



Ilkka Keskitalo

10.3.2021

Mining law and exploration permitting in Finland

Finnish Safety and Chemicals Agency (Tukes)

Tukes in brief

250 employees in

- Helsinki
- Tampere and
- Rovaniemi

Tukes supervises and promote the safety and conformity of products, services and production systems in our branches.



Competent authorities and their duties (Mining Act)



The ministry of Economic Affairs and Employment is responsible for the general guidance, monitoring, and development of activities under mining act.

The Finnish Safety and Chemicals agency acts as the mining authority referred to in this act. Tukes enforces compliance with mining act and manages other duties laid down herein.



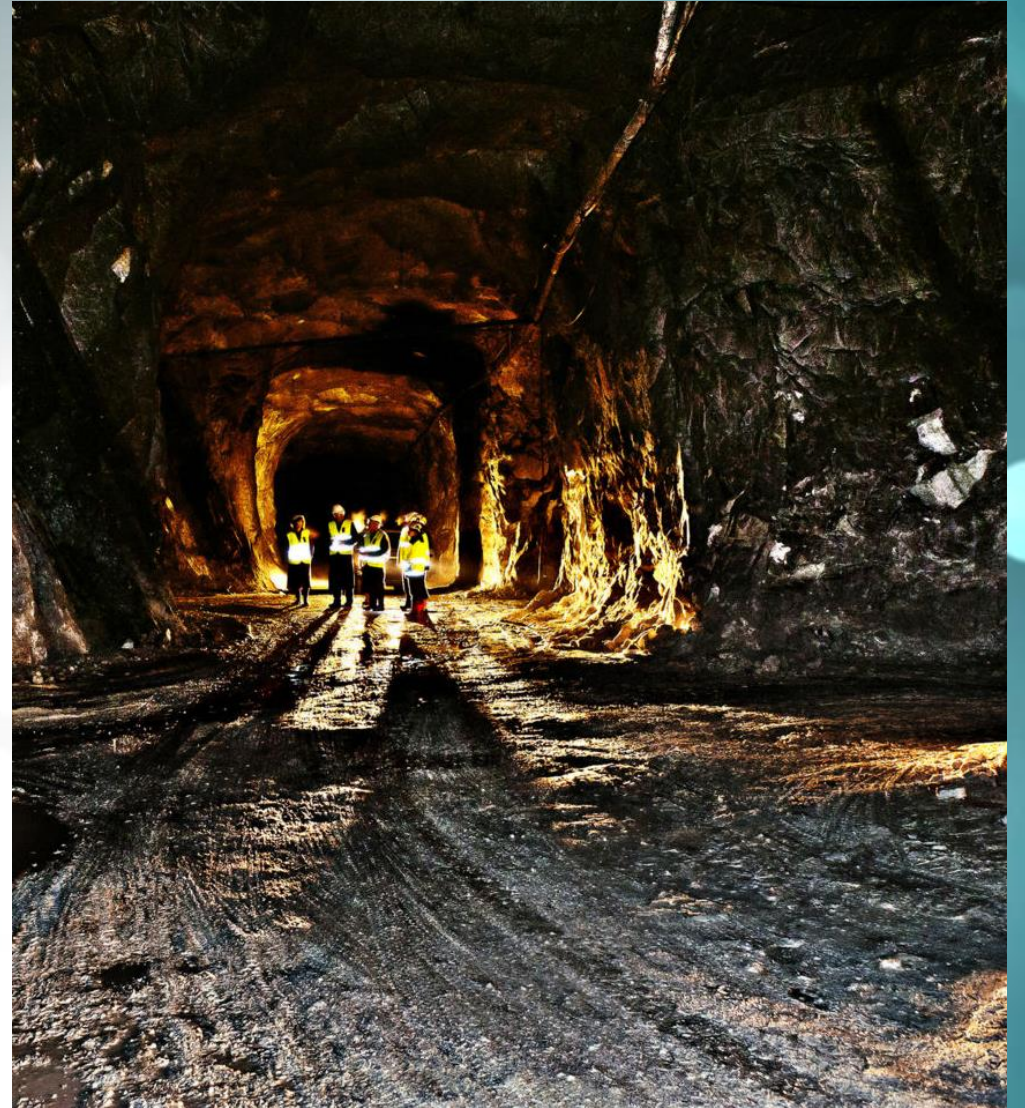
Licensing authorities (Mining Act)

Tukes as the mining authority shall make decisions concerning

- exploration permits
- mining permits
- mining safety permits
- gold panning permits

The Government shall decide on matters concerning

- a redemption permit for a mining area and on mining permits related to the production of uranium or thorium.



