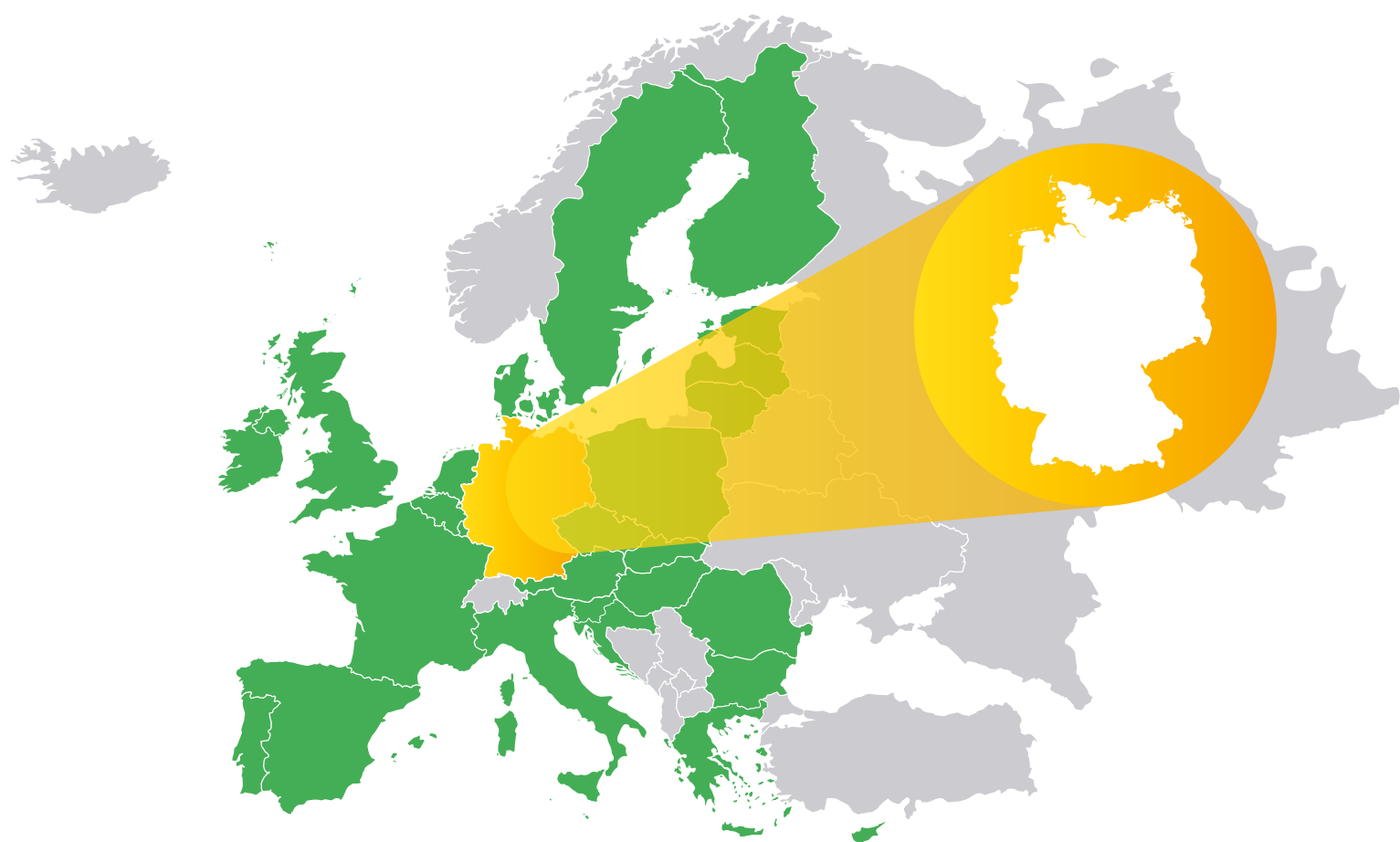


# Minerals Policy Country Profile

## **GERMANY**



Minerals Policy Country Profile - GERMANY

<b>POLICY 1</b>	<b>Federal Mining Law</b>
<b>POLICY 2</b>	<b>Seabed Mining Act</b>
<b>POLICY 3</b>	<b>Act on the conversion of private mining rights into public rights</b>
<b>POLICY 4</b>	<b>Raw materials strategy of the federal government</b>
<b>POLICY 1</b>	<b>Federal Spatial Planning Act</b>
<b>POLICY 2</b>	<b>General Building Code</b>
<b>POLICY 3</b>	<b>Law for Environmental Impact Assessment</b>
<b>POLICY 4</b>	<b>Federal Water Resources Management</b>
<b>POLICY 5</b>	<b>Federal Forestry Law</b>
<b>POLICY 6</b>	<b>Federal Emission Control Act</b>
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<b>POLICY 11</b>	<b>German Civil Code</b>
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<b>POLICY 13</b>	<b>Building Code (Federal States Law)</b>
<b>POLICY 14</b>	<b>Law on the Conservation of Nature (Federal States Law)</b>
<b>POLICY 15</b>	<b>Excavation laws (Bavaria, North Rhine-Westphalia)</b>

