

9/1989 Coll.

REGULATION of the Slovak Geological Institute from Dec. 15, 1988

on the registration of geological works, handing-over and accessing of old mining works and administering their register

Amendment: 5/1992 Coll.

The Slovak Geological Institute, according to an agreement with participating authorities according to Article 7 sect. 6 and Article 12 sect 4 of the Slovak National Council Act No. 52/1988 Coll. on geological works and on the Slovak Geological Institute and according to Article 35 sec. 5 of Act No. 44/1988 Coll. on the protection and exploitation of mineral resources (Mining Act) establishes:

PART ONE INTRODUCTORY PROVISIONS

Article 1 Purpose of the Regulation

A purpose of this Regulation is to ensure the evidence of geological works, 1) to inhibit their ineffective repetition and to enable the utilisation of the knowledge already acquired to increase the effectiveness and quality of geological works, as well as the utilisation of knowledge on the presence of old mining works for their provision and liquidation.

1) Article 2 of the SNR Act No. 52/1988 Coll. on geological works and on the Slovak Geological Institute.

Article 2 Geofund

The organisation Geofund of the Slovak Geological Institute in Bratislava (hereafter "Geofund") is commissioned to register geological works (hereafter "registration"), to accumulate the results, make them accessible, administer the territories under survey and register old mining works 2).

2) Article 35 sec. 1 of Act No. 44/1988 Coll. on the protection and exploitation of mineral resources (Mining Act).

PART TWO REGISTRATION OF GEOLOGICAL WORKS

Article 3 Application for Registration

(1) The organisation (hereafter "applicant") is obliged to submit the registration before commencing geological works, and this is the definition relative to the geological task.

(2) Geological work defines real, on the spot and in a definite time sphere of objects, which shall be solved by geological works.

(3) An application for the registration has to be given at least 30 days before commencement of geological works, in duplicate on the registration form issued by the Slovak Geological Institute.

(4) The following items are on the registration form:

- a) name and residence of the applicant,
- b) name of the geological work, its number, designation of the geological work stages, the name and the identification number of the cadastral territory, 3 name and code of the district, 4) and if need be, other topographical specifications of the Territory under Survey,
- c) the aim of the geological works,
- d) reference to the preceding stage of geological works and relative geological works,
- e) kinds of geological works to be executed,
- f) specification of the territory under execution of geological works with outlines on a map record with the scale factor 1:50,000, or 1:25,000,
- g) the date of the commencement and planned termination of geological works,
- h) additional data required for the registration of geological works with the help of computers.

3) Article 3 of the Regulation of the Federal Statistical Institution and the Federal Ministry of Technical and Investment Development No. 120/1979 Coll. on the spatial identification of information.

4) Article No. 1 of the Federal Statistical Institution Amendment No. 1793/78-032-918 from June 9, 1978, revising the numeric specification of the regions and districts in ČSSR (reg. in Part No. 25/1978 Coll.)

Article 4 Registration

(1) If the data in the application for registration is not sufficient, the applicant is obliged to provide the necessary details, supplemental information and explanations.

(2) If the conditions according to section 1 and § 3 sec. 4 have been satisfied, Geofund will register the geological works within 15 days of the submission of the registration application or its supplemental information.

Article 5 Amendment and Expiration of the Registration

(1) The applicant is obliged to inform Geofund within 30 days, if change occurs after the registration of geological works when

- a) the territory of projected geological works is changed,
- b) the aim of geological works or the essential extent is changed,
- c) the geological works are not completed within one year after the planned time of expiration stated in the registration form.

(2) Geofund will register the reported change into its records.

(3) If the applicant does not accomplish the registered geological works, he is obliged to notify Geofund within 30 days.

(4) If the geological works did not commence to be executed within one year of the day of their registration, the applicant is obliged to apply again before commencement.

Article 6
Geological Works not Liable to Registration

These works are not liable to registration:

a) geological works aimed at the survey of exclusive minerals deposits, where the Territory under Survey 5) is specified by the Slovak Geological Institute,

b) geological works of a smaller extent, namely

1. study, referential, retrieval and laboratory works if they are not scheduled in the science and engineering development plan,
2. the verification of the hydro-geological situation accomplished by drilling holes of 15 m in depth, if their overall amount in the geological task does not overrun 100 m,
3. the verification of the engineering-technological situation limited to drilling holes and other investigative works of 15 m in depth, if their overall amount in the geological task does not overrun 100 m,
4. the works executed by organisations during the mining of the exclusive resource to specify the knowledge of the quantity and quality of the reserves and on the geological and mining-technical conditions of mining 6) at the borders of the mining area ,

c) the geological works aimed at the acquisition of complementary data for project preparation of the structure, namely to specify the knowledge on the engineering-technological situation of the area

1. where the engineering-technological survey has been terminated in the stage of detailed survey, and the working out of the structure's project involves further complementary data,
2. the works where the geological situation is simple and known or the works are executed on behalf of simple structures. 7)

5) Article 4 and Article 5a of the SNR Act No. 52/1988 Coll. on geological works and on the Slovak Geological Institute in wording of later provision of the SNR Act No. 497/1991 Coll.

6) Article 31 sec. 3 of the Mining Act.

7) Article 2 of the Federal Ministry of Technical and Investment Development, Regulation No. 85/1976 Coll. on the modification of the territorial statement and the Building order.

PART THREE
**ON THE HANDING-OVER AND ACCESSING OF THE RESULTS OF GEOLOGICAL
WORKS**

Article 7
Handing over the Results of Geological Works

(1) The organisation, at whose expense the geological works have been performed, is obliged to hand over to Geofund and without re-compensation, the results of geological works including written and graphic materials of geological layout processed in the framework of its activities (hereafter "documentation") as follows:

- a) final reports and partial final reports on the results of geological works,
- b) the approved calculations of the exclusive deposit supplies 9) and groundwater supplies,
- c) the results of the search and survey of the non-reserved exclusive mineral deposit before rendering the decision on its convenience for demand and development of the national economy,
- d) the geological profiles of the drills, craters, shafts, tunnels and other works that have been reached by a pre-quaternary formations, except the documentation from the survey of reserved deposits in their mining space,
- e) the results of the mineralogical, petrologic, paleontological, chemical, geo-technical, physical-mechanical and technological analysis and tests of the minerals, rocks, moulds and groundwater, if they document the significant facts for the knowledge of geological structures of the Territory under Survey, or from a scientific point of view,

(2) the duty to hand over the documentation according to section 1 subparagraph b) to e) is not related to the documentation as a component part of the documentation according to sec. 1 subparagraph a).

(3) the organisation is obliged to immediately hand over the substantial recorded material acquired during the exploitation of geological works (drilling cores and other patterns), documenting the facts significant for the knowledge of the geological structure of the surveyed territory or is significant from a scientific point of view and was fully utilised in the solution of the geological work, to Geofund on its request within two months and without refund.

9) Article 14 sec. 3 of the Mining Act.

10) ČSN 73 1002 Pilot bases.

Article 8
Content of the Documentation, its Accession and Retention

(1) The documentation handed over to Geofund must be legible, durable and reproducible. Parts of the documentation processed using a computer and micrographic techniques by Geofund are handed over under the settings specified by the Slovak Geological Institute.

(2) The organisation, at whose expense the geological works have been performed, will specify, in delivery to Geofund, the conditions which must be observed by Geofund in making the documentation accessible to others and provide information from it. In the conditions, the organisation can specify

- a) the selected parts of the documentation to be made accessible or provided information from the organisation only,
- b) the selected parts of the documentation to be made accessible by Geofund or provided information from with the previous approval of the organisation only,

- c) the remaining parts of the documentation without any limitation on accessibility or provision of the information,
- d) the period of validity of restrictive conditions according to subparagraphs a) and b), but no more than 7 years from the date the original was made.

(3) Geofund will review the provided information from the point of view of formulary soundness and the completeness of the amendments. The organisation is obliged to remove the deficiencies found in the provided information or to supplement it within the period specified by Geofund.

(4) Geofund retains the provided information and mass documented materiel safely, accessibly and scheduled so that its utilisation is possible during the working-out of the conception on the plans of the geological works, their projection, execution and evaluation, as well as for other purposes, while the conditions of the organisation are secured according to section No. 2.

11) Article 11 of the SNR Act No. 52/1988 Coll.

Article 9
Accessing Documentation and Mass Documented Materiel

Geofund accesses the preserved documentation or mass documented materiel, enables legitimate interested parties (Article 12) to look over, study and make notes and printouts from this documentation and performs ordered survey and reprographic works or information processing on demand.

PART FOUR
TERRITORIES UNDER SURVEY

Article 9a
Proposal on the Specification of the Territory under Survey

(1) If an organisation has the intention to execute geological survey in the stage of the deposit searching survey or the deposit explicit survey, 11a) if need be, to order its exploitation, it must render an application to the Slovak Geological Institute for the specification of the Territory under Survey, written on a form issued by this Institute, 30 days before the commencement of the geological works at the latest.

(2) The proposal on the specification of the Territory under Survey also contains, except the data stated in Article 3 sec. 4 subparagraphs a) to e) and subparagraphs g) and h):

- a) the proposal on the specification of the Territory under Survey by the closed geometrical pattern in map record, the scale 1:50,000 or 1: 25,000 and with the data on the region in km² rounded to the nearest tenth,
- b) the data on permission to execute the geological works, together with the name and place of the legitimate organisation to perform these works, 11b) if the sponsoring organisation at whose expense the geological works have to be performed, has no such permission,

c) the documents on opinions of organs and organisations claiming to express themselves from the point of view of interests protected by special provisions 11c)

(3) In the proposal to amend or cancel the Territory under Survey, the procedure follows section 2 signifying the data to be changed in contrast to the former decision on the Territory under Survey.

(4) The organisation's proposal on the validity of the decision extension concerning the specification of the Territory under Survey is to be administered according to sections 2 and 3.

11a) Article 5 sec. 1 subparagraph a) of the Slovak Geological Institute Regulation No. 127/1989 Coll. on the projection, exploitation and evaluation of geological works, on the administering of licences and the technical competence on their execution.

11b) Article 3 sec. 1 subparagraph a) of the SNR Act No. 52/1988 Coll.

11c) Article 22 of the SNR Act No. 52/1988 Coll.

Article 9b

Execution of other Survey Works in the Territory under Survey

(1) In the Territory under Survey, geological survey can be executed in the stage of the deposit searching survey or the explicit deposit survey of reserved minerals for some purpose other than that followed by the project, on the basis of specifying the Territory under Survey for this purpose only. If some organisation, other than the one appointed the Territory under Survey, intends to execute this geological survey, the applying organisation must have approval beforehand, together with specifying the conditions on the execution of this survey. In case of disapproval of the organisation, the Slovak Geological Institute will make the decision.

(2) If an organisation mining a reserved deposit is forced to inevitably secure in advance the further survey of the deposit outside of the mining space, it is obliged to first apply for specification of the Territory under Survey to the Slovak Geological Institute.

(3) To execute some other geological works in the Territory under Survey other than the deposit searching of the reserved minerals is possible only with the approval of the organisation appointed the Territory under Survey. In case of disapproval of this organisation, the Slovak Geological Institute will make the decision on the execution of other geological works.

(4) Other geological works must be registered before commencing the works. In the application for registration the information on the kind of Territory under Survey will be stated and its identification will be attached.

(5) Payment for the Territory under Survey is performed by the organisation appointed the Territory under Survey 11d). The payment will be realised also if the new Territory under Survey overlaps the already specified Territory under Survey partly or completely.

11d) Article 4c of the SNR Act No. 52/1988 Coll.

Article 9c

Evidence of the Territories under Survey

(1) The Slovak Geological Institute will also send a resolution on the specification of the Territory under Survey to Geofund. Geofund administers the territories under survey, their changes and cancellation, and provides the details of the decision to the Slovak Geological Institute and the Slovak Mine Institution.

(2) Geofund makes the evidence accessible to legitimate interested parties (Article 12).

PART FIVE VERIFICATION OF OLD MINING WORKS AND ADMINISTERING THEIR REGISTRATION

Article 10 Verification of Old Mining Works

(1) Old mining works 2) are verified to serve as a basis for working out the territory-planning documentation, the protection and creation of the environment, the safety and liquidation of old mining works and the planning of geological works.

(2) Geofund verifies the presence of old mining works by systematic observation and evaluation of the maps and other archive documents and reports. To specify the data on old mining works, Geofund requires necessary information, records and opinions from organs and organisations. If Geofund finds out that old mining works threaten the interests of the whole society, it immediately informs the Slovak Geological Institute.

(3) If an organ, organisation or citizen finds out about old mining works or their effects on the surface, he or it is obliged to notify the Slovak Geological Institute.

(4) The notification contains the place, time and the way of finding, the state or content of the surface damage (e.g. slots) or the surface objects and other data enabling the judgement of seriousness of the finding, notably the threat to the interests of the whole society. If the notification is submitted by organs or organisations, they attach a map drawing and topographical data to it for the specification of the place, and state there all other data known to them, mainly who the owner of the old mining works was before.

(5) The Slovak Geological Institute will examine the notification and will request the opinion of the corresponding Subdistrict Environmental Institution as well as a construction institution, or some other organ if it functions as a construction institution, sub-district mining institution and other obliged organs or organisations, and will order the realisation of inevitable geological survey if necessary.

2) Article 35 sec. 1 of Act No. 44/1988 Coll. on the protection and exploitation of the mineral resources (Mining Act).

Article 11 Register of Old Mining Works

- (1) The register of old mining works contains the following:
- a) the evidence sheets of the old mining works, or its files,
 - b) the file documentation to the evidence sheets,
 - c) a mapped overview of the presence of old mining works, or their files.
- (2) The notification of the safety and liquidation of old mining works is also entered into the register of old mining works. The organisation is obliged to send this notification to Geofund within one month of the completion of the security and liquidation work.
- (3) Geofund will make the register of old mining works accessible to legitimate interested parties (Article 12) and render information from the register to the organs of territorial planning and sub-district mining institutions.

PART FOUR COMMON AND CONCLUDING PROVISIONS

Article 12 Legitimate Interested Parties

- (1) Legitimate interested parties, according to Article 9, Article 9c sec. 2 and Article 11 sec. 3 of this Regulation are:
- a) organs of the state administration, judiciary and economic arbitration,
 - b) organs specialising in the execution of geological works, 13a)
 - c) scientific institutions, repositories and similar organisations in connection with the observance of their scientific, pedagogic and cultural-educational tasks,
 - d) citizens in connection with the preservation of their rights and interests protected by law or connected with the study and elaboration of scientific work,
 - e) organisations and persons approved by the Slovak Geological Institute to access documentation, substantial document materiel, or if need be, the register of old mining works.
- (2) workers of organs and organisations stated in section 1 subparagraphs a) to c) must justify that with written mandate and specification of the problem examined. Written approval will not be required from the workers of organs looking into the documentation or asking for the provision of documents and information according to special provisions. 14)
- (3) citizens asking for access to the documentation on behalf of their protection or administration of their rights and interests protected by law must justify this demand; for study and scientific work purposes, the citizens justify this demand with a reference from the school or scientific institution.

13a) Article 3 sec. 1 of the SNR Act No. 52/1988 Coll.

14) Act No. 141/1961 Coll. on penal justice action (Penal Code) in wording of later provision.

Act No. 121/1962 Coll. on economic arbitration in wording of later provision. 14)

Act No. 60/1965 on procuratorship in wording of later provision.

Act No. 40/1974 on National Safety Corps.

Article 13
Conditions for Access and Study

The conditions on access to and the study of documentation, substantial document materiel and the register of old mining works are defined by a special order of Geofund and approved by the Slovak Geological Institute.

Article 14
Abrogated Provision

Abrogated are:

1. the Central Geological Institution Regulation No. 123/1961 Coll. on the registration of geological works and on the collection and evidence of results from,
2. the Central Mining Institution Regulation No. 78 and the Central Geological Institution Regulation No. 1000/1962 Coll. on the administration and supplementation of geological documentation (registered in Part No. 42/1962 Coll.).

Article 15
Effectiveness

This Regulation comes into effect on April 1, 1989, Regulation No. 5/1992 Coll. comes into effect on Jan. 16, 1992.

Chairman: **Ing. Kuráň** CSc. sign. manual