

**REGULATION no. 79/1988 Coll.**  
of the Slovak Mining Agency  
of 29 April 1988  
on deposit reservations and mining areas

Amendment: 533/1991 Coll.

The Slovak Mining Agency constitutes according to Article 17 par. 8 and Article 27 par. 8 of the Act no. 44/1988 Coll. on protection and utilisation of mineral resources (Mining Act) the following:

**PART ONE**

**DEPOSIT RESERVATION**

Article 1

Boundaries of deposit reservation

The boundaries of the deposit reservation shall be determined on the surface by the closed geometrical figure with straight sides. The apices of the geometrical figure shall be determined in the valid co-ordinate system<sup>1</sup>. The co-ordinates of the apices shall be found out by their measurement from the map or by surveying methods.

Article 2

Name of deposit reservation

- (1) The deposit reservation shall be denominated by the name of the cadastral area, in which the deposit reservation or its larger part lies.
- (2) If another deposit reservation is specified in the same cadastral area, it shall be denominated by the name according to par. 1 and by the Roman numeral.

Article 3

Proposal for determination of deposit reservation

- (1) The proposal for determination of the deposit reservation shall include:
  - a) the name and seat of the organisation,<sup>2</sup>
  - b) the basic data on the exclusive deposit (type of mineral, extent and shape of the deposit).
  - c) the name of the deposit reservation, its area, denomination and co-ordinates of the apices of its geometrical figure and justification of the proposed boundaries of the deposit reservation,
  - d) the name and identification number of the cadastral area<sup>4</sup> with the name and code of the district<sup>5</sup> in which the deposit reservation lies,
  - e) the data on other deposit reservations and protection zones in the deposit reservation,
  - f) the conditions of the exclusive deposit protection.
- (1) The following shall be enclosed to the proposal:
  - a) the map of the surface situation at the sufficiently large scale, which must not be smaller than 1:25 000. The boundaries of the deposit reservation shall be drawn in this map, and if it is possible, also the vertical projection of the exclusive deposit contour in this reservation, the boundaries of the previously determined deposit reservation or mining reservation, denomination and co-ordinates of apices of their geometrical figures and the boundaries of other protected areas and protection zones,

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<sup>1</sup> ČSN 01 3410 Maps of large scales. Basic provisions.

<sup>2</sup> Article 7 of the Act no. 44/1988 Coll. on protection and utilisation of mineral resources (Mining Act) in wording of the Act of Slovak National Council no. 498/1991 Coll.

<sup>4</sup> Article 3 of the Regulation of the Federal Statistical Institute and the Federal Ministry for Technical and Investment development no. 120/1979 Coll. on spatial identification of the information.

<sup>5</sup> Article 1 of the Regulation of the Federal Statistical Institute no. 1793/78-032-918 of 9th June, 1978, which regulates the numerical denomination of regions and districts in the CSSR (registered in the part no. 25/1978 Coll.).

- b) the certificate of the exclusive deposit.<sup>6</sup>
- (1) The area of the deposit reservation, coordinates of apices of its geometrical figure and the map of the surface situation according to par. 2 subpar. a) shall be verified by the chief mine surveyor or by the worker authorized for verification of the geometrical plans and other results of surveying.<sup>7</sup>

#### Article 4

##### Submitting the proposal for determination of the deposit reservation

- (1) The proposal for determination of the deposit reservation shall be submitted by the organisation in one copy to the Subdistrict Mining Office, in whose subdistrict the deposit reservation lies within 3 months from the delivery of the certificate or decision on the exclusive deposit. The map of surface situation [Article 3 par. 2 subpar a)] shall be submitted at least in 8 copies. The administrator or permanent user of the exclusive deposit shall proceed in similar manner in the case when the suggestion for determination of the deposit reservation was given by the authority of the State Mining Administration, or by another authority of the state administration.
- (2) If the deposit reservation lies in subdistricts of several Subdistrict Mining Offices, the proposal shall be submitted to the Subdistrict Mining Office, in which subdistrict the largest part of the deposit reservation lies. This Subdistrict Mining Office shall also announce the beginning of the proceeding for determination of the deposit reservation to the Subdistrict Mining Office, Subdistrict Environmental Office and District Environmental Office, in which subdistrict a part of the deposit reservation lies.

