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(Greenland Parliament Act No. 26 of 13 June 2023, proposal of 31 March 2023 as adopted on 31 May 2023 with proposed changes to sections 1, 35, 45, 52, 53, 128 and 140 of 30 May 2023)

Parliamentary Act on Mineral Activities

Chapter 1

Purpose

§ Section 1. The Greenland Parliament Act provides for appropriate and efficient prospecting, exploration and exploitation of minerals and the performance of activities in connection therewith. It also requires appropriate regulation of matters of importance to mineral activities.

Subsection 2. The Inatsisartut Act presupposes that activities covered by the Act are carried out without harming the health of the population and in a responsible manner with regard to safety, the environment, resource utilisation and social sustainability, as well as appropriately and in accordance with recognised good international practice under similar conditions.

Chapter 2

Area of application

Geographical area of application

§ Section 2. The Greenland Parliament Act shall apply in the land territory and in the territorial waters, the continental shelf area and the exclusive economic zone of Greenland.

Activities

§ Section 3. The Greenland Parliament Act shall apply to the following activities:

- 1) The prospecting, exploration, exploitation and scientific study of minerals and related activities.
- 2) Energy activities related to activities covered by the Greenland Parliament Act and related activities.
- 3) Use of the subsoil for storage and other purposes relating to mineral activities and related activities.
- 4) Studies and other activities of importance to the activities mentioned in points 1-3.

Subsection 2. The Greenland Parliament Act shall 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 assets or related activities.

Plants and devices

§ Section 4. The Greenland Parliament Act shall apply to installations and facilities etc. which are located in an area cf. section 2 and which are used in connection with the performance of activities covered by the Greenland Parliament Act.

Offshore installations, offshore vessels and safety zones at offshore installations

§ Section 5. The Greenland Parliament Act shall apply to offshore installations, 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 around Greenland and which are used in connection with the performance of activities covered by a licence under the Greenland Parliament Act.

§ Section 6. The Greenland Parliament Act shall apply in the safety zones of offshore installations located in the territorial sea, the continental shelf area or the exclusive economic zone off Greenland.

Subsection 2. Within a security zone, the Greenland Parliament Act applies to ships, barges, other seagoing vessels, aeroplanes, helicopters, drones and other aircraft, mobile offshore units and other mobile installations and devices which are under navigation, sailing, towing or anchoring in connection therewith, or which are otherwise in the security zone, as well as to fishing equipment, anchors, other mooring equipment, other equipment and other objects.

Subsection 3. The Greenland Parliament Act shall apply irrespective of whether the ships, seagoing vessels, installations and aircraft etc. mentioned in subsection (2) are Greenlandic, Danish, Faroese or foreign.

Other ships, seagoing vessels, installations and aircraft etc. and their activities

§ Section 7. The Greenland Parliament Act shall also apply to other offshore vessels, other ships, other barges, other seagoing vessels, other mobile offshore units and other mobile installations and facilities and aircraft, helicopters, drones and other aircraft which are located in the territorial sea, the continental shelf area or the exclusive economic zone, or in the airspace above, and which are used in connection with the performance of activities covered by a licence under the Greenland Parliament Act.

Subsection 2. The Greenland Parliament Act shall apply irrespective of whether the ships, seagoing vessels, installations and aircraft etc. mentioned in subsection (1) are Greenlandic, Danish, Faroese or foreign.

§ Section 8. Activities covered by the Greenland Parliament Act include the following activities in the territorial sea, the continental shelf area and the exclusive economic zone around Greenland and in the airspace above, subject to subsections (2) and (3):

- 1) Carrying out activities covered by a licence under the Greenland Parliament Act.
- 2) Sailing and performing other activities with ships and other vessels in connection with the performance of activities covered by a licence under the Greenland Parliament Act.
- 3) Flying and performing other activities with aircraft, helicopters, drones and other aircraft in connection with the performance of activities covered by a licence under the Greenland Parliament Act.

Subsection 2. Activities covered by a licence under the Greenland Parliament Act include the activities mentioned in subsection (1) to the extent that the activities are carried out by a licensee under a licence under the Greenland Parliament Act or by the licensee's contracting party.

Subsection 3. When carrying out activities covered by a licence under the Greenland Parliament Act, cf. subsections (1) and (2), the Greenland Parliament Act shall only apply to a licensee under a licence under the Greenland Parliament Act and the licensee's contracting parties to the extent that his or their activities or relationships are regulated by the Greenland Parliament Act, provisions laid down under the Greenland Parliament Act or terms in licences, approvals or decisions under the Greenland Parliament Act.

Subsection 4. The application of the Greenland Parliament Act as described in subsections (1)-(3) does not exempt a licensee under a licence under the Greenland Parliament Act or the licensee's contracting party from compliance with other Greenlandic or Danish laws applicable to the activities and parties mentioned in subsections (1)-(3). In the event of inconsistency between the Greenland Parliament Act and other legislation, the provisions of the Greenland Parliament Act and the provisions and terms laid down under the Greenland Parliament Act shall apply unless special considerations may justify that the other legislation should apply.

Environmental protection, climate protection and nature conservation

§ Section 9. The rules of the Greenland Parliament Act on environmental protection also include the protection of climatic conditions and the protection of nature, unless otherwise stated in the Act.

Subsection 2. The same applies to the Greenland Parliament Act's rules on liability for damages and other liability for pollution and other environmental impact and to the Greenland Parliament Act's rules on compensation for environmental damage.

Chapter 3

Definitions

Minerals

§ Section 10. Minerals means all mineral raw materials other than hydrocarbons (oil and natural gas).

Subsection 2. Hydrocarbons are hydrocarbons with the general formula C_nH_{2n+2} , where $n < 25$.

Activities, permits, licence holders, approvals and plans

§ Section 11. Mineral activities shall mean activities covered by the Greenland Parliament Act and activities related thereto.

§ Section 12. Licence means one of the licences mentioned in subsections 2-5 granted by Naalakkersuisut under the Greenland Parliament Act to carry out activities covered by the Greenland Parliament Act.

Subsection 2. A prospecting licence means a licence to carry out prospecting concerning minerals, cf. section 28.

Subsection 3. Exploration licence means a licence to carry out mineral exploration, cf. section 34.

Subsection 4. Exploitation licence means a licence to carry out exploitation of minerals, cf. the Danish Act on Exploitation Licences, cf. section 43.

Subsection 5. Licence for scientific studies means a licence to carry out scientific studies concerning minerals, cf. section 62.

§ Section 13. Rights holder means a rights holder under a licence granted by Naalakkersuisut under the Greenland Parliament Act, cf. section 12.

§ Section 14. Authorisation means an authorisation granted by Naalakkersuisut for the performance of activities covered by the Greenland Parliament Act as mentioned in subsections (2-3), unless otherwise follows from the context.

Subsection 2. Activity authorisation means an approval of a mine plan, cf. section 15(1), a decommissioning plan, cf. section 15(2), or the performance of specific activities, cf. section 22(3) and section 120(1).

Subsection 3. Export authorisation means an authorisation to export minerals from Greenland, cf. section 22(3)(1) and section 75.

§ Section 15. A mining plan means a licensee's plan for the licensee's exploitation of minerals and related activities under an exploitation licence, see section 77.

(2). "Decommissioning plan" means a licensee's plan for the licensee's subsequent cessation and decommissioning of the exploitation of minerals and related activities 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 decommissioning plan, see subsection (2).

Terms and conditions

§ Section 16. Provisions and terms shall mean provisions and terms laid down under the Greenland Parliament Act, unless otherwise follows from the context. They include, among other things, provisions in executive orders, application procedures and other procedures laid down pursuant to the Greenland Parliament Act, standard terms and conditions for licences and approvals granted pursuant to the Greenland Parliament Act, terms and conditions in

and authorisations granted under the Greenland Parliament Act and provisions and conditions in decisions made under the Greenland Parliament Act.

Rights holder's contracting party

§ Section 17. A licensee's contracting party shall mean a licensee's supplier of goods or services, including construction services or consultancy services, in connection with the licensee's performance of activities covered by the licensee's licence. A licence holder's contracting party also includes a licence holder's contracting party's contracting party, etc.

Offshore facilities

§ Section 18. Offshore installations shall mean ships, barges, other vessels, platforms and other devices used for carrying out one or more of the following activities at a specific location or several specific locations in succession in a sea area:

- 1) Prospecting, exploration, exploitation and scientific studies of minerals in the marine area.
- 2) Processing minerals that have been exploited in a marine or terrestrial area.
- 3) Storage of minerals that have been exploited in a marine or land area.
- 4) Receipt, storage, transshipment or dispatch of installations, equipment, goods or other things used in connection with the performance of activities covered by the Greenland Parliament Act in a sea area or a land area.
- 5) Place of arrival, place of change or place of departure in connection with transport, place of residence or place of overnight accommodation for persons performing work or activities in connection with the performance of activities covered by the Greenland Parliament Act in a sea area or a land area.
- 6) Accommodation of persons carrying out activities covered by the Greenland Parliament Act in a marine or land area.

Subsection 2. A mobile offshore installation is any offshore installation that can be moved from one position to another by sailing, sailing or towing and which is intended to be used at several different locations during its lifetime.

Subsection 3. A fixed offshore installation means an offshore installation that is not a mobile offshore installation, see subsection (2).

Offshore vessels

§ Section 19. Offshore vessels shall mean ships, barges and other vessels which are not offshore installations, cf. section 18, and which carry out activities in connection with offshore installations.

Environmental damage

§ Section 20. Environmental damage means:

- 1) Contamination of soil, sea, seabed and subsoil, water or air.

- 2) Pollution or other negative impact on climatic conditions.
- 3) Other significant negative impact or significant disturbance to nature, including humans, fauna or flora.

Subsection 2. The person responsible under Chapter 14 means the person who performs, directs or controls the performance of an activity covered by the Greenland Parliament Act.

Local mineral activities

§ Section 21. Local mineral activities means small-scale activities relating to minerals and the utilisation of minerals for use in construction projects and infrastructure projects in Greenland, etc.

Chapter 4

General rules

The Greenland Self-Government's right to minerals and requirements for authorisation or approval of activities

§ Section 22. The Greenland Self-Government has the right of ownership to dispose of and utilise minerals in the subsoil in Greenland.

Subsection 2. The following activities may only be carried out in Greenland under the following licences granted by Naalakkersuisut in accordance with the rules of the Greenland Parliament Act:

- 1) Preliminary exploration for minerals may only be carried out after a licence has been granted pursuant to section 28.
- 2) Mineral exploration may only be carried out pursuant to a licence granted under section 34.
- 3) Exploitation of minerals may only be carried out after a licence has been granted pursuant to section 43.
- 4) Scientific investigations concerning minerals may only be carried out under a licence granted pursuant to section 62, unless otherwise provided for in subsections (3) and (4).

Subsection 3. The following activities may only be carried out in Greenland after the following authorisations have been granted by Naalakkersuisut in accordance with the rules in the Greenland Parliament Act:

- 1) Export of minerals from Greenland may only take place after an approval thereof granted under a prospecting licence, exploration licence or exploitation licence under the Greenland Parliament Act or an export approval thereof granted under section 75(1) or (2).
- 2) Other activities relating to prospecting, exploration, exploitation or scientific studies concerning minerals, which are not included in a licence under subsection (3)(1), may only be carried out after an activity licence.

Subsection 4. The Government of Greenland may carry out scientific and practical studies of a general or mapping nature concerning minerals, mineral activities and other related activities.

Authorisation processing

§ Section 23. Naalakkersuisut, together with the Mineral Resources Agency and the Environmental Protection Agency

the administrative authority for the mineral area covered by the Inatsisartut Act.

Subsection 2. The MLSA is the administrative authority, except for matters relating to the environment, cf. subsection (3).

Subsection 3. The Danish Environmental Protection Agency for Mineral Resources (the Danish Environmental Protection Agency) is the administrative authority for environmental matters relating to the mineral sector, including environmental protection, climate protection, nature protection, environmental responsibility and environmental assessment. The Danish Environmental Protection Agency's assessments and decisions are based on assessments and draft decisions from one or more scientific and independent environmental institutions.

Subsection 4. All matters relating to minerals, mineral activities, use of the subsoil for storage or other purposes relating to mineral activities, related energy activities and other related activities covered by the Greenland Parliament Act shall be handled as a unified and integrated regulatory process.

Subsection 5. Processing by authorities concerning the mineral area covered by the Greenland Parliament Act is organised according to the principle that rights holders and others covered by the Greenland Parliament Act communicate with a single authority and receive all notices, documents and decisions, etc. from this authority.

Subsection 6. The MLSA is the coordinating administrative authority and obtains necessary opinions and decisions from the Danish Environmental Protection Agency. The Danish Environmental Protection Agency and the Mineral Resources Agency shall keep each other informed of case processing and decisions.

