

Bill: Greenland Parliament Act on mineral activities

Part 1

Purpose of the Act

1.–(1) This Greenland Parliament Act implies appropriate and effective prospecting, exploration and exploitation of minerals as well as performance of activities in relation thereto. This Greenland Parliament Act further implies appropriate regulation of matters relevant for mineral activities.

(2) This Greenland Parliament Act implies that activities comprised by this Act are performed in a sound manner as regards health, safety, environmental protection, resource exploitation and social sustainability, including with regard being had to social, cultural, religious and spiritual values and practices of the population, as well as appropriately and in accordance with acknowledged good international practices under similar conditions.

Part 2

Scope

Geographic scope

2.–(1) This Greenland Parliament Act applies to the territorial land and to the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland.

Activities

3.–(1) This Greenland Parliament Act applies to the following activities:

- 1) Mineral prospecting, exploration and exploitation as well as scientific surveys of minerals and activities in relation thereto.
- 2) Energy activities related to activities comprised by this Greenland Parliament Act as well as activities in relation thereto.
- 3) Use of the subsoil for storage and other purposes relating to mineral activities as well as activities

in relation thereto.

4) Surveys and other activities of importance to the activities mentioned in paras 1) - 3).

(2) This Greenland Parliament Act does not apply to the following activities:

1) Local mineral activities.

2) Activities related to hydrocarbons.

3) Use of the subsoil for storage and other purposes not related to mineral or related activities.

Facilities and installations

4.–(1) This Greenland Parliament Act applies to facilities and installations, etc. which are located in an area comprised by section 2 and are used in connection with the performance of activities comprised by this Greenland Parliament Act.

Offshore facilities, offshore vessels and safety zones around offshore facilities

5.–(1) This Greenland Parliament Act applies to offshore facilities, see section 18, and offshore vessels, see section 19, which are located in the territorial sea, the continental shelf area or the Exclusive Economic Zone of Greenland and are used in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.

6.–(1) This Greenland Parliament Act applies in the safety zones around offshore facilities which are located in the territorial sea, the continental shelf area or the Exclusive Economic Zone of Greenland.

(2) In a safety zone, this Greenland Parliament Act applies to ships, barges, other marine vessels, aeroplanes, helicopters, drones and other aircraft, mobile offshore facilities and other mobile facilities and installations which are sailing, being navigated or towed, or are anchored in connection therewith, or which are otherwise located in the safety zone, as well as to fishing equipment, anchors, other mooring equipment, other equipment and other objects.

(3) This Greenland Parliament Act applies irrespective of whether the ships, marine vessels, facilities and aircraft, etc. mentioned in subsection (2) are registered in Greenland, Denmark, the Faroe Islands or in any other country.

Other ships, marine vessels, facilities and aircraft, etc. and their activities

7.–(1) This Greenland Parliament Act also applies to other offshore vessels, other ships, other barges, other marine vessels, other mobile offshore facilities and other mobile facilities and installations and aeroplanes, helicopters, drones and other aircraft which are located in, or in the air territory above, the territorial sea, the continental shelf area or the Exclusive Economic Zone of

Greenland and which are used in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.

(2) This Greenland Parliament Act applies irrespective of whether the ships, marine vessels, facilities and aircraft, etc. mentioned in subsection (1) are registered in Greenland, Denmark, the Faroe Islands or in any other country.

8.–(1) Activities comprised by this Greenland Parliament Act include, among other things, the following activities in, and in the air territory above, the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland, but see subsections (2) and (3):

- 1) Activities comprised by a licence granted under this Greenland Parliament Act.
- 2) Sailing, and the performance of other activities using ships and other vessels in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.
- 3) Flying, and the performance of other activities using aeroplanes, helicopters, drones and other aircraft, in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.

(2) Activities comprised by a licence granted under this Greenland Parliament Act include the activities mentioned in subsection (1) in so far as the activities are performed by a licensee under a licence granted under this Greenland Parliament Act or by the licensee's contracting party.

(3) As regards the performance of activities comprised by a licence granted under this Greenland Parliament Act, see subsections (1) and (2), this Greenland Parliament Act applies only to a licensee under a licence granted under this Greenland Parliament Act and the licensee's contracting parties in so far as the licensee's, or the licensee's contracting parties', activities or matters are governed by this Greenland Parliament Act, provisions set under this Greenland Parliament Act or terms of licences, approvals or decisions under this Greenland Parliament Act.

(4) The application of this Greenland Parliament Act as described in subsections (1)-(3) will not exempt a licensee under a licence granted under this Greenland Parliament Act or the licensee's contracting party from compliance with any other Greenland law or Danish law applying to the activities and parties mentioned in subsections (1)-(3). In the event of any discrepancy between this Greenland Parliament Act and any other legislation, the provisions of this Greenland Parliament Act and the provisions and conditions set under this Greenland Parliament Act will apply, in the absence of special reasons which would justify the application of such other legislation.

Environmental, climate and nature protection

9.–(1) Unless otherwise provided in this Greenland Parliament Act, the provisions of this Greenland Parliament Act on environmental protection also extend to the protection of climate and nature.

(2) The same applies to the provisions of this Greenland Parliament Act on liability in damages and other responsibility and liability for pollution and other environmental impact and to the provisions of this Greenland Parliament Act on compensation for environmental damage.

Part 2

Definitions

Minerals

10.–(1) Minerals means all mineral resources except hydrocarbons (oil and natural gas).

(2) Hydrocarbons means hydrocarbons with the general formula C_nH_{2n+2} , where $n < 25$.

Activities, licences, licensees, approvals and plans

11.–(1) Mineral activities means activities comprised by this Greenland Parliament Act and activities in relation thereto.

12.–(1) Licence means one of the licences mentioned in subsections (2)-(5), granted by the Government of Greenland under this Greenland Parliament Act to perform activities comprised by this Greenland Parliament Act.

(2) Prospecting licence means a licence to prospect for minerals, see section 28.

(3) Exploration licence means a licence to explore for minerals, see section 34.

(4) Exploitation licence means a licence to exploit minerals, see section 43.

(5) Scientific survey licence means a licence to perform scientific surveys of minerals, see section 62.

13.–(1) Licensee means a licensee under a licence granted by the Government of Greenland under this Greenland Parliament Act, see section 12.

14.–(1) Approval means an approval granted by the Government of Greenland to perform activities comprised by this Greenland Parliament Act as mentioned in subsections (2)-(3), unless otherwise apparent from the context.

(2) Activity approval means an approval of a mining plan, see section 15(1), of a closure plan, see section 15(2), or of the performance of specific activities, see section 22(3) and section 120(1).

(3) Export approval means an approval to export minerals from Greenland, see section 22(3), para. 1), and section 75.

15.–(1) Mining plan means a licensee's plan for its exploitation of minerals and activities in relation thereto under an exploitation licence, see section 77.

(2) Closure plan means a licensee's plan for its later termination and closure of mineral exploitation activities and activities in relation thereto under an exploitation licence, see section 80.

(3) Activity plan means a licensee's plan for the performance of specific activities under a licence, see section 120(1), including a mining plan, see subsection (1), and a closure plan, see subsection (2).

Provisions and terms

16.–(1) Provisions and terms means provisions and terms set under this Greenland Parliament Act, unless otherwise apparent from the context. Such provisions and terms include provisions of executive orders, application procedures, other procedures and guidelines set under this Greenland Parliament Act, standard terms for licences and approvals granted under this Greenland Parliament Act, terms of licences and approvals granted under this Greenland Parliament Act and provisions and terms of decisions made under this Greenland Parliament Act.

Licensee's contracting party

17.–(1) Licensee's contracting party means a licensee's supplier of goods or services, including construction services or advisory services, in relation to the licensee's performance of activities under the licensee's licence. A licensee's contracting party also includes the licensee's contracting party's sub-contracting party etc.

Offshore facilities

18.–(1) Offshore facilities means ships, barges and other vessels, platforms and other installations used for performing one or more of the following activities at one specific location or two or more specific locations consecutively in an offshore area:

- 1) Offshore prospecting, exploration, exploitation and scientific surveys of minerals.
- 2) Processing of minerals exploited in an offshore or onshore area.
- 3) Storage of minerals exploited in an offshore or onshore area.
- 4) Receipt, storage, reloading or dispatch of facilities, equipment, goods or other things used in connection with the performance of activities comprised by this Greenland Parliament Act in an offshore or onshore area.
- 5) Point of arrival, connecting point or point of departure in connection with transportation, temporary place of residence or place providing overnight accommodation for persons performing work or activities in connection with the performance of activities comprised by this Greenland Parliament Act in an offshore or onshore area.
- 6) Accommodation of persons performing activities comprised by this Greenland Parliament Act in an offshore or onshore area.

(2) Mobile offshore facility means any offshore facility which can be moved from one position to another by sailing, being navigated or towed, and which is intended for use on two or more different locations throughout its lifetime.

(3) Fixed offshore facility means an offshore facility which is not a mobile offshore facility, see subsection (2).

Offshore vessels

19.–(1) Offshore vessels means ships, barges and other vessels which are not offshore facilities, see section 18, and which perform activities in connection with offshore facilities.

Environmental damage

20.–(1) Environmental damage means:

- 1) Pollution of land, sea, seabed and subsoil, water or air.
- 2) Pollution or other negative impact on climatic conditions.
- 3) Pollution or other significant negative impact on or significant interference with nature, including human, animal or plant life.

(2) The responsible and liable party under Part 14 means the party performing, being in charge of or controlling the performance of an activity comprised by this Greenland Parliament Act.

Local mineral activities

21.–(1) Local mineral activities means small-scale activities in relation to minerals and exploitation of minerals for use in construction projects and infrastructure projects in Greenland etc.

Part 4

General rules

The Greenland Self-Government's rights over minerals and requirement for licence to or approval of activities

22.–(1) The Greenland Self-Government owns and has the unrestricted right to use and exploit minerals in the subsoil of Greenland.

(2) The following activities may be performed in Greenland only under the following licences granted by the Government of Greenland under the provisions of this Greenland Parliament Act:

- 1) Mineral prospecting is subject to a licence granted under section 28.
- 2) Mineral exploration is subject to a licence granted under section 34.
- 3) Mineral exploitation is subject to a licence granted under section 43.

4) Scientific surveys of minerals are subject to a licence granted under section 62, unless otherwise provided in subsections (3) and (4).

(3) The following activities may be performed in Greenland only under the following approvals granted by the Government of Greenland under the provisions of this Greenland Parliament Act:

1) Export of minerals from Greenland is subject to an approval granted under a prospecting licence, an exploration licence or an exploitation licence under this Greenland Parliament Act or an export approval granted under section 75(1) or (2).

2) Other activities concerning prospecting, exploration, exploitation or scientific surveys of minerals which are not included under a licence under subsection (3), para 1), are subject to an activity approval.

(4) The Government of Greenland may perform scientific and practical surveys of a general or mapping nature in relation to minerals, mineral activities and other activities in relation thereto.

(5) The provisions of subsections (1)-(3) do not apply to local mineral activities.

Administrative processing

23.-(1) The Government of Greenland is the competent administrative authority for the mineral area comprised by this Greenland Parliament Act, together with the Mineral Licence and Safety Authority and the Environmental Agency for Mineral Resources Activities (EAMRA).

(2) The Mineral Licence and Safety Authority is the competent administrative authority, except for environmental matters under subsection (3).

(3) The Environmental Agency for Mineral Resources Activities (EAMRA) is the competent administrative authority for environmental matters relating to mineral resources activities, including environmental, climate and nature protection, environmental responsibility and liability as well as environmental impact assessments. EAMRA's assessments and draft decisions are based on assessments and draft decisions of one or more scientific and independent environmental institutions.

(4) A collective and integrated approach is applied in the administrative processing of all matters in relation to minerals, mineral activities, use of the subsoil for storage or other purposes in relation to mineral activities, related energy activities and other activities in relation thereto under this Greenland Parliament Act.

