

Applying for the first mining permit

Would you or your company like to extract one or more non-mining mineral resources? Then you must first apply for an extraction permit from the responsible mining authority.

Competent Department

- [Landesamt für Bergbau, Energie und Geologie | Geozentrum Hannover](#)

Basic information

With a mining permit, you are the only person permitted to prospect and mine the mineral resource in a defined area. To do so, you must submit an application to the responsible mining authority.

With a permit, you are not yet allowed to implement any technical measures, such as drilling or removing layers of earth. The permit is merely a legal title that grants you the exclusive right to mine certain mineral resources within a defined area. The extracted mineral resources then become your property. If you wish to technically implement the extraction, you must submit further applications, for example for the approval of operating plans, to the competent authority. Only once these have been approved by the competent mining authority may you carry out such mining activities.

The mining permit extends to so-called non-mining mineral resources that are of particular economic importance. These include energy resources such as hard coal and lignite or crude oil and natural gas, but also metals, salts, geothermal energy and lithium.

The area covered by the permit is limited to the earth's surface and theoretically extends to the center of the earth.

Requirements

Certain requirements must be met before you can obtain a permit:

- You must precisely identify the mineral resources that you wish to prospect and mine.
- You or your representatives must have the necessary legal reliability.
- You must demonstrate that you can provide the necessary financing.
- You must be able to demonstrate that your project will not jeopardize the exploration and extraction of non-mining or natural resources.
- Your project must not impair any mineral resources whose protection is in the public interest.

- Your project must not affect any overriding public interests that preclude exploration in the entire field to be allocated, for example the environment and species protection.
- You must specify the exact locations and depths of the sites where you have discovered the mineral resources in a map.
- The field in which you wish to extract the mineral resources must
 - form a section of the earth's body bounded by straight lines on the surface and by perpendicular planes to depth, unless the boundaries of the area of application, such as state or federal boundaries, require a different course.
 - be marked on a map with a suitable scale and
 - be shown on a map that meets the requirements of the Unterlagen-Berg-Verordnung (Unterlagen-BergV).
- They must demonstrate that their location and characteristics make it possible to extract the discovered mineral resources.
- You must submit a work program that
 - describes the nature, purpose and scope of your project and
 - which shows in particular that the technical implementation and the necessary underground and surface facilities are adequate and that the mineral resources will be extracted within a reasonable period of time.

Procedure

You can apply for the permit online via the "BergPass" platform or in writing to your local mountain authority.

Apply for a permit online via the "BergPass" platform:

- Go to the "BergPass" online platform and log in.
 - To register, you will need a bundID and an identity card or residence permit with an active online ID function.
- Call up the application form and fill it out completely and truthfully.
- Upload the required documents as a file and send the application.

Apply for a permit in writing to the competent mining authority:

- Contact your responsible mining authority and coordinate the required application documents.
- Submit the application and all required documents by post to your competent mining authority.

Further procedural steps:

- The competent authority will check your application and the documents submitted. If any documents are missing, the authority will contact you.
- The mining authority alone decides on the approval, but usually carries out a participation process: If your work program contains measures and areas that affect the remit of other authorities or the municipalities as planning authorities, it will then distribute it to all authorities affected by the project.
- You will receive a notification by post informing you of the decision on your application. In addition, the decision will be sent electronically to the relevant mailbox (bundID or ELSTER company account) in advance and information will be displayed in BergPass.

- You will also receive a notification of costs. Pay the fees.

Legal bases

- [§§ 3 bis 4 Bundesberggesetz \(BBergG\)](#)
- [§ 16 Bundesberggesetz \(BBergG\)](#)
- [§§ 6 bis 10 Bundesberggesetz \(BBergG\)](#)
- [§ 8 Bundesberggesetz \(BBergG\)](#)
- [§ 11 Nummer 1 Bundesberggesetz \(BBergG\)](#)
- [§ 12 Bundesberggesetz \(BBergG\)](#)
- [§§ 1 bis 6 Unterlagen-Bergverordnung \(UnterlagenBergV\)](#)

What deadlines must be paid attention to?

The duration of a permit depends largely on the mineral resource and the predicted occurrence.

Permits are issued for a limited period of time, which must be appropriate for the implementation of the planned extraction. This may only exceed 50 years if this is necessary in view of the investments normally required for extraction.

If you do not commence extraction within 3 years of the permit being issued, the permit may be revoked. The same applies if you interrupt your extraction work for longer than 3 years.

Period of validity: 0 - 50 years

Objection period: 1 month

How long does it take to process

Notifications will normally be sent to you within 6 to 12 months of submitting your application.

What are the costs?

Not specified.