå or Falun). Further questions concerning exploration and mining can be directed to the Mining Inspectorate.

## MINING INSPECTORATE

### Head office:

Varvsgatan 41  
SE-972 32 Luleå  
Tel: +46 920 23 79 00  
Fax: +46 920 695 07  
E-mail: [mineinspect@bergsstaten.se](mailto:mineinspect@bergsstaten.se)  
E-mail: [janolof.hedstrom@bergsstaten.se](mailto:janolof.hedstrom@bergsstaten.se)  
(mining inspector)

### Regional office:

Slaggatan 13  
SE-791 71 Falun  
Tel: +46 23 255 05  
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