(5) Administrative processing in relation to the mineral area comprised by this Greenland Parliament Act is organised on the principle that licensees and other parties comprised by this Greenland Parliament Act communicate with a single authority and receive all notifications, documents and decisions, etc. from that authority.

(6) The Mineral Licence and Safety Authority is the coordinating administrative authority and obtains the necessary opinions and decisions from EAMRA. EAMRA and the Mineral Licence and Safety Authority must keep each other informed about the administrative processing and decisions.

(7) The authorities mentioned in subsection (1) are the competent authorities under other statutes and rules with respect to activities and matters comprised by this Greenland Parliament Act.

However, this does not apply to the extent other statutes or rules provide that the administrative processing must be performed by other authorities.

24.–(1) A decision by the Mineral Licence and Safety Authority and EAMRA may be appealed to the Government of Greenland. Those entitled to appeal are:

- 1) The party to the case.
- 2) Associations and organisations whose objects, according to their articles of association, are to protect essential recreational and environmental interests as well as natural or social interests.

(2) The time-limit for appeal is six weeks. For decisions which are notified to a party, time begins to run from the date the decision is notified to a party and, if the decision is published, time begins to run from the date of publication. If the time-limit expires on a Saturday or a public holiday, the time-limit will be extended to the next business day.

(3) An appeal must be filed in writing with the authority which issued the decision. As soon as possible after the expiry of the time-limit for appeal, the authority will send the appeal and the authority's decision and comments on the appeal to the Government of Greenland.

(4) An appeal regarding a licence, approval or exemption will not have a suspensive effect, unless otherwise decided by the Government of Greenland.

(5) The Government of Greenland may decide that the rights under specific licences, approvals or exemptions may not be exercised within the time-limit for appeal.

(6) An appeal against a prohibitory or mandatory injunction will not have a suspensive effect, unless otherwise decided by the Government of Greenland.

Bringing decisions before the ordinary courts

25.–(1) Decisions on matters comprised by this Greenland Parliament Act must be brought before the ordinary courts within a time-limit of 12 months. For decisions which are notified to a party, time begins to run from the date the decision is notified to a party. However, if the decision is published, time always begins to run from the date of publication. If the time-limit expires on a Saturday, Sunday or public holiday, the time-limit will be extended to the next business day.

(2) If a decision is brought before the ordinary courts, this will have no suspensive effect, unless otherwise decided by the Government of Greenland.

(3) A decision on matters comprised by this Greenland Parliament Act may only be brought before the courts having jurisdiction in Greenland. A decision brought before the ordinary courts must be brought before the Court of Greenland as the court of first instance.

The Government of Greenland's annual report on licence applications and licences

26.–(1) Each year, the Government of Greenland prepares a public report on licence applications, licences granted, and planned and completed licensing rounds. The Government of Greenland

submits the report to the Greenland Parliament.

27.–(1) The Government of Greenland must inform a relevant committee under the Greenland Parliament before deciding cases regarding matters which may have a significant social or environmental impact.

Part 5

Mineral prospecting licence

The licence

28.–(1) The Government of Greenland may for a specified area and on specific terms grant a non-exclusive licence to prospect for one or more minerals.

Requirements to licensee

29.–(1) As from the date of grant of a prospecting licence and for the entire licence period, the licensee under section 28 must be registered as a public limited company (*aktieselskab*) or a private limited company (*anpartsselskab*) which is not an entrepreneur company (*iværksætterselskab*), which has its registered office in Greenland, or a similar type of limited liability company which has its registered office in another country. The company must also be registered as a business enterprise in Greenland in accordance with the Greenland Parliament Act on Trade (*Inatsisartutlov om næring*).

(2) As from the date of grant of the licence and for the entire licence period, the licensee must fulfil all of the requirements under section 66.

(3) In case of any doubt as to whether a limited liability company having its registered office in another country is equivalent to a public limited company or a private limited company having its registered office in Greenland, see subsection (1), the matter will be decided by the Government of Greenland.

Licence period

30.–(1) A prospecting licence is granted for a licence period of up to five years.

(2) The Government of Greenland may extend the licence period provided in subsection (1) for one or more periods of up to five years each, but see subsection (4).

(3) The Government of Greenland may set changed licence terms where the licence period is extended to a total licence period exceeding 10 years.

(4) The total licence period of a prospecting licence cannot be longer than 15 years.

(5) A prospecting licence will terminate on expiry of the licence period or lapse of the licence, when revoked by the Government of Greenland or when surrendered by the licensee to the Government of Greenland following the Government of Greenland's approval.

Payment of charges, consideration and amounts to cover processing expenses

31.–(1) The Government of Greenland may set provisions to the effect that an applicant for a prospecting licence or for extension of the licence period under a prospecting licence must pay a charge to the Government of Greenland for the Government of Greenland's receipt and consideration of an application for a prospecting licence or for extension of the licence period and for the grant of a prospecting licence or for extension of the licence period.

(2) For a prospecting licence, the Government of Greenland may set provisions and terms to the effect that the licensee must pay consideration to the Government of Greenland for maintaining the licence and continuing activities under the licence etc.

(3) The Government of Greenland may set provisions and terms to the effect that the licensee must pay one or more amounts to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act in relation to the licence and activities under the licence. The amounts payable may be collected by the Government of Greenland as charges or as reimbursement of expenses.

Reports on activities, submission of data and samples, and confidentiality

32.–(1) The licensee, see section 28, must submit to the Government of Greenland:

- 1) Reports on the prospecting and other activities under the licence and the results thereof.
- 2) Copies of the prospecting results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect.

(2) All filings made by the licensee to the Government of Greenland under subsection (1) are confidential for the entire licence period. If the licence terminates, filings made to the Government of Greenland under subsection (1) are confidential for a period of five years from the time-limit for submission to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. Before any such general information is published, the Government of Greenland must send the information out to consultation with the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of

Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) On expiry of the confidentiality period, the submitted reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(6) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(5), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

Setting by the Government of Greenland of provisions and terms in relation to the licence and activities

33.–(1) For a prospecting licence, the Government of Greenland may set provisions and terms on all relevant matters concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions of this Greenland Parliament Act, to ensure the licensee's compliance with Greenland law and safeguard the rights and economic interests of the Self-Government and the licensee's rights.

Part 6

Mineral exploration licence

The licence

34.–(1) The Government of Greenland may grant an exclusive licence to explore for one or more minerals for a specified area and on specific terms.

35.–(1) Before an applicant may be granted an exploration licence under section 34, the Government of Greenland will carry out a public consultation on the application for at least 21 calendar days.

Requirements to licensee

36.–(1) As from the date of grant of the licence and for the entire licence period, the licensee under section 34 must be registered as a public limited company (*aktieselskab*) or a private limited company (*anpartsselskab*) which is not an entrepreneur company (*iværksætterselskab*), which has its

registered office in Greenland, or a similar type of limited liability company which has its registered office in another country. The company must also be registered as a business in Greenland in accordance with the Greenland Parliament Act on Trade (*Inatsisartutlov om næring*).

(2) As from the date of grant of the licence and for the entire licence period, the licensee must fulfil all of the requirements under section 66.

(3) In case of any doubt as to whether a limited liability company having its registered office in another country is equivalent to a public limited company or a private limited company having its registered office in Greenland, see subsection (1), the matter will be decided by the Government of Greenland.

Licence period

37.–(1) An exploration licence is granted for a licence period of five years.

(2) The Government of Greenland may extend the licence period of five years under subsection (1) one or more times. The initial extension of the licence period will be for a period of five years. Any subsequent extensions of the licence period will be for one or more periods of three years each. If the licensee has performed all of its obligations in relation to the licence and performed all activities under the licence during the initial licence period of five years under subsection (1), the licensee will be entitled to the first extension of the licence period by a period of five years. If the licensee has performed all of its obligations in relation to the licence and performed all activities under the licence during an extended licence period of five years or three years under this subsection (2), the Government of Greenland may decide to extend the licence period by a period of three years.

(3) The Government of Greenland may set changed licence terms where the licence period is extended to a total licence period exceeding 10 years.

(4) The total licence period of an exploration licence cannot be longer than 22 years.

(5) An exploration licence will terminate on expiry of the licence period or lapse of the licence, when revoked by the Government of Greenland or when surrendered by the licensee to the Government of Greenland following the Government of Greenland's approval.

Payment of charges, consideration and amounts to cover processing expenses and exploration obligations

38.–(1) The Government of Greenland may set provisions to the effect that an applicant for an exploration licence or for extension of the licence period under an exploration licence must pay a charge to the Government of Greenland for the Government of Greenland's receipt and consideration of an application for an exploration licence or for extension of the licence period and for the grant of an exploration licence or for extension of the licence period.

(2) For an exploration licence, the Government of Greenland will set provisions or terms on the licensee's exploration obligations and payment of amounts to the Government of Greenland if the licensee fails to perform its exploration obligations.

(3) For an exploration licence, the Government of Greenland may set provisions and terms to the effect that the licensee must pay consideration to the Government of Greenland for maintaining the licence and continuing activities under the licence, etc.

(4) The Government of Greenland may set provisions and terms to the effect that the licensee must pay one or more amounts to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act in relation to the licence and activities under the licence. The amounts payable may be collected by the Government of Greenland as charges or as reimbursement of expenses.

Reports on activities, submission of data and samples, and confidentiality

39.–(1) The licensee must submit to the Government of Greenland reports on:

1) The exploration and other activities under the licence and the results thereof.
2) Copies of the exploration results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect.

(2) All filings made by the licensee to the Government of Greenland under subsection (1) are confidential. The confidentiality period is five years from the time-limit for submission to the Government of Greenland. However, the confidentiality will end when the licence terminates.

(3) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, exploration results, data, samples and interpretations, conclusions and recommendations, etc. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) On expiry of the confidentiality period, the submitted reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(6) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(5), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of

specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

Setting by the Government of Greenland of provisions and terms in relation to the licence and activities

40.–(1) For an exploration licence, the Government of Greenland may set provisions and terms on all relevant matters concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions of this Greenland Parliament Act, to ensure the licensee's compliance with Greenland law and safeguard the rights and economic interests of the Greenland Self-Government and the licensee's rights.

Part 7

Mineral exploitation licence

The licence

41.–(1) If the licensee under an exploration licence granted under section 34 has substantiated and delineated a viable mineral deposit which the licensee intends to exploit, and has performed all of its obligations in relation to the exploration licence and activities under the licence, the licensee will be entitled to be granted a licence to exploit the minerals under the provisions of this Greenland Parliament Act and other provisions and terms thereon.

(2) The Government of Greenland will decide whether the conditions in subsection (1) have been met.

42.–(1) If the licensee under an exclusive small-scale mineral exploration and small-scale mineral exploitation licence has substantiated and delineated a viable mineral deposit which the licensee intends to exploit, and has performed all of its obligations in relation to the small-scale licence and activities under the licence, the licensee will be entitled to be granted a licence to exploit the minerals under the provisions of this Greenland Parliament Act and other provisions and terms thereon.

(2) The Government of Greenland will decide whether the conditions in subsection (1) have been met.

43.–(1) The Government of Greenland may grant an exclusive licence to exploit one or more minerals for a specified area and on specific terms.

(2) The Government of Greenland will grant an exploitation licence to the licensee under an exploration licence or a small-scale licence if the licensee is entitled under sections 41-42 to be granted an exploitation licence and submits an application therefor to the Government of Greenland.

(3) In a situation covered by subsection (2), the Government of Greenland will grant an exploitation licence to a company other than the licensee under the exploration licence or the small-scale licence if so requested by the licensee under the exploration licence or the small-scale licence and the other company fulfils the requirements to the licensee company under the exploitation licence, see sections 45-46 and 66.

