

## Akt oversigt:

Høring af råstoflov og minelov (21859409)

- Høring af råstoflov og minelov
- Brev

SV: Offentlig høring, forslag til minelov og ændring af råstofloven (22061127)

- SV Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr. 21990004)
- Samelt bidrag fra RA og RP

Høringssvar fra Asiaq vedr. udkast til ny minelov og ny råstoflov offentlig høring december 2022 (21992684)

- Høringssvar fra Asiaq vedr. udkast til ny minelov og ny råstoflov offentlig høring december 2022
- Høringssvar fra Asiaq vedr. ny minelov og ny råstoflov 2022

VS: Offentlig høring, forslag til minelov og ændring af råstofloven (22047707)

- VS Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr. 21835316)
- Consultation letter
- Bill, Greenland Parliament Act on mineral activities
- Explanatory notes, Bill, Greenland Parliament Act on mineral activities
- Bill, Greenland Parliament Act to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act)
- Explanatory notes, Bill, Greenland Parliament Act to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act)
- Høringsbrev DK
- Forslag til Inatsisartutlov om mineralaktiviteter DK
- Bemærkninger til forslag til Inatsisartutlov om mineralaktiviteter DK
- Forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) DK
- Bemærkninger til forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) DK
- Høringsbrev KAL
- Forslag til Inatsisartutlov om mineralaktiviteter KAL
- Bemærkninger til forslag til Inatsisartutlov om mineralaktiviteter KAL
- Forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) KAL
- Bemærkninger til forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) KAL

Høring over forslag til minelov og ændring af råstofloven (22055693)

- Høring over forslag til minelov og ændring af råstofloven (Nanoq - ID nr. 21844839)
- Høringsbrev DK.docx
- signaturbevis

Re: Aatsitassanut inatsisissamut tusaniaaneq (22085691)

- Re Aatsitassanut inatsisissamut tusaniaaneq
- pisinnaatitaaffiit rettigheder Urani Naamik Narsaq

Re: Aatsitassanut inatsisissamut tusaniaaneq (22084928)

- Re Aatsitassanut inatsisissamut tusaniaaneq
- De besværlige usynlige støv

Høringssvar til Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven), (22084021)

- Høringssvar til Udkast til forslag til Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven),
- Høringssvar til udkast til lovforslag om mineralaktiviteter

Høringssvar fra Nunatsinni Advokatit Grønlandske Advokater - Forslag til Insatsisartutlov om mineralaktiviteter (22083896)

- Høringssvar fra Nunatsinni Advokatit Grønlandske Advokater - Forslag til Insatsisartutlov om mineralaktiviteter
- Høringssvar fra Nunatsinni Advokatit Grønlandske Advokater - Insatsisartutlov om mineralaktiviteter
- signaturbevis

Aatsitassanut inatsisissamut tusaniaaneq (22081696)

- Aatsitassanut inatsisissamut tusaniaaneq
- Pujoralaaqqat ersinngitsut akioruminaatsut

Søfartsstyrelsens svar på offentlig høring, forslag til minelov og ændring af råstofloven (22081337)

- Søfartsstyrelsens svar på offentlig høring, forslag til minelov og ændring af råstofloven
- SFS svar til forslag om ændringer til minelov i Grønland0
- Bilag 1 til høringssvar\_Afmærkningsbekendtgørelsen1
- Bekendtgørelse af anordning om ikrafttræden for Grønland af lov sikkerhed til søs

Svar på høring (22081292)

- Svar på høring
- Høringssvar, GreenrocMiningDec2022

Høringssvar til forslag til minelov og ændringer af råstoflov (22080830)

- Høringssvar til forslag til minelov og ændringer af råstoflov
- Position paper on mining and mineral resources act amendment 2022-12-22

Qeqqata Kommunias høringssvar vedr. forslag til minelov og ændring af råstofloven (22080383)

- Qeqqata Kommunias høringssvar vedr. forslag til minelov og ændring af råstofloven
- Qeqqata\_Kommunias\_hoeringssvar\_vedr\_forslag\_til\_minelov\_og\_aendring\_af\_raastofloven

Høringssvar Mineloven (22079734)

- Høringssvar Mineloven
- TIG Høringssvar

Høringssvar - "Forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven)" (22071954)

- Høringssvar - Forslag til Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven)
- Høringssvar - Forslag til nye punkter i lovgivning

Høringssvar til forslag til minelov og til ændring af råstofloven (22071818)

- Høringssvar til forslag til minelov og til ændring af råstofloven
- Høringssvar til forslag til minelov og ændring af råstofloven

Vedr. Udkast til forslag til: Inatsisartutlov nr. xx af xx.xxxx 2023 om mineralaktiviteter (22067478)

- Vedr. Udkast til forslag til Inatsisartutlov nr. xx af xx.xxxx 2023 om mineralaktiviteter
- Høringssvar Mineloven GE

Re: FW: Offentlig høring, forslag til minelov og ændring af råstofloven (22056194)

- Re FW Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr. 21835316)
- 221220 Consultation - Bill to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities - Greenfields Exploration Limited (Signed)

Tusarniaaneq 22.dec 22 killilik (22055872)

- Tusarniaaneq 22.dec 22 killilik
- Afsløring-greenland minerals utroværdigheder
- Disclosure Greenland Minerals unreliability
- Qulaajaaneq-greenland mineralsip sianiinaarutai
- Pujoralaaqqat Kuannersuarni suliummi naatsorsorneri
- Factbook-Kuannersuit-project

**Brevdato** 25-11-2022

**Afsender** post@ombudsmand.gl Sendt af Ombudsmanden For  
Inatsisartut: post@ombudsmand.gl

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet  
(Postkasse, Departementet for Råstoffer og Justitsområdet);  
Officiel post til EAMRA (Postkasse, Departementet for  
Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høring af råstoflov og minelov

**Aktnummer** 145

**Identifikationsnummer** 21859409

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høring af råstoflov og minelov  
Brev

**Dokumenter uden PDF-  
version (ikke vedlagt)**

**Udskrevet** 13. apr 2023



**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** post@ombudsmand.gl (post@ombudsmand.gl)  
**Titel:** Høring af råstoflov og minelov  
**Sendt:** 25-11-2022 12:55  
**Bilag:** Brev.pdf;

Til Departementet for Råstoffer og Justitsområdet

Vedlagt er brev fra Ombudsmanden for Inatsisartut vedrørende høring af råstoflov og minelov.

**Henrik Bach**  
Specialkonsulent



**INATSISARTUT OMBUDSMANDIAT**  
OMBUDSMANDEN FOR INATSISARTUT

**NOORLERNUT 53**  
**POSTBOKS 1606**  
**3900 NUUK**  
**TLF.: 327810**  
[post@ombudsmand.gl](mailto:post@ombudsmand.gl)



Departementet for Råstoffer og Justitsområdet

25. november 2022

Sendt via e-mail til: [asn@nanoq.gl](mailto:asn@nanoq.gl) og [eamra@nanoq.gl](mailto:eamra@nanoq.gl)

All. nr./brevnr.:

2020-934-0001-11

Att.: Departementschef Jørgen T. Hammeken-Holm

Sull./sagsbeh.: HB

### **Høring af forslag til inatsisartutlov om mineralaktiviteter og ændring af inatsisartutlov om mineralske råstoffer**

Departementet for Råstoffer og Justitsområdet har den 23. november 2022 sendt forslag til inatsisartutlov om mineralaktiviteter og forslag til inatsisartutlov om ændring af inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven) i offentlig høring, herunder til Ombudsmanden for Inatsisartut.

Ombudsmanden for Inatsisartut afstår fra at tage stilling til udarbejdelse af ny lovgivning, herunder det materielle indhold, medmindre forslaget vedrører ombudsmandens funktionelle eller materielle kompetence.

Jeg henviser i øvrigt til 3. reviderede udgave af de lovtekniske retningslinjer for Grønlands Selvstyre, udgivet af Formandens Departement i 2011, hvor der under pkt. 1.6.3 er anført følgende:

”Ombudsmanden for Inatsisartut kan ikke afgive høringssvar over forslag, der ikke vedrører institutionen direkte, hvorfor institutionen normalt aldrig er høringspart. Forslag med umiddelbar betydning for institutionens virke sendes dog til høring hos ombudsmandsinstitutionen.”

Med venlig hilsen

  
Vera Leth



Aatsitassanut Inatsisinillu Atuutitsinermut Naalakkersuisoqarfik

25. november 2022

*E-mailikkut uunga: [asn@nanoq.gl](mailto:asn@nanoq.gl) aamma [eamra@nanoq.gl](mailto:eamra@nanoq.gl)*

All. nr./brevnr.:

2020-934-0001-11

Uunga: Naalakkersuisoqarfiup pisortaa Jørgen T. Hammeken-Holm

Sull./sagsbeh.: HB/jh

**Aatsitassarsiornermik ingerlatat pillugit Inatsisartut inatsisissaattut siunnersuut aamma aatsitassat pillugit Inatsisartut Inatsisaata allannguutissaatut siunnersuut pillugit tusarniaaneq**

Aatsitassarsiornermi ingerlatat pillugit Inatsisartut inatsisissaattut siunnersuut aamma aatsitassat pillugit Inatsisartut Inatsisaata allannguutissaatut siunnersuut Aatsitassanut Inatsisinillu Atuutitsinermut Naalakkersuisoqarfiup 23. november 2022-mi tamanut tusarniaatigalugu nassiuppaa, matumani Inatsisartut Ombudsmandiat ilanngullugu eqqarsaatigalugu.

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“Siunnersuutit Ombudsmandeqarfiup sulineranut toqqaannartumik attuumassuteqanngitsut Inatsisartut Ombudsmandiata tusarniaanermi akissuteqarfigisinnaanngilai, taamaattumillu Ombudsmandeqarfik tusarniaanermi illua'tungiunngisaannarpoq. Siunnersuutilli Ombudsmandeqarfiup sulineranut imaaliiallaannaq sunniuteqartut tusarniaatigalugit Ombudsmandeqarfimmut nassiuunneqassapput.” (Ombudsmandeqarfimmi nutsigaavoq)

Inuullaqqusillunga  
*Vera Leth*  
Vera Leth

**Brevdato** 20-12-2022

**Afsender** Astrid Boesen (asbo@jm.dk)

**Modtagere** Bo Simmelsgaard (Sagsbehandler, Departementet for Råstoffer og Justitsområdet)

**Akttitel** SV: Offentlig høring, forslag til minelov og ændring af råstofloven

**Aktnummer**

**Identifikationsnummer** 22061127

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** SV Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr. 21990004)  
Samelt bidrag fra RA og RP

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Bo Simmelsgaard (bosd@nanoq.gl)  
**Fra:** Astrid Boesen (asbo@jm.dk)  
**Titel:** SV: Offentlig høring, forslag til minelov og ændring af råstofloven  
**E-mailtitel:** SV: Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21990004)  
**Sendt:** 20-12-2022 10:50  
**Bilag:** Samelt bidrag fra RA og RP.docx;

Kære Bo

Du får her som aftalt en mail.

Jeg har vedhæftet bemærkningerne fra Rigspolitiet og Rigsadvokaten. Derudover havde vi følgende bemærkninger:

### **Tilbagehold og salg af bortfjernede aktiver (§ 79)**

Her tænker vi, at I bør overveje følgende spørgsmål:

- Hvilke forpligtelser skal det tilbageholdte aktiv tjene som sikkerhed for opfyldelsen af? I bestemmelsen står der "forpligtelser vedrørende tilladelsen og aktiviteterne efter tilladelsen". Kan det præciseres i selve bestemmelsen, evt. ved at henvise til de enkelte bestemmelser? Alternativt kunne det beskrives i bemærkningerne, hvilke forpligtelser der sigtes mod.
- Tilbageholdsretten gælder efter § 79, stk. 1, "indtil rettighedshaveren har opfyldt sine forpligtelser". Burde man kunne få aktivet udleveret ved andre foranstaltninger end opfyldelse af forpligtelserne, f.eks. sikkerhedsstillelse for opfyldelsen?

Derudover mener vi, at man bør overveje, om muligheden for at sælge de tilbageholdte aktiver er retssikkerhedsmæssig betænkelig. Som vi forstår det, lægges der op til, at myndighederne skal kunne bortsælge aktiverne uden domstolens medvirken. Sådanne regler gælder for håndpant, men der er dog – for os at se – en forskel på den foreslåede tilbageholdsret (som er ensidig og almindeligvis ikke giver hjemmel til bortsalg) og håndpant (som er aftalebaseret).

Derudover vil vi gøre opmærksom på, at retsplejeloven for Grønland indeholder regler om offentlig auktion, og hvilke overvejelser der er gjort ift. § 79, stk. 4-8, der fastsætter processen for bortsalget.

### **Erstatning**

Vi forstår det sådan ift. objektivt ansvar, at der allerede gælder et sådant ansvar på området. Vi har følgende bemærkninger til §§ 132-134:

- ", også selvom skaderne er hændelige" i § 132, stk. 1, kan udelades, da det ligger i det objektive ansvar. Det kan evt. blot bemærkes i bemærkninger.
- Rettighedshaverens aftaleparter er vel alene ansvarlige efter culpereglen, da § 132 alene omhandler rettighedshaveren? I så fald virker det indgribende at give hjemmel til at fastsætte krav om forsikring, da en sådan betingelse almindeligvis indføres som følge af et objektivt ansvar.

Ift. bestemmelserne i §§ 135-140, har vi følgende bemærkninger til dem:

- Der er generelt mange beskrivelser af og henvisninger til gældende ret i de specielle bemærkninger. En del af det kan efter vores opfattelse skæres væk, medmindre der gør sig noget særligt gældende på dette område ift. almindelige erstatningsretlige principper. Det gælder f.eks. bemærkningen om psykiske skader ift. § 136, nr. 1, og bemærkningerne om konkurrerende årsagssammenhæng ift. § 137, stk. 2.
- Man kan desuden overveje, om der er behov for en udtrykkelig opstilling af erstatningsposterne i § 136, eller om de enkelte poster blot kan anføres i bemærkningerne til den bestemmelse, der fastsætter erstatningsansvaret. Bestemmelsen er dog selvsagt relevant, hvis man ønsker at fravige, hvad der ellers gælder efter almindelige erstatningsretlige regler og principper.
- Bør "den pågældende" i § 137, stk. 1, ændres til "skadevolderen"?

Jeg afventer – som sagt – endelige bemærkninger fra et andet kontor, så jeg kommer muligvis med yderligere bemærkninger end ovenstående.

Du ringer bare 😊

Med venlig hilsen

Astrid Boesen  
Fuldmægtig



JUSTITSMINISTERIET

Nordatlantkontoret  
Slotsholmsgade 10  
1216 København K  
Tlf. direkte: +45 21 74 27 51  
Tlf.: 7226 8400  
[www.justitsministeriet.dk](http://www.justitsministeriet.dk)  
[jm@jm.dk](mailto:jm@jm.dk)

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**Fra:** Bo Simmelsgaard <bosd@nanoq.gl>

**Sendt:** 12. december 2022 15:01

**Til:** Astrid Boesen <asbo@jm.dk>

**Emne:** Sv: Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21990004)

Kære Astrid

Sanktionsbestemmelsen i den gældende råstoflov har kun givet anledning til ganske få politianmeldelser, mindre end en årligt.

Der er ikke tilsigtet nogen ændring i retstilstanden med de nye bestemmelser i mineloven, gerningsindholdet er det samme som hidtil, og de forventes ikke at give anledning til flere politianmeldelser.

Inussiarnersumik Inuulluaqqusillunga  
Med venlig hilsen  
Best regards

**Bo Simmelsgaard**

Inatsisileritooq  
Jurist  
Legal Advisor to the Deputy Minister



NAALAKKERSUISUT  
GOVERNMENT OF GREENLAND

Aatsitassanut Inatsisillu Atuutsinneqarnerannut Naalakkersuisoqarfik  
Departementet for Råstoffer og Justitsområdet  
Ministry of Mineral Resources and Justice  
P.O. Box 930  
3900 Nuuk

Greenland

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bosd@nanoq.gl

[www.naalakkersuisut.gl](http://www.naalakkersuisut.gl)

[www.govmin.gl](http://www.govmin.gl)

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**Til:** Bo Simmelsgaard ([bosd@nanoq.gl](mailto:bosd@nanoq.gl))  
**Fra:** Astrid Boesen ([asbo@jm.dk](mailto:asbo@jm.dk))  
**Titel:** SV: Offentlig høring, forslag til minelov og ændring af råstofloven  
**E-mailtitel:** SV: Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)  
**Sendt:** 07-12-2022 05:31

Kære Bo

Jeg beklager, men jeg har endnu et spørgsmål.

I forhold til lovforslaget om mineralaktiviteter vil jeg høre, om I har et estimat for, hvor mange sager som forventes behandlet af Grønlands Politi og anklagemyndighed? Myndighederne refereres direkte til i bemærkninger til §§ 142 og 143.

Med venlig hilsen

Astrid Boesen  
Fuldmægtig



JUSTITS MINISTERIET

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**Fra:** Astrid Boesen <>  
**Sendt:** 6. december 2022 11:48  
**Til:** 'bosd@nanoq.gl' <[bosd@nanoq.gl](mailto:bosd@nanoq.gl)>  
**Emne:** SV: Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)

Kære Bo

Jeg har en forespørgsel.

Jeg forstod, at fristen for tilbagemelding er den 22. december. Vil det på nogen måde være muligt, hvis nogle af vores eventuelle bemærkninger først kan gives i begyndelsen af det nye år?

Med venlig hilsen

Astrid Boesen  
Fuldmægtig



JUSTITS MINISTERIET

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**Fra:** Astrid Boesen <>

**Sendt:** 6. december 2022 09:45

**Til:** 'bosd@nanoq.gl' <[bosd@nanoq.gl](mailto:bosd@nanoq.gl)>

**Emne:** SV: Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)

Kære Bo

Jeg ville blot kvittere for, at vi har modtaget høringen og vender snarest tilbage med eventuelle bemærkninger.

Med venlig hilsen

Astrid Boesen

Fuldmægtig



JUSTITS MINISTERIET

Nordatlantkontoret

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**Fra:** Bo Simmelsgaard <[bosd@nanoq.gl](mailto:bosd@nanoq.gl)>

**Sendt:** 23. november 2022 15:55

**Cc:** Officiel post til EAMRA <[eamra@nanoq.gl](mailto:eamra@nanoq.gl)>

**Emne:** Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)

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Hermed fremsendes udkast til forslag til minelov og ændring af råstofloven til offentlig høring, se venligst vedhæftede dokumenter.

Hereby draft bills for Mining and amendment og the Mineral Resources Act for public consultation, please see attached documents.

Inussiarnersumik Inuulluaqqusillunga

Med venlig hilsen

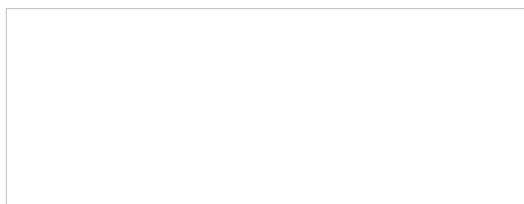
Best regards

**Bo Simmelsgaard**

Inatsisileritooq

Jurist

Legal Advisor to the Deputy Minister



Aatsitassanut Inatsisillu Atuutsinneqarnerannut Naalakkersuisoqarfik



Departementet for Råstoffer og Justitsområdet  
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[www.govmin.gl](http://www.govmin.gl)

Justitsministeriet  
Nordatlantkontoret

Dato: 19-12-2022  
J. nr.: 2022-114413  
Dok.nr.: 2526156  
Sagsbehandler: mol034@politi.dk

RIGSPOLITIET

Koncernledelsessekretariatet  
Center for Ministerbetjening

—  
Rigspolitiet  
Polititorvet 14  
1780 København V

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Direkte: 45 15 20 01

Email: [politi@politi.dk](mailto:politi@politi.dk)

Justitsministeriet har ved e-mail af 5. december 2022 anmodet om Rigspolitiets og Rigsadvokatens bemærkninger til udkast over forslag til Inatsisartutlov om mineralaktiviteter.

Justitsministeriet har efterfølgende telefoniske præciseret, at der ønskes Rigspolitiets og Rigsadvokatens bemærkninger til bekendtgørelsens §§ 141-143 omhandlende bøde og konfiskation.

Justitsministeriet har endvidere vedrørende omfanget af sager adspurgt Naalakkersuisut, der har oplyst, at bekendtgørelsens ikrafttræden ikke forventes at medføre flere politianmeldelser, men at sagsmængden kommer til at være på samme niveau som det nuværende antal anmeldelser vedrørende overtrædelse af råstofloven.

Rigspolitiet og Rigsadvokaten har på baggrund heraf anmodet om Grønlands Politis bemærkninger.

## Sagsmængde

Grønlands Politi oplyser, at der gennemsnitligt ses registreret mindre end en sag årligt vedrørende overtrædelse af råstofslovgivningen. Det bemærkes dog i forbindelse hermed, at sager vedrørende overtrædelse af råstofslovgivningen kan variere betydeligt i kompleksitet og sagsbehandlingstid. Det omfatter således både simple bødesager og sager, hvis samlede ressourceforbrug kan opgøres til ca. 1 årsværk.

## Bødestraf

Af lovforslagets § 142, stk. 6, fremgår det, at: *”En sag om bødestraf efter stk. 1-3 eller bestemmelser eller vilkår fastsat efter stk. 4 kan søges afgjort ved administrativt bødeforlæg, hvis overtrædelsen er klar, ukompliceret og uden væsentlige bevismæssige tvivlsspørgsmål. Reglerne i retsplejeloven om krav til indholdet af et anklageskrift og om, at en sigtet ikke er forpligtet til at udtale sig, finder tilsvarende anvendelse for administrative bødeforlæg efter Inatsisartutloven.”*

Bestemmelsen henviser til de tilfælde, hvor der efter den nuværende retstilstand vil skulle ske anmeldelse til politiet, som herefter udsteder bøde, såfremt der vurderes at være grundlag herfor.

Grønlands Politi er ikke bekendt med, hvorvidt en delegation af kompetencen til at pålægge bøder som foreslået er forenelig med øvrig lovgivning, herunder i forfatningsretlig henseende.

Idet Selvstyret har oplyst, at man ikke forventer flere sager anmeldt end hidtil, forventer Grønlands Politi ikke, at en sådan bestemmelse vil have større betydning for sagsgange. Det skal i den forbindelse bemærkes, at kriminalretligt ansvar for udstedelse af administrative bøder vil forældes efter reglerne i kriminallovens § 21, stk. 4.

Der henvises i øvrigt til det nedenfor anførte vedrørende domstolsprøvelse.

### **Konfiskation**

Af lovforslagets § 143, stk. 6, fremgår det, at: *"Konfiskation efter stk. 1, 2 og 3 foretages af Naalakkersuisut eller den relevante myndighed efter kriminalloven for Grønland, som kan foretage konfiskation efter reglerne derom i kriminalloven, hvis Naalakkersuisut anmoder derom."*

Lovforslagets § 143 ses at være en udbygning af råstoflovens § 97, som har følgende ordlyd: *"Naalakkersuisut kan foretage konfiskation af råstoffer, der er indsamlet uden tilladelse eller i strid med §§ 45-47 eller bestemmelse fastsat i medfør af § 48.*

*Stk. 2. Konfiskerede råstoffer bortsælges af Naalakkersuisut. Salgsprovenuet tilfalder landskassen."*

Af bemærkningerne til den nugældende lovs § 97 fremgår følgende:

*"Til stk. 1*

*Bestemmelsen regulerer, hvad der skal ske med ulovligt indsamlede råstoffer. Der vil så vidt muligt ske konfiskation og bortsalg til fordel for landskassen. Dette skal ses i lyset af, at det hører blandt hovedformålene med forslaget, at indtægter fra råstofudvindingen tilfalder det grønlandske samfund.*

*Til stk. 2*

*Efter den foreslåede bestemmelse bortsælges råstoffer af Naalakkersuisut, og salgsprovenuet tilfalder landskassen."*

Efter lovforslagets § 143, stk. 6, foreslås der indført en hjemmel til, at Naalakkersuisut kan anmode Grønlands Politi om at foretage konfiskation.

Det bemærkes i den forbindelse, at Grønlands Politi ikke har været inddraget i overvejelserne herom.



Det bemærkes endvidere, at afgørelser om konfiskation efter kriminalloven som udgangspunkt træffes af domstolene. Grønlands Politi har efter retsplejeloven mulighed for at foretage beslaglæggelse med henblik på efterfølgende konfiskation med de deraf afledede retssikkerhedsmæssige garantier for den, hvis ejendom beslaglægges.

Det er Grønlands Politis opfattelse, at det er u hensigtsmæssigt at sammenblende Naalakkersuisuts mulighed for administrativt at foretage konfiskation med konfiskation efter kriminalloven/beslaglæggelse efter retsplejeloven.

Det skal overordnet bemærkes, at det efter Grønlands Politis opfattelse som altovervejende hovedregel bør være den lovudstedende myndighed, som ligeledes har tilsynsforpligtelsen for ressortområdet (i dette tilfælde Grønlands Selvstyre), som bør forestå konfiskationen, da dette vil lægge i naturlig forlængelse af det tilsynsarbejde, som Selvstyret vil have inden for råstofslovgivningen.

Derfor bør konfiskerede materialer efter Grønlands Politis opfattelse skulle konfiskeres af Selvstyret, ligesom det bør være Selvstyret, som er ansvarlig for opbevaring af konfiskerede materialer.

### **Sondring mellem politimyndighed og Grønlands Politi**

Endelig bemærkes det, at lovforslaget son drer mellem politimyndigheden og Grønlands Politi. Det forekommer efter Grønlands Politis opfattelse ikke klart, hvori forskellen består.

### **Øvrige bemærkninger**

*Udstedelse af tvangsbøder, jf. § 141, stk. 1*

Af lovforslagets § 141, stk. 1, fremgår det, at "*Naalakkersuisut kan pålægge daglige eller ugentlige tvangsbøder [...]* ".

Grønlands Politi er ikke bekendt med, hvorvidt det er foreneligt med anden lovgivning at tillægge andre myndigheder en sådan kompetence.

Det fremgår ikke af bestemmelsen, hvorvidt der er rekursadgang ved udstedelsen af sådanne bøder, ligesom det ikke fremgår, om sådanne bøder kan indbringes for domstolene.

Grønlands Politi bemærker, at der ikke i medfør af kriminallovens kapitel 26 kan udstedes tvangsbøder (herunder ej heller daglige eller ugentlige). Det er således Grønlands Politis opfattelse, at administrativt udstedte tvangsbøder i medfør af lovforslagets § 141, stk. 1, ikke vil kunne forfølges af Grønlands Politi.



*Anvendelse af ordet "straf"*

I lovforslagets § 142, stk. 4, anføres følgende: *"I bestemmelser fastsat efter Inatsisartutloven kan det bestemmes, at den, der overtræder bestemmelserne, kan straffes med bøde eller andre foranstaltninger efter kriminallovens for Grønland."*

Det bemærkes, at ordet "straf" som følge af kriminallovens formuleringer ikke benyttes terminologisk i Grønland, hvorfor der som udgangspunkt benyttes "foranstaltet".

*Domstolsprøvelse, jf. § 25, stk. 3*

I § 25, stk. 3, anføres det, at *"En afgørelse, der indbringes for domstolene, skal indbringes for Retten i Grønland som 1. instans."*

Af bemærkningerne fremgår det, at: *"Bestemmelsen finder anvendelse både for søgsmål vedrørende selve afgørelsen, herunder eksempelvis domstolsprøvelse af afgørelsens gyldighed eller virkninger, og for søgsmål om erstatningskrav, andre betalingskrav eller andre krav vedrørende eller i forbindelse med afgørelsen."*

Det bemærkes, at det ikke fremgår, hvorvidt domstolsprøvelse af bøder udstedt i medfør af lovforslagets § 142 (som vil skulle føres indenretligt af anklagemyndigheden) ligeledes er omfattet heraf.

Endvidere skal det bemærkes, at alle kriminalsager (herunder også særlovssager, som behandles som led i kriminalretsprocessen) i Grønland, som altovervejende hovedregel behandles af landets kredsret i 1. instans, jf. retsplejelovens § 55.

Dette bør efter Grønlands Politis opfattelse ligeledes være tilfældet for så vidt angår sager om overtrædelse af råstofsløvgivningen, idet sager af mere kompleks karakter vil kunne henvises til behandling ved Retten i Grønland, jf. retsplejelovens § 56.

*Domstolenes kompetence, jf. § 72, stk. 1*

Af lovforslagets § 72, stk. 1 fremgår det, at: *"Enhver tvist mellem Naalakkersuisut og rettighedshaveren vedrørende en lovpligtig eller skønsmæssig afgørelse truffet af Naalakkersuisut vedrørende tilladelsen, aktiviteter eller forhold i forbindelse med tilladelsen skal og kan kun indbringes for og afgøres af de grønlandske og danske domstole med kompetence i Nuuk, Grønland."*

Det står ikke Grønlands Politi klart, hvad der menes med denne formulering, herunder navnlig, at danske domstole skal have kompetence i Grønland, og at det er geografisk afgrænset til Nuuk, idet der findes fire retskredse i Grønland.



**Økonomiske bemærkninger**

Naalakkersuisut har oplyst, at bekendtgørelsens ikrafttræden ikke forventes at medføre flere sager anmeldt til Grønlands Politi.

Grønlands Politi vurderer derfor ikke, at der vil være økonomiske merudgifter ved lovforslaget.

Rigsadvokaten og Rigspolitiet tilslutter sig Grønlands Politis bemærkninger.



**Brevdato** 12-12-2022

**Afsender** Mette Skarregaard Pedersen (msp@asiaq.gl)

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høringssvar fra Asiaq vedr. udkast til ny minelov og ny råstoflov offentlig høring december 2022

**Aktnummer**

**Identifikationsnummer** 21992684

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høringssvar fra Asiaq vedr. udkast til ny minelov og ny råstoflov offentlig høring december 2022  
Høringssvar fra Asiaq vedr. ny minelov og ny råstoflov 2022

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

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**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl), Mettelise Hansen (mtha@nanoq.gl)  
**Fra:** Mette Skarregaard Pedersen (msp@asiaq.gl)  
**Titel:** Høringssvar fra Asiaq vedr. udkast til ny minelov og ny råstoflov offentlig høring december 2022  
**Sendt:** 12-12-2022 12:05  
**Bilag:** Høringssvar fra Asiaq vedr. ny minelov og ny råstoflov 2022.docx;

Til rette vedkommende.

Se venligst vedhæftede høringssvar fra Asiaq vedrørende ny minelov og ny råstoflov 2022. Vi takker for muligheden for at komme med et høringssvar og indgår gerne i en dialog om de input, Asiaq er kommet med.

Med venlig hilsen

Mette Skarregaard Pedersen  
Direktør



**Qatserisut 8 – Postboks 1003 – 3900 Nuuk**  
**Tlf.: +299 348811, Mobil: +299 529844**  
**Email: msp@asiaq.gl**





Att.:  
Departementet for Råstoffer og Justitsområdet  
Miljøstyrelsen for Råstofområdet  
Departementet for Landbrug, Selvforsyning, Energi  
og Miljø

Saaffigisassaq/Vor ref.: ABC  
Proj. nr. / Proj. nr.:  
Allagaq/Brev nr.: 666  
Qupp./Side: 1 af 1  
Ulloq/Dato: 07-12 2022

### **Høringssvar fra Asiaq til udkast til ny minelov og ny råstoflov 2022.**

Asiaq takker for muligheden for at komme med høringssvar til udkast til ny minelov og udkast til ny råstoflov.

Asiaq anbefaler, at der i forbindelse med de enkelte tilladelsestyper sikres hjemmel til, at der kan stille krav om, at der skal gives offentlig adgang til det indsamlede data om det fysiske (ikke levende) miljø, såsom topografiske kort, højdemodeller mm., og særligt hvis en rettighedshaver ikke går videre med et givent projekt. Dette således, at den indsamlede data ikke går til spilde, men kan være til gavn for udviklingen af andre projekter og samfundsudviklingen generelt. Dette data kan eksempelvis være til gavn for samfundet i forhold til beredskab, monitorering af klima og miljøforandringer, arealplanlægning mm.

Asiaq har stor ekspertise og erfaring i forhold til indsamling og kvalitetssikring af data om det fysiske miljø, hvorfor vi vil pege på, at en sådan database med indsamlet viden fra råstofprojekter, som gøres offentligt tilgængelig, med fordel kan placeres ved Asiaq. Etableringen af en sådan platform (vidensbank) ved Asiaq vil kunne skabe synergi med de mange andre fysiske data, som Asiaq er ansvarlig for at indsamle i andre sammenhænge, ligesom Asiaq allerede har erfaring med at sikre fri adgang til data for samfundet i andre sammenhænge. Omkostningen ved etableringen af databasen kan dermed reduceres (bæres af flere parter), samtidig med at brugerne ikke skal lede efter data om det fysiske (ikke levende) miljø mange forskellige steder. Vi indgår meget gerne i dialog om udviklingen af dette forslag.

Asiaq anmoder venligst om en kvittering på modtagelsen af dette høringssvar.

Med venlig hilsen

Mette Skarregaard Pedersen

**Brevdato** 19-12-2022

**Afsender** Mie Skovgaard (msk@at.dk)

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** VS: Offentlig høring, forslag til minelov og ændring af råstofloven

**Aktnummer**

**Identifikationsnummer** 22047707

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** VS Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr. 21835316)  
Consultation letter  
Bill, Greenland Parliament Act on mineral activities  
Explanatory notes, Bill, Greenland Parliament Act on mineral activities  
Bill, Greenland Parliament Act to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act)  
Explanatory notes, Bill, Greenland Parliament Act to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act)  
Høringsbrev DK  
Forslag til Inatsisartutlov om mineralaktiviteter DK  
Bemærkninger til forslag til Inatsisartutlov om mineralaktiviteter DK  
Forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) DK  
Bemærkninger til forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) DK  
Høringsbrev KAL  
Forslag til Inatsisartutlov om mineralaktiviteter KAL  
Bemærkninger til forslag til Inatsisartutlov om mineralaktiviteter KAL  
Forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) KAL  
Bemærkninger til forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) KAL

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023



**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Mie Skovgaard (msk@at.dk)  
**Titel:** VS: Offentlig høring, forslag til minelov og ændring af råstofloven  
**E-mailtitel:** VS: Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)  
**Sendt:** 19-12-2022 08:24  
**Bilag:** Consultation letter.pdf; Bill, Greenland Parliament Act on mineral activities.pdf; Explanatory notes, Bill, Greenland Parliament Act on mineral activities.pdf; Bill, Greenland Parliament Act to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act).pdf; Explanatory notes, Bill, Greenland Parliament Act to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act).pdf; Høringsbrev DK.pdf; Forslag til Inatsisartutlov om mineralaktiviteter DK.pdf; Bemærkninger til forslag til Inatsisartutlov om mineralaktiviteter DK.pdf; Forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) DK.pdf; Bemærkninger til forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) DK.pdf; Høringsbrev KAL.pdf; Forslag til Inatsisartutlov om mineralaktiviteter KAL.pdf; Bemærkninger til forslag til Inatsisartutlov om mineralaktiviteter KAL.pdf; Forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) KAL.pdf; Bemærkninger til forslag til Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven) KAL.pdf;

Høringssvar fra Arbejdstilsynet:

Arbejdstilsynet har forstået lovændringerne således, at det overordnet set er en opdeling af gældende regler i separate love, der regulerer hvert sit tilladelsesområde.

Arbejdstilsynet har derfor ikke bemærkninger til de nye lovændringer. Arbejdstilsynet er dog interesseret i at modtage Miljøstyrelsen for Råstofområdet og/eller Departementet for Råstoffer og Justitsområdets bemærkninger til, hvorvidt lovændringerne giver anledning til at foretage ændringer i Arbejdstilsynets bekendtgørelse nr. 302 af 26. marts 2015 om arbejde med udvinding og efterforskning med henblik på udvinding af mineralske materialer i Grønland, der i § 1 henviser til Råstofloven.

Venlig hilsen

**Mie Skovgaard**

Fuldmægtig | Kontor for Jura og Forenkling | Arbejds miljøfagligt Center | Arbejdstilsynet  
T 72 20 88 01 | [msk@at.dk](mailto:msk@at.dk)



**Arbejdstilsynet**

Landskronagade 33 | 2100 København Ø  
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**Fra:** Bo Simmelsgaard <[bosd@nanoq.gl](mailto:bosd@nanoq.gl)>

**Sendt:** 23. november 2022 19:55

**Cc:** Officiel post til EAMRA <[eamra@nanoq.gl](mailto:eamra@nanoq.gl)>

**Emne:** Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)

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Hermed fremsendes udkast til forslag til minelov og ændring af råstofloven til offentlig høring, se venligst vedhæftede dokumenter.

Hereby draft bills for Mining and amendment of the Mineral Resources Act for public consultation, please see attached documents.

Inussiarnersumik Inuulluaqqusillunga  
Med venlig hilsen  
Best regards

**Bo Simmelsgaard**

Inatsisileritooq  
Jurist  
Legal Advisor to the Deputy Minister



**NAALAKKERSUISUT**  
GOVERNMENT OF GREENLAND

Aatsitassanut Inatsisillu Atuutsinneqarnerannut Naalakkersuisoqarfik  
Departementet for Råstoffer og Justitsområdet  
Ministry of Mineral Resources and Justice  
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[www.naalakkersuisut.gl](http://www.naalakkersuisut.gl)

[www.govmin.gl](http://www.govmin.gl)

## **Consultation:**

**Draft Bill for: Greenland Parliament Act No. xx of xx xxxx 2023 on mineral activities (the Mining Act),**

**and**

**Draft Bill for: Greenland Parliament Act No. xx of xx xxx 2023 amending Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act).**

The “Bill: Greenland Parliament Act No. xx of xx xxxx 2023 on mineral activities (the Mining Act)” and “Bill: Greenland Parliament Act No. xx of xx xxx 2023 amending Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act)” are hereby submitted for consultation with a view to being tabled in the spring session 2023.

The two Bills are being submitted for consultation together, as the Bill to amend the Mineral Resources Act is a consequence of the adoption of the Bill for the Act on Mineral Activities (the Mining Act).

The contents of the Bills have previously been submitted for consultation, as “Draft Bill for: Greenland Parliament Act No. xx of xx xxxx 2022 on Mineral Activities (the Mining Act)”, and “Draft Bill for: Greenland Parliament Act No. [xx] of [day month year] on environmental protection in mineral prospecting, exploration and exploitation as well as activities in relation thereto”.

## **Background and purpose**

The existing Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act) governs all aspects of mineral resource exploitation, including hydrocarbon licences, mineral exploration and exploitation licences, small-scale licences and matters relating to the environment. The Act is administered by the Environmental Agency for Mineral Resource Activities, the Mineral Licence and Safety Authority and the Ministry of Mineral Resources and Justice.

Since an Act covering such a wide range of matters can be confusing for citizens and businesses and, in the case of the Mineral Resources Act, some provisions governing general mineral licences, small-scale licences as well as hydrocarbon licences, must address certain matters in a very general way, it is considered appropriate that the regulation of the mineral resources area be divided into several Acts specifically governing each area. It is therefore proposed that the matters currently governed by the Mineral Resources Act in future be governed by three different Acts. These are a separate Mining Act on matters relating to general mining, a separate Small-Scale Mining Act on matters relating to small-scale licences and mineral exploitation for local construction and infrastructure projects (to be tabled in the 2023 autumn session) and the existing Mineral Resources Act on matters relating to hydrocarbons and the use of the subsoil for storage purposes. These three

Acts will cover both licence regimes and environmental matters. As far as hydrocarbons are concerned, a Bill was previously worked on to cover this area, but since the Government of Greenland decided on 24 June 2021 to phase out hydrocarbon activities, it is considered appropriate to continue to let this area be governed by and to retain the current Mineral Resources Act as amended.

The Bill to amend the Mineral Resources Act is solely a consequence of the fact that some of the matters governed by the Mineral Resources Act will in future be governed by the Mining Act, and the Bill only repeals the relevant provisions.

Overall, no major changes in the legal situation are envisaged and the Bills largely reflect current practice. The Bills aim to make the regulatory environment clearer and more investor-friendly, with an emphasis on meeting international standards and being competitive with the legislation of other mining countries. For example, the conditions for granting the respective types of licences have been specified in order to make the Acts more comprehensible for foreign licensees and investors. In order to increase the legal rights for applicants for licences, it has been clarified which criteria the Government of Greenland may give weight to when processing applications.

## **Main amendments**

The main amendments to the existing Mineral Resources Act, apart from splitting the existing Mineral Resources Act into several special Acts, are as follows:

- The provisions of the Mining Act on offshore activities are adapted to mineral activities. The provisions of the Mineral Resources Act on offshore activities relate mainly to hydrocarbon activities.
- The Bills contain no provisions on the Emergency Committee, which is to be abolished.
- The provisions on tax reporting are amended so that licensees can no longer be required to obtain tax information from their contracting parties. Instead, it will be possible for the Government of Greenland to request tax information directly from licensees' contracting parties performing activities under a mineral licence.
- Statutory authority is conferred on the Government of Greenland to issue administrative fines.
- Statutory authority is conferred on the Government of Greenland to protect areas of special geological interest.
- A right is created to be granted an exploitation licence on the basis of a small-scale licence.
- A public consultation process is to take place prior to the granting of exploration licences.
- A statutory basis is created for the exploitation licence to be granted on the basis of a consultation on the project terms of reference, where appropriate combined with the terms of reference for the EIA (Environmental Impact Assessment) and SIA (Social Impact Assessment).
- A statutory basis is created for requiring an environmental mitigation assessment (EMA) to be administratively approved for activities where public consultation on environmental matters is desired.

- The provision in the Mineral Resources Act regarding setting up a fund for citizen involvement is repealed and replaced by a provision in the Mining Act regarding setting up a pool with the same purpose.



**Consultation period**

Please forward any consultation responses to [asn@nanoq.gl](mailto:asn@nanoq.gl) and [EAMRA@nanoq.gl](mailto:EAMRA@nanoq.gl) with a copy to [bosd@nanoq.gl](mailto:bosd@nanoq.gl) and [netl@nanoq.gl](mailto:netl@nanoq.gl) by 22 December 2022.

Yours sincerely

The Environmental Agency for Mineral Resource Activities and the Ministry of Mineral Resources

## **Bill: Greenland Parliament Act on mineral activities**

### **Part 1**

#### *Purpose of the Act*

**1.**–(1) This Greenland Parliament Act implies appropriate and effective prospecting, exploration and exploitation of minerals as well as performance of activities in relation thereto. This Greenland Parliament Act further implies appropriate regulation of matters relevant for mineral activities.

(2) This Greenland Parliament Act implies that activities comprised by this Act are performed in a sound manner as regards health, safety, environmental protection, resource exploitation and social sustainability, including with regard being had to social, cultural, religious and spiritual values and practices of the population, as well as appropriately and in accordance with acknowledged good international practices under similar conditions.

### **Part 2**

#### *Scope*

#### *Geographic scope*

**2.**–(1) This Greenland Parliament Act applies to the territorial land and to the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland.

#### *Activities*

**3.**–(1) This Greenland Parliament Act applies to the following activities:

- 1) Mineral prospecting, exploration and exploitation as well as scientific surveys of minerals and activities in relation thereto.
- 2) Energy activities related to activities comprised by this Greenland Parliament Act as well as activities in relation thereto.
- 3) Use of the subsoil for storage and other purposes relating to mineral activities as well as activities

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in relation thereto.

4) Surveys and other activities of importance to the activities mentioned in paras 1) - 3).

(2) This Greenland Parliament Act does not apply to the following activities:

1) Local mineral activities.

2) Activities related to hydrocarbons.

3) Use of the subsoil for storage and other purposes not related to mineral or related activities.

#### *Facilities and installations*

4.–(1) This Greenland Parliament Act applies to facilities and installations, etc. which are located in an area comprised by section 2 and are used in connection with the performance of activities comprised by this Greenland Parliament Act.

#### *Offshore facilities, offshore vessels and safety zones around offshore facilities*

5.–(1) This Greenland Parliament Act applies to offshore facilities, see section 18, and offshore vessels, see section 19, which are located in the territorial sea, the continental shelf area or the Exclusive Economic Zone of Greenland and are used in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.

6.–(1) This Greenland Parliament Act applies in the safety zones around offshore facilities which are located in the territorial sea, the continental shelf area or the Exclusive Economic Zone of Greenland.

(2) In a safety zone, this Greenland Parliament Act applies to ships, barges, other marine vessels, aeroplanes, helicopters, drones and other aircraft, mobile offshore facilities and other mobile facilities and installations which are sailing, being navigated or towed, or are anchored in connection therewith, or which are otherwise located in the safety zone, as well as to fishing equipment, anchors, other mooring equipment, other equipment and other objects.

(3) This Greenland Parliament Act applies irrespective of whether the ships, marine vessels, facilities and aircraft, etc. mentioned in subsection (2) are registered in Greenland, Denmark, the Faroe Islands or in any other country.

#### *Other ships, marine vessels, facilities and aircraft, etc. and their activities*

7.–(1) This Greenland Parliament Act also applies to other offshore vessels, other ships, other barges, other marine vessels, other mobile offshore facilities and other mobile facilities and installations and aeroplanes, helicopters, drones and other aircraft which are located in, or in the air territory above, the territorial sea, the continental shelf area or the Exclusive Economic Zone of

Greenland and which are used in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.

(2) This Greenland Parliament Act applies irrespective of whether the ships, marine vessels, facilities and aircraft, etc. mentioned in subsection (1) are registered in Greenland, Denmark, the Faroe Islands or in any other country.

**8.**–(1) Activities comprised by this Greenland Parliament Act include, among other things, the following activities in, and in the air territory above, the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland, but see subsections (2) and (3):

- 1) Activities comprised by a licence granted under this Greenland Parliament Act.
- 2) Sailing, and the performance of other activities using ships and other vessels in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.
- 3) Flying, and the performance of other activities using aeroplanes, helicopters, drones and other aircraft, in connection with the performance of activities comprised by a licence granted under this Greenland Parliament Act.

(2) Activities comprised by a licence granted under this Greenland Parliament Act include the activities mentioned in subsection (1) in so far as the activities are performed by a licensee under a licence granted under this Greenland Parliament Act or by the licensee's contracting party.

(3) As regards the performance of activities comprised by a licence granted under this Greenland Parliament Act, see subsections (1) and (2), this Greenland Parliament Act applies only to a licensee under a licence granted under this Greenland Parliament Act and the licensee's contracting parties in so far as the licensee's, or the licensee's contracting parties', activities or matters are governed by this Greenland Parliament Act, provisions set under this Greenland Parliament Act or terms of licences, approvals or decisions under this Greenland Parliament Act.

(4) The application of this Greenland Parliament Act as described in subsections (1)-(3) will not exempt a licensee under a licence granted under this Greenland Parliament Act or the licensee's contracting party from compliance with any other Greenland law or Danish law applying to the activities and parties mentioned in subsections (1)-(3). In the event of any discrepancy between this Greenland Parliament Act and any other legislation, the provisions of this Greenland Parliament Act and the provisions and conditions set under this Greenland Parliament Act will apply, in the absence of special reasons which would justify the application of such other legislation.

#### *Environmental, climate and nature protection*

**9.**–(1) Unless otherwise provided in this Greenland Parliament Act, the provisions of this Greenland Parliament Act on environmental protection also extend to the protection of climate and nature.

(2) The same applies to the provisions of this Greenland Parliament Act on liability in damages and other responsibility and liability for pollution and other environmental impact and to the provisions of this Greenland Parliament Act on compensation for environmental damage.

## **Part 2**

### *Definitions*

#### *Minerals*

**10.–(1)** Minerals means all mineral resources except hydrocarbons (oil and natural gas).

(2) Hydrocarbons means hydrocarbons with the general formula  $C_nH_{2n+2}$ , where  $n < 25$ .

#### *Activities, licences, licensees, approvals and plans*

**11.–(1)** Mineral activities means activities comprised by this Greenland Parliament Act and activities in relation thereto.

**12.–(1)** Licence means one of the licences mentioned in subsections (2)-(5), granted by the Government of Greenland under this Greenland Parliament Act to perform activities comprised by this Greenland Parliament Act.

(2) Prospecting licence means a licence to prospect for minerals, see section 28.

(3) Exploration licence means a licence to explore for minerals, see section 34.

(4) Exploitation licence means a licence to exploit minerals, see section 43.

(5) Scientific survey licence means a licence to perform scientific surveys of minerals, see section 62.

**13.–(1)** Licensee means a licensee under a licence granted by the Government of Greenland under this Greenland Parliament Act, see section 12.

**14.–(1)** Approval means an approval granted by the Government of Greenland to perform activities comprised by this Greenland Parliament Act as mentioned in subsections (2)-(3), unless otherwise apparent from the context.

(2) Activity approval means an approval of a mining plan, see section 15(1), of a closure plan, see section 15(2), or of the performance of specific activities, see section 22(3) and section 120(1).

(3) Export approval means an approval to export minerals from Greenland, see section 22(3), para. 1), and section 75.

**15.–(1)** Mining plan means a licensee's plan for its exploitation of minerals and activities in relation thereto under an exploitation licence, see section 77.

(2) Closure plan means a licensee's plan for its later termination and closure of mineral exploitation activities and activities in relation thereto under an exploitation licence, see section 80.

(3) Activity plan means a licensee's plan for the performance of specific activities under a licence, see section 120(1), including a mining plan, see subsection (1), and a closure plan, see subsection (2).

#### *Provisions and terms*

**16.**–(1) Provisions and terms means provisions and terms set under this Greenland Parliament Act, unless otherwise apparent from the context. Such provisions and terms include provisions of executive orders, application procedures, other procedures and guidelines set under this Greenland Parliament Act, standard terms for licences and approvals granted under this Greenland Parliament Act, terms of licences and approvals granted under this Greenland Parliament Act and provisions and terms of decisions made under this Greenland Parliament Act.

#### *Licensee's contracting party*

**17.**–(1) Licensee's contracting party means a licensee's supplier of goods or services, including construction services or advisory services, in relation to the licensee's performance of activities under the licensee's licence. A licensee's contracting party also includes the licensee's contracting party's sub-contracting party etc.

#### *Offshore facilities*

**18.**–(1) Offshore facilities means ships, barges and other vessels, platforms and other installations used for performing one or more of the following activities at one specific location or two or more specific locations consecutively in an offshore area:

- 1) Offshore prospecting, exploration, exploitation and scientific surveys of minerals.
- 2) Processing of minerals exploited in an offshore or onshore area.
- 3) Storage of minerals exploited in an offshore or onshore area.
- 4) Receipt, storage, reloading or dispatch of facilities, equipment, goods or other things used in connection with the performance of activities comprised by this Greenland Parliament Act in an offshore or onshore area.
- 5) Point of arrival, connecting point or point of departure in connection with transportation, temporary place of residence or place providing overnight accommodation for persons performing work or activities in connection with the performance of activities comprised by this Greenland Parliament Act in an offshore or onshore area.
- 6) Accommodation of persons performing activities comprised by this Greenland Parliament Act in an offshore or onshore area.

(2) Mobile offshore facility means any offshore facility which can be moved from one position to another by sailing, being navigated or towed, and which is intended for use on two or more different locations throughout its lifetime.

(3) Fixed offshore facility means an offshore facility which is not a mobile offshore facility, see subsection (2).

#### *Offshore vessels*

**19.–(1)** Offshore vessels means ships, barges and other vessels which are not offshore facilities, see section 18, and which perform activities in connection with offshore facilities.

#### *Environmental damage*

**20.–(1)** Environmental damage means:

- 1) Pollution of land, sea, seabed and subsoil, water or air.
- 2) Pollution or other negative impact on climatic conditions.
- 3) Pollution or other significant negative impact on or significant interference with nature, including human, animal or plant life.

(2) The responsible and liable party under Part 14 means the party performing, being in charge of or controlling the performance of an activity comprised by this Greenland Parliament Act.

#### *Local mineral activities*

**21.–(1)** Local mineral activities means small-scale activities in relation to minerals and exploitation of minerals for use in construction projects and infrastructure projects in Greenland etc.

### **Part 4**

#### *General rules*

#### *The Greenland Self-Government's rights over minerals and requirement for licence to or approval of activities*

**22.–(1)** The Greenland Self-Government owns and has the unrestricted right to use and exploit minerals in the subsoil of Greenland.

(2) The following activities may be performed in Greenland only under the following licences granted by the Government of Greenland under the provisions of this Greenland Parliament Act:

- 1) Mineral prospecting is subject to a licence granted under section 28.
- 2) Mineral exploration is subject to a licence granted under section 34.
- 3) Mineral exploitation is subject to a licence granted under section 43.

4) Scientific surveys of minerals are subject to a licence granted under section 62, unless otherwise provided in subsections (3) and (4).

(3) The following activities may be performed in Greenland only under the following approvals granted by the Government of Greenland under the provisions of this Greenland Parliament Act:

1) Export of minerals from Greenland is subject to an approval granted under a prospecting licence, an exploration licence or an exploitation licence under this Greenland Parliament Act or an export approval granted under section 75(1) or (2).

2) Other activities concerning prospecting, exploration, exploitation or scientific surveys of minerals which are not included under a licence under subsection (3), para 1), are subject to an activity approval.

(4) The Government of Greenland may perform scientific and practical surveys of a general or mapping nature in relation to minerals, mineral activities and other activities in relation thereto.

(5) The provisions of subsections (1)-(3) do not apply to local mineral activities.

#### *Administrative processing*

**23.**-(1) The Government of Greenland is the competent administrative authority for the mineral area comprised by this Greenland Parliament Act, together with the Mineral Licence and Safety Authority and the Environmental Agency for Mineral Resources Activities (EAMRA).

(2) The Mineral Licence and Safety Authority is the competent administrative authority, except for environmental matters under subsection (3).

(3) The Environmental Agency for Mineral Resources Activities (EAMRA) is the competent administrative authority for environmental matters relating to mineral resources activities, including environmental, climate and nature protection, environmental responsibility and liability as well as environmental impact assessments. EAMRA's assessments and draft decisions are based on assessments and draft decisions of one or more scientific and independent environmental institutions.

(4) A collective and integrated approach is applied in the administrative processing of all matters in relation to minerals, mineral activities, use of the subsoil for storage or other purposes in relation to mineral activities, related energy activities and other activities in relation thereto under this Greenland Parliament Act.

(5) Administrative processing in relation to the mineral area comprised by this Greenland Parliament Act is organised on the principle that licensees and other parties comprised by this Greenland Parliament Act communicate with a single authority and receive all notifications, documents and decisions, etc. from that authority.

(6) The Mineral Licence and Safety Authority is the coordinating administrative authority and obtains the necessary opinions and decisions from EAMRA. EAMRA and the Mineral Licence and Safety Authority must keep each other informed about the administrative processing and decisions.

(7) The authorities mentioned in subsection (1) are the competent authorities under other statutes and rules with respect to activities and matters comprised by this Greenland Parliament Act.



However, this does not apply to the extent other statutes or rules provide that the administrative processing must be performed by other authorities.

**24.–(1)** A decision by the Mineral Licence and Safety Authority and EAMRA may be appealed to the Government of Greenland. Those entitled to appeal are:

- 1) The party to the case.
- 2) Associations and organisations whose objects, according to their articles of association, are to protect essential recreational and environmental interests as well as natural or social interests.

(2) The time-limit for appeal is six weeks. For decisions which are notified to a party, time begins to run from the date the decision is notified to a party and, if the decision is published, time begins to run from the date of publication. If the time-limit expires on a Saturday or a public holiday, the time-limit will be extended to the next business day.

(3) An appeal must be filed in writing with the authority which issued the decision. As soon as possible after the expiry of the time-limit for appeal, the authority will send the appeal and the authority's decision and comments on the appeal to the Government of Greenland.

(4) An appeal regarding a licence, approval or exemption will not have a suspensive effect, unless otherwise decided by the Government of Greenland.

(5) The Government of Greenland may decide that the rights under specific licences, approvals or exemptions may not be exercised within the time-limit for appeal.

(6) An appeal against a prohibitory or mandatory injunction will not have a suspensive effect, unless otherwise decided by the Government of Greenland.

#### *Bringing decisions before the ordinary courts*

**25.–(1)** Decisions on matters comprised by this Greenland Parliament Act must be brought before the ordinary courts within a time-limit of 12 months. For decisions which are notified to a party, time begins to run from the date the decision is notified to a party. However, if the decision is published, time always begins to run from the date of publication. If the time-limit expires on a Saturday, Sunday or public holiday, the time-limit will be extended to the next business day.

(2) If a decision is brought before the ordinary courts, this will have no suspensive effect, unless otherwise decided by the Government of Greenland.

(3) A decision on matters comprised by this Greenland Parliament Act may only be brought before the courts having jurisdiction in Greenland. A decision brought before the ordinary courts must be brought before the Court of Greenland as the court of first instance.

#### *The Government of Greenland's annual report on licence applications and licences*

**26.–(1)** Each year, the Government of Greenland prepares a public report on licence applications, licences granted, and planned and completed licensing rounds. The Government of Greenland

submits the report to the Greenland Parliament.

**27.–(1)** The Government of Greenland must inform a relevant committee under the Greenland Parliament before deciding cases regarding matters which may have a significant social or environmental impact.

## **Part 5**

### *Mineral prospecting licence*

#### *The licence*

**28.–(1)** The Government of Greenland may for a specified area and on specific terms grant a non-exclusive licence to prospect for one or more minerals.

#### *Requirements to licensee*

**29.–(1)** As from the date of grant of a prospecting licence and for the entire licence period, the licensee under section 28 must be registered as a public limited company (*aktieselskab*) or a private limited company (*anpartsselskab*) which is not an entrepreneur company (*iværksætterselskab*), which has its registered office in Greenland, or a similar type of limited liability company which has its registered office in another country. The company must also be registered as a business enterprise in Greenland in accordance with the Greenland Parliament Act on Trade (*Inatsisartutlov om næring*).

(2) As from the date of grant of the licence and for the entire licence period, the licensee must fulfil all of the requirements under section 66.

(3) In case of any doubt as to whether a limited liability company having its registered office in another country is equivalent to a public limited company or a private limited company having its registered office in Greenland, see subsection (1), the matter will be decided by the Government of Greenland.

#### *Licence period*

**30.–(1)** A prospecting licence is granted for a licence period of up to five years.

(2) The Government of Greenland may extend the licence period provided in subsection (1) for one or more periods of up to five years each, but see subsection (4).

(3) The Government of Greenland may set changed licence terms where the licence period is extended to a total licence period exceeding 10 years.

(4) The total licence period of a prospecting licence cannot be longer than 15 years.

(5) A prospecting licence will terminate on expiry of the licence period or lapse of the licence, when revoked by the Government of Greenland or when surrendered by the licensee to the Government of Greenland following the Government of Greenland's approval.

*Payment of charges, consideration and amounts to cover processing expenses*

**31.**–(1) The Government of Greenland may set provisions to the effect that an applicant for a prospecting licence or for extension of the licence period under a prospecting licence must pay a charge to the Government of Greenland for the Government of Greenland's receipt and consideration of an application for a prospecting licence or for extension of the licence period and for the grant of a prospecting licence or for extension of the licence period.

(2) For a prospecting licence, the Government of Greenland may set provisions and terms to the effect that the licensee must pay consideration to the Government of Greenland for maintaining the licence and continuing activities under the licence etc.

(3) The Government of Greenland may set provisions and terms to the effect that the licensee must pay one or more amounts to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act in relation to the licence and activities under the licence. The amounts payable may be collected by the Government of Greenland as charges or as reimbursement of expenses.

*Reports on activities, submission of data and samples, and confidentiality*

**32.**–(1) The licensee, see section 28, must submit to the Government of Greenland:

- 1) Reports on the prospecting and other activities under the licence and the results thereof.
- 2) Copies of the prospecting results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect.

(2) All filings made by the licensee to the Government of Greenland under subsection (1) are confidential for the entire licence period. If the licence terminates, filings made to the Government of Greenland under subsection (1) are confidential for a period of five years from the time-limit for submission to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. Before any such general information is published, the Government of Greenland must send the information out to consultation with the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of

Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) On expiry of the confidentiality period, the submitted reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(6) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(5), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

*Setting by the Government of Greenland of provisions and terms in relation to the licence and activities*

**33.**–(1) For a prospecting licence, the Government of Greenland may set provisions and terms on all relevant matters concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions of this Greenland Parliament Act, to ensure the licensee's compliance with Greenland law and safeguard the rights and economic interests of the Self-Government and the licensee's rights.

**Part 6**

*Mineral exploration licence*

*The licence*

**34.**–(1) The Government of Greenland may grant an exclusive licence to explore for one or more minerals for a specified area and on specific terms.

**35.**–(1) Before an applicant may be granted an exploration licence under section 34, the Government of Greenland will carry out a public consultation on the application for at least 21 calendar days.

*Requirements to licensee*

**36.**–(1) As from the date of grant of the licence and for the entire licence period, the licensee under section 34 must be registered as a public limited company (*aktieselskab*) or a private limited company (*anpartsselskab*) which is not an entrepreneur company (*iværksætterselskab*), which has its

registered office in Greenland, or a similar type of limited liability company which has its registered office in another country. The company must also be registered as a business in Greenland in accordance with the Greenland Parliament Act on Trade (*Inatsisartutlov om næring*).

(2) As from the date of grant of the licence and for the entire licence period, the licensee must fulfil all of the requirements under section 66.

(3) In case of any doubt as to whether a limited liability company having its registered office in another country is equivalent to a public limited company or a private limited company having its registered office in Greenland, see subsection (1), the matter will be decided by the Government of Greenland.

#### *Licence period*

**37.**–(1) An exploration licence is granted for a licence period of five years.

(2) The Government of Greenland may extend the licence period of five years under subsection (1) one or more times. The initial extension of the licence period will be for a period of five years. Any subsequent extensions of the licence period will be for one or more periods of three years each. If the licensee has performed all of its obligations in relation to the licence and performed all activities under the licence during the initial licence period of five years under subsection (1), the licensee will be entitled to the first extension of the licence period by a period of five years. If the licensee has performed all of its obligations in relation to the licence and performed all activities under the licence during an extended licence period of five years or three years under this subsection (2), the Government of Greenland may decide to extend the licence period by a period of three years.

(3) The Government of Greenland may set changed licence terms where the licence period is extended to a total licence period exceeding 10 years.

(4) The total licence period of an exploration licence cannot be longer than 22 years.

(5) An exploration licence will terminate on expiry of the licence period or lapse of the licence, when revoked by the Government of Greenland or when surrendered by the licensee to the Government of Greenland following the Government of Greenland's approval.

#### *Payment of charges, consideration and amounts to cover processing expenses and exploration obligations*

**38.**–(1) The Government of Greenland may set provisions to the effect that an applicant for an exploration licence or for extension of the licence period under an exploration licence must pay a charge to the Government of Greenland for the Government of Greenland's receipt and consideration of an application for an exploration licence or for extension of the licence period and for the grant of an exploration licence or for extension of the licence period.

(2) For an exploration licence, the Government of Greenland will set provisions or terms on the licensee's exploration obligations and payment of amounts to the Government of Greenland if the licensee fails to perform its exploration obligations.

(3) For an exploration licence, the Government of Greenland may set provisions and terms to the effect that the licensee must pay consideration to the Government of Greenland for maintaining the licence and continuing activities under the licence, etc.

(4) The Government of Greenland may set provisions and terms to the effect that the licensee must pay one or more amounts to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act in relation to the licence and activities under the licence. The amounts payable may be collected by the Government of Greenland as charges or as reimbursement of expenses.

#### *Reports on activities, submission of data and samples, and confidentiality*

**39.**–(1) The licensee must submit to the Government of Greenland reports on:

1) The exploration and other activities under the licence and the results thereof.  
2) Copies of the exploration results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect.

(2) All filings made by the licensee to the Government of Greenland under subsection (1) are confidential. The confidentiality period is five years from the time-limit for submission to the Government of Greenland. However, the confidentiality will end when the licence terminates.

(3) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, exploration results, data, samples and interpretations, conclusions and recommendations, etc. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) On expiry of the confidentiality period, the submitted reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(6) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(5), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of

specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

*Setting by the Government of Greenland of provisions and terms in relation to the licence and activities*

**40.**–(1) For an exploration licence, the Government of Greenland may set provisions and terms on all relevant matters concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions of this Greenland Parliament Act, to ensure the licensee's compliance with Greenland law and safeguard the rights and economic interests of the Greenland Self-Government and the licensee's rights.

**Part 7**

*Mineral exploitation licence*

*The licence*

**41.**–(1) If the licensee under an exploration licence granted under section 34 has substantiated and delineated a viable mineral deposit which the licensee intends to exploit, and has performed all of its obligations in relation to the exploration licence and activities under the licence, the licensee will be entitled to be granted a licence to exploit the minerals under the provisions of this Greenland Parliament Act and other provisions and terms thereon.

(2) The Government of Greenland will decide whether the conditions in subsection (1) have been met.

**42.**–(1) If the licensee under an exclusive small-scale mineral exploration and small-scale mineral exploitation licence has substantiated and delineated a viable mineral deposit which the licensee intends to exploit, and has performed all of its obligations in relation to the small-scale licence and activities under the licence, the licensee will be entitled to be granted a licence to exploit the minerals under the provisions of this Greenland Parliament Act and other provisions and terms thereon.

(2) The Government of Greenland will decide whether the conditions in subsection (1) have been met.

**43.**–(1) The Government of Greenland may grant an exclusive licence to exploit one or more minerals for a specified area and on specific terms.

(2) The Government of Greenland will grant an exploitation licence to the licensee under an exploration licence or a small-scale licence if the licensee is entitled under sections 41-42 to be granted an exploitation licence and submits an application therefor to the Government of Greenland.

(3) In a situation covered by subsection (2), the Government of Greenland will grant an exploitation licence to a company other than the licensee under the exploration licence or the small-scale licence if so requested by the licensee under the exploration licence or the small-scale licence and the other company fulfils the requirements to the licensee company under the exploitation licence, see sections 45-46 and 66.

(4) The Government of Greenland may grant an exploitation licence in a situation not covered by subsection (2) if the Government of Greenland or another party in a specific area has substantiated and delineated a viable mineral deposit which a licensee under an exploitation licence will be able to exploit.

(5) An exploitation licence covers the minerals for which a viable deposit has been substantiated and delineated.

**44.**-(1) Before an exploitation licence can be granted under sections 41-43, the applicant must prepare a project terms of reference document which must be notified by being submitted to the Government of Greenland.

(2) The terms of reference must go out for public consultation for a period of at least 35 calendar days before an exploitation licence can be granted. If the applicant is required to carry out a public pre-consultation on a project description concerning environmental or social aspects under section 106, such pre-consultation(s) must, to the extent possible, be carried out in connection with the consultation concerning the terms of reference.

(3) A consultation on the terms of reference under subsection (2) must be completed no earlier than 24 months before the grant of an exploitation licence.

(4) In special cases, the Government of Greenland may grant an exemption from the time-limit in subsection (3).

(5) The Government of Greenland may set specific provisions and terms on the contents of the terms of reference of a project and on the carrying out of a consultation process.

#### *Requirements to licensee*

**45.**-(1) The licensee under an exploitation licence must be registered as a public limited company (*aktieselskab*) which has its registered office in Greenland.

(2) The de facto head office of the public limited company from where it is managed must be in Greenland.

(3) The Government of Greenland may approve that a licensee is exempted from fulfilling the requirement under subsection (2) for a period of up to six months after the grant of an exploitation licence.



**46.**–(1) The public limited company being the licensee under the exploitation licence may only perform and previously have performed activities and operations under licences granted under this Greenland Parliament Act.

(2) The public limited company must not be taxed jointly with other companies, unless joint taxation is compulsory.

(3) As a general rule, the public limited company must not be more thinly capitalised than the group of which the company forms part. However, the public limited company's loan capital (debt) may always exceed the public limited company's equity up to a ratio of 2:1, meaning that the public limited company's loan capital may always be up to an amount equalling 200% of the public limited company's equity.

(4) As a general rule, the public limited company must trade at arm's length prices and on arm's length terms, meaning at market prices and on market conditions as applied in transactions between independent parties which do not belong to the same group of companies.

#### *Licence period*

**47.**–(1) An exploitation licence is granted for a licence period of 30 years, unless a shorter licence period has been set for the licence in provisions and terms thereon.

(2) The Government of Greenland may extend the licence period under subsection (1) one or more times. The licence period may be extended for a period of up to 20 years, but see subsection (5).

(3) If the licensee has performed all of its obligations in relation to the licence and performed all activities under the licence during the initial licence period under subsection (1) and carried out exploitation activities as assumed in the mining plan approved by the Government of Greenland, the licensee will be entitled to an extension of the licence period if the licensee has substantiated and delineated a viable mineral deposit which the licensee intends to exploit during an extended licence period.

(4) The Government of Greenland may set changed licence terms where the licence period is extended to a total licence period exceeding 40 years.

(5) The total licence period for an exploitation licence cannot be longer than 50 years.

(6) An exploitation licence will terminate on expiry of the licence period or lapse of the licence, when revoked by the Government of Greenland or when surrendered by the licensee to the Government of Greenland following the Government of Greenland's approval.

#### *Licence area*

**48.**–(1) An exploitation licence is granted for a licence area defined by the Government of Greenland.

(2) After its receipt of an application to that effect from a licensee under an exploitation licence, the Government of Greenland may grant an addendum to the licence specifying terms to the effect

that the licence area covered by the exploitation licence is extended to include an additional area for which the licensee under an exploration licence has substantiated and delineated a viable mineral deposit which the licensee intends to exploit. In the addendum to the licence, the Government of Greenland may set terms on matters such as those comprised by section 49(3) and sections 51-56.

*Setting by the Government of Greenland of provisions and terms in relation to time-limits*

**49.**–(1) For the exploitation licence, the Government of Greenland must set terms to the effect that the grant and maintenance of the licence is conditional on the licensee having submitted within a reasonable time-limit to the Government of Greenland a comprehensive mining plan and closure plan in accordance with sections 77 and 80 and other provisions and terms thereon. The time-limit for submission of a comprehensive mining plan and closure plan may not be more than four years after the grant of the exploitation licence.

(2) If the licensee has not submitted a comprehensive mining plan and closure plan within the time-limit under subsection (1), the exploitation licence will lapse on expiry of the time-limit, unless the licensee has been granted an extension of time by the Government of Greenland before such date.

(3) For the exploitation licence, the Government of Greenland may set terms on time-limits for matters of material importance to the performance of the exploitation activities and other activities under the licence. The Government of Greenland may set terms to the effect or decide that the licence will lapse or may be revoked for failure to observe a time-limit or an extended time-limit.

*Performance of activities etc.*

**50.**–(1) The licensee under the exploitation licence is entitled to explore for minerals and perform activities in relation thereto.

(2) The provisions of section 39 apply correspondingly to exploration activities under subsection (1).

(3) In the licence area of the exploitation licence, only the licensee under the licence may perform activities under licences for mineral prospecting, exploration or exploitation under this Greenland Parliament Act or local mineral activities.

*Payment of charges, consideration and amounts to cover processing expenses*

**51.**–(1) For an exploitation licence, the Government of Greenland may set provisions and terms to the effect that an applicant for an exploitation licence must pay a charge to the Government of Greenland for the Government of Greenland's receipt and consideration of an application for an exploitation licence and for the grant of an exploitation licence.

(2) For an exploitation licence, the Government of Greenland will set provisions or terms to the effect that the licensee must pay consideration to the Government of Greenland for maintaining the

licence and continuing the activities under the licence, etc. Among other things, the Government of Greenland may set provisions or terms to the effect that the licensee must pay one or more of the following types of consideration:

1) A consideration in the form of a royalty calculated on the basis of the exploited minerals (a production royalty), including, for example, their weight (a weight royalty) or their volume (a volume royalty).

2) A consideration in the form of a royalty calculated on the basis of the selling price of the exploited minerals or some other sales value (a sales royalty).

3) A consideration in the form of a share of the profits realised from the licensee's activities under the licence (a profits royalty).

(3) When determining the licensee's payments to the Government of Greenland under subsection (2) above, the Government of Greenland may approve the licensee's exemption from taxation of the activities comprised by the licence if the activities are subject to consideration (royalties) at least as onerous as the taxation would have been, and the consideration (royalties) is fully covered by section 7 of the Act on Greenland Self-Government.

(4) If an exploitation licence, see section 41(1) and section 43(2), is granted based on an exploration licence granted before the date when this Greenland Parliament Act enters into force, the Government of Greenland may set provisions or terms for the exploitation licence only to the effect that the licensee must pay royalties to the Government of Greenland, see subsection (2), where so provided in provisions or terms for the exploration licence, or if subsection (3) or a corresponding rule in Greenland tax legislation is applied to approve the licensee's full or partial tax exemption for the activities under the exploitation licence.

(5) The licensee must pay one or more amounts to the Government of Greenland to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act in relation to the licence and activities under the licence, as well as expenses for training and upskilling of the Government of Greenland's employees within the area of mineral activities. The amounts payable may be collected by the Government of Greenland as charges or as reimbursement of expenses. The Government of Greenland will set specific provisions or terms in this regard.

#### *Licensee's use of local workers and local suppliers of goods and services*

**52.–(1)** In a mineral exploitation licence, the Government of Greenland will set terms governing the licensee's duty to use local workers.

(2) In a mineral exploitation licence, the Government of Greenland will set terms governing the licensee's duty to use local suppliers of goods and services.

*Licensee's processing of exploited minerals*

**53.**–(1) For an exploitation licence, the Government of Greenland may set provisions and terms to the effect that a licensee wanting to process the minerals extracted under the licence must process such minerals in Greenland and that the licensee may process exploited minerals outside Greenland only to the extent that processing in Greenland will result in significantly greater costs or disadvantages for the licensee and the advantages to society will not be significantly affected thereby, and this is approved in advance by the Government of Greenland.

*Licensees' storage of exploited minerals and sales to locals*

**54.**–(1) For an exploitation licence, the Government of Greenland may set provisions and terms to the effect that the licensee must store exploited minerals in Greenland and sell them to persons who are resident in and fully taxable to Greenland. Requirements to this effect may be set by the Government of Greenland only to the extent that the persons are resident in and fully taxable to Greenland, that they intend to process the minerals themselves or otherwise use the minerals commercially in Greenland.

(2) The licensee must sell the minerals under subsection (1) at arm's length prices and on arm's length terms.

*Reports on activities and submission of data and samples, etc.*

**55.**–(1) A licensee must submit to the Government of Greenland:

- 1) exploitation reports,
- 2) reports on any exploration and other activities under the licence and the results thereof,
- 3) copies of reports prepared by the licensee or by other parties at the licensee's request,
- 4) statements,
- 5) accounts,
- 6) data about the exploitation and the results thereof,
- 7) any exploration results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect,
- 8) samples and drill cores.

(2) The filings made by the licensee, see paras 1), 2), 3), 7) and 8) of subsection (1), are confidential. The confidentiality period is five years from the time-limit for submission to the Government of Greenland. However, the confidentiality will end when the licence terminates.

(3) The confidentiality concerning the licensee's filings under paras 4) and 5) of subsection (1) is not limited in time to the extent that they are exempted from public access under the Greenland

Parliament Act on Access to Public Administration Files (*landstingslov om offentliggjort i forvaltningen*).

(4) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, exploitation results and any exploration results, data, samples and interpretations, etc. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(5) Notwithstanding subsections (3) and (4), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(6) On expiry of the confidentiality period, the submitted reports, exploitation results and any exploration results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(7) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(6), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

*Setting by the Government of Greenland of provisions and terms in relation to the licence and activities*

**56.**–(1) For an exploitation licence, the Government of Greenland may set provisions and terms on all relevant matters concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions of this Greenland Parliament Act, to ensure the licensee's compliance with Greenland law and safeguard the rights and economic interests of the Greenland Self-Government and the licensee's rights.

## **Part 8**

*Procedures and criteria for the grant of exploration licences or exploitation licences*

**57.**–(1) A mineral exploration licence, see section 34, is granted in one of the manners mentioned in sections 58 and 59 at the discretion of the Government of Greenland and on the basis of the selection criteria set out in section 61.

(2) A mineral exploitation licence, see section 43, is granted to licensees eligible to be granted such licence under section 41, section 42 or at the discretion of the Government of Greenland in one of the manners mentioned in section 59 and on the basis of the selection criteria set out in section 61.

**58.**–(1) A mineral exploration licence is granted on the basis of an application received by the Government of Greenland within a fixed application period (a batch period) for the grant of a licence for an area and which application does not concern a procedure under subsection (2) and section 59(1)-(3).

(2) If, during a batch period, an application is received from someone who, within a period of 90 calendar days, has been the licensee under an exploration licence in the same area, the batch period will be extended to 90 calendar days from the expiry of such exploration licence.

(3) The Government of Greenland may decide not to grant a licence on the basis of applications submitted under subsections (1)-(2).

(4) The Government of Greenland may set specific provisions and terms on the submission, receipt, recording and processing of applications under subsections (1)-(2).

**59.**–(1) The Government of Greenland may set provisions to the effect that for a specific period, a specified area must be open for ongoing granting of licences following applications to this effect (an open door procedure). The Government of Greenland will publish a notice on the open door procedure on the Government of Greenland's website and as otherwise relevant. Changes in the open door procedure will be published in the same manner. Applications for licences under the open door procedure must be submitted no earlier than 90 calendar days after publication of the open door procedure or the latest change.

(2) The Government of Greenland may set provisions to the effect that a licence may be granted following a general public invitation to apply for licences. The Government of Greenland will publish a notice of the invitation at least 90 calendar days before expiry of the time-limit for application on the Government of Greenland's website and as otherwise relevant.

(3) The Government of Greenland may set provisions to the effect that a licence may be granted following a special public invitation to apply for licences if an application for a licence for an area which is not subject to an open door procedure under subsection (1) has been submitted without prior invitation pursuant to subsection (2). The Government of Greenland will publish a notice of the invitation to apply for licences and an invitation to apply for other licences in the same area. The notice must be published no later than 90 calendar days after receipt of the application. The notice will be published on the Government of Greenland's website and as otherwise relevant. The time-limit for submitting other applications is 90 calendar days after publication of the notice.

(4) The Government of Greenland may decide not to grant a licence on the basis of applications submitted under subsections (1)-(3).

(5) The Government of Greenland may set specific provisions and terms on the submission, receipt, recording and processing of applications under subsections (1)-(3).

**60.**–(1) The Government of Greenland is not liable for or under any obligation to indemnify, compensate, refund or in any other way to pay any expense, cost, loss or damage incurred or sustained by a licence applicant. This applies irrespective of whether a loss or damage is incurred or sustained by an applicant as a result of or in connection with the applicant's application for a licence, that the applicant in that connection performs work, activities, studies and surveys, etc. and incurs costs etc., that the applicant in that connection acquires, obtains or compiles data and documents thereon and submits such data and documents to the Government of Greenland, that the Government of Greenland processes and decides on the applicant's application for a licence or that the Government of Greenland decides not to grant a licence to the applicant.

**61.**–(1) A licence comprised by sections 58 and 59 is granted on the basis of the selection criteria mentioned in subsections (2)-(5).

(2) One selection criterion is the applicant's overall technical and professional capability, including, among other matters:

1) The applicant's previous experience with mineral exploration or exploitation.

2) The applicant's previous experience with mineral exploration or exploitation in areas with similar conditions.

(3) Another selection criteria is the applicant's economic and financial capability.

(4) In its evaluation of an applicant, the Government of Greenland will have regard to any non-efficiency or non-performance by the applicant of its obligations in connection with other existing or previous licences in Greenland which members of the applicant's management, including a board of directors, an executive board, a supervisory board or similar governing body, are or have been members of, own or have owned or exert or have exerted decisive influence over as well as enterprises owning or exerting decisive influence over the applicant, own or have owned or exert or have exerted decisive influence over.

(5) When applying the procedures under section 59(1)-(3), the Government of Greenland may stipulate other relevant, objective and non-discriminatory selection criteria with a view to making the final choice between applicants deemed to be equally qualified based on an evaluation according to the selection criteria mentioned in subsections (2)-(4).

(6) When applying the procedures under section 59(1)-(3), the criteria mentioned in subsections (2)-(5) and provisions on the respective weighting of such criteria will be published together with the invitations to submit applications mentioned in section 59.

## **Part 9**

### *Scientific survey licence*

**62.**–(1) For a specified area and on specific terms, the Government of Greenland may grant an applicant a scientific survey licence in relation to minerals.

(2) A scientific survey licence is granted for a licence period of up to three years.

(3) The Government of Greenland may extend the licence period under subsection (2) for one or more periods of up to three years. However, if the licensee has failed to perform all of its obligations in relation to the licence and perform all activities under the licence during the initial licence period under subsection (2) or an extended licence period under this subsection (3), the Government of Greenland may decide not to grant an extension of the licence period. The Government of Greenland may set changed licence terms in connection with any extension of the licence period.

(4) The total licence period of a scientific survey licence cannot be longer than 12 years.

**63.**–(1) The licensee under section 62 must submit to the Government of Greenland:

1) Reports on the scientific surveys and other activities under the licence and the results thereof.

2) Copies of the survey results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect.

(2) All filings made by the licensee to the Government of Greenland under subsection (1) are confidential for the entire licence period. If the licence terminates, filings made to the Government of Greenland under subsection (1) are confidential for a period of five years from the time-limit for submission to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about the confidential reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. Before any such general information is published, the Government of Greenland must send the information out to consultation with the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) On expiry of the confidentiality period, the submitted reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

(6) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(5), including on the format and contents of the reports, their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or matters and on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.



**64.**–(1) For scientific survey licences, the Government of Greenland may set provisions and terms on all relevant matters, including insurance concerning the licence and activities under the licence in accordance with the purposes under section 1 of this Greenland Parliament Act.

(2) The Government of Greenland may set specific provisions on scientific surveys, including on the payment of expenses in connection with rescue operations, insurance cover and the provision of security for such payments.

## **Part 10**

### *General provisions on prospecting, exploration and exploitation licences*

#### *Application of general provisions*

**65.**–(1) The provisions of Part 10 apply to mineral prospecting, exploration and exploitation licences.

#### *Requirements to licensee*

**66.**–(1) The licensee under a licence must have the required technical and professional capability and economic and financial capability to perform the activities under the licence and to perform all of its obligations in relation to the licence and activities under the licence.

(2) The licensee must have full control of its assets. The licensee must not be insolvent or be subject to a judicial or administrative insolvency, restructuring or similar process, which includes that the licensee must not be in suspension of payments, bankruptcy, liquidation or in a comparable situation.

(3) The licensee must not have outstanding debts to the Government of Greenland or other public authorities in Greenland in excess of DKK 100,000, unless the licensee provides security for payment of the part of the debt which exceeds DKK 100,000 or has entered into and complied with an agreement to pay the debt.

(4) The Government of Greenland may set provisions and terms to change the amount of DKK 100,000 in accordance with the changes in the Greenland consumer price index.

**67.**–(1) The licensee, individuals owning or exerting decisive influence over the licensee and members of the licensee's management, including a board of directors, an executive board, a supervisory board or similar governing body, must not have been convicted of or accepted a fine or other penalty or sanction in the last four years for the following offences:

- 1) Bribery, fraud or cartel operation.
- 2) Participation in a criminal organisation.
- 3) Acts of terrorism or terrorism-related criminal offences.
- 4) Money laundering or terrorism financing.

5) Child labour or human trafficking.

(2) As from the date of grant of the licence and for the entire licence period, the licensee and the persons stated must fulfil all of the requirements under sections 66 and 67(1).

*Reporting on and payment of direct and indirect taxes*

**68.**–(1) The Government of Greenland may set provisions and terms or decide that the licensee must provide information on the enterprises and persons performing or contributing to the performance of activities under a licence granted under this Greenland Parliament Act.

(2) The Government of Greenland may set provisions and terms or decide that the licensee and enterprises and persons performing or contributing to the performance of activities under a licence granted under this Greenland Parliament Act must provide information and documentation concerning direct and indirect taxes to the Government of Greenland and other authorities.

(3) The Government of Greenland may issue an enforcement notice requiring a licensee, in connection with the performance of activities under a licence, not to use any contracting parties which have not provided information and documentation concerning direct and indirect taxes to the Government of Greenland and other authorities under subsection (2) or which fail to pay direct and indirect taxes to the Government of Greenland and other authorities in accordance with the rules in force in Greenland from time to time.

(4) The Government of Greenland may decide that a licensee must suspend its activities under a licence granted under this Greenland Parliament Act until the licensee has provided information under subsection (1), complied with an enforcement notice under subsection (3) or provided information and documentation concerning direct and indirect taxes to the Government of Greenland and other authorities and paid direct and indirect taxes to them in accordance with the rules in force in Greenland from time to time.

*Transfer of and legal proceedings against a licence*

**69.**–(1) Any direct or indirect transfer or assignment of a licence under this Greenland Parliament Act will have no legal effect in relation to the licence and this Greenland Parliament Act, unless such transfer or assignment has been approved by the Government of Greenland.

(2) The Government of Greenland may set terms for the approval of a transfer or assignment.

(3) A licence under this Greenland Parliament Act is exempt from legal proceedings. Legal proceedings against a licence will have no legal force.

*Licensee's merger with another company or demerger into two or more companies*

**70.**–(1) A licensee's merger with another company will have no legal force in relation to the licensee's licence under this Greenland Parliament Act and in other respects under this Greenland Parliament Act, unless such merger has been approved by the Government of Greenland.

(2) A licensee's demerger into two or more companies will have no legal force in relation to the licensee's licence under this Greenland Parliament Act and in other respects under this Greenland Parliament Act, unless such demerger has been approved by the Government of Greenland.

(3) The Government of Greenland may set terms for the approval of a merger or demerger under subsection (1) or (2).

*Governing law for a licence and resolution of a dispute regarding a licence before a court or an arbitration tribunal*

**71.**–(1) Licences, activities performed under licences and matters in relation thereto are subject to and governed by this Greenland Parliament Act and other Greenland law and Danish law as applicable in Greenland from time to time.

(2) Any dispute arising out of or in relation to the licence, activities performed under the licence or matters in relation thereto must be determined in accordance with this Greenland Parliament Act and other Greenland law and Danish law as applicable in Greenland from time to time.

**72.**–(1) Any dispute between the Government of Greenland and the licensee regarding a statutory or discretionary decision made by the Government of Greenland in relation to the licence, activities or matters in relation to the licence must, and may exclusively, be brought before and settled by the courts of Greenland and Denmark with jurisdiction in Nuuk, Greenland. The said courts will have exclusive jurisdiction to hear such disputes. The Court of Greenland in Nuuk will be the court of first instance.

**73.**–(1) A licence may provide that any dispute between the Government of Greenland and the licensee as to whether the licence terms are met must be brought before an arbitration tribunal. The award of the arbitration tribunal will be final. Any dispute must be brought before an arbitration court within a time-limit of 12 months. For decisions which are notified to a party, time begins to run from the date the decision is notified to a party. If the time-limit expires on a Saturday, Sunday or public holiday, the time-limit will be extended to the next business day.

**74.**–(1) The right to bring a dispute before the courts under section 72 or submit a dispute to arbitration under section 73 will survive termination of the licence, including on its expiry, lapse or revocation by the Government of Greenland or its surrender by the licensee following the Government of Greenland's approval.

## **Part 11**

### *General provisions on minerals*

**75.**–(1) The Government of Greenland may grant an approval to a licensee under a licence granted under this Greenland Parliament Act to export from Greenland minerals exploited in Greenland under the exploitation licence or selected for testing under a licence granted under this Greenland Parliament Act. An approval may be subject to specific terms. An approval may be granted as part of the Government of Greenland's approval of a mining plan or other activity plan from the licensee, a condition of approval in the licence or a separate export approval.

(2) The Government of Greenland may grant an approval to a party other than the licensee under a licence granted under this Greenland Parliament Act to export from Greenland minerals legally exploited in Greenland or selected for testing under a licence. An approval may be subject to specific terms. An approval will be granted as a separate export approval.

**76.**–(1) The Government of Greenland may set specific provisions and terms on minerals, including on processing, storage, depositing, transport, trading, export, import and certification.

(2) The Government of Greenland may set provisions and terms to the effect that the processing and trading of specific minerals are subject to an approval granted by the Government of Greenland.

(3) Upon the Government of Greenland having set provisions or terms under subsection (2), the Government of Greenland may grant an approval as mentioned in subsection (2) and set provisions or terms for such approval.

## **Part 12**

### *Activity plans, approvals, closure of activities and provision of security, etc.*

#### *Mining plan*

**77.**–(1) A mining plan must include the licensee's plan for its exploitation of minerals and activities in relation thereto under an exploitation licence. A mining plan must address the following:

- 1) Establishment, operation and use of mining facilities, other facilities and buildings, etc.
- 2) Exploitation, processing, storage, transport and sale of minerals.
- 3) Use of local workers and local suppliers of goods and services for the performance of the activities under the mining plan.
- 4) Activities and matters relating to health, safety, environmental protection, resource utilisation and social sustainability.

(2) Before the licensee under an exploitation licence begins to perform exploitation or activities in preparation for or in relation to such exploitation, a mining plan must have been prepared and submitted by the licensee and approved by the Government of Greenland.

(3) The mining plan must be updated from time to time and amended as relevant to reflect developments and changes in the exploitation activities and developments and changes in health and safety, environmental and other relevant aspects.

(4) When so required by a change in circumstances or decided by the Government of Greenland, the licensee must prepare and submit an updated or amended mining plan as soon as possible and obtain the Government of Greenland's approval of the updated or amended mining plan.

(5) The Government of Greenland may set terms for an approval under subsection (2) or (4) under section 121.

*Removal of facilities and clean-up, etc. during the licence period and termination of operations and closure of the activities under the licence*

**78.**–(1) For the entire licence period, the licensee under a licence must:

1) remove facilities and buildings, etc. established by the licensee and not used by the licensee, and  
2) clean up and restore nature etc. as relevant in the affected areas, to the extent possible, unless otherwise approved by the Government of Greenland.

(2) On termination of operations and activities under the licence, the licensee under a licence must:

1) remove facilities and buildings, etc. established by the licensee, unless otherwise approved by the Government of Greenland, and  
2) clean up and restore nature etc. as relevant in the affected areas.

(3) If the licensee fails to comply with an enforcement notice issued by the Government of Greenland to implement the activities and measures, etc. mentioned in subsections (1) and (2), the Government of Greenland may implement such notices at the licensee's expense and risk.

(4) If the licensee fails to comply with an enforcement notice issued by the Government of Greenland to implement the activities and measures, etc. mentioned in subsections (1) and (2), the Government of Greenland may issue an enforcement notice requiring other enterprises and persons to remove facilities and buildings, etc. belonging to the enterprises and persons concerned which have been used in the performance of activities under the licence and are in the affected areas.

(5) If a person or an enterprise fails to comply with an enforcement notice under subsection (4), the Government of Greenland may remove facilities and buildings, etc. at the expense and risk of such person or enterprise.

*Retention and sale of removed assets*

**79.**–(1) The Government of Greenland may retain any assets of the licensee removed in connection with the Government of Greenland's measures under section 78(3) until the licensee has performed its obligations in relation to the licence and the activities under the licence.

(2) The Government of Greenland may retain the assets of enterprises or persons removed in connection with the Government of Greenland's measures under section 78(5) until the enterprise or person concerned has performed their obligations to the Government of Greenland.

(3) If the enterprise or person subject to the provisions of subsection (1) or (2) fails within a reasonable time-limit set by the Government of Greenland to perform their obligations to the Government of Greenland as mentioned in subsection (1) or (2), the Government of Greenland may sell the assets by public auction and use the proceeds from the auction to perform the obligations of the enterprise or person under subsection (1) or (2).

(4) Before a public auction under subsection (3) is held, the enterprise or person subject to the provisions of subsection (1) or (2), and, to the extent possible, any other enterprise or person whose rights or obligations with respect to the asset must be assumed to be affected by the sale, must be given at least two weeks' notice of the auction, provided that the address of the enterprise or person concerned is known.

(5) At a public auction under subsection (3), the Government of Greenland will advertise the individual assets for sale at an auction meeting or at an online auction. If, in the assessment of the Government of Greenland, a substantially higher bid can be obtained at a new auction, the Government of Greenland may decide, at the end of the auction in question, to hold a new auction.

(6) The enterprise or person subject to the provisions of subsection (1) or (2) may within a reasonable time-limit set by the Government of Greenland demand a new auction against the immediate provision of security for the costs involved in so far as such costs are not covered by a higher offer. Any other party not obtaining full satisfaction of its rights in relation to the asset will have the same right.

(7) The costs of a public auction under subsection (3) must be borne by the enterprise or person subject to the provisions of subsection (1) or (2) and may be paid from the proceeds of the auction ahead of all other claims.

(8) If the proceeds from the auction exceed the amount required to pay the auction costs, see subsection (7), the claims advanced by the Government of Greenland, see subsection (1) or (2), and other rights in relation to the asset, the remainder of the proceeds will be paid to the owner of the asset.

### *Closure plan*

**80.**–(1) A closure plan must include the licensee's plan for the licensee's termination and closure of mineral exploitation activities and activities in relation thereto under an exploitation licence, including in relation to health, safety, social sustainability and environmental protection. A closure plan must address the following:

- 1) Termination and closure of mineral exploitation, processing, storage, transport and sale, and activities and matters in relation thereto.
- 2) Removal of all mining facilities, other facilities and buildings.

- 3) Removal from the licence area and other affected areas of all things, materials, substances and waste, etc. used, generated or discharged in relation to the exploitation, processing, storage, transport or sale of minerals or other activities under the exploitation licence.
- 4) Clean-up and restoration of nature etc. as relevant in the licence area and other affected areas.
- 5) Monitoring of relevant aspects following termination and closure of the activities under the exploitation licence etc., to the extent and for the period in which monitoring is relevant.
- 6) Use of local workers and local suppliers of goods and services for the performance of the activities under the closure plan concerning the termination and closure of the activities and subsequent monitoring, etc.
- 7) Provision of security for the licensee's performance of its obligations under this Greenland Parliament Act, the exploitation licence and the mining plan, etc. in relation to the termination and closure of the activities and subsequent monitoring, etc.
  - (2) Any transfer to a third party or non-removal of one or more such mining facilities, other facilities or buildings is subject to approval by the Government of Greenland.
  - (3) If one or more facilities or buildings, etc. are not removed, the closure plan must include relevant provisions on maintenance, monitoring and other activities and measures, etc., including in relation to health, safety and environmental protection.

**81.**–(1) Before the licensee under an exploitation licence begins to perform exploitation or activities in preparation for or in relation to such activities, a closure plan must have been prepared and submitted by the licensee and approved by the Government of Greenland.

(2) The licensee must submit the closure plan to the Government of Greenland and have obtained the Government of Greenland's approval of the closure plan no later than when the licensee submits the mining plan to the Government of Greenland and obtains the Government of Greenland's approval of the mining plan.

(3) Before a licensee begins an activity which is not comprised by subsection (1), a closure plan must be prepared and submitted by the licensee and approved by the Government of Greenland, if terms to this effect have been set by the Government of Greenland, see section 121.

(4) The closure plan must be updated and amended to any relevant extent to reflect developments and changes in the exploitation activities, the closure activities, the costs in relation thereto and developments and changes in health and safety, environmental and other relevant aspects.

(5) When so required by a change in circumstances or decided by the Government of Greenland, the licensee must as soon as possible prepare and submit an updated or amended closure plan and obtain the Government of Greenland's approval of the updated or amended closure plan.

(6) The Government of Greenland may set terms for an approval as mentioned in subsection (1), (3) and (5) under section 121. Among other things, the Government of Greenland may set terms on the safeguarding of health and safety, environmental and other relevant aspects after the termination of operations, including terms on post-closure monitoring.

**82.**–(1) The closure plan must state how the licensee intends to provide the financial basis for its implementation of the closure plan and perform its obligations in relation to the closure, its implementation of the closure plan and the activities and measures in relation thereto.

(2) The closure plan must state how the licensee intends to provide security for the performance of its obligations in relation to the closure, the implementation of the closure plan and the activities and measures in relation thereto, see subsection (1).

(3) The provisions of the closure plan on the licensee's provision of security for the performance of its closure obligations are subject to approval by the Government of Greenland. The licensee's provision of security for the performance of its closure obligations is subject to approval by the Government of Greenland.

(4) When so required by a change in circumstances, the licensee must as soon as possible prepare and submit a closure plan with amended provisions on the licensee's provision of security for the performance of its closure obligations, see subsection (1), including on relevant additional or changed security, and obtain the Government of Greenland's approval of the amended provisions on security. As soon as possible thereafter, the licensee must provide security for the fulfilment of the requirements to that effect under the amended provisions of the closure plan on security and obtain the Government of Greenland's approval of the security.

(5) The Government of Greenland may set terms for an approval as mentioned in subsections (3)-(4) under section 121.

#### *Suspension of exploitation activities*

**83.**–(1) Any suspension of exploitation activities under an exploitation licence for a period of more than 60 calendar days with a view to subsequent resumption of the exploitation activities is subject to approval by the Government of Greenland before the exploitation activities are suspended. An approval may be granted for up to two years at a time. A renewed approval may be granted on changed terms.

(2) The Government of Greenland may set terms for an approval under subsection (1) under section 121.

**84.**–(1) The Government of Greenland may issue an enforcement notice requiring the licensee to implement the closure plan mentioned in section 80 if a suspension of the exploitation activities has lasted at least six years, or if the terms of the approval of the suspension are not complied with.

#### *Provision of security*

**85.**–(1) The Government of Greenland may set provisions and terms to the effect that the licensee under a licence granted under this Greenland Parliament Act must provide and maintain security for the performance of its obligations in relation to the licence and the activities under the licence. The



security provided must cover the licensee's obligations under this Greenland Parliament Act, provisions and terms set under this Greenland Parliament Act, the licence, the mining plan, the closure plan, other activity plans, the approvals of the plans, activity approvals and decisions made by the Government of Greenland.

(2) The Government of Greenland may set specific provisions and terms on the provision of security under subsection (1).

**86.**-(1) Any security provided under section 85(1) must be updated and adjusted as relevant to reflect developments and changes in the activities under the licence, the plans therefor, the approvals thereof, the costs in relation thereto and developments and changes in health and safety, environmental and other relevant aspects.

(2) When so required by a change in circumstances or decided by the Government of Greenland, the licensee must as soon as possible adjust the security provided and obtain the Government of Greenland's approval of the adjusted security provided.

(3) The security provided must be adjusted under subsections (1)-(2) to the extent required to ensure that the licensee performs its obligations in relation to the security provided under this Greenland Parliament Act, the licence, activity plans, approvals of activity plans and activities and decisions made by the Government of Greenland.

(4) The Government of Greenland may set specific provisions and terms and make decisions on the provision of security under subsections (1)-(3).

### **Part 13**

#### *Environmental, climate and nature protection*

**87.**-(1) The provisions of this Greenland Parliament Act on environmental, climate and nature protection are intended to contribute to protecting the environment, climate and nature so as to ensure socially sustainable growth while respecting human living conditions and the conservation of animal and plant life.

(2) The provisions of this Greenland Parliament Act on environmental, climate and nature protection aim to prevent, reduce and control pollution and other impacts on the environment, climate and nature from activities which may:

- 1) endanger human health,
- 2) harm animal life, plant life or natural resources above or below ground or in the sea or subsoil,
- 3) interfere with the legitimate use of land, sea, subsoil or natural resources,
- 4) adversely affect human living conditions, and
- 5) impair recreational resources or activities.

(3) For the purposes of subsection (2), the aim is specifically to:

- 1) prevent, reduce and control pollution of land, sea, seabed, subsoil, water, air, harmful effects on the climate and vibration and noise nuisances,

- 2) reduce the use and waste of minerals and other resources,
- 3) promote the use of cleaner technologies, and
- 4) promote recycling and reduce waste disposal problems.

**88.**–(1) In the application and administration of the provisions of this Greenland Parliament Act on environmental, climate and nature protection, regard must be had to what is attainable through the use of the best available techniques, including less polluting facilities, machinery, equipment, processes, technologies, raw materials, substances and materials, and the best possible pollution control measures. In such assessment, particular regard must be had to preventive measures through the use of cleaner technologies.

(2) In the evaluation of the extent and nature of pollution prevention and response measures, regard must be had to the nature of the external environment and the likely impact of pollution thereon and on the whole cycle of substances and materials, with a view to minimising resource waste.

**89.**–(1) Any person who intends to commence activities comprised by this Greenland Parliament Act which may cause pollution must choose such a site for performing the activities as to minimise the threat of pollution. In choosing the site for performing the activity, regard must be had to the nature of the area, including the present and planned future use, and to the possibilities for appropriate disposal of wastewater, waste and other polluting substances and materials.

(2) Any person who intends to commence, commences or performs activities which may cause pollution must take measures to prevent and respond to such pollution and must plan the establishment, organisation and operation of the activities in such a way as to minimise pollution, see section 88.

(3) Any person who intends to commence, commences or performs activities which may cause pollution must ensure that pollution, emissions, waste generation and resource use are limited as far as possible by the choice, establishment and organisation of the facilities, including machinery, equipment and any accommodation facilities of the activity. The same must be ensured in the organisation of operations, including in the choice of exploration processes, exploitation processes, use processes, work processes, raw materials, substances and materials for use in operations and emergency response and pollution control procedures.

**90.**–(1) Where an enterprise or person has obligations under this Greenland Parliament Act relating to environmental protection or the prevention, reduction or control of pollution, such enterprise or person must, in discharging such obligations, ensure and promote the use of the best available techniques and the best practice pollution control measures, in so far as this is technically, practically and economically feasible for the enterprise or person concerned, see sections 88 and 89.

(2) Where an enterprise or person is required under this Greenland Parliament Act to ensure that environmental risks are identified, assessed and reduced to the extent reasonably practicable, such enterprise or person must also ensure and promote the use of best available techniques and the best

practice pollution control measures in relation to environmental protection, to the extent that this is technically, practically and economically feasible for the enterprise or person concerned, see subsection (1) and sections 88 and 89.

(3) The obligations under subsection (2) also apply in the following situations:

(1) Where an enterprise or person is required to ensure that another party plans and performs work or other activities so that environmental risks are identified, assessed or reduced to the extent reasonably practicable.

2) Where an enterprise or person is required to ensure supervision of another party planning and performing work or other activities so that environmental risks are identified, assessed and reduced to the extent reasonably practicable.

3) Where an enterprise or person is required to contribute to the identification, assessment and reduction of environmental risks to the extent reasonably practicable.

4) Where an employer or other enterprise or person is required to ensure that an employee receives the necessary training and instruction to perform the work so that environmental risks are identified, assessed and reduced to the extent reasonably practicable.

5) Where an enterprise or person is required to ensure that environmental risks are eliminated or reduced.

6) Where an enterprise or person is required to make sure that facilities, installations, ships or other vessels, including the structure, arrangement and equipment, etc. thereof, are in an environmentally sound state of repair and condition.

**91.**–(1) In deciding whether to grant approval for an activity or the establishment and operation of a facility comprised by this Greenland Parliament Act, particular regard will among other things be had to whether it will be possible to:

1) Avoid impairment or any other negative impact on the environment, climate and nature.

2) Avoid impairment of nature as well as the natural habitats and habitats of species in designated national and international nature conservation areas and interference with the species for which the areas have been designated.

**92.**–(1) Where an activity or facility comprised by this Greenland Parliament Act is likely to have a significant impact on the environment, climate and nature, an approval may be granted only on the basis of an assessment of the impact of the activity or facility on the environment, climate and nature and after the public and the authorities and organisations concerned have had an opportunity to express their views. The assessment must be made in accordance with the provisions of Part 15 on environmental impact assessments.

(2) Where an activity or facility comprised by this Greenland Parliament Act is likely to have a significant impact on a designated national or international nature conservation area, an approval may be granted only on the basis of an assessment of the impacts of the activity or facility on the site, taking into account the site conservation objectives. If deemed appropriate by the Government

of Greenland, the public will be given the opportunity to comment on the assessment of the impacts on the site before a licence or approval is granted.

(3) In the situations referred to in subsections (1)-(2), an approval may be granted only if the activity or facility does not adversely affect the integrity of a national or international nature conservation area or if important public interests, including interests of a social or economic nature, make it necessary to perform the activity or to establish and operate the facility, but see subsection (4).

(4) If an activity or a facility is likely to have a significant impact on a national or international nature conservation area containing a priority natural habitat or a priority habitat of species, the Government of Greenland may, in the situation mentioned in subsection (3), grant an approval for the activity or facility only if it is necessary for human health, public safety or the achievement of significant beneficial environmental effects, or other important public interests make it necessary to perform the activity or establish and operate the facility.

(5) Where an approval is granted by the Government of Greenland under subsection (3) or (4), the Government of Greenland will set appropriate compensatory measures, including by setting terms for the approval. The costs of any compensatory measures must be borne by the applicant for the approval.

#### *Enabling provisions*

**93.**-(1) The Government of Greenland may set specific provisions and terms or make decisions on environmental, climate and nature protection and the matters referred to in sections 87-92, including the application of national rules, agreements or guidelines relating to environmental, climate and nature protection.

**94.**-(1) The Government of Greenland may set provisions and terms on matters relating to environmental protection, climate and nature in connection with the performance of activities comprised by this Greenland Parliament Act in and outside the licence area and on other activities and matters comprised by this Greenland Parliament Act.

### **Part 14**

#### *Environmental responsibility and liability*

**95.**-(1) If the responsible and liable party under section 20(2) is not the licensee under a licence or approval in respect of the activity, the licensee is also responsible and liable for the activity. The two parties are then fully (jointly and severally) responsible and liable under the provisions of this Part.

(2) The responsible and liable party under subsection (1) for an activity which has caused or contributed to an actual or imminent threat of environmental damage is liable for the actual or imminent threat of environmental damage. This applies irrespective of how the actual or imminent

threat of environmental damage has occurred and even if the actual or imminent threat of environmental damage is accidental.

**96.**–(1) The party responsible and liable for an imminent threat of environmental damage must immediately take necessary preventive measures to avert the imminent threat of environmental damage and inform the Government of Greenland of the threat and the measures taken.

(2) The party responsible and liable for environmental damage must immediately take any practicable measures to limit the extent of the damage and prevent further damage, and must notify the Government of Greenland of the damage and the measures.

(3) The Government of Greenland must supervise the fulfilment of the obligations under subsections (1) and (2) and may issue enforcement notices concerning fulfilment of the obligations and the adoption of measures in connection therewith.

**97.**–(1) The Government of Greenland may issue an enforcement notice requiring the responsible and liable party to provide information relevant to the assessment of whether an actual or imminent threat of environmental damage exists. The Government of Greenland may, among other things, issue an enforcement notice requiring the responsible and liable party to perform, at its own expense, studies, analyses, measurements of substances or materials or the like with a view to clarifying the cause and effect of an actual or imminent threat of environmental damage.

(2) An enforcement notice under subsection (1) may be issued notwithstanding that the responsible and liable party does not have control of the property or area where the pollution has been found or where the activities under the enforcement notice are to be performed. The enforcement notice may impose an obligation to restore the polluted property or area, etc.

(3) If the responsible and liable party does not have control of the property or area, the Government of Greenland may issue an enforcement notice to the party who has control of the property or area to tolerate the responsible and liable party or others performing studies or restoring the property or area, etc.

(4) An enforcement notice under subsection (3) is binding on the party who from time to time controls the property or area where the activities are to be performed under an enforcement notice under subsection (1).

**98.**–(1) If an actual or imminent threat of environmental damage to which the provisions of this Part apply exists, the Government of Greenland must issue a decision to this effect and on any measures etc. in accordance with the provisions of this Part.

(2) The Government of Greenland will publish the decision under subsection (1) on the Government of Greenland's website or as otherwise appropriate. Publication of a decision under subsection (1) that an actual or imminent threat of environmental damage exists will be at the expense of the responsible and liable party.

**99.**–(1) The Government of Greenland may set specific provisions and terms on environmental responsibility and liability, including the implementation of the provisions referred to in this Part.

## **Part 15**

### *Environmental impact assessment (EIA)*

**100.**–(1) An approval may be granted for one of the following activities, see Part 12, only when an assessment of the impacts on the environment (EIA) of performing the activity has been made and a report thereon (EIA report) has been approved by the Government of Greenland:

- 1) Exploitation of minerals, except for local mineral activities.
- 2) Establishment or location and use of major facilities used for activities comprised by this Greenland Parliament Act, including mining facilities, subsoil facilities, related power facilities and related pipeline facilities.
- 3) Suspension of an activity or the operation of a facility, etc. mentioned in paras 1) - 2) or the removal or closure of a facility etc. mentioned in para. 2).

(2) The licensee may apply for an exemption from the requirement in para. 1) of subsection (1) if the exploitation will not have a significant impact on the environment.

(3) If an activity comprised by this Greenland Parliament Act and not by subsection (1) is likely to have a significant environmental impact, an approval for the activity may only be granted after an environmental impact assessment has been made and an EIA report has been approved by the Government of Greenland.

(4) The Government of Greenland decides whether an environmental impact assessment and an EIA report must be prepared in the situations referred to in subsections (2) and (3).

(5) If an environmental impact assessment and an EIA report are not required for the activity, see subsection (4), the Government of Greenland may decide that an environmental mitigation assessment (EMA) and a report thereon (EMA report) must be prepared.

(6) If an activity does not require an environmental impact assessment, see subsection (4), or an environmental mitigation assessment under subsection (5), the Government of Greenland may decide that the activity is subject to environmental approval.

(7) The Government of Greenland may set specific provisions on the criteria to be used in the decision under subsection (4). The Government of Greenland may also set specific provisions concerning the environmental mitigation assessment (EMA) and the criteria for such assessment.

**101.**–(1) The licensee applying for the grant of an approval of an activity for which an EIA report is required under the provisions of section 101 must

- 1) make an environmental impact assessment (EIA),
- 2) prepare an EIA report,
- 3) submit the EIA report under para. 2) to the Government of Greenland,
- 4) prepare a non-technical summary of the EIA report and submit the summary to the Government of

Greenland.

(2) The EIA report must appropriately substantiate, describe and assess the direct and indirect environmental impacts of the activity as well as the interaction between the environmental impacts, mutual effects of the environmental impacts and total (cumulative) effects of the environmental impacts.

(3) The Government of Greenland may determine that additional material for the environmental impact assessment must be provided or that the applicant must perform additional studies or assessments of specific matters relevant to the environmental impact assessment.

(4) The Government of Greenland may set specific provisions and terms on the making of an environmental impact assessment, the preparation of an EIA report and on the Government of Greenland's approval of an EIA report etc., including whether the studies and assessments to be provided for an environmental impact assessment must be contained in an EIA report and submitted to the Government of Greenland at the time of submission of the EIA report.

**102.**-(1) Information about the submission of a final EIA report to the Government of Greenland will be published on the Government of Greenland's website and as otherwise appropriate.

(2) Draft EIA reports and all related information, documents and data which are submitted to the Government of Greenland are confidential. The confidentiality period includes the period until it is published on the Government of Greenland's website and as otherwise appropriate in accordance with subsection (1) that the licensee has submitted a final EIA report to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about a confidential draft EIA report and related confidential information, documents and data which have been submitted to the Government of Greenland. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform such licensee that it may submit comments thereon and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) Notwithstanding subsections (2) and (3), the Government of Greenland may always publish environmental data and environmental reports that are deemed to be of general public interest.

(5) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(4).

## **Part 16**

### *Social impact assessment (SIA)*

**103.**–(1) The Government of Greenland may grant approval of an activity which is comprised by this Greenland Parliament Act and which it must be assumed may have a significant social impact only when a social impact assessment (SIA) has been made of the performance of the activity and an SIA report has been prepared by the licensee and approved by the Government of Greenland.

(2) The Government of Greenland decides whether a specific case is comprised by subsection (1) so that the licensee applying for the grant of an approval is required to perform an SIA, prepare an SIA report and obtain the Government of Greenland's approval of the SIA report.

(3) The Government of Greenland may set specific provisions or terms on the criteria applied in the determination.

**104.**–(1) The licensee applying for the grant of an approval of an activity must, when so required under section 103:

1) perform a social impact assessment (SIA),

2) prepare an SIA report,

3) submit the SIA report under para. 2) to the Government of Greenland,

4) prepare a non-technical summary of the SIA report and submit the summary to the Government of Greenland.

(2) The SIA report must appropriately substantiate, describe and assess the direct and indirect social impacts of the activity as well as the interaction between the social impacts, mutual effects of the social impacts and total (cumulative) effects, including with regard to social, cultural, religious and spiritual values and practices of the population.

(3) The Government of Greenland may decide that additional information or documents for an SIA must be provided, or that the SIA responsible party must make additional studies or assessments of specific matters of importance to the social impact assessment.

(4) The Government of Greenland may set specific provisions and terms on the performance of an SIA, the preparation of an SIA report and the Government of Greenland's approval of an SIA report, etc., including on whether the studies and assessments to be made and the information and documents to be provided for the purpose of an SIA are to be provided in an SIA report and submitted to the Government of Greenland when an SIA report is submitted.

**105.**–(1) Information about the submission of a final SIA report to the Government of Greenland will be published on the Government of Greenland's website and as otherwise appropriate.

(2) Draft SIA reports and all related information, documents and data which are submitted to the Government of Greenland are confidential. The confidentiality period includes the period until it is published on the Government of Greenland's website and as otherwise appropriate in accordance with subsection (1) that the licensee has submitted a final SIA report to the Government of Greenland.

(3) During the confidentiality period, the Government of Greenland may publish general information about a confidential draft SIA report and related confidential information, documents



and data which have been submitted to the Government of Greenland. Before any such general information is published, the Government of Greenland must send the information to the licensee and inform such licensee that it may submit comments thereon and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information and the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question, the Government of Greenland will not publish the relevant information.

(4) The Government of Greenland may set specific provisions and terms on the matters mentioned in subsections (1)-(3).

## **Part 17**

### *Pre-consultation and consultation*

**106.**–(1) If, in the opinion of the Government of Greenland, an activity under this Greenland Parliament Act is assumed to have a potential significant environmental impact, see section 100, or a potential significant social impact, see section 103, the applicant or licensee must prepare a project description which must be submitted to the Government of Greenland.