## Minerals Policy Country Profile - GERMANY

		POLICY 1
		<b>Federal Mining Law</b>
<b>Title (original language)</b>	Bundesberggesetz	
<b>Title (translation in english)</b>	Federal Mining Law	
<b>Year (and identification number if available)</b>	BGBl. I S. 1310 (1980) latest amendment Art 4 § 71 of BGBl. I S. 3154 (2013)	
<b>Short description</b>	The present Act lays down provisions relating to mining activities in the Federal Republic of Germany. The text consists of 178 articles divided into 12 Parts as follows: Introductory provisions (I); Authorization to mining activities (II); Searching, extracting and processing of minerals (III); Empowerment to issue Mining Ordinances (IV); Mining surveillance (V); Mining Register (VI); Mining and land property, public traffic facilities (VII); Other activities and institutions (VIII); Special provisions for the continental shelf (IX); Federal Control Office, committee of experts, implementation (X); Legal avenues, penalties (XI); Transitional and final provisions (XII).	
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>	<a href="http://faolex.fao.org/docs/pdf/ger75676.pdf">http://faolex.fao.org/docs/pdf/ger75676.pdf</a>	
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>		
<b>Access to document (document name providing information on the policy)</b>		
<b>Responsible for the design of the policy</b>	Bundesministeriums der Justiz und für Verbraucherschutz	
<b>Responsible for the implementation of the policy</b>	-	
<b>Responsible person / policy maker at the ministerial level</b>	-	
<b>Policy instrument type</b>	Legislation	
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>	-	
<b>Value chain relevance (1=relevant; 0=not relevant)</b>	<b>EXPLORATION (including permitting)</b>	1
	<b>EXTRACTION (incl. Permitting)</b>	1
	<b>mineral and metallurgical PROCESSING (incl. Permitting)</b>	1
	<b>MINE CLOSURE / WASTE management (incl. Permitting)</b>	1
	<b>DEEP SEA MINING</b>	1
	<b>DATA and knowledge base</b>	-

## Minerals Policy Country Profile - GERMANY

		POLICY 2
		<b>Seabed Mining Act</b>
<b>Title (original language)</b>	Gesetz zur Regelung des Meeresbodenbergbaus Meeresbodenbergbaugesetz - MBergG	
<b>Title (translation in english)</b>	Seabed Mining Act	
<b>Year (and identification number if available)</b>	BGBl. I S. 778, 782 (1995), amended by BGBl. I S. 3154 (2013)	
<b>Short description</b>	The present Act lays down provisions relating to seabed mining. In particular, the purpose of the Act is, inter alia, to: 1) grant the safety of seabed mining enterprises, as well as the protection of the marine environment; 2) take precaution to prevent dangers arising from seabed mining activities; 3) regulate monitoring of seabed mining activities. The text - consisting of 13 articles - deals with the following aspects: purpose of Act, definition of terms, enforcement by the Federal Mining, Energy and Geology Office, mining survey, costs, penalties, administrative fines and transitional provisions.	
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>	<a href="https://www.gesetze-im-internet.de/bundesrecht/mbergg/gesamt.pdf">https://www.gesetze-im-internet.de/bundesrecht/mbergg/gesamt.pdf</a>	
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>		
<b>Access to document (document name providing information on the policy)</b>		
<b>Responsible for the design of the policy</b>	-	
<b>Responsible for the implementation of the policy</b>	Seabed Mining Cost Ordinance	
<b>Responsible person / policy maker at the ministerial level</b>	-	
<b>Policy instrument type</b>	Legislation	
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>	-	
<b>Value chain relevance (1=relevant; 0=not relevant)</b>	<b>EXPLORATION (including permitting)</b>	-
	<b>EXTRACTION (incl. Permitting)</b>	-
	<b>mineral and metallurgical PROCESSING (incl. Permitting)</b>	-
	<b>MINE CLOSURE / WASTE management (incl. Permitting)</b>	-
	<b>DEEP SEA MINING</b>	-
	<b>DATA and knowledge base</b>	-