(4) The Government of Greenland may grant an exploitation licence in a situation not covered by subsection (2) if the Government of Greenland or another party in a specific area has substantiated and delineated a viable mineral deposit which a licensee under an exploitation licence will be able to exploit.

(5) An exploitation licence covers the minerals for which a viable deposit has been substantiated and delineated.

44.-(1) Before an exploitation licence can be granted under sections 41-43, the applicant must prepare a project terms of reference document which must be notified by being submitted to the Government of Greenland.

(2) The terms of reference must go out for public consultation for a period of at least 35 calendar days before an exploitation licence can be granted. If the applicant is required to carry out a public pre-consultation on a project description concerning environmental or social aspects under section 106, such pre-consultation(s) must, to the extent possible, be carried out in connection with the consultation concerning the terms of reference.

(3) A consultation on the terms of reference under subsection (2) must be completed no earlier than 24 months before the grant of an exploitation licence.

(4) In special cases, the Government of Greenland may grant an exemption from the time-limit in subsection (3).

(5) The Government of Greenland may set specific provisions and terms on the contents of the terms of reference of a project and on the carrying out of a consultation process.

Requirements to licensee

45.-(1) The licensee under an exploitation licence must be registered as a public limited company (*aktieselskab*) which has its registered office in Greenland.

(2) The de facto head office of the public limited company from where it is managed must be in Greenland.

(3) The Government of Greenland may approve that a licensee is exempted from fulfilling the requirement under subsection (2) for a period of up to six months after the grant of an exploitation licence.

46.–(1) The public limited company being the licensee under the exploitation licence may only perform and previously have performed activities and operations under licences granted under this Greenland Parliament Act.

(2) The public limited company must not be taxed jointly with other companies, unless joint taxation is compulsory.

(3) As a general rule, the public limited company must not be more thinly capitalised than the group of which the company forms part. However, the public limited company's loan capital (debt) may always exceed the public limited company's equity up to a ratio of 2:1, meaning that the public limited company's loan capital may always be up to an amount equalling 200% of the public limited company's equity.

(4) As a general rule, the public limited company must trade at arm's length prices and on arm's length terms, meaning at market prices and on market conditions as applied in transactions between independent parties which do not belong to the same group of companies.

Licence period

47.–(1) An exploitation licence is granted for a licence period of 30 years, unless a shorter licence period has been set for the licence in provisions and terms thereon.

(2) The Government of Greenland may extend the licence period under subsection (1) one or more times. The licence period may be extended for a period of up to 20 years, but see subsection (5).

(3) If the licensee has performed all of its obligations in relation to the licence and performed all activities under the licence during the initial licence period under subsection (1) and carried out exploitation activities as assumed in the mining plan approved by the Government of Greenland, the licensee will be entitled to an extension of the licence period if the licensee has substantiated and delineated a viable mineral deposit which the licensee intends to exploit during an extended licence period.

(4) The Government of Greenland may set changed licence terms where the licence period is extended to a total licence period exceeding 40 years.

(5) The total licence period for an exploitation licence cannot be longer than 50 years.

(6) An exploitation licence will terminate on expiry of the licence period or lapse of the licence, when revoked by the Government of Greenland or when surrendered by the licensee to the Government of Greenland following the Government of Greenland's approval.

Licence area

48.–(1) An exploitation licence is granted for a licence area defined by the Government of Greenland.

(2) After its receipt of an application to that effect from a licensee under an exploitation licence, the Government of Greenland may grant an addendum to the licence specifying terms to the effect

that the licence area covered by the exploitation licence is extended to include an additional area for which the licensee under an exploration licence has substantiated and delineated a viable mineral deposit which the licensee intends to exploit. In the addendum to the licence, the Government of Greenland may set terms on matters such as those comprised by section 49(3) and sections 51-56.

Setting by the Government of Greenland of provisions and terms in relation to time-limits

49.–(1) For the exploitation licence, the Government of Greenland must set terms to the effect that the grant and maintenance of the licence is conditional on the licensee having submitted within a reasonable time-limit to the Government of Greenland a comprehensive mining plan and closure plan in accordance with sections 77 and 80 and other provisions and terms thereon. The time-limit for submission of a comprehensive mining plan and closure plan may not be more than four years after the grant of the exploitation licence.

(2) If the licensee has not submitted a comprehensive mining plan and closure plan within the time-limit under subsection (1), the exploitation licence will lapse on expiry of the time-limit, unless the licensee has been granted an extension of time by the Government of Greenland before such date.

(3) For the exploitation licence, the Government of Greenland may set terms on time-limits for matters of material importance to the performance of the exploitation activities and other activities under the licence. The Government of Greenland may set terms to the effect or decide that the licence will lapse or may be revoked for failure to observe a time-limit or an extended time-limit.

Performance of activities etc.

50.–(1) The licensee under the exploitation licence is entitled to explore for minerals and perform activities in relation thereto.

(2) The provisions of section 39 apply correspondingly to exploration activities under subsection (1).

(3) In the licence area of the exploitation licence, only the licensee under the licence may perform activities under licences for mineral prospecting, exploration or exploitation under this Greenland Parliament Act or local mineral activities.

Payment of charges, consideration and amounts to cover processing expenses

51.–(1) For an exploitation licence, the Government of Greenland may set provisions and terms to the effect that an applicant for an exploitation licence must pay a charge to the Government of Greenland for the Government of Greenland's receipt and consideration of an application for an exploitation licence and for the grant of an exploitation licence.

(2) For an exploitation licence, the Government of Greenland will set provisions or terms to the effect that the licensee must pay consideration to the Government of Greenland for maintaining the

licence and continuing the activities under the licence, etc. Among other things, the Government of Greenland may set provisions or terms to the effect that the licensee must pay one or more of the following types of consideration:

1) A consideration in the form of a royalty calculated on the basis of the exploited minerals (a production royalty), including, for example, their weight (a weight royalty) or their volume (a volume royalty).

2) A consideration in the form of a royalty calculated on the basis of the selling price of the exploited minerals or some other sales value (a sales royalty).

3) A consideration in the form of a share of the profits realised from the licensee's activities under the licence (a profits royalty).

(3) When determining the licensee's payments to the Government of Greenland under subsection (2) above, the Government of Greenland may approve the licensee's exemption from taxation of the activities comprised by the licence if the activities are subject to consideration (royalties) at least as onerous as the taxation would have been, and the consideration (royalties) is fully covered by section 7 of the Act on Greenland Self-Government.

(4) If an exploitation licence, see section 41(1) and section 43(2), is granted based on an exploration licence granted before the date when this Greenland Parliament Act enters into force, the Government of Greenland may set provisions or terms for the exploitation licence only to the effect that the licensee must pay royalties to the Government of Greenland, see subsection (2), where so provided in provisions or terms for the exploration licence, or if subsection (3) or a corresponding rule in Greenland tax legislation is applied to approve the licensee's full or partial tax exemption for the activities under the exploitation licence.

(5) The licensee must pay one or more amounts to the Government of Greenland to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act in relation to the licence and activities under the licence, as well as expenses for training and upskilling of the Government of Greenland's employees within the area of mineral activities. The amounts payable may be collected by the Government of Greenland as charges or as reimbursement of expenses. The Government of Greenland will set specific provisions or terms in this regard.

Licensee's use of local workers and local suppliers of goods and services

52.–(1) In a mineral exploitation licence, the Government of Greenland will set terms governing the licensee's duty to use local workers.

(2) In a mineral exploitation licence, the Government of Greenland will set terms governing the licensee's duty to use local suppliers of goods and services.

Licensee's processing of exploited minerals

53.–(1) For an exploitation licence, the Government of Greenland may set provisions and terms to the effect that a licensee wanting to process the minerals extracted under the licence must process such minerals in Greenland and that the licensee may process exploited minerals outside Greenland only to the extent that processing in Greenland will result in significantly greater costs or disadvantages for the licensee and the advantages to society will not be significantly affected thereby, and this is approved in advance by the Government of Greenland.

Licensees' storage of exploited minerals and sales to locals

54.–(1) For an exploitation licence, the Government of Greenland may set provisions and terms to the effect that the licensee must store exploited minerals in Greenland and sell them to persons who are resident in and fully taxable to Greenland. Requirements to this effect may be set by the Government of Greenland only to the extent that the persons are resident in and fully taxable to Greenland, that they intend to process the minerals themselves or otherwise use the minerals commercially in Greenland.

(2) The licensee must sell the minerals under subsection (1) at arm's length prices and on arm's length terms.

Reports on activities and submission of data and samples, etc.

55.–(1) A licensee must submit to the Government of Greenland:

- 1) exploitation reports,
- 2) reports on any exploration and other activities under the licence and the results thereof,
- 3) copies of reports prepared by the licensee or by other parties at the licensee's request,
- 4) statements,
- 5) accounts,
- 6) data about the exploitation and the results thereof,
- 7) any exploration results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect,
- 8) samples and drill cores.

(2) The filings made by the licensee, see paras 1), 2), 3), 7) and 8) of subsection (1), are confidential. The confidentiality period is five years from the time-limit for submission to the Government of Greenland. However, the confidentiality will end when the licence terminates.

(3) The confidentiality concerning the licensee's filings under paras 4) and 5) of subsection (1) is not limited in time to the extent that they are exempted from public access under the Greenland

Parliament Act on Access to Public Administration Files (*landstingslov om offentliggjort i forvaltningen*).

(4) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, exploitation results and any exploration results, data, samples and interpretations, etc. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(5) Notwithstanding subsections (3) and (4), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(6) On expiry of the confidentiality period, the submitted reports, exploitation results and any exploration results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(7) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(6), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

Setting by the Government of Greenland of provisions and terms in relation to the licence and activities

56.–(1) For an exploitation licence, the Government of Greenland may set provisions and terms on all relevant matters concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions of this Greenland Parliament Act, to ensure the licensee's compliance with Greenland law and safeguard the rights and economic interests of the Greenland Self-Government and the licensee's rights.

Part 8

Procedures and criteria for the grant of exploration licences or exploitation licences

57.–(1) A mineral exploration licence, see section 34, is granted in one of the manners mentioned in sections 58 and 59 at the discretion of the Government of Greenland and on the basis of the selection criteria set out in section 61.

(2) A mineral exploitation licence, see section 43, is granted to licensees eligible to be granted such licence under section 41, section 42 or at the discretion of the Government of Greenland in one of the manners mentioned in section 59 and on the basis of the selection criteria set out in section 61.

58.–(1) A mineral exploration licence is granted on the basis of an application received by the Government of Greenland within a fixed application period (a batch period) for the grant of a licence for an area and which application does not concern a procedure under subsection (2) and section 59(1)-(3).

(2) If, during a batch period, an application is received from someone who, within a period of 90 calendar days, has been the licensee under an exploration licence in the same area, the batch period will be extended to 90 calendar days from the expiry of such exploration licence.

(3) The Government of Greenland may decide not to grant a licence on the basis of applications submitted under subsections (1)-(2).

(4) The Government of Greenland may set specific provisions and terms on the submission, receipt, recording and processing of applications under subsections (1)-(2).

59.–(1) The Government of Greenland may set provisions to the effect that for a specific period, a specified area must be open for ongoing granting of licences following applications to this effect (an open door procedure). The Government of Greenland will publish a notice on the open door procedure on the Government of Greenland's website and as otherwise relevant. Changes in the open door procedure will be published in the same manner. Applications for licences under the open door procedure must be submitted no earlier than 90 calendar days after publication of the open door procedure or the latest change.

(2) The Government of Greenland may set provisions to the effect that a licence may be granted following a general public invitation to apply for licences. The Government of Greenland will publish a notice of the invitation at least 90 calendar days before expiry of the time-limit for application on the Government of Greenland's website and as otherwise relevant.