(2) The project description must go out for public pre-consultation for a period of 35 calendar days before the contents of the environmental impact assessment (EIA) or the contents of the social impact assessment (SIA) are determined. If a public pre-consultation is to be carried out on a project description concerning an environmental impact assessment (EIA report) as well as a project description concerning a social impact assessment (SIA), the pre-consultations must be carried out jointly.

(3) The Government of Greenland may set specific provisions and terms on the contents of the project description.

**107.**–(1) The Government of Greenland will carry out a public consultation on an environmental impact assessment (EIA) report and a social impact assessment (SIA) report. If a public consultation is to be carried out on an environmental impact assessment (EIA report) as well as a social impact assessment (SIA report), the consultations must be carried out jointly.

(2) The consultation period is eight weeks. The consultation period begins to run on the date when the Government of Greenland has made all consultation material available to the public. If the consultation period expires on a Saturday, Sunday or a national holiday, the consultation period will be extended to the next business day.

(3) The consultation period will be extended if it proves impracticable to conduct the public consultation meetings or if the Government of Greenland is unable to attend.

**108.**–(1) During the consultation period, see section 107, the Government of Greenland must, together with the licensee under the licence, conduct public consultation meetings in towns and villages particularly affected by the planned activities concerning the project. If the activities are to be performed geographically far away from towns and villages or outside the municipal boundaries, the Government of Greenland will decide in which towns and villages public consultation meetings are to be held.

**109.**–(1) The Government of Greenland will convene a public consultation meeting at a minimum notice of 14 calendar days before meetings are conducted, see section 108.

(2) The notice convening a public consultation meeting must be advertised in local newspapers and other relevant public and private media.

(3) The Government of Greenland will take minutes of the consultation meeting. The Government of Greenland will subsequently publish the minutes.

(4) The Government of Greenland must ensure that time is allowed and opportunity is given at the consultation meeting for meeting participants to ask questions about, comment on, discuss the project and read out statements on the project.

(5) The Government of Greenland will appoint a moderator of the consultation meeting.

## **Part 18**

### *Impact benefit agreement*

**110.**–(1) The Government of Greenland may set provisions and terms to the effect that a licensee applying for approval of an activity which is comprised by this Greenland Parliament Act and which is assumed to have a potential significant social impact must enter into and perform its obligations under an impact benefit agreement (IBA).

(2) The agreement mentioned in subsection (1) is entered into by the Government of Greenland and the licensee.

(3) If the licence area under the licence lies within the boundaries of a municipality, the agreement must also be entered into with the municipality.

(4) If the licence area under the licence does not lie within the boundaries of a municipality, the agreement must also be entered into with one or more nearby municipalities if the Government of Greenland sets provisions or terms or makes a decision to this effect. However, the Government of Greenland may decide that the agreement does not also have to be entered into with a municipality if, according to the Government of Greenland, the municipality's requirements concerning the negotiation, conclusion or terms of the agreement do not comply with section 111 or provisions or terms set by the Government of Greenland under section 112.

**111.**–(1) The agreement under section 110 must be negotiated and entered into and its contents must be in compliance with the purposes of this Greenland Parliament Act under section 1 and other

provisions, the purpose and topics of the agreement under section 110 and provisions and terms set under section 112.

(2) The agreement under section 110 must include terms on the licensee's use of local workers and local suppliers and on education, training and further education and training of local workers.

(3) An agreement under section 110 may provide that any disputes between the Government of Greenland and the licensee as to whether the terms of the agreement have been fulfilled must be brought before an arbitration tribunal. The terms in this regard must generally correspond to the terms of the licence in this regard. If the agreement is also entered into with one or more municipalities, however, the terms of the licence must be amended in the agreement so as to ensure that they reflect the fact that the municipality or municipalities are also parties to the agreement and, by extension, will also be parties to any dispute arising out of the agreement.

**112.**–(1) For a licence, the Government of Greenland may set specific provisions and terms on all relevant matters concerning an agreement under section 110 in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions.

## **Part 19**

### *Health and safety on offshore facilities*

**113.**–(1) The licensee must ensure that health and safety risks in relation to offshore facilities used for the performance of activities comprised by a licence granted under this Greenland Parliament Act have been identified, assessed and reduced as much as is practically possible.

(2) The licensee must ensure that the operation of offshore facilities takes place in accordance with this Greenland Parliament Act, other legislation, rules set under this Act and other legislation and provisions and terms governing the licence, and that the licensee's compliance therewith is subject to supervision.

(3) The licensee must ensure that:

- 1) an enterprise that on behalf of the licensee performs or controls and is in charge of the performance of activities under the licence concerning offshore facilities is given the opportunity to meet the health and safety obligations imposed on the licensee,
- 2) the enterprise in question ensures and supervises that the health and safety risks are identified, assessed and reduced as much as is reasonably practicable, and
- 3) that activities under the licence are performed in accordance with this Greenland Parliament Act, other legislation, provisions set under this Greenland Parliament Act and other legislation and provisions and terms governing the licence.

**114.**–(1) The Government of Greenland may set provisions and terms on health and safety in connection with offshore facilities being used for the performance of activities comprised by a

licence granted under this Greenland Parliament Act in accordance with the purposes under section 1 of this Greenland Parliament Act and other provisions.

## **Part 20**

### *Safety zones around offshore facilities*

**115.**–(1) An offshore facility is surrounded by a safety zone, unless the facility is being navigated or towed.

(2) If an offshore facility which is surrounded by a safety zone is not immediately visible on the sea surface, it must be marked by a buoy or other conspicuous marking approved by the Government of Greenland.

(3) A safety zone extends 500 metres around the offshore facilities, measured from each point on its outer edge or from any other marking used. In the vertical plane, a safety zone extends from the seafloor to 500 metres above the highest point of the facility. In the horizontal plane, the safety zone extends 500 metres from each point of the outer edge of the offshore facility, wherever such edge is from time to time.

(4) The position of an offshore facility which is surrounded by a safety zone is announced in Notices to Mariners or as otherwise decided by the Government of Greenland. The announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

**116.**–(1) The Government of Greenland may decide to deviate from the extent of a safety zone provided in section 115(3). Any such deviation may extend or reduce a safety zone and may apply for a specific period. Any such deviation will be announced in Notices to Mariners or as otherwise decided by the Government of Greenland. The announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

(2) In danger or accident situations which may result in personal injury or loss of human lives, serious pollution, major damage to property or a significant impediment to activities at an offshore facility, the Government of Greenland may extend an existing safety zone or establish a new safety zone in so far as this is considered necessary to prevent, avoid or mitigate the above damaging effects. Any such extension of an existing safety zone or establishment of a new safety zone will be announced in Notices to Mariners or as otherwise decided by the Government of Greenland. The announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

**117.**–(1) Ships, barges, other marine vessels, aeroplanes, helicopters, drones and other aircraft, mobile offshore facilities and other mobile facilities and installations, fishing equipment, anchors, other mooring equipment, other equipment and other objects are not allowed in the safety zone or to enter the safety zone surrounding an offshore facility, unless they have a legitimate purpose there.

(2) In special cases, the Government of Greenland may decide to derogate from the prohibition in

subsection (1), including with regard to fishing and hunting, and may set specific provisions and terms in this regard.

## **Part 21**

### *General provisions*

#### *Requirements to the performance of activities*

**118.**–(1) Activities comprised by a licence granted under this Greenland Parliament Act must be performed in accordance with acknowledged international good practice in the area under similar conditions.

(2) Activities must be performed appropriately as well as in a sound manner as regards health, safety, environmental protection, resource utilisation and social sustainability.

#### *Implementation and application of international agreements*

**119.**–(1) The Government of Greenland may set provisions and terms or make decisions with a view to implementing or applying in Greenland international agreements or rules on matters comprised by this Greenland Parliament Act.

#### *Approval by the Government of Greenland of activities*

**120.**–(1) Before commencement, activities comprised by a licence granted under this Greenland Parliament Act, including the establishment of buildings, facilities and installations, etc. inside as well as outside the area covered by the licence and measures and activities for the performance of obligations on termination of operations and closure of activities under a licence, are subject to approval from the Government of Greenland in accordance with the terms set in the licence. However, the Government of Greenland may set provisions and terms to the effect that specific activities under a licence are not subject to approval.

(2) Before commencement, measures in relation to the suspension of exploitation activities are subject to approval from the Government of Greenland in accordance with the terms of the licence.

(3) Before commencement, large-scale or substantial activities performed in connection with the performance of activities under a licence, including drilling, shaft sinking, drift driving, etc., are subject in each case to approval from the Government of Greenland.

**121.**–(1) For an approval of an activity or activity plan, the Government of Greenland may set provisions and terms on all relevant matters concerning the approval, activity or activity plan and the activities under the activity plan in accordance with the purposes of this Greenland Parliament Act under section 1 and other provisions.

*Supervision, enforcement notices and duty to submit information*

**122.**–(1) The Government of Greenland supervises licensees' and other parties' operations and activities comprised by this Greenland Parliament Act, including provisions and terms set under this Act. On presentation of proof of identity, supervisory authority employees are entitled at any time, without a court order, to access all parts of enterprises and activities comprised by this Greenland Parliament Act to the extent required for supervision purposes.

**123.**–(1) The Government of Greenland may issue enforcement and prohibition notices for the purpose of ensuring compliance with this Act and provisions and terms set hereunder. Enforcement and prohibition notices may be issued to licensees or other parties comprised by this Greenland Parliament Act.

**124.**–(1) Licensees and other parties comprised by this Greenland Parliament Act must submit all information required for administrative processing of their operations or activities comprised by this Act. The Government of Greenland may for the purpose of administrative processing under this Greenland Parliament Act order licensees and others to submit the information in the manner and in the form deemed necessary by the Government of Greenland.

*Suspension of administrative processing*

**125.**–(1) If a licensee comprised by this Greenland Parliament Act fails to pay an amount of DKK 100,000 or more when due to cover the Government of Greenland's processing and other administrative costs under this Greenland Parliament Act, see in this connection section 31(3), section 38(4) and section 51(5), the Government of Greenland may suspend its processing activities and its decision in all matters concerning the licensee pending the licensee's payment of any and all amounts owing to the Government of Greenland. In such case, the Government of Greenland may also issue an enforcement notice to the licensee comprised by this Greenland Parliament Act to suspend activities under the licence until the licensee has paid any and all amounts owing to the Government of Greenland. The Government of Greenland may set specific provisions and terms in this regard.

### *Important public considerations and interests*

**126.**–(1) A licence or an approval under this Greenland Parliament Act cannot be granted to an applicant or licensee if incompatible with important public considerations and interests, including important foreign, defence or national security policy considerations or interests. The decision in this regard rests with the Government of Greenland.

(2) An applicant or a licensee must inform the Government of Greenland of all matters which may be of importance to the Government of Greenland's decision under subsection (1) and document such information. The Government of Greenland may require the licensee or applicant to provide any information, and the related documentation, which is deemed to be necessary in order to make a decision under subsection (1).

(3) The Government of Greenland may conduct any checks of licensees and applicants which are deemed to be necessary in order to make a decision under subsection (1), including obtain information from third countries.

### *Licences and approvals under other legislation*

**127.**–(1) Administrative processing, including licences and approvals, under this Greenland Parliament Act does not exempt licensees and other parties comprised by this Act from obtaining approvals and licences required under other legislation, but see subsection (2).

(2) A licence under this Greenland Parliament Act does, however, exempt the licensee and others from fulfilling requirements on area allocation inside as well as outside the licence area for buildings and facilities.

### *Compulsory acquisition of real property*

**128.**–(1) To the extent necessary, the Government of Greenland may approve compulsory acquisition of real property in order that activities comprised by this Greenland Parliament Act may be performed.

(2) Compulsory acquisition under subsection (1) above must be carried out in accordance with the rules of the Greenland Parliament Act on compulsory acquisition (*landstingslov om ekspropriation*).

### *Conservation of specific sites and establishment of zones*

**129.**–(1) The Government of Greenland may set provisions on the conservation of one or more specific sites in the interest of safeguarding geological conditions and their protection. On a geological conservation site, no activities of any kind may be performed, unless the Government of Greenland has set provisions or terms to the effect that one or more specific activities may be performed.



(2) The Government of Greenland may set provisions to prohibit or restrict activities under this Greenland Parliament Act in one or more areas in order to protect the public interest.

*Other public authorities' performance of administrative duties*

**130.**–(1) The Government of Greenland may decide that administrative duties under this Greenland Parliament Act must be performed by other public authorities or private parties to a specific extent.

(2) Unless otherwise provided in the authorisation, the authorised public authorities or private parties and their employees will have the same powers as the Government of Greenland and its employees would have in performing the task in question.

*Establishment of a fund for citizens, local communities and relevant organisations for assessments and advice, etc.*

**131.**–(1) The Government of Greenland will establish a fund from which affected citizens, local communities and relevant organisations in Greenland can apply for funding to initiate assessments and seek advice to identify any special problems in relation to specific mineral projects in Greenland and to hold meetings about the social impact of the project.

(2) Funds may only be applied for after the project terms of reference or a project description has been sent out to consultation or pre-consultation, see sections 44 and 107.

(3) The Government of Greenland will set specific provisions on the fund under subsection (1).

**Part 22**

*Liability in damages and insurance*

**132.**–(1) A licensee under a licence is liable for any damage caused in relation to operations or activities under the licence, even if the cause of damage is accidental.

(2) The amount of damages under subsection (1) may be reduced or no longer be payable in case of any wilful misconduct or gross negligence on the part of the injured party.

**133.**–(1) For a licence, the Government of Greenland may set provisions and terms to the effect that the licensee's liability in damages must be covered by insurance or that other security must be provided, and that the licensee's activities and matters in relation thereto must be covered by other insurances.

**134.**–(1) For a licence, the Government of Greenland may set provisions and terms to the effect that the liability in damages of a licensee's contracting parties must be covered by insurance or that other security must be provided in so far as the contracting parties' services and activities are used for the performance of activities under the licence.

### *Compensation for environmental damage*

**135.**–(1) The provisions of this Greenland Parliament Act on compensation for environmental damage apply to damage caused by pollution of land, sea, seabed, subsoil, water or air in the course of the activities comprised by this Greenland Parliament Act.

(2) The provisions of this Greenland Parliament Act on compensation for environmental damage apply correspondingly to pollution and any other negative impact on the climate or nature as well as to interference by noise, vibration, heat, light or the like.

**136.**–(1) Pursuant to the provisions of section 135 and sections 137-141, compensation must be paid for the following types of damage:

- 1) Personal injury and loss of provider.
- 2) Damage to property.
- 3) Other economic loss.
- 4) Reasonable costs of:
  - (a) measures to prevent and avert damage or injury,
  - (b) restoration of the environment and nature, and
  - (c) mitigation and neutralisation of pollution and other negative impact on the environment, climate and nature.

**137.**–(1) Any party responsible and liable for environmental damage under section 95 who causes pollution in connection with an activity comprised by this Greenland Parliament Act must pay compensation for the damage caused by the pollution, even if the cause of damage is accidental. If the party in question is not the licensee under a licence or approval relating to the activity, the licensee will also be responsible and liable for the activity. The two parties are then fully (jointly and severally) responsible and liable under the provisions set out in subsections (2)-(4) and sections 139-141.

(2) Responsibility and liability under subsection (1) will not arise if the responsible and liable party proves that the environmental damage and the pollution were caused solely by activities performed in accordance with mandatory rules and regulations set by a public authority, unless the rules and regulations follow from enforcement notices, orders, decisions or conditions arising from the responsible and liable party's own activities or circumstances.

(3) Compensation for personal injury or loss of provider may be reduced or extinguished if the injured or deceased person intentionally contributed to the injury. Compensation may also be reduced and, in special cases, be extinguished if the injured or deceased person contributed to the injury through gross negligence.

(4) Compensation may in other cases be reduced or extinguished if the injured party intentionally or through gross negligence contributed to the injury.

**138.**–(1) An agreement to depart from the provisions of this Greenland Parliament Act on compensation for environmental damage is invalid if the agreement was made prior to the occurrence of the damage and the derogation is to the detriment of the injured party.

(2) The rule of subsection (1) does not apply to an agreement between the responsible and liable party and a trader acting in the course of business to the extent that the agreement concerns the mutual relationship between the contracting parties. In so far as such an agreement directly or indirectly concerns the relationship of the contracting parties with others, the provision of subsection (1) above applies.

**139.**–(1) Nothing in this Part on compensation for environmental damage will limit the injured party's right to compensation under the general law of contractual and non-contractual damages or other provisions of this Greenland Parliament Act or other legislation.

**140.**–(1) The Government of Greenland may set specific provisions on compensation for environmental damage and the matters referred to in this Part, including the application of national or international rules, agreements or guidelines relating to compensation for environmental damage.

## **Part 23**

### *Sanctions, confiscation and entry into force*

#### *Sanctions*

**141.**–(1) The Government of Greenland may impose daily or weekly default fines on the following persons:

- 1) Any person who fails to provide, within the relevant time-limits, any information which must be provided or may be required by the Government of Greenland to be provided under section 32(1), section 39(1), section 50(2), cf. section 39(1), section 55(1), section 63(1), section 68(1), section 68(2), section 77(4), section 81(5), section 82(4), section 101(1), section 101(3) and (4), section 104(1), section 104(3) and (4), section 124 or section 126(2).
- 2) Any person who fails to comply with an enforcement or prohibition notice issued under section 68(3), section 123 or 125.
- 3) Any person who fails to provide security under section 82(4) within the relevant time-limits.

**142.**–(1) Unless a more severe penalty is due under other legislation, a fine will be imposed on any person who performs activities as mentioned in section 22(2) or (3) without a licence or approval in this regard under the relevant provisions of this Greenland Parliament Act.

(2) Unless a more severe penalty is due under other legislation, a fine will be imposed on any person who performs activities in a geological conservation site where such activities are not

permitted under provisions set by the Government of Greenland thereon, see section 129.

(3) Unless a more severe penalty is due under other legislation, a fine will be imposed on any person who intentionally or with gross negligence:

1) Misrepresents or misinforms or fails to disclose information to which an authority is entitled under this Greenland Parliament Act or under provisions or terms set under this Act.

2) Fails to comply with provisions or terms for licences or approvals granted under this Act or provisions set under this Act.

3) Fails to comply with an enforcement or prohibition notice issued by the Government of Greenland under section 123 or section 125 or provisions or terms for licences or approvals granted under this Act or provisions set under this Act.

(4) Provisions set under this Greenland Parliament Act may provide that any person who violates the provisions may be liable to a fine or other sanctions under the Criminal Code for Greenland (*kriminalloven for Grønland*).

(5) Where the violation has been committed by a business owned in whole or in part by the Greenland Self-Government, the state, a municipality or a local authority community comprised by the Greenland Parliament Act on municipal government (*Inatsisartutlov om den kommunale styrelse*), a public limited company, a private limited company, a cooperative society or the like, liability under criminal law may be imposed on the business etc. as such. The same applies where the violation has been committed by the Greenland Self-Government, a municipality or a local authority community comprised by the Greenland Parliament Act on municipal government.

(6) In a case where the violation involved is clear, uncomplicated and without any significant evidential doubt, a case about a fine under subsections (1)-(3) or provisions or terms issued under subsection (4) may be sought to be determined administratively as a fixed-penalty notice. The provisions of the Administration of Justice Act (*retsplejeloven*) on the requirements for the contents of an indictment and on the principle that a person charged has the right to remain silent apply correspondingly to fixed-penalty administrative fines under this Greenland Parliament Act.

(7) Fines imposed under this Greenland Parliament Act or provisions issued hereunder will accrue to the Treasury.

### *Confiscation*

**143.**-(1) The Government of Greenland may confiscate any minerals that have been collected, extracted or exploited without a licence contrary to paras 1) - 4) of section 22(2) or contrary to any provisions or terms for a licence or an approval or provisions set under this Greenland Parliament Act.

(2) The Government of Greenland may confiscate any minerals that are exported or sought to be exported out of Greenland without an approval contrary to section 22(3), para. 1), or contrary to any provisions or terms for a licence or an approval or provisions set under this Greenland Parliament Act.

(3) In case of a transfer of minerals that have been collected, extracted or exploited without a licence contrary to paras 1) - 4) of section 22(2) or contrary to provisions or terms set for a licence or an approval or provisions set under this Greenland Parliament Act, or of the rights therein, the minerals transferred or their value may be confiscated from the transferee if the transferee was aware of the connection between the minerals transferred and the offence or has acted with gross negligence in this regard or if the transfer was in the nature of a gift.

(4) The Government of Greenland may confiscate the proceeds from an activity comprised by subsection (1), (2) or (3) or a corresponding amount. In the absence of an adequate basis for determining the amount of such proceeds, the Government of Greenland may confiscate a discretionary amount deemed to represent the proceeds obtained.

(5) The rules on confiscation of proceeds from a criminal offence or a corresponding amount under the Criminal Code for Greenland (*kriminalloven for Grønland*) apply correspondingly to any confiscation by the Government of Greenland under subsections (1)-(4).

(6) Confiscation under subsections (1), (2) and (3) will be made by the Government of Greenland or the relevant authority under the Criminal Code for Greenland (*kriminalloven for Grønland*) which is authorised to confiscate under the rules of the Criminal Code in this regard if so requested by the Government of Greenland.

(7) Confiscated minerals will be sold off by the Government of Greenland. The proceeds from the sale will accrue to the Treasury.

#### *Entry into force, amendment and repeal provisions*

**144.**-(1) This Greenland Parliament Act enters into force on 1 July 2023.

(2) In respect of Greenland, the following amendments are also made in the Act on the Continental Shelf (*lov om kontinentalsoklen*), see Consolidation Act no. 1101 of 18 November 2005 as amended:

1) Section 1, section 2, section 3(2), section 4(5) and section 5(1) are repealed.

2) In section 3(1), "but see subsection (2)" is deleted.

3) Section (6) is given the following wording:

"**6.**-(1) Facilities and safety zones, see section 3, which are in or have been established within the Greenland part of the continental shelf are subject to the law otherwise applying to Greenland. The Government of Greenland exercises the powers laid down in section 4 in compliance with the rules of the Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act) and the Greenland Parliament Act on mineral activities."

(3) Prospecting, exploration or exploitation licences for minerals in Greenland or scientific surveys of minerals in Greenland which have been granted before the date when this Greenland Parliament Act enters into force will remain in full force and effect. This Greenland Parliament Act also applies to such licences, licensees under such licences and activities performed under such licences before the date when this Act enters into force. Within the scope of this Greenland Parliament Act, it also applies to activities concerning minerals, including the collection, extraction and exploitation of

minerals, which are comprised by the Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act) and performed before the date when this Greenland Parliament Act enters into force. Within the scope of this Greenland Parliament Act, it also applies to any minerals collected, extracted or exploited in the course of such activities. Within the scope of this Greenland Parliament Act, it also applies to decisions on activities and matters concerning minerals comprised by the Mineral Resources Act and made before the date when this Act enters into force, but for purposes of sections 25 and 73 time will begin to run when this Act enters into force.

(4) The provisions applying on 1 July 2023 for mineral activities and application procedures, standard terms and conditions for licences concerning minerals falling within the scope of this Greenland Parliament Act will remain in full force and effect with the amendments which follow from this Act until repealed or replaced by any new provisions set under this Act.

*The Self-Government of Greenland, xx xxx 2023*

## Explanatory notes to the Bill

### General notes

#### 1. Introduction

##### 1.1. Background and main purpose of the Bill

The Act on Greenland Self-Government (*lov om Grønlands Selvstyre*) was adopted by the Danish Parliament on 19 May 2009 and came into force on 21 June 2009.

The Act on Greenland Self-Government establishes that a transfer of responsibility for the mineral resource area to the Greenland Self-Government may be effected and that, as a result, the Greenland Self-Government will then exercise legislative and executive powers in the mineral resource area. The field of responsibility of mineral resources is included in list II of the schedule to the Act on Greenland Self-Government. According to the provision in section 3(2) of the Act on Greenland Self-Government, fields of responsibility included in list II of the schedule will transfer to the Greenland Self-Government as and when determined by the Self-Government following negotiations with the authorities of the Danish Realm.

The responsibility for the mineral resource area transferred to the Greenland Self-Government on 1 January 2010.

At the same time as the transfer of responsibility for the mineral resource area to the Greenland Self-Government on 1 January 2010, Greenland Parliament Act no. 7 of 7 December 2009 on mineral resources and mineral resource activities (the Mineral Resources Act) (*råstofloven*) came into force. The Mineral Resources Act was adopted in order to ensure appropriate exploitation of mineral resources and utilisation of the subsoil in Greenland and activities in relation thereto. Since coming into force in 2010, the Mineral Resources Act has been amended several times to update and adapt the Act to developments in the mineral resource area, the mineral resources industry and society.

The mineral area, which forms part of the mineral resource area, is of significant importance to Greenland and society.

The Government of Greenland wants to continue the development of the mineral resource area, including the mineral area, so it becomes an even more important area of activity and a significant industry in Greenland. Therefore, the Government of Greenland has prepared,



among other things, a strategy for the mineral area for Greenland under the heading of “Greenland’s Mineral Strategy 2020-2024”. The purpose of the strategy is especially to provide a good framework for the mineral area to enable Greenland to offer attractive opportunities and good conditions to create, develop and carry out mineral projects and investments therein in Greenland. A continued development of the mineral area will contribute to creating more jobs and services in the mineral area and to ensuring that the mineral area contributes to a greater extent with revenue for the Treasury and the economic development in Greenland for the benefit of society.

The Bill forms part of the Government of Greenland’s strategy to maintain and further develop Greenland as a good and attractive country compared with other countries with a great mineral exploitation potential. In the Government of Greenland’s assessment, good and clear framework conditions and regulation are two important factors in order to attract and retain enterprises and investors to the mineral area in Greenland.

The Mineral Resources Act in Greenland governs all aspects of mineral resource activities and exploitation of mineral resources and the subsoil, including, but not limited to, using the subsoil for the purpose of storage, hydrocarbon activities and mineral activities, prospecting, exploration and exploitation licences concerning hydrocarbons and minerals, small-scale licences, collection and extraction of minerals without a licence and matters relating to environmental protection and social sustainability.

Under the Bill, the area of general mineral activities in the mineral area will generally be separated from the other parts of the mineral resource activities which are comprised by the Mineral Resources Act, including hydrocarbon activities (oil and natural gas activities), use of the subsoil for storage purposes, small-scale mineral activities performed by local individuals and museums, and exploitation, collection and extraction of minerals by local individuals and enterprises without a licence thereto.

The Bill thus only concerns the general mineral activities in the mineral area in Greenland and environmental matters related thereto. The Bill does not concern use of the subsoil for storage purposes, hydrocarbon activities or small-scale mineral activities performed by local individuals and museums or exploitation, collection and extraction of minerals by local individuals and enterprises without a licence thereto or environmental matters in the small-scale mining area.

The Bill further aims to create an updated and a more simple, clear, appropriate and user-friendly Greenland Parliament Act for the mineral area, including environmental matters. The updating is envisaged to be based on, for example, practice and experience concerning the application of the Mineral Resources Act since its commencement on 1 January 2010 and the development of the mineral area and the mining industry in Greenland and internationally,

also in other countries with more extensive mineral activities and mining industries. A more simple, clear, appropriate and user-friendly Greenland Parliament Act for the mineral area is intended, for one thing, to make the act easier to interpret and apply in practice and to create better regulation for the Government of Greenland, current and potential future licensees under mineral licences and other parties in the mineral area.

The Bill lays down the basis and framework for the future regulation of the mineral area. The mineral area includes prospecting, exploration and exploitation of minerals and licences thereto and licences for scientific surveys as well as environmental matters in connection with such activities.

The regulation of these activities under the Bill is generally in accordance with national and international rules, principles and agreements concerning such activities. The Bill thus also contributes generally to the fulfilment of the Greenland Self-Government's obligations under national and international law. Furthermore, the regulation of these activities under the Bill is adapted to best national and international practices for the performance and regulation of such activities.

The Greenland Parliament Bill on mineral activities is generally based on the provisions of the Mineral Resources Act concerning minerals. However, to a certain extent, the Bill amends the provisions of the Mineral Resources Act on mineral activities in that the Bill takes into account the experience and knowledge gained on the basis of the Mineral Resources Act concerning minerals and the Bill thereby creates greater clarity about certain matters which are either not regulated at all or regulated less clearly or in less detail under the Mineral Resources Act.

However, the Bill generally re-enacts many important and appropriate provisions and principles from the Mineral Resources Act. For one thing, the principle of a collective and integrated approach to administrative processing is re-enacted. All relevant matters, including concerning the performance of mineral activities and technical, safety and resource matters, form part of a collective assessment of activities comprised by this Bill. Thus, the Government of Greenland will grant one collective licence, which generally covers all matters of importance to a mineral activity comprised by this Bill. This model was one of the main recommendations of the Ølgaard report from 1990 (which is mentioned in section 1.2 below) and has generally been used in the mineral resources acts for Greenland since then.

A collective and integrated approach to administrative processing promotes effective administration of the mineral area and increases user-friendliness for citizens and enterprises. The Bill thus also provides the basis and framework for the Government of Greenland to administer, manage and further develop the mineral area in a manner which is generally good and appropriate for the Greenland Self-Government, society, licensees and potential future

licensees under mineral licences and other parties in the mineral area

The Bill also re-enacts the licence system and approval system which have traditionally been used in the mineral resource area in Greenland. Thus, the activities comprised by this Bill may only be performed if the Government of Greenland has granted a licence thereto or an approval thereof under the relevant provisions of the Bill.

Under the tax legislation and the Bill, the Self-Government is generally entitled to receive a part of the revenue from the mineral activities, including in the form of income taxes from the licensees under mineral licences and their employees and suppliers of goods and services and, for exploitation licences, also a consideration (royalties) according to terms thereon. The Bill thus contributes to a certain extent to supporting and developing the economy of the Self-Government and society.

As a starting point, a licensee under an exploitation licence must pay a consideration (royalties) to the Government of Greenland when exploiting minerals in Greenland. By way of example, the royalty payable under an exploitation licence could be a royalty based on the exploited minerals (a production royalty), including, for example, their weight (a weight royalty) or their volume (a volume royalty). The royalty could also be based on the selling price of the exploited minerals or some other sales value (a sales royalty) or a share of the profits realised from the licensee's activities under the licence (a profits royalty).

The Bill thus in part replaces the Mineral Resources Act within the mineral area. This Bill does not replace the Mineral Resources Act as regards the use of the subsoil for storage purposes and the hydrocarbon area concerning hydrocarbon (oil and natural gas) prospecting, exploration and exploitation licences and activities under hydrocarbon licences, etc.

This Bill also does not replace the Mineral Resources Act as regards small-scale mineral activities performed by local individuals and museums or exploitation, collection and extraction of minerals by local individuals and enterprises without a licence thereto. This area and these matters are still regulated by the relevant provisions of the Mineral Resources Act. However, the Government of Greenland is planning to prepare and introduce a Greenland Parliament Bill on such small-scale activities and other activities, etc. (Small-Scale Mining Act). For more details, see section 2.9 below.

### *1.2. A historical retrospect*

By royal decree of 27 April 1935, the principles of the Danish Subsoil Act also applied to Greenland.

Due to a growing interest in the exploration for and exploitation of mineral resources in Greenland, the Danish Government set up a commission in 1960 to draft a mining act for

Greenland. The commission issued its report in June 1963. The intention was to make exploration for and exploitation of mineral resources in Greenland as attractive as possible, while also safeguarding the public interest in an appropriate manner. In November 1964, the Government introduced a Bill on Mineral Resources in Greenland, which was based on the commission's report. The Bill was passed as Act no. 166 of 12 May 1965 on Mineral Resources in Greenland.

When Act no. 577 of 29 November 1978 on Greenland Home Rule came into force, a special system was thus established in the mineral resource area. The main principles of the mineral resource system were laid down in the Home Rule Act (*hjemmestyreløven*). The specific provisions for the mineral resource area were laid down in Act no. 585 of 29 November 1978 on Mineral Resources in Greenland. The most important aspects in terms of the mineral resource system were as follows:

- (1) Recognition that the resident population of Greenland has basic rights to the natural resources of Greenland.
- (2) Establishment of joint decision-making powers (mutual veto) for the authorities of the Danish Realm (the Government) and the Home Rule Government (regional government) regarding the major decisions concerning non-living resources in Greenland.
- (3) Determination of the principles for distribution of public revenue from mineral resource activities in Greenland.
- (4) Establishment of an equal-representation Danish/Greenland joint council called the Joint Council on Mineral Resources in Greenland.
- (5) Establishment of a Mineral Resources Authority for Greenland under the Minister of Energy to handle the central administrative tasks in the mineral resource area. The Mineral Resources Authority was also envisaged to handle the tasks involved in being the secretariat of the Joint Council on Mineral Resources in Greenland.

In March 1988, the Home Rule Government and the Government concluded an agreement on principles for changing parts of the Greenland mineral resource system. The main principles were as follows:

- (1) All revenue from the mineral resource system up to DKK 500 million in any year would be split 50% to the state and 50% to the Greenland Home Rule Government without set-off against the grants paid by the state to the Greenland Home Rule Government. The split of any revenue above and beyond this amount would be set by statute following negotiations between the Home Rule Government and the Government.
- (2) The Home Rule Government and the state would each contribute up to DKK 12.5 million to a joint company, Nunaoil A/S, with a view to commercialising the mineral resource area.

- (3) The influence of the Home Rule Government on the administration of the mineral resource area would be increased.
- (4) The licence system (concession system) of the Mineral Resources Act would also apply to hydropower activities in Greenland.
- (5) After 1 January 1995, each of the parties could demand negotiations to alter the mineral resource system.

This agreement in principle formed the basis for the preparation of the amended Mineral Resources Act that was adopted as Act no. 844 of 21 December 1988.

By agreement between the Premier of the Home Rule Government and the Minister of Energy, a working group was appointed in 1990 and given the task of formulating a proposed new strategy for the utilisation of mineral resources in Greenland. The working group outlined in a report, the Ølgaard report, a number of proposals for a new strategy for the exploitation of mineral resources in Greenland. This was done with a view to making the mineral resource sector an important industrial sector on a par with other industries in Greenland. Some of the main elements of the proposed new strategy were the introduction of significantly changed licence terms and a tax legislation which would be competitive as compared with the licence terms and tax legislation of other countries, as well as oil exploration onshore and in the continental shelf areas of Greenland through the launch of licensing rounds.

The working group's proposal for a new strategy for the mineral resource area led to the Bill to amend the Mineral Resources Act, which was adopted as Act no. 335 of 6 June 1991. The Act was intended to make it more attractive to invest in mineral exploration (hydrocarbons and minerals) in Greenland.

The main elements of the strategy include:

- (1) Introduction of significantly changed concession terms, especially for the exploitation of minerals (hard minerals) with a view to offering terms which are competitive as compared with other countries.
- (2) Initiation of oil exploration onshore and in continental shelf areas of Greenland, including in continental shelf areas in West Greenland, through the launch of licensing rounds in the 1990s.
- (3) Implementation of amendments of Greenland tax legislation, first and foremost, for the purpose of providing competitive working conditions for the international mining industry and oil industry.
- (4) Preparation of extensive information material on Greenland of a general and specific nature aimed at the international mining industry and oil industry.
- (5) Preparation of information material on an ongoing basis aimed at the population of

Greenland concerning developments in the mineral resource area.

- (6) Simplifications and adjustments in the Mineral Resources Authority's regulation of mineral resource activities, for example with regard to the environment and safety.
- (7) The use of a more active and proactive approach on the part of public authorities in relation to the mining industry and oil industry with a view to promoting international investments in mineral resource activities in Greenland.

The Premier of the Home Rule Government and the Danish Prime Minister agreed in September 1992 that the power to grant licences for hydropower activities and the administrative processing thereof would transfer to the Home Rule Government (today, the Self-Government). This meant that hydropower resources were separated out from the mineral resource system by Act no. 1074 of 22 December 1993.

On the basis of the efforts to attract interest from the oil industry in offshore oil exploration, it turned out that there was a need to amend the Mineral Resources Act so as to make it more attractive to invest in exploration for mineral resources in Greenland. This led to an amendment of the Mineral Resources Act which was adopted by Act no. 303 of 24 April 1996.

By an amendment of the Mineral Resources Act with effect from 1 July 1998, the power to grant licences and the administrative tasks in the mineral resource area transferred from the Minister of Energy and the Mineral Resources Authority for Greenland under the Minister to the Greenland Home Rule Government and the Bureau of Minerals and Petroleum under the Home Rule Government. No changes were made to the other elements of the mineral resource system for Greenland.

Thus, the joint decision-making powers of the Home Rule Government and the state with regard to major decisions in the mineral resource area, including the requirement that the grant of licences under the Mineral Resources Act was subject to an agreement between the Government and the Home Rule Government, were not changed. The rules on distribution of public revenue from mineral resource activities and the rules on the tasks of the Joint Council were not changed, either.

The Mineral Resources Act predominantly builds on the strategy presented in the Ølgaard report and on the experience and knowledge accumulated in the Bureau of Minerals and Petroleum since 1998.

This Bill is largely based on a re-enactment of the mineral resource system and the regulation of the Mineral Resources Act with regard to minerals.

### *1.3. The Act on Greenland Self-Government and mineral resource system*

It follows from an interpretation of the Act on Greenland Self-Government and the explanatory notes to the Act that the provisions of the Mineral Resources Act are in accordance with the provisions of the Act on Greenland Self-Government. It also follows from the Act on Various Matters in connection with the Greenland Self-Government (*lov om visse forhold i forbindelse med Grønlands Selvstyre*) and the explanatory notes to the Act that the Mineral Resources Act is also in accordance with the provisions of that Act. This was assumed by the Government of Greenland and the Greenland Parliament when drafting and passing the Mineral Resources Act.

In general, the provisions of this Bill correspond to the provisions of the Mineral Resources Act regarding the mineral area, including the provisions on prospecting for, exploration for and exploitation of minerals and licences thereto, scientific surveys in relation thereto and licences for scientific surveys.

#### *1.3.1. Generally on the Act on Greenland Self-Government and the mineral resource system*

The Act on Greenland Self-Government (*lov om Grønlands Selvstyre*) was adopted by the Danish Parliament on 19 May 2009 and came into force on 21 June 2009. Among other things, the background to the Act on Greenland Self-Government was a wish to ensure the greatest possible equality between Greenland and Denmark. The Act creates the legal framework for the transfer of additional powers concerning most areas of responsibility to Greenland.

Under the Act on Greenland Self-Government, the responsibility for the mineral resource area may transfer to the Greenland Self-Government. According to section 3(2) of the Act on Greenland Self-Government, areas of responsibility included in list II to the Act on Greenland Self-Government may transfer to the Greenland Self-Government as and when determined by the Self-Government following negotiations with the authorities of the Danish Realm. The mineral resource area is no. 26 on the list.

The responsibility for the mineral resource area was transferred to the Greenland Self-Government with effect from 1 January 2010. After the transfer of responsibility for the mineral resource area to the Self-Government, the Self-Government now exercises legislative and executive powers in the mineral resource area.

After the transfer of responsibility for the mineral resource area, the Greenland Self-Government has thus set the general framework and more detailed rules governing activities in the mineral resource area. In addition, the Greenland Self-Government has been in charge of the administration of the mineral resource area, including by granting licences to prospect for, explore for and exploit mineral resources and administrative processing regarding mineral resource licences and activities.

It follows from the Act on Greenland Self-Government that the Greenland Self-Government owns and has the unrestricted right to use and exploit the mineral resources in the subsoil of Greenland and that revenue from mineral resource activities accrues to the Self-Government. The Act on Greenland Self-Government sets specific rules on reduction of the state's annual grant to the Self-Government to the extent that the Self-Government's annual revenue from mineral resources exceeds DKK 75 million.

### *1.3.2. Economic relations and the distribution of revenue from mineral resource activities*

The key contents of the system for economic relations between the Greenland Self-Government and the state under the self-government system are as follows:

- (1) The state grants the Self-Government a fixed annual grant at the same level as the block grant granted so far.
- (2) The Self-Government itself finances areas of responsibility that have transferred under the Act on Greenland Self-Government.
- (3) Future revenue from mineral resource activities in the subsoil of Greenland will accrue to the Self-Government.
- (4) The state's grant to the Self-Government is reduced by half of the amount by which revenue from mineral resource activities in Greenland exceeds DKK 75 million in any calendar year.
- (5) If the state's grant to the Self-Government is reduced to DKK 0 at some point, negotiations must be opened between the Government of Greenland and the Government concerning the future economic relations.

Furthermore, the Self-Government is still entitled to obtain consultancy services from Danish research institutions and to access their research in the mineral resource area.

According to the explanatory notes to the Act on Greenland Self-Government with regard to the distribution of revenue from mineral resource activities in Greenland (general explanatory notes, section 5.3.3):

*“The development of the mineral resource area in Greenland constitutes a potentially significant element in the future industrial development in Greenland and thereby in the creation of revenue capable of replacing in whole or in part the state's grant, thus helping to make Greenland more economically self-sufficient.*

*In that case, the positive effects of the mineral resource activities in Greenland society will result from general economic activity, including investments in the construction of facilities etc. and the employment of local labour for the operation etc. of the facilities, as well as from the revenue received by the public sector from the companies involved.*



*Under this Bill, the revenue from mineral resource activities in Greenland accrues to the Greenland Self-Government. However, in the Bill, trends in the state's grant are affected by the amount of public revenue that may result from mineral resource activities.*

*With this Bill, the state's grant to the Self-Government is thus reduced by an amount corresponding to half the revenue from mineral resource activities in Greenland which, in the calendar year concerned, exceeds DKK 75 million. The DKK 75 million deduction is based on a wish to increase the incentive for exploration and thus promote Greenland's economic self-sufficiency."*

Also according to the explanatory notes to the Act on Greenland Self-Government (general explanatory notes, section 5.3.3):

*"If the state's grant to the Greenland Self-Government is reduced to DKK 0 as a result of revenue from mineral resource activities in Greenland, the grant will be forfeited also for subsequent years, and no grant will thus be payable to the Self-Government unless otherwise agreed by the parties, see section 10 of the Bill.*

*The above mechanism, according to which the grant is forfeited also for subsequent years if the state's grant to the Greenland Self-Government in any one year is reduced to DKK 0 as a result of revenue from mineral resource activities in Greenland, applies irrespective of whether the revenue from mineral resource activities in Greenland decreases again or ceases altogether in subsequent years. Such a situation could, for example, arise in the years following a year with extraordinary non-recurring revenue, for example as a result of the sale of ownership interests in Greenland publicly owned mineral resource-related companies.*

*However, the provision in section 10 does not apply if the state's grant to the Self-Government is reduced to DKK 0 because Danish public authorities or companies etc. owned by Danish public authorities sell ownership interests in mineral resource companies comprised by section 7(2)(iii) or shares in mineral resource licences in Greenland. The part of the revenue from the sale that is included in the revenue statement for the year and thus accrues to the Greenland Self-Government is calculated as the amount that will reduce the state's grant to DKK 0. In such a situation, however, the revenue included and the reduction of the state's grant to DKK 0 will not result in the cessation of future grants, see the explanatory notes to section 10."*

### *1.3.3. Definition of revenue*

An important element in the self-government system is the economic relations between the Self-Government and the state which are regulated in the Act on Greenland Self-Government and are described in more detail in the explanatory notes to the Bill on Greenland Self-Government. One element in the economic system is the definition of revenue from mineral resource activities.

The definition of mineral resource revenue is set out in section 7(2) of the Act on Greenland Self-Government. The provision establishes that the following revenue is to be regarded as revenue from mineral resource activities in Greenland:

- “1) Revenue in accordance with specific licences for prospecting for, exploration for or exploitation of mineral resources, except for any amounts paid to cover expenditure under the auspices of the Bureau of Minerals and Petroleum.*
- 2) Revenue from any taxation in Denmark and Greenland of licence holders with respect to the part of the business that relates to mineral resources in Greenland.*
- 3) Revenue from Greenland and Danish public authorities’ ownership interests in companies, etc. which operate in the mineral resource area in Greenland.*
- 4) Revenue from dividend withholding tax, etc. in Denmark and Greenland concerning shareholders in companies that are licence holders, or in companies that entirely own such companies directly or indirectly and can receive tax-free dividend from these.”*

Also according to the general explanatory notes to the Act on Greenland Self-Government (section 5.3.5) with regard to the definition of revenue:

*“The general basis for the new mineral resource system is that the Greenland Self-Government can take over the full powers in the mineral resource area in Greenland and receive the revenue from mineral resource activities in Greenland when this Act comes into force, see section 7(1) of the Bill. Furthermore, reference is made to the explanatory notes to section 10 concerning the situation where the state’s grant to the Greenland Self-Government could be reduced to DKK 0.*

*Section 7(2) lists the revenue that is included in the revenue definition. The definition is to a great extent based on the revenue definition of section 22(3) of the current Mineral Resources Act. According to the current mineral resource system, Denmark and Greenland share the decision-making authority via the Joint Council on Mineral Resources in Greenland and with both the Government and the Home Rule Government having a right of veto. Thus, it has been necessary to adjust the revenue definition in a number of respects as, in future, it must be possible to use the definition under a new mineral resource system where the responsibility for the mineral area may transfer to the Self-Government.*

*The revenue definition of section 7(2) is based on the current state of law in Greenland and Denmark, and its purpose is to specify the mineral resource revenue that accrues to the Greenland Self-Government under subsection (1). Furthermore, this revenue is to form the basis for a reduction in the state's grant to the Self-Government by an amount corresponding to half of the Self-Government's revenue from mineral resource activities in excess of DKK 75 million annually, see section 8 of the Bill.*

*Insofar as the provisions of the Bill still correspond to the provisions of the Mineral Resources Act, the legislative history of the Mineral Resources Act and related agreements will continue to be of relevance to the interpretation and application of section 7(2) of the Bill.*

*Future amendments to Greenland or Danish legislation or changes in the exercise of regulatory authority with regard to taxation, mineral resources or companies may have as a consequence that the revenue definition no longer meets the purpose. Should this be the case, the revenue definition must be reassessed by the Government of Greenland and the Government with a view to ensuring that the revenue definition is consistent with the intentions of the Act. In order to ensure that such a reassessment can be made on an informed basis, it is assumed that the parties will give each other insight into all relevant material on an ongoing basis. On the other hand, other amendments to the Greenland and Danish legislation that do not change the distribution of revenue from mineral resources will not in themselves require a reassessment of the revenue definition. For example, changes in the tax level will not require a reassessment of the revenue definition, see section 7(2)(ii) of the Bill.”*

The above explanatory notes to the Bill on Greenland Self-Government weigh in favour of ensuring that the exercise of regulatory authority in the mineral resource area after the transfer of responsibility should continue as a collective integrated approach to the exercise of regulatory authority so as to make sure that the revenue definition will meet the purpose also in the future.

Also according to the general explanatory notes to the Act on Greenland Self-Government (section 5.3.5.1) with regard to revenue under specific licences:

*“The proposed section 7(2)(i) is a re-enactment of the existing provision of section 22(3)(i) of the Mineral Resources Act. Thus, a re-enactment of the definition of revenue in accordance with specific licences for prospecting for, exploration for or exploitation of mineral resources is proposed and, likewise, a re-enactment of the exclusion from the revenue statement of amounts paid to cover expenditure under the auspices of the Bureau of Minerals and Petroleum is proposed.*

*The types of revenue comprised by the proposed section 7(2)(i) are any revenue received by Greenland authorities under specific licences for prospecting for, exploration for or exploitation of mineral resources, see also the original explanatory notes to this part of the revenue definition from 1988 (L 103 of 17 November 1988). Revenue may be from licensees in the form of companies as well as in the form of natural persons, see also section 5.3.4 below.*

*One example of revenue under paragraph (i) is the production royalty that a licensee must pay under a licence, see section 8(1) of the Mineral Resources Act.*

*Another example is the payment to the authorities of a share of the profits realised from the activities under the licence (profits royalty), see section 8(1) of the Mineral Resources Act.”*

According to the same section with regard to revenue from mineral resources which is excluded from the income statement:

*“Certain revenue is not to be included in the statement of revenue relating to mineral resource activities, see section 7(2)(i), second limb. The revenue in question is revenue in the form of amounts received under specific licences when the amounts are paid to cover expenditure under the auspices of the Bureau of Minerals and Petroleum. The proposed exception is a re-enactment of the existing system in section 22(3)(i) of the Mineral Resources Act.*

*The amounts that will not be included in the revenue statement pursuant to this Bill are reimbursement amounts, fees and charges, etc. to cover expenditure under the auspices of the Bureau of Minerals and Petroleum in connection with environmental studies and other background studies, regulatory tasks (approval procedures, supervision, reporting, etc.) and information services, etc. The expenditure on these matters must be related to the specific licences under which the amounts are collected. This is not required, however, with regard to expenditure on information services.*

*Outlays paid by Greenland and Danish authorities in the case of measures taken by the authorities in connection with licensees' non-performance of obligations pursuant to their licence (for example concerning measures to be taken upon termination of activities and environmental clean-up) cannot be paid out of mineral resource revenue, which is thus excluded from the revenue definition. Similarly, amounts of reimbursement received by Greenland and Danish authorities from licensees to cover such outlays are not included in the revenue definition.*

*Fees etc. cannot be charged to cover any expenditure incurred by the Bureau of Minerals and Petroleum for environmental clean-up and similar measures to be taken upon termination of activities that can be excluded from the revenue statement.*

*The fees and charges, etc. that may be charged to cover expenditure under the auspices of the Bureau of Minerals and Petroleum are described in detail in the explanatory notes to section 31b of the Mineral Resources Act (Bill no. L 61 of 4 November 1993). See section 5.3.4 above.*

*The current area royalty rates in relation to hydrocarbon licences have been set so that the area royalty corresponds to the related expenditure under the auspices of the Bureau of Minerals and Petroleum. The same will apply to corresponding area royalties in future licences.*

*The above stated fees and charges, etc., which are charged to cover expenditure under the auspices of the Bureau of Minerals and Petroleum, often differ for hydrocarbons and other mineral resources. As a main rule, the fees are set so as not to impair to any considerable extent the possibilities of attracting and retaining mining and oil companies' investments in exploration for and exploitation of mineral resources etc. in Greenland. Thus, the size of the fees referred to is set not primarily with a view to recovering the expenses in full. When the Mineral Resources Act was amended in 1993, such partial recovery of expenses was authorised in the Act itself by the insertion of section 31b.”*

According to the same section with regard to measures taken on termination of activities and environmental clean-up:

*“It follows from section 18(1) of the current Mineral Resources Act that measures to be taken upon termination of activities, including environmental clean-up, are the responsibility of licensees upon termination of their activities. The Bureau of Minerals and Petroleum may set terms to ensure fulfilment of the licensee's obligations under subsection (1) and may in this connection demand provision of security, see section 18(2) of the Mineral Resources Act. In the case of licences for prospecting or exploration for hard minerals, this may be in the form of usual security, including in the form of current payments during the licence period, whereby the amount of security is accumulated over the licence period.*

*As regards environmental clean-up following offshore hydrocarbon activities, the Self-Government ensures that in connection with the specific licences adequate insurance policies and guarantees, etc. are demanded corresponding to the requirements concerning insurance policies and guarantees, etc. in the model licence dated July 2006 for the Disko West licensing round as well as the specific licences awarded in that licensing round. The Greenland Self-Government also ensures that there is an administrative follow-up on these terms.*

*Under section 18(3) of the Mineral Resources Act, the Bureau of Minerals and Petroleum*

*may carry out measures to be taken upon termination of activities and clean-up measures, etc., including environmental clean-up, for a licensee's account and risk, if the licensee does not observe an enforcement notice concerning the implementation of such measures. This applies to both hydrocarbon licences and other licences.*

*Future acts and licence terms may contain similar provisions on the Bureau of Minerals and Petroleum's implementation of safety, health and environmental measures and measures to be taken upon termination of activities, etc. for the licensees' account and risk, when licensees do not themselves take such measures, or on licensees' reimbursement of expenses under the auspices of the Bureau of Minerals and Petroleum when such measures are taken in relation to specific licences. Revenue as a result of reimbursement of expenses under the auspices of the Bureau of Minerals and Petroleum in connection with such measures etc. is excluded from the revenue definition in section 7(2)(i) of the Bill.*

*Amounts of reimbursement to cover expenses under the auspices of the Bureau of Minerals and Petroleum in connection with emergency measures concerning safety, health and the environment that are directly related to the licensees' mineral resource activities in Greenland are also excluded from the revenue definition. This applies insofar as the activities are activities which are performed pursuant to licences granted for prospecting for, exploration for and exploitation of mineral resources and which the licensee is not obliged to have the Bureau of Minerals and Petroleum perform.*

*If a licensee's emergency preparedness is not adequate or is not used during an oil spill or in other similar situations, and the Greenland or Danish authorities must initiate response activities, amounts of reimbursement that such authorities receive subsequently to cover the expenses incurred in this connection will not be included in the revenue definition."*

According to the general explanatory notes to the Act on Greenland Self-Government (section 5.3.5.2) with regard to the second limb of the revenue definition concerning tax revenue:

*"As has been the case until now, it must, as far as companies are concerned, be ensured when exploitation licences are granted that revenue relating to exploitation activities can be identified and kept apart for tax purposes from revenue and expenses relating to other activities. The Self-Government must also ensure this under a new mineral resource system where the responsibility for the mineral resource area has transferred to the Self-Government.*

*This means that in connection with the granting or alteration of exploitation licences, it must be ensured that the licensee is not granted exemption from taxation as mentioned in section 3(3) of the Greenland Parliament Act on Income Tax, unless the Bureau of Minerals and Petroleum demonstrates that the licence involves fees which are at least as onerous and*

*which are included in full in the revenue distribution; that the licensee only carries out activities under the licence and other activities in accordance with the Mineral Resources Act; that the licensee does not invest in other companies or legal persons; that the licensee cannot be taxed jointly with other companies in Greenland or Denmark, unless joint taxation is compulsory; that licensees in domestic groups of companies are subject to the same capitalisation requirements as licensees in foreign groups of companies; that generally the licensee trades at arm's length prices and on arm's length terms; that the licensee's organisational structure, including the licensee's relation to a parent company, cannot be changed without approval from the Bureau of Minerals and Petroleum; and that the licensee's registered office cannot be changed without approval from the Bureau of Minerals and Petroleum.*

*The Greenland Self-Government may set requirements to the effect that a company that is granted a licence for exploitation of mineral resources in Greenland must have its registered office in Greenland, see section 7(3) of the Mineral Resources Act.*

*Exploitation licences may be granted also to natural persons as well under certain circumstances and to a specified extent. Such licences are granted in the form of licences for small-scale exploitation of hard minerals, see section 5.3.4 below.*

*For the calculation of the revenue that accrues to the Self-Government, see section 7(2)(ii) of the Act, and is thus to be included in the revenue statement, the Self-Government ensures that natural persons' revenue and expenses concerning mineral resource activities can be identified and kept apart from the person's other revenue and expenses.*

*To ensure an administratively simple and unambiguous system – and to avoid that the revenue statement is affected by the choice of organisational structure – the amount of taxes to be included in the revenue statement is calculated as if the revenue from mineral resource activities (less related expenses) were earned in a public limited company and the profit after tax were distributed in the same accounting period.*

*Furthermore, the Self-Government ensures that natural persons (holding a licence) are not granted exemption from taxation as mentioned in section 3(3) of the Greenland Parliament Act on Income Tax unless the Bureau of Minerals and Petroleum demonstrates that the licence involves fees which are at least as onerous and which are included in full in the revenue distribution.*

*For natural persons holding a licence whose annual revenue from sale of hard minerals in connection with small-scale activities does not exceed DKK 400,000, a tax allowance of 60 per cent of the sales revenue may be given instead of the requirement of documented expenses. The allowance has been fixed on the basis of the Greenland tax authorities' general*

*experience concerning the ratio between revenue and expenses for small business enterprises' activities in primary industries such as fishing and hunting.*

*An amount corresponding to the remaining 40 per cent is then included in the calculation of the amount of taxes which is mentioned in section 7(2)(ii) of the Act and which is thus to be included in the revenue statement. Also in this instance, the amount of taxes is calculated as if the revenue from mineral resource activities were earned in a public limited company and the profit after tax were distributed in the same accounting period.*

*The amounts of taxes mentioned are calculated solely for the revenue statement and are of no relevance for the actual tax situation of the individual licensee. Thus, according to the provision, the licensees concerned are not obliged to pay their revenue from mineral resource activities to the Greenland Self-Government.*

*These licensees also have a duty of disclosure and must document all revenue from mineral resource activities according to the standard terms, but the requirement for documentation of expenses may be replaced by the above allowance for purposes of the revenue statement. Documentation of expenses in connection with small-scale activities is required only when the revenue from sales exceeds DKK 400,000 annually.*

*Section 3 of Home Rule Executive Order no. 27 of 1 December 2006 on requirements to financial statements for tax purposes, etc. aims to relax the financial reporting requirements for fishermen, hunters and similar small business enterprises. Typically, these persons do not have the financial means to make use of professional assistance for preparing their financial statements, and at the same time they have difficulties in meeting the general financial reporting requirements. The same considerations as those underlying this provision have been deemed to be relevant in the determination of an upper limit of turnover for the possibility of applying a standard allowance instead of the actual documented expenses in connection with the small-scale activities of natural persons in the mineral resource area.”*

According to the general explanatory notes to the Act on Greenland Self-Government (section 5.3.5.3) with regard to revenue from public participation in activities in the mineral resource area:

*“Section 7(2)(iii) of the Bill establishes that the revenue definition includes revenue from Greenland and Danish public authorities' ownership interests in companies etc. which operate in the mineral resource area in Greenland. The revenue system includes revenue relating to mineral resource activities in Greenland that directly or indirectly accrues to Danish or Greenland authorities as owners and these authorities' revenue on the transfer of ownership interests or the like in companies etc. which carry on mineral resource activities in Greenland. Any organisational framework for mineral resource activities other than the*



*corporate form, including a framework embedded directly in the public administration etc., is also covered.*

*Mineral resource activities means activities under licences for prospecting for, exploration for or exploitation of mineral resources in Greenland, see sections 6 and 7 of the Mineral Resources Act.”*

Further, according to the same section:

*“In order to ensure that the taxable profit for the year, payable as corporation tax, gives a fair view of the Self-Government’s revenue from mineral resource activities in Greenland, the Self-Government must ensure:*

- 1) That licences for prospecting for, exploration for and exploitation of mineral resources are granted on transparent and equal terms;*
- 2) That the enterprise only carries on mineral resource activities and that such mineral resource activities are carried on solely according to licences granted in Greenland, see also section 7(2)(ii) and (iv) as well as section 7(3) and section 8(3) of the Mineral Resources Act;*
- 3) That enterprises as mentioned in section 7(2)(iii) are operated on a commercial basis, which means that the enterprise will maximise revenue and minimise, for example, production, trade and payroll costs; and*
- 4) That the annual report for the enterprise is prepared on the basis of the International Financial Reporting Standards (IFRS).*

*In connection with the grant of licences for prospecting for, exploration for and exploitation of mineral resources, the Greenland Self-Government must ensure that – in addition to being granted on transparent and equal terms, see above – the licences are also granted on objective terms. This means, for example, that the Self-Government must not take into consideration the fact that by granting licences to specific companies which are wholly or partly owned by Danish public authorities, the Self-Government will receive a share of the revenue accruing to Danish authorities by virtue of their ownership of the enterprise concerned, see the proposed provisions of sections 7-8. Thus, the award of licences must be arranged so as to ensure that not only specific companies, such as DONG Grønland A/S, will be eligible.”*

#### *1.3.4. Cooperation between the Government of Greenland (the Home Rule Government of Greenland) and the Government within the mineral resource area*

According to the general explanatory notes to the Act on Greenland Self-Government (section 5.3.6) with regard to the cooperation between the Greenland and Danish authorities in the mineral resource area:

*“Until the transfer of responsibility for the mineral resource area to the Self-Government under the provisions of this Bill, the mineral resource area is regulated in the Home Rule Act, the Mineral Resources Act as well as in the agreements that have been or will be concluded, based on this legislation, between the Home Rule Government and the Government including the “Agreement between the Greenland Home Rule Government and the Government concerning the administration of mineral resources in Greenland from 1 July 1998.”*

*At present, the mineral resource area is characterised by extensive cooperation between Greenland and Danish authorities. It is envisaged that immediately after the transfer of responsibility for the mineral resource area, the Self-Government will have a need to continue the cooperation with Danish institutions at the administrative level and at the research level.*

*Under section 9 of the Bill, an agreement is therefore concluded between the Government of Greenland and the Government that will take effect immediately after the transfer of responsibility to Greenland. It is assumed that the agreement will be in force for a period of five years. Prior to the expiry of the first agreement period of five years, the Government of Greenland may decide to renew the agreement in the form of an agreement with an agreement period of multiple years that can be renewed successively in the form of agreements with agreement periods of multiple years. It is assumed that such agreements will contain the following elements:*

*The Government of Greenland receives services, against payment, from Danish public research institutions in the form of consultancy services and other performance of tasks for the purpose of the Self-Government’s management of the mineral resource area. The intention is that the Government of Greenland will have access to such consultancy services etc. to the same extent as in the previous cooperation with GEUS and NERI (from 1 January 2007 a part of Aarhus University). It is assumed that the payment for such services will correspond to the expenses incurred by GEUS and NERI so far as a result of the performance of these tasks, i.e. an annual payment which in 2004 amounted to DKK 3.0 million and DKK 2.2 million to GEUS and NERI, respectively. In addition, the Self-Government may enter into an agreement with GEUS and NERI for supplementary consultancy services etc. from GEUS and NERI or from others.*

*After the expiry of the first agreement period of five years, subsequent agreements with agreement periods of multiple years concerning the above or similar services may, as mentioned above, be concluded at the request of the Government of Greenland. In that case, the intention is that negotiations should be initiated 12 months prior to the expiry of the current agreement. The reason for the relatively long term and the initiation of negotiations well before the term commences is the need to ensure that the Self-Government’s mineral resource authorities are given the option of whether to continue the cooperation with the*

*Danish research institutions or whether to purchase consultancy services from others, and that the research institutions will be able to plan their activity level over a number of years.*

*On the conclusion of the above agreements, the Government makes available to the Government of Greenland free of charge research corresponding to the research so far provided by public Danish research institutions of special relevance to resource exploration in Greenland as long as the agreements are continuously renewed. The tasks involved are the basic institution and research tasks, including the carrying on and financing of the operation of databases specifically relating to mineral resources such as seismic databases, mineral databases and databases of sensitive natural areas, which have been carried out so far by GEUS and NERI of relevance to mineral resource exploration in Greenland. In the first term of the agreement the tasks will be of the same economic scope as in 2005 (subject to adjustment of prices, wages and salaries). GEUS and NERI have stated that the amount involved is approximately DKK 29 million annually.*

*Furthermore, it is assumed that under such an agreement, the Self-Government on its part carries out projects for marketing of the mineral resource potential etc. of the same economic scope as before, and that in the first term of the agreement the Self-Government carries out these projects as a project collaboration with GEUS and NERI to an extent corresponding to the extent in the period 2000-2004, i.e. for a term which as a whole corresponds to just under half of the project scope. The state co-finances these project activities to the same extent as in the above period.*

*At the same time as the introduction of this Bill, a Bill on Various Matters in connection with the Greenland Self-Government will be introduced, authorising the Government to meet its obligations under section 9.*

*It is up to the Self-Government to decide whether, after the first term of five years, it wishes to enter into new agreements with agreement periods of multiple years with the Government concerning access to Danish public research institutions, and this Bill does not limit the Government of Greenland's possibilities of subsequently concluding similar agreements with others.*

*The tasks and expenses of the Greenland and Danish institutions and authorities in connection with the current mineral resource system are described in more detail in appendix 3 to a report presented by the Working Group concerning non-living resources under the Self-Government Commission.”*

#### *1.3.5. Negotiations in case the state's grant is reduced to DKK 0*

According to section 5.3.7 of the general explanatory notes to the Act on Greenland Self-Government with regard to negotiations between the Self-Government and the Government in

case the state's grant to the Self-Government is reduced to DKK 0:

*“If the state's grant to the Self-Government is reduced to DKK 0 in any year, see section 8, negotiations will be initiated between the Government of Greenland and the Government regarding the future economic relations between the Self-Government and the state, see the provision of section 10.*

*The negotiations will mainly be concerned with the question of resumption of the state's grant to the Greenland Self-Government, the question of distribution of revenue from mineral resource activities in Greenland as well as the question of a continuation of the agreement concerning the services mentioned in section 9. Furthermore, in the negotiations the parties may address the question of how to cover the expenses of the state for areas where there can be no transfer of responsibility within the framework of the Danish Constitution and the Danish Realm as well as other areas which the Self-Government and the Government wish to manage jointly.*

*Neither party is obliged to obtain a specific outcome of the negotiations.*

*If, in the case where the state's grant to the Self-Government has been reduced to DKK 0, the parties do not conclude an agreement on resumption of the state's grant, the state will pay no grants to the Self-Government in the subsequent years. Only if an agreement is concluded between the Government and the Government of Greenland to this effect will the state's payment of grants to the Greenland Self-Government be resumed in the situation mentioned. In that connection it is assumed that an agreement for resumption of the state's grant to the Self-Government must be implemented through legislation, which will thus constitute the legal basis for the resumption.*

*As regards the question of distribution of revenue from mineral resource activities in Greenland, such revenue accrues to the Greenland Self-Government, see section 7, unless an agreement is concluded between the parties concerning the distribution of the revenue. However, this does not apply with regard to revenue from the ownership interests of Danish public authorities in companies etc. which operate in the mineral resource area in Greenland and revenue from taxation in Denmark, see section 7(2)(ii)-(iv). In the situation mentioned, such revenue accrues to the Danish authorities concerned.*

*Finally, it should be mentioned that any agreements between the Government of Greenland and the Government concerning consultancy services and the performance of other tasks for the purpose of the Self-Government's management of the mineral resource area, see section 9, will not continue in the situation mentioned where the state's grant to the Greenland Self-Government has been reduced to DKK 0, unless the parties conclude an agreement to this effect.”*

### *1.3.6. Greenland's rights to mineral resources in the subsoil*

According to section 6 of the general explanatory notes to the Act on Greenland Self-Government with regard to Greenland's rights to mineral resources in the subsoil:

*“According to the Bill, the responsibility for the mineral resource area can transfer to the Greenland Self-Government, see no. 26 in list II of the schedule. On the transfer of responsibility for the mineral resource area to the Greenland Self-Government, the Self-Government will exercise legislative and executive powers in the mineral resource area.*

*On the transfer of responsibility for the mineral resource area to Greenland, the Greenland Self-Government will be responsible for establishing the general framework for activities in the mineral resource area and for making arrangements, for example, by granting licences to prospect for, explore for and exploit subsoil resources. On the transfer of responsibility for the mineral resource area, Greenland will then own and have the unrestricted right to use and exploit the subsoil resources in Greenland. However, the state will continue to have sovereignty over Greenland.*

*Reference is made to item 5 above as regards revenue from the exploitation of mineral resources in Greenland.*

*As can be seen from section 21(4) of the Bill, however, independence for Greenland will imply the transfer of sovereignty over Greenland to Greenland. As mentioned in section 10.2 below, sovereignty covers the entire Greenland territory (territorial land, sea and air).”*

## **2. Main features of the Bill**

### *2.1. Purpose*

The Bill aims to contribute to ensuring appropriate and effective prospecting for, exploration for and exploitation of minerals as well as performance of activities in relation thereto. The Bill further aims to ensure appropriate regulation of matters relevant for mineral activities.

The intention is for the Bill to be a framework act setting the most important principles for the administration of mineral activities, and for the Government of Greenland to be given the authority, within this framework, to set more detailed provisions and terms. For one thing, the Government of Greenland may set provisions in executive orders, model licences and standard licence terms and terms of licences granted to a licensee. The Mineral Resources Act functions in the same way as a framework act for the regulation of the mineral resource area.

The purpose of the Bill means, among other things, that the Bill is envisaged to contribute to securing a fair share to society of the economic gains obtained from the exploitation of minerals and performance of activities in relation thereto, and that those activities are to be

performed in accordance with the long-term public needs.

Finally, the Bill aims to ensure that activities comprised by the Bill are performed in a sound manner as regards health, safety, environmental protection, resource utilisation and social sustainability as well as appropriately and in accordance with acknowledged good international practices under similar conditions.

Among other things, the Bill seeks to ensure protection of the environment, climate and nature in connection with the exploration, prospection and exploitation of minerals and in connection with activities in relation thereto.

Sound resource utilisation means, among other things, that any waste of resources must be avoided where possible in connection with the activities and that regard must be had to short-term and long-term public interests. This includes public interests in the performance of mineral activities and exploitation of minerals, generation of activity and accumulation of experience and competences for local workers and suppliers of goods and services and generation of revenue for the Greenland Self-Government and local workers and suppliers of goods and services.

The requirement of social sustainability means, among other things, that the social sustainability of a mineral activity in a broad sense must be taken into account when deciding whether or not an approval can and should be granted for the activity. For example, assessments must be made of the occupational, social and structural effects that an activity may have on society and social and economic conditions as well as assessments of any measures and matters which may and should be implemented to promote positive impacts and avoid or offset substantial adverse impacts.

The provisions of the Bill on social sustainability are intended to contribute to ensuring that the planning and administration of activities comprised by the Bill will also be based on assessments of the impacts which the activities may have on society nationally and locally.

The Bill is largely based on the provisions of the Mineral Resources Act concerning minerals and activities in relation thereto and recommendations in the area, including Greenland's Mineral Strategy 2020-2024 prepared and adopted by the Government of Greenland.

## *2.2. The licence system, licences and provisions and terms, etc.*

It follows from, for example, the Act on Greenland Self-Government and the explanatory notes thereto that the Self-Government owns and has the unrestricted right to use and exploit the subsoil resources of Greenland.

On the transfer of responsibility for the mineral resource area to the Greenland Self-

Government, it was up to the Greenland Self-Government to lay down the general framework for activities in the mineral resource area and to make arrangements in the mineral resource area, for example, by granting prospecting, exploration and exploitation licences for subsoil resources.

Therefore, the general principle of the proposed regulation of activities comprised by the Bill is that the performance of mineral activities is subject to a licence thereto or approval thereof granted by the Government of Greenland in accordance with the Bill. The principle is a re-enactment of the principles of the Mineral Resources Act.

In relation to the Mineral Resources Act, there will be a clearer dividing line under the Bill between the different licences and activities and the licensees' rights and obligations in this regard. This contributes in general to a clearer state of the law in the area as the provisions of the Bill will be easier to understand and apply in practice. This is the case particularly with individuals and companies who are not at all or only to a limited extent aware of the regulation of the mineral area and the legal system in Greenland.

The provisions concerning licences each have a part of their own: Part 5 on prospecting licences, Part 6 on exploration licences, Part 7 on exploitation licences and Part 9 on scientific survey licences.

To some extent, Parts 5-7 and 9 include provisions on the same matters, but the content of those provisions differs with the type of licence involved. The Parts include provisions on the following matters:

- 1) The grant of a licence and the contents of the licence, including with regard to the nature of the licence as a non-exclusive or exclusive licence.
- 2) Requirements to the licensee under a licence.
- 3) The minerals and the licence area comprised by the licence.
- 4) The duration of the licence period and an option to extend.
- 5) The Government of Greenland's right to set provisions or terms on the licensee's payments to the Government of Greenland. These could include application filing and processing fees and fees for the grant of a licence, a consideration for maintaining the licence and activities under the licence or income in this connection and charges to cover the Government of Greenland's costs in connection with administrative and regulatory processing under the Bill concerning the licence and activities under the licence.

Parts 5-7 and 9 also include provisions about the reports to be submitted by the licensee on the surveys and activities under a licence and the results thereof. Under the provisions in this regard, the licensee must submit reports to the Government of Greenland about the matters mentioned and a copy of the survey results and data and samples therefrom and the licensee's

interpretations, conclusions and recommendations in this regard. The purpose of those provisions is, among other things, to ensure that the Government of Greenland will have access to all relevant information, reports and data, etc. concerning the subsoil of Greenland and that the Government of Greenland will have a right to use them and publish them after the end of a confidentiality period. See the explanatory notes to sections 32, 39, 55 and 63 of the Bill.

Part 10 includes some general provisions which, as a starting point, apply to all licences comprised by the Bill, except for licences for scientific surveys, unless otherwise provided in the provisions.

The provisions of Part 10 concern various matters, including the following:

- 1) Additional requirements to the licensee under a licence.
- 2) Reporting on and payment of direct and indirect taxes.
- 3) Transfer of and legal proceedings against a licence.
- 4) The licensee's merger with another company or demerger into two or more companies.

To a wide extent, the provisions correspond to the corresponding provisions of the Mineral Resources Act in this regard and the Government of Greenland's practice for setting provisions and terms thereon, with some clarifications and elaborations, etc.

### *2.3. Activity plans and closure of activities under a licence*

Part 12 of the Bill includes provisions on the licensee's activity plans, the Government of Greenland's approvals of activity plans and the licensee's closure of activities and provision of security, etc.

The provisions largely correspond to the provisions of the Mineral Resources Act on the same matters, with a few clarifications and elaborations. However, new provisions have been added, including additional provisions on clean-up and removal of assets that have been used in connection with the performance of activities under a licence, and on retention and sale of removed assets.

In relation to the provisions of the Mineral Resources Act on the same matters, the provisions of the Bill on a mining plan (formerly, exploitation plan) and a closure plan have been gathered in the same part to gain an overview of the connection between these plans, which must be approved by the Government of Greenland before a licensee can initiate its activities under an exploitation licence. This generally contributes to creating a clearer state of the law in the area. In addition, the provisions of the Bill are thus easier to understand and apply in practice. This is the case particularly with individuals and companies who are not at all or only to a limited extent aware of the regulation of the mineral area and the legal system in Greenland.



#### *2.4. Regulatory matters*

Part 4 of the Bill contains, among other provisions, provisions on the Mineral Licence and Safety Authority and the Environmental Agency for Mineral Resources Activities (EAMRA), which are the entities responsible for day-to-day administration in the mineral resource area.

The two agencies have decision-making power on minor issues, whereas decisions of a more far-reaching nature are taken by the whole Government of Greenland. Decisions made by the two agencies may be appealed to the Government of Greenland.

The administration is split into two independent entities under two different Ministries so that it is not the same authority administering the licence regime that decides on environmental matters. This is intended, among other things, to ensure a focus on the protection of the environment and nature, and that social development thereby takes place on a sustainable basis, respecting human living conditions and the conservation of animal and plant life.

The split does not change the principle of a single authority (one door principle). The Mineral Licence and Safety Authority will be the coordinating administrative authority and will obtain the necessary opinions and decisions from EAMRA, so that licensees under the Bill will be communicating with only one authority.

#### *2.5. Geological knowledge sharing, data and marketing of the mineral area in Greenland*

Since the Mineral Resources Act came into force, the Government of Greenland has amassed greater knowledge and experience in the mineral area. For one thing, greater knowledge has been accumulated about market conditions and competition in Greenland and internationally and about Greenland's potential in the mineral area.

The Government of Greenland still wants to increase awareness of Greenland's mineral potential and ensure appropriate knowledge sharing of relevant information, reports and data, etc. concerning the subsoil of Greenland. These matters are mentioned as important in Greenland's Mineral Strategy 2020-2024, which has been prepared and adopted by the Government of Greenland.

Under the Mineral Resources Act, the Government of Greenland may use and publish relevant information, reports and data, etc. concerning the subsoil of Greenland, including geological data, to the extent that the information and data, etc. in question are not subject to confidentiality.

Under the Bill, the Government of Greenland will still be able to use and publish relevant information, reports and data, etc. concerning the subsoil of Greenland under sections 32, 39, 55 and 63.

The Bill thus ensures that the Government of Greenland may have access to relevant information, reports and data, etc. concerning the subsoil of Greenland and that the Government of Greenland will have a right to use them and publish them after the end of the confidentiality period. This will contribute to ensuring that the Government of Greenland will continuously and appropriately obtain new knowledge in the mineral area and that the Government of Greenland may market and raise awareness of Greenland's mineral potential and geology towards Greenland and international parties.

#### *2.6. Cooperation between the Government of Greenland and the Government in the mineral area*

The Mineral Resources Act contained specific authority for the Geological Survey of Denmark and Greenland (GEUS) and the Danish Centre for Environment and Energy (DCE) to carry out research of particular relevance to mineral resources exploration in Greenland, to the extent and so long as the research is carried out to satisfy the obligation of the Government to make such research available to the Government of Greenland under section 9(4) of the Act on Greenland Self-Government.

As the cooperation between the Government of Greenland and GEUS and DCE is governed by the Greenland Home Rule Government, and the research is carried out by agreement with the Government of Greenland, the cooperation is not separately governed in the Bill.

#### *2.7. Matters relating to the hydrocarbon area (oil and natural gas area) and use of the subsoil for storage purposes*

The hydrocarbon area and use of the subsoil for storage purposes are not comprised by this Bill and will continue to be comprised by the Mineral Resources Act.

#### *2.8. Matters relating to the environment, nature and climate*

Environmental matters, including also matters relating to nature and climate, are important matters concerning activities comprised by this Bill, including in particular exploitation and closure activities.

The Bill governs environmental matters in the mineral area, including environmental, climate and nature protection, environmental responsibility and liability and compensation for environmental damage, etc.

The Bill is to a wide extent a re-enactment of the provisions of the Mineral Resources Act relating to environmental matters, and the provisions of the Bill relating to environmental matters will therefore continue to apply in relation to all activities and matters comprised by this Bill. Thus, the Bill contains, among other things, Part 13 on environmental, climate and nature protection, Part 14 on environmental responsibility and liability and Part 15 on

environmental impact assessment (EIA), while Part 22 on liability in damages and insurance contains provisions on compensation for environmental damage.

### *2.9. Matters relating to small-scale mineral activities and exploitation for construction projects and infrastructure projects in Greenland etc.*

The mineral resource area and the Mineral Resources Act cover a number of activities, including the following: Small-scale mineral exploration and exploitation by local museums and individuals under small-scale licences thereto. And geo-tourism activities concerning showing of minerals and geological conditions in Greenland for tourists. Exploitation of gravel, stone and similar minerals by municipalities and enterprises for use as building or construction materials as part of a construction or infrastructure project in Greenland. Collection and extraction of minerals without a licence in this regard performed by individuals having permanent residence in Greenland and being fully liable to pay tax in Greenland (resident individuals).

This Bill does not cover such small-scale activities and activities concerning exploitation of minerals for use in construction projects and infrastructure projects in Greenland etc.

The Government of Greenland is planning to prepare and introduce a Greenland Parliament Bill on such small-scale activities and other activities, etc. (Small-Scale Mining Act). The Bill is envisaged to be introduced as soon as possible following the introduction of this Bill.

### *2.10. Social sustainability and assessment thereof*

This Bill includes rules on social sustainability, including and in particular in sections 1 and 103.

Part 16 of this Bill includes rules on the performance of a social impact assessment (SIA). The requirements concerning social sustainability generally imply that a licensee must perform a social impact assessment (SIA) when performing planned activities and prepare a report thereon (an SIA report) if the activities must be assumed to have a significant social impact. The licensee must submit the SIA report to the Government of Greenland and obtain the Government of Greenland's approval of the report.

The requirement for social sustainability is generally intended to ensure that the activities are organised and performed in such a manner as to ensure that developments in society can take place on a sustainable basis. The requirement is also intended to ensure that the necessary measures are taken to offset and mitigate negative social impacts and create positive social effects and, in this connection, that positive development opportunities are identified and realised, where possible.

Reference is made to the explanatory notes to the provisions of Part 16.

### *2.11. Health and safety for offshore facilities*

The full powers for the field of working environment in the territorial land of Greenland have not transferred to the Greenland Self-Government. A transfer of the powers for the field of working environment in the territorial land is permitted pursuant to section 3(2) of the Act on Greenland Self-Government following negotiations with the authorities of the Danish Realm.

The part of the working environment powers which concerns work relating to mineral activities in the sea area on offshore facilities has been transferred to the Greenland Self-Government. Part 19 of the Mineral Resources Act, which consists of only sections 113-114, sets out provisions on health and safety for offshore facilities.

In general, the provisions of the Bill correspond to section 79 of the Mineral Resources Act.

### *2.12. Important public considerations and interests*

Under the Bill, a licence or an approval cannot be granted to an applicant or licensee if incompatible with important public considerations and interests, including important foreign policy, defence policy or national security considerations or interests.

The Government of Greenland will decide whether a licence or an approval under the Bill cannot be granted to an applicant or a licensee as a result of important public considerations or interests, including important foreign policy, defence policy or national security considerations or interests.

## **3. Economic and administrative consequences for the public sector**

The Bill is in accordance with the Government of Greenland's policy that the mineral sector must be a growth industry that contributes to the overall economic and commercial activities and growth of Greenland. It is expected that some of these activities and this growth will be attained through the creation of more jobs and services in the mineral sector in Greenland. This will generally contribute to increasing commercial activity, revenue from commercial activity, public revenues and the standard of living in Greenland. In addition, it will contribute to society in general, among other things through increased income tax revenue from individuals and companies.

Thus, the Bill aims to support a number of positive economic and administrative effects for the public sector and society. However, any attempt to place a monetary value on the consequences of the Bill for the Greenland economy and public finances is subject to great uncertainty. One reason for this uncertainty is that the mineral sector is greatly affected by global economic trends and thereby demand for and market prices of minerals. Another reason is that many and very different and varying factors will affect the potential positive and negative impacts on the public sector and society.

Under the Bill, the costs incurred by the Government of Greenland for administrative and other regulatory processing, including for upgrading professional qualifications and increasing staffing levels in the mineral area, will generally be covered by the licensees reimbursing such costs. It is thus expected that no additional funds will be required in connection with administrative and other regulatory processing, including upgrade of professional qualifications and increase of staffing levels in the mineral area.

The Bill is thus not anticipated to have significant economic or administrative consequences for the public sector.

#### **4. Economic and administrative consequences for the business sector**

The potential positive effects on Greenland enterprises and foreign enterprises will depend on a number of factors, including the extent to which the enterprises can supply, and are retained by the licensees to supply, the goods and services which are necessary in connection with the performance of activities under licences under the Bill.

Furthermore, the potential positive effects on Greenland enterprises and foreign enterprises will also depend on the extent to which the enterprises are granted licences under the Bill and whether licensees perform activities under licences and generate income in that connection.

The Bill aims to provide a number of positive economic and administrative effects for Greenland enterprises and foreign enterprises.

However, it is not possible to estimate or place a monetary value on the positive effects on the enterprises. Some of the reasons are the above-mentioned matters and the very different potential activity levels for mineral activities under the Bill and possible levels of demand for and prices of different types of minerals. The mineral sector is greatly affected by global economic trends and thereby demand for and market prices of minerals. Another reason is that many and very different and varying factors will affect the potential positive and negative impacts on the Greenland enterprises and foreign enterprises.

With regard to the amount of fees and charges, etc. which are payable by licensees to the Government of Greenland under the Bill, reference is made to section 31(1) and (3), section 38(1) and (4), and section 51(1) and (5).

In general, the Bill will not result in an increase of the economic or administrative burdens on the business sector.

#### **5. Consequences for the environment, nature and public health**

The Bill is not expected to involve any significant changes to the environment, nature or

public health.

## **6. Consequences for citizens**

The Bill is generally aimed at companies' and research institutions' mineral activities in Greenland. However, the Bill will extend the area of public consultations in relation to the Mineral Resources Act as public consultation will be required under the Bill in connection with the grant of exploration licences and exploitation licences and social impact assessments, and it will be possible to require social impact assessments in connection with all activities which are assumed to have a potential significant social impact. The Bill thus gives citizens greater influence on the development of the mineral industry in Greenland.

## **7. Other significant consequences**

The Bill is not expected to have any other significant consequences.

## **8. Consultation of authorities and organisations, etc.**

In the period from [xxx] to [xxx], the Bill was made available on the consultation portal of the Self-Government: [www.naalakkersuisut.gl](http://www.naalakkersuisut.gl).

In the same period, the Bill was put out to consultation with the following authorities, organisations, etc.:

[xxx]

The Ministry of Mineral Resources received responses from the following authorities, organisations, etc.:

[xxx]

Below, the responses received in connection with the consultation process are discussed. It should be noted that the responses are italicised and that their essence is set out based on an evaluation of materiality.

[xxx]

## **Explanatory notes to the individual provisions of the Bill**

### *To section 1*

This section sets out the purposes of the Bill and therefore does not in itself constitute a legal basis to set terms or make decisions. The provision only states which legal considerations the Government of Greenland may take into account in relation to administrative processing under the Bill.

To subsection (1)

The proposed subsection states the main purposes of the Bill. Under section 1(1) of the Bill, the Bill is intended, among other things, to ensure appropriate regulation of mineral activities in Greenland. Thus, the intention is for the Bill to be a framework act setting the most important principles for regulation and administrative processing of mineral activities and other activities in relation to mineral activities, and for the Government of Greenland to be given the authority, within this framework, to make decisions and set the necessary provisions.

Among other things, the Government of Greenland may set provisions on mineral licences, mineral activities and matters in relation thereto in executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals.

Reference is made to section 16 of the Bill and the relevant explanatory notes.

The provisions of the Bill set the overall framework for the considerations and aspects which will be involved and comprised by the standard terms and model licences which will be prepared in the mineral area, and the decisions which will be made by the Government of Greenland in the mineral area. In general, the Bill enables dynamic interpretation in the mineral area to allow new know-how and technology in the mineral area to be applied immediately without any amendment of the Bill being required.

In general, with regard to appropriate prospecting, exploration and exploitation, endeavours it is implied that the activities are organised and performed in an appropriate manner, including in accordance with the considerations mentioned in subsection (2). Appropriate exploitation implies, among other things, that the Bill is envisaged to contribute to securing a fair share to society of the economic gains obtained from the performance of mineral activities, including in particular exploitation of minerals, and that those activities are to be performed in accordance with the short-term and long-term public needs.

In general, with regard to effective prospecting, exploration and exploitation, endeavours it is implied that the activities are performed in an effective manner, including in accordance with the considerations mentioned in subsection (2). Effective prospecting, exploration and exploitation implies, among other things, that the Bill is envisaged to contribute to ensuring that the licensee begins to perform the activities under the licence within a reasonable time after it is possible in the post licence grant period and that the licensee performs the activities in the licence period in accordance with activity plans, mining plans and closure plans without unnecessary or long pauses or interruptions.

The provision thus specifies, among other matters, that the Bill implies appropriate and effective prospecting, exploration and exploitation of minerals as well as performance of activities in relation thereto. For one thing, this is intended to contribute to avoiding unwarranted and unnecessary “area reservation” of a licence area under an exploration or exploitation licence.

The performance of activities in connection with prospecting, exploration and exploitation of minerals generally means all other activities which are associated with the activities in question, including secondary activities or side activities to mineral prospecting, exploration and exploitation activities. In some cases, the performance of such other activities will be subject to an approval thereof granted by the Government of Greenland under the Bill.

To subsection (2)

The proposed subsection implies, among other things, that activities comprised by the Bill are performed appropriately and in a sound manner as regards health, safety, environmental protection, resource utilisation and social sustainability.

The Bill covers, for example, physical safety when establishing and operating buildings, facilities, installations and infrastructure, etc.

The health concept of the Bill should be interpreted broadly, and covers both health in relation to the working environment in connection with the individual activity, and the health of Greenland’s population in general (public health).

Environmental protection includes general environmental considerations relating to human beings, animal and plant life as well as nature when performing the activities comprised by the Bill. Part 13 of the Bill contains provisions on environmental protection, climate protection and nature protection, and Parts 14 and 22 of the Bill contain provisions on environmental responsibility and liability and compensation for environmental damage, respectively. Part 15 of the Bill also provides that certain activities require a prior environmental impact assessment (EIA) and the approval of report thereon (EIA report).



Sound resource utilisation means, among other things, that any waste of resources must be avoided where possible in connection with the mineral activities and that regard must be had to short-term and long-term public interests. Those interests include public interests in the performance of mineral activities and exploitation of minerals, generation of activity, accumulation of experience and competences for local workers and suppliers of goods and services and generation of revenue for the Greenland Self-Government, local workers and local suppliers of goods and services.

The provisions of the Bill on social sustainability are intended to contribute to ensuring that the planning and administration of activities comprised by the Bill will also be based on assessments of the impacts which the activities may have on society nationally and locally. Thus, the proposed provisions imply requirements for holistic planning and management of all activities comprised by the Bill. When assessing societal sustainability, among other things, the population's social, cultural, religious and spiritual values and customs must be taken into account.

Part 16 of the Bill includes rules on social sustainability and on the performance of social impact assessments (SIAs).

#### *To section 2*

This subsection establishes the geographical scope of the Bill in accordance with international law, including the United Nations Convention on the Law of the Sea of 10 December 1982.

The territorial sea of Greenland stretches three nautical miles (5,556 metres) from the baseline.

The continental shelf comprises the seabed and subsoil of the area that extends beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin. This follows from article 76 of the UN Convention on the Law of the Sea.

The continental shelf always extends to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. This also applies in the cases where the outer edge of the continental margin is closer to those baselines. In the cases where the coastal state's continental shelf borders parts of the shelf which belong to other states, the delineation according to the Shelf Convention must be determined by agreement between neighbouring states. See article 76 of the UN Convention on the Law of the Sea.

The continental shelf at Greenland is not fully delineated in respect of the neighbouring states. The rights of a coastal state over the continental shelf are not conditional on formal

occupation or any declaration. Under article 77a of the UN Convention on the Law of the Sea, the rights over the continental shelf as such exist in and of themselves and independently of any delineation of the continental shelf.

*To section 3*

To subsection (1)

This subsection specifies in paras 1) - 4) the activities which are comprised by the Bill.

The subsection specifies that the Bill applies to prospecting, exploration, exploitation and scientific surveys of minerals and activities in relation and of relevance thereto.

See, among other provisions, paras 1) - 4) of section 22(2) and section 12 of the Bill and the relevant explanatory notes.

To subsection (2)

This subsection specifies in paras 1) - 3) the activities which are not comprised by the Bill. The activities mentioned in paras 1) - 3) fall outside the scope of the Bill as the activities are still governed by the Mineral Resources Act and are thus not comprised by the Bill.

The provision is intended to contribute to ensuring that all activities in the mineral area and activities in relation thereto will be comprised by either this Bill or the Mineral Resources Act, and that none of those activities will be comprised by this Bill as well as the Mineral Resources Act.

*To section 4*

This section specifies that the Bill applies to facilities and installations, etc. which are located in the territorial land, the territorial sea, the continental shelf area or the Exclusive Economic Zone of Greenland and which are used in connection with the performance of activities comprised by the Bill.

The section shall be seen in conjunction with subsequent sections 5 and 6 of the Bill.

*To section 5*

This section concerns the Bill's application to offshore facilities, see section 18, including fixed and mobile offshore facilities, and offshore vessels, see section 19.

The section establishes, among other things, that the Bill applies to offshore facilities which are located in the territorial sea, the continental shelf area or the Exclusive Economic Zone of Greenland and are used in connection with the performance of activities comprised by the Bill. Reference is made to section 18 of the Bill on offshore facilities and the relevant explanatory notes.

The section further establishes that the Bill applies to offshore vessels which are located in the territorial sea, the continental shelf area or the Exclusive Economic Zone of Greenland and are used in connection with the performance of activities comprised by the Bill. Reference is made to section 19 of the Bill on offshore vessels and the relevant explanatory notes.

Under international law, the Greenland Self-Government has the exclusive right to explore for and exploit natural resources in the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland. In this context, therefore, it does not matter whether an offshore facility is registered in Greenland, Denmark, the Faroe Islands or another country or whether it is Greenland owned or foreign owned. This is now expressly clear from section 6(3) of the Bill. Reference is made to that provision and the relevant explanatory notes.

#### *To section 6*

To subsection (1)

This subsection concerns safety zones around offshore facilities, see section 18.

Offshore facilities are surrounded by safety zones. The safety zones are governed by sections 115-117 of the Bill. Reference is made to those provisions and the relevant explanatory notes. See also subsections (2) and (3) on the application of the Bill in safety zones and the relevant explanatory notes.

To subsection (2)

This subsection provides that the Bill applies to all vessels, facilities, installations, equipment and objects which are located in a safety zone around an offshore facility. The safety zones are governed by sections 115-117 of the Bill. Reference is made to those provisions and the relevant explanatory notes.

The competence in relation to general marine matters in Greenland lies with the State. The Bill does not imply any changes to current marine legislation. The State's powers include, among other things, requirements to vessels engaged in ordinary transportation of passengers, equipment and exploited minerals, etc. The requirements to the vessels may include their construction, condition and ice class, etc. and rules on working environment aboard the

vessels and mobile facilities.

The competence in relation to mineral resource-related marine environment matters lies with the Greenland Self-Government. For example, the Government of Greenland may set terms in a licensee's exploitation licence concerning requirements to vessels which are used in the performance of activities under the licence.

To subsection (3)

This subsection specifies that the Bill applies irrespective of whether the facilities, vessels and structures, etc. mentioned in subsection (2) are from Greenland, Denmark, the Faroe Islands or from any other country.

Under international law, the Greenland Self-Government has the exclusive right to explore for and exploit natural resources in the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland. In this context, therefore, it does not matter whether an offshore facility or a vessel, etc. is registered in Greenland, Denmark, the Faroe Islands or another country. Nor does it matter whether the facility or vessel is Greenland owned or foreign owned.

*To section 7*

To subsection (1)

This subsection specifies that, as regards section 6, the Bill also applies to other vessels which are used in connection with the performance of activities comprised by a licence granted under the Bill.

To subsection (2)

This subsection specifies that the Bill applies irrespective of whether the ships, marine vessels, facilities and aircraft, etc. mentioned in subsection (1) are registered in Greenland, Denmark, the Faroe Islands or in any other country.

Under international law, the Greenland Self-Government has the exclusive right to explore for and exploit natural resources in the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland. In this context, therefore, it does not matter whether an offshore facility or a vessel, etc. is registered in Greenland, Denmark, the Faroe Islands or another country. Nor does it matter whether the facility or vessel is Greenland owned or foreign owned.

*To section 8*

To subsection (1)

This subsection specifies the activities in the territorial sea, the continental shelf area and the Exclusive Economic Area of Greenland and the air territory above which are comprised by the Bill.

The subsection must be construed and applied in accordance with subsections (2) - (4).

Furthermore, the provision must be interpreted in accordance with section 6 of Greenland Parliament Act No. 15 of 8 June 2017 on the Protection of the Marine Environment (the Marine Environment Act) (*havmiljøloven*) and the related explanatory notes on the delineation between marine environment issues and mineral resource-related marine environment issues. Thus, if activities are deemed to be comprised by the Marine Environment Act, see section 6 of that Act, the activities are not comprised by this Bill.

To subsection (2)

It follows from this subsection that activities which are not performed by a licensee or by the licensee's contracting party are not comprised by the licensee's licence in relation to the provision in subsection (1), regardless of the fact that the activity may be comprised by or directly related to the licence. By way of example, sailing as set out in subsection (1), para. 2), in connection with the authorities' performance of their supervision obligation will not be comprised by a licence as the activity is not performed by a licensee or the licensee's contracting party although the activity is directly related to the licence in question and terms on supervision have been set in the licence.

To subsection (3)

It follows from this subsection that the Bill applies only to a licensee under a licence etc. in so far as the licensee's activities or matters are governed by the Bill or terms of licences, etc.

To subsection (4)

This subsection specifies that the application of this Bill to the activities and persons mentioned in subsections (1) - (3), as described in subsections (1) - (3), will not exempt the parties from compliance with any other Greenland law or Danish law which also applies to the activities and parties mentioned in subsections (1) - (3). This means that if a matter or an activity is comprised by the Bill and other legislation, the person performing the activities must comply with the applicable provisions of the Bill as well as such other legislation.

It is further provided that the provisions of the Bill and the provisions and terms set under the Bill will as a general rule prevail over other legislation in the event of any discrepancy. This will typically be the case where the provisions of the Bill, or provisions and terms set under the Bill, impose more stringent or additional requirements on the person performing activities under the Bill than under the other legislation. For example, to ensure that activities are performed in accordance with acknowledged good international practice.

*To section 9*

The proposed section sets out the scope of the provisions of the Bill on environmental protection. It proposes a broad scope of application of the provisions on environmental protection, thus also covering the protection of climate and nature.

To subsection (1)

As indicated by the proposed provision in subsection (1), the provisions of the Bill on environmental protection also, but not exclusively, address climatic conditions (climate protection) and protection of the nature (nature conservation). However, this is only the starting point of this Bill, as the provision specifies that specific provisions may provide otherwise.

As regards climatic conditions, it should be noted that the concept includes both the very local microclimatic conditions, the CO<sub>2</sub> contribution of the activity, as well as the consequences of future climate change, such as sea level rise.

Under this Bill, there may be an overlap with specific provisions in other Parts of this Bill which also address environmental matters. In case of overlap or duplication, the provision providing for the highest environmental standard, by which is meant the highest level of environmental protection, will prevail.

In applying the provisions of the Bill on environmental protection, regard may be had among other things to the Guidelines for Environmental Impact Assessment (EIA) in the Arctic developed by the Arctic Council under the Arctic Environmental Protection Strategy programme.

To subsection (2)

Under the proposed subsection, climate protection and nature conservation are similarly comprised by the provisions of the Bill on liability in damages, other responsibility and liability for pollution, other environmental impact (environmental responsibility and liability)

and compensation for environmental damage.

*To section 10*

To subsection (1)

This subsection defines what is meant by “minerals” for the purposes of the Bill.

The provision must be seen in light of the wish to regulate the mineral area separately. Reference is made to sections 1.1 and 2.7 of the general notes.

To subsection (2)

The provision in subsection (1) defines minerals as all mineral resources except hydrocarbons. It is therefore necessary to further define what is meant by “hydrocarbons” for the purposes of the Bill.

*To section 11*

This subsection defines what is meant by “mineral activities” for the purposes of the Bill. Mineral activities are a general umbrella term for all activities comprised by the Bill. This is the meaning which is generally ascribed to the term in the Bill.

By way of example, mineral activities include all activities comprised by a licence granted under the Bill, see section 12, and activities in relation thereto. Activities under an exploitation licence, see section 12(4), include, without limitation, exploitation of the minerals comprised by the licence as such. Mineral activities also include, without limitation, establishment and operation of the mining facility, other facilities, installations, buildings and infrastructure, etc. in connection with the exploitation activities. Mineral activities further include, without limitation, clean-up and restoration of the licence area and other affected areas, closure of the exploitation activities and subsequent monitoring, etc. Mineral activities also include all activities comprised by other licences under the Bill, including, for example, prospecting and exploration licences.

Furthermore, mineral activities also include activities which are comprised by the Bill, but can be performed without a licence thereto. See, for example, section 22(4) of the Bill concerning the Government of Greenland’s right to perform certain scientific and practical surveys without a licence thereto.

The above list of examples of mineral activities is non-exhaustive. The term “mineral activities” must thus be construed generally and broadly as meaning all activities comprised

by the Bill.

*To section 12*

To subsection (1)

This subsection defines what is meant by “licence” for the purposes of the Bill.

Under the Bill, there are four different types of licences: prospecting licences, exploration licences, exploitation licences and scientific survey licences. Reference is made to subsections (2) - (5) and the relevant explanatory notes.

To subsection (2)

This subsection defines what is meant by “prospecting licence” for the purposes of the Bill.

Prospecting activities comprised by a prospecting licence include all activities which are performed by or on behalf of the licensee under the licence and matters in relation thereto.

In general, a prospecting licence covers the first and more overall stage of geological analysis to search for and delineate potential mineral deposits in a specified area. This includes, for example, geological and geo-chemical surveys and sampling using hand-held equipment for laboratory testing. Furthermore, prospecting may include, for example, offshore seismic surveys.

According to the current standard terms of prospecting licences in Greenland, a licensee under a prospecting licence may, among other things, carry out drilling using hand-held equipment. However, any activities under a prospecting licence which are not expressly stated in the licence document or the standard terms require the grant of an activity approval in addition to the prospecting licence. Examples of such activities are the use of explosive material and extensive sampling using hand-held equipment for laboratory testing. Reference is made to section 15(3) and section 120(1) of the Bill and the relevant explanatory notes.

A prospecting licence is non-exclusive and entitles the licensee to prospect for one or more minerals. A prospecting licence is generally granted for a large or quite large geographical area. A prospecting licence is granted under section 28. In general, reference is made to section 28 of the Bill and the relevant explanatory notes.

See also the discussion of differences and similarities between prospecting licences and exploration licences in the explanatory notes to subsection (3) below.



To subsection (3)

This subsection defines what is meant by “exploration licence” for the purposes of the Bill.

Exploration activities comprised by an exploration licence include all activities which are performed by or on behalf of the licensee under the licence and matters in relation thereto.

To a wide extent, an exploration licence includes the same surveying activities as a prospecting licence. See the explanatory notes to subsection (2). However, an exploration licence typically includes more specific and in-depth analyses of potential mineral deposits and matters in relation thereto. This may include, for example, geological, geo-chemical and geo-physical analyses. This may also include, for example, offshore seismic surveys.

A mineral exploration licence is exclusive and covers one or more minerals within the area specified in the licence. An exploration licence is granted under section 34. Reference is made to that section and the relevant explanatory notes.

Some of the major differences between prospecting licences and exploration licences are whether the licences are exclusive or non-exclusive and the size of the licence area. Another major difference is that the licensee under an exploration licence is required to carry out exploration activities during the licence period.

Under the Bill, there is no legal connection between a prospecting licence and an exploration licence in the sense that once a prospecting licence has been granted, the licensee would also be entitled to be granted an exploration licence. This also applies, for example, even if the licensee has substantiated and delineated a mineral deposit or a potential mineral deposit or viable mineral deposits.

The granting of an exploration licence is not subject to a prospecting licence already having been granted. As the licensee under an exploration licence holds the exclusive right to explore for minerals in the licence area comprised by the exploration licence, the licensee is entitled to explore for the minerals in the licence area without any other parties exploring for minerals in the same area. Thus, an exploration licence generally affords greater security with regard to investment in exploration activities and right to potential revenue, other exploration-related proceeds and benefits in relation thereto.

Furthermore, a licensee under an exploration licence is entitled to be granted a mineral exploitation licence if the licensee has substantiated and delineated a viable mineral deposit which the licensee intends to exploit, and if the licensee has performed all of its obligations in relation to the exploration licence and activities under the licence. This follows from section 41 of the Bill. Reference is made to that section and the relevant explanatory notes. However,

this does not change the fact that the other provisions of the Bill must be complied with, including the provisions on EIA and SIA reports. This subsection therefore does not preclude the imposition of conditions, for example as a result of the EIA and SIA rules, which make it difficult or impossible to realise a project which would otherwise be eligible for grant of an exploitation licence under section 41.

To subsection (4)

This subsection defines what is meant by “exploitation licence” for the purposes of the Bill.

Exploitation activities comprised by an exploitation licence include all activities which are performed by or on behalf of the licensee under the licence and matters in relation thereto. This includes, without limitation, establishment, operation and use of mining facilities, other facilities, installations, buildings and necessary infrastructure, including roads and ports, etc. It also includes, without limitation, performance of activities concerning exploitation, processing, storage, transport and sale of minerals and discontinuation of exploitation activities, including clean-up and restoration of the licence area and other affected areas.

An exploitation licence is exclusive for one or more minerals and for a specified licence area. An exploitation licence is not subject to an exploration licence already having been granted. In practice, an example of this would be a licensee who is granted a licence to exploit a viable mineral deposit which was comprised by a previous exploitation licence that has now terminated.

The grant of an exploitation licence requires, among other things, that the licensee under the exploitation licence fulfils some specified conditions. Reference is made to sections 41-46 and the relevant explanatory notes on the conditions for the grant of an exploitation licence etc.

To subsection (5)

This subsection defines what is meant by “scientific survey licence” for the purposes of the Bill.

In the context of minerals, scientific surveys include surveys concerning geological, geo-physical and geo-chemical matters. Scientific surveys can also include other matters of relevance to activities comprised by the Bill, including matters of relevance to prospecting, exploration or exploitation of minerals, glaciological and hydrological conditions or matters concerning exploitation of solar, wind or geothermal energy.

Results from scientific surveys may, for example, contribute to mapping out potential mineral deposits in a specified area and their exploitation potential. Such survey results may be a

factor in a company's decision of whether to apply for the grant of a mineral exploration licence in one or more relevant parts of the licence area in question.

A scientific survey licence may be granted, for example, to private enterprises, research institutions, educational institutions, public authorities or companies owned by the Self-Government.

To some extent, a scientific survey licence covers the same types of surveys as a prospecting licence, see subsection (2). Under a prospecting licence, however, the survey activities are performed in a commercial context or wholly or partly for a commercial purpose.

Under the special scientific survey licence available under subsection (5), the survey activities are carried out in a scientific context and for a scientific purpose and, thus, not in a commercial context or for a commercial purpose.

Furthermore, a scientific survey licence may be granted to the Geological Survey of Denmark and Greenland (GEUS) if GEUS would like to carry out scientific surveys and such surveys are not carried out by agreement with the Government of Greenland under section 22(4) of the Bill.

A scientific survey licence is granted under section 62. Reference is made to that section and the relevant explanatory notes.

### *To section 13*

To subsection (1)

This subsection defines what is meant by "licensee" for the purposes of the Bill.

A licensee under a scientific survey licence may be a limited liability company or another party, for example the Geological Survey of Denmark and Greenland (GEUS). A licensee under a prospecting, exploration or exploitation licence can only be a single limited liability company.

For the purposes of the Mining Act, a limited liability company means a public limited company (A/S) or a private limited company (ApS) which is not an entrepreneur company (IVS). A prospecting licence may only be granted to a Greenland or foreign limited liability company. An exploration licence may only be granted to a Greenland or foreign limited liability company. An exploitation licence may only be granted to a Greenland public limited company.

The restrictions imposed with regard to exploitation licences to Greenland public limited companies having their registered office in Greenland are especially due to the fact that exploitation licences are generally associated with extensive activities and obligations, that the company must be subject to the highest equity requirement for a limited liability company having its registered office in Greenland and the rules on bookkeeping, accounting and annual reports, etc. for public limited companies having their registered office in Greenland and that the company must fall within the rules on reporting and payment of direct and indirect taxes for public limited companies having their registered office in Greenland. The restrictions satisfy the requirements to such licensee company under section 9(1)(i) of Act no. 474 of 13 June 2009 on Various Matters in connection with the Greenland Self-Government (*lov om forskellige forhold i forbindelse med Grønlands Selvstyre*).

#### *To section 14*

To subsection (1)

This subsection defines what is meant by “approval” for the purposes of the Bill.

Different types of approvals may be granted by the Government of Greenland under the Bill. See subsections (2) - (3) and the relevant explanatory notes.

According to the last limb of the provision, the Bill’s definition of an approval only applies unless otherwise apparent from the context. This part of the provision is relevant in situations where, for example, the Bill refers to or mentions other approvals under other legislation, including under the Mineral Resources Act.

To subsection (2)

This subsection defines what is meant by “activity approval” for the purposes of the Bill.

An activity approval means any approval from the Government of Greenland of an activity under the Bill. As a result, an activity approval can be an approval of a plan for a licensee’s activities and an approval of specific mineral activities.

To subsection (3)

This subsection defines what is meant by “export approval” for the purposes of the Bill.

Export of minerals from Greenland is subject to an approval granted under section 75.

Under section 75 of the Bill, the Government of Greenland may also set terms to the effect

that export of minerals from Greenland is subject to an export approval, even if the minerals in question have been legally exported from or imported to Greenland in the past. Thus, the Government of Greenland may set terms to the effect that all export of minerals from Greenland is subject to the grant of an export approval. This also applies if the minerals are in regular circulation between Greenland and one or more other countries.

An export approval is granted under section 75. Reference is made to the provisions and the relevant explanatory notes.

*To section 15*

To subsection (1)

This subsection defines what is meant by “mining plan” for the purposes of the Bill.

According to section 77 of the Bill, the licensee under an exploitation licence is required to prepare and submit a mining plan for activities and measures, etc. before beginning to perform exploitation or activities in preparation for or in relation to such exploitation. The mining plan must be approved by the Government of Greenland. This means that the activities in question must not be performed until they have been approved by the Government of Greenland in the form of the approval by the Government of Greenland of a mining plan prepared and submitted by the licensee.

Reference is made to section 77 and the relevant explanatory notes.

To subsection (2)

This subsection defines what is meant by “closure plan” for the purposes of the Bill.

According to section 80, the licensee is required to prepare, submit and be granted an approval of a closure plan by the Government of Greenland. Under section 80(2), the closure plan must be approved by the Government of Greenland on or before the date when the mining plan is approved. Under section 80(3), the closure plan must be approved by the Government of Greenland before the licensee begins the activity.

The closure plan must, among other things, provide a plan for the licensee’s activities and measures, etc. on the licensee’s termination and closure of the exploitation or activity. This includes a plan for what the licensee must do with regard to facilities and buildings, etc. established or used by the licensee and the licence area and other affected areas, and how the licensee must leave the licence area and other affected areas.

Reference is made to section 80 and the relevant explanatory notes.

To subsection (3)

This subsection defines what is meant by “activity plan” for the purposes of the Bill.

An activity plan may be a mining plan, see subsection (1), a closure plan, see subsection (2), or another plan concerning activities performed in connection with the performance of activities under a licence, including drilling, shaft sinking, drift driving, etc.

As a general rule, the licensee is not allowed to perform any activities until the Government of Greenland has approved a plan for the performance of the activities or approved the performance of the activities. The plan or activities must be approved under section 77, 80 or 120 of the Bill.

Under the provision in section 120, a prior approval must be obtained, among other things, when buildings, facilities and installations, etc. are established inside and outside of the licence area. The same applies to activities and measures for the performance of obligations on termination of the operations and the activities comprised by licences issued under the Bill.

Reference is made to section 120 and the relevant explanatory notes.

#### *To section 16*

This section defines what is meant by “provisions and terms” for the purposes of the Bill.

According to the last limb of the first sentence of the section, the Bill’s definition of provisions and terms only applies unless otherwise apparent from the context. This part of the section is relevant in situations where, for example, the Bill refers to or mentions other provisions or terms than those set under the Bill, including, for example, provisions or terms set under the Mineral Resources Act.

The definition of provisions and terms in section 16 contributes to clarifying which legal instruments are available to the Government of Greenland to set specific provisions and terms under the Bill. This aspect is clarified particularly to safeguard the interests of individuals and companies who are not at all or only to a limited extent aware of the legislation and the legal system in Greenland.

#### *To section 17*

This section defines what is meant by “licensee’s contracting parties” for the purposes of the Bill. Among other things, licensee’s contracting party means a licensee’s supplier of goods or services, including construction services or advisory services. The goods and services listed are non-exhaustive. A licensee’s contracting party also includes any subcontracting party(ies) of the licensee’s contracting party etc.

The definition in section 17 includes, for example, a construction firm which has a contract with the licensee to establish a mine under an exploitation licence granted to the licensee. The definition in section 17 also includes any subcontracting parties and other contracting parties having a contract with such construction firm to perform work in connection with the establishment of the mine.

For one thing, the definition in section 17 is relevant in relation to different contracts between the licensee under a licence under the Bill and the licensee’s contracting parties and subcontracting parties. The definition contributes, together with the other provisions of the Bill, to ensure compliance with the provisions of the Bill and licence terms, etc., including in relation to reporting on and payment of taxes and other obligations for the licensee and the licensee’s contracting parties and subcontracting parties, etc. The provision does not concern the contractual relationship arising from the conclusion of an impact benefit agreement (IBA) between a licensee and the Government of Greenland together with one or more municipalities.

Reference is made to section 110 of the Bill and the relevant explanatory notes on IBAs.

#### *To section 18*

To subsection (1)

This subsection defines what is meant by “offshore facilities” for the purposes of the Bill.

Section 18(1) of the Bill concerns mineral activities in an offshore area, which is the territorial sea, the continental shelf area and the Exclusive Economic Zone of Greenland. Reference is made to section 2 of the Bill. Reference is also made to sections 1.1 and 2.11 of the general notes.

Offshore facilities means, among other things, ships, barges and other vessels, platforms and other installations used for the exploitation of minerals in an offshore area, see subsection (1), para. 1). Offshore exploitation of minerals may take place on, in or below the seabed.

Offshore facilities also include ships, barges and other vessels, platforms and other installations used in the processing of minerals that have been exploited in an offshore or onshore area, see subsection (1), para. 2).

Offshore facilities also include ships, barges and other vessels, platforms and other installations used for the storage of minerals that have been exploited in an offshore or onshore area, see subsection (1), para. 3).

Offshore facilities further include ships, barges and other vessels, platforms and other installations used for the receipt, storage, reloading or dispatch of facilities, equipment, goods or other things used in connection with the performance of activities comprised by the Bill in an offshore or onshore area, see subsection (1), para. 4).

Offshore facilities also include ships, barges and other vessels, platforms and other installations used as the point of arrival, connecting point or point of departure in connection with transportation, temporary place of residence or place providing overnight accommodation for persons performing work or activities in connection with the performance of activities comprised by the Bill in an offshore or onshore area, see subsection (1), para. 5).

Offshore facilities further include ships, barges and other vessels, platforms and other installations used for the accommodation of persons performing activities comprised by the Bill in an offshore or onshore area, see subsection (1), para. 6). The provision includes ships etc. providing overnight accommodation for persons performing work on ships, barges and other vessels, platforms and other installations comprised by paras 1) - 5). The provision also includes ships etc. providing overnight accommodation for persons performing work relating to onshore mineral exploitation, but who are sailed out to an accommodation vessel after hours where they will sleep etc.

To subsection (2)

This subsection specifies what is meant by “mobile offshore facility” for the purposes of the Bill. A mobile offshore facility means any offshore facility which can be moved from one position to another by sailing, being navigated or towed, and which is intended for use on different locations throughout its lifetime. For example, a mobile offshore facility is a ship, barge or other vessel.

To subsection (3)

This subsection defines what is meant by “fixed offshore facility” for the purposes of the Bill. In general, fixed offshore facilities include all offshore facilities other than mobile offshore facilities. See the explanatory notes to subsection (2) above.



A fixed offshore facility is generally an offshore facility which is on a permanent site. For example, this may be a platform or other facility which is placed on a specific site and not intended for use elsewhere throughout its lifetime.

*To section 19*

This section of the Bill defines offshore vessels.

