

Unofficial translation

Government of Greenland Executive Order No. 7 of 22 April 2004 on the Processing by the Authorities of Applications filed pursuant to the Ice And Water Exportation Act

Pursuant to sections 19 and 27 of the The Greenland Home Rule Parliament Act No. 7 of 31 May 2001 on the exploitation of ice and water for exportation (the Ice And Water Exportation Act), it is hereby determined:

Part 1

Coordinating authority

1(1) Administration and file processing by the authorities regarding activities comprised by the Ice And Water Exportation Act are based on the ‘one key, one door principle’. This principle does not change the distribution of competencies between the administrative authorities, which shall continue to make the individual decisions within their own administrative area.

(2) The Bureau of Minerals and Petroleum (“the Bureau”) shall be the coordinating administrative authority and shall obtain the necessary opinions and decisions from the respective competent administrative authorities.

(3) The Bureau shall grant licences and approvals to applicants regarding activities comprised by the Ice And Water Exportation Act.

Part 2

Application for licences

2(1) Applications for licences pursuant to sections 3-4 of the The Greenland Home Rule Parliament Act shall be submitted to the Bureau.

(2) As a minimum, an application for a licence shall contain the information stated in Parts 5 and 6.

(3) The time limits stated in this Executive Order for the processing of the application shall be reckoned as from the time when the information stated in Parts 5 and 6 is available.

3(1) The Bureau shall forward the application to the Department for Taxation, Department of Industry, Ministry of Nature and the Environment and Ministry of Infrastructure and Housing with a request for an opinion or a decision within a total of six weeks. Within two weeks, the appropriate directorate shall issue an opinion as to whether the application is deficient, after which the applicant shall be given a time limit of three weeks to procure the missing

information. The appropriate authority shall then consider the case within a period of four weeks.

(2) If the application comprises activities requiring permission from a municipal authority, the application shall be forwarded to the relevant municipal council for decision.

(3) The consultation procedure referred to in subsections (1) and (2) shall be implemented simultaneously, to the extent possible. But this shall not apply in cases where the consulted authority must be made aware of opinions issued by another authority in the case.

4(1) With the consultative comments as a basis, the Bureau shall prepare a draft licence and the terms and conditions governing such licence.

(2) The Bureau shall forward the draft licence to the affected municipalities with a request for an opinion within four weeks of receipt, to the extent possible. As concerns areas not forming part of the municipal structure, an opinion shall be obtained from the relevant citizens' council.

(3) In special cases, the Bureau shall submit fundamental questions to the Government of Greenland.

(4) The Bureau shall submit the draft licence to the Government of Greenland for approval pursuant to section 4 of the The Greenland Home Rule Parliament Act.

Part 3

Application for approval

5(1) An application for approval pursuant to sections 8-10 of the The Greenland Home Rule Parliament Act from licensees who have been granted a licence pursuant to section 4 of the The Greenland Home Rule Parliament Act shall be submitted to the Bureau.

(2) As a minimum, an application for approval shall contain the information stated in Parts 5 and 6.

(3) The time limits for processing the application stated in this Executive Order shall be reckoned as from the time when the information stated in Parts 5 and 6 is available.

6(1) The Bureau shall forward the application to the Department of Taxation, the Department of Industry, Ministry and Nature and the Environment and Ministry of Infrastructure and Housing with a request for an opinion or a decision within a total of six weeks. Within two weeks, the appropriate authority shall issue an opinion as to whether the application is deficient, after which the applicant shall be given a time limit of three weeks to procure the missing information. The appropriate authority shall then consider the case within a period of four weeks.

(2) The consultation procedure referred to in subsection (1) shall be implemented simultaneously, to the extent possible. But this shall not apply in cases where the consulted authority must be made aware of opinions issued by another authority in the case.

7(1) With the consultative comments as a basis, the Bureau shall prepare a draft approval and the terms and conditions governing such approval.

(2) In special cases, the Bureau shall submit fundamental questions to the Government of Greenland.

(3) The Bureau shall submit the draft approval to the Government of Greenland for approval pursuant to sections 8-10 of the The Greenland Home Rule Parliament Act.

Part 4 *Reporting*

8(1) Reporting from licensees who have been granted licences pursuant to sections 3-4 of the Landsting Act shall be submitted to the Bureau.

(2) The Bureau shall forward the application to Department of Taxation, the Department of Industry, Ministry of Nature and Environment and Ministry of Infrastructure and Housing and any other authorities involved with a request for an opinion or for their guidance.

(3) In cases where reporting requires actual case processing, section 6 shall apply correspondingly.

(4) But material regarding payment of royalties pursuant to section 26 of the Act shall be submitted to the Department of Taxation only.

Part 5 *Contents of an application for a licence to carry out preliminary investigations*

9 An application for a licence to carry out preliminary investigations, see section 3 of the The Greenland Home Rule Parliament Act, shall contain the following information:

- 1) Information about the applicant's name, address, telephone number, fax number and e-mail address. If the applicant is a company, the 'SE' no. (tax registration number) and a transcript from the relevant register of companies shall be enclosed with the application, together with a copy of the company's most recent financial statements.
- 2) Information about the area to which the application pertains. The application shall be deemed to comprise onshore areas only, unless the application specifically states fiord or offshore areas. The area shall be delimited by coordinates, which shall be expressed in degrees and full minutes, and shall be measured in WGS84 (World Geodetic System) datum format. The coordinates shall be linked with degrees of latitude and longitude.
- 3) Information about the period covered by the application.
- 4) Information about the investigations planned throughout the period covered by the application; the time schedule and the objective of the investigations must be described summarily.

5) Information about any partners, subcontractors, consultants and the like.

Part 6

Contents of an application for an exploitation licence

10 An application for an exploitation licence, see section 4 of the The Greenland Home Rule Parliament Act, shall contain the following information:

- 1) Information about the applicant's name, 'SE' no. (tax registration number), address, telephone number, fax number and e-mail address. A transcript from the relevant register of companies shall be enclosed with the application, together with a copy of the company's most recent financial statements.
- 2) Information about the shares held by the individual companies and, where the applicant is a group of several companies, about which company has the status of operator, as well as information specifying the share of liability of each company. A copy of any joint operating agreement between the companies must be enclosed with the application.
- 3) Information about any other parties, subcontractors, consultants and the like.
- 4) Documentation showing that the applicant:
 - a) is a private or public limited company having its registered office in Greenland;
 - b) only carries on activities pursuant to licences issued under the Ice And Water Exportation Act;
 - c) is not taxed on a pooled basis with other companies; and
 - d) has the necessary expert knowledge and financial resources required to undertake the exploitation activity in question.

11(1) The application shall contain information as to whether the application comprises ice or water or both.

(2) A copy of analysis results performed by an accredited laboratory of representative samples from the relevant resource shall be enclosed with the application.

(3) The application shall contain an evaluation of resources.

12(1) The application shall contain information about the area to which the application pertains. The application shall be deemed to comprise onshore areas only, unless the application specifically states fiord or offshore areas. The area shall be delimited by coordinates, which shall be expressed in degrees and full minutes, and shall be measured in WGS84 (World Geodetic System) datum format. The coordinates shall be linked with degrees of latitude and longitude. The area to which the application pertains cannot comprise an area significantly larger than warranted by the licensee's immediate exploitation potential pursuant to section 5(3) of the The Greenland Home Rule Parliament Act.

(2) The application shall contain the applicant's professional assessment of the exploitation potential of the area to which the application pertains, and the hydrological and glaciological basis for this assessment must be stated and documented.

(3) The application shall contain information about the applicant's expected requirements for the exploitation potential stated in subsection (2) hereof, and the underlying assumptions must be specified and the appropriate reasons therefor stated.

(4) The application shall contain information about the exploitation period applied for.

13(1) A profitability study shall be enclosed with the application.

(2) The profitability study shall contain an assessment of the potential for commercial exploitation of the ice and/or water resources comprised by the application and assessments regarding area, employment, quality, environmental, resource, safety and technical aspects of the contemplated activities. Together with the other circumstances to be stated pursuant to section 8 of the The Greenland Home Rule Parliament Act, the project shall be described as best possible on the basis of the available material, including expected costs and sales circumstances and the quality of the ice or water product contemplated for production.

(3) Pursuant to sections 9 and 10 of the The Greenland Home Rule Parliament Act, the applicant shall prepare a closure and cleaning-up plan for plants established in connection with the exploitation licence.

Part 7

Supervision

14 The Department of Industry, the Ministry of Nature and Environment and the Ministry of Infrastructure and Housing shall supervise matters comprised by the administrative areas of the said authorities.

Part 8

Fees

15 The following fees shall be payable for processing performed by the authorities in connection with preliminary investigations pursuant to section 3 of the Act:

- 1) Issuing of a licence; see s. 3 of the The Greenland Home Rule Parliament Act DKK
1,000
- 2) Approval of transfer of a licence; see s. 23(1) of the Home Rule Parliament Act DKK
500

16 The following fees shall be payable for processing performed by the authorities in connection with exploitation pursuant to section 4 of the Home Rule Parliament Act:

1) Submission of application	DKK	1,000
2) Issuing of a licence; see s. 4 of the Home Rule Parliament Act	DKK	10,000
3) Approval of transfer of a licence; see s. 23(1) of the Home Rule Parliament Act	DKK	5,000
4) Prolongation of a licence; see s. 7(2) of the Home Rule Parliament Act	DKK	10,000
5) Extension of time limit; see s. 4(2) of the Home Rule Parliament Act	DKK	5,000
6) Approval of plan for overall activities; see s. 8 of the Home Rule Parliament Act	DKK	50,000
7) Approval of change of plans; see ss. 8 and 9 of the Home Rule Parliament Act	DKK	25,000
8) Approval of temporary suspension of exploitation activities; see s. 10 of the Home Rule Parliament Act	DKK	5,000
9) Approval of change of temporary suspension of exploitation activities; see s. 10 of the Home Rule Parliament Act	DKK	2,500

Part 9

Commencement

17 This Executive Order shall enter into force on 1 May 2004.

The Government of Greenland, 22 April 2004

Jørgen Wæver Johansen

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