(3) The Government of Greenland may set provisions to the effect that a licence may be granted following a special public invitation to apply for licences if an application for a licence for an area which is not subject to an open door procedure under subsection (1) has been submitted without prior invitation pursuant to subsection (2). The Government of Greenland will publish a notice of the invitation to apply for licences and an invitation to apply for other licences in the same area. The notice must be published no later than 90 calendar days after receipt of the application. The notice will be published on the Government of Greenland's website and as otherwise relevant. The time-limit for submitting other applications is 90 calendar days after publication of the notice.

(4) The Government of Greenland may decide not to grant a licence on the basis of applications submitted under subsections (1)-(3).

(5) The Government of Greenland may set specific provisions and terms on the submission, receipt, recording and processing of applications under subsections (1)-(3).

60.–(1) The Government of Greenland is not liable for or under any obligation to indemnify, compensate, refund or in any other way to pay any expense, cost, loss or damage incurred or sustained by a licence applicant. This applies irrespective of whether a loss or damage is incurred or sustained by an applicant as a result of or in connection with the applicant's application for a licence, that the applicant in that connection performs work, activities, studies and surveys, etc. and incurs costs etc., that the applicant in that connection acquires, obtains or compiles data and documents thereon and submits such data and documents to the Government of Greenland, that the Government of Greenland processes and decides on the applicant's application for a licence or that the Government of Greenland decides not to grant a licence to the applicant.

61.–(1) A licence comprised by sections 58 and 59 is granted on the basis of the selection criteria mentioned in subsections (2)-(5).

(2) One selection criterion is the applicant's overall technical and professional capability, including, among other matters:

- 1) The applicant's previous experience with mineral exploration or exploitation.
- 2) The applicant's previous experience with mineral exploration or exploitation in areas with similar conditions.

(3) Another selection criteria is the applicant's economic and financial capability.

(4) In its evaluation of an applicant, the Government of Greenland will have regard to any non-efficiency or non-performance by the applicant of its obligations in connection with other existing or previous licences in Greenland which members of the applicant's management, including a board of directors, an executive board, a supervisory board or similar governing body, are or have been members of, own or have owned or exert or have exerted decisive influence over as well as enterprises owning or exerting decisive influence over the applicant, own or have owned or exert or have exerted decisive influence over.

(5) When applying the procedures under section 59(1)-(3), the Government of Greenland may stipulate other relevant, objective and non-discriminatory selection criteria with a view to making the final choice between applicants deemed to be equally qualified based on an evaluation according to the selection criteria mentioned in subsections (2)-(4).

(6) When applying the procedures under section 59(1)-(3), the criteria mentioned in subsections (2)-(5) and provisions on the respective weighting of such criteria will be published together with the invitations to submit applications mentioned in section 59.

Part 9

Scientific survey licence

62.–(1) For a specified area and on specific terms, the Government of Greenland may grant an applicant a scientific survey licence in relation to minerals.

(2) A scientific survey licence is granted for a licence period of up to three years.

(3) The Government of Greenland may extend the licence period under subsection (2) for one or more periods of up to three years. However, if the licensee has failed to perform all of its obligations in relation to the licence and perform all activities under the licence during the initial licence period under subsection (2) or an extended licence period under this subsection (3), the Government of Greenland may decide not to grant an extension of the licence period. The Government of Greenland may set changed licence terms in connection with any extension of the licence period.

(4) The total licence period of a scientific survey licence cannot be longer than 12 years.

63.–(1) The licensee under section 62 must submit to the Government of Greenland:

1) Reports on the scientific surveys and other activities under the licence and the results thereof.

2) Copies of the survey results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect.

(2) All filings made by the licensee to the Government of Greenland under subsection (1) are confidential for the entire licence period. If the licence terminates, filings made to the Government of Greenland under subsection (1) are confidential for a period of five years from the time-limit for submission to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. Before any such general information is published, the Government of Greenland must send the information out to consultation with the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) On expiry of the confidentiality period, the submitted reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(6) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(5), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

64.–(1) For scientific survey licences, the Government of Greenland may set provisions and terms on all relevant matters, including insurance concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act.

(2) The Government of Greenland may set specific provisions on scientific surveys, including on the payment of expenses in connection with rescue operations, insurance cover and the provision of security for such payments.

Part 10

General provisions on prospecting, exploration and exploitation licences

Application of general provisions

65.–(1) The provisions of Part 10 apply to mineral prospecting, exploration and exploitation licences.

Requirements to licensee

66.–(1) The licensee under a licence must have the required technical and professional capability and economic and financial capability to perform the activities under the licence and to perform all of its obligations in relation to the licence and activities under the licence.

(2) The licensee must have full control of its assets. The licensee must not be insolvent or be subject to a judicial or administrative insolvency, restructuring or similar process, which includes that the licensee must not be in suspension of payments, bankruptcy, liquidation or in a comparable situation.

(3) The licensee must not have outstanding debts to the Government of Greenland or other public authorities in Greenland in excess of DKK 100,000, unless the licensee provides security for payment of the part of the debt which exceeds DKK 100,000 or has entered into and complied with an agreement to pay the debt.

(4) The Government of Greenland may set provisions and terms to change the amount of DKK 100,000 in accordance with the changes in the Greenland consumer price index.

67.–(1) The licensee, individuals owning or exerting decisive influence over the licensee and members of the licensee's management, including a board of directors, an executive board, a supervisory board or similar governing body, must not have been convicted of or accepted a fine or other penalty or sanction in the last four years for the following offences:

- 1) Bribery, fraud or cartel operation.
- 2) Participation in a criminal organisation.
- 3) Acts of terrorism or terrorism-related criminal offences.
- 4) Money laundering or terrorism financing.

5) Child labour or human trafficking.

(2) As from the date of grant of the licence and for the entire licence period, the licensee and the persons stated must fulfil all of the requirements under sections 66 and 67(1).

Reporting on and payment of direct and indirect taxes

68.–(1) The Government of Greenland may set provisions and terms or decide that the licensee must provide information on the enterprises and persons performing or contributing to the performance of activities under a licence granted under this Greenland Parliament Act.

(2) The Government of Greenland may set provisions and terms or decide that the licensee and enterprises and persons performing or contributing to the performance of activities under a licence granted under this Greenland Parliament Act must provide information and documentation concerning direct and indirect taxes to the Government of Greenland and other authorities.

(3) The Government of Greenland may issue an enforcement notice requiring a licensee, in connection with the performance of activities under a licence, not to use any contracting parties which have not provided information and documentation concerning direct and indirect taxes to the Government of Greenland and other authorities under subsection (2) or which fail to pay direct and indirect taxes to the Government of Greenland and other authorities in accordance with the rules in force in Greenland from time to time.

(4) The Government of Greenland may decide that a licensee must suspend its activities under a licence granted under this Greenland Parliament Act until the licensee has provided information under subsection (1), complied with an enforcement notice under subsection (3) or provided information and documentation concerning direct and indirect taxes to the Government of Greenland and other authorities and paid direct and indirect taxes to them in accordance with the rules in force in Greenland from time to time.

Transfer of and legal proceedings against a licence

69.–(1) Any direct or indirect transfer or assignment of a licence under this Greenland Parliament Act will have no legal effect in relation to the licence and this Greenland Parliament Act, unless such transfer or assignment has been approved by the Government of Greenland.

(2) The Government of Greenland may set terms for the approval of a transfer or assignment.

(3) A licence under this Greenland Parliament Act is exempt from legal proceedings. Legal proceedings against a licence will have no legal force.

Licensee's merger with another company or demerger into two or more companies

70.–(1) A licensee's merger with another company will have no legal force in relation to the licensee's licence under this Greenland Parliament Act and in other respects under this Greenland Parliament Act, unless such merger has been approved by the Government of Greenland.

(2) A licensee's demerger into two or more companies will have no legal force in relation to the licensee's licence under this Greenland Parliament Act and in other respects under this Greenland Parliament Act, unless such demerger has been approved by the Government of Greenland.

(3) The Government of Greenland may set terms for the approval of a merger or demerger under subsection (1) or (2).

Governing law for a licence and resolution of a dispute regarding a licence before a court or an arbitration tribunal

71.–(1) Licences, activities performed under licences and matters in relation thereto are subject to and governed by this Greenland Parliament Act and other Greenland law and Danish law as applicable in Greenland from time to time.

(2) Any dispute arising out of or in relation to the licence, activities performed under the licence or matters in relation thereto must be determined in accordance with this Greenland Parliament Act and other Greenland law and Danish law as applicable in Greenland from time to time.

72.–(1) Any dispute between the Government of Greenland and the licensee regarding a statutory or discretionary decision made by the Government of Greenland in relation to the licence, activities or matters in relation to the licence must, and may exclusively, be brought before and settled by the courts of Greenland and Denmark with jurisdiction in Nuuk, Greenland. The said courts will have exclusive jurisdiction to hear such disputes. The Court of Greenland in Nuuk will be the court of first instance.

73.–(1) A licence may provide that any dispute between the Government of Greenland and the licensee as to whether the licence terms are met must be brought before an arbitration tribunal. The award of the arbitration tribunal will be final. Any dispute must be brought before an arbitration court within a time-limit of 12 months. For decisions which are notified to a party, time begins to run from the date the decision is notified to a party. If the time-limit expires on a Saturday, Sunday or public holiday, the time-limit will be extended to the next business day.

74.–(1) The right to bring a dispute before the courts under section 72 or submit a dispute to arbitration under section 73 will survive termination of the licence, including on its expiry, lapse or revocation by the Government of Greenland or its surrender by the licensee following the Government of Greenland's approval.

Part 11

General provisions on minerals

75.–(1) The Government of Greenland may grant an approval to a licensee under a licence granted under this Greenland Parliament Act to export from Greenland minerals exploited in Greenland under the exploitation licence or selected for testing under a licence granted under this Greenland Parliament Act. An approval may be subject to specific terms. An approval may be granted as part of the Government of Greenland's approval of a mining plan or other activity plan from the licensee, a condition of approval in the licence or a separate export approval.

(2) The Government of Greenland may grant an approval to a party other than the licensee under a licence granted under this Greenland Parliament Act to export from Greenland minerals legally exploited in Greenland or selected for testing under a licence. An approval may be subject to specific terms. An approval will be granted as a separate export approval.

76.–(1) The Government of Greenland may set specific provisions and terms on minerals, including on processing, storage, depositing, transport, trading, export, import and certification.

(2) The Government of Greenland may set provisions and terms to the effect that the processing and trading of specific minerals are subject to an approval granted by the Government of Greenland.

(3) Upon the Government of Greenland having set provisions or terms under subsection (2), the Government of Greenland may grant an approval as mentioned in subsection (2) and set provisions or terms for such approval.

Part 12

Activity plans, approvals, closure of activities and provision of security, etc.

Mining plan

77.–(1) A mining plan must include the licensee's plan for its exploitation of minerals and activities in relation thereto under an exploitation licence. A mining plan must address the following:

- 1) Establishment, operation and use of mining facilities, other facilities and buildings, etc.
- 2) Exploitation, processing, storage, transport and sale of minerals.
- 3) Use of local workers and local suppliers of goods and services for the performance of the activities under the mining plan.
- 4) Activities and matters relating to health, safety, environmental protection, resource utilisation and social sustainability.

(2) Before the licensee under an exploitation licence begins to perform exploitation or activities in preparation for or in relation to such exploitation, a mining plan must have been prepared and submitted by the licensee and approved by the Government of Greenland.

(3) The mining plan must be updated from time to time and amended as relevant to reflect developments and changes in the exploitation activities and developments and changes in health and safety, environmental and other relevant aspects.

(4) When so required by a change in circumstances or decided by the Government of Greenland, the licensee must prepare and submit an updated or amended mining plan as soon as possible and obtain the Government of Greenland's approval of the updated or amended mining plan.

(5) The Government of Greenland may set terms for an approval under subsection (2) or (4) under section 121.

