

## **97/1988 Coll.**

### **REGULATION of the Slovak Geological Institute on Management of Exclusive Deposits and on Record Keeping and Writing-off their Reserves**

Amendment: 4/1992 Coll.

The Slovak Geological Institute stipulates according to Article 22 par. 4 of the Act No. 44/1988 Coll. on protection and utilisation of mineral resources (the Mining Act), according to Article 10 par. 10 of the Mining Act after an agreement with the Federal Ministry of Finance and according to Article 21 par. 4 of the Mining Act, after an agreement with the Slovak Mining Agency and with the Slovak Commission on Planning and Scientific and Technical Development the following:

#### **THE FIRST PART - ABROGATED**

*Article 1  
abrogated  
Article 2  
abrogated  
Article 3  
abrogated  
Article 4  
abrogated  
Article 5  
abrogated  
Article 6  
abrogated*

#### **THE SECOND PART RECORD KEEPING OF EXCLUSIVE DEPOSITS RESERVES**

*Article 7*

##### ***THE PRINCIPLES OF RECORD KEEPING OF EXCLUSIVE DEPOSITS RESERVES***

- (1) The reserves of all evaluated types of minerals of the exclusive deposit must be recorded and declared. In the cases, which are determined by the Slovak Geological Institute, the reserves of the exclusive deposits are recorded and declared by technological types, 11) or by their utility components. 12)
- (2) The reserves of the exclusive deposits are recorded and declared in division according to the exclusive deposits reserves classification, which is regulated by separate regulations. 13)

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11) For instance at kaolin: kaolin for production of porcelain, kaolin for brick-and-tile industry, titanium kaolin, kaolin for paper industry and feldspar kaolin.

12) For instance the reserves of non-ferrous metals incorporated in the registered reserves of ores.

13) Articles 1 to 3 of the Regulation of the Slovak Geological Institute No. 6/1992 Coll. on classification and estimation of reserves of the exclusive deposits.

## ***Article 8***

### ***Record Keeping of Reserves by the Administrator or by the User of the Exclusive Deposit.***

Record keeping of reserves of the exclusive deposits by the organisation

- 1) Legal and natural entities conducting prospecting, exploitation or mining of the exclusive deposits within their business activity (hereinafter referred to as the "organisation" only) are liable for record keeping of the quantity and changes in the reserves of the exclusive deposit.
- 2) The quantity of the exclusive deposit reserves according to the last approved reserve estimation is the basis for record keeping. Changes in the quantity of the exclusive deposit reserves are recorded, declared and documented according to causes of their origin, namely:
  - a) by completing and making more accurate of the existing knowledge on the development of the deposit and its reserves using exploration and new knowledge, which have been ascertained by opening, preparatory work and mining of the deposit; they are evidenced with geological documentation,
  - b) by exploitation of reserves; they are evidenced with geological documentation and with keeping records on mining,
  - c) by mining losses including the reserves, which has remained unmined in the exploited part of the deposit and which has not been written off, and mineral resources, which have been carried out together with waste on the dump or on the stock pile; they are evidenced with geological documentation and with exploitation record keeping,
  - d) by re-evaluation of the reserves according to the new conditions of reserves utilisation, according to the new approved reserves estimation or by binding or releasing of the reserves; they are evidenced with determination of new requirements with the respective re-evaluation of the reserves or approval of the new reserves estimation, or with the decision on binding or releasing the reserves,
  - e) by transfer or taking over a part of the deposit; they are evidenced with the document on the transfer of the right to manage of the exclusive deposit or of the part thereof,
  - f) by writing off the reserves (Article 14); they are evidenced with the decision on writing off the reserves of the exclusive deposit.
- 3) The organisation must send by 1st March of the calendar year the report on the quantity of reserves of the deposit, which are declared by 1st January of the calendar year and on any changes in the quantity of reserves in the previous year to the Slovak Geological Institute. The report shall be submitted on the statistical statements issued by the Slovak Geological Institute, which include the list of the types of recorded minerals, their technological types and utility components.
- 4) The statements on the quantity and changes of the reserves of the exclusive deposits are verified by the Slovak Geological Institute in co-operation with the Slovak Mining Agency from the point of view of their completeness, reliability and connection with the previous statements. The above-mentioned central authorities will order measures for correction of the found out defects based on the results of verification of these statements.

## ***Article 9***

### ***Summary Records on Reserves of the Exclusive Deposits***

- 1) The summary records on reserves of the exclusive deposits are kept by the Slovak Geological Institute. This records give the complete and annually updated data on the verified mineral resources of the Slovak Republic from the point of view of their mineral composition, territorial distribution,

quantity and quality of reserves of the exclusive deposits and of status of their utilisation. The summary records of reserves of the exclusive deposits serves mainly for:

a) planning of deposit exploration, guidance of research of mining technology, beneficiation and preparation technology of minerals and for planning of the utilisation of reserves of the exclusive deposits,

b) development of concepts and forecasts for supplying the national economy with raw materials.

2) The summary records on reserves of the exclusive deposits includes:

a) the register of reserves of the exclusive deposits and passportization of their reserves,

b) statements of organisations on quantities and changes in reserves of the exclusive deposits (Article 8 par. 3),

c) collection of documents, mainly certificate of exclusive deposit, approvals of reserves estimations, documents on changes in the organisation.

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14) Article 14 par. 4 and 5 of the Mining Act.

#### *Article 10*

#### *Accessibility of the Summary Records on Reserves of the Exclusive Deposits*

1) The summary records on the reserves of the exclusive deposits are kept and made accessible by the Geofond in Bratislava.

2) The Geofond in Bratislava makes it possible to look in the summary records on reserves of the exclusive deposits, or it gives the necessary information on them, or extracts from them to the authorities, organisations and entities, who have proved that they need it for fulfilling their duties or for protection of their rights under the conditions, which are regulated by the generally binding legal regulation 14a). This evidence is not necessary for the bodies that look in the records, or require the information or extracts according to the special regulations. 15)

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14a) Article 8 par 2 of the Regulation of the Slovak Geological Institute No. 9/1989 Coll. in reading of the Regulation of the Slovak Geological Institute No. 5/1992 Coll..

15) The Act No. 141/1961 Coll. on criminal proceedings (the Penal Code) in reading of later legal regulations.

The Act No. 121/1962 Coll. on economic arbitration in reading of later legal regulations (the complete reading No. 46/1983 Coll.).

The Act No. 60/1965 Coll. on prosecution in reading of later legal regulations.

The Act of Slovak National Council No. 204/1991 Coll. on the Police Force of the Slovak Republic.

#### *Article 11*

#### *Record Keeping of the Balance of Reserves of the Exclusive Deposits*

(1) The Slovak Geological Institute keeps balance of reserves of the exclusive deposits 16) of the Slovak Republic based on the summary records on reserves of the exclusive deposits 16) of the Slovak Republic that includes mainly:

- a) a survey of reserves of individual exclusive deposits arranged by the types of minerals, or by their technological types and utility components and according to territorial division with the name of the organisation and determination of the working boundary and use of the deposit,
- b) changes in the quantity of reserves of the exclusive deposits during the last year with the data on their causes,
- c) reserves of the exclusive deposits by the types of minerals, or by their technological type or utility components divided according to their use, namely

1. the quantities of reserves by 1st January of the last year,
2. the changes in the quantities of reserves during the last year,
3. the quantities of reserves by 1st January of the calendar year

(2) The balance reserves of the categories of explored reserves Z-1, probable reserves Z-2 and supposed reserves Z-3 are stated separately in balance of reserves, the non-balance reserves of the above categories are stated as a summary. 13)

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13) Articles 1 to 3 of the Regulation of the Slovak Geological Institute No. 6/1992 Coll. on classification and reserves estimation of the exclusive deposits.

16) Article 18 par. 1 letter g) of the Act of Slovak National Council No. 52/1988 Coll. on geological works and on the Slovak Geological Institute.

### **THE THIRD PART WRITING-OFF RESERVES OF EXCLUSIVE DEPOSITS**

#### *Article 12*

#### *Reasons for Writing off the Reserves of the Exclusive Deposit*

(1) The balance reserves of the exclusive deposit can be exempted from the record keeping of the reserves or transferred into the category on non-balance reserves based on the decision on their write off,

- a) if their mining is not possible due to very complex mining, technical, safety or geological circumstances associated with the natural conditions or caused by unforeseen events,
- b) if their mining is not efficient from the economical point of view, e.g. due to their low quality, thickness, remoteness, their isolation and too high cost of their mining,
- c) if their mining would endanger the important public interests, whose importance stands over the interest in their mining; the decision on the writing off these reserves is based on the conclusions from the solution of conflict of interests, 17).

(2) The non-balance reserves of the exclusive deposit can be written off, if their use is not anticipated even in the future.

(3) The changes in the quantity of reserves due to the reasons given in Article 8 par. 2 letters a) to e) of this Regulation are not considered to be the reason for their writing off.

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17) Article 33 of the Mining Act.

#### *Article 13*

### ***Proposal for Writing off the Reserves of the Exclusive Deposit***

(1) After the organisation has found out during the development of the documentation of the mine or quarry construction, the plan of opening, preparatory work and mining of the exclusive deposit, plan of protection of workings and quarries or liquidation of the main workings and quarries, 18) as well as during their implementation that it is not possible or effective to mine the reserves due to the reasons given in Article 12 of this Regulation, it shall submit the proposal for their writing off.

(2) The proposal for writing off the reserves of the exclusive deposit includes the following:

- a)** the name and seat of the organisation,
- b)** the quantity of both balance and non-balance reserves that are proposed for writing off by blocks of reserves and by categories, their qualitative characteristic and the proposal, if they should be exempted from the reserve record keeping, or if the balance reserves should be transferred into the non-balance reserves,
- c)** the reasons for the proposal for writing off the reserves with economic reasoning,
- d)** maps and cross sections with clearly marked parts of the deposit, in which writing off of the reserves is proposed in four copies,
- e)** other graphical and written documents on the deposit and on the reserves proposed for writing off, which are necessary for more detail reasoning of the proposal.
- f)** the standpoint of the Subdistrict Mining Institute if the proposal of writing off is presented from mining and technical as well as of safety reasons.

(3) The proposal for writing off the reserves of the exclusive deposit shall be submitted by the organisation (hereinafter referred to as the "applicant" only) to the Slovak Geological Institute.

(4) The proposal for writing off of the small quantity of reserves of the exclusive deposit shall be submitted by the applicant to the District Mining Office, within whose scope of competence 18a) the exclusive deposit belongs. The following is understood under the term "small quantity of reserves" according to this Regulation:

- a)** the quantity of reserves of exclusive mineral that does not exceed in the calendar year 5% of the planned annual quantity mined in the deposit, however, maximum 100 thousand tons in individual case,
- b)** the quantity of reserves of non-exclusive mineral that does not exceed 20% of the deposit reserves, however, maximum 1 mil m<sup>3</sup>.

(5) The proposal for writing off shall be undersigned by the statutory body, or by the representative of the applicant. 19)

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18) Article 10 of the Act of Slovak National Council No. 51/1988 Coll. on mining activity, explosives and on the state mining administration.

18a) Article 1 of the Regulation of the Slovak Mining Agency No. 535/1991 Coll., which determines the scope of subdistricts for the Subdistrict Mining Offices.

19) Articles 20 to 22 of the Commercial Code.

### ***Article 14 The Decision on Writing off the Reserves of the Exclusive Deposit***

(1) The Slovak Geological Institute after agreement with the Ministry of Economy of the Slovak Republic or with the Ministry of Construction and Building Industry of the Slovak Republic and with the Slovak Mining Agency decides on the proposal for writing-off the reserves of the exclusive deposit.

(2) The Subdistrict Mining Office, within whose scope of activity the exclusive deposit belongs, decides on the proposal for writing-off a small quantity of reserves of the exclusive deposit.

(3) The decision on writing off the reserves of the exclusive deposit includes:

**a)** the quantity of the reserves written off, their localisation and the concise reasoning of their writing off,

**b)** the decision on exemption of the reserves from the reserves record keeping, or on their transfer into the non-balance reserves,

**c)** any measures taken for the protection of the reserves being transferred from the balance reserves into the non-balance reserves considering the possibility of their future use.

(4) The decision on writing off the reserves of the exclusive deposit, together with one copy of documents given in Article 13 par. 2 letter d) of this Regulation, shall be sent to the applicant and to the respective Subdistrict Mining Office; the decision on writing off the small quantity of reserves shall also be sent to the Slovak Geological Institute.

(5) The decision on writing off the reserves of the exclusive deposit is a part of geological documentation and record keeping of reserves in the organisation (Article 8). The approved writing off of the reserves shall be marked by the applicant in surveying and geological documentation.

#### ***Article 15***

#### ***Access to the Reserves of the Exclusive Deposit, which have been Proposed for Writing off***

Until the applicant has received the decision in writing on writing off the reserves of the exclusive deposit, it must not either liquidate the technical facility, which is necessary for mining the reserves proposed for writing off, or cancel the access to them with the exception if it is required by health protection and safety of labour.

### **THE FOURTH PART FINAL PROVISIONS**

#### ***Article 16***

The effect in the field of record keeping and writing off of the reserves of the radioactive minerals according to special regulations 20) has remained untouched.

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20) Article 57 of the Act No. 133/1970 Coll.

#### ***Article 17***

#### ***The following has been abrogated for the territory of the Slovak Republic:***

1. The Regulation of the Central Geological Office and of the Central Mining Authority No. 90/1961 Coll. on writing-off the balance reserves of the mineral deposits,

2. Articles 47 and 48 of the Regulation of the Central Mining Authority and of the Central Geological Office No. 1000/1962 on conducting and completing geological documentation (reg. in 42/1962 Coll.),
3. the Directive of the Central Geological Office No. 180/1958 Coll. on record keeping of the quantity and changes in reserves of mineral deposits,
4. the Directive of the Central Geological Office No. 5/1959 Coll. on passportization of mineral deposits.

***Article 18***

This Regulation has come into force on 1st July, 1988, the Regulation No. 4/1992 Coll. has come into force on 16th January, 1992.

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