#### Article 5

##### Decision on determination of the deposit reservation

- (1) The decision of the Subdistrict Mining Office on determination of the deposit reservation shall include mainly:
  - a) the name and seat of the organisation,
  - b) the basic data on the exclusive deposit (type of mineral, extent and shape of the deposit).
  - c) the name of the deposit reservation, its area, denomination and co-ordinates of the apices of its geometrical figure and justification of the proposed boundaries of the deposit reservation,
  - d) the name and identification number of the cadastral area<sup>4</sup> with the name and code of the district<sup>5</sup>, in which the deposit reservation lies,
  - e) the conditions of the exclusive deposit protection in order its mining not to be prevented or make more difficult.
- (1) Mainly the ban, limitation or manner of establishment buildings and facilities in the deposit reservation, which do not relate to the mining of the exclusive deposit, and which could prevent or make more difficult its mining, and the requirements of the involved authorities of the state administration shall be met according to the results of proceeding for determination of the deposit reservation.
- (2) The Subdistrict Mining Office shall send the decision on the determination of the deposit reservation together with the map of surface situation [Article 3 par. 2 subpar. a)] to:
  - a) the organisation [par. 1 subpar. a)],
  - b) the Subdistrict Mining Office and the District Environmental Office, in which subdistrict the deposit reservation or a part thereof lies,
  - c) the Slovak Geological Institute,
  - d) the authority for geodesy and cartography,
  - e) the Subdistrict Mining Office, in which subdistrict a part of the deposit reservation lies (Article 4 par. 2).

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<sup>6</sup> Article 6 of the Mining Act.

<sup>7</sup> Article 3 par. 2 of the Regulation of the Slovak Geodesy and Cartography Institute no. 82/1973 Coll. on verification of geometrical plans and other surveying works.

Article 6  
Change and abrogation of the deposit reservation

- (1) The organisation shall propose:
  - a) the change of the deposit reservation, if the basic data on this deposit (type of mineral, extent and shape of the deposit) have been changed,
  - b) the abrogation of the deposit reservation, if the reasons for protection of the exclusive deposit against prevention of its mining or against making its mining more difficult have ceased to exist.
- (1) The respective provisions of Article 1 to 5 are related to the change and abrogation of the deposit reservation.

Article 7  
Keeping records of deposit reservations

- (1) Records of deposit reservations, their changes and abrogation's shall be kept by the Subdistrict Mining Offices.
- (2) Records of the deposit reservations consists of:
  - a) record book,
  - b) register of cadastral areas,
  - c) collection of documents.

Article 8  
Protected area for special interventions into the earth's crust

The respective provisions of Article 1 to 7 are related to the determination, change, abrogation and record keeping of the protected area for special interventions into the earth's crust<sup>9</sup>.

**PART TWO**  
**MINING RESERVATION**

Article 9  
Name of mining reservation

- (1) The mining reservation shall be denominated by the name of the cadastral area, in which the mining reservation or its larger part lies.
- (2) If another mining reservation is specified in the same cadastral area, it shall be denominated by the name according to par. 1 and by the Roman numeral.

Article 10  
Proposal for determination of mining reservation

- (1) The organisation submits the proposal for determination of the mining reservation to the Subdistrict Mining Office.
- (2) If the mining reservation interferes to the area of other Subdistrict Mining Office the proposal shall be submitted to that Subdistrict Mining Office whose area is mostly concerned by the reservation area. The Subdistrict Mining Office shall announce the commencement of the mining activity to all other Subdistrict Mining Office, Subdistrict and District Environmental Offices which are partly concerned by the reservation mining area.
- (3) The proposal for determination of the mining reservation shall include:
  - a) the name and seat of the organisation, which is going to mine the exclusive deposit,

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<sup>9</sup> Article 34 of the Mining Act

- b) the name of the mining reservation, its area, denomination and co-ordinates of apices of its geometrical figure, or its altitude demarcation and justification of the proposed boundaries of the mining reservation; the coordinates of apices shall be found out by measurement on the map or by surveying,
- c) the name and identification number of the cadastral area<sup>4</sup> with the name and code of the district<sup>5</sup>, in which the mining reservation lies,
- d) type of mineral or group of minerals of the exclusive deposit, its extent, position, shape, thickness, nature of tectonic deformation and quantity of reserves<sup>10</sup>,
- e) the planned beginning of mining of the exclusive deposit and the anticipated capacity of the annual exploitation,
- f) mining system and its impacts upon the surface,
- g) results of negotiation of the proposal for determination of the mining reservation<sup>11</sup> with the authorities and organisations, whose scope of competence includes the protection of other public interests according to special regulations,
- h) the name and seat of the organisation that mines the same or adjacent deposit, if its activity could endanger the mining activity in the proposed mining reservation,
- i) the data on determination of the deposit reservation,
- j) the types and plot numbers of the affected lands according to records of real estates giving the ownership and user rights<sup>13</sup>, in mining with impacts upon the surface,
- k) the list and addresses of the known participants in the proceeding for determination of the mining reservation.

(1) The following shall be enclosed to the proposal:

- a) the map of the surface situation on the photograph of the cadastral map or of the state map 1:5000 - derived one; for large-scale mining reservation the map of the scale, which must not be smaller than 1:25 000, with boundaries of the mining reservation and apices of its geometrical figure, as well as with the adjacent mining reservations and specified deposit reservations, or other protected areas and protection zones. If the mining reservation is demarcated under surface by natural boundaries or by altitudes, it shall be marked in sections,
- b) the list of co-ordinates of apices and calculation of the area of the mining reservation,
- c) the geological map of the deposit, the map of reserves or structural map for deposits of oil and combustible natural gas, or technically usable natural gas, as well as characteristic transverse and longitudinal profiles through the deposit,
- d) the decision of the Subdistrict Mining Office on determination of the deposit reservation,
- e) decisions or standpoints of the authorities and organisations, whose scope of competence includes the protection of other public interests according to special regulations.

(1) The map of the surface situation according to par. 3 subpar. a) and the data according to par. 3 subpar. b) shall be verified by the chief mine surveyor or by the worker authorised for verification of the geometrical plans and other results of surveying<sup>7</sup>. The verified map of the surface situation shall be submitted at least in 7 copies, from which one copy shall be of the permanent nature on the durable material.

(2) If the submitted documents are insufficient for reliable review of the proposal, the Subdistrict Mining Office shall specify further necessary documents and standpoints, or the number of copies of the documents, which are necessary for proceedings and decision making.

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<sup>4</sup> Article 3 of the Regulation of the Federal Statistical Institute and the Federal Ministry for Technical and Investment development no. 120/1979 Coll. on spatial identification of the information.

<sup>5</sup> Article 1 of the Regulation of the Federal Statistical Institute no. 1793/78-032-918 of 9th June, 1978, which regulates the numerical denomination of regions and districts in the ČSSR (registered in the part no. 25/1978 Coll.).

<sup>10</sup> Article 14 of the Mining Act.

<sup>11</sup> Article 27 par. 3 of the Mining Act.

<sup>13</sup> The Act no. 22/1964 Coll. on keeping records of real estates in wording of the Act of Slovak National Council no. 150/1983 Coll.

<sup>7</sup> Article 3 par. 2 of the Regulation of the Slovak Geodesy and Cartography Institute no. 82/1973 Coll. on verification of geometrical plans and other surveying works.

Article 11  
Decision on determination of the mining reservation

- (1) The decision on determination of the mining reservation shall include mainly:
  - a) the name and seat of the organisation, which will exploit the exclusive deposit,
  - b) the name of the mining reservation, the name and identification number of the cadastral area<sup>4</sup> with the name and code of the district<sup>5</sup>, in which the mining reservation lies,
  - c) the area and the coordinates of apices of the geometrical figure, or altitude limitation of the mining reservation,
  - d) the type of mineral or group of minerals of the exclusive deposit, for mining of which the mining reservation is determined,
  - e) limitation or special technical conditions for mining in order to assure public interests according to special regulations arising from the results of proceedings for determination of the mining reservation,
  - f) scope and conditions of handling the mined minerals,
  - g) term of the beginning of exploitation of the exclusive deposit.
  
- (1) The Subdistrict Mining Office shall send the decision on the determination of the mining reservation to the participants in proceedings<sup>14</sup>. It shall send the decision and the verified map of the surface situation [Article 10 par. 3 subpar. a)] to:
  - a) the organisation,
  - b) the Subdistrict Mining Office and the District Environmental Office, in which subdistrict the mining reservation or a part thereof lies,
  - c) the Slovak Geological Institute,
  - d) the Slovak Mining Agency.
  - e) the authority for geodesy and cartography,

Article 12  
Change and abrogation of the mining reservation

- (1) The organisation shall propose:
  - a) the change of the mining reservation, if the basic data on the exclusive deposit have been changed on the basis of mining or further exploration, which justified the change of the boundaries of the mining reservation, or special technical conditions of mining,
  - b) the abrogation of the mining reservation, if the mining of the exclusive deposit was stopped, and the liquidation of the main workings and quarries was finished<sup>15</sup>.
  
- (1) The respective provisions of Article 9 to 11 are related to the change of the mining reservation. The respective provisions of Article 10 and 11 are related to the abrogation of the mining reservation.

Article 13  
Keeping records of mining reservations

- (1) Records of mining reservations, their changes and abrogations shall be kept by the Subdistrict Mining Offices.
  
- (2) Records of the mining reservations consist of:
  - a) record book,
  - b) auxiliary registration books,

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<sup>4</sup> Article 3 of the Regulation of the Federal Statistical Institute and the Federal Ministry for Technical and Investment Development no. 120/1979 Coll. on spatial identification of the information.

<sup>5</sup> Article 1 of the Regulation of the Federal Statistical Institute no. 1793/78-032-918 of 9th June, 1978, which regulates the numerical denomination of regions and districts in the CSSR (registered in the part no. 25/1978 Coll.).

<sup>14</sup> Article 28 par. 4 of the Mining Act.

<sup>15</sup> Article 10 par. 5 and 6 of the Act of Slovak National Council no. 51/1988 Coll. on mining activity, explosives and State Mining Administration.

c) collection of documents.

(1) Summary records are kept by the Slovak Mining Agency.

(2) Summary records consist of:

a) summary record book,

b) map documentation.

### **PART THREE**

#### **TRANSIENT AND FINAL PROVISIONS**

##### Article 14

##### Transient provision

The authority or organisation, which was given the decision on determination of the deposit reservation<sup>16</sup> for protection of the exclusive deposit before this Regulation has entered into force, shall submit a copy of this decision together with the map of the surface situation, which shall correspond to the conditions specified in Article 3 par. 2 subpar. a) to the Subdistrict Mining Office.

##### Article 15

##### Repealing provision

The Regulation of the Central Mining Office no. 260/1957 Coll., by which more detail regulations on the mining reservations, manner of their determination and record keeping were issued, is repealed.

##### Article 16

##### Force

This Regulation shall enter into force on 1<sup>st</sup> July, 1988.

The Regulation no. 533/1991 Coll. shall enter into force on 1<sup>st</sup> January, 1992.

##### Chairman:

Ing. Baran, CSc., sign manual

##### Article I

(introduced by the Regulation no. 533/1991 Coll.)

The Subdistrict Mining Offices shall introduce the record keeping of the mining reservations according to Article 13 of this Regulation by 31st December, 1992.

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<sup>16</sup> Article 32 letter c) of the Act no. 50/1976 Coll. on the territorial arrangements and on the building rules (Building Act).