Offshore vessels means ships, barges and other vessels which are not offshore facilities under section 18(1) of the Bill and which perform activities in connection with offshore facilities. The provision includes, without limitation, service vessels, environment protection vessels, tow boats, anchor handling vessels, floating cranes and other vessels in short-term use.

The provision means that the tasks performed by such ships, barges and other vessels in connection with an offshore facility are comprised by relevant parts of the Bill.

*To section 20*

This section defines environmental damage and the party responsible and liable for environmental damage. Reference is also made to the explanatory notes to Part 14 on environmental responsibility and liability and Part 22 on compensation for environmental damage.

To subsection (1)

This subsection defines what is meant by “environmental damage” for the purposes of the Bill.

In general, environmental damage is characterised by a disruption of the natural ecological balance – primarily in the form of pollution. Pollution is to be understood in a broad sense, including noise, vibration, heat, light or the like.

To subsection (2)

Under the proposed subsection, the responsible and liable party means the party who performs, is in charge of or controls the performance of an activity comprised by this proposal.

*To section 21*

This section defines what is meant by “local mineral activities” for the purposes of the Bill.

Local mineral activities include, among other things, small-scale activities, exploitation of gravel, stone and similar minerals for use as building or construction materials as part of a construction or infrastructure project in Greenland and the right of local persons to collect and extract minerals without a licence thereto and activities comprised by Parts 8 and 11 of the Mineral Resources Act.

It is noted that the Government of Greenland plans to introduce a bill regulating these matters soon.

*To section 22*

To subsection (1)

This subsection makes it clear that the Greenland Self-Government owns and has the unrestricted power to use and exploit minerals in the subsoil of Greenland, and thereby also has the power to issue licences concerning minerals in the subsoil of Greenland.

This means, among other things, that in case of any unlicensed mineral collection or exploitation, the minerals or the revenue from the exploitation thereof will accrue to the Greenland Self-Government.

It also means that any samples taken according to a licence under the Bill belong to the Greenland Self-Government on termination of a scientific survey, prospecting, exploration or exploitation licence. This applies to samples which are in Greenland on termination of the licence as well as samples which are abroad.

The provision is in accordance with the Act on Greenland Self-Government. It follows from the Act on Greenland Self-Government that the Greenland Self-Government owns and has the unrestricted right to use and exploit the mineral resources in the subsoil of Greenland when the responsibility for the mineral resource area has transferred to the Self-Government.

Reference is made to section 6 of the general explanatory notes to the Act on Greenland Self-Government. The responsibility for the mineral resource area transferred to the Greenland Self-Government on 1 January 2010. Reference is made to sections 1.1 and 1.3.1 above.

To subsection (2)

This proposed subsection imposes a general ban on the performance of activities comprised

by the Bill in the absence of a licence thereto granted by the Government of Greenland according to the rules of the Bill in this regard.

However, activities may still be performed without a licence to the extent this follows from the Mineral Resources Act. This means that all activities in the mineral area and activities in relation thereto will be comprised by either this Bill or the Mineral Resources Act.

The subsection specifies in paras 1) - 4) the mineral activities under the Bill which require a licence granted by the Government of Greenland.

Parts 5-7 and 9 of the Bill provide rules on the grant of licences for mineral activities. Part 10 provides general rules for licences. Part 11 of the Bill provides rules on minerals etc., including on mineral export, processing and trading.

Although the Bill does not contain any provisions on related subsoil activities, pipelines and related energy activities, this does not mean that a licensee is precluded from engaging in such activities under the Bill. Such activities may be performed as related activities (side activities or secondary activities) in relation to the primary activities under a mineral licence, see section 3(1), para. 2), of the Bill in this regard. The performance of related subsoil activities or energy activities will be subject to an approval thereof granted by the Government of Greenland. For example, a licensee may apply for an approval by preparing and submitting a mining plan or other activity plan to the Government of Greenland, which includes subsoil and energy activities. Reference is made to section 121 of the Bill and the relevant explanatory notes.

To subsection (3)

The subsection provides that the activities in paras 1) - 2) of subsection (3) may be performed in Greenland only under approvals granted by the Government of Greenland under the provisions of the Bill. The proposed subsection imposes a general ban on the performance of activities comprised by the Bill without the requisite approvals being granted by the Government of Greenland, unless the activities are already approved under the licence.

In general, an approval is only available to a party who is a licensee under a licence under the Bill. However, an export approval may also be granted to a party who is not a licensee, see section 75(2). The reason is that in most cases, an approval covers activities which are either the primary activities under a licence or related activities (side activities or secondary activities) in relation to the primary activities under a licence.

The purpose of para. 2) is to specify that activities other than those mentioned in para. 1) can be subject to a requirement for approval from the Government of Greenland before the activities are performed. This will apply to all activities which are not covered by a licence.

Typically, activities covered by a licence will be less extensive activities which any licensee under the type of licence in question may be expected to perform on a regular basis, which means that it would result in a disproportionate administrative burden to require these activities to be approved in each case. These activities can, if they are mentioned in the licence, be said to be approved in the licence as such.

As an example of activities which require an approval, section 77 of the Bill may be mentioned. According to section 77, the licensee under an exploitation licence is required to prepare and submit a mining plan for activities and measures, etc., before beginning to perform exploitation or activities in preparation for or in relation to such exploitation. The mining plan must be approved by the Government of Greenland. This means that the activities in question must not be performed until a mining plan prepared and submitted by the licensee has been approved by the Government of Greenland.

In addition, it may follow from the terms of a licence or an approval granted by the Government of Greenland that the licensee is not allowed to perform certain activities until the Government of Greenland has approved a plan for their performance. In such case, the activities will have to be approved in accordance with the relevant terms of the licence or the approval under section 120 of the Bill.

To subsection (4)

This subsection provides a specific exception to the general approval requirement in section 22(2) of the Bill. The subsection is a standing authorisation from the Greenland Parliament to the Government of Greenland to perform surveys and mapping of relevance to the mineral area. Typically, such surveys and mapping are performed in the course of marketing the mineral area in Greenland or the geology of Greenland, or surveys and mapping in the general public interest.

The Government of Greenland may perform the survey activities itself or engage third parties to perform the activities. For example, the Government of Greenland may enter into an agreement with the Geological Survey of Denmark and Greenland (GEUS), the Danish Centre for Environment and Energy (DCE) or another party to perform the activities under subsection (3). In the situation mentioned above, GEUS, DCE or the other party may perform activities under subsection (3) for the Government of Greenland without a licence to do so and in accordance with the agreement with the Government of Greenland.

To subsection (5)

This subsection provides that subsections (1) - (3) do not apply to local mineral activities.

In general, the Mineral Resources Act still applies to small-scale mineral activities, including small-scale mineral exploration and exploitation, exploitation of gravel, stone and other minerals for local construction and infrastructure projects, mineral collection and extraction local persons without a licence thereto having been granted and the performance by local persons of geo-tourism activities concerning showing of minerals and geological conditions in Greenland for tourists, etc.

The subsection is intended to contribute to ensuring that all activities in the mineral area and activities in relation thereto will be comprised by either this Bill or the Mineral Resources Act.

*To section 23*

To subsection (1)

This subsection concerns the governance structure within the scope of the Bill.

The powers to administer the provisions of the Bill and make decisions under the Bill rest, in principle, with the Mineral Licence and Safety Authority and the Environmental Agency for Mineral Resources Activities (EAMRA). The Government of Greenland makes decisions of material importance and the decisions of the Mineral Licence and Safety Authority and EAMRA may be appealed to the Government of Greenland, see section 24 of the Bill and the relevant explanatory notes.

Thus, in practice, it will only be decisions concerning grant, material change, transfer, revocation and approval of surrender of a licence to explore for or exploit minerals which will be made by the Government of Greenland. Moreover, decisions on matters which may have a significant environmental or social impact are made by the Government of Greenland unless the Government of Greenland has set provisions to the effect that specific decisions are to be made by the Mineral Licence and Safety Authority and EAMRA.

In addition, the Government of Greenland will, as a general rule, make decisions in specific cases of fundamental legal importance to the decision of similar cases in future, or if there is otherwise deemed to be a need to lay down a new administrative practice in an area, decisions about initiation of compulsory acquisition, decisions to the effect that certain tasks under the Bill must be handled by other authorities or private parties and setting of terms and provisions in the form of executive orders.

As a general rule, all other decisions and all administrative processing will be handled by the Mineral Licence and Safety Authority and EAMRA.

To subsection (2)

This subsection proposes that the Mineral Licence and Safety Authority remain the competent administrative authority for the mineral area and that the environmental area be dealt with by the Environmental Agency for Mineral Resources Activities (EAMRA) under subsection (3).

The Mineral Licence and Safety Authority is responsible for all matters relating to the mineral area, with the exception of matters relating to the environment. Within its sphere of competence, the Mineral Licence and Safety Authority may make decisions, including on the approval or refusal to approve activity plans or other plans (except for environmental plans) or on the issuing of injunctions for compliance with the rules of the Bill or the terms of a licence (except for rules or terms relating to environmental matters).

An activity plan must be approved by the Government of Greenland if the plan includes activities that may have a significant impact on society. The same applies to social impact assessment (SIA) reports, see Part 16 of the Bill.

Appeals against decisions of the Mineral Licence and Safety Authority may be filed with the Government of Greenland, which will then decide on the cases, see section 24 of the Bill. The Government of Greenland may make a final decision on an appeal or refer it back to the Mineral Licence and Safety Authority for further consideration and decision.

To subsection (3)

The Environmental Agency for Mineral Resources Activities (EAMRA) remains the competent administrative authority under the Government of Greenland for environmental matters relating to mineral resources activities, including environmental, climate and nature protection, environmental responsibility and liability as well as environmental impact assessments.

As a general rule, EAMRA is responsible for environmental matters within the mineral resource area.

As the competent administrative authority within the area of environmental protection, EAMRA is competent to make decisions or have draft decisions as well as assessments and opinions prepared.

However, this does not change the fact that the regulatory process and communication within the mineral resource area are organized according to the so-called “one door principle”.

Appeals against decisions of the Environmental Agency for Mineral Resources Activities (EAMRA) may be filed with the Government of Greenland, which will then decide on the cases, see section 24 of the Bill. The Government of Greenland may make a final decision on an appeal or refer it back to EAMRA for further consideration and decision.

The assessments, recommendations, decisions and opinions of EAMRA are based on assessments and draft decisions of one or more scientific and independent environmental institutions.

Where the Government of Greenland has not delegated authority to another authority and thus is to make a decision, the authorities’ recommendation for decisions etc. will as always be a comprehensive recommendation concerning all matters. The authorities’ recommendation will thus continue to be accompanied by the assessments etc. from the independent environmental institutions in their full length.

In accordance with usual practice, neither the Government of Greenland nor the mineral resource authorities are bound by the assessments or recommendations of the scientific institutions. These assessments are part of an overall decision, and in their recommendation or decision, the mineral resource authorities may attach importance to other things than the scientific institutions, including applying a stricter or more lenient interpretation. In all cases, the final decision and ruling rests with the Government of Greenland or the authority to which the Government of Greenland has delegated decision-making authority, and the decision is thus taken by the authority concerned on the basis of a weighing of all the factors and a weighing of all the elements in relation to the requirements of the Bill.

To subsection (4)

This subsection specifies that a collective and integrated approach is applied with regard to administrative processing in the mineral area. The administrative processing comprises all matters in relation to minerals, mineral activities, use of the subsoil for storage or other purposes in relation to mineral activities, related energy activities, related pipeline activities and other activities in relation thereto.

The collective and integrated approach to administrative processing is intended to ensure a continued holistic approach to administrative processing in the technically difficult administrative areas which require knowledge of mineral activities, related activities, mineral licences, geological, technical and economic matters in relation thereto and matters of potential significance to health and safety, environmental protection, resource utilisation and

social sustainability in relation thereto.

Furthermore, the collective and integrated approach to administrative processing is envisaged to ensure and strengthen professional environments which are capable at all times of handling tasks at the level that is required in connection with the administration of the mineral area and expected by national and international mineral enterprises.

The provision is supplemented by the proposed provision in subsection (7). According to that provision, the authorities mentioned in subsection (1) are also the responsible and competent authority under other statutes and rules with respect to minerals, mineral activities and related activities. See subsection (7) and the relevant explanatory notes.

To subsection (5)

Under subsection (5), administrative processing and communication in the mineral area will be organised according to the so-called one door principle. This means that the licensee and other parties comprised by the Bill will generally communicate with one regulatory entity.

To subsection (6)

According to this subsection, the Mineral Licence and Safety Authority will continue to coordinate actions with EAMRA to the extent that environmental assessments, opinions and decisions are required within the mineral area.

According to the Bill, the processing of cases within the mineral area is organised such that the Mineral Licence and Safety Authority does not process a case, make a decision or submit a recommendation to the Government of Greenland without first consulting EAMRA if it is necessary in that connection to make an assessment or decision concerning environmental matters.

In these cases, the Mineral Licence and Safety Authority, as coordinating authority, must obtain an opinion or decision from EAMRA.

Furthermore, EAMRA must on its own initiative inform the Mineral Licence and Safety Authority about its processing and decisions. This is to ensure, among other things, that the Mineral Licence and Safety Authority is able to fulfil its function as coordinating administrative authority within the mineral resource area.

The administration of environmental matters within the mineral resource area is based on the basic premise that the technical advisors of EAMRA perform environmental assessments and prepare draft decisions (recommendations) on environmental matters. As mentioned above in



the explanatory notes to subsection (3), this ensures that the authorities' assessments and decisions on environmental matters continue to be based on the assessments and draft decisions of a scientific and independent environmental institution.

This implies that, in general, cases concerning assessments or decisions relating to environmental matters must be dealt with in accordance with the following procedures and principles:

When the Mineral Licence and Safety Authority receives a case that also concerns environmental matters, the Mineral Licence and Safety Authority will forward the case to EAMRA and request an opinion or decision from the latter. EAMRA then asks the technical adviser to prepare the necessary assessments, opinions and draft decisions. Once EAMRA has received the material from the technical adviser, EAMRA will review the material and prepare comments as necessary. EAMRA will forward the technical adviser's material to the Mineral Licence and Safety Authority, together with any comments, recommendations and decisions which EAMRA may have.

If the matter must be submitted to the Government of Greenland, the Mineral Licence and Safety Authority will submit the matter to the Government of Greenland. In this connection, the Mineral Licence and Safety Authority will forward the material from the technical advisor and EAMRA in unchanged form. The Government of Greenland will then decide on the matter.

To subsection (7)

Subsection (7) of the Bill contributes to providing for the authorities mentioned in subsection (1) the basis for the collective and integrated approach to administrative processing in the mineral area in practice as it specifies that, where possible and for purposes of the administration of the Bill, the authorities mentioned in subsection (1) are also the competent authorities under other laws and rules.

To section 24

This section proposes that, as at present, a decision by the Mineral Licence and Safety Authority or EAMRA may be appealed to the Government of Greenland, which will then decide on the matter.

The appeal rules thus allow a case to be heard and decided in two instances, unless the case has been decided in the first instance by the Government of Greenland. This is generally consistent with the consideration for due process as regards the decision of the individual case.

The appeal rules allow any case to be heard and decided by the Government of Greenland. This is consistent with the consideration that matters of substantial importance should generally be decided or be capable of being decided by the Government of Greenland as the Self-Government's supreme administrative authority.

To subsection (1)

According to subsection (1), those who are considered entitled to appeal under the provision may appeal to the Government of Greenland against a decision by the Mineral Licence and Safety Authority or the Environmental Agency for Mineral Resources Activities (EAMRA). Thus, an appeal may not be filed with any other administrative authority or appeals board.

All persons who may be deemed to have an essential individual interest in the outcome of the case are to be regarded as parties under para. 1). In addition, certain associations and organisations have a right of appeal under para. 2).

The provision does not preclude judicial review or review by the Parliamentary Ombudsman.

To subsection (2)

This subsection sets a time-limit of six weeks for filing an appeal to the Government of Greenland against a decision by the Mineral Licence and Safety Authority or the Environmental Agency for Mineral Resources Activities (EAMRA).

The provision contains two rules on when time begins to run for appeals. If a decision has been notified to a party, the time-limit for appeal begins to run from the date of notification. If a decision has been made public, the time-limit for appeal begins to run from the day of publication.

The provision contains a single rule on the expiry of the time-limit for appeal. If the time-limit for filing an appeal expires on a Saturday or a public holiday, the time-limit for filing an appeal will be extended to the next business day.

An appeal cannot be brought before the Government of Greenland after the time-limit for appeal has expired.

To subsection (3)

It follows from this subsection that an appeal must be filed in writing, including by means of electronic communication like for instance email, and that the appeal must be filed with the

authority which issued the decision, which will be the Mineral Licence and Safety Authority or the Environmental Agency for Mineral Resources Activities (EAMRA).

To subsection (4)

This subsection proposes that an appeal regarding a licence, approval or exemption is not to have a suspensive effect unless otherwise decided by the Government of Greenland. Under subsection (5), the Government of Greenland may set provisions to the effect that appeals against other types of decisions have suspensive effect.

To subsection (5)

Under subsection (5), the Government of Greenland may set provisions to the effect that the rights under specific licences, approvals or exemptions may not be exercised within the time-limit for appeal.

To subsection (6)

This subsection provides that, as a general rule, an appeal against a prohibitory or mandatory injunction will not have a suspensive effect. The reason for this is that prohibitory or mandatory injunctions are usually applied where the supervisory authority has needed to stop an activity immediately.

*To section 25*

To subsection (1)

This subsection sets a general time-limit of one year for decisions to be brought before the ordinary courts. The choice of a general time-limit of one year is intended to secure clear and conclusive determination of the parties' legal position in this area. The Bill is a re-enactment of the legal position provided under the Mineral Resources Act.

The provision applies to actions concerning the decision as such, including, for example, judicial review of the validity or effects of the decision, and actions concerning claims for damages, other claims for payment or other claims concerning or in relation to the decision.

The provision contains two rules as to when time begins to run. Time begins to run from the date of notification of the decision to a party. However, if a decision is published, time always begins to run from the date of publication. The provision also includes a rule on expiry of the time-limit. If the ordinary time-limit expires on a Saturday, Sunday or public holiday, the time-limit will be extended to the next business day. If, by way of example, time begins to run

Thursday, 1 February 2024, the last day to bring proceedings before the ordinary courts is 1 February 2025. Thus, with 1 February 2025 being a Saturday and 2 February 2025 being a Sunday, the last day to bring proceedings is Monday, 3 February 2025.

The provision in subsection (1) is intended to ensure that citizens, authorities and businesses will obtain clear and conclusive determination of their legal rights within a reasonable time. Licensees and other parties performing activities within the scope of the Bill also need to be able to act in reliance on decisions that have been made, without the uncertainty associated with longer time-limits for bringing proceedings and the decision being changed by the ordinary courts or an arbitration court.

Similar provisions can be found in Danish legislation. In the Danish Environmental Protection Act (*miljøbeskyttelsesloven*), the default time-limit for bringing decisions concerning matters comprised by the Act before the ordinary courts is six months. In some cases, however, the Environmental Protection Act provides for a 1-year time-limit. In the Danish Planning Act (*planlægningsloven*), the time-limit for bringing decisions before the ordinary courts is also six months.

One thing which the two Danish Acts have in common is that they govern material public interests where there is a public need for clear and conclusive determination of the legal position of the relevant parties within a reasonable time. The same need exists within the area of the Bill.

To subsection (2)

This subsection provides that if a decision is brought before the ordinary courts, this will have no suspensive effect, unless otherwise decided by the Government of Greenland.

If a decision is brought before the ordinary courts and suspensive effect is granted, the decision will only take effect when the case has been determined without the decision being revoked or amended or when the case has been dismissed or waived or otherwise ends.

When deciding the issue of suspensive effect, regard may be had, among other things, to whether the decision may have material adverse effects on society or other material matters. As already mentioned, however, the general rule is that if a decision is brought before the ordinary courts, no suspensive effect will be granted.

To subsection (3)

This subsection provides that a decision comprised by the Bill may only be brought before the courts having jurisdiction in Greenland in Greenland.

*To section 26*

This section imposes an obligation on the Government of Greenland to prepare and publish a report on licence applications, licences granted, and planned and completed licensing rounds each year. The report is intended to serve as general information from the Government of Greenland to the Greenland Parliament and the general public concerning activities under this Bill.

The Government of Greenland must submit the report to the members of the Greenland Parliament and publish the report.

*To section 27*

This section imposes an obligation on the Government of Greenland to inform a relevant committee under the Greenland Parliament before deciding cases regarding matters which may have a significant social or environmental impact, for example decisions on granting of exploitation licences.

Experience from the mineral area has shown that the importance of the mineral area to Greenland is increasing and may continue to increase from an economic and industrial perspective. Therefore, there is still a need for parliamentary insight into and oversight of the area. The Bill is not intended to influence any previous or future decisions of the Greenland Parliament with regard to setting up specific committees or allocating powers or responsibilities between parliamentary committees.

It is assumed that the Government of Greenland and the relevant committee will subsequently agree on the extent of the information to be given. The section is not intended to overload the committee with heavy technical reports and the like, but only to emphasise the most important matters.

*To section 28*

This subsection concerns the grant of a non-exclusive mineral prospecting licence.

In general, prospecting covers the first and more overall stage of geological analysis to search for and delineate potential mineral deposits in a specified area. One of the purposes of prospecting is in general to create the basis for initially examining the possibilities of initiating actual activities to explore for minerals in the area in question.

See the definition of a prospecting licence in section 12(2) of the Bill and the relevant

explanatory notes.

According to the Bill, as mentioned, only non-exclusive prospecting licences may be granted. This means that two or more licensees may be granted prospecting licences which cover the same geographical area in whole or in part. A prospecting licence is generally granted for a very large geographical area and for all minerals.

A prospecting licence covers studies relating to one or more minerals. The reason why a licence does not cover all minerals is that there may be certain minerals that the Greenland Self-Government does not wish to be exploited. In practice, a prospecting licence will, under its standard terms, cover all minerals, with the exception of the mineral or minerals which may be prohibited from exploitation by law or order.

The fact that a mineral is not covered by the licence does not mean that no studies may be carried out on the mineral or that no reports must be submitted to the Government of Greenland on the mineral. What it means is that in certain areas where the mineral is found, there may be restrictions which mean that these areas are not covered by the licence or, if a licence has already been granted, is excluded from the licence area.

The Government of Greenland may set terms in prospecting licences on all relevant matters and considerations. The terms must be set in accordance with the Bill and its purpose. Reference is made to sections 1 and 33 of the Bill on the setting of terms in a prospecting licence and the relevant explanatory notes.

The grant of a prospecting licence under section 28 of the Bill does not imply any commitment to the licensee to the effect that the licensee may have a right or a preferential right to be granted a mineral exploration or exploitation licence etc. under sections 34 and 43 of the Bill.

#### *To section 29*

To subsection (1)

This subsection provides that the licensee under a prospecting licence must be a limited liability company.

Public limited companies, private limited companies and entrepreneur companies are all limited liability companies and, as such, covered by the legislation on limited liability companies in Greenland under the Danish decree for Greenland on commencement of the Danish Companies Act (*selskabsloven*).

Under the subsection, however, the licensee cannot be an entrepreneur company although an entrepreneur company is a special type of private limited company. One of the reasons is that the minimum registered capital required for an entrepreneur company is only DKK 1, whereas the minimum capital required for a private limited company is DKK 50,000. The capital of a private limited company will thus in general be greater than that of an entrepreneur company.

The Government of Greenland will decide whether a company having its registered office in another country is equivalent to a public limited company or a private limited company not being an entrepreneur company and having its registered office in Greenland and, thus, whether it is eligible to apply for a prospecting licence.

Decisions in this regard must be made in accordance with section 29 and for the purpose of ensuring that for the specific type of companies fundamental and significant requirements are made in relation to regulation, registration, capital, economic and financial capability (financial capacity), management, bookkeeping and accounts, etc.

It is further provided that the licensee company must be registered as a business enterprise in Greenland, which means, according to the existing relevant rules, that the company must be registered with the Danish Central Business Register (CVR). This is required, among other things, for purposes of the company's tax reporting.

To subsection (2)

This subsection provides that a licensee under subsection (1) must meet certain requirements throughout the licence period.

To subsection (3)

This subsection provides that the Government of Greenland has competence to decide which foreign companies are deemed to be the equivalent of a public limited company and a private limited company having its registered office in Greenland.

Thus, the Government of Greenland may decide that the licensee under a prospecting licence can or cannot be a specific type of limited liability company having its registered office in a country other than Greenland.

*To section 30*

To subsection (1)

Under this subsection, a prospecting licence is granted for a licence period of up to five years.

Thus, the licence period of a prospecting licence may be less than five years, including, for example, three years, but cannot exceed five years.

This subsection does not preclude a prospecting licence from being extended. See subsections (2) and (3) and the relevant explanatory notes.

To subsection (2)

This subsection concerns the extension of a licence period of a prospecting licence granted under section 28.

Under this subsection, the Government of Greenland may extend the licence period of up to five years under subsection (1) by one or more periods of up to five years each.

By way of example, a licence period can be extended from five years to eight or 10 years by an extension under subsection (2). If the licensee submits an application in this regard and the Government of Greenland approves the application, the licence period may be further extended from, for example, eight to 10 years or from 10 to 12 or 15 years.

The reason for imposing limitations on the duration of the licence periods of prospecting licences is that the Government of Greenland has an interest in ensuring that the data collected under the licence can be published as soon as possible. As a general rule, therefore, an extension of the licence period will be granted in cases where the licensee's interest in maintaining the confidentiality of the collected data, see section 32(2), is deemed to override the Government of Greenland's interest in publication. For example, this would be the case if a licensee continuously collects large amounts of data with a view to selling them. When the decision of whether to grant an extension of the licence period is made, the licensee's motivation for applying for an extension will often be the deciding factor for whether an extension is granted.

The total licence period of a prospecting licence cannot exceed 15 years, see subsection (4).

To subsection (3)

This subsection provides the authority for the Government of Greenland to set changed licence terms in connection with any extension of the licence period to a total licence period exceeding 10 years.

Under this subsection, the Government of Greenland may set changed licence terms where the original licence period is extended to a total licence period exceeding 10 years.



Thus, the Government of Greenland may not set changed terms at the initial extension of the licence period, see subsection (2), as the initial extension of the licence period cannot lead to a total licence period of more than 10 years. If the original licence period was granted for a period of five years and the initial extension was granted for a period of five years, the Government of Greenland may set changed licence terms in connection with any other extension of the licence period, see subsection (2).

To subsection (4)

This subsection imposes an upper limit on the duration of the total licence period of a prospecting licence. Under the subsection, the total licence period of a prospecting licence cannot be longer than 15 years. See also the explanatory notes to subsection (2) above.

If a licensee wishes to perform additional prospecting activities after a licence period of 15 years, the licensee must apply for the grant of a new prospecting licence under section 28.

To subsection (5)

This subsection provides that a prospecting licence may terminate at an earlier point in time than on expiry of the licence period under subsections (1)-(4). By way of example, this would be the case if, prior to expiry of the licence period, the Government of Greenland approves that the licensee surrenders the prospecting licence to the Government of Greenland.

*To section 31*

To subsection (1)

This subsection clarifies and details the Government of Greenland's statutory authority to set provisions on the payment of a charge for receiving and processing an application for the grant of a prospecting licence under section 28 or an extension of the licence period under a prospecting licence under section 30(2) and for the grant of a prospecting licence or an extension of the licence period. The subsection further clarifies and details the Government of Greenland's statutory authority to set provisions on the payment of a charge for administrative processing concerning a prospecting licence or an extension of the licence period under a prospecting licence.

The Government of Greenland may set provisions on the payment of charges as stated above in an executive order. Reference is made to section 16 of the Bill and the relevant explanatory notes.

To subsection (2)

This subsection clarifies and details the Government of Greenland's authority to set provisions and terms on the licensee's payment of consideration to maintain a prospecting licence and activities under the licence, etc.

By way of example, such provisions and terms could be provisions on an annual consideration for the prospecting rights or charges relating to certain activities.

Consideration may constitute a part of the potential payments received by the Treasury from a licensee for its right to perform activities under a prospecting licence and potential economic and commercial advantages in this regard. When setting the amount of the charge, regard may be had to a number of factors, including the market conditions prevailing in the mineral sector.

Consideration for the performance of specific activities could, for example, also be an amount which is paid into a fund or pool which is used to cover the expenses incurred by the Government of Greenland in connection with cleaning up after mineral activities in cases where the licensees under the Bill fail to comply with their cleaning-up obligations and no security has been provided for those obligations or the security provided is insufficient.

The amount of consideration can only be set with prospective effect, meaning that the setting of considerations in an executive order will only apply to licences granted after the publication of the executive order and that considerations set in licences cannot be changed during the licence period set in the licence.

To subsection (3)

This subsection provides the statutory basis for the Government of Greenland, at its discretion, to charge amounts to cover any expenses incurred by the Government of Greenland in connection with case processing and administrative processing under this Bill. By way of example, the subsection covers collection of expenses for case processing, supervision, other administrative processing, business trips and external advisers and consultants, etc.

The amount payable may be collected as a charge or as reimbursement of expenses.

The amount payable for administrative processing may, for example, be collected on the basis of an hourly rate for the hours currently spent on case processing and other administrative processing, including the grant of licences and approvals, etc.

Any expense can be collected as a charge or as reimbursement of expenses to the extent that

the payment generally corresponds to the expenses incurred by the Government of Greenland for case processing and administrative processing. Thus, it is not the intention that, on the basis of the authority provided in this subsection, expenses to be collected as charges or as reimbursement of expenses beyond the expenses which the Government of Greenland has generally incurred or is generally expected to spend on case processing and administrative processing.

*To section 32*

To subsection (1)

This subsection concerns the licensee's reporting to the authorities.

Under this subsection, the licensee under a prospecting licence must generally submit to the Government of Greenland reports on the activities performed by the licensee under the licence, copies of the results obtained as well as samples to the extent that provisions or terms to this effect are set by the Government of Greenland, see subsection (6) and the relevant explanatory notes.

To subsection (2)

This subsection provides that the licensee's reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. submitted to the Government of Greenland are confidential.

It is necessary to set rules on confidentiality as the information mentioned above may constitute trade or business secrets which shall remain and be treated as confidential for a reasonable confidentiality period. If the Government of Greenland is or may be required to disclose such information etc., including in connection with an access request, this could give others an improper advantage.

The provision is in accordance with the Greenland Parliament Act on Access to Public Administration Files (*landstingslov om offentliggjort i forvaltningen*). It follows from section 3(1) of the Act that the Government of Greenland may set rules to the effect that specified public authorities, fields of responsibility or document types for which the provisions in sections 7 - 14 generally allow refusal of access requests, must be exempted from the Act.

As a general rule, the information under subsection (1) will fall within sections 12 - 14 of the Greenland Parliament Act on Access to Public Administration Files. Subsection (2) will thus ensure, together with the above-mentioned provisions of the Greenland Parliament Act on Access to Public Administration Files, that information exchanged in the Government of

Greenland and submitted to committees of the Greenland Parliament is exempted from access.

Under the subsection, the confidentiality period is generally the entire licence period, but see subsections (3) and (4), and five years after the deadline for submission to the Government of Greenland.

In general, thus, the information under subsection (1) will be confidential until the licence terminates and may remain confidential after the termination of the licence to the extent that the deadline for submission is less than five years before the end of the licence period.

To the extent that the information under subsection (1) must be submitted at a time when the remaining licence period is less than five years, the information will remain confidential until the licence terminates and for a period after the termination of the licence which will be five years as from the deadline for submission. This means that the information under subsection (1) is confidential until 1 January 2028 if the deadline for submission is 1 January 2023, even if the licence in question terminates on 1 January 2026. If, instead, the licence is extended under section 30(2) of the Bill so as to terminate on 1 January 2031, the information in question will remain confidential until that date.

On expiry of the confidentiality period, the licensee's reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. will belong to the licensee as well as the Greenland Self-Government, see subsection (5). Reference is made to the provision in subsection (5) and the relevant explanatory notes.

To subsection (3)

This subsection provides that during the confidentiality period, the Government of Greenland may publish general information about the confidential information, reports, prospecting results, data, samples, interpretations, conclusions and recommendations, etc.

Under the subsection, before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, the Government of Greenland will not publish the relevant information if the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question.

By way of example, the Government of Greenland's interest in publishing information of a general nature may be its interest in safeguarding public health, a statutory duty to publish

certain information or in connection with the marketing of the geology of Greenland. When determining whether general information under this subsection can be published although an objection has been received from the licensee, regard may be had to factors such as any commercial interest of the licensee in maintaining the confidentiality of the information, whether the publication of the information would be contrary to the rules of a stock exchange where the licensee is registered, and whether the individual licensee is identifiable in spite of the general nature of the information.

To subsection (4)

This subsection is intended to provide the basis for the Government of Greenland's publication at any time of environmental data and environmental reports that are deemed to be of general public interest. This may in particular be the case where citizens residing or having business interests in the immediate vicinity of mineral activities may be affected by the potential environmental impact of the activities.

To subsection (5)

This subsection provides that when the confidentiality period expires under subsection (2), the submitted reports, prospecting results, data, samples, interpretations, conclusions and recommendations, etc. belong to the licensee as well as the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

The ownership rights of the Greenland Self-Government only include material that is attributable to mineral activities in Greenland. By way of example, the Greenland Self-Government will have no rights in software and methods used to produce the material.

In practice, licences or terms of licences under the Mineral Resources Act often contain corresponding or similar terms. The same is expected to be the case for licences under the Bill. However, it is considered to be more appropriate for the provision to be expressly stated in the Bill.

The current standard terms of 23 June 2013 for mineral exploration and prospecting licences also contain similar provisions.

To subsection (6)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the matters mentioned in subsections (1) - (5). An example of this would be provisions or terms on the content, format and frequency of the reports, including on their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or conditions.

Another example would be provisions or terms on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters, etc.

The Government of Greenland may set specific rules in this regard in executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals. Reference is made to section 16 of the Bill and the relevant explanatory notes.

*To section 33*

To subsection (1)

This subsection provides the authority for the Government of Greenland to set provisions and terms on all relevant matters concerning the grant of a mineral prospecting licence and matters in relation thereto.

The subsection must be construed and applied in accordance with section 28 of the Bill concerning the grant of a prospecting licence on specific terms.

Among other things, the Government of Greenland may set provisions in executive orders, model licences, application procedures, other procedures and guidelines concerning prospecting licences set under the Bill. The Government of Greenland may also set terms in standard terms for prospecting licences and approvals concerning prospecting licences and terms in decisions made under the Bill. Reference is made to section 16 of the Bill and the relevant explanatory notes which define what is meant by “provisions and terms” for the purposes of the Bill.

The prospecting licence document will state a number of formalities such as licence type, licence area, licence period and identification of licensee.

In addition, a number of other terms will apply which may be set in executive orders, model

licences, application procedures, other procedures and guidelines concerning prospecting licences or in the licence document itself. By way of example, this may be requirements to the licensee's organisation, activities comprised by the licence, the circumstances under which the licence may be terminated, the licensee's obligations after termination of the licence, any obligations of the licensee with regard to performing prospecting activities in the licence period, requirements to safety, environmental protection and social sustainability, the licensee's obligation under certain circumstances to prepare environmental impact assessments and reports thereon (EIA reports), social impact assessments (SIAs) and reports thereon (SIA reports) and enter into impact benefit agreements (IBAs), submission and approval of activity plans, provision of security for the licensee's obligations under the Bill, the licensee's insurance matters, the licensee's liability in damages, the licensee's reporting on prospecting and submission to the Government of Greenland of data and samples, etc., confidentiality, the licensee's payment of charges and considerations to the Government of Greenland and the licensee's use of local workers and suppliers.

*To section 34*

This section concerns the grant of exclusive mineral exploration licences. Under the proposed section, mineral exploration licences may only be granted as exclusive licences. This means that two or more licensees will not be granted exploration licences which cover the same geographical area in whole or in part.

To a wide extent, exploration activities typically include the same analysis activities as a prospecting licence, see section 28 and section 12(2). However, exploration licences typically include more specific and in-depth analyses of potential mineral deposits and matters in relation thereto. This may include, for example, geological, geo-chemical and geo-physical analyses. An exploration licence could also include offshore seismic surveys.

Exploration activities include all activities which are performed by or on behalf of the licensee under an exploration licence, including the establishment of necessary buildings, installations and infrastructure, etc., and other activities in relation to the exploration activities.

It follows from this provision that an exploration licence is granted for a specified area and on specified terms. The licence must thus, among other things, specify a licence area. The licence must also set out the terms governing other relevant matters in connection with the exploration activities.

An exploration licence covers studies relating to one or more minerals. The reason why a licence does not cover all minerals is that there may be certain minerals that the Greenland Self-Government does not wish to be exploited. In practice, an exploration licence will, under

its standard terms, cover all minerals, with the exception of the mineral or minerals which may be prohibited from exploitation by law or order.

The fact that a mineral is not covered by the licence does not mean that no studies may be carried out on the mineral or that no reports must be submitted to the Government of Greenland on the mineral. What it means is that in certain areas where the mineral is found, there may be restrictions which mean that these areas are not covered by the licence or, if a licence has already been granted, is excluded from the licence area. The specific impact on the exploration licence of the prohibition against the exploitation of one or more minerals will be determined by the laws and regulations issued in connection with the prohibition and the terms of the licence.

The Government of Greenland may set terms in exploration licences on all relevant matters and considerations. Reference is made to sections 1 and 40 of the Bill on the setting of terms in an exploration licence and the relevant explanatory notes.

*To section 35*

This section provides that the Government of Greenland must carry out a public consultation on an application before granting an exploration licence.

The section is intended to ensure that all interested parties, such as NGOs, municipalities or citizens, holding rights under other legislation over the same area as that covered by the application, will be entitled to object to the grant of the licence. Objections may result in the licence not being granted or the licence being granted on special terms.

It is important that citizens and other interested parties are given an opportunity to object at this stage in the process as a licensee under an exploration licence, see section 34, is entitled to be granted a mineral exploitation licence, see section 41, if the requirements of this provision are satisfied.

*To section 36*

To subsection (1)

This subsection provides that the licensee under an exploration licence must be a limited liability company.

Public limited companies, private limited companies and entrepreneur companies are all limited liability companies and, as such, covered by the legislation on limited liability companies in Greenland under the Danish decree for Greenland on commencement of the



Danish Companies Act (*selskabsloven*).

Under the subsection, however, the licensee cannot be an entrepreneur company although an entrepreneur company is a special type of private limited company. One of the reasons is that the minimum registered capital required for an entrepreneur company is only DKK 1, whereas the minimum capital required for a private limited company is DKK 50,000. The capital of a private limited company will thus in general be greater than that of an entrepreneur company.

The Government of Greenland will decide whether a company having its registered office in another country is equivalent to a public limited company or a private limited company not being an entrepreneur company and having its registered office in Greenland and, thus, whether it is eligible to apply for an exploration licence.

Decisions in this regard must be made in accordance with section 36 and for the purpose of ensuring that for the specific type of companies fundamental and significant requirements are made to regulation, registration, capital, economic and financial capacity, management, bookkeeping and accounts, etc.

It is further provided that the licensee company must be registered as a business enterprise in Greenland, which means, according to the existing relevant rules, that the company must be registered with the Danish Central Business Register (CVR). This is required, among other things, for purposes of the company's tax reporting.

To subsection (2)

This subsection provides that a licensee under subsection (1) must meet certain requirements throughout the licence period.

To subsection (3)

This subsection provides that the Government of Greenland has competence to decide which foreign companies are deemed to be the equivalent of a public limited company and a private limited company having its registered office in Greenland.

Thus, the Government of Greenland may decide that the licensee under an exploration licence can or cannot be a specific type of limited liability company having its registered office in a country other than Greenland.

*To section 37*

To subsection (1)

This subsection contains rules on the duration of mineral exploration licences. It follows from the subsection that exploration licences are granted for a period of five years.

A licence may be extended with a view to exploration by up to five years the first time and then by periods of three years each. See subsection (2) and the relevant explanatory notes.

To subsection (2)

This subsection regulates the extension of exploration licences. Licence periods may be extended based on an assessment of some objective criteria, including an assessment of whether the licensee has fulfilled its obligations concerning the licence and activities under the licence. A licence period may thus be extended even if there are no special and material reasons for such extension.

The subsection provides that the Government of Greenland may extend the licence period of five years under subsection (1) with a view to exploration. Such extension may take place one or more times. The initial extension of the licence period will be for a period of five years. Any subsequent extensions of the licence period will be for one or more periods of three years each. The total licence period of an exploration licence cannot be longer than 22 years. See subsection (4) and the relevant explanatory notes.

To subsection (3)

This subsection provides the authority for the Government of Greenland to set changed licence terms in connection with any extension of the licence period to a total licence period exceeding 10 years.

Thus, the Government of Greenland may not set changed terms at the initial extension of the licence period, see subsection (2), as the initial extension of the licence period cannot lead to a total licence period of more than 10 years. The Government of Greenland may thus set changed licence terms in connection with any other extension of the licence period, see subsection (2), as the licence will then be extended to a total licence period exceeding 10 years.

By way of example, the Government of Greenland may set licence terms on the licensee's exploration obligations and payment of amounts to the Government of Greenland.

This provision aims at ensuring that based on an assessment in each individual case, an extension may be granted on changed licence terms if there are good reasons for doing so, for example in order to ensure that current exploration activities can be continued with a view to assessing the viability of mineral deposits which have been discovered.

To subsection (4)

This subsection imposes an upper limit on the duration of the total licence period of an exploration licence.

The subsection is especially intended to contribute to ensuring effective exploration by the licensee, including that the licensee will perform the exploration activities in an effective manner in accordance with the considerations mentioned in section 1(2). Effective exploration means, among other things, that the licensee begins to perform the activities under the licence within a reasonable time after it is possible in the post licence grant period, and performs the activities in the licence period in accordance with the licence without unnecessary or long pauses or interruptions. For one thing, this is intended to contribute to avoiding area reservation of a licence area where there is some probability of viable mineral deposits being discovered. This means, among other things, that there must be a good reason for a licensee under a licence not to begin the activities within a reasonable time after this is possible in the post licence grant period.

To subsection (5)

This subsection provides that an exploration licence may terminate at an earlier point in time than on expiry of the licence period under subsections (1)-(4). By way of example, this would be the case if, prior to expiry of the licence period, the Government of Greenland approves that the licensee surrenders the exploration licence to the Government of Greenland.

#### *To section 38*

To subsection (1)

This subsection clarifies and details the Government of Greenland's statutory authority to set provisions on the payment of a charge for receiving and processing an application for the grant of an exploration licence under section 34 or an extension of the licence period under an exploration licence under section 37(2) and for the grant of an exploration licence or an extension of the licence period. The subsection further clarifies and details the Government of Greenland's statutory authority to set provisions on the payment of a charge for administrative processing concerning an exploration licence or an extension of the licence period under an

exploration licence.

The Government of Greenland may set provisions on the payment of charges as stated above in an executive order.

Reference is made to section 16 of the Bill and the relevant explanatory notes.

To subsection (2)

This subsection concerns the right to set provisions and terms on the licensee's exploration obligations and payment of amounts to the Government of Greenland if the licensee fails to fulfil its exploration obligations.

The subsection concerns the right to set provisions in an executive order etc. and terms in a licence on the licensee's exploration obligations.

Reference is made to section 16 of the Bill and the relevant explanatory notes.

According to the current standard terms of 23 June 2013 for mineral exploration and prospecting licences, the exploration obligations as at 1 January 2009 amount to the following payment per licence per calendar year:

Years 1-2: DKK 100,000  
Years 3-5: DKK 200,000  
Years 6-10: DKK 400,000  
Years 11-13: DKK 1,128,800  
Years 14-16: DKK 2,257,600  
Years 17-19: DKK 4,515,200  
Years 20-22 DKK 9,030,400

Amount per square kilometre per calendar year:

Years 1-2: DKK 1,000 per square kilometre  
Years 3-5: DKK 5,000 per square kilometre  
Years 6-10: DKK 10,000 per square kilometre  
Years 11-13: DKK 28,220 per square kilometre  
Years 14-16: DKK 56,440 per square kilometre  
Years 17-19: DKK 112,880 per square kilometre  
Years 20-22: DKK 225,760 per square kilometre

To subsection (3)

This subsection clarifies and details the Government of Greenland's authority to set provisions and terms on the licensee's payment of consideration to maintain an exploration licence and activities under the licence, etc.

By way of example, such provisions and terms could be provisions on an annual consideration for the exploration rights or charges relating to certain activities.

Consideration may constitute a part of the potential payments received by the Treasury from a licensee for the latter's right to perform activities under an exploration licence and potential economic and commercial advantages in this regard. When setting the amount of the consideration, regard may be had to a number of factors, including the market conditions prevailing in the mineral sector.

Consideration for the performance of specific activities could, for example, also be an amount which is paid into a fund or pool which goes towards paying for the expenses incurred by the Government of Greenland in connection with cleaning up after mineral activities in cases where the licensees under the Bill fail to comply with their cleaning-up obligations and no security has been provided for those obligations or the security provided is insufficient.

The amount of considerations can only be set with prospective effect, meaning that the setting of considerations in an executive order only applies to licences granted after the publication of the executive order and that considerations set in licences cannot be changed during the licence period set in the licence.

To subsection (4)

This subsection provides the statutory basis for the Government of Greenland, at its discretion, to charge amounts to cover any expenses incurred by the Government of Greenland in connection with case processing and administrative processing under this Bill. By way of example, the subsection covers collection of expenses for case processing, supervision, other administrative processing, business trips and external advisers and consultants, etc.

The amount payable may be collected as a charge or as reimbursement of expenses.

The amount payable for administrative processing may, for example, be collected on the basis of an hourly rate for the hours currently spent on case processing and other administrative processing, including the grant of licences and approvals, etc.

Any expense can be collected as a charge or as reimbursement of expenses to the extent that the payment generally corresponds to the expenses incurred by the Government of Greenland for case processing and administrative processing. Thus, it is not the intention that, on the basis of the authority provided in this subsection, expenses to be collected as charges or as reimbursement of expenses beyond the expenses which the Government of Greenland has generally incurred or is generally expected to spend on case processing and administrative processing.

*To section 39*

To subsection (1)

This subsection concerns the licensee's reporting to the authorities.

Under the subsection, the licensee under an exploration licence must generally submit to the Government of Greenland reports on the activities performed by the licensee under the licence, copies of the results obtained as well as samples to the extent that provisions or terms to this effect are set by the Government of Greenland, see subsection (6) and the relevant explanatory notes.

To subsection (2)

This subsection provides that the licensee's reports, exploration results, data, samples and interpretations, conclusions and recommendations, etc. submitted to the Government of Greenland are confidential for a period of five years from the deadline for submission to the Government of Greenland.

It is necessary to set rules on confidentiality as the information mentioned above may constitute trade or business secrets which shall remain and be treated as confidential for a reasonable confidentiality period. If the Government of Greenland is or may be required to disclose such information etc., including in connection with an access request, this could give others an improper advantage.

The provision is in accordance with the Greenland Parliament Act on Access to Public Administration Files (*landstingslov om offentlighed i forvaltningen*). It follows from section 3(1) of the Act that the Government of Greenland may set rules to the effect that specified public authorities, fields of responsibility or document types for which the provisions in sections 7 - 14 generally allow refusal of access requests must be exempted from the Act.

As a general rule, the information under subsection (1) will fall within sections 12 - 14 of the

Greenland Parliament Act on Access to Public Administration Files. Subsection (2) will thus ensure, together with the above-mentioned provisions of the Greenland Parliament Act on Access to Public Administration Files, that information exchanged in the Government of Greenland and submitted to committees of the Greenland Parliament is exempted from access.

Under the subsection, the confidentiality period is five years after the deadline for submission to the Government of Greenland for the entire licence period, but see subsections (3) and (4).

The confidentiality will end when the licence terminates. After the termination of the licence, the licensee is no longer owed confidentiality, and the Government of Greenland needs to be able to publish all of the material submitted to ensure equal treatment of all potential applicants in connection with any licences being made available for the area under section 59(2).

On expiry of the confidentiality period, the licensee's reports, exploration results, data, samples and interpretations, conclusions and recommendations, etc. will belong to the licensee as well as the Greenland Self-Government, see subsection (5). Reference is made to the provision in subsection (5) and the relevant explanatory notes.

To subsection (3)

This subsection provides that during the confidentiality period, the Government of Greenland may publish general information about the confidential information, reports, exploration results, data, samples and interpretations, etc.

Under the subsection, before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, the Government of Greenland will not publish the relevant information if the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question.

By way of example, the Government of Greenland's interest in publishing information of a general nature may be its interest in safeguarding public health, a statutory duty to publish certain information or in connection with the marketing of the geology of Greenland. When determining whether general information under this subsection can be published although an objection has been received from the licensee, regard may be had to factors such as any commercial interest of the licensee in maintaining the confidentiality of the information, whether the publication of the information would be contrary to the rules of a stock exchange

where the licensee is registered, and whether the individual licensee is identifiable in spite of the general nature of the information.

To subsection (4)

This subsection is intended to provide the basis for the Government of Greenland's publication at any time of environmental data and environmental reports that are deemed to be of general public interest. This may in particular be the case where citizens residing or having business interests in the immediate vicinity of mineral activities may be affected by the potential environmental impact of the activities.

To subsection (5)

This subsection provides that when the confidentiality period expires under subsection (2), the submitted reports, exploration results, data, samples and interpretations, etc. belong to the licensee as well as the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

The ownership rights of the Greenland Self-Government only include material that is attributable to mineral activities in Greenland. By way of example, the Greenland Self-Government will have no rights in software and methods used to produce the material.

In practice, licences under the Mineral Resources Act often contain similar terms. The same is expected to be the case for licences under the Bill. However, it is deemed to be more appropriate for the provision to be expressly stated in the Bill.

The current standard terms of 23 June 2013 for mineral exploration and prospecting licences also contain similar provisions.

To subsection (6)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the matters mentioned in subsections (1) - (5). An example of this would be provisions or terms on the content, format and frequency of the reports, including on their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or conditions.

Another example would be provisions or terms on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.



The Government of Greenland may set specific rules in this regard in executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals. Reference is made to section 16 of the Bill and the relevant explanatory notes.

*To section 40*

This section provides the authority for the Government of Greenland to set provisions and terms on all relevant matters concerning the grant of a mineral exploration licence and matters in relation thereto.

The section must be construed and applied in accordance with section 34 of the Bill concerning the grant of an exploration licence on specific terms.

Among other things, the Government of Greenland may set provisions in executive orders, model licences, application procedures, other procedures and guidelines concerning exploration licences set under the Bill. The Government of Greenland may also set terms in standard terms for exploration licences and approvals concerning exploration licences and terms in decisions made under the Bill. Reference is made to section 16 of the Bill and the relevant explanatory notes which define what is meant by “provisions and terms” for the purposes of the Bill.

The exploration licence document will state a number of formalities such as licence type, licence area, licence period and identification of licensee.

In addition, a number of other terms will apply which may be set in executive orders, model licences, application procedures, other procedures and guidelines concerning exploration licences or in the licence document itself. By way of example, this may be requirements to the licensee’s organisation, activities comprised by the licence, the circumstances under which the licence may be terminated, the licensee’s obligations after termination of the licence, any obligations of the licensee with regard to performing exploration activities in the licence period, requirements to safety, environmental protection and social sustainability, the licensee’s obligation under certain circumstances to prepare environmental impact assessments and reports thereon (EIA reports), social impact assessments (SIAs) and reports thereon (SIA reports) and enter into impact benefit agreements (IBAs), submission and approval of activity plans, provision of security for the licensee’s obligations under the Bill, the licensee’s insurance matters, the licensee’s liability in damages, the licensee’s reporting on exploration and submission to the Government of Greenland of data and samples, etc., confidentiality, the licensee’s payment of charges to the Government of Greenland and the licensee’s use of local workers and suppliers.

*To section 41*

To subsection (1)

This subsection confers a right on licensees under an exploration licence to be granted an exploitation licence for the viable deposit(s) discovered on specified and relevant terms.

The subsection entails that the licensee must be able to substantiate and delineate a viable mineral deposit and thus in general prove on a balance of probabilities that the licensee will be able to exploit the minerals.

The licensee must investigate, assess and in a report state and substantiate to the Government of Greenland whether a mineral deposit has been substantiated and delineated and whether a mineral deposit is viable.

It only follows from the Bill that a licensee must substantiate and delineate a viable deposit. Consequently, the Government of Greenland does not require that the licensee submits a feasibility study or a report including information on the possibility of obtaining an economic gain from the exploitation of the minerals.

It follows from section 1(2) and section 118 that activities comprised by the Bill must be performed, among other things, in accordance with acknowledged good international practices under similar conditions.

This means, for one thing, that a licensee must use internationally acknowledged methods and standards for examining and assessing whether a mineral deposit has been substantiated and delineated.

Furthermore, a licensee must apply good and internationally acknowledged reporting standards for the mineral industry when preparing and submitting reports to the Government of Greenland on the substantiation and delineation of mineral deposits. Such reporting standards are often referred to as mineral reporting standards. They provide general provisions on how licensees must report on their exploration results, reserves and resources to investors, potential investors and their advisers.

The condition that a deposit must be substantiated in order for a licensee to be entitled to be granted an exploitation licence will be met if evidence of an “indicated resource” has been provided according to the Australian reporting standard known as the JORC Code, the Canadian reporting standard known as National Instrument 43-101 Standards of Disclosure for Mineral Projects, which refers to the CIM Definition Standards on Mineral Resources and Mineral Reserves, the CIM Definition Standards, the South-African reporting standard known

as the SAMREC Code or the pan-European reporting standard known as the PERC Reporting Standard.

The evidence provided of an “indicated resource” must be approved by the Government of Greenland. The Government of Greenland is entitled at any time to make its own assessment of the material provided, including also to seek advice and assistance from external parties. In this connection, the Government of Greenland is not bound by the conclusions of the evidence provided by the licensee, regardless of whether the evidence is prepared and signed by an authorised person.

One of the purposes of this provision is to avoid that viable deposits discovered are not exploited and to promote exploration activities.

As mentioned above, it follows from the provision that a licensee is entitled to be granted an exploitation licence when the licensee has substantiated the existence of a viable mineral deposit and also met the other terms of the exploration licence. In the Government of Greenland’s opinion, such right is essential to a licensee under an exploration licence and companies can only be expected to a limited extent to invest in exploration activities in Greenland if they are not secured a certain gain from such activities in the form of a conditional right to exploit a deposit that has been discovered.

An exploitation licence does not entitle the licensee to perform exploitation activities. Any and all activities performed under an exploitation licence are subject to approval from the Government of Greenland.

To subsection (2)

This subsection provides that it is the Government of Greenland who will decide whether the conditions for claiming an exploitation licence are met.

The Government of Greenland is entitled at any time to make its own assessment of the material provided, including also to seek advice and assistance from external parties. In this connection, the Government of Greenland is not bound by the conclusions of the evidence provided by the licensee, regardless of whether the evidence is prepared and signed by an authorised person.

*To section 42*

To subsection (1)

This section concerns a right for the licensee under a small-scale mineral exploration or exploitation licence to be granted an exploitation licence for the minerals under the provisions of the Bill and other provisions and terms in this regard if the licensee has substantiated and delineated a viable mineral deposit which the licensee intends to exploit, and has performed all of its obligations in relation to the small-scale licence and activities under the licence.

See the comments on viable deposits in the explanatory notes to section 41(1).

To subsection (2)

This subsection provides that it is the Government of Greenland who will decide whether the conditions for claiming an exploitation licence are met.

The Government of Greenland is entitled at any time to make its own assessment of the material provided, including also to seek advice and assistance from external parties. In this connection, the Government of Greenland is not bound by the conclusions of the evidence provided by the licensee, regardless of whether the evidence is prepared and signed by an authorised person.

*To section 43*

To subsection (1)

This subsection provides that the Government of Greenland may grant a licence for exploitation of one or more minerals for a specified area and on specific terms.

An exploitation licence will be granted for the minerals of which the licensee has substantiated and delineated a viable deposit. See subsections (4) and (5) and the relevant explanatory notes.

Mineral exploitation licences can only be granted as exclusive licences. This means that two or more licensees will not be granted exploitation licences which cover the same geographical area in whole or in part. Furthermore, it follows from section 50(3) that in the licence area of an exploitation licence, only the licensee under the licence and no-one else may perform activities under mineral prospecting, exploration or exploitation licences under the Bill. Reference is made to section 50 of the Bill and the relevant explanatory notes on other

activities in a licence area.

Exploitation activities comprised by an exploitation licence include all activities which are performed by or on behalf of the licensee under the licence and matters in relation thereto. This includes, without limitation, establishment and operation of buildings, facilities, installations and necessary infrastructure, including roads and ports, etc. It also includes, without limitation, sorting of minerals and by-products, processing of minerals and discontinuation of exploitation activities, including clean-up and restoration of the licence area and other affected areas.

It follows from the provision that an exploitation licence is granted for a specified area and on specified terms. The licence must thus, among other things, specify a licence area and the minerals it covers. The licence must also set out the terms governing other relevant matters in connection with the exploitation activities.

The Government of Greenland may set terms in exploitation licences on all relevant matters and considerations. The terms must be set in accordance with the Bill and its purpose. Reference is made to sections 1 and 56 of the Bill on the setting of terms in an exploitation licence and the relevant explanatory notes.

To subsection (2)

This subsection clarifies and details the possibility of granting exclusivity in mineral exploitation to a licensee under an exploration licence or a small-scale licence.

The grant of an exploitation licence is subject to the condition that the licensee under an exploration licence or a small-scale licence meets the conditions in sections 41-42 of the Bill. This subsection must thus be applied and construed in accordance with sections 41-42.

To subsection (3)

This subsection provides that a company which is not the licensee under an exploration licence or a small-scale licence may be granted an exploitation licence and thus take over the licensee's exploitation rights if a viable mineral deposit has been substantiated and the company also fulfils the terms set out in the licensee's exploration licence or small-scale licence.

Under this subsection, a licensee under the exploration licence or small-scale licence may transfer the exploitation rights concerning the licensee's substantiated and delineated viable mineral deposits to another company to the extent that the company fulfils the requirements to a licensee under an exploitation licence.

Consequently, the grant of an exploitation licence to a company which is not the licensee is subject to the condition that the company meets the conditions in sections 45-46 and 66-67 of the Bill. This subsection must be applied and construed in accordance with the provisions mentioned.

Reference is made to the provisions in sections 45-46 and 66-67 and the relevant explanatory notes.

Thus, the subsection generally protects the same interests as the provision in section 69 of the Bill concerning direct or indirect transfer or assignment of a licence.

To subsection (4)

This subsection allows exploitation licences to be granted in cases where a licensee under an exploration licence or a small-scale licence cannot or does not want to exercise a right to be granted an exploitation licence for a substantiated and delineated viable deposit under sections 41-42.

An example of this would be a situation where a licensee under a mineral exploration licence is not entitled to or does not apply for the grant of a subsequent mineral exploitation licence, see sections 41 and 43. The reason for this may be, for example, that the licensee has tried to make other parties invest in or grant loans to the licensee to finance the completion of an exploitation project under an exploitation licence, but in vain. The Government of Greenland will then be entitled to grant an exploitation licence for the area and the mineral deposit according to one of the procedures mentioned in section 59(1)-(3) of the Bill.

Another example may be a situation where a previous exploitation licence has terminated, including by reason of expiry, lapse or revocation, and the licence area still contains a part of a substantiated and delineated viable mineral deposit.

The Government of Greenland will then be entitled to grant a new exploitation licence for the area and the mineral deposit according to one of the procedures mentioned in section 59(1)-(3) of the Bill.

To subsection (5)

This subsection provides that licensees under exploitation licences are only entitled to exploit minerals which are included in the substantiated, delineated and viable deposit(s).

Licensees under exploitation licences are entitled to perform exploration activities in the

licence area under section 50(1). If, in this connection, a licensee substantiates and delineates a viable mineral deposit which is not comprised by the exploitation licence, the licensee will have a right to be granted a licence to exploit the deposit, in the same way as would have been the case if the deposit had been substantiated and delineated under an exploration licence. A licence to explore for minerals not comprised by the original exploitation licence may be granted as an addition to the original licence.

The right to an addition to the original licence is subject to the same conditions as the right to have an exploitation licence granted on the basis of an exploration licence. This means that the deposit must be documented according to international standards and that the licensee must have fulfilled all obligations concerning the licence etc., see section 41(1) in its entirety and the relevant explanatory notes. Furthermore, it will be for the Government of Greenland to decide whether these conditions are met, see section 41(2) and the relevant explanatory notes.

Whether new plans and reports will have to be prepared as a result of an addition being made to the licence or whether it will be sufficient to update existing documents will be based on a discretionary assessment and will depend on the scale and nature of any new or extended activities arising from the exploitation of the added minerals. Such assessment is at the discretion of the Government of Greenland.

The Government of Greenland is entitled to require sufficient information on the project and the plans for their execution in order to be able to assess the project as a whole, which may require new mining and closure plans, see section 77 and sections 80-82 below. However, if only a few adjustments and extensions are involved, an addendum to the original plans will suffice. It will therefore not be necessary to submit plans for the matters set out in the original plans, but the addenda will at least have to address the issue of provision of additional security, if relevant. If the added minerals are by-products from the exploitation of the minerals originally included, updates to the plans already approved will usually suffice.

As regards social impact assessment reports (SIA reports) and impact benefit agreements under Parts 16 and 18, new reports and agreements will rarely be necessary, as existing reports and agreements can usually be applied to any extensions. However, in exceptional cases where the exploitation of the new minerals will lead to substantial changes in the basis of the reports/agreements, it may be necessary to prepare new reports and conclude new agreements, especially where substantial processing is planned in Greenland.

As regards environmental impact assessment reports (EIA reports) under Part 15, it will also be necessary in some cases to prepare a completely new report. This may be the case where the exploitation of the new minerals entails a risk of further contamination. However, here too, an assessment of the actual scale will need to be made in order to determine whether a

new report should be required. Or whether an addendum to the original assessment or an EMA report would be sufficient.

Where the addition of more minerals to the licence does not justify changes or addenda to SIA reports, impact benefit agreements and/or EIA reports, a statement from the licensee explaining why the addition should not result in updates or addenda will be sufficient.

*To section 44*

To subsection (1)

It follows from this subsection that an applicant or a licensee seeking the grant of an exploitation licence must prepare a project terms of reference and submit it to the Government of Greenland.

The project is notified to the Government of Greenland by submission of a project terms of reference (a description of the exploitation project) to the Government of Greenland. The notification is intended to initiate a process which is intended to ensure early involvement of the general public in the development of a mineral project (the initial concept phase). The notification of the terms of reference by submission to the Government of Greenland is the first step of an applicant or a licensee towards a dialogue with the general public.

A licensee must prepare the terms of reference and notify the Government of Greenland by submitting the document to the Government of Greenland, regardless of whether the project may be assumed to have effects which would require that an environmental impact assessment (EIA) under section 100 and/or a social impact assessment (SIA) is prepared in connection with the project under section 103.

To subsection (2)

This subsection provides that the terms of reference under subsection (1) must go out for public consultation for a period of at least 35 days before an exploitation licence can be granted.

Public consultation is the first opportunity for the public to gain an insight into and state their proposals and concerns in relation to an applicant's or a licensee's plans to develop the presented proposal into a coming mineral project. Consultation responses to the terms of reference are important in order to ensure that the general public may contribute to designing the project at an early stage of the project phase so that any objections to or comments on the terms of reference may be considered in the work involved in developing the mineral project going forward.



The Government of Greenland will take relevant consultation responses into account when setting the terms of an exploitation licence granted.

The subsection further provides that if the applicant or the licensee is required to carry out a public pre-consultation on a project description concerning environmental or social aspects under section 106, such pre-consultation(s) must to the extent possible be carried out in connection with the consultation on the terms of reference. Thus, it follows from the provision that the consultation on the terms of reference and the pre-consultations on the project descriptions must be carried out at the same time, where possible.

However, cases may arise where it becomes clear after a consultation process has been carried out under this provision that a public pre-consultation on a project description concerning environmental or social aspects under section 106 must be carried out. In such case, the pre-consultation(s) in question must be carried out subsequently.

To subsection (3)

It follows from this subsection that a new consultation process must be carried out if an exploitation licence has not been granted within 24 months. The subsection is intended to ensure that the terms of reference and the consultation will not become outdated and obsolete before an exploitation licence is granted.

To subsection (4)

This subsection provides the authority to grant exemptions from the time-limit in subsection (3) in cases where it takes longer than expected for the exploitation licence to be granted. The subsection is primarily intended to safeguard licensees in cases where the Government of Greenland's processing of an application results in the time-limit not being met.

To subsection (5)

This subsection establishes that the Government of Greenland may set specific provisions and terms on the contents of the terms of reference of a project and on the carrying out of a consultation process.

An example of such specific provisions and terms would be provisions or terms as to which matters the terms of references are to describe.

*To section 45*

To subsection (1)

This subsection establishes that a licensee under an exploitation licence can only be a public limited company. The public limited company must be registered as a public limited company and have its registered office in Greenland.

Any other corporate forms than a public limited company cannot be granted an exploitation licence under the Bill. One of the reasons is that activities concerning exploitation of minerals are generally far more extensive and are generally performed over a longer period of time than activities concerning prospecting and mineral exploration and scientific surveys concerning matters of relevance thereto.

Moreover, exploitation licences can lead to far more extensive and material obligations. Therefore, stricter requirements must be imposed with regard to the licensee's economic and financial capability (financial capacity). In addition, more extensive requirements must be imposed on the licensee's bookkeeping, accounts and annual reports.

The requirement concerning registered office in Greenland means that the company must be registered and operated as an enterprise having its registered office in Greenland, in accordance with the legislation to this effect for Greenland.

The requirement concerning registered office in Greenland is intended to ensure, among other things, that through its business operations, the company has a de facto connection to Greenland and that the taxes payable on revenue from mineral activities in Greenland accrue to the Greenland Self-Government. This is in accordance with the definition of revenue in section 7 of the Act on Greenland Self-Government.

To subsection (2)

The requirement in this subsection that the de facto head office of the public limited company must be situated in Greenland is intended to ensure, among other things, that through its business operations, the company has a de facto connection to Greenland and that the taxes payable on revenue from mineral activities in Greenland accrue to the Greenland Self-Government. This is in accordance with the definition of revenue in section 7 of the Act on Greenland Self-Government.

The subsection must be construed and applied in the context of the requirement concerning registered office in Greenland, see subsection (1).

To subsection (3)

Under this subsection, the Government of Greenland may approve that for a period of time a licensee does not comply with the requirement in subsection (2) for the licensee to have in Greenland its de facto head office from which the public limited company is managed. The approval can be granted for a period of up to six months after the grant of an exploitation licence. Such approval shall only be granted to a licensee who has submitted a plan for how it intends, within a period of no more than six months, to establish in Greenland its de facto head office from which the public limited company is managed.

The subsection is intended to authorise the Government of Greenland to grant to foreign companies which, for example, have performed exploration activities in Greenland a reasonable period in which to establish the de facto head office of the licensee company in Greenland after the grant of an exploitation licence.

*To section 46*

To subsection (1)

This subsection provides that public limited companies which are licensees under exploitation licences may only perform and previously have performed activities and operations under licences granted under the Bill. For purposes of the Bill, licences granted under the Bill also include licences concerning minerals or hydrocarbons granted under the Mineral Resources Act before or after the entry into force of the Bill.

A public limited company cannot be a licensee under an exploitation licence if the public limited company has previously performed other activities or other operations than activities and operations under licences under the Bill or licences under the Mineral Resources Act.

Nor can a public limited company be a licensee under an exploitation licence if the public limited company as the surviving company is combined (merged) with another public limited company as the discontinuing company, and the other public limited company has previously performed other activities or other operations than activities and operations under licences under the Bill or licences under the Mineral Resources Act.

One of the purposes of the provision is to ensure that public limited companies which only perform and previously have performed activities and operations under licences under the Bill and the Mineral Resources Act are separated and segregated from other public limited companies which perform or have previously performed other activities and operations in whole or in part. One of the purposes of such separation and segregation is to ensure similar

separation and segregation between the two types of public limited companies' commercial, economic and tax-related matters and matters concerning payment of royalties to the Government of Greenland under the exploitation licences.

*“A licence for exploitation of mineral resources may only be granted to public limited companies. The company may only perform activities covered by licences granted under this Act and must not be taxed jointly with other companies, unless joint taxation is compulsory.”*

A requirement for such separation and segregation follows from an interpretation of section 9(1)(i) of Act no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government. It follows from an interpretation of section 9(1)(i) and the purpose of the provision that the Bill must provide that a public limited company which is a licensee under an exploitation licence may only perform and previously have performed activities and operations under licences granted under the Bill and the Mineral Resources Act.

To subsection (2)

This subsection is based on and implements the corresponding provision in section 9(1)(i) of Act no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government and the explanatory notes to the Bill on the Greenland Self-Government (*the Self-Government Act*). In section 5.3.5.2 of the general explanatory notes to the Self-Government Act concerning tax revenue, the following is stated:

*“As companies are concerned, it must, as far as has been the case until now, be ensured when exploitation licences are granted that revenue relating to exploitation activities can be identified and kept apart for tax purposes from revenue and expenses relating to other activities. The Self-Government must also ensure this under a new mineral resource system where the responsibility for the mineral resource area has transferred to the Self-Government.*

*This means that in connection with the granting or alteration of exploitation licences, it must be ensured that the licensee is not granted exemption from taxation as mentioned in section 3(3) of the Act on Income Tax, unless the Bureau of Minerals and Petroleum demonstrates that the licence involves fees which are at least as onerous and which are included in full in the revenue distribution, that the licensee only carries out activities under the licence and other activities in accordance with the Mineral Resources Act, that the licensee does not invest in other companies or legal persons, that the licensee cannot be taxed jointly with other companies in Greenland or Denmark, unless joint taxation is compulsory, that licensees in domestic groups of companies are subject to the same capitalisation requirements as licensees in foreign groups of companies, that generally the licensee trades at arm's length prices and on arm's length terms, that the licensee's organisational structure, including the*

*licensee's relation to a parent company, cannot be changed without approval from the Bureau of Minerals and Petroleum, and that the licensee's registered office cannot be changed without approval from the Bureau of Minerals and Petroleum."*

In the explanatory notes to section 9(1)(i) of Bill no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government the following is stated, amongst others, with regard to the corresponding provision in section 7(3) of the former Danish Mineral Resources Act for Greenland from 1998:

*"With the amendment of section 7(3), it is now possible for companies covered by compulsory joint taxation to obtain an exploitation licence. It is assumed that the calculation of revenue covered by the revenue definition in section 7 of the Greenland Self-Government Bill, which is introduced simultaneously with this Bill, will be corrected to adjust for the effects of joint taxation so that only income etc. concerning the exploitation activities will be included."*

In connection with its administrative processing under the Bill, including when processing an application for the grant or approval of the transfer of an exploitation licence, the Government of Greenland may take into account the above-mentioned provisions, explanatory notes and assumptions which form part of the self-government agreement and the subsequently adopted Act on Greenland Self-Government and Act on Various Matters in connection with the Greenland Self-Government.

To subsection (3)

This subsection is based on and implements the corresponding provision in section 9(1)(i) of Act no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government. In the explanatory notes to section 9(1)(i) of Bill no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government, among other matters, the following is stated with regard to the provision:

*"Furthermore, the company must undertake not to be more thinly capitalised than the group of companies to which it belongs. This implies that the debt to equity ratio of the company cannot exceed the debt to equity ratio of the group as such, regardless of whether the lender is a group company or not and whether the lender is domestic or foreign. However, the company's loan capital may always exceed its equity by a ratio of up to 2:1, corresponding to the threshold of the current Greenland tax rules on thin capitalisation of foreign held companies. The effect is thus only that domestic groups of companies fall within the same capitalisation requirements as foreign groups of companies. This contributes to ensuring that revenue is not moved arbitrarily to another foreign company or another Greenland company, which may erode both the corporate tax revenue and the basis of the revenue definition or only the latter. Moreover, the rules of tax legislation on thin capitalisation apply unchanged*

*to the company.”*

In connection with its administrative processing under the Bill, including when processing an application for the grant or approval of the transfer of an exploitation licence, the Government of Greenland may take into account the above-mentioned provisions, explanatory notes and assumptions which form part of the self-government agreement and the subsequently adopted Act on Greenland Self-Government and Act on Various Matters in connection with the Greenland Self-Government.

To subsection (4)

This subsection is based on and implements the corresponding provision in section 9(1)(i) of Act no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government. In the explanatory notes to section 9(1)(i) of Bill no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government, the following is stated with regard to the provision:

*“The companies in question must undertake in general, i.e. not only when trading with related parties, to trade at arm’s length prices and on arm’s length terms, i.e. at the same prices and on the same terms as those used in transactions between independent parties in accordance with the OECD transfer pricing guidelines.*

*This contributes to ensuring that there is no arbitrary transfer of the licensee’s revenue to companies whose revenue does not fall within the scope of the revenue definition in section 7 of the Bill on Greenland Self-Government.”*

In connection with its administrative processing under the Bill, including when processing a licensee’s activities under an exploitation licence and transactions in this regard, the Government of Greenland may take into account the above-mentioned provisions, explanatory notes and assumptions which form part of the self-government agreement and the subsequently adopted Act on Greenland Self-Government and Act on Various Matters in connection with the Greenland Self-Government.

*To section 47*

To subsection (1)

This subsection regulates the duration of mineral exploitation licences. The subsection specifies that mineral exploitation licences are granted for a period of up to 30 years. In practice, the licence period is set in the licence document.

An example of special circumstances that would support the grant of a licence period of less than 30 years may be if the licensee itself is planning to perform exploitation activities for less than 30 years, for example if the licensee believes that it can perform the mining plan and the activities under the exploitation licence within a period of 15 years. In such case, the Government of Greenland may grant an exploitation licence for a period of 15 years. In such case, the Government of Greenland may also grant an exploitation licence for a period of 15 years plus some additional years if, based on a reasonable assessment, there is doubt as to the licensee being able to perform the mining plan and the activities under the exploitation licence within a period of 15 years.

In any case, the Government of Greenland may grant a licence period of less than 30 years to the extent that, based on an assessment of all relevant information, it may be assumed that a licensee is able to perform the mining plan and the activities under the exploitation licence within a period of less than 30 years.

The Government of Greenland may extend the licence period one or more times in accordance with the provisions of subsections (2) - (5).

The total licence period of an exploitation licence cannot be longer than 50 years, see subsection (5).

To subsection (2)

This subsection provides that, with regard to an exploitation licence, the period mentioned in subsection (1) may be extended one or more times by the Government of Greenland. According to the subsection, the licence period may only be extended for a period of up to 20 years each, but see subsection (5).

When an extension of the licence period is granted, discretion may be exercised with regard to the duration of the extension period, see the wording of “up to 20 years”. When exercising such discretion, weight may be given to factors such as how long does it take to optimise exploitation of a substantiated and delineated viable deposit, how much time does the licensee need in order to recover any additional investments made and the social impact of the project during the extension period.

If activities which are planned in the extended licence period may be assumed to have a potential significant environmental and/or social impact which has not been taken into account in an existing environmental impact assessment and a report thereon, see section 100 of the Bill, and/or a social impact assessment and a report thereon, see section 103 of the Bill, the licensee will have to make new assessments thereof and reports thereon, see sections 100 and 103 of the Bill.

To subsection (3)

This subsection ensures, subject to certain conditions, that the licensee has a right to extend the licence period.

It is important for a licensee to make arrangements in reliance on the duration of the licence period, particularly with a view to raising capital for mining projects, and in relation to the planning of the mining project as such as well as to optimise the exploitation of a mineral deposit. It is therefore important that the licensee is given such right.

The conditions for obtaining the right to extend the licence period correspond to the conditions for obtaining the right to be granted an exploitation licence based on an exploration licence. The licensee must have complied with Greenland laws and the terms to which it has been subject so far, and the licensee must also substantiate and delineate a viable deposit which may warrant the grant of an extension of the licence period.

To subsection (4)

This subsection provides the authority for the Government of Greenland to set changed licence terms in connection with an extension of the licence period to a total licence period exceeding 40 years.

By way of example, this could be changed terms about the licensee's obligations under the licence or the activity plans or about gradual reduction of the licence area to the extent that it is not being used in connection with the performance of mineral exploitation or other activities under the exploitation licence.

To subsection (5)

This subsection provides that the licence period of a mineral exploitation licence cannot be longer than 50 years.

For example, the subsection is intended to contribute to ensuring effective mineral exploitation by the licensee, including that the licensee will perform the exploitation activities in an effective manner in accordance with the considerations mentioned in section 1. Effective exploitation means, among other things, that the licensee begins to perform the activities under the exploitation licence within a reasonable time after it is possible in the period after the granting of the licence, and performs the activities in the licence period in accordance with the mining plan and the activities under the exploitation licence without unnecessary or long pauses or interruptions. For one thing, this is intended to contribute to avoiding area



reservation of a licence area where one or more viable mineral deposits have been substantiated and delineated.

To subsection (6)

This subsection provides that an exploitation licence may terminate at an earlier point in time than on expiry of the licence period under subsections (1)-(5). By way of example, this would be the case if, prior to expiry of the licence period, the Government of Greenland approves that the licensee surrenders the exploitation licence to the Government of Greenland.

*To section 48*

To subsection (1)

This subsection provides that an exploitation licence is granted for a licence area set by the Government of Greenland.

In a situation covered by section 43(2), the Government of Greenland may, for example, set a licence area under an exploitation licence based on the area in which, under a prior exploration licence or small-scale licence, the licensee has substantiated and delineated a viable mineral deposit which the licensee intends to exploit.

The grant of an exploitation licence is subject to the condition that the licensee has substantiated and delineated one or more viable mineral deposits which the licensee intends to exploit. Reference is made to sections 41 and 42 of the Bill and the relevant explanatory notes.

The licence area under an exploitation licence may include the area(s) in which the licensee has substantiated and delineated a viable mineral deposit, see sections 41-42, one or more additional areas in which the licensee has provided evidence of an “inferred resource” according to the Australian reporting standard known as the JORC Code, the Canadian reporting standard known as National Instrument 43-101 Standards of Disclosure for Mineral Projects, which refers to the CIM Definition Standards on Mineral Resources and Mineral Reserves, the CIM Definition Standards, the South-African reporting standard known as the SAMREC Code or the pan-European reporting standard known as the PERC Reporting Standard and one or more additional areas for use in connection with the performance of the exploitation activities and other activities under the licence. The additional areas may also be used for buildings, facilities, installations, storage, sites, roads, ports and other infrastructure.

Whether one or more areas in which the licensee has provided evidence of an “inferred resource” can be included in the licence area in addition to the area in which the licensee has

substantiated and delineated a viable mineral deposit, see sections 41-42, will depend on the Government of Greenland's decision. Weight will be given to the connection between the deposits in question and the deposit that has formed the basis of the grant of the licence, see sections 41-42. In this context, regard may be had to, among other matters, the situation of the deposits in relation to the deposit that has formed the basis of the grant of the licence. If the deposits in question are not situated in immediate continuation of the deposit that has formed the basis of the grant of the licence, weight may be given to the distance to the deposit that has formed the basis of the grant of the licence, the extent to which they share the same mineralisation, geological structure and composition, and whether the processing facilities, infrastructure, etc. available for the deposit that has formed the basis of the grant of the licence can be used in the exploitation of the deposits situated in areas in which the licensee has provided evidence of an "inferred resource". Additional areas in which the licensee has provided evidence of an "inferred resource" can be included in the licence area only in special circumstances to the extent that the size of those areas exceeds the area in which the licensee has substantiated and delineated a viable mineral deposit, see sections 41-42.

When an exploitation licence is granted, a licence area may cover a gross area which, in addition to the area(s) in which the licensee under an exploration licence has provided evidence of "indicated resources" and "inferred resources" as described above, includes several potential sites for facilities and infrastructure.

Thus, if the licence area includes areas which are not necessary to perform a mining plan, see section 77, the licence area will be reduced after the Government of Greenland's approval of the mining plan, see section 77(2), so that, in addition to the area(s) in which the licensee under an exploration licence has provided evidence of "indicated resources" or "inferred resources", the licence area will only include the areas used for facilities and infrastructure.

To subsection (2)

This subsection is intended to provide an opportunity for a licensee under one or more exploitation licences and one or more exploration licences to extend the licence area under an exploitation licence to include additional areas in which the licensee under an exploration licence has substantiated and delineated a viable mineral deposit which the licensee intends to exploit, without a new licence being granted.

It follows from the provision that the Government of Greenland may set the same terms in an addendum to a licence on licence area extension as in the licence document itself.

When deciding whether to issue an addendum to a licence, the Government of Greenland may have regard to the connection between the deposit which forms the basis of the exploitation licence and the new substantiated and delineated viable deposit. If the new deposit is directly

adjacent to the existing deposit or if it contains the same minerals, this will weigh in favour of issuing an addendum.

Furthermore, it is noted that the performance of activities under the addendum may be subject to the preparation of an EIA report, see Part 15 of the Bill, and/or the preparation of an SIA report, see Part 16 of the Bill, if the activities are assumed to have potential significant environmental or social impacts.

*To section 49*

To subsection (1)

This subsection grants an authorisation and imposes an obligation for the Government of Greenland to set terms to the effect that the grant and maintenance of an exploitation licence is conditional on the licensee having submitted within a reasonable time-limit to the Government of Greenland a comprehensive mining plan and closure plan in accordance with sections 77 and 80 and other provisions and terms thereon.

This subsection clarifies and details that the grant and maintenance of an exploitation licence is conditional on the licensee having submitted within a reasonable time-limit its plans in accordance with sections 77 and 80 and other provisions and terms thereon.

Reference is made to those provisions and the relevant explanatory notes.

The subsection further provides that the time-limit for the licensee's submission of the plans may not be more than four years after the grant of the exploitation licence.

To subsection (2)

This subsection is intended to contribute to ensuring that the licensee submits a comprehensive mining plan and closure plan to the Government of Greenland within the specified time-limit. Reference is made to the provision in subsection (1) and the relevant explanatory notes.

To subsection (3)

This subsection specifies that the Government of Greenland is authorised in a mineral exploitation licence to set terms on specified time-limits for certain matters concerning the licence or activities under the licence.

It follows from section 43 of the Bill that the Government of Greenland may grant mineral

exploitation licences subject to specified terms. Under this subsection, the Government of Greenland may generally set all relevant terms concerning exploitation licences and all activities under the licences, including time-limits for certain matters concerning the licence or activities under the licence. The setting of licence terms must be in accordance with the purposes of the Bill under section 1 and other relevant provisions. The proposed subsection is thus a clarification of the authority (right) of the Government of Greenland to set terms on specified time-limits for certain matters concerning a mineral exploitation licence or activities under the licence.

By way of example, the Government of Greenland may set time-limits for the licensee's submission of an updated mining plan under section 77 of the Bill, a closure plan under section 80 of the Bill or plans for other matters and activities under sections 120-121 of the Bill.

The Government of Greenland may also set time-limits, for example, for the licensee's conclusion of an impact benefit agreement and other socioeconomic matters.

Other examples would be time-limits for the licensee's establishment of facilities or parts thereof, etc. for exploitation of minerals, provision of security for closure costs or commencement of mineral exploitation.

The subsection also specifies that the Government of Greenland may also set licence terms on or decide that a licence will lapse or may be revoked for failure to observe a time-limit or an extended time-limit.

#### *To section 50*

To subsection (1)

This subsection provides that a licensee under an exploitation licence may explore for minerals on the same terms as a licensee under an exploration licence in the licence area for the exploitation licence. However, the licensee is not required to do so.

The background to this subsection is, among other things, that a licensee under an exploitation licence may in practice often need to perform and will often perform exploration or similar activities in order to analyse and assess potential new viable mineral deposits in the licence area.

To subsection (2)

This subsection imposes an obligation on the licensee under an exploitation licence to report on exploration and the results thereof etc. under section 39(1) of the Bill. Under the provision in section 39(2), the licensee's reports on exploration and the exploration results etc. are generally confidential for a period of five years after the deadline for submission of the reports on exploration and the results thereof etc. to the Government of Greenland. On expiry of the confidentiality period, the licensee's reports etc. belong to the licensee and the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them, see section 39(5).

Reference is made to the provisions in section 39 and the relevant explanatory notes.

The subsection is intended to contribute to ensuring that a licensee under an exploitation licence who performs mineral exploration and activities in relation thereto under the licence under subsection (1) generally fulfils the obligations which are imposed on licensees under exploration licences for the entire licence period. However, the licensee is not required to perform exploration activities and fulfil explorations obligations under section 38(2).

To subsection (3)

Licensees under other mineral prospecting, exploration or exploitation licences must not perform mineral activities in the licence area under the licensee's mineral exploitation licence. A non-exclusive prospecting licence may include an area which is also included under an exclusive exploitation licence. An exclusive exploration licence or other exclusive exploitation licence cannot include an area which is included under an exclusive exploitation licence.

Nor may other parties who are not licensees under mineral licences perform mineral activities in the licence area under the exploitation licence.

One of the purposes of the provision is to ensure that the licensee under a mineral exploitation licence is the only party allowed to perform activities concerning minerals in the licence area under the exploitation licence. The licensee's performance of exploitation activities in the licence area thus cannot be prevented, restricted or otherwise adversely affected by other parties' activities concerning minerals in the licence area under the exploitation licence.

The ban includes all other parties' performance of all activities concerning minerals in the licence area under the exploitation licence. It applies regardless of whether the other parties' activities are performed under a mineral prospecting, exploration or exploitation licence, a small-scale mineral exploration or exploitation licence or approvals of exploitation of gravel,

stone and similar material for use in construction and infrastructure projects in Greenland. The ban further applies regardless of whether a prospecting licence covering the licence area has been granted before the exploitation licence is granted.

*To section 51*

To subsection (1)

This subsection clarifies and details the Government of Greenland's statutory authority to set provisions on the payment of a charge for receiving and processing an application for the grant of an exploitation licence under section 43 or an extension of the licence period under an exploitation licence under section 47(2) and for the grant of an exploitation licence or an extension of the licence period. The subsection further clarifies and details the Government of Greenland's statutory authority to set provisions on the payment of a charge for administrative processing concerning an exploitation licence or an extension of the licence period under an exploitation licence.

The Government of Greenland may set provisions on the payment of charges as stated above in an executive order.

Reference is made to section 16 of the Bill and the relevant explanatory notes.

To subsection (2)

This subsection clarifies and details the Government of Greenland's authority to set provisions and terms on the licensee's payment of consideration to maintain an exploitation licence and activities under the licence, etc.

By way of example, such provisions and terms could be provisions on an annual consideration for the exploitation rights or charges relating to certain activities.

Considerations may constitute a part of the potential payments received by the Treasury from a licensee for its right to perform activities under an exploitation licence and potential economic and commercial advantages in this regard. When setting the amount of the consideration, regard may be had to a number of factors, including the market conditions prevailing in the mineral sector.

Considerations for the performance of specific activities could, for example, also be an amount which is paid into a fund or pool which will go towards paying for the expenses incurred by the Government of Greenland in connection with cleaning up after mineral activities in cases where the licensees under the Bill fail to comply with their cleaning-up

obligations and no security has been provided for those obligations or the security provided is insufficient.

Paras 1) - 3) of subsection (2) clarify and detail that the Government of Greenland may also, among other things, set provisions and terms on the payment of royalties for exploitation licences. The examples given are not exhaustive.

A royalty is a payment by the licensee for the right to exploit minerals and, therefore, is not a tax.

The amount of considerations can only be set with prospective effect, meaning that the setting of considerations in an executive order will only apply to licences granted after the publication of the executive order and that considerations set in licences cannot be changed during the licence period set in the licence.

To subsection (3)

This subsection concerns the determination of the consideration payable by a licensee to the Government of Greenland, and also allows a licensee to be exempted from taxation of the activities comprised by the licensee's licence.

The subsection establishes that in the context of determining a licensee's payments to the Government of Greenland under subsection (2), the licensee may be exempted from taxation of the activities comprised by the licence if the licensee's exploitation activities are subject to considerations (royalties) at least as onerous as taxation would have been, and the considerations (royalties) are fully covered by section 7 of the Act on Greenland Self-Government.

Moreover, the subsection corresponds to section 8(3) of the former Mineral Resources Act from 1998, as amended by section 9(1)(ii) of Act no. 474 of 13 June 2009 on Various Matters in connection with the Greenland Self-Government. In the explanatory notes to section 9(1)(ii) of Act no. 474 of 12 June 2009 on Various Matters in connection with the Greenland Self-Government, the following is stated with regard to section 9(1)(ii):

*“In the context of determining a licensee's payments to the authorities under subsections (1) and (2), the licensee may be exempted from taxation of the activities comprised by the licence if such activities are subject to considerations at least as onerous as taxation would have been, and the considerations are fully covered by the revenue definition in section 7 of the Act on Greenland Self-Government.”*

According to section 7 of the explanatory notes to the Bill on Greenland Self-Government:

*“Under section 7 of the Bill on Greenland Self-Government, revenue from any taxation of mineral resource activities is covered by the revenue definition in section 7. The right to grant tax exemption therefore requires that the tax is replaced by at least as onerous considerations which are fully covered by the revenue definition in section 7 of the Act on Greenland Self-Government.”*

Exemption from taxation is subject to two conditions being met. Firstly, the activities must be subject to considerations (royalties) under subsection (2) and the considerations (royalties) must be at least as onerous as taxation would have been. Secondly, the considerations imposed must be fully covered by the revenue definition in section 7 of the Act on Greenland Self-Government. Both conditions must be met for tax exemption to be granted under the provision.

To subsection (4)

This subsection ensures that licensees under exploitation licences granted on the basis of exploration licences which are granted before the entry into force of the Bill will not be hit harder economically than assumed at the time when the exploration licence was granted.

To subsection (5)

This subsection provides the statutory basis for the Government of Greenland to charge amounts to cover any expenses incurred by the Government of Greenland in connection with case processing and administrative processing under this Bill. By way of example, the subsection covers collecting of expenses for case processing, supervision, other administrative processing, business trips and external advisers and consultants, etc.

The subsection concerns collection of charges or amounts to cover processing expenses concerning the exploitation licence and activities under the licence.

The amount payable may be collected as a charge or as reimbursement of expenses.

The amount payable for administrative processing may, for example, be collected on the basis of an hourly rate for the hours currently spent on case processing and other administrative processing, including the grant of licences and approvals, etc.

Any expense can be collected as a charge or as reimbursement of expenses to the extent that the payment generally corresponds to the expenses incurred by the Government of Greenland for case processing and administrative processing. Thus, it is not the intention that, on the basis of the authority provided in this subsection, expenses to be collected as charges or as



reimbursement of expenses beyond the expenses which the Government of Greenland has generally incurred or is generally expected to spend on administrative and regulatory processing.

In addition, the subsection provides the authorisation for the Government of Greenland to set terms in a licence to the effect that a licensee must pay the expenses involved in training and upskilling employees of the Government of Greenland.

For example, the Government of Greenland may set terms to the effect that a licensee must cover the costs of courses and other upskilling activities for employees of the Government of Greenland by paying a fixed annual amount during the licence period.

*To section 52*

To subsection (1)

This subsection imposes an obligation on the Government of Greenland to set terms in a mineral exploitation licence on a licensee's use of local workers.

The general principle is that, where possible, a licensee under a mineral exploitation licence must use local workers.

In general, the requirements concerning use of local workers will correspond to the requirements set out in Greenland Parliament Act no. 27 of 30 October 1992 on the Regulation of Import of Foreign Labour in Greenland, as subsequently amended, with the exception that the requirements will apply to all positions in the licensee's organisation. Similarly, the definition of local workers will in general be the same as in Greenland Parliament Act no. 27 of 30 October 1992 on the Regulation of Import of Foreign Labour in Greenland, as subsequently amended.

This means, among other things, that the licensee must endeavour in a relevant manner to fill positions with local workers before filling positions with foreign workers.

The purpose of section 52(1) of the Bill is to ensure that local workers are used for the performance of activities in connection with mineral exploitation to the greatest extent possible.

This is intended to contribute to creating jobs for local workers and also to maximising the income flowing to the Greenland Treasury from mineral resource projects.

In relation to the EU and EU rules, Greenland enjoys the status of an overseas country and

territory (OCT) and is thus an associated territory to the EU. As a result, the general EU rules do not apply to Greenland. Instead, the EU's special arrangement and special rules, decisions and agreements on overseas countries and territories (OCTs) apply to Greenland.

These rules include, but are not limited to, articles 198-204 concerning the association of overseas countries and territories with the EU in the Treaty on the Functioning of the European Union (the TFEU), Council Decision of 14 March 2014 on relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other (2014/137/EU) (the Partnership Agreement) and Council Decision of 25 November 2013 on the association of the overseas countries and territories with the European Union (2013/755/EU) (the Overseas Association Decision).

In general, no rules have been adopted concerning the free movement of labour between the EU countries and the overseas countries and territories under article 202 TFEU (ex article 186). It follows from article 51(1)(b) of the Overseas Association Decision (2013/755/EU) that the authorities of overseas lands and territories (OCTs) must accord to natural and legal persons of the European Union a treatment no less favourable than the most favourable treatment applicable to like natural and legal persons of any major trading economy with whom it has concluded an economic integration agreement after 1 January 2014.

According to article 51(3) of Council Decision of 25 November 2013 (2013/755/EU):

*“The authorities of an OCT may with a view to promoting or supporting local employment, adopt regulations to aid their natural persons and local activities. In this event, the OCT's authorities shall notify the Commission of the regulations they adopt so that it may inform the Member States thereof.”*

If such regulations are adopted, the OCT authority in question must thus notify the Commission of the regulations adopted, and the Commission will then inform the member states. Thus, preferential treatment of local workers is not contrary to the EU rules.

The Kingdom of Denmark, and thus Greenland, is a member of the World Trade Organisation (the WTO), which has adopted a number of regulations. For one thing, regulations to promote international trade and exchange of services have been adopted. Being part of the Danish Realm, Greenland is a member of the WTO. Accordingly, the WTO regulations also apply to Greenland.

The WTO regulations include the General Agreement on Trade in Services (the GATS), which regulates trade in services. Under article I(3)(b) (article 1(3)(b)) of the GATS, the term “services” includes any service in any sector except services supplied in the exercise of governmental authority.

In article XVI (article 16) and article XVII (article 17), the GATS provides rules on market access and so-called national treatment. The provision on market access means that a member is not allowed to accord services and service suppliers of any other Member treatment less favourable than that provided for under the terms, limitations and conditions specified in the so-called concession list. The provision on national treatment means that a member is not allowed to accord to services and service suppliers of any other member treatment no less favourable than that it accords to its own like services and service suppliers. Like the market access rule, the nationality principle only applies if the member itself has stated in the concession list that the principle is to apply for all or specified sectors within the area of the services.

Currently, Denmark, and thus also Greenland, has not assumed any specific obligations (known as concessions) with regard to market access and national treatment under the GATS. Thus, preferential treatment of local workers is not contrary to the GATS.

However, preferential treatment of local workers may be at odds with the rules on market access and national treatment under the GATS if Denmark, and thus Greenland, assumes specific obligations within the sectors comprising the workers which the licensees are required to use under section 52(1) of the Bill.

To subsection (2)

This subsection requires the Government of Greenland to set terms on a licensee's use of local suppliers of goods and services in a mineral exploitation licence.

The general principle is that, where possible, a licensee under a mineral exploitation licence must use local suppliers of goods and services when performing activities under the licence.

In general, the requirements concerning use of local suppliers will mean that the licensee must use local suppliers, unless no local suppliers with the necessary competences and experience are available or no local suppliers with the necessary competences and experience offer to supply the services and want to enter into an agreement for the supply of services on the price terms and other contractual terms offered by the licensee.

In addition, price terms and other contractual terms offered by the licensee to local suppliers must not be less favourable for the suppliers than the price terms and other contractual terms offered by the licensee to other suppliers. And the licensee must endeavour in a relevant manner to enter into agreements with local suppliers before contracting with foreign suppliers.

Local suppliers are defined as companies having their registered office in Greenland and

individuals deemed to have a special connection to Greenland under Greenland Parliament Act no. 27 of 30 October 1992 on the Regulation of Import of Foreign Labour in Greenland, as amended.

The purpose of section 52(2) of the Bill is to ensure that local suppliers are used in the performance of activities in connection with mineral exploitation to the greatest extent possible.

This is intended to contribute to creating jobs for local workers and also to maximising the income flowing to the Greenland Treasury from mineral resource projects.

As already mentioned in the explanatory notes to subsection (1), in relation to the EU and EU rules, Greenland enjoys the status of an overseas country and territory (OCT) and is thus an associated territory to the EU. As a result, the general EU rules do not apply to Greenland. Instead, the EU's special arrangement and special rules, decisions and agreements on overseas countries and territories (OCTs) apply to Greenland. These rules include, but are not limited to, articles 198-204 concerning the association of overseas countries and territories with the EU in the Treaty on the Functioning of the European Union (the TFEU), Council Decision of 14 March 2014 on relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other (2014/137/EU) (the Partnership Agreement) and Council Decision of 25 November 2013 on the association of the overseas countries and territories with the European Union (2013/755/EU) (the Overseas Association Decision).

It follows from the OCT rules that the OCT authorities are not allowed to treat the members' companies, citizens and enterprises differently, and that the OCT authorities are not allowed to treat the members' companies, citizens and enterprises less favourably than how they treat third country nationals, companies and enterprises. Furthermore, article 51(3) of the Overseas Association Decision provides that the authorities of an OCT may, with a view to promoting or supporting local employment, adopt regulations to aid its own natural persons and local activities. Reference is made to the discussion in the explanatory notes to subsection (1). Thus, preferential treatment of Greenland construction contracts, supplies and suppliers is not contrary to the EU rules.

As already mentioned in the explanatory notes to subsection (1), Greenland is a member of the WTO because it is part of the Danish Realm. Accordingly, the WTO regulations also apply to Greenland.

The WTO regulations include rules governing trade in goods in the form of the General Agreement on Tariffs and Trade (the GATT) and rules governing trade in services in the form of the General Agreement on Trade in Services (the GATS).

The GATT establishes the principle of national treatment and non-discrimination in article III. The provision prescribes that imported goods must be accorded treatment no less favourable than that accorded to like goods of national origin.

Article III(4) (article 3(4)) of the GATT establishes that products from a member state imported into the territory of another member state must be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

However, the GATT includes rules which enable a member state to be exempted of its GATT obligations, including the provision in article XVIII (article 18) of the GATT on government assistance to economic development. This provision establishes in subsection (1) that the member states recognise that the attainment of the GATT objectives will be facilitated by the progressive development of their economies, particularly of those member states whose economies can only support low standards of living and are in the early stages of development. The provision in subsection (2) notes that it may be necessary for those member states, in order to implement programmes and policies of economic development designed to raise the general standard of living of their people, to take protective or other measures affecting imports. Under article XVIII(4)(a) and (b) (article 18(4)(a) and (b)) of the GATT, a member state whose economy can only support low standards of living and is in the early stages of development or is in the process of development is thus free to deviate temporarily from the provisions of the other articles of the GATT, subject to specified conditions and to the condition that the procedure under section C or D of article XVIII (article 18) is observed.

A member state which is comprised by article XVIII(4)(a) (article 18(4)(a)) of the GATT is required, before a proposed measure is applied, to inform the other member states of the proposed measure. If the other member states fail within 30 days of being notified of the measure to encourage the relevant member state to consult with them, the member state is entitled to deviate from the relevant GATT provisions. If so encouraged, the member state must consult with the other member states. If the member states fail within 90 days to declare that they agree, the member state in question may apply the measure after informing the members states thereof.

A member state which is comprised by article XVIII(4)(b) (article 18(4)(b)) of the GATT must seek approval of a proposed measure from the other member states. The other member states must forthwith consult with the relevant member state and if the other member states consent, the member state in question must be exempted from its obligations in relation to the measure in question.

The GATT further provides a general exception to the obligations under article XX (article

20) of the GATT. The legitimate exceptions which may be claimed by a member state are listed in article XX (article 20) of the GATT. The exceptions include measures necessary to protect human, animal or plant life or health. In addition, there is a requirement that the measure is justified and properly and proportionately enforced by the member state. The considerations underlying the provision in subsection (2) are probably to a certain extent caught by the general exception provision of the GATT.

As already mentioned, services are covered by the GATS. Under article I(3)(b) (article 1(3)(b)) of the GATS, the term “services” includes any service in any sector except services supplied in the exercise of governmental authority.

As can be seen from the explanatory notes to subsection (1), the GATS sets rules on market access and national treatment. However, those rules only apply if the member state itself has stated in the concession list that the rules on market access and national treatment, respectively, will apply for all or specified sectors within the area of the services. Currently, Denmark and Greenland have not assumed any such specific obligations (concessions).

Thus, the preferential treatment of local suppliers and services is not contrary to the GATS. Reference is also made to the explanatory notes to section 52(1) of the Bill.

#### *To section 53*

This section concerns the situation where a licensee under an exploitation licence processes the exploited minerals itself and must contribute to ensuring positive economic and social benefits for the Greenland Self-Government and society.

The section provides the Government of Greenland with a legal basis for setting provisions and terms for an exploitation licence to the effect that the licensee may process the exploited minerals outside Greenland only if processing in Greenland will result in significantly greater costs or disadvantages for the licensee and the advantages for society will not be significantly affected thereby, and this is approved in advance by the Government of Greenland.

As a general rule, the licensee must process the minerals in Greenland. The section enables the Government of Greenland to approve processing to take place outside Greenland in situations where processing in Greenland will make a mining project unprofitable or significantly impair the licensee’s revenue opportunities.

Moreover, an approval to process minerals outside Greenland will require that the advantages for society will not be significantly affected thereby. This means that when deciding whether or not to allow the licensee to process minerals outside Greenland, the Government of Greenland may consider, among other things, the loss of revenue to society in the form of

taxes and the loss of jobs. Furthermore, the Government of Greenland may consider the advantages for society in the broad sense, as for instance the fact that local workers and suppliers of goods and services become unable to acquire skills within the mining industry and that local suppliers of goods and services become unable to generate income from the processing.

As mentioned in the explanatory notes to section 52(1), Greenland has the status of an overseas country or territory (OCT) in relation to the EU, and the preferential treatment afforded to local workers and suppliers is not contrary to the EU rules. Reference is made in general to the supplementary explanatory notes to section 52(1).

As mentioned in the explanatory notes to section 52(1), Greenland is a member of the World Trade Organisation (WTO) because it is part of the Danish Realm. Accordingly, the WTO regulations also apply to Greenland.

The WTO regulations include the General Agreement on Trade in Services (the GATS), which regulates trade in services and which includes provisions on market access and national treatment. Denmark, and thus Greenland, have at this point in time not undertaken any specific obligations with respect to market access and national treatment. Thus, the potential preferential treatment of local suppliers providing services in relation to processing is thus not contrary to the GATS. Reference is made to the explanatory notes to section 52(1).

#### *To section 54*

This subsection provides the authority for the Government of Greenland to set provisions and terms for an exploitation licence to the effect that the licensee must store exploited minerals in Greenland and sell them to local persons, to the extent local persons intend to process the minerals in Greenland themselves or otherwise use the minerals commercially in Greenland.

Local persons are defined as companies having their registered office in Greenland and individuals deemed to have a special connection to Greenland under Greenland Parliament Act no. 27 of 30 October 1992 on the Regulation of Import of Foreign Labour in Greenland, as amended.

The provision allows Greenland residents, who are not themselves able to or do not wish to collect or extract minerals, to purchase minerals from these stocks for use in connection with their processing or other commercial use of the minerals.

Among other things, the Government of Greenland may set specific provisions on the obligation to store and the obligation to sell and matters in relation thereto in executive orders. The Government of Greenland may also set terms thereon in the form of terms in exploitation

licences and approvals. Reference is made to section 16 of the Bill and the relevant explanatory notes.

Such provisions or terms may include provisions or terms on matters concerning the number of mineral types and volumes of minerals, etc. which must be stored and may be sold, on the duration and procedures and terms applying to the relevant persons' purchase of minerals, including on the minimum volumes for each purchase of minerals.

In the setting of provisions and terms on sale to local persons, regard must be had to the licensee's possibilities of concluding agreements with other purchasers.

The subsection provides that requirements to this effect may be set by the Government of Greenland only if such local persons intend to process the minerals in Greenland themselves or otherwise use the minerals commercially in Greenland.

To subsection (2)

This subsection provides that the licensee's sale of minerals must always be at arm's length prices and on arm's length terms.

*To section 55*

To subsection (1)

This subsection concerns licensees' reporting to the authorities.

The subsection provides that the licensee under an exploitation licence must submit reports to the Government of Greenland on the exploitation, on any exploration and other activities under the licence and the results thereof. Furthermore, the licensee must submit copies of reports, statements, accounts and other documents and data on the exploitation and the results thereof and any exploitation results and data and samples therefrom and the licensee's interpretations, conclusions and recommendations in that respect as well as samples and drill cores to the extent required by the Government of Greenland, see subsection (7).

To subsection (2)

This subsection provides that all reports, results, data, samples and interpretations, conclusions and recommendations, etc. submitted to the Government of Greenland are confidential.

It is necessary to set rules on confidentiality as the information mentioned above may



generally constitute trade or business secrets which shall remain and be treated as confidential for a reasonable confidentiality period. If the Government of Greenland is or may be required to disclose such information etc., including in connection with an access request, this could give others an improper advantage.

Subsection (2) does not refer to paras 4), 5) and 6) of subsection (2) as these submissions may be confidential beyond the confidentiality period of 5 years.

The provision is in accordance with the Greenland Parliament Act on Access to Public Administration Files (*landstingslov om offentlighed i forvaltningen*). It follows from section 3(1) of the Act that the Government of Greenland may set rules to the effect that specified public authorities, fields of responsibility or document types for which the provisions in sections 7 - 14 generally allow refusal of access requests must be exempted from the Act.

As a general rule, the information under subsection (1) will fall within sections 12 - 14 of the Greenland Parliament Act on Access to Public Administration Files. Subsection (2) will thus ensure, together with the above-mentioned provisions of the Greenland Parliament Act on Access to Public Administration Files, that information exchanged in the Government of Greenland and submitted to committees of the Greenland Parliament is exempted from access.

Under the subsection, the confidentiality period is five years, but see subsections (4) and (5), and five years after the deadline for submission to the Government of Greenland for the entire licence period.

The confidentiality will end when the licence terminates. After the termination of the licence, the licensee is no longer owed confidentiality, and the Government of Greenland needs to be able to publish all of the material submitted to ensure equal treatment of all potential applicants in connection with a public invitation to apply for licences made available for the area under section 59.

On expiry of the confidentiality period, the licensee's reports, exploration results, data, samples and interpretations, conclusions and recommendations, etc. will belong to the licensee as well as the Greenland Self-Government, see subsection (6). Reference is made to the provision in subsection (6) and the relevant explanatory notes.

To subsection (3)

This subsection specifies that documents containing, for example, information about technical installations or procedures or about operating or business matters or the like, may not, where such information is of material financial importance to the licensee, be published by the Government of Greenland to the extent that they are exempted from public access under the

Greenland Parliament Act on Access to Public Administration Files.

The reason why the confidentiality period is not limited in time as regards the documents in question is that the Government of Greenland has no interest in their publication.

To subsection (4)

This subsection provides that during the confidentiality period, the Government of Greenland may publish general information about the confidential reports, results, data, samples and interpretations, etc.

Under the subsection, before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, the Government of Greenland will not publish the relevant information if the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question.

By way of example, the Government of Greenland's interest in publishing information of a general nature may be its interest in safeguarding public health, a statutory duty to publish certain information or in connection with the marketing of the geology of Greenland. When determining whether general information under this subsection can be published although an objection has been received from the licensee, regard may be had to factors such as any commercial interest of the licensee in maintaining the confidentiality of the information, whether the publication of the information would be contrary to the rules of a stock exchange where the licensee is registered, and whether the individual licensee is identifiable in spite of the general nature of the information.

To subsection (5)

This subsection is intended to provide the basis for the Government of Greenland's publication at any time of environmental data and environmental reports that are deemed to be of general public interest. This may in particular be the case where citizens residing or having business interests in the immediate vicinity of mineral activities may be affected by the potential environmental impact of the activities.

To subsection (6)

This subsection provides that when the confidentiality period expires under subsection (2), the submitted reports, any exploration results, data, samples and interpretations, etc. belong to the licensee as well as the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

The ownership rights of the Greenland Self-Government only include material that is attributable to mineral activities in Greenland. By way of example, the Greenland Self-Government will have no rights in software and methods used to produce the material.

In practice, licences under the Mineral Resources Act often contain similar terms. The same is expected to be the case for licences under the Bill. However, it is deemed to be more appropriate for the provision to be expressly stated in the Bill.

To subsection (7)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the matters mentioned in subsections (1) - (4). An example of this would be provisions or terms on the content, format and frequency of the reports, including on their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or conditions.

Another example would be provisions or terms on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters.

The Government of Greenland may set specific rules in this regard in executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals.

Reference is made to section 16 of the Bill and the relevant explanatory notes.

*To section 56*

This section provides the authority for the Government of Greenland to set provisions and terms on all relevant matters and considerations in connection with the grant of a mineral exploitation licence and matters in relation thereto.

The section must be construed and applied in accordance with section 43 of the Bill concerning the grant of a mineral exploitation licence on specific terms.

Among other things, the Government of Greenland may set provisions in executive orders, model licences, application procedures, other procedures and guidelines concerning exploitation licences set under the Bill. The Government of Greenland may also set terms in standard terms for exploitation licences and approvals concerning exploitation licences and terms in decisions made under the Bill.

Reference is made to section 16 of the Bill and the relevant explanatory notes which define what is meant by “provisions and terms” for the purposes of the Bill.

The exploitation licence document will state a number of formalities such as licence type, licence area, licence period and identification of licensee.

In addition, a number of other terms will apply which may be set in executive orders, model licences, application procedures, other procedures and guidelines concerning exploitation licences or in the licence document itself. By way of example, this could be requirements to the licensee’s organisation, activities comprised by the licence, the circumstances under which the licence may be terminated, the licensee’s obligations after termination of the licence, requirements to safety and social sustainability, the licensee’s obligation under certain circumstances to prepare environmental impact assessments and reports thereon (EIA reports), social impact assessments (SIAs) and reports thereon (SIA reports) and enter into impact benefit agreements (IBAs), submission and approval of activity plans, provision of security for the licensee’s obligations under the Bill, the licensee’s insurance matters, the licensee’s liability in damages, the licensee’s reporting on exploration and submission to the Government of Greenland of data and samples, etc., confidentiality, the licensee’s payment of charges to the Government of Greenland and the licensee’s use of local workers and suppliers.

*To section 57*

To subsection (1)

This subsection concerns procedures and criteria for the grant of an exploration licence, see section 34.

The Government of Greenland decides in which of the manners set out in sections 58 and 59 it wishes to grant an exploration licence. The grant of an exploration licence must be based on the selection criteria set out in section 61.

The grant of mineral exploration licences is generally governed by section 34 of the Bill. Reference is made to that provision and the relevant explanatory notes.

The provisions of sections 59 and 61 include rules which to some extent correspond to the rules applying under the EU Concession Directive (Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons), as subsequently amended.

The Concession Directive or corresponding rules and principles apply in many countries with activities relating to mineral resources (oil, natural gas and minerals), including also non-EU countries. The Concession Directive applies only to hydrocarbons (oil and natural gas), but it is also relevant and expedient to use the principles of the Concession Directive for the grant of mineral exploration and exploitation licences.

To subsection (2)

This subsection concerns procedures and criteria for the grant of an exploitation licence.

The provision must be construed and applied in accordance with sections 41 and 42. Reference is made to those provisions and the relevant explanatory notes.

Under sections 41 and 42, the licensee under an exploration licence or a small-scale licence is entitled on specific terms to be granted exploitation rights for delineated and demonstrated viable deposits. A licensee under an exploration licence is thus entitled to be granted an exploration licence when the licensee has substantiated the existence of a viable mineral deposit and also met the other terms of the exploration licence.

Moreover, the subsection concerns procedures and criteria for the grant of an exploitation licence in all other situations but where an exploitation licence is granted on the basis of a preceding mineral exploration licence, see section 41, or a preceding mineral small-scale exploration and exploitation licence, see section 42.

The provision establishes that the grant of exploitation licences in all other situations but for the situations under sections 41 and 42 must be put out to competition in a manner allowing all interested parties to tender for a licence area on equal terms.

One of the purposes of this provision is to avoid that viable deposits discovered remain unexploited by attracting other applicants in the situations where a licensee under an exploration licence or a small-scale licence does not apply for the grant of a subsequent mineral exploitation licence.

*To section 58*

The provisions of this section concern the manners in which the Government of Greenland may grant a mineral exploration licence or a mineral exploitation licence.

To subsection (1)

In general, this subsection corresponds to the procedure for the grant of exploration licences under the current standard terms of 25 June 2013 for mineral exploration and prospecting licences in Greenland.

The provision concerns the so-called batch procedure. It follows from the provision that the Government of Greenland sets an application period (batch period) during which the applicant may apply for the grant of licences to explore under the Bill. The batch procedure does not concern a specific area. This means that the applicants may apply for the grant of licences for any area which is not already comprised by an exclusive licence under the Bill, to the extent that the area is not comprised by one of the procedures mentioned in section 59(1)-(3). Reference is made to the provisions mentioned and the relevant explanatory notes.

All applications received within the same application period (batch period) will be considered as if received simultaneously by the Government of Greenland. By way of example, if the Government of Greenland sets an application period (batch period) running from 2 January 2024 through 16 January 2024, all applications received during this period will be considered as if received simultaneously.

If the Government of Greenland receives applications during another and subsequently fixed application period (batch period), all applications received during this period will be considered as if received simultaneously, but after the applications received during a preceding application period.

All applications received within the first application period will be considered first by the Government of Greenland and thus before the Government of Greenland considers any other applications received from one or more subsequent application periods (batch periods).

An application period (batch period) usually lasts 14 days.

However, the Government of Greenland may set a longer or shorter period, see subsection (4). Moreover, the Government of Greenland may set specific provisions and terms on the submission, receipt, recording and processing of applications under the batch procedure. Reference is made to that provision and the relevant explanatory notes.

Among other things, the Government of Greenland may set requirements to the contents of applications and set provisions that applications must be received within normal business hours etc.