Removal of facilities and clean-up, etc. during the licence period and termination of operations and closure of the activities under the licence

78.–(1) For the entire licence period, the licensee under a licence must:

1) remove facilities and buildings, etc. established by the licensee and not used by the licensee, and
2) clean up and restore nature etc. as relevant in the affected areas, to the extent possible, unless otherwise approved by the Government of Greenland.

(2) On termination of operations and activities under the licence, the licensee under a licence must:

1) remove facilities and buildings, etc. established by the licensee, unless otherwise approved by the Government of Greenland, and
2) clean up and restore nature etc. as relevant in the affected areas.

(3) If the licensee fails to comply with an enforcement notice issued by the Government of Greenland to implement the activities and measures, etc. mentioned in subsections (1) and (2), the Government of Greenland may implement such notices at the licensee's expense and risk.

(4) If the licensee fails to comply with an enforcement notice issued by the Government of Greenland to implement the activities and measures, etc. mentioned in subsections (1) and (2), the Government of Greenland may issue an enforcement notice requiring other enterprises and persons to remove facilities and buildings, etc. belonging to the enterprises and persons concerned which have been used in the performance of activities under the licence and are in the affected areas.

(5) If a person or an enterprise fails to comply with an enforcement notice under subsection (4), the Government of Greenland may remove facilities and buildings, etc. at the expense and risk of such person or enterprise.

Retention and sale of removed assets

79.–(1) The Government of Greenland may retain any assets of the licensee removed in connection with the Government of Greenland's measures under section 78(3) until the licensee has performed its obligations in relation to the licence and the activities under the licence.

(2) The Government of Greenland may retain the assets of enterprises or persons removed in connection with the Government of Greenland's measures under section 78(5) until the enterprise or person concerned has performed their obligations to the Government of Greenland.

(3) If the enterprise or person subject to the provisions of subsection (1) or (2) fails within a reasonable time-limit set by the Government of Greenland to perform their obligations to the Government of Greenland as mentioned in subsection (1) or (2), the Government of Greenland may sell the assets by public auction and use the proceeds from the auction to perform the obligations of the enterprise or person under subsection (1) or (2).

(4) Before a public auction under subsection (3) is held, the enterprise or person subject to the provisions of subsection (1) or (2), and, to the extent possible, any other enterprise or person whose rights or obligations with respect to the asset must be assumed to be affected by the sale, must be given at least two weeks' notice of the auction, provided that the address of the enterprise or person concerned is known.

(5) At a public auction under subsection (3), the Government of Greenland will advertise the individual assets for sale at an auction meeting or at an online auction. If, in the assessment of the Government of Greenland, a substantially higher bid can be obtained at a new auction, the Government of Greenland may decide, at the end of the auction in question, to hold a new auction.

(6) The enterprise or person subject to the provisions of subsection (1) or (2) may within a reasonable time-limit set by the Government of Greenland demand a new auction against the immediate provision of security for the costs involved in so far as such costs are not covered by a higher offer. Any other party not obtaining full satisfaction of its rights in relation to the asset will have the same right.

(7) The costs of a public auction under subsection (3) must be borne by the enterprise or person subject to the provisions of subsection (1) or (2) and may be paid from the proceeds of the auction ahead of all other claims.

(8) If the proceeds from the auction exceed the amount required to pay the auction costs, see subsection (7), the claims advanced by the Government of Greenland, see subsection (1) or (2), and other rights in relation to the asset, the remainder of the proceeds will be paid to the owner of the asset.

Closure plan

80.–(1) A closure plan must include the licensee's plan for the licensee's termination and closure of mineral exploitation activities and activities in relation thereto under an exploitation licence, including in relation to health, safety, social sustainability and environmental protection. A closure plan must address the following:

- 1) Termination and closure of mineral exploitation, processing, storage, transport and sale, and activities and matters in relation thereto.
- 2) Removal of all mining facilities, other facilities and buildings.

- 3) Removal from the licence area and other affected areas of all things, materials, substances and waste, etc. used, generated or discharged in relation to the exploitation, processing, storage, transport or sale of minerals or other activities under the exploitation licence.
- 4) Clean-up and restoration of nature etc. as relevant in the licence area and other affected areas.
- 5) Monitoring of relevant aspects following termination and closure of the activities under the exploitation licence etc., to the extent and for the period in which monitoring is relevant.
- 6) Use of local workers and local suppliers of goods and services for the performance of the activities under the closure plan concerning the termination and closure of the activities and subsequent monitoring, etc.
- 7) Provision of security for the licensee's performance of its obligations under this Greenland Parliament Act, the exploitation licence and the mining plan, etc. in relation to the termination and closure of the activities and subsequent monitoring, etc.
 - (2) Any transfer to a third party or non-removal of one or more such mining facilities, other facilities or buildings is subject to approval by the Government of Greenland.
 - (3) If one or more facilities or buildings, etc. are not removed, the closure plan must include relevant provisions on maintenance, monitoring and other activities and measures, etc., including in relation to health, safety and environmental protection.

81.–(1) Before the licensee under an exploitation licence begins to perform exploitation or activities in preparation for or in relation to such activities, a closure plan must have been prepared and submitted by the licensee and approved by the Government of Greenland.

(2) The licensee must submit the closure plan to the Government of Greenland and have obtained the Government of Greenland's approval of the closure plan no later than when the licensee submits the mining plan to the Government of Greenland and obtains the Government of Greenland's approval of the mining plan.

(3) Before a licensee begins an activity which is not comprised by subsection (1), a closure plan must be prepared and submitted by the licensee and approved by the Government of Greenland, if terms to this effect have been set by the Government of Greenland, see section 121.

(4) The closure plan must be updated and amended to any relevant extent to reflect developments and changes in the exploitation activities, the closure activities, the costs in relation thereto and developments and changes in health and safety, environmental and other relevant aspects.

(5) When so required by a change in circumstances or decided by the Government of Greenland, the licensee must as soon as possible prepare and submit an updated or amended closure plan and obtain the Government of Greenland's approval of the updated or amended closure plan.

(6) The Government of Greenland may set terms for an approval as mentioned in subsection (1), (3) and (5) under section 121. Among other things, the Government of Greenland may set terms on the safeguarding of health and safety, environmental and other relevant aspects after the termination of operations, including terms on post-closure monitoring.

82.–(1) The closure plan must state how the licensee intends to provide the financial basis for its implementation of the closure plan and perform its obligations in relation to the closure, its implementation of the closure plan and the activities and measures in relation thereto.

(2) The closure plan must state how the licensee intends to provide security for the performance of its obligations in relation to the closure, the implementation of the closure plan and the activities and measures in relation thereto, see subsection (1).

(3) The provisions of the closure plan on the licensee's provision of security for the performance of its closure obligations are subject to approval by the Government of Greenland. The licensee's provision of security for the performance of its closure obligations is subject to approval by the Government of Greenland.

(4) When so required by a change in circumstances, the licensee must as soon as possible prepare and submit a closure plan with amended provisions on the licensee's provision of security for the performance of its closure obligations, see subsection (1), including on relevant additional or changed security, and obtain the Government of Greenland's approval of the amended provisions on security. As soon as possible thereafter, the licensee must provide security for the fulfilment of the requirements to that effect under the amended provisions of the closure plan on security and obtain the Government of Greenland's approval of the security.

(5) The Government of Greenland may set terms for an approval as mentioned in subsections (3)-(4) under section 121.

Suspension of exploitation activities

83.–(1) Any suspension of exploitation activities under an exploitation licence for a period of more than 60 calendar days with a view to subsequent resumption of the exploitation activities is subject to approval by the Government of Greenland before the exploitation activities are suspended. An approval may be granted for up to two years at a time. A renewed approval may be granted on changed terms.

(2) The Government of Greenland may set terms for an approval under subsection (1) under section 121.

84.–(1) The Government of Greenland may issue an enforcement notice requiring the licensee to implement the closure plan mentioned in section 80 if a suspension of the exploitation activities has lasted at least six years, or if the terms of the approval of the suspension are not complied with.

Provision of security

85.–(1) The Government of Greenland may set provisions and terms to the effect that the licensee under a licence granted under this Greenland Parliament Act must provide and maintain security for the performance of its obligations in relation to the licence and the activities under the licence. The

security provided must cover the licensee's obligations under this Greenland Parliament Act, provisions and terms set under this Greenland Parliament Act, the licence, the mining plan, the closure plan, other activity plans, the approvals of the plans, activity approvals and decisions made by the Government of Greenland.

(2) The Government of Greenland may set specific provisions and terms on the provision of security under subsection (1).

86.-(1) Any security provided under section 85(1) must be updated and adjusted as relevant to reflect developments and changes in the activities under the licence, the plans therefor, the approvals thereof, the costs in relation thereto and developments and changes in health and safety, environmental and other relevant aspects.

(2) When so required by a change in circumstances or decided by the Government of Greenland, the licensee must as soon as possible adjust the security provided and obtain the Government of Greenland's approval of the adjusted security provided.

(3) The security provided must be adjusted under subsections (1)-(2) to the extent required to ensure that the licensee performs its obligations in relation to the security provided under this Greenland Parliament Act, the licence, activity plans, approvals of activity plans and activities and decisions made by the Government of Greenland.

(4) The Government of Greenland may set specific provisions and terms and make decisions on the provision of security under subsections (1)-(3).

Part 13

Environmental, climate and nature protection

87.-(1) The provisions of this Greenland Parliament Act on environmental, climate and nature protection are intended to contribute to protecting the environment, climate and nature so as to ensure socially sustainable growth while respecting human living conditions and the conservation of animal and plant life.

(2) The provisions of this Greenland Parliament Act on environmental, climate and nature protection aim to prevent, reduce and control pollution and other impacts on the environment, climate and nature from activities which may:

- 1) endanger human health,
- 2) harm animal life, plant life or natural resources above or below ground or in the sea or subsoil,
- 3) interfere with the legitimate use of land, sea, subsoil or natural resources,
- 4) adversely affect human living conditions, and
- 5) impair recreational resources or activities.

(3) For the purposes of subsection (2), the aim is specifically to:

- 1) prevent, reduce and control pollution of land, sea, seabed, subsoil, water, air, harmful effects on the climate and vibration and noise nuisances,

- 2) reduce the use and waste of minerals and other resources,
- 3) promote the use of cleaner technologies, and
- 4) promote recycling and reduce waste disposal problems.

88.–(1) In the application and administration of the provisions of this Greenland Parliament Act on environmental, climate and nature protection, regard must be had to what is attainable through the use of the best available techniques, including less polluting facilities, machinery, equipment, processes, technologies, raw materials, substances and materials, and the best possible pollution control measures. In such assessment, particular regard must be had to preventive measures through the use of cleaner technologies.

(2) In the evaluation of the extent and nature of pollution prevention and response measures, regard must be had to the nature of the external environment and the likely impact of pollution thereon and on the whole cycle of substances and materials, with a view to minimising resource waste.

89.–(1) Any person who intends to commence activities comprised by this Greenland Parliament Act which may cause pollution must choose such a site for performing the activities as to minimise the threat of pollution. In choosing the site for performing the activity, regard must be had to the nature of the area, including the present and planned future use, and to the possibilities for appropriate disposal of wastewater, waste and other polluting substances and materials.

(2) Any person who intends to commence, commences or performs activities which may cause pollution must take measures to prevent and respond to such pollution and must plan the establishment, organisation and operation of the activities in such a way as to minimise pollution, see section 88.

(3) Any person who intends to commence, commences or performs activities which may cause pollution must ensure that pollution, emissions, waste generation and resource use are limited as far as possible by the choice, establishment and organisation of the facilities, including machinery, equipment and any accommodation facilities of the activity. The same must be ensured in the organisation of operations, including in the choice of exploration processes, exploitation processes, use processes, work processes, raw materials, substances and materials for use in operations and emergency response and pollution control procedures.

