

Akt oversigt:

Changes to the Mineral Resources Act and the Mining Act 1.0.docx (25606296)

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Vedhæftet fremsendes brancheudvalget for råstoffers høringssvar vedrørende de foreslåede ændringer til råstofloven og mineloven.

Vi står naturligvis til rådighed, hvis der er behov for uddybning eller yderligere dialog i den forbindelse.

Inussiarnersumik inuulluaqqusillunga / Med venlig hilsen / Best regards

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Consultation Response regarding Proposed Amendments to the Mineral Resources Act and the Mining Act (EM 2025)

We thank you for the opportunity to submit our comments on the proposed amendments to the Inatsisartut Act on Mineral Activities and the Inatsisartut Act on Mineral Resources and Activities of Importance (the Mineral Resources Act).

The business community and the mining industry recognize and appreciate the Government's intention to streamline the administration of the mineral resources sector, reduce case processing times, and uphold principles such as the one-door model and integrated regulatory handling. However, we find it pertinent to highlight a number of considerations and recommendations.

Positive Aspects of the Proposals

- Flexibility in organizational structure, allowing authorities to quickly adapt to developments in the industry.
- Retention of the one-door principle, which ensures transparency and smooth communication.
- No imposed financial or administrative burdens on the business community.
- Continued access to appeal decisions concerning nature and environmental matters.

Concerns and Recommendations

1. **Clarity on Future Administrative Structure** The repeal of legally established agencies creates uncertainty regarding which authority companies should relate to going forward. We recommend that, in connection with the changes, a detailed plan and timeline be developed and published as soon as possible, clarifying how responsibilities will be allocated and which units will take over the administration.
2. **Transparency and Stability** Regulation at the level of executive orders provides less legal certainty than statutory law. To ensure long-term stability, the future procedures and organizational frameworks should be clearly described and made publicly available.
3. **Right of Appeal for Companies** The removal of the administrative right of appeal to the Government (Naalakkersuisut) in decisions regarding permits and approvals is perceived as a reduction in legal security for the business community. We recommend considering a mechanism that still allows companies to have their cases reviewed administratively.

4. **Environmental Appeal Body** We note that a new independent appeal body must be established if the Environmental Agency is disbanded. We urge that this entity be defined and established concurrently with the implementation of the legislative changes to avoid any legal vacuum.
5. **Establishing a Center of Excellence – Strengthening Competence Synergies** We recommend that the Government take advantage of the organizational opportunities opened up by the proposed changes to establish a strong and interdisciplinary “center of excellence.” By consolidating key competencies in areas such as geology, law, economics, and engineering into a single cross-sectoral unit, synergies can be created across policy areas such as mineral resources, hydropower, and major infrastructure projects. Such a structure would not only support the development of strong national expertise but also reduce vulnerability to staff turnover and contribute to a more robust and efficient case processing system.
6. **Impact Assessments** Although the proposals are assessed to have no significant consequences for the business community, we recommend that a supplementary analysis be conducted to identify any potential risks to the investment climate, case processing times, and legal certainty.

Conclusion

We support the Government’s goal of simplifying and streamlining administration. However, it is essential that the changes are implemented in a way that maintains legal certainty, provides clear frameworks, and builds confidence among stakeholders in the industry.

We are of course available for dialogue on the points mentioned above.

Sincerely,

Dan Sivertsen