To subsection (2)

This subsection provides that the batch period for an area will be extended if a former licensee under a mineral exploration licence submits an application for a mineral exploration licence for the same area less than 90 calendar days after the termination of such licence.

The purpose of the provision is to prevent licensees under exploration licences from surrendering and applying for exploration licences for the same area and thereby reduce the exploration obligations under the licence, without other potential applicants being given the opportunity to apply for a licence for the same area, on the same terms as the licensee surrendering the licence. By extending the batch period to 90 calendar days, other potential applicants are given the opportunity to assess the mineral potential in the relevant area and are thus placed on equal footing with the licensee having surrendered the licence.

The provision will also apply where an application is received from someone who is an interested party of the licensee under the expired exploration licence.

To subsection (3)

This subsection establishes that the Government of Greenland may decide not to grant a licence on the basis of applications submitted under subsections (1) - (2). The Government of Greenland is thus free to decide whether or not it will grant a licence.

To subsection (4)

This subsection provides that the Government of Greenland may set specific provisions and terms on the submission, receipt, recording and processing of applications under subsections (1) - (2).

Among other things, the Government of Greenland may set requirements to the contents of applications and set provisions that two or more complete applications received within normal business hours on the same business day are considered as if received simultaneously.

*To section 59*

To subsection (1)

This subsection concerns one of several possible procedures which the Government of Greenland may use in connection with the grant of a mineral exploration licence or mineral exploitation licence.

The reason for including the provision is, among other things, a wish to include as many companies as possible in a licensing round with a view to exposing the access to Greenland's mineral deposits to increased competition.

According to the provision, the Government of Greenland will publish a notice on the open door procedure on the Government of Greenland's website and as otherwise relevant, including, for example, in other news media.

The notice must include information on the minerals and areas subject to the open door procedure and how interested parties may obtain further details about the terms therefor.

In case of changes to the open door procedure, the Government of Greenland must publish a notice to that effect in the same manner used for publication of the open door procedure.

Applications for licences under the open door procedure must be submitted no earlier than 90 calendar days after publication of the open door procedure.

To subsection (2)

This subsection concerns one of several possible procedures which the Government of Greenland may use in connection with the grant of a mineral exploration licence or mineral exploitation licence.

The reason for including the provision is, among other things, a wish to include as many companies as possible in a licensing round with a view to exposing the access to Greenland's mineral deposits to increased competition.

According to the provision, the Government of Greenland will publish a notice of the invitation at least 90 calendar days before expiry of the time-limit for application on the Government of Greenland's website and as otherwise relevant, including, for example, in other news media.



To subsection (3)

This subsection concerns one of several possible procedures which the Government of Greenland may use in connection with the grant of a mineral exploration licence or mineral exploitation licence.

To a wide extent, the provision corresponds to the first and second sentences of section 12(1)(b) of the Danish Subsoil Act.

Among other things, the described procedure allows invitations to apply for licences for small areas (mini licensing rounds), if this is deemed appropriate on the basis of requests from companies or experience from previous special licensing rounds, etc.

However, it is also possible to apply this procedure instead of an ordinary licensing round under subsection (2). In such cases, applications submitted in an ordinary licensing round will be regarded as having been submitted in connection with the special licensing round.

To subsection (4)

This subsection establishes that the Government of Greenland may decide not to grant a licence on the basis of applications submitted under subsections (1) - (3). The Government of Greenland is thus free to decide whether or not it will grant a licence, even following a public invitation to apply for licences etc.

To subsection (5)

This subsection provides that the Government of Greenland may set specific provisions and terms on the submission, receipt, recording and processing of applications under subsections (1) - (3).

Among other things, the Government of Greenland may set requirements to the contents of applications and set provisions that two or more complete applications received within normal business hours on the same business day are considered as if received simultaneously.

*To section 60*

This subsection provides that the Government of Greenland is not liable for or under any obligation to indemnify, compensate, refund or in any other way to pay any expense, cost, loss or damage incurred or sustained by a licence applicant.

According to the provision, this applies irrespective of whether a loss or damage is incurred or

sustained by an applicant as a result of or in connection with the applicant's application for the grant of a licence or that the applicant in that connection performs work, activities, studies and surveys, etc. and incurs costs etc.

Furthermore, this applies irrespective of whether the applicant in that connection acquires, obtains or compiles data and documents thereon and submits such data and documents to the Government of Greenland.

It also applies irrespective of the Government of Greenland in that connection processes and decides on the applicant's application for the grant of a licence or the Government of Greenland decides not to grant a licence to the applicant.

Among other things, the provision must be construed and applied in accordance with sections 58(3) and 59(4) according to which the Government of Greenland is free to decide whether or not it will grant a licence, even following a public invitation to apply for licences etc. By way of example, if, following a public invitation to apply for licences etc., the Government of Greenland decides not to grant a licence, the Government of Greenland will not be liable to indemnify or compensate the applicant for any expenses incurred by the applicant in connection with the application process etc.

*To section 61*

To subsection (1)

This subsection provides that a licence comprised by sections 58 and 59 is granted on the basis of the selection criteria mentioned in subsections (2) - (5).

The selection criteria mentioned in subsections (2) - (4) correspond to the criteria used for competing applications under the current application procedures and standard terms for mineral exploration and prospecting licences in Greenland. Furthermore, the selection criteria correspond to some extent to the criteria used in previous licensing rounds etc. in Greenland concerning hydrocarbon exploration (oil and natural gas) under the Mineral Resources Act. Similar or comparable criteria have sometimes also been used for licensing rounds concerning other natural resources in Greenland, including ice resources and water resources under Greenland Parliament Act no 11 of 27 November 2018 on commercial exploitation of ice and water (the Ice and Water Act).

The selection criteria mentioned in subsections (2) - (4) are generally the legal and legitimate criteria which may be factors in assessments of two or more applicants for the same area. Moreover, applying the procedures under section 59(1)-(3), the Government of Greenland may stipulate other relevant, objective and non-discriminatory selection criteria with a view to

making the final choice between two or more applicants deemed to be equal following the evaluation of the applicants based on the selection criteria in subsections (2) - (4), see subsection (5).

A licence comprised by sections 57-59 must be granted on the basis of all of the selection criteria mentioned in paras 2) - 4) and may to any relevant extent be supplemented by additional selection criteria stipulated under subsection (5) by applying the procedures under section 59(1)-(3). The selection criteria mentioned in subsections (2) - (4) are thus mandatory and indispensable selection criteria which must be used and included in the assessment involved in the grant of a licence comprised by sections 58 and 59, whether or not competing applications have been submitted. Thus, an application for grant of a licence will be refused if, for example, the applicant does not have the required technical and professional capability (competency) under subsection (2) or the required economic and financial capability (financial capacity) under subsection (3). Reference is made to subsections (2) - (4) and the relevant explanatory notes.

To subsection (2)

This subsection specifies the first selection criterion. The selection criterion concerns the applicant's technical and professional capability, meaning the applicant's competency.

The selection criterion is divided into two sub-criteria. Under para. 1) of subsection (2) weight must be attached to the applicant's previous experience with mineral exploration or exploitation. Under para. 2) of subsection (2) weight must also be attached to the applicant's previous experience with mineral exploration and exploitation in areas with similar conditions. In this assessment, it will be relevant to give it weight whether the applicant has experience with, for example, prospecting in the area applied for.

The selection criterion in subsection (2) is one of the mandatory and indispensable selection criteria which must always be included in the assessment involved in the grant of a licence comprised by sections 57-59. See the explanatory notes to subsection (1).

To subsection (3)

This subsection specifies the second selection criterion. The selection criterion concerns the applicant's economic and financial capability, meaning the applicant's financial capacity.

A key prerequisite for being granted a licence is that the applicant has the financial capacity required to being able to bear the costs incidental to mineral exploration or exploitation and activities in relation thereto.

The selection criterion in subsection (3) is one of the mandatory and indispensable selection criteria which must be used and included in the assessment involved in the grant of a licence comprised by sections 57-59. See the explanatory notes to subsection (1).

To subsection (4)

This subsection provides that the Government of Greenland must also or in addition to the criteria in subsections (2) - (3) have regard to any non-efficiency or non-performance by the applicant of its obligations in connection with other existing or previous licences in Greenland.

Thus, the Government of Greenland's assessment of an application will thus generally include an assessment of whether and to what extent the applicant has fulfilled its obligations or other existing or previous licences in Greenland. Other existing or previous licences under subsection (4) means mineral exploration or exploitation licences under the Mineral Resources Act or the Bill.

In its assessment of any non-efficiency or non-performance by an applicant of its obligations in connection with other existing or previous licences in Greenland, the Government of Greenland must have regard to all relevant matters and aspects, including the importance of any non-performance by the applicant of its obligations.

According to the provision, the Government of Greenland will also take into account whether members of the applicant's management, including a board of directors, an executive board, a supervisory board or similar governing body, are or have been members of, own or have owned or exert or have exerted decisive influence over a licensee company which in connection with other existing or previous licences in Greenland have failed to show efficiency or perform their obligations as licensee.

According to the provision, the Government of Greenland will also take into account whether enterprises owning or exerting decisive influence over the applicant also own or have owned or exert or have exerted decisive influence over a licensee company which in connection with other existing or previous licences in Greenland have failed to show efficiency or perform their obligations as licensee.

Among other things, this subsection is intended to contribute to ensuring that members of the management, owners or persons exerting decisive influence over a company applying for a licence under the Bill have not previously in connection with the management or ownership or decisive influence over a licensee company under other existing or previous licences in Greenland failed to show efficiency or perform their obligations as licensee under such licences.

The provision is further intended to contribute to ensuring that companies owning or exerting decisive influence over a company applying for a licence under the Bill have not previously in connection with the ownership or decisive influence over a licensee company under other existing or previous licences in Greenland failed to show efficiency or perform their obligations as licensee under such licences.

The selection criterion in subsection (4) is the last of the mandatory and indispensable selection criteria in subsections (2) - (4) which must be included and used in the assessment involved in the grant of a licence comprised by sections 57-59. See the explanatory notes to subsection (1).

To subsection (5)

Subsection (5) of the Bill provides the authority for the Government of Greenland to stipulate additional selection criteria (secondary selection criteria) by applying the procedures under section 59(1)-(3) with a view to making the final choice between applicants deemed to be equally qualified based on an evaluation according to the primary selection criteria mentioned in subsections (2) - (4). It is a requirement that the criteria stipulated by the Government of Greenland under subsection (5) are relevant, objective and non-discriminatory.

The provision in subsection (5) only applies when the procedures under section 59(1)-(3) are applied and the provision is only relevant where two or more applicants have achieved the same score and are therefore competing (equal) following an assessment of the applicants on the basis of the primary selection criteria under subsections (2) - (4). In this case, the Government of Greenland has under subsection (5) authority to stipulate and use relevant, objective and non-discriminatory secondary selection criteria with a view to making the final choice between two or more applicants.

Based on an assessment in each individual case of all relevant matters, the Government of Greenland will decide which secondary selection criteria the Government of Greenland finds relevant to stipulate. The secondary selection criteria under subsection (5) must be stipulated in advance by applying the procedures under section 59(1)-(3) and be published in accordance with subsection (6). See subsection (6) and the relevant explanatory notes. The purpose is especially to ensure transparency and equal treatment of all applicants by the applicants knowing all of the selection criteria in advance.

To subsection (6)

This subsection provides that the selection criteria mentioned in subsections (2) - (5) and provisions on the respective weighting of such criteria by applying the procedures under

section 59(1)-(3) must be published together with the invitations to submit applications set out in section 59(1)-(3).

By way of example, in the setting of provisions on the respective weighting of the selection criteria, primary and secondary selection criteria may be used. Such primary and secondary criteria have previously been specified in licensing rounds for hydrocarbon licences in Greenland.

*To section 62*

To subsection (1)

This subsection concerns the grant of a licence to perform scientific surveys in relation to minerals.

One example of such scientific surveys could be scientific surveys concerning geological, geo-physical or geo-chemical matters. Another example could be scientific surveys concerning other matters of relevance to activities comprised by the Bill.

This subsection provides that on specific terms, the Government of Greenland may grant such a scientific survey licence.

A scientific survey licence could be granted, for example, to private enterprises, research institutions, educational institutions, public authorities or companies owned by the Self-Government.

To some extent, a scientific survey licence covers the same types of surveys as a prospecting licence. Under a prospecting licence, however, the survey activities are performed in a commercial context or wholly or partly for a commercial purpose. For example, the licensee under a prospecting licence may use the survey results itself as the basis for subsequent mineral exploration and perhaps exploitation, or as the basis for selling information and reports on the survey results and copies of survey data etc. to interested parties. Interested parties would include enterprises looking to carry out mineral exploration or perhaps mineral exploitation activities.

Under a scientific survey licence available under section 62, the survey activities are carried out in a scientific context and for a scientific purpose and, thus, not in a commercial context or for a commercial purpose.

Furthermore, a scientific survey licence may be granted to the Geological Survey of Denmark and Greenland (GEUS) or the Danish Centre for Environment and Energy (DCE) if GEUS or

DCE would like to carry out scientific surveys which are not carried out by agreement with the Government of Greenland under section 22(4) of the Bill.

In a scientific survey licence terms are set to the effect that the licensee must submit reports to the Government of Greenland on the scientific surveys and activities under the licence and the results thereof and provide copies of the prospecting results and data and samples therefrom and the licensee's interpretations, conclusions and any recommendations in that respect, etc. Such terms are especially with a view to safeguard the interests of the Government of Greenland, society and other parties therein, including as a part of the basis for subsequent scientific surveys, prospecting, exploration and exploitation of minerals.

A scientific survey licence under section 62 can and should generally be granted as an ordinary licence to carry out certain scientific surveys.

Under special circumstances, however, a scientific survey licence under section 62 may be granted as a framework licence if special and material circumstances weigh in favour of doing so, including if the scientific surveys are carried out under a cooperation agreement with a research institution. The Government of Greenland will decide whether that is the case and whether a scientific survey licence under section 62 is to be granted as a framework licence.

A framework licence may include all or some of the scientific surveys that are planned to be carried out in the relevant year or in another longer period.

The intention with the conclusion with broad framework agreements is to ensure continuous research processes and to avoid that research institutions incur unnecessary extra administrative burdens in the form of a resource-intensive administrative processing.

However, activities comprised by such a framework licence may not be performed without the prior approval of the Government of Greenland, unless otherwise provided in the licence.

To subsection (2)

Under this subsection, a scientific survey licence is granted for a licence period of up to three years. Thus, the licence period of a scientific survey licence may be less than three years, including, for example, two years, but cannot exceed three years.

The provision in subsection (2) does not preclude a scientific survey licence from being extended. See subsections (3) and (4) and the relevant explanatory notes.

To subsection (3)

This subsection concerns the extension of a licence period of a scientific survey licence granted under subsection (1).

Under this subsection, the Government of Greenland may extend the licence period of up to three years under subsection (2) by one or more periods of up to three years each.

By way of example, a licence period can be extended from three years to four or six years by an extension. If the licensee submits an application in this regard and the Government of Greenland approves the application, the licence period may be further extended from, for example, four to six years or from six to seven or nine years.

However, the total licence period of a scientific survey licence may not be longer than 12 years, see subsection (4).

However, if the licensee has failed to fulfil all of its obligations in relation to the licence and perform all activities under the licence during the initial licence period under subsection (2) or an extended licence period under subsection (3), the Government of Greenland may decide not to grant an extension of the licence period.

Moreover, under this provision, the Government of Greenland may set changed licence terms in connection with any extension of the licence period. By way of example, this could be changed terms about the licensee's obligations, including, without limitation, specific or amended terms on the licensee's obligations to submit reports to the Government of Greenland on the scientific surveys and activities under the licence and the results thereof and provide copies of the prospecting results and data and samples therefrom and the licensee's interpretations, conclusions and any recommendations in that respect, etc.

This provision aims at ensuring that based on an assessment in each individual case, an extension may be granted on changed licence terms if there are good reasons for doing so, e.g. in order to ensure that current surveys of a scientific nature can be continued with a view to safeguarding the interests of the licensee, the Greenland Self-Government and society.

To subsection (4)

This subsection imposes an upper limit on the duration of the total licence period of a scientific survey licence granted under subsection (1). Under the provision, the total licence period of a scientific survey licence may not be longer than 12 years.



If a licensee wishes to perform additional scientific survey activities after a licence period of 12 years, the licensee must apply for the grant of a new scientific survey licence under subsection (1).

*To section 63*

To subsection (1)

This subsection concerns licensees' reporting to the authorities.

Under the subsection, the licensee under a scientific survey licence must generally submit to the Government of Greenland reports on the activities performed by the licensee under the licence, copies of the results obtained as well as samples to the extent that provisions or terms to this effect are set by the Government of Greenland, see subsection (6) and the relevant explanatory notes.

To subsection (2)

This subsection provides that all reports, scientific results, data, samples and interpretations, conclusions and recommendations, etc. submitted to the Government of Greenland are confidential.

It is necessary to lay down rules on confidentiality as the information mentioned above may constitute trade or business secrets which should remain and be treated as confidential for a reasonable confidentiality period. If the Government of Greenland is or may be required to disclose such information etc., including in connection with an access request, this could give others an improper advantage.

The provision is in accordance with the Greenland Parliament Act on Access to Public Administration Files (*landstingslov om offentlighed i forvaltningen*). It follows from section 3(1) of the Act that the Government of Greenland may set rules to the effect that specified public authorities, fields of responsibility or document types for which the provisions in sections 7 - 14 would generally allow refusal of access requests must be exempted from the Act.

As a general rule, the information under subsection (1) will fall within sections 12 - 14 of the Greenland Parliament Act on Access to Public Administration Files. Subsection (2) will thus ensure, together with the above-mentioned provisions of the Greenland Parliament Act on Access to Public Administration Files, that information exchanged in the Government of Greenland and submitted to committees of the Greenland Parliament is exempted from access.

Under the subsection, the confidentiality period is generally the entire licence period, but see subsections (3) and (4), and five years after the deadline for submission to the Government of Greenland.

In general, thus, the information under subsection (1) will be confidential until the licence terminates and may remain confidential after the termination of the licence to the extent that the deadline for submission is less than five years before the end of the licence period.

To the extent that the information under subsection (1) must be submitted at a time when the remaining licence period is less than five years, the information will remain confidential until the licence terminates and for a period after the termination of the licence which will be five years as from the deadline for submission. This means that the information under subsection (1) is confidential until 1 January 2028 if the deadline for submission is 1 January 2023, even if the licence in question terminates on 1 January 2026. If, instead, the licence is extended under section 61(3) of the Bill so as to terminate on 1 January 2031, the information in question will remain confidential until that date.

On expiry of the confidentiality period, the licensee's reports, prospecting results, data, samples and interpretations, conclusions and recommendations, etc. will belong to the licensee as well as the Greenland Self-Government, see subsection (5). Reference is made to the provision in subsection (5) and the relevant explanatory notes.

To subsection (3)

This subsection provides that during the confidentiality period, the Government of Greenland may publish general information about the confidential information, reports, scientific survey results, data, samples, interpretations, conclusions and recommendations, etc.

Under the subsection, before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, the Government of Greenland will not publish the relevant information if the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question.

By way of example, the Government of Greenland's interest in publishing information of a general nature may be due to its interest in safeguarding public health, a statutory duty to publish certain information or in connection with the marketing of the geology of Greenland.

To subsection (4)

This subsection is intended to provide the basis for the Government of Greenland's publication at any time of environmental data and environmental reports that are deemed to be of general public interest. This may in particular be the case where citizens residing or having business interests in the immediate vicinity of mineral activities may be affected by the potential environmental impact of the activities.

To subsection (5)

This subsection provides that when the confidentiality period expires under subsection (2), the submitted reports, prospecting results, data, samples, interpretations, conclusions and recommendations, etc. belong to the licensee as well as the Greenland Self-Government, and the licensee and the Greenland Self-Government will both be free to use them.

The ownership rights of the Greenland Self-Government only include material that is attributable to mineral activities in Greenland. By way of example, the Greenland Self-Government will have no rights in software and methods used to produce the material.

In practice, licences or terms of licences under the Mineral Resources Act often contain corresponding or similar terms. The same is expected to be the case for licences under the Bill. However, it is considered to be more appropriate for the provision to be expressly stated in the Bill.

The current standard terms of 23 June 2013 for mineral exploration and prospecting licences also contain similar provisions.

To subsection (6)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the matters mentioned in subsections (1) - (5). An example of this would be provisions or terms on the content, format and frequency of the reports, including on their submission by specific time-limits, in connection with the performance of specific activities and the occurrence of specific events or conditions.

Another example would be provisions or terms on the possibility for the Government of Greenland to publish general information about specific activities, results, events and matters, etc.

The Government of Greenland may lay down specific rules in this regard in executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms

of licences and approvals. Reference is made to section 16 of the Bill and the relevant explanatory notes.

*To section 64*

To subsection (1)

This subsection provides the authority for the Government of Greenland to set provisions and terms on all relevant matters concerning the grant of a mineral scientific survey licence and matters in relation thereto.

The subsection must be construed and applied in accordance with section 62 of the Bill concerning the grant of a licence to perform scientific surveys on specific terms.

Among other things, the Government of Greenland may set provisions in executive orders, model licences, application procedures, other procedures and guidelines concerning scientific survey licences set under the Bill. The Government of Greenland may also set terms in standard terms for scientific survey licences and approvals concerning scientific survey licences and terms in decisions made under the Bill. Reference is made to section 16 of the Bill and the relevant explanatory notes which define what is meant by “provisions and terms” for the purposes of the Bill.

The scientific survey licence document will state a number of formalities such as licence type, licence area, licence period and identification of licensee.

In addition, a number of other terms will apply which may be set in executive orders, model licences, application procedures, other procedures and guidelines concerning scientific survey licences or in the licence document itself. By way of example, this could be requirements to the licensee’s organisation, activities comprised by the licence, the circumstances under which the licence may be terminated, the licensee’s obligations after termination of the licence, any obligations of the licensee with regard to performing scientific surveys in the licence period, requirements to safety and social sustainability, the licensee’s obligation under certain circumstances to prepare environmental impact assessments and reports thereon (EIA reports), social impact assessments and reports thereon (SIA reports) and enter into agreements on social sustainability and other socioeconomic matters (IBAs), submission and approval of activity plans, provision of security for the licensee’s obligations under the Bill, the licensee’s insurance matters, the licensee’s liability in damages, the licensee’s reporting on scientific surveys and submission to the Government of Greenland of data and samples, etc., confidentiality, the licensee’s payment of charges and consideration to the Government of Greenland and the licensee’s use of local workers and suppliers.

To subsection (2)

It follows from this subsection that the Government of Greenland may set specific provisions on the licensee's payment of expenses in connection with rescue operations. An example of such specific provisions would be provisions on the licensee's payment of expenses in connection with rescue operations involving researchers or other parties performing activities under a scientific research licence.

It has turned out in practice, among other things, that it may be necessary to be able to require that such expenses are covered by insurance or other security. Thus, the Government of Greenland may set specific provisions on the taking out of such insurance cover or provision of such security.

*To section 65*

This subsection specifies that the provisions of Part 10 only apply to mineral prospecting, exploration and exploitation licences.

*To section 66*

To subsection (1)

This subsection imposes requirements to the licensee's competency and financial capacity.

The professional expertise and economic background required in a specific case will depend on the scope, complexity and risk, etc. of the activities. The provision seeks to ensure reasonable proportionality between the scope and nature of the activities and the requirements imposed on a licensee under a specific licence.

As activities under an exploitation licence will lead to far more extensive and material obligations than activities under a prospecting licence, the requirements imposed on a licensee under an exploitation licence with regard to the licensee's professional expertise and economic and financial capability (financial capacity) must be stricter than those imposed on the licensee under a prospecting licence.

To subsection (2)

This subsection provides that the licensee under a licence must have full control of its assets.

Moreover, the licensee must not be insolvent or subject to a judicial or administrative insolvency, restructuring or similar process, which includes that the licensee must not be in

suspension of payments, bankruptcy, liquidation or reconstruction or in a comparable situation.

The provision is intended to contribute to ensuring that licensees under a licence has the required economic and financial capability to perform the activities under the licence. This means, among other things, that the licensee must not be insolvent or subject to a judicial or administrative insolvency, restructuring or similar process, etc.

To subsection (3)

This subsection provides that the licensee must not have outstanding debts to the Government of Greenland or other public authorities in Greenland in excess of DKK 100,000.

The Government of Greenland may approve that a licensee is temporarily exempted from meeting the requirement under subsection (3).

One of the purposes of this provision is to reduce the debt level to the Government of Greenland or other public authorities in Greenland and prevent new arrears.

The provision corresponds to para 4) of section 19(1) of the Greenland Parliament Act on procurements in connection with the procurement of goods and services by public authorities and institutions (the Public Procurement Act).

Paras 1) - 4) of section 19(1) of the Public Procurement Act list four grounds which may result in a contracting authority excluding an applicant from a public procurement process. The contracting authority may for each procurement process decide that the four grounds (exclusion grounds) will apply. The four grounds are thus referred to as voluntary exclusion grounds.

Under the provision in para. 4) of section 19(1), the contracting authority may exclude an applicant or tenderer from a public procurement process if the applicant or tenderer has outstanding debts to public authorities in excess of DKK 100,000.

According to the explanatory notes to para. 4) of section 19(1) of the Public Procurement Act:

*“The provision is intended to reduce the debt level to the public authorities and prevent new arrears.*

*It is not a requirement that unpaid debt in excess of DKK 100,000 must have been established in a judicial or administrative decision with final and binding effect.*

*The provision also includes any interest or penalty accrued as a result of the unpaid debt.*

*The debt is only relevant if it is still unpaid at the time of expiry of the deadline for submission of tenders or after such date and, in connection with pre-qualification, at the time of expiry of the deadline for applications or after such date.”*

If a licensee has outstanding debts to the Government of Greenland or other public authorities in Greenland in excess of DKK 100,000, the licensee may be exempted from fulfilling the requirement under the provision, if the licensee provides security for payment of the part of the debt which exceeds DKK 100,000 or has entered into and complied with an agreement to pay the debt.

In those cases, the debt to the public authorities will be adequately secured and the purpose of the provision thus fulfilled.

To subsection (4)

Under the provision, the Government of Greenland may set provisions and terms to change the amount of DKK 100,000 in accordance with the changes in the Greenland consumer price index after the entry into force of the Bill, see section 144.

*To section 67*

To subsection (1)

This subsection provides that the licensee, individuals owning or exerting decisive influence over the licensee and members of the licensee’s management, including a board of directors, an executive board, a supervisory board or similar governing body, must not have been convicted of or accepted a fine or other penalty or sanction in the last four years for bribery, fraud or cartel operation, participation in a criminal organisation, acts of terrorism or terrorism-related criminal offences, money laundering or terrorism financing and child labour or human trafficking.

To a wide extent, the provision corresponds to section 18 of the Greenland Parliament Act on procurements in connection with the procurement of goods and services by public authorities and institutions (the Public Procurement Act).

According to the explanatory notes to section 18 of the Public Procurement Act:

*“The provision establishes the mandatory exclusion grounds. It is not possible for the contracting entity to not apply these exclusion grounds. They apply to any procurement*

*effected under the Bill.*

*Applicants or tenderers not comprised by a mandatory exclusion ground cannot take part in the procurement process.*

*If an applicant or tenderer has solemnly declared not to be comprised by the mandatory exclusion grounds, the contracting entity will as a general rule not have a duty to verify this. However, if the contracting entity finds any reason to doubt whether a mandatory exclusion ground applies, whether it does or does not exist, the contracting entity will be obliged to effectively verify this, e.g. by requesting additional documentation from the applicant or tenderer.*

*The provision does not only apply to judgments delivered in Greenland. A judgment delivered in another country will also impose an obligation on the contracting entity to exclude an applicant or tenderer.”*

To subsection (2)

This subsection provides that as from the date of grant of the licence and for the entire licence period, the licensee and the persons stated, including members of the licensee’s management etc., must fulfil all of the requirements under subsection (1) and section 66.

*To section 68*

To subsection (1)

This subsection is intended to contribute to ensuring that a licensee and other persons or enterprises performing or contributing to the performance of activities under a licence submit tax reports and make tax payments in accordance with the rules in force in Greenland from time to time.

It follows from the provision that the Government of Greenland may set provisions and terms or decide that the licensee must provide information on the enterprises and persons performing or contributing to the performance of activities under a licence granted under the Bill.

The provision is intended to ensure that the Greenland authorities is able to oversee which enterprises and persons are performing or contributing to the performance of activities under a licence granted under the Bill.

By way of example, the Government of Greenland may set provisions and terms or decide



that the licensee must provide such information regularly, e.g. after the end of each month.

To subsection (2)

This provision is intended to provide a clear statutory authority for the Government of Greenland to demand that the licensee and enterprises and persons performing or contributing to the performance of activities under a licence must provide information and documentation concerning direct and indirect taxes to the Government of Greenland and other Greenland authorities. That way it is possible to effectively verify whether the enterprises and persons in question make tax payments in accordance with the rules in force in Greenland at any time.

The provision does not change the obligation of a licensee or other enterprises or persons to submit tax reports or make tax payments under the general tax legislation in Greenland.

Nor is the Bill intended to impose on the licensee an obligation to submit tax reports or make tax payments on behalf of its contracting parties.

To subsection (3)

Under this subsection, the Government of Greenland may issue an enforcement notice requiring a licensee, in connection with the performance of activities under a licence, not to use contracting parties, see section 17, which have not provided information and documentation concerning direct and indirect taxes to the Government of Greenland and other Greenland authorities under subsection (2) or which fail to pay direct and indirect taxes to the Government of Greenland and other Greenland authorities in accordance with the rules in force in Greenland from time to time. The provision should be read in the context of subsection (2). Reference is made to subsection (2) and the relevant explanatory notes.

The provision does not change the obligation of a licensee or its contracting parties to submit tax reports or make tax payments under the general tax legislation in Greenland.

Under the provision, a licensee is obliged to terminate the cooperation with a contracting party if such contracting party fails to submit correct tax reports and make correct tax payments and the Government of Greenland on that basis issues an enforcement notice requiring the licensee not to use the contracting party in question.

The Bill is not intended to impose on a licensee an obligation to submit tax reports or make tax payments on behalf of its contracting parties.

To subsection (4)

This subsection should be read in the context of subsections (1)-(3). Reference is made to those provisions and the relevant explanatory notes.

It follows from the general principles of administrative law, including the principles of proportionality, that before a licensee is ordered to discontinue its activities, the licensee must be given a reasonable time limit to comply with the order.

The provision does not change the obligation of a licensee or its contracting parties to submit tax reports or make tax payments under the general tax legislation in Greenland.

*To section 69*

To subsection (1)

This subsection concerns the transfer of licences.

A transfer or assignment means any direct or indirect transfer or assignment of a licence from a licensee company to any other party, including a company, enterprise or person, whether or not the transferee fulfils the requirements to a licensee under the licence.

Any transfer or assignment of a licence to a company is subject to such transferee company's fulfilment of the requirements to a licensee under the licence.

A direct transfer or assignment means a transfer or assignment of a licence from a licensee to any other party.

An indirect transfer or assignment means one or more changes in or concerning a licensee company involving a change of control in the party or parties which exert decisive influence over the company, or which individually or jointly or in cooperation directly or indirectly (through one or more other parties) own, control or have the power to decide over at least 50% of the company's capital or the power to exercise at least 50% of the voting rights.

Thus, an indirect transfer will not exist in connection with the pledge or option to purchase shares unless such matters result in a change of control in the party or parties which exert decisive influence over the company, or which individually or jointly or in cooperation directly or indirectly (through one or more other parties) own, control, or have the power to decide over at least 50% of the company's capital or the power to exercise at least 50% of the voting rights.

The specific meaning of the concept of decisive influence will generally be decided under the relevant provisions and principles thereon in the legislation for Greenland on public limited companies, private limited companies and any other limited liability companies. A decree has now been issued for Greenland on commencement of the Danish Companies Act (*selskabsloven*). Also entrepreneur companies fall within the scope of the Act.

Section 7 of the decree for Greenland on commencement of the Danish Companies Act (*selskabsloven*) sets specific provisions on decisive influence. Under subsection (1), decisive influence means the power to control a subsidiary's financial and operational decisions. Under subsection (2), decisive influence on a subsidiary is exerted if the parent company owns, directly or indirectly through a subsidiary, more than 50% of the voting rights in an enterprise, unless in special cases such ownership can be clearly demonstrated not to constitute a decisive influence. Subsection (3) provides that where a parent company holds 50% or less than 50% of the voting rights in an enterprise, decisive influence is exerted if the parent company has (1) the power to exercise more than 50% of the voting rights by agreement with other investors, (2) the power to control the financial and operational decisions of an enterprise under the articles of association or an agreement, (3) the power to appoint or remove a majority of the members of the supreme governing body, and this body exerts decisive influence on the enterprise, or (4) the power to exercise a de facto majority of the votes at general meetings or at the meetings of an equivalent body, thus exerting de facto decisive influence on the enterprise. Subsection (4) provides that the existence and effect of potential voting rights, including rights to subscribe for and purchase shares that are currently exercisable or convertible, must be taken into account in the assessment of whether a company exerts a decisive influence. Any voting rights attaching to the shares owned by the subsidiary itself or its subsidiaries must be disregarded in the calculation of voting rights in the subsidiary. This follows from subsection (5).

As far as possible, the principles of the statutory provisions must be correspondingly applied in relation to other parent companies and companies than Greenland and Danish limited liability companies, including other Greenland and Danish enterprises and foreign limited liability companies and other enterprises, and in relation to persons holding shares in the licensee company.

If the licensee company has its registered office in a country other than Greenland, the rules of such other country which apply to the licensee company must also be taken into account in the determination of whether another country, an enterprise or a person exercises decisive influence over the licensee company.

Transfers or assignments of licences are not unusual and often forms a natural part of the development from initial prospecting to eventual exploitation. A transfer or assignment often

takes place due to financing reasons.

On this basis, approval of a transfer or assignment will not be unreasonably withheld. Before an approval is granted, it must be ensured, among other things, that the basis for meeting the obligations incumbent on the licensee is not reduced or removed as a result of a transfer or assignment.

One of the purposes of the subsection is thus to ensure that the Government of Greenland is able to oversee that before any such transfer or assignment, it is ensured that the basis for meeting the obligations under the licence is not reduced or removed as a result of the transfer or assignment. Another purpose of the subsection is to ensure that the Government of Greenland is able to ensure that the basis for qualified operation of the mineral activities is not reduced as a result of the transfer.

Furthermore, the purpose of the subsection is to ensure that the Government of Greenland is able, among other things, to take into account economic matters and matters relating to direct and indirect taxes and that the Government of Greenland is allowed to refuse to grant an approval of transfers or assignments if they have potential adverse effects in terms of direct and indirect taxes on the Greenland Self-Government and society. This will typically only be the case for speculation in the transfer of taxable profits from Greenland to abroad or for speculation in the transfer of tax losses from abroad to Greenland.

The Government of Greenland may, among other things, set terms in a licence to the effect that a licensee must inform the Government of Greenland of any changes with regard to the decisive influence exercised over the licensee company.

To subsection (2)

This subsection specifies that the Government of Greenland may set terms in connection with the approval of a transfer.

The subsection is intended to contribute to ensuring that the transferee will meet the same requirements as the transferor and that the Greenland Self-Government's possibilities of safeguarding its interests, including economic interests, are not affected by a transfer.

To subsection (3)

This subsection provides that a licence under the Bill is exempt from legal proceedings. This means that legal proceedings against a licence will have no legal force.

The provision should be read in the context of subsection (1). Thus, the provision does not

reflect an assessment of the possibility of bringing a licence before the courts, for example to test its validity or effects.

In this context, legal proceedings only means debt enforcement proceedings. Accordingly, the provision establishes that a creditor will not be able, through the agency of the courts, to take over and become a licensee under a licence under the Bill.

*To section 70*

To subsection (1)

This subsection provides that a licensee's merger with another company will have no legal force in relation to the licensee's licence under the Bill and the Bill, unless such merger has been approved by the Government of Greenland.

One of the purposes of the subsection is thus to ensure that the Government of Greenland is able to make sure that before any such merger, it is ensured that the basis for meeting the licensee's obligations under the licence is not reduced as a result of the merger.

The subsection also means that the Government of Greenland is able to ensure that the basis for qualified operation of the mineral activities is not reduced as a result of the merger.

To subsection (2)

This subsection provides that a licensee's demerger into two or more companies will have no legal force in relation to the licensee's licence under the Bill and the Bill, unless such demerger has been approved by the Government of Greenland.

One of the purposes of the subsection is to ensure that the Government of Greenland is able to make sure that before any such demerger of the licensee company into two or more companies, it is ensured that the basis for meeting the licensee's obligations under the licence is not reduced as a result of the demerger.

The subsection also means that the Government of Greenland is able to ensure that the basis for qualified operation of the mineral activities is not reduced as a result of the demerger of the licensee company into two or more companies.

To subsection (3)

This subsection provides that the Government of Greenland may set terms for the approval of a merger or demerger under subsection (1) or (2), including terms for the licensee's fulfilment

of the requirements to a licensee under the licence at the effective date of the merger or demerger and for the duration of the remainder of the licence period.

One of the purposes of the subsection is to ensure that the Government of Greenland is able, among other things, to take into account and set terms concerning economic matters and matters relating to direct and indirect taxes and that the Government of Greenland may refuse a merger or demerger under subsection (1) or (2) if that may lead to adverse effects in terms of direct or indirect taxes for the Greenland Self-Government and society. This will typically only be the case for speculation in the transfer of taxable profits from Greenland to abroad or for speculation in the transfer of tax losses from abroad to Greenland.

*To section 71*

To subsection (1)

In general, under the general conflict of laws rules, the licence, activities performed under the licence and matters in relation thereto are subject to and governed by the Bill and other Greenland law and Danish law as applicable in Greenland from time to time. However, the proposed subsection is intended to ensure that the licence, activities performed under the licence and matters in relation thereto will not, by reason of other circumstances, become subject to or governed by the laws of a country other than Greenland law and Danish law as applicable in Greenland from time to time.

It follows from the proposed provision that the licence, activities performed under the licence and matters in relation thereto are subject to and governed by the provisions set in the Bill, including also provisions set pursuant to the Bill. This means that all matters concerning mining activities and matters in relation thereto, etc. which fall within the scope of the Bill are subject to and governed by the Bill and other Greenland law and Danish law as applicable in Greenland from time to time.

To subsection (2)

This subsection establishes that any dispute concerning the licence, activities performed under the licence or matters in relation thereto, including, among other things, disputes relating to approvals, agreements and guarantees, etc. must be determined in accordance with the Bill and other Greenland law and Danish law as applicable in Greenland from time to time.

The subsection applies regardless of whether the dispute is brought before the ordinary courts or an arbitration tribunal.

The proposed provision is intended to ensure that any dispute concerning the licence,

activities performed under the licence or matters in relation thereto will be determined in accordance with Greenland law and Danish law as applicable in Greenland from time to time and with regard being had to special conditions prevailing in Greenland, including special conditions concerning the mineral area under the Bill.

*To section 72*

It follows from section 63 of the Danish Constitution on the right to bring an administrative decision before the courts that the courts are entitled to adjudicate on any issue concerning the jurisdictional boundaries of administrative authorities. In general, such right to bring a decision before the courts only concerns questions of law. This means that, in general, the courts will only test if the decisions of the competent administrative authority, including its application of the law etc., are in compliance with applicable law. This means that the courts will generally not concern themselves with whether a decision or other matter from the competent administrative authority is appropriate or reasonable, and the courts will generally not concern themselves with how legitimate interests have been balanced by the competent administrative authority, either.

Thus, for example, the courts may take a position on the issue of whether an administrative authority has the necessary statutory authority for its decisions etc., including whether the decisions etc. of an administrative authority fall within the scope of the contents and scope of a rule of law. The courts may also take a position on the issue of whether a decision etc. has been made in compliance with general rules and principles of administrative law, including on legitimacy, proportionality and equal treatment.

Accordingly, the proposed provision applies to a dispute regarding a statutory or discretionary decision made by the Government of Greenland in relation to the licence, activities or matters in connection with the licence.

*To section 73*

This subsection concerns the right to bring some disputes between the licensee and the Government of Greenland before an arbitration tribunal. Licences granted under the Bill may provide that any disputes concerning the performance of obligations under the licence may be brought before an arbitration tribunal for final and conclusive determination.

The provision aims at ensuring that any disputes will be resolved quickly and by persons possessing special expertise in the area. The intention is to ensure that, based on the authority provided by the provision, specific terms may be set in the provision to govern how any such arbitration proceedings will be carried out, including the composition of the arbitration tribunal and its competence, procedure, etc.

The decision of the arbitration tribunal will be final and conclusive and cannot be appealed.

Decisions which must be determined by the regulatory authority under the Bill cannot be brought before an arbitration tribunal, see section 63 of the Danish Constitution concerning the right to bring administrative decisions before the courts. Accordingly, an arbitration clause can only concern private law disputes.

This subsection provides a general time-limit of one year for decisions to be brought before an arbitration court. The choice of a time-limit of one year is intended to ensure that there are simple and clear rules in this regard. The Bill is a re-enactment of the legal position provided under the Mineral Resources Act.

*To section 74*

This subsection provides that any disputes between the licensee and the Government of Greenland arising, by way of example, after the termination of a licence must still be resolved in accordance with the provisions of sections 72 and 73. Such disputes may concern matters and obligations which survive the termination of a licence.

*To section 75*

To subsection (1)

This subsection provides that the Government of Greenland may grant an approval to a licensee under a licence to export minerals from Greenland. Section 14(3) of the Bill defines what is meant by “export approval” for the purposes of the Bill. Under the provision, an approval may be subject to specific terms.

The provision is a general authorisation of the Government of Greenland to regulate which minerals may be exported from Greenland subject to an export approval granted by the Government of Greenland.

Export of minerals from Greenland is subject to a relevant approval to the extent that the minerals have been exploited in Greenland or originate from samples taken in Greenland.

The Government of Greenland may also set terms to the effect that export of minerals from Greenland is subject to an export approval, even if the minerals in question have been lawfully exported from Greenland in the past. Thus, the Government of Greenland may set terms to the effect that all export of minerals from Greenland is subject to an export approval. This also applies if the minerals are in regular circulation between Greenland and one or more



other countries.

An approval under this subsection is only available to a party who is a licensee under a licence under the Bill. However, an export approval under subsection (2) may also be granted to a party who is not a licensee. Reference is made to the provision in subsection (2) and the relevant explanatory notes.

To subsection (2)

This subsection allows a party other than the licensee to export from Greenland any minerals which have been exploited in Greenland or originate from samples taken in Greenland. An approval will be granted as a separate export approval. Section 14(3) of the Bill defines what is meant by “export approval” for the purposes of the Bill.

An approval may be subject to specific terms.

The provision is a general authorisation of the Government of Greenland to regulate which minerals that have been lawfully exploited in Greenland or originate from samples taken in Greenland may be exported from Greenland subject to an export approval granted by the Government of Greenland to a party other than the licensee.

*To section 76*

To subsection (1)

This subsection allows the Government of Greenland to set specific rules on minerals, including on processing, storage, depositing, transport, trading, export, import and certification. The subsection clarifies that the Government of Greenland may also set terms and not simply provisions.

By way of example, the subsection allows the Government of Greenland to make quality requirements etc. with regard to processing of foreign minerals in Greenland and processing of Greenland minerals which are processed by parties other than licensees under the Bill.

Furthermore, the subsection allows the Government of Greenland to set provisions on storage and depositing of minerals and transport, trading, import and export of minerals. For example, rules may be set to the effect that the import of minerals is subject to an approval from the Government of Greenland in order to ensure that knowledge of the imported minerals can be registered and accumulated.

In addition, the provision also allows the Government of Greenland to set rules on

certification of minerals. For example, such rules may provide that a certificate of origin must be issued for gemstones. Such certificate may be combined with the Kimberley Process Certification Scheme (the KPCS), which only concerns rough diamonds. In order to market future cut diamonds from Greenland in a more targeted manner, for example, a certification system may be established for cut diamonds.

A certificate of origin may apply to all minerals, including in particular if it may add value to the final product.

The Government of Greenland may set provisions as stated above in one or more executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals. Reference is made to section 16 of the Bill and the relevant explanatory notes.

To subsection (2)

This subsection ensures, among other things, that the Government of Greenland may set provisions to the effect that processing of gemstones is subject to an approval.

For example, the subsection may be applied to ensure that enterprises engaged in processing of and trading in minerals have the proper qualifications. The subsection may also be applied to maximise the benefit derived by society from mineral activities.

The Government of Greenland may set provisions as stated above in one or more executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals.

Reference is made to section 16 of the Bill and the relevant explanatory notes.

To subsection (3)

It follows from this subsection that after setting provisions or terms under subsection (2), the Government of Greenland is authorised to grant an approval as mentioned in subsection (2) and set provisions or terms for such approval.

*To section 77*

To subsection (1)

This subsection lists four required elements of a mining plan (without limitation).

In general, the existing exploitation plans and exploitation plan approvals under the Mineral Resources Act describe these and other matters. The provisions of the Bill thus continue the existing practice concerning exploitation plans and their approval. However, an exploitation plan is referred to as a mining plan in the Bill.

To subsection (2)

It follows from this subsection that the Government of Greenland must approve a mining plan for a licensee's exploitation activities, including the organisation of production and the facilities in this regard, before the licensee begins to perform exploitation and measures in relation to such exploitation. The subsection thus provides rules on prior approval of exploitation plans by the Government of Greenland.

In connection with the approval of a mining plan, the Government of Greenland must ensure that the measures will be performed in a sound manner as regards technical aspects and with regard to health and safety, environmental protection and social sustainability and that such measures are performed with the least possible waste of minerals.

The Government of Greenland may decide to refuse an approval to the extent that the refusal is legitimately justified, including by technical aspects, health and safety aspects, environmental aspects or aspects concerning resource utilisation and social sustainability, see also section 1(2) of the Bill.

In connection with administrative processing concerning approval of plans under the provision, it is important that the Government of Greenland may decide on an adequately informed basis with a view to making an assessment of exploitation activities. Among other things, this means that in most cases by far, an environmental impact assessment (EIS) and a social impact assessment (SIA) must be made.

Part 15 of the Bill includes rules on environmental impact assessments (EIAs) and Part 16 of the Bill includes rules on social impact assessments (SIAs). Reference is made to the provisions in sections 100-102 and sections 103-105 and the relevant explanatory notes.

On its approval of a mining plan under the provision, the Government of Greenland may also, subject to specified terms, approve related activities such as establishment and operation of energy installations and infrastructure.

To subsection (3)

This subsection provides that the mining plan must be updated and amended as relevant.

An amendment of the mining plan may be required, for example, where the licensee would like to perform any not insignificant exploitation activities other than those originally approved by the Government of Greenland under subsections (1) and (2). An example of this would be the situation where the licensee would like to perform new significant exploitation activities which, relative to the approved activities, to a larger degree would result in the establishment of new or additional buildings, facilities and installations, etc. Another example would be new activities which may be of importance to matters comprised by the Bill, including activities which will be of importance to the use of local workers etc.

The provision is intended to contribute to ensuring that the mining plan will include at any time an updated description of the exploitation activities, the organisation of production and the related facilities, etc.

To subsection (4)

This subsection must be construed and applied in accordance with subsection (3).

The subsection provides that when so required by a change in circumstances based on an individual and overall assessment in each case, the licensee must prepare and submit an updated or amended mining plan as soon as possible. Such circumstances would generally be those set out in subsection (3). Moreover, when so decided by the Government of Greenland, the licensee must prepare and submit an updated or amended mining plan as soon as possible.

The licensee must also obtain the Government of Greenland's approval of the updated or amended mining plan.

The Government of Greenland may set a time-limit for the preparation of the mining plan for approval and implementation of required changes.

Like subsection (3), the provision is intended to contribute to ensuring that a mining plan includes at any time an updated description of the exploitation activities, the organisation of production and the related facilities, etc.

To subsection (5)

This subsection provides the authority for the Government of Greenland to set terms for an approval under subsection (2) or (4) pursuant to section 121. The Government of Greenland may set terms concerning, among other things, the safeguarding of health and safety aspects, environmental aspects and other relevant aspects in connection with the performance of the activities under the licence.

*To section 78*

To subsection (1)

It follows from this subsection that during the entire licence period, the licensee under a licence must remove facilities and buildings, etc. established by the licensee and not used by the licensee, unless otherwise approved by the Government of Greenland, and clean up and as relevant restore nature etc. in the affected areas, to the extent possible.

The subsection is intended to ensure that the licensee will meet its closure obligations by continuously performing closure, clean-up and restoration activities throughout the licence period.

To subsection (2)

This subsection provides that, on termination of operations and activities under the licence, the licensee must remove facilities and buildings, etc. established by the licensee, unless otherwise approved by the Government of Greenland, and clean up and restore nature etc. as relevant in the affected areas, see also sections 80 and 81 concerning an exploitation licence. Reference is made to those provisions and the relevant explanatory notes.

The subsection is intended to ensure that the licensee will perform complete closure, clean-up and restoration of nature etc. when terminating its exploitation activities, unless otherwise approved by the Government of Greenland.

To subsection (3)

Under this subsection, the Government of Greenland may implement the measures, etc. mentioned in subsections (1) and (2) at the licensee's expense and risk if the licensee fails to comply with an enforcement notice to implement the measures under the approved closure plan.

Under section 123 of the Bill, the Government of Greenland may issue such enforcement notices, including also for compliance with any other aspects of the Bill and provisions and licence terms set under the Bill. Reference is made to that provision and the relevant explanatory notes.

To subsection (4)

It follows from this subsection that if the licensee fails to comply with an enforcement notice issued by the Government of Greenland requiring the licensee to implement the activities and

measures, etc. mentioned in subsections (1) and (2), the Government of Greenland may issue an enforcement notice requiring other enterprises and persons to remove facilities and buildings, etc. when the relevant facilities and buildings, etc. (1) belong to the enterprises and persons concerned, (2) have been used in the performance of activities under the licence and (3) are in the affected areas. The conditions are cumulative and must all be satisfied.

The provision should be read in the context of subsections (1), (2), (3) and (5). Reference is made to those provisions and the relevant explanatory notes.

The provision means that if the licensee fails to comply with its obligations to remove from the affected areas, for example, any machinery or equipment which is used in the performance of activities under a licence and if the machinery or equipment in question is owned by a party other than the licensee, the Government of Greenland may also issue an enforcement notice requiring the owner to remove the machinery or equipment. This applies regardless of whether the machinery or equipment is owned by, for example, a subcontractor working in the licence area or a leasing or rental business having only rented or leased machinery or equipment to the licensee.

The provision is intended to ensure that the area is cleaned up after licence activities to the furthest extent possible, without such clean-up having to be carried out and paid for by the Greenland authorities.

The provision does not reduce the licensee's obligations under subsection (3), and the Government of Greenland may have third-party machinery and equipment removed at the licensee's expense and risk without first issuing an enforcement notice requiring the owner of such machinery and equipment to remove it.

If the owner of, for example, machinery or equipment fails to comply with an enforcement notice to remove the machinery or equipment in question, the licensee and the owner will be jointly and severally liable for the removal of the machinery or equipment, see subsections (3) and (5).

To subsection (5)

This subsection should be read in the context of subsections (3) and (4). Reference is made to those provisions and the relevant explanatory notes.

If the owner of, for example, machinery or equipment fails to comply with an enforcement notice to remove the machinery or equipment in question under subsection (4), the licensee and the owner will be jointly and severally liable for the removal of the machinery or equipment, see subsection (3).

*To section 79*

To subsection (1)

This subsection is intended to give the Government of Greenland clear authorisation to retain those of the licensee's assets which represent a value and which the Government of Greenland has removed under section 78(3) until the licensee has fulfilled its obligations to the Government of Greenland.

The subsection is intended to contribute to ensuring that the licensee will perform and pay the expenses involved in the closure and clean-up of activities under a licence.

The provision should be read in the context of subsection (3) and section 78(3). Reference is made to those provisions and the relevant explanatory notes.

To subsection (2)

This subsection is intended to give the Government of Greenland clear authorisation to retain a person's or an enterprise's assets which represent a value and which the Government of Greenland has removed under section 78(5) until the person or enterprise in question has paid the expenses payable for the removal of the asset in question.

The subsection is intended to contribute to ensuring that the Treasury will recover as much as possible of the clean-up costs in the cases where assets which have been used in connection with activities under the Bill and which are not owned by the licensee are left behind.

The provision should be read in the context of subsection (3) and section 78(5). Reference is made to those provisions and the relevant explanatory notes.

To subsection (3)

This subsection should be read in the context of subsections (1) and (2). Reference is made to those provisions and the relevant explanatory notes.

The subsection is intended to give the Government of Greenland clear authorisation to seek satisfaction of its claims under subsection (1) or (2) out of the assets of the enterprise or person in question without first having to levy execution against such assets.

To subsection (4)

Before a public auction is held, the Government of Greenland must find out who the owner of the asset is and whether there are any other persons whose rights or obligations with respect to the asset must be deemed to be affected by the sale. This could be, for example, the holder of a charge over the asset in question. The Government of Greenland must consult relevant public registers and, to the extent relevant, ask the licensee or the owner of the asset.

The provision is intended to ensure that all enterprises or persons whose rights or obligations may be affected by the sale of the asset will be informed of the sale and allowed to safeguard their interests in connection with the sale.

To subsection (5)

This subsection provides that at a public auction under subsection (3), the Government of Greenland will advertise the individual assets for sale at an auction meeting or at an online auction. It is thus for the Government of Greenland to decide which auction form is assumed to provide the highest price for the asset.

The subsection further provides that if, following completion of an auction, the Government of Greenland finds that a substantially higher bid can be obtained at a new auction, the Government of Greenland may decide to hold a new auction.

To subsection (6)

This subsection allows interested parties who do not obtain full satisfaction of their rights in the asset to demand a new public auction against provision of security.

By way of example, security may be provided by way of a payment into escrow or a bank guarantee.

The provision is intended to ensure that the owner of an asset and any other party not obtaining full satisfaction of its rights in the asset will be able to safeguard their interests. The provision also contributes to ensuring that assets are sold at market value.

To subsection (7)

This subsection means that auction costs will be deducted from the sales proceeds before any other rights in the asset are satisfied.



To subsection (8)

This subsection specifies how the proceeds from the auction will be spent. The proceeds will go towards covering the following claims in order of priority:

- 1) Auction costs, see subsection (7).
- 2) The Government of Greenland's claims, see subsection (1) or (2).
- 3) Any other rights in the asset (e.g. charges).

Any remaining proceeds will belong to the owner of the asset.

*To section 80*

To subsection (1)

This subsection provides a list of seven required elements of a closure plan (without limitation). For more information on a closure plan, see section 15(2) and the relevant explanatory notes.

The closure plan must include a plan for what the licensee must do with regard to facilities and buildings, etc. established or used by the licensee and the licence area and other affected areas, and how the licensee must leave the licence area and other affected areas on the licensee's termination and closure of the exploitation, including the enterprise and activities in relation thereto.

The closure plan must also state how the licensee intends to provide security for the fulfilment of its obligations and potential obligations in relation to the closure, implementation of the closure plan and the activities and measures in relation thereto. This follows from section 82.

The existing closure plans and closure plan approvals include those and other matters. The existing practice concerning closure plans and their approval can continue under the provisions of the Bill.

The particular focus of the provision is on the safeguarding of health and safety aspects, environmental aspects and to ensure clean-up etc. in connection with the closure and termination of exploitation activities in accordance with the factors mentioned in the purpose provision of the Bill, see section 1.

To subsection (2)

This subsection provides that if the licensee plans to leave behind or transfer to other parties

any facilities or buildings etc. in the licence area or other affected areas, an approval must be obtained from the Government of Greenland.

To subsection (3)

This subsection provides that if any facilities or buildings, etc. are left behind in the licence area or other affected areas and those facilities or buildings etc. require maintenance, monitoring or other activities or measures etc. for health and safety, environmental or other reasons after the closure, the closure plan must include relevant plans to this effect, and that appropriate security must be provided therefor.

*To section 81*

To subsection (1)

This subsection establishes the licensee's obligation to prepare and submit a closure plan to the Government of Greenland. The closure plan must be approved by the Government of Greenland and must include the licensee's plan for its later termination and closure of mineral exploitation activities and activities in relation thereto under an exploitation licence. A mining plan must include the matters mentioned in paras 1) - 4) of section 77(1).

The provision thus provides that the licensee under an exploitation licence must prepare and submit to the Government of Greenland a closure plan which is subject to approval by the Government of Greenland.

The closure plan must be prepared, submitted and approved before the licensee begins to perform exploitation or activities in preparation therefor or in relation thereto.

To subsection (2)

This subsection specifies that the licensee must also submit the closure plan to the Government of Greenland and have obtained the Government of Greenland's approval of the closure plan no later than when the licensee submits the mining plan to the Government of Greenland and obtains the Government of Greenland's approval of the mining plan, see section 77. Reference is made to that provision and the relevant explanatory notes.

To subsection (3)

This subsection provides that the Government of Greenland may set terms to the effect that a licensee must prepare and submit a closure plan which is also subject to approval by the Government of Greenland, in connection with activities other than mineral exploitation

activities.

The provision is intended to ensure that in connection with extensive activities which are not related to mineral exploitation, the licensee will carry out relevant and sufficient clean-up when terminating the activities, and to allow the Government of Greenland to demand financial security for the licensee's fulfilment of its obligations in this regard.

Terms requiring the licensee to prepare a closure plan will only be set in connection with applications for activities which last more than one year or which will require an extensive or financially burdensome clean-up effort.

To subsection (4)

This subsection provides that the closure plan must be updated and amended as relevant.

An amendment of the closure plan may be relevant, for example, if the licensee would like to perform any not insignificant exploitation activities other than those originally approved by the Government of Greenland. An example of this would be the situation where the licensee would like to perform new exploitation activities which, relative to the approved activities, to a larger degree would result in the establishment of new or additional buildings, facilities and installations, etc. Another example would be activities which may be of importance to matters comprised by the Bill, including activities which will be of importance to the use of local workers etc.

The provision is intended to contribute to ensuring that the closure plan will include at any time an updated description of the exploitation activities, the organisation of production and the related facilities, etc.

To subsection (5)

This subsection must be construed and applied in accordance with subsection (4).

The subsection provides that when so required by a change in circumstances based on an individual and overall assessment in each case, the licensee must prepare and submit an updated or amended closure plan as soon as possible. Such circumstances would generally be those set out in subsection (3). Moreover, when so decided by the Government of Greenland, the licensee must prepare and submit an updated or amended mining plan as soon as possible.

The licensee must also obtain the Government of Greenland's approval of the updated or amended closure plan.

The Government of Greenland may set a time-limit for the preparation of the closure plan for approval and implementation of required changes, including with regard to the provision of security.

Like subsection (4), the provision is intended to contribute to ensuring that a closure plan includes at any time an updated description of relevant matters.

To subsection (6)

This subsection provides that the Government of Greenland may set terms for an approval as mentioned in subsection (1), (3) or (5) under section 121. Among other things, the Government of Greenland may set terms on the safeguarding of health and safety aspects, environmental aspects and other relevant aspects after the termination of operations, including terms on monitoring for a period or other measures after closure.

Monitoring for a period after the closure would be relevant, for example, in cases where a licensee leaves behind facilities etc. in the area. In such cases, for example, the Government of Greenland may set terms for an approval to the effect that the licensee must maintain and monitor the facilities which have been left behind for a period after the closure.

*To section 82*

To subsection (1)

This subsection should be applied and construed in accordance with sections 80 and 85 of the Bill on the required elements of a closure plan and the licensee's obligation to provide security. Reference is made to those provisions and the relevant explanatory notes.

To subsection (2)

This subsection specifies that the closure plan must provide a description of how the licensee is to provide security under section 85. Reference is made to that section and the relevant explanatory notes.

The purpose of the provision is to ensure that the closure plan includes provisions concerning the licensee's provision of security and also that the closure plan includes a detailed description of the economic basis for the fulfilment of the licensee's obligations concerning the closure, the implementation of the closure plan and the activities and measures in relation thereto.

To subsection (3)

This subsection specifies that the provisions of the closure plan on the licensee's provision of security for the fulfilment of its closure obligations and the security provided by the licensee are subject to approval by the Government of Greenland.

To subsection (4)

This subsection specifies that the licensee must update the provisions on security in the closure plan and provide security according to the amended provisions when so required by a change in circumstances.

To subsection (5)

This subsection provides the authority for the Government of Greenland to set terms for an approval as mentioned in subsection (3) or (4) under section 121. Reference is made to the provision in section 121 and the relevant explanatory notes.

*To section 83*

To subsection (1)

This subsection reflects the fact that there may be periods during a licence period when the continued performance of an exploitation activity would be loss-making. An example would be due to varying mineral prices and market conditions. In such cases, it cannot be ruled out that prices and market conditions may pick up so as to restore the project's profitability. It is thus appropriate to ensure that it is possible to suspend the exploitation activities for a period of time with a view to subsequently resuming the activities where a final discontinuation (closure) of the activities is not desired.

It could also be due to temporary difficulties requiring the activities to be suspended for a period of more than 60 calendar days.

The provision includes suspension of exploitation activities under an exploitation licence and may only be relied on when exploitation activities have commenced.

According to the provision, a suspension of the exploitation activities is subject to approval by the Government of Greenland. An approval must be given for purposes of safeguarding, among other things, safety and maintenance in the period of suspension and ensuring the implementation of the closure plan if it turns out later that the activities are not resumed.

An approval may be granted for up to two years at a time. A renewed approval may be granted on changed terms. This means that the original terms for the suspension of the exploitation activities may be changed, if so dictated by circumstances.

To subsection (2)

This subsection provides that the Government of Greenland may set terms for an approval under section 121. An approval is intended to ensure, among other things, that the licensee maintains, secures and monitors facilities and buildings, etc. while the exploitation activities are suspended and that the closure plan mentioned in section 80 can be implemented if the exploitation activities are not resumed. An approval is also intended to ensure that plans for health, safety, environmental protection, etc. are adapted to the suspension of the exploitation activities and any subsequent discontinuation of the exploitation activities.

By way of example, the Government of Greenland may also set terms to the effect that the licensee must perform exploration activities in the period when the exploitation activities are suspended.

Terms will be set for the approval of the suspension of exploitation activities only to the extent necessary to ensure the matters mentioned. If the activities are suspended only briefly due to temporary practical difficulties which make it impossible to perform planned activities, no terms will typically be set for the approval.

*To section 84*

This provision establishes that if a suspension of activities under section 83 has lasted at least six years or if the terms of the approval of the suspension are not complied with, the Government of Greenland may issue an enforcement notice requiring the licensee to implement the closure plan mentioned in section 80. Reference is made to that provision and the relevant explanatory notes.

*To section 85*

To subsection (1)

It follows from section 82(2) of the Bill that a licensee must provide security for the fulfilment of its obligations and potential obligations in relation to the closure, implementation of the closure plan and the activities and measures in relation thereto.

This subsection provides the authority for the Government of Greenland to set terms to ensure

that the licensee under a licence will fulfil its obligations concerning the licence and the activities under the licence.

Under subsection (2), the Government of Greenland may set specific provisions on how such security is to be provided.

The terms governing the provision of security will be set with due regard to the operations in question and the scope and nature of the expected measures in connection with the performance of the activities etc. in the licence period and the discontinuation of operations. In general, the nature of the security to be provided will be subject to discussion with the licensee.

The purpose of the provision is to make it possible to set terms to ensure that the licensee's obligations are fulfilled while, at the same time, the terms governing the performance of the activities are not impaired to any decisive degree. Accordingly, the terms which are set under the provision will have to be formulated after balancing the interests in having the obligations performed and the interests in having the mineral projects realised.

To subsection (2)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the provision of security under subsection (1).

The Government of Greenland may set provisions and terms on all relevant matters to the extent that such provisions and terms are consistent with the purposes of the Bill as stated in section 12 and other provisions.

For one thing, the Government of Greenland may set specific provisions on the provision of security in relation to mineral activities and matters in relation thereto in executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals.

Reference is made to section 16 of the Bill and the relevant explanatory notes.

For example, the Government of Greenland may set provisions and terms as to which kinds of collateral will be acceptable and which terms will apply to the provision of security.

*To section 86*

To subsection (1)

This subsection must be construed and applied in the context of section 85(1) of the Bill. The provision in section 85(1) provides that the Government of Greenland may set provisions and terms to the effect that the licensee under any licence granted under the Bill must provide and maintain security for the performance of its obligations in relation to the licence and the activities under the licence.

The subsection imposes an obligation on the licensee to update and adjust the security provided as and when relevant.

By way of example, it would be relevant in cases where a licensee under an activity plan approval granted obtains approval of an amended activity plan which requires the establishment of new or additional buildings, facilities and installations, etc. In such case, it would be relevant to increase the security provided to also cover such buildings, facilities and installations, etc.

It would also be relevant in cases where a licensee stops using one or more buildings and facilities, removes them and therefore wants the collateral provided to be reduced to a lower amount than before.

Under the provision, the Government of Greenland is also required to assist in updating and adjusting the security provided to the extent relevant. The Government of Greenland is thus required, among other things, to release the collateral in whole or in part if the conditions of release have been met.

Moreover, the provision should be construed and applied in the context of section 82(2) and (3) of the Bill. It follows from section 82(2) that the licensee under an exploitation licence must provide security for the performance of its obligations and potential obligations in relation to the closure, the implementation of the closure plan and the activities and measures in relation thereto under section 85. The provision of section 82(4) specifies that a licensee is required to update the provisions on security in the closure plan and provide security according to the amended provisions when so required by a change in circumstances.

To subsection (2)

This subsection must be construed and applied in accordance with subsection (1).



This subsection provides that, as soon as possible, the licensee must adjust the provision of security and obtain the Government of Greenland's approval of the adjusted security provided, when rendered necessary by changed circumstances. Such changed circumstances are generally those set out in subsection (1). Furthermore, as soon as possible, the licensee must adjust the security provided and obtain the Government of Greenland's approval of the adjusted security provided if so decided by the Government of Greenland.

The provision is intended to contribute to ensuring that the security provided by a licensee under section 85 at any time is updated so as to reflect the licensee's obligations under the Bill, provisions and terms set under the Bill, the licence, activity plans and the approvals of such plans.

The Government of Greenland is also required to assist in updating and adjusting the security provided to the extent relevant. The Government of Greenland is thus required, among other things, to release the collateral in whole or in part if the conditions of release have been met.

The provision establishes that any adjustment of the security provided is subject to approval from the Government of Greenland.

To subsection (3)

This subsection must be construed and applied in accordance with subsections (1) - (2).

The provision is intended to contribute to ensuring that the security provided by a licensee under section 85 at any time is updated so as to reflect the licensee's obligations under the Bill, provisions and terms set under the Bill, the licence, activity plans and the approvals of such plans.

To subsection (4)

For one thing, the Government of Greenland may set specific provisions on the provision of security in relation to mineral activities and matters in relation thereto in executive orders. The Government of Greenland may also set terms in this regard as terms in or standard terms of licences and approvals. Reference is made to section 16 of the Bill and the relevant explanatory notes.

*To section 87*

This section governs environmental protection, including climate protection and nature conservation, in connection with mineral activities and is to a wide extent a consolidation and thus re-enactment of the environmental protection provided for in sections 51, 55 and 59 of

the Mineral Resources Act.

To subsection (1)

This subsection specifies that in order to safeguard human living conditions and ecological cycles, land and natural resources must be exploited in the context of sustainable development. This provision is thus based on the growing recognition that environmental problems are not merely local and well-defined but rather global, diverse and complex. The subsection thus prepares the ground for environmental policy which is based on a holistic view of human interaction with nature, from the exploitation of minerals, through production and consumption, to waste disposal.

The Bill also aims to protect the climate and nature so that society can develop on a sustainable basis, respecting the climate and its impact on human living conditions and the conservation of animal and plant life.

To subsection (2)

The proposed subsection specifies the Part's primary objects of protection. The wording of this subsection is largely based on internationally recognised principles, which are also reflected in the wording of the purpose provision of the Marine Environment Act.

It is proposed to provided that the provisions of this Bill on environmental, climate and nature protection aim to prevent, reduce and control pollution and other impacts on the environment, climate and nature from activities which may directly or indirectly endanger human health, harm animal or plant life or natural resources above or below ground or in the sea or subsoil, interfere with the legitimate use of land, sea, subsoil or natural resources, adversely affect human living conditions or impair recreational resources or activities.

To subsection (3)

The proposed subsection specifies the considerations to be taken into account in the administration of the Act.

Para. 1) specifies the primary aims of the Part. According to para. 1), pollution of the sea, seabed, subsoil, water, air and harmful effects on the climate, vibration and noise are to be prevented, reduced and controlled.

In order to prevent and reduce resource waste, see para. 2), and pollution and other harmful effects on the environment, and thus create a better basis for sustainable development, it is proposed in para 3) that the promotion of cleaner technology should be an objective in itself

in the administration of the Act. Cleaner technology can be defined as modified production processes, raw materials, inputs and products that reduce resource consumption and prevent pollution, not only in the production process but also downstream in the product cycle.

Therefore, treatment measures, which have been the traditional way of tackling pollution problems, are not comprised by the term “cleaner technology”. The treatment of wastewater and air has been shown to cause problems in the landfilling of residues, replacing one pollution problem with another. The aim in para. 4) to promote recycling and reduce problems associated with waste disposal (including the problems posed by the volume of waste itself) is also based on the life-cycle approach and is thus closely linked to the objective of promoting cleaner technologies. For more details, see also the explanatory notes to section 88(1).

*To section 88*

This section is a re-enactment of section 52 of the Material Resources Act and governs the matters to which regard must be had in the application and administration of the provisions of the Bill on environmental, climate and nature protection.

To subsection (1)

This subsection establishes that in the application and administration of the provisions of this Bill, regard must be had to best available techniques.

Best available techniques means the most effective and advanced stage in the development of activities and methods of operation and the practical suitability of the technique for preventing or, where that is not practicable, generally reducing emissions and other effects on the environment as a whole.

This is understood to mean:

Technique: both the technique used and the way in which facilities are designed, built, maintained, operated and decommissioned.

Available: Developed on a scale which allows the technique in question to be used in the relevant industrial sector under economically and technically feasible conditions, taking into account the costs and advantages, wherever the technique is produced or already used, provided that the licensee can dispose of the technique on reasonable terms.

Best: The most effective technique for achieving a high general level of protection for the environment as a whole.

The principle of cleaner technology, which aims to reduce unnecessary resource use and waste through preventive action, is not contradictory to clean-up measures. Clean-up solutions are – and will to a significant extent continue to be – necessary elements of environmental protection. However, the principle expresses the need for priority-setting from an overall ecological and socio-economic perspective.

It is essential for the individual company to be able to see its current situation in relation to the environmental requirements, and to be able to plan its investments with the greatest possible certainty that future requirements will also be known.

Furthermore, in applying the cleaner technology principle, maintenance of the international competitiveness and development potential of enterprises must necessarily be taken into account when setting requirements under this Bill.

These general considerations and principles for the administration of this Bill will apply both to specific decisions under this Bill, to the establishment of guidelines and standards as a framework and guideline for the practice of the Government of Greenland, and to the setting of general provisions under this Bill.

To subsection (2)

This subsection concerns principles for assessing the extent and nature of pollution prevention and response measures.

*To section 89*

Except for certain linguistic and editorial changes, this section is a re-enactment of section 53(1) and (2) of the Mineral Resources Act and provides rules on pollution in connection with activities comprised by the Bill.

To subsection (1)

This subsection provides that any person who intends to commence activities comprised by the Act which may cause pollution must choose such a site for performing the activities as to minimise the threat of pollution. In choosing the site for performing the activity, regard must be had to the nature of the area, including the present and planned future use. Regard must also be had to the possibilities for appropriate disposal of wastewater, waste and other polluting substances and materials.

The proposed location principle implies that a polluting activity should be located in an environment that is robust to pollution and that sensitive areas should be kept as free as

possible from pollution impacts.

To subsection (2)

This subsection provides that any person who intends to commence, commences or performs activities comprised by the Act which may cause pollution must take measures to prevent and respond to such pollution and must plan the establishment, organisation and operation of the activities in such a way as to minimise pollution.

The proposed provision implies that a polluting enterprise must take the necessary pollution control measures and organise its operations in such a way as to minimise pollution. The provision is to be viewed in the context of section 9 of the Bill.

To subsection (3)

This subsection provides that any person who intends to commence, commences or performs activities comprised by the Act which may cause pollution must ensure that pollution, emissions, waste generation and resource use are limited as far as possible by the choice, establishment and organisation of the facilities, including machinery, equipment and any accommodation facilities.

The subsection specifies that the same must be ensured in the organisation of operations, including in the choice of exploration processes, exploitation processes, use processes, work processes, raw materials, substances and materials for use in operations and emergency response and pollution control procedure.

*To section 90*

This section elaborates on section 88(1) and (2) of the Bill and the location and pollution control principles of section 89 and is a re-enactment of section 53(3) - (5) of the Mineral Resources Act.

To subsection (1)

This subsection establishes that where an enterprise or person has obligations under the Act relating to environmental protection or the prevention, reduction or control of pollution, such enterprise or person must, in discharging such obligations, ensure and promote the use of the best available techniques and the best practice pollution control measures to the extent that it is technically, practically and economically feasible for the enterprise or person in question to do so.

Reference is made to the explanatory notes to sections 88 and 89 of the Bill.

To subsection (2)

This subsection provides that where an enterprise or person is required under the Act to ensure that environmental risks are identified, assessed and reduced as far as is reasonably practicable, such enterprise or person must also ensure and promote the use of best available techniques and the best practice pollution control measures in relation to environmental protection, in so far as this is technically, practically and economically feasible for the enterprise or person concerned.

Reference is made to the explanatory notes to subsection (1) and sections 88 and 89 of the Bill.

To subsection (3)

This subsection establishes that the obligations under subsection (2) also apply in a number of situations.

Under para. 1), the obligations apply where an enterprise or person is required to ensure that another party plans and performs work or other activities so that environmental risks are identified, assessed or reduced to the extent reasonably practicable.

Under para. 2), the obligations apply where an enterprise or person is required to ensure supervision of another party planning and performing work or other activities so that environmental risks are identified, assessed and reduced to the extent reasonably practicable.

Under para. 3), the obligations apply where an enterprise or person is required to contribute to the identification, assessment and reduction of environmental risks to the extent reasonably practicable.

Under para. 4), the obligations apply where an employer or other undertaking or person is required to ensure that an employed person receives necessary training and instruction to carry out the work so that environmental risks are identified, assessed and reduced to the extent reasonably practicable.

Under para. 5), the obligations apply where an enterprise or person is required to ensure that environmental risks are eliminated or reduced.

Finally, under para. 6), the obligations apply where an enterprise or person is required to make sure that facilities, installations, ships or other vessels, including the structure,

arrangement and equipment, etc. thereof, are in an environmentally sound state of repair and condition.

*To section 91*

This section concerns matters to which the Government of Greenland will have regard when deciding whether to grant approval for an activity or the establishment and operation of facilities comprised by the Act.

According to the proposed section, the Government of Greenland will have particular regard to the need to avoid impairment or other negative impact on the climate when deciding whether to grant approval for an activity or the establishment and operation of a facility comprised by this Bill. The Government of Greenland will, among other things, have regard to the need to avoid impairment of nature and the natural habitats and habitats of species in designated national and international nature conservation areas and interference with the species for which the areas have been designated.

National and international law applicable in Greenland determines which areas are national and international nature conservation areas and which national and international rules apply to such areas.

*To section 92*

This section establishes the consequences of an activity or facility comprised by the Act being likely to have a significant impact on the environment, climate and nature.

To subsection (1)

This subsection proposes that where an activity or facility referred to in section 91 is likely to have a significant impact on the climate, an approval may be granted only on the basis of an assessment of the impact of the activity or facility on the climate. The proposed subsection also requires that the public and the authorities and organisations concerned have had an opportunity to express their views on the matter.

It is proposed to provide that the assessment must be made in accordance with the provisions of Part 15 on environmental impact assessments (EIA).

To subsection (2)

This subsection proposes that where an activity or facility referred to in section 91 of the Bill is likely to have a significant impact on a designated national or international nature

conservation area, an approval may be granted only on the basis of an assessment of the impacts of the activity or facility on the site, taking into account the site conservation objectives.

If deemed necessary by the Government of Greenland, the public must be consulted on the assessment of the impacts on the site before the approval is granted. This could be done in connection with consultation on the EIA report. It will depend on an individual assessment in each case whether an assessment of the impacts on the site must go out for consultation. This may depend, among other things, on the extent of the impacts and whether an EIA is prepared at the same time.

In many cases, it will be relevant to make an environmental impact assessment before granting an approval for an activity or facility. This provision must be viewed in the context of the provisions on EIAs in Part 15 of the Bill. The provision aims at ensuring that an assessment of the impacts of the project on the site is made, taking into account the site conservation objectives. Such an assessment would not normally be made as part of an EIA.

It is proposed to provide that national and international law applicable in Greenland determines which areas are national and international nature conservation areas and which national and international rules apply to such areas.

To subsections (3)-(4)

Under the proposed subsections, an approval may in the situations referred to in subsections (1) - (2) be granted only if

- 1) the activity or facility does not adversely affect the integrity of a national or international nature conservation area; or
- (2) important public interests, including interests of a social or economic nature, make it necessary to perform the activity or to establish and operate the facility, but see subsection (4).

If an impact assessment shows that the project will not harm international nature conservation sites, the project can be approved immediately, provided that other relevant conditions are met.

If, on the other hand, implementation of the project is deemed to have a significant negative impact on the area, the project may be approved only if there are important public interests, including social or economic interests, which make it necessary to implement the project, because the project is considered to be of vital importance for the country or the region and because alternative locations for the project are not possible.



The priority of social interests referred to in subsection (3) must in any case be accommodated within the international legal obligations by which Greenland is bound in relation to the designation of an area as a national or international nature conservation area. An approval concerning a protected area designated by law must not go beyond what is allowed by environmental protection legislation.

To subsection (5)

It is proposed to provide that the Government of Greenland will set appropriate compensatory measures, including terms for the approval, where an approval is granted under subsection (3) or subsection (4).

Under the proposed subsection, the costs of any compensatory measures must be borne by the applicant.

If an approval is granted under the proposed subsection (3) or under subsection (4), even if a significant negative impact on the area is identified, appropriate compensatory measures must be provided for. This may, for example, include imposing on the applicant an obligation to take specific measures to compensate for the negative environmental impacts by using the best available techniques and best available practices in construction, operation and maintenance, designating alternative nature conservation areas or implementing hunting restrictions, operational restrictions, etc. The determination of appropriate compensatory measures will depend on a case-by-case assessment and will be made within the framework of the proportionality principle.

*To section 93*

It is proposed to authorise the Government of Greenland to set specific provisions on environmental, climate and nature protection, including in particular the matters referred to in sections 87 - 92 of the Bill, including the application of national or international rules, agreements or guidelines relating to environmental, climate and nature protection.

It is intended that the Government of Greenland may, on the basis of the proposed provision, supplement the provisions of sections 87-92 to the extent that this is appropriate to ensure the effectiveness of this Bill and is consistent with the purposes of the Bill.

*To section 94*

This section is to a wide extent a re-enactment of sections 84 and 85(2) of the Mineral Resources Act as regards environmental, climate and nature protection.

This section proposes that the Government of Greenland may, as before, set and update specific rules and regulations on matters relating to the protection of the environment, climate and nature in connection with the performance of activities.

For example, treatment facilities, transport facilities and other infrastructure established as part of exploration or exploitation activities will be located wholly or partly outside the area comprised by the licence. In this context, it is essential that the powers on which the regulatory procedure is based also apply to such facilities etc.

This section establishes that the Government of Greenland may set rules within the mineral resource area, subject to legislation within the areas relating to or relevant for the mineral resource area.

The Government of Greenland may, among other things, set provisions on the protection of the environment, climate and nature and obligations, responsibility and liability as well as on other matters relating thereto. Subject to legislation of importance to matters relating to the environment, climate or nature in connection with minerals or activities comprised by the Bill, the Government of Greenland may set such provisions whereby authority is conferred on other authorities.

*To section 95*

This section governs environmental responsibility and liability.

To subsection (1)

Under the proposed subsection, the responsible and liable party means the party who performs, is in charge of or controls the performance of an activity comprised by this Bill. If that party is someone other than the licensee under a licence or approval relating to the activity, the licensee is also responsible and liable for the activity. The two parties are then fully (jointly and severally) responsible and liable, as well as the responsible and liable party under the provisions of this Part.

The liability and responsibility for pollution resulting from activities comprised by the Bill and causing an actual or imminent threat of environmental damage is unconditional under the Bill and rests with the party responsible and liable for the operation of those activities.

The concept of “the responsible and liable party” is the enterprise or person, under private or public law, who operates or controls the commercial activity.

To subsection (2)

It is proposed to provide that the party responsible and liable for an activity referred to in subsection (1) which has caused or contributed to environmental damage is liable for the environmental damage. This applies irrespective of how the actual or imminent threat of environmental damage has occurred and even if the actual or imminent threat of environmental damage is accidental.

Thus, the default principle is that the party responsible and liable for the activity is considered the party responsible and liable for an actual or imminent threat of environmental damage. Therefore, absolute liability applies to an actual or imminent threat of environmental damage caused by pollution resulting from the operation of the commercial activity.

*To section 96*

This section governs the obligations of the party responsible and liable for an imminent threat of environmental damage and is to a large extent a re-enactment of section 64 of the Mineral Resources Act, it being proposed to divide section 64(1) of the Mineral Resources Act into subsections (1) and (2).

To subsections (1)-(2)

It is proposed to provide that the party responsible and liable for an imminent threat of environmental damage must immediately take necessary preventive measures to avert the imminent threat of environmental damage and inform the Government of Greenland of the threat and the measures taken. Under the proposed provision, the party responsible and liable for environmental damage must also immediately take any practicable measures to limit the extent of the damage and prevent further damage, and must notify the Government of Greenland of the damage and the measures.

An obligation is thus established for the party responsible and liable for actual or imminent threat of environmental damage to take without delay the necessary measures to avert an imminent threat of environmental damage and, if the damage has already occurred, to take without delay any practicable measure to limit and prevent further environmental damage.

It will therefore not necessarily be sufficient to prevent pollution or further pollution, but it will also be necessary to limit rapidly the consequences of any pollution that has already occurred, for example by preventing it from spreading. These obligations to take action may therefore require the responsible and liable party to remove the pollution as soon as possible, for example by excavation. It should be noted that the obligation to take action and the enforcement thereof presuppose that it is immediately possible for the responsible and liable

party to establish that a pollution incident has resulted in environmental damage or that there is an imminent threat of such damage.

To subsection (3)

Under the proposed subsection, the Government of Greenland supervises the fulfilment of the obligations and may issue enforcement notices for their fulfilment and the adoption of measures in connection therewith.

*To section 97*

This section governs the possibility for the Government of Greenland to issue enforcement notices in relation to the provisions on environmental damage, and is, except for certain linguistic changes, a re-enactment of section 65 of the Mineral Resources Act.

To subsection (1)

It is proposed to provide that the Government of Greenland may issue an enforcement notice requiring the responsible and liable party to provide information relevant to the assessment of whether an actual or imminent threat of environmental damage exists. Under the proposed subsection, the responsible and liable party may be required, among other things, to perform, at its own expense, studies, analyses, measurements of substances or materials or the like with a view to clarifying the cause and effect of any pollution found.

The Government of Greenland may order the responsible and liable party to provide the information, perform the studies, etc., at its own expense, as are necessary for assessing whether environmental damage or an imminent threat thereof exists.

To subsection (2)

It is proposed to provide that an enforcement notice may be issued notwithstanding that the responsible and liable party does not have control of the property or area where the pollution has been found. Under the proposed subsection, the enforcement notice may impose an obligation to restore the polluted property or area, etc.

Under subsection (2) of the Bill, an enforcement order may also be issued even if the responsible and liable party does not have control of the property affected by the pollution and where any studies etc. are to be carried out. This provision is necessary because the party responsible and liable for the activity which has caused the pollution does not always have control of the polluted property. In these cases, the enforcement notice should provide for the obligation to restore the property after the completion of the studies etc.

To subsection (3)

It is proposed to provide that if the responsible and liable party does not have control of the property or area, the Government of Greenland may issue an enforcement notice to the party who has control of the property or area to tolerate the responsible and liable party or others performing studies or restoring the property or area, etc.

The provisions of subsections (2) and (3) must be understood with the limitation that no enforcement notice may be issued where the enforcement notice would constitute an expropriation.

To subsection (4)

It is proposed to provide that enforcement notices under subsection (3) are binding on the party who from time to time controls the property or area where the pollution has been found.

Reference is made to the explanatory notes to subsections (1)-(3).

*To section 98*

This section governs decisions made by the Government of Greenland under the provisions on environmental damage and is to a large extent a re-enactment of section 66 of the Mineral Resources Act, with section 66(3) of the Mineral Resources Act being re-enacted as a separate provision under the Bill.

To subsection (1)

This subsection authorises the Government of Greenland to decide on any measures etc. in cases of actual or imminent threats of environmental damage.

To subsection (2)

It is proposed to provide that the Government of Greenland must publish the decision on the Government of Greenland's website or as otherwise appropriate. Under the proposed subsection, publication of a decision that an actual or imminent threat of environmental damage exists will be at the expense of the responsible and liable party.

*To section 99*

It is proposed to authorise the Government of Greenland to set specific provisions on

environmental responsibility and liability. With the proposed authority, the Government of Greenland may set specific provisions where this is appropriate to ensure the effectiveness of this Bill, where this is consistent with the purpose of this Bill.

*To section 100*

This section governs environmental impact assessments (EIAs) and environmental impact assessment reports (EIA reports) and is, with certain amendments, a re-enactment of section 73 of the Mineral Resources Act.

To subsection (1)

The proposed subsection implies that an approval for an activity subject to an EIA can be granted only after an assessment of the impacts on the environment of performing the activity has been made. It also follows from the proposed subsection that the activity may not commence until the EIA report has been approved by the Government of Greenland. The addition of the reference to Part 12 clarifies that approvals under the proposed Part 12 cannot be granted for activities subject to an EIA until the rules on EIA have been observed.

The provision specifies which activities are subject to an EIA, as this is considered to be more user-friendly. Before the Government of Greenland can decide whether to approve plans and activities and their closure under Part 12 of the Bill, an EIA report on the listed activities must thus be prepared.

Under the proposed subsection, the Government of Greenland may not grant approval for an activity subject to an EIA until an EIA has been carried out and an EIA report prepared.

It is proposed to provide in para. 1) that local mining activities are not subject to EIA under this Bill.

To subsection (2)

It is proposed to provide that licensees may apply for an exemption from the requirement to prepare an environmental impact assessment (EIA) and a report thereon (EIA report) prior to an approval to exploit minerals being granted. This requires the licensee to demonstrate that the exploitation will not have a significant impact on the environment.

The scope of the provision is assumed to be relatively narrow, as the Bill envisages that the exploitation of minerals will continue to be an activity subject to EIA. The provision is thus envisaged to be applied primarily in cases where, for more formal reasons, an EIA obligation arises, but where it can be demonstrated that, as a result of these reasons, the exploitation will

not have a significant impact on the environment.

To subsection (3)

Under the proposed subsection, the Government of Greenland may require an environmental impact assessment (EIA) and a report thereon are made in cases where, for example, a change or extension is likely to have a significant impact on the environment. This means, for example, that an EIA and a report thereon may be required when an activity or the operation of one of the facilities referred to in subsection (1) is to be temporarily suspended and the temporary suspension is likely to have significant (negative) impact on the environment. The same applies to the dismantling (removal) or decommissioning of one of the facilities referred to in subsection (1).

The purpose of the EIA rules is to assess the environmental impact of the activity as a whole in relation to the environmental capacity of the area. This means that otherwise identical activities may be subject to an EIA in some contexts and not in others. One of the issues is the scale of the environmental impact of the activity – both in terms of intensity and geographical scope – in relation to the other activities and vulnerability of the area. An extension of an existing facility should therefore not be assessed in isolation as a stand-alone facility in relation to critical loads and guiding thresholds. The project must be assessed in the context of the environmental impact of existing facilities. This may mean that a construction project which in isolation will not have a significant impact on the environment may still be subject to an EIA. This will clearly be the case if the existing facility already gives rise to significant environmental impacts.

Whether or not an EIA obligation applies also depends on the location of the facility in relation to the vulnerability of the geographical area. An activity will be subject to an EIA if it is likely to conflict with the land use of the area, the relative abundance of natural resources, the quality and regenerative capacity or the environmental capacity of the natural environment.

If a conflict may arise between a planned activity and the existing land use – not necessarily only for the area in question, but also in relation to neighbouring areas that could be directly or indirectly affected by an activity – this will normally give rise to a significant environmental impact and thus an EIA obligation.

For nature parks, the designation or establishment of a nature park is usually accompanied by a detailed description of its purpose. In addition, detailed planning will often be carried out, including objectives and protection interests. Activities that may hinder or impede the purpose of the nature park are likely to have a significant impact on the environment and will therefore be subject to an EIA under the criteria that the Government of Greenland intends to issue

under subsection (5). This applies regardless of whether the cause of the impact on the protected area or nature park is a direct consequence of the presence of the activity or a consequence of the operation of the activity, including more indirect impacts such as traffic to and from the activity or necessary infrastructure associated with it.

If the activity involves the construction or extension of a treatment facility to treat the wastewater, a significant environmental impact cannot be excluded and the activity may be subject to an EIA. If the activity implies that there will be a need for disposal of hazardous waste, the activity will normally require an EIA if the disposal and management of the hazardous waste cannot be achieved through already approved or legally existing waste systems, disposal methods or recycling methods. For other waste, this may also lead to an EIA obligation if disposal cannot take place within the framework of already authorised or legally existing waste systems, disposal methods or recycling methods.

An activity may give rise to pollution and nuisance for which either indicative or mandatory standards or thresholds have been set. It must therefore be ensured at the planning stage of the activity that the indicative standards and thresholds can be met.

To subsection (4)

Under subsection (4), it is the Government of Greenland which decides when an EIA and an EIA report thereon must be prepared under subsections (2) and (3). In cases where an activity is not expected to have a significant impact on the environment, the Government of Greenland may decide that an environmental mitigation assessment (EMA) must be made and an EMA report thereon be prepared in accordance with subsection (5).

It is intended that Government of Greenland, where appropriate, may refer to local or central authorities with special knowledge of, for example, the local or biological conditions in the relevant areas.

To subsection (5)

The proposed subsection clarifies that, in cases where an activity is not considered to have a significant impact on the environment and is therefore not found to be subject to an EIA under subsections (2) and (3), the Government of Greenland may determine that an environmental mitigation assessment (EMA) must be made and an EMA report thereon be prepared.

To subsection (6)

It is proposed to provide that the Government of Greenland may decide that an activity comprised by the Bill is subject to environmental approval.



The Government of Greenland may decide that an activity is subject to environmental approval in cases where the activity is comprised by the Bill but where the activity does not require an environmental impact assessment (EIA) or an environmental mitigation assessment (EMA).

The provision is thus intended to apply to mineral activities of a small-scale nature which are certain not to have a significant or other appreciable impact on the environment.

The proposed provision enables the Government of Greenland to provide transparency of the environmental aspects of such small-scale activities.

To subsection (7)

The Government of Greenland may, in accordance with subsection (7), set more detailed provisions on the criteria to be taken into account when making a decision under subsection (4).

It is proposed to also authorise the Government of Greenland to set specific provisions concerning the environmental mitigation assessment (EMA) and the criteria for such assessment under subsection (5).

Furthermore, the Government of Greenland is authorised to set specific provisions on environmental approvals under subsection (6).

#### *To section 101*

Except for certain linguistic and editorial changes, this section is essentially a re-enactment of section 74 of the Mineral Resources Act and governs specific requirements for the applicant when an approved EIA report is required under the provisions of section 100.

The EIA report is an important document that is a prerequisite for the approval of a mineral project. It must clarify the likely environmental impacts of the applicant's or the licensee's project proposal. It must also reflect the concerns and objections of affected communities and citizens. The report must contribute to the environmentally sound development of the project of the applicant or licensee.

To subsection (1)

Under the proposed subsection, the applicant and – to the extent that there is no overlap – the party responsible and liable for an activity subject to EIA must prepare and submit the EIA

report to the Government of Greenland, together with a non-technical summary of the report. The scope, form and content of the non-technical summary may be governed in more detail in the guidelines referred to in subsection (3).

To subsection (2)

This subsection specifies what the EIA report must contain.

An EIA report is intended to contribute to ensuring that the planning and administration of activities comprised by the Bill will be based on assessments of the impacts which the activities may have on Greenland's environment nationally and locally.

contribute to ensuring that the planning and management of activities comprised by the Bill are based on studies of the effects that activities may have on the Greenland's environment, both nationally and locally.

The EIA report is not only intended to include the individual environmental aspects, but also explain the interaction between the environmental impacts, the mutual effects of the environmental impacts and the cumulative effects of the environmental impacts. This is because the aim is to provide a holistic report of the environmental impacts of the activities.

The provision is supplemented by guidelines for the preparation of EIA reports for mineral exploitation in Greenland, which contain detailed criteria etc. for the preparation of EIA reports.

To subsection (3)

It is proposed to provide that the Government of Greenland may determine that additional material for the environmental impact assessment must be provided or that additional studies of specific matters must be made.

To subsection (4)

Under the proposed subsection, the Government of Greenland may set specific provisions on environmental impact assessments and the preparation and approval of EIA reports, including the material to be provided for environmental impact assessments.

*To section 102*

This section governs the publication of a final EIA report.

To subsection (1)

Under the proposed subsection, the Government of Greenland must publish information to this effect when an EIA report has been submitted to the Government of Greenland. The provision also implies that information must be published on the Government of Greenland website and as otherwise appropriate, for example in a national newspaper or through the electronic media.

To subsection (2)

This subsection provides that a draft EIA report and all related information, documents and data in relation thereto which are submitted to the Government of Greenland are confidential until the material submitted is posted on the Government of Greenland's website and as otherwise appropriate in accordance with subsection (1).

It is considered to be appropriate for the contents of an EIA report and information, documents and data in relation thereto which are submitted to the Government of Greenland not to become known to the public before the official submission to the Government of Greenland.

The provision is thus intended to contribute to ensuring that the licensee will be able to prepare and finish the final EIA report in peace.

In any case, the final EIA report must be sent out to public consultation, and the information, documents and data in relation thereto should subsequently be subject to public access.

To subsection (3)

This subsection provides that, during the confidentiality period, the Government of Greenland may publish general information about a confidential draft EIA report comprised by section 102 and related confidential information, documents and data which have been submitted to the Government of Greenland.

Under the subsection, before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, the Government of Greenland will not publish the relevant information if the

licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question.

By way of example, the Government of Greenland's interest in publishing information of a general nature may be its interest in safeguarding public safety or a statutory duty to publish certain information. When determining whether general information under this subsection can be published although an objection has been received from the licensee, regard may be had to factors such as any commercial interest of the licensee in maintaining the confidentiality of the information, whether the publication of the information would be contrary to the rules of a stock exchange where the licensee is listed, and whether the individual licensee is identifiable in spite of the general nature of the information.

To subsection (4)

It is proposed that, notwithstanding the provisions of subsections (2) and (3), environmental data and environmental reports which the authorities deemed to be of general public interest may be published. The purpose of this is to allow for the possibility to comply with the principles expressed in the Aarhus Convention. The purpose is also to ensure that information on environmental matters of general public interest can be made available to citizens at any time.

To subsection (5)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the matters mentioned in subsections (1) - (4).

One example of such provisions and terms would be provisions or terms on the Government of Greenland's right to publish general information about a confidential draft EIA report and information, documents and data in relation thereto.

*To section 103*

To subsection (1)

This subsection concerns social impact assessments (SIAs).

The subsection means that activities which are comprised by the Bill and which it must be assumed may have a significant social impact may be performed only when a social impact assessment (SIA) has been made which includes an assessment of the social impact of the performance of the activities, and the Government of Greenland has approved a report thereon (SIA report).

As a starting point, activities concerning the establishment or location, operation and use of major facilities or buildings, etc. which are used in the performance of activities comprised by a licence under the Bill, including mining facilities, major processing plants, major buildings, major energy producing plants, larger and longer roads, large landing strips for planes, helicopters or other aircraft, major port facilities or major offshore facilities must be assumed to have a potential significant social impact.

The provision should be read in the context of the purpose provision of the Bill in section 1(2), which provides that mineral activities must seek to be socially sustainable. The requirement of social sustainability is intended to ensure that the development of society can take place on a sustainable basis and that the necessary measures are taken to offset the adverse effects on society while, at the same time, exploring and seeking to benefit from positive development opportunities.

According to the provision, it will not always be necessary to make a social impact assessment (SIA) and prepare a report thereon (SIA report) when performing exploitation activities. Thus, there are exploitation activities which must not be assumed to have a potential significant social impact. This would especially be the case with exploitation licences granted on the basis of small-scale licences.

According to the provision, a social impact assessment (SIA) and a report thereon (SIA report) will generally not be required for the performance of activities until a licensee has been granted a licence. However, before an exploitation licence is granted, a pre-consultation process must be made. Reference is made to section 44 and the relevant explanatory notes.

To subsection (2)

It follows from this subsection that it is for the Government of Greenland to decide if a specific case is comprised by subsection (1). To the extent that the Government of Greenland decides that a specific case under a licence is comprised by subsection (1), the licensee applying for the grant of an approval will be required to perform an SIA, prepare an SIA report and obtain the Government of Greenland's approval of the SIA report.

To subsection (3)

This subsection provides that the Government of Greenland may set specific provisions or terms on the criteria applied in the determination of whether to require in each case the performance of an SIA and the preparation of an SIA report as well as an approval thereof.

*To section 104*

To subsection (1)

This subsection imposes on the licensee applying for the grant of an approval an obligation to perform an SIA, prepare an SIA report and submit the SIA report to the Government of Greenland when so required under section 103.

The subsection also requires the licensee to prepare a non-technical summary of the SIA report and submit the summary to the Government of Greenland.

To subsection (2)

This subsection specifies the required elements of the SIA report.

An SIA report must contribute to ensuring that the planning and administration of activities comprised by the Bill is also based on analyses of the impacts which the activities may have on society nationally and locally. An SIA report must include a description and assessment of the impacts on social life in the communities affected, including on employment opportunities, social balance and social, cultural, religious and spiritual values and practices. Further, an SIA report must include a description and assessment of measures to ensure socially sustainable growth.

The SIA report must not only include the individual social impacts, but also describe the interaction between the social impacts, mutual effects of the social impacts and the cumulative effects of the social impacts. This is because the aim is for a 360-degree description of the social impacts of the activities.

An SIA report should include the following information:

A description of the activity or the facility etc. which the activity concerns, and a description of significant alternatives concerning the activity or facility, including the most significant alternatives examined by the licensee, and the impacts of the activity not being performed or the facility not being established and operated.

An overview of the most significant relevant alternative activities and alternative locations, if any, which have additionally been examined or considered by parties other than the licensee and which have become known during the public consultation process.

A description of the most important reasons for the licensee's choice of alternative having

regard to the social impacts, and of the most important criteria underlying such choice.

A description of the social conditions before the performance of the activity or establishment and operation of the facility for the purpose of an assessment of foreseeable changes in social conditions with a description of the short- and long-term social impacts of the facility.

The description must include the direct impacts of the activity or facility and the indirect short- and long-term positive and negative impacts of the activity or facility. The description must also describe the methods applied by the licensee to predict the social impacts.

In addition, an SIA report should describe the measures which are contemplated with regard to avoiding, reducing and, if possible, neutralising significant negative social impacts.

The SIA report should include an overview of any difficulties (technical deficiencies or knowledge missing) that have arisen in the course of the licensee's collection or assessment of the required information and any deficiencies in the information or assessment of social impacts. Moreover, the SIA report must take a position on the aspects identified by the public or the affected authorities.

To subsection (3)

This subsection provides the authority for the Government of Greenland to require that information or documents, such as background data, for an SIA must be submitted, or that additional studies or assessments of specific matters must be made.

To subsection (4)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the process concerning the preparation of an SIA report.

One example of such provisions and terms would be provisions or terms on the contents, form or ongoing updating of the SIA report due to changes in society or other relevant aspects.

*To section 105*

To subsection (1)

This subsection requires the Government of Greenland to publish an announcement to this effect when a final SIA report has been submitted to the Government of Greenland.

The subsection means that the announcement must be posted on the Government of Greenland's website and as otherwise appropriate. By way of example, the announcement

could be published in a national Greenland newspaper.

The provision is intended to contribute to ensuring public involvement and access to comment.

To subsection (2)

This subsection provides that a draft SIA report and all related information, documents and data in relation thereto which are submitted to the Government of Greenland are confidential until the material submitted is posted on the Government of Greenland's website and as otherwise appropriate, see subsection (1).

It is considered to be appropriate for the contents of an SIA report and information, documents and data in relation thereto which are submitted to the Government of Greenland not to become known to the public before the official submission to the Government of Greenland.

The provision is thus intended to contribute to ensuring that the licensee will be able to prepare and finish the final SIA report in a calm environment.

In any case, the final SIA report must be sent out to public consultation, and the information, documents and data in relation thereto should subsequently be subject to public access.

To subsection (3)

This subsection provides that, during the confidentiality period, the Government of Greenland may publish general information about a confidential draft SIA report comprised by section 104 and related confidential information, documents and data which have been submitted to the Government of Greenland.

Under the subsection, before any such general information is published, the Government of Greenland must send the information to the licensee and inform the licensee that it may submit its comments and any reasoned objection to the publication of all or some of the information within a reasonable time-limit of no less than 14 calendar days. If, before the expiry of the time-limit, the licensee submits an objection to the publication of all or some of the information, the Government of Greenland will not publish the relevant information if the licensee's interest in confidentiality is deemed to override the Government of Greenland's interest in publication of the information in question.

By way of example, the Government of Greenland's interest in publishing information of a general nature may be its interest in safeguarding public safety, a statutory duty to publish



certain information or in connection with the marketing of the geology of Greenland. When determining whether general information under this subsection can be published although an objection has been received from the licensee, regard may be had to factors such as any commercial interest of the licensee in maintaining the confidentiality of the information, whether the publication of the information would be contrary to the rules of a stock exchange where the licensee is registered, and whether the individual licensee is identifiable in spite of the general nature of the information.

To subsection (4)

This subsection provides the authority for the Government of Greenland to set specific provisions and terms on the matters mentioned in subsections (1) - (3).

One example of such provisions and terms would be provisions or terms on the Government of Greenland's right to publish general information about a confidential draft SIA report and information, documents and data in relation thereto.

*To section 106*

To subsection (1)

Activities are notified to the Government of Greenland by submission of a presentation of ideas to the Government of Greenland. If the contemplated activity is assumed by the Government of Greenland, based on the presentation of ideas, to have a potential significant environmental impact, see section 100, or social impact, see section 103, a project description must be prepared and sent out to public pre-consultation by the Government of Greenland, see subsection (2).

To subsection (2)

This subsection establishes that the project description under subsection (1) must go out for public pre-consultation for a 35-day period before the contents of the environmental impact assessment (EIA) and/or the social impact assessment (SIA) are determined.

Public pre-consultation is the first opportunity for the public to gain an insight into and voice their proposals and concerns in relation to an applicant's or a licensee's plans to develop the presented proposal into an activity. Consultation responses to pre-consultation are important in order to ensure that the general public may contribute to shaping the activity at an early stage of the process so that any objections to or comments on the project description may be considered when planning the activity going forward.

The subsection also provides that if a public pre-consultation on an environmental impact assessment (EIA) as well as a social impact assessment (SIA) are to be carried out concerning the same activities comprised by this subsection, the two pre-consultation processes must be carried out at the same time. This also applies in cases where the activities which are likely to have a potential significant social impact and the activities which are likely to have a potential significant environmental impact only overlap to some extent.

To subsection (3)

This subsection establishes that the Government of Greenland may set specific provisions and terms on the contents of the project description.

One example of such specific provisions and terms would be provisions or terms as to which matters the project description is to describe, including, among other things, how the licensee or applicant is expected to make allowances for or try to mitigate the significant environmental and/or social impacts which mineral activities are expected to have.

*To section 107*

To subsection (1)

Under this subsection, the Government of Greenland must send an environmental impact assessment (EIA) report and/or a social impact assessment (SIA) report out to public consultation.

The report must describe the expected environmental and social consequences of a licensee's proposed mineral project.

Furthermore, the report must reflect any concerns and objections of the affected citizens and communities which have emerged in the course of the public consultation on the project description.

The EIA and SIA reports are intended to contribute to ensuring that a licensee's mineral project is developed in an environmentally and socially responsible and desirable manner.

It follows from the provision that if a public consultation on an environmental impact assessment (EIA) report as well as on a social impact assessment (SIA) report is to be carried out concerning the same activities comprised by the provision, the two consultation processes must be carried out at the same time. This also applies in cases where the activities which are likely to have a potential significant social impact and the activities which are likely to have a potential significant environmental impact only overlap to some extent.

To subsection (2)

A consultation period of eight weeks is the usual duration for a consultation period in Denmark, also for very large-scale projects. The subsection provides that the period will be extended if it expires on a day which is not a business day. If the consultation period expires on a Saturday, Sunday or a national holiday, the consultation period will be extended to the next business day.

Consultation material means an electronic version of the SIA report, a non-technical summary of the SIA report as well as appendices in Greenlandic and Danish and, if relevant, in English. Only when all versions have been submitted in all languages and the authorities have confirmed that formalities have been observed, when the text is correct and the report meets the other criteria which are set out in guidance notes and related statutory acts can the SIA report be sent out to public consultation. The final SIA report and the non-technical summary as well as all appendices must be submitted to the Mineral Resource Authority in Greenlandic and Danish and, if relevant, in English. The summaries must be included as part of the SIA report and as separate documents. The consultation period therefore will not start until the material has been submitted and approved in the languages stated.

Any other relevant background material to the SIA report must be posted on the company's website as from the first day of the consultation period so as to ensure that all consultation material is available to the public.

The consultation material is deemed to be available to the public when posted on the Government of Greenland's website.

To subsection (3)

This subsection is intended to provide the necessary flexibility to extend the consultation period. There may be a number of reasons why it may prove impracticable to conduct the public consultation meetings. For example, it may be necessary in connection with the sessions of the Greenland Parliament, including where a minister is required to attend a parliamentary session and therefore cannot travel. It may also be necessary due to a shortage of interpreters or rooms for the consultation meetings.

*To section 108*

This subsection is intended to ensure widespread participation by the community in the areas which are particularly affected by the mineral activities. Such areas will often be the towns

and villages situated most closely to the activities. It may also be towns and villages which are not situated most closely to the activities if, for example, they have some facilities which the project company is looking to use in connection with the mineral activities and which will therefore be affected by the mineral activity.

Regardless of where the mineral activity will take place, the public must be involved. The Government of Greenland is therefore empowered to decide where to hold public consultation meetings if the activities are to be performed at a great distance to towns and villages or outside the municipal boundaries.

*To section 109*

To subsection (1)

This subsection is intended to allow citizens to plan their participation in the local community meetings and give them time to read the material to be discussed at the local community meetings. The consultation meetings will be held during the consultation period as such, see section 107, in time for the citizens to be able to submit consultation responses.

To subsection (2)

This subsection is intended to ensure that as many citizens as possible will be notified of the consultation meetings to be held. An individual assessment will be made in each case as to other relevant media, which will depend on factors such as where the local community meetings are held.

To subsection (3)

This subsection is intended to ensure that citizens who were unable to participate in the consultation meetings can find out what went on at the meetings and the discussions that took place.

To subsection (4)

This subsection allows the participants at the meeting to take the floor at the consultation meetings and voice their views and any concerns and expectations in connection with a mineral project.

To subsection (5)

One of the purposes of appointing a moderator to take charge of the consultation meetings is

to provide the desired openness and transparency with regard to the consultation meetings.

*To section 110*

To subsection (1)

This subsection concerns the licensees' obligation in certain cases, as required by the Government of Greenland, to enter into an IBA.

It will be determined based on an evaluation of materiality of the impact of the project on social sustainability whether a licensee is to be required to enter into and perform its obligations under an IBA.

IBA is short for an impact benefit agreement.

In an IBA the licensee must undertake to implement measures to ensure social sustainability.

An IBA is entered into by the licensee and the Government of Greenland, and sometimes also one or more municipalities, see subsections (2) and (3). In an IBA the licensee must undertake to implement measures to ensure social sustainability.

Greenland is seeking to make the mineral industry one of the country's most important business sectors. In order to make this possible, the mineral sector must be developed in cooperation with the people of Greenland.

It is imperative that the adverse effects of a mineral project are reduced as much as possible and replaced by benefits. This can be done, for example, by requiring the licensee to implement measures with a view to securing social sustainability, including by way of involvement of local workers, establishment of arrangements to transfer and accumulate new know-how in the mineral sector, and protection of socio-cultural values and traditions in Greenland, including social, cultural, religious and spiritual values and practices of the population.

To subsection (2)

An IBA is entered into by the Government of Greenland and the licensee, but may also be entered into by the Government of Greenland, the licensee and one or more municipalities, see subsection (3).

To subsection (3)

This subsection provides that the IBA must also be entered into with a municipality if the licence area under the licence is situated within the boundaries of a municipality. The IBA must thus be entered into by the licensee and the Government of Greenland and a municipality if the licence area under the licence is situated within the boundaries of a municipality.

To subsection (4)

This subsection provides the authority for the Government of Greenland to set provisions or terms to the effect that the licensee must enter into an IBA with the Government of Greenland and one or more municipalities situated near the licence area under the licence in cases where the licence area is not situated within the boundaries of a municipality.

However, the subsection also provides that the Government of Greenland may decide that the IBA does not also have to be entered into with a municipality if, according to the Government of Greenland, the municipality's requirements concerning the negotiation, conclusion or terms of the agreement do not comply with section 111 or provisions or terms set by the Government of Greenland under section 112. One example where such decision by the Government of Greenland would be relevant would be if a municipality's requirements to the licensee's measures etc. must be deemed to be disproportionate to the impacts of the mining project on social sustainability.

*To section 111*

To subsection (1)

This subsection concerns the terms of the IBA.

The provision must be construed and applied in accordance with sections 1, 110 and 112. Reference is made to those provisions and the relevant explanatory notes.

This means, among other things, that the measures which the licensee undertakes to implement under the IBA must be responsible and appropriate with regard to social sustainability and contribute to ensuring that activities comprised by the Bill will result in economic and other social benefits for the Greenland Self-Government and society.

The IBA must also be negotiated and entered into in accordance with section 110 and its terms must comply with section 110. The terms of the IBA under section 94 will depend, among other things, on the type of licence and whether the licence area is situated within the boundaries of a municipality. Reference is made to that section and the relevant explanatory notes.

To subsection (2)

It follows from this subsection that an IBA under section 110 must include terms on the licensee's use of local workers and suppliers and on education and training and further education and training of local workers.

The section is intended to contribute to securing economic and other social benefits for the Greenland Self-Government and society through the use of local workers and local suppliers of goods and services and education and training and further education and training of local workers.

The purpose is to ensure that, to the greatest extent possible, local individuals and enterprises are used as workers and suppliers in the performance of activities under licences granted under the Bill.

To subsection (3)

It follows from this subsection that an IBA under section 110 may include provisions on dispute resolution before a court of law or an arbitration tribunal. To the extent, for example, that any such terms have been laid down in an exploitation licence, see section 56, the terms

of the IBA must correspond to such terms.

However, if the IBA is also entered into with one or more municipalities, see section 110(4), the terms of the licence must be amended in the IBA so as to ensure that they reflect the fact that the municipality or municipalities are also parties to the IBA and, by extension, will also be parties to any dispute arising out of the IBA.

*To section 112*

The purpose of this section is to ensure that the Government of Greenland has the statutory authority to set provisions and terms on all relevant matters concerning an IBA.

The Government of Greenland may set provisions and terms under section 112 as provisions in an executive order or as terms in or standard terms of licences or approvals, see section 16. Reference is made to that provision and the relevant explanatory notes.

*To section 113*

To subsection (1)

This subsection is largely based on the so-called ALARP principle. ALARP is short for As Low As Reasonably Practicable.

In general, the ALARP principle means that risks must be reduced to levels that are as low as reasonably practicable. The ALARP principle is a recognised and generally accepted international principle in the offshore industry. It is generally applied by the authorities of the countries with offshore activities where high priority is given to health and safety in the offshore industry. The principle is also applied in other contexts where risk assessment and risk reduction are important. Similarly, it is appropriate for the Bill to also include and apply the ALARP principle.

The subsection provides that the requirement for the licensee to reduce the risks under the ALARP principle means that all requirements, directions, and thresholds set in the Bill or legislation, and rules set under the Bill or other legislation must be complied with. Moreover, the licensee must assess whether the health and safety risks can be eliminated altogether or further reduced. This applies whether or not specific requirements, directions or thresholds have been set in the Bill or other legislation or rules set under the Bill or other legislation.

Under the provision, the licensee is required to ensure that health and safety risks are reduced as much as reasonably practicable in accordance with technical and social advances.



Moreover, the provision should be applied and construed in accordance with section 1(2) of the Bill. The provision specifies that activities comprised by licences issued under the Bill must be performed in accordance with recognised best international practice under similar conditions.

To subsection (2)

This subsection establishes that the licensee under a licence must ensure that the operation of offshore facilities takes place in accordance with the Bill, other legislation, rules set under the Bill and other legislation and provisions and terms governing the licence, and that the licensee's compliance therewith is subject to supervision.

To subsection (3)

This subsection establishes that the licensee must ensure that it is possible for contracting parties performing activities on offshore facilities to meet safety requirements and that such contracting parties also fulfil such safety requirements.

*To section 114*

To subsection (1)

The authority conferred on the Government of Greenland under this subsection ensures that in accordance with the purposes of the Bill as stated in section 1 and other provisions, the Government of Greenland may set provisions and terms on health and safety in respect of offshore facilities which are consistent with applicable international and accepted industry practices as and when such practices evolve.

For one thing, the Government of Greenland may set provisions and terms on the licensee's responsibilities and obligations and the responsibilities and obligations of other enterprises and persons performing activities under the licence, the licensee's preparation and submission of reports on health and safety to the Government of Greenland, health and safety management and safety and protection zones.

