

99020027001000, 99020027001000

# Applying for an initial mining permit

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/389119161/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99020027001000, 99020027001000
Leistungsbezeichnung I	Applying for an initial mining permit
Leistungsbezeichnung II	Applying for an initial mining permit
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Bodenschutz (020)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Rechte und Pflichten im Bereich der sozialen Sicherheit in der Union, auch im Zusammenhang mit Renten
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher	

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Ansprechpartner	Nein
Fachlich freigegeben am	19.12.2023
Fachlich freigegeben durch	Ministry of Economic Affairs, Transport, Agriculture and Viticulture Rhineland-Palatinate (MWVLW)
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/bbergg/_10.html">https://www.gesetze-im-internet.de/bbergg/_10.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_3.html">https://www.gesetze-im-internet.de/bbergg/_3.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_6.html">https://www.gesetze-im-internet.de/bbergg/_6.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_11.html">https://www.gesetze-im-internet.de/bbergg/_11.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_16.html">https://www.gesetze-im-internet.de/bbergg/_16.html</a> <a href="https://www.gesetze-im-internet.de/unterlagenbergv/_1.html">https://www.gesetze-im-internet.de/unterlagenbergv/_1.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_10.html">https://www.gesetze-im-internet.de/bbergg/_10.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_3.html">https://www.gesetze-im-internet.de/bbergg/_3.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_6.html">https://www.gesetze-im-internet.de/bbergg/_6.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_11.html">https://www.gesetze-im-internet.de/bbergg/_11.html</a> <a href="https://www.gesetze-im-internet.de/bbergg/_16.html">https://www.gesetze-im-internet.de/bbergg/_16.html</a> <a href="https://www.gesetze-im-internet.de/unterlagenbergv/_1.html">https://www.gesetze-im-internet.de/unterlagenbergv/_1.html</a>
Teaser	If you or your company would like to visit one or more mineral resources, you must apply for a mining permit from the competent mining authority.
Volltext	<p>In order to be able to visit one or more mineral resources, you or your company must apply for a mining permit. You can submit this application to the competent mining authority. There are 3 types of mining permits:</p> <ul style="list-style-type: none"> <li>• Authorisation for commercial purposes: exclusive right to discover deposits and determine their extent</li> <li>• Permission for scientific purposes: without exception for research purposes</li> <li>• Permission for large-scale exploration in order to determine characteristic values of possible occurrences.</li> </ul> <p>With a commercial exploration permit, also known as a commercial permit, you are the only person allowed to explore the raw material(s) issued in a defined area</p>

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and for a certain period of time. This is an exclusive right. However, this only applies to the commercial license.

In contrast, scientific and large-scale exploration permits can also be granted on a superimposed basis, since they do not have the aim of visiting a mine-free mineral resource and extracting or extracting it according to economic aspects.

In order to obtain an exploration permit, you must submit an application to the competent mining authority. This must include:

- the exact name of the species, i.e. commercial, scientific or large-scale exploration,
- the designation of the mineral resource or mineral resources to be visited,
- a work programme, and
- proof of financial viability.

The contents depend on the type of exploration permit: commercial, scientific or large-scale.

In particular, the work programme should demonstrate that the envisaged exploration operations are sufficient in nature, scope and purpose and will be carried out within a reasonable period of time. This means that you as an applicant must be able to explore the requested area sufficiently and sensibly, both in terms of personnel and finances.

For example, the work programme for a commercial licence with a duration of 3 years could include the following planned activities:

- Search for underground information and its evaluation
- Implementation of operational plan-free exploration measures (e.g. overflights, mapping)
- Preparation/implementation of exploration measures subject to operational planning (e.g. seismic measurement campaigns)

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- Submission of a preliminary environmental impact assessment

With the exploration permit, you may not yet implement any technical measures, such as drilling or seismic investigations. The permit is merely a legal title to explore mineral resources in the permit field awarded to you. With regard to the commercial exploration permit, you are assigned a fundamental and exclusive right here. This means that a commercial permit for a certain mineral resource cannot be covered by another commercial permit for the same mineral resource at the same point on the surface.

Excluded from exclusivity are the scientific and large-scale exploration of mine-free mineral resources, since here the exploration objective is different.

If you wish to carry out technical exploration work, 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 responsible mining authority, you may carry out such mining measures.

The mining permit extends to so-called mine-free mineral resources, which are of particular economic importance. These include energy raw materials such as hard coal and lignite or crude oil and natural gas, but also precious and non-ferrous metals and salts. The area to which the permit relates is limited at the surface of the earth and theoretically extends to the center of the earth.

## Erforderliche Unterlagen

- Permit application
  - Work programme containing the following information:
    - Period for which you are applying for permission
    - Description of the planned works and the nature of the exploration
      - planned financial expenditure
      - Estimated timetable for exploration activities
  - in the case of commercial exploration permits,

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information on:

- Applicant
- Management
- Company name and registered office
- Excerpt from the commercial register
- Proof of your financial capacity depending on the type of prospecting permit applied for:
  - balance sheets, bank information, credit commitments showing the extent to which the expenditure is financed from own resources, loans or subsidies from the public sector
  - for all types of mining permits, the planned activities must be fully financed for the entire duration of the permit.
- A map prepared according to the criteria of the Documentary Mining Ordinance:
  - the number of application copies depends on the number of districts and other institutions to be involved. Mining permits are not issued across national borders.
  - Scale 1:25.000, 1:50.000 or 1:100.000

## Voraussetzungen

In order to obtain permission, you must meet certain requirements:

- You need to accurately identify the mineral resources you want to seek.
- The field in which the search is to be made must:
  - form a section of the earth's body, which is bounded by straight lines on the surface and by perpendicular planes according to depth, unless the boundaries of the area of application, such as state or federal borders, require a different course,
  - be drawn on a map with an appropriate scale, and
  - be marked on a map that meets the requirements of the Documentary Mining Ordinance.
- You must submit a work programme describing the nature, purpose and scope of your project.
- They must undertake to do so, at the request of the competent mining authority,
  - communicate the results of your exploratory work to the Authority immediately after its completion, at the latest when the licence expires (annual report or final report),
  - to participate in or be represented by other

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organisations which also hold an exploration permit and are seeking the same mineral resources in their commercial exploration areas,

- if your project serves scientific purposes: the holders of a permit for exploration for commercial purposes,
- if your project is for large-scale exploration: the holders of a commercial exploration permit or permit, or the mine owners,
- You, or your representatives, must have the necessary legal reliability.
- You must demonstrate that you can provide the necessary funding for a proper visit.
- You must make it credible that your exploration project does not jeopardize the search for and extraction of mine-free or land-owned mineral resources.
- Your exploration project must not adversely affect mineral resources the protection of which is in the public interest.
- Your exploration project must not affect overriding public interests that preclude the search in the entire field to be allocated, such as environmental and animal welfare.

## Kosten

## Verfahrensablauf

You can apply for permission online via the "BergPass" platform or in writing to your local mining authority.

Apply for permission online via the "BergPass" platform:

- Go to the online platform "BergPass" and log in.
- To register, you need a bundID and an identity card or residence permit with an 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.

Apply for permission in writing to the competent mining authority:

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- Contact your local mining authority and coordinate the necessary application documents.
- Submit the application and all required documents to your local mining authority.

### Further procedural steps:

- The competent authority will examine your application and the documents submitted. If documents are missing, the authority will contact you.
- The mining authority alone decides on the permit, but usually carries out a participation: 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 authorities concerned by the project.
- You will receive a notification by post informing you of the decision on your application. In addition, the notification is sent electronically to the respective mailbox (bundID or ELSTER company account) in advance and information is displayed in BergPass.
- You will also receive a cost notice. Pay the fees.

## Bearbeitungsdauer

### Frist

1 - 5 Jahr(e)

The permit is granted to you for a maximum of 5 years and can be extended by 3 years if you have not yet been able to sufficiently implement your exploration activities despite scheduled implementation coordinated with the competent authority. Which time limit is relevant in individual cases depends on the period necessary for your work programme. If you do not start the search within one year of the permit being granted, the permit may be revoked. The same applies if you interrupt the visit for more than 1 year.

## weiterführende Informationen

### Hinweise

### Rechtsbehelf

If and how you can appeal, please refer to your

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	decision.
Kurztext	<ul style="list-style-type: none"> <li>• Mining permit issued for the first time</li> <li>• Upstream procedure for the exploration (exploration) of certain (mine-free) raw materials (mineral resources) in a defined area (exploration field).</li> <li>• defines an area in which only the permit holder has the right to explore (prospect) the designated mineral resource</li> <li>• Holders of a permit may use a permit to explore one or more issued raw materials in a defined area and for a certain period of time.</li> <li>• Also called exploration permit</li> <li>• Exploration permit refers to so-called mine-free mineral resources</li> <li>• May be granted for: <ul style="list-style-type: none"> <li>• commercial exploration</li> <li>• scientific search</li> <li>• for large-scale exploration</li> </ul> </li> <li>• Permission is granted for a maximum of 5 years, can be extended by a maximum of 3 years each</li> <li>• Application via <ul style="list-style-type: none"> <li>• Online portal "BergPass" or</li> <li>• directly with the responsible mining authority</li> </ul> </li> <li>• Responsible: Mining authority of the federal state in which the permit field is located</li> </ul>
Ansprechpunkt	
Zuständige Stelle	
Formulare	<ul style="list-style-type: none"> <li>• Written form required: Yes</li> <li>• Online services available: Yes</li> </ul>
Ursprungsportal	Ersterteilung der Bergbauerlaubnis beantragen, Applying for an initial mining permit