

**STANDARD TERMS FOR EXCLUSIVE LICENCES FOR SMALL-
SCALE EXPLORATION FOR AND EXPLOITATION OF
MINERALS
2008**



Greenland Home Rule
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Contents

§ 1.	Definitions	3
§ 2.	Application procedure	4
§ 3.	Number of licences and the relation between applications	5
§ 4.	Subsequent applications	7
§ 5.	Scope of the licence and the licensee	9
§ 6.	Licence area	9
§ 7.	Licence period.....	10
§ 8.	Minerals covered by the licence.....	10
§ 9.	Fees	10
§ 10.	Activities of other parties in the licence area.....	10
§ 11.	Requirements of the licensee	11
§ 12.	Activity plan.....	11
§ 13.	Performance and approval of activities, etc.....	12
§ 14.	Supervision	14
§ 15.	Obligations on termination of activities	15
§ 16.	Reporting	15
§ 17.	Sale and export of exploited minerals	16
§ 18.	The licensee's reimbursement of expenses of regulation by the authorities.....	17
§ 19.	Confidentiality	17
§ 20.	Assignment and legal action	18
§ 21.	Revocation of the licence.....	18
§ 22.	Interest on amounts due.....	18
§ 23.	Liability and insurance	19
§ 24.	Joint and several liability for parties to cooperation agreement	19
§ 25.	Relation to other legislation.....	19
§ 26.	Obligations on termination of the licence.....	19
§ 27.	Translations.....	20
Appendix 1 – Application for personal exclusive licence for exploration and exploitation.....		21
Appendix 2 – Activity plan		23
Appendix 3 – Reporting		26
Appendix 4 – Information on the sale of minerals		31

GREENLAND HOME RULE
BUREAU OF MINERALS AND PETROLEUM

**STANDARD TERMS FOR LICENCES FOR SMALL-SCALE EXPLORATION FOR AND
EXPLOITATION OF MINERALS**

§ 1. Definitions

101. Unless otherwise clearly indicated by the context, the following expressions shall have the following meaning when used in these standard terms and the licence with appendices:
- a. “Greenland” means the island of Greenland with surrounding islands, including the continental shelf.
 - b. “BMP” means the Bureau of Minerals and Petroleum; cf. s. 5 of the Mineral Resources Act.
 - c. “Licence authority” means the authorities (the Greenland Home Rule Government and the Danish Government) that grant licences for prospecting and exploration for and exploitation of mineral resources in Greenland; cf. ss. 3, 6 and 7 of the Mineral Resources Act.
 - d. “Mineral resources” mean all mineral resources covered by the Mineral Resources Act.
 - e. “Hard minerals” mean all mineral resources covered by the Mineral Resources Act, except hydrocarbons and radioactive elements.
 - f. “Licensee” means the person or persons to whom the Home Rule Government has granted the licence.
 - g. “Licensees” mean several persons to whom the Home Rule Government has jointly granted a licence for prospecting and exploration for or exploitation of minerals.
 - h. “Standard terms” mean these standard terms for exclusive licences for small-scale exploration for and exploitation of minerals.
 - i. “Licence” means the licence granted by the Home Rule Government to the Licensee.
 - j. “Licence area” means the area covered by the licence; cf. § 6.
 - k. “Licence period” means the period in which the licence is valid; cf. § 7.
 - l. “Small-scale licence” means an exclusive licence for small-scale exploration for and exploitation of minerals in Greenland.
 - m. “Personal non-exclusive licence” means a non-exclusive licence for exploration for and exploitation of minerals in Greenland.

- n. “Exclusive licence” means an exclusive licence for exploration for or exploitation of mineral resources, including an exclusive licence for small-scale exploration and exploitation.
- o. “General exclusive licence” means an exclusive licence for exploration for or exploitation of mineral resources, except an exclusive licence for small-scale mineral activities.
- p. “Mineral activities” mean prospecting and exploration for or exploitation of minerals.
- q. “Movable dwelling unit” means any dwelling or accommodation unit that can be moved from one place to another and is designed for use in different places during its lifetime, including caravans and mobile homes.
- r. “Supervisory authority” means BMP and the authority(ies), person(s) or enterprise(s), etc. that BMP authorises to supervise the licensee’s activities under the licence.
- s. “DKK” means Danish kroner.

§ 2. Application procedure

- 201. An application for the granting of a small-scale licence must be submitted on BMP’s application form as set out in Appendix 1. The application must include satisfactory information about the following matters:
 - a. The applicant’s name, address, telephone number and email address, if any.
 - b. The licence area applied for. It must be determined and delineated as stated in paragraph 605 and shown in a map with information on corner coordinates in degrees, minutes and seconds. The licence area applied for must not overlap licence areas under personal non-exclusive licences or exclusive licences. Nor must the licence area overlap areas covered by applications for general exclusive licences if prior to the receipt of the application for the small-scale licence BMP has received the applications for general exclusive licences (and any fees) and is able to consider them on the basis of the documents and information received.
 - c. Other matters that may be relevant in assessing the application, including the matters mentioned in paragraph 307, to the extent that BMP has stated that applications must contain information about such matters.
 - d. Indication of the minerals for which the licence is desired.
 - e. The applicant’s payment of an application fee as set out in paragraph 205.
- 202. An application for the granting of a small-scale licence must be submitted to BMP.
- 203. An application received by BMP is registered under an application date. If BMP receives the application within BMP’s office hours (9 am – 4 pm Greenland time in Nuuk) on ordinary working days in Greenland, this day will be registered as the application date. If the application is received outside BMP’s office hours, the next working day will be registered as the application date.

204. If BMP finds that an application received does not meet the requirements set out in paragraph 201 and informs the applicant thereof, the application date is changed to the working day on which, within BMP's offices hours, BMP has received an amended application that meets the requirements set out in paragraph 201. If the applicant does not pay a fee to BMP in time as set out in paragraph 205, the application date is changed to the working day on which, within BMP's working hours, BMP or BMP's bank has received the fee.
205. When submitting an application, the applicant must pay a fee of DKK 10,000 for each small-scale licence applied for. The fee is payable to BMP and may also be paid by payment or transfer to BMP's bank account. BMP or BMP's bank must receive the fee not later than 14 days after the application date set out in paragraph 203.
206. If the application does not result in a licence being granted to the applicant, the fee mentioned in paragraph 205 will not be refunded to the applicant. The same applies if the applicant withdraws the application irrespective of cause.
207. If an application applied for is granted, the supervisory authority will make the final determination and delineation of the licence area in accordance with paragraph 605. The licence area is shown in a map with information on corner coordinates in degrees, minutes and seconds. The map is inserted in the licence.
208. The licence authority is free to decide whether an application or one or more competing applications will be granted in whole or in part. The licence authority may in relation to an applicant decide to grant a licence as applied for, to offer a licence for part of the licence area applied for or not to grant a licence.
209. The licence authority may at any time state that an area is not open for applications for small-scale licences, or that a special procedure must be used for submitting and considering such applications relating to an area. Moreover, deviations from the standard terms may apply.

§ 3. Number of licences and the relation between applications

301. A person must not be a licensee under more than five small-scale licences in any one calendar year. If the granting of a licence applied for will mean that the applicant becomes the licensee under more than five small-scale licences in any one calendar year, the application will be denied.
302. Together, the small-scale licences in force from time to time must not cover more than 100 licence areas, which must be determined and delineated in accordance with paragraph 605. A licence area may be covered by only one small-scale licence. A licence applied for will not be granted if the granting of the licence will mean that all small-scale licences together cover more than 100 licence areas or that the licence area is covered by more than one small-scale licence. If consequently one or more applications in an application group (cf. paragraphs 303 and 304) cannot be granted, the licence authority decides which licences applied for will be granted in accordance with paragraph 307.
303. Applications with a registered application date from the first up to and including the fifteenth day of a month are included in application group A for that month. Applications with a registered application date from the sixteenth up to and including the last day of a month are included in application group B for that month.

304. Applications received in the period from 1 July to 31 August are included in one overall application group, but will otherwise not be considered by the licence authority during this period. An application received in this period will be registered and considered by the licence authority after 31 August. However, in so far as possible the application will be registered with a conditionally registered application date determined in accordance with paragraph 203. This application date will remain unchanged unless it is found in connection with the consideration of the application after 31 August that the application does not meet the requirements set out in paragraph 201, or that a fee has not been paid in time by the applicant to BMP as set out in paragraph 205. In the latter case, the application date is changed to the working day on which the requirements are met or the fee received; cf. paragraph 201 or paragraph 205.
305. If applications in one application group concern different licence areas applied for which overlap each other, the licence authority decides which licences applied for will be granted and the extent to which one or more of the licence areas applied for will be limited. The decision is made in accordance with paragraph 307.
306. If BMP receives competing applications in the same application group, cf. paragraphs 302 and 305, BMP informs the applicants of this as soon as possible after the expiry of the application period for the application group. In the event of overlapping licence areas applied for, cf. paragraph 305, BMP also informs the applicants of the overlapping area and its delineation. Any applicant may then either leave the application unchanged or do as follows:
- a. The applicant may change the licence area applied for, so that it is not covered by more than one small-scale licence, cf. paragraph 302, or so that an overlap with other licence areas applied for is excluded or limited, cf. paragraph 305. In both cases, the registered application date for the application will be maintained.
 - b. The applicant may submit information about the matters mentioned in paragraph 307a-d.
307. When the licence authority assesses, gives priority to and chooses between competing applications, cf. paragraphs 302 and 305, the licence authority focuses on the following matters (the list is not in order of priority):
- a. The applicant's technical and financial capabilities.
 - b. The licence authority's assessment of any former activities the applicant may have carried out in Greenland in pursuance of s. 32 of the Mineral Resources Act or licences for prospecting and exploration for or exploitation of mineral resources, including licences for small-scale mineral activities.
 - c. Any former experience the applicant may have with activities in Greenland in pursuance of s. 32 of the Mineral Resources Act or licences for prospecting and exploration for or exploitation of mineral resources, including licences for small-scale mineral activities.
 - d. Any former field work the applicant may have carried out within the licence area applied for under a prospecting licence.
 - e. The registered application date of the application in relation to the registered application date of competing applications, to the extent that the applications are within one application group.

- f. The applicant's measures relating to possible changes of the licence area applied for; cf. paragraph 306a.
308. The licence authority considers all applications within one application group before it considers applications within a subsequent application group.

§ 4. Subsequent licences

401. At the expiry of the licence period, a licensee may apply for the granting of a similar small-scale licence for one or more subsequent years ("subsequent small-scale licence"). A subsequent small-scale licence must concern the same licence scope, cf. § 2, licence area, cf. § 6, and minerals, cf. § 8, and a licence period that covers one or more full calendar years and which do not exceed five years in total.
402. A subsequent small-scale licence applied for will be granted to the licensee if:
- a. the licensee's previous small-scale licence, which is valid until 31 December of the previous year, is not terminated, revoked or suspended at this time;
 - b. the licensee has complied with the terms and fulfilled the obligations concerning the previous small-scale licence;
 - c. the previous small-scale licence was not granted to the licensee as a subsequent small-scale licence, cf. the provisions on subsequent small-scale licences in this § 4;
 - d. BMP has received an application for the subsequent small-scale licence not later than 31 December of the previous year; and
 - e. the licensee meets the requirements and conditions that apply to the granting of small-scale licences in the subsequent year.
403. Irrespective of paragraph 402, a subsequent small-scale licence will not be granted to the licensee if:
- a. the licence area applied for overlaps another licence area applied for that is covered by an application for a general exclusive licence; and
 - b. the application for the general exclusive licence is granted.
404. On the expiry of the licence period, the licensee may apply for the granting of a general exclusive licence for the licence area ("subsequent general exclusive licence"). A subsequent general exclusive licence may also cover other minerals than those covered by the small-scale licence.
405. A subsequent general exclusive scale licence applied for will be granted to the licensee if:
- a. the licensee's previous small-scale licence, which is valid until 31 December of the previous year, is not terminated, revoked or suspended at this time;
 - b. the licensee has complied with the terms and fulfilled the obligations concerning the previous small-scale licence;
 - c. BMP has received an application for the subsequent general exclusive licence not later than 31 December of the previous year;
 - d. the licensee meets the requirements and conditions that apply to the granting of such general exclusive licences in the subsequent year; and

- e. any decision pursuant to paragraph 406 does not mean that the subsequent general exclusive licence applied for cannot be granted.
406. If, during the licence period, the licensee applies for the granting of a subsequent general exclusive licence for the licence area, cf. paragraph 404, and if the licence area is overlapped by another licence area applied for which is covered by an application for a general exclusive licence, the licence authority will when considering the competing applications attach considerable importance to the licensee's previous small-scale licence and the licence authority's assessment of the licensee's mineral activities in the licence area under the licence. The licence authority will also attach importance to the other circumstances mentioned in paragraph 307 in addition to the general provisions in application procedures and standard terms for exploration licences for minerals in Greenland of November 1998.
407. In the event that more persons who have jointly been granted a small-scale licence, cf. paragraphs 501 and 502, apply for the granting of different subsequent general exclusive licences for the licence area, cf. paragraph 404, the licence authority may offer to grant one licence jointly to the competing applicants ("joint exclusive licence"). As a term for granting a joint exclusive licence, the licence authority may decide that the licensees must enter into and be parties to a cooperation agreement, and that the licensees must only carry out activities covered by the licence in accordance with the cooperation agreement. The cooperation agreement must be approved by BMP. If the licensees do not wish to enter into a cooperation agreement, the licence authority may consider and give priority to the competing applications according to the provisions in § 3.

§ 5. Scope of the licence and the licensee

501. The licence is personal. It can be granted to one person or to several persons jointly, cf. paragraph 502, but not to more than five persons. The licence covers only the licensee's personal exploration for and exploitation of minerals in the licence area.
502. If the licence is granted to several persons jointly, the licensees are jointly the licensee in relation to any rule or provision on the licensee's obligations, liabilities and rights, including the provisions in these standard terms. The licensees are jointly and severally obliged under the licence and are jointly and severally liable for the fulfilment of any obligation that may arise as a result of or in connection with activities covered by the licence. The licensees must enter into and be parties to a cooperation agreement. They may carry out only activities covered by the licence, in accordance with the cooperation agreement. The cooperation agreement must be approved by BMP.
503. The licensee must not have activities under the licence performed by employees or other persons or parties, including subcontractors, unless otherwise provided by law or the licence. BMP may grant a special permission to allow the licensee to have activities under the licence performed by employees or other persons or parties, provided that no more than nine active persons are present in the licence area at any one time.
504. The licensee must, when carrying out activities under the licence, generally use labour from Greenland or Denmark. However, to the extent necessary for the activities, the licensee may employ foreign staff if labour with similar qualifications does not exist or is not available in Greenland or Denmark.

505. The licensee must, when carrying out activities under the licence, generally use Greenland enterprises for contracts and subcontracts, supplies and services. However, the licensee may contract with other enterprises for such contracts, supplies and services if Greenland enterprises are not technically or commercially competitive. Greenland enterprises mean enterprises domiciled in Greenland and which have true connection to the Greenland society by virtue of the commercial activities they perform in Greenland.

§ 6. Licence area

601. The licence covers the area indicated in the licence.
602. The licence covers only land areas unless otherwise indicated in the licence. The boundary between the land area and the adjoining offshore area is determined at the mean seal level.
603. The licence area is indicated in the licence.
604. The licence includes a map of the licence area.
605. The licence area will be determined and delineated as follows:
- a. The licence area must be square and be delineated by corner coordinates stated in degrees, minutes and seconds and connected by lines of longitude and latitude, cf. letter b, unless BMP grants special permission to another delineation. The licence area must not be longer than 1 km. Its area must not exceed 0.25 km².
 - b. The corner points of the licence area must be numbered clockwise starting in the upper left corner of the licence area.

§ 7. Licence period

701. The licence is valid for the licence period indicated in the licence. The licence period must be determined in accordance with paragraph 702.
702. The licence will be valid from 1 January if granted (signed by the Home Rule Government) before this date in the year in which the licence period starts, and otherwise from the date it is granted until 31 December of the year in which the licence period expires. The licence period cannot exceed five calendar years.

§ 8. Minerals covered by the licence

801. The licence covers exploration for and exploitation of the mineral resources indicated in the licence. The licence can, however, never cover hydrocarbons or radioactive elements.

§ 9. Fees

901. The licensee shall pay a fee of DKK 10,000 to BMP on the granting of the licence; cf. s. 7(6) of the Mineral Resources Act.
902. The licensee shall pay a fee to BMP, cf. s. 8 of the Mineral Resources Act, if payment of such fee is stated in the licence. The fee may be an annual fee calculated on the basis of the size of the licence area (area fee), a fee calculated on the basis of the mineral resources,

etc. extracted (royalty) or a fee calculated as a share of the profits from the activities under the licence (profits fee).

§ 10. Activities of other parties in the licence area

1001. The licensee must respect all existing rights, including rights under licences for prospecting and exploration for or exploitation of mineral resources. The licence involves no restrictions in any third party's rights to carry out legal activities in the licence area, including the activities mentioned in paragraph 1002.
1002. Within the licence area, parties other than the licensee may:
- a. be granted prospecting licences for mineral resources, including minerals covered by the licence, cf. Part 2 of the Mineral Resources Act;
 - b. be granted licences for small-scale exploration for and exploitation of minerals not covered by the licence, cf. Part 3 of the Mineral Resources Act;
 - c. be granted approval of establishment and operation of facilities, buildings, installations, pipelines, infrastructure, etc. with a view to carrying out activities in pursuance of the Mineral Resources Act; and
 - d. conduct scientific investigations as stated in s. 2(2) and s. 21 of the Mineral Resources Act.
1003. BMP may decide that in all or parts of the licence area the licensee must not carry out mineral activities relating to all or certain types of minerals if environmental, public health or safety concerns so dictate.
1004. The licensee must ensure that the activities of other parties pursuant to paragraph 1002 are not unnecessarily hampered. The activities of other parties pursuant to paragraph 1002 must also be carried out in such a way that the licensee's activities under the licence are not unnecessarily hampered.

§ 11. Requirements of the licensee

1101. In the entire licence period, the licensee must:
- a. be a permanent resident and fully liable to pay tax in Greenland;
 - b. be legally competent and not be under guardianship;
 - c. be capable of managing his own affairs, including not being in suspension of payments, in bankruptcy or in a situation comparable therewith; and
 - d. have the necessary expertise and financial background for carrying out small-scale exploration and exploitation activities under the licence.

§ 12. Activity plan

1201. The licensee must prepare an activity plan for the exploration and exploitation activities. Before commencing exploration and exploitation activities, the Home Rule Government must approve the above activity plan as agreed with the Danish Government in accordance

- with ss. 10 and 19 of the Mineral Resources Act. The activity plan must include the following:
- a. The licensee's plan for organising and implementing the exploration and exploitation activities in a sound manner in terms of health, safety and the environment.
 - b. The licensee's plan for storing, depositing and transporting mineral resources covered by the licence.
 - c. The licensee's plan for closing down the exploration and exploitation activities ("the closure plan").
 - d. The licensee's plan for minimising the health, safety and environmental effects and risks of the exploration and exploitation activities.
1202. The activity plan must be in accordance with BMP's rules for field work and reporting, to the extent that such rules are applicable to the activities. When preparing the activity plan, the licensee may use the form set out in Appendix 2. If BMP so requests, the licensee must give additional information about the activity plan. If matters relating to the activity plan are changed significantly or BMP so requests, the licensee must prepare an updated activity plan. The same applies to the closure plan.
1203. Exploration and exploitation activities must not be carried out unless they are covered by an activity plan approved by the Home Rule Government subject to agreement with the Danish Government in accordance with ss. 10 and 19 of the Mineral Resources Act.
1204. Before commencing the exploration and exploitation activities, the Home Rule Government must approve the activity plan mentioned in paragraph 1201 subject to agreement with the Danish Government in accordance with ss. 10 and 19 of the Mineral Resources Act. BMP may at any time require that the licensee prepare an updated activity plan to be approved by BMP.
1205. The Home Rule Government's approval of the activity plan does not exempt the licensee from obtaining BMP's permission to perform activities covered by the activity plan if the activities according to paragraph 1303 may be performed only according to a special permission granted by BMP.

§ 13. Performance and approval of activities, etc.

1301. Exploration and exploitation activities covered by the licence must be performed in a sound manner in terms of health, safety and the environment, in an expedient manner and in such a way that due consideration is given to resources. Moreover, the activities must be performed in accordance with BMP's rules for field work and reporting, to the extent that such rules are applicable to the activities.
1302. The licensee may perform the following activities although BMP has not granted special permission to such activities:
- a. Exploration or exploitation activities by using handheld devices, including tools, instruments, equipment, machines or containers.

- b. Drilling or extraction by using handheld devices, including drilling machines, milling machines, pneumatic drills and crowbars.
 - c. Short-term storage of minerals or fuels or other substances or materials for use for the performance of exploration or exploitation activities.
 - d. Transport of persons or goods to or from the licence area by using small, light motor-driven vehicles, including snow scooters with trailers, or small vessels.
1303. The licensee may only perform the following activities if BMP has granted special permission to such activities:
- a. Exploration or exploitation activities by using small movable devices, including tools, equipment, machines, fuel tanks or containers.
 - b. Drilling or extraction by using small movable devices, including drilling machines, milling machines, pneumatic drills or crowbars mounted on their own stands or on small, self-propelled machines (e.g. mini excavators).
 - c. Drilling, extraction, digging, removal, loading, unloading or local transport by using small, light, self-propelled machines or similar vehicles, including mini excavators, mini cranes, mini loaders and mini dumpers.
 - d. Long-term storage or depositing of minerals, fuels or other substances or materials.
 - e. The placing of small, movable dwelling units in or next to the licence area and using such units for the purpose of accommodation.
 - f. Alteration of the terrain for the purpose of performing exploration or exploitation activities, including by establishing a storage site, accommodation site or temporary work road.
 - g. Use explosives.
1304. The licensee may not perform the following activities:
- a. Use tools, instruments, equipment, substances or materials containing radioactive elements.
 - b. Establish measures that directly or indirectly prevent or restrict other licensees' similar access to carry out small-scale exploration and exploitation activities in any part of the licence area.
1305. Pursuant to s. 24 of the Mineral Resources Act, the Home Rule Government may lay down detailed rules for the carrying out of activities under licences within and outside the licence area, including rules relating to technical, safety, environmental and resource-related matters. The rules apply to the performance of activities under the licence to the extent that the rules apply to the licence.
1306. The licensee must take all necessary measures to ensure that the work does not present a risk of injury to persons or damage to any third party's property. Moreover, the licensee must ensure that the risk of pollution and other harmful effects to the environment within and outside the licence area is minimised as much as possible.
1307. If the licensee's activities present a risk of injury to persons or damage to any third party's property, or if the risk of pollution or harmful effects to the environment exceeds a level

deemed acceptable by BMP, BMP may order the licensee to remedy the matter and make good any damage within a time limit fixed by BMP. If BMP finds it necessary, BMP may also order the licensee to suspend activities in whole or in part until the licensee has remedied the matter. BMP may also order the licensee to prepare a plan for remedying the matter.

1308. If the licensee does not comply with an order issued according to paragraph 1307, the licensee must pay compensation for any damage or loss caused, irrespective of whether it is inflicted on the State, the Greenland Home Rule or third parties, including individuals or enterprises.
1309. The licensee must regularly clean up and repair damage to terrain, vegetation and the environment caused by the licensee's activities.

§ 14. Supervision

1401. BMP supervises the licensee's activities under the licence; cf. s. 25 of the Mineral Resources Act. BMP may authorise one or more authorities, persons, enterprises, etc. to supervise the licensee's activities under the licence. The supervisor is entitled in all respects to follow and examine all the licensee's activities and to demand information from the licensee about the licensee's activities under the licence. The supervisor has at all times, on proof of identity and without a court order, access to all parts of the licensee's activities to the extent required for the purpose of carrying out the supervision.
1402. The supervisor may take out samples of geological material, obtained as part of the licensee's activities.
1403. BMP may prosecute the licensee's violation of current laws and regulations, etc. relating to the licensee's activities and may issue an order to ensure compliance with the legislation. If the licensee does not fulfil its obligations under the licence, BMP may take legal action and issue an order to ensure the fulfilment of the obligations. The same applies in respect of the licensee's failure to comply with provisions in the licence.
1404. If the licensee does not comply with an order issued according to paragraph 1403, the licensee must pay compensation for any damage or loss caused, irrespective of whether it is inflicted on the State, Greenland Home Rule or third parties, including individuals or enterprises.

§ 15. Obligations on termination of activities

1501. On termination of activities under the licence, the licensee must finally and fully clean up and remedy any damage and effects on the environment, nature and flora and fauna within and outside the licence area as well as other affected areas. BMP must approve the clean up and remedy.
1502. If the licensee does not comply with an order to carry out the measures indicated in paragraph 1501 within a deadline fixed by BMP, BMP may have such measures carried out for the licensee's account and risk; cf. s. 18(3) of the Mineral Resources Act. If carrying out such measure results in a claim for damages from an injured party against Greenland Home Rule, the State or a third party, the licensee must indemnify Greenland Home Rule, the State or the third party for the claim and any related cost.

1503. The closure plan, cf. paragraph 1201c, must be regularly updated and must also be revised in the event of considerable changes of the exploration or exploitation activities. Amendments to the closure plan must be approved by BMP, cf. s. 18(2) and s. 19(4) of the Mineral Resources Act. BMP may at four weeks' notice ask the licensee to submit a revised closure plan for approval by BMP.
1504. On the termination of the exploration and exploitation activities, the closure activities must be performed by the licensee in accordance with the closure plan. If the licensee exceeds a deadline for performing closure activities and does not comply with an order to perform the activities before a deadline fixed by BMP, BMP may have the activities performed for the licensee's account and risk, cf. s. 18(3) of the Mineral Resources Act.
1505. RD may demand that the licensee provide security for the fulfilment of his obligations in connection with the closure activities, cf. paragraph 1504, and that the security is provided in the form of a bank guarantee or other adequate security for an amount of up to DKK 100,000. A guarantee may be written down by amounts transferred pursuant to paragraph 1506.
1506. In the licence period, BMP may decide that the licensee must transfer an amount to an escrow account to cover the costs of closure activities. The total transferred amount belongs to the licensee, but can only be used to cover costs relating to closure activities. If the costs relating to the closure activities are less than the transferred amount, the remaining transferred amount is available to the licensee when all closure activities have been performed and approved by BMP. If the costs of the closure activities exceed the transferred amount, the remaining costs are payable by the licensee when claims for cover or reimbursement of the costs fall due for payment.

§ 16. Reporting

1601. In the licence period, the licensee must submit a report on the previous year's exploitation activities ("annual report") to BMP not later than 15 January of each year. The report must include the information mentioned in Appendix 3 on the individual kinds of minerals exploited. Moreover, the report must include information on the licensee's name and address and the licence number with BMP. If no exploitation activities have been carried out, the report must still be submitted but may then only include information to this effect. All reports must be dated and signed by the licensee.
1602. In the year after the expiry of the licence period, the licensee must submit to BMP an annual report on the previous year not later than 15 January, cf. paragraph 1601, and a report on the overall exploitation activities in the entire licence period ("final report"). The final report must include the information mentioned in Appendix 3 on the individual kinds of minerals exploited. Moreover, the report must include an overall statement of all minerals exploited in the entire licence period.
1603. In the annual reports and the final report, cf. paragraphs 1601 and 1602, the licensee must state the total value of all minerals exploited in the previous year (the annual reports) and in the entire licence period (the final report), respectively. If BMP so requests, the licensee must also as soon as possible after having received the request inform BMP of all minerals that the licensee stores, transports or in any other way has in his possession or at his disposal. The licensee must also as soon as possible inform BMP of the value of the minerals.

1604. If BMP asks for an independent verification of the valuation of all or some of the minerals, the licensee must provide free access to these minerals for such valuation.
1605. If BMP so requests, the licensee must submit samples of geological material to BMP.
1606. If the licensee finds other mineral resources than those covered by the licence, the licensee must report this to BMP.
1607. For activities under the licence, BMP may decide that the licensee must submit reports, information, data, etc. on all geological, technical, environmental, health, financial and other investigations made in relation to the licence area; cf. s. 25(4) of the Mineral Resources Act, and paragraph 1608. If BMP so requests, the licensee must submit samples of geological material to BMP.
1608. BMP may lay down directions for reporting on the activities carried out under the licence, including also on financial matters, and for indication of the types of data, interpretations and other information to be included in the reporting. Furthermore, BMP may lay down directions for the form and media to be used for submitting such data, etc. The licensee must submit further information on the activities if BMP so requests.
1609. All the licensee's costs and expenses related to the preparation and submission of reports, data, sample material, etc. are payable by the licensee.

§ 17. Sale and export of exploited minerals

1701. On any sale or export from Greenland of minerals exploited under the licence or otherwise collected or extracted in the licence area, the licensee must submit a report thereon to BMP. The report must be sent to BMP not later than 14 days after the sale or export.
1702. The report on sale or export must be prepared in the form set out in Appendix 4 and must include satisfactory information on the following matters:
 - a. Licensee's name and address.
 - b. The licence number with BMP.
 - c. The kind of minerals (e.g. mineral type).
 - d. The degree of processing of the minerals.
 - e. The product code number of the minerals.
 - f. The quality of the minerals.
 - g. The quantity of the minerals.
 - h. The value of the minerals.
 - i. Method used in the valuation.
 - j. If the licensee has not personally processed the minerals, the report must include the name and address of the person or persons who have processed the minerals.
 - k. If the minerals are sold, the report must include the name and address of the buyer. If the minerals are exported from Greenland and are not sold in this connection, the report must include the name and address of the recipient.
 - l. Any other information required by BMP.

§ 18. The licensee's reimbursement of expenses of regulation by the authorities

1801. The licensee must reimburse BMP for its expenses of regulation under § 2 and §§ 12-17 and the Mineral Resources Act's rules on activities under the licence. The expenses must be reimbursed in accordance with s. 25(5) of the Mineral Resources Act.
1802. The expenses to be reimbursed by the licensee according to paragraph 1801 are calculated and administered on the basis of the rules laid down from time to time by the Home Rule Government in pursuance of s. 25(5) of the Mineral Resources Act. These rules include Greenland Home Rule's executive order no. 24 of 30 December 2003 concerning reimbursement of expenses of regulation by the authorities regarding mineral activities, as amended.

§ 19. Confidentiality

1901. Any report received by BMP in pursuance of paragraph 1601 or paragraph 1602 is treated as confidential for five years from receipt. However, the period of confidentiality ends on the expiry of the licence.
1902. Irrespective of paragraph 1901, BMP is entitled to:
- a. make general statements about the licence area and the activities covered by the licence on the basis of the material received from the licensee;
 - b. use and publish, without limitations or conditions, data of an environmental, technical, navigational, meteorological, glaciological or geological nature, including geochemical and geophysical maps if, in BMP's assessment, this is of general interest to society, unless the material is under patenting; and
 - c. use and publish material received from the licensee on general geological and geophysical matters, including generalised interpretations.
1903. Prior to publication in pursuance of paragraph 1902b-c, BMP will inform the licensee.

§ 20. Assignment and legal action

2001. The licence or any part thereof cannot, either directly or indirectly, be assigned to others, unless the assignment is approved in accordance with s. 27 of the Mineral Resources Act.
2002. The licence cannot become the subject of legal action; cf. s. 27(2) of the Mineral Resources Act.

§ 21. Revocation of the licence

2101. BMP may revoke the licence in the following cases; cf. s. 28 of the Mineral Resources Act:
- a. If the licensee disregards terms stipulated in the licence or provisions stipulated in or under the authority of the Mineral Resources Act or the licence, or if the licensee exceeds deadlines.
 - b. If the licensee acts fraudulently when giving information to BMP.
 - c. If the licensee does not meet the requirements set out in paragraph 1101.

2102. Revocation pursuant to paragraph 2101a cannot take place if the licensee has taken remedial action within a reasonable time limit fixed by BMP. If the matter has not been remedied before the expiry of the time limit, the licence may be revoked without further notice.

§ 22. Interest on amounts due

2201. If the licensee does not pay fees, taxes, reimbursement amounts or other amounts due on time, the licensee must pay interest on the amount due. Interest is added at a rate fixed in pursuance of the Act on Interest on Overdue Payments, etc. (the Interest Act).

§ 23. Liability and insurance

2301. The licensee is liable for any damage and loss caused by the operations covered by the licence and related activities according to the legislation and the general rules of the Danish law of damages.
2302. The licensee's activities under the licence must be covered by insurance, including liability insurance, which provides reasonable cover for possible damage and actionable events at all times. The licensee must inform BMP of current insurance policies, stating their main terms, at the end of each calendar year and when so requested by BMP. BMP may require the licensee to forward all insurance terms and to establish and maintain additional insurance policies or cover. The licensee must follow the directions on insurance laid down by BMP. BMP may waive the claim for insurance cover of the licensee's activities if, after an overall assessment of all relevant circumstances, maintaining the requirement must be considered unnecessary or unnecessarily onerous for the licensee.

§ 24. Joint and several liability for parties to cooperation agreement

2401. If the licence authority has granted a licence to several persons jointly, and the licensees are parties to a cooperation agreement, cf. paragraphs 407 and 502, the licensees have joint and several liability to third parties, including public authorities, for the fulfilment of any obligation that may arise as a result of or in connection with activities covered by the cooperation agreement.

§ 25. Relation to other legislation

2501. The licence is subject to the rules of law in force in Greenland from time to time. Thus, the licence implies no limitations in Greenland Home Rule's and the State's general taxation right or in the access to lay down general provisions in acts and subordinate legislation on the performance of activities under the licence. The licence does not exempt the licensee from obtaining the approvals and permissions required by the Mineral Resources Act and other legislation.

§ 26. Obligations on termination of the licence

2601. The termination of the licence does not exempt the licensee from fulfilling the obligations that rest upon him in pursuance of legislation, the licence or other provisions, terms or orders laid down.
2602. On the termination of the licence, BMP may within one year of the termination take over free of charge all data, geological material and other samples obtained by the licensee and relating to the licence area. After this time, the licensee may discard such data, samples and geological material at any time.
2603. BMP's access to take over data, geological material and other samples pursuant to paragraph 2602 may be deferred if an agreement is made between the licensee and BMP on satisfactory storage and access for third parties to the relevant data, geological material and other samples.

§ 27. Translations

2701. The licence and the standard terms are drawn up in Danish. Translations of the licence and the standard terms have no legal validity.

Appendix 1 – Application for personal exclusive licence for exploration and exploitation

A APPLICANT

Name Address Telephone Email (if any)
--

B DELINEATION OF AREA

<i>Local authority and coordinates stated in degrees, minutes and seconds.</i> Example

C TECHNICAL CAPABILITIES

<i>Statement of the types of machines desired to be used</i>
--

D OTHER INFORMATION OF RELEVANCE TO THE APPLICATION

--

E PAYMENT

Documentation for payment of application fee

Date and signature

Appendix 2 – Activity plan

Health and safety at work	Description
What personal safety equipment must be used in the licence area?	
What communication equipment will you use to ensure contact with the surrounding world?	
How will you ensure that people and animals are not injured in your licence area (holes, equipment, etc.)?	
What will you do to avoid danger of fire?	
What will you do to avoid dust problems?	
What will you do to avoid noise problems?	
What will you do to avoid accidents to persons?	
What will you do in case of an accident to a person?	

What will you do in case of bad weather?	
What machines/tools will you use?	
Environment	
What will you do to avoid oil pollution of the environment?	
What will you do to ensure clean drinking water in the licence area?	
How will you provide toilet facilities in the licence area?	
What will you do with rubbish from the licence area?	
What will you do to avoid disturbing the fauna?	
What will you do to avoid damaging the	

vegetation and terrain?	
Storage, depositing and transport of mineral resources	
How will you store the mineral resource extracted?	
What will you do with the material not exploited?	
How will you transport exploited mineral resources away from the licence area?	
How will you determine the quantity of exploited mineral resources?	
Closure plan	
How will you re-establish nature in the licence area?	
How will you remove dwelling and storage facilities from the area?	

Appendix 3 – Reporting

A PLACE OF EXPLOITATION (Area number + local authority)

--

B KIND OF MINERALS (E.G. MINERAL TYPE)

--

C DEGREE OF PROCESSING

--

D PRODUCT CODE NUMBER OF THE MINERALS

--

E QUALITY OF THE MINERALS

--

F QUANTITY (Kg) OF THE MINERALS

--

G IDENTIFICATION INFORMATION ON THE MINERALS

--

H VALUE OF THE MINERALS (DKK)

Stored (Kg and DKK)	Sold (Kg and DKK)	Exported (Kg and DKK)

I METHOD OF VALUATION

--

J STORAGE PLACE OF THE MINERALS

--

K PERSONS/ENTERPRISES THAT HAVE PROCESSED THE MINERALS

--

Appendix 4 – Information on the sale of minerals

A APPLICANT

Name Address Telephone Email (if any) Exploitation licence (number)
--

B KIND OF MINERALS

--

C DEGREE OF PROCESSING

--

D PRODUCT CODE NUMBER OF THE MINERALS

--

E LICENCE AREA

--

F PERSONS/ENTERPRISES THAT HAVE PROCESSED THE MINERALS

--

H INFORMATION ON THE SALE OF MINERALS (If the buyer is from outside Greenland, state the time of export and the buyer's address abroad)

Quantity	Sales price	Time of sale	Buyer's name	Buyer's address

Date and signature