The Government of Greenland may further set provisions and terms concerning health and safety in relation to construction, establishment, location, operation, use, dismantling and removal of the offshore facilities and the equipment and approvals, etc., supervision, emergency preparedness, life-saving measures, training requirements, working hours of the offshore facilities.

*To section 115*

To subsection (1)

This subsection provides that, when not being navigated or towed, an offshore facility is generally surrounded by a safety zone.

The extent of the safety zone is set in subsection (3). See the explanatory notes to subsection (3) below.

To subsection (2)

This subsection applies to an offshore facility which is not being navigated or towed and which, based on an individual assessment in each case, is not immediately visible on the sea surface to other offshore facilities or vessels etc. Such offshore facilities must be marked with a buoy or other readily visible device approved by the Government of Greenland.

To subsection (3)

The proposed subsection specifies the extent of the safety zones set in subsection (1).

The Government of Greenland may decide to deviate from the extent of a safety zone provided under section 116(1). Reference is made to that provision and the relevant explanatory notes.

To subsection (4)

It follows from this subsection that the position of an offshore facility which is surrounded by a safety zone, see subsection (1), must be announced in Notices to Mariners or as otherwise decided by the Government of Greenland.

The Danish Maritime Authority must be informed of the position of an offshore facility to enable it to post a notice to this effect in Notices to Mariners.

Moreover, it follows from the provision that the announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

*To section 116*

To subsection (1)

It follows from this subsection that the Government of Greenland may decide to deviate from the extent of a safety zone provided in section 115(3).

It follows from article 60(5) of the UN Convention on the Law of the Sea that the breadth of the safety zones must be determined by the coastal state, taking into account applicable international standards. The safety zones must be designed to ensure that they are reasonably related to the nature and function of the offshore facilities. The safety zones surrounding them must not exceed a distance of 500 metres around them, measured from each point of their outer edge, except as authorised by generally accepted international standards or as recommended by the competent international organisation.

It also follows from the provision in accordance therewith that the Government of Greenland may decide that a deviation may extend or reduce a safety zone and apply for a specific period.

Any such deviation will be announced in Notices to Mariners or as otherwise decided by the Government of Greenland. The announcement in Notices to Mariners or as otherwise decided by the Government of Greenland will be made by the licensee, unless otherwise decided by the Government of Greenland.

The provision must be applied in accordance with article 60(5) of the UN Convention on the Law of the Sea.

To subsection (2)

In accordance with article 60(5) of the UN Convention on the Law of the Sea, this subsection authorises the Government of Greenland to extend existing safety zones or establish new safety zones in situations of danger or accident which may result in personal injury or loss of human lives, serious pollution, major damage to property or a significant production stop at an offshore facility, and to the extent that this is deemed necessary to prevent, avoid or mitigate the above damaging effects.

The provision must be applied in accordance with article 60(5) of the UN Convention on the Law of the Sea.

*To section 117*

To subsection (1)

The requirements under this subsection concerning safety zones, see section 115, are generally intended to reduce the risk of collision between ships, barges and other marine vessels, etc. and offshore facilities and to prevent fishing and hunting tools etc. to get into contact with underwater devices.

One example of a lawful purpose under this subsection would be the licensee or the supervisory authorities granting an approval for a third party to enter the safety zone around an offshore facility.

Another legal purpose would be the authorities sailing into a safety zone around an offshore facility in connection with an inspection or tests or to carry out environmental measures in connection with pollution.

An additional legal purpose would be a vessel in distress sailing into a safety zone.

To subsection (2)

It follows from this subsection that the Government of Greenland may decide to derogate from the prohibition in subsection (1), but only where dictated by circumstances in special cases.

The Government of Greenland may set specific provisions and terms concerning derogation from the prohibition under subsection (1), including with regard to fishing and hunting. These provisions and terms may concern, for example, in which intervals and periods fishing and hunting is allowed inside a safety zone and which tools are allowed for fishing and hunting inside the safety zone.

*To section 118*

To subsection (1)

This subsection establishes a general rule governing the performance of activities under the Bill. Thus, the activities must be performed in a proper manner and in accordance with recognised best international practices under similar conditions. The concept of best international practices is a dynamic concept and when determining the best international practices, developments within health and safety as well as environmental protection

internationally must be taken into account. In the same way as before, generally accepted international principles, including, for example, ALARP and BAT, may aid in the determination of best international practices.

ALARP is short for As Low As Reasonably Practicable. For more details, see the explanatory notes to section 113 of the Bill.

BAT is short for Best Available Techniques.

The mineral area is generally characterised by a dynamic development. A more detailed specification of applicable standards would therefore only be a snapshot of current practices and would soon lose relevance.

To subsection (2)

The activities under the Bill must be performed appropriately as well as in a sound manner as regards safety, environmental protection, resource utilisation and social sustainability. These are the same overall principles which will be central in the administrative processing. The provision includes the interests to be safeguarded under the provisions laying down the purpose of the Bill. Reference is made to section 1 of the Bill and the relevant explanatory notes.

Among other things, safety and health include physical safety, the safety and health of employees in connection with the activities involved in the performance of mineral activities, subsoil activities or related energy activities in Greenland.

The health concept of the Bill should be interpreted broadly, and covers both health in relation to the working environment in connection with the individual activity, and the health of Greenland's population in general (public health). Under the subsection, the mineral activities must be organised with due regard to health.

Environmental protection includes general environmental considerations of importance to humans as well as animal and plant life.

Sound resource utilisation means, among other things, that any waste of resources must be avoided where possible in connection with the mineral activities and that regard must be had to short-term and long-term public interests. Such interests include, without limitation, public interests in the performance of mineral activities and exploitation of minerals, generation of activity and accumulation of experience and competences for local workers and suppliers of goods and services and generation of revenue for the Government of Greenland and local workers and suppliers of goods and services.

Sound utilisation of resources means, among other things, that any waste of minerals must be avoided where possible and that exploitation activities must be performed in accordance with good international practices to achieve the greatest possible utilisation of the mineral resource concerned.

*To section 119*

This section provides the authority for the Government of Greenland to set provisions and terms or make decisions with a view to implementing or applying in Greenland any international agreements or rules entered into by the Greenland Self-Government or Denmark on behalf of the Greenland Self-Government on matters which are comprised by the Bill.

The section is intended to contribute to ensuring that the Government of Greenland is authorised to set rules on fulfilment of obligations under international conventions concerning matters comprised by the Bill.

*To section 120*

To subsection (1)

This subsection specifies that activities comprised by licences and activities in relation thereto under the Bill must not be performed unless prior approval has been obtained from the Government of Greenland. The subsection provides, among other things, that prior approval must be obtained before the establishment of buildings, facilities and installations and activities and measures for the performance of obligations on termination of operations and activities comprised by licences under the Bill. It is assumed in this connection that the licensee will prepare a plan for approval by the Government of Greenland concerning the activities planned.

However, it follows from the provision that the Government of Greenland may set provisions and terms to the effect that specific activities under a licence are not subject to approval. By way of example, the Government of Greenland may set terms thereon in standard terms or in an executive order. The current standard terms of prospecting licences and exploration licences include terms to the effect that separate approval is not required for certain small-scale activities under a prospecting or exploration licence. This practice can continue under the Bill.

The provision means that, as a general rule, the different activities under licences are subject to approval before they are commenced. The provision includes all activities comprised by a licence, inside as well as outside the area delineating the mineral resource which is being

explored or exploited under the licence.

When approvals are issued under the provision, a number of terms may be set for the performance of the activities, see section 121, including concerning technical, safety, health, environmental, resource-related and social aspects. In addition, the Government of Greenland may set terms on, for example, the duration of the approval, the licensee's reporting on specific aspects and monitoring.

To subsection (2)

This subsection provides that all measures in connection with suspension of exploitation activities are subject to approval from the Government of Greenland.

When approvals are issued under the provision, a number of terms may be set for the performance of the activities, see section 121, including concerning technical, safety, health, environmental, resource-related and social aspects. In addition, the Government of Greenland may set terms on, for example, the duration of the approval, the licensee's reporting on specific aspects and monitoring.

To subsection (3)

This subsection provides that large-scale or substantial activities performed in connection with the performance of activities under a licence, including drilling, shaft sinking, driving of drifts, etc., are subject in each case to approval from the Government of Greenland before they are commenced. The reason is that the activities mentioned are complicated and may be associated with special risk.

When approvals are issued under the provision, a number of terms may be set for the performance of the activities, see section 121, including concerning technical, safety, health, environmental, resource-related and social aspects. In addition, the Government of Greenland may set terms on, for example, the duration of the approval, the licensee's reporting on specific aspects and monitoring.

*To section 121*

This section provides the authority for the Government of Greenland to set provisions and terms for all approvals under the Bill in all relevant respects concerning the approval, the mining plan, the closure plan, another activity plan and activities under the plans in order to ensure that the licensee performs the activities in accordance with the purposes under section 1 of the Bill and other provisions, and also the authority for the Government to require the preparation of a closure plan, see section 81(3).

Among other things, the provision is intended to contribute to ensuring that the activities under the activity plans are consistent with the purposes of the Bill as stated in section 1.

The existing plans and their approval under the Mineral Resources Act include terms on relevant matters to ensure that the licensee performs the activities comprised by the activity plans in accordance with the purposes of the Mineral Resources Act. The existing practice concerning activity plans and their approval can continue under the provisions of the Bill. In addition, amended or new provisions or terms may be set in accordance with section 121 of the Bill.

*To section 122*

Under this section, the Government of Greenland must supervise a licensee's or other parties' operations and activities comprised by the Bill, including provisions and terms set under the Bill.

The section also means that the supervisory authority will have access at all times to all parts of a licensee's or other parties' operations and activities comprised by the Bill. To the extent necessary to perform the supervisory work under this section, the supervisory authority employees are thus entitled, without a court order, to access all such parts on presentation of proof of identity.

However, access to the enterprise and the activities is reserved for cases where it is required in order to perform the supervision of the enterprise's activities which are comprised by the Bill.

The term "supervisory authority employees" has been preferred over "the Government of Greenland" to emphasise that only a limited group of employees will have authorised access as supervisory employees under this provision. The term "supervisory authority employees" also includes external consultants, advisers and experts performing supervisory duties on behalf of or together with the supervisory authority by agreement with the supervisory authority.

By way of example, the inspections may take the form of random visits without prior notice to the licensee. The inspections may also be carried out at short notice or as regular routine checks. The supervisory authority employees and specifically authorised persons may also carry out other forms of inspections and checks than those mentioned above.

*To section 123*

This section provides that the Government of Greenland is entitled to issue enforcement notices concerning compliance with the Bill and provisions and terms set under the Bill. The



section also provides that the Government of Greenland may issue enforcement and prohibition notices for the purpose of ensuring compliance with the Bill and provisions and terms set under the Bill.

Under the section, enforcement and prohibition notices may be issued to licensees or other parties comprised by the Bill. By way of example, such other parties could be the licensee's contracting parties, see section 17.

*To section 124*

This section imposes a certain duty of disclosure on licensees and other parties comprised by the Bill.

The section covers all information required for administrative processing in connection with, for example, the consideration of an application for the grant of a licence under the Bill or information required for adequate supervision of activities under the Bill.

Under the provision, the Government of Greenland is entitled to order the persons or companies comprised by the provision to submit information which is deemed by the Government of Greenland to be necessary for its processing in each case. The Government of Greenland is entitled to decide that information must be submitted in a specific format, including on a USB stick, as electronic data files or other appropriate media.

*To section 125*

This section is intended to ensure that the Government of Greenland may suspend processing and other administrative activities concerning the licensee in case a licensee fails to pay the amounts due concerning processing and other administrative activities under the Bill.

If the Government of Greenland issues an enforcement notice to suspend activities under a licence, the licensee will be given a reasonable period in which to pay any amounts owing to the Government of Greenland before the Government of Greenland suspends its processing activities and its decisions in all matters concerning the licensee.

It is deemed to be appropriate to allow the Government of Greenland to suspend processing and other administrative activities in any case concerning a licensee or other party if there is a risk that the Government of Greenland will not receive the payments due to it under the Bill.

*To section 126*

To subsection (1)

This provision allows the Government of Greenland not to grant a licence or an approval if this would be incompatible with important public interests.

The allocation of powers between the Greenland Self-Government and the state in international matters within an area is basically determined by whether responsibility for the area has transferred or not. This follows from sections 11-12 of the Act on Greenland Self-Government. Under sections 11 and 12(1) and (2), the Greenland Self-Government is empowered to negotiate, conclude and terminate agreements under international law in areas that have transferred, including in the mineral resource area. Thus, the Greenland Self-Government holds the powers concerning international matters, including national security and defence policy matters, in the areas that have transferred.

The expectation is that decisions under this section concerning foreign policy, defence policy or national security issues or interests will be made in cooperation with the Danish authorities, and the Government of Greenland may ask Danish authorities to submit their observations on the decision to the Government of Greenland to the extent that this is appropriate and relevant.

An applicant may be an applicant for the grant of any licence or any approval under the Bill.

The Government of Greenland's decision in this regard may be made as a separate decision on this issue or as part of a decision to grant or not to grant a licence or an approval to an applicant or licensee. The Government of Greenland may make a separate decision in this regard before the Government of Greenland makes a decision on whether or not to grant a licence or an approval.

The purpose of the provision is to ensure that, under the Bill, the Government of Greenland is authorised (able) to take into account important general social conditions and considerations in the decision of whether to grant a licence or an approval under the Bill.

The provision should only be applied in special exceptional cases if so justified by important public considerations and interests, including important foreign policy, defence policy or national security considerations or interests.

A similar provision can be found in the Danish Act on the Continental Shelf and Certain Pipeline Facilities in the Territorial Sea (*kontinentalsokkeloven*).

To subsection (2)

This subsection requires licensees and applicants to disclose all information which may be of relevance to an assessment under subsection (1). One example of such information would be information about owners, ties to foreign states, trading, e.g. supply agreements, with enterprises in the military industry or third countries and former sanctions in connection with violations of international conventions etc.

The licensee's or applicant's information to the Government of Greenland must be documented, e.g. by transcripts from registers or verified copies of certificates.

The provision further provides the Government of Greenland with the authority to demand from licensees and applicants any information, and the related documentation, which is deemed to be necessary in order to make a decision under subsection (1) on an adequately informed basis.

Information submitted to the Government of Greenland under this provision will be comprised by Greenland Parliament Act no. 9 of 13 June 1994 on Access to Public Administration Files, as amended. Which means that, for example, information about technical installations or procedure or about operating or business conditions or the like will be excluded from public access where such information is of material financial importance to the person or enterprise whom the information concerns.

To subsection (3)

This subsection provides the authority for the Government of Greenland to conduct any checks which are deemed to be necessary, for example in order to verify the information submitted by licensees and applicants under subsection (2).

In this connection, the Government of Greenland is entitled to consult national and international registers and contact various authorities, including in third countries.

*To section 127*

To subsection (1)

This subsection specifies that a licensee granted a licence or approval under the Bill is not exempt from the obligation to obtain approvals or licences under other legislation. The same applies to other parties comprised by the Bill.

One example of this would be where a licensee's activities under the Bill include activities performed concerning establishment and operation of airfields or other air traffic facilities. In such case, the licensee and its contracting parties, if any, see section 17, must comply with the provisions of the Danish Civil Aviation Act (*luftfartsloven*) by making sure that the necessary approvals or licences under the Civil Aviation Act are obtained from the aviation authorities. To the extent that activities of this nature are performed in the course of a licensee's activities under the Bill, however, they will also be taken into account in the overall processing by the authorities under this Bill. The Government of Greenland's approval of matters in relation thereto is thus also necessary.

The provision may be regarded as a catch-all provision as most of the matters that are relevant in relation to the performance of mineral activities are governed by the Bill. However, matters may arise which, in addition to requiring a licence or approval under the Bill, also require a licence or approval under other legislation. This would be the case with the HydroPower Act (*vandkraftressourceloven*) and the Danish Aviation Act (*luftfartsloven*).

The provision makes it clear that it is for the licensee to ensure that the necessary licences or approvals are obtained. Accordingly, the Government of Greenland is not responsible for such matters, even where the Government of Greenland has not provided guidance in relation to other legislation.

To subsection (2)

This subsection provides for an exception to subsection (1), establishing that a licence under the Bill will exempt a licensee from the obligation to meet requirements of area legislation on area allocation inside as well as outside the licence area for buildings and facilities approved in accordance with the Bill.

The Government of Greenland's approval of a mining plan under section 78, including, for example, on the establishment of a mining facility, other facilities or buildings, will also serve as a licence to use the area in question comprised by the licence in the approved manner under area legislation.

*To section 128*

To subsection (1)

This subsection allows for compulsory acquisition of real property in order to perform activities under the Bill.

In 1992, the powers to set rules on the statutory authority and procedure for compulsory acquisition of real property transferred to the Home Rule Government (now, the Self-Government) as regards areas of responsibility which have transferred to the Self-Government. The powers transferred by Act no. 1012 of 19 December 1992 on compulsory acquisition of real property in areas of responsibility which have transferred to the Greenland Self-Government. In Greenland, compulsory acquisition of real property is governed by Greenland Parliament Act no. 25 of 30 November 1992 on compulsory acquisition.

The Greenland Parliament Act builds on the Danish Act on Compulsory Acquisition of Real Property from 1992 (*ekspropriationsloven*) and is thus purely a procedural. This means that the Bill only authorises compulsory acquisition in accordance with the rules in this regard in the Greenland Parliament Act, see also subsection (2).

The provision means that, to the extent necessary, the Government of Greenland may decide to initiate compulsory acquisition of a property with a view to establishing and operating an enterprise and performing activities under the Bill.

It is a condition under the provision that the compulsory acquisition must be necessary. Necessary usually means that there are no reasonable alternatives to a compulsory acquisition of the property.

The Government of Greenland may also decide that a compulsory acquisition must be made which does not involve any surrender of land, but where the establishment and operation of an enterprise and performance of activities under the Bill result in such disadvantage or damage to a property, enterprise etc. that the intervention may serve as the basis of damages for compulsory acquisition under the provision.

In case a compulsory acquisition of part of a property will significantly impair the utility value of the other part of the property, the licensee may be ordered to acquire the entire property if so demanded by the owner of the property.

Compulsory acquisitions will be made for the licensee's account. This means that the licensee must pay all expenses involved in the compulsory acquisition, including damages for the property in question.

To subsection (2)

This subsection establishes that compulsory acquisition under subsection (1) must take place in accordance with the rules of the Greenland Parliament Act on compulsory acquisition (*landstingslov om ekspropriation*).

The Greenland Parliament Act includes detailed provisions on the powers of the compulsory acquisition authority, including on the compulsory acquisition procedure and the payment of damages, etc.

*To section 129*

To subsection (1)

This section establishes that the Government of Greenland may set provisions on the conservation of one or more specific sites in the interest of safeguarding geological conditions and their protection. On a geological conservation site, no activities of any kind may be performed unless the Government of Greenland has set provisions to the effect that one or more specific activities may be performed.

The geology in Greenland is very interesting and varying and includes old and special rocks and minerals. For many years, surveys and analyses have been made and articles written about the geology of Greenland, which is of great prehistoric value.

The provision is intended to contribute to protecting and conserving special geological areas. This would include areas of special and significant geological importance.

The Government of Greenland may set provisions to the effect that one or more specific areas are designated a full or partial conservation site. If a specific area is designated a full conservation site, this means that all activities are prohibited in the area. If a specific area is designated a partial conservation site, this means that only specified activities may be performed in the area.

By way of example, the Government of Greenland may set provisions on conservation in an executive order.

To subsection (2)

This subsection provides that the Government of Greenland may set provisions under an executive order to the effect that activities under the Bill are prohibited or restricted in one or more areas.

The concept of “general interest” is to be understood in a broad sense.

By way of example, the provision allows the Government of Greenland to set provisions to the effect that activities under the Bill must not be performed within specified zones in semi

urban areas or in specified zones where, for example, mineral activities are likely to have adverse effects on existing industries or the local population.

The interests which may be safeguarded under this provision may include, by way of example, the local population's possibility to exercise a profession or the local population's possibility to use an area for recreational activities.

Prohibitions or restrictions can only be set with prospective effect, meaning that prohibitions or restrictions set in an executive order will only apply to licences granted after the publication of the executive order and that prohibitions or restrictions cannot be exercised with respect to licences already granted.

*To section 130*

To subsection (1)

This subsection governs the Government of Greenland's right to leave authority tasks to be performed by other public authorities or private parties to a certain extent. The subsection serves as independent authority to issue executive orders concerning such delegation. The promulgation and entry into force of such executive order will be a condition for the delegation to have any legal effect in respect of citizens and enterprises, etc.

By way of example, the proposed provision entitles the Government of Greenland to decide to delegate its supervisory duties to other parties. The provision aims to ensure that the supervisory duties are organised in the most appropriate and optimal manner as regards competences and resource utilisation. If other authorities are able to perform the supervisory duties in a more appropriate manner, it may be decided that the duties will be performed by those authorities instead.

Under the provision, it is also possible to decide that private enterprises possessing specific expertise in the area may perform the supervisory duties. If the supervisory duties are delegated to a private enterprise, the Government of Greenland may in this connection set provisions to the effect that the enterprise will have the same rights and obligations as the Government of Greenland when performing the supervisory duties.

In particular, it may be relevant to delegate supervisory duties to private enterprises possessing specific qualifications to perform the duties.

One example of delegation of duties and powers by public authorities under the legislation to private enterprises is the classification of ships.

In 2003, the Danish Maritime Authority entered into an agreement with the American Bureau of Shipping, Bureau Veritas, Det Norske Veritas, Germanischer Lloyd, Lloyd's Register, Nippon Kaiji Kyokai and RINA S.p.A. Registro Italiano Navale Group. The agreement concerns the performance of a number of duties on behalf of the Danish maritime authorities. Under the agreement, the enterprises may issue certificates, demand repairs and carry out inspections. In this area, the decisions of the classification agencies may be brought before the courts only by the recipients of the decisions. There is no administrative complaints procedure.

If the Government of Greenland decides to delegate administrative duties under the Bill to another authority or a private party, the Government of Greenland must supervise the compliance by such authority or party with applicable rules concerning the performance of the administrative duties.

To subsection (2)

If it is decided that, for example, the supervisory powers will be delegated to a public authority or a private enterprise, the party in question and its employees will have the same powers as the supervisory authority and its employees would have in performing the task in question, unless otherwise provided in the document of delegation. Under this subsection, if such terms are not laid down in the document of delegation, the party in question will thus be entitled, for example, to issue enforcement notices requiring the recipient to comply with the Bill and provisions and terms set under the Bill. The employees performing the supervisory duties will also have access to all parts of the mineral enterprise and its activities to the extent that the activities are comprised by the Bill and it is necessary for the employees when performing the supervisory duties. This follows from section 122. Reference is made to that provision and the relevant explanatory notes.

*To section 131*

To subsection (1)

This subsection is intended to ensure that local communities and citizens affected by a specific mineral project can apply for funding to initiate assessments or seek independent advice on unresolved issues.

In addition, relevant organisations registered in Greenland can apply for funding to initiate assessments or obtain independent information on a specific mineral project.

Reports and other information and data, etc. which have been prepared or obtained using the funding may be used towards the development of the mineral project in question.



To subsection (2)

This subsection establishes that funds may only be applied for after the project terms of reference or a project description has been put out to pre-consultation, see sections 44 and 106. Reference is made to those provisions and the relevant explanatory notes.

The background for this is a wish to ensure that the funds available will be used to ensure that affected citizens and relevant organisations, etc. can obtain information and knowledge to make constructive contributions to the development of a specific mineral project.

To subsection (3)

This subsection provides that the Government of Greenland may set specific provisions on the funds available under subsection (1).

One example of such provisions would be provisions on the size of the fund, requirements to the application, who are eligible to apply, how the funds will be distributed and who will manage the funds.

*To section 132*

To subsection (1)

The proposed provision includes any damage caused by an enterprise or an activity. This includes derivative and consequential damage and purely economic damages and losses.

The provision means that any damage caused by an enterprise or activities comprised by the licence is subject to strict liability.

The provision is based on general social considerations and the allocation principle that the persons and enterprises, etc. which are responsible for or carry out the operations or activities under the Bill and which in general will obtain an economic revenue from their operations or activity must pay damages for the losses caused in the course of their operations or activities.

The provision is further based on an assumption that strict liability may act as a deterrent by encouraging persons and enterprises, etc. comprised by the Bill to take relevant measures etc. to avoid and mitigate damage and thus their liability in damages. Strict liability also ensures that the injured party may successfully claim damages from the party having caused the loss, including also in case of accidental damage.

In addition, a number of legal-technical considerations are supported by the rules on strict liability. This is because it will often be difficult for the injured party to prove fault or neglect on the part of the party having caused the loss. The strict liability system proposed in the Bill renders it superfluous to produce evidence of any fault or neglect on the part of the licensee. Strict liability is therefore expected to contribute to avoiding that injured parties must turn to the courts to establish the licensee's liability.

Furthermore, the provision means that the licensee is liable to the injured party in the same way as if the licensee itself had caused the damage, even if the damage is caused by a party other than the licensee in the performance of activities comprised by the licence.

The strict liability should also be seen in light of the fact that the enterprise and activities under the Bill will typically take place in or close to vulnerable Greenland nature where irreparable harm may result if the enterprise or activity is not performed in accordance with applicable rules and with due caution and care.

To subsection (2)

This subsection governs the reduction of the amount of damages in case of contributory negligence.

The amount of damages may be reduced or eliminated altogether only in case of wilful misconduct or gross negligence on the part of the injured party.

*To section 133*

This section provides the authority for the Government of Greenland to set provisions and terms to the effect that the licensee's liability, including responsibility and liability for environmental damage, must be covered by insurance or that other security must be provided.

For example, such other security may be in the form of an amount paid into escrow, a bank guarantee or a custody account with Danish government bonds.

The specific nature of the insurance or collateral must be determined with due regard to the operations in question and the scope and nature thereof, including the risk of any liability arising out of the licensee's measures in connection with the performance of the activities etc. in the licence period and on termination of the licence.

It also follows from the provision that the Government of Greenland may set provisions and terms to the effect that the licensee's activities and matters, etc. in connection therewith must be covered by other relevant insurance. Therefore, it follows from the provision that the

Government of Greenland may also set provisions and terms to the effect that the licensee's activities and matters, etc. in connection therewith which do not concern the licensee's liability must be covered by relevant insurance. For example, such provisions and terms may specify that the licensee's facilities and buildings, etc. must be covered by relevant insurance.

*To section 134*

This section provides the authority for the Government of Greenland to set provisions and terms to the effect that the liability, including responsibility and liability for environmental damage, of a licensee's contracting parties must be covered by insurance or that other security must be provided in so far as the contracting parties' services and activities are used for the performance of activities under the licence.

For example, such other security may be in the form of an amount paid into escrow, a bank guarantee or a custody account with Danish government bonds.

The specific nature of the insurance or collateral must be determined with due regard to the operations in question and the scope and nature thereof and the contracting party's activities, including the risk of any liability arising out of the contracting party's measures in connection with the performance of the activities etc. in the licence period and on termination of the licence.

*To section 135*

This section governs compensation for environmental damage and is, except for certain linguistic changes, a re-enactment of section 67 of the Mineral Resources Act.

To subsection (1)

It is proposed to provide that the provisions of this Bill on compensation for environmental damage apply to damage caused by pollution of land, sea, seabed, subsoil, water or air in the course of the activities comprised by this Bill. The terms "land, sea, seabed, subsoil, water and air" are to be understood in a broad sense. Against this background, the term "water" includes, for example, groundwater, streams, lakes and the sea. The term "pollution" is not defined in the Bill, but is to be interpreted in the same way as in other environmental protection legislation applicable in Greenland. The pollution or interference etc. referred to in subsection (2) must have been caused in the course of an activity comprised by the Bill. Activities not comprised by the Bill cannot therefore give rise to liability for environmental damage under the Bill.

To subsection (2)

It is proposed to provide that the provisions referred to in subsection (1) apply correspondingly to pollution and any other negative impact on the climate or nature as well as interference by noise, vibration, heat, light or the like.

*To section 136*

This section lists the types of damage being eligible for compensation under the provisions of the Bill on compensation for environmental damage. Except for certain linguistic and editorial changes, this section is a re-enactment of section 68 of the Mineral Resources Act.

The section is drafted in accordance with the present state of the law and defines what is meant by the term “damage” in this Bill. Accordingly, compensation for non-pecuniary damage will not be available in the absence of a specific legal basis for such claim. Furthermore, compensation will only be available for purely economic losses to the persons who must be considered as belonging to the group of persons protected under the law of damages.

To para. 1)

This paragraph provides for compensation for personal injury and loss of provider caused by environmental pollution. The term “personal injury” also covers mental disorders caused by shock. However, compensation can only be claimed to the extent that the person concerned is a person entitled to compensation, for example in cases where the person concerned has himself been in danger or has suffered direct physical harm.

The services comprised by this provision are further governed by general liability rules. Thus, although not explicitly stated in the wording of the provision, it is assumed that compensation for “reasonable funeral expenses” will also be available to the person who has paid for the funeral, irrespective of whether that person is entitled to compensation for the loss of a provider, see section 12 of the Liability and Compensation Act (*erstatningsansvarsloven*).

To para. 2)

This paragraph provides for compensation for damage to property caused by environmental pollution. This provision covers in particular damage to immovable and movable property, including floating materials. Thus, the provision provides for compensation for the loss suffered by a shepherd whose fields and crops are destroyed by environmental pollution. The provision also covers the operating losses associated with the damage to, for example, the immovable or movable property. It is a precondition that the operating loss is a foreseeable

consequence of the damage to the immovable or movable property. If the operating loss is not connected with the damage to property, compensation will not be available under this provision, but potentially under the provision in para. 3).

To para. 3)

This paragraph provides for compensation for purely economic losses. To be eligible for compensation under this provision, the loss must be caused by an impairment of the environment beyond what must be expected or tolerated in view of the nature of the area.

The question as to who may claim compensation for economic (operating) losses under the provision must be determined by case law on the basis of general doctrines of the law of damages, including the rules on foreseeability and on the interests and persons protected under the law of damages.

To para. 4)

This paragraph provides for compensation for reasonable costs incurred in preventing and averting damage or injury. The provision gives the right to recover costs both for mitigating damage under paras 1) - 3) that has already occurred and for preventing damage that is likely to occur. The provision is thus closely linked to the injured party's duty under the general law of damages to take reasonable steps to avoid or mitigate his loss ("duty of mitigation").

If, in order to prevent or mitigate the damage referred to in paras 1) - 3), it is necessary to remove a pollution of public goods, such as the air, the sea, etc., the provision provides for compensation for the reasonable costs involved. Such costs include reasonable costs of inspecting the contaminated area and further analysing the pollutants in chemical laboratories, etc. The requirement of "reasonable costs" implies, among other things, that the injured party should take care to limit his costs as far as possible. The Bill does not specify who is entitled to take measures to prevent or mitigate damage under paras 1) - 3) and to claim compensation from the responsible and liable party.

This question must therefore be determined on the basis of the present state of the law applying to the persons protected under the law of damages. The default principle is therefore that only the person who has actual or potential control of the object or immovable property, etc., may take preventive measures and claim compensation from the person responsible and liable.

This paragraph also provides for compensation for reasonable costs incurred in restoring the environment. The purpose of the provision is to give the injured party the right to recover the costs necessary to restore the environment to the standard it was before the damage

(pollution). To the extent that measures can be taken to prevent or limit pollution of public goods, the costs of such measures will be recoverable under the provision. However, the costs will only be recoverable if they are considered “reasonable”.

Since public goods are characterised by no one having a special right in them, private individuals, including environmental organisations, incurring the costs of preventing pollution of or restoring the environment, can normally claim compensation from the responsible and liable party only if a specific legal basis for such claim exists. This is because the persons concerned will not be able to satisfy the traditional control criterion, according to which the injured party must have an actual or potential right of control in the damaged property before compensation may be claimed.

To the extent that the environmental authorities have a right or duty to take remedial action or restore the environment, the costs of such action or restoration will also be recoverable under the provision.

The provision does not imply that the costs of preventing the damage referred to in paras 1) - 3) or of restoring the environment must have been incurred. However, if the costs have not been incurred, it is assumed by the provision that the responsible and liable party may refuse to pay any amount until there is sufficient evidence that the amount will be used for reasonable preventive measures or for restoring the environment.

*To section 137*

Except for certain linguistic changes, this section is a re-enactment of section 69 of the Mineral Resources Act.

To subsection (1)

Under the proposed subsection, anyone who causes pollution in connection with an activity comprised by this Bill must pay compensation for the damage caused by that pollution, even if the cause of the damage is accidental. Subsection (1) introduces strict liability (no-fault liability) for anyone who, in connection with an activity comprised by this Bill, causes pollution which results in damage.

Liability under this provision only arises if the damage is caused by the activities comprised by this Bill and performed by the enterprise being subject to strict liability. Thus, if the damage is caused by circumstances unrelated to those particular activities, the enterprise is not strictly liable under the provision.

The strict liability is linked to the responsible and liable party under the provision of section

95(2) of the Bill. Thus, the person employed by the enterprise who performs the act giving rise to liability of the responsible and liable party on a no-fault basis is thus liable only under the general law of damages, see, among other provisions, sections 19 and 23 of the Liability and Compensation Act.

Strict liability under this provision generally requires the injured party to show that the conduct (in the form of an act or omission) of the liable party has caused the pollution and that this pollution has resulted in damage (causation). However, it is implied that the injured party can benefit from the relaxation of the burden of proof which follows from general evidence law principles.

The scope of strict liability in cases where there are competing or concurrent causes of damage is not specified in the provision. This issue will therefore have to be determined on the basis of the present state of the law.

If the responsible and liable party has caused pollution in interaction with the forces of nature, so that these appear as the event causing the damage, the default principle is that liability is incurred under the provision. However, this implies that the natural event was foreseeable. The responsible and liable party could therefore incur strict liability if the triggering factor is a natural event occurring at regular intervals (frost, storm, significant rainfall, etc.).

However, in the case of natural disasters such as earthquakes, hurricanes, typhoons or similar force majeure events, liability is not incurred under the provision, notwithstanding the fact that it does not contain an express exception in respect of such cases. The question of reducing the tortfeasor's liability must also be determined in the light of the present state of the law. In particular, it may be noted that the liability of the person having caused the damage may be reduced or extinguished under the provision of section 24(1) of the Liability and Compensation Act where liability would be unreasonably onerous or if exceptional circumstances make it reasonable.

The distribution of liability between two or more persons subject to joint and several liability must also be based on the applicable state of the law, see in particular section 25 of the Liability and Compensation Act, according to which the distribution must be based on an assessment of what is deemed to be reasonable, taking into account the nature of the liability and any other circumstances.

To subsection (2)

It is proposed to provide that liability under subsection (1) will not arise if the damage was caused by the activity being performed in accordance with mandatory rules set by a public authority.

Subsection (2) provides that strict liability will not apply if the damage was caused by an activity being performed in accordance with mandatory rules and regulations set by a public authority. It is for the responsible and liable party to prove that the conditions for exemption from liability are met. Thus, the provision does not exclude that the responsible and liable party may be held liable on a no-fault basis under subsection (1) for environmental damage even if the company has acted in accordance with a licence or approval issued by a public authority.

The provision does not preclude the responsible and liable party from invoking other grounds for exemption from liability, such as, for example, self-defence, in accordance with the general rules of property and obligations.

The Bill does not prescribe that the responsible and liable party being subject to strict liability is exempted from liability on the grounds that the damage is caused by a third party intentionally or through gross negligence. Strict liability would therefore also apply in this case. However, the responsible and liable party would have a right of recourse against third parties under the provisions of section 25 of the Liability and Compensation Act, and the liability of the enterprise towards the injured party could, in exceptional cases, be reduced under section 24 of the Liability and Compensation Act.

To subsection (3)

This subsection governs the reduction of the compensation in case of contributory negligence, personal injury or loss of provider.

The compensation may be reduced or extinguished only if the injured or deceased person intentionally or through gross negligence contributed to the injury.

To subsection (4)

This subsection governs the reduction of the compensation in the event of contributory negligence in other cases.



The compensation may in other cases be reduced or extinguished only if the injured party intentionally or through gross negligence contributed to the injury.

*To section 138*

This section governs agreements on departure from the provisions of the Bill on compensation for environmental damage and is a re-enactment of section 70 of the Mineral Resources Act.

To subsection (1)

It is proposed to provide that an agreement to depart from the provisions of this Bill on compensation for environmental damage is invalid if the agreement was made prior to the occurrence of the damage and the departure is to the detriment of the injured party.

The reason for this provision is that a potential injured party will have difficulty in understanding the consequences of an agreement made prior to the occurrence of a damage.

The provision does not extend to agreements made after environmental damage has occurred, so that, for example, liable parties have the possibility to conclude settlement agreements etc.

Furthermore, the provision does not concern insurance contracts relating to environmental damage, irrespective of when they are concluded, see also subsection (2).

To subsection (2)

This subsection specifies that the provision in subsection (1) does not prevent a responsible and liable party from taking out liability insurance against potential claims arising from the provisions on environmental responsibility and liability and compensation for environmental damage. The responsible and liable party may then refer the injured party to his insurer in the usual manner.

*To section 139*

Except for certain linguistic changes, this section is a re-enactment of section 71 of the Mineral Resources Act and entails that the provisions of the Part on compensation for environmental damage do not limit the injured party's right to compensation under the general law of contractual and non-contractual damages or under the provisions of other Parts of this Bill or other legislation.

Various legislation provides for strict liability for damage occurring within the area

concerned. To the extent that other legislation provides for a better legal position of the injured party of an environmental pollution damage than the provisions of this Bill, the injured party will be able to claim compensation under those specific rules of law. The person who has suffered damage as a result of environmental pollution thus has the choice between claiming compensation under the provisions of this Bill or under other legal provisions which may be more favourable to such person.

This section also governs the relationship between the provisions on compensation for environmental damage provided in case law within unwritten areas of the law and the provisions provided in the Bill. Thus, the section does not limit the right of the injured party to claim compensation under the general law of contractual and non-contractual damages.

The provisions of this Bill on compensation for environmental damage take precedence over the general liability rules in this Bill to the extent that there is a difference between the general liability rules and the rules on compensation for environmental damage.

*To section 140*

It is proposed to authorise the Government of Greenland to set specific provisions on compensation for environmental damage and the matters referred to in Part 22, including the application of national or international rules, agreements or guidelines relating to compensation for environmental damage. It is intended that the Government of Greenland may, on the basis of the proposed section, supplement the provisions to the extent appropriate to ensure the effectiveness of this Bill and in accordance with the purposes of this Bill.

*To section 141*

This section means that any person who fails to provide, within the relevant time-limits, any information which must be provided by such person under the Bill or which may be required by the Government of Greenland to be provided under section 32(1), section 39(1), section 50(2), cf. section 39(1), section 55(1), section 63(1), section 68(1), section 68(2), section 77(4), section 81(5), section 82(4), section 104(1), section 104(3) and (4), section 124 or section 126(2) of the Bill may be subject to default fines.

The section further means that any person who fails to comply with an enforcement or prohibition notice issued under section 68(3), section 123 or section 125 may be subject to default fines.

Moreover, any person who fails to provide the security required under section 82(4) within the relevant time-limit may be subject to default fines.

The purpose of the provision is to introduce a sanction which will effectively make persons and enterprises provide the information they are required to provide, comply with enforcement and prohibition notices and provide security for their obligations.

Default fines are not a punitive sanction, but a means of seeking to enforce a duty to act.

The provision largely corresponds to section 37 of the Greenland Parliament Act on competition (*the Competition Act*).

In cases where an enterprise or a person fails to provide any information which may be required by the Government of Greenland under the Bill, default fines will often be the most relevant sanction as the alternative will often be to withdraw a licence, which would often be a disproportionate measure to the breach committed by not providing the information in question.

It will often be in a licensee's own interest to provide information within the relevant time-limits as the progress of a project will depend on the Government of Greenland receiving the required information. However, situations may occur where a licensee has an interest in delaying the process, and in those cases it may be relevant to use default fines as a means of exerting pressure to safeguard the Greenland Self-Government's interests in an effective mining industry, see the purposes of the Bill as stated in section 1.

Under section 68(3) of the Bill, the Government of Greenland may issue an enforcement notice requiring a licensee, in connection with the performance of activities under a licence, not to use any contracting parties which have not provided information and documentation concerning direct and indirect taxes to the Government of Greenland and other Greenland authorities under subsection (2) or which fail to pay direct and indirect taxes to the Government of Greenland and other Greenland authorities in accordance with the rules in force in Greenland from time to time. In case of a failure to comply with an enforcement notice under the provision, the Government of Greenland is allowed to decide under subsection (4) of the provision that the licensee must discontinue its activities under a licence. A decision requiring the licensee to discontinue activities is potentially very intrusive. The imposition of default fines will therefore often be a more proportionate sanction.

Under section 123 of the Bill, the Government of Greenland may issue enforcement notices requiring compliance with the provisions of the Bill and provisions and licence terms set under the Bill. Under section 123 of the Bill, the Government of Greenland may issue prohibition notices for the purpose of enforcing compliance with the Bill and provisions and licence terms set under the Bill. In such cases, default fines are deemed to be the most relevant sanction for licensees who fail to comply with an enforcement or prohibition notice. One example of situations which are governed by the provisions would be a situation of non-

compliance with safety regulations. In those cases, the Government of Greenland will often issue an immediate improvement notice requiring the licensee to suspend specific activities until compliance with safety regulations has been restored. In such cases, default fines, the amount of which is determined in proportion to the proceeds obtained by the licensee from continuing the activities in spite of the notice, may contribute to making licensees comply with the enforcement notices issued by the Government of Greenland, and may thus contribute to safety and health compliance in the mineral industry. It could also be cases where a licensee or third party does not comply with an order to clean up. In such a case, Naalakkersuisut will be able to apply default fines for a period before using the authority in section 78 to remove assets on behalf of the licensee or a third party.

Under section 82(4) of the Bill, a licensee must provide security for the performance of its closure obligations. It is important that adequate security is provided as the Treasury will have to pay the clean-up costs if a licensee is unable to fulfil its obligations in case no or only inadequate security is provided. The right to impose default fines in case a licensee fails to provide the requisite security within the relevant time-limits will therefore contribute to safeguarding the economic interests of the Greenland Self-Government, see the purposes of the Bill as stated in section 1.

Default fines under the provision must be imposed as daily or weekly fines until the relevant information is provided, the relevant enforcement notice or prohibition notice is complied with or the relevant security is provided.

The amount of the default fines will be a discretionary amount in each case. The general principle of proportionality applies in this connection. This means, among other things, that the default fines must not be disproportionate to the violation committed.

When determining the amount of the default fine, the economic capacity of the person being fined must be taken into account so as to ensure that pressure is brought to bear. The extent and nature of the violation must also be taken into account.

A default fine should be at least DKK 1,000 per day or DKK 5,000 per week, and only one daily or one weekly default fine may be imposed.

Default fines are imposed from a given date. The precondition for imposing default fines is that the Government of Greenland has informed the enterprise or person in advance that default fines will be imposed with effect from the date in question and of the nature of the violation.

The amount of default fines may be increased if, after a period of default fines being paid, the relevant information is still not provided, the relevant enforcement or prohibition notice is still not complied with or the relevant security is still not provided.

*To section 142*

To subsection (1)

As a general rule, this Bill is aimed at commercial activities. Extensive sanctioning of the provisions of the Bill has therefore not been deemed necessary. Moreover, it is assumed that a potential withdrawal of the licence etc. may act as a deterrent.

However, it has been deemed necessary to impose sanctions on certain violations, including, for example, the performance of activities contrary to section 22(2) and (3) of the Bill.

The activities comprised by section 22(2) and (3) include prospecting and mineral exploration and exploitation of minerals, scientific surveys concerning minerals, export of minerals from Greenland and other activities which are subject to a licence or approval under the Bill. The provision imposes a general ban on the performance of the mentioned activities comprised by the Bill in the absence of a licence or approval thereto granted by the Government of Greenland according to the rules of the Bill in this regard.

To subsection (2)

This subsection specifies that unless a more severe penalty is due under other legislation, a fine will be imposed on any person who performs activities in a geological conservation site where such activities are not permitted under provisions set by the Government of Greenland thereon, see section 129. Reference is made to the provision in section 129 and the relevant explanatory notes.

To subsection (3)

This subsection identifies a number of violations in paras 1) - 3) which may result in the imposition of a fine in case of wilful misconduct or gross negligence.

To para. 1)

Para. 1) of subsection (3) establishes that unless a more severe penalty is due under other legislation, a fine will be imposed on any person who intentionally or with gross negligence misrepresents or misinforms or fails to disclose information to which an authority is entitled under the Bill or under provisions or terms set under the Bill.

This provision should be read in the context of the fact that it is a necessity in order to perform administrative processing and the supervisory duties etc. under the Bill that all relevant information is duly provided.

To para. 2)

Para. 2) of subsection (3) establishes that unless a more severe penalty is due under other legislation, a fine will be imposed on any person who intentionally or with gross negligence fails to comply with provisions or terms for licences or approvals granted under the Bill or provisions or terms set under the Bill.

This provision is intended to ensure that activities performed are consistent with the purpose of the Bill. If the violation is significant, the Government of Greenland may also decide to withdraw the licence to the extent allowed under general rules and principles of administrative law, including on legitimacy, proportionality and equal treatment.

To para. 3)

Para. 3) of subsection (3) establishes that unless a more severe penalty is due under other legislation, a fine will be imposed on any person who intentionally or with gross negligence fails to comply with an enforcement or prohibition notice issued by the Government of Greenland under section 123 or 125 or provisions or terms for licences or approvals granted under the Bill or provisions set under the Bill.

This provision should be read in the context of the fact that it is a necessity in order to the authorities to perform their duties under the Bill to ensure compliance with any enforcement and prohibition notices issued. Accordingly, any person who fails to comply with an enforcement or prohibition notice may be liable to a fine.

To subsection (4)

This subsection provides the authority for the Government of Greenland to set provisions to the effect that any person who violates provisions set under the Bill may be liable to a fine or other sanction under the Criminal Code for Greenland. The provision means that the sanctioning rules under the Bill are not an exhaustive list of sanctions which may be imposed for violation of the provisions if otherwise decided by the Government of Greenland.

To subsection (5)

This subsection concerns legal persons etc. who violate provisions as mentioned in subsections (1) - (3). Under this provision, legal persons etc. may also be liable to a fine for any such violations.

Under the provision, the same applies where the violation has been committed by the Greenland Self-Government, a municipality or a local authority community comprised by the Greenland Parliament Act on municipal government (*Inatsisartutlov om den kommunale styrelse*).

To subsection (6)

A case about a fine under subsections (1) - (3) or provisions or terms issued under subsection (4) may be determined administratively as a fixed-penalty notice. For reasons of due process, administrative decisions to issue a fixed-penalty notice may be made only where the violations involved are clear, uncomplicated and without any significant evidential doubt.

It is further a precondition for closing a case by way of an administrative decision to issue a fixed-penalty notice that the recipient of the notice admits to being guilty (accepts the fine) and pays the fine within a specified time-limit.

If the violation involved is not clear, uncomplicated and without any significant evidential doubt, the case must be handed over to the police and the prosecution service, who will then consider and deal with the matter. The same applies if the recipient of the fixed-penalty notice does not admit to being guilty (does not accept the fine) and does not pay the fine within a specified time-limit.

Moreover, it follows from the subsection that the provisions of the Danish Administration of Justice Act (*retsplejeloven*) on the requirements for the contents of an indictment and on the principle that a person charged has the right to remain silent apply correspondingly to fixed-penalty fines under the Bill.

The amount of the fine will be a discretionary amount in each case. The general principle of proportionality applies in this connection. This means, among other things, that a fine must not be disproportionate to the violation committed.

The amount of the fine must be determined having regard to the seriousness of the violation, including any safety risks caused by the violation, and the extent of the violation as well as the proceeds obtained or anticipated from the violation.

The provision will apply, for example, in connection with the Government of Greenland's supervision duties under section 122, in cases where clear breaches of safety regulations are discovered or where an attempt to export low-volume or low-grade minerals out of Greenland is made without approval from the Government of Greenland.

To subsection (7)

This subsection specifies that any fines imposed under the Bill or provisions issued under the Bill will accrue to the Treasury.

*To section 143*

To subsection (1)

This subsection provides the authority for the Government of Greenland to confiscate any minerals that have been collected, extracted or exploited without a licence or contrary to any provisions or terms that have been set.

To subsection (2)

This subsection provides the authority for the Government of Greenland to confiscate any minerals that are exported or sought to be exported out of Greenland without an approval or contrary to any provisions or terms that have been set.

To subsection (3)

This subsection allows confiscation of any minerals that have been collected, extracted or exploited without a licence or their value from transferees who, at the time of the transfer of the minerals, knew or ought to have known that the minerals have been collected, extracted or exploited without a licence.

The provision contributes, among other things, to preventing circumvention of the provision in subsection (1) and thus to safeguarding the Greenland Self-Government's revenue from mineral resources in the country.

To subsection (4)

It follows from this subsection that the Government of Greenland may also confiscate the proceeds or a corresponding amount from the collection, extraction or exploitation of minerals without a licence or contrary to any provisions or terms that have been set, see subsection (1), or from the export of or attempt to export minerals out of Greenland without an approval or contrary to any provisions or terms that have been set, see subsection (2).

In the absence of an adequate basis for determining the amount of such proceeds, the Government of Greenland may confiscate a discretionary amount in each individual case which is deemed to represent the proceeds obtained.



To subsection (5)

This subsection specifies that the rules on confiscation of proceeds from a criminal offence or a corresponding amount under the Criminal Code for Greenland apply correspondingly to any confiscation by the Government of Greenland under subsections (1) and (2).

The provisions on confiscation of the proceeds from a criminal offence or a corresponding amount are contained in sections 166-170 of the current Consolidated Act no. 1045 of 7 September 2017 on a Criminal Code for Greenland, as amended.

The provisions on confiscation in sections 166-170 of the Criminal Code for Greenland thus apply correspondingly to the confiscation by the Government of Greenland of the proceeds or a corresponding amount obtained from the collection, extraction or exploitation of minerals without a licence or contrary to any provisions or terms that have been set, see subsection (1), or from the export of or attempt to export minerals out of Greenland without an approval or contrary to any provisions or terms that have been set, see subsection (2).

To subsection (6)

This subsection specifies that confiscation under subsections (1) and (2) will be made by the Government of Greenland itself. The subsection also provides that the Government of Greenland may ask the relevant authority under the Criminal Code for Greenland which is authorised to confiscate under the rules of the Criminal Code in this regard to perform the confiscation on behalf of the Government of Greenland under subsections (1) and (2).

In practice, the relevant authority which performs confiscation under the rules of the Criminal Code in this regard is law enforcement and the Police of Greenland.

Thus, law enforcement and the Police of Greenland must also perform confiscation for the Government of Greenland under subsections (1) and (2) if so requested by the Government of Greenland, including perform confiscation for the Government of Greenland in connection with the collection, extraction or exploitation of minerals without a licence or contrary to any provisions or terms that have been set, see subsection (1), or in connection with the export of or attempt to export minerals out of Greenland without an approval or contrary to any provisions or terms that have been set, see subsection (2).

To subsection (7)

This subsection provides that any confiscated minerals will be sold off and the proceeds will accrue to the Treasury. Such sale will be performed on the basis of and in accordance with the purpose of the Bill, including that revenue from mineral activities will accrue to society.

*To section 144*

To subsection (1)

This subsection specifies the date when the Bill enters into force.

It is proposed that the Bill will enter into force on 1 July 2023.

To subsection (2)

It follows from sections 1, 2 and 28 of the Self-Government Act that the Greenland Self-Government may amend or repeal rules which apply to Greenland within the areas of responsibility that have transferred.

The responsibility for some of the areas that are comprised by the Act on the Continental Shelf, see Consolidation Act no. 1001 of 18 November 2005 as amended (*kontinentalsokkeloven*), which has applied to Greenland until now has transferred to the Greenland Self-Government.

On those grounds, the Bill amends and repeals some of the provisions of the Continental Shelf Act as far as Greenland is concerned. The parts of the Continental Shelf Act which comprise areas for which responsibility has transferred to the Greenland Self-Government and which will be amended or repealed are the following:

- 1) Section 1, section 2, section 3(2), section 4(5) and section 5(1) are repealed.
- 2) In section 3(1), “but see subsection (2)” is deleted.
- 3) Section 6 is given the following wording:  
“6.–(1) Facilities and safety zones, see section 3, which are in or have been established within the Greenland part of the continental shelf are subject to the law otherwise applying to Greenland. The Government of Greenland exercises the powers laid down in section 4 in compliance with the rules of the Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act) and the Greenland Parliament Act on mineral activities.”

The other provisions of the Continental Shelf Act will continue in full force and effect without any amendments as far as Greenland is concerned.

To subsection (3)

This subsection concerns licences already granted on the date when the Bill enters into force.

The subsection is intended to ensure that the Bill does not mean that any licences already granted concerning minerals under the Mineral Resources Act which have not yet terminated will be rendered invalid when the Bill enters into force. Moreover, the provision specifies that the Bill is also to apply to such licences, licensees under such licences and activities performed under such licences before the date when the Bill enters into force.

The provision also ensures that the Bill applies to any activities concerning minerals, including the collection, extraction and exploitation of minerals, which are comprised by the Mineral Resources Act and performed before the date when the Bill enters into force. Moreover, the provision ensures that the Bill applies to any minerals collected, extracted or exploited in the course of such activities.

The provision also establishes that the Bill applies to any decisions on activities and matters concerning minerals comprised by the Mineral Resources Act which are made before the date when the Bill enters into force. However, for purposes of sections 25 and 73 time will begin to run when the Bill enters into force. Reference is made to that provision and the relevant explanatory notes.

To subsection (4)

This subsection specifies that the provisions applying on 1 July 2023 for mineral activities and application procedures, standard terms and conditions for licences concerning minerals will remain in full force and effect with the amendments which follow from the Bill until repealed or replaced by any new provisions set under the Bill.

Thus, it follows from the subsection that the provisions for mineral activities and application procedures, standard terms and conditions for licences concerning minerals which concern matters falling within the scope of the Bill and apply after the Bill has entered into force on 1 July 2023 will continue in full force and effect with the amendments which follow from the Bill. However, the provisions and terms may be repealed or replaced by new provisions set under the Bill.

23 November 2022 11:26:58

FM 2023/XXX

**Bill:**

**Greenland Parliament Act to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities (the Mineral Resources Act)**  
(Amendments consequential to the passing of the Greenland Parliament Act on mineral activities)

**1**

The following amendments are implemented into Greenland Parliament Act no. 7 of 7 December 2009 on mineral resources and mineral resource activities (the Mineral Resources Act), see Consolidated Greenland Parliament Act no. 8 of 26 February 2020:

1. After section 14, the following is inserted in Part 4:

*“Matters comprised by the Greenland Parliament Act on mineral activities*

**Section 14a.** This Greenland Parliament Act does not apply to matters, including activities and licences, comprised by the Greenland Parliament Act on mineral activities.”

2. Part 7 is repealed.
3. Section 85(3) is repealed.
4. Section 95 a is repealed.

**2**

This Greenland Parliament Act enters into force on 1 July 2023.

*The Self-Government of Greenland, xx xxx 2022*

**Premier of the Government of Greenland**

## Explanatory notes to the Bill

### General notes

#### **1. Introduction**

As a consequence of the passing of the Greenland Parliament Act on mineral activities, the below amendments are implemented into the Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act).

#### **2. Main features of the Bill**

The Bill is intended to repeal the provisions of the Mineral Resources Act which are replaced by the above-mentioned Greenland Parliament Act and to avoid double regulation after the passing of the said Government of Greenland Act.

#### **3. Economic and administrative consequences for the public sector**

The Bill is not expected to have any economic and administrative consequences for the public sector.

#### **4. Economic and administrative consequences for the business sector**

The Bill is not expected to have any economic and administrative consequences for the business sector.

#### **5. Consequences for the environment, nature and public health**

The Bill is not expected to have any consequences for the environment, nature or public health.

#### **6. Consequences for citizens**

The Bill is not expected to have any economic consequences for citizens.

#### **7. Other significant consequences**

The Bill is not expected to have any other significant consequences.

#### **8. Consultation of authorities and organisations, etc.**

## **Explanatory notes to the individual provisions of the Bill**

### *To section 1*

The provisions of paras 1) - 3) are intended to ensure that matters which will in future be governed by the Greenland Parliament Act on mineral activities are not governed by the Mineral Resources Act at the same time. The provisions proposed to be repealed are replaced by provisions of the Greenland Parliament Act on mineral activities.

The provision of para 4) repeals the section regarding setting up a fund for funding of assessments and advice regarding identification of special problems in relation to specific mineral resources projects. The fund is replaced by a pool with the same purpose, that is regulated in the Greenland Parliament Act on mineral activities.

### *To section 2*

The provision concerns the date of entry into force of the Bill.

It is proposed that the Bill will enter into force at the same time as the Greenland Parliament Act on mineral activities.

<b>The Bill as compared to the current Greenland Parliament Act</b>	
<i>Existing wording</i>	<i>The Bill</i>
	<p><b>Section 1</b></p> <p>The following amendments are implemented into Greenland Parliament Act no. 7 of 7 December 2009 on mineral resources and mineral resource activities (the Mineral Resources Act), as most recently amended by Consolidated Greenland Parliament Act no. 39 of 28 November 2019:</p>
	<p><b>1.</b> After section 14, the following is inserted:  <i>“Matters comprised by the Greenland Parliament Act on mineral activities”</i></p> <p><b>“Section 14a.</b> This Greenland Parliament Act does not apply to matters, including activities and licences, comprised by the Greenland Parliament Act on mineral activities.”</p>
<p><b>Section 29.</b>–(1) As regards minerals, exploration licences under section 16 above are granted for a period of up to ten years or, if special circumstances exist, for a period of up to 16 years. A licence may be extended with a view to exploration by up to three years at a time. An extension for more than ten years may be granted on modified terms.</p> <p>(2) A licensee who under a licence under subsection (1) above has discovered and delimited deposits that the licensee intends to exploit, and who has otherwise met the terms of the licence, is entitled to be granted an exploitation licence. The licence may be granted to a company designated by the licensee; see section 16(3) above. The licence is granted for those parts of the area that contain deposits which the licensee intends to exploit. The licence is granted for a period of 30 years, unless a shorter period has been laid down as a condition for granting the licence.</p> <p>(3) The Government of Greenland may extend the period for exploitation stated in</p>	<p><b>2.</b> Chapter 7 is repealed.</p>

<p>subsection (2) above; but see section 16(5) above.</p> <p>(4) In an area comprised by a licence under section 16 above for exploitation of minerals only the licensee under the licence may perform activities under mineral prospecting, exploration or exploitation licences.</p> <p><b>Section 30.</b>—(1) In a licence under section 16 above for exploitation of minerals, terms pursuant to section 17(1)-(2) above may only be laid down if stipulated in the exploration licence, or if section 17(3) above or a similar rule in Greenland tax legislation is applied.</p> <p>(2) In a licence under section 16 above for exploitation of minerals, the Government of Greenland may set terms on time-limits for matters of material importance to the performance of the exploitation activities and other activities under the licence. The Government of Greenland may decide that a licence will lapse or may be revoked for failure to observe a time-limit or an extended time-limit.</p> <p><b>Section 31.</b>—(1) The Government of Greenland may lay down specific provisions on minerals, including on exploration, exploitation, processing, storage, depositing, transport, trading, export, import and certification of minerals.</p> <p>(2) The Government of Greenland may lay down provisions to the effect that certain minerals may only be processed and traded according to a licence or approval granted by the Government of Greenland. The Government of Greenland may lay down provisions or terms for such licences or approvals. Activities mentioned in subsection (1) above, which a licensee intends to perform pursuant to a licence under section 16 above, require only approval.</p>	
<p><b>Section 85.</b>—(1) The Government of Greenland may lay down provisions on export and import of mineral resources.</p> <p>(2) The Government of Greenland may lay down provisions or make decisions with a view to implementing or applying international agreements or rules on matters</p>	<p><b>3.</b> Section 85 (3) is repealed.</p>



<p>under this Greenland Parliament Act in Greenland.</p> <p>(3) The Government of Greenland may lay down provisions on export and import of rough diamonds and activities relating to rough diamonds as well as provisions aimed at implementing or applying international agreements or rules on rough diamonds, including meeting requirements under the Kimberley Process Certification Scheme.</p>	
<p><b>95a.</b>–(1) The Government of Greenland will set up a fund from which affected citizens, local communities and relevant organisations in Greenland can apply for funding to initiate assessments and seek advice to identify any special problems in relation to specific mineral resource projects in Greenland as well as to hold meetings about the social and environmental impact of the project.</p> <p>(2) Applications for funding may be made after a project description has gone out for pre-consultation.</p> <p>(3) The Government of Greenland may lay down specific provisions on the fund.</p>	<p><b>4.</b> Section 95 a is repealed.</p>
	<p style="text-align: center;"><b>Section 2</b></p> <p>This Greenland Parliament Act enters into force on 1 July 2023.</p>

## Høring:

**Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven),**

og

**Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxx 2023 om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven)**

Hermed sendes ”Forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven)”, og ”Forslag til: Inatsisartutlov nr. xx af xx. xxx 2023 om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven)” i høring med henblik på fremsættelse på forårssamlingen 2023.

De to forslag sendes samlet i høring, da forslaget til ændring af råstofloven er en konsekvens af vedtagelsen af forslaget til lov om mineralaktiviteter.

Indholdet i forslagene har tidligere været sendt i høring, som ”Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2022 om mineralaktiviteter (mineloven)”, og ”Udkast til forslag til: Inatsisartutlov nr. [xx] af [dag måned år] om miljøbeskyttelse ved forundersøgelse, efterforskning og udnyttelse af mineraler og aktiviteter i forbindelse dermed”.

## Baggrund og formål

Den gældende lov om mineralske råstoffer og aktiviteter af betydning herfor regulerer alle forhold vedrørende udnyttelse af råstoffer, herunder kulbrintetilladelser, efterforsknings- og udnyttelsestilladelser vedrørende mineraler, småskalatilladelser og miljøforhold. Loven administreres af Miljøstyrelsen for Råstofområdet, Råstofstyrelsen og Departementet for Råstoffer og Justitsområdet.

Da en lov, der dækker så forskelligartede forhold, dels kan virke uoverskuelig for borgere og virksomheder, og dels, i råstoflovens tilfælde, hvor nogle bestemmelser regulerer både almindelige mineraltilladelser, småskalatilladelser og kulbrintetilladelser, må behandle visse emner meget overordnet, findes det hensigtsmæssigt, at reguleringen af råstofområdet opdeles i flere love, der specifikt regulerer de enkelte områder. Det foreslås derfor, at forholdene der i dag reguleres af råstofloven, fremover reguleres i tre forskellige love. En selvstændig minelov om forhold vedrørende almindelig minedrift, en selvstændig småskalalov om forhold vedrørende småskalatilladelser og udnyttelse af mineraler til lokale bygge- og infrastrukturprojekter (planlægges fremsat på efterårssamlingen 2023) og den nuværende råstoflov om forhold vedrørende kulbrinter og anvendelse af undergrunden til lagring. Disse tre love vil omfatte både tilladelsesregimer og miljøforhold. For så vidt angår kulbrinter, blev der tidligere arbejdet på et lovforslag, som skulle dække dette område, men da Naalakkersuisut d. 24/6 2021 besluttede at

udfase kulbrinteaktiviteter, findes det hensigtsmæssigt fortsat at lade dette område være reguleret af og bibeholde den gældende råstoflov med senere ændringer.

Forslaget til ændring af råstofloven er udelukkende en konsekvens af, at en del af de forhold, der reguleres af råstofloven, fremover reguleres af mineloven, og forslaget ophæver alene relevante bestemmelser.

Overordnet set er der ikke tilsigtet større ændringer i retstilstanden, og forslagene er langt hen ad vejen udtryk for gældende praksis. Forslagene sigter mod at gøre retstilstanden mere klar og mere investorvenlig. Der er derfor lagt vægt på, at forslagene lever op til internationale standarder og er konkurrencedygtige i forhold til andre minelandes lovgivninger. Det er eksempelvis blevet udspecificeret, hvilke vilkår der stilles til de enkelte tilladelsestyper, med henblik på at gøre lovene mere tilgængelige for udenlandske rettighedshavere og investorer. Med henblik på at øge retssikkerheden for ansøgere af tilladelser er det blevet tydeliggjort, hvilke kriterier Naalakkervisut kan lægge vægt på i forbindelse med behandling af ansøgninger.

## **Væsentligste ændringer**

Forslagenes væsentligste ændringer i forhold til den gældende råstoflov, udover at den gældende råstoflov deles op i flere speciallove, er følgende:

- Bestemmelserne vedrørende offshore-aktiviteter er i mineloven tilpasset mineralaktiviteter. Råstoflovens bestemmelser om offshore-aktiviteter vedrører hovedsageligt kulbrinteaktiviteter.
- Forslagene indeholder ikke bestemmelser om beredskabskomiteen, da denne ønskes nedlagt.
- Bestemmelserne om skatterapportering ændres, således at rettighedshavere ikke længere kan tilpligtes at indhente skatteoplysninger fra deres medkontrahenter. Det vil i stedet blive muligt for Naalakkervisut at kræve skatteoplysninger direkte fra rettighedshaveres medkontrahenter, som udfører aktiviteter under en mineraltilladelse.
- Der skabes hjemmel for Naalakkervisut til at udstede administrative bøder.
- Der skabes hjemmel for Naalakkervisut til at frede områder af særlig geologisk interesse.
- Der skabes en ret til at få meddelt en udnyttelses tilladelse på grundlag af en småskalatilladelse.
- Der iværksættes offentlig høring før meddelelse af efterforskningstilladelser.
- Der skabes hjemmel til, at udnyttelsestilladelsen meddeles på baggrund af en høring af et kommissorium for projektet, evt. kombineret med et kommissorium for VVM (Vurderinger af Virkninger på Miljøet) og VSB (Vurdering af Samfundsmæssig Bæredygtighed).
- Der skabes hjemmel til at kræve en Vurdering af forebyggende tiltag (VFT), der godkendes administrativt for aktiviteter, hvor man ønsker en offentlig høring angående miljøforhold.
- Bestemmelsen i råstofloven om at oprette en fond til borgerinddragelses ophæves, og erstattes med en bestemmelse i mineloven om oprettelse af en pulje med samme formål.

## **Frist**

Høringsvar bedes fremsendt til [asn@nanoq.gl](mailto:asn@nanoq.gl) og [EAMRA@nanoq.gl](mailto:EAMRA@nanoq.gl) med kopi til [bosd@nanoq.gl](mailto:bosd@nanoq.gl) og [netl@nanoq.gl](mailto:netl@nanoq.gl) senest 22. december 2022.

Med venlig hilsen

Miljøstyrelsen for Råstofområdet og Departementet for Råstoffer og Justitsområdet

## Forslag til:

### Inatsisartutlov om mineralaktiviteter

#### Kapitel 1

##### *Formål*

§ 1. Ved Inatsisartutloven forudsættes en hensigtsmæssig og effektiv forundersøgelse, efterforskning og udnyttelse af mineraler og udførelse af aktiviteter i forbindelse dermed. Desuden forudsættes en hensigtsmæssig regulering af forhold af betydning for mineralaktiviteter.

*Stk. 2.* Ved Inatsisartutloven forudsættes, at aktiviteter omfattet af loven udføres forsvarligt med hensyn til sikkerhed, sundhed, miljø, ressourceudnyttelse og samfundsmæssig bæredygtighed, herunder hensyntagen til befolkningens sociale, kulturelle, religiøse og åndelige værdier og skikke, samt hensigtsmæssigt og i overensstemmelse med anerkendt god international praksis under tilsvarende forhold.

#### Kapitel 2

##### *Anvendelsesområde*

##### *Geografisk anvendelsesområde*

§ 2. Inatsisartutloven finder anvendelse i landterritoriet og i søterritoriet, kontinentalsokkelområdet og den eksklusive økonomiske zone ved Grønland.

##### *Aktiviteter*

§ 3. Inatsisartutloven finder anvendelse på følgende aktiviteter:

- 1) Forundersøgelse, efterforskning, udnyttelse og videnskabelige undersøgelser af mineraler samt dermed forbundne aktiviteter.
- 2) Energiaktiviteter knyttet til aktiviteter omfattet af Inatsisartutloven samt dermed forbundne aktiviteter.
- 3) Anvendelse af undergrunden til lagring og andre formål vedrørende mineralaktiviteter samt dermed forbundne aktiviteter.
- 4) Undersøgelser og andre aktiviteter af betydning for aktiviteterne nævnt i nr. 1-3.

*Stk. 2.* Inatsisartutloven finder ikke anvendelse på følgende aktiviteter:

- 1) Lokale mineralaktiviteter.
- 2) Aktiviteter vedrørende kulbrinter.
- 3) Anvendelse af undergrunden til lagring og andre formål, som ikke vedrører mineralaktiviteter eller dermed forbundne aktiviteter.

## *Anlæg og indretninger*

§ 4. Inatsisartutloven finder anvendelse på anlæg og indretninger med videre, som befinder sig i et område jf. § 2, og som anvendes i forbindelse med udførelse af aktiviteter omfattet af Inatsisartutloven.

### *Offshoreanlæg, offshore-skibe og sikkerhedszoner ved offshoreanlæg*

§ 5. Inatsisartutloven finder anvendelse på offshoreanlæg, jf. § 18, og offshore-skibe, jf. § 19, som befinder sig i søterritoriet, kontinentalsokkelområdet eller den eksklusive økonomiske zone ved Grønland, og som anvendes i forbindelse med udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven.

§ 6. Inatsisartutloven finder anvendelse i sikkerhedszonerne ved offshoreanlæg, der befinder sig i søterritoriet, kontinentalsokkelområdet eller den eksklusive økonomiske zone ved Grønland.

*Stk. 2.* Inden for en sikkerhedszone finder Inatsisartutloven anvendelse på skibe, pramme, andre søfartøjer, fly, helikoptere, droner og andre luftfartøjer, mobile offshoreanlæg og andre mobile anlæg og indretninger, som er under sejlads, forsejling, bugsering eller forankring i forbindelse dermed, eller som på anden måde er i sikkerhedszonen, samt på fiskeudstyr, ankre, andet fortøjningsudstyr, andet udstyr og andre genstande.

*Stk. 3.* Inatsisartutloven finder anvendelse, uanset om de i stk. 2 nævnte skibe, søfartøjer, anlæg og luftfartøjer med videre er grønlandske, danske, færøske eller udenlandske.

### *Andre skibe, søfartøjer, anlæg og luftfartøjer med videre og deres aktiviteter*

§ 7. Inatsisartutloven finder også anvendelse på andre offshore-skibe, andre skibe, andre pramme, andre søfartøjer, andre mobile offshoreanlæg og andre mobile anlæg og indretninger og fly, helikoptere, droner og andre luftfartøjer, som befinder sig i søterritoriet, kontinentalsokkelområdet eller den eksklusive økonomiske zone, eller i luftrummet derover, og som anvendes i forbindelse med udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven.

*Stk. 2.* Inatsisartutloven finder anvendelse, uanset om de i stk. 1 nævnte skibe, søfartøjer, anlæg og luftfartøjer med videre er grønlandske, danske, færøske eller udenlandske.

§ 8. Aktiviteter omfattet af Inatsisartutloven omfatter blandt andet følgende aktiviteter i søterritoriet, kontinentalsokkelområdet og den eksklusive økonomiske zone ved Grønland og i luftrummet derover, jf. dog stk. 2 og 3:

- 1) Udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven.
- 2) Sejlads og udførelse af andre aktiviteter med skibe og andre fartøjer i forbindelse med udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven.

3) Flyvning og udførelse af andre aktiviteter med fly, helikoptere, droner og andre luftfartøjer i forbindelse med udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven.

*Stk. 2.* Aktiviteter omfattet af en tilladelse efter Inatsisartutloven omfatter aktiviteterne nævnt i stk. 1, i det omfang aktiviteterne udføres af en rettighedshaver efter en tilladelse efter Inatsisartutloven eller af rettighedshaverens aftalepart.

*Stk. 3.* Ved udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven, jf. stk. 1 og 2, finder Inatsisartutloven kun anvendelse på en rettighedshaver efter en tilladelse efter Inatsisartutloven og rettighedshaverens aftaleparter, i det omfang dennes eller deres aktiviteter eller forhold reguleres af Inatsisartutloven, bestemmelser fastsat efter Inatsisartutloven eller vilkår i tilladelser, godkendelser eller afgørelser efter Inatsisartutloven.

*Stk. 4.* Inatsisartutlovens anvendelse som beskrevet i stk. 1-3 fritager ikke en rettighedshaver efter en tilladelse efter Inatsisartutloven eller rettighedshaverens aftalepart for overholdelse af andre grønlandske eller danske love, som finder anvendelse på aktiviteterne og parterne nævnt i stk. 1-3. Såfremt der er uoverensstemmelse mellem Inatsisartutloven og anden lovgivning, finder Inatsisartutlovens bestemmelser og de bestemmelser og vilkår, der er fastsat efter Inatsisartutloven, anvendelse, medmindre særlige hensyn kan begrunde, at den anden lovgivning bør finde anvendelse

### *Miljøbeskyttelse, klimabeskyttelse og naturbeskyttelse*

**§ 9.** Inatsisartutlovens regler om miljøbeskyttelse omfatter også beskyttelse af klimatiske forhold og beskyttelse af naturen, medmindre andet fremgår af loven.

*Stk. 2.* Det samme gælder for Inatsisartutlovens regler om erstatningsansvar og andet ansvar for forurening og anden indvirkning på miljøet og for Inatsisartutlovens regler om erstatning for miljøskader.

## **Kapitel 3**

### *Definitioner*

#### *Mineraler*

**§ 10.** Ved mineraler forstås alle andre mineralske råstoffer end kulbrinter (olie og naturgas).

*Stk. 2.* Ved kulbrinter forstås kulbrinter med den generelle formel  $C_nH_{2n+2}$ , hvor  $n < 25$ .

### *Aktiviteter, tilladelser, rettighedshavere, godkendelser og planer*

**§ 11.** Ved mineralaktiviteter forstås aktiviteter omfattet af Inatsisartutloven og aktiviteter i forbindelse dermed.

**§ 12.** Ved tilladelse forstås en af de i stk. 2-5 nævnte tilladelser, meddelt af Naalakkersuisut efter Inatsisartutloven til at udføre aktiviteter omfattet af Inatsisartutloven.

*Stk. 2.* Ved forundersøgelsestilladelse forstås en tilladelse til at udføre forundersøgelse vedrørende mineraler, jf. § 28.

*Stk. 3.* Ved efterforskningsstilladelse forstås en tilladelse til at udføre mineralefterforskning, jf. § 34.

*Stk. 4.* Ved udnyttelsestilladelse forstås en tilladelse til at udføre udnyttelse af mineraler, jf. § 43.

*Stk. 5.* Ved tilladelse til videnskabelige undersøgelser forstås en tilladelse til at udføre videnskabelige undersøgelser vedrørende mineraler, jf. § 62.

**§ 13.** Ved rettighedshaver forstås en rettighedshaver efter en tilladelse meddelt af Naalakkersuisut efter Inatsisartutloven, jf. § 12.

**§ 14.** Ved godkendelse forstås en godkendelse, meddelt af Naalakkersuisut til udførelse af aktiviteter omfattet af Inatsisartutloven som nævnt i stk. 2-3, medmindre andet følger af sammenhængen.

*Stk. 2.* Ved aktivitetsgodkendelse forstås en godkendelse af en mineplan, jf. § 15, stk. 1, en nedlukningsplan, jf. § 15, stk. 2, eller udførelse af bestemte aktiviteter, jf. § 22, stk. 3, og § 120, stk. 1.

*Stk. 3.* Ved eksportgodkendelse forstås en godkendelse til at udføre mineraler fra Grønland, jf. § 22, stk. 3, nr. 1, og § 75.

**§ 15.** Ved mineplan forstås en rettighedshavers plan for rettighedshaverens udnyttelse af mineraler og aktiviteter i forbindelse dermed efter en udnyttelsestilladelse, jf. § 77.

*Stk. 2.* Ved nedlukningsplan forstås en rettighedshavers plan for rettighedshaverens senere ophør med og nedlukning af udnyttelsen af mineraler og aktiviteter i forbindelse dermed efter en udnyttelsestilladelse, jf. § 80.

*Stk. 3.* Ved aktivitetsplan forstås en rettighedshavers plan for udførelse af bestemte aktiviteter efter en tilladelse, jf. § 120, stk. 1, herunder blandt andet en mineplan, jf. stk. 1, og en nedlukningsplan, jf. stk. 2.

#### *Bestemmelser og vilkår*

**§ 16.** Ved bestemmelser og vilkår forstås bestemmelser og vilkår fastsat efter Inatsisartutloven, medmindre andet følger af sammenhængen. De omfatter blandt andet bestemmelser i bekendtgørelser, ansøgningsprocedurer, andre procedurer og vejledninger fastsat efter Inatsisartutloven, standardvilkår for tilladelser og godkendelser meddelt efter Inatsisartutloven, vilkår i tilladelser og godkendelser meddelt efter Inatsisartutloven og bestemmelser og vilkår i afgørelser truffet efter Inatsisartutloven.

#### *Rettighedshavers aftalepart*



**§ 17.** Ved rettighedshavers aftalepart forstås en rettighedshavers leverandør af varer eller tjenesteydelser, herunder entreprisedelers eller rådgivningsydelser, ved rettighedshaverens udførelse af aktiviteter omfattet af rettighedshaverens tilladelse. En rettighedshavers aftalepart omfatter også en rettighedshavers aftaleparts aftalepart med videre.

### *Offshoreanlæg*

**§ 18.** Ved offshoreanlæg forstås skibe, pramme, andre fartøjer, platforme og andre indretninger, som anvendes til udførelse af en eller flere af følgende aktiviteter på et bestemt sted eller flere bestemte steder efter hinanden i et havområde:

- 1) Forundersøgelse, efterforskning, udnyttelse og videnskabelige undersøgelser af mineraler i havområdet.
- 2) Forarbejdning af mineraler, der er udnyttet i et havområde eller et landområde.
- 3) Opbevaring af mineraler, der er udnyttet i et havområde eller et landområde.
- 4) Modtagelse, opbevaring, omlastning eller afsendelse af anlæg, udstyr, varer eller andre ting, som anvendes i forbindelse med udførelse af aktiviteter omfattet af Inatsisartutloven i et havområde eller et landområde.
- 5) Ankomststed, skiftested eller afgangssted i forbindelse med transport, opholdssted eller overnatningssted for personer, der udfører arbejde eller aktiviteter i forbindelse med udførelse af aktiviteter omfattet af Inatsisartutloven i et havområde eller et landområde.
- 6) Indkvartering af personer, der udfører aktiviteter omfattet af Inatsisartutloven i et havområde eller et landområde.

*Stk. 2.* Ved et mobilt offshoreanlæg forstås ethvert offshoreanlæg, der kan flyttes fra en position til en anden ved sejlads, forsejling eller bugsering, og som er tiltænkt anvendt på flere forskellige steder i dets levetid.

*Stk. 3.* Ved et fast offshoreanlæg forstås et offshoreanlæg, der ikke er et mobilt offshoreanlæg, jf. stk. 2.

### *Offshoreskibe*

**§ 19.** Ved offshoreskibe forstås skibe, pramme og andre fartøjer, som ikke er offshoreanlæg, jf. § 18, og som udfører aktiviteter i tilknytning til offshoreanlæg.

### *Miljøskade*

**§ 20.** Ved miljøskade forstås:

- 1) Forurening af jord, hav, havbund og undergrund, vand eller luft.
- 2) Forurening eller anden negativ påvirkning af klimatiske forhold.
- 3) Forurening eller anden betydelig negativ påvirkning eller betydelig forstyrrelse af naturen, herunder mennesker, fauna eller flora.

*Stk. 2.* Ved den ansvarlige efter kapitel 14 forstås den, der udfører, leder eller kontrollerer udførelsen af en aktivitet omfattet af Inatsisartutloven.

## *Lokale mineralaktiviteter*

§ 21. Ved lokale mineralaktiviteter forstås småskalaaktiviteter vedrørende mineraler samt udnyttelse af mineraler til brug for byggeprojekter og infrastrukturprojekter i Grønland med videre.

### **Kapitel 4**

#### *Almindelige regler*

#### *Grønlands Selvstyres ret til mineraler og krav om tilladelse til eller godkendelse af aktiviteter*

§ 22. Grønlands Selvstyre har ejendomsretten til at råde over og udnytte mineraler i undergrunden i Grønland.

*Stk. 2.* Følgende aktiviteter må kun udføres i Grønland efter de følgende tilladelser meddelt af Naalakkersuisut efter reglerne i Inatsisartutloven:

- 1) Forundersøgelse vedrørende mineraler må kun udføres efter en tilladelse dertil meddelt efter § 28.
- 2) Mineralefterforskning må kun udføres efter en tilladelse dertil meddelt efter § 34.
- 3) Udnyttelse af mineraler må kun udføres efter en tilladelse dertil meddelt efter § 43.
- 4) Videnskabelige undersøgelser vedrørende mineraler må kun udføres efter en tilladelse dertil meddelt efter § 62, medmindre andet følger af stk. 3 og 4.

*Stk. 3.* Følgende aktiviteter må kun udføres i Grønland efter de følgende godkendelser meddelt af Naalakkersuisut efter reglerne i Inatsisartutloven:

- 1) Udførsel af mineraler fra Grønland må kun ske efter en godkendelse deraf meddelt efter en forundersøgelsestilladelse, efterforskningstilladelse eller udnyttelsestilladelse efter Inatsisartutloven eller en eksportgodkendelse deraf meddelt efter § 75, stk. 1 eller 2.
- 2) Andre aktiviteter vedrørende forundersøgelse, efterforskning, udnyttelse eller videnskabelige undersøgelser vedrørende mineraler, som ikke er indeholdt i en tilladelse efter stk. 3, nr. 1, må kun udføres efter en aktivitetsgodkendelse.

*Stk. 4.* Naalakkersuisut kan udføre videnskabelige og praktiske undersøgelser af generel eller kortlægningsmæssig karakter vedrørende mineraler, mineralaktiviteter og andre tilknyttede aktiviteter.

*Stk. 5.* Bestemmelserne i stk. 1-3 finder ikke anvendelse på lokale mineralaktiviteter.

#### *Myndighedsbehandling*

§ 23. Naalakkersuisut er sammen med Råstofstyrelsen og Miljøstyrelsen for Råstofområdet den administrative myndighed for mineralområdet omfattet af Inatsisartutloven.

*Stk. 2.* Råstofstyrelsen er den administrative myndighed, bortset fra forhold vedrørende miljø jf. stk. 3.

*Stk. 3.* Miljøstyrelsen for Råstofområdet (Miljøstyrelsen) er den administrative myndighed

for miljøforhold vedrørende mineralområdet, herunder miljøbeskyttelse, klimabeskyttelse, naturbeskyttelse, miljøansvar og miljøvurdering. Miljøstyrelsens vurderinger og afgørelser baseres på vurderinger og udkast til afgørelser fra en eller flere videnskabelige og uafhængige miljøinstitutioner.

*Stk. 4.* Alle forhold vedrørende mineraler, mineralaktiviteter, anvendelse af undergrunden til lagring eller andre formål vedrørende mineralaktiviteter, tilknyttede energiaktiviteter og andre tilknyttede aktiviteter omfattet af Inatsisartutloven varetages som en samlet og integreret myndighedsbehandling.

*Stk. 5* Myndighedsbehandling vedrørende mineralområdet omfattet af Inatsisartutloven er organiseret efter et princip om, at rettighedshavere og andre, der er omfattet af Inatsisartutloven, kommunikerer med en enkelt myndighed og modtager alle meddelelser, dokumenter og afgørelser med videre fra denne myndighed.

*Stk. 6* Råstofstyrelsen er den koordinerende forvaltningsmyndighed og indhenter nødvendige udtalelser og afgørelser fra Miljøstyrelsen. Miljøstyrelsen og Råstofstyrelsen orienterer hinanden løbende om sagsbehandling og afgørelser.

*Stk. 7* De i stk. 1 nævnte myndigheder er de kompetente myndigheder efter andre love og regler med hensyn til aktiviteter og forhold omfattet af Inatsisartutloven. Dette gælder dog ikke, i det omfang det følger af andre love eller regler, at andre myndigheder skal foretage myndighedsbehandlingen.

**§ 24.** Klage over en afgørelse truffet af Råstofstyrelsen eller Miljøstyrelsen kan indbringes for Naalakkersuisut. Klageberettigede er:

- 1) Den, der er part i sagen.
- 2) Foreninger og organisationer, der efter deres vedtægter har til formål at varetage væsentlige interesser vedrørende rekreative, miljø- og naturmæssige interesser eller samfundsmæssige forhold.

*Stk. 2.* Klagefristen er 6 uger. Klagefristen regnes fra dagen for meddelelsen, hvis afgørelsen er meddelt til en part, og fra dagen for offentliggørelse, hvis afgørelsen er offentligt bekendtgjort. Hvis klagefristen udløber på en lørdag eller en helligdag, forlænges klagefristen til den første følgende hverdag.

*Stk. 3.* En klage skal indgives skriftligt til den myndighed, der har truffet afgørelsen. Snarest muligt efter klagefristens udløb sender myndigheden klagen og myndighedens afgørelse og bemærkninger til klagen til Naalakkersuisut.

*Stk. 4.* En klage over en tilladelse, en godkendelse eller en dispensation har ikke opsættende virkning, medmindre Naalakkersuisut bestemmer andet.

*Stk. 5.* Naalakkersuisut kan fastsætte bestemmelser om, at bestemte tilladelser, godkendelser og dispensationer ikke må udnyttes inden for klagefristen.

*Stk. 6.* En klage over et påbud eller et forbud har ikke opsættende virkning, medmindre Naalakkersuisut bestemmer andet.

*Indbringelse af afgørelse for domstolene*

**§ 25.** En afgørelse om forhold omfattet af Inatsisartutloven kan kun indbringes for domstolene inden for en frist på 1 år. Fristen regnes fra dagen for meddelelsen af afgørelsen til en part, hvis afgørelsen er meddelt til en part. Fristen regnes dog altid fra dagen for offentliggørelsen, hvis afgørelsen er offentligt bekendtgjort. Hvis fristen udløber på en lørdag, en søndag eller en helligdag, forlænges fristen til den første følgende hverdag.

*Stk. 2.* Indbringelse for domstolene af en afgørelse har ikke opsættende virkning, medmindre Naalakkersuisut bestemmer andet.

*Stk. 3.* En afgørelse om forhold omfattet af Inatsisartutloven kan kun indbringes for domstolene med kompetence i Grønland. En afgørelse, der indbringes for domstolene, skal indbringes for Retten i Grønland som 1. instans.

#### *Naalakkersuisuts årlige redegørelse om tilladelsesansøgninger og tilladelser*

**§ 26.** Naalakkersuisut udarbejder hvert år en offentlig redegørelse om ansøgninger om tilladelser, meddelte tilladelser og planlagte og gennemførte udbud af tilladelser. Naalakkersuisut sender redegørelsen til Inatsisartut.

**§ 27.** Naalakkersuisut skal orientere et relevant udvalg i Inatsisartut om sager med forhold, der kan få væsentlig indvirkning på samfundet eller miljøet, inden der træffes afgørelse i sagerne.

### **Kapitel 5**

#### *Tilladelse til forundersøgelse vedrørende mineraler*

##### *Tilladelsen*

**§ 28.** Naalakkersuisut kan for et nærmere afgrænset område på nærmere fastsatte vilkår meddele en tilladelse uden eneret til at udføre forundersøgelser vedrørende et eller flere mineraler.

##### *Krav til rettighedshaveren*

**§ 29.** Rettighedshaveren efter § 28 skal ved meddelelse af tilladelsen og i hele tilladelsesperioden være registreret som et aktieselskab eller et anpartsselskab, der ikke er et iværksætter-selskab, med hjemsted i Grønland eller et tilsvarende kapital-selskab med hjemsted i et andet land. Selskabet skal endvidere være registreret som erhvervsdrivende i Grønland jf. Inatsisartutlov om næring.

*Stk. 2.* Rettighedshaveren skal ved meddelelsen af tilladelsen og i hele tilladelsesperioden opfylde alle kravene efter § 66.

*Stk. 3.* I tilfælde af tvivl om hvorvidt et kapital-selskab med hjemsted i et andet land svarer til et aktieselskab eller et anpartsselskab med hjemsted i Grønland, jf. stk. 1, træffer Naalakkersuisut afgørelse herom.

### *Tilladelsesperioden*

**§ 30.** En forundersøgelsestilladelse meddeles for en tilladelsesperiode på indtil 5 år.

*Stk. 2.* Tilladelsesperioden efter stk. 1 kan en eller flere gange forlænges af Naalakkersuisut med en periode på indtil 5 år hver gang, jf. dog stk. 4.

*Stk. 3.* Naalakkersuisut kan fastsætte ændrede tilladelsesvilkår ved enhver forlængelse af tilladelsesperioden til en længere samlet tilladelsesperiode end 10 år.

*Stk. 4.* Den samlede tilladelsesperiode for en forundersøgelsestilladelse kan ikke være længere end 15 år.

*Stk. 5.* En forundersøgelsestilladelse ophører, når tilladelsesperioden udløber, eller tilladelsen bortfalder, tilbagekaldes af Naalakkersuisut eller tilbageleveres fra rettighedshaveren til Naalakkersuisut efter Naalakkersuisuts godkendelse deraf.

### *Betaling af gebyrer, vederlag og beløb til dækning af udgifter ved myndighedsbehandling*

**§ 31.** Naalakkersuisut kan fastsætte bestemmelser om, at en ansøger af en forundersøgelsestilladelse eller en forlængelse af tilladelsesperioden efter en forundersøgelsestilladelse skal betale gebyrer til Naalakkersuisut for Naalakkersuisuts modtagelse og behandling af en ansøgning om meddelelse af en forundersøgelsestilladelse eller en forlængelse af tilladelsesperioden og ved meddelelse af en forundersøgelsestilladelse eller en forlængelse af tilladelsesperioden.

*Stk. 2.* Naalakkersuisut kan for en forundersøgelsestilladelse fastsætte bestemmelser og vilkår om, at rettighedshaveren skal betale vederlag til Naalakkersuisut for opretholdelse af tilladelsen og aktiviteter efter tilladelsen med videre.

*Stk. 3.* Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at rettighedshaveren skal betale beløb til dækning af Naalakkersuisuts udgifter i forbindelse med sagsbehandling og anden myndighedsbehandling efter Inatsisartutloven vedrørende tilladelsen og aktiviteter efter tilladelsen. Naalakkersuisut kan opkræve betalingen af beløbene som gebyrer eller udgiftsrefusion.

### *Rapporter om aktiviteter, indlevering af data og prøver og fortrolighed*

**§ 32.** Rettighedshaveren, jf. § 28, skal til Naalakkersuisut indlevere:

- 1) Rapporter om forundersøgelserne og andre aktiviteter efter tilladelsen og resultaterne deraf.
- 2) Kopier af forundersøgelsesresultaterne og data og prøver derfra og rettighedshaverens fortolkninger, konklusioner og anbefalinger derom.

*Stk. 2.* Rettighedshaverens indleveringer efter stk. 1, som indleveres til Naalakkersuisut, er fortrolige i hele tilladelsesperioden. Ophører tilladelsen, er indleveringer efter stk. 1, som indleveres til Naalakkersuisut, fortrolige i 5 år fra tidsfristen for indlevering til Naalakkersuisut.

*Stk. 3.* Naalakkersuisut kan i fortrolighedsperioden offentliggøre generelle oplysninger om de fortrolige rapporteringer, forundersøgelsesresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre. Naalakkersuisut skal inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne i høring hos rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, og hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger, offentliggør Naalakkersuisut ikke disse oplysninger.

*Stk. 4.* Uanset stk. 2 og 3 kan Naalakkersuisut i alle tilfælde offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse.

*Stk. 5.* Når fortrolighedsperioden er ophørt, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og anvende de indleverede rapporteringer, forundersøgelsesresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre.

*Stk. 6.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-5, herunder om rapporternes format, indhold og indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold og om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold.

#### *Naalakkersuisuts fastsættelse af bestemmelser og vilkår vedrørende tilladelsen og aktiviteter*

**§ 33.** Naalakkersuisut kan for en forundersøgelsestilladelse fastsætte bestemmelser og vilkår om alle relevante forhold vedrørende tilladelsen og aktiviteter efter tilladelsen i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser i Inatsisartutloven til sikring af rettighedshaverens overholdelse af grønlandsk lovgivning, Grønlands Selvstyres rettigheder og økonomiske interesser og rettighedshaverens rettigheder.

### **Kapitel 6**

#### *Tilladelse til mineralefterforskning*

##### *Tilladelsen*

**§ 34.** Naalakkersuisut kan for et nærmere afgrænset område på nærmere fastsatte vilkår meddele en tilladelse med eneret til efterforskning af et eller flere mineraler.

**§ 35.** Inden en ansøger kan meddeles en efterforskningstilladelse efter § 34, sender Naalakkersuisut ansøgningen i offentlig høring i mindst 21 kalenderdage.

##### *Krav til rettighedshaveren*

§ 36. Rettighedshaveren, jf. § 34, skal ved meddelelsen af tilladelsen og i hele tilladelsesperioden være registreret som et aktieselskab eller et anpartsselskab, der ikke er et iværksætter-selskab, med hjemsted i Grønland eller et tilsvarende kapitalselskab med hjemsted i et andet land. Selskabet skal endvidere være registreret som erhvervsdrivende i Grønland jf. Inatsisartutlov om næring.

*Stk. 2.* Rettighedshaveren skal ved meddelelsen af tilladelsen og i hele tilladelsesperioden opfylde alle kravene efter § 66.

*Stk. 3.* I tilfælde af tvivl om hvorvidt et kapitalselskab med hjemsted i et andet land svarer til et aktieselskab eller et anpartsselskab med hjemsted i Grønland, jf. stk. 1, træffer Naalakkersuisut afgørelse herom.

### *Tilladelsesperioden*

§ 37. En efterforskningstilladelse meddeles for en tilladelsesperiode på 5 år.

*Stk. 2.* Tilladelsesperioden på 5 år efter stk. 1 kan forlænges en eller flere gange af Naalakkersuisut. Tilladelsesperioden forlænges første gang med en periode på 5 år. Tilladelsesperioden forlænges derefter hver gang med en periode på 3 år. Hvis rettighedshaveren har opfyldt alle forpligtelser vedrørende tilladelsen og aktiviteter efter tilladelsen i den oprindelige tilladelsesperiode på 5 år efter stk. 1, har rettighedshaveren ret til den første forlængelse af tilladelsesperioden med en periode på 5 år. Hvis rettighedshaveren har opfyldt alle forpligtelser vedrørende tilladelsen og aktiviteter efter tilladelsen i en forlænget tilladelsesperiode på 5 år eller 3 år efter dette stk. 2, kan Naalakkersuisut forlænge tilladelsesperioden med en periode på 3 år.

*Stk. 3.* Naalakkersuisut kan fastsætte ændrede tilladelsesvilkår ved enhver forlængelse af tilladelsesperioden til en længere samlet tilladelsesperiode end 10 år.

*Stk. 4.* Den samlede tilladelsesperiode for en efterforskningstilladelse kan ikke være længere end 22 år.

*Stk. 5.* En efterforskningstilladelse ophører, når tilladelsesperioden udløber, eller tilladelsen bortfalder, tilbagekaldes af Naalakkersuisut eller tilbageleveres fra rettighedshaveren til Naalakkersuisut efter Naalakkersuisuts godkendelse deraf.

### *Betaling af gebyrer, vederlag og beløb til dækning af udgifter ved myndighedsbehandling og efterforskningsforpligtelser*

§ 38. Naalakkersuisut kan fastsætte bestemmelser om, at en ansøger om en efterforskningstilladelse eller en forlængelse af tilladelsesperioden efter en efterforskningstilladelse skal betale gebyrer til Naalakkersuisut for Naalakkersuisuts modtagelse og behandling af en ansøgning om meddelelse af en efterforskningstilladelse eller en forlængelse af tilladelsesperioden og ved meddelelse af en efterforskningstilladelse eller en forlængelse af tilladelsesperioden.

*Stk. 2.* Naalakkersuisut fastsætter for en efterforskningstilladelse bestemmelser eller vilkår om rettighedshaverens efterforskningsforpligtelser og betaling af beløb til Naalakkersuisut, hvis rettighedshaveren ikke opfylder sine efterforskningsforpligtelser.

*Stk. 3.* Naalakkersuisut kan for en efterforskningstilladelse fastsætte bestemmelser og vilkår om, at rettighedshaveren skal betale vederlag til Naalakkersuisut for opretholdelse af tilladelsen og aktiviteter efter tilladelsen med videre.

*Stk. 4.* Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at rettighedshaveren skal betale beløb til dækning af Naalakkersuisuts udgifter i forbindelse med sagsbehandling og anden myndighedsbehandling efter Inatsisartutloven vedrørende tilladelsen og aktiviteter efter tilladelsen. Naalakkersuisut kan opkræve betalingen af beløbene som gebyrer eller udgiftsrefusion.

### *Rapporter om aktiviteter, indlevering af data og prøver og fortrolighed*

**§ 39.** Rettighedshaveren skal til Naalakkersuisut indlevere rapporter om:

- 1) Efterforskningen og andre aktiviteter efter tilladelsen og resultaterne deraf.
- 2) Kopier af efterforskningsresultaterne og data og prøver derfra og rettighedshaverens fortolkninger, konklusioner og anbefalinger derom.

*Stk. 2.* Rettighedshaverens indleveringer efter stk. 1, som indleveres til Naalakkersuisut, er fortrolige. Fortrolighedsperioden er 5 år fra tidsfristen for indlevering til Naalakkersuisut. Fortroligheden bortfalder dog i alle tilfælde ved tilladelsens ophør.

*Stk. 3.* Naalakkersuisut kan i fortrolighedsperioden offentliggøre generelle oplysninger om de fortrolige rapporteringer, efterforskningsresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre. Naalakkersuisut skal inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, og hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger, offentliggør Naalakkersuisut ikke disse oplysninger.

*Stk. 4.* Uanset stk. 2 og 3 kan Naalakkersuisut i alle tilfælde offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse.

*Stk. 5.* Når fortrolighedsperioden er ophørt, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og anvende de indleverede rapporteringer, efterforskningsresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre.

*Stk. 6.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-5, herunder om rapporternes format, indhold og indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold og om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold.



§ 40. Naalakkersuisut kan for en efterforskningstilladelse fastsætte bestemmelser og vilkår om alle relevante forhold vedrørende tilladelsen og aktiviteter efter tilladelsen i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser i Inatsisartutloven til sikring af rettighedshaverens overholdelse af grønlandsk lovgivning, Grønlands Selvstyres rettigheder og økonomiske interesser og rettighedshaverens rettigheder.

## **Kapitel 7**

### *Tilladelse til udnyttelse af mineraler*

#### *Tilladelsen*

§ 41. Hvis rettighedshaveren efter en efterforskningstilladelse efter § 34 har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte, og har opfyldt alle forpligtelser vedrørende efterforskningstilladelsen og aktiviteter efter tilladelsen, har rettighedshaveren ret til at få meddelt en tilladelse til udnyttelse af mineralerne efter Inatsisartutlovens bestemmelser og andre bestemmelser og vilkår derom.

*Stk. 2.* Naalakkersuisut træffer afgørelse om, hvorvidt betingelserne i stk. 1 er opfyldt.

§ 42. Hvis rettighedshaveren efter en tilladelse med eneret til småskalaefterforskning og småskalaudnyttelse af mineraler har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte, og har opfyldt alle forpligtelser vedrørende småskalatilladelsen og aktiviteter efter tilladelsen, har rettighedshaveren ret til at få meddelt en tilladelse til udnyttelse af mineralerne efter denne Inatsisartutlovs bestemmelser og andre bestemmelser og vilkår derom.

*Stk. 2.* Naalakkersuisut træffer afgørelse om, hvorvidt betingelserne i stk. 1 er opfyldt.

§ 43. Naalakkersuisut kan for et nærmere afgrænset område på nærmere fastsatte vilkår meddele en tilladelse med eneret til udnyttelse af et eller flere mineraler.

*Stk. 2.* Naalakkersuisut meddeler en udnyttelsestilladelse til rettighedshaveren efter en efterforskningstilladelse eller en småskalatilladelse, hvis rettighedshaveren efter §§ 41-42 har ret til at få meddelt en udnyttelsestilladelse og anmoder Naalakkersuisut derom.

*Stk. 3.* I et tilfælde omfattet af stk. 2 meddeler Naalakkersuisut en udnyttelsestilladelse til et andet selskab end rettighedshaveren efter efterforskningstilladelsen eller småskalatilladelsen, hvis rettighedshaveren efter efterforskningstilladelsen eller småskalatilladelsen anmoder derom, og det andet selskab opfylder kravene til rettighedshaverselskabet efter udnyttelsestilladelsen, jf. §§ 45-46 og 66.

*Stk. 4.* Naalakkersuisut kan meddele en udnyttelsestilladelse i et tilfælde, der ikke er omfattet af stk. 2, hvis Naalakkersuisut eller en anden part i et bestemt område har påvist og af-

grænset en udnyttelig forekomst af mineraler, som en rettighedshaver efter en udnyttelsestilladelse vil kunne udnytte.

*Stk. 5.* En udnyttelsestilladelse omfatter de mineraler, som der er påvist og afgrænset en udnyttelig forekomst af.

**§ 44.** Inden en udnyttelsestilladelse kan meddeles efter §§ 41-43, skal ansøgeren udarbejde et kommissorium for projektet, som skal anmeldes ved indsendelse til Naalakkersuisut.

*Stk. 2.* Kommissoriet skal sendes i offentlig høring i mindst 35 kalenderdage, inden en udnyttelsestilladelse kan meddeles. Hvis ansøgeren skal foretage offentlig forhøring for en projektbeskrivelse vedrørende miljøforhold eller samfundsmæssige forhold efter § 106, skal den eller disse forhøringer så vidt muligt foretages sammen med høringen vedrørende kommissoriet.

*Stk. 3.* Høring for kommissoriet efter stk. 2 må tidligst være afsluttet 24 måneder inden meddelelsen af en udnyttelsestilladelse.

*Stk. 4.* Naalakkersuisut kan i særlige tilfælde dispensere fra tidsgrænsen i stk. 3.

*Stk. 5.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om indholdet af et kommissorium for et projekt og gennemførelsen af en høring.

#### *Krav til rettighedshaveren*

**§ 45.** Rettighedshaveren efter en udnyttelsestilladelse skal være registreret som et aktieselskab med hjemsted i Grønland.

*Stk. 2.* Aktieselskabet skal have sit reelle hovedkontor, hvorfra aktieselskabet ledes, i Grønland.

*Stk. 3.* Naalakkersuisut kan godkende, at en rettighedshaver fritages for at opfylde kravet i stk. 2 i en periode på op til 6 måneder efter meddelelsen af en udnyttelsestilladelse.

**§ 46.** Aktieselskabet, der er rettighedshaver efter udnyttelsestilladelsen, må kun udføre og tidligere have udført aktiviteter og virksomhed efter tilladelser meddelt efter Inatsisartutloven.

*Stk. 2.* Aktieselskabet må ikke sambeskattes med andre selskaber, medmindre der er tale om tvungen sambeskatning.

*Stk. 3.* Aktieselskabet må generelt ikke være tyndere kapitaliseret end den koncern, som aktieselskabet indgår i. Aktieselskabets fremmedkapital (gæld) må dog altid overstige aktieselskabets egenkapital op til forholdet 2:1, det vil sige, at aktieselskabets fremmedkapital altid må være op til et beløb, der svarer til 200 procent af aktieselskabets egenkapital.

*Stk. 4.* Aktieselskabet skal generelt handle til armslængdepriser og på armslængdevilkår, det vil sige til markedspriser og på markedsvilkår, som anvendes ved handler mellem uafhængige parter, der ikke er selskaber i samme koncern.

#### *Tilladelsesperioden*

**§ 47.** En udnyttelsestilladelse meddeles for en tilladelsesperiode på 30 år, medmindre en kortere tilladelsesperiode er fastsat for tilladelsen i bestemmelser eller vilkår derom.

*Stk. 2.* Tilladelsesperioden efter stk. 1 kan en eller flere gange forlænges af Naalakkersuisut. Tilladelsesperioden kan forlænges med en periode på op til 20 år, jf. dog stk. 5.

*Stk. 3.* Har rettighedshaveren opfyldt alle forpligtelser vedrørende tilladelsen og aktiviteter efter tilladelsen i den oprindelige tilladelsesperiode efter stk. 1 og udført udnyttelsesaktiviteter som forudsat i den af Naalakkersuisut godkendte mineplan, har rettighedshaveren ret til en forlængelse af tilladelsesperioden, såfremt rettighedshaveren har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte i en forlænget tilladelsesperiode.

*Stk. 4.* Naalakkersuisut kan fastsætte ændrede tilladelsesvilkår ved enhver forlængelse af tilladelsesperioden til en længere samlet tilladelsesperiode end 40 år.

*Stk. 5.* Den samlede tilladelsesperiode for en udnyttelsestilladelse kan ikke være længere end 50 år.

*Stk. 6.* En udnyttelsestilladelse ophører, når tilladelsesperioden udløber, eller tilladelsen bortfalder, tilbagekaldes af Naalakkersuisut eller tilbageleveres fra rettighedshaveren til Naalakkersuisut efter Naalakkersuisuts godkendelse deraf.

#### *Tilladelsesområdet*

**§ 48.** En udnyttelsestilladelse meddeles for et tilladelsesområde fastsat af Naalakkersuisut.

*Stk. 2.* Naalakkersuisut kan efter ansøgning derom fra en rettighedshaver efter en udnyttelsestilladelse meddele et tillæg til tilladelsen med vilkår om, at tilladelsesområdet efter udnyttelsestilladelsen udvides til at omfatte et yderligere område, hvori rettighedshaveren efter en efterforskningstilladelse har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte. Naalakkersuisut kan i tillægget til tilladelsen blandt andet fastsætte vilkår om forholdene omfattet af § 49, stk. 3, og §§ 51-56.

#### *Naalakkersuisuts fastsættelse af bestemmelser og vilkår vedrørende tidsfrister*

**§ 49.** Naalakkersuisut skal for udnyttelsestilladelsen fastsætte vilkår om, at tilladelsens meddelelse og opretholdelse er betinget af, at rettighedshaveren inden for en nærmere fastsat rimelig tidsfrist skal have indgivet en fyldestgørende mineplan og nedlukningsplan til Naalakkersuisut efter §§ 77 og 80 og andre bestemmelser og vilkår derom. Tidsfristen for indgivelsen af en fyldestgørende mineplan og nedlukningsplan må ikke være senere end 4 år efter meddelelsen af udnyttelsestilladelsen.

*Stk. 2.* Hvis rettighedshaveren ikke har indgivet en fyldestgørende mineplan og nedlukningsplan inden for den fastsatte tidsfrist efter stk. 1, bortfalder udnyttelsestilladelsen ved udløbet af tidsfristen, medmindre rettighedshaveren inden da har fået meddelt en udsættelse af tidsfristen fra Naalakkersuisut.

*Stk. 3.* Naalakkersuisut kan for udnyttelsestilladelsen fastsætte vilkår om tidsfrister for forhold af væsentlig betydning for gennemførelsen af udnyttelsesaktiviteterne og andre aktivite-

ter efter tilladelsen. Naalakkersuisut kan fastsætte vilkår eller træffe afgørelse om, at tilladelsen bortfalder eller kan tilbagekaldes, hvis en tidsfrist eller en forlænget tidsfrist ikke overholdes.

#### *Udførelse af aktiviteter med videre*

**§ 50.** Rettighedshaveren efter udnyttelsestilladelsen har ret til at udføre mineralefterforskning og dermed forbundne aktiviteter.

*Stk. 2.* Bestemmelserne i § 39 finder tilsvarende anvendelse på efterforskning efter stk. 1.

*Stk. 3.* I tilladelsesområdet for udnyttelsestilladelsen må andre end rettighedshaveren efter tilladelsen ikke udføre aktiviteter efter tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineraler efter Inatsisartutloven eller lokale mineralaktiviteter.

#### *Betaling af gebyrer, vederlag og beløb til dækning af udgifter ved myndighedsbehandling*

**§ 51.** Naalakkersuisut kan fastsætte bestemmelser og vilkår for en udnyttelsestilladelse om, at en ansøger om en udnyttelsestilladelse skal betale gebyrer til Naalakkersuisut for Naalakkersuisuts modtagelse og behandling af en ansøgning om meddelelse af en udnyttelsestilladelse og ved meddelelse af en udnyttelsestilladelse.

*Stk. 2.* Naalakkersuisut fastsætter bestemmelser eller vilkår for en udnyttelsestilladelse om, at rettighedshaveren skal betale vederlag til Naalakkersuisut for opretholdelse af tilladelsen og aktiviteter efter tilladelsen med videre. Naalakkersuisut kan blandt andet fastsætte bestemmelser eller vilkår om, at rettighedshaveren skal betale en eller flere af følgende typer vederlag:

- 1) Et vederlag i form af en royalty beregnet på grundlag af de udnyttede mineraler (en produktionsroyalty), herunder for eksempel deres vægt (en vægtroyalty) eller deres rumfang (en volumenroyalty).
- 2) Et vederlag i form af en royalty beregnet på grundlag af de udnyttede mineralers salgpris eller anden værdi ved salg (en salgsroyalty).
- 3) Et vederlag i form af en andel af det økonomiske udbytte ved rettighedshaverens virksomhed omfattet af tilladelsen (en udbytteroyalty).

*Stk. 3.* Når Naalakkersuisut fastsætter rettighedshaverens vederlag til Naalakkersuisut efter stk. 2, kan Naalakkersuisut godkende, at rettighedshaveren fritages for beskatning af den virksomhed, der er omfattet af tilladelsen, hvis virksomheden dermed er pålagt vederlag (afgifter), der er mindst lige så byrdefulde, som beskatningen ville have været, og vederlaget (afgifterne) fuldt ud er omfattet af § 7 i lov om Grønlands Selvstyre.

*Stk. 4.* Meddeles en udnyttelsestilladelse, jf. § 41, stk. 1, og § 43, stk. 2, på grundlag af en efterforskningstilladelse meddelt inden ikrafttrædelsen af denne Inatsisartutlov, kan Naalakkersuisut kun fastsætte bestemmelser eller vilkår for udnyttelsestilladelsen om, at rettighedshaveren skal betale vederlag til Naalakkersuisut, jf. stk. 2, hvis dette er angivet i bestemmelser eller vilkår for efterforskningstilladelsen, eller hvis stk. 3 eller en tilsvarende regel i grønlandsk skattelovgivning anvendes til at godkende, at rettighedshaveren helt eller delvist fritages for beskatning af den virksomhed, der er omfattet af udnyttelsestilladelsen.

*Stk. 5.* Rettighedshaveren skal til Naalakkersuisut betale beløb til dækning af Naalakkersuisuts udgifter i forbindelse med sagsbehandling og anden myndighedsbehandling efter Inatsisartutloven vedrørende tilladelsen og aktiviteter efter tilladelsen samt udgifter til uddannelse og kompetenceudvikling af Naalakkersuisuts medarbejdere inden for mineralområdet. Naalakkersuisut kan opkræve betalingen af beløbene som gebyrer eller udgiftsrefusion. Naalakkersuisut fastsætter nærmere bestemmelser eller vilkår derom.

*Rettighedshaverens anvendelse af lokale arbejdstagere og lokale leverandører af varer og tjenesteydelser*

**§ 52.** Naalakkersuisut fastsætter i en tilladelse til udnyttelse af mineraler vilkår om rettighedshaverens pligt til at benytte lokal arbejdskraft.

*Stk. 2.* Naalakkersuisut fastsætter i en tilladelse til udnyttelse af mineraler vilkår om rettighedshaverens pligt til at benytte lokale leverandører af varer og tjenesteydelser.

*Rettighedshaverens forarbejdning af udnyttede mineraler*

**§ 53.** Naalakkersuisut kan fastsætte bestemmelser og vilkår for en udnyttelsestilladelse om, at en rettighedshaver, der ønsker at forarbejde de under tilladelsen udnyttede mineraler, skal forarbejde disse mineraler i Grønland, og at rettighedshaveren kun må forarbejde udnyttede mineraler uden for Grønland, i det omfang forarbejdning i Grønland vil medføre væsentlig større omkostninger eller ulemper for rettighedshaveren, og fordelene for samfundet ikke forringes væsentligt derved, og dette forinden godkendes af Naalakkersuisut.

*Rettighedshaverens opbevaring af udnyttede mineraler og salg til lokale*

**§ 54.** Naalakkersuisut kan fastsætte bestemmelser og vilkår for en udnyttelsestilladelse om, at rettighedshaveren skal opbevare udnyttede mineraler i Grønland og sælge dem til personer, der er fast bosiddende og fuldt skattepligtige til Grønland. Naalakkersuisut kan kun fastsætte krav derom, i det omfang personer, der er fast bosiddende og fuldt skattepligtige til Grønland, selv vil forarbejde mineralerne eller på anden måde anvende mineralerne erhvervsmæssigt i Grønland.

*Stk. 2.* Rettighedshaverens salg af mineraler, jf. stk. 1, skal ske til markedspriser og på markedsvilkår.

*Rapporter om aktiviteter og indlevering af data og prøver med videre*

**§ 55.** En rettighedshaver skal til Naalakkersuisut indlevere:

- 1) udnyttelsesrapporter,
- 2) rapporter om eventuel efterforskning og andre aktiviteter efter tilladelsen og resultaterne deraf,

- 3) kopier af rapporter udarbejdet af rettighedshaver eller af andre på foranledning af rettighedshaver,
- 4) opgørelser,
- 5) regnskaber,
- 6) data om udnyttelsen og resultaterne deraf,
- 7) eventuelle efterforskningsresultater og data og prøver derfra og rettighedshaverens fortolkninger, konklusioner og anbefalinger derom,
- 8) prøver og borekerner.