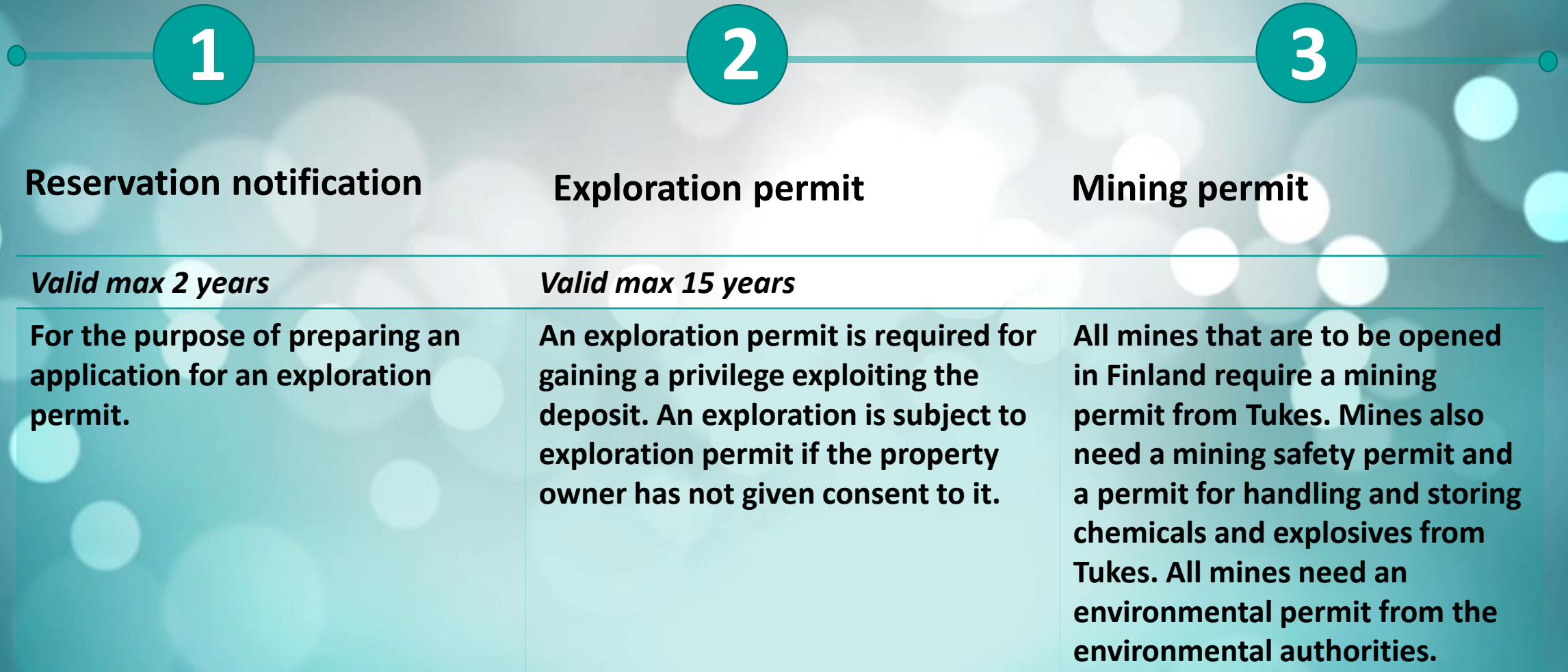
Mining Act (621/2011)