90.–(1) Where an enterprise or person has obligations under this Greenland Parliament Act relating to environmental protection or the prevention, reduction or control of pollution, such enterprise or person must, in discharging such obligations, ensure and promote the use of the best available techniques and the best practice pollution control measures, in so far as this is technically, practically and economically feasible for the enterprise or person concerned, see sections 88 and 89.

(2) Where an enterprise or person is required under this Greenland Parliament Act to ensure that environmental risks are identified, assessed and reduced to the extent reasonably practicable, such enterprise or person must also ensure and promote the use of best available techniques and the best

practice pollution control measures in relation to environmental protection, to the extent that this is technically, practically and economically feasible for the enterprise or person concerned, see subsection (1) and sections 88 and 89.

(3) The obligations under subsection (2) also apply in the following situations:

(1) Where an enterprise or person is required to ensure that another party plans and performs work or other activities so that environmental risks are identified, assessed or reduced to the extent reasonably practicable.

2) Where an enterprise or person is required to ensure supervision of another party planning and performing work or other activities so that environmental risks are identified, assessed and reduced to the extent reasonably practicable.

3) Where an enterprise or person is required to contribute to the identification, assessment and reduction of environmental risks to the extent reasonably practicable.

4) Where an employer or other enterprise or person is required to ensure that an employee receives the necessary training and instruction to perform the work so that environmental risks are identified, assessed and reduced to the extent reasonably practicable.

5) Where an enterprise or person is required to ensure that environmental risks are eliminated or reduced.

6) Where an enterprise or person is required to make sure that facilities, installations, ships or other vessels, including the structure, arrangement and equipment, etc. thereof, are in an environmentally sound state of repair and condition.

91.–(1) In deciding whether to grant approval for an activity or the establishment and operation of a facility comprised by this Greenland Parliament Act, particular regard will among other things be had to whether it will be possible to:

1) Avoid impairment or any other negative impact on the environment, climate and nature.

2) Avoid impairment of nature as well as the natural habitats and habitats of species in designated national and international nature conservation areas and interference with the species for which the areas have been designated.

92.–(1) Where an activity or facility comprised by this Greenland Parliament Act is likely to have a significant impact on the environment, climate and nature, an approval may be granted only on the basis of an assessment of the impact of the activity or facility on the environment, climate and nature and after the public and the authorities and organisations concerned have had an opportunity to express their views. The assessment must be made in accordance with the provisions of Part 15 on environmental impact assessments.

(2) Where an activity or facility comprised by this Greenland Parliament Act is likely to have a significant impact on a designated national or international nature conservation area, an approval may be granted only on the basis of an assessment of the impacts of the activity or facility on the site, taking into account the site conservation objectives. If deemed appropriate by the Government

of Greenland, the public will be given the opportunity to comment on the assessment of the impacts on the site before a licence or approval is granted.

(3) In the situations referred to in subsections (1)-(2), an approval may be granted only if the activity or facility does not adversely affect the integrity of a national or international nature conservation area or if important public interests, including interests of a social or economic nature, make it necessary to perform the activity or to establish and operate the facility, but see subsection (4).

(4) If an activity or a facility is likely to have a significant impact on a national or international nature conservation area containing a priority natural habitat or a priority habitat of species, the Government of Greenland may, in the situation mentioned in subsection (3), grant an approval for the activity or facility only if it is necessary for human health, public safety or the achievement of significant beneficial environmental effects, or other important public interests make it necessary to perform the activity or establish and operate the facility.

(5) Where an approval is granted by the Government of Greenland under subsection (3) or (4), the Government of Greenland will set appropriate compensatory measures, including by setting terms for the approval. The costs of any compensatory measures must be borne by the applicant for the approval.

Enabling provisions

93.-(1) The Government of Greenland may set specific provisions and terms or make decisions on environmental, climate and nature protection and the matters referred to in sections 87-92, including the application of national rules, agreements or guidelines relating to environmental, climate and nature protection.

94.-(1) The Government of Greenland may set provisions and terms on matters relating to environmental protection, climate and nature in connection with the performance of activities comprised by this Greenland Parliament Act in and outside the licence area and on other activities and matters comprised by this Greenland Parliament Act.

Part 14

Environmental responsibility and liability

95.-(1) If the responsible and liable party under section 20(2) is not the licensee under a licence or approval in respect of the activity, the licensee is also responsible and liable for the activity. The two parties are then fully (jointly and severally) responsible and liable under the provisions of this Part.

(2) The responsible and liable party under subsection (1) for an activity which has caused or contributed to an actual or imminent threat of environmental damage is liable for the actual or imminent threat of environmental damage. This applies irrespective of how the actual or imminent

threat of environmental damage has occurred and even if the actual or imminent threat of environmental damage is accidental.

96.–(1) The party responsible and liable for an imminent threat of environmental damage must immediately take necessary preventive measures to avert the imminent threat of environmental damage and inform the Government of Greenland of the threat and the measures taken.

(2) The party responsible and liable for environmental damage must immediately take any practicable measures to limit the extent of the damage and prevent further damage, and must notify the Government of Greenland of the damage and the measures.

(3) The Government of Greenland must supervise the fulfilment of the obligations under subsections (1) and (2) and may issue enforcement notices concerning fulfilment of the obligations and the adoption of measures in connection therewith.

97.–(1) The Government of Greenland may issue an enforcement notice requiring the responsible and liable party to provide information relevant to the assessment of whether an actual or imminent threat of environmental damage exists. The Government of Greenland may, among other things, issue an enforcement notice requiring the responsible and liable party to perform, at its own expense, studies, analyses, measurements of substances or materials or the like with a view to clarifying the cause and effect of an actual or imminent threat of environmental damage.

(2) An enforcement notice under subsection (1) may be issued notwithstanding that the responsible and liable party does not have control of the property or area where the pollution has been found or where the activities under the enforcement notice are to be performed. The enforcement notice may impose an obligation to restore the polluted property or area, etc.

(3) If the responsible and liable party does not have control of the property or area, the Government of Greenland may issue an enforcement notice to the party who has control of the property or area to tolerate the responsible and liable party or others performing studies or restoring the property or area, etc.

(4) An enforcement notice under subsection (3) is binding on the party who from time to time controls the property or area where the activities are to be performed under an enforcement notice under subsection (1).

98.–(1) If an actual or imminent threat of environmental damage to which the provisions of this Part apply exists, the Government of Greenland must issue a decision to this effect and on any measures etc. in accordance with the provisions of this Part.

(2) The Government of Greenland will publish the decision under subsection (1) on the Government of Greenland's website or as otherwise appropriate. Publication of a decision under subsection (1) that an actual or imminent threat of environmental damage exists will be at the expense of the responsible and liable party.

99.–(1) The Government of Greenland may set specific provisions and terms on environmental responsibility and liability, including the implementation of the provisions referred to in this Part.

Part 15

Environmental impact assessment (EIA)

100.–(1) An approval may be granted for one of the following activities, see Part 12, only when an assessment of the impacts on the environment (EIA) of performing the activity has been made and a report thereon (EIA report) has been approved by the Government of Greenland:

- 1) Exploitation of minerals, except for local mineral activities.
- 2) Establishment or location and use of major facilities used for activities comprised by this Greenland Parliament Act, including mining facilities, subsoil facilities, related power facilities and related pipeline facilities.
- 3) Suspension of an activity or the operation of a facility, etc. mentioned in paras 1) - 2) or the removal or closure of a facility etc. mentioned in para. 2).

(2) The licensee may apply for an exemption from the requirement in para. 1) of subsection (1) if the exploitation will not have a significant impact on the environment.

(3) If an activity comprised by this Greenland Parliament Act and not by subsection (1) is likely to have a significant environmental impact, an approval for the activity may only be granted after an environmental impact assessment has been made and an EIA report has been approved by the Government of Greenland.

(4) The Government of Greenland decides whether an environmental impact assessment and an EIA report must be prepared in the situations referred to in subsections (2) and (3).

(5) If an environmental impact assessment and an EIA report are not required for the activity, see subsection (4), the Government of Greenland may decide that an environmental mitigation assessment (EMA) and a report thereon (EMA report) must be prepared.

(6) If an activity does not require an environmental impact assessment, see subsection (4), or an environmental mitigation assessment under subsection (5), the Government of Greenland may decide that the activity is subject to environmental approval.

(7) The Government of Greenland may set specific provisions on the criteria to be used in the decision under subsection (4). The Government of Greenland may also set specific provisions concerning the environmental mitigation assessment (EMA) and the criteria for such assessment.

101.–(1) The licensee applying for the grant of an approval of an activity for which an EIA report is required under the provisions of section 101 must

- 1) make an environmental impact assessment (EIA),
- 2) prepare an EIA report,
- 3) submit the EIA report under para. 2) to the Government of Greenland,
- 4) prepare a non-technical summary of the EIA report and submit the summary to the Government of

Greenland.

(2) The EIA report must appropriately substantiate, describe and assess the direct and indirect environmental impacts of the activity as well as the interaction between the environmental impacts, mutual effects of the environmental impacts and total (cumulative) effects of the environmental impacts.

(3) The Government of Greenland may determine that additional material for the environmental impact assessment must be provided or that the applicant must perform additional studies or assessments of specific matters relevant to the environmental impact assessment.

(4) The Government of Greenland may set specific provisions and terms on the making of an environmental impact assessment, the preparation of an EIA report and on the Government of Greenland's approval of an EIA report etc., including whether the studies and assessments to be provided for an environmental impact assessment must be contained in an EIA report and submitted to the Government of Greenland at the time of submission of the EIA report.

102.-(1) Information about the submission of a final EIA report to the Government of Greenland will be published on the Government of Greenland's website and as otherwise appropriate.

(2) Draft EIA reports and all related information, documents and data which are submitted to the Government of Greenland are confidential. The confidentiality period includes the period until it is published on the Government of Greenland's website and as otherwise appropriate in accordance with subsection (1) that the licensee has submitted a final EIA report to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about a confidential draft EIA report and related confidential information, documents and data which have been submitted to the Government of Greenland. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform such licensee that it may submit comments thereon and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(4).

Part 16

Social impact assessment (SIA)

103.–(1) The Government of Greenland may grant approval of an activity which is comprised by this Greenland Parliament Act and which it must be assumed may have a significant social impact only when a social impact assessment (SIA) has been made of the performance of the activity and an SIA report has been prepared by the licensee and approved by the Government of Greenland.

(2) The Government of Greenland decides whether a specific case is comprised by subsection (1) so that the licensee applying for the grant of an approval is required to perform an SIA, prepare an SIA report and obtain the Government of Greenland's approval of the SIA report.

(3) The Government of Greenland may set specific provisions or terms on the criteria applied in the determination.

104.–(1) The licensee applying for the grant of an approval of an activity must, when so required under section 103:

1) perform a social impact assessment (SIA),

2) prepare an SIA report,

3) submit the SIA report under para. 2) to the Government of Greenland,

4) prepare a non-technical summary of the SIA report and submit the summary to the Government of Greenland.

(2) The SIA report must appropriately substantiate, describe and assess the direct and indirect social impacts of the activity as well as the interaction between the social impacts, mutual effects of the social impacts and total (cumulative) effects, including with regard to social, cultural, religious and spiritual values and practices of the population.

(3) The Government of Greenland may decide that additional information or documents for an SIA must be provided, or that the SIA responsible party must make additional studies or assessments of specific matters of importance to the social impact assessment.

(4) The Government of Greenland may set specific provisions and terms on the performance of an SIA, the preparation of an SIA report and the Government of Greenland's approval of an SIA report, etc., including on whether the studies and assessments to be made and the information and documents to be provided for the purpose of an SIA are to be provided in an SIA report and submitted to the Government of Greenland when an SIA report is submitted.

105.–(1) Information about the submission of a final SIA report to the Government of Greenland will be published on the Government of Greenland's website and as otherwise appropriate.