*Stk. 2.* Rettighedshaverens indleveringer, jf. stk. 1, nr. 1, 2, 3, 7 og 8, er fortrolige. Fortrolighedsperioden er 5 år fra tidsfristen for indlevering til Naalakkersuisut. Fortroligheden bortfalder dog i alle tilfælde ved tilladelsens ophør.

*Stk. 3.* Rettighedshaverens indleveringer, jf. stk. 1, nr. 4 og 5, er fortrolige uden tidsbegrænsning, i det omfang disse er undtaget for aktindsigt efter landstingslov om offentlighed i forvaltningen.

*Stk. 4.* Naalakkersuisut kan i fortrolighedsperioden offentliggøre generelle oplysninger om de fortrolige rapporteringer, resultater af udnyttelsen og eventuel efterforskning, data, prøver og fortolkninger med videre. Naalakkersuisut skal inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, og hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger, offentliggør Naalakkersuisut ikke disse oplysninger.

*Stk. 5.* Uanset stk. 3 og 4 kan Naalakkersuisut i alle tilfælde offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse.

*Stk. 6.* Når fortrolighedsperioden er ophørt, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og anvende de indleverede rapporteringer, resultater af udnyttelsen og eventuel efterforskning, data, prøver og fortolkninger, konklusioner og anbefalinger med videre.

*Stk. 7.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-6, herunder om rapporternes format, indhold og indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold og om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold.

*Naalakkersuisuts fastsættelse af bestemmelser og vilkår vedrørende tilladelsen og aktiviteter*

**§ 56.** Naalakkersuisut kan for en udnyttelsestilladelse fastsætte bestemmelser og vilkår om alle relevante forhold vedrørende tilladelsen og aktiviteter efter tilladelsen i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser i Inatsisartutloven til sikring af

rettighedshaverens overholdelse af grønlandsk lovgivning, Grønlands Selvstyres rettigheder og økonomiske interesser og rettighedshaverens rettigheder.

## Kapitel 8

### *Procedurer og kriterier for meddelelse af en efterforskningstilladelse eller en udnyttelsestilladelse*

**§ 57.** En tilladelse til mineralefterforskning, jf. § 34, meddeles efter Naalakkersuisuts bestemmelse på en af måderne nævnt i §§ 58 og 59 og på grundlag af udvælgelseskriterierne nævnt i § 61.

*Stk. 2.* En tilladelse til udnyttelse af mineraler, jf. § 43, meddeles til rettighedshavere, der har opnået en ret dertil jf. § 41, § 42 eller efter Naalakkersuisuts bestemmelse på en af måderne nævnt i § 59 og på grundlag af udvælgelseskriterierne nævnt i § 61.

**§ 58.** En tilladelse til mineralefterforskning meddeles på grundlag af en ansøgning om meddelelse af en tilladelse for et område, som er modtaget af Naalakkersuisut i en fastsat ansøgningsperiode (en batch-periode), og som ikke vedrører et område, der er omfattet af en procedure efter stk. 2 og § 59, stk. 1-3.

*Stk. 2.* Modtages der i en batch-periode ansøgning fra nogen, der inden for 90 kalenderdage har været rettighedshaver efter en efterforskningstilladelse i samme område, forlænges batch-perioden til 90 kalenderdage fra den pågældende efterforskningstilladelses ophør.

*Stk. 3.* Naalakkersuisut kan undlade at meddele tilladelse på grundlag af ansøgninger, der er indgivet efter stk. 1-2.

*Stk. 4.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om indgivelse, modtagelse, registrering og behandling af ansøgninger efter stk. 1-2.

**§ 59.** Naalakkersuisut kan fastsætte bestemmelser om, at et nærmere bestemt område i en bestemt periode skal være åbent for løbende meddelelser af tilladelser efter ansøgning derom (en åben dør-procedure). Naalakkersuisut offentliggør meddelelse om åben dør-proceduren på Naalakkersuisuts hjemmeside og på anden relevant måde. Ændringer af åben dør-proceduren offentliggøres på samme måde. Ansøgninger om meddelelse af tilladelser efter åben dør-proceduren kan tidligst indgives 90 kalenderdage efter offentliggørelsen af åbningen af området eller den seneste ændring.

*Stk. 2.* Naalakkersuisut kan fastsætte bestemmelser om, at en tilladelse kan meddeles efter en almindelig offentlig indkaldelse af ansøgninger om meddelelse af tilladelse. Naalakkersuisut offentliggør en meddelelse om indkaldelse af ansøgninger mindst 90 kalenderdage inden ansøgningsfristens udløb på Naalakkersuisuts hjemmeside samt på anden relevant måde.

*Stk. 3.* Naalakkersuisut kan fastsætte bestemmelser om, at en tilladelse kan meddeles efter en særlig offentlig indkaldelse af ansøgninger om meddelelse af tilladelse, hvis en ansøgning om meddelelse af en tilladelse for et område, der ikke er omfattet af en åben dør-procedure efter stk. 1, er indgivet uden forudgående indkaldelse efter stk. 2. Naalakkersuisut offentliggør en meddelelse om ansøgningen og indkaldelse af andre ansøgninger om meddelelse af tilla-

delse i samme område. Meddelelsen offentliggøres senest 90 kalenderdage efter modtagelsen af ansøgningen. Meddelelsen offentliggøres på Naalakkersuisuts hjemmeside samt på anden relevant måde. Fristen for indgivelse af andre ansøgninger er 90 kalenderdage efter offentliggørelsen af meddelelsen.

*Stk. 4.* Naalakkersuisut kan undlade at meddele tilladelse på grundlag af ansøgninger, der er indgivet efter stk. 1-3.

*Stk. 5.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om indgivelse, modtagelse, registrering og behandling af ansøgninger efter stk. 1-3.

**§ 60.** Naalakkersuisut er ikke ansvarlig for og skal ikke erstatte, godtgøre, refundere eller på anden måde betale nogen udgift, omkostning, tab eller nogen skade, som opstår hos eller pådrages af en ansøger, der ansøger om meddelelse af en tilladelse. Det gælder, uanset om et tab eller en skade opstår hos eller pådrages af en ansøger som følge af eller i forbindelse med, at ansøgeren ansøger om meddelelse af en tilladelse, at ansøgeren i forbindelse dermed udfører arbejde, aktiviteter og undersøgelser med videre og afholder omkostninger med videre, at ansøgeren i forbindelse dermed erhverver, opnår eller udarbejder oplysninger og dokumenter derom og indgiver dem til Naalakkersuisut, at Naalakkersuisut behandler og afgør sagen om ansøgerens ansøgning om meddelelse af en tilladelse, eller at Naalakkersuisut træffer afgørelse om ikke at meddele en tilladelse til ansøgeren.

**§ 61.** En tilladelse omfattet af §§ 58 og 59 meddeles på grundlag af udvælgelseskriterierne nævnt i stk. 2-5.

*Stk. 2.* Et udvælgelseskriterium er ansøgerens samlede tekniske og faglige formåen, herunder blandt andet:

- 1) Ansøgerens tidligere erfaring med efterforskning eller udnyttelse af mineraler.
- 2) Ansøgerens tidligere erfaring med efterforskning eller udnyttelse af mineraler i områder med tilsvarende forhold.

*Stk. 3.* Et andet udvælgelseskriterium er ansøgerens økonomiske og finansielle formåen.

*Stk. 4.* Ved bedømmelsen af en ansøger lægger Naalakkersuisut vægt på ansøgerens eventuelle manglende effektivitet eller manglende opfyldelse af forpligtelser i forbindelse med andre eksisterende eller tidligere tilladelser i Grønland, som personer i ansøgerens ledelse, herunder en bestyrelse, en direktion, et tilsynsråd eller lignende ledelsesorgan, er eller har været en del af ledelsen af, ejer eller har ejet eller udøver eller har udøvet bestemmende indflydelse over, samt virksomheder, der ejer eller udøver bestemmende indflydelse over ansøgeren, ejer eller har ejet eller udøver eller har udøvet bestemmende indflydelse over.

*Stk. 5.* Ved anvendelse af procedurerne efter § 59, stk. 1-3, kan Naalakkersuisut endvidere fastsætte andre relevante, objektive og ikke-diskriminerende udvælgelseskriterier med henblik på at foretage det endelige valg mellem ansøgere, der vurderes at være lige egnede ved en bedømmelse efter udvælgelseskriterierne nævnt i stk. 2-4.

*Stk. 6.* Ved anvendelse af procedurerne efter § 59, stk. 1-3, offentliggøres kriterierne nævnt i stk. 2-5 og bestemmelser om deres indbyrdes vægtning sammen med de indkaldelser af ansøgninger, som nævnes i § 59.



## Kapitel 9

### *Tilladelse til videnskabelige undersøgelser*

§ 62. Naalakkersuisut kan for et nærmere afgrænset område på nærmere fastsatte vilkår meddele en ansøger tilladelse til at udføre videnskabelige undersøgelser vedrørende mineraler.

*Stk. 2.* En tilladelse til videnskabelige undersøgelser meddeles for en tilladelsesperiode på indtil 3 år.

*Stk. 3.* Tilladelsesperioden efter stk. 2 kan en eller flere gange forlænges af Naalakkersuisut med en periode på indtil 3 år hver gang. Hvis rettighedshaveren ikke har opfyldt alle forpligtelser vedrørende tilladelsen og aktiviteter efter tilladelsen i den oprindelige tilladelsesperiode efter stk. 2 eller en forlænget tilladelsesperiode efter dette stk. 3, kan Naalakkersuisut dog undlade at meddele forlængelse af tilladelsesperioden. Naalakkersuisut kan fastsætte ændrede tilladelsesvilkår ved enhver forlængelse af tilladelsesperioden.

*Stk. 4.* Den samlede tilladelsesperiode for en tilladelse til videnskabelige undersøgelser kan ikke være længere end 12 år.

§ 63. Rettighedshaveren, jf. § 62, skal til Naalakkersuisut indlevere:

- 1) Rapporter om de videnskabelige undersøgelser og andre aktiviteter efter tilladelsen og resultaterne deraf.
- 2) Kopier af undersøgelsesresultaterne og data og prøver derfra og rettighedshaverens fortolkninger, konklusioner og anbefalinger derom.

*Stk. 2.* Rettighedshaverens indleveringer efter stk. 1, som indleveres til Naalakkersuisut, er fortrolige i hele tilladelsesperioden. Ophører tilladelsen, er indleveringer efter stk. 1, som indleveres til Naalakkersuisut, fortrolige i 5 år fra tidsfristen for indlevering til Naalakkersuisut.

*Stk. 3.* Naalakkersuisut kan i fortrolighedsperioden offentliggøre generelle oplysninger om de fortrolige rapporteringer, forundersøgelsesresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre. Naalakkersuisut skal inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne i høring hos rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, og hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger, offentliggør Naalakkersuisut ikke disse oplysninger.

*Stk. 4.* Uanset stk. 2 og 3 kan Naalakkersuisut i alle tilfælde offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse.

*Stk. 5.* Når fortrolighedsperioden er ophørt, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og anvende de indleverede rapporteringer, forundersøgelsesresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre.

*Stk. 6.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-5, herunder om rapporternes format, indhold og indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold og om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold.

**§ 64** Naalakkersuisut kan for en videnskabelig undersøgelsestilladelse fastsætte bestemmelser og vilkår om alle relevante forhold, herunder forsikring vedrørende tilladelsen og aktiviteter efter tilladelsen i overensstemmelse med Inatsisartutlovens formål efter § 1.

*Stk. 2.* Naalakkersuisut kan fastsætte nærmere bestemmelser om videnskabelige undersøgelser, herunder om betaling af udgifter i forbindelse med redningsaktioner, forsikringsdækning og sikkerhedsstillelse for sådanne betalinger.

## **Kapitel 10**

*Generelle bestemmelser for forundersøgelsestilladelser, efterforskningsstilladelser og udnyttelsestilladelser*

### *Anvendelse af generelle bestemmelser*

**§ 65.** Bestemmelserne i kapitel 10 finder anvendelse på tilladelser til forundersøgelse, tilladelser til mineralefterforskning og tilladelser til udnyttelse af mineraler.

### *Krav til rettighedshaveren*

**§ 66.** Rettighedshaveren efter en tilladelse skal have den nødvendige tekniske og faglige formåen samt økonomiske og finansielle formåen til at udføre aktiviteterne efter tilladelsen og opfylde alle forpligtelser vedrørende tilladelsen og aktiviteter efter tilladelsen.

*Stk. 2.* Rettighedshaveren skal have fuld rådighed over sin formue. Rettighedshaveren må ikke være insolvent eller være omfattet af en retlig eller administrativ proces for insolvens, rekonstruktion eller lignende, herunder være i betalingsstandsning, under konkurs, likvidation eller i en lignende situation.

*Stk. 3.* Rettighedshaveren må ikke have ubetalt forfalden gæld på mere end 100.000 kr. til Naalakkersuisut eller andre offentlige myndigheder i Grønland, medmindre rettighedshaveren stiller sikkerhed for betaling af den del af gælden, som overstiger 100.000 kr., eller rettighedshaveren har indgået og overholdt en aftale om afvikling af gælden.

*Stk. 4.* Naalakkersuisut kan fastsætte bestemmelser og vilkår om ændring af beløbet på 100.000 kr. i overensstemmelse med ændringer i forbrugerprisindekset for Grønland.

**§ 67.** Rettighedshaveren, personer, der ejer eller udøver bestemmende indflydelse i rettighedshaveren, og personer i rettighedshaverens ledelse, herunder en bestyrelse, en direktion, et tilsynsråd eller et lignende ledelsesorgan, må ikke være dømt eller have vedtaget (accepteret) bøde eller anden straf eller sanktion inden for de seneste 4 år for følgende forhold:

- 1) Bestikkelse, svig eller kartelvirksomhed.
- 2) Deltagelse i en kriminel organisation.
- 3) Terrorhandlinger eller strafbare handlinger med forbindelse til terroraktivitet.
- 4) Hvidvaskning af penge eller finansiering af terrorisme.
- 5) Brug af børnearbejde eller menneskehandel.

*Stk. 2.* Rettighedshaveren og de nævnte personer skal opfylde alle kravene efter §§ 66 og 67, stk. 1, ved meddelelsen af tilladelsen og i hele tilladelsesperioden.

#### *Rapportering om og betaling af skatter og afgifter*

**§ 68.** Naalakkersuisut kan fastsætte bestemmelser og vilkår eller træffe afgørelse om, at rettighedshaveren skal afgive oplysninger om, hvilke virksomheder og personer, som udfører eller medvirker ved udførelsen af aktiviteter efter en tilladelse meddelt efter Inatsisartutloven.

*Stk. 2.* Naalakkersuisut kan fastsætte bestemmelser og vilkår eller træffe afgørelse om, at rettighedshaveren og virksomheder og personer, som udfører eller medvirker ved udførelsen af aktiviteter efter en tilladelse efter Inatsisartutloven, skal afgive oplysninger og dokumenter vedrørende skattemæssige og afgiftsmæssige forhold til Naalakkersuisut og andre myndigheder.

*Stk. 3.* Naalakkersuisut kan meddele en rettighedshaver påbud om, at rettighedshaveren ved udførelsen af aktiviteter efter en tilladelse ikke må anvende aftaleparter, som ikke har afgivet oplysninger og dokumenter vedrørende skattemæssige og afgiftsmæssige forhold til Naalakkersuisut og andre myndigheder efter stk. 2, eller som ikke foretager indbetalinger af skatter og afgifter til Naalakkersuisut og andre myndigheder i overensstemmelse med de til enhver tid gældende regler i Grønland.

*Stk. 4.* Naalakkersuisut kan træffe afgørelse om, at en rettighedshaver skal ophøre med at udføre aktiviteter efter en tilladelse efter Inatsisartutloven, indtil rettighedshaveren har afgivet oplysninger efter stk. 1, efterkommet et påbud efter stk. 3 eller afgivet oplysninger og dokumenter vedrørende skattemæssige og afgiftsmæssige forhold til Naalakkersuisut og andre myndigheder og foretaget indbetalinger af skatter og afgifter til dem i overensstemmelse med de til enhver tid gældende regler i Grønland.

#### *Overdragelse af og retsforfølgning mod en tilladelse*

**§ 69.** En direkte eller indirekte overdragelse eller overførsel af en tilladelse efter Inatsisartutloven er uden retsvirkning i forhold til tilladelsen og Inatsisartutloven, medmindre overdragelsen eller overførslen er godkendt af Naalakkersuisut.

*Stk. 2.* Naalakkersuisut kan fastsætte vilkår for en godkendelse af en overdragelse eller overførsel.

*Stk. 3.* En tilladelse efter Inatsisartutloven er undtaget fra retsforfølgning. En retsforfølgning mod en tilladelse er uden retsvirkning.

#### *Rettighedshaverens sammenlægning med andet selskab eller adskillelse i flere selskaber*

**§ 70.** En rettighedshavers sammenlægning (fusion) med et andet selskab er uden retsvirkning i forhold til rettighedshaverens tilladelse efter Inatsisartutloven og Inatsisartutloven i øvrigt, medmindre sammenlægningen er godkendt af Naalakkersuisut.

*Stk. 2.* En rettighedshavers adskillelse (spaltning) i flere selskaber er uden retsvirkning i forhold til rettighedshaverens tilladelse efter Inatsisartutloven og Inatsisartutloven i øvrigt, medmindre adskillelsen er godkendt af Naalakkersuisut.

*Stk. 3.* Naalakkersuisut kan fastsætte vilkår for en godkendelse af en sammenlægning eller en adskillelse efter stk. 1 eller 2.

*Lovvalg for en tilladelse og afgørelse af en tvist vedrørende en tilladelse ved en domstol eller en voldgiftsret*

**§ 71.** Tilladelser, aktiviteter efter tilladelser og forhold i forbindelse dermed er underlagt og reguleres af Inatsisartutloven og anden grønlandsk lov og dansk lov, som til enhver tid finder anvendelse i Grønland.

*Stk. 2.* Enhver tvist vedrørende tilladelsen, aktiviteter efter tilladelsen eller forhold i forbindelse dermed skal afgøres efter Inatsisartutloven og anden grønlandsk lov og dansk lov, som til enhver tid finder anvendelse i Grønland.

**§ 72.** Enhver tvist mellem Naalakkersuisut og rettighedshaveren vedrørende en lovpligtig eller skønsmæssig afgørelse truffet af Naalakkersuisut vedrørende tilladelsen, aktiviteter eller forhold i forbindelse med tilladelsen skal og kan kun indbringes for og afgøres af de grønlandske og danske domstole med kompetence i Nuuk, Grønland. De nævnte domstole skal have enekompetence vedrørende sådanne tvister. Retten i Grønland i Nuuk skal være retten i 1. instans.

**§ 73.** Det kan i en tilladelse fastsættes, at en tvist mellem Naalakkersuisut og rettighedshaveren om, hvorvidt de i en tilladelse fastsatte vilkår er opfyldt, skal indbringes for en voldgiftsret. Voldgiftsrettens afgørelse er endelig. En tvist kan kun indbringes for en voldgiftsret inden for en frist på 1 år. Fristen regnes fra dagen for meddelelsen af afgørelsen til en part. Hvis fristen udløber på en lørdag, en søndag eller en helligdag, forlænges fristen til den første følgende hverdag

**§ 74.** Retten til at indbringe en sag for domstolene, jf. § 72, eller en voldgiftsret, jf. § 73, består efter tilladelsens ophør, herunder ved tilladelsens udløb, bortfald eller tilbagekaldelse af Naalakkersuisut eller rettighedshaverens tilbagelevering af tilladelsen efter Naalakkersuisuts godkendelse deraf.

## **Kapitel 11**

### *Generelle bestemmelser om mineraler*

**§ 75.** Naalakkersuisut kan til en rettighedshaver efter en tilladelse efter Inatsisartutloven meddele en godkendelse af, at rettighedshaveren udfører mineraler, der er udnyttet i Grønland eller udtaget til test efter en tilladelse efter Inatsisartutloven, fra Grønland. En godkendelse kan meddeles på nærmere fastsatte vilkår. En godkendelse kan meddeles som en del af Naalakkersuisuts godkendelse af en mineplan eller anden aktivitetsplan fra rettighedshaveren, et godkendelsesvilkår i tilladelsen eller en selvstændig eksportgodkendelse.

*Stk. 2.* Naalakkersuisut kan til en anden part end en rettighedshaver efter en tilladelse efter Inatsisartutloven meddele en godkendelse af, at parten udfører mineraler, der er udnyttet lovligt i Grønland eller udtaget til test efter en tilladelse efter Inatsisartutloven, fra Grønland. En godkendelse kan meddeles på nærmere fastsatte vilkår. En godkendelse meddeles som en selvstændig eksportgodkendelse.

**§ 76.** Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om mineraler, herunder om forarbejdning, opbevaring, deponering, transport, handel, udførsel, indførsel og certificering.

*Stk. 2.* Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at forarbejdning af og handel med bestemte mineraler kun må udføres efter en godkendelse meddelt af Naalakkersuisut.

*Stk. 3.* Når Naalakkersuisut har fastsat bestemmelser eller vilkår efter stk. 2, kan Naalakkersuisut meddele en godkendelse som nævnt i stk. 2 og fastsætte bestemmelser eller vilkår for en sådan godkendelse.

## **Kapitel 12**

*Aktivitetsplaner, godkendelser, nedlukning af aktiviteter og sikkerhedsstillelse med videre*

### *Mineplan*

**§ 77.** En mineplan skal indeholde en rettighedshavers plan for rettighedshaverens udnyttelse af mineraler og aktiviteter i forbindelse dermed efter en udnyttelsestilladelse. En mineplan skal blandt andet omfatte følgende forhold:

- 1) Etablering, drift og anvendelse af mineanlæg, andre anlæg og bygninger med videre.
- 2) Udnyttelse, forarbejdning, opbevaring, transport og salg af mineraler.
- 3) Anvendelse af lokale arbejdstagere og lokale leverandører af varer og tjenesteydelser ved udførelsen af aktiviteterne efter mineplanen.
- 4) Aktiviteter og forhold vedrørende sikkerhed, sundhed, miljø, ressourceudnyttelse og samfundsmæssig bæredygtighed.

*Stk. 2.* Inden rettighedshaveren efter en udnyttelsestilladelse begynder at udføre udnyttelse eller aktiviteter som forberedelse dertil eller i forbindelse dermed, skal en mineplan være udarbejdet og indleveret af rettighedshaveren og godkendt af Naalakkersuisut.

*Stk. 3.* Mineplanen skal opdateres og ændres i relevant omfang i forhold til udviklingen og ændringer i udnyttelsesaktiviteterne og udviklingen og ændringer i sikkerhedsmæssige, sundhedsmæssige, miljømæssige og andre relevante forhold.

*Stk. 4.* Når ændrede forhold gør det nødvendigt, eller Naalakkersuisut træffer afgørelse derom, skal rettighedshaveren snarest muligt udarbejde og indlevere en opdateret eller ændret mineplan og opnå Naalakkersuisuts godkendelse af den opdaterede eller ændrede mineplan.

*Stk. 5.* Naalakkersuisut kan fastsætte vilkår for en godkendelse efter stk. 2 eller 4 efter § 121.

*Fjernelse af anlæg og oprydning med videre i tilladelsesperioden og ophør og nedlukning af virksomheden og aktiviteterne efter tilladelsen*

**§ 78.** Rettighedshaveren efter en tilladelse skal i hele tilladelsesperioden:

- 1) fjerne anlæg og bygninger med videre, som er etableret af rettighedshaveren, og som ikke anvendes af rettighedshaveren, og
- 2) foretage oprydning og relevant genopretning af natur med videre i de berørte områder, i det omfang det er muligt, medmindre andet godkendes af Naalakkersuisut.

*Stk. 2.* Rettighedshaveren efter en tilladelse skal ved ophør af virksomheden og aktiviteterne efter tilladelsen:

- 1) fjerne anlæg og bygninger med videre, som er etableret af rettighedshaveren, medmindre andet godkendes af Naalakkersuisut, og
- 2) foretage oprydning og relevant genopretning af natur med videre i de berørte områder.

*Stk. 3.* Hvis rettighedshaveren ikke efterkommer et påbud udstedt af Naalakkersuisut om gennemførelse af aktiviteterne og foranstaltningerne med videre nævnt i stk. 1 og 2, kan Naalakkersuisut gennemføre disse for rettighedshaverens regning og risiko.

*Stk. 4.* Hvis rettighedshaveren ikke efterkommer et påbud fra Naalakkersuisut om gennemførelse af aktiviteterne og foranstaltningerne med videre nævnt i stk. 1 og 2, kan Naalakkersuisut meddele andre virksomheder og personer påbud om at fjerne anlæg og bygninger med videre, som tilhører de pågældende virksomheder og personer, og som er blevet anvendt ved udførelsen af aktiviteter efter tilladelsen og befinder sig i de berørte områder.

*Stk. 5.* Hvis en person eller virksomhed ikke efterkommer et påbud efter stk. 4, kan Naalakkersuisut bortfjerne anlæg og bygninger med videre for personens eller virksomhedens regning og risiko.

*Tilbagehold og salg af bortfjernede aktiver*

**§ 79.** Naalakkersuisut kan tilbageholde rettighedshaverens aktiver, som bortfjernes ved Naalakkersuisuts foranstaltninger efter § 78, stk. 3, indtil rettighedshaveren har opfyldt sine forpligtelser vedrørende tilladelsen og aktiviteterne efter tilladelsen.

*Stk. 2.* Naalakkersuisut kan tilbageholde virksomheder eller personers aktiver, som bortfjernes ved Naalakkersuisuts foranstaltningerne efter § 78, stk. 5, indtil den pågældende virksomhed eller person har opfyldt sine forpligtelser overfor Naalakkersuisut.

*Stk. 3.* Hvis den forpligtede efter stk. 1 eller 2 ikke inden for en rimelig frist fastsat af Naalakkersuisut opfylder sine forpligtelser overfor Naalakkersuisut som nævnt i stk. 1 eller 2, kan Naalakkersuisut lade aktiverne bortsælge ved en offentlig auktion og anvende auktions-

summen til opfyldelse af den forpligtedes forpligtelser.

*Stk. 4.* Inden afholdelse af en offentlig auktion efter stk. 3 skal den forpligtede efter stk. 1 eller 2 og så vidt muligt enhver anden, hvis rettigheder eller forpligtelser med hensyn til aktivet må antages at ville blive berørt af salget, underrettes om auktionen med mindst 2 ugers varsel, for så vidt vedkommendes bopæl er kendt.

*Stk. 5.* Ved offentlig auktion efter stk. 3 udbyder Naalakkersuisut de enkelte aktiver til salg på et auktionsmøde eller ved elektronisk auktion. Hvis Naalakkersuisut skønner, at der kan opnås et væsentligt højere bud på en ny auktion, kan Naalakkersuisut ved afslutningen af den pågældende auktion bestemme, at der skal afholdes en ny auktion.

*Stk. 6.* Den forpligtede efter stk. 1 eller 2 kan inden for en rimelig frist fastsat af Naalakkersuisut forlange ny auktion mod straks at stille sikkerhed for betalingen af de omkostninger, der er forbundet dermed, for så vidt de ikke måtte blive dækket ved et højere bud. Det samme kan enhver anden, som ikke ved budet opnår fuld dækning for sine rettigheder i forhold til aktivet.

*Stk. 7.* Omkostningerne ved offentlig auktion efter stk. 3 afholdes af den forpligtede efter stk. 1 eller 2 og kan betales af auktionssummen forud for alle andre krav.

*Stk. 8.* Indkommer der ved auktionen et højere salgsprovenu, end der skal anvendes til betaling af auktionsomkostningerne, jf. stk. 7, Naalakkersuisuts krav, jf. stk. 1 eller 2, og andre rettigheder i forhold til aktivet, udbetales den resterende del af salgsprovenuet til ejeren af aktivet.

### *Nedlukningsplan*

**§ 80.** En nedlukningsplan skal indeholde rettighedshaverens plan for rettighedshaverens ophør med og nedlukning af udnyttelsen af mineraler og aktiviteter i forbindelse dermed efter en udnyttelsestilladelse, herunder sikkerhedsmæssige, sundhedsmæssige, miljømæssige forhold. En nedlukningsplan skal blandt andet omfatte følgende forhold:

- 1) Ophør med og nedlukning af udnyttelse, forarbejdning, opbevaring, transport og salg af mineraler og aktiviteter og forhold i forbindelse dermed.
- 2) Fjernelse af alle mineanlæg, andre anlæg og bygninger.
- 3) Fjernelse fra tilladelsesområdet og andre berørte områder af alle ting, materialer, stoffer og affald med videre anvendt, skabt eller udledt i forbindelse med udnyttelse, forarbejdning, opbevaring, transport eller salg af mineraler eller andre aktiviteter efter udnyttelsestilladelsen.
- 4) Oprydning og relevant genopretning af natur med videre i tilladelsesområdet og andre berørte områder.
- 5) Overvågning af relevante forhold efter gennemførelsen af ophøret med og nedlukningen af aktiviteterne efter udnyttelsestilladelsen med videre i det omfang og i den periode, det er relevant med overvågning.
- 6) Anvendelse af lokale arbejdstagere og lokale leverandører af varer og tjenesteydelser ved udførelse af aktiviteterne efter nedlukningsplanen vedrørende ophøret med og nedlukningen af aktiviteterne og efterfølgende overvågning med videre.

7) Sikkerhedsstilling for opfyldelse af rettighedshaverens forpligtelser efter Inatsisartutloven, udnyttelsestilladelsen og mineplanen med videre vedrørende ophøret med og nedlukningen af aktiviteterne og efterfølgende overvågning med videre.

*Stk. 2.* En overdragelse til en anden part eller en efterladelse af et eller flere mineanlæg, andre anlæg eller bygninger kan kun ske efter godkendelse fra Naalakkersuisut.

*Stk. 3.* Hvis et eller flere anlæg eller bygninger med videre efterlades, skal nedlukningsplanen indeholde relevante bestemmelser om vedligeholdelse, overvågning og andre aktiviteter og foranstaltninger med videre, herunder vedrørende sikkerhed, sundhed og miljø.

**§ 81.** Inden rettighedshaveren efter en udnyttelsestilladelse begynder at udføre udnyttelse eller aktiviteter som forberedelse dertil eller i forbindelse dermed, skal en nedlukningsplan være udarbejdet og indleveret af rettighedshaveren og godkendt af Naalakkersuisut.

*Stk. 2.* Rettighedshaveren skal indlevere nedlukningsplanen til Naalakkersuisut og have opnået Naalakkersuisuts godkendelse af nedlukningsplanen senest samtidig med, at rettighedshaveren indleverer mineplanen til Naalakkersuisut og opnår Naalakkersuisuts godkendelse af mineplanen.

*Stk. 3.* Inden en rettighedshaver påbegynder en aktivitet, som ikke er omfattet af stk. 1, skal en nedlukningsplan være udarbejdet og indleveret af rettighedshaveren og godkendt af Naalakkersuisut, såfremt Naalakkersuisut stiller vilkår herom, jf. § 121.

*Stk. 4.* Nedlukningsplanen skal holdes opdateret og ændres i relevant omfang i forhold til udviklingen og ændringer i udnyttelsesaktiviteterne, nedlukningsaktiviteterne, omkostningerne i forbindelse dermed og udviklingen og ændringer i sikkerhedsmæssige, sundhedsmæssige, miljømæssige og andre relevante forhold.

*Stk. 5.* Når ændrede forhold gør det nødvendigt, eller Naalakkersuisut træffer afgørelse derom, skal rettighedshaveren snarest muligt udarbejde og indlevere en opdateret eller ændret nedlukningsplan og opnå Naalakkersuisuts godkendelse af den opdaterede eller ændrede nedlukningsplan.

*Stk. 6.* Naalakkersuisut kan fastsætte vilkår for en godkendelse som nævnt i stk. 1, 3 og 5 efter § 121. Naalakkersuisut kan blandt andet fastsætte vilkår om varetagelse af sikkerhedsmæssige, sundhedsmæssige, miljømæssige og andre relevante hensyn efter virksomhedens ophør, herunder vilkår om overvågning i en periode efter nedlukningen.

**§ 82.** Nedlukningsplanen skal angive, hvordan det økonomisk sikres, at rettighedshaveren kan gennemføre nedlukningsplanen og opfylde sine forpligtelser vedrørende nedlukningen, gennemførelsen af nedlukningsplanen og aktiviteterne og foranstaltninger i forbindelse dermed.

*Stk. 2.* Nedlukningsplanen skal angive, hvordan rettighedshaveren stiller sikkerhed for opfyldelsen af sine forpligtelser vedrørende nedlukningen, gennemførelsen af nedlukningsplanen og aktiviteterne og foranstaltninger i forbindelse dermed, jf. stk. 1.

*Stk. 3.* Nedlukningsplanens bestemmelser om rettighedshaverens sikkerhedsstilling for opfyldelse af sine nedlukningsforpligtelser skal godkendes af Naalakkersuisut. Rettighedshave-



rens sikkerhedsstillelse for opfyldelse af sine nedlukningsforpligtelser skal godkendes af Naalakkersuisut.

*Stk. 4.* Når ændrede forhold gør det nødvendigt, skal rettighedshaveren snarest muligt udarbejde og indlevere en nedlukningsplan med ændrede bestemmelser om rettighedshaverens sikkerhedsstillelse for opfyldelse af sine nedlukningsforpligtelser, jf. stk. 1, herunder om relevant yderligere eller ændret sikkerhedsstillelse, og opnå Naalakkersuisuts godkendelse af de ændrede bestemmelser om sikkerhedsstillelse. Rettighedshaveren skal snarest muligt derefter stille sikkerhed til opfyldelse af kravene derom efter de ændrede bestemmelser om sikkerhedsstillelse i nedlukningsplanen og opnå Naalakkersuisuts godkendelse af sikkerhedsstillingen.

*Stk. 5.* Naalakkersuisut kan fastsætte vilkår for en godkendelse som nævnt i stk. 3-4 efter § 121.

#### *Midlertidig indstilling af udnyttelsesaktiviteter*

**§ 83.** Indstilling af udnyttelsesaktiviteter efter en udnyttelsestilladelse for en periode på mere end 60 kalenderdage med henblik på senere at genoptage udnyttelsesaktiviteterne skal godkendes af Naalakkersuisut, inden udnyttelsesaktiviteterne indstilles. En godkendelse kan meddeles for indtil 2 år ad gangen. En fornyet godkendelse kan meddeles på ændrede vilkår.

*Stk. 2.* Naalakkersuisut kan fastsætte vilkår for en godkendelse efter stk. 1 efter § 121.

**§ 84.** Naalakkersuisut kan påbyde rettighedshaveren at gennemføre nedlukningsplanen nævnt i § 80, hvis en midlertidig indstilling af udnyttelsesaktiviteterne har omfattet en periode på mindst 6 år, eller hvis vilkårene for godkendelsen af den midlertidige indstilling ikke overholdes.

#### *Sikkerhedsstillelse*

**§ 85.** Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at rettighedshaveren efter en tilladelse efter Inatsisartutloven skal stille og opretholde sikkerhed for opfyldelsen af sine forpligtelser vedrørende tilladelsen og aktiviteterne efter tilladelsen. Sikkerhedsstillingen skal omfatte rettighedshaverens forpligtelser efter Inatsisartutloven, bestemmelser og vilkår fastsat efter Inatsisartutloven, tilladelsen, mineplanen, nedlukningsplanen, andre aktivitetsplaner, godkendelserne af planerne, aktivitetsgodkendelser og afgørelser truffet af Naalakkersuisut.

*Stk. 2.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om sikkerhedsstillingen efter stk. 1.

**§ 86.** En sikkerhedsstillelse efter § 85, stk. 1, skal holdes opdateret og skal ændres i relevant omfang i forhold til udviklingen og ændringer i aktiviteterne efter tilladelsen, planerne derfor, godkendelserne deraf, omkostningerne i forbindelse dermed og udviklingen og ændringer i sikkerhedsmæssige, sundhedsmæssige, miljømæssige og andre relevante forhold.

*Stk. 2.* Når ændrede forhold gør det nødvendigt, eller Naalakkersuisut træffer afgørelse derom, skal rettighedshaveren snarest muligt ændre sikkerhedsstillelsen og opnå Naalakkersuisuts godkendelse af den ændrede sikkerhedsstillelse.

*Stk. 3.* Sikkerhedsstillelsen skal ændres efter stk. 1-2, i det omfang det er nødvendigt for at sikre, at rettighedshaveren opfylder sine forpligtelser vedrørende sikkerhedsstillelsen efter Inatsisartutloven, tilladelsen, aktivitetsplaner, godkendelser af aktivitetsplaner og aktiviteter og afgørelser truffet af Naalakkersuisut.

*Stk. 4.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår og træffe afgørelse om sikkerhedsstillelse efter stk. 1-3.

## **Kapitel 13**

### *Miljøbeskyttelse, klimabeskyttelse og naturbeskyttelse*

**§ 87.** Inatsisartutlovens regler om miljø-, klima- og naturbeskyttelse skal medvirke til at værne om miljø, klima og natur, så samfundsudviklingen kan ske på et bæredygtigt grundlag i respekt for menneskets livsvilkår og for bevarelsen af dyreliv og planteliv.

*Stk. 2.* Inatsisartutlovens regler om miljø-, klima- og naturbeskyttelse tilsigter at forebygge, begrænse og bekæmpe forurening og anden påvirkning af miljø, klima og natur fra aktiviteter, der kan:

- 1) bringe menneskets sundhed i fare,
- 2) skade dyreliv, planteliv eller naturværdier på eller i jorden eller havet eller i undergrunden,
- 3) være til gene for den retmæssige udnyttelse af jorden, havet, undergrunden eller naturressourcer,
- 4) forringe menneskets livsvilkår, og
- 5) forringe rekreative værdier eller aktiviteter.

*Stk. 3.* I forbindelse med det anførte i stk. 2 tilsigtes det særligt at:

- 1) forebygge, begrænse og bekæmpe forurening af jord, hav, havbund, undergrund, vand, luft, skadelige indvirkninger på klimatiske forhold samt vibrationsulemper og støjulemper,
- 2) begrænse anvendelse og spild af mineraler og andre ressourcer,
- 3) fremme anvendelse af renere teknologi, og
- 4) fremme genanvendelse og begrænse problemer i forbindelse med affaldsbortskaffelse.

**§ 88.** Ved anvendelsen og administrationen af Inatsisartutlovens regler om miljø-, klima- og naturbeskyttelse skal der lægges vægt på, hvad der er opnåeligt ved anvendelse af den bedste tilgængelige teknik, herunder mindre forurenende anlæg, maskiner, udstyr, processer, teknologier, råvarer, stoffer og materialer, og de bedst muligt forureningsbekæmpende foranstaltninger. Ved denne vurdering skal der lægges særlig vægt på en forebyggende indsats gennem anvendelse af renere teknologi.

*Stk. 2.* Ved bedømmelsen af omfanget og arten af foranstaltninger til forebyggelse og imødegåelse af forurening skal der lægges vægt på de ydre omgivelseres beskaffenhed og forureningens sandsynlige virkning på disse og hele det kredsløb, som stoffer og materialer gennemløber, med henblik på at begrænse spild af ressourcer mest muligt.

**§ 89.** Enhver, der vil påbegynde aktiviteter, der er omfattet af Inatsisartutloven, og som kan give anledning til forurening, skal vælge et sådant sted for udøvelsen, at faren for forurening begrænses mest muligt. Ved valg af stedet for udøvelsen af aktiviteterne skal der tages hensyn til områdets beskaffenhed, herunder den nuværende og planlagte fremtidige udnyttelse og til mulighederne for hensigtsmæssig bortskaffelse af spildevand, affald og andre forurenende stoffer og materialer.

*Stk. 2.* Enhver, der vil påbegynde, påbegynder eller udfører aktiviteter, der kan give anledning til forurening, skal træffe foranstaltninger, der kan forebygge og imødegå denne forurening, og tilrettelægge aktiviteternes etablering, indretning og drift på en sådan måde, at den i mindst muligt omfang medfører forurening, jf. § 88.

*Stk. 3.* Enhver, der vil påbegynde, påbegynder eller udøver aktiviteter, der kan give anledning til forurening, skal sikre, at forurening, emissioner, affaldsfrembringelse og ressourceanvendelse begrænses bedst muligt ved valg, etablering og indretning af anlæg med videre, herunder maskiner, udstyr og eventuelle indkvarteringsfaciliteter. Det samme skal sikres ved tilrettelæggelse af driften, herunder ved valg af efterforskningsprocesser, udnyttelsesprocesser, anvendelsesprocesser, arbejdsprocesser, råvarer, stoffer og materialer til brug i forbindelse med driften og procedurer for beredskab og forureningsbekæmpelse.

**§ 90.** Når en virksomhed eller person har forpligtelser efter Inatsisartutloven vedrørende miljøbeskyttelse eller forebyggelse, begrænsning eller bekæmpelse af forurening, skal den pågældende ved opfyldelsen af forpligtelserne sikre og fremme anvendelse af den bedste tilgængelige teknik og de bedst mulige forureningsbekæmpende foranstaltninger, i det omfang dette er teknisk, praktisk og økonomisk muligt for den pågældende, jf. §§ 88 og 89.

*Stk. 2.* Når en virksomhed eller person efter Inatsisartutloven skal sørge for, at miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt, skal den pågældende med hensyn til miljøbeskyttelse tillige sikre og fremme anvendelse af den bedste tilgængelige teknik og de bedst mulige forureningsbekæmpende foranstaltninger, i det omfang dette er teknisk, praktisk og økonomisk muligt for den pågældende, jf. stk. 1 og §§ 88 og 89.

*Stk. 3.* Forpligtelserne efter stk. 2 gælder også i følgende situationer:

- 1) Når en virksomhed eller en person skal sørge for, at en anden part planlægger og udfører arbejde eller andre aktiviteter således, at miljømæssige risici identificeres, vurderes eller nedbringes så meget, som det er rimeligt praktisk muligt.
- 2) Når en virksomhed eller en person skal sørge for, at der føres tilsyn med, at en anden part planlægger og udfører arbejde eller andre aktiviteter således, at miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt.
- 3) Når en virksomhed eller en person skal medvirke til, at miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt.
- 4) Når en arbejdsgiver eller en anden virksomhed eller en anden person skal sørge for, at en ansat person får nødvendig oplæring og instruktion i at udføre arbejdet, så miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt.

5) Når en virksomhed eller en person skal sørge for, at miljømæssige risici fjernes eller nedbringes.

6) Når en virksomhed eller en person skal sikre sig, at anlæg, indretninger, skibe eller andre fartøjer, herunder den pågældende genstands konstruktion, indretning og udstyr med videre, er i miljømæssig fuldt forsvarlig stand.

**§ 91.** Ved afgørelser om meddelelse af godkendelse af en aktivitet eller etablering og drift af et anlæg, som er omfattet af Inatsisartutloven, lægges blandt andet vægt på hensynet til at:

1) Undgå forringelse eller anden negativ påvirkning af miljømæssige, klimatiske og naturmæssige forhold.

2) Undgå forringelse af naturen samt naturtyperne og levestederne for arterne i udpegede nationale og internationale naturbeskyttelsesområder og forstyrrelse af de arter, for hvilke områderne er udpeget.

**§ 92.** Hvis en aktivitet eller et anlæg, som er omfattet af Inatsisartutloven, må antages at kunne få væsentlig indvirkning på miljømæssige, klimatiske og naturmæssige forhold, kan en godkendelse kun meddeles på baggrund af en vurdering af aktivitetens eller anlæggets virkninger på miljømæssige, klimatiske og naturmæssige forhold, og efter at offentligheden og berørte myndigheder og organisationer har haft lejlighed til at udtale sig derom. Vurderingen sker efter reglerne for vurdering af virkninger på miljøet i kapitel 15.

*Stk. 2.* Hvis en aktivitet eller et anlæg, som er omfattet af Inatsisartutloven, må antages at kunne få væsentlige indvirkninger på et udpeget nationalt eller internationalt naturbeskyttelsesområde, kan en godkendelse kun meddeles på baggrund af en vurdering af aktivitetens eller anlæggets virkninger på lokaliteten under hensyn til bevaringsmålsætningerne for denne. Hvis Naalakkersuisut anser det for hensigtsmæssigt, gives offentligheden lejlighed til at udtale sig om vurderingen af virkningerne på lokaliteten, inden en tilladelse eller godkendelse meddeles.

*Stk. 3.* I tilfældene, der er nævnt i stk. 1-2, kan en godkendelse kun meddeles, hvis aktiviteten eller anlægget ikke skader et nationalt eller internationalt naturbeskyttelsesområdes integritet, eller hvis væsentlige samfundsinteresser, herunder af social eller økonomisk art, gør det nødvendigt at udføre aktiviteten eller etablere og drive anlægget, jf. dog stk. 4.

*Stk. 4.* Hvis en aktivitet eller et anlæg må antages at kunne få en væsentlig indvirkning på et nationalt eller internationalt naturbeskyttelsesområde med en prioriteret naturtype eller en prioriteret art, kan Naalakkersuisut i tilfældet, der er nævnt i stk. 3, kun meddele en godkendelse af aktiviteten eller anlægget, hvis det er nødvendigt af hensyn til menneskers sundhed, den offentlige sikkerhed eller opnåelse af væsentlige gavnlige virkninger på miljøet, eller andre væsentlige samfundsinteresser gør det nødvendigt at udføre aktiviteten eller etablere og drive anlægget.

*Stk. 5.* Når Naalakkersuisut meddeler en godkendelse omfattet af stk. 3 eller 4, fastsætter Naalakkersuisut passende kompensationsforanstaltninger, herunder ved vilkår for godkendelsen. Udgifter til eventuelle kompensationsforanstaltninger dækkes af den, der har ansøgt om godkendelsen.

## *Bemyndigelsesbestemmelser*

**§ 93.** Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår eller træffe afgørelser om miljø-, klima- og naturbeskyttelse og forholdene nævnt i §§ 87-92, herunder om anvendelse af nationale regler, aftaler eller retningslinjer vedrørende miljø-, klima- og naturbeskyttelse.

**§ 94.** Naalakkersuisut kan fastsætte bestemmelser og vilkår om forhold vedrørende miljø, klima og natur i forbindelse med udførelse af aktiviteter omfattet af Inatsisartutloven i og uden for tilladelsesområdet og om andre aktiviteter og forhold omfattet af Inatsisartutloven.

### **Kapitel 14**

#### *Miljøansvar*

**§ 95.** Hvis den ansvarlige efter § 20, stk. 2, er en anden end rettighedshaveren efter en tilladelse eller en godkendelse vedrørende aktiviteten, er rettighedshaveren også ansvarlig for aktiviteten. De to parter er da i fællesskab og hver for sig fuldt ud forpligtede og ansvarlige efter reglerne i dette kapitel.

*Stk. 2.* Den, der efter stk. 1 er ansvarlig for en aktivitet, der har forårsaget eller medvirket til en miljøskade eller overhængende fare for miljøskade, er ansvarlig for miljøskaden eller den overhængende fare for en miljøskade. Det gælder, uanset hvordan miljøskaden eller den overhængende fare for miljøskaden er opstået, og selvom skaden eller den overhængende fare for skaden er opstået som følge af hændelige forhold.

**§ 96.** Den ansvarlige for en overhængende fare for en miljøskade skal straks iværksætte nødvendige forebyggende foranstaltninger, der kan afværge den overhængende fare for en miljøskade, og underrette Naalakkersuisut om faren og de iværksatte foranstaltninger.

*Stk. 2.* Den ansvarlige for en miljøskade skal straks iværksætte ethvert praktisk gennemføreligt tiltag, der kan begrænse skadens omfang og forhindre yderligere skade, og underrette Naalakkersuisut om skaden og tiltagene.

*Stk. 3.* Naalakkersuisut fører tilsyn med, at forpligtelserne efter stk. 1 og 2 opfyldes, og kan meddele påbud om deres opfyldelse og foretagelse af foranstaltninger i forbindelse dermed.

**§ 97.** Naalakkersuisut kan meddele påbud om, at den ansvarlige skal give oplysninger, der har betydning for vurderingen af, om der foreligger en miljøskade eller en overhængende fare for en miljøskade. Naalakkersuisut kan blandt andet meddele påbud om, at den ansvarlige for egen regning skal foretage undersøgelser, analyser, måling af stoffer eller materialer eller lignende med henblik på at klarlægge årsagen til og virkningen af en miljøskade eller en overhængende fare for en miljøskade.

*Stk. 2.* Påbud efter stk. 1 kan meddeles, uanset om den ansvarlige ikke har rådighed over den ejendom eller det område, hvor der er påvist forurening, eller hvor aktiviteterne efter på-

buddet skal udføres. I påbuddet kan fastsættes en pligt til retablering af den forurenede ejendom eller det forurenede område med videre.

*Stk. 3.* Hvis den ansvarlige ikke har rådighed over ejendommen eller området, kan Naalakkersuisut meddele den, der har rådighed over ejendommen eller området, påbud om at tåle, at den ansvarlige eller andre foretager undersøgelser eller retablering med videre.

*Stk. 4.* Påbud efter stk. 3 er bindende for den, der til enhver tid har rådighed over den ejendom eller det område, hvor aktiviteterne efter et påbud efter stk. 1 skal udføres.

**§ 98.** Hvis der foreligger en miljøskade eller en overhængende fare for en miljøskade, som er omfattet af reglerne i dette kapitel, træffer Naalakkersuisut afgørelse derom og om eventuelle foranstaltninger med videre efter reglerne i dette kapitel.

*Stk. 2.* Naalakkersuisut offentliggør afgørelsen efter stk. 1 på Naalakkersuisuts hjemmeside eller på en anden passende måde. Offentliggørelse af en afgørelse efter stk. 1 om, at der foreligger en miljøskade eller en overhængende fare for en miljøskade, sker for den ansvarliges regning.

**§ 99.** Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om miljøansvar, herunder om udmøntningen af bestemmelserne nævnt i dette kapitel.

## **Kapitel 15**

### *Miljøvurdering (VVM)*

**§ 100.** Godkendelse af en af de følgende aktiviteter kan kun meddeles, jf. kapitel 12, når en vurdering af virkningerne på miljøet (VVM) ved udførelse af aktiviteten er foretaget, og en redegørelse derfor (VVM-redegørelse) er godkendt af Naalakkersuisut:

- 1) Udnyttelse af mineraler, bortset fra lokale mineralaktiviteter.
- 2) Etablering eller placering og anvendelse af større anlæg, der anvendes ved aktiviteter omfattet af Inatsisartutloven, herunder mineanlæg, undergrundsanlæg, tilknyttede energianlæg og tilknyttede rørledningsanlæg.
- 3) Indstilling af en aktivitet eller driften af et anlæg med videre nævnt i nr. 1-2 eller borttagelse eller nedlukning af et anlæg med videre nævnt i nr. 2.

*Stk. 2.* Rettighedshavere kan søge om fritagelse for kravet i stk. 1, nr. 1, hvis udnyttelsen ikke vil have væsentlig indflydelse på miljøet.

*Stk. 3.* Hvis en aktivitet, der er omfattet af Inatsisartutloven og ikke af stk. 1, må antages at kunne få væsentlig indvirkning på miljøet, kan en godkendelse af aktiviteten kun meddeles, når en miljøvurdering er foretaget, og en VVM-redegørelse er godkendt af Naalakkersuisut.

*Stk. 4.* Naalakkersuisut afgør, om der i tilfældene nævnt i stk. 2 og 3 skal foretages en vurdering af virkningerne på miljøet og udarbejdes en VVM-redegørelse.

*Stk. 5.* Hvis der ikke skal foretages en vurdering af virkningerne på miljøet og udarbejdes en VVM-redegørelse for aktiviteten, jf. stk. 4, kan Naalakkersuisut bestemme, at der skal udarbejdes en vurdering af forebyggende tiltag (VFT) og en redegørelse herom (VFT-redegørelse).

*Stk. 6.* Hvis der for en aktivitet hverken skal foretages en vurdering af virkningerne på miljøet, jf. stk. 4, eller en vurdering af forebyggende tiltag, jf. stk. 5, kan Naalakkersuisut bestemme, at aktiviteten skal miljøgodkendes.

*Stk. 7.* Naalakkersuisut kan fastsætte nærmere bestemmelser om kriterierne, der anvendes ved afgørelsen efter stk. 4. Naalakkersuisut kan endvidere fastsætte nærmere bestemmelser om vurdering af forebyggende tiltag (VFT) og kriterierne herfor, jf. stk. 5. Naalakkersuisut kan desuden fastsætte nærmere bestemmelser om miljøgodkendelser efter stk. 6.

**§ 101.** Rettighedshaveren, der ansøger om meddelelse af en godkendelse af en aktivitet, der er VVM-pligtig efter § 101, skal

- 1) foretage en miljøvurdering (VVM),
- 2) udarbejde en VVM-redegørelse,
- 3) indlevere VVM-redegørelsen jf. nr. 2 til Naalakkersuisut,
- 4) udarbejde en ikke-teknisk sammenfatning af VVM-redegørelsen og indlevere sammenfatningen til Naalakkersuisut.

*Stk. 2.* VVM-redegørelsen skal på passende måde påvise, beskrive og vurdere aktivitetens direkte og indirekte virkninger på miljømæssige forhold og samspillet mellem forholdene, indbyrdes påvirkninger mellem forholdene og de samlede (kumulerede) virkninger.

*Stk. 3.* Naalakkersuisut kan bestemme, at yderligere materiale til brug for vurderingen af virkningerne på miljøet skal tilvejebringes, eller at ansøgeren skal foretage yderligere undersøgelser eller vurderinger af nærmere bestemte forhold, der har betydning for vurderingen af virkningerne på miljøet.

*Stk. 4.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om foretagelse af en miljøvurdering, udarbejdelse af en VVM-redegørelse og Naalakkersuisuts godkendelse af en VVM-redegørelse med videre, herunder om at de undersøgelser og vurderinger, som skal foretages og de oplysninger og dokumenter, som skal tilvejebringes, til brug for en miljøvurdering, skal indeholdes i en VVM-redegørelse og indleveres til Naalakkersuisut ved indleveringen af en VVM-redegørelse.

**§ 102.** Oplysning om indgivelse af en endelig VVM-redegørelse til Naalakkersuisut bekendtgøres for offentligheden på Naalakkersuisuts hjemmeside og på en anden passende måde.

*Stk. 2.* Udkast til en VVM-redegørelse og oplysninger, dokumenter og data i forbindelse dermed, som indleveres til Naalakkersuisut, er fortrolige. Fortrolighedsperioden omfatter perioden, indtil det offentliggøres på Naalakkersuisuts hjemmeside og på anden passende måde, at rettighedshaveren har indleveret en endelig VVM-redegørelse til Naalakkersuisut efter stk. 1.

*Stk. 3.* Naalakkersuisut kan i fortrolighedsperioden offentliggøre generelle oplysninger om et fortroligt udkast til en VVM-redegørelse og fortrolige oplysninger, dokumenter og data i forbindelse dermed, som er indleveret til Naalakkersuisut. Naalakkersuisut skal inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne i høring hos rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil

og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, og hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger, offentliggør Naalakkersuisut ikke disse oplysninger.

*Stk. 4.* Uanset stk. 2 og 3 kan Naalakkersuisut i alle tilfælde offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse.

*Stk. 5.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-4.

## Kapitel 16

### *Vurdering af samfundsmæssig bæredygtighed (VSB)*

**§ 103.** Naalakkersuisut kan kun meddele en godkendelse af en aktivitet, der er omfattet af Inatsisartutloven, og som må antages at kunne få væsentlig indvirkning på samfundsmæssige forhold, når en vurdering af den samfundsmæssige bæredygtighed (VSB) ved udførelse af aktiviteten er foretaget, og en redegørelse derfor (VSB-redegørelse) er udarbejdet af rettighedshaveren og godkendt af Naalakkersuisut.

*Stk. 2.* Naalakkersuisut afgør, om et konkret tilfælde er omfattet af stk. 1, således at rettighedshaveren, der ansøger om meddelelse af en godkendelse, skal foretage en VSB, udarbejde en VSB-redegørelse og opnå Naalakkersuisuts godkendelse af VSB-redegørelsen.

*Stk. 3.* Naalakkersuisut kan fastsætte nærmere bestemmelser eller vilkår om kriterierne, der anvendes ved afgørelsen.

**§ 104.** Rettighedshaveren, der ansøger om meddelelse af en godkendelse af en aktivitet, skal når det kræves efter § 103:

- 1) foretage en vurdering af samfundsmæssig bæredygtighed (VSB),
- 2) udarbejde en VSB-redegørelse,
- 3) indlevere VSB-redegørelsen jf. nr. 2 til Naalakkersuisut,
- 4) udarbejde en ikke-teknisk sammenfatning af VSB-redegørelsen og indlevere sammenfatningen til Naalakkersuisut.

*Stk. 2.* VSB-redegørelsen skal på passende måde påvise, beskrive og vurdere aktivitetens direkte og indirekte virkninger på samfundsmæssige forhold og samspillet mellem forholdene, indbyrdes påvirkninger mellem forholdene og de samlede (kumulerede) virkninger, herunder med hensyn til befolkningens sociale, kulturelle, religiøse og åndelige værdier og skikke.

*Stk. 3.* Naalakkersuisut kan bestemme, at yderligere oplysninger eller dokumenter til brug for en VSB skal tilvejebringes, eller at den VSB-forpligtede skal foretage yderligere undersøgelser eller vurderinger af nærmere bestemte forhold, som har betydning for vurderingen af samfundsmæssig bæredygtighed.



*Stk. 4.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om foretagelse af en VSB, udarbejdelse af en VSB-redegørelse og Naalakkersuisuts godkendelse af en VSB-redegørelse med videre, herunder om de undersøgelser og vurderinger, som skal foretages, og de oplysninger og dokumenter, som skal tilvejebringes, til brug for en VSB, indeholdes i en VSB-redegørelse og indleveres til Naalakkersuisut ved indleveringen af en VSB-redegørelse.

**§ 105.** Oplysning om indleveringen af en endelig VSB-redegørelse til Naalakkersuisut bekendtgøres for offentligheden på Naalakkersuisuts hjemmeside og på anden passende måde.

*Stk. 2.* Udkast til en VSB-redegørelse og oplysninger, dokumenter og data i forbindelse dermed, som indleveres til Naalakkersuisut, er fortrolige. Fortrolighedsperioden omfatter perioden indtil, det offentliggøres på Naalakkersuisuts hjemmeside og på anden passende måde, at rettighedshaveren har indleveret en endelig VSB-redegørelse til Naalakkersuisut efter stk. 1.

*Stk. 3.* Naalakkersuisut kan i fortrolighedsperioden offentliggøre generelle oplysninger om et fortroligt udkast til en VSB-redegørelse og fortrolige oplysninger, dokumenter og data i forbindelse dermed, som er indleveret til Naalakkersuisut. Naalakkersuisut skal inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne i høring hos rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, og hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger, offentliggør Naalakkersuisut ikke disse oplysninger.

*Stk. 4.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-3.

## **Kapitel 17**

### *Forhøring og høring*

**§ 106.** Hvis en aktivitet efter Inatsisartutloven efter Naalakkersuisuts vurdering må antages at kunne få væsentlig indvirkning på miljøet, jf. § 100, eller væsentlig indvirkning på samfundsmæssige forhold, jf. § 103, skal ansøgeren eller rettighedshaveren udarbejde en projektbeskrivelse, der indsendes til Naalakkersuisut.

*Stk. 2.* Projektbeskrivelsen skal sendes i offentlig forhøring i 35 kalenderdage, inden indholdet for vurdering af virkningerne på miljøet (VVM) eller for vurdering af samfundsmæssig bæredygtighed (VSB) fastlægges. Hvis der skal foretages offentlig forhøring af både en projektbeskrivelse vedrørende vurdering af virkninger på miljøet (VVM-redegørelse) og en projektbeskrivelse vedrørende vurdering af samfundsmæssig bæredygtighed (VSB), skal forhøringerne foretages samlet.

*Stk. 3.* Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om indholdet af projektbeskrivelsen.

**§ 107.** Naalakkersuisut sender en redegørelse om vurdering af virkningerne på miljøet (VVM) og en redegørelse om vurdering af samfundsmæssig bæredygtighed (VSB) i offentlig høring. Hvis der skal foretages offentlig høring af både en redegørelse om vurdering af virkninger på miljøet (VVM-redegørelse) og en redegørelse om vurdering af samfundsmæssig bæredygtighed (VSB-redegørelse), skal høringerne foretages samlet.

*Stk. 2.* Høringsperioden er 8 uger. Høringsperioden løber fra den dag, hvor Naalakkersuisut har gjort alt høringsmaterialet offentlig tilgængeligt. Hvis høringsperioden udløber på en lørdag, søndag eller helligdag, forlænges høringsperioden til den følgende hverdag.

*Stk. 3.* Høringsperioden forlænges, hvis det ikke er muligt at gennemføre de offentlige høringsmøder på en hensigtsmæssig måde, eller Naalakkersuisut ikke kan deltage i møderne.

**§ 108.** Naalakkersuisut skal i løbet af høringsperioden, jf. § 107, i samarbejde med rettighedshaveren efter tilladelsen afholde offentlige høringsmøder i byer og bygder, som særligt berøres af de planlagte aktiviteter vedrørende projektet. Hvis aktiviteterne geografisk skal udføres fjernt fra byer og bygder eller uden for den kommunale inddeling, beslutter Naalakkersuisut, i hvilke byer og bygder der skal afholdes offentlige høringsmøder.

**§ 109.** Naalakkersuisut indkalder til et offentligt høringsmøde mindst 14 kalenderdage før afholdelsen af møder, jf. § 108.

*Stk. 2.* Indkaldelsen til et offentligt høringsmøde skal annonceres i lokale aviser og andre relevante offentlige og private medier.

*Stk. 3.* Naalakkersuisut udarbejder et referat for høringsmødet. Naalakkersuisut offentliggør efterfølgende referatet.

*Stk. 4.* Naalakkersuisut skal sikre, at der på høringsmødet afsættes tid og gives adgang til, at deltagerne ved mødet kan stille spørgsmål, komme med kommentarer, drøfte projektet og oplæse erklæringer om projektet.

*Stk. 5.* Naalakkersuisut udpeger en mødeleder for høringsmødet.

## **Kapitel 18**

### *Aftale om samfundsmæssig bæredygtighed*

**§ 110.** Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at en rettighedshaver, der ansøger om godkendelse af en aktivitet, der er omfattet af Inatsisartutloven, og som må antages at kunne få væsentlig indvirkning på samfundsmæssige forhold, skal indgå og opfylde en aftale om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold.

*Stk. 2.* Aftalen nævnt i stk. 1 indgås mellem Naalakkersuisut og rettighedshaveren.

*Stk. 3.* Hvis tilladelsens tilladelsesområde er i en kommunes område, indgås aftalen også med kommunen.

*Stk. 4.* Hvis tilladelsens tilladelsesområde ikke er i en kommunes område, indgås aftalen også med en eller flere nærtliggende kommuner, hvis Naalakkersuisut fastsætter bestemmelser eller vilkår eller træffer afgørelse derom. Naalakkersuisut kan dog træffe afgørelse om, at

aftalen ikke også indgås med en kommune, hvis kommunens krav vedrørende aftalens forhandling, indgåelse eller indhold efter Naalakkersuisuts vurdering ikke er i overensstemmelse med § 111 eller bestemmelser eller vilkår fastsat af Naalakkersuisut efter § 112.

**§ 111.** Aftalen efter § 110 skal forhandles, indgås og have et indhold i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser, aftalens formål og emner efter § 110 og bestemmelser og vilkår fastsat efter § 112.

*Stk. 2.* Aftalen efter § 110 skal blandt andet indeholde vilkår om rettighedshaverens anvendelse af lokale arbejdstagere og leverandører og om uddannelse og videreuddannelse af lokal arbejdskraft.

*Stk. 3.* Det kan i en aftale efter § 110 fastsættes, at en tvist mellem Naalakkersuisut og rettighedshaveren om, hvorvidt de i aftalen fastsatte vilkår er opfyldt, skal indbringes for en voldgiftsret. Vilkårene derom skal generelt svare til vilkårene derom i tilladelsen. Hvis aftalen også er indgået med en eller flere kommuner, skal vilkårene fra tilladelsen dog ændres i aftalen, så de er tilpasset det forhold, at kommunen eller kommunerne også er parter i aftalen og dermed også vil være parter i en tvist vedrørende aftalen.

**§ 112.** Naalakkersuisut kan for en tilladelse fastsætte nærmere bestemmelser og vilkår om alle relevante forhold vedrørende en aftale efter § 110 i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser.

## **Kapitel 19**

### *Sikkerhed og sundhed for offshoreanlæg*

**§ 113.** Rettighedshaveren skal sikre, at sikkerhedsmæssige og sundhedsmæssige risici i forbindelse med offshoreanlæg, der anvendes ved udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven, er identificeret, vurderet og nedbragt så meget, som det er rimeligt praktisk muligt.

*Stk. 2.* Rettighedshaveren skal sikre, at driften af et offshoreanlæg foregår i overensstemmelse med Inatsisartutloven, anden lovgivning, bestemmelser fastsat efter Inatsisartutloven og anden lovgivning og bestemmelser og vilkår fastsat for tilladelsen, og at der føres tilsyn dermed.

*Stk. 3.* Rettighedshaveren skal sikre, at:

- 1) en virksomhed, der på rettighedshaverens vegne udfører eller kontrollerer og leder udførelsen af aktiviteter efter tilladelsen vedrørende offshoreanlæg, har mulighed for at opfylde de sikkerhedsmæssige og sundhedsmæssige forpligtelser, der påhviler denne,
- 2) den pågældende virksomhed sikrer og fører tilsyn med, at sikkerhedsmæssige og sundhedsmæssige risici er identificeret, vurderet og nedbragt så meget, som det er rimeligt praktisk muligt, og
- 3) aktiviteter efter tilladelsen udføres i overensstemmelse med Inatsisartutloven, anden lovgivning, bestemmelser fastsat efter Inatsisartutloven og anden lovgivning og bestemmelser og vilkår fastsat for tilladelsen.

§ 114. Naalakkersuisut kan fastsætte bestemmelser og vilkår om sikkerhed og sundhed i forbindelse med offshoreanlæg, der anvendes ved udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven, i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser.

## Kapitel 20

### *Sikkerhedszoner ved offshoreanlæg*

§ 115. Et offshoreanlæg er omgivet af en sikkerhedszone, medmindre anlægget er under forsejling eller bugsering.

*Stk. 2.* Hvis et offshoreanlæg, der er omgivet af en sikkerhedszone, ikke er umiddelbart synligt på havoverfladen, skal det afmærkes med bøjle eller anden let synlig afmærkning, som er godkendt af Naalakkersuisut.

*Stk. 3.* En sikkerhedszone har en udstrækning på 500 meter omkring offshoreanlægget, målt fra ethvert punkt på dets ydre kant eller fra anden anvendt afmærkning. I det vertikale (lodrette) plan strækker en sikkerhedszone sig fra havbunden til 500 meter over det højeste punkt på anlægget. I det horisontale (vandrette) plan strækker sikkerhedszonen sig 500 meter ud fra ethvert punkt på offshoreanlæggets ydre kant, der hvor denne til enhver tid befinder sig.

*Stk. 4.* Positionen for et offshoreanlæg, der er omgivet af en sikkerhedszone, offentliggøres i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut. Offentliggørelsen i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut foretages af rettighedshaveren, medmindre andet bestemmes af Naalakkersuisut.

§ 116. Naalakkersuisut kan træffe afgørelse om fravigelse af den i § 115, stk. 3, fastsatte udstrækning af en sikkerhedszone. En fravigelse kan udvide eller indskrænke en sikkerhedszone og kan fastsættes for en bestemt periode. En fravigelse offentliggøres i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut. Offentliggørelsen i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut foretages af rettighedshaveren, medmindre andet bestemmes af Naalakkersuisut.

*Stk. 2.* I en faresituation eller en ulykkessituation, som kan medføre personskaade, tab af menneskeliv, alvorlig forurening, stor materiel skade eller en væsentlig hindring af aktiviteter på et offshoreanlæg, kan Naalakkersuisut udvide en eksisterende sikkerhedszone eller oprette en ny sikkerhedszone, i det omfang det anses for nødvendigt for at forebygge, hindre eller begrænse de nævnte skadevirkninger. En udvidelse af en eksisterende sikkerhedszone eller en oprettelse af en ny sikkerhedszone offentliggøres i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut. Offentliggørelsen i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut foretages af rettighedshaveren, medmindre andet bestemmes af Naalakkersuisut.

§ 117. Skibe, pramme, andre søfartøjer, fly, helikoptere, droner og andre luftfartøjer, mobile offshoreanlæg og andre mobile anlæg og indretninger, fiskeudstyr, ankere, andet fortøjnings-

udstyr, andet udstyr og andre genstande må ikke komme ind i eller være i en sikkerhedszone ved et offshoreanlæg, medmindre de har et lovligt formål dermed.

*Stk. 2.* Naalakkersuisut kan i særlige tilfælde træffe afgørelse om undtagelse fra forbuddet i stk. 1, herunder med hensyn til fiskeri og fangst, og kan fastsætte nærmere bestemmelser og vilkår derom.

## **Kapitel 21**

### *Generelle bestemmelser*

#### *Krav til udførelse af aktiviteter*

**§ 118.** Aktiviteter omfattet af en tilladelse efter Inatsisartutloven skal udføres i overensstemmelse med anerkendt god international praksis på området under tilsvarende forhold.

*Stk. 2.* Aktiviteter skal udføres på en hensigtsmæssig måde og forsvarligt med hensyn til sikkerhed, sundhed, miljø, ressourceudnyttelse og samfundsmæssig bæredygtighed.

#### *Gennemførelse og anvendelse af internationale aftaler*

**§ 119.** Naalakkersuisut kan fastsætte bestemmelser og vilkår eller træffe afgørelser med henblik på at gennemføre eller anvende internationale aftaler eller regler om forhold, der er omfattet af Inatsisartutloven, i Grønland.

#### *Naalakkersuisuts godkendelse af aktiviteter*

**§ 120.** Aktiviteter omfattet af en tilladelse efter Inatsisartutloven, herunder etablering af bygninger, anlæg og installationer med videre i og uden for det af tilladelsen omfattede område og foranstaltninger og aktiviteter til opfyldelse af forpligtelser ved ophør af virksomheden og aktiviteterne efter en tilladelse, skal inden iværksættelse godkendes af Naalakkersuisut i overensstemmelse med de i tilladelsen fastsatte vilkår. Naalakkersuisut kan dog fastsætte bestemmelser og vilkår om, at bestemte aktiviteter efter en tilladelse ikke skal godkendes.

*Stk. 2.* Foranstaltninger i forbindelse med midlertidig indstilling af udnyttelsesvirksomhed skal inden iværksættelse godkendes af Naalakkersuisut i overensstemmelse med de i tilladelsen fastsatte vilkår.

*Stk. 3.* Større eller væsentlige aktiviteter, der udføres i forbindelse med udførelse af aktiviteter efter en tilladelse, herunder boringer, nedsenkning af skakter og indsættelse af stoller med videre, skal inden iværksættelse godkendes af Naalakkersuisut i hvert enkelt tilfælde.

**§ 121.** Naalakkersuisut kan for en godkendelse af en aktivitet eller en aktivitetsplan fastsætte bestemmelser og vilkår om alle relevante forhold vedrørende godkendelsen, aktiviteten eller aktivitetsplanen og aktiviteterne efter aktivitetsplanen i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser.

### *Tilsyn, påbud og oplysningspligt*

**§ 122.** Naalakkersuisut fører tilsyn med rettighedshaveres og andres virksomhed og aktiviteter omfattet af Inatsisartutloven, herunder bestemmelser og vilkår fastsat efter Inatsisartutloven. Tilsynsmyndighedens medarbejdere har til enhver tid uden retskendelse mod behørig legitimation adgang til alle dele af virksomheder og aktiviteter omfattet af Inatsisartutloven, i det omfang det er påkrævet for at gennemføre tilsynsopgaver.

**§ 123.** Naalakkersuisut kan meddele påbud og forbud med henblik på at sikre overholdelse af Inatsisartutloven og bestemmelser og vilkår fastsat efter Inatsisartutloven. Påbud og forbud kan meddeles til rettighedshavere eller andre parter omfattet af Inatsisartutloven.

**§ 124.** Rettighedshavere og andre parter omfattet af Inatsisartutloven skal meddele alle oplysninger, som er fornødne for myndighedsbehandling af deres virksomhed eller aktiviteter omfattet af Inatsisartutloven. Naalakkersuisut kan til gennemførelse af myndighedsbehandling omfattet af Inatsisartutloven pålægge rettighedshavere og andre at indsende de oplysninger på den måde og i den form, som Naalakkersuisut finder nødvendig.

### *Indstilling af sagsbehandling*

**§ 125.** Hvis en rettighedshaver omfattet af Inatsisartutloven ikke har betalt et skyldigt beløb på 100.000 kr. eller mere til dækning af Naalakkersuisuts udgifter i forbindelse med sagsbehandling og anden myndighedsbehandling efter Inatsisartutloven, jf. herved § 31, stk. 3, § 38, stk. 4, og § 51, stk. 5, kan Naalakkersuisut indstille behandling og afgørelse af enhver sag vedrørende rettighedshaveren, indtil rettighedshaveren har betalt ethvert skyldigt beløb til Naalakkersuisut. Naalakkersuisut kan i et sådant tilfælde også meddele et påbud til rettighedshaveren omfattet af Inatsisartutloven om at indstille sine aktiviteter efter tilladelsen, indtil rettighedshaveren har betalt ethvert skyldigt beløb til Naalakkersuisut. Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår derom.

### *Væsentlige samfundsmæssige forhold og interesser*

**§ 126.** En tilladelse eller en godkendelse efter Inatsisartutloven kan ikke meddeles til en ansøger eller en rettighedshaver, hvis det ikke er foreneligt med væsentlige samfundsmæssige forhold eller interesser, herunder væsentlige udenrigspolitiske, forsvarspolitiske eller sikkerhedspolitiske forhold eller interesser. Naalakkersuisut træffer afgørelse derom.

*Stk. 2.* En ansøger eller en rettighedshaver skal oplyse Naalakkersuisut om alle forhold, der kan være af betydning for Naalakkersuisuts afgørelse efter stk. 1, og dokumentere disse oplysninger. Naalakkersuisut kan kræve enhver oplysning, og dokumentation herfor, fra rettighedshaveren eller ansøgeren, som findes nødvendig for at træffe afgørelse efter stk. 1.

*Stk. 3.* Naalakkersuisut kan foretage undersøgelser af rettighedshavere og ansøgere, der findes nødvendige for at træffe afgørelse efter stk. 1, herunder indhente oplysninger fra tredjelande.

#### *Tilladelser og godkendelser efter anden lovgivning*

**§ 127.** Myndighedsbehandling, herunder tilladelser og godkendelser, i henhold til Inatsisartutloven fritager ikke rettighedshavere og andre parter omfattet af Inatsisartutloven for at indhente godkendelser eller tilladelser, som er fornødne efter anden lovgivning, jf. dog stk. 2.

*Stk. 2.* Tilladelse efter Inatsisartutloven fritager dog for opfyldelse af krav om arealtildeling i og uden for tilladelsesområdet til bygninger og anlæg.

#### *Ekspropriation af ejendom*

**§ 128.** Naalakkersuisut kan i nødvendigt omfang tillade, at der gennemføres ekspropriation af ejendom for at kunne udføre aktiviteter efter Inatsisartutloven.

*Stk. 2.* Ekspropriation efter stk. 1 udføres efter reglerne i landstingslov om ekspropriation.

#### *Fredning af bestemte områder og indførelse af zoner*

**§ 129.** Naalakkersuisut kan fastsætte bestemmelser om, at et eller flere bestemte områder fredes for at varetage hensyn til geologiske forhold og deres bevarelse. I et geologisk fredet område må der ikke udføres aktiviteter af nogen art, medmindre Naalakkersuisut har fastsat bestemmelser eller vilkår om, at en eller flere bestemte aktiviteter må udføres.

*Stk. 2.* Naalakkersuisut kan fastsætte bestemmelser om at forbyde eller begrænse aktiviteter efter Inatsisartutloven i et eller flere områder for at varetage hensyn til almene interesser.

#### *Andre offentlige myndigheders varetagelse af myndighedsopgaver*

**§ 130.** Naalakkersuisut kan bestemme, at myndighedsopgaver efter Inatsisartutloven varetages af andre offentlige myndigheder eller private parter i nærmere bestemt omfang.

*Stk. 2.* Medmindre andet bestemmes i bemyndigelsen, har de bemyndigede offentlige myndigheder eller private parter og deres medarbejdere samme beføjelser, som Naalakkersuisut og Naalakkersuisuts ansatte ville have ved varetagelsen af den pågældende opgave.

#### *Oprettelse af en pulje med midler til borgere, lokalsamfund og relevante organisationer til undersøgelser og rådgivning med videre*

**§ 131.** Naalakkersuisut opretter en pulje med midler, hvorfra berørte borgere, lokalsamfund og relevante organisationer i Grønland kan søge midler til at igangsætte undersøgelser og til at søge rådgivning til afdækning af særlige problemstillinger relateret til konkrete mineralpro-

jekter i Grønland og til at afholde møde om projektets påvirkning af samfundet.

*Stk. 2.* Ansøgning om midler kan kun ske, efter en ansøgning, et kommissorium eller en projektbeskrivelse er sendt i høring eller forhøring, jf. §§ 35, 44 og 107.

*Stk. 3.* Naalakkersuisut fastsætter nærmere bestemmelser om puljen efter stk. 1.

## Kapitel 22

### *Erstatningsansvar og forsikring*

**§ 132.** En rettighedshaver efter en tilladelse skal erstatte skader, der forvoldes ved virksomhed eller aktiviteter omfattet af tilladelsen, også selvom skaderne er hændelige.

*Stk. 2.* Erstatningen efter stk. 1 kan nedsættes eller bortfalde, hvis skadelidte ved forsæt eller grov uagtsomhed har medvirket til skaden.

**§ 133.** Naalakkersuisut kan for en tilladelse fastsætte bestemmelser og vilkår om, at rettighedshaverens erstatningsansvar skal være omfattet af en forsikring eller anden form for sikkerhedsstillelse, og at rettighedshaverens aktiviteter og forhold i forbindelse dermed skal være omfattet af andre relevante forsikringer.

**§ 134.** Naalakkersuisut kan for en tilladelse fastsætte bestemmelser og vilkår om, at en rettighedshavers aftaleparters erstatningsansvar skal være omfattet af en forsikring eller en anden form for sikkerhedsstillelse, i det omfang aftaleparternes ydelser og aktiviteter anvendes ved udførelsen af aktiviteter efter tilladelsen.

### *Erstatning for miljøskader*

**§ 135.** Inatsisartutlovens regler om erstatning for miljøskader gælder for skade, der forvoldes ved forurening af jord, hav, havbund, undergrund, vand eller luft som led i aktiviteter omfattet af Inatsisartutloven.

*Stk. 2.* Inatsisartutlovens regler om erstatning for miljøskader gælder tilsvarende for forurening og anden negativ påvirkning af klimatiske forhold eller naturen og forstyrrelser ved støj, rystelser, varme, lys eller lignende.

**§ 136.** Efter reglerne i § 135 og §§ 137-141 erstattes følgende skade:

- 1) Personskade og tab af forsøger.
- 2) Tingskade.
- 3) Andet formuetab.
- 4) Rimelige omkostninger til:
  - a) foranstaltninger til forebyggelse og afværgelse af skade,
  - b) genopretning af miljøet og naturen, og
  - c) afbødning og neutralisering af forurening og anden negativ påvirkning af miljøet, klimatiske forhold og naturen.



**§ 137.** Den, der er ansvarlig for en miljøskade efter § 95, og som forårsager en forurening i forbindelse med en aktivitet omfattet af Inatsisartutloven, skal erstatte den skade, som forureningen medfører, selvom skaden er hændelig. Hvis den pågældende er en anden end rettighedshaveren efter en tilladelse eller en godkendelse vedrørende aktiviteten, er rettighedshaveren også ansvarlig for aktiviteten. De to parter er da i fællesskab og hver for sig fuldt ud forpligtede og ansvarlige efter reglerne i stk. 2-4 og §§ 138-141.

*Stk. 2.* Ansvar efter stk. 1 indtræder ikke, hvis den ansvarlige beviser, at miljøskaden og forureningen alene er forårsaget af aktiviteter udført i overensstemmelse med ufravigelige forskrifter, der er fastsat af en offentlig myndighed, medmindre forskrifterne følger af påbud, instrukser, afgørelser eller vilkår, som skyldes den ansvarliges egne aktiviteter eller forhold.

*Stk. 3.* Erstatning for personskade eller tab af forsørger kan nedsættes eller bortfalde, hvis skadelidte eller afdøde forsætligt har medvirket til skaden. Erstatningen kan endvidere nedsættes og i særlige tilfælde bortfalde, hvis skadelidte eller afdøde ved grov uagtsomhed har medvirket til skaden.

*Stk. 4.* Erstatning kan i andre tilfælde nedsættes eller bortfalde, hvis skadelidte forsætligt eller ved grov uagtsomhed har medvirket til skaden.

**§ 138.** En aftale om fravigelse af Inatsisartutlovens regler om erstatning for miljøskader er ugyldig, hvis aftalen er indgået før en skades indtræden, og fravigelsen er til ugunst for skadelidte.

*Stk. 2.* Reglen i stk. 1 gælder ikke for en aftale mellem den ansvarlige og en erhvervsdrivende, der handler som led i sit erhverv, i det omfang aftalen vedrører aftaleparternes indbyrdes forhold. I det omfang en sådan aftale direkte eller indirekte vedrører aftaleparternes forhold til andre parter, gælder reglen i stk. 1.

**§ 139.** Reglerne om erstatning for miljøskader i dette kapitel begrænser ikke skadelidtes adgang til erstatning efter de almindelige regler om erstatning i eller uden for kontrakt eller andre regler i Inatsisartutloven eller anden lovgivning.

**§ 140.** Naalakkersuisut kan fastsætte nærmere bestemmelser om erstatning for miljøskader og forholdene nævnt i dette kapitel, herunder om anvendelse af nationale eller internationale regler, aftaler eller retningslinjer vedrørende erstatning for miljøskader.

## **Kapitel 23**

### *Sanktioner, konfiskation og ikrafttræden*

#### *Sanktioner*

**§ 141.** Naalakkersuisut kan pålægge daglige eller ugentlige tvangsbøder til de følgende:

1) Den, der undlader at give de oplysninger rettidigt, som denne skal afgive, eller som Naalakkersuisut kan kræve afgivet efter § 32, stk. 1, § 39, stk. 1, § 50, stk. 2, jf. § 39, stk. 1, §

55, stk. 1, § 63, stk. 1, § 68, stk. 1, § 68, stk. 2, § 77, stk. 4, § 81, stk. 5, § 82, stk. 4, § 101, stk. 1, § 101, stk. 3 og 4, § 104, stk. 1, § 104, stk. 3 og 4, § 124 eller § 126, stk. 2.

2) Den, der undlader at efterkomme et påbud eller et forbud meddelt efter § 68, stk. 3, § 123 eller § 125.

3) Den, der undlader at stille sikkerhed rettidigt efter § 82, stk. 4.

**§ 142.** Medmindre højere straf er forskyldt efter den øvrige lovgivning, straffes med bøde den, der udfører aktiviteter som nævnt i § 22, stk. 2 eller 3, uden tilladelse dertil eller godkendelse deraf efter Inatsisartutlovens bestemmelser derom.

*Stk. 2.* Medmindre højere straf er forskyldt efter den øvrige lovgivning, straffes med bøde den, der udfører aktiviteter i et geologisk fredet område, uden at aktiviteterne må udføres efter bestemmelser derom fastsat af Naalakkersuisut, jf. § 129.

*Stk. 3.* Medmindre højere straf er forskyldt efter den øvrige lovgivning, straffes med bøde den, der forsætligt eller groft uagtsomt:

1) Afgiver urigtige eller vildledende oplysninger eller fortier oplysninger, som en myndighed har krav på efter Inatsisartutloven eller efter bestemmelser eller vilkår fastsat efter Inatsisartutloven.

2) Overtræder bestemmelser eller vilkår for tilladelser eller godkendelser meddelt efter Inatsisartutloven eller bestemmelser fastsat efter Inatsisartutloven.

3) Undlader at efterkomme påbud eller forbud meddelt af Naalakkersuisut efter § 123 eller § 125 eller bestemmelser eller vilkår for tilladelser eller godkendelser meddelt efter Inatsisartutloven eller bestemmelser fastsat efter Inatsisartutloven.

*Stk. 4.* I bestemmelser fastsat efter Inatsisartutloven kan det bestemmes, at den, der overtræder bestemmelserne, kan straffes med bøde eller andre foranstaltninger efter kriminalloven for Grønland.

*Stk. 5.* Er overtrædelsen begået af en virksomhed, som helt eller delvist ejes af Grønlands Selvstyre, staten, en kommune eller et kommunalt fællesskab, som er omfattet af Inatsisartutlov om den kommunale styrelse, et aktieselskab, anpartsselskab, andelsselskab eller lignende, kan der pålægges virksomheden med videre som sådan kriminalretligt ansvar. Tilsvarende gælder, hvis overtrædelsen er begået af Grønlands Selvstyre, en kommune eller et kommunalt fællesskab, som er omfattet af Inatsisartutlov om den kommunale styrelse.

*Stk. 6.* En sag om bødestraf efter stk. 1-3 eller bestemmelser eller vilkår fastsat efter stk. 4 kan søges afgjort ved administrativt bødeforlæg, hvis overtrædelsen er klar, ukompliceret og uden væsentlige bevismæssige tvivlsspørgsmål. Reglerne i retsplejeloven om krav til indholdet af et anklageskrift og om, at en sigtet ikke er forpligtet til at udtale sig, finder tilsvarende anvendelse for administrative bødeforlæg efter Inatsisartutloven.

*Stk. 7.* Bøder, som pålægges efter Inatsisartutloven eller bestemmelser fastsat efter Inatsisartutloven, tilfalder landskassen.

### *Konfiskation*

**§ 143.** Naalakkersuisut kan foretage konfiskation af mineraler, der er indsamlet, brudt eller udnyttet uden tilladelse i strid med § 22, stk. 2, nr. 1-4, eller i strid med bestemmelser eller vilkår fastsat for en tilladelse eller en godkendelse eller bestemmelser fastsat efter Inatsisartutloven.

*Stk. 2.* Naalakkersuisut kan foretage konfiskation af mineraler, der forsøges udført eller udføres fra Grønland uden godkendelse deraf i strid med § 22, stk. 3, nr. 1, eller i strid med bestemmelser eller vilkår fastsat for en tilladelse eller en godkendelse eller bestemmelser fastsat efter Inatsisartutloven.

*Stk. 3.* Overdrages mineraler, der er indsamlet, brudt eller udnyttet uden tilladelse i strid med § 22, stk. 2, nr. 1-4, eller i strid med bestemmelser eller vilkår fastsat for en tilladelse eller en godkendelse eller bestemmelser fastsat efter Inatsisartutloven, eller rettigheder herover, kan de overdragne mineraler eller deres værdi konfiskeres hos erhververen, hvis denne var bekendt med det overdragnes forbindelse med forbrydelsen eller har udvist grov uagtsomhed i denne henseende, eller hvis overdragelsen er sket som gave.

*Stk. 4.* Naalakkersuisut kan foretage konfiskation af udbyttet ved en aktivitet omfattet af stk. 1, 2 eller 3 eller et dertil svarende beløb. Savnes der tilstrækkeligt grundlag for at fastslå beløbs størrelse, kan Naalakkersuisut konfiskere et beløb, der skønnes at svare til det indvundne udbytte.

*Stk. 5.* Reglerne om konfiskation af udbyttet ved en forbrydelse eller et dertil svarende beløb i kriminalloven for Grønland finder tilsvarende anvendelse på Naalakkersuisuts konfiskation efter stk. 1-4.

*Stk. 6.* Konfiskation efter stk. 1, 2 og 3 foretages af Naalakkersuisut eller den relevante myndighed efter kriminalloven for Grønland, som kan foretage konfiskation efter reglerne derom i kriminalloven, hvis Naalakkersuisut anmoder derom.

*Stk. 7.* Konfiskerede mineraler bortsælges af Naalakkersuisut. Salgsprovenuet tilfalder landskassen.

#### *Ikrafttrædelses-, ændrings-, og ophævelsesbestemmelser*

**§ 144.** Inatsisartutloven træder i kraft den 1. juli 2023.

*Stk. 2.* For så vidt angår Grønland foretages samtidig følgende ændringer i lov om kontinentalsoklen, jf. lovbekendtgørelse nr. 1101 af 18. november 2005 med senere ændringer:

- 1) § 1, § 2, § 3, stk. 2, § 4, stk. 5, og § 5, stk. 1, ophæves.
- 2) I § 3, stk. 1, udgår “, jf. dog stk. 2”.
- 3) § 6 affattes således:

“ **§ 6.** For anlæg og sikkerhedszoner, jf. § 3, som befinder sig på eller er oprettet inden for den grønlandske del af kontinentalsoklen, gælder den for Grønland i øvrigt gældende ret. Naalakkersuisut udøver de beføjelser, der er fastsat i § 4, under iagttagelse af reglerne i Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven) og Inatsisartutlov om mineralaktiviteter.”

*Stk. 3.* Tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineraler i Grønland eller videnskabelige undersøgelser vedrørende mineraler i Grønland, som er meddelt ved

Inatsisartutlovens ikrafttræden, bevarer deres gyldighed. Inatsisartutloven finder også anvendelse på sådanne tilladelser, rettighedshavere efter sådanne tilladelser og aktiviteter udført efter sådanne tilladelser ved Inatsisartutlovens ikrafttræden. Inden for Inatsisartutlovens anvendelsesområde finder den tillige anvendelse på aktiviteter vedrørende mineraler, herunder indsamling, brydning og udnyttelse af mineraler, som er omfattet af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven) og udført før Inatsisartutlovens ikrafttræden. Inden for Inatsisartutlovens anvendelsesområde finder den desuden anvendelse på mineraler, som er indsamlet, brudt eller udnyttet ved sådanne aktiviteter. Inden for Inatsisartutlovens anvendelsesområde finder den endvidere anvendelse på afgørelser om aktiviteter og forhold vedrørende mineraler omfattet af råstofloven og truffet før Inatsisartutlovens ikrafttræden, idet tidsfristen nævnt i §§ 25 og 73 dog regnes fra tidspunktet for Inatsisartutlovens ikrafttræden.

*Stk. 4.* De den 1. juli 2023 gældende bestemmelser for mineralaktiviteter og ansøgningsprocedurer, standardvilkår og vilkår for tilladelser vedrørende mineraler, som er omfattet af Inatsisartutlovens anvendelsesområde, forbliver i kraft med de ændringer som følger af Inatsisartutloven, indtil bestemmelserne med videre ophæves eller afløses af nye bestemmelser fastsat efter Inatsisartutloven.

*Grønlands Selvstyre, den xx. xxx 2023*

## Bemærkninger til forslaget

### Almindelige bemærkninger

#### 1. Indledning

##### *1.1. Forslagets baggrund og hovedformål*

Lov om Grønlands Selvstyre blev vedtaget af Folketinget den 19. maj 2009 og trådte i kraft den 21. juni 2009.

Lov om Grønlands Selvstyre fastslår, at Grønlands Selvstyre kan overtage råstofområdet, og at Grønlands Selvstyre dermed får den lovgivende og udøvende magt inden for råstofområdet. Sagsområdet råstoffer er angivet på liste II i bilag til lov om Grønlands Selvstyre. Det følger af bestemmelsen i § 3, stk. 2, i lov om Grønlands Selvstyre, at sagsområder opført på bilagets liste II overgår til Grønlands Selvstyre på tidspunkter, der fastsættes af selvstyret efter forhandling med rigsmyndighederne.

Grønlands Selvstyre overtog råstofområdet den 1. januar 2010.

Samtidig med Grønlands Selvstyres overtagelse af råstofområdet den 1. januar 2010 trådte Inatsisartutlov nr. 7 af 7. december 2009 om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven) i kraft. Råstofloven blev vedtaget med henblik på at sikre en hensigtsmæssig udnyttelse af mineralske råstoffer og anvendelse af undergrunden i Grønland og aktiviteter i tilknytning dertil. Råstofloven er siden sin ikrafttrædelse i 2010 blevet ændret flere gange for at opdatere og tilpasse loven i takt med udviklingen på råstofområdet, i råstofindustrien og samfundet.

Mineralområdet, der er en del af råstofområdet, har stor betydning for Grønland og samfundet.

Naalakkersuisut ønsker at fortsætte udviklingen af råstofområdet, herunder mineralområdet, således at området i endnu større omfang bliver et væsentligt aktivitetsområde og en væsentlig industri i Grønland. Naalakkersuisut har derfor blandt andet udarbejdet en strategi for mineralområdet for Grønland med titlen "Grønlands Mineralstrategi 2020-2024". Formålet med strategien er særligt at skabe gode rammer for mineralområdet, så Grønland kan tilbyde attraktive muligheder og gode forudsætninger for at skabe, udvikle og gennemføre mineralprojekter og investeringer deri i Grønland. En fortsat udvikling af mineralområdet vil bidrage til, at der skabes flere arbejdspladser og arbejdsopgaver for virksomheder inden for

mineralområdet, og at mineralområdet i større omfang bidrager med indtægter til landskassen og den økonomiske udvikling i Grønland til gavn for samfundet.

Forslaget er et led i Naalakkersuisuts strategi om at fastholde og videreudvikle Grønland som et godt og attraktivt land i forhold til andre lande, der også har et stort potentiale for udnyttelse af mineraler. Det er Naalakkersuisuts vurdering, at gode og klare rammevilkår og lovregulering er vigtige for at kunne tiltrække og fastholde virksomheder og investorer til mineralområdet i Grønland.

Råstofloven i Grønland regulerer alle forhold vedrørende råstofaktiviteter og udnyttelse af råstoffer og undergrunden. De regulerede forhold omfatter blandt andet anvendelse af undergrunden til lagring, kulbrinteaktiviteter og mineralaktiviteter, forundersøgelsestilladelser, efterforskningstilladelser og udnyttelsestilladelser vedrørende kulbrinter og mineraler, småskalatilladelser, indsamling og brydning af mineraler uden tilladelse og forhold vedrørende miljø og samfundsmæssig bæredygtighed.

Efter forslaget skal området for de almindelige mineralaktiviteter indenfor mineralområdet generelt udskilles fra de andre dele af råstofområdet, som er omfattet af råstofloven, herunder kulbrinteområdet (området vedrørende olie og naturgas), anvendelse af undergrunden til lagring, området for lokale personer og museers småskalamineralaktiviteter og lokale personer og virksomheders udnyttelse, indsamling og brydning af mineraler uden tilladelse dertil.

Forslaget vedrører således kun de almindelige mineralaktiviteter inden for mineralområdet i Grønland samt miljøforhold vedrørende disse. Forslaget vedrører ikke anvendelse af undergrunden til lagring, kulbrinteområdet og området for lokale personer og museers småskalamineralaktiviteter og lokale personer og virksomheders udnyttelse, indsamling og brydning af mineraler uden tilladelse dertil eller miljøforhold inden for småskalaområdet.

Formålet med forslaget er derudover blandt andet at skabe en opdateret og mere enkel, klar, hensigtsmæssig og brugervenlig Inatsisartutlov for mineralområdet, herunder miljøforhold. Opdateringen skal blandt andet ske på grundlag af praksis og erfaringer med anvendelsen af råstofloven siden dens ikrafttrædelse den 1. januar 2010 og udviklingen på mineralområdet og i mineindustrien i Grønland og internationalt også i andre lande med mere omfattende mineralaktiviteter og mineindustrier. En mere enkel, klar, hensigtsmæssig og brugervenlig Inatsisartutlov for mineralområdet skal blandt andet gøre loven lettere at fortolke og anvende i praksis og skabe en bedre regulering for Naalakkersuisut, nuværende og mulige fremtidige rettighedshavere efter mineraltilladelser og andre parter inden for mineralområdet.

Forslaget fastsætter grundlaget og rammerne for den fremtidige regulering af mineralområdet. Mineralområdet omfatter blandt andet forundersøgelse, efterforskning og udnyttelse af

mineraller og tilladelser dertil og tilladelser til videnskabelige undersøgelser samt miljøforhold i forbindelse med disse aktiviteter.

Forslagets regulering af disse aktiviteter er generelt i overensstemmelse med nationale og internationale regler, principper og aftaler vedrørende sådanne aktiviteter. Forslaget bidrager dermed generelt også til opfyldelsen af Grønlands Selvstyres forpligtelser efter national og international ret. Forslagets regulering af disse aktiviteter er endvidere tilpasset den bedste nationale og internationale praksis for udførelse og regulering af sådanne aktiviteter.

Forslaget til en ny Inatsisartutlov om mineralaktiviteter er generelt baseret på råstoflovens bestemmelser vedrørende mineraler. Forslaget ændrer dog i et vist omfang råstoflovens bestemmelser om mineralaktiviteter, idet forslaget tager højde for de erfaringer og den viden, der er opnået på baggrund af råstofloven vedrørende mineraler, og derved at forslaget skaber større klarhed om bestemte forhold, som enten ikke er regulerede eller er reguleret mindre klart eller mindre udførligt efter råstofloven.

Forslaget viderefører dog generelt mange væsentlige og hensigtsmæssige bestemmelser og principper fra råstofloven. Blandt andet videreføres princippet om en samlet integreret myndighedsbehandling. Alle relevante forhold, herunder vedrørende mineralaktiviteternes udførelse og tekniske, sikkerhedsmæssige og ressourcemæssige forhold, indgår i en samlet vurdering af aktiviteter omfattet af forslaget. Naalakkersuisut meddeler således en samlet tilladelse, der generelt omfatter samtlige forhold af betydning for en mineralaktivitet omfattet af forslaget. Denne model var en af hovedanbefalingerne i Ølgaard-rapporten fra 1990 (som omtales nedenfor i afsnit 1.2) og har generelt været anvendt i råstoflovene for Grønland siden da.

En samlet integreret myndighedsbehandling fremmer en effektiv forvaltning af mineralområdet og brugervenlighed for borgerne og virksomhederne. Forslaget skaber således også grundlaget og rammerne for, at Naalakkersuisut kan administrere, forvalte og videreudvikle mineralområdet på en måde, der generelt er god og hensigtsmæssig for Grønlands Selvstyre, samfundet, rettighedshavere og mulige fremtidige rettighedshavere efter mineraltilladelser og andre parter på mineralområdet.

Forslaget viderefører også tilladelsessystemet og godkendelsessystemet, som traditionelt har været anvendt inden for råstofområdet i Grønland. Aktiviteterne omfattet af forslaget må således kun udføres, hvis Naalakkersuisut har meddelt en tilladelse dertil eller en godkendelse deraf efter bestemmelserne derom i forslaget.

Efter skattelovgivningen og forslaget har selvstyret generelt ret til en del af indtægterne fra mineralaktiviteterne, herunder i form af selskabsskatter og personskatter fra rettighedshavere efter mineraltilladelser, deres ansatte og deres leverandører af varer og tjenesteydelser og

vederlag (royalties) efter vilkår derom for udnyttelsestilladelser. Forslaget bidrager således i et vist omfang til understøttelsen og udviklingen af selvstyrets og samfundets økonomi.

En rettighedshaver efter en udnyttelsestilladelse skal som udgangspunkt betale vederlag (royalties) til Naalakkersuisut, når rettighedshaveren udnytter mineraler i Grønland. En afgift (en royalty) efter en udnyttelsestillade kan for eksempel være en afgift beregnet på grundlag af de udnyttede mineraler (en produktionsafgift), herunder for eksempel mineralernes vægt (en vægtafgift) eller deres rumfang (en volumenafgift). Et vederlag kan også være en afgift beregnet på grundlag af de udnyttede mineralers salgspris eller anden værdi ved salg (en salgafgift) eller en andel af det økonomiske udbytte ved rettighedshaverens virksomhed omfattet af tilladelsen (en udbytteafgift).

Forslaget erstatter delvist råstofloven inden for mineralområdet. Forslaget erstatter ikke råstofloven for så vidt angår anvendelse af undergrunden til lagring og kulbrinteområdet vedrørende tilladelser til forundersøgelse, efterforskning og udnyttelse af kulbrinter (olie og gas) og aktiviteter efter kulbrintetilladelser med videre.

Forslaget erstatter endvidere ikke råstofloven for så vidt angår lokale personer og museers småskalamineralaktiviteter og lokale personer og virksomheders udnyttelse, indsamling og brydning af mineraler uden tilladelse dertil. Dette område og disse forhold reguleres fortsat af bestemmelserne derom i råstofloven. Naalakkersuisut planlægger dog at udarbejde og fremsætte et forslag til en Inatsisartutlov om sådanne småskalaktiviteter og andre aktiviteter med videre (en småskalalov). Se nærmere derom i afsnit 2.9.

### *1.2. Historisk tilbageblik*

Efter en kongelig anordning af 27. april 1935 var principperne i den danske undergrundslov samtidig gældende for Grønland.

På grund af en stigende interesse for efterforskning og udnyttelse af mineralske råstoffer i Grønland nedsatte den danske regering i 1960 en kommission, der skulle udarbejde et udkast til en minelov for Grønland. Kommissionen afgav i juni 1963 sin betænkning. Det var hensigten, at efterforskning og udnyttelse af mineralske råstoffer i Grønland skulle gøres så attraktivt som muligt, samtidig med at det offentliges interesser skulle varetages på en hensigtsmæssig måde. I november 1964 fremsatte regeringen et forslag til lov om mineralske råstoffer i Grønland, som var udarbejdet på grundlag af kommissionens betænkning. Loven blev vedtaget som lov nr. 166 af 12. maj 1965 om mineralske råstoffer i Grønland.

Da lov nr. 577 af 29. november 1978 om Grønlands Hjemmestyre trådte i kraft, blev der samtidig etableret en særlig ordning på råstofområdet. Hovedprincipperne i råstofordningen var fastlagt i hjemmestyreloven. De nærmere bestemmelser for råstofområdet blev fastsat i lov nr. 585 af 29. november 1978 om mineralske råstoffer i Grønland. De væsentligste



forhold vedrørende råstofordningen var følgende:

- (1) Anerkendelse af, at den fastboende befolkning i Grønland har grundlæggende rettigheder til Grønlands naturgivne ressourcer.
- (2) Etableringen af en fælles beslutningskompetence (gensidig veto) for rigsmyndighederne (regeringen) og hjemmestyret (landsstyret) vedrørende de væsentlige dispositioner med hensyn til ikke-levende ressourcer i Grønland.
- (3) Fastlæggelse af principperne for fordeling af offentlige indtægter fra råstofvirksomhed i Grønland.
- (4) Oprettelse af et paritetisk sammensat dansk/grønlandsk fællesråd med betegnelsen Fællesråd vedrørende Mineralske Råstoffer i Grønland.
- (5) Oprettelse af en råstofforvaltning for Grønland under energiministeren til varetagelse af de centrale administrative opgaver på råstofområdet. Råstofforvaltningen skulle desuden varetage opgaverne som sekretariat for Fællesrådet vedrørende Mineralske Råstoffer i Grønland.

I marts 1988 indgik landsstyret og den danske regering en aftale om principper for ændring af dele af den grønlandske råstofordning. Hovedprincipperne var følgende:

- (1) Samtlige indtægter fra råstofordningen op til 500 millioner kroner i et år skulle fordeles med 50 % til den danske stat og 50 % til Grønlands Hjemmestyre uden modregning i statens tilskud til Grønlands Hjemmestyre. Fordelingen af indtægter ud over dette beløb skulle fastsættes ved lov efter forhandlingen mellem hjemmestyret og regeringen.
- (2) Hjemmestyret og den danske stat skulle hver indskyde op til 12,5 millioner kroner i et fælles selskab, Nunaoil A/S, med henblik på at fremme den erhvervsmæssige udvikling på råstofområdet.
- (3) Hjemmestyrets indflydelse på forvaltningen af råstofområdet skulle udvides.
- (4) Tilladelsessystemet (koncessionssystemet) i råstofloven skulle også gælde for vandkraftaktiviteter i Grønland.
- (5) Hver af parterne kunne efter den 1. januar 1995 kræve forhandlinger om ændring af råstofordningen.

Denne principaftale var grundlaget for udarbejdelsen af en ændret råstoflov, der blev vedtaget som lov nr. 844 af 21. december 1988.

Efter aftale mellem landsstyreformanden og den danske energiminister blev der i 1990 nedsat en arbejdsgruppe med den opgave at udforme et oplæg til en ny strategi for nyttiggørelsen af mineralske råstoffer i Grønland. Arbejdsgruppen skitserede i en rapport, Ølgaard-rapporten, en række forslag til en ny strategi for udnyttelsen af mineralske råstoffer i Grønland. Det skete med henblik på, at råstofsektoren kunne blive en betydende erhvervssektor på linje med andre erhverv i Grønland. Blandt hovedelementerne i den foreslåede nye strategi var indførelse af

væsentligt ændrede tilladelsesvilkår og en skattelovgivning, som skulle være konkurrencedygtige i forhold til andre landes tilladelsesvilkår og skattelovgivning, og olieefterforskning på landområder og sokkelområder i Grønland gennem udførelse af udbudsrunder.

Arbejdsgruppens forslag til en ny strategi for råstofområdet førte til et forslag om en ny råstoflov, der blev vedtaget som lov nr. 335 af 6. juni 1991. Loven havde til hensigt at gøre det mere attraktivt at investere i mineralefterforskning (kulbrinter og mineraler) i Grønland.

Blandt hovedelementerne i strategien kan nævnes følgende forhold:

- (1) Indførelse af væsentligt ændrede koncessionsvilkår, især for udnyttelse af mineraler (hårde mineraler), med henblik på at kunne tilbyde vilkår, som er konkurrencedygtige i forhold til vilkårene i andre lande.
- (2) Iværksættelse af olieefterforskning på landområder og sokkelområder i Grønland, herunder på sokkelområder i Vestgrønland gennem udførelse af udbudsrunder i 1990'erne.
- (3) Gennemførelse af ændringer i først og fremmest den grønlandske skattelovgivning med henblik på at tilvejebringe konkurrencedygtige arbejdsbetingelser for den internationale mineindustri og olieindustri.
- (4) Udarbejdelse af omfattende informationsmateriale om Grønland af både generel og specifik karakter rettet mod den internationale mineindustri og olieindustri.
- (5) Udarbejdelse af løbende informationsmateriale rettet mod befolkningen i Grønland om udviklingen på råstofområdet.
- (6) Forenklinger og justeringer af råstofforvaltningens regulering af råstofaktiviteter blandt andet i miljømæssig og sikkerhedsmæssig henseende.
- (7) Anvendelse af en mere aktiv og opsøgende indsats fra det offentlige side over for mineindustrien og olieindustrien med henblik på at fremme internationale investeringer i råstofaktiviteter i Grønland.

Landsstyrets formand og den danske statsminister aftalte i september 1992, at kompetencen til at meddele tilladelser til vandkraftaktiviteter og myndighedsbehandlingen deraf skulle overgå til hjemmestyret (i dag selvstyret). Det medførte, at vandkraftressourcer udgik af råstofordningen ved lov nr. 1074 af 22. december 1993.

På grundlag af bestræbelserne for at tiltrække olieindustriens interesse i offshore olieefterforskning viste der sig at være behov for en ændring af råstofloven, der kunne gøre det mere attraktivt at investere i efterforskning af mineralske råstoffer i Grønland. Det førte til en ændring af råstofloven, der blev vedtaget ved lov nr. 303 af 24. april 1996.

Ved en ændring af råstofloven med virkning fra 1. juli 1998 blev kompetencen til at meddele

tilladelser og de forvaltningsmæssige opgaver på råstofområdet overført fra energiministeren og Råstofforvaltningen for Grønland under ministeren til Grønlands Landsstyre og Råstoffdirektoratet under landsstyret. De øvrige elementer i råstofordningen for Grønland blev ikke ændret.

Den fælles beslutningskompetence for hjemmestyret og staten med hensyn til væsentlige beslutninger på råstofområdet, herunder kravet om, at meddelelse af tilladelser efter råstofloven forudsatte aftale mellem regeringen og landsstyret, blev således ikke ændret. Det samme var tilfældet med hensyn til reglerne om fordelingen af offentlige indtægter fra råstofvirksomhed og om fællesrådets opgaver.

Råstofloven bygger i væsentligt omfang videre på strategien fremlagt i Ølgaard-rapporten og på de erfaringer og den viden, som er blevet opbygget i Råstoffdirektoratet siden 1998.

Dette forslag er i vidt omfang baseret på en videreførelse af råstofordningen og reguleringen i råstofloven vedrørende mineraler.

### *1.3. Lov om Grønlands Selvstyre og råstofordning*

Det følger af en fortolkning af lov om Grønlands Selvstyre og bemærkningerne til loven, at råstoflovens bestemmelser er i overensstemmelse med bestemmelserne i selvstyreloven. Det følger desuden af lov om visse forhold i forbindelse med Grønlands Selvstyre og bemærkningerne til loven, at råstofloven også er i overensstemmelse med bestemmelserne i denne lov. Det blev lagt til grund af Naalakkersuisut og Inatsisartut, da de udarbejdede og vedtog råstofloven.

Forslagets bestemmelser svarer generelt til råstoflovens bestemmelser vedrørende mineralområdet, herunder bestemmelserne om forundersøgelse, efterforskning og udnyttelse af mineraler og tilladelser dertil, videnskabelige undersøgelser af betydning derfor og tilladelser til videnskabelige undersøgelser.

#### *1.3.1. Generelt om lov om Grønlands selvstyre og råstofordningen*

Lov om Grønlands Selvstyre blev vedtaget af Folketinget den 19. maj 2009 og trådte i kraft den 21. juni 2009. Baggrunden for lov om Grønlands Selvstyre var blandt andet et ønske om at sikre størst muligt omfang af ligestilling mellem Grønland og Danmark. Loven skaber det retlige grundlag for, at Grønland kan overtage yderligere kompetence vedrørende de fleste områder.

Efter lov om Grønlands Selvstyre kunne råstofområdet overtages af Grønlands Selvstyre. Efter § 3, stk. 2, i lov om Grønlands Selvstyre kan sagsområder, der fremgår af liste II til lov om Grønlands Selvstyre, overgå til Grønlands Selvstyre på tidspunkter, der fastsættes af selvstyret efter forhandling med rigsmyndighederne. Råstofområdet er nævnt som nr. 26 på

denne liste.

Råstofområdet blev overtaget af Grønlands Selvstyre med virkning fra 1. januar 2010. Efter selvstyrets overtagelse af råstofområdet har selvstyret den lovgivende og udøvende magt på råstofområdet.

Efter overtagelsen af råstofområdet har Grønlands Selvstyre således fastsat de generelle rammer og nærmere regler for aktiviteter på råstofområdet. Grønlands Selvstyre har desuden varetaget forvaltningen af råstofområdet, herunder ved meddelelse af tilladelser til forundersøgelse, efterforskning og udnyttelse af mineralske råstoffer og myndighedsbehandling vedrørende råstoff tilladelser og råstofaktiviteter.

Det følger af lov om Grønlands Selvstyre, at Grønlands Selvstyre har ejendomsretten til at råde over og udnytte råstofferne i den grønlandske undergrund, og at indtægter fra råstofaktiviteter tilfalder selvstyret. Lov om Grønlands Selvstyre indeholder nærmere regler om reduktion af statens årlige tilskud til selvstyret i det omfang, at selvstyrets årlige råstofindtægter er større end 75 millioner kr.

### *1.3.2. Økonomiske relationer og fordelingen af indtægter fra råstofaktiviteter*

Det centrale indhold i ordningen for de økonomiske relationer mellem Grønlands Selvstyre og staten under selvstyreordningen er de følgende forhold:

- (1) Staten yder selvstyret et fast årligt tilskud på samme niveau som det hidtidige bloktilskud.
- (2) Selvstyret finansierer selv sagsområder, der overtages efter lov om Grønlands Selvstyre.
- (3) Fremtidige indtægter fra råstofaktiviteter i den grønlandske undergrund tilfalder selvstyret.
- (4) Statens tilskud til selvstyret reduceres med halvdelen af det beløb, som indtægter fra råstofaktiviteter i Grønland overstiger 75 millioner kr. med i et kalenderår.
- (5) Hvis statens tilskud til selvstyret på et tidspunkt reduceres til 0 kr., indledes der forhandlinger mellem Naalakkersuisut og regeringen om de fremtidige økonomiske relationer.

Selvstyret har desuden fortsat adgang til at modtage rådgivning og få adgang til forskning på råstofområdet hos danske forskningsinstitutioner.