Section 32, Order of priority

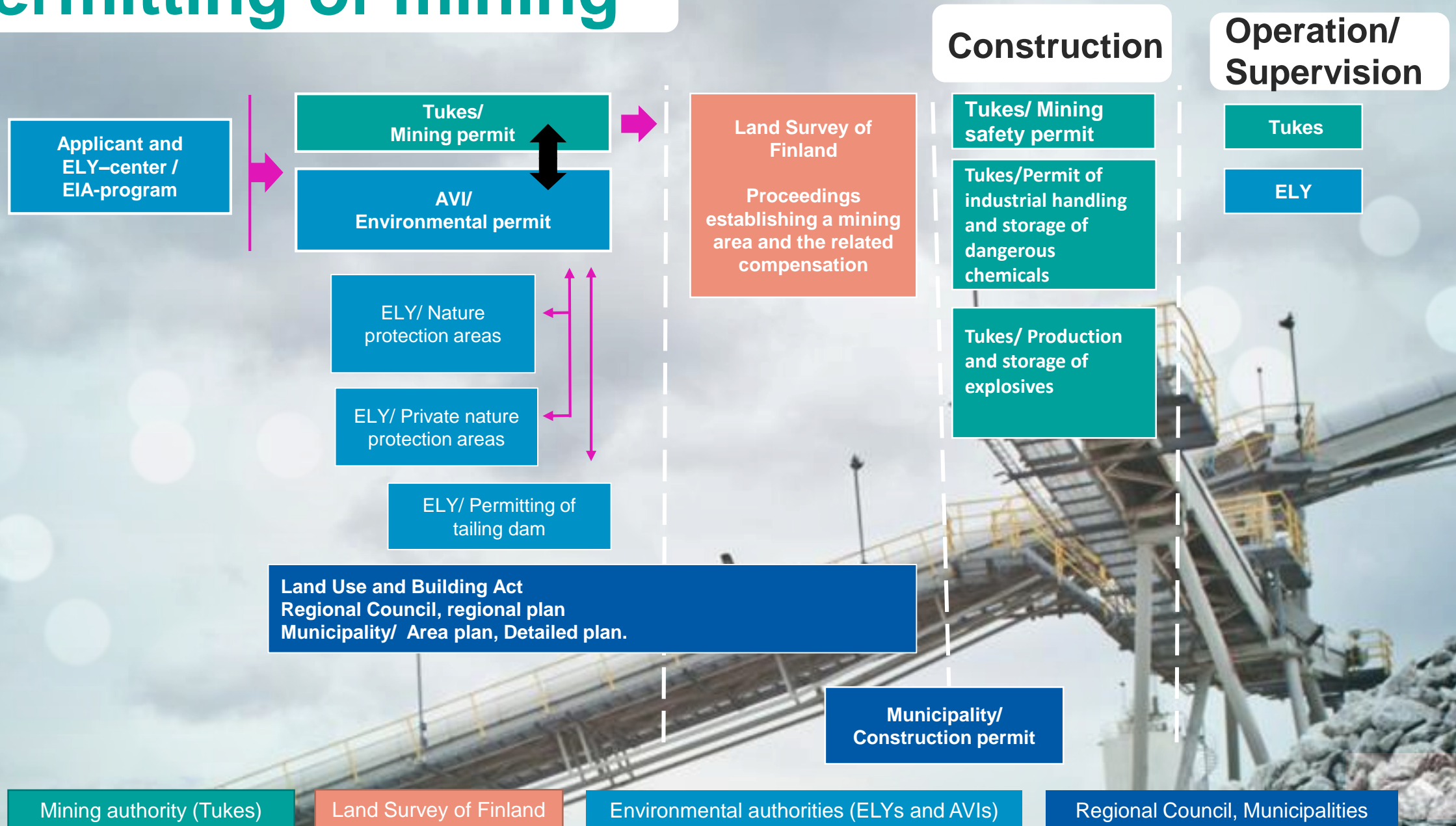
- The party first applying for a permit in accordance with the provisions laid down in section 34 herein shall have priority for an ore prospecting permit, mining permit, or gold panning permit.
- For the purpose of preparing an application for an ore prospecting permit, an applicant may reserve an area for himself by submitting notification to the mining authority about the matter (*reservation notification*).



Major phases of exploration and mining permits in Finland



Permitting of mining





Exploration licence proses

Turvallisuus- ja kemikaalivirasto (Tukes)

EXPLORATION, Prospecting work (Section 7)

- In order to find mining minerals, everyone has the right, even on another's land, to conduct geological measurements and make observations and to take minor samples, provided that **this does not cause any damage or more than minor inconvenience or disturbance (*prospecting work*)**.
- Prospecting work must not be carried out on the ground:
 - 1) in a cemetery
 - 2) in an area used by the defence forces
 - 3) in an area where movement is restricted or access denied to outsiders;
 - 4) on a traffic route or passage in public use;
 - 5) within 150 metres of a building intended for residential or work use
 - 6) in an area in horticultural use;
 - 7) within 50 metres of a public building or utility
 - 8) in any other area, corresponding to those in items 1–7, designated for special use.
- However, prospecting work may be carried out in an area referred to in paragraphs 2–8 **with the consent** of the authority or institution competent in the matter, or that of the relevant holder of rights.