(2) Draft SIA reports and all related information, documents and data which are submitted to the Government of Greenland are confidential. The confidentiality period includes the period until it is published on the Government of Greenland's website and as otherwise appropriate in accordance with subsection (1) that the licensee has submitted a final SIA report to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about a confidential draft SIA report and related confidential information, documents

and data which have been submitted to the Government of Greenland. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform such licensee that it may submit comments thereon and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(3).

Part 17

Pre-consultation and consultation

106.—(1) If, in the opinion of the Government of Greenland, an activity under this Greenland Parliament Act is assumed to have a potential significant environmental impact, see section 100, or a potential significant social impact, see section 103, the applicant or licensee must prepare a project description which must be submitted to the Government of Greenland.

(2) The project description must go out for public pre-consultation for a period of 35 calendar days before the contents of the environmental impact assessment (EIA) or the contents of the social impact assessment (SIA) are determined. If a public pre-consultation is to be carried out on a project description concerning an environmental impact assessment (EIA report) as well as a project description concerning a social impact assessment (SIA), the pre-consultations must be carried out jointly.

(3) The Government of Greenland may set specific provisions and terms on the contents of the project description.

107.—(1) The Government of Greenland will carry out a public consultation on an environmental impact assessment (EIA) report and a social impact assessment (SIA) report. If a public consultation is to be carried out on an environmental impact assessment (EIA report) as well as a social impact assessment (SIA report), the consultations must be carried out jointly.

(2) The consultation period is eight weeks. The consultation period begins to run on the date when the Government of Greenland has made all consultation material available to the public. If the consultation period expires on a Saturday, Sunday or a national holiday, the consultation period will be extended to the next business day.

(3) The consultation period will be extended if it proves impracticable to conduct the public consultation meetings or if the Government of Greenland is unable to attend.

108.–(1) During the consultation period, see section 107, the Government of Greenland must, together with the licensee under the licence, conduct public consultation meetings in towns and villages particularly affected by the planned activities concerning the project. If the activities are to be performed geographically far away from towns and villages or outside the municipal boundaries, the Government of Greenland will decide in which towns and villages public consultation meetings are to be held.

109.–(1) The Government of Greenland will convene a public consultation meeting at a minimum notice of 14 calendar days before meetings are conducted, see section 108.

(2) The notice convening a public consultation meeting must be advertised in local newspapers and other relevant public and private media.

(3) The Government of Greenland will take minutes of the consultation meeting. The Government of Greenland will subsequently publish the minutes.

(4) The Government of Greenland must ensure that time is allowed and opportunity is given at the consultation meeting for meeting participants to ask questions about, comment on, discuss the project and read out statements on the project.

(5) The Government of Greenland will appoint a moderator of the consultation meeting.

Part 18

Impact benefit agreement

110.–(1) The Government of Greenland may set provisions and terms to the effect that a licensee applying for approval of an activity which is comprised by this Greenland Parliament Act and which is assumed to have a potential significant social impact must enter into and perform its obligations under an impact benefit agreement (IBA).

(2) The agreement mentioned in subsection (1) is entered into by the Government of Greenland and the licensee.

(3) If the licence area under the licence lies within the boundaries of a municipality, the agreement must also be entered into with the municipality.

(4) If the licence area under the licence does not lie within the boundaries of a municipality, the agreement must also be entered into with one or more nearby municipalities if the Government of Greenland sets provisions or terms or makes a decision to this effect. However, the Government of Greenland may decide that the agreement does not also have to be entered into with a municipality if, according to the Government of Greenland, the municipality's requirements concerning the negotiation, conclusion or terms of the agreement do not comply with section 111 or provisions or terms set by the Government of Greenland under section 112.

111.–(1) The agreement under section 110 must be negotiated and entered into and its contents must be in compliance with the purposes of this Greenland Parliament Act under section 1 and other

provisions, the purpose and topics of the agreement under section 110 and provisions and terms set under section 112.

(2) The agreement under section 110 must include terms on the licensee's use of local workers and local suppliers and on education, training and further education and training of local workers.

(3) An agreement under section 110 may provide that any disputes between the Government of Greenland and the licensee as to whether the terms of the agreement have been fulfilled must be brought before an arbitration tribunal. The terms in this regard must generally correspond to the terms of the licence in this regard. If the agreement is also entered into with one or more municipalities, however, the terms of the licence must be amended in the agreement so as to ensure that they reflect the fact that the municipality or municipalities are also parties to the agreement and, by extension, will also be parties to any dispute arising out of the agreement.

112.–(1) For a licence, the Government of Greenland may set specific provisions and terms on all relevant matters concerning an agreement under section 110 in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions.

Part 19

Health and safety on offshore facilities

113.–(1) The licensee must ensure that health and safety risks in relation to offshore facilities used for the performance of activities comprised by a licence granted under this Greenland Parliament Act have been identified, assessed and reduced as much as is practically possible.

(2) The licensee must ensure that the operation of offshore facilities takes place in accordance with this Greenland Parliament Act, other legislation, rules set under this Act and other legislation and provisions and terms governing the licence, and that the licensee's compliance therewith is subject to supervision.

(3) The licensee must ensure that:

- 1) an enterprise that on behalf of the licensee performs or controls and is in charge of the performance of activities under the licence concerning offshore facilities is given the opportunity to meet the health and safety obligations imposed on the licensee,
- 2) the enterprise in question ensures and supervises that the health and safety risks are identified, assessed and reduced as much as is reasonably practicable, and
- 3) that activities under the licence are performed in accordance with this Greenland Parliament Act, other legislation, provisions set under this Greenland Parliament Act and other legislation and provisions and terms governing the licence.

114.–(1) The Government of Greenland may set provisions and terms on health and safety in connection with offshore facilities being used for the performance of activities comprised by a

licence granted under this Greenland Parliament Act in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions.

Part 20

Safety zones around offshore facilities

115.–(1) An offshore facility is surrounded by a safety zone, unless the facility is being navigated or towed.

(2) If an offshore facility which is surrounded by a safety zone is not immediately visible on the sea surface, it must be marked by a buoy or other conspicuous marking approved by the Government of Greenland.

(3) A safety zone extends 500 metres around the offshore facilities, measured from each point on its outer edge or from any other marking used. In the vertical plane, a safety zone extends from the seafloor to 500 metres above the highest point of the facility. In the horizontal plane, the safety zone extends 500 metres from each point of the outer edge of the offshore facility, wherever such edge is from time to time.

(4) The position of an offshore facility which is surrounded by a safety zone is announced in Notices to Mariners or as otherwise decided by the Government of Greenland. The announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

116.–(1) The Government of Greenland may decide to deviate from the extent of a safety zone provided in section 115(3). Any such deviation may extend or reduce a safety zone and may apply for a specific period. Any such deviation will be announced in Notices to Mariners or as otherwise decided by the Government of Greenland. The announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

(2) In danger or accident situations which may result in personal injury or loss of human lives, serious pollution, major damage to property or a significant impediment to activities at an offshore facility, the Government of Greenland may extend an existing safety zone or establish a new safety zone in so far as this is considered necessary to prevent, avoid or mitigate the above damaging effects. Any such extension of an existing safety zone or establishment of a new safety zone will be announced in Notices to Mariners or as otherwise decided by the Government of Greenland. The announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

117.–(1) Ships, barges, other marine vessels, aeroplanes, helicopters, drones and other aircraft, mobile offshore facilities and other mobile facilities and installations, fishing equipment, anchors, other mooring equipment, other equipment and other objects are not allowed in the safety zone or to enter the safety zone surrounding an offshore facility, unless they have a legitimate purpose there.

(2) In special cases, the Government of Greenland may decide to derogate from the prohibition in

subsection (1), including with regard to fishing and hunting, and may set specific provisions and terms in this regard.

Part 21

General provisions

Requirements to the performance of activities

118.–(1) Activities comprised by a licence granted under this Greenland Parliament Act must be performed in accordance with acknowledged international good practice in the area under similar conditions.

(2) Activities must be performed appropriately as well as in a sound manner as regards health, safety, environmental protection, resource utilisation and social sustainability.

Implementation and application of international agreements

119.–(1) The Government of Greenland may set provisions and terms or make decisions with a view to implementing or applying in Greenland international agreements or rules on matters comprised by this Greenland Parliament Act.

Approval by the Government of Greenland of activities

120.–(1) Before commencement, activities comprised by a licence granted under this Greenland Parliament Act, including the establishment of buildings, facilities and installations, etc. inside as well as outside the area covered by the licence and measures and activities for the performance of obligations on termination of operations and closure of activities under a licence, are subject to approval from the Government of Greenland in accordance with the terms set in the licence. However, the Government of Greenland may set provisions and terms to the effect that specific activities under a licence are not subject to approval.

(2) Before commencement, measures in relation to the suspension of exploitation activities are subject to approval from the Government of Greenland in accordance with the terms of the licence.

(3) Before commencement, large-scale or substantial activities performed in connection with the performance of activities under a licence, including drilling, shaft sinking, drift driving, etc., are subject in each case to approval from the Government of Greenland.

121.–(1) For an approval of an activity or activity plan, the Government of Greenland may set provisions and terms on all relevant matters concerning the approval, activity or activity plan and the activities under the activity plan in accordance with the purposes of this Greenland Parliament Act under section 1 and other provisions.

Supervision, enforcement notices and duty to submit information

122.–(1) The Government of Greenland supervises licensees' and other parties' operations and activities comprised by this Greenland Parliament Act, including provisions and terms set under this Act. On presentation of proof of identity, supervisory authority employees are entitled at any time, without a court order, to access all parts of enterprises and activities comprised by this Greenland Parliament Act to the extent required for supervision purposes.

123.–(1) The Government of Greenland may issue enforcement and prohibition notices for the purpose of ensuring compliance with this Act and provisions and terms set hereunder. Enforcement and prohibition notices may be issued to licensees or other parties comprised by this Greenland Parliament Act.

124.–(1) Licensees and other parties comprised by this Greenland Parliament Act must submit all information required for administrative processing of their operations or activities comprised by this Act. The Government of Greenland may for the purpose of administrative processing under this Greenland Parliament Act order licensees and others to submit the information in the manner and in the form deemed necessary by the Government of Greenland.

Suspension of administrative processing

125.–(1) If a licensee comprised by this Greenland Parliament Act fails to pay an amount of DKK 100,000 or more when due to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act, see in this connection section 31(3), section 38(4) and section 51(5), the Government of Greenland may suspend its processing activities and its decision in all matters concerning the licensee pending the licensee's payment of any and all amounts owing to the Government of Greenland. In such case, the Government of Greenland may also issue an enforcement notice to the licensee comprised by this Greenland Parliament Act to suspend activities under the licence until the licensee has paid any and all amounts owing to the Government of Greenland. The Government of Greenland may set specific provisions and terms in this regard.

Important public considerations and interests

126.–(1) A licence or an approval under this Greenland Parliament Act cannot be granted to an applicant or licensee if incompatible with important public considerations and interests, including important foreign, defence or national security policy considerations or interests. The decision in this regard rests with the Government of Greenland.

(2) An applicant or a licensee must inform the Government of Greenland of all matters which may be of importance to the Government of Greenland's decision under subsection (1) and document such information. The Government of Greenland may require the licensee or applicant to provide any information, and the related documentation, which is deemed to be necessary in order to make a decision under subsection (1).

(3) The Government of Greenland may conduct any checks of licensees and applicants which are deemed to be necessary in order to make a decision under subsection (1), including obtain information from third countries.

Licences and approvals under other legislation

127.–(1) Administrative processing, including licences and approvals, under this Greenland Parliament Act does not exempt licensees and other parties comprised by this Act from obtaining approvals and licences required under other legislation, but see subsection (2).

(2) A licence under this Greenland Parliament Act does, however, exempt the licensee and others from fulfilling requirements on area allocation inside as well as outside the licence area for buildings and facilities.