I bemærkninger til lov om Grønlands Selvstyre anføres følgende vedrørende fordelingen af indtægter fra råstofaktiviteter i Grønland (almindelige bemærkninger, afsnit 5.3.3):

*”Udviklingen af råstofområdet i Grønland indeholder et potentielt vigtigt element i den fremtidige grønlandske erhvervsudvikling og hermed i skabelsen af indtægter, som helt eller*

*delvist vil kunne erstatte statens tilskud og herved medvirke til at gøre Grønland mere økonomisk selv bærende.*

*Råstofaktiviteternes positive effekter i det grønlandske samfund vil i så fald stamme dels fra den almindelige økonomiske aktivitet, herunder investeringer i opførelsen af anlæg m.v. samt ansættelsen af lokal arbejdskraft i forbindelse med anlæggenes drift etc., dels fra de indtægter, som det offentlige modtager fra de involverede selskaber.*

*Indtægterne fra råstofaktiviteter i Grønland tilfalder efter dette lovforslag Grønlands Selvstyre. Udviklingen i statens tilskud er dog i lovforslaget påvirket af størrelsen af de offentlige indtægter, som måtte blive resultatet af råstofaktiviteter.*

*Med dette forslag reduceres statens tilskud til selvstyret således med et beløb, som svarer til halvdelen af de indtægter fra råstofaktiviteter i Grønland, som ligger udover 75 mio. kr. i et givet kalenderår. Fradraget på 75 mio. kr. sker ud fra et ønske om at øge incitamentet til efterforskning og herigennem fremme Grønlands økonomiske selv bærenhed.”*

Desuden anføres det i bemærkningerne til lov om Grønlands Selvstyre (almindelige bemærkninger, afsnit 5.3.3):

*”Hvis statens tilskud til Grønlands Selvstyre reduceres til nul kroner som følge af indtægter fra råstofaktiviteter i Grønland, bortfalder tilskuddet også for efterfølgende år, og der skal således herefter ikke betales tilskud til selvstyret, medmindre andet aftales mellem parterne, jf. i den forbindelse forslagens § 10.*

*Den nævnte ordning, hvorefter tilskuddet bortfalder også for efterfølgende år, hvis statens tilskud til Grønlands Selvstyre i et år reduceres til nul kroner som følge af indtægter fra råstofaktiviteter i Grønland, gælder, uanset om indtægterne fra råstofaktiviteter i Grønland eventuelt falder igen eller helt bortfalder i senere år. En sådan situation kunne bl.a. opstå i årene efter et år med ekstraordinære engangsindtægter f.eks. som følge af salg af ejerandele i grønlandske offentligt ejede råstofrelaterede selskaber.*

*Bestemmelsen i § 10 finder dog ikke anvendelse, hvis statens tilskud til selvstyret reduceres til nul kroner som følge af, at danske offentlige myndigheder eller selskaber m.v., der ejes af danske offentlige myndigheder, foretager salg af ejerandele i råstofselskaber omfattet af § 7, stk. 2, nr. 3, eller andele i råstoftilladelser i Grønland. Den del af indtægten fra salget, der medregnes i årets indtægtsopgørelse og dermed overføres til Grønlands Selvstyre, beregnes som det beløb, der vil nedbringe statens tilskud til nul kroner. I en sådan situation vil den medregnede indtægt og reduktionen af statens tilskud til nul kroner dog ikke medføre bortfald af fremtidig tilskud, jf. bemærkningerne til § 10.”*

### *1.3.3. Indtægtsdefinitionen*

Et væsentligt element i selvstyreordningen er de økonomiske relationer mellem selvstyret og staten, som er reguleret i selvstyreloven, og som er uddybende beskrevet i bemærkningerne til forslaget til selvstyreloven. Et element i den økonomiske ordning er definitionen af indtægter fra råstofaktiviteter.

Definitionen af råstofindtægter findes i selvstyrelovens § 7, stk. 2. Bestemmelsen fastslår, at de følgende indtægter skal anses som indtægter fra råstofaktiviteter i Grønland:

- ”1) Indtægter i henhold til konkrete tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineralske råstoffer, dog bortset fra beløb, som betales til dækning af udgifter i Råstofdirektoratets regi.*
- 2) Indtægter ved enhver beskatning i Danmark og Grønland af rettighedshavere for så vidt angår den del af virksomheden, som vedrører mineralske råstoffer i Grønland.*
- 3) Indtægter fra grønlandske og danske offentlige myndigheders ejerandele i selskaber m.v., der driver virksomhed på råstofområdet i Grønland.*
- 4) Indtægter fra udbytteskat m.v. i Danmark og Grønland vedrørende aktionærer i selskaber, som er rettighedshavere, eller i selskaber, som fuldt ud ejer sådanne selskaber direkte eller indirekte og skattefrit kan modtage udbytte derfra.”*

I de almindelige bemærkninger til lov om Grønlands Selvstyre (afsnit 5.3.5) anføres følgende om indtægtsdefinitionen:

*”Det generelle grundlag for den nye råstofordning er, at Grønlands Selvstyre kan overtage den fulde myndighedskompetence inden for råstofområdet i Grønland og med denne lovs ikrafttræden oppebære indtægterne fra råstofaktiviteter i Grønland, jf. forslagets § 7, stk. 1. Desuden henvises til bemærkningerne til § 10 vedrørende den situation, hvor statens tilskud til selvstyret måtte blive reduceret til nul kroner.*

*I § 7, stk. 2, angives de indtægter, som er omfattet af indtægtsdefinitionen. Definitionen er i vidt omfang baseret på indtægtsdefinitionen i den gældende råstoflovs § 22, stk. 3. I henhold til den gældende råstofordning er der fælles dansk-grønlandsk beslutningskompetence via Fællesrådet vedrørende Mineralske Råstoffer i Grønland og med vetoet for både regeringen og landsstyret. Indtægtsdefinitionen har således måttet tilpasses på en række punkter, da definitionen fremover skal kunne fungere under en ny råstofordning, hvor selvstyret kan overtage råstofområdet.*

*Indtægtsdefinitionen i § 7, stk. 2, er baseret på den nuværende retsstilling i Grønland og Danmark og har til formål at angive de råstofindtægter, der efter stk. 1 tilfalder Grønlands Selvstyre. Disse indtægter skal endvidere danne grundlaget for, at der kan ske en reduktion af statens tilskud til Selvstyret med et beløb, der svarer til halvdelen af Selvstyrets indtægter fra*

*råstofaktiviteter, som ligger ud over 75 mio. kr. årligt, jf. forslaget § 8.*

*I det omfang lovforslagets bestemmelser fortsat svarer til råstoflovens bestemmelser, vil råstoflovens forarbejder og tilknyttede aftaler fortsat have betydning for fortolkningen og anvendelsen af forslaget § 7, stk. 2.*

*Fremtidige ændringer i grønlandsk eller dansk lovgivning eller myndighedsudøvelse på skatte-, råstof- eller selskabsområdet kan få som konsekvens, at indtægtsdefinitionen ikke længere lever op til formålet. I tilfælde heraf vil indtægtsdefinitionen skulle revurderes af Naalakkersuisut og regeringen med henblik på at sikre, at indtægtsdefinitionen er i overensstemmelse med lovens intentioner. For at sikre at en sådan revurdering kan foretages på et informeret grundlag, forudsættes det, at parterne løbende giver hinanden fuld indsigt i alt relevant materiale. Andre ændringer i den grønlandske og danske lovgivning, som ikke ændrer på fordelingen af råstofindtægter, giver derimod ikke i sig selv anledning til en revurdering af indtægtsdefinitionen. Således vil f.eks. ændringer i skatteniveauet, jf. forslaget § 7, stk. 2, nr. 2, ikke give anledning til en revurdering af indtægtsdefinitionen.”*

De ovenfor gengivne bemærkninger til forslag til lov om Grønlands Selvstyre taler for, at myndighedsudøvelsen på råstofområdet efter sagsrådets overtagelse fortsat skal være en samlet integreret myndighedsudøvelse, således at det sikres, at indtægtsdefinitionen også fremover vil kunne leve op til formålet.

I de almindelige bemærkninger til lov om Grønlands Selvstyre (afsnit 5.3.5.1) anføres følgende om indtægter i henhold til konkrete tilladelser:

*”Den foreslåede § 7, stk. 2, nr. 1, er en videreførelse af den eksisterende bestemmelse i råstoflovens § 22, stk. 3, nr. 1. Der foreslås således en videreførelse af definitionen af indtægter i henhold til konkrete tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineralske råstoffer, ligesom der foreslås en videreførelse af den hidtidige undtagelse fra indtægtsopgørelsen af beløb, som betales til dækning af udgifter i Råstofdirektoratets regi.*

*De indtægtstyper, som omfattes af den foreslåede § 7, stk. 2, nr. 1, er enhver indtægt for grønlandske myndigheder, som modtages i henhold til konkrete tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineralske råstoffer, jf. også de oprindelige bemærkninger til denne del af indtægtsdefinitionen fra 1988 (L 103 af 17. november 1988). Indtægterne kan komme fra rettighedshavere i form af selskaber såvel som rettighedshavere i form af fysiske personer, jf. også afsnit 5.3.4.*

*Som et eksempel på en indtægt omfattet af nr. 1 kan nævnes en produktionsafgift (royalty), som en rettighedshaver skal betale i henhold til en tilladelse, jf. råstoflovens § 8, stk. 1.*

*Et andet eksempel er betaling til myndighederne af en andel af det økonomiske udbytte af den af tilladelsen omfattede virksomhed (overskudsroyalty), jf. råstoflovens § 8, stk. 1.”*

Endvidere anføres i samme afsnit følgende om råstofindtægter, som er undtaget fra indtægtsopgørelsen:

*”Visse indtægter skal ikke medregnes i opgørelsen over indtægter vedrørende råstofvirksomhed, jf. forslagens § 7, stk. 2, nr. 1, 2. led. Der er tale om indtægter i form af beløb modtaget i forbindelse med konkrete tilladelser, når beløbene betales til dækning af udgifter i Råstofdirektoratets regi. Denne foreslåede undtagelse viderefører den eksisterende ordning i råstoflovens § 22, stk. 3, nr. 1.*

*De beløb, der ikke vil indgå i indtægtsopgørelsen i medfør af dette forslag, vil være refusionsbeløb, gebyrer og afgifter m.v. til dækning af udgifter i Råstofdirektoratets regi i forbindelse med miljø- og andre baggrundsundersøgelser, myndighedsbehandling (godkendelsesprocedurer, tilsyn, rapportering m.m.) og oplysningsvirksomhed m.v. Udgifterne hertil skal være i forbindelse med de konkrete tilladelser, som beløbene opkræves i henhold til. Dette kræves dog ikke med hensyn til udgifter til oplysningsvirksomhed.*

*Udlæg, som grønlandske og danske myndigheder afholder ved myndighedsforanstaltninger i forbindelse med rettighedshaveres manglende opfyldelse af pligter i medfør af deres tilladelse (fx vedrørende ophørsforanstaltninger og miljøoprydning), kan ikke afholdes ved råstofindtægter, som herved undtages fra indtægtsdefinitionen. Tilsvarende vil refusionsbeløb, som grønlandske og danske myndigheder modtager fra rettighedshavere til dækning af sådanne udlæg, ikke indgå i indtægtsdefinitionen.*

*Der kan ikke opkræves afgifter m.v. til dækning af eventuelle udgifter i Råstofdirektoratets regi til foretagelse af miljøoprydning og lignende ophørsforanstaltninger, som kan undtages fra indtægtsopgørelsen.*

*De gebyrer og afgifter m.v., som kan opkræves til brug for dækning af udgifter i Råstofdirektoratets regi, blev nærmere beskrevet i lovbemærkningerne til råstoflovens § 31 b (lovforslag L 61 af 4. november 1993). Se nærmere pkt. 5.3.4 ovenfor.*

*De nuværende satser for arealafgifter vedrørende kulbrintetilladelser er fastsat således, at arealafgifterne svarer til de dermed forbundne udgifter i Råstofdirektoratets regi. Det samme skal gælde for tilsvarende arealafgifter i fremtidige tilladelser.*

*De ovennævnte gebyrer og afgifter m.v., der opkræves til dækning af udgifter i Råstofdirektoratets regi, er ofte forskellige for kulbrinter og andre mineralske råstoffer. De fastsættes som hovedregel således, at mulighederne for at tiltrække og fastholde mine- og*



*olieselskabers investeringer i efterforskning og udnyttelse af mineralske råstoffer m.v. i Grønland ikke forringes i væsentligt omfang. Størrelsen af de nævnte gebyrer og afgifter fastsættes således ikke primært med henblik på at tilvejebringe fuld udgiftsdækning. Ved ændringen af råstofloven i 1993 blev der ved indsættelsen af § 31 b skabt hjemmel i selve loven til en sådan delvis udgiftsdækning.”*

Med hensyn til ophørsforanstaltninger og miljøoprydning anføres følgende i samme afsnit:

*”Det følger af § 18, stk. 1, i den gældende råstoflov, at det påhviler rettighedshavere at foretage ophørsforanstaltninger, herunder miljøoprydning, når deres aktiviteter ophører. Råstofdirektoratet kan fastsætte vilkår til sikring af opfyldelsen af rettighedshaverens forpligtelser efter stk. 1, herunder kræve sikkerhedsstillelse, jf. råstoflovens § 18, stk. 2. Ved tilladelser til forundersøgelse eller efterforskning af hårde mineraler kan dette ske ved sædvanlig sikkerhedsstillelse herunder ved løbende indbetalinger over tilladelsesperioden, hvorved sikkerhedsstillelsen akkumuleres over tilladelsesperioden.*

*For så vidt angår miljøoprydning efter kulbrinteaktiviteter på havet sikrer Selvstyret, at der i forbindelse med de konkrete tilladelser stilles krav om betryggende forsikringer og garantier m.v. svarende til kravene vedrørende forsikringer og garantier m.v. i modeltilladelsen dateret juli 2006 for Disko Vest udbudsrunder samt de konkrete tilladelser meddelt i denne udbudsrunde. Selvstyret sikrer ligeledes, at der sker en administrativ opfølgning på disse vilkår.*

*Efter råstoflovens § 18, stk. 3, kan Råstofdirektoratet foretage ophørs- og oprydningsforanstaltninger m.v., herunder miljøoprydning, for en rettighedshavers regning og risiko, hvis denne ikke efterkommer påbud om foretagelse af sådanne foranstaltninger. Dette gælder både for kulbrintetilladelser og andre tilladelser.*

*Fremtidige love og tilladelsesvilkår kan indeholde lignende bestemmelser om Råstofdirektoratets foretagelse af sikkerheds-, sundheds-, miljø- og ophørsforanstaltninger m.v. for rettighedshaveres regning og risiko, når disse ikke selv foretager sådanne foranstaltninger, eller om rettighedshaveres refusion af udgifter i Råstofdirektoratets regi ved foretagelse af sådanne foranstaltninger m.v. i forbindelse med konkrete tilladelser. Indtægter som følge af refusion af udgifter i Råstofdirektoratets regi i forbindelse med sådanne foranstaltninger m.v. er undtaget fra indtægtsdefinitionen i forslagets § 7, stk. 2, nr. 1.*

*Undtaget fra indtægtsdefinitionen er endvidere refusionsbeløb til dækning af udgifter i Råstofdirektoratets regi i forbindelse med beredskabsforanstaltninger vedrørende sikkerhed, sundhed og miljø, som er direkte knyttet til rettighedshaveres råstofaktiviteter i Grønland. Dette gælder i det omfang, der er tale om aktiviteter, som udøves i medfør af udstedte tilladelser til forundersøgelse, efterforskning og udnyttelse af mineralske råstoffer, og som*

*rettighedshaveren ikke er forpligtet til at få leveret af Råstofdirektoratet.*

*Såfremt en rettighedshavers beredskab ikke er tilstrækkeligt eller ikke bringes i funktion under udslip af olie eller i andre lignende tilfælde, og grønlandske eller danske myndigheder må iværksætte indsatsaktiviteter, vil refusionsbeløb, som disse myndigheder efterfølgende modtager til dækning af afholdte udgifter i forbindelse dermed, ikke være omfattet af indtægtsdefinitionen.”*

I de almindelige bemærkninger til lov om Grønlands Selvstyre (afsnit 5.3.5.2) anføres følgende om indtægtsdefinitionens 2. led, der vedrører skatteindtægter:

*”For selskaber skal det som hidtil ved meddelelsen af udnyttelsestilladelser sikres, at indtægter vedrørende udnyttelsesvirksomhed kan identificeres og holdes skattemæssigt adskilt fra indtægter og udgifter vedrørende anden virksomhed. Dette skal Selvstyret også sikre under en ny råstofordning, hvor Selvstyret har overtaget råstofområdet.*

*Det indebærer, at det i forbindelse med meddelelse eller ændring af udnyttelsestilladelser skal sikres, at rettighedshaver ikke meddeles skattefrihed som nævnt i § 3, stk. 3, i landstingslov om indkomstskat, medmindre Råstofdirektoratet påviser, at tilladelsen indebærer mindst lige så byrdefulde afgifter, som fuldt ud indgår i indtægtsfordelingen, at rettighedshaver alene udfører virksomhed i medfør af tilladelsen og anden virksomhed i henhold til råstofloven, at rettighedshaver ikke foretager investeringer i andre selskaber eller juridiske personer, at rettighedshaver ikke kan blive sambeskattet med andre selskaber i Grønland eller Danmark, medmindre der er tale om tvungen sambeskatning, at rettighedshaver i indenlandske koncerner omfattes af samme kapitaliseringskrav som rettighedshaver i udenlandske koncerner, at rettighedshaver generelt handler til armslængdepriser og på armslængdevilkår, at rettighedshavers organisationsform, herunder forhold til et moderselskab, ikke kan ændres uden Råstofdirektoratets godkendelse, og at rettighedshavers hjemsted ikke kan ændres uden Råstofdirektoratets godkendelse.*

*Grønlands Selvstyre kan fastsætte krav om, at et selskab, der meddeles tilladelse til udnyttelse af mineralske råstoffer i Grønland, skal have hjemsted i Grønland, jf. tilsvarende råstoflovens § 7, stk. 3.*

*Udover selskaber kan også fysiske personer under visse omstændigheder og i nærmere defineret omfang meddeles udnyttelsestilladelser. Dette sker i form af tilladelser til småskala udnyttelse af hårde mineraler, jf. afsnit 5.3.4.*

*Til brug for beregningen af, hvilke indtægter der tilfalder Selvstyret, jf. lovens § 7, stk. 2, nr. 2, og hermed skal indgå i indtægtsopgørelsen, sikrer Selvstyret, at fysiske personers indtægter og udgifter vedrørende råstofvirksomhed kan identificeres og holdes adskilt fra personens*

*øvrige indtægter og udgifter.*

*Med henblik på at sikre en administrativ enkel og entydig ordning - og for at undgå at indtægtsopgørelsen skal påvirkes af valget af organisationsform - beregnes det skattebeløb, som skal indgå i indtægtsopgørelsen, som om indtægten fra råstofvirksomhed (efter fradrag af hertil knyttede udgifter) var optjent i et aktieselskab, og overskuddet efter skat var udloddet i samme indkomstår.*

*Selvstyret sikrer endvidere, at (rettighedshavende) fysiske personer ikke meddeles skattefrihed som nævnt i § 3, stk. 3, i landstingslov om indkomstskat, medmindre Råstofdirektoratet påviser, at tilladelsen indebærer mindst lige så byrdefulde afgifter, som fuldt ud indgår i indtægtsfordelingen.*

*For rettighedshavende, fysiske personer, hvis årlige indtægter fra salg af hårde mineraler i forbindelse med småskala virksomhed ikke overstiger 400.000 kr., kan der i stedet for kravet til dokumenterede udgifter gives et fradrag på 60 pct. af salgsindtægterne. Fradraget er fastsat på baggrund af de grønlandske skattemyndigheders generelle erfaring vedrørende forholdet mellem indtægter og udgifter for mindre erhvervsdrivendes virksomhed inden for primære erhverv som fiskeri og fangst.*

*Et beløb svarende til de resterende 40 pct. indgår herefter i beregningen af det skattebeløb, som er omhandlet i lovens § 7, stk. 2, nr. 2, og som dermed skal indgå i indtægtsopgørelsen. Beregningen af skattebeløbet sker også her, som om indtægten fra råstofvirksomhed var optjent i et aktieselskab, og overskuddet efter skat var udloddet i samme indkomstår.*

*De omhandlede skattebeløb beregnes alene til brug for indtægtsopgørelsen og har ikke betydning for den enkelte rettighedshavers faktiske skattemæssige forhold. De pågældende rettighedshavere forpligtes således ikke efter bestemmelsen til at skulle betale deres indtægter fra råstofvirksomhed til Grønlands Selvstyre.*

*Der er også for disse rettighedshavere oplysningspligt og dokumentation for alle indtægter fra råstofvirksomhed efter standardvilkårene, men kravet til dokumentation af udgifterne kan erstattes af ovennævnte fradrag til brug for indtægtsopgørelsen. Kravet til en dokumentation af udgifterne i forbindelse med småskalavirksomhed indtræder først, når indtægterne fra salget overstiger 400.000 kr. årligt.*

*§ 3 i Hjemmestyrets bekendtgørelse nr. 27 af 1. december 2006 om krav til det skattemæssige årsregnskab m.v. tilsigter at lempe regnskabskravene for fiskere, fangere og lignende mindre erhvervsdrivende. Disse personer har typisk ikke økonomisk formåen til at benytte professionel hjælp til at udarbejde regnskaberne og har samtidig vanskeligt ved at opfylde de almindelige regnskabskrav. Samme hensyn, som ligger til grund for denne bestemmelse, er*

*vrderet at være relevante ved fastsættelse af en omsætningsgrænse for mulig anvendelse af standardfradrag i stedet for de faktiske, dokumenterede afholdte udgifter i forbindelse med fysiske personers småskala virksomhed på råstofområdet.”*

Med hensyn til indtægter fra offentlig deltagelse i virksomhed på råstofområdet anføres følgende i de almindelige bemærkninger til lov om Grønlands Selvstyre (afsnit 5.3.5.3):

*”Lovforslagets § 7, stk. 2, nr. 3, fastslår, at indtægtsdefinitionen omfatter indtægter fra grønlandske og danske offentlige myndigheders ejerandele i selskaber m.v., der driver virksomhed på råstofområdet i Grønland. Indtægtsordningen omfatter indtægter vedrørende råstofvirksomhed i Grønland, som direkte eller indirekte tilfalder offentlige danske og grønlandske myndigheder som ejere, og disse myndigheders indtægter ved overdragelse af ejerandele eller lignende i selskaber m.v., der driver råstofvirksomhed i Grønland. Enhver anden organisatorisk forankring af virksomhed på råstofområdet end selskabsformen, herunder forankring direkte i den offentlige administration m.v., er endvidere omfattet.*

*Ved virksomhed på råstofområdet forstås virksomhed i henhold til tilladelser vedrørende forundersøgelse, efterforskning eller udnyttelse af mineralske råstoffer i Grønland, jf. råstoflovens § 6 og § 7.”*

I samme afsnit anføres følgende endvidere:

*”Med henblik på at sikre, at det selskabsskattepligtige årsresultat giver et reelt billede af Selvstyrets indtægter vedrørende råstofaktiviteter i Grønland, skal Selvstyret sikre:*

- 1) at meddelelse af tilladelser til forundersøgelse, efterforskning og udnyttelse af mineralske råstoffer sker på gennemskelige og lige vilkår,*
- 2) at virksomheden alene driver råstofvirksomhed, og at sådan råstofvirksomhed alene drives i henhold til meddelte tilladelser i Grønland, jf. i øvrigt § 7, stk. 2, nr. 2 og 4, samt råstoflovens § 7, stk. 3, og § 8, stk. 3,*
- 3) at virksomheder som nævnt i § 7, stk. 2, nr. 3, drives på et forretningsmæssigt grundlag, som indebærer, at virksomheden maksimerer indtægter og minimerer eksempelvis produktions-, leverandør- og lønomkostninger, og*
- 4) at årsrapporten for virksomheden udarbejdes efter International Financial Reporting Standards (IFRS).*

*Grønlands Selvstyre skal ved tildelingen af tilladelser til forundersøgelse, efterforskning og udnyttelse af mineralske råstoffer sikre, at tildelingen - ud over at ske på gennemskelige og lige vilkår, jf. ovenfor - også sker på saglige vilkår. Heri ligger bl.a., at Selvstyret ikke må lægge vægt på, at Selvstyret ved at tildele tilladelser til bestemte selskaber, som er helt eller delvist ejet af offentlige danske myndigheder, vil få del i de indtægter, som danske*

*myndigheder har i kraft af ejerskab i den pågældende virksomhed, jf. de foreslåede bestemmelser i §§ 7-8. Tildelingen af tilladelser må således indrettes på en måde, så det ikke kun er bestemte selskaber, som f.eks. DONG Grønland A/S, der kan komme i betragtning.”*

#### *1.3.4. Samarbejdet mellem Naalakkersuisut (Grønlands Landsstyre) og regeringen inden for råstofområdet*

I de almindelige bemærkninger til lov om Grønlands Selvstyre (afsnit 5.3.6) anføres følgende vedrørende samarbejdet mellem grønlandske og danske myndigheder inden for råstofområdet:

*”Indtil Selvstyret overtager råstofområdet efter bestemmelserne i dette lovforslag, er råstofområdet reguleret i hjemmestyreloven, råstofloven samt i de aftaler, som, baseret på denne lovgivning, er eller måtte blive indgået mellem landsstyret og regeringen, herunder »Aftalen mellem Grønlands landsstyre og regeringen om forvaltningen vedrørende mineralske råstoffer i Grønland fra 1. juli 1998«.*

*Råstofområdet er i dag præget af et omfattende samarbejde mellem grønlandske og danske myndigheder. Det forudses, at Selvstyret umiddelbart efter en overtagelse af råstofområdet vil have behov for, at samarbejdet med danske institutioner på det administrative og det forskningsmæssige niveau kan fortsætte.*

*Efter lovforslagets § 9 indgås derfor en aftale mellem Naalakkersuisut og regeringen gældende fra umiddelbart efter, at Grønland har overtaget sagsområdet. Det forudsættes, at aftalen skal gælde for en 5-årig periode. Forud for udløbet af den første femårige aftale kan Naalakkersuisut beslutte at forny aftalen i form af en flerårig aftale, som kan fornyes successivt i form af flerårige aftaler. Sådanne aftaler forudsættes at indeholde følgende elementer:*

*Naalakkersuisut modtager mod betaling ydelser fra danske offentlige forskningsinstitutioner i form af rådgivning og anden opgavevaretagelse til brug for Selvstyrets varetagelse af råstofområdet. Hensigten er, at Naalakkersuisut får adgang til sådan rådgivning mv. i samme omfang som i det hidtidige samarbejde med GEUS og DMU (fra den 1. januar 2007 en del af Aarhus Universitet). Det forudsættes, at betalingen for disse ydelser svarer til de udgifter, som GEUS og DMU hidtil har haft som følge af udførelsen af disse opgaver, dvs. en årlig betaling, som i 2004 lå på henholdsvis 3,0 mio. kr. og 2,2 mio. kr. til GEUS og DMU. Selvstyret kan herudover indgå aftale med GEUS og DMU om supplerende rådgivning mv. fra GEUS og DMU eller fra anden side.*

*Som nævnt kan der efter udløbet af den første femårige aftale efter ønske fra Naalakkersuisut indgås efterfølgende flerårige aftaler om nævnte eller lignende ydelser. I givet fald er det tanken, at forhandlingerne indledes tolv måneder før udløbet af den indeværende aftale. Begrundelsen for den relativt lange aftaleperiode og indledningen af forhandlingerne i god*

*tid før aftaleperiodens start er at sikre, at Selvstyrets råstofmyndigheder får mulighed for at afgøre, hvorvidt man ønsker et fortsat samarbejde med de danske forskningsinstitutioner, eller om man vil købe rådgivning fra anden side, samt at forskningsinstitutionerne får mulighed for at tilrettelægge deres aktivitetsniveau over en årrække.*

*Ved indgåelse af ovennævnte aftaler stiller regeringen forskning svarende til den hidtidige forskning fra offentlige danske forskningsinstitutioner af særlig relevans for råstofefterforskningen i Grønland vederlagsfrit til rådighed for Naalakkersuisut, så længe aftalerne kontinuerligt videreføres. Der tænkes her på de basale institutions- og forskningsopgaver, herunder videreførelse og finansiering af driften af råstofs specifikke databaser som f.eks. seismiske databaser, mineraldatabaser og databaser over følsomme naturområder, som GEUS og DMU hidtil har udført af relevans for råstofefterforskningen i Grønland. Indsatsen vil i den første aftaleperiode være af samme økonomiske omfang som i 2005 (pris- og lønreguleret). GEUS og DMU har oplyst, at det beløbsmæssigt drejer sig om i alt ca. 29 mio. kr. årligt.*

*Det forudsættes endvidere, at Selvstyret på sin side under en sådan aftale gennemfører råstofprojekter til markedsføring af råstofpotentialer mv. af samme økonomiske omfang som hidtil, og at Selvstyret i den første aftaleperiode gennemfører disse projekter som projektsamarbejde med GEUS og DMU i et omfang, der svarer til omfanget i perioden 2000-2004, dvs. for en aftaleperiode som helhed svarende til knap halvdelen af projektomfanget. Staten medfinansierer i samme omfang som i ovennævnte periode disse projektaktiviteter.*

*Samtidig med fremsættelsen af dette lovforslag vil der blive fremsat forslag til lov om forskellige forhold i forbindelse med Grønlands Selvstyre, der vil tilvejebringe hjemmel til, at regeringen kan opfylde sine forpligtelser i henhold til § 9.*

*Det står Selvstyret frit, om man efter den første femårige aftaleperiode ønsker at indgå nye flerårige aftaler med regeringen om træk på offentlige danske forskningsinstitutioner, ligesom dette lovforslag ikke begrænser Naalakkersuisuts muligheder for herefter at indgå lignende aftaler til anden side.*

*De grønlandske og danske institutioners og myndigheders opgaver og udgifter i forbindelse med den nuværende råstofordning er nærmere beskrevet i bilag 3 i rapport afgivet af Arbejdsgruppen vedrørende ikke-levende ressourcer under Selvstyrekommisionen.”*

#### *1.3.5. Forhandlinger hvis statstilskuddet reduceres til 0 kr.*

I de almindelige bemærkninger til lov om Grønlands Selvstyre anføres i afsnit 5.3.7 følgende om forhandlinger mellem selvstyret og den danske regering, hvis statens tilskud til selvstyret reduceres til 0 kr.:

*”Hvis statens tilskud til Selvstyret i et år reduceres til nul kroner, jf. § 8, indledes der forhandlinger mellem Naalakkersuisut og regeringen om de fremtidige økonomiske relationer mellem Selvstyret og staten, jf. bestemmelsen i § 10.*

*I forhandlingerne indgår navnlig spørgsmålet om en genoptagelse af statens tilskud til Grønlands Selvstyre, spørgsmålet om fordeling af indtægter fra råstofaktiviteter i Grønland samt spørgsmålet om en fortsættelse af aftalen om de i § 9 nævnte ydelser. I forhandlingerne kan endvidere indgå spørgsmålet om dækning af statens udgifter til sagsområder, der ikke kan overtages inden for rammerne af grundloven og rigsfællesskabet, og eventuelt andre sagsområder, som Selvstyret og regeringen ønsker løst i fællesskab.*

*Ingen af parterne er forpligtet på et bestemt forhandlingsresultat.*

*Hvis parterne i det tilfælde, hvor statens tilskud til Selvstyret er reduceret til nul kroner, ikke indgår aftale om genoptagelse af statens tilskud, skal staten ikke betale tilskud til Selvstyret i de efterfølgende år. Kun hvis der indgås en aftale mellem regeringen og Naalakkersuisut herom, vil statens betaling af tilskud til Grønlands Selvstyre således blive genoptaget i den nævnte situation. Det forudsættes i den forbindelse, at en eventuel aftale om genoptagelse af statens tilskud til Selvstyret vil skulle gennemføres ved lovgivning, som således vil udgøre retsgrundlaget for genoptagelsen.*

*For så vidt angår spørgsmålet om fordeling af indtægter fra råstofaktiviteter i Grønland tilfalder disse indtægter Grønlands Selvstyre, jf. § 7, såfremt der ikke indgås aftale mellem parterne om en fordeling af indtægterne. Dette gælder dog ikke med hensyn til indtægter fra danske offentlige myndigheders ejerandele i selskaber m.v., der driver virksomhed på råstofområdet i Grønland, samt indtægter fra skatter og afgifter i Danmark, jf. § 7, stk. 2, nr. 2-4. Disse indtægter vil i den nævnte situation tilfalde de pågældende danske myndigheder.*

*Endelig skal det nævnes, at eventuelle aftaler mellem Naalakkersuisut og regeringen om rådgivning og anden opgavevaretagelse til brug for Selvstyrets varetagelse af råstofområdet, jf. § 9, ikke vil fortsætte i den omhandlede situation, hvor statens tilskud til Grønlands Selvstyre er reduceret til nul kroner, medmindre parterne indgår aftale herom.”*

### *1.3.6. Grønlands rettigheder til råstoffer i undergrunden*

*I de almindelige bemærkninger til lov om Grønlands Selvstyre anføres i afsnit 6 følgende om Grønlands rettigheder til råstoffer i undergrunden:*

*”Efter forslaget kan råstofområdet overtages af Grønlands Selvstyre, jf. bilagets liste II, nr. 26). Ved Grønlands Selvstyres overtagelse af råstofområdet vil Selvstyret have den lovgivende og udøvende magt på råstofområdet.*

*Ved en grønlandsk overtagelse af råstofområdet vil det således være overladt til Grønlands Selvstyre at fastsætte de generelle rammer for virksomhed på råstofområdet og til at disponere bl.a. i form af tilladelser og bevillinger til forundersøgelser, efterforskning og udnyttelse af råstoffer i undergrunden. Når råstofområdet overtages, vil Grønland herefter have ejendomsretten til at råde over og udnytte råstofferne i den grønlandske undergrund. Staten vil dog fortsat have højhedsret over Grønland.*

*Der henvises til pkt. 5 ovenfor for så vidt angår indtægter fra råstofudnyttelse i Grønland.*

*Som det fremgår af forslaget § 21, stk. 4, vil selvstændighed for Grønland imidlertid indebære, at Grønland overtager højhedsretten over Grønland. Som nævnt nedenfor under pkt. 10.2 omfatter højhedsretten hele det grønlandske territorium (land-, sø- og luftterritoriet).”*

## **2. Hovedpunkter i forslaget**

### *2.1. Formål*

Forslagets formål er at bidrage til en hensigtsmæssig og effektiv forundersøgelse, efterforskning og udnyttelse af mineraler og udførelse af aktiviteter i forbindelse dermed. Desuden tilstræbes en hensigtsmæssig regulering af forhold af betydning for mineralaktiviteter.

Det er hensigten, at forslaget skal være en rammelov, der fastsætter de væsentligste principper for forvaltningen af mineralaktiviteter, og at Naalakkersuisut inden for denne ramme bemyndiges til at fastsætte nærmere bestemmelser og vilkår. Naalakkersuisut kan blandt andet fastsætte bestemmelser i bekendtgørelser, modeltilladelser og standardvilkår for tilladelser og vilkår for tilladelser, der meddeles til en rettighedshaver. Råstofloven fungerer på samme måde som en rammelov for reguleringen af råstofområdet.

Forslagets formål indebærer blandt andet, at forslaget skal medvirke til at sikre samfundet en rimelig andel af det økonomiske udbytte ved udnyttelse af mineraler og udførelse af aktiviteter i forbindelse dermed, og at disse aktiviteter skal foretages i overensstemmelse med samfundets behov på længere sigt.

Endelig skal forslaget sikre, at de omfattede aktiviteter udføres forsvarligt med hensyn til sikkerhed, sundhed, miljø, ressourceudnyttelse og samfundsmæssig bæredygtighed og hensigtsmæssigt og i overensstemmelse med anerkendt god international praksis under tilsvarende forhold.

Forslaget tilsigter således eksempelvis at sikre beskyttelse af miljø, klima og natur ved forundersøgelse, efterforskning og udnyttelse af mineraler og aktiviteter i forbindelse dermed.



Ved forsvarlig ressourceudnyttelse forstås blandt andet, at aktiviteterne skal ske uden unødigt spild af ressourcer og under hensyntagen til samfundets interesser på kort og længere sigt. Det omfatter blandt andet samfundets interesser i udførelse af mineralaktiviteter og udnyttelse af mineraler, aktivitetsskabelse og opbygning af erfaringer og kompetencer for lokale arbejdstagere og leverandører af varer og tjenesteydelser og indtægtsskabelse for Grønlands Selvstyre og lokale arbejdstagere og leverandører af varer og tjenesteydelser.

Kravet om samfundsmæssig bæredygtighed indebærer blandt andet, at der skal tages hensyn til en mineralaktivitets samfundsmæssige bæredygtighed i bred forstand, når der træffes afgørelse om, hvorvidt der kan og bør meddeles godkendelse af aktiviteten. Der må for eksempel foretages vurderinger af de beskæftigelsesmæssige, sociale og strukturelle virkninger, som en aktivitet kan have på samfundet og samfundsmæssige og økonomiske forhold, og af de foranstaltninger og forhold, som eventuelt kan og bør gennemføres for at fremme positive virkninger og undgå eller modvirke væsentlige negative virkninger.

Forslagets regler om samfundsmæssig bæredygtighed skal bidrage til at sikre, at planlægningen og forvaltningen af aktiviteter omfattet af forslaget også baseres på vurderinger af de konsekvenser, som aktiviteterne nationalt og lokalt kan have på samfundet.

Forslaget baserer sig i væsentligt omfang på råstoflovens bestemmelser vedrørende mineraler og aktiviteter i forbindelse dermed og anbefalinger på området, herunder Grønlands Mineralstrategi 2020-2024 udarbejdet og vedtaget af Naalakkersuisut.

## *2.2. Tilladelsessystemet, tilladelser og bestemmelser og vilkår med videre*

Det følger blandt andet af lov om Grønlands Selvstyre og bemærkningerne hertil, at selvstyret har ejendomsretten til at råde over og udnytte råstofferne i den grønlandske undergrund.

Ved Grønlands Selvstyres overtagelse af råstofområdet blev det overladt til Grønlands Selvstyre at fastsætte de generelle rammer for aktiviteter på råstofområdet og til at disponere inden for råstofområdet, herunder blandt andet i form af meddelelse af tilladelser til forundersøgelser, efterforskning og udnyttelse af råstoffer i undergrunden.

Det generelle princip for den foreslåede regulering af aktiviteter omfattet af forslaget er således, at mineralaktiviteter kun må finde sted, hvis Naalakkersuisut har meddelt en tilladelse dertil eller en godkendelse deraf efter forslaget. Dette er en videreførelse af principperne i råstofloven.

I forhold til råstofloven er der efter forslaget en tydeligere opdeling mellem de forskellige tilladelser og aktiviteter og rettighedshavernes rettigheder og forpligtelser i forbindelse dermed. Det bidrager generelt til en mere klar retsstilling på området, da forslagets bestemmelser bliver lettere at forstå og anvende i praksis. Det gælder særligt for personer og

selskaber, som ikke eller kun i begrænset omfang har kendskab til reguleringen af mineralområdet og retssystemet i Grønland.

Bestemmelserne vedrørende tilladelser er fastsat i hver sit kapitel: Kapitel 5 om forundersøgelsestilladelser, kapitel 6 om efterforskningstilladelser, kapitel 7 om udnyttelsestilladelser og kapitel 9 om tilladelser til videnskabelige undersøgelser.

Kapitel 5-7 og 9 indeholder i et vist omfang bestemmelser om de samme forhold, men indholdet i disse bestemmelser er forskelligt afhængigt af tilladelsestypen. Kapitlerne indeholder blandt andet bestemmelser om følgende forhold:

- 1) Meddelelse af en tilladelse og tilladelsens indhold, herunder vedrørende tilladelsens karakter af en tilladelse uden eneret eller med eneret.
- 2) Krav til rettighedshaveren efter en tilladelse.
- 3) Mineralerne og tilladelsesområdet omfattet af tilladelsen.
- 4) Tilladelsesperiodens varighed og mulighed for forlængelse deraf.
- 5) Naalakkersuisuts adgang til at fastsætte bestemmelser eller vilkår om rettighedshaverens betalinger til Naalakkersuisut. Det kan være gebyrer for modtagelse og behandling af en ansøgning og meddelelse af en tilladelse, vederlag for opretholdelse af tilladelsen og aktiviteter efter tilladelsen eller indtægter i forbindelse dermed og beløb til dækning af Naalakkersuisuts udgifter i forbindelse med sagsbehandling og myndighedsbehandling efter forslaget vedrørende tilladelsen og aktiviteter efter tilladelsen.

Kapitel 5-7 og 9 indeholder desuden blandt andet bestemmelser vedrørende rettighedshaverens rapportering om undersøgelserne og aktiviteterne efter en tilladelse og resultaterne deraf. Efter bestemmelserne derom skal rettighedshaveren til Naalakkersuisut indlevere rapporter om de nævnte forhold og kopier af undersøgelsesresultaterne og data og prøver derfra og rettighedshaverens fortolkninger, konklusioner og anbefalinger derom. Formålet med bestemmelserne er blandt andet at sikre, at Naalakkersuisut kan få adgang til alle relevante oplysninger, rapporter og data med videre vedrørende Grønlands undergrund, og at Naalakkersuisut kan få en ret til at bruge dem og offentliggøre dem efter udløbet af en fortrolighedsperiode. Se bemærkningerne til forslagets §§ 32, 39, 55 og 63.

Kapitel 10 indeholder nogle generelle bestemmelser, der som udgangspunkt finder anvendelse på alle tilladelserne efter forslaget undtagen tilladelser til videnskabelige undersøgelser, medmindre andet fremgår af bestemmelserne.

Bestemmelserne i kapitel 10 vedrører blandt andet følgende forhold:

- 1) Yderligere krav til rettighedshaveren efter en tilladelse.
- 2) Rapportering om og betaling af skatter og afgifter.
- 3) Overdragelse af og retsforfølgning mod en tilladelse.

- 4) Rettighedshaverens sammenlægning med et andet selskab eller adskillelse i flere selskaber.

Bestemmelserne svarer i vidt omfang til råstoflovens tilsvarende bestemmelser derom og Naalakkersuisuts praksis for fastsættelse af bestemmelser og vilkår derom med nogle præciseringer og uddybninger med videre.

### *2.3. Aktivitetsplaner og ophør af aktiviteter efter en tilladelse*

Forslagets kapitel 12 indeholder bestemmelser om rettighedshaverens aktivitetsplaner, Naalakkersuisuts godkendelser af aktivitetsplaner og rettighedshaverens nedlukning af aktiviteter og sikkerhedsstillelse med videre.

Bestemmelserne svarer i vidt omfang til råstoflovens bestemmelser om de samme forhold med enkelte præciseringer og uddybninger. Der er dog også indsat nye bestemmelser, herunder yderligere bestemmelser om oprydning og bortfjernelse af aktiver, der har været anvendt i forbindelse med udførelse af aktiviteter efter en tilladelse, og om tilbagehold og salg af bortfjernede aktiver.

I forhold til råstoflovens bestemmelser om de samme forhold er bestemmelserne i forslaget om mineplan (tidligere benævnt udnyttelsesplan) og nedlukningsplan blevet samlet i det samme kapitel for at skabe et overblik over sammenhængen mellem disse planer, der skal være godkendt af Naalakkersuisut, før en rettighedshaver kan påbegynde sine aktiviteter efter en udnyttelsestilladelse. Det bidrager generelt til at skabe en klarere retsstilling på området. Desuden er forslagens bestemmelser dermed lettere at forstå og anvende i praksis. Det gælder særligt for personer og selskaber, som ikke eller kun i begrænset omfang har kendskab til reguleringen af mineralområdet og retssystemet i Grønland.

### *2.4. Myndighedsforhold*

Forslaget indeholder i kapitel 4, blandt andet bestemmelser om Råstofstyrelsen og Miljøstyrelsen for Råstofområdet, som er de enheder der forestår den daglige administration på råstofområdet.

De to styrelser har afgørelseskompetence i mindre spørgsmål, hvorimod afgørelser af mere vidtrækkende karakter træffes af det samlede Naalakkersuisut. Afgørelser truffet af styrelserne kan påklages til Naalakkersuisut.

Administrationen er delt op i to selvstændige enheder under to forskellige departementer, således at det ikke er den samme myndighed, der administrerer tilladelsesregimet, som træffer afgørelser vedrørende miljøforhold. Dette skal blandt andet sikre fokus på beskyttelse af miljøet og naturen, og at samfundsudviklingen derved sker på et bæredygtigt grundlag i respekt for menneskets livsvilkår og med respekt for bevarelsen af dyre- og plantelivet.

Opdelingen ændrer ikke ved princippet om en samlet myndighedsbehandling (one door-princippet). Råstofstyrelsen er den koordinerende forvaltningsmyndighed og indhenter nødvendige udtalelser og afgørelser fra Miljøstyrelsen for Råstofområdet, således at rettighedshavere efter forslaget kun kommunikerer med en myndighed.

#### *2.5. Geologisk vidensdeling, data og markedsføring af mineralområdet i Grønland*

Naalakkersuisut har siden råstoflovens ikrafttrædelse fået øget viden og erfaringer på mineralområdet. Der er blandt andet opnået større viden om grønlandske og internationale markedsforhold og konkurrenceforhold og om Grønlands potentiale inden for mineralområdet.

Naalakkersuisut ønsker fortsat at øge kendskabet til Grønlands mineralpotentiale og at sikre en hensigtsmæssig vidensdeling af relevante oplysninger, rapporter og data med videre vedrørende Grønlands undergrund. Disse forhold er nævnt som vigtige forhold i Grønlands Mineralstrategi 2020-2024, der er udarbejdet og vedtaget af Naalakkersuisut.

Efter råstofloven kan Naalakkersuisut bruge og offentliggøre relevante oplysninger, rapporter og data med videre vedrørende Grønlands undergrund, herunder geologiske data, i det omfang de nævnte oplysninger og data med videre ikke er omfattet af fortrolighed.

Efter forslaget vil Naalakkersuisut fortsat kunne bruge og offentliggøre relevante oplysninger, rapporter og data med videre vedrørende Grønlands undergrund efter §§ 32, 39, 55 og 63.

Forslaget vil således sikre, at Naalakkersuisut kan få adgang til relevante oplysninger, rapporter og data med videre vedrørende Grønlands undergrund, og at Naalakkersuisut får ret til at bruge dem og offentliggøre dem efter udløbet af fortrolighedsperioden. Det vil bidrage til, at Naalakkersuisut fortsat og på en hensigtsmæssig måde får ny viden inden for mineralområdet, og at Naalakkersuisut kan markedsføre og udbrede kendskab til Grønlands mineralpotentiale og geologi overfor grønlandske og internationale parter.

#### *2.6. Samarbejde mellem Naalakkersuisut og regeringen inden for mineralområdet*

Råstofloven indeholder en særlig hjemmel til, at De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS) og Nationalt Center for Miljø og Energi (DCE) kunne udføre forskning af særlig relevans for råstofefterforskningen i Grønland, i det omfang og så længe forskningen udføres for at opfylde regeringens forpligtelse til at stille sådan forskning til rådighed for Naalakkersuisut efter selvstyreloven § 9, stk. 4.

Da samarbejdet mellem Naalakkersuisut og GEUS og DCE er reguleret i lov om Grønlands Selvstyre, og forskningen udføres efter aftale med Naalakkersuisut, er samarbejdet ikke reguleret særskilt i forslaget.

### *2.7. Forhold vedrørende kulbrinteområdet (området for olie og naturgas) og anvendelse af undergrunden til lagring*

Kulbrinteområdet og anvendelse af undergrunden til lagring er ikke omfattet af dette forslag, og vil fortsat være omfattet af råstofloven.

### *2.8. Forhold vedrørende miljø, natur og klima*

Miljøforhold, herunder også forhold vedrørende natur og klima, er væsentlige forhold vedrørende aktiviteter omfattet af dette forslag, herunder særligt udnyttelsesaktiviteter og nedlukningsaktiviteter.

Forslaget regulerer miljøforhold inden for mineralområdet, herunder miljø-, klima- og naturbeskyttelse, miljøansvar og erstatning for miljøskader med videre.

Forslaget viderefører i vid udstrækning bestemmelserne i råstofloven vedrørende miljøforhold, og forslagens bestemmelser om miljøforhold vil derfor finde anvendelse i forhold til alle aktiviteter og forhold omfattet af dette forslag. Forslaget indeholder således blandt andet kapitel 13 om miljø-, klima- og naturbeskyttelse, kapitel 14 vedrørende miljøansvar og kapitel 15 om miljøvurdering (VVM), ligesom kapitel 22 om erstatningsansvar og forsikring indeholder regler om erstatning for miljøskader.

### *2.9. Forhold vedrørende småskalaaktiviteter og udnyttelse af mineraler til brug for byggeprojekter og infrastrukturprojekter i Grønland med videre*

Råstofområdet og råstofloven omfatter blandt andet følgende aktiviteter: Lokale museer og personers småskalaefterforskning og småskalaudnyttelse af mineraler efter småskalatilladelser dertil. Og geoturismeaktiviteter vedrørende fremvisning af mineraler og geologiske forhold i Grønland for turister. Kommuner og virksomheders udnyttelse af grus, sten og lignende mineraler til brug som byggematerialer eller anlægsmaterialer ved et byggeprojekt eller et infrastrukturprojekt i Grønland. Indsamling og brydning af mineraler uden en tilladelse dertil foretaget af personer, der har fast bopæl i Grønland og er fuldt skattepligtige til Grønland, (fastboende personer).

Dette forslag omfatter ikke sådanne småskalaaktiviteter og aktiviteter vedrørende udnyttelse af mineraler til brug for byggeprojekter og infrastrukturprojekter i Grønland med videre.

Naalakkersuisut planlægger at udarbejde og fremsætte et forslag til en Inatsisartutlov om sådanne småskalaaktiviteter og andre aktiviteter med videre (en småskalalov). Forslaget planlægges fremsat snarest muligt efter fremsættelsen af dette forslag.

### *2.10. Samfundsmæssig bæredygtighed og vurdering deraf*

Forslaget indeholder regler om samfundsmæssig bæredygtighed, blandt andet og særligt i §§ 1 og 103.

Forslagets kapitel 16 indeholder regler om foretagelse af vurdering af samfundsmæssig bæredygtighed (VSB). Kravene vedrørende samfundsmæssig bæredygtighed indebærer generelt, at en rettighedshaver skal udføre en vurdering af den samfundsmæssige bæredygtighed (VSB) ved udførelse af planlagte aktiviteter og udarbejde en redegørelse derom (en VSB-redegørelse), hvis aktiviteterne må antages at kunne få væsentlig indvirkning på samfundsmæssige forhold. Rettighedshaveren skal indlevere VSB-redegørelsen til Naalakkersuisut og opnå Naalakkersuisuts godkendelse af redegørelsen.

Kravet om samfundsmæssig bæredygtighed skal generelt sikre, at aktiviteterne tilrettelægges og udføres på en sådan måde, at samfundsudviklingen kan ske på et bæredygtigt grundlag. Kravet skal også sikre, at der foretages de nødvendige foranstaltninger for at modvirke og begrænse negative virkninger på samfundet og skabe positive virkninger på samfundet, herunder at positive udviklingsmuligheder afdækkes og søges udnyttet.

Der henvises til bemærkningerne til bestemmelserne i kapitel 16.

#### *2.11. Sundhed og sikkerhed for offshoreanlæg*

Grønlands Selvstyre har ikke overtaget kompetencen vedrørende arbejdsmiljø i landterritoriet i Grønland. Kompetencen vedrørende arbejdsmiljø i landterritoriet kan overtages i medfør af selvstyrelovens § 3, stk. 2, efter forhandling med rigsmyndighederne.

Grønlands Selvstyre har overtaget den del af kompetencen vedrørende arbejdsmiljø, som vedrører arbejde vedrørende mineralaktiviteter i havområdet på offshoreanlæg. Råstoflovens kapitel 19, som kun omfatter §§ 113-114, indeholder bestemmelser om sikkerhed og sundhed for offshoreanlæg.

Forslagets bestemmelser svarer generelt til råstoflovens § 79.

#### *2.12. Væsentlige samfundsmæssige forhold og interesser*

Efter forslaget kan en tilladelse eller en godkendelse ikke meddeles til en ansøger eller en rettighedshaver, hvis det ikke er foreneligt med væsentlige samfundsmæssige forhold eller interesser, herunder væsentlige udenrigspolitiske, forsvarspolitiske eller sikkerhedspolitiske forhold eller interesser.

Naalakkersuisut træffer afgørelse om, hvorvidt væsentlige samfundsmæssige forhold eller interesser, herunder væsentlige udenrigspolitiske, forsvarspolitiske eller sikkerhedspolitiske forhold eller interesser, medfører, at en tilladelse eller en godkendelse efter forslaget ikke kan meddeles til en ansøger eller en rettighedshaver.

### **3. Økonomiske og administrative konsekvenser for det offentlige**

Forslaget er i overensstemmelse med Naalakkersuisuts politik om, at mineralsektoren skal være et vækstområde, som bidrager til Grønlands samlede økonomiske og erhvervsmæssige aktiviteter og vækst. En del af disse aktiviteter og denne vækst forventes at kunne ske gennem beskæftigelse af flere arbejdstagere og udførelse af virksomhedsaktiviteter i større omfang inden for mineralsektoren i Grønland. Det vil generelt bidrage til at øge erhvervsaktiviteterne, erhvervsindtægterne, de offentlige indtægter og levestandarden i Grønland. Desuden vil det bidrage til samfundet generelt, blandt andet gennem øgede betalinger af personskatter og selskabsskatter.

Forslaget tilsigter således at understøtte en række positive økonomiske og administrative virkninger for det offentlige og for samfundet. Det er dog forbundet med stor usikkerhed at forsøge at anslå beløbsmæssigt, hvad forslagets virkninger vil være for den grønlandske økonomi og for de offentlige finanser. Det skyldes blandt andet, at mineralsektoren i meget vid udstrækning er påvirket af de globale konjunkturer og dermed efterspørgsel efter og markedspriser på mineraler. Desuden skyldes det, at mange og meget forskellige og varierende forhold vil have betydning for de mulige positive og negative virkninger for det offentlige og for samfundet.

Efter forslaget vil Naalakkersuisuts udgifter i forbindelse med sagsbehandling og anden myndighedsbehandling, herunder faglig opkvalificering og udvidelse af personale, der beskæftiger sig med forvaltningen af mineralområdet, generelt blive dækket af rettighedshaveres refusion af sådanne udgifter. Det forventes således, at der generelt ikke skal afsættes flere midler i forbindelse med sagsbehandling og anden myndighedsbehandling, herunder faglig opkvalificering og udvidelse af personale, der beskæftiger sig med forvaltningen af mineralområdet.

Forslaget forventes derfor ikke at have væsentlige økonomiske eller administrative konsekvenser for det offentlige.

#### **4. Økonomiske og administrative konsekvenser for erhvervslivet**

De mulige positive virkninger for grønlandske virksomheder og udenlandske virksomheder vil blandt andet afhænge af, i hvilket omfang virksomhederne kan levere og af, at rettighedshavere bliver valgt til at levere de varer og tjenesteydelser, som skal bruges i forbindelse med udførelse af aktiviteter efter tilladelser efter forslaget.

Desuden vil de mulige positive virkninger for de grønlandske virksomheder og udenlandske virksomheder også afhænge af, i hvilket omfang virksomhederne bliver meddelt tilladelser efter forslaget, og om rettighedshavere udfører aktiviteter efter tilladelser og får indkomster i forbindelse dermed.

Forslaget tilsigter en række positive økonomiske og administrative virkninger for grønlandske

virksomheder og udenlandske virksomheder.

Det er dog ikke muligt at opgøre eller anslå beløbsmæssigt, hvad forslagets positive virkninger vil være for virksomhederne. Det skyldes blandt andet de ovenfor nævnte forhold og de vidt forskellige mulige aktivitetsniveauer for mineralaktiviteter efter forslaget og mulige efterspørgselsniveauer efter og priser på forskellige typer mineraler. Mineralsektoren er i meget vid udstrækning påvirket af de globale konjunkturer og dermed efterspørgsel efter og markedspriser på mineraler. Desuden skyldes det, at mange og meget forskellige og varierende forhold vil have betydning for de mulige positive og negative virkninger for grønlandske virksomheder og udenlandske virksomheder.

Med hensyn til størrelsen af gebyrer og afgifter med videre, som rettighedshavere skal betale til Naalakkersuisut efter forslaget, henvises til forslagets § 31, stk. 1 og 3, § 38, stk. 1 og 4, og § 51, stk. 1 og 5.

Forslaget medfører generelt ikke en forøgelse af de økonomiske eller administrative byrder for erhvervslivet.

## **5. Konsekvenser for miljø, natur og folkesundhed**

Forslaget forventes ikke at medføre væsentlige ændringer for miljø, natur eller folkesundhed.

## **6. Konsekvenser for borgerne**

Forslaget er generelt rettet mod selskabers og forskningsinstitutioners mineralaktiviteter i Grønland. Forslaget udvider dog området for offentlige høringer i forhold til råstofloven, idet der efter forslaget skal foretages offentlige høringer i forbindelse med meddelelse af efterforskningstilladelser og udnyttelsestilladelser og vurderinger af samfundsmæssig bæredygtighed, og der gives mulighed for at kræve vurderinger af samfundsmæssig bæredygtighed i forbindelse med alle aktiviteter, der kan antages at få en væsentlig indflydelse på samfundsmæssige forhold. Forslaget giver således borgerne en større indflydelse på udviklingen af mineralindustrien i Grønland.

## **7. Andre væsentlige konsekvenser**

Forslaget forventes ikke at have andre væsentlige konsekvenser.

## **8. Høring af myndigheder og organisationer med videre**

Forslaget har i perioden [xxx] til [xxx] været offentliggjort på Grønlands Selvstyres høringsportal [www.naalakkersuisut.gl](http://www.naalakkersuisut.gl).

Forslaget har i samme periode været i høring hos følgende myndigheder, organisationer med videre:

[xxx]



Departementet for Råstoffer modtog høringssvar fra følgende myndigheder, organisationer med videre:

[xxx]

I det følgende behandles de høringssvar, der er indkommet under den eksterne høring. Det bemærkes, at høringssvarene er anført i kursiv, og at høringssvarene er gengivet i hovedtræk på grundlag af en foretaget væsentlighedsvurdering.

[xxx]

## Bemærkninger til forslagets enkelte bestemmelser

### *Til § 1*

Bestemmelsen er en formålsparagraf og kan således ikke udgøre en selvstændig hjemmel til at fastsætte vilkår eller træffe afgørelser. Bestemmelsen angiver alene, hvilke lovlige hensyn Naalakkersuisut kan tage i forbindelse med myndighedsbehandling efter forslaget.

Til stk. 1

Den foreslåede bestemmelse angiver forslagets hovedformål. Efter forslagets § 1, stk. 1, skal forslaget blandt andet sikre hensigtsmæssig regulering af mineralaktiviteter i Grønland. Det er således hensigten, at forslaget skal være en rammelov, der fastsætter de væsentligste principper for regulering og myndighedsbehandling af mineralaktiviteter og andre aktiviteter i forbindelse med mineralaktiviteter, og at Naalakkersuisut inden for disse rammer bemyndiges til at træffe afgørelse og fastsætte de nødvendige bestemmelser.

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser om mineraltilladelser, mineralaktiviteter og forhold i forbindelse dermed i bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

Bestemmelserne i forslaget fastsætter blandt andet de overordnede rammer for, hvilke hensyn og forhold, som vil blive inddraget og omfattet af de standardvilkår og modeltilladelser, som vil blive udarbejdet på mineralområdet, og de afgørelser, som vil blive truffet af Naalakkersuisut på mineralområdet. Forslaget sikrer generelt, at der kan foretages en dynamisk fortolkning på mineralområdet, således at ny viden og teknologi på mineralområdet straks kan finde anvendelse, uden at det vil være nødvendigt med en ændring af forslaget.

Ved hensigtsmæssig forundersøgelse, efterforskning og udnyttelse forudsættes generelt, at aktiviteterne tilrettelægges og udføres på en hensigtsmæssig måde, herunder i overensstemmelse med hensynene anført i stk. 2. Hensigtsmæssig udnyttelse indebærer blandt andet, at forslaget skal medvirke til at sikre samfundet en rimelig andel af det økonomiske udbytte ved udførelse af mineralaktiviteter, herunder særligt udnyttelse af mineraler, og at disse aktiviteter skal foretages i overensstemmelse med samfundets behov på kort og længere sigt.

Ved effektiv forundersøgelse, efterforskning og udnyttelse forudsættes generelt, at aktiviteterne udføres på en effektiv måde, herunder i overensstemmelse med hensynene anført i stk. 2. Effektiv forundersøgelse, efterforskning og udnyttelse indebærer blandt andet, at

forslaget skal medvirke til at sikre, at rettighedshaveren påbegynder udførelse af aktiviteterne omfattet af tilladelsen inden for rimelig tid efter, at det er muligt i perioden efter meddelelse af tilladelsen, og at rettighedshaveren udfører aktiviteterne i tilladelsesperioden i overensstemmelse med aktivitetsplaner, mineplaner og nedlukningsplaner uden unødige eller langvarige pauser eller afbrydelser.

Det præciseres således blandt andet i bestemmelsen, at forslaget forudsætter hensigtsmæssig og effektiv forundersøgelse, efterforskning og udnyttelse af mineraler og udførelse af aktiviteter i forbindelse dermed. Det skal blandt andet medvirke til at undgå en ubegrundet og unødvendig "arealreservation" af et tilladelsesområde efter en efterforskningstilladelse eller en udnyttelsestilladelse.

Ved udførelse af aktiviteter i forbindelse med forundersøgelse, efterforskning og udnyttelse af mineraler skal generelt forstås alle andre aktiviteter, der har en tilknytning til de pågældende aktiviteter, herunder biaktiviteter eller sideaktiviteter til aktiviteter vedrørende forundersøgelse, efterforskning og udnyttelse af mineraler. Udførelse af sådanne andre aktiviteter vil i nogle tilfælde kunne kræve en godkendelse dertil meddelt af Naalakkersuisut efter forslaget.

Til stk. 2

Efter den foreslåede bestemmelse forudsættes det blandt andet ved forslaget, at aktiviteter omfattet af forslaget udføres hensigtsmæssigt og forsvarligt med hensyn til sikkerhed, sundhed, miljø, ressourceudnyttelse og samfundsmæssig bæredygtighed.

Forslaget omfatter blandt andet den fysiske sikkerhed ved etablering og drift af bygninger, anlæg, installationer og infrastruktur med videre.

Forslagets sundhedsbegreb skal fortolkes bredt og dækker både sundhed i forhold til arbejdsmiljø i forbindelse med den enkelte aktivitet og den grønlandske befolknings sundhed generelt (folkesundheden).

Miljø omfatter almindelige miljøhensyn af betydning for mennesker, dyr, planter og natur ved foretagelse af aktiviteter omfattet af forslaget. Forslagets kapitel 13 indeholder regler om miljøbeskyttelse, klimabeskyttelse og naturbeskyttelse, og forslagets kapitel 14 og 22 indeholder regler om henholdsvis miljøansvar og erstatning for miljøskader. Efter forslagets kapitel 15 gælder endvidere, at visse aktiviteter kræver en forudgående vurdering af virkningerne på miljøet (VVM) og godkendelse af en redegørelse derfor (VVM-redegørelse).

Ved forsvarlig ressourceudnyttelse forstås blandt andet, at mineralaktiviteterne skal ske uden unødigt spild af ressourcer og under hensyntagen til samfundets interesser på kort og længere

sigt. De omfatter blandt andet samfundets interesser i udførelse af mineralaktiviteter og udnyttelse af mineraler, aktivitetsskabelse, opbygning af erfaringer og kompetencer for lokale arbejdstagere og leverandører af varer og tjenesteydelser og indtægtsskabelse for Grønlands Selvstyre, lokale arbejdstagere og leverandører af varer og tjenesteydelser.

Forslagets regler om samfundsmæssig bæredygtighed skal bidrage til at sikre, at planlægningen og forvaltningen af aktiviteter omfattet af dette forslag også baseres på vurderinger af de konsekvenser, som aktiviteterne nationalt og lokalt kan have for samfundet. De foreslåede bestemmelser indebærer således krav om en helhedsorienteret planlægning og forvaltning af alle aktiviteter omfattet af forslaget. Ved vurderingen af den samfundsmæssige bæredygtighed, skal der bl.a. tages hensyn til befolkningens sociale, kulturelle, religiøse og åndelige værdier og skikke. Forslagets kapitel 16 indeholder regler om samfundsmæssig bæredygtighed og om foretagelse af vurderinger af samfundsmæssig bæredygtighed (VSB).

### *Til § 2*

Bestemmelsen fastlægger forslagens geografiske anvendelsesområde i overensstemmelse med folkeretten, herunder De Forenede Nationers (FN's) havretskonvention af 10. december 1982.

Grønlands søterritorium strækker sig 3 sømil (5.556 meter) fra basislinjen.

Kontinentalsoklen omfatter havbunden og dens undergrund i det område, der strækker sig fra ydergrænsen af søterritoriet i hele den naturlige forlængelse af landterritoriet til yderkanten af kontinentalsokkelmargenen. Det følger af artikel 76 i havretskonventionen.

Kontinentalsoklen kan altid udstrækkes til en afstand af 200 sømil fra de basislinjer, hvorfra bredden af søterritoriet måles. Det gælder også i de tilfælde, hvor kontinentalmargenens yderkant ligger nærmere ved disse basislinjer. I de tilfælde, hvor kyststatens kontinentalsokkel grænser op til andre staters dele af soklen, skal afgrænsningen efter sokkelkonventionen fastsættes ved aftale mellem nabostaterne. Se artikel 76 i havretskonventionen.

Kontinentalsoklen ved Grønland er ikke fuldt afgrænset over for nabostaterne. En kyststats rettigheder over kontinentalsoklen er ikke betinget af formel okkupation eller nogen erklæring. Efter artikel 77 a i havretskonventionen eksisterer rettighederne over kontinentalsoklen som sådan i sig selv og uafhængigt af, om der foreligger en afgrænsning af kontinentalsoklen.

### *Til § 3*

Til stk. 1

Bestemmelsen fastslår i stk. 1, nr. 1-4, hvilke aktiviteter forslaget finder anvendelse på.

Efter bestemmelsen finder forslaget anvendelse på forundersøgelse, efterforskning, udnyttelse og videnskabelige undersøgelser af mineraler og aktiviteter i forbindelse dermed og af betydning herfor. Se blandt andet forslagets § 22, stk. 2, nr. 1-4, og § 12 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen fastslår i stk. 2, nr. 1-3, hvilke aktiviteter forslaget ikke finder anvendelse på. Aktiviteterne nævnt i stk. 2, nr. 1-3, falder uden for forslagets anvendelsesområde, da aktiviteterne fortsat reguleres af råstofloven og dermed ikke er omfattet af forslaget.

Bestemmelsen skal bidrage til at sikre, at alle aktiviteter på råstofområdet og aktiviteter i forbindelse dermed vil være omfattet af enten dette forslag eller råstofloven, og at ingen af disse aktiviteter vil være omfattet af både dette forslag og råstofloven.

#### *Til § 4*

Bestemmelsen fastslår, at forslaget finder anvendelse på anlæg og indretninger med videre, som er i landterritoriet, søterritoriet, kontinentalsokkelområdet eller den eksklusive økonomiske zone ved Grønland, og som anvendes i forbindelse med aktiviteter omfattet af forslaget.

Bestemmelsen skal ses i sammenhæng med forslagets efterfølgende bestemmelser i §§ 5 og 6.

#### *Til § 5*

Bestemmelsen vedrører forslagets anvendelse på offshoreanlæg, jf. § 18, herunder både faste og mobile offshoreanlæg, og offshorekibe, jf. § 19.

Bestemmelsen fastslår blandt andet, at forslaget finder anvendelse på offshoreanlæg, der befinder sig i søterritoriet, kontinentalsokkelområdet eller den eksklusive økonomiske zone ved Grønland, og som anvendes i forbindelse med udførelse af aktiviteter omfattet af forslaget. Se forslagets § 18 om offshoreanlæg og bemærkningerne dertil.

Det anføres også, at forslaget finder anvendelse på offshorekibe, der befinder sig i søterritoriet, kontinentalsokkelområdet eller den eksklusive økonomiske zone ved Grønland, og som anvendes i forbindelse med udførelse af aktiviteter omfattet af forslaget. Se forslagets § 19 om offshorekibe og bemærkningerne dertil.

Efter folkeretten har Grønlands Selvstyre eneret til efterforskning og udnyttelse af naturressourcer i søterritoriet, kontinentalsokkelområdet og den eksklusive økonomiske zone ved Grønland. I denne sammenhæng har det derfor ingen betydning, om et offshoreanlæg er registreret i Grønland, Danmark, Færøerne eller et andet land, eller om det er grønlandsk ejet eller udenlandsk ejet. Det fremgår nu også udtrykkeligt af forslaget § 6, stk. 3. Se den nævnte bestemmelse og bemærkningerne dertil.

### *Til § 6*

Til stk. 1

Bestemmelsen omhandler sikkerhedszoner ved offshoreanlæg, jf. § 18.

Offshoreanlæg er omgivet af sikkerhedszoner. Sikkerhedszonerne er nærmere reguleret i forslaget §§ 115-117. Se de nævnte bestemmelser og bemærkningerne dertil. Se også stk. 2 og 3 om forslaget anvendelse i sikkerhedszoner og bemærkningerne dertil.

Til stk. 2

Bestemmelsen fastslår, at forslaget finder anvendelse på alle fartøjer, anlæg, indretninger, udstyr og genstande med videre, som befinder sig i sikkerhedszoner omkring offshoreanlæg. Sikkerhedszonerne er nærmere reguleret i forslaget §§ 115-117. Se de nævnte bestemmelser og bemærkningerne dertil.

Staten har kompetencen med hensyn til almindelige søfartsforhold i Grønland. Forslaget medfører ingen ændringer i den for Grønland gældende søfartslovgivning. Statens kompetence omfatter blandt andet krav til skibe, der udfører almindelig søtransport af personer, udstyr og udnyttede mineraler med videre. Kravene til skibene kan for eksempel omfatte bygning, stand og isklasse med videre og regler om arbejdsmiljø om bord på skibe og mobile anlæg.

Grønlands Selvstyre har kompetence vedrørende råstofrelaterede havmiljøforhold. Naalakkersuisut kan for eksempel fastsætte vilkår i en rettighedshavers udnyttelsestilladelse om krav til skibe, der anvendes ved udførelse af aktiviteter efter tilladelsen.

Til stk. 3

Bestemmelsen præciserer, at forslaget finder anvendelse, uanset om anlæggene, skibene og fartøjerne med videre anført i stk. 2 er grønlandske, danske, færøske eller udenlandske.

Efter folkeretten har Grønlands Selvstyre eneret til efterforskning og udnyttelse af naturressourcer i søterritoriet, kontinentalsokkelområdet og den eksklusive økonomiske zone ved Grønland. I denne sammenhæng har det derfor ingen betydning, om et offshoreanlæg eller et skib med videre er registreret i Grønland, Danmark, Færøerne eller et andet land. Det har heller ingen betydning, om anlægget eller skibet er grønlandsk ejet eller udenlandsk ejet.

#### *Til § 7*

Til stk. 1

Bestemmelsen angiver, at forslaget i forhold til § 6 også finder anvendelse på andre fartøjer, som anvendes i forbindelse med udførelse af aktiviteter omfattet af en tilladelse efter forslaget.

Til stk. 2

Bestemmelsen angiver, at forslaget finder anvendelse, uanset om de i stk. 1 nævnte skibe, søfartøjer, anlæg og luftfartøjer med videre er grønlandske, danske, færøske eller udenlandske.

Efter folkeretten har Grønlands Selvstyre eneret til efterforskning og udnyttelse af naturressourcer i søterritoriet, kontinentalsokkelområdet og den eksklusive økonomiske zone ved Grønland. I denne sammenhæng har det derfor ingen betydning, om et offshoreanlæg eller et skib med videre er registreret i Grønland, Danmark, Færøerne eller et andet land. Det har heller ingen betydning, om anlægget eller skibet er grønlandsk ejet eller udenlandsk ejet.

#### *Til § 8*

Til stk. 1

Bestemmelsen angiver hvilke aktiviteter i søterritoriet, kontinentalsokkelområdet og den eksklusive økonomiske zone ved Grønland og luftrummet derover, der er omfattet af forslaget.

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med stk. 2-4.

Bestemmelsen skal endvidere fortolkes i overensstemmelse med § 6 i Inatsisartutlov nr. 15 af 8. juni 2017 om beskyttelse af havmiljøet (havmiljøloven) og bemærkningerne hertil om den nærmere grænsedragning mellem havmiljøforhold og råstofrelaterede havmiljøforhold. Såfremt aktiviteter vurderes at være omfattet af havmiljøloven, jf. dennes § 6, er aktiviteterne således ikke omfattet af dette forslag.

Til stk. 2

Det følger af bestemmelsen, at aktiviteter, der ikke udføres af en rettighedshaver eller rettighedshaverens aftalepart, ikke er omfattet af en rettighedshaverens tilladelse i forhold til bestemmelsen i stk. 1, uanset at aktiviteten kan være omfattet af eller have en direkte forbindelse til tilladelsen. For eksempel vil sejlads som anført i stk. 1, nr. 2, i forbindelse med myndighedernes udførelse af deres tilsynsforpligtelse ikke være omfattet af en tilladelse, da aktiviteten ikke udføres af en rettighedshaver eller rettighedshaverens aftalepart, selvom aktiviteten har direkte forbindelse til den pågældende tilladelse, og at der er fastsat vilkår om tilsyn i tilladelsen.

Til stk. 3

Det følger af bestemmelsen, at forslaget kun finder anvendelse på en rettighedshaver efter en tilladelse med videre, i det omfang dennes aktiviteter eller forhold reguleres af forslaget eller vilkår i tilladelser med videre.

Til stk. 4

Bestemmelsen angiver, at anvendelse af forslaget på aktiviteterne og parterne nævnt i stk. 1-3, som anført i stk. 1-3, ikke fritager parterne for overholdelse af andre grønlandske eller danske love som også finder anvendelse på aktiviteterne og parterne nævnt i stk. 1-3. Det vil sige, at såfremt et forhold eller en aktivitet er omfattet af forslaget og anden lovgivning, skal den, der udfører aktiviteterne, iagttage de gældende bestemmelser i både forslaget og den anden lovgivning.

Endvidere bestemmes det, at forslagets bestemmelser og de bestemmelser og vilkår, der er fastsat efter forslaget, som udgangspunkt har forrang for anden lovgivning i tilfælde af uoverensstemmelser. Det vil typisk være tilfældet, hvor forslagets bestemmelser eller bestemmelser og vilkår, der er fastsat efter forslaget, stiller skærpede eller supplerende krav til den, der udfører aktiviteter efter forslaget, i forhold til hvad der gælder efter den anden lovgivning. Eksempelvis med henblik på at sikre, at aktiviteter udføres i overensstemmelse med anerkendt god international praksis,

#### *Til § 9*

Den foreslåede bestemmelse angiver anvendelsesområdet for forslagets regler om miljøbeskyttelse. Der foreslås et bredt anvendelsesområde for reglerne om miljøbeskyttelse, som således også omfatter beskyttelse af klimatiske forhold og beskyttelse af naturen.



Til stk. 1

Som det fremgår af den foreslåede bestemmelse i stk. 1, tager forslagets regler om miljøbeskyttelse også, men ikke udelukkende, sigte på klimatiske forhold (klimabeskyttelse) og beskyttelse af naturen (naturbeskyttelse). Dette er dog kun dette forslags udgangspunkt, idet bestemmelsen fastslår, at andet kan fremgå af konkrete bestemmelser.

I forhold til klimatiske forhold skal det bemærkes, at begrebet omfatter såvel de helt lokale mikroklimatiske forhold, aktivitetens CO<sub>2</sub>-bidrag samt konsekvenserne af fremtidige klimaændringer som for eksempel vandstandsstigninger.

Der kan efter dette forslag være et overlap med konkrete bestemmelser i dette forslags øvrige kapitler, der også tager sigte på miljøforhold. I tilfælde af overlap eller sammenfald vil den regel, der medfører den højeste miljøstandard, hvorved forstås det højeste niveau for miljøbeskyttelse, have forrang.

Ved anvendelse af forslagets regler om miljøbeskyttelse kan der blandt andet lægges vægt på de arktiske VVM-retningslinjer (Guidelines for Environmental Impact Assessment (EIA) in the Arctic) udarbejdet af Arctic Council under programmet Arctic Environmental Protection Strategy.

Til stk. 2

Efter den foreslåede bestemmelse er klimabeskyttelse og naturbeskyttelse tilsvarende omfattet af forslagets regler om erstatningsansvar, andet ansvar for forurening, anden indvirkning på miljøet (miljøansvar) og erstatning for miljøskader.

#### *Til § 10*

Til stk. 1

Bestemmelsen angiver, hvad der forstås ved mineraler efter forslaget.

Bestemmelsen skal ses i lyset af ønsket om at foretage en selvstændig regulering af mineralområdet. Se afsnit 1.1 og 2.7 i de almindelige bemærkninger.

Til stk. 2

Bestemmelsen i stk. 1 definerer mineraler, som alle andre mineralske råstoffer end kulbrinter. Det er derfor nødvendigt nærmere at definere, hvad der efter forslaget forstås ved kulbrinter.

## *Til § 11*

Bestemmelsen angiver, hvad der forstås ved mineralaktiviteter efter forslaget. Mineralaktiviteter er en generel samlebetegnelse for alle aktiviteter, der er omfattet af forslaget. Denne betydning anvendes generelt i forslaget.

Mineralaktiviteter omfatter for eksempel alle aktiviteter omfattet af en tilladelse meddelt efter forslaget, jf. § 12, og aktiviteter i forbindelse dermed. Aktiviteter efter en udnyttelsestilladelse, jf. § 12, stk. 4, omfatter for eksempel blandt andet selve udnyttelsen af mineralerne omfattet af tilladelsen. Mineralaktiviteter omfatter blandt andet også etablering og drift af mineanlægget, andre anlæg, installationer, bygninger og infrastruktur med videre til brug for udnyttelsen. Mineralaktiviteter omfatter desuden blandt andet oprydning og reetablering af tilladelsesområdet og andre berørte områder, nedlukning af udnyttelsesaktiviteterne og efterfølgende overvågning (monitering) med videre. Mineralaktiviteter omfatter også alle aktiviteter omfattet af andre tilladelser efter forslaget, herunder for eksempel forundersøgelsestilladelser og efterforskningstilladelser.

Mineralaktiviteter omfatter for eksempel også aktiviteter, der er omfattet af forslaget, men som kan udføres uden en tilladelse dertil. Se for eksempel forslagens § 22, stk. 4, om Naalakkersuisuts adgang til at udføre bestemte videnskabelige og praktiske undersøgelser uden tilladelse dertil.

Omtalen ovenfor af eksempler på mineralaktiviteter er ikke udtømmende. Begrebet mineralaktiviteter skal således forstås generelt og bredt som alle aktiviteter omfattet af forslaget.

## *Til § 12*

Til stk. 1

Bestemmelsen angiver, hvad der forstås ved en tilladelse efter forslaget.

Efter forslaget findes der således 4 forskellige typer af tilladelser. Der findes forundersøgelsestilladelser, efterforskningstilladelser, udnyttelsestilladelser og tilladelser til videnskabelige undersøgelser. Se stk. 2-5 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen angiver, hvad der forstås ved en forundersøgelsestilladelse efter forslaget.

Forundersøgelsesaktiviteter omfattet af en forundersøgelsestilladelse omfatter alle aktiviteter,

der udføres af eller på vegne af rettighedshaveren efter tilladelsen og forhold i forbindelse dermed.

En forundersøgelsestilladelse omfatter generelt indledende og mere overordnede undersøgelsesaktiviteter med henblik på at finde og afgrænse mulige mineralforekomster i et nærmere bestemt område. Det er for eksempel geologiske og geokemiske undersøgelser og prøvetagning ved hjælp af håndholdt udstyr med henblik på laboratorieundersøgelser. Forundersøgelser kan desuden for eksempel omfatte seismiske undersøgelser i havområder.

Efter de gældende standardvilkår for forundersøgelsestilladelser i Grønland kan en rettighedshaver efter en forundersøgelsestilladelse blandt andet udføre borer med håndholdt udstyr. Aktiviteter efter en forundersøgelsestilladelse, der ikke fremgår af selve tilladelsen eller standardvilkårene, kræver dog meddelelse af en aktivitetsgodkendelse ved siden af forundersøgelsestilladelsen. Det er for eksempel anvendelse af eksplosive materialer og omfattende prøvetagning ved hjælp af håndholdt udstyr med henblik på laboratorieundersøgelser. Se forslagens §§ 15, stk. 3, og § 120, stk. 1, og bemærkningerne dertil.

En forundersøgelsestilladelse meddeles uden eneret og med ret til forundersøgelse vedrørende et eller flere mineraler. En forundersøgelsestilladelse meddeles generelt for et stort eller større geografisk område. En forundersøgelsestilladelse meddeles efter § 28. Se generelt forslagens § 28 og bemærkningerne dertil.

Se også omtalen af forskelle og ligheder mellem forundersøgelsestilladelser og efterforskningstilladelser nedenfor i bemærkningerne til stk. 3.

Til stk. 3

Bestemmelsen angiver, hvad der forstås ved en efterforskningstilladelse efter forslaget.

Efterforskningsaktiviteter omfattet af en efterforskningstilladelse omfatter alle aktiviteter, der udføres af eller på vegne af rettighedshaveren efter tilladelsen, og forhold i forbindelse dermed.

En efterforskningstilladelse omfatter i vidt omfang de samme undersøgelsesaktiviteter som en forundersøgelsestilladelse. Se bemærkningerne til stk. 2. En efterforskningstilladelse omfatter dog typisk mere konkrete og dybdegående undersøgelser af mulige mineralforekomster og forhold i forbindelse dermed. Det kan for eksempel være geologiske, geokemiske og geofysiske undersøgelser. Det kan for eksempel også være seismiske undersøgelser i havområder.

En efterforskningsstilladelse meddeles med eneret til mineralefterforskning og omfatter et eller flere mineraler inden for et nærmere afgrænset tilladelsesområde. En efterforskningsstilladelse meddeles efter § 34. Se bestemmelsen og bemærkningerne dertil.

Nogle væsentlige forskelle på forundersøgelsestilladelser og efterforskningsstilladelser er, om tilladelserne meddeles med eller uden eneret og tilladelsesområdets størrelse. En anden væsentlig forskel er, at rettighedshaveren efter en efterforskningsstilladelse er forpligtet til at foretage efterforskningsaktiviteter i tilladelsesperioden.

Efter forslaget er der ikke nogen retlig sammenhæng mellem en forundersøgelsestilladelse og en efterforskningsstilladelse på den måde, at en rettighedshaver efter en forundersøgelsestilladelse har ret til at få meddelt en efterforskningsstilladelse. Det gælder for eksempel også, selvom rettighedshaveren har påvist og afgrænset en forekomst eller en mulig forekomst af mineraler eller udnyttelige mineraler.

En efterforskningsstilladelse kan meddeles uden en forudgående forundersøgelsestilladelse. Da rettighedshaveren efter en efterforskningsstilladelse har eneret til at udføre mineralefterforskning i tilladelsesområdet omfattet af efterforskningsstilladelsen, har rettighedshaveren ret til at efterforske efter mineralerne i tilladelsesområdet, uden at andre parter efterforsker efter mineraler i det samme område. En efterforskningsstilladelse medfører således generelt blandt andet større sikkerhed med hensyn til investering i efterforskningsaktiviteter og ret til de mulige indtægter, andre efterforskningsmæssige udbytter og fordele i forbindelse dermed.

En rettighedshaver efter en efterforskningsstilladelse har desuden ret til at få meddelt en tilladelse til udnyttelse af mineraler, hvis rettighedshaveren har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte, og rettighedshaveren har opfyldt alle sine forpligtelser vedrørende efterforskningsstilladelsen og aktiviteter efter tilladelsen. Det følger af forslagets § 41. Se bestemmelsen og bemærkningerne dertil. Dette ændrer imidlertid ikke ved, at forslagets øvrige bestemmelser skal efterkommes, herunder bestemmelserne om VVM- og VSB-redegørelser. Bestemmelsen udelukker derfor ikke, at der kan opstilles betingelser eksempelvis som følge af reglerne om VVM og VSB, der besværliggør eller umuliggør realiseringen af et projekt, som ellers har opnået ret til en udnyttelsestilladelse efter § 41.

Til stk. 4

Bestemmelsen angiver, hvad der forstås ved en udnyttelsestilladelse efter forslaget.

Udnyttelsesaktiviteter omfattet af en udnyttelsestilladelse omfatter alle aktiviteter, der udføres af eller på vegne af rettighedshaveren efter tilladelsen, og forhold i forbindelse dermed. Det er

blandt andet etablering, drift og anvendelse af mineanlæg, andre anlæg, installationer, bygninger og nødvendig infrastruktur, herunder veje og havne, med videre. Det er blandt andet også udførelse af aktiviteter vedrørende udnyttelse, forarbejdning, opbevaring, transport og salg af mineraler og nedlukning af udnyttelsesaktiviteterne, herunder oprydning og reetablering af tilladelsesområdet og andre berørte områder.

En udnyttelsestilladelse meddeles med eneret til udnyttelse af et eller flere bestemte mineraler og for et nærmere afgrænset tilladelsesområde. En udnyttelsestilladelse kan meddeles uden en forudgående efterforskningsstilladelse. I praksis kan det for eksempel ske i et tilfælde, hvor en rettighedshaver meddeles en udnyttelsestilladelse til udnyttelse af en udnyttelig forekomst af mineraler, der har været omfattet af en tidligere og nu ophørt udnyttelsestilladelse.

Meddelelse af en udnyttelsestilladelse forudsætter blandt andet, at rettighedshaveren efter udnyttelsestilladelsen opfylder nogle nærmere bestemte betingelser. Se §§ 41-46 og bemærkningerne dertil om betingelserne for meddelelse af en udnyttelsestilladelse med videre.

Til stk. 5

Bestemmelsen angiver, hvad der forstås ved en tilladelse til videnskabelige undersøgelser efter forslaget.

Videnskabelige undersøgelser vedrørende mineraler omfatter blandt andet undersøgelser vedrørende geologiske, geofysiske og geokemiske forhold. Det kan også omfatte andre forhold af betydning for aktiviteter omfattet af forslaget, herunder for forhold af betydning for forundersøgelser, efterforskning eller udnyttelse af mineraler, glaciologiske og hydrologiske forhold eller forhold vedrørende udnyttelse af energi fra sol, vind eller undergrunden.

Resultater af videnskabelige undersøgelser kan for eksempel bidrage til kortlægning af mulige mineralforekomster i et bestemt område og deres udnyttelsespotentialer. Sådanne undersøgelsesresultater kan indgå i et selskabs vurdering af, om selskabet gerne vil ansøge om meddelelse af en tilladelse til mineralefterforskning i en eller flere relevante dele af det pågældende tilladelsesområde.

En tilladelse til udførelse af videnskabelige undersøgelser kan for eksempel meddeles til private virksomheder, forskningsinstitutioner, uddannelsesinstitutioner, offentlige myndigheder eller selvstyrejede selskaber.

En tilladelse til videnskabelige undersøgelser omfatter i et vist omfang de samme typer af undersøgelser som en forundersøgelsestilladelse, jf. stk. 2. Efter en forundersøgelsestilladelse udføres undersøgelsesaktiviteterne dog i kommerciel sammenhæng eller helt eller delvist med

et kommercielt formål.

Efter den særlige tilladelse til videnskabelige undersøgelser i stk. 5 udføres undersøgelsesaktiviteterne i videnskabelig sammenhæng og med et videnskabeligt formål og dermed ikke i en kommerciel sammenhæng eller med et kommercielt formål.

En tilladelse til videnskabelige undersøgelser kan også meddeles til De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS), hvis GEUS gerne vil udføre videnskabelige undersøgelser, og disse ikke udføres efter aftale med Naalakkersuisut efter forslaget § 22, stk. 4.

En tilladelse til udførelse af videnskabelige undersøgelser meddeles efter § 62. Se bestemmelsen og bemærkningerne dertil.

### *Til § 13*

Til stk. 1

Bestemmelsen angiver, hvad der forstås ved en rettighedshaver efter forslaget.

En rettighedshaver efter en tilladelse til videnskabelige undersøgelser kan være et kapitalsselskab eller en anden part. Det kan for eksempel også være De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS). En rettighedshaver efter en forundersøgelser-, efterforsknings- eller udnyttelsestilladelse kan kun være et enkelt kapitalsselskab.

Ved et kapitalsselskab forstås i denne sammenhæng et aktieselskab (A/S) eller et anpartsselskab (ApS), der ikke er et iværksætterselskab (IVS). En forundersøgelserstilladelse kan kun meddeles til et grønlandsk eller udenlandsk kapitalsselskab. En efterforskningstilladelse kan kun meddeles til et grønlandsk eller udenlandsk kapitalsselskab. En udnyttelsestilladelse kan kun meddeles til et grønlandsk aktieselskab.

Begrænsningerne vedrørende udnyttelsestilladelser til grønlandske aktieselskaber med hjemsted i Grønland skyldes særligt, at udnyttelsestilladelser generelt medfører omfattende aktiviteter og forpligtelser, at selskabet bør være omfattet af det største egenkapitalkrav for et kapitalsselskab med hjemsted i Grønland og reglerne om bogføring regnskaber og årsrapporter med videre for aktieselskaber med hjemsted i Grønland, og at selskabet bør være omfattet af reglerne om rapportering og betaling af skatter og afgifter for aktieselskaber med hjemsted i Grønland. Begrænsningerne opfylder kravene til et sådant rettighedshaverselskab efter § 9, nr. 1, i lov nr. 474 af 13. juni 2009 om forskellige forhold i forbindelse med Grønlands Selvstyre.

## *Til § 14*

Til stk. 1

Bestemmelsen angiver, hvad der forstås ved en godkendelse efter forslaget.

Naalakkersuisut kan meddele flere forskellige typer af godkendelser efter forslaget. Se stk. 2-3 og bemærkningerne dertil.

Det anføres i bestemmelsens sidste led, at forslagets definition af en godkendelse ikke finder anvendelse, hvis andet følger af sammenhængen. Denne del af bestemmelsen er blandt andet relevant i tilfælde af, at forslaget henviser til eller omtaler andre godkendelser efter anden lovgivning, herunder for eksempel råstofloven.

Stk. 2

Bestemmelsen angiver, hvad der forstås ved en aktivitetsgodkendelse efter forslaget.

Ved en aktivitetsgodkendelse forstås enhver godkendelse fra Naalakkersuisut af en aktivitet efter forslaget. En aktivitetsgodkendelse kan således både være en godkendelse af en plan for en rettighedshavers aktiviteter og en godkendelse af specifikke mineralaktiviteter.

Stk. 3

Bestemmelsen angiver, hvad der forstås ved en eksportgodkendelse efter forslaget.

Udførsel af mineraler fra Grønland må kun ske efter en godkendelse deraf meddelt efter § 75.

Naalakkersuisut kan desuden efter forslagets § 75 fastsætte vilkår om, at udførsel af mineraler fra Grønland kun må ske efter en godkendelse deraf, selvom de pågældende mineraler tidligere er lovligt udført fra eller indført i Grønland. Naalakkersuisut kan således fastsætte vilkår om, at alle udførelser af mineraler fra Grønland kun må ske efter en meddelt godkendelse deraf. Det gælder også, selvom mineralerne er i jævnlig cirkulation mellem Grønland og et eller flere andre lande.

En eksportgodkendelse meddeles efter § 75. Se bestemmelserne og bemærkningerne dertil.

## *Til § 15*

Til stk. 1

Bestemmelsen angiver, hvad der forstås ved en mineplan efter forslaget.

Forslagets § 77 angiver, at rettighedshaveren efter en udnyttelsestilladelse har pligt til at udarbejde og indlevere en mineplan for aktiviteter og foranstaltninger med videre, inden rettighedshaveren påbegynder udnyttelse eller aktiviteter som forberedelse dertil eller i forbindelse dermed. Mineplanen skal være godkendt af Naalakkersuisut. Det betyder, at de nævnte aktiviteter ikke må udføres, før de er godkendt af Naalakkersuisut ved Naalakkersuisuts godkendelse af en mineplan udarbejdet og indgivet af rettighedshaveren. Se § 77 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen angiver, hvad der forstås ved en nedlukningsplan efter forslaget.

Efter § 80 har rettighedshaveren pligt til at udarbejde, indlevere og få meddelt en godkendelse af en nedlukningsplan af Naalakkersuisut. Efter § 80, stk. 2, skal nedlukningsplanen være godkendt af Naalakkersuisut senest samtidig med godkendelse af mineplanen. Efter § 80, stk. 3, skal nedlukningsplanen være godkendt af Naalakkersuisut inden aktiviteten påbegyndes.

Nedlukningsplanen skal blandt andet indeholde en plan for rettighedshaverens aktiviteter og foranstaltninger med videre ved rettighedshaverens ophør med og nedlukning af udnyttelsen eller aktiviteten. Det skal blandt andet være en plan for, hvad rettighedshaveren skal gøre vedrørende anlæg og bygninger med videre, som er etableret eller anvendt af rettighedshaveren, og tilladelsesområdet og andre berørte områder, og hvordan rettighedshaveren skal efterlade tilladelsesområdet og andre berørte områder. Se § 80 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen angiver, hvad der forstås ved aktivitetsplan efter forslaget.

En aktivitetsplan kan være en mineplan, jf. stk. 1, en nedlukningsplan, jf. stk. 2, eller en anden plan vedrørende aktiviteter, der udføres i forbindelse med udførelse af aktiviteter efter en tilladelse, herunder boringer, nedsenkning af skakter og indsættelse af stoller med videre.

Rettighedshaveren må som udgangspunkt ikke udføre aktiviteter, før Naalakkersuisut har godkendt en plan for aktiviteterne udførelse eller godkendt aktiviteterne udførelse. Planen eller aktiviteterne skal godkendes efter forslagets § 77, § 80 eller § 120.

Efter bestemmelsen i § 120 skal der blandt andet foreligge en forudgående godkendelse ved etablering af bygninger, anlæg og installationer med videre i og uden for det af tilladelsen



omfattede område. Det samme gælder for aktiviteter og foranstaltninger til opfyldelse af forpligtelser ved ophør af virksomheden og aktiviteterne omfattet af tilladelser efter forslaget. Se § 120 og bemærkningerne dertil.

#### *Til § 16*

Bestemmelsen angiver, hvad der forstås ved bestemmelser og vilkår efter forslaget.

Det anføres i første punktum sidste led, at forslagets definition af bestemmelser og vilkår ikke finder anvendelse, hvis andet følger af sammenhængen. Denne del af bestemmelsen er blandt andet relevant i tilfælde af, at forslaget henviser til eller omtaler andre bestemmelser eller vilkår end bestemmelser eller vilkår fastsat efter forslaget, herunder for eksempel bestemmelser eller vilkår fastsat efter råstofloven.

Definitionen af bestemmelser og vilkår i § 16 bidrager til at tydeliggøre, hvilke retlige instrumenter Naalakkersuisut har til at fastsætte nærmere bestemmelser og vilkår efter forslaget. Det sker særligt af hensyn til personer og virksomheder, som generelt ikke eller kun i begrænset omfang har kendskab til lovgivningen og retssystemet i Grønland.

#### *Til § 17*

Bestemmelsen angiver, hvad der forstås ved en rettighedshavers aftalepart efter forslaget. Ved en rettighedshavers aftalepart forstås blandt andet en rettighedshavers leverandør af varer eller tjenesteydelser, herunder entreprisudbydere eller rådgivningsudbydere. Omtalen af eksempler af varer og tjenesteydelser er ikke udtømmende. En rettighedshavers aftalepart omfatter også en rettighedshavers aftaleparts aftalepart med videre.

Definitionen i § 17 omfatter for eksempel en entreprenørvirksomhed, der efter aftale med rettighedshaveren skal etablere en mine efter en udnyttelsestilladelse meddelt til rettighedshaveren. Definitionen i § 17 omfatter for eksempel også enhver underentreprenør og anden aftalepart, som entreprenørvirksomheden i det førstnævnte eksempel indgår aftale med i forbindelse med etablering af minen.

Definitionen i § 17 er blandt andet relevant i forhold til forskellige aftaleforhold mellem rettighedshaveren efter en tilladelse efter forslaget og rettighedshaverens aftalepart og underaftalepart. Definitionen bidrager sammen med forslagets andre bestemmelser til at sikre overholdelse af forslagets bestemmelser og tilladelsesvilkår med videre, herunder i forhold til rapportering om og betaling af skatter og andre forpligtelser for rettighedshaveren og rettighedshaverens aftalepart og underaftalepart med videre.

Bestemmelsen vedrører ikke aftaleforholdet i forbindelse med indgåelse af en aftale om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold (en IBA-aftale) mellem en rettighedshaver og Naalakkersuisut sammen med eventuelt en eller flere kommuner. Se forslagens § 110 og bemærkningerne dertil om IBA-aftaler.

### *Til § 18*

Til stk. 1

Bestemmelsen angiver, hvad der forstås ved offshoreanlæg efter forslaget.

Forslagets § 18, stk. 1, vedrører mineralaktiviteter i havområdet, det vil sige i søterritoriet, kontinentalsokkelområdet og den eksklusive økonomiske zone ved Grønland. Se forslagens § 2. Se også afsnit 1.1 og 2.11 i de almindelige bemærkninger.

Ved offshoreanlæg forstås blandt andet skibe, pramme, andre fartøjer, platforme og andre indretninger, som anvendes til udnyttelse af mineraler i et havområde, jf. stk. 1, nr. 1. Udnyttelse af mineraler i havområdet kan ske på, i eller under havbunden.

Ved offshoreanlæg forstås blandt andet også skibe, pramme, andre fartøjer, platforme og andre indretninger, som anvendes ved forarbejdning af mineraler, der er udnyttet i et havområde eller et landområde, jf. stk. 1, nr. 2.

Ved offshoreanlæg forstås desuden blandt andet skibe, pramme, andre fartøjer, platforme og andre indretninger, som anvendes ved opbevaring af mineraler, der er udnyttet i et havområde eller et landområde, jf. stk. 1, nr. 3.

Ved offshoreanlæg forstås endvidere blandt andet skibe, pramme, andre fartøjer, platforme og andre indretninger, som anvendes til modtagelse, opbevaring, omlastning eller afsendelse af anlæg, udstyr, varer eller andre ting, som anvendes i forbindelse med udførelse af aktiviteter omfattet af forslaget i et havområde eller et landområde, jf. stk. 1, nr. 4.

Ved offshoreanlæg forstås blandt andet også skibe, pramme, andre fartøjer, platforme og andre indretninger, som anvendes som ankomststed, skiftested eller afgangssted i forbindelse med transport, opholdssted eller overnatningssted for personer, der udfører arbejde eller aktiviteter i forbindelse med udførelse af aktiviteter omfattet af forslaget i et havområde eller et landområde, jf. stk. 1, nr. 5.

Ved offshoreanlæg forstås endvidere blandt andet skibe, pramme, andre fartøjer, platforme og andre indretninger, som anvendes til indkvartering af personer, der udfører aktiviteter omfattet af forslaget i et havområde eller et landområde, jf. stk. 1, nr. 6. Bestemmelsen omfatter blandt

andet skibe med videre med indkvartering af personer, der udfører arbejde på skibe, pramme, andre fartøjer, platforme og andre indretninger omfattet af nr. 1-5. Bestemmelsen omfatter blandt andet også skibe med videre med indkvartering af personer, der udfører arbejde vedrørende udnyttelse af mineraler på land, men som uden for arbejdstiden sejles ud til et indkvarteringskib med henblik på overnatning med videre.

Til stk. 2

I bestemmelsen præciseres det, hvad der forstås ved et mobilt offshoreanlæg efter forslaget. Ved et mobilt offshoreanlæg forstås ethvert offshoreanlæg, der kan flyttes fra en position til en anden ved sejlads, forsejling eller bugsering, og som er tiltænkt anvendt på forskellige steder i dets levetid. Et mobilt offshoreanlæg er for eksempel et skib, en pram eller et andet søfartøj.

Til stk. 3

Bestemmelsen angiver, hvad der forstås ved faste offshoreanlæg efter forslaget. Faste offshoreanlæg omfatter generelt alle andre offshoreanlæg end mobile offshoreanlæg. Se bemærkningerne til stk. 2 ovenfor.

Et fast offshoreanlæg er generelt et offshoreanlæg, der er fast placeret på et sted. Det er for eksempel en platform eller en anden indretning, som er placeret på et bestemt sted og ikke er tiltænkt anvendt andre steder i dens levetid.

#### *Til § 19*

Bestemmelsen i forslaget definerer offshore-skibe.

Ved offshore-skibe forstås skibe, pramme og andre fartøjer, som ikke er offshoreanlæg efter forslagets § 18, stk. 1, og som udfører aktiviteter i tilknytning til offshoreanlæg.

Bestemmelsen omfatter for eksempel serviceskibe, beredskabsskibe, slæbebåde, både til ankerhåndtering, flydekraner og andre fartøjer, der anvendes kortere tid ad gangen.

Bestemmelsen indebærer, at de opgaver, som de nævnte skibe, pramme eller andre fartøjer udfører i tilknytning til offshoreanlæg, er omfattet af relevante dele af forslaget.

#### *Til § 20*

Bestemmelsen definerer miljøskade og den ansvarlige for en miljøskade. Se også bemærkningerne til kapitel 14 om miljøansvar og kapitel 22 om erstatning for miljøskader.

Til stk. 1

Bestemmelserne definerer, hvad der efter forslaget skal forstås ved en miljøskade.

Generelt er en miljøskade kendetegnet ved, at der sker en forrykkelse af den naturlige økologiske balance – primært i form af forurening. Forurening skal forstås i bred forstand, og omfattet af begrebet er således også støj, rystelser, varme, lys eller lignende.

Til stk. 2

Efter den foreslåede bestemmelse gælder, at der ved den ansvarlige forstås den, der udfører, leder eller kontrollerer en aktivitet omfattet af dette forslag.

#### *Til § 21*

Bestemmelsen angiver, hvad der forstås ved lokale mineralaktiviteter efter forslaget.

Lokale mineralaktiviteter omfatter blandt andet småskalaaktiviteter, udnyttelse af grus, sten og lignende mineraler til brug som byggematerialer eller anlægsmaterialer ved et byggeprojekt eller et infrastrukturprojekt i Grønland og lokale personers ret til at indsamle og bryde mineraler uden tilladelse dertil, aktiviteter der er omfattet af råstoflovens kapitel 8 og 11.

Det bemærkes, at Naalakkersuisut planlægger at fremsætte et lovforslag, der regulerer disse forhold, snarest.

#### *Til § 22*

Til stk. 1

Bestemmelsen fastslår, at det er Grønlands Selvstyre, der har ejendomsretten til at råde over og udnytte mineraler i Grønlands undergrund og dermed også har retten til at udstede tilladelser vedrørende mineraler i Grønlands undergrund.

Det medfører blandt andet, at hvis mineraler er indsamlet eller udnyttet uden tilladelse, bør mineralerne eller indtægten fra udnyttelsen deraf tilfalde Grønlands Selvstyre.

Det betyder endvidere, at prøver udtaget efter en tilladelse efter forslaget tilhører Grønlands Selvstyre, når en tilladelse til en videnskabelig undersøgelse, forundersøgelsestilladelse, efterforskningsstilladelse eller udnyttelsestilladelse ophører. Dette gælder både prøver, der

befinder sig i Grønland ved tilladelsens ophør, og prøver, der befinder sig i udlandet.

Bestemmelsen er i overensstemmelse med selvstyreloven. Det følger af selvstyreloven, at Grønlands Selvstyre har ejendomsretten til at råde over og udnytte råstofferne i den grønlandske undergrund, når selvstyret har overtaget råstofområdet.

Se afsnit 6 i de almindelige bemærkninger til selvstyreloven. Grønlands Selvstyre overtog råstofområdet den 1. januar 2010. Se ovenfor i afsnit 1.1 og 1.3.1.

Til stk. 2

Den foreslåede bestemmelse medfører et generelt forbud mod at udføre aktiviteter omfattet af forslaget uden tilladelse dertil meddelt af Naalakkersuisut efter reglerne derom i forslaget.

Aktiviteter kan dog udføres uden tilladelse, i det omfang det følger af råstofloven. Det betyder, at alle aktiviteter på mineralområdet og aktiviteter i forbindelse dermed vil være omfattet af enten dette forslag eller råstofloven.

Bestemmelsen præciserer i nr. 1-4, hvilke mineralaktiviteter efter forslaget, som kræver meddelelse af en tilladelse fra Naalakkersuisut.

Forslagets kapitel 5-7 og 9 indeholder regler om meddelelse af tilladelser til mineralaktiviteter. Kapitel 10 indeholder generelle regler for tilladelser. I forslaget kapitel 11 findes regler om mineraler med videre, herunder blandt andet om udførsel, forarbejdning af og handel med mineraler.

Selvom forslaget ikke indeholder bestemmelser om tilknyttede undergrundsaktiviteter, rørledninger og tilknyttede energiaktiviteter, medfører det ikke, at en rettighedshaver er afskåret fra at udføre sådanne aktiviteter efter forslaget. Sådanne aktiviteter kan udføres som tilknyttede aktiviteter (sideaktiviteter eller biaktiviteter) i forhold til hovedaktiviteterne efter en mineraltilladelse, se herved forslaget § 3, stk. 1, nr. 2. Udførelse af tilknyttede undergrundsaktiviteter eller energiaktiviteter kræver godkendelse deraf meddelt af Naalakkersuisut. En rettighedshaver kan for eksempel anmode om godkendelse dertil ved udarbejdelse og indlevering af en mineplan eller anden aktivitetsplan til Naalakkersuisut, som omfatter undergrundsaktiviteter og energiaktiviteter. Se forslaget § 120 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen angiver, at aktiviteterne i stk. 3, nr. 1-2, kun må udføres i Grønland efter godkendelser meddelt af Naalakkersuisut efter reglerne i forslaget. Den foreslåede

bestemmelse medfører et generelt forbud mod at udføre aktiviteter omfattet af forslaget uden godkendelser deraf meddelt af Naalakkersuisut, medmindre aktiviteterne er indeholdt i tilladelsen.

En godkendelse kan generelt kun meddeles til en part, der er rettighedshaver efter en tilladelse efter forslaget. En eksportgodkendelse kan dog også meddeles til en part, der ikke er rettighedshaver, jf. § 75, stk. 2. Det skyldes, at en godkendelse i de fleste tilfælde omfatter aktiviteter, der enten er hovedaktiviteterne efter en tilladelse eller er tilknyttede aktiviteter (sideaktiviteter eller biaktiviteter) i forhold til hovedaktiviteterne efter en tilladelse.

Formålet med bestemmelsen i nr. 2 er at præcisere, at andre aktiviteter end dem, der er nævnt i nr. 1, kan være omfattet af krav om godkendelse fra Naalakkersuisut, før aktiviteterne udføres. Dette vil gælde samtlige aktiviteter, der ikke er indeholdt i en tilladelse.

Aktiviteter indeholdt i en tilladelse vil typisk være mindre omfattende aktiviteter, som enhver rettighedshaver efter den pågældende tilladelsestype må forventes at udføre regelmæssigt, hvorfor det ville være forbundet med unødvendigt meget administration at kræve, at disse aktiviteter skulle godkendes i hvert enkelt tilfælde. Disse aktiviteter kan, hvis de er nævnt i tilladelsen, siges at være godkendt i selve tilladelsen.

Som et eksempel på aktiviteter, der kræver godkendelse, kan nævnes forslagets § 77. Efter § 77 har rettighedshaveren efter en udnyttelsestilladelse pligt til at udarbejde og indlevere en mineplan for aktiviteter og foranstaltninger med videre, inden rettighedshaveren begynder at udføre udnyttelse eller aktiviteter som forberedelse dertil eller i forbindelse dermed. Mineplanen skal være godkendt af Naalakkersuisut. Det betyder, at de nævnte aktiviteter ikke må udføres, før en mineplan udarbejdet og indgivet af rettighedshaveren er blevet godkendt af Naalakkersuisut.

Derudover kan det følge af vilkår i en tilladelse eller en godkendelse meddelt af Naalakkersuisut, at rettighedshaveren ikke må udføre bestemte aktiviteter, før Naalakkersuisut har godkendt en plan for aktiviteterne udførelse. Aktiviteterne vil da skulle godkendes efter vilkårene derom i tilladelsen eller godkendelsen efter forslagets § 120.

Til stk. 4

Bestemmelsen indeholder en særlig undtagelse til det generelle tilladelseskrav i forslagets § 22, stk. 2. Bestemmelsen er en stående bemyndigelse fra Inatsisartut til Naalakkersuisut til at udføre undersøgelser og kortlægning af relevans for mineralområdet. Det vil typisk dreje sig om undersøgelser og kortlægning som led i markedsføring af mineralområdet i Grønland eller Grønlands geologi, eller undersøgelser og kortlægning af generel samfundsmæssig interesse.

Naalakkersuisut kan udføre undersøgelsesaktiviteterne selv eller lade andre parter udføre aktiviteterne. Naalakkersuisut kan for eksempel indgå en aftale med De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS), Nationalt Center for Miljø og Energi (DCE) eller en anden part om udførelse af aktiviteterne omfattet af stk. 3. I det nævnte tilfælde kan GEUS, DCE eller den anden part udføre aktiviteter omfattet af stk. 3 for Naalakkersuisut uden tilladelse dertil og i overensstemmelse med aftalen med Naalakkersuisut.

Til stk. 5

Bestemmelsen angiver, at stk. 1-3 ikke finder anvendelse på lokale mineralaktiviteter.

Råstofloven finder generelt fortsat anvendelse på småskalamineralaktiviteter, herunder småskalaefterforskning og småskalaudnyttelse af mineraler, udnyttelse af grus, sten og lignende mineraler til brug for lokale byggeprojekter og infrastrukturprojekter, lokales indsamling og brydning af mineraler uden meddelt tilladelse dertil og lokale personers udførelse af geoturismeaktiviteter vedrørende fremvisning af mineraler og geologiske forhold i Grønland for turister med videre.

Bestemmelsen skal bidrage til at sikre, at alle aktiviteter på mineralområdet og aktiviteter i forbindelse dermed vil være omfattet af enten dette forslag eller råstofloven.

### *Til § 23*

Til stk. 1

Bestemmelsen omhandler myndighedsstrukturen inden for forslagets anvendelsesområde.

Kompetencen til at administrere forslagets bestemmelser og træffe afgørelser efter forslaget ligger som udgangspunkt hos Råstofstyrelsen og Miljøstyrelsen for Råstofområdet.

Naalakkersuisut træffer afgørelser af væsentlig karakter, og Råstofstyrelsens og Miljøstyrelsen for Råstofområdets afgørelser kan påklages til Naalakkersuisut, se § 24 og bemærkningerne hertil.

Det vil således, i praksis, alene være afgørelser om meddelelse, væsentlig ændring, overdragelse, tilbagekaldelse og godkendelse af tilbagelevering af en tilladelse til efterforskning eller udnyttelse af mineraler, der træffes af Naalakkersuisut. Derudover træffes afgørelser om forhold, der kan få væsentlig indvirkning på samfundet eller miljøet, af Naalakkersuisut, medmindre Naalakkersuisut har fastsat bestemmelser om, at bestemte afgørelser træffes af Råstofstyrelsen og Miljøstyrelsen for Råstofområdet.

Desuden vil Naalakkersuisut som udgangspunkt træffe afgørelse i konkrete sager, der har principiel betydning for afgørelsen af fremtidige tilsvarende sager, eller hvis der i øvrigt vurderes at være behov for at fastlægge en ny administrativ praksis på et område, afgørelser om iværksættelse af ekspropriation, afgørelser om at visse opgaver efter forslaget skal varetages af andre myndigheder eller private parter og fastsættelse af vilkår og bestemmelser i bekendtgørelsesform.

Alle andre afgørelser og al myndighedsbehandling vil som udgangspunkt blive varetaget af Råstofstyrelsen og Miljøstyrelsen for Råstofområdet.

Til stk. 2

Det foreslås, at Råstofstyrelsen fortsat er den administrative myndighed på mineralområdet, og at det miljømæssige område bliver varetaget af Miljøstyrelsen for Råstofområdet (Miljøstyrelsen), jf. stk. 3.

Råstofstyrelsen varetager myndighedsopgaver om alle forhold vedrørende mineralområdet, bortset fra forhold vedrørende miljø. Inden for sit kompetenceområde kan Råstofstyrelsen træffe afgørelser, herunder om godkendelse eller afvisning af godkendelse af rettighedshaveres aktivitetsplaner eller andre planer (bortset fra miljøplaner) eller om meddelelse af påbud om overholdelse af forslagets regler eller tilladelsesvilkår (bortset fra regler eller vilkår om miljøforhold).

En aktivitetsplan skal godkendes af Naalakkersuisut, hvis planen omfatter aktiviteter, der kan få væsentlig indvirkning på samfundet. Det samme gælder for redegørelser om samfundsmæssig bæredygtighed (VSB-redegørelse), jf. forslagets kapitel 16.

Klager over Råstofstyrelsens afgørelser kan indbringes for Naalakkersuisut, der så træffer afgørelse i sagerne, jf. forslagets § 24. Naalakkersuisut kan træffe endelig afgørelse i en klagesag eller hjemvise den til videre behandling og afgørelse i Råstofstyrelsen.

Til stk. 3

Miljøstyrelsen for Råstofområdet (Miljøstyrelsen) forbliver fagmyndighed under Naalakkersuisut på mineralområdet med hensyn til miljøforhold, herunder beskyttelse af miljø, klima og natur, miljøansvar og miljøvurdering.

Miljøstyrelsen varetager som udgangspunkt myndighedsopgaver om miljøforhold på mineralområdet.

Miljøstyrelsen er som administrativ myndighed på området for miljø kompetent til at træffe



afgørelser eller lade udarbejde udkast til afgørelser samt vurderinger og udtalelser.

Herved er der dog ikke ændret på, at myndighedsbehandlingen og kommunikationen på mineralområdet er organiseret efter det såkaldte en-dørs-princip (one door principle).

Klager over Miljøstyrelsens afgørelser kan indbringes for Naalakkersuisut, der så træffer afgørelse i sagerne, jf. forslaget § 24. Naalakkersuisut kan træffe endelig afgørelse i en klagesag eller hjemvise den til videre behandling og afgørelse i Miljøstyrelsen.

Miljøstyrelsens vurderinger, indstillinger, afgørelser og udtalelser baseres på vurderinger og udkast til afgørelser fra en eller flere videnskabelige og uafhængige miljøinstitutioner.

Hvor Naalakkersuisut ikke har delegeret kompetence til anden myndighed og således skal træffe afgørelse, vil myndighedernes indstilling til afgørelser med videre som altid være en samlet indstilling vedrørende samtlige forhold. Til myndighedernes indstilling vedlægges derfor også vurderinger med videre fra de uafhængige miljøinstitutioner i deres fulde udgave, ligesom det hidtil har været tilfældet efter råstofloven.