EXPLORATION PERMIT (Section 9 in Mining Act)

- Exploration is subject to a permit granted by the mining authority (*exploration permit*)
- If exploration work cannot be carried out as “prospecting work” in accordance with section 7, or the property owner has not given consent to it, exploration permit is needed.
- An exploration permit is also required if:
 - 1) ore prospecting could cause any harm to people’s health or general safety, damage to other industrial and commercial activity, or any deterioration in value related to the landscape or nature protection values;
 - 2) the ore prospecting is targeted at locating and exploring a deposit containing uranium or thorium;
 - 3) the permit is necessary for gaining a privilege, as described in this act, for exploiting the deposit.

EXPLORATION AND MINING;

Statement on a permit application (Section 37 in Mining Act)

- **Tukes shall request a statement on an application for an exploration permit and mining permit from the following:**
 - 1) the municipality
 - 2) the environmental authority (ELY-centre)
 - 3) the authority or institution responsible for management of the area (nature protection area, Natura 2000 area);
 - 4) if necessary, other authorities overseeing public interests in their field of activity, and the appropriate regional council.

EXPLORATION AND MINING;

Complaints and opinions (Section 39 in Mining Act)

Before making a decision on the matter concerning an exploration permit, a mining permit and a redemption permit for a mining area, Tukes shall reserve an opportunity for the parties involved (landowners) to lodge complaints concerning the permit matter.

Parties other than those involved (for example nature protection NGO's) shall be provided with an opportunity to express their opinions on a matter concerning an ore prospecting permit and a mining permit.

EXPLORATION AND MINING,

Publication of the permit application (Section 40 in Mining Act)

- Tukes shall inform of an ore prospecting or mining permit application by posting notice there of for a **minimum of 30 days on its notice board, and those of the municipalities involved**. Publication of the public notice shall be announced in **at least one newspaper** in general circulation in the impact area of the activity, unless the matter is of minor significance or announcing it is otherwise *prima facie* unnecessary.
- **The parties involved in particular (landowners) shall be separately informed about the public notice.**

EXPLORATION FEE (Section 99 in Mining Act)

- The exploration permit holder shall pay annual compensation (*exploration fee*) to the owners of land included in the exploration area. The annual amount of the exploration fee per property shall be:
- 1) 20 euros per hectare for each of the first four years of validity of the exploration permit;
- 2) 30 euros per hectare per year for the fifth, sixth, and seventh year of validity of the exploration permit;
- 3) 40 euros per hectare per year for the eighth, ninth, and tenth year of validity of the exploration permit;
- 4) 50 euros per hectare for the eleventh and for further years of validity of the exploration permit.
- The exploration fee for the first year shall be paid no later than on the 30th day after the exploration permit becomes legally effective. The fee for the following years shall be paid at the corresponding time.

Compensation (Section 103) ***and*** ***Collateral*** (Section 107)

Compensation for damage and inconvenience in an exploration

- The exploration permit holder shall compensate for any inconvenience and damage caused in the exploration area by activities based on the Mining Act.

Collateral for exploration

- The exploration permit holder shall deposit collateral for the purpose of offsetting potential damage and inconvenience and performing after-care measures,