Subsection 7. The authorities mentioned in subsection (1) are the competent authorities under other laws and rules with regard to activities and matters covered by the Greenland Parliament Act. However, this does not apply to the extent that it follows from other laws or rules that other authorities must carry out the regulatory processing.

§ Section 24. Complaints against a decision made by the Mineral Resource Authority or the Environmental Protection Agency may be brought before the Government of Greenland. Those entitled to appeal are:

- 1) The person who is a party to the case.
- 2) Associations and organisations that, according to their articles of association, have the purpose of safeguarding important interests regarding recreational, environmental and natural interests or social issues.

Subsection 2. The time limit for appeal is 6 weeks. The time limit for appeal is calculated from the day of notification if the decision has been notified to a party, and from the day of publication if the decision has been publicly announced. If the appeal period expires on a Saturday or a public holiday, the appeal period is extended to the first following working day.

Subsection 3. A complaint must be submitted in writing to the authority that has made the decision. As soon as possible after the expiry of the time limit for appeal, the authority shall send the complaint and the authority's decision and comments on the complaint to the Government of Greenland.

Subsection 4. A complaint against a licence, an approval or an exemption does not have suspensive effect unless the Government of Greenland decides otherwise.

Subsection 5. The Government of Greenland may lay down provisions to the effect that certain licences, approvals and exemptions may not be utilised within the time limit for appeal.

Subsection 6. A complaint against an order or prohibition does not have suspensive effect unless the Government of Greenland decides otherwise.

Bringing a decision before the courts

§ Section 25. A decision on matters covered by the Greenland Parliament Act may only be brought before the courts within a period of one year. The time limit is calculated from the day of notification of the decision to a party, if the decision has been notified to a party. However, the time limit is always calculated from the day of publication if the decision has been publicly announced. If the time limit expires on a Saturday, Sunday or public holiday, the time limit is extended to the first following working day.

Subsection 2. Appeals to the courts against a decision shall not have suspensive effect unless the Government of Greenland decides otherwise.

Subsection 3. A decision on matters covered by the Greenland Parliament Act may only be brought before the courts with jurisdiction in Greenland. A decision brought before the courts shall 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

§ Section 26. Every year, the Government of Greenland shall prepare a public report on applications for licences, granted licences and planned and completed tenders for licences. Naalakkersuisut shall send the report to Inatsisartut.

§ Section 27. Naalakkersuisut shall inform a relevant committee in Inatsisartut of cases with matters that may have a significant impact on society or the environment before a decision is made in the case.

Chapter 5

Mineral prospecting licence The licence

§ Section 28. The Government of Greenland may grant a non-exclusive licence for a defined area on specific terms and conditions to carry out preliminary surveys concerning one or more mining areas.

Requirements for the licence holder

§ Section 29. The licensee under section 28 shall at the time of granting the licence and throughout the licence period be registered as a public limited company or a private limited company with its registered office in Greenland or a similar limited company with its registered office in another country. The company must also be registered as a trader in Greenland, cf. the Greenland Parliament Act on registration in the Central Business Register.

Subsection 2. When granting the licence and throughout the licence period, the licensee shall fulfil all the requirements under section 66.

Subsection 3. In case of doubt as to whether a limited liability company with its registered office in another country corresponds to a public limited company or a private limited company with its registered office in Greenland, cf. subsection (1), Naalak- kersuisut shall decide on this.

The authorisation period

§ Section 30. A prospecting licence is granted for a licence period of up to 5 years.

Subsection 2. The licence period under subsection (1) may be extended one or more times by the Government of Greenland for a period of up to five years each time, cf. subsection (4).

Subsection 3. The Government of Greenland may lay down amended licence terms in connection with any extension of the licence period to a longer total licence period than 10 years.

Subsection 4. The total licence period for a prospecting licence may not exceed 15 years.

Subsection 5. A prospecting licence expires when the licence period expires, or the licence lapses, is revoked by the Government of Greenland or is returned by the licensee to the Government of Greenland after approval by the Government of Greenland.

Payment of fees, remunerations and amounts to cover the costs of regulatory processing

§ Section 31. The Government of Greenland may lay down provisions to the effect that an applicant for a prospecting licence or an extension of the licence period after a prospecting licence must pay fees to the Government of Greenland for the Government of Greenland's receipt and processing of an application for the granting of a prospecting licence or an extension of the licence period and for the granting of a prospecting licence or an extension of the licence period.

Subsection 2. The Government of Greenland may lay down provisions and terms for a prospecting licence stating that the licensee shall pay remuneration to the Government of Greenland for maintaining the licence and activities under the licence, etc.

Subsection 3. *The Government* of Greenland may lay down provisions and terms that the licensee must pay amounts to cover the Government of Greenland's expenses in connection with case processing and other regulatory processing under the Greenland Parliament Act concerning the licence and activities under the licence. Naalakkersuisut may charge the payment of the amounts as fees or reimbursement of expenses.

Reports on activities, data and sample submission and confidentiality

§ Section 32. The licence holder, cf. section 28, shall submit to Naalakkersuisut:

1) Reports on the feasibility studies and other post-authorisation activities and their results.

2) Copies of the feasibility study results and data and samples therefrom and the licence holder's interpretations, conclusions and recommendations thereon.

Subsection 2. Information received by the Government of Greenland pursuant to subsection (1) is confidential throughout the licence period. If the licence is terminated, the information is confidential for 5 years from the deadline for submission to the Government of Greenland.

Subsection 3. During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, preliminary study results, data, tests and interpretations, conclusions and recommendations, etc. Before publishing such general information, the Government of Greenland must send the information for consultation with the licence holder and inform the licence holder that the licence holder may submit comments and any reasoned objections to the publication of all or some of the information within a reasonable time limit of at least 14 calendar days. If the right holder sends an objection to the publication of all or some of the information within the time limit, and the right holder's interest in confidentiality is found to outweigh the interest of the Government of Greenland in publishing the information in question, the Government of Greenland will not publish this information.

Subsection 4. Notwithstanding subsections (2) and (3), the Government of Greenland may in all cases publish environmental data and environmental reports which are deemed to be of general public interest.

Subsection 5. When the confidentiality period has expired, both the licence holder and the Government of Greenland shall have ownership of and the right to freely dispose of and use the submitted reports, research results, data, tests and interpretations, conclusions and recommendations, etc.

Subsection 6. The Government of Greenland shall lay down further provisions and conditions on the matters mentioned in subsections (1)-(5), including on the format, content and submission of reports at specific times, on the performance of specific activities and the occurrence of specific events or conditions. The Government of Greenland may lay down provisions and conditions on the Government of Greenland's possibility of publishing general information on specific activities, results, events and conditions.

Naalakkersuisut's determination of terms and conditions regarding the licence and activities

§ Section 33. The Government of Greenland may lay down provisions and terms for a prospecting licence on all relevant matters concerning the licence and activities under the licence in accordance with the purpose of the Greenland Parliament Act under section 1 and other provisions of the Greenland Parliament Act to ensure the licensee's compliance with Greenland legislation, the rights and economic interests of the Government of Greenland and the rights of the licensee.

Chapter 6

Mineral exploration licence The licence

§ Section 34. The Government of Greenland may grant a licence with exclusive rights to explore for one or more minerals for a defined area on specific terms and conditions.

§ Section 35. Before an applicant can be granted an exploration licence under section 34, Naalak-kersuisut shall submit the application for public consultation for 21 calendar days.

Subsection 2. The consultation period under subsection (1) may in special cases be extended by up to 21 days.

Requirements for the licence holder

§ Section 36. The licensee, cf. section 34, must at the time of granting the licence and throughout the licence period be registered as a limited company or a private limited company with its registered office in Greenland or a similar limited company with its registered office in another country. The company must also be registered as a trader in Greenland, cf. the Greenland Parliament Act on registration in the Central Business Register.

Subsection 2. In case of doubt as to whether a limited liability company with its registered office in another country corresponds to a public limited company or a private limited company with its registered office in Greenland, cf. subsection (1), Naalak-kersuisut shall decide on this.

The authorisation period

§ Section 37. An exploration licence is granted for a licence period of 5 years.

Subsection 2. The 5-year licence period under subsection (1) may be extended one or more times by Naalak-kersuisut. The licence period shall be extended for the first time for a period of 5 years. The licence period shall thereafter be extended each time by a period of 3 years. If the licensee has fulfilled all obligations relating to the licence and activities under the licence during the original 5-year licence period under subsection (1), the licensee shall be entitled to the first extension of the licence period by a period of 5 years. If the licensee has fulfilled all obligations relating to the licence and activities under the licence during an extended licence period of 5 years or 3 years under this subsection (2), the Government of Greenland may extend the licence period by a period of 3 years.

Subsection 3. The Government of Greenland may lay down amended licence terms in connection with any extension of the licence period to a longer total licence period than 10 years.

Subsection 4. The total licence period for an exploration licence may not exceed 22 years.

Subsection 5. An exploration licence expires when the licence period expires, or the licence lapses, is revoked by the Government of Greenland or is returned from the licensee to the Government of Greenland after approval by the Government of Greenland.

Payment of fees, remunerations and amounts to cover the costs of regulatory processing and investigation obligations

§ Section 38. The Government of Greenland may lay down provisions to the effect that an applicant for an exploration licence or an extension of the licence period after an exploration licence must be

fees to Naalakkersuisut for Naalakkersuisut's receipt and processing of an application for the granting of an exploration licence or an extension of the licence period and for the granting of an exploration licence or an extension of the licence period.

Subsection 2. The Government of Greenland shall lay down provisions or terms for an exploration licence regarding the licensee's exploration obligations and payment of amounts to the Government of Greenland if the licensee fails to fulfil its exploration obligations.

Subsection 3. The Government of Greenland may lay down provisions and terms for an exploration licence stating that the licensee shall pay remuneration to the Government of Greenland for maintaining the licence and activities under the licence, etc.

Subsection 4. The Government of Greenland may lay down provisions and terms that the licensee must pay amounts to cover the Government of Greenland's expenses in connection with case processing and other regulatory processing under the Greenland Parliament Act concerning the licence and activities under the licence. Naalakkersuisut may charge the payment of the amounts as fees or reimbursement of expenses.

Reports on activities, data and sample submission and confidentiality

§ Section 39. The licence holder must submit to Naalakkersuisut:

- 1) Reports on the exploration and other post-authorisation activities and their results.
- 2) Copies of the exploration results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations thereon.

Subsection 2. Information received by the Government of Greenland pursuant to subsection (1) is confidential. The confidentiality period is 5 years from the deadline for submission to Naalakkersuisut. However, confidentiality lapses in all cases upon termination of the licence.

Subsection 3. During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, investigation results, data, tests and interpretations, conclusions and recommendations, etc. Before publishing such general information, the Government of Greenland must send the information to the licence holder and inform the licence holder that the licence holder may submit comments and any reasoned objections to the publication of all or some of the information within a reasonable time limit of at least 14 calendar days. If the right holder sends an objection to the publication of all or some of the information within the time limit, and the right holder's interest in confidentiality is found to outweigh the Government of Greenland's interest in publishing the information in question, the Government of Greenland shall not publish the information.

Subsection 4. Notwithstanding subsections (2) and (3), the Government of Greenland may in all cases publish environmental data and environmental reports which are deemed to be of general societal interest.

Subsection 5. When the confidentiality period has expired, both the licence holder and the Government of Greenland shall have ownership of and the right to freely dispose of and use the submitted reports, research results, data, tests and interpretations, conclusions and recommendations, etc.

Subsection 6. The Government of Greenland shall lay down further provisions and terms on the conditions mentioned in subsections (1)-(5), including on the format, content and submission of reports at specific times,

by the performance of specific activities and the occurrence of specific events or conditions. The Government of Greenland may lay down provisions and terms on the Government of Greenland's possibility of publishing general information on specific activities, results, events and conditions.

Naalakkersuisut's determination of terms and conditions regarding the licence and activities

§ Section 40. The Government of Greenland may lay down provisions and terms for an exploration licence on all relevant matters concerning the licence and activities under the licence in accordance with the purpose of the Greenland Parliament Act under section 1 and other provisions of the Greenland Parliament Act to ensure the licensee's compliance with Greenland legislation, the rights and economic interests of the Government of Greenland and the rights of the licensee.

Chapter 7

Mineral exploitation licence The licence

§ Sectoin 41. If, following an exploration licence under section 34, the licensee has identified and delimited an exploitable deposit of minerals which the licensee intends to exploit and has fulfilled all obligations relating to the exploration licence and activities under the licence, the licensee is entitled to be granted a licence to exploit the minerals in accordance with the provisions of the Greenland Parliament Act and other provisions and terms relating thereto.

Subsection 2. Naalakkersuisut shall decide whether the conditions in subsection (1) are met.