I overensstemmelse med praksis er hverken Naalakkersuisut eller myndighederne på mineralområdet bundet af vurderinger eller indstillinger fra de videnskabelige institutioner. Disse vurderinger indgår som delelementer i en helhedsafgørelse, og myndighederne kan i deres indstilling eller afgørelse vægte anderledes end de videnskabelige institutioner, herunder anlægge en skarpere eller mildere fortolkning. Den endelige beslutning og afgørelse tilkommer i alle tilfælde Naalakkersuisut, eller den myndighed til hvilken Naalakkersuisut har delegeret afgørelseskompetencen, og afgørelse træffes således af den pågældende myndighed på baggrund af en vægtning af samtlige forhold og en afvejning af samtlige elementer i forhold til kravene i forslaget.

Til stk. 4

Bestemmelsen fastslår, at myndighedsudøvelsen på mineralområdet organiseres som en samlet og integreret myndighedsbehandling. Myndighedsbehandlingen omfatter alle forhold vedrørende mineraler, mineralaktiviteter, anvendelse af undergrunden til lagring eller andre formål vedrørende mineralaktiviteter, tilknyttede energiaktiviteter, tilknyttede rørledningsaktiviteter og andre tilknyttede aktiviteter.

Den samlede og integrerede myndighedsbehandling skal bidrage til en fortsat helhedsorienteret sagsbehandling på de teknisk vanskelige forvaltningsområder, som forudsætter kendskab til mineralaktiviteter, tilknyttede aktiviteter, mineraltilladelser, geologiske, tekniske og økonomiske forhold i forbindelse dermed og forhold, der kan have betydning for sikkerhed, sundhed, miljø, ressourceudnyttelse og samfundsmæssig

bæredygtighed i forbindelse dermed.

Endvidere skal den samlede og integrerede myndighedsbehandling sikre og styrke faglige miljøer, der til enhver tid kan varetage opgaver på det niveau, som forvaltningen af mineralområdet kræver, og som de nationale og internationale mineralvirksomheder forventer.

Bestemmelsen suppleres af den foreslåede bestemmelse i stk. 7. Den indebærer, at de i stk. 1 nævnte myndigheder også er den ansvarlige og kompetente myndighed efter andre love og regler med hensyn til mineraler, mineralaktiviteter og tilknyttede aktiviteter. Se stk. 7 og bemærkningerne dertil.

Til stk. 5

Efter stk. 5 er myndighedsbehandlingen og kommunikationen på mineralområdet organiseret efter det såkaldte en-dørs-princip (one door principle). Det indebærer, at rettighedshavere og andre, der er omfattet af forslaget, generelt kommunikerer med en enkelt myndighed.

Til stk. 6

Efter bestemmelsen skal Råstofstyrelsen som hidtil koordinere tiltag med Miljøstyrelsen, i det omfang der er behov for miljømæssige vurderinger, udtalelser og afgørelser på mineralområdet.

Efter forslaget er behandlingen af sager på mineralområdet organiseret således, at Råstofstyrelsen ikke behandler en sag, træffer afgørelse eller afgiver en indstilling til Naalakkersuisut uden først at have hørt Miljøstyrelsen, hvis det i forbindelse dermed er nødvendigt at foretage en vurdering eller træffe en afgørelse vedrørende miljømæssige forhold.

Råstofstyrelsen skal i disse tilfælde, som koordinerende myndighed, indhente en udtalelse eller afgørelse fra Miljøstyrelsen.

Miljøstyrelsen skal endvidere af egen drift orientere Råstofstyrelsen om Miljøstyrelsens sagsbehandling og afgørelser. Det skal blandt andet sikre, at Råstofstyrelsen kan varetage sin funktion som koordinerende forvaltningsmyndighed på råstofområdet.

Forvaltningen af miljøforhold på råstofområdet er baseret på en grundlæggende forudsætning om, at Miljøstyrelsens tekniske rådgivere foretager miljøvurderinger og udarbejder udkast til afgørelser (indstillinger) vedrørende miljøforhold. Som nævnt ovenfor i bemærkningerne til stk. 3 sikres det dermed, at myndighedernes vurderinger og afgørelser vedrørende

miljøforhold fortsat er baseret på vurderinger og udkast til afgørelser fra en videnskabelig og uafhængig miljøinstitution.

Det indebærer, at sager om vurderinger eller afgørelser vedrørende miljøforhold generelt skal behandles efter følgende procedurer og principper:

Når Råstofstyrelsen modtager en sag, der også vedrører miljømæssige forhold, sender Råstofstyrelsen sagen til Miljøstyrelsen og anmoder denne om en udtalelse eller afgørelse. Miljøstyrelsen anmoder derefter den tekniske rådgiver om at udarbejde de nødvendige vurderinger, udtalelser og udkast til afgørelser. Når Miljøstyrelsen har modtaget materialet fra den tekniske rådgiver, gennemgår Miljøstyrelsen materialet og udarbejder i fornødent omfang bemærkninger dertil. Miljøstyrelsen fremsender den tekniske rådgivers materiale til Råstofstyrelsen sammen med Miljøstyrelsens eventuelle bemærkninger, indstilling og afgørelser i forbindelse dermed.

Hvis der er tale om en sag, der skal forelægges for Naalakkersuisut, forelægger Råstofstyrelsen sagen for Naalakkersuisut. I forbindelse dermed medsender Råstofstyrelsen i uændret form materialet fra den tekniske rådgiver og Miljøstyrelsen. Derefter træffer Naalakkersuisut afgørelse i sagen.

Til stk. 7

Forslagets stk. 7 bidrager til at sikre grundlaget for de i stk. 1 nævnte myndigheders samlede og integrerede myndighedsbehandling på mineralområdet i praksis, idet det fastslås, at de i stk. 1 nævnte myndigheder ved administrationen af forslaget også er den kompetente myndighed efter andre love og regler, i det omfang dette er muligt.

#### *Til § 24*

Det foreslås som hidtil, at en klage over en afgørelse truffet af Råstofstyrelsen eller Miljøstyrelsen for Råstofområdet kan indbringes for Naalakkersuisut, der så træffer afgørelse i sagen.

Klagereglerne giver således adgang til at få en sag behandlet og afgjort i 2 instanser, medmindre sagen i 1. instans er afgjort af Naalakkersuisut. Det er generelt i overensstemmelse med hensynet til retssikkerhed vedrørende den enkelte sags afgørelse.

Klagereglerne giver adgang til at få enhver sag behandlet og afgjort af Naalakkersuisut. Det er i overensstemmelse med hensynet til, at sager vedrørende forhold af væsentlig betydning generelt bør afgøres eller kunne afgøres af Naalakkersuisut som selvstyrets øverste forvaltningsmyndighed.

Til stk. 1

Efter stk. 1 kan de, der efter bestemmelsen anses som klageberettigede, klage til Naalakkersuisut over en afgørelse truffet af Råstofstyrelsen eller Miljøstyrelsen. En klage kan således ikke indbringes for andre administrative myndigheder eller klagenævn.

Alle, der må antages at have en væsentlig individuel interesse i sagens udfald, er at anse som part efter nr. 1. Desuden er visse foreninger og organisationer klageberettigede efter nr. 2.

Bestemmelsen afskærer ikke domstolsprøvelse eller behandling hos Ombudsmanden for Inatsisartut.

Til stk. 2

Bestemmelsen fastsætter en klagefrist på 6 uger for indgivelse af en klage til Naalakkersuisut over en afgørelse truffet af Råstofstyrelsen eller Miljøstyrelsen.

Bestemmelsen indeholder 2 regler om klagefristens begyndelse. Hvis en afgørelse er meddelt til en part, regnes klagefristen fra dagen for meddelelsen. Hvis en afgørelse er offentligt bekendtgjort, regnes klagefristen fra dagen for offentliggørelsen.

Bestemmelsen indeholder en enkelt regel om klagefristen udløb. Udløber klagefristen på en lørdag eller en helligdag, forlænges klagefristen til den følgende hverdag.

En klage kan ikke indbringes for Naalakkersuisut efter klagefristens udløb.

Til stk. 3

Det følger af bestemmelsen, at en klage skal indgives skriftligt, herunder ved anvendelse af elektronisk kommunikation som for eksempel e-mail, og at klagen skal indgives til den myndighed, der har truffet afgørelsen. Myndigheden vil være Råstofstyrelsen eller Miljøstyrelsen.

Til stk. 4

Det foreslås i stk. 4, at en klage over en tilladelse, en godkendelse eller en dispensation ikke har opsættende virkning, medmindre Naalakkersuisut bestemmer andet. Efter stk. 5 kan Naalakkersuisut fastsætte bestemmelser om, at klager over andre typer afgørelser har opsættende virkning.

Til stk. 5

Efter stk. 5 kan Naalakkersuisut fastsætte bestemmelser om, at bestemte tilladelser, godkendelser og dispensationer ikke må udnyttes inden for klagefristen.

Til stk. 6

Bestemmelsen angiver, at klager over påbud eller forbud som udgangspunkt ikke har opsættende virkning. Dette er begrundet i, at påbud eller forbud som regel anvendes, hvor tilsynsmyndigheden har fundet behov for at standse en aktivitet omgående.

### *Til § 25*

Til stk. 1

Bestemmelsen fastsætter en generel frist på 1 år for indbringelse af en afgørelse for domstolene. Valget af en generel frist på 1 år skal sikre en enkel og klar retsstilling vedrørende dette forhold. Forslaget viderefører retstillingen efter råstofloven.

Bestemmelsen finder anvendelse både for søgsmål vedrørende selve afgørelsen, herunder eksempelvis domstolsprøvelse af afgørelsens gyldighed eller virkninger, og for søgsmål om erstatningskrav, andre betalingskrav eller andre krav vedrørende eller i forbindelse med afgørelsen.

Bestemmelsen indeholder 2 regler om fristens begyndelse. Fristen regnes fra dagen for meddelelsen af afgørelsen til en part. Hvis en afgørelse er offentligt bekendtgjort, regnes fristen dog altid fra dagen for offentliggørelsen. Bestemmelsen fastsætter også en regel om fristens udløb. Hvis den almindelige frist udløber på en lørdag eller en helligdag, forlænges fristen til den efterfølgende hverdag. Hvis fristen for eksempel begynder at løbe torsdag den 1. februar 2024, er sidste frist for at anlægge en sag ved domstolene den 1. februar 2025. Da den 1. februar 2025 er en lørdag, og den 2. februar 2025 er en søndag, er sidste frist for anlæggelse af sagen således mandag den 3. februar 2025.

Bestemmelsen i stk. 1 har til formål at sikre, at borgere, myndigheder og erhvervslivet opnår en endelig retsstilling inden for en rimelig frist. Rettighedshavere og andre, der udfører aktiviteter inden for forslaget område, har også behov for at kunne handle i tillid til truffne afgørelser uden uvished om, at sagen efter længere tid kan indbringes for og ændres af domstolene eller en voldgiftsret.

Lignende bestemmelser findes i dansk lovgivning. I den danske lov om miljøbeskyttelse gælder som udgangspunkt en frist på 6 måneder for indbringelse af afgørelser for domstolene

om forhold omfattet af loven. Den danske lov om miljøbeskyttelse giver dog i visse tilfælde en frist på 1 år. I den danske lov om planlægning gælder også en frist på 6 måneder for indbringelse af afgørelser for domstolene.

Danske love om miljøbeskyttelse og planlægning har blandt andet det til fælles, at de regulerer væsentlige samfundsmæssige interesser, hvor der er et samfundsmæssigt behov for at opnå en klar og endelig retsstilling inden for et rimeligt tidsrum. Det samme behov gør sig gældende inden for forslagetets område.

Til stk. 2

Bestemmelsen fastsætter, at indbringelse af en afgørelse for domstolene ikke har opsættende virkning, medmindre Naalakkersuisut bestemmer andet.

Hvis indbringelse af en afgørelse for domstolene har opsættende virkning, får afgørelsen først virkning, når sagen er afgjort uden ophævelse eller ændring af afgørelsen, eller når sagen er afvist, frafaldet eller ophørt på anden måde.

Ved vurderingen af spørgsmålet om opsættende virkning kan der blandt andet tages hensyn til, om afgørelsen vil kunne medføre væsentlige negative indvirkninger på samfundet eller andre væsentlige forhold. Udgangspunktet er dog som nævnt, at indbringelse af en afgørelse for domstolene ikke har opsættende virkning.

Til stk. 3

Bestemmelsen fastsætter, at en afgørelse omfattet af forslaget kun kan indbringes for domstolene med kompetence i Grønland.

#### *Til § 26*

Bestemmelsen medfører en pligt for Naalakkersuisut til hvert år at udarbejde og offentliggøre en redegørelse om ansøgninger om tilladelser, meddelte tilladelser og planlagte og gennemførte udbud af tilladelser. Det er hensigten, at redegørelsen skal fungere som Naalakkersuisuts generelle information til Inatsisartut og offentligheden om aktiviteter efter dette forslag.

Naalakkersuisut skal sende redegørelsen til Inatsisartuts medlemmer og offentliggøre redegørelsen.

#### *Til § 27*

Bestemmelsen medfører en pligt for Naalakkersuisut til at orientere et relevant udvalg i Inatsisartut, inden der træffes afgørelse om forhold, der kan få væsentlig indvirkning på samfundet eller miljøet, eksempelvis afgørelser om meddelelse af tilladelser til udnyttelse.

Erfaringen på mineralområdet har vist, at mineralområdet får og fortsat kan få en stadig stigende økonomisk og erhvervsmæssig betydning for Grønland. Der er derfor fortsat behov for parlamentarisk indsigt og kontrol med området. Det er ikke hensigten med forslaget at påvirke Inatsisartuts tidligere eller fremtidige beslutninger om nedsættelse af særlige udvalg eller fordeling af kompetence og arbejdsopgaver i øvrigt mellem udvalg i Inatsisartut.

Det forudsættes, at Naalakkersuisut og det relevante udvalg efterfølgende indgår en nærmere aftale vedrørende omfanget af orienteringen. Det er ikke hensigten med bestemmelsen, at udvalget skal belastes med tunge tekniske rapporter og lignende, men kun at de væsentligste forhold fremhæves.

#### *Til § 28*

Bestemmelsen vedrører meddelelse af tilladelse uden eneret til forundersøgelse vedrørende mineraler.

Forundersøgelser omfatter generelt indledende og mere overordnede undersøgelser med henblik på at finde og afgrænse mulige mineralforekomster i et nærmere bestemt område. Hensigten med forundersøgelser er blandt andet generelt at skabe grundlag for indledende vurderinger af mulighederne for at iværksætte egentlige efterforskninger efter mineraler i det pågældende område.

Se definitionen af en forundersøgelsestilladelse i § 12, stk. 2, og bemærkningerne dertil.

Efter forslaget kan en forundersøgelsestilladelse som nævnt kun meddeles uden eneret. Det betyder, at flere rettighedshavere kan få meddelt forundersøgelsestilladelser, der helt eller delvist omfatter det samme geografiske område. En forundersøgelsestilladelse meddeles generelt for et meget stort geografisk område.

En forundersøgelsestilladelse omfatter undersøgelser vedrørende et eller flere mineraler. At en tilladelse ikke omfatter alle mineraler skyldes, at der kan være visse mineraler, som Grønlands Selvstyre ikke ønsker udnyttet. I praksis vil en forundersøgelsestilladelse, efter standardvilkårene herfor, omfatte alle mineraler, med undtagelse af det eller de mineraler, der eventuelt, ved lov eller bekendtgørelse, er nedlagt forbud mod at udnytte.

At et mineral ikke er omfattet af tilladelsen, betyder ikke, at der ikke må foretages undersøgelser vedrørende mineralet, eller at der ikke skal indsendes rapporter til

Naalakkersuisut vedrørende mineralet. Det betyder, at der i visse områder, hvor mineralet forekommer, kan være restriktioner, der betyder, at disse områder ikke er dækket af tilladelsen eller, såfremt en tilladelse allerede er meddelt, udgår af tilladelsesområdet.

Naalakkersuisut kan fastsætte vilkår i forundersøgelsestilladelser om alle relevante forhold og hensyn. Vilkårene skal fastsættes i overensstemmelse med forslaget og dets formål. Se forslagens §§ 1 og 33 om fastsættelse af vilkår i en forundersøgelsestilladelse og bemærkningerne dertil.

Meddelelse af en forundersøgelsestilladelse efter forslagens § 28 indebærer ikke et tilsagn til rettighedshaveren om, at rettighedshaveren på et senere tidspunkt kan få ret eller fortrinsret til meddelelse af en tilladelse til efterforskning eller udnyttelse af mineraler med videre efter forslagens §§ 34 og 43.

### *Til § 29*

Til stk. 1

Efter bestemmelsen skal rettighedshaveren efter en forundersøgelsestilladelse være et kapitalselskab.

Aktieselskaber, anpartsselskaber og iværksætterselskaber er alle kapitalselskaber og omfattet af lovgivning for kapitalselskaber i Grønland i den danske anordning for Grønland om ikrafttræden af lov om aktie- og anpartsselskaber (selskabsloven).

Efter bestemmelsen kan rettighedshaveren dog ikke være et iværksætterselskab, selvom et iværksætterselskab er en særlig type anpartsselskab. Grunden dertil er blandt andet, at et iværksætterselskab kun skal have en registreret selskabskapital på mindst 1 kr., og at et anpartsselskab i stedet skal have en registreret selskabskapital på mindst 40.000 kr. Et anpartsselskab vil således generelt have en større selskabskapital end et iværksætterselskab.

Naalakkersuisut træffer afgørelse om, hvorvidt et selskab med hjemsted i et andet land svarer til et aktieselskab eller et anpartsselskab, der ikke er et iværksætterselskab, med hjemsted i Grønland og dermed kan være et rettighedshaverselskab efter en forundersøgelsestilladelse.

En afgørelse derom træffes i overensstemmelse med § 29 og med det formål at sikre, at der til den konkrete type af selskaber stilles grundlæggende og væsentlige krav til regulering, registrering, kapitalforhold, økonomisk og finansiel formåen (finansiel kapacitet), ledelse, bogføring og regnskaber med videre.

Endvidere bestemmes det, at rettighedshaverselskabet skal være registreret som



erhvervsdrivende i Grønland. Det vil efter de gældende regler herfor sige, at selskabet skal være CVR-registreret. Dette kræves blandt andet af hensyn til skattemæssige indberetninger fra selskabet.

Til stk. 2

Bestemmelsen angiver, at en rettighedshaver efter stk. 1 skal opfylde visse krav i hele tilladelsesperioden.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut har afgørelseskompetence i forhold til hvilke udenlandske selskaber der anses for at svare til aktieselskaber og anpartsselskaber med hjemsted i Grønland.

Naalakkersuisut kan således træffe afgørelse om, at rettighedshaveren efter en forundersøgelsestilladelse kan eller ikke kan være en bestemt type kapitalsselskab med hjemsted i et andet land end Grønland.

### *Til § 30*

Til stk. 1

Efter bestemmelsen meddeles en tilladelse til forundersøgelse for en tilladelsesperiode på indtil 5 år. En forundersøgelsestilladelse kan således meddeles for en tilladelsesperiode på mindre end 5 år, herunder for eksempel 3 år, men kan ikke meddeles for en tilladelsesperiode på mere end 5 år ad gangen.

Bestemmelsen i stk. 1 er ikke til hinder for, at en tilladelse til forundersøgelse kan forlænges. Se stk. 2 og 3 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen vedrører forlængelse af en tilladelsesperiode for en forundersøgelsestilladelse meddelt efter § 28.

Efter bestemmelsen kan tilladelsesperioden på indtil 5 år efter stk. 1 forlænges en eller flere gange af Naalakkersuisut med en periode på indtil 5 år hver gang.

En tilladelsesperiode kan for eksempel forlænges fra 5 år til 8 år eller 10 år ved en forlængelse efter stk. 2. Hvis rettighedshaveren ansøger derom, og Naalakkersuisut godkender

ansøgningen, kan tilladelsesperioden forlænges yderligere fra for eksempel 8 år til 10 år eller fra 10 år til 12 år eller 15 år.

Årsagen til begrænsninger i tilladelsesperioderne for forundersøgelsestilladelser er, at Naalakkersuisut har en interesse i, at de indsamlede data under tilladelsen kan offentliggøres hurtigst muligt. En forlængelse af en tilladelsesperiode vil derfor som udgangspunkt blive meddelt i tilfælde, hvor rettighedshaverens interesse i at holde de indsamlede data fortrolige, se herved § 32, stk. 2, findes at overstige Naalakkersuisuts interesse i offentliggørelse. Dette kan eksempelvis være tilfældet, hvis en rettighedshaver kontinuerligt indsamler større mængder data med henblik på videresalg. Ved afgørelser om forlængelse af en tilladelsesperiode vil rettighedshaverens begrundelse for at ansøge om en forlængelse oftest være udslagsgivende for, om en forlængelse meddeles.

Den samlede tilladelsesperiode for en forundersøgelsestilladelse kan ikke overstige 15 år, jf. stk. 4.

Til stk. 3

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte ændrede tilladelsesvilkår ved enhver forlængelse af tilladelsesperioden til en længere samlet tilladelsesperiode end 10 år.

Bestemmelsen indebærer, at Naalakkersuisut kan fastsætte ændrede tilladelsesvilkår, når den oprindelige tilladelsesperiode bliver forlænget til en længere samlet tilladelsesperiode end 10 år.

Naalakkersuisut kan således ikke fastsætte ændrede vilkår ved første forlængelse af tilladelsesperioden, jf. stk. 2, da den første forlængelse af tilladelsen ikke kan medføre, at tilladelsen får en længere samlet tilladelsesperiode end 10 år. Hvis den oprindelige tilladelsesperiode var meddelt for en periode på 5 år, og den første forlængelse var meddelt for en periode på 5 år, kan Naalakkersuisut fastsætte ændrede tilladelsesvilkår ved en eventuelt anden forlængelse af tilladelsesperioden, jf. stk. 2.

Til stk. 4

Bestemmelsen fastsætter en øvre grænse for længden af den samlede tilladelsesperiode for en forundersøgelsestilladelse. Efter bestemmelsen kan en tilladelsesperiode for en forundersøgelsestilladelse ikke være længere end 15 år. Se også bemærkningerne til stk. 2 ovenfor.

Hvis en rettighedshaver ønsker at udføre yderligere forundersøgelseraktiviteter efter en

tilladelsesperiode på 15 år, må rettighedshaveren ansøge om meddelelse af en ny forundersøgelsestilladelse efter § 28.

Til stk. 5

Bestemmelsen indebærer, at en forundersøgelsestilladelse kan ophøre på et tidligere tidspunkt end ved udløbet af tilladelsesperioden efter stk. 1-4. Det vil for eksempel ske, hvis Naalackersuisut inden da godkender, at rettighedshaveren tilbageleverer forundersøgelsestilladelsen til Naalackersuisut.

### *Til § 31*

Til stk. 1

Bestemmelsen i stk. 1 præciserer og uddyber Naalackersuisuts hjemmel til at fastsætte bestemmelser om betaling af gebyr for modtagelse og behandling af en ansøgning om meddelelse af en forundersøgelsestilladelse efter § 28 eller en forlængelse af tilladelsesperioden efter en forundersøgelsestilladelse efter § 30, stk. 2, og for meddelelse af en forundersøgelsestilladelse eller en forlængelse af tilladelsesperioden. Bestemmelsen i stk. 1 præciserer og uddyber desuden Naalackersuisuts hjemmel til at fastsætte bestemmelser om betaling af gebyr for myndighedsbehandling vedrørende en forundersøgelsestilladelse eller en forlængelse af tilladelsesperioden for en forundersøgelsestilladelse.

Naalackersuisut kan fastsætte bestemmelser om betaling af gebyrer som anført ovenfor i en bekendtgørelse. Se forslaget § 16 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen i stk. 2 præciserer og uddyber Naalackersuisuts hjemmel til at fastsætte bestemmelser og vilkår om rettighedshaverens betaling af vederlag for opretholdelse af en forundersøgelsestilladelse og aktiviteter efter tilladelsen med videre.

Der kan eksempelvis fastsættes bestemmelser om et årligt vederlag for retten til at foretage forundersøgelser, eller vederlag der relaterer sig til bestemte aktiviteter.

Et vederlag kan udgøre en del af landskassens mulige modtagelse af betalinger fra en rettighedshaver for dennes ret til udførelse af aktiviteter efter en forundersøgelsestilladelse og mulige økonomiske og kommercielle fordele i forbindelse dermed. Vederlagets størrelse kan blandt andet fastsættes under hensyntagen til de enhver tid gældende markedsforhold inden for mineralsektoren.

Et vederlag for udførelse af bestemte aktiviteter kan for eksempel også være et beløb, der tilgår en fond eller en pulje, som skal medgå til at dække Naalakkersuisuts udgifter til oprydning efter mineralaktiviteter i tilfælde, hvor rettighedshavere efter forslaget ikke overholder deres oprydningsforpligtelser, og der ikke er stillet sikkerhed for disse forpligtelser, eller den stillede sikkerhed ikke er tilstrækkelig.

Fastsættelse af vederlag kan kun ske fremadrettet, det vil sige, at fastsættelse af vederlag i bekendtgørelsesform kun vil gælde tilladelser meddelt efter offentliggørelse af bekendtgørelsen, og at vederlag fastsat i tilladelser ikke kan ændres i løbet af den i tilladelsen fastsatte tilladelsesperiode.

Til stk. 3

Bestemmelsen udgør hjemmelsgrundlaget for Naalakkersuisuts mulighed for at opkræve beløb til dækning af udgifter, der afholdes af Naalakkersuisut i forbindelse med sagsbehandling og myndighedsbehandling efter dette forslag. Bestemmelsen omfatter for eksempel opkrævning vedrørende udgifter til sagsbehandling, tilsyn, anden myndighedsbehandling, tjenesterejser og eksterne rådgivere og konsulenter med videre.

Betalingen kan opkræves som gebyrer eller udgiftsrefusion.

Betalingen for myndighedsbehandlingen kan for eksempel opkræves på baggrund af en timesats for det aktuelle tidsforbrug ved sagsbehandling og anden myndighedsbehandling, herunder meddelelse af tilladelser og godkendelser med videre.

Enhver udgift kan opkræves som gebyr eller udgiftsrefusion, i det omfang betalingen generelt svarer til Naalakkersuisuts udgifter i forbindelse med sagsbehandling og myndighedsbehandling. Det er således ikke hensigten, at der med hjemmel i bestemmelsen kan opkræves gebyrer eller udgiftsrefusion udover, hvad Naalakkersuisut generelt har afholdt eller forventes at anvende til sagsbehandlingen og myndighedsbehandlingen.

### *Til § 32*

Til stk. 1

Bestemmelsen vedrører rettighedshaveres rapportering til myndighederne.

Efter bestemmelsen skal rettighedshaveren efter en forundersøgelsestilladelse generelt indlevere rapporter til Naalakkersuisut om aktiviteter, rettighedshaveren udfører under tilladelsen, kopier af opnåede resultater samt prøver, i det omfang Naalakkersuisut fastsætter bestemmelser eller vilkår herom, se herved stk. 6 og bemærkningerne hertil.

Til stk. 2

Bestemmelsen angiver, at rettighedshaverens rapporteringer, forundersøgelsesresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre, som indleveres til Naalakkersuisut, er fortrolige.

Det er nødvendigt at fastsætte regler om fortrolighed, da de nævnte oplysninger kan være forretningshemmeligheder eller erhvervshemmeligheder, som bør være og behandles som fortrolige i en rimelig fortrolighedsperiode. Det kan give andre en uberettiget fordel, hvis Naalakkersuisut er eller kan blive forpligtet til at udlevere disse oplysninger med videre, herunder eksempelvis ved en aktindsigtsanmodning.

Bestemmelsen er i overensstemmelse med landstingslov om offentlighed i forvaltningen. Det følger af lovens § 3, stk. 1, at Naalakkersuisut kan fastsætte regler om, at nærmere angivne myndigheder, sagsområder eller arter af dokumenter, for hvilke bestemmelserne i §§ 7-14 i almindelighed vil medføre, at begæring om aktindsigt kan afslås, skal være undtaget fra loven.

Oplysningerne efter stk. 1 vil som udgangspunkt være omfattet af §§ 12-14 i landstingslov om offentlighed i forvaltningen. Bestemmelsen i stk. 2 vil således sammen med de nævnte bestemmelser i landstingslov om offentlighed i forvaltningen sikre, at oplysninger, der udveksles i Naalakkersuisut og sendes til udvalg i Inatsisartut, er undtaget fra aktindsigt.

Efter bestemmelsen omfatter fortrolighedsperioden generelt hele tilladelsesperioden, jf. dog stk. 3 og 4, og 5 år efter tidsfristen for indlevering til Naalakkersuisut.

Oplysningerne efter stk. 1 vil således generelt være fortrolige, indtil tilladelsen ophører, og kan være fortrolige efter tilladelsen ophører, i det omfang tidsfristen for indlevering er mindre end 5 år før ophøret af tilladelsesperioden.

I det omfang oplysningerne efter stk. 1 skal indleveres på et tidspunkt, hvor der er mindre end 5 år tilbage af tilladelsesperioden, vil oplysningerne være fortrolige, indtil tilladelsen ophører, og i en periode efter tilladelsen ophører, som fastsættes fra tidspunktet for tidsfristen for indlevering og 5 år frem. Det vil sige, at oplysningerne efter stk. 1 er fortrolige indtil den 1. januar 2028, hvis de skal indleveres den 1. januar 2023, selvom den pågældende tilladelse ophører den 1. januar 2026. Hvis tilladelsen i stedet bliver forlænget efter forslaget § 30, stk. 2, således at tilladelsen først ophører den 1. januar 2031, er de nævnte oplysninger fortrolige indtil den dato.

Når fortrolighedsperioden ophører, har både rettighedshaveren og Grønlands Selvstyre

ejendomsretten til rettighedshaverens rapporter, forundersøgelsesresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre, jf. stk. 5. Se bestemmelsen i stk. 5 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut i fortrolighedsperioden kan offentliggøre generelle oplysninger om de fortrolige oplysninger, rapporter, forundersøgelsesresultater, data, prøver, fortolkninger, konklusioner og anbefalinger med videre.

Efter bestemmelsen skal Naalakkersuisut inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, offentliggør Naalakkersuisut ikke disse oplysninger, hvis hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger.

Naalakkersuisuts interesse i at offentliggøre oplysninger af generel karakter kan eksempelvis være hensyn til befolkningens sikkerhed, en lovbunden pligt til at offentliggøre visse oplysninger eller i forbindelse med markedsføring af Grønlands geologi. Ved afgørelsen af, om generelle oplysninger efter bestemmelsen kan offentliggøres på trods af en indsigelse fra rettighedshaveren, kan der blandt andet tages hensyn til rettighedshaverens eventuelle kommercielle interesse i at holde oplysningerne fortrolige, om offentliggørelse af oplysningerne vil være i strid med regler på en børs, hvor rettighedshaveren er registreret, og om den enkelte rettighedshaver kan identificeres på trods af oplysningernes generelle karakter.

Til stk. 4

Bestemmelsen skal sikre, at Naalakkersuisut i alle tilfælde har mulighed for at offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse. Dette kan navnlig være tilfældet, hvor borgere med bopæl eller erhvervsinteresser i umiddelbar nærhed af mineralaktiviteter kan påvirkes af aktiviteterens mulige miljømæssige konsekvenser.

Til stk. 5

Bestemmelsen angiver, at når fortrolighedsperioden er ophørt efter stk. 2, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og

anvende de indleverede rapporteringer, forundersøgelsesresultater, data, prøver, fortolkninger, konklusioner og anbefalinger med videre.

Grønlands Selvstyres ejendomsret omfatter alene materiale, der kan henføres til grønlandske mineralaktiviteter. Rettigheder til eksempelvis software og metoder, der er benyttet ved frembringelse af materialet, overgår ikke til Grønlands Selvstyre.

I praksis indeholder tilladelser eller vilkår for tilladelser efter råstofloven ofte tilsvarende eller lignende vilkår. Det samme forventes at komme til at gælde for tilladelser efter forslaget. Det vurderes dog at være mere hensigtsmæssigt, at bestemmelsen fremgår direkte af forslaget.

De gældende standardvilkår af 23. juni 2013 for efterforsknings- og forundersøgelsestilladelser for mineraler indeholder endvidere tilsvarende bestemmelser.

Til stk. 6

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-5. Det kan for eksempel være bestemmelser eller vilkår om rapporternes indhold, form og hyppighed, herunder om indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold.

Det kan for eksempel også være bestemmelser eller vilkår om Naalakkersuisuts mulighed for at offentliggøre generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold med videre.

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser derom i bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

### *Til § 33*

Til stk. 1

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår om alle relevante forhold og hensyn ved meddelelse af en tilladelse til forundersøgelse af mineraler og forhold i forbindelse dermed.

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med forslagets § 28 vedrørende meddelelse af en forundersøgelsestilladelse på nærmere fastsatte vilkår.

Naalackersuisut kan blandt andet fastsætte bestemmelser i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende forundersøgelsestilladelser fastsat efter forslaget. Naalackersuisut kan også fastsætte vilkår i standardvilkår for forundersøgelsestilladelser og godkendelser vedrørende forundersøgelsestilladelser og vilkår i afgørelser truffet efter forslaget. Se forslagets § 16 og bemærkningerne dertil, som angiver, hvad der forstås ved bestemmelser og vilkår efter forslaget.

Selve forundersøgelsestilladelsen vil indeholde en række formalia, såsom tilladelsestype, tilladelsesområde, tilladelsesperiode og identifikation af rettighedshaver.

Derudover vil der gælde en række vilkår, som kan være fastsat i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende forundersøgelsestilladelser eller i selve tilladelsen. Det kan eksempelvis være krav til rettighedshaverens organisation, aktiviteter omfattet af tilladelsen, under hvilke omstændigheder, tilladelsen kan bringes til ophør, rettighedshaverens forpligtelser efter tilladelsens ophør, rettighedshavers eventuelle forpligtelser til at udføre forundersøgelser i tilladelsesperioden, krav til sikkerhed, miljø og samfundsmæssig bæredygtighed, rettighedshaverens pligt til under visse omstændigheder at udarbejde vurderinger af virkninger på miljøet og redegørelser herfor (VVM-redegørelser), udarbejde vurderinger af samfundsmæssig bæredygtighed og redegørelser herfor (VSB-redegørelser) og indgå aftaler om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold (IBA-aftaler), indlevering og godkendelse af aktivitetsplaner, sikkerhedsstillelse for rettighedshaverens forpligtelser efter forslaget, rettighedshaverens forsikringsforhold, rettighedshaverens erstatningsansvar, rettighedshaverens rapportering om forundersøgelser og indlevering til Naalackersuisut af data, og prøver med videre, fortrolighed, rettighedshaverens betaling af gebyrer og vederlag til Naalackersuisut, og rettighedshaverens anvendelse af lokale arbejdstagere og leverandører.

#### *Til § 34*

Den foreslåede bestemmelse vedrører meddelelse af en tilladelse med eneret til mineralefterforskning. Efter den foreslåede bestemmelse må en tilladelse til mineralefterforskning kun meddeles med eneret. Det betyder, at flere rettighedshavere ikke kan få meddelt efterforskningstilladelser, der helt eller delvist omfatter det samme geografiske område.

Efterforskningsaktiviteter omfatter typisk i vidt omfang de samme undersøgelsesaktiviteter som en forundersøgelsestilladelse, jf. § 28 og § 12, stk. 2. Efterforskningstilladelser omfatter dog typisk mere konkrete og dybdegående undersøgelser af mulige mineralforekomster og forhold i forbindelse dermed. Det kan for eksempel være geologiske, geokemiske og



geofysiske undersøgelser. Det kan for eksempel også være seismiske undersøgelser i havområder.

Efterforskningsaktiviteter omfatter samtlige aktiviteter, der udføres af eller på vegne af rettighedshaveren efter en efterforskningstilladelse, herunder etablering af nødvendige bygninger, installationer og infrastruktur med videre og andre aktiviteter i forbindelse med efterforskningsaktiviteterne.

Det følger af bestemmelsen, at en efterforskningstilladelse meddeles for et nærmere afgrænset område og på nærmere fastsatte vilkår. Tilladelsen skal således blandt andet angive et tilladelsesområde. Tilladelsen skal også indeholde vilkår om andre relevante forhold i forbindelse med efterforskningsaktiviteterne.

En efterforskningstilladelse omfatter efterforskning af et eller flere mineraler. At en tilladelse ikke omfatter alle mineraler skyldes, at der kan være visse mineraler, som Grønlands Selvstyre ikke ønsker udnyttet. I praksis vil en efterforskningstilladelse, efter standardvilkårene herfor, omfatte alle mineraler, med undtagelse af det eller de mineraler, der eventuelt, ved lov eller bekendtgørelse, er nedlagt forbud mod at udnytte.

At et mineral ikke er omfattet af tilladelsen, betyder ikke, at der ikke må foretages undersøgelser vedrørende mineralet, eller at der ikke skal indsendes rapporter til Naalakkersuisut vedrørende mineralet. Hvilken betydning det nærmere har for efterforskningstilladelsen, at der er forbud mod udnyttelse af et eller flere mineraler, vil fremgå af de love og bekendtgørelser, der er udstedt i forbindelse med forbuddet, samt vilkårene for tilladelsen.

Naalakkersuisut kan fastsætte vilkår i efterforskningstilladelser om alle relevante forhold og hensyn. Se forslaget § 1 og 40 om fastsættelse af vilkår i en efterforskningstilladelse og bemærkningerne dertil.

#### *Til § 35*

Bestemmelsen foreskriver, at der skal foretages en offentlig høring af en ansøgning, før der meddeles en efterforskningstilladelse.

Bestemmelsen skal sikre, at alle interessenter, eksempelvis interesseorganisationer, kommuner eller borgere, der i henhold til anden lovgivning har rettigheder over samme område, som ansøgningen dækker, har mulighed for at gøre indsigelser mod meddelelse af tilladelsen. Indsigelser kan resultere i, at tilladelsen ikke meddeles, eller at tilladelsen meddeles på særlige vilkår.

Det er vigtigt, at borgere og andre interesserede får mulighed for at gøre indsigelser gældende på dette tidspunkt, da en rettighedshaver efter en efterforskningstilladelse jf. § 34 har ret til at få meddelt en tilladelse til udnyttelse af mineraler jf. § 41, hvis kravene i denne bestemmelse er opfyldt.

### *Til § 36*

Til stk. 1

Efter bestemmelsen skal rettighedshaveren efter en efterforskningstilladelse være et kapitalselskab.

Aktieselskaber, anpartsselskaber og iværksætterselskaber er alle kapitalselskaber og omfattes af lovgivning for kapitalselskaber i Grønland i den danske anordning for Grønland om ikrafttræden af lov om aktie- og anpartsselskaber (selskabsloven).

Efter bestemmelsen kan rettighedshaveren dog ikke være et iværksætterselskab, selvom et iværksætterselskab er en særlig type anpartsselskab. Grunden dertil er blandt andet, at et iværksætterselskab kun skal have en registreret selskabskapital på mindst 1 kr., og at et anpartsselskab i stedet skal have en registreret selskabskapital på mindst 40.000 kr. Et anpartsselskab vil således generelt have en større selskabskapital end et iværksætterselskab.

Naalakkersuisut træffer afgørelse om, hvorvidt et selskab med hjemsted i et andet land svarer til et aktieselskab eller et anpartsselskab, der ikke er et iværksætterselskab, med hjemsted i Grønland og dermed kan være et rettighedshaverselskab efter en efterforskningstilladelse.

En afgørelse derom træffes i overensstemmelse med § 36 og med det formål at sikre, at der til den konkrete type af selskaber stilles grundlæggende og væsentlige krav til regulering, registrering, kapitalforhold, økonomisk og finansiel formåen (finansiel kapacitet), ledelse, bogføring og regnskaber med videre.

Endvidere bestemmes det, at rettighedshaverselskabet skal være registreret som erhvervsdrivende i Grønland. Det vil efter de gældende regler herfor sige, at selskabet skal være CVR-registreret. Dette kræves blandt andet af hensyn til skattemæssige indberetninger fra selskabet.

Til stk. 2

Bestemmelsen angiver, at en rettighedshaver efter stk. 1 skal opfylde visse krav i hele tilladelsesperioden.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut har afgørelseskompetence i forhold til, hvilke udenlandske selskaber der anses for at svare til aktieselskaber og anpartsselskaber med hjemsted i Grønland.

Naalakkersuisut kan således træffe afgørelse om, at rettighedshaveren efter en efterforskningstilladelse kan eller ikke kan være en bestemt type kapitalsselskab med hjemsted i et andet land end Grønland.

### *Til § 37*

Til stk. 1

Bestemmelsen indeholder regler om tilladelsers varighed for så vidt angår mineralefterforskning. Det fremgår af bestemmelsen, at tilladelser til efterforskning meddeles for en periode på 5 år.

En tilladelse forlænges med henblik på efterforskning med indtil 5 år første gang og derefter med 3 år ad gangen. Se stk. 2 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen indeholder regler om forlængelse af efterforskningstilladelser. Forlængelse af en tilladelsesperiode sker på baggrund af en vurdering af nogle objektive kriterier, herunder en vurdering af om rettighedshaveren har opfyldt sine forpligtelser vedrørende tilladelsen og aktiviteter efter tilladelsen. En tilladelsesperiode kan dermed forlænges, uden at særlige og væsentlige forhold taler derfor.

Bestemmelsen angiver, at tilladelsesperioden på 5 år efter stk. 1 kan forlænges af Naalakkersuisut med henblik på efterforskning. En sådan forlængelse kan ske en eller flere gange. Tilladelsesperioden forlænges første gang med en periode på 5 år. Derefter forlænges tilladelsesperioden med en periode på 3 år hver gang. Den samlede tilladelsesperiode for efterforskning kan dog ikke være længere end 22 år. Se stk. 4 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte ændrede tilladelsesvilkår ved enhver forlængelse af tilladelsesperioden til en samlet længere tilladelsesperiode end 10 år.

Naalakkersuisut kan således ikke fastsætte ændrede vilkår ved første forlængelse af tilladelsesperioden, jf. stk. 2, da den første forlængelse af tilladelsen ikke kan medføre, at tilladelsen får en længere samlet tilladelsesperiode end 10 år. Naalakkersuisut kan således fastsætte ændrede tilladelsesvilkår ved en eventuelt anden forlængelse af tilladelsesperioden, jf. stk. 2, da tilladelsen derved får en længere samlet tilladelsesperiode end 10 år.

Naalakkersuisut kan for eksempel fastsætte tilladelsesvilkår om rettighedshaverens efterforskningsforpligtelser og betaling af beløb til Naalakkersuisut.

Bestemmelsen tilsigter, at der på grundlag af en konkret vurdering kan meddeles en forlængelse med ændrede tilladelsesvilkår, når dette er velbegrundet, for eksempel for at sikre, at en igangværende efterforskning kan videreføres med henblik på vurdering af, om fund af mineraler er udnyttelige.

#### Stk. 4

Bestemmelsen fastsætter en øvre grænse for længden af den samlede tilladelsesperiode for en efterforskningstilladelse.

Bestemmelsen skal særligt medvirke til at sikre, at rettighedshaveren udfører effektiv efterforskning, herunder udfører efterforskningsaktiviteterne på en effektiv måde i overensstemmelse med hensynene anført i § 1, stk. 2. Effektiv efterforskning indebærer blandt andet, at rettighedshaveren påbegynder aktiviteterne omfattet af tilladelsen inden for rimelig tid efter, at det er muligt i perioden efter meddelelse af tilladelsen, og udfører aktiviteterne i tilladelsesperioden i overensstemmelse med tilladelsen uden unødige eller langvarige pauser eller afbrydelser. Det skal blandt andet medvirke til at undgå arealreservation af et tilladelsesområde, hvor der er en vis sandsynlighed for at finde udnyttelige forekomster af mineraler. Det medfører blandt andet, at der skal være en rimelig grund til, at en rettighedshaver efter en tilladelse ikke påbegynder aktiviteterne inden for rimelig tid efter, at det er muligt i perioden efter meddelelse af tilladelsen.

#### Til stk. 5

Bestemmelsen indebærer, at en efterforskningstilladelse kan ophøre på et tidligere tidspunkt end ved udløbet af tilladelsesperioden efter stk. 1-4. Det vil for eksempel ske, hvis Naalakkersuisut inden da godkender, at rettighedshaveren tilbageleverer efterforskningstilladelsen til Naalakkersuisut.

### *Til § 38*

#### Til stk. 1

Bestemmelsen i stk. 1 præciserer og uddyber Naalakkersuisuts hjemmel til at fastsætte bestemmelser om betaling af gebyr for modtagelse og behandling af en ansøgning om meddelelse af en efterforskningstilladelse efter § 34 eller en forlængelse af tilladelsesperioden efter en efterforskningstilladelse efter § 37, stk. 2, og for meddelelse af en efterforskningstilladelse eller en forlængelse af tilladelsesperioden. Bestemmelsen i stk. 1 præciserer og uddyber desuden Naalakkersuisuts hjemmel til at fastsætte bestemmelser om betaling af gebyr for myndighedsbehandling vedrørende en efterforskningstilladelse eller en forlængelse af tilladelsesperioden for en efterforskningstilladelse.

Naalakkersuisut kan fastsætte bestemmelser om betaling af gebyrer som anført ovenfor i en bekendtgørelse. Se forslaget § 16 og bemærkningerne dertil.

Til stk. 2

Den foreslåede bestemmelse vedrører muligheden for at fastsætte bestemmelser og vilkår om rettighedshaverens efterforskningsforpligtelser og betaling af beløb til Naalakkersuisut, hvis rettighedshaveren ikke opfylder sine efterforskningsforpligtelser.

Bestemmelsen vedrører muligheden for at fastsætte bestemmelser i en bekendtgørelse med videre og vilkår i en tilladelse om rettighedshaverens efterforskningsforpligtelser. Se forslaget § 16 og bemærkningerne dertil.

Efter de gældende standardvilkår af 23. juni 2013 for efterforsknings- og forundersøgelsestilladelser for mineraler udgør efterforskningsforpligtelserne pr. 1. januar 2009 følgende beløb pr. tilladelse pr. kalenderår:

År 1-2:	100.000 kr.
År 3-5:	200.000 kr.
År 6-10:	400.000 kr.
År 11-13:	1.128.800 kr.
År 14-16:	2.257.600 kr.
År 17-19:	4.515.200 kr.
År 20-22:	9.030.400 kr.

Beløb pr. km<sup>2</sup> pr. kalenderår:

År 1-2:	1.000 kr. pr. kvadratkilometer
År 3-5:	5.000 kr. pr. kvadratkilometer
År 6-10:	10.000 kr. pr. kvadratkilometer
År 11-13:	28.220 kr. pr. kvadratkilometer

År 14-16: 56.440 kr. pr. kvadratkilometer  
År 17-19: 112.880 kr. pr. kvadratkilometer  
År 20-22: 225.760 kr. pr. kvadratkilometer

Til stk. 3

Bestemmelsen i stk. 3 præciserer og uddyber Naalakkersuisuts hjemmel til at fastsætte bestemmelser og vilkår om rettighedshaverens betaling af vederlag for opretholdelse af en efterforskningsstilladelse og aktiviteter efter tilladelsen med videre.

Der kan eksempelvis fastsættes bestemmelser om et årligt vederlag for retten til at foretage efterforskning, eller vederlag der relaterer sig til bestemte aktiviteter.

Et vederlag kan udgøre en del af landskassens mulige modtagelse af betalinger fra en rettighedshaver for dennes ret til udførelse af aktiviteter efter en efterforskningsstilladelse og mulige økonomiske og kommercielle fordele i forbindelse dermed. Vederlagets størrelse kan blandt andet fastsættes under hensyntagen til de enhver tid gældende markedsforhold inden for mineralsektoren.

Et vederlag for udførelse af bestemte aktiviteter kan for eksempel også være et beløb, der tilgår en fond eller en pulje, som skal medgå til at dække Naalakkersuisuts udgifter til oprydning efter mineralaktiviteter i tilfælde, hvor rettighedshavere efter forslaget ikke overholder deres oprydningsforpligtelser, og der ikke er stillet sikkerhed for disse forpligtelser, eller den stillede sikkerhed ikke er tilstrækkelig.

Fastsættelse af vederlag kan kun ske fremadrettet, det vil sige, at fastsættelse af vederlag i bekendtgørelsesform kun vil gælde tilladelser meddelt efter offentliggørelse af bekendtgørelsen, og at vederlag fastsat i tilladelser ikke kan ændres i løbet af den i tilladelsen fastsatte tilladelsesperiode.

Til stk. 4

Bestemmelsen udgør hjemmelsgrundlaget for Naalakkersuisuts mulighed for at opkræve beløb til dækning af udgifter, der afholdes af Naalakkersuisut i forbindelse med sagsbehandling og myndighedsbehandling efter dette forslag. Bestemmelsen omfatter for eksempel opkrævning vedrørende udgifter til sagsbehandling, tilsyn, anden myndighedsbehandling, tjenesterejser og eksterne rådgivere og konsulenter med videre.

Betalingen kan opkræves som gebyrer eller udgiftsrefusion.

Betalingen for myndighedsbehandlingen kan for eksempel opkræves på baggrund af en

timesats for det aktuelle tidsforbrug ved sagsbehandling og anden myndighedsbehandling, herunder meddelelse af tilladelser og godkendelser med videre.

Enhver udgift kan opkræves som gebyr eller udgiftsrefusion, i det omfang betalingen generelt svarer til Naalakkersuisuts udgifter i forbindelse med sagsbehandling og myndighedsbehandling. Det er således ikke hensigten, at der med hjemmel i bestemmelsen kan opkræves gebyrer eller udgiftsrefusion udover, hvad Naalakkersuisut generelt har afholdt eller forventes at anvende til sagsbehandlingen og myndighedsbehandlingen.

### *Til § 39*

Til stk. 1

Bestemmelsen vedrører rettighedshaveres rapportering til myndighederne.

Efter bestemmelsen skal rettighedshaveren efter en efterforskningstilladelse generelt indlevere rapporter til Naalakkersuisut om aktiviteter, rettighedshaveren udfører under tilladelsen, kopier af opnåede resultater samt prøver, i det omfang Naalakkersuisut fastsætter bestemmelser eller vilkår herom, se herved stk. 6 og bemærkningerne hertil.

Til stk. 2

Bestemmelsen angiver, at rettighedshaverens rapporteringer, efterforskningsresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre, som indleveres til Naalakkersuisut, er fortrolige i en periode på 5 år fra fristen for indlevering til Naalakkersuisut.

Det er nødvendigt at fastsætte regler om fortrolighed, da de nævnte oplysninger kan være forretningshemmeligheder eller erhvervshemmeligheder, som bør være og behandles som fortrolige i en rimelig fortrolighedsperiode. Det kan give andre en uberettiget fordel, hvis Naalakkersuisut er eller kan blive forpligtet til at udlevere disse oplysninger med videre, herunder eksempelvis ved en aktindsigtsanmodning.

Bestemmelsen er i overensstemmelse med landstingslov om offentlighed i forvaltningen. Det følger af lovens § 3, stk. 1, at Naalakkersuisut kan fastsætte regler om, at nærmere angivne myndigheder, sagsområder eller arter af dokumenter, for hvilke bestemmelserne i §§ 7-14 i almindelighed vil medføre, at begæring om aktindsigt kan afslås, skal være undtaget fra loven.

Oplysningerne efter stk. 1 vil som udgangspunkt være omfattet af §§ 12-14 i landstingslov om offentlighed i forvaltningen. Bestemmelsen i stk. 2 vil således sammen med de nævnte

bestemmelser i landstingslov om offentlighed i forvaltningen sikre, at oplysninger, der udveksles i Naalakkersuisut og sendes til udvalg i Inatsisartut, er undtaget fra aktindsigt.

Efter bestemmelsen er fortrolighedsperioden 5 år efter tidsfristen for indlevering til Naalakkersuisut i hele tilladelsesperioden, jf. dog stk. 3 og 4.

Ved tilladelsens ophør bortfalder fortroligheden. Efter tilladelsens ophør er der ikke noget beskyttelseshensyn at tage i forhold til rettighedshaveren, og det er nødvendigt for Naalakkersuisut at kunne offentliggøre alt det indleverede materiale, for at sikre ligebehandling af alle potentielle ansøgere, i forbindelse med et eventuelt udbud af området efter § 59, stk. 2.

Når fortrolighedsperioden ophører, har både rettighedshaveren og Grønlands Selvstyre ejendomsretten til rettighedshaverens rapporter, efterforskningsresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre, jf. stk. 5. Se bestemmelsen i stk. 5 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut i fortrolighedsperioden kan offentliggøre generelle oplysninger om de fortrolige oplysninger, rapporter, efterforskningsresultater, data, prøver og fortolkninger med videre.

Efter bestemmelsen skal Naalakkersuisut inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, offentliggør Naalakkersuisut ikke disse oplysninger, hvis hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger.

Naalakkersuisuts interesse i at offentliggøre oplysninger af generel karakter kan eksempelvis være hensyn til befolkningens sikkerhed, en lovbunden pligt til at offentliggøre visse oplysninger eller i forbindelse med markedsføring af Grønlands geologi. Ved afgørelsen af, om generelle oplysninger efter bestemmelsen kan offentliggøres på trods af en indsigelse fra rettighedshaveren, kan der blandt andet tages hensyn til rettighedshaverens eventuelle kommercielle interesse i at holde oplysningerne fortrolige, om offentliggørelse af oplysningerne vil være i strid med regler på en børs, hvor rettighedshaveren er registreret, og om den enkelte rettighedshaver kan identificeres på trods af oplysningernes generelle karakter.



Til stk. 4

Bestemmelsen skal sikre, at Naalakkersuisut i alle tilfælde har mulighed for at offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse. Dette kan navnlig være tilfældet, hvor borgere med bopæl eller erhvervsinteresser i umiddelbar nærhed af mineralaktiviteter, kan påvirkes af aktiviteterernes mulige miljømæssige konsekvenser.

Til stk. 5

Bestemmelsen angiver, at når fortrolighedsperioden er ophørt efter stk. 2, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og anvende de indleverede rapporteringer, efterforskningsresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre.

Grønlands Selvstyres ejendomsret omfatter alene materiale, der kan henføres til grønlandske mineralaktiviteter. Rettigheder til eksempelvis software og metoder, der er benyttet ved frembringelse af materialet, overgår ikke til Grønlands Selvstyre.

I praksis indeholder tilladelser efter råstofloven ofte tilsvarende bestemmelser. Det samme forventes at komme til at gælde for tilladelser efter forslaget. Det vurderes dog at være mere hensigtsmæssigt, at bestemmelsen fremgår direkte af forslaget.

De gældende standardvilkår af 23. juni 2013 for efterforsknings- og forundersøgelsestilladelser for mineraler indeholder endvidere tilsvarende bestemmelser.

Til stk. 6

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-5. Det kan for eksempel være bestemmelser eller vilkår om rapporternes indhold, form og hyppighed, herunder om indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold.

Det kan for eksempel også være bestemmelser eller vilkår om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold.

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser derom i bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

#### *Til § 40*

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår om alle relevante forhold og hensyn ved meddelelse af en tilladelse til efterforskning af mineraler og forhold i forbindelse dermed.

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med forslagets § 34 vedrørende meddelelse af en efterforskningstilladelse på nærmere fastsatte vilkår.

Naalakkersuisut kan blandt andet fastsætte bestemmelser i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende efterforskningstilladelser fastsat efter forslaget. Naalakkersuisut kan også fastsætte vilkår i standardvilkår for efterforskningstilladelser og godkendelser vedrørende efterforskningstilladelser og vilkår i afgørelser truffet efter forslaget. Se forslagets § 16 og bemærkningerne dertil, som angiver, hvad der forstås ved bestemmelser og vilkår efter forslaget.

Selve efterforskningstilladelsen vil indeholde en række formalia, såsom tilladelsestype, tilladelsesområde, tilladelsesperiode og identifikation af rettighedshaver.

Derudover vil der gælde en række vilkår, som kan være fastsat i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende efterforskningstilladelser eller i selve tilladelsen. Det kan eksempelvis være krav til rettighedshaverens organisation, aktiviteter omfattet af tilladelsen, under hvilke omstændigheder, tilladelsen kan bringes til ophør, rettighedshaverens forpligtelser efter tilladelsens ophør, rettighedshavers eventuelle forpligtelser til at udføre efterforskning i tilladelsesperioden, krav til sikkerhed og miljø samt samfundsmæssig bæredygtighed, rettighedshaverens pligt til under visse omstændigheder at udarbejde vurderinger af virkninger på miljøet og redegørelser herfor (VVM-redegørelser) og vurderinger af samfundsmæssig bæredygtighed og redegørelser herfor (VSB-redegørelser) og indgå aftaler om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold (IBA-aftaler), indlevering og godkendelse af aktivitetsplaner, sikkerhedsstillelse for rettighedshaverens forpligtelser efter forslaget, rettighedshaverens forsikringsforhold, rettighedshaverens erstatningsansvar, rettighedshaverens rapportering om efterforskning og indlevering til Naalakkersuisut af data, og prøver med videre, fortrolighed, rettighedshaverens betaling af gebyrer og vederlag til Naalakkersuisut, og rettighedshaverens anvendelse af lokale arbejdstagere og leverandører.

#### *Til § 41*

Til stk. 1

Bestemmelsen fastsætter en ret for rettighedshavere efter en efterforskningsstilladelse til på nærmere fastsatte og relevante vilkår at få meddelt en udnyttelsestilladelse vedrørende den eller de konstaterede udnyttelige forekomster.

Bestemmelsen medfører, at rettighedshaveren skal kunne påvise og afgrænse en udnyttelig forekomst af mineraler og dermed generelt sandsynliggøre med tilstrækkelig grad af sandsynlighed, at rettighedshaveren vil kunne foretage en udnyttelse af mineralerne.

Rettighedshaveren skal undersøge, vurdere og i en rapport oplyse og godtgøre over for Naalakkersuisut, om en forekomst af mineraler er påvist og afgrænset, og om en forekomst af mineraler er udnyttelig.

Det følger alene af forslaget, at en rettighedshaver skal påvise og afgrænse en udnyttelig forekomst. Naalakkersuisut kræver således ikke, at rettighedshaveren indgiver et lønsomhedsstudie eller en rapport med oplysninger om muligheden for at opnå et økonomisk udbytte ved udnyttelse af mineralerne.

Det følger af forslagets § 1, stk. 2, og § 118, at aktiviteter omfattende af forslaget blandt andet skal udføres i overensstemmelse anerkendt god international praksis under tilsvarende forhold.

Det betyder blandt andet, at en rettighedshaver skal anvende internationalt anerkendte metoder og standarder for undersøgelse og vurdering af, om en forekomst af mineraler er påvist og afgrænset.

En rettighedshaver skal desuden anvende gode og internationalt anerkendte rapporteringsstandarder for mineralindustrien ved udarbejdelse og indgivelse af rapporter til Naalakkersuisut om påvisning og afgrænsning af forekomster af mineraler. Sådanne rapporteringsstandarder omtales ofte som mineralrapporteringsstandarder. De fastsætter generelle bestemmelser om, hvordan en rettighedshaver skal rapportere efterforskningsresultater, reserver og ressourcer overfor investorer, potentielle investorer og deres rådgivere.

Betingelsen om, at en forekomst skal være påvist, for at en rettighedshaver opnår ret til at få meddelt en udnyttelsestilladelse, vil være opfyldt, hvis der er dokumenteret en ”indicated resource” efter den australske rapporteringsstandard ”The JORC Code”, den canadiske rapporteringsstandard ”National Instrument 43-101 Standards of Disclosure for Mineral Projects”, som refererer til ”the CIM Definition Standards on Mineral Resources and Mineral Reserves, the “CIM Definition Standards”, den sydafrikanske rapporteringsstandard ”The SAMREC Code” eller den paneuropæiske rapporteringsstandard ”The PERC Reporting

Standard”.

Dokumentationen for en ”indicated resource” skal godkendes af Naalakkersuisut. Naalakkersuisut har til enhver tid ret til at foretage sin egen vurdering af det indsendte materiale, herunder også med rådgivning og bistand fra eksterne parter. Naalakkersuisut er i den forbindelse ikke bundet af konklusionerne i den af rettighedshaver indsendte dokumentation, uanset om dokumentationen er udfærdiget og underskrevet af en dertil autoriseret person.

Formålet med bestemmelsen er blandt andet at undgå, at konstaterede udnyttelige forekomster forbliver uudnyttede, og at fremme efterforskningsaktiviteter.

Som anført ovenfor følger det af bestemmelsen, at en rettighedshaver har ret til at få meddelt en tilladelse til udnyttelse, når rettighedshaveren har påvist en udnyttelig forekomst af mineraler og i øvrigt har opfyldt de i efterforskningstilladelsen anførte vilkår. Det er Naalakkersuisuts vurdering, at en sådan rettighed er væsentlig for en rettighedshaver efter en efterforskningstilladelse, og at det kun i begrænset omfang kan forventes, at selskaber vil investere i efterforskningsaktiviteter i Grønland, hvis de ikke er sikret et vist udbytte deraf i form af en betinget ret til at udnytte en påvist forekomst.

En tilladelse til udnyttelse giver ikke ret til at foretage udnyttelsesaktiviteter. Enhver aktivitet der foretages efter en tilladelse til udnyttelse, kræver godkendelse af Naalakkersuisut.

Til stk. 2

Bestemmelsen fastslår, at det er Naalakkersuisut der vurderer, om betingelserne for at kræve en udnyttelsestilladelse meddelt er opfyldt.

Naalakkersuisut har til enhver tid ret til at foretage sin egen vurdering af det indsendte materiale, herunder også med rådgivning og bistand fra eksterne parter. Naalakkersuisut er i den forbindelse ikke bundet af konklusionerne i den af rettighedshaver indsendte dokumentation, uanset om dokumentationen er udfærdiget og underskrevet af en dertil autoriseret person.

#### *Til § 42*

Til stk. 1

Bestemmelsen vedrører en ret for rettighedshaveren efter en tilladelse til småskalaefterforskning og småskalaudnyttelse af mineraler til at få meddelt en tilladelse til udnyttelse af mineralerne efter forslagets bestemmelser og andre bestemmelser og vilkår

derom, hvis rettighedshaveren har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte, og opfyldt alle forpligtelser vedrørende småskalatilladelsen og aktiviteter efter tilladelsen.

Se omtalen af udnyttelige forekomster i bemærkningerne til § 41, stk. 1.

Til stk. 2

Bestemmelsen fastslår, at det er Naalakkersuisut, der vurderer, om betingelserne for at kræve en udnyttelsestilladelse meddelt er opfyldt.

Naalakkersuisut har til enhver tid ret til at foretage sin egen vurdering af det indsendte materiale, herunder også med rådgivning og bistand fra eksterne parter. Naalakkersuisut er i den forbindelse ikke bundet af konklusionerne i den af rettighedshaver indsendte dokumentation, uanset om dokumentationen er udfærdiget og underskrevet af en dertil autoriseret person.

#### *Til § 43*

Til stk. 1

Efter bestemmelsen kan Naalakkersuisut for et nærmere afgrænset område og på nærmere fastsatte vilkår meddele en tilladelse til udnyttelse af et eller flere mineraler.

Der meddeles en udnyttelsestilladelse til de mineraler, som rettighedshaveren har påvist og afgrænset en udnyttelig forekomst af. Se stk. 4 og 5 og bemærkningerne dertil.

En tilladelse til udnyttelse af mineraler kan kun meddeles med eneret. Det betyder, at flere rettighedshavere ikke kan få meddelt udnyttelsestilladelser, der helt eller delvist omfatter det samme geografiske område. Det følger endvidere af § 50, stk. 3, at i et tilladelsesområde efter en udnyttelsestilladelse må andre end rettighedshaveren efter tilladelsen ikke udføre aktiviteter efter tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineraler efter forslaget. Se forslagens § 50 og bemærkningerne dertil om andre aktiviteter i et tilladelsesområde.

Udnyttelsesaktiviteter omfattet af en udnyttelsestilladelse omfatter alle aktiviteter, der udføres af eller på vegne af rettighedshaveren efter tilladelsen og forhold i forbindelse dermed. Det er blandt andet etablering og drift af bygninger, anlæg, installationer og nødvendig infrastruktur, herunder veje og havne, med videre. Det er blandt andet også sortering af mineraler og restprodukter, forarbejdning af mineraler og nedlukning af udnyttelsesaktiviteterne, herunder oprydning og reetablering af tilladelsesområdet og andre berørte områder.

Det følger af bestemmelsen, at en udnyttelsestilladelse meddeles for et nærmere afgrænset område og på nærmere fastsatte vilkår. Tilladelsen skal således blandt andet angive et tilladelsesområde, og hvilke mineraler der er omfattet af tilladelsen. Tilladelsen skal også indeholde vilkår om andre relevante forhold i forbindelse med udnyttelsesaktiviteterne.

Naalakkersuisut kan fastsætte vilkår i udnyttelsestilladelser om alle relevante forhold og hensyn. Vilkårene skal fastsættes i overensstemmelse med forslaget og dets formål. Se forslagets §§ 1 og 56 om fastsættelse af vilkår i en udnyttelsestilladelse og bemærkningerne dertil.

Til stk. 2

Bestemmelsen præciserer og uddyber muligheden for at meddele en eneret til udnyttelse af mineraler til en rettighedshaver efter en efterforskningstilladelse eller en småskalatilladelse.

Det er en forudsætning for meddelelse af en udnyttelsestilladelse, at rettighedshaveren efter en efterforskningstilladelse eller en småskalatilladelse opfylder betingelserne i forslagets §§ 41-42. Bestemmelsen skal således anvendes og fortolkes i overensstemmelse med §§ 41-42.

Til stk. 3

Efter bestemmelsen kan et andet selskab end rettighedshaveren efter en efterforskningstilladelse eller småskalatilladelse meddeles en udnyttelsestilladelse og dermed overtage rettighedshaverens udnyttelsesrettigheder, hvis der er påvist en udnyttelig forekomst af mineraler, og selskabet i øvrigt opfylder de vilkår, der er anført i rettighedshaverens efterforskningstilladelse eller småskalatilladelse.

Bestemmelsen giver mulighed for, at en rettighedshaver efter efterforskningstilladelsen eller en småskalatilladelse kan overdrage udnyttelsesrettighederne vedrørende rettighedshaverens påviste og afgrænsede udnyttelige forekomster af mineraler til et andet selskab, i det omfang selskabet opfylder kravene til en rettighedshaver efter en udnyttelsestilladelse.

Det er således en forudsætning for meddelelse af en udnyttelsestilladelse til et andet selskab end rettighedshaveren, at selskabet opfylder betingelserne i forslagets §§ 45-46 og 66-67. Bestemmelsen skal anvendes og fortolkes i overensstemmelse med de nævnte bestemmelser.

Se bestemmelserne i §§ 45-46 og 66-67 og bemærkningerne dertil.

Bestemmelsen varetager således generelt samme hensyn som bestemmelsen i forslagets § 69 vedrørende direkte eller indirekte overdragelse eller overførsel af en tilladelse.

Til stk. 4

Bestemmelsen omhandler muligheden for at meddele udnyttelsestilladelser i tilfælde, hvor en rettighedshaver efter en efterforskningstilladelse eller en småskalatilladelse ikke kan eller ikke ønsker at udnytte en ret til at få meddelt en udnyttelsestilladelse til en påvist og afgrænset udnyttelig forekomst efter §§ 41-42.

Det kan for eksempel være et tilfælde, hvor en rettighedshaver efter en tilladelse til mineralefterforskning ikke har ret til eller ikke ansøger om meddelelse af en efterfølgende tilladelse til udnyttelse af mineraler, jf. §§ 41 og 43. Grunden dertil kan for eksempel være, at rettighedshaveren forgæves har forsøgt at få andre parter til at investere i eller yde lån til rettighedshaveren for at finansiere en gennemførelse af et udnyttelsesprojekt efter en udnyttelsestilladelse. Naalakkersuisut kan da meddele en udnyttelsestilladelse for området og forekomsten af mineraler efter en af procedurerne i forslagets § 59, stk. 1-3.

Et andet eksempel kan være et tilfælde, hvor en tidligere udnyttelsestilladelse er ophørt, herunder ved bortfald, tilbagelevering eller tilbagekaldelse, og tilladelsesområdet fortsat indeholder en del af en påvist og afgrænset udnyttelig forekomst af mineraler.

Naalakkersuisut kan da meddele en ny udnyttelsestilladelse for området og forekomsten af mineraler efter en af procedurerne i forslagets § 59, stk. 1-3.

Til stk. 5

Bestemmelsen fastslår, at rettighedshavere efter udnyttelsestilladelser alene har ret til at udnytte mineraler, som er indeholdt i den eller de påviste, afgrænsede og udnyttelige forekomster.

Rettighedshavere efter udnyttelsestilladelser har ret til at udføre efterforskningsaktiviteter i tilladelsesområdet jf. § 50, stk.1. Såfremt en rettighedshaver i den forbindelse påviser og afgrænser en udnyttelig forekomst af mineraler, der ikke er omfattet af udnyttelsestilladelsen, vil rettighedshaveren have en ret til at få meddelt en tilladelse til udnyttelse af denne forekomst, på samme måde som det havde været tilfældet, hvis forekomsten var påvist og afgrænset under en efterforskningstilladelse. Meddelelse af tilladelse til udnyttelse af mineraler, som ikke er omfattet af den oprindelige udnyttelsestilladelse, kan ske ved en tilføjelse til den oprindelige tilladelse.

Retten til en tilføjelse til den oprindelige tilladelse er underlagt de samme betingelser, som retten til at få meddelt en udnyttelsestilladelse på grundlag af en efterforskningstilladelse. Dette vil sige, at forekomsten skal være dokumenteret efter internationale standarder, og at

rettighedshaveren skal have opfyldt alle forpligtelser vedrørende tilladelsen med videre, se i det hele § 41, stk. 1, og bemærkningerne hertil. Endvidere vil det være Naalakkersuisut, der træffer afgørelse om, hvorvidt disse betingelser er opfyldt, se § 41, stk. 2, og bemærkningerne hertil.

Hvorvidt der i forbindelse med en tilføjelse til tilladelsen skal udarbejdes nye planer og redegørelser, eller om det vil være tilstrækkeligt at opdatere eksisterende dokumenter, vil bero på et skøn og være afhængigt af omfanget og arten af nye eller udvidede aktiviteter, udnyttelsen af de tilføjede mineraler afstedkommer. Skønnet foretages af Naalakkersuisut.

Naalakkersuisut må kræve tilstrækkelige oplysninger om projektet og planerne for disses udførelse til at kunne vurdere projektet som helhed, hvilket efter omstændighederne vil kræve nye mine- og nedlukningsplaner, jf. herved §§ 77 og 80-82. Men er der alene tale om få justeringer og udvidelser, vil et tillæg til de oprindelige planer være tilstrækkeligt. Det vil således ikke være nødvendigt at fremlægge planer for de forhold, der er redegjort for i de oprindelige planer, men tillæggene vil som minimum skulle indeholde en stillingtagen til en evt. udvidet sikkerhedsstilling. Er de tilføjede mineraler restprodukter fra udnyttelsen af de oprindeligt omfattede mineraler, vil det oftest være tilstrækkeligt med opdateringer af de i forvejen godkendte planer.

Hvad angår redegørelser for samfundsmæssig bæredygtighed og aftaler om samfundsmæssig bæredygtighed jf. kapitel 16 og 18, vil det sjældent være nødvendigt at udarbejde nye redegørelser og indgå nye aftaler, da de hidtidige redegørelser og aftaler oftest kan finde anvendelse på eventuelle udvidelser. Det kan dog i særlige tilfælde, hvor udnyttelsen af de nye mineraler vil medføre omfattende ændringer af grundlaget for redegørelserne/aftalerne, være nødvendigt at udarbejde nye redegørelser og indgå nye aftaler, særligt i tilfælde hvor der planlægges omfattende forarbejdning i Grønland.

For så vidt angår redegørelser om påvirkninger på miljøet jf. kapitel 15, vil det i visse tilfælde ligeledes være nødvendigt at udarbejde en helt ny redegørelse. Dette kan være tilfældet, hvor udnyttelsen af de nye mineraler medfører en risiko for yderligere forurening. Men også her vil der skulle foretages en vurdering af omfanget i det konkrete tilfælde med henblik på at afgøre, om man skal kræve en ny redegørelse, eller om et tillæg til den oprindelige vurdering eller en redegørelse om forebyggende tiltag vil være tilstrækkelig.

I tilfælde hvor tilføjelsen af flere mineraler til tilladelsen ikke kan begrunde ændringer i eller tillæg til redegørelser for samfundsmæssig bæredygtighed, aftaler om samfundsmæssig bæredygtighed og/eller miljøredegørelser, vil en erklæring fra rettighedshaver med grundende til, at tilføjelsen ikke bør medføre opdateringer eller tillæg, være tilstrækkelig.



Til stk. 1

Det følger af bestemmelsen, at ansøgeren eller rettighedshaveren, som ønsker at få meddelt en udnyttelsestilladelse, skal udarbejde et kommissorium for projektet og anmelde dette ved indsendelse til Naalakkersuisut.

Anmeldelsen af projektet til Naalakkersuisut sker ved at indsende et kommissorium (en beskrivelse af udnyttelsesprojektet) til Naalakkersuisut. Anmeldelsen har til formål at igangsætte en proces, der skal sikre den brede offentligheds tidlige inddragelse i et mineralprojektets udvikling (idefasen). Anmeldelsen af kommissoriet ved indsendelsen deraf er en ansøgers eller en rettighedshavers første skridt mod en dialog med den brede offentlighed.

En rettighedshaver skal udarbejde et kommissorium og anmelde det ved indsendelse til Naalakkersuisut, uanset om projektet må antages at kunne få virkninger, der medfører, at der i forbindelse med projektet skal udarbejdes en vurdering af virkningerne på miljøet (VVM) efter § 100 og/eller en vurdering af den samfundsmæssige bæredygtighed (VSB) efter § 103.

Til stk. 2

Bestemmelsen angiver, at kommissoriet efter stk. 1 skal sendes i offentlig høring i 35 dage, inden en udnyttelsestilladelse kan meddeles.

Høring er offentlighedens første mulighed for at få indsigt i og kunne fremføre forslag og bekymringer i forhold til en ansøgers eller rettighedshavers planer for udvikling af det præsenterede forslag til et kommende mineralprojekt. Høringssvar fra høring for kommissoriet er vigtige for at sikre, at offentligheden på et tidligt tidspunkt i projektfasen kan bidrage til projektets udformning, således at indsigelser eller bemærkninger til kommissoriet kan få indvirkning på det videre arbejde med at udvikle mineralprojektet.

Naalakkersuisut vil tage relevante høringssvar i betragtning ved fastsættelse af vilkår ved meddelelsen af en udnyttelsestilladelse.

Bestemmelsen angiver videre, at hvis ansøgeren eller rettighedshaveren skal foretage offentlig forhøring for en projektbeskrivelse vedrørende miljøforhold eller samfundsmæssige forhold efter § 106, skal forhøringerne og høring for kommissoriet så vidt mulig foretages samlet. Det følger således af bestemmelsen, at høringen for kommissoriet og forhøringerne for projektbeskrivelserne skal søges gennemført samtidigt.

Der kan dog forekomme tilfælde, hvor det efter gennemførelsen af en høring efter denne

bestemmelse bliver klart, at der skal foretages offentlig høring for en projektbeskrivelse vedrørende miljøforhold eller samfundsmæssige forhold efter § 106. I så fald må den eller disse høringer foretages efterfølgende.

Til stk. 3

Det følger af bestemmelsen, at der skal foretages en ny høring, hvis der går mere end 24 måneder, inden der meddeles en udnyttelsestilladelse. Bestemmelsen har til formål at sikre, at kommissoriet og høringen ikke bliver uaktuel og forældet inden meddelelsen af en udnyttelsestilladelse.

Til stk. 4

Bestemmelsen indeholder en hjemmel til at dispensere fra tidsfristen i stk. 3, i tilfælde hvor meddelelsen af udnyttelsestilladelsen tager længere tid end forventet. Bestemmelsen har primært til formål at sikre rettighedshavere, i tilfælde hvor Naalakkersuisuts behandling af en ansøgning bevirker, at tidsfristen ikke kan overholdes.

Til stk. 5

Bestemmelsen fastslår, at Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om indholdet af kommissoriet for et projekt og gennemførelsen af en høring.

Det kan for eksempel være bestemmelser eller vilkår om, hvilke forhold kommissoriet nærmere skal beskrive.

#### *Til § 45*

Til stk. 1

Bestemmelsen angiver, at en rettighedshaver efter en udnyttelsestilladelse kun kan være et aktieselskab. Aktieselskabet skal være registreret som et aktieselskab og have hjemsted i Grønland.

Andre selskabsformer end aktieselskaber kan ikke meddeles en udnyttelsestilladelse efter forslaget. Det skyldes blandt andet, at aktiviteter vedrørende udnyttelse af mineraler generelt er langt mere omfattende og generelt udføres over en længere periode end aktiviteter vedrørende forundersøgelse eller mineralefterforskning og videnskabelige undersøgelser om forhold af betydning derfor.

Desuden kan udnyttelsestilladelser medføre langt mere omfattende og væsentlige

forpligtelser. Derfor må der være strengere krav til rettighedshaverens økonomiske og finansielle formåen (finansielle kapacitet). Desuden må der være mere omfattende krav til rettighedshaverens bogføring, regnskaber og årsrapporter.

Kravet om hjemsted i Grønland indebærer, at selskabet er registreret og drives som en virksomhed med hjemsted i Grønland i overensstemmelse med lovgivningen derom for Grønland.

Kravet om hjemsted i Grønland skal blandt andet bidrage til at sikre, at selskabet gennem udøvelse af erhvervsmæssig aktivitet har en reel tilknytning til Grønland, og at beskatning af indtægter fra mineralaktiviteter i Grønland tilfalder Grønlands Selvstyre. Det er i overensstemmelse med indtægtsdefinitionen i § 7 i lov om Grønlands Selvstyre.

Til stk. 2

Bestemmelsens krav om, at aktieselskabet skal have sit reelle hovedkontor i Grønland, skal blandt andet bidrage til at sikre, at selskabet gennem udøvelse af erhvervsmæssig aktivitet har en reel tilknytning til Grønland, og at beskatning af indtægter fra mineralaktiviteter i Grønland tilfalder Grønlands Selvstyre. Det er i overensstemmelse med indtægtsdefinitionen i § 7 i lov om Grønlands Selvstyre.

Bestemmelsen skal fortolkes og anvendes i sammenhæng med kravet om hjemsted i Grønland, jf. stk. 1.

Til stk. 3

Efter bestemmelsen kan Naalakkersuisut godkende, at en rettighedshaver i en periode ikke opfylder kravet i stk. 2 om, at rettighedshaveren skal have sit reelle hovedkontor, hvorfra aktieselskabet ledes, i Grønland. Godkendelsen kan meddeles for en periode på op til 6 måneder efter meddelelsen af en udnyttelsestilladelse. En sådan godkendelse bør alene meddeles til en rettighedshaver, der har fremlagt en plan for, hvordan rettighedshaveren inden for en periode på højst 6 måneder vil etablere sit reelle hovedkontor, hvorfra aktieselskabet ledes, i Grønland.

Bestemmelsen har til formål at give Naalakkersuisut en hjemmel til at meddele udenlandske selskaber, der for eksempel har udført efterforskningsaktiviteter i Grønland, en rimelig frist til at etablere det reelle hovedkontor for rettighedshaverselskabet i Grønland efter meddelelsen af en udnyttelsestilladelse.

*Til § 46*

Til stk. 1

Bestemmelsen angiver, at aktieselskaber, der er rettighedshavere efter udnyttelsestilladelser, kun må udføre og tidligere have udført aktiviteter og virksomhed efter tilladelser meddelt efter forslaget. Ved tilladelser meddelt efter forslaget forstås i denne sammenhæng også tilladelser vedrørende mineraler eller kulbrinter meddelt efter råstofloven før eller efter forslagets ikrafttræden.

Et aktieselskab vil ikke kunne være rettighedshaver efter en udnyttelsestilladelse, hvis aktieselskabet tidligere har udført andre aktiviteter eller anden virksomhed end aktiviteter og virksomhed efter tilladelser efter forslaget eller tilladelser efter råstofloven.

Et aktieselskab vil heller ikke kunne være rettighedshaver efter en udnyttelsestilladelse, hvis aktieselskabet som det fortsættende selskab sammenlægges (fusioneres) med et andet aktieselskab som det ophørende selskab, og det andet aktieselskab tidligere har udført andre aktiviteter eller anden virksomhed end aktiviteter og virksomhed efter tilladelser efter forslaget eller tilladelser efter råstofloven.

Formålet med bestemmelsen er blandt andet at sikre, at der sker en adskillelse og afgrænsning mellem aktieselskaber, der kun udfører og tidligere har udført aktiviteter og virksomhed efter tilladelser efter forslaget og råstofloven, og andre aktieselskaber, der helt eller delvist udfører eller tidligere har udført andre aktiviteter og anden virksomhed. Formålet med denne adskillelse og afgrænsning er blandt andet at sikre en tilsvarende adskillelse og afgrænsning mellem de to typer aktieselskabernes erhvervsmæssige, økonomiske og skattemæssige forhold og forhold vedrørende betaling af vederlag (royalty) til Naalakkersuisut efter udnyttelsestilladelserne.

Et krav om denne adskillelse og afgrænsning følger af en fortolkning af § 9, nr. 1, i lov nr. 474 af 12. juni 2009 om forskellige forhold i forbindelse med Grønlands Selvstyre.

*”En tilladelse til udnyttelse af mineralske råstoffer kan kun meddeles til aktieselskaber. Selskabet må alene udføre virksomhed i medfør af tilladelser i henhold til denne lov og må ikke sambeskattes med andre selskaber, medmindre der er tale om tvungen sambeskatning.”*

Det følger af en fortolkning af § 9, nr. 1, og bestemmelsens formål, at forslaget skal indeholde en bestemmelse om, at et aktieselskab, der er rettighedshaver efter en udnyttelsestilladelse, kun må udføre og have udført aktiviteter og virksomhed efter tilladelser efter forslaget og råstofloven.

Til stk. 2

Bestemmelsen bygger på og gennemfører den tilsvarende bestemmelse i § 9, nr. 1, i lov nr. 474 af 12. juni 2009 om forskellige forhold i forbindelse med Grønlands Selvstyre og bemærkningerne til forslag til lov om Grønlands Selvstyre (selvstyreloven). I afsnit 5.3.5.2 om skatteindtægter i de almindelige bemærkninger til selvstyreloven anføres blandt andet følgende:

*”For selskaber skal det som hidtil ved meddelelsen af udnyttelsestilladelser sikres, at indtægter vedrørende udnyttelsesvirksomhed kan identificeres og holdes skattemæssigt adskilt fra indtægter og udgifter vedrørende anden virksomhed. Dette skal selvstyret også sikre under en ny råstofordning, hvor selvstyret har overtaget råstofområdet.*

*Det indebærer, at det i forbindelse med meddelelse eller ændring af udnyttelsestilladelser skal sikres, at rettighedshaver ikke meddeles skattefrihed som nævnt i § 3, stk. 3, i lov om indkomstskat, medmindre Råstofdirektoratet påviser, at tilladelsen indebærer mindst lige så byrdefulde afgifter som fuldt ud indgår i indtægtsfordelingen, at rettighedshaver alene udfører virksomhed i medfør af tilladelsen og anden virksomhed i henhold til råstofloven, at rettighedshaver ikke foretager investeringer i andre selskaber eller juridiske personer, at rettighedshaver ikke kan blive sambeskattet med andre selskaber i Grønland eller Danmark, medmindre der er tale om tvungen sambeskatning, at rettighedshaver i indenlandske koncerner omfattes af samme kapitaliseringskrav som rettighedshaver i udenlandske koncerner, at rettighedshaver generelt handler til armslængdepriser og på armslængdevilkår, at rettighedshavers organisationsform, herunder forhold til et moderselskab, ikke kan ændres uden Råstofdirektoratets godkendelse, og at rettighedshavers hjemsted ikke kan ændres uden Råstofdirektoratets godkendelse.”*

I bemærkningerne til § 9, nr. 1, i forslaget til lov nr. 474 af 12. juni 2009 om forskellige forhold i forbindelse med Grønlands Selvstyre anføres blandt andet følgende om den tilsvarende bestemmelse i § 7, stk. 3, i den tidligere danske råstoflov for Grønland fra 1998:

*”Med ændringen af § 7, stk. 3, gives der mulighed for, at selskaber omfattet af tvungen sambeskatning kan opnå udnyttelsestilladelse. Opgørelsen af indtægter, der er omfattet af indtægtsdefinitionen i § 7 i det samtidigt fremsatte forslag til lov om Grønlands Selvstyre, forudsættes korrigeret for virkningen af sambeskatningen, således at alene indtægter m.v. vedrørende udnyttelsesvirksomheden medregnes.”*

Naalakkersuisut må i forbindelse med sin myndighedsbehandling efter forslaget, herunder ved behandling af en ansøgning om meddelelse eller godkendelse af overdragelse af en udnyttelsestilladelse, inddrage de ovenfor omtalte bestemmelser, bemærkninger og forudsætninger, som er en del af selvstyreaftalen og den senere vedtagne lov om Grønlands Selvstyre og lov om forskellige forhold i forbindelse med Grønlands Selvstyre.

Til stk. 3

Bestemmelsen bygger på og gennemfører den tilsvarende bestemmelse i § 9, nr. 1, i lov nr. 474 af 12. juni 2009 om forskellige forhold i forbindelse med Grønlands Selvstyre. I bemærkningerne til § 9, nr. 1, i forslaget til lov om forskellige forhold i forbindelse med Grønlands Selvstyre anføres blandt andet følgende om bestemmelsen:

*”Endvidere skal selskabet forpligte sig til ikke at være tyndere kapitaliseret end den koncern, selskabet indgår i. Det indebærer, at forholdet mellem gæld og egenkapital i selskabet ikke må være større end forholdet mellem gæld og egenkapital i koncernen som helhed, uanset om långiver er koncernforbundet eller ej, og uanset om denne er indenlandsk eller udenlandsk. Selskabets fremmedkapital må dog altid overstige egenkapitalen indtil forholdet 2:1, svarende til grænsen i de gældende grønlandske skatteregler om tynd kapitalisering af udenlandsk ejede selskaber. Virkningen er således alene, at indenlandske koncerner omfattes af samme kapitaliseringskrav som udenlandske koncerner. Det medvirker til, at indkomster ikke vilkårligt flyttes til et andet udenlandsk eller et andet grønlandsk selskab, hvilket ville kunne udhule både selskabsskatteprovenuet og grundlaget for indtægtsdefinitionen eller kun sidstnævnte. Herudover finder skattelovgivningens regler om tynd kapitalisering uændret anvendelse på selskabet.”*

Naalakkersuisut må i forbindelse med sin myndighedsbehandling efter forslaget, herunder ved behandling af en ansøgning om meddelelse eller godkendelse af overdragelse af en udnyttelsestilladelse, inddrage de ovenfor omtalte bestemmelser, bemærkninger og forudsætninger, som er en del af selvstyreaftalen og den senere vedtagne lov om Grønlands Selvstyre og lov om forskellige forhold i forbindelse med Grønlands Selvstyre.

Til stk. 4

Bestemmelsen bygger på og gennemfører den tilsvarende bestemmelse i § 9, nr. 1, i lov nr. 474 af 12. juni 2009 om forskellige forhold i forbindelse med Grønlands Selvstyre. I bemærkningerne til § 9, nr. 1, i forslaget til lov om forskellige forhold i forbindelse med Grønlands Selvstyre anføres følgende om bestemmelsen:

*”De pågældende selskaber skal forpligte sig til generelt, dvs. ikke kun ved handel med interesseforbundne parter, at handle til armslængdepriser og på armslængdevilkår, dvs. til samme priser og på samme vilkår som ved transaktioner mellem uafhængige parter i overensstemmelse med OECD’s retningslinjer for principper og fremgangsmåder i transfer pricing-sager.*

*Dette bidrager til, at der ikke sker vilkårlig overflytning af rettighedshavers indtægter til selskaber, hvis indtægter ikke er omfattet af indtægtsdefinitionen i § 7 i forslag til lov om*

*Grønlands Selvstyre.*”

Naalakkersuisut må i forbindelse med sin myndighedsbehandling efter forslaget, herunder ved behandling af en rettighedshavers aktiviteter efter en udnyttelsestilladelse og handler i forbindelse dermed, inddrage de ovenfor omtalte bestemmelser, bemærkninger og forudsætninger, som er en del af selvstyreaftalen og den senere vedtagne lov om Grønlands Selvstyre og lov om forskellige forhold i forbindelse med Grønlands Selvstyre.

#### *Til § 47*

Til stk. 1

Bestemmelsen indeholder regler om tilladelsers varighed for så vidt angår udnyttelse af mineraler. Det fremgår af bestemmelsen, at tilladelser til udnyttelse af mineraler meddeles for en periode på op til 30 år. I praksis fastsættes perioden i tilladelsen.

Særlige forhold, der taler for meddelelse af en kortere tilladelsesperiode end 30 år, kan for eksempel være, hvis rettighedshaveren selv planlægger at foretage udnyttelse i færre år end 30 år. Som et eksempel derpå kan nævnes, at rettighedshaveren vurderer at kunne gennemføre mineplanen og aktiviteterne efter udnyttelsestilladelsen inden for en periode på 15 år. Naalakkersuisut kan i et sådant tilfælde meddele en udnyttelsestilladelse for en periode på 15 år. Naalakkersuisut kan også i et sådant tilfælde meddele en udnyttelsestilladelse for en periode på 15 år med tillæg af nogle yderligere år, hvis der efter en rimelig vurdering måtte være tvivl om, at rettighedshaveren vil kunne gennemføre mineplanen og aktiviteterne efter udnyttelsestilladelsen inden for en periode på 15 år.

Naalakkersuisut kan i alle tilfælde meddele en kortere tilladelsesperiode end 30 år, i det omfang det på baggrund af en vurdering af alle relevante oplysninger må antages, at en rettighedshaver kan gennemføre mineplanen og aktiviteterne efter udnyttelsestilladelsen på en kortere periode end 30 år.

Tilladelsesperioden kan forlænges en eller flere gange af Naalakkersuisut efter bestemmelserne i stk. 2-5.

Den samlede tilladelsesperiode for udnyttelse må ikke være længere end 50 år, jf. stk. 5.

Til stk. 2

Bestemmelsen fastslår, at den i stk. 1 angivne periode for en udnyttelsestilladelse kan forlænges af Naalakkersuisut en eller flere gange. Efter bestemmelsen kan tilladelsesperioden hver gang kun forlænges med en periode på op til 20 år, jf. dog stk. 5.

Ved meddelelse om forlængelse af tilladelsesperioden skal der foretages et skøn vedrørende udstrækningen af forlængelsesperioden, jf. formuleringen ”op til 20 år”. Ved dette skøn kan der eksempelvis lægges vægt på hvor lang tid der kræves til en optimal udnyttelse af en påvist og afgrænset udnyttelig forekomst, hvor lang tid rettighedshaveren har behov for med henblik på at tjene eventuelle yderligere investeringer hjem og projektets indvirkning på samfundsmæssige forhold i forlængelsesperioden.

Såfremt aktiviteter, der planlægges i den forlængede tilladelsesperiode, må antages at kunne få væsentlig indvirkning på miljømæssige forhold og/eller samfundsmæssige forhold, som der ikke er taget højde for i en eksisterende vurdering af virkningerne på miljøet og en redegørelse herfor, jf. forslaget § 100, og/eller en vurdering af samfundsmæssig bæredygtighed og en redegørelse herfor jf. forslaget § 103, vil rettighedshaveren skulle lave nye vurderinger heraf og redegørelser herfor, jf. forslaget §§ 100 og 103.

Til stk. 3

Bestemmelsen sikrer, under visse betingelser, rettighedshaveren en ret til forlængelse af tilladelsesperioden.

Det er vigtigt for en rettighedshaver at kunne indrette sig efter tilladelsesperiodens udstrækning, særligt med henblik på at rejse kapital til mineprojekter, og i forhold til planlægningen af selve mineprojektet samt at sikre en optimal udnyttelse af en mineralforekomst. Det er derfor vigtigt, at rettighedshaveren tillægges denne ret.

Betingelserne for at opnå retten til en forlængelse af tilladelsesperioden, svarer til betingelserne for at opnå retten til at få meddelt en udnyttelsestilladelse på grundlag af en efterforskningstilladelse. Rettighedshaveren skal dels have overholdt grønlandsk lovgivning og de vilkår, denne hidtil har været underlagt, og dels skal rettighedshaveren påvise og afgrænse en udnyttelig forekomst, som kan begrunde en meddelelse af en forlængelse af tilladelsesperioden.

Til stk. 4

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte ændrede tilladelsesvilkår ved en forlængelse af tilladelsesperioden til en længere samlet tilladelsesperiode end 40 år.

Det kan for eksempel være ændrede vilkår om rettighedshaverens forpligtelser efter tilladelsen eller aktivitetsplanerne eller om gradvis indskrænkning af tilladelsesområdet, i det omfang det ikke anvendes i forbindelse med udførelsen af udnyttelsen af mineraler eller andre



aktiviteter efter udnyttelsestilladelsen.

Til stk. 5

Bestemmelsen fastslår, at en tilladelse til udnyttelse af mineraler ikke kan være længere end 50 år.

Bestemmelsen skal blandt andet medvirke til at sikre, at rettighedshaveren udfører effektiv udnyttelse af mineraler, herunder udfører udnyttelsesaktiviteterne på en effektiv måde i overensstemmelse med hensynene anført i § 1. Effektiv udnyttelse indebærer blandt andet, at rettighedshaveren påbegynder aktiviteterne omfattet af udnyttelsestilladelsen inden for rimelig tid efter, at det er muligt i perioden efter meddelelse af tilladelsen, og gennemfører aktiviteterne i tilladelsesperioden i overensstemmelse med mineplanen og aktiviteterne efter udnyttelsestilladelsen uden unødige eller langvarige pauser eller afbrydelser. Det skal blandt andet medvirke til at undgå arealreservation af et tilladelsesområde, hvor der er påvist og afgrænset en eller flere forekomster af mineraler.

Til stk. 6

Bestemmelsen indebærer, at en udnyttelsestilladelse kan ophøre på et tidligere tidspunkt end ved udløbet af tilladelsesperioden efter stk. 1-5. Det vil for eksempel ske, hvis Naalakkersuisut inden da godkender, at rettighedshaveren tilbageleverer udnyttelsestilladelsen til Naalakkersuisut.

#### *Til § 48*

Til stk. 1

Bestemmelsen angiver, at en udnyttelsestilladelse meddeles for et tilladelsesområde fastsat af Naalakkersuisut.

I et tilfælde omfattet af § 43, stk. 2, kan Naalakkersuisut for eksempel fastsætte et tilladelsesområde efter en udnyttelsestilladelse på grundlag af det område, hvori rettighedshaveren efter en forudgående efterforskningstilladelse eller småskatilladelse har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte.

Det er en betingelse for meddelelse af en udnyttelsestilladelse, at rettighedshaveren har påvist og afgrænset en eller flere udnyttelige forekomster af mineraler, som rettighedshaveren vil udnytte. Se forslaget § 41 og 42 og bemærkningerne dertil.

Tilladelsesområdet efter en udnyttelsestilladelse kan omfatte det eller de område(r), hvori

rettighedshaveren har påvist og afgrænset en udnyttelig forekomst af mineraler jf. §§ 41-42, et eller flere yderligere områder hvori rettighedshaveren har dokumenteret en ”inferred resource” efter den australske rapporteringsstandard ”The JORC Code”, den canadiske rapporteringsstandard ”National Instrument 43-101 Standards of Disclosure for Mineral Projects”, som refererer til ”the CIM Definition Standards on Mineral Resources and Mineral Reserves, the “CIM Definition Standards”, den sydafrikanske rapporteringsstandard ”The SAMREC Code” eller den paneuropæiske rapporteringsstandard ”The PERC Reporting Standard”, og et eller flere yderligere områder til brug for udførelse af udnyttelsesaktiviteterne og andre aktiviteter efter tilladelsen. De yderligere områder kan blandt andet være til brug for bygninger, anlæg, installationer, lagre, pladser, veje, havne og anden infrastruktur.

Hvorvidt et eller flere områder, hvori rettighedshaveren har dokumenteret en ”inferred resource”, kan omfattes af tilladelsesområdet i tillæg til det område, hvori rettighedshaveren har påvist og afgrænset en udnyttelig forekomst af mineraler jf. §§ 41-42, vil bero på Naalakkersuisuts afgørelse. Der vil blive lagt vægt på de omhandlede forekomsters sammenhæng med den forekomst, der har dannet grundlag for meddelelse af tilladelsen jf. forslaget §§ 41-42. Der kan i den sammenhæng blandt andet henses til forekomsternes placering i forhold til den forekomst, der har dannet grundlag for meddelelse af tilladelsen. Ligger de omhandlede forekomster ikke i umiddelbar forlængelse af den forekomst, der har dannet grundlag for meddelelse af tilladelsen, kan der lægges vægt på, hvor stor afstanden til den forekomst, der har dannet grundlag for meddelelse af tilladelsen, er, i hvilken grad de har den samme mineralisering, geologiske struktur og sammensætning, og om de processeringsfaciliteter henholdsvis den infrastruktur med videre, som er tilknyttet den forekomst, der har dannet grundlag for meddelelse af tilladelsen, kan benyttes ved udnyttelse af de forekomster, der ligger i områder, hvori rettighedshaveren har dokumenteret en ”inferred resource”. Yderligere områder, hvori rettighedshaveren har dokumenteret en ”inferred resource”, kan kun i særlige tilfælde omfattes af tilladelsesområdet, i det omfang disse arealer er større end arealet, hvor rettighedshaveren har påvist og afgrænset en udnyttelig forekomst af mineraler jf. §§ 41-42.

Et tilladelsesområde kan ved meddelelse af en udnyttelsestilladelse dække et bruttoområde, som i tillæg til det eller de områder, hvor rettighedshaveren efter en efterforskningstilladelse har dokumenteret ”indicated resources” og ”inferred resources” som beskrevet ovenfor, omfatter flere mulige områder til placering af anlæg og infrastruktur.

Omfatter tilladelsesområdet således områder, der ikke er nødvendige til gennemførelse af en mineplan, jf. § 77, vil tilladelsesområdet blive indskrænket efter Naalakkersuisuts godkendelse af mineplanen jf. § 77, stk. 2, således at tilladelsesområdet, udover det eller de områder, hvor rettighedshaveren efter en efterforskningstilladelse har dokumenteret ”indicated resources” og ”inferred resources”, alene vil omfatte de områder der benyttes til anlæg og infrastruktur.

Til stk. 2

Bestemmelsen har til formål at give mulighed for, at en rettighedshaver, der både er rettighedshaver efter en eller flere udnyttelsestilladelser og en eller flere efterforskningstilladelser, kan udvide tilladelsesområdet efter en udnyttelsestilladelse til også at omfatte yderligere områder, hvori rettighedshaveren efter en efterforskningstilladelse har påvist og afgrænset en udnyttelig forekomst af mineraler, som rettighedshaveren vil udnytte, uden at der skal meddeles en ny tilladelse.

Det følger af bestemmelsen, at Naalakkersuisut kan fastsætte de samme vilkår i et tillæg til en tilladelse om udvidelse af et tilladelsesområde som i selve tilladelsen.

Ved Naalakkersuisuts vurdering af, om der kan meddeles et tillæg til en tilladelse, kan der tages hensyn til sammenhængen mellem den forekomst, der ligger til grund for udnyttelsestilladelsen, og den nye påviste og afgrænsede udnyttelige forekomst. Det vil tale for at meddele et tillæg, hvis den nye forekomst støder direkte op til den eksisterende, eller hvis den indeholder de samme mineraler.

Det bemærkes endvidere, at udførelse af aktiviteter efter tillægget kan være betinget af udarbejdelse af en VVM-redegørelse, jf. forslagens kapitel 15, og/eller udarbejdelse af en VSB-redegørelse, jf. forslagens kapitel 16, hvis aktiviteterne må antages at kunne få væsentlige indvirkninger på miljøforhold eller samfundsmæssige forhold.

#### *Til § 49*

Til stk. 1

Bestemmelsen indeholder en hjemmel og forpligtelse for Naalakkersuisut til at fastsætte vilkår om, at meddelelse og opretholdelse af en udnyttelsestilladelse er betinget af, at rettighedshaveren inden for en nærmere fastsat rimelig tidsfrist skal have indgivet en fyldestgørende mineplan og nedlukningsplan til Naalakkersuisut efter §§ 77 og 80 og andre bestemmelser og vilkår derom.

Bestemmelsen præciserer og uddyber, at det er en betingelse for meddelelse og opretholdelse af en udnyttelsestilladelse, at rettighedshaveren inden for en nærmere fastsat rimelig tidsfrist har indgivet sine planer efter §§ 77 og 80 og andre bestemmelser og vilkår derom.

Se de anførte bestemmelser og bemærkningerne dertil.

Bestemmelsen angiver desuden, at tidsfristen for rettighedshaverens indgivelse af planerne

ikke må være senere end 4 år efter meddelelsen af udnyttelsestilladelsen.

Til stk. 2

Bestemmelsen skal bidrage til at sikre, at rettighedshaveren inden for en nærmere fastsat rimelig tidsfrist har indgivet en fyldestgørende mineplan og nedlukningsplan til Naalakkersuisut. Se bestemmelsen i stk. 1 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen præciserer, at Naalakkersuisut i en tilladelse til udnyttelse af mineraler har hjemmel til at fastsætte vilkår om bestemte tidsfrister for bestemte forhold vedrørende tilladelsen eller aktiviteter efter tilladelsen.

Det følger af forslagets § 43, at Naalakkersuisut kan meddele tilladelser til udnyttelse af mineraler på nærmere fastsatte vilkår. Efter bestemmelsen kan Naalakkersuisut generelt fastsætte alle relevante vilkår vedrørende udnyttelsestilladelser og alle aktiviteter efter tilladelse, herunder tidsfrister for bestemte forhold vedrørende tilladelsen eller aktiviteter efter tilladelsen. Fastsættelsen af tilladelsesvilkår skal ske i overensstemmelse med forslagets formål efter § 1 og andre relevante bestemmelser. Den foreslåede bestemmelse er således en præcisering af Naalakkersuisuts hjemmel (adgang) til at fastsætte vilkår om bestemte tidsfrister for bestemte forhold vedrørende en tilladelse til udnyttelse af mineraler eller aktiviteter efter tilladelsen.

Naalakkersuisut kan for eksempel fastsætte tidsfrister for rettighedshaverens indsendelse af en opdateret mineplan efter forslagets § 77, en nedlukningsplan efter forslagets § 80, eller planer for andre forhold og aktiviteter efter forslagets §§ 120-121.

Naalakkersuisut kan blandt andet også fastsætte tidsfrister for rettighedshaverens indgåelse af en aftale om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold.

Som andre eksempler kan nævnes tidsfrister for rettighedshaverens etablering af anlæg eller dele deraf med videre til udnyttelse af mineraler, sikkerhedsstillelse for nedlukningsomkostninger eller påbegyndelse af udnyttelsen af mineraler.

Bestemmelsen præciserer desuden, at Naalakkersuisut også kan fastsætte tilladelsesvilkår eller træffe afgørelse om, at en tilladelse bortfalder eller kan tilbagekaldes, hvis fastsatte tidsfrister eller forlængede tidsfrister ikke overholdes.

*Til § 50*

Til stk. 1

Efter bestemmelsen kan en rettighedshaver efter en udnyttelsestilladelse udføre efterforskningsaktiviteter på samme vilkår som en rettighedshaver efter en efterforskningstilladelse i tilladelsesområdet for udnyttelsestilladelsen. Rettighedshaveren vil dog ikke have nogen forpligtelse dertil.

Baggrunden for bestemmelsen er blandt andet, at en rettighedshaver efter en udnyttelsestilladelse i praksis ofte kan have behov for at kunne udføre og ofte udfører efterforskning eller tilsvarende aktiviteter for nærmere at undersøge og vurdere mulige nye udnyttelige forekomster af mineraler i tilladelsesområdet.

Til stk. 2

Bestemmelsen vedrører en pligt for rettighedshaveren efter en udnyttelsestilladelse til at foretage rapportering om efterforskning og resultaterne deraf med videre efter forslagens § 39, stk. 1. Efter bestemmelsen i § 39, stk. 2, er rettighedshaverens rapporter om efterforskning og resultaterne deraf med videre generelt fortrolige i 5 år efter tidsfristen for indlevering af de nævnte rapporter om efterforskning og resultaterne deraf med videre til Naalakkersuisut indtil tilladelsens ophør. Når fortrolighedsperioden er ophørt, har både rettighedshaveren og Grønlands Selvstyre ejendomsretten til og ret til frit at råde over og anvende rettighedshaverens rapporter med videre, jf. § 39, stk. 5.

Se bestemmelserne i § 39 og bemærkningerne dertil.

Bestemmelsen skal bidrage til at sikre, at en rettighedshaver efter en udnyttelsestilladelse, der udfører mineralefterforskning og dermed forbundne aktiviteter efter tilladelsen efter stk. 1, generelt opfylder de forpligtelser, der gælder for rettighedshavere efter efterforskningstilladelser i hele tilladelsesperioden. Rettighedshaveren er dog ikke forpligtet til at udføre efterforskningsaktiviteter og opfylde efterforskningsforpligtelser efter § 38, stk. 2.

Til stk. 3

Rettighedshavere efter andre tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineraler må ikke udføre mineralaktiviteter i tilladelsesområdet efter rettighedshaverens tilladelse til udnyttelse af mineraler. En forundersøgelsestilladelse uden eneret kan omfatte et område, der også er omfattet af en udnyttelsestilladelse med eneret. En efterforskningstilladelse med eneret eller en anden udnyttelsestilladelse med eneret kan ikke omfatte et område, der er omfattet af en udnyttelsestilladelse med eneret.

Andre parter, der ikke er rettighedshavere efter mineraltilladelser, må heller ikke udføre mineralaktiviteter i tilladelsesområdet efter udnyttelsestilladelsen.

Formålet med bestemmelsen er blandt andet at sikre, at rettighedshaveren efter en tilladelse til udnyttelse af mineraler er den eneste part, der i tilladelsesområdet efter udnyttelsestilladelsen må udføre aktiviteter vedrørende mineraler. Rettighedshaverens udførelse af udnyttelsesaktiviteter i tilladelsesområdet kan dermed ikke blive hindret, begrænset eller på anden måde negativt påvirket af andre parters aktiviteter vedrørende mineraler i tilladelsesområdet efter udnyttelsestilladelsen.

Forbuddet omfatter alle andre parters udførelse af alle aktiviteter vedrørende mineraler i tilladelsesområdet efter udnyttelsestilladelsen. Det gælder, uanset om de andre parters aktiviteter udføres efter tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineraler, tilladelser til småskalaefterforskning og småskalaudnyttelse af mineraler eller godkendelser af udnyttelse af grus, sten og lignende materialer til brug for byggeprojekter og anlægsprojekter i Grønland. Forbuddet gælder endvidere, uanset om en forundersøgelsestilladelse, der dækker tilladelsesområdet, er meddelt før udnyttelsestilladelsen meddeles.

#### *Til § 51*

Til stk. 1

Bestemmelsen i stk. 1 præciserer og uddyber Naalakkersuisuts hjemmel til at fastsætte bestemmelser om betaling af gebyr for modtagelse og behandling af en ansøgning om meddelelse af en udnyttelsestilladelse efter § 43 eller en forlængelse af tilladelsesperioden efter en udnyttelsestilladelse efter § 47, stk. 2, og for meddelelse af en udnyttelsestilladelse eller en forlængelse af tilladelsesperioden. Bestemmelsen i stk. 1 præciserer og uddyber desuden Naalakkersuisuts hjemmel til at fastsætte bestemmelser om betaling af gebyr for myndighedsbehandling vedrørende en udnyttelsestilladelse eller en forlængelse af tilladelsesperioden for en udnyttelsestilladelse.

Naalakkersuisut kan fastsætte bestemmelser om betaling af gebyrer som anført ovenfor i en bekendtgørelse.

Se forslaget § 16 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen præciserer og uddyber Naalakkersuisuts hjemmel til at fastsætte bestemmelser og vilkår om rettighedshaverens betaling af vederlag for opretholdelse af en

udnyttelsestilladelse og aktiviteter efter tilladelsen med videre.

Der kan eksempelvis fastsættes bestemmelser om en årlig afgift for retten til at foretage udnyttelse, eller afgifter der relaterer sig til bestemte aktiviteter.

Et vederlag kan udgøre en del af landskassens mulige modtagelse af betalinger fra en rettighedshaver for dennes ret til udførelse af aktiviteter efter en forundersøgelsestilladelse og mulige økonomiske og kommercielle fordele i forbindelse dermed. Vederlagets størrelse kan blandt andet fastsættes under hensyntagen til de enhver tid gældende markedsforhold inden for mineralsektoren.

Et vederlag for udførelse af bestemte aktiviteter kan for eksempel også være en afgift, der tilgår en fond eller en pulje, som skal medgå til at dække Naalakkersuisuts udgifter til oprydning efter mineralaktiviteter, i tilfælde hvor rettighedshavere efter forslaget ikke overholder deres oprydningsforpligtelser, og der ikke er stillet sikkerhed for disse forpligtelser, eller den stillede sikkerhed ikke er tilstrækkelig.

I stk. 2, nr. 1-3, præciseres og uddybes det, at Naalakkersuisut blandt andet også kan fastsætte bestemmelser og vilkår om betaling af royalties for udnyttelsestilladelser. Omtalen af eksempler er ikke udtømmende.

Royalties er rettighedshaverens betaling for retten til at udnytte mineraler og udgør således ikke en skat.

Fastsættelse af vederlag kan kun ske fremadrettet, det vil sige, at fastsættelse af vederlag i bekendtgørelsesform kun vil gælde tilladelser meddelt efter offentliggørelse af bekendtgørelsen, og at vederlag fastsat i tilladelser ikke kan ændres i løbet af den i tilladelsen fastsatte tilladelsesperiode.

Til stk. 3

Bestemmelsen vedrører fastsættelse af en rettighedshavers vederlag til Naalakkersuisut, herunder om muligheden for at fritage en rettighedshaver for beskatning af den virksomhed, der er omfattet af rettighedshaverens tilladelse.

Bestemmelsen fastslår, at der i sammenhæng med fastsættelse af en rettighedshavers vederlag til Naalakkersuisut efter stk. 2 kan meddeles rettighedshaveren fritagelse for beskatning af den virksomhed, der er omfattet af tilladelsen, hvis rettighedshaverens udnyttelsesvirksomhed dermed er pålagt vederlag (afgifter), der er mindst lige så byrdefulde, som beskatningen ville have været, og vederlaget (afgifterne) er fuldt ud omfattet af § 7 i lov om Grønlands Selvstyre.

Bestemmelsen svarer desuden til § 8, stk. 3, i den tidligere råstoflov fra 1998, som ændret ved § 9, nr. 2, i lov nr. 474 af 13. juni 2009 om forskellige forhold i forbindelse med Grønlands Selvstyre. I bemærkningerne til forslaget til § 9, nr. 2, i lov om forskellige forhold i forbindelse med Grønlands Selvstyre anføres blandt andet følgende om § 9, nr. 2:

*”I sammenhæng med fastsættelse af en rettighedshavers ydelser til myndighederne efter stk. 1 og 2 kan der meddeles rettighedshaveren fritagelse for beskatning af den virksomhed, der er omfattet af tilladelsen, hvis virksomheden dermed er pålagt afgifter, der er mindst lige så byrdefulde, som beskatningen ville have været, og afgifterne fuldt ud er omfattet af indtægtsdefinitionen i § 7 i lov om Grønlands Selvstyre.”*

I forslaget til selvstyreloven anføres blandt andet følgende i bemærkningerne til § 7:

*”Efter § 7 i forslag til lov om Grønlands Selvstyre er indtægter ved enhver beskatning af råstofvirksomhed omfattet af indtægtsdefinitionen i § 7. Adgangen til at give skattefrihed forudsætter derfor, at skatten erstattes af mindst lige så byrdefulde afgifter, der fuldt ud er omfattet af indtægtsdefinitionen i selvstyrelovens § 7.”*

Fritagelse for beskatning forudsætter, at to betingelser er opfyldt. For det første skal virksomheden pålægges vederlag (afgifter) efter stk. 2, og vederlaget (afgiften) skal være mindst lige så byrdefuld, som beskatningen ville have været. For det andet skal de pålagte afgifter fuldt ud være omfattet af indtægtsdefinitionen i selvstyrelovens § 7. Begge betingelser skal være opfyldt, for at der kan ske fritagelse for beskatning efter bestemmelsen.

Til stk. 4

Bestemmelsen sikrer, at rettighedshavere efter udnyttelsestilladelser, der er meddelt på grundlag af efterforskningstilladelser meddelt før forslagets ikrafttræden, ikke rammes hårdere økonomisk, end det var forudsat ved meddelelsen af efterforskningstilladelsen.

Til stk. 5

Bestemmelsen udgør hjemmelsgrundlaget for Naalakkersuisuts opkrævning vedrørende udgifter, der afholdes af Naalakkersuisut i forbindelse med sagsbehandling og myndighedsbehandling efter dette forslag. Bestemmelsen omfatter for eksempel opkrævning vedrørende udgifter til sagsbehandling, tilsyn, anden myndighedsbehandling, tjenesterejser og eksterne rådgivere og konsulenter med videre.

Bestemmelsen vedrører opkrævning af betaling af gebyr eller beløb til dækning af udgifter ved myndighedsbehandling vedrørende udnyttelsestilladelsen og aktiviteter efter tilladelsen.



Betalingen kan opkræves som gebyrer eller udgiftsrefusion.

Betalingen for myndighedsbehandlingen kan for eksempel opkræves på baggrund af en timesats for det aktuelle tidsforbrug ved sagsbehandling og anden myndighedsbehandling, herunder meddelelse af tilladelser og godkendelser med videre.

Enhver udgift kan opkræves som gebyr eller udgiftsrefusion, i det omfang betalingen generelt svarer til Naalakkersuisuts udgifter i forbindelse med sagsbehandling og myndighedsbehandling. Det er således ikke hensigten, at der med hjemmel i bestemmelsen kan opkræves gebyrer eller udgiftsrefusion udover, hvad Naalakkersuisut generelt har afholdt eller forventes at anvende til sagsbehandlingen og myndighedsbehandlingen.