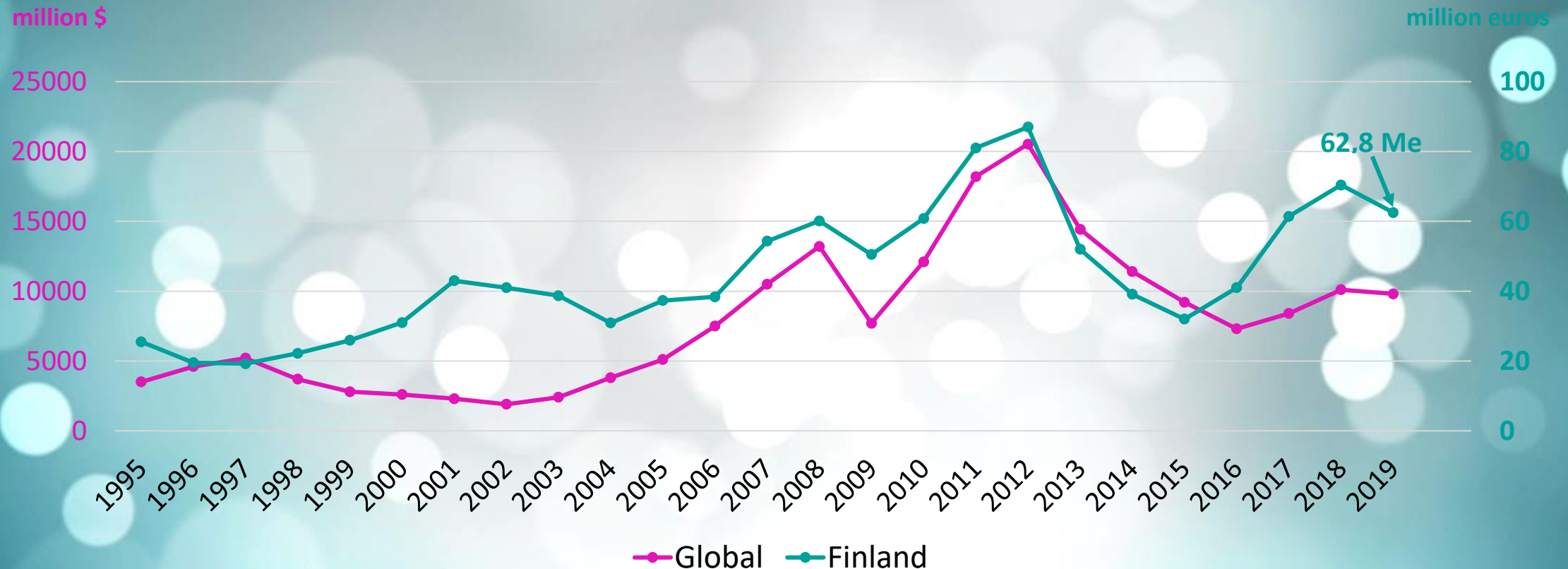
Review of mining authority on exploration and mining industry in Finland in 2019

Turvallisuus- ja kemikaalivirasto (Tukes)

Exploration in Finland 2010–2019

	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Exploration (million €)	62,8	70,4	61,4	41,0	34,5	39,1	52,8	86,8	81,0	60,8
No. of prospectors	46	44	46	41	42	41	38	45	52	49
No. of reservation notifications	88	50	96	68	50	61	64	197	178	138
No. of exploration applications/claims	149	148	185	98	70	120	125	250	58/197	0/250
Area of reservation, (km2)	31802									
Area of claims/exploration (km2)	1869	1783	1613	1700	1930	1850	1400	1310	1080	890
Area of exploration applications (km2)	3499	3573	3426	2.160	1980	3900	5450	8210	4620	2700
Drilling (kilometres)	189	219	273	178	130	142	179	366	369	363
• Grassroot	• 39	•34	•40	•20	• 23	• 26	• 32	• 36		
• Greenfield	• 78	•73	•53	•57	• 51	• 46	• 51	• 103		
• Brownfield	• 72	•112	•180	•101	• 56	• 70	• 95	• 227		

Investments in ore prospecting 1995–2019



More information about mining and exploration in Finland

Contact to mining authority

Finnish Safety and Chemicals Agency (Tukes)

Address: Valtakatu 2, 00510 ROVANIEMI

- kaivosasiat@tukes.fi / miningauthority@tukes.fi

Homepage of the mining authority

- <https://tukes.fi/en/industry/mining-ore-prospecting-and-gold-panning>

Map service of the mining register in Finland (in Finnish)

- <http://gtkdata.gtk.fi/kaivosrekisteri/>

Mineral Deposits, Exploration and Mining Registry (in English)

- <http://gtkdata.gtk.fi/mdae/index.html>

GUIDE "Exploration in protected areas, the Sami homeland and the reindeer managing area"

- <https://tem.fi/documents/1410877/2937056/Exploration+in+protected+areas%2C+the+S%C3%A1mi+homeland+and+the+reindeer+managing+area%2C+guide>