§ Section 42. If, under a licence with exclusive rights for small-scale exploration and small-scale exploitation of minerals, the licensee has identified and delimited an exploitable deposit of minerals which the licensee intends to exploit and has fulfilled all obligations relating to the small-scale licence and activities under the licence, the licensee is entitled to be granted a licence for exploitation of the minerals in accordance with the provisions of this Act and other provisions and terms relating thereto.

Subsection 2. Naalakkersuisut shall decide whether the conditions in subsection (1) are met.

§ Section 43. The Government of Greenland may grant a licence with exclusive rights to exploit one or more minerals for a defined area on specific terms and conditions.

Subsection 2. Naalakkersuisut shall grant an exploitation licence to the licensee under a prospecting licence or a small-scale licence if the licensee is entitled to be granted an exploitation licence under sections 41-42 and requests Naalakkersuisut to do so.

Subsection 3. In a case covered by subsection (2), Naalakkersuisut shall grant an exploitation licence to a company other than the licensee under the exploration licence or small-scale licence if the licensee under the exploration licence or small-scale licence requests

and the other company fulfils the requirements for the rights holder company under the exploitation authorisation, cf. sections 45-46 and 66-67.

Subsection 4. The Government of Greenland may grant an exploitation licence in a case not covered by subsection (2) if the Government of Greenland or another party in a specific area has identified and delimited an exploitable deposit of minerals which a licensee will be able to exploit under an exploitation licence.

Subsection 5. An exploitation licence covers the minerals of which an exploitable deposit has been proven and delineated.

§ Section 44. Before an exploitation licence can be granted under sections 41-43, the applicant must prepare terms of reference for the project, which must be notified by submission to the Government of Greenland.

Subsection 2. The terms of reference must be submitted for public consultation for at least 35 calendar days before an exploitation licence can be granted. If the applicant is to hold a public pre-consultation for a project description concerning environmental conditions or social conditions under section 106, the pre-consultation(s) must, as far as possible, be held at the same time as the hearing on the terms of reference.

Subsection 3. Consultation for the terms of reference under subsection (2) may not be completed earlier than 24 months before the granting of an exploitation licence.

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

Subsection 5. The Government of Greenland may lay down further provisions and conditions on the content of the terms of reference for a project and the realisation of a hearing.

Requirements for the licence holder

§ Section 45. The licensee under an exploitation licence must be registered as a limited company domiciled in Greenland.

Subsection 2. The management of the limited company shall have seat in Greenland.

Subsection 3. The Government of Greenland may approve that a licensee is exempted from fulfilling the requirement in subsection (2) for a period of up to 24 months after the granting of an exploitation licence.

§ Section 46. The limited liability company that is the licensee under the exploitation licence may only carry out and have previously carried out activities and operations under licences granted under the Greenland Parliament Act.

Subsection 2. The public limited company may not be jointly taxed with other companies, unless it is a case of compulsory joint taxation.

Subsection 3. The limited liability company may generally not be less well capitalised than the group of which the limited liability company is a part. However, the limited liability company's external capital (debt) may always exceed the limited liability company's equity up to a ratio of 2:1, i.e. the limited liability company's external capital may always be up to an amount corresponding to 200 per cent of the limited liability company's equity.

Subsection 4. The public limited liability company shall generally trade at arm's length prices and on arm's length terms, i.e. at market prices and on market terms used in transactions between independent parties that are not companies in the same group.

The authorisation period

§ Section 47. An exploitation licence is granted for a licence period of 30 years, unless a shorter licence period is stipulated in the provisions or terms of the licence.

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

Subsection 3. If the licensee has fulfilled all obligations regarding the licence and activities under the licence during the original licence period under subsection (1) and carried out exploitation activities as provided for in the mining plan approved by the Government of Greenland, the licensee is entitled to an extension of the licence period if the licensee has proven and delimited a usable deposit of minerals that the licensee will exploit during an extended licence period.

Subsection 4. The Government of Greenland may lay down amended licence terms in connection with any extension of the licence period to a longer total licence period than 40 years, including terms on restriction of the licence area under section 48.

Subsection 5. The total licence period for an exploitation licence may not exceed 50 years.

Subsection 6. An exploitation licence shall terminate when the licence period expires or the licence lapses, is revoked by the Government of Greenland or is returned by the licensee to the Government of Greenland after approval by the Government of Greenland.

Authorisation area

§ Section 48. An exploitation licence is granted for a licence area determined by the Government of Greenland.

Subsection 2. Upon application by a licensee under an exploitation licence, the Government of Greenland may grant an addendum to the licence with terms that the licence area under the exploitation licence is extended to include an additional area in which the licensee under an exploration licence has identified and delimited an exploitable deposit of minerals which the licensee intends to exploit. In the addendum to the licence, the Government of Greenland may, among other things, lay down terms on the conditions covered by section 49(3) and sections 51-56.

Naalakkersuisut's determination of terms and conditions regarding deadlines

§ Section 49. Naalakkersuisut shall lay down terms for the exploitation licence stating that the granting and maintenance of the licence is conditional on the licensee having submitted a satisfactory mine plan and closure plan to Naalakkersuisut within a specified reasonable time limit in accordance with sections 77 and 80 and other provisions and terms in this respect. The deadline for the submission of an adequate mine plan and closure plan must not be later than 4 years after the granting of the exploitation licence.

Subsection 2. If the licensee has not submitted a satisfactory mine plan and closure plan within the time limit set out in subsection (1), the exploitation licence shall lapse by

expiry of the time limit, unless the licence holder has before then been granted an extension of the time limit by the Government of Greenland.

Subsection 3. The Government of Greenland may lay down terms for the exploitation licence on time limits for matters of material importance to the implementation of the exploitation activities and other activities under the licence. The Government of Greenland may lay down terms or decide that the licence lapses or may be revoked if a deadline or an extended deadline is not met.

Performing activities and more

§ Section 50. The licensee under the exploitation licence is entitled to carry out mineral exploration and related activities.

Subsection 3. The provisions of section 39 shall apply mutatis mutandis to investigations under subsection (1).

Subsection 3. In the licence area of the exploitation licence, others than the licensee under the licence may not carry out activities under licences for prospecting, exploration or exploitation of minerals under the Greenland Parliament Act or local mineral activities.

Payment of fees, remunerations and amounts to cover the costs of regulatory processing

§ Section 51. The Government of Greenland may lay down provisions and terms for an exploitation licence stating that an applicant for an exploitation licence or an extension of the licence period after an exploitation licence must pay fees to the Government of Greenland:

- 1) for the Government of Greenland's receipt and processing of an application for the granting of an exploitation licence,
- 2) for an extension of the licence period after an exploitation licence,
- 3) by granting an exploitation licence, or
- 4) by extending the licence period after an exploitation licence.

Subsection 2. The Government of Greenland shall lay down provisions or terms for an exploitation licence stating that the licensee must pay remuneration to the Government of Greenland for maintaining the licence and activities under the licence, etc. Naalakkersuisut may, among other things, lay down provisions or terms that the licensee must pay one or more of the following types of remuneration:

- 1) A remuneration 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 sales price or other sales value of the minerals exploited (a sales royalty).
- 3) A remuneration in the form of a share of the economic benefit of the licensee's business covered by the licence (a dividend royalty).

Subsection 3. When Naalakkersuisut determines the licensee's remuneration to Naalakkersuisut under subsection (2), Naalakkersuisut may approve that the licensee is exempt from taxation of the activity covered by the licence if the enterprise is thereby subject to remuneration (fees),

that are at least as burdensome as taxation would have been, and the consideration (taxes) are fully covered by section 7 of the Greenland Self-Government Act.

Subsection 4. If an exploitation licence, see section 41(1) and section 43(2), is granted on the basis of an exploration licence granted before the entry into force of this Greenland Parliament Act, the Greenland Government may only lay down provisions or terms for the exploitation licence to the effect that the licensee shall pay remuneration to the Greenland Government, see subsection (2), if this is stated in the provisions or terms of the exploitation licence or if subsection (3) or a similar rule in Greenland tax legislation is used to approve the licensee. subsection (2) if this is stated in the terms or conditions of the exploration licence, or if subsection (3) or a corresponding rule in Greenlandic tax legislation is used to approve that the licensee is wholly or partly exempt from taxation of the activities covered by the exploitation licence.

Subsection 5. The licensee shall pay to Naalakkersuisut amounts to cover Naalakkersuisut's expenses in connection with case processing and other regulatory processing under the Greenland Parliament Act concerning the licence and activities under the licence as well as expenses for training and competence development of Naalakkersuisut's employees in the mineral area. The Government of Greenland may collect the payment of the amounts as fees or reimbursement of expenses.

Naalakkersuisut shall lay down further provisions or conditions in this respect.

Use of local workers and local suppliers of goods and services by the rights holder

§ Section 52. A licence for exploitation of minerals must stipulate the extent to which the licensee must use Greenland labour. However, to the extent necessary for the business, the licensee may use labour from other places than Greenland if similarly qualified labour is not available or available in Greenland.

Subsection 2. A licence for exploitation of minerals shall stipulate the extent to which the licensee shall use Greenland enterprises for contracts, supplies and services. However, other enterprises may be used if Greenland enterprises are not technically or commercially competitive.

Processing of exploited minerals by the licence holder

§ Section 53. A licence under section 16 may stipulate the extent to which the licensee shall process exploited mineral resources in Greenland. However, processing may take place outside Greenland if processing in Greenland would entail significantly higher costs or disadvantages.

Storage of exploited minerals by the licence holder and sale to locals

§ Section 54. The Government of Greenland may lay down provisions and terms for an exploitation licence to the effect that the licensee must store exploited minerals in Greenland and sell them to companies domiciled in Greenland or to persons who are permanent residents and fully liable to tax in Greenland. Naalakkersuisut may only stipulate such requirements to the extent that companies domiciled in Greenland or persons permanently resident and fully liable to tax in Greenland will themselves process the minerals or otherwise utilise the minerals commercially in Greenland.

Subsection 2. The licensee's sale of minerals, cf. subsection (1), shall take place at market prices and on market terms.

Reports on activities and submission of data and samples etc.

§ Section 55. A licence holder must submit to Naalakkersuisut:

- 1) utilisation reports,
- 2) reports on any exploration and other post-licence activities and their results,
- 3) copies of reports prepared by the rightholder or by others at the rightholder's request,
- 4) inventories,
- 5) financial statements,
- 6) data on utilisation and its results,
- 7) any investigation results and data and samples therefrom and the licence holder's interpretations, conclusions and recommendations thereon,
- 8) samples and cores.

Subsection 2. The licence holder's submissions, cf. subsection (1), no. 1, 2, 3, 7 and 8, are confidential. The confidentiality period is 5 years from the deadline for submission to Naalakkersuisut. However, confidentiality ceases in all cases upon termination of the licence.

Subsection 3. The Licensee's submissions, cf. subsection (1)(4) and (5), shall be confidential without time limit to the extent that they are exempt from access to documents under the Greenland Parliament Act on Public Administration.

Subsection 4. During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, results of the exploitation and any investigation, data, tests and interpretations, etc. Before publishing such general information, Naalakkersuisut must send the information to the licence holder and inform the licence holder that the licence holder may submit comments and any reasoned objections to the publication of all or some of the information within a reasonable time limit of at least 14 calendar days. If the licence holder sends an objection to the publication of all or some of the information within the time limit, and the licence holder's interest in confidentiality is found to outweigh the Government of Greenland's interest in publishing the information in question, the Government of Greenland will not publish this information.

Subsection 5. Notwithstanding subsections (3) and (4), the Government of Greenland may in all cases publish environmental data and environmental reports which are deemed to be of general societal interest.

Subsection 6. When the confidentiality period has expired, both the licence holder and the Government of Greenland shall have ownership of and the right to freely dispose of and use the submitted reports, results of the exploitation and any investigation, data, tests and interpretations, conclusions and recommendations, etc.

Subsection 7. The Government of Greenland lays down further provisions and conditions on the matters mentioned in subsections (1)-(6), including on the format, content and submission of reports at specific times, upon the performance of specific activities and the occurrence of specific events or conditions.

Naalakkersuisut may lay down provisions and conditions regarding Naalakkersuisut's possibility of publishing general information on specific activities, results, events and conditions.

Naalakkersuisut's determination of terms and conditions regarding the licence and activities

§ Section 56. The Government of Greenland may lay down provisions and terms for an exploitation licence on all relevant matters concerning the licence and activities under the licence in accordance with the purpose of the Greenland Parliament Act under section 1 and other provisions of the Greenland Parliament Act to ensure the licensee's compliance with Greenland legislation, the rights and economic interests of the Government of Greenland and the rights of the licensee.

Chapter 8

Procedures and criteria for granting an exploration licence or an exploitation licence

§ Section 57. A mineral exploration licence, cf. section 34, is granted at the discretion of the Government of Greenland in one of the ways mentioned in sections 58 and 59 and on the basis of the selection criteria mentioned in section 61.

Subsection 2. A licence to exploit minerals, cf. section 43, is granted to licensees who have obtained a right to do so, cf. section 41, section 42 or as determined by the Government of Greenland in one of the ways mentioned in section 59 and on the basis of the selection criteria mentioned in section 61.

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

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

Subsection 3. The Government of Greenland may refrain from granting a licence on the basis of applications submitted under subsections (1-2).

Subsection 4. The Government of Greenland may lay down further provisions and terms on the submission, receipt, registration and processing of applications under subsections (1)-(2).

§ Section 59. The Government of Greenland may lay down provisions to the effect that a specific area shall be open for a specific period of time for the continuous granting of licences upon application (an open door procedure). The Government of Greenland publishes a notice of the open door procedure on the Government of Greenland's website and in other relevant ways. Changes to the open door procedure are published in the same way. Applications for the granting of licences under the open door procedure can be submitted no earlier than 90 calendar days after the announcement of the opening of the area or the latest amendment.

Subsection 2. The Government of Greenland may lay down provisions to the effect that a licence may be granted after a general public call for applications for the granting of a licence. The Government of Greenland shall publish a notice of a call for applications at least 90 calendar days before the deadline for applications on the Government of Greenland's website and in other relevant ways.

Subsection 3. The Government of Greenland may lay down provisions to the effect that a licence may be granted after a special public call for applications for the granting of a licence if an application for the granting of a licence for an area not covered by an open door procedure under subsection (1) has been submitted without a prior call under subsection (2). Naalakkersuisut publishes a notice of the application and notice of other applications for the granting of a licence in the same area. The notice shall be published no later than 90 calendar days after receipt of the application. The notice is published on the Government of Greenland's website and in other relevant ways. The deadline for submission of other applications is 90 calendar days after publication of the notice.

Subsection 4. The Government of Greenland may refrain from granting a licence on the basis of applications submitted under subsections (1)-(3).

Subsection 5. The Government of Greenland may lay down further provisions and terms on the submission, receipt, registration and processing of applications under subsections (1)-(3).

§ Section 60. The Government of Greenland is not liable for and must not compensate, reimburse, refund or otherwise pay any expense, cost, loss or damage incurred by or suffered by an applicant applying for the granting of a licence. This applies irrespective of whether a loss or damage is incurred by or suffered by an applicant as a result of or in connection with the applicant applying for the granting of a licence, the applicant carrying out work, activities and studies, etc. in connection therewith and incurring costs, etc, that the applicant in connection therewith acquires, obtains or prepares information and documents thereon and submits them to Naalakkersuisut, that Naalakkersuisut processes and decides the case concerning the applicant's application for the granting of a licence, or that Naalakkersuisut decides not to grant a licence to the applicant.

§ Section 61. An authorisation covered by sections 58 and 59 shall be granted on the basis of the selection criteria mentioned in subsections (2)-(5).

Subsection 2. A selection criterion is the applicant's overall technical and professional ability, including, among other things:

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

Subsection 3. Another selection criterion is the applicant's economic and financial capacity.

Subsection 4. When assessing an applicant, the Government of Greenland shall attach importance to the applicant's possible lack of efficiency or failure to fulfil obligations in connection with other existing or previous licences in Greenland which persons in the applicant's management, including a board of directors, a management board, a supervisory board or similar management body, are or have been part of the management of, own or have owned or exercise or have exercised a controlling influence over,

as well as companies that own or exercise control over the applicant, own or have owned or exercise or have exercised control over the applicant.

Subsection 5. When applying the procedures under section 59(1)-(3), the Government of Greenland may also lay down other relevant, objective and non-discriminatory selection criteria with a view to making the final choice between applicants who are assessed to be equally suitable in an assessment according to the selection criteria mentioned in subsections (2)-(4).

Subsection 6. When applying the procedures under section 59(1)-(3), the criteria mentioned in subsections (2)-(5) and provisions on their mutual weighting shall be published together with the calls for applications mentioned in section 59.

Chapter 9

Authorisation for scientific studies

§ Section 62. Naalakkersuisut may, for a defined area and on specific terms and conditions, grant an applicant a licence to carry out scientific studies on minerals.

Subsection 2. A licence for scientific studies is granted for a licence period of up to 3 years.

Subsection 3. The licence period under subsection (2) may be extended one or more times by the Government of Greenland for a period of up to three years each time. However, if the licensee has not fulfilled all obligations regarding the licence and activities under the licence during the original licence period under subsection (2) or an extended licence period under this subsection (3), the Government of Greenland may refrain from granting an extension of the licence period. The Government of Greenland may lay down amended licence terms in connection with any extension of the licence period.

Subsection 4. The total authorisation period for an authorisation for scientific studies may not exceed 12 years.

§ Section 63. The licence holder, cf. section 62, shall submit to Naalakkersuisut:

- 1) Reports on the scientific studies and other post-authorisation activities and their results.
- 2) Copies of the study results and data and samples therefrom and the licence holder's interpretations, conclusions and recommendations thereon.

Subsection 2. The licensee's submissions under subsection (1) submitted to the Government of Greenland shall be confidential throughout the licence period. If the licence is terminated, submissions under subsection (1) submitted to the Government of Greenland shall be confidential for five years from the deadline for submission to the Government of Greenland.

Subsection 3. During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, preliminary study results, data, tests and interpretations, conclusions and recommendations, etc. Before publishing such general information, the Government of Greenland must send the information for consultation with the licence holder and inform the licence holder that the licence holder may submit comments and any reasoned objections to the publication of all or some of the information within a reasonable time limit of at least 14 calendar days. If, within the time limit, the rightholder sends a

objection to the publication of all or some of the information, and the right holder's interest in confidentiality is found to outweigh the interest of the Government of Greenland in publishing the information in question, the Government of Greenland will not publish this information.

Subsection 4. Notwithstanding subsections (2) and (3), the Government of Greenland may in all cases publish environmental data and environmental reports which are deemed to be of general public interest.

Subsection 5. When the confidentiality period has expired, both the licence holder and the Government of Greenland shall have ownership of and the right to freely dispose of and use the submitted reports, research results, data, tests and interpretations, conclusions and recommendations, etc.

Subsection 6. The Government of Greenland shall lay down further provisions and conditions on the matters mentioned in subsections (1)-(5), including on the format, content and submission of reports at specific times, on the performance of specific activities and the occurrence of specific events or conditions. The Government of Greenland may lay down provisions and conditions on the Government of Greenland's possibility of publishing general information on specific activities, results, events and conditions.

§ Section 64. The Government of Greenland may lay down provisions and terms for a scientific research licence on all relevant matters, including insurance concerning the licence and activities under the licence in accordance with the purpose of the Greenland Parliament Act under section 1.

Subsection 2. *The Government* of Greenland may lay down further provisions on scientific investigations, including on payment of expenses in connection with rescue operations, insurance cover and provision of security for such payments.

Chapter 10

General provisions for prospecting licences, exploration licences and exploitation licences

Application of general provisions

§ Section 65. The provisions of Chapter 10 shall apply to prospecting licences, mineral exploration licences and licences for exploitation of minerals.

Requirements for the licence holder

§ Section 66. The licensee under a licence shall have the necessary technical and professional capacity as well as economic and financial capacity to carry out the activities under the licence and to fulfil all obligations relating to the licence and activities under the licence.

Subsection 2. The licence holder must have full disposal of his/her assets. The right holder must not be insolvent or be subject to a judicial or administrative process for insolvency, reorganisation or the like, including being in suspension of payments, bankruptcy, liquidation or in a similar situation.

§ Section 67. The right holder, persons who own or exercise a controlling influence in the right holder and persons in the right holder's management, including a board of directors, an executive board, a supervisory board or a similar management body, must not have been convicted or have adopted (accepted) a fine or other penalty or sanction within the past four years for the following offences:

- 1) Bribery, fraud or cartel activity.
- 2) Participation in a criminal organisation.
- 3) Acts of terrorism or criminal offences related to terrorist activity.
- 4) Money laundering or terrorist financing.
- 5) Use of child labour or human trafficking.

(2). The licensee and the persons mentioned shall meet all the requirements under sections 66 and 67(1) at the time of granting the licence and throughout the licence period.

Reporting and payment of taxes and duties

§ Section 68. The Government of Greenland may lay down provisions and terms or decide that the licensee shall provide information on which enterprises and persons perform or assist in the performance of activities under a licence granted under the Greenland Parliament Act.

Subsection 2. Naalakkersuisut may lay down provisions and terms or decide that the licensee and enterprises and persons performing or assisting in the performance of activities under a licence under the Greenland Parliament Act must submit information and documents concerning tax and duty matters to Naalakkersuisut and other authorities.

Subsection 3. Naalakkersuisut may issue an order to a licensee that the licensee, when carrying out activities under a licence, may not use contracting parties who have not submitted information and documents concerning tax and duty matters to Naalakkersuisut and other authorities in accordance with subsection (2), or who do not make payments of taxes and duties to Naalakkersuisut and other authorities in accordance with the rules in force in Greenland at any time.

Subsection 4. Naalakkersuisut may decide that a licensee shall cease to carry out activities under a licence under the Greenland Parliament Act until the licensee has provided information under subsection (1), complied with an order under subsection (3) or provided information and documents regarding tax and duty matters to Naalakkersuisut and other authorities and made payments of taxes and duties to them in accordance with the rules in force in Greenland at any time.

Transfer and prosecution of an authorisation

§ Section 69. A direct or indirect assignment or transfer of a licence under the Greenland Parliament Act has no legal effect in relation to the licence and the Greenland Parliament Act unless the assignment or transfer has been approved by the Greenland Government.

Subsection 2. *The Government* of Greenland may lay down conditions for the authorisation of a transfer or transfer.

Subsection 3. An authorisation under the Greenland Parliament Act is exempt from prosecution. A prosecution against a licence is without legal effect.

Merger of the licence holder with another company or separation into several companies

§ Section 70. A licensee's merger (merger) with another company has no legal effect in relation to the licensee's authorisation under the Greenland Parliament Act and the Greenland Parliament Act in general, unless the merger has been approved by the Government of Greenland.

Subsection 2. A licensee's separation (demerger) into several companies shall have no legal effect in relation to the licensee's authorisation under the Greenland Parliament Act and the Greenland Parliament Act in general, unless the separation has been approved by the Government of Greenland.

Subsection 3. The Government of Greenland may lay down conditions for the authorisation of a merger or a separation under subsections (1) or (2).

Choice of law for an authorisation and resolution of a dispute concerning an authorisation by a court or arbitration tribunal

§ Section 71. Licences, activities under licences and matters relating thereto are subject to and governed by the Greenland Parliament Act and other Greenlandic and Danish law applicable in Greenland from time to time.

Subsection 2. Any dispute concerning the licence, activities under the licence or matters in connection therewith shall be settled in accordance with the Greenland Parliament Act and other Greenlandic law and Danish law applicable in Greenland at any time.

§ Section 72. Any dispute between the Government of Greenland and the licensee concerning a statutory or discretionary decision made by the Government of Greenland concerning the licence, activities or matters relating to the licence shall and may only be brought before and decided by the Court of Greenland, which shall have exclusive jurisdiction over such disputes. The Court of Greenland shall be the court of first instance.

§ Section 73. A licence may stipulate that a dispute between the Government of Greenland and the licensee as to whether the terms laid down in a licence have been met shall be brought before an arbitration court. The decision of the arbitration court is final. A dispute can only be brought before an arbitration court within a period of 1 year. The time limit is calculated from the day of notification of the decision to a party. If the time limit expires on a Saturday, Sunday or public holiday, the time limit is extended to the first following working day

§ Section 74. The right to bring an action before the courts, cf. section 72, or an arbitration tribunal, cf. section 73, shall continue after the termination of the licence, including upon expiry, lapse or revocation of the licence by Naalakkersuisut or the licensee's return of the licence after Naalakkersuisut's approval thereof.

Chapter 11

General provisions on minerals

§ Section 75. The Government of Greenland may grant an approval to a licensee under a licence under the Greenland Parliament Act for the licensee to export from Greenland minerals exploited in Greenland or extracted for testing under a licence under the Greenland Parliament Act. An authorisation may be granted on specific terms and conditions. An approval may be granted as part of the Government of Greenland's approval of a mine plan or other activity plan from the licensee, an approval condition in the licence or a stand-alone export approval.

Subsection 2. The Government of Greenland may grant an approval to a party other than a licensee under a licence under the Greenland Parliament Act for the party to export from Greenland minerals that have been legally exploited in Greenland or extracted for testing under a licence under the Greenland Parliament Act. An authorisation may be granted on specified terms and conditions. An authorisation is granted as a separate export authorisation.

§ Section 76. The Government of Greenland may lay down further provisions and conditions on minerals, including on processing, storage, depositing, transport, trade, export, import and certification.

Subsection 2. Naalakkersuisut may lay down provisions and conditions to the effect that processing of and trade in certain minerals may only be carried out after an authorisation granted by Naalakkersuisut.

Subsection 3. When Naalakkersuisut has laid down provisions or conditions under subsection (2), Naalakkersuisut may grant an authorisation as mentioned in subsection (2) and lay down provisions or conditions for such authorisation.

Chapter 12

Activity plans, authorisations, shutdown of activities and collateral etc.

§ Section 77. A mining plan must contain a licensee's plan for the licensee's exploitation of minerals and related activities under an exploitation licence. A mining plan must include, among other things, the following matters:

- 1) Establishment, operation and use of mining facilities, other facilities and buildings, etc.
- 2) Exploitation, processing, storage, transport and sale of minerals.
- 3) Utilisation of local workers and local suppliers of goods and services in the execution of the activities according to the mining plan.
- 4) Activities and issues related to safety, health, environment, resource utilisation and social sustainability.

Subsection 2. Before the licensee under an exploitation licence commences exploitation or activities in preparation for or in connection with such exploitation, a mining plan must be prepared and submitted by the licensee and approved by the Government of Greenland.

Subsection 3. The mine plan must be updated and amended to the relevant extent in relation to developments and changes in the exploitation activities and developments and changes in safety, health, environmental and other relevant conditions.

Subsection 4. When changed circumstances make it necessary or Naalakkersuisut so decides, the licence holder must prepare and submit an updated or amended mining plan as soon as possible and obtain Naalakkersuisut's approval of the updated or amended mining plan.

Subsection 5. The Government of Greenland may lay down conditions for an authorisation under subsection (2) or (4) under section 121.

Removal of facilities and clean-up etc. during the licence period and cessation and decommissioning of the business and activities after the licence

§ Section 78. The holder of a licence shall throughout the licence period:

- 1) remove installations and buildings etc. that have been established by the licence holder and are not used by the licence holder, and
- 2) carry out clean-up and relevant restoration of nature, etc. in the affected areas to the extent possible, unless otherwise authorised by Naalakkersuisut.

Subsection 2. The licensee under a licence shall, upon termination of the business and activities under the licence:

- 1) remove installations and buildings etc. established by the licence holder, unless otherwise approved by the Government of Greenland, and
- 2) carry out clean-up and relevant restoration of nature, etc. in the affected areas.

Subsection 3. If the licence holder does not comply with an order issued by the Government of Greenland to carry out the activities and measures etc. mentioned in subsections (1) and (2), the Government of Greenland may carry them out at the expense and risk of the licence holder.

Subsection 4. If the licensee does not comply with an order from Naalakkersuisut to carry out the activities and measures etc. mentioned in subsections (1) and (2), Naalakkersuisut may issue orders to other enterprises and persons to remove installations and buildings etc. belonging to the enterprises and persons in question and which have been used in the performance of activities under the licence and are located in the affected areas.

Subsection 5. If a person or company does not comply with an order under subsection (4), Naalakkersuisut may remove installations and buildings, etc. at the person's or company's expense and risk.

Retention and sale of removed assets

§ Section 79. The Government of Greenland may withhold the licensee's assets removed by the Government of Greenland's measures under section 78(3) until the licensee has fulfilled its obligations regarding the licence and the activities under the licence.

Subsection 2. Naalakkersuisut may withhold the assets of enterprises or persons removed by Naalakkersuisut's measures under section 78(5) until the enterprise or person in question has fulfilled its obligations to Naalakkersuisut.

Subsection 3. If the obligor under subsection (1) or (2) does not fulfil its obligations to the Government of Greenland as mentioned in subsection (1) or (2) within a reasonable time limit set by the Government of Greenland, the Government of Greenland may have the assets sold at public auction and use the auction sum to fulfil the obligations of the obligor.

Subsection 4. Before a public auction under subsection (3) is held, the obligor under subsection (1) or (2) and, as far as possible, any other person whose rights or obligations in respect of the share are likely to be affected by the sale shall be notified of the auction at least two weeks' notice, provided that the person's place of residence is known.

Subsection 5. At a public auction under subsection (3), the Government of Greenland shall offer the individual assets for sale at an auction meeting or by electronic auction. If the Government of Greenland estimates that a significantly higher bid can be obtained at a new auction, the Government of Greenland may at the conclusion of the auction in question decide that a new auction must be held.

Subsection 6. The party obligated under subsection (1) or (2) may, within a reasonable time limit set by Naalak- kersuisut, demand a new auction by immediately providing security for the payment of the costs associated therewith, insofar as they are not covered by a higher bid. The same may be done by any other party who does not obtain full coverage of its rights in relation to the asset through the bid.

Subsection 7. The costs of a public auction under subsection (3) shall be borne by the obligor under subsection (1) or (2) and may be paid from the auction sum prior to all other claims.

Subsection 8. If the sale proceeds received at the auction exceed the amount to be used for payment of the auction costs, see subsection (7), the Government of Greenland's claims, see subsection (1) or (2), and other rights in relation to the asset, the remaining part of the sale proceeds shall be paid to the owner of the asset.

Lockdown plan

§ Section 80. A decommissioning plan must contain the licensee's plan for the licensee's cessation and decommissioning of the exploitation of minerals and related activities under an exploitation licence, including safety, health and environmental conditions. A decommissioning plan must include the following matters, among others:

- 1) The cessation and decommissioning of the exploitation, processing, storage, transport and sale of minerals and activities and conditions related thereto.
- 2) Removal of all mining sites, other facilities and buildings.
- 3) Removal from the licence area and other affected areas of all things, materials, substances and waste etc. used, created or discharged in connection with the exploitation, processing, storage, transport or sale of minerals or other activities under the exploitation licence.
- 4) Clean-up and relevant restoration of nature etc. in the licence area and other affected areas.
- 5) Monitoring of relevant conditions after the completion of the cessation and decommissioning of the activities under the exploitation licence, etc. to the extent and for the period for which monitoring is relevant.

6) Use of local workers and local suppliers of goods and services in carrying out the activities under the decommissioning plan regarding the cessation and closure of the activities and subsequent monitoring, etc.

7) Provision of security for the fulfilment of the licensee's obligations under the Greenland Parliament Act, the exploitation licence and the mining plan, etc. regarding the cessation and closure of the activities and subsequent monitoring, etc.

Subsection 2. A transfer to another party or an abandonment of one or more mining facilities, other facilities or buildings may only take place after authorisation from the Government of Greenland.

Subsection 3. If one or more installations or buildings, etc. are abandoned, the decommissioning plan must contain relevant provisions on maintenance, monitoring and other activities and measures, etc.

§ Section 81. Before the licensee under an exploitation licence begins to carry out exploitation or activities in preparation for or in connection with it, a decommissioning plan must be prepared and submitted by the licensee and approved by the Government of Greenland.

Subsection 2. The licensee must submit the closure plan to Naalakkersuisut and have obtained Naalakkersuisut's approval of the closure plan no later than at the same time as the licensee submits the mine plan to Naalakkersuisut and obtains Naalakkersuisut's approval of the mine plan.

Subsection 3. Before a licence holder commences an activity not covered by subsection (1), a decommissioning plan must be prepared and submitted by the licence holder and approved by the Government of Greenland if the Government of Greenland imposes conditions on this, see section 121.

Subsection 4. The decommissioning plan shall be kept updated and amended to the relevant extent in relation to developments and changes in the exploitation activities, decommissioning activities, related costs and developments and changes in safety, health, environmental and other relevant conditions.

Subsection 5. When changed circumstances make it necessary or Naalakkersuisut so decides, the licensee must prepare and submit an updated or amended decommissioning plan as soon as possible and obtain Naalakkersuisut's approval of the updated or amended decommissioning plan.

Subsection 6. The Government of Greenland may lay down terms for an authorisation as mentioned in subsections (1), (3) and (5) under section 121. Naalakkersuisut may, among other things, lay down conditions on the safeguarding of safety, health, environmental and other relevant considerations after the cessation of the enterprise, including conditions on monitoring for a period after the closure.

§ Section 82. The decommissioning plan shall state how it is financially ensured that the licensee can implement the decommissioning plan and fulfil its obligations regarding decommissioning, the implementation of the decommissioning plan and the activities and measures related thereto.

Subsection 2. The decommissioning plan shall state how the licensee provides security for the fulfilment of its obligations regarding decommissioning, the implementation of the decommissioning plan and the activities and measures in connection therewith, cf. subsection (1).

Subsection 3. The provisions of the decommissioning plan on the licensee's provision of security for fulfilment of its decommissioning obligations must be approved by the Government of Greenland. The licence holder's provision of security for fulfilment of its decommissioning obligations must be approved by the Government of Greenland.

Subsection 4. When changed circumstances make it necessary, the licensee shall as soon as possible prepare and submit a decommissioning plan with amended provisions on the licensee's security for fulfilment of its decommissioning obligations, cf. subsection (1), including relevant additional or amended security, and obtain the approval of the Government of Greenland of the amended provisions on security. As soon as possible thereafter, the licensee shall provide security for fulfilment of the requirements in this respect under the amended provisions on provision of security in the decommissioning plan and obtain Naalakkersuisut's approval of the security.

Subsection 5. *The Government* of Greenland may lay down conditions for an authorisation as mentioned in subsections (3-4) under section 121.

Temporary suspension of exploitation activities

§ Section 83. Suspension of exploitation activities under an exploitation licence for a period of more than 60 calendar days with a view to later resuming the exploitation activities must be approved by the Government of Greenland before the exploitation activities are suspended. An authorisation may be granted for up to 2 years at a time. A renewed authorisation may be granted on amended terms.

Subsection 2. The Government of Greenland may lay down terms for an authorisation under subsection (1) in accordance with section 121.

§ Section 84. The Government of Greenland may order the licensee to implement the decommissioning plan mentioned in section 80 if a temporary suspension of the exploitation activities has covered a period of at least six years or if the conditions for the approval of the temporary suspension are not complied with.

Collateralisation

§ Section 85. The Government of Greenland may lay down provisions and terms that the licensee under a licence under the Greenland Parliament Act must provide and maintain security for the fulfilment of its obligations under the licence and the activities under the licence. The security shall include the licensee's obligations under the Greenland Parliament Act, provisions and terms laid down under the Greenland Parliament Act, the licence, the mine plan, the decommissioning plan, other activity plans, approvals of the plans, activity approvals and decisions made by Naalakkersuisut.

Subsection 2. *The Government* of Greenland may lay down further provisions and terms on the provision of security under subsection (1).

§ Section 86. A guarantee pursuant to section 85(1) shall be kept up to date and shall be amended as appropriate in relation to developments and changes in the activities under the licence, the plans therefore,

the authorisations thereof, the costs thereof and developments and changes in safety, health, environmental and other relevant conditions.

Subsection 2. When changed circumstances make it necessary, or Naalakkersuisut so decides, the licence holder shall as soon as possible change the security and obtain Naalakkersuisut's approval of the changed security.

Subsection 3. The security shall be amended in accordance with subsections (1-2) to the extent necessary to ensure that the licensee fulfils its obligations regarding the security in accordance with the Greenland Parliament Act, the licence, activity plans, approvals of activity plans and activities and decisions made by the Government of Greenland.

Subsection 4. Naalakkersuisut may lay down further provisions and terms and make decisions on the provision of security under subsections (1)-(3).

Chapter 13

Environmental protection, climate protection and nature conservation

§ Section 87. The rules of the Greenland Parliament Act on environmental, climate and nature protection must contribute to protecting the environment, climate and nature so that the development of society can take place on a sustainable basis with respect for human living conditions and the preservation of wildlife and plant life.

Subsection 2. The rules of the Greenland Parliament Act on environmental, climate and nature protection aim to prevent, limit and combat pollution and other impacts on the environment, climate and nature from activities that may:

- 1) jeopardise human health,
- 2) damage wildlife, plant life or natural values on or in the land, sea or subsoil,
- 3) interfere with the legitimate use of the land, sea, subsoil or natural resources,
- 4) degrade the human condition, and
- 5) impair recreational values or activities.

Subsection 3. In connection with the provisions of subsection (2), it is particularly intended to:

- 1) prevent, limit and combat pollution of soil, sea, seabed, subsoil, water, air, harmful effects on climatic conditions, vibration and noise nuisance,
- 2) Limit the use and waste of minerals and other resources,
- 3) promote the use of cleaner technology; and
- 4) Promote recycling and minimise waste disposal problems.

§ Section 88. In the application and administration of the Greenland Parliament Act's rules on environmental, climate and nature protection, emphasis shall be placed on what is achievable by using the best available technology, including less polluting plants, machinery, equipment, processes, technologies, raw materials, substances and materials, and the best possible pollution control measures. In this assessment, particular attention shall be paid to preventive action through the use of cleaner technology.

Subsection 2. In assessing the extent and nature of measures for the prevention and mitigation of pollution, the nature of the external surroundings and the nature of the pollution shall be emphasised.

The aim is to understand the likely impact of the use of substances and materials on them and the entire cycle through which they pass, in order to minimise the waste of resources.

§ Section 89. Anyone who intends to commence activities covered by the Greenland Parliament Act and which may give rise to pollution must choose a time and place for the activities in such a way as to minimise the risk of pollution. When selecting the time and place for the performance of the activities, consideration shall be given to the nature and character of the area, including the current and planned future utilisation and the possibilities for appropriate disposal of waste water, waste and other polluting substances and materials.

Subsection 2. Anyone who intends to commence, commences or carries out activities that may give rise to pollution must take measures to prevent and counter this pollution and organise the establishment, design and operation of the activities in such a way that they cause pollution to the least possible extent, cf. section 88.

Subsection 3. Anyone who intends to initiate, initiates or carries out activities that may give rise to pollution must ensure that pollution, emissions, waste generation and resource utilisation are limited as much as possible by selecting, establishing and designing facilities, etc. including machinery, equipment and any accommodation facilities. The same must be ensured in the organisation of operations, including the choice of exploration processes, exploitation processes, utilisation processes, work processes, raw materials, substances and materials for use in connection with operations and procedures for emergency preparedness and pollution control.

§ Section 90. When an enterprise or person has obligations under the Greenland Parliament Act concerning environmental protection or the prevention, reduction or control of pollution, the person concerned shall, in the fulfilment of the obligations, ensure and promote the use of the best available techniques and the best possible pollution control measures to the extent that this is technically, practically and economically feasible for the person concerned, cf. sections 88 and 89.

Subsection 2. When an enterprise or person under the Greenland Parliament Act must ensure that environmental risks are identified, assessed and minimised as far as reasonably practicable, the person concerned must, with regard to environmental protection, also ensure and promote the use of the best available technology and the best possible pollution control measures to the extent that this is technically, practically and economically feasible for the person concerned, cf. subsection (1) and sections 88 and 89.

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

- 1) Where an organisation or person is required to ensure that another party plans and carries out work or other activities so that environmental risks are identified, assessed or reduced as far as reasonably practicable.
- 2) Where a company or person is required to ensure that another party plans and carries out work or other activities so that environmental risks are identified, assessed and minimised as far as reasonably practicable.
- 3) When a company or individual is required to contribute to the identification, assessment and mitigation of environmental risks as far as reasonably practicable.
- 4) When an employer or other organisation or person is required to ensure that a

The person employed receives the necessary training and instruction to carry out the work so that environmental risks are identified, assessed and minimised as far as reasonably practicable.

5) When a company or an individual must ensure that environmental risks are eliminated or reduced.

6) When a company or a person must ensure that installations, facilities, ships or other vessels, including the construction, layout and equipment etc. of the object in question, are in a fully environmentally sound condition.

§ Section 91. In decisions on the granting of authorisation of an activity or the establishment and operation of a facility covered by the Greenland Parliament Act, emphasis is placed on, among other things, the consideration of

1) Avoid degradation or other negative impacts on environmental, climatic and natural conditions.

2) Avoid deterioration of nature and the habitats and habitats of species in designated national and international nature conservation areas and disturbance of the species for which the areas are designated.

§ Section 92. If an activity or a facility covered by the Greenland Parliament Act is likely to have a significant impact on environmental, climatic and natural conditions, an approval may only be granted on the basis of an assessment of the impact of the activity or facility on environmental, climatic and natural conditions and after the public and affected authorities and organisations have had the opportunity to comment on it. The assessment is carried out in accordance with the rules for environmental impact assessment in chapter 15.

Subsection 2. If an activity or a facility covered by the Greenland Parliament Act is likely to have significant impacts on a designated national or international nature conservation area, an authorisation may only be granted on the basis of an assessment of the impacts of the activity or facility on the site, taking into account the conservation objectives for the site. If the Government of Greenland considers it appropriate, the public is given the opportunity to comment on the assessment of the effects on the site before a licence or approval is granted.

Subsection 3. In the cases mentioned in subsections (1-2), an authorisation may only be granted if the activity or facility does not harm the integrity of a national or international nature conservation area or if significant public interests, including of a social or economic nature, make it necessary to carry out the activity or establish and operate the facility, cf. subsection (4).

Subsection 4. If an activity or a facility is likely to have a significant impact on a national or international nature conservation area with a prioritised habitat type or a prioritised species, the Government of Greenland may, in the case mentioned in subsection (3), only grant approval of the activity or facility if it is necessary for reasons of human health, public safety or the achievement of significant beneficial effects on the environment, or if other significant public interests make it necessary to carry out the activity or establish and operate the facility.

Subsection 5. When Naalakkersuisut grants an authorisation covered by subsection (3) or (4), Naalakkersuisut shall lay down appropriate compensation measures, including conditions for the authorisation.

the authorisation. The cost of any compensatory measures shall be borne by the applicant for the authorisation.

Authorisation provisions

§ Section 93. The Government of Greenland may lay down further provisions and conditions or make decisions on environmental, climate and nature protection and the matters mentioned in sections 87-92, including on the application of national rules, agreements or guidelines on environmental, climate and nature protection.

§ Section 94. Naalakkersuisut may lay down provisions and terms on matters relating to the environment, climate and nature in connection with the performance of activities covered by the Greenland Parliament Act in and outside the licence area and on other activities and matters covered by the Greenland Parliament Act.

Chapter 14

Environmental responsibility

§ Section 95. If the responsible party under section 20(2) is someone other than the licensee under a licence or authorisation concerning the activity, the licensee is also responsible for the activity. The two parties are then jointly and severally fully obligated and liable under the rules in this chapter.

Subsection 2. Anyone who according to subsection (1) is responsible for an activity that has caused or contributed to environmental damage or an imminent threat of environmental damage is responsible for the environmental damage or the imminent threat of environmental damage. This applies regardless of how the environmental damage or the imminent threat of environmental damage has occurred and even if the damage or the imminent threat of damage has occurred as a result of accidental circumstances.

§ Section 96. The person responsible for an imminent threat of environmental damage must immediately implement necessary preventive measures to avert the imminent threat of environmental damage and notify the Government of Greenland of the threat and the measures implemented.

Subsection 2. The party responsible for environmental damage must immediately initiate any practicable measures that can limit the extent of the damage and prevent further damage and notify the Government of Greenland of the damage and the measures.

Subsection 3. Naalakkersuisut supervises that the obligations under subsections (1) and (2) are fulfilled and may issue orders on their fulfilment and the implementation of measures in connection therewith.

§ Section 97. Naalakkersuisut may issue orders requiring the responsible party to provide information of importance to the assessment of whether there is environmental damage or an imminent threat of environmental damage. Naalakkersuisut may, among other things, issue an order that the responsible party must, at its own expense, carry out investigations, analyses, measurements of substances or materials or the like in order to clarify the cause and effect of environmental damage or an imminent threat of environmental damage.

Subsection 2. An order under subsection (1) may be issued even if the responsible party does not have access to the property or the area where pollution has been detected or where the activities under the order are to be carried out. The order may stipulate an obligation to restore the contaminated property or area, etc.

Subsection 3. If the responsible party does not have access to the property or area, Naalakkersuisut may order the party who has access to the property or area to tolerate that the responsible party or others carry out investigations or restoration, etc.

Subsection 4. An order under subsection (3) is binding on the person who at all times has the property or the area where the activities pursuant to an order under subsection (1) are to be carried out.

§ Section 98. If there is environmental damage or an imminent threat of environmental damage covered by the rules in this chapter, Naalakkersuisut shall make a decision on this and on possible measures, etc. in accordance with the rules in this chapter.

Subsection 2. Naalakkersuisut publishes the decision under subsection (1) on Naalakkersuisut's website or in another appropriate manner. Publication of a decision under subsection (1) that there is environmental damage or an imminent threat of environmental damage is at the expense of the responsible party.

§ Section 99. The Government of Greenland may lay down further provisions and terms on environmental liability, including on the realisation of the provisions mentioned in this chapter.

Chapter 15

Environmental Impact Assessment (EIA)

§ Section 100. Authorisation of one of the following activities can only be granted, cf. chapter 12, when an environmental impact assessment (EIA) of the activity has been carried out and a report (EIA report) has been approved by Naalakkersuisut:

- 1) Exploitation of minerals, except for local mineral activities.
- 2) Establishment or location and use of major facilities used in activities covered by the Greenland Parliament Act, including mining facilities, underground facilities, associated energy facilities and associated pipeline facilities.
- 3) Cessation of an activity or the operation of a facility etc. mentioned in nos. 1-2 or removal or closure of a facility etc. mentioned in no. 2.

Subsection 2. Licence holders may apply for exemption from the requirement in subsection (1)(1) if the exploitation will not have a significant impact on the environment.

Subsection 3. If an activity covered by the Greenland Parliament Act and not by subsection (1) is likely to have a significant impact on the environment, an authorisation of the activity can only be granted when an environmental assessment has been carried out and an EIA report has been approved by the Government of Greenland.

Subsection 4. Naalakkersuisut decides whether, in the cases mentioned in subsections (2) and (3), an environmental impact assessment must be carried out and an EIA report prepared.

Subsection 5. If an environmental impact assessment is not to be carried out and an EIA report is not to be prepared for the activity, cf. subsection (4), the Government of Greenland may decide that an

An assessment of preventive measures (VFT) and a report on this (VFT report) are prepared.

Subsection 6. If for an activity neither an assessment of the effects on the environment, cf. subsection (4), nor an assessment of preventive measures, cf. subsection (5), must be carried out, the Government of Greenland may decide that the activity must be environmentally approved.

Subsection 7. The Government of Greenland may lay down further provisions on the criteria used in the decision under subsection (4). Naalakkersuisut may also lay down further provisions on the assessment of preventive measures (VFT) and the criteria for this, cf. subsection (5). The Government of Greenland may also lay down further provisions on environmental authorisations under subsection (6).

§ Section 101. A licensee applying for the granting of an authorisation for an activity subject to EIA under section 100 must

- 1) carry out an environmental impact assessment (EIA),
- 2) prepare an EIA report,
- 3) submit the EIA report cf. no. 2 to Naalakkersuisut,
- 4) prepare a non-technical summary of the EIA report and submit the summary to Naalakkersuisut.

Subsection 2. The EIA report must appropriately demonstrate, describe and assess the direct and indirect impacts of the activity on environmental conditions and the interaction between the conditions, mutual impacts between the conditions and the overall (cumulative) impacts.

Subsection 3. Naalakkersuisut may decide that additional material for use in the environmental impact assessment must be provided or that the applicant must carry out further investigations or assessments of specific matters of importance to the environmental impact assessment.

Subsection 4. Naalakkersuisut may lay down further provisions and conditions on the conduct of an environmental assessment, the preparation of an EIA report and Naalakkersuisut's approval of an EIA report, etc. including that the studies and assessments to be carried out and the information and documents to be provided for use in an environmental assessment must be contained in an EIA report and submitted to Naalakkersuisut when submitting an EIA report.

§ Section 102. Information about the submission of a final EIA report to the Government of Greenland is publicised on the Government of Greenland's website and in another appropriate manner.

Subsection 2. Draft EIA reports and information, documents and data in connection therewith 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 in another appropriate manner that the licence holder has submitted a final EIA report to the Government of Greenland in accordance with subsection (1).

Subsection 3. During the confidentiality period, Naalakkersuisut may publish general information about a confidential draft EIA report and confidential information, documents and data in connection therewith, which have been submitted to Naalakkersuisut. Naalakkersuisut shall, before an of

In the event of publication of such general information, the Government shall send the information for consultation with the rights holder and inform the rights holder that the rights holder may submit comments and any reasoned objections to the publication of all or some of the information within a reasonable time limit of at least 14 calendar days. If the right holder sends an objection to the publication of all or some of the information within the time limit and the right holder's interest in confidentiality is found to outweigh the Government of Greenland's interest in publishing the information in question, the Government of Greenland will not publish this information.

Subsection 4. Notwithstanding subsections (2) and (3), the Government of Greenland may in all cases publish environmental data and environmental reports which are deemed to be of general societal interest.

Subsection 5. Naalakkersuisut may lay down further provisions and terms on the conditions mentioned in subsections (1)-(4).

Chapter 16

Social Sustainability Assessment (SIA)

§ Section 103. Naalakkersuisut can only grant an authorisation for an activity that is covered by the Greenland Parliament Act and which is likely to have a significant impact on social conditions when an assessment of the social sustainability (SIA) of carrying out the activity has been made and a report on this (SIA report) has been prepared by the rights holder and approved by Naalakkersuisut.

Subsection 2. Naalakkersuisut shall decide whether a specific case is covered by subsection (1) so that the right holder applying for the granting of an authorisation must carry out an SIA, prepare an SIA report and obtain Naalakkersuisut's approval of the SIA report.

Subsection 3. *The Government* of Greenland may lay down further provisions or conditions on the criteria used in the decision.

§ Section 104. A licensee applying for the grant of an authorisation of an activity shall, when required under section 103:

- 1) Conduct a social impact assessment (SIA),
- 2) prepare a SIA report,
- 3) submit the SIA report cf. no. 2 to Naalakkersuisut, and
- 4) prepare a non-technical summary of the SIA report and submit the summary to Naalakkersuisut.

Subsection 2. *The* SIA report must appropriately demonstrate, describe and assess the direct and indirect effects of the activity on societal conditions and the interaction between the conditions, mutual influences between the conditions and the overall (cumulative) effects, including with regard to the population's social, cultural, religious and spiritual values and customs.

Subsection 3. Naalakkersuisut may decide that additional information or documents for use in an SSA must be provided or that the person obliged to carry out an SSA must carry out further investigations.

or assessments of specific issues that are important for the assessment of societal sustainability.

Subsection 4. Naalakkersuisut may lay down further provisions and terms on the conduct of an SIA, the preparation of an SIA report and Naalakkersuisut's approval of an SIA report, etc., including on the studies and assessments to be carried out and the information and documents to be provided for use in an SIA, contained in an SIA report and submitted to Naalakkersuisut when submitting an SIA report.

§ Section 105. Information about the submission of a final SIA report to the Government of Greenland shall be publicised on the Government of Greenland's website and in other appropriate ways.

Subsection 2. Drafts of an SIA report and information, documents and data in connection therewith 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 in other appropriate ways that the licence holder has submitted a final SIA report to the Government of Greenland in accordance with subsection (1).

Subsection 3. During the confidentiality period, the Government of Greenland may publish general information about a confidential draft SIA report and confidential information, documents and data in connection therewith submitted to the Government of Greenland. Before publishing such general information, the Government of Greenland shall send the information for consultation with the rights holder and inform the rights holder that the rights holder may submit comments and any reasoned objections to the publication of all or some of the information within a reasonable time limit of at least 14 calendar days. If the right holder sends an objection to the publication of all or some of the information within the time limit and the right holder's interest in confidentiality is found to outweigh the Government of Greenland's interest in publishing the information in question, the Government of Greenland will not publish this information.

Subsection 4. Naalakkersuisut may lay down further provisions and terms on the conditions mentioned in subsections (1)-(3).

Chapter 17

Pre-consultation and consultation

§ Section 106. If, in the opinion of the Greenland Government, an activity under the Greenland Parliament Act is likely to have a significant impact on the environment, see section 100, or a significant impact on social conditions, see section 103, the applicant or the licence holder must prepare a project description to be submitted to the Greenland Government.

Subsection 2. The project description must be submitted for public pre-consultation for 35 calendar days before the content of the environmental impact assessment (EIA) or social impact assessment (SIA) is determined. If both an environmental impact assessment (EIA) project description and a social impact assessment (SIA) project description are to be subject to public consultation, the consultations must be carried out together.

Subsection 3. The Government of Greenland may lay down further provisions and terms on the content of the project description.

§ Section 107. The Government of Greenland submits an environmental impact assessment (EIA) report and a social impact assessment (SIA) report for public consultation. If both an environmental impact assessment report (EIA report) and a social impact assessment report (SIA report) are subject to public consultation, the consultations must be carried out together.

Subsection 2. The consultation period is 8 weeks. The consultation period runs from the day on which the Government of Greenland has made all consultation material publicly available. If the consultation period expires on a Saturday, Sunday or public holiday, the consultation period is extended to the following working day.

Subsection 3. The consultation period is extended if it is not possible to organise the public consultation meetings in an appropriate manner or if the Government of Greenland cannot attend the meetings.

§ Section 108. During the consultation period, cf. section 107, Naalakkersuisut shall, in cooperation with the holder of the licence, hold public consultation meetings in towns and settlements that are particularly affected by the planned activities concerning the project. If the activities are to be carried out geographically far from towns and settlements or outside the municipal division, Naalakkersuisut decides in which towns and settlements public consultation meetings are to be held.

§ Section 109. Naalakkersuisut shall convene a public consultation meeting at least 14 calendar days before the consultation meeting is held, cf. section 108.

Subsection 2. The invitation to a public consultation meeting must be announced in local newspapers and other relevant public and private media.

Subsection 3. Naalakkersuisut shall prepare minutes of the consultation meeting. Naalakkersuisut subsequently publishes the minutes.

Subsection 4. Naalakkersuisut must ensure that at the consultation meeting time is set aside and access is provided for the participants at the meeting to ask questions, make comments, discuss the project and read out statements on the project.

Subsection 5. Naalakkersuisut appoints a chairperson for the hearing meeting.

Chapter 18

Social sustainability agreement

§ Section 110. The Government of Greenland may lay down provisions and conditions to the effect that a licensee applying for authorisation of an activity covered by the Greenland Parliament Act, which is likely to have a significant impact on social conditions, must enter into and fulfil an agreement on social sustainability and other socio-economic conditions.

Subsection 2. The agreement referred to in subsection (1) shall be concluded between Naalakkersuisut and the licence holder.

Subsection 3. If the licence's licence area is in the area of a municipality, the agreement is also concluded with the municipality.

Subsection 4. If the licence area of the licence is not in the area of a municipality, the agreement shall also be concluded with one or more neighbouring municipalities if the Government of Greenland lays down provisions or terms or makes a decision thereon.

Subsection 5. However, Naalakkersuisut may decide that the agreement shall not also be concluded with a municipality if the municipality's requirements regarding the negotiation, conclusion or content of the agreement are, in Naalakkersuisut's judgement, not in accordance with section 111 or provisions or terms laid down by Naalakkersuisut under section 112.

§ Section 111. The agreement under section 110 shall be negotiated, concluded and have a content in accordance with the purpose of the Greenland Parliament Act under section 1 and other provisions, the purpose and subjects of the agreement under section 110 and provisions and conditions laid down pursuant to section 112.

Subsection 2. The agreement under section 110 shall, among other things, contain terms on the licensee's use of local workers and suppliers and on training and further training of local labour.

Subsection 3. It may be laid down in an agreement under section 110 that a dispute between the Government of Greenland and the licensee as to whether the terms laid down in the agreement have been met shall be brought before an arbitration court. The terms thereof shall generally correspond to the terms thereof in the licence. However, if the agreement has also been entered into with one or more municipalities, the terms of the licence must be amended in the agreement so that they are adapted to the fact that the municipality or municipalities are also parties to the agreement and will thus also be parties to a dispute concerning the agreement.

§ Section 112. The Government of Greenland may lay down detailed provisions and conditions for an authorisation on all relevant matters concerning an agreement under section 110 in accordance with the purpose of the Greenland Parliament Act under section 1 and other provisions.

Chapter 19

Health and safety for offshore installations

§ Section 113. The licensee shall ensure that safety and health risks associated with offshore installations used in the performance of activities covered by a licence under the Greenland Parliament Act are identified, assessed and mitigated as far as reasonably practicable.

Subsection 2. The licensee shall ensure that the operation of an offshore installation is carried out in accordance with the Greenland Parliament Act, other legislation, provisions laid down under the Greenland Parliament Act and other legislation and provisions and terms laid down for the licence, and that supervision is carried out.

Subsection 3. The licence holder must ensure that:

- 1) a company that performs or controls and directs the performance of activities under the offshore installation licence on behalf of the licensee has the opportunity to fulfil the safety and health obligations incumbent on it,
- 2) the organisation concerned ensures and supervises that safety and security

health risks are identified, assessed and minimised as far as reasonably practicable; and
3) activities under the licence are carried out in accordance with the Greenland Parliament Act, other legislation, provisions laid down under the Greenland Parliament Act and other legislation and provisions and conditions laid down for the licence.

§ Section 114. The Government of Greenland may lay down provisions and conditions on health and safety in connection with offshore installations used in the performance of activities covered by a licence under the Greenland Parliament Act in accordance with the purpose of the Greenland Parliament Act under section 1 and other provisions.

Chapter 20

Safety zones at offshore installations

§ Section 115. An offshore installation is surrounded by a safety zone unless the installation is being sailed or towed.

Subsection 2. If an offshore installation surrounded by a safety zone is not immediately visible on the sea surface, it must be marked with a buoy or other easily visible marking approved by the Government of Greenland.

Subsection 3. A safety zone has an extension of 500 metres around the offshore installation, measured from any point on its outer edge or from other applied markings. In the vertical (vertical) plane, a safety zone extends from the seabed to 500 metres above the highest point on the installation. In the horizontal (horizontal) plane, the safety zone extends 500 metres out from any point on the outer edge of the offshore installation where it is located at any time.

Subsection 4. The position of an offshore installation surrounded by a safety zone shall be published in Notices to Mariners. The publication in Notices to Mariners is made by the licence holder, unless otherwise determined by the Government of Greenland.

§ Section 116. Naalakkersuisut may decide to deviate from the extent of a safety zone laid down in section 115(3). A deviation may extend or restrict a safety zone and may be fixed for a specific period. A deviation is published in the Notices to Mariners or in another manner determined by the Government of Greenland. Publication in Notices to Mariners or in any other manner determined by the Government of Greenland shall be made by the licence holder, unless otherwise determined by the Government of Greenland.

Subsection 2. In a hazardous situation or an accident situation that may result in personal injury, loss of life, serious pollution, major material damage or a significant impediment to activities on an offshore installation, the Government of Greenland may extend an existing safety zone or establish a new safety zone to the extent deemed necessary to prevent, hinder or limit the said harmful effects. An extension of an existing safety zone or the establishment of a new safety zone shall be published in the Notices to Mariners. The publication in Notices to Mariners is made by the licence holder, unless otherwise decided by the Government of Greenland.

§ Section 117. Ships, barges, other seagoing vessels, aeroplanes, helicopters, drones and other aircraft, mobile offshore units and other mobile installations and devices, fishing equipment, anchors, other mooring equipment, other equipment and other objects shall not enter or be in a safety zone at an offshore installation unless for a lawful purpose.

Subsection 2. Naalakkersuisut may in special cases decide on exceptions to the prohibition in subsection (1), including with regard to fishing and hunting, and may lay down further provisions and conditions thereon.

Chapter 21

General provisions

Requirements for performing activities

§ Section 118. Activities covered by a licence under the Greenland Parliament Act shall be carried out in accordance with recognised good international practice in the field under similar conditions.

Subsection 2. Activities shall be carried out in an appropriate manner and in a responsible manner with regard to safety, health, environment, resource utilisation and societal sustainability, including consideration of the social, cultural, religious and spiritual values and customs of the population.

Implementation and application of international agreements

§ Section 119. The Government of Greenland may lay down provisions and conditions or make decisions with a view to implementing or applying international agreements or rules on matters covered by the Greenland Parliament Act in Greenland.

Naalakkersuisut's approval of activities

§ Section 120. Activities covered by a licence under the Greenland Parliament Act, including the establishment of buildings, facilities and installations, etc. in and outside the area covered by the licence and measures and activities for the fulfilment of obligations upon termination of the activities under a licence, must be approved by the Government of Greenland before implementation in accordance with the terms laid down in the licence. However, the Government of Greenland may lay down provisions and conditions to the effect that certain activities under a licence do not require approval.

Subsection 2. Measures in connection with temporary suspension of exploitation activities must be approved by the Government of Greenland before implementation in accordance with the terms laid down in the licence.

Subsection 3. Major or significant activities carried out in connection with the performance of activities under a licence, including drilling, sinking of shafts and insertion of posts, etc. must be approved by the Government of Greenland in each individual case prior to implementation.

§ Section 121. For an approval of an activity or an activity plan, the Government of Greenland may lay down provisions and conditions on all relevant matters concerning the approval, the activity or activity plan and the activities under the activity plan in accordance with the purpose of the Greenland Parliament Act under section 1 and other provisions.

Supervision, injunctions and duty of disclosure

§ Section 122. The Government of Greenland shall supervise the activities and operations of rights holders and others covered by the Greenland Parliament Act, including provisions and conditions laid down under the Greenland Parliament Act. The employees of the supervisory authority have access at any time without a court order and against proper identification to all parts of enterprises and activities covered by the Greenland Parliament Act to the extent required to carry out supervisory tasks.

§ Section 123. The Government of Greenland may issue orders and prohibitions in order to ensure compliance with the Greenland Parliament Act and provisions and terms laid down under the Greenland Parliament Act. Orders and prohibitions may be issued to licence holders or other parties covered by the Greenland Parliament Act.

§ Section 124. Licence holders and other parties covered by the Greenland Parliament Act must provide all information required for regulatory processing of their activities or activities covered by the Greenland Parliament Act. In order to carry out regulatory processing under the Greenland Parliament Act, Naalakkersuisut may order rights holders and others to submit the information in the manner and form that Naalakkersuisut deems necessary.

Setting up case management

§ Section 125. If a licensee covered by the Greenland Parliament Act has not paid an amount due of DKK 100,000 or more to cover Naalakkersuisut's expenses in connection with case processing and other regulatory processing under the Greenland Parliament Act, see section 31(3), section 38(4) and section 51(5), Naalakkersuisut may suspend the processing and decision of any case concerning the licensee until the licensee has paid any amount due to Naalakkersuisut. In such a case, Naalakkersuisut may also issue an injunction to the licensee covered by the Greenland Parliament Act to cease its activities under the licence until the licensee has paid any amount due to Naalakkersuisut. The Government of Greenland may lay down further provisions and terms in this respect.

Licences and approvals according to other legislation

§ Section 126. Processing by the authorities, including licences and approvals, under the Greenland Parliament Act does not exempt rights holders and other parties covered by the Greenland Parliament Act from obtaining approvals or licences required under other legislation, cf. subsection (2).

Subsection 2. However, a licence under the Greenland Parliament Act exempts from fulfilment of requirements for area allocation inside and outside the licence area for buildings and facilities.

Expropriation of property

§ Section 127. The Government of Greenland may, to the extent necessary, authorise the expropriation of property in order to carry out activities under the Greenland Parliament Act.

Subsection 2. Expropriation under subsection (1) shall be carried out in accordance with the rules of the Greenland Parliament Act on Expropriation.

Protecting certain areas and introducing zones

§ Section 128. Inatsisartut may by law lay down provisions that one or more specific areas are protected in order to safeguard considerations of geological conditions and their preservation. No activities of any kind under this Act may be carried out in a geological protected area unless Inatsisartut has laid down in the Preservation Act that one or more specific activities may be performed.

Subsection 2. Inatsisartut may by law prohibit or restrict activities under this Inatsisartut Act in one or more areas in order to safeguard the public interest.

Other public authorities' fulfilment of regulatory tasks

§ Section 129. The Government of Greenland may lay down provisions to the effect that public authority tasks under the Greenland Parliament Act shall be performed by other public authorities or private parties to a specified extent.

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

Creating a pool of funds for citizens, local communities and relevant organisations for studies, advice, etc.

§ Section 130. Naalakkersuisut establishes a pool of funds from which affected citizens, local communities and relevant organisations in Greenland can apply for funds to initiate studies and to seek advice to uncover special issues related to specific mineral projects in Greenland and to hold a meeting on the project's impact on society.

Subsection 2. Applications for funding can only be made after an application, terms of reference or project description has been submitted for consultation or pre-consultation, cf. sections 35, 44 and 107.

Subsection 3. The Government of Greenland shall lay down further provisions on the pool under subsection (1).

Chapter 22

Liability and insurance

§ Section 131. A licensee under a licence shall compensate for damage caused by activities or operations covered by the licence, even if the damage is accidental.

Subsection 2. Compensation under subsection 1 may be reduced or cancelled if the injured party has contributed to the damage through intent or gross negligence.

§ Section 132. The Government of Greenland may lay down provisions and conditions for a licence stating that the licensee's liability for damages shall be covered by insurance or another form of security and that the licensee's activities and matters in connection therewith shall be covered by other relevant insurance.

§ Section 133. The Government of Greenland may lay down provisions and conditions for a licence stating that the liability of a licensee's contractual parties shall be covered by insurance or another form of security to the extent that the contractual parties' services and activities are used in the performance of activities under the licence.

Compensation for environmental damage

§ Section 134. The Greenland Parliament Act's rules on compensation for environmental damage apply to damage caused by pollution of soil, sea, seabed, subsoil, water or air as part of activities covered by the Greenland Parliament Act.

Subsection 2. The rules of the Greenland Parliament Act on compensation for environmental damage shall apply correspondingly to pollution and other negative impact on climatic conditions or nature and disturbances caused by noise, vibrations, heat, light or the like.

§ Section 135. In accordance with the rules in section 134 and sections 136-139, the following damage is compensated:

- 1) Personal injury and loss of trials.
- 2) Property damage.
- 3) Other wealth loss.
- 4) Reasonable costs for:
 - a) measures to prevent and avert damage,
 - b) restoring the environment and nature, and
 - c) mitigation and neutralisation of pollution and other negative impacts on the environment, climate and nature.

§ Section 136. Anyone who is liable for environmental damage under section 95 and who causes pollution in connection with an activity covered by the Greenland Parliament Act must compensate for the damage caused by the pollution, even if the damage is accidental. If the person in question is someone other than the holder of a licence or approval for the activity, the holder of the licence is also liable for the activity. The two parties are then jointly and severally fully obligated and liable according to the rules in subsections 2-4 and sections 137-139.

Subsection 2. Liability under subsection (1) does not arise if the responsible party proves that the environmental damage and pollution is solely caused by activities carried out in accordance with mandatory

regulations laid down by a public authority, unless the regulations follow from orders, instructions, decisions or conditions resulting from the responsible party's own activities or circumstances.

Subsection 3. Compensation for personal injury or loss of a breadwinner may be reduced or cancelled if the injured party or the deceased has intentionally contributed to the injury. Compensation may also be reduced and in special cases be cancelled if the injured party or the deceased has contributed to the injury through gross negligence.

Subsection 4. Compensation may in other cases be reduced or cancelled if the injured party has intentionally or through gross negligence contributed to the damage.

§ Section 137. An agreement on deviation from the Greenland Parliament Act's rules on compensation for environmental damage is invalid if the agreement was concluded before the occurrence of the damage and the deviation is unfavourable to the injured party.

Subsection 2. The rule in subsection (1) shall not apply to a contract between the person liable and a trader acting in the course of his business to the extent that the contract relates to the relationship between the parties to the contract. To the extent that such an agreement directly or indirectly concerns the relationship of the parties to the agreement with other parties, the rule in Subsection 1 shall apply.

§ Section 138. The rules on compensation for environmental damage in this chapter do not limit the injured party's right to compensation under the general rules on contractual or non-contractual compensation or other rules in the Greenland Parliament Act or other legislation.

§ Section 139. The Government of Greenland may lay down further provisions on compensation for environmental damage and the matters mentioned in this chapter, including on the application of national or international rules, agreements or guidelines on compensation for environmental damage.

Chapter 23

Penalties, confiscation and entry into force Penalties

§ Section 140. Naalakkersuisut may impose daily or weekly penalty payments to the following:

- 1) Any person who fails to provide the information in due time which he or she is required to provide or which Naalakkersuisut may require 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) or section 124.
- 2) Anyone who fails to comply with an order or prohibition issued pursuant to section 68(3), section 123 or section 125.
- 3) Anyone who fails to provide security in due time in accordance with section 82(4).

Subsection 2. Naalakkersuisut shall lay down further provisions on the amount of penalty payments that may be imposed under subsection (1)

§ Section 141. Unless stricter measures are prescribed by other legislation, a fine shall be imposed on anyone who carries out activities as mentioned in section 22(2) or (3) without a licence or approval thereof in accordance with the relevant provisions of the Greenland Parliament Act.

Subsection 2. Unless stricter measures are prescribed by other legislation, a fine shall be imposed on anyone who carries out activities in a geological protected area without the activities being allowed to be carried out in accordance with provisions laid down by the Government of Greenland, cf. section 128.

Subsection 3. Unless stricter measures are prescribed by other legislation, anyone who intentionally or grossly negligent shall be penalised with a fine:

- 1) Provides false or misleading information or withholds information to which an authority is entitled under the Greenland Parliament Act or under provisions or conditions laid down under the Greenland Parliament Act.
- 2) Violates provisions or terms of permits or approvals granted under the Greenland Parliament Act or provisions laid down under the Greenland Parliament Act.
- 3) Fails to comply with orders or prohibitions issued by Naalakkersuisut under section 123 or section 125 or provisions or conditions for permits or approvals issued under the Greenland Parliament Act or provisions laid down under the Greenland Parliament Act.

Subsection 4. Provisions laid down under the Greenland Parliament Act may stipulate that a person who violates the provisions may be penalised with a fine or other measures under the Criminal Code of Greenland.

Subsection 5. If the offence is committed by an enterprise wholly or partly owned by the Greenland Self-Government, the State, a municipality or a municipal community covered by the Greenland Parliament Act on Local Government, a public limited company, private limited company, cooperative society or the like, criminal liability may be imposed on the enterprise etc. as such. The same applies if the offence is committed by the Greenland Self-Government, a municipality or a municipal community covered by the Greenland Parliament Act on Local Government.

Subsection 6. A case concerning measures under subsections (1)-(3) or provisions or conditions laid down under subsection (4) may be settled by administrative fine if the offence is clear, uncomplicated and without significant evidentiary doubts. The rules in the Administration of Justice Act on requirements for the content of an indictment and the fact that an accused is not obliged to make a statement shall apply *mutatis mutandis* to administrative fines under the Greenland Parliament Act.

Subsection 7. Fines imposed under the Greenland Parliament Act or provisions laid down under the Greenland Parliament Act shall accrue to the National Treasury.

Confiscation

§ Section 142. The Government of Greenland may confiscate minerals collected, mined or exploited without a licence in violation of section 22(2)(1)-(4) or in violation of provisions or conditions laid down for a licence or an approval or provisions laid down under the Greenland Parliament Act.

Subsection 2. The Government of Greenland may confiscate minerals that are attempted to be exported or exported from Greenland without approval thereof in violation of section 22(3)(1) or in violation of provisions or terms laid down for a licence or an approval or provisions laid down under the Greenland Parliament Act.

Subsection 3. If minerals collected, mined or exploited without a licence are transferred in violation of section 22(2)(1)-(4) or in violation of provisions or terms laid down for a licence

or an authorisation or provisions laid down in accordance with the Greenland Parliament Act, or rights thereto, the transferred minerals or their value may be confiscated from the transferee if the transferee was aware of the connection of the transferred minerals with the crime or has shown gross negligence in this respect, or if the transfer was made as a gift.

Subsection 4. The Government of Greenland may confiscate the proceeds of an activity covered by subsections (1), (2) or (3) or a corresponding amount. If there is insufficient basis to determine the amount, the Government of Greenland may confiscate an amount deemed to correspond to the proceeds obtained.

Subsection 5. The rules on confiscation of the proceeds of a crime or a corresponding offence in the Criminal Code of Greenland shall apply correspondingly to the confiscation by the Government of Greenland under subsections (1)-(4).

Subsection 6. Confiscation under subsections (1), (2) and (3) shall be carried out by the Government of Greenland or, in criminal cases, the relevant authority under the Criminal Code of Greenland.

Subsection 7. Confiscated minerals are sold off by the Government of Greenland. The sales proceeds accrue to the National Treasury.

Entry into force, amendment and cancellation provisions

§ Section 143. The Inatsisartut Act enters into force on 1 January 2024.

Subsection 2. Licences for prospecting, exploration or exploitation of minerals in Greenland or scientific studies concerning minerals in Greenland granted before the entry into force of the Greenland Parliament Act shall retain their validity. The Greenland Parliament Act shall also apply to such licences, holders of rights under such licences and activities carried out under such licences at the entry into force of the Greenland Parliament Act. Within the scope of application of the Greenland Parliament Act, it also applies to activities relating to minerals, including the collection, extraction and utilisation of minerals, which are covered by the Greenland Parliament Act on Mineral Resources and Activities of Importance Thereto (the Mineral Resources Act) and carried out before the entry into force of the Greenland Parliament Act. Within the scope of the Greenland Parliament Act, it also applies to minerals collected, extracted or utilised by such activities. Within the scope of the Greenland Parliament Act, it shall also apply to decisions on activities and matters concerning minerals covered by the Mineral Resources Act and made before the entry into force of the Greenland Parliament Act, provided that the time limit mentioned in sections 25 and 73 shall be calculated from the time of the entry into force of the Greenland Parliament Act.

Subsection 3. Section 29 of the Greenland Parliament Act does not apply to prospecting licences granted before the entry into force of the Greenland Parliament Act.

Subsection 4. Section 44 of the Greenland Parliament Act does not apply to the extent that a licence holder has had a project description approved for pre-consultation under section 87a of the Mineral Resources Act before the entry into force of the Greenland Parliament Act.

Subsection 5. Rightsholders who have been granted an exploitation licence at the time of the entry into force of the Greenland Parliament Act must fulfil the requirement in section 45(2) of the Greenland Parliament Act no later than 24 months after the entry into force of the Greenland Parliament Act.

Subsection 6. The provisions in force on 1 January 2024 for mineral activities and application procedures, standard terms and conditions for licences concerning minerals covered by the scope of the Greenland Parliament Act shall remain in force with the amendments resulting from the Greenland Parliament Act until the provisions are repealed or replaced by new provisions laid down in accordance with the Greenland Parliament Act.

Government of Greenland, 13 June 2023

Múte Bourup Egede (sign)
Chairman of the Naalakkersuisut