Compulsory acquisition of real property

128.–(1) To the extent necessary, the Government of Greenland may approve compulsory acquisition of real property in order that activities comprised by this Greenland Parliament Act may be performed.

(2) Compulsory acquisition under subsection (1) above must be carried out in accordance with the rules of the Greenland Parliament Act on compulsory acquisition (*landstingslov om ekspropriation*).

Conservation of specific sites and establishment of zones

129.–(1) The Government of Greenland may set provisions on the conservation of one or more specific sites in the interest of safeguarding geological conditions and their protection. On a geological conservation site, no activities of any kind may be performed, unless the Government of Greenland has set provisions or terms to the effect that one or more specific activities may be performed.

(2) The Government of Greenland may set provisions to prohibit or restrict activities under this Greenland Parliament Act in one or more areas in order to protect the public interest.

Other public authorities' performance of administrative duties

130.–(1) The Government of Greenland may decide that administrative duties under this Greenland Parliament Act must be performed by other public authorities or private parties to a specific extent.

(2) Unless otherwise provided in the authorisation, the authorised public authorities or private parties and their employees will have the same powers as the Government of Greenland and its employees would have in performing the task in question.

Establishment of a fund for citizens, local communities and relevant organisations for assessments and advice, etc.

131.–(1) The Government of Greenland will establish a fund from which affected citizens, local communities and relevant organisations in Greenland can apply for funding to initiate assessments and seek advice to identify any special problems in relation to specific mineral projects in Greenland and to hold meetings about the social impact of the project.

(2) Funds may only be applied for after the project terms of reference or a project description has been sent out to consultation or pre-consultation, see sections 44 and 107.

(3) The Government of Greenland will set specific provisions on the fund under subsection (1).

Part 22

Liability in damages and insurance

132.–(1) A licensee under a licence is liable for any damage caused in relation to operations or activities under the licence, even if the cause of damage is accidental.

(2) The amount of damages under subsection (1) may be reduced or no longer be payable in case of any wilful misconduct or gross negligence on the part of the injured party.

133.–(1) For a licence, the Government of Greenland may set provisions and terms to the effect that the licensee's liability in damages must be covered by insurance or that other security must be provided, and that the licensee's activities and matters in relation thereto must be covered by other insurances.

134.–(1) For a licence, the Government of Greenland may set provisions and terms to the effect that the liability in damages of a licensee's contracting parties must be covered by insurance or that other security must be provided in so far as the contracting parties' services and activities are used for the performance of activities under the licence.

Compensation for environmental damage

135.–(1) The provisions of this Greenland Parliament Act on compensation for environmental damage apply to damage caused by pollution of land, sea, seabed, subsoil, water or air in the course of the activities comprised by this Greenland Parliament Act.

(2) The provisions of this Greenland Parliament Act on compensation for environmental damage apply correspondingly to pollution and any other negative impact on the climate or nature as well as to interference by noise, vibration, heat, light or the like.

136.–(1) Pursuant to the provisions of section 135 and sections 137-141, compensation must be paid for the following types of damage:

- 1) Personal injury and loss of provider.
- 2) Damage to property.
- 3) Other economic loss.
- 4) Reasonable costs of:
 - (a) measures to prevent and avert damage or injury,
 - (b) restoration of the environment and nature, and
 - (c) mitigation and neutralisation of pollution and other negative impact on the environment, climate and nature.

137.–(1) Any party responsible and liable for environmental damage under section 95 who causes pollution in connection with an activity comprised by this Greenland Parliament Act must pay compensation for the damage caused by the pollution, even if the cause of damage is accidental. If the party in question is not the licensee under a licence or approval relating to the activity, the licensee will also be responsible and liable for the activity. The two parties are then fully (jointly and severally) responsible and liable under the provisions set out in subsections (2)-(4) and sections 139-141.

(2) Responsibility and liability under subsection (1) will not arise if the responsible and liable party proves that the environmental damage and the pollution were caused solely by activities performed in accordance with mandatory rules and regulations set by a public authority, unless the rules and regulations follow from enforcement notices, orders, decisions or conditions arising from the responsible and liable party's own activities or circumstances.

(3) Compensation for personal injury or loss of provider may be reduced or extinguished if the injured or deceased person intentionally contributed to the injury. Compensation may also be reduced and, in special cases, be extinguished if the injured or deceased person contributed to the injury through gross negligence.

(4) Compensation may in other cases be reduced or extinguished if the injured party intentionally or through gross negligence contributed to the injury.

138.–(1) An agreement to depart from the provisions of this Greenland Parliament Act on compensation for environmental damage is invalid if the agreement was made prior to the occurrence of the damage and the derogation is to the detriment of the injured party.

(2) The rule of subsection (1) does not apply to an agreement between the responsible and liable party and a trader acting in the course of business to the extent that the agreement concerns the mutual relationship between the contracting parties. In so far as such an agreement directly or indirectly concerns the relationship of the contracting parties with others, the provision of subsection (1) above applies.

139.–(1) Nothing in this Part on compensation for environmental damage will limit the injured party's right to compensation under the general law of contractual and non-contractual damages or other provisions of this Greenland Parliament Act or other legislation.

140.–(1) The Government of Greenland may set specific provisions on compensation for environmental damage and the matters referred to in this Part, including the application of national or international rules, agreements or guidelines relating to compensation for environmental damage.

Part 23

Sanctions, confiscation and entry into force

Sanctions

141.–(1) The Government of Greenland may impose daily or weekly default fines on the following persons:

- 1) Any person who fails to provide, within the relevant time-limits, any information which must be provided or may be required by the Government of Greenland to be provided under section 32(1), section 39(1), section 50(2), cf. section 39(1), section 55(1), section 63(1), section 68(1), section 68(2), section 77(4), section 81(5), section 82(4), section 101(1), section 101(3) and (4), section 104(1), section 104(3) and (4), section 124 or section 126(2).
- 2) Any person who fails to comply with an enforcement or prohibition notice issued under section 68(3), section 123 or 125.
- 3) Any person who fails to provide security under section 82(4) within the relevant time-limits.

142.–(1) Unless a more severe penalty is due under other legislation, a fine will be imposed on any person who performs activities as mentioned in section 22(2) or (3) without a licence or approval in this regard under the relevant provisions of this Greenland Parliament Act.

(2) Unless a more severe penalty is due under other legislation, a fine will be imposed on any person who performs activities in a geological conservation site where such activities are not

permitted under provisions set by the Government of Greenland thereon, see section 129.

(3) Unless a more severe penalty is due under other legislation, a fine will be imposed on any person who intentionally or with gross negligence:

1) Misrepresents or misinforms or fails to disclose information to which an authority is entitled under this Greenland Parliament Act or under provisions or terms set under this Act.

2) Fails to comply with provisions or terms for licences or approvals granted under this Act or provisions set under this Act.

3) Fails to comply with an enforcement or prohibition notice issued by the Government of Greenland under section 123 or section 125 or provisions or terms for licences or approvals granted under this Act or provisions set under this Act.

(4) Provisions set under this Greenland Parliament Act may provide that any person who violates the provisions may be liable to a fine or other sanctions under the Criminal Code for Greenland (*kriminalloven for Grønland*).

(5) Where the violation has been committed by a business owned in whole or in part by the Greenland Self-Government, the state, a municipality or a local authority community comprised by the Greenland Parliament Act on municipal government (*Inatsisartutlov om den kommunale styrelse*), a public limited company, a private limited company, a cooperative society or the like, liability under criminal law may be imposed on the business etc. as such. The same applies where the violation has been committed by the Greenland Self-Government, a municipality or a local authority community comprised by the Greenland Parliament Act on municipal government.

(6) In a case where the violation involved is clear, uncomplicated and without any significant evidential doubt, a case about a fine under subsections (1)-(3) or provisions or terms issued under subsection (4) may be sought to be determined administratively as a fixed-penalty notice. The provisions of the Administration of Justice Act (*retsplejeloven*) on the requirements for the contents of an indictment and on the principle that a person charged has the right to remain silent apply correspondingly to fixed-penalty administrative fines under this Greenland Parliament Act.

(7) Fines imposed under this Greenland Parliament Act or provisions issued hereunder will accrue to the Treasury.

Confiscation

143.-(1) The Government of Greenland may confiscate any minerals that have been collected, extracted or exploited without a licence contrary to paras 1) - 4) of section 22(2) or contrary to any provisions or terms for a licence or an approval or provisions set under this Greenland Parliament Act.

(2) The Government of Greenland may confiscate any minerals that are exported or sought to be exported out of Greenland without an approval contrary to section 22(3), para. 1), or contrary to any provisions or terms for a licence or an approval or provisions set under this Greenland Parliament Act.

(3) In case of a transfer of minerals that have been collected, extracted or exploited without a licence contrary to paras 1) - 4) of section 22(2) or contrary to provisions or terms set for a licence or an approval or provisions set under this Greenland Parliament Act, or of the rights therein, the minerals transferred or their value may be confiscated from the transferee if the transferee was aware of the connection between the minerals transferred and the offence or has acted with gross negligence in this regard or if the transfer was in the nature of a gift.

(4) The Government of Greenland may confiscate the proceeds from an activity comprised by subsection (1), (2) or (3) or a corresponding amount. In the absence of an adequate basis for determining the amount of such proceeds, the Government of Greenland may confiscate a discretionary amount deemed to represent the proceeds obtained.

(5) The rules on confiscation of proceeds from a criminal offence or a corresponding amount under the Criminal Code for Greenland (*kriminalloven for Grønland*) apply correspondingly to any confiscation by the Government of Greenland under subsections (1)-(4).

(6) Confiscation under subsections (1), (2) and (3) will be made by the Government of Greenland or the relevant authority under the Criminal Code for Greenland (*kriminalloven for Grønland*) which is authorised to confiscate under the rules of the Criminal Code in this regard if so requested by the Government of Greenland.

(7) Confiscated minerals will be sold off by the Government of Greenland. The proceeds from the sale will accrue to the Treasury.

Entry into force, amendment and repeal provisions

144.-(1) This Greenland Parliament Act enters into force on 1 July 2023.

(2) In respect of Greenland, the following amendments are also made in the Act on the Continental Shelf (*lov om kontinentalsoklen*), see Consolidation Act no. 1101 of 18 November 2005 as amended:

1) Section 1, section 2, section 3(2), section 4(5) and section 5(1) are repealed.

2) In section 3(1), "but see subsection (2)" is deleted.

3) Section (6) is given the following wording:

"**6.**-(1) Facilities and safety zones, see section 3, which are in or have been established within the Greenland part of the continental shelf are subject to the law otherwise applying to Greenland. The Government of Greenland exercises the powers laid down in section 4 in compliance with the rules of the Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act) and the Greenland Parliament Act on mineral activities."

(3) Prospecting, exploration or exploitation licences for minerals in Greenland or scientific surveys of minerals in Greenland which have been granted before the date when this Greenland Parliament Act enters into force will remain in full force and effect. This Greenland Parliament Act also applies to such licences, licensees under such licences and activities performed under such licences before the date when this Act enters into force. Within the scope of this Greenland Parliament Act, it also applies to activities concerning minerals, including the collection, extraction and exploitation of

minerals, which are comprised by the Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act) and performed before the date when this Greenland Parliament Act enters into force. Within the scope of this Greenland Parliament Act, it also applies to any minerals collected, extracted or exploited in the course of such activities. Within the scope of this Greenland Parliament Act, it also applies to decisions on activities and matters concerning minerals comprised by the Mineral Resources Act and made before the date when this Act enters into force, but for purposes of sections 25 and 73 time will begin to run when this Act enters into force.

(4) The provisions applying on 1 July 2023 for mineral activities and application procedures, standard terms and conditions for licences concerning minerals falling within the scope of this Greenland Parliament Act will remain in full force and effect with the amendments which follow from this Act until repealed or replaced by any new provisions set under this Act.

The Self-Government of Greenland, xx xxx 2023