## Minerals Policy Country Profile - GERMANY

		<b>POLICY 3</b>
		<b>Act on the conversion of private mining rights into public rights</b>
<b>Title (original language)</b>	Gesetz zur Überführung der privaten Bergregale und Regalitätsrechte an den Staat	
<b>Title (translation in english)</b>	Act on the conversion of private mining rights into public rights	
<b>Year (and identification number if available)</b>	PrGS 1943	
<b>Short description</b>	The present Act establishes that private mining rights shall be converted into public ones. At the entry into force of the present Act, the private mining rights shall pass to the Prussian State. The exact date of conversion shall be fixed by the Minister of Economics in accordance with the Finance Minister. No compensation will be granted unless this has been previously been established in a contract. The text consists of 6 articles.	
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>	<a href="http://faolex.fao.org/">http://faolex.fao.org/</a>	
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>	-	
<b>Access to document (document name providing information on the policy)</b>		
<b>Responsible for the design of the policy</b>	-	
<b>Responsible for the implementation of the policy</b>	-	
<b>Responsible person / policy maker at the ministerial level</b>	-	
<b>Policy instrument type</b>	Legislation	
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>	-	
<b>Value chain relevance (1=relevant; 0=not relevant)</b>	<b>EXPLORATION (including permitting)</b>	-
	<b>EXTRACTION (incl. Permitting)</b>	-
	<b>mineral and metallurgical PROCESSING (incl. Permitting)</b>	-
	<b>MINE CLOSURE / WASTE management (incl. Permitting)</b>	-
	<b>DEEP SEA MINING</b>	-
	<b>DATA and knowledge base</b>	-

Minerals Policy Country Profile - GERMANY

		POLICY 4	
		Raw materials strategy of the federal government	
Title (original language)		Rohstoffstrategie der Bundesregierung	
Title (translation in english)		Raw materials strategy of the federal government	
Year (and identification number if available)		2010	
Short description		The Federal Government aims to implement measures relating to these objectives in a balanced fashion following the principles of sustainable development. Here, equal weight should be given to economic, environmental and social aspects of a sustainable raw materials sector. Further to this, the Federal Government's raw materials strategy aims to take a holistic approach to raw materials, with the closest possible integration of all national and international levels of raw materials policy-making.	
Access to document (hyperlink IN NATIONAL LANGUAGES)		<a href="http://www.bmwi.de/Dateien/BMWi/PDF/rohstoffstrategie-der-bundesregierung">http://www.bmwi.de/Dateien/BMWi/PDF/rohstoffstrategie-der-bundesregierung</a>	
Access to document (hyperlink IN ENGLISH LANGUAGE)		-	
Access to document (document name providing information on the policy)			
Responsible for the design of the policy		Ministry of Economy and Technology	
Responsible for the implementation of the policy		Ministry of Economy and Technology	
Responsible person / policy maker at the ministerial level		-	
Policy instrument type		Policy Strategy	
Stand-alone policy (or to which policy it is subordinate or ancillary)		-	
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	
	EXTRACTION (incl. Permitting)	-	
	mineral and metallurgical PROCESSING (incl. Permitting)	-	
	MINE CLOSURE / WASTE management (incl. Permitting)	-	
	DEEP SEA MINING	-	
	DATA and knowledge base	-	

