

A hand is shown holding a globe of the Earth. The globe is cut away to reveal different scenes: a green landscape with a waterfall and wind turbines, a road winding through a green field, a large tree, and a yellow recycling sign. In the background, there are hot air balloons and a mining site on a hill.

LEGISLATION AND REGULATIONS RELATED TO POST-COAL MINING ACTIVITY

**AGJENCIA KOMBETARE
E BURIMEVE NATYRORE**

NATIONAL AGENCY OF NATURAL RESOURCES



- Energjitë e rinovueshme
- Hidrokarburet
- Minierat
- Hidroenergjetika

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“*Mining permit*” is an administrative act, in accordance with Mining Law nr.10 304, dated 15.07.2010, in order to conduct mining operations in designated areas and for the minerals specified in the law.

Starting from 1994, based on the Mining Law approved in this year, mining activity is conducted through private enterprises.

The above mentioned law pays special attention to the process of closure, conservation and monitoring of mines.

Obtaining a mining permit is preceded by obtaining an environmental permit in consultation with the public to take social problems into consideration.



Obtaining a Mining Permit in Albania

In the Decision of the Council of Ministers Nr. 232, dated 23.03.2011 “For the approval and functioning of responsible bodies in the Mineral Sector of the Republic of Albania, point 2, letter “a” is stated: *National Agency of Natural Resources (AKBN)* is responsible for drafting maps related to mining activity in the Republic of Albania, part of the 3-year activity program in accordance with annual plan and mining strategy.

Based on article 43 of law nr. 10304, dated 15.07.2010, the responsible body (AKBN), sends proposals to the ministry related to drafting the annual and 3-year plan.

Based on article 8 of law nr. 10304, dated 15.07.2010, ministry’s responsible body (responsible department), based on the proposition of **AKBN**:

- Drafts operational programs in accordance with the mining strategies, which are planned and created by the ministry after consulting with the ministry responsible for the environment, lodging, protected areas, farm land, cultural heritage, tourism, and local authorities and is approved by the Council of Ministers, after it is proposed by the minister.

Obtaining a Mining License in Albania

- Markets and promotes mining zones designated for use based on a tender process and full transparency.
- The minister approves the procedures for the preparation of the operational plan in accordance with the mining strategy and annual mining plan, ensuring the publication, transparency and consultation with interested parties during this process.
- Any amendmends or additions in the annual plan is approved and published in accordance with the same procedure.
- After an entity is announced as the winner or has met the first requirement as the first in line, based on Decision of the Council of Ministers nr. 942, dated 17.11.2010 “For the approval of procedures and documentation for obtaining mining permits in free zones”; presents their request in the National Registry desk, which is then sent to AKBN via online for proccessing.

AKBN's Role After Initial Registration

- ❖ **AKBN, implementing letter “B.2” of Decision of Council of Ministers nr. 942, dated 17.11.2010;**
 - Creates the verification act, for the permitted mineral area.
 - Processes technical documents presented by the entity.
 - Processes the development plan of the mining activities to be used, the investment planned for the area, the rehabilitation project of the mining area as well submit details related to financial requirements for the investment.
 - Decision of the Technical Council is sent to the Ministry of Infrastructure and Energy for additional procedures related to the processing of the application. With this decision, the procedure is concluded based on AKBN rules.
 - Once the mining license is given by the minister, AKBN is supposed to oversee and monitor working legal procedures as specified in the mining license.
 - AKBN processing dates from the date of the application are as below;
 - i. For mining permits – 60 calendar days
 - ii. For time extentions – 60 calendar days
 - iii. For expending coordinates – 45 calendar days.

Explanation of Terms Related to Post Mining Monitoring:

Mining Law Nr. 10304 dated 15.07.2010, Article 2:

- **Point 25.** “Environmental Rehabilitation Plan” means the technical environmental rehabilitation project realized in accordance with mining and environment legislation in power, based on a studying-design activity, including all the activities for progressive and final environmental rehabilitation of the permitted area, restoration measures of the mining waste deposited area, mining closure activities as well as all the total value of the financial surety for implementation of this project plan , presented and submitted with the documentation requested for granting mining rights.
- **Point 26.** “Closure of the mine” means all workings carried out on site under a design closure plan adopted for the protection and rehabilitation of the mine surface area, and the treatment of waters and gases going out of a mine, in conformity with the established standards in accordance with legislation in power included on Environmental Rehabilitation Plan.
- **Point 27.** “Closure Mine Activity Plan” means all the technical, economical, social and environmental documentation, and is part of Environmental Rehabilitation Plan, realized in accordance with the legal acts approved by the Minister, which motivates the closure of the exploitation and includes the schedule of necessary actions, ensures the funding and the effective achievement of the closure measures in accordance with mining and environment legislation in power and best international practices, presented and submitted with the documentation requested for granting mining rights.

Explanation of Terms Related to Post Mining Monitoring:

Mining Law Nr. 10304 dated 15.07.2010, Article 16:

Terms of Exploitation permit for group of minerals; metals, nonmetals, coal and bitumen:

1. The duration of a exploitation permit for groups metals, nonmetals, coal and bitumen of minerals shall be till to 25 (twenty-five) years from its effective date, subject to up to 1 (one) extension of until 10 (ten) years if requested by the exploitation permit holder not less than 1 (one) year before the expiry of the initial term of the exploitation permit.



Explanation of Terms Related to Post Mining Monitoring:

Mining Law Nr. 10304 dated 15.07.2010, Article 54 and 55:

- **Post mining monitoring procedures of a mining object and Conservation of mines**

After completion of the closure of an abandoned mine, used by the state is implemented post mining monitoring process, approved by the decision of the Council of Ministers, upon proposal of the minister, and the financial part for the implementation of post mining monitoring is covered by the State Budget. Same happens even for the conservation of mines.

Passing to a conservation regime of mines, for which the permit holder has abandoned mining operations and is carried out mine closure process, is approved by the minister, with structures responsible proposal. Financial costs for the implementation of post mining monitoring process are covered from the value financial guarantee for the rehabilitation of mining area.

Based on the situations mentioned above, is proposed a 3-year plan by AKBN with coordinates of dangerous areas, which is approved by the decision of the Council of Ministers.

*Thank you for your
attention!*