

99020044001000, 99020044001000

Applying for the first mining permit

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/294173973/L100012>

Modul	Sachverhalt
Leistungsschlüssel	99020044001000, 99020044001000
Leistungsbezeichnung I	Applying for the first mining permit
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Schleswig-Holstein
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Bodenschutz (020)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	02.09.2024
Fachlich freigegeben durch	Ministry for Energy Transition, Agriculture, Environment, Nature and Digitalization of the State of Schleswig-Holstein
Handlungsgrundlage	https://www.gesetze-im-internet.de/bbergg/_3.html https://www.gesetze-im-internet.de/bbergg/_6.html https://www.gesetze-im-internet.de/bbergg/_8.html https://www.gesetze-im-internet.de/bbergg/_11.html https://www.gesetze-im-internet.de/bbergg/_12.html https://www.gesetze-im-internet.de/bbergg/_16.html https://www.gesetze-im-internet.de/unterlagenbergv/_1.html https://www.gesetze-rechtsprechung.sh.juris.de/bssh/document/jlr-VwGebVSH2018rahmen https://www.gesetze-rechtsprechung.sh.juris.de/bssh/document/jlr-VwGebVSH2018rahmen
Teaser	Would you or your company like to extract one or more non-mining mineral resources? Then you must first apply for an extraction permit from the responsible mining authority.
Volltext	<p>With a mining permit, you are the only person permitted to prospect and mine the mineral resource in a defined area. To do so, you must submit an application to the responsible 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 that grants 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 technically implement the extraction, you must submit further applications, for example for the approval of operating plans, to the competent authority. Only once these have been approved by the competent mining authority may you carry out such mining activities.</p> <p>The permit under mining law extends to 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</p>

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gas, but also metals, salts, geothermal energy and lithium.

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

Erforderliche Unterlagen

- Application for authorization
 - Work program with the following information:
 - Description of the planned technical implementation of the extraction
 - Period for which you are applying for a permit
 - planned financial expenditure
 - Estimated schedule for the extraction activities
 - Details of the management and company name and registered office
 - extract from the commercial register
 - Proof that the discovered mineral resources are recoverable according to their location and nature, including information on the content, nature, depth of the deposit and technical extraction possibilities
 - Proof of your financial capacity, for example in the form of balance sheets, bank statements, loan commitments showing the extent to which the expenditure will be financed from your own funds, loans or public subsidies
 - A map drawn up by a mine surveyor in accordance with the criteria of the Mining Ordinance.
 - The number of application copies depends on the number of federal states, districts and other institutions involved. Mining permits are not issued across state borders.
 - Scale 1:5,000, 1:10,000 or 1:25,000.

Voraussetzungen

Certain requirements must be met before you can obtain a permit:

- You must precisely identify the mineral resources that you wish to prospect and mine.
- You or your representatives must have the necessary legal reliability.
- You must demonstrate that you can provide the necessary financing.
- You must be able to demonstrate that your project will not jeopardize the exploration and extraction of

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non-mining or natural resources.

- Your project must not impair 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 the environment and species protection.
- You must specify the exact locations and depths of the sites where you have discovered the mineral resources in a map.
- The field in which you wish to extract the mineral resources must
 - form a section of the earth's body bounded by straight lines on the surface and by perpendicular planes to depth, unless the boundaries of the area of application, such as state or federal boundaries, require a different course.
 - be marked on a map with a suitable scale and
 - be shown on a map that meets the requirements of the Unterlagen-Berg-Verordnung (Unterlagen-BergV).
- They must demonstrate that their location and characteristics make it possible to extract the discovered mineral resources.
- You must submit a work program that
 - describes the nature, purpose and scope of your project and
 - which shows in particular that the technical implementation and the necessary underground and surface facilities are adequate and that the mineral resources will be extracted within a reasonable period of time.

Kosten

Gebühr: 1.360€ - 17.100€
 Method of payment: Bank transfer, SEPA bank transfer
 Please enter the reference number.
<https://www.gesetze-rechtsprechung.sh.juris.de/bssh/document/jlr-VwGebVSH2018rahmen>

Verfahrensablauf

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

Apply for a permit online via the "BergPass" platform:

- Go to the "BergPass" online platform and log in.
- To register, you will need a bundID and an identity

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card or residence permit with an active online ID function.

- Call up the application form and fill it out completely and truthfully.
- Upload the required documents as a file and send the application.

Apply for a permit in writing to the competent mining authority:

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

Further procedural steps:

- The competent authority will check your application and the documents submitted. If any documents are missing, the authority will contact you.
- The mining authority alone decides on the approval, but usually carries out a consultation: If your work program contains measures and areas that affect the remit of other authorities or the municipalities as planning authorities, it will then distribute it to all authorities affected by the project.
- You will receive a notification by post informing you of the decision on your application. In addition, the decision will be sent electronically to the relevant mailbox (bundID or ELSTER company account) in advance and information will be displayed in BergPass.
- You will also receive a notification of costs. Pay the fees.

Bearbeitungsdauer

4 - 6 Monat(e)

Frist

0 - 50 Jahr(e)
1 Monat(e)
1 Monat(e)
0 - 50 Jahr(e)
The duration of a permit depends largely on the

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	<p>mineral resource and the predicted occurrence. Permits are issued for a limited period of time, which must be appropriate for the implementation of the planned extraction. This may only exceed 50 years if this is necessary in view of the investments normally required for extraction. If you do not commence extraction within 3 years of the permit being issued, the permit may be revoked. The same applies if you interrupt your extraction work for longer than 3 years.</p>
weiterführende Informationen	<p>https://www.lbeg.niedersachsen.de/wir_ueber_uns_service/organisationsplan/organisationsplan-916.html https://www.lbeg.niedersachsen.de/startseite/ https://www.lbeg.niedersachsen.de/wir_ueber_uns_service/organisationsplan/organisationsplan-916.html https://www.lbeg.niedersachsen.de/startseite/</p>
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Objection, which is processed by the competent mining authority • If necessary, subsequent appeal to the administrative court
Kurztext	<ul style="list-style-type: none"> • Mining permit First-time issue • Upstream procedure for mining companies for the extraction (mining) of certain (non-mining) mineral resources (raw materials) in a defined area (authorization field) • Permit relates to so-called non-mining mineral resources • defines an area in which only the license holder has the right to prospect for and extract the designated mineral resource • Application via <ul style="list-style-type: none"> • online portal "BergPass" or • directly to the responsible mining authority • Responsible: Mining authority of the federal state in which the discovery point or deposit is located
Ansprechpunkt	<p>State Office for Mining, Energy and Geology (LBEG) in Clausthal-Zellerfeld (responsible mining authority also for Schleswig-Holstein)</p>
Zuständige Stelle	

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Formulare	<ul style="list-style-type: none"> • Written form required: Yes • Online services available: Yes
Ursprungsportal	Applying for the first mining permit, Ersterteilung der Bergbaubewilligung beantragen