## Minerals Policy Country Profile - GERMANY

	POLICY 1	POLICY 2	POLICY 3	POLICY 4	POLICY 5	POLICY 6	POLICY 7	POLICY 8
	<b>Federal Spatial Planning Act</b>	<b>General Building Code</b>	<b>Law for Environmental Impact Assessment</b>	<b>Federal Water Resources Management</b>	<b>Federal Forestry Law</b>	<b>Federal Emission Control Act</b>	<b>Federal Nature Conservation Act</b>	<b>Law for Soil Conservation</b>
<b>Title (original language)</b>	Raumordnungsgesetz	Baugesetzbuch	Gesetz über die Umweltverträglichkeitsprüfung	Wasserhaushaltsgesetz	Bundeswaldgesetz	Bundes-Immissionsschutzgesetz	Bundesnaturschutzgesetz	Bundes-Bodenschutzgesetz
<b>Title (translation in english)</b>	Federal Spatial Planning Act	General Building Code	Law for Environmental Impact Assessment	Federal Water Resources Management	Federal Forestry Law	Federal Emission Control Act	Federal Nature Conservation Act	Law for Soil Conservation
<b>Year (and identification number if available)</b>	2986 (2008), amended by 2585(2009), Article 9	2414 (2004), as amended by 2585 (2009), Article 4	94 (2010), amended by 1163 (2010), Article 11	2585 (2009), as amended by 1163 (2010), Article 12	1037 (1975), amended by 1950 (2010)	3830 (2002), as amended by 1163 (2010), Article 3	2542 (2009)	502(1998), as amended by 3214 (2009)
<b>Short description</b>	-	-	-	-	-	-	-	-
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>	<a href="https://www.gesetze-im-internet.de/bundesrecht/rog_2008/gesamt.pdf">https://www.gesetze-im-internet.de/bundesrecht/rog_2008/gesamt.pdf</a>	<a href="https://www.gesetze-im-internet.de/bundesrecht/bbaug/gesamt.pdf">https://www.gesetze-im-internet.de/bundesrecht/bbaug/gesamt.pdf</a>	<a href="https://www.gesetze-im-internet.de/bundesrecht/uvpg/gesamt.pdf">https://www.gesetze-im-internet.de/bundesrecht/uvpg/gesamt.pdf</a>	<a href="http://www.gesetze-im-internet.de/waterhaushaltsgesetz/gesamt.pdf">http://www.gesetze-im-internet.de/waterhaushaltsgesetz/gesamt.pdf</a>	<a href="https://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf">https://www.gesetze-im-internet.de/bundesrecht/bwaldg/gesamt.pdf</a>	<a href="https://www.gesetze-im-internet.de/bundesrecht/bimschg/gesamt.pdf">https://www.gesetze-im-internet.de/bundesrecht/bimschg/gesamt.pdf</a>	<a href="http://www.gesetze-im-internet.de/bundesrecht/bnatschg_2009/gesamt.pdf">http://www.gesetze-im-internet.de/bundesrecht/bnatschg_2009/gesamt.pdf</a>	<a href="http://www.gesetze-im-internet.de/bundesrecht/bbodschg/gesamt.pdf">http://www.gesetze-im-internet.de/bundesrecht/bbodschg/gesamt.pdf</a>
	-	<a href="http://www.baurrecht.de/Baugesetzbuch.pdf">http://www.baurrecht.de/Baugesetzbuch.pdf</a>	-	-	-	-	-	-
	=	=	=	=	-	-	-	-
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>	-	=	<a href="http://faolex.fao.org/docs/pdf/ger36861E.pdf">http://faolex.fao.org/docs/pdf/ger36861E.pdf</a>	=	-	-	-	-
<b>Policy instrument type</b>	Legislation	Legislation	Legislation	Legislation	Legislation	Legislation	Legislation	Legislation

Minerals Policy Country Profile - GERMANY

		POLICY 1	POLICY 2	POLICY 3	POLICY 4	POLICY 5	POLICY 6	POLICY 7	POLICY 8
		Federal Spatial Planning Act	General Building Code	Law for Environmental Impact Assessment	Federal Water Resources Management	Federal Forestry Law	Federal Emission Control Act	Federal Nature Conservation Act	Law for Soil Conservation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-	-	-	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-	-	-	-	-	-
	DEEP SEA MINING	-	-	-	-	-	-	-	-
	DATA and knowledge base	-	-	-	-	-	-	-	-



Minerals Policy Country Profile - GERMANY

	POLICY 9	POLICY 10	POLICY 11	POLICY 12	POLICY 13	POLICY 14	POLICY 15
	<b>Law for Trade and Industry Cycle/Waste</b>	<b>Administrative Procedure Act</b>	<b>German Civil Code</b>	<b>Environmental Information Act</b>	<b>Building Code (Federal States Law)</b>	<b>Law on the Conservation of Nature (Federal States Law)</b>	<b>Excavation laws (Bavaria, North Rhine-Westphalia)</b>
<b>Title (original language)</b>	Kreislaufwirtschafts- und Abfallgesetz	-	-	-	Bauordnung (Landesrecht)	Naturschutzgesetze der Länder	-
<b>Title (translation in english)</b>	Law for Trade and Industry Cycle/Waste	Administrative Procedure Act	German Civil Code	Environmental Information Act	Building Code (Federal States Law)	Law on the Conservation of Nature (Federal States Law)	Excavation laws (Bavaria, North Rhine-Westphalia)
<b>Year (and identification number if available)</b>	2705 (1994), as amended by 1163 (2010), Article 8	-	-	1994	-	-	-
<b>Short description</b>	-	-	-	-	-	-	-
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>	<a href="https://www.gesetze-im-internet.de/bundesrecht/krwg/gesamt.pdf">https://www.gesetze-im-internet.de/bundesrecht/krwg/gesamt.pdf</a>	-	-	-	-	-	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>	-	-	-	-	-	-	
<b>Policy instrument type</b>	Legislation	Legislation	Legislation	Legislation	Legislation	Legislation	Legislation

Minerals Policy Country Profile - GERMANY

		POLICY 9	POLICY 10	POLICY 11	POLICY 12	POLICY 13	POLICY 14	POLICY 15
		Law for Trade and Industry Cycle/Waste	Administrative Procedure Act	German Civil Code	Environmental Information Act	Building Code (Federal States Law)	Law on the Conservation of Nature (Federal States Law)	Excavation laws (Bavaria, North Rhine-Westphalia)
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-	-	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-	-	-	-	-
	DEEP SEA MINING	-	-	-	-	-	-	-
	DATA and knowledge base	-	-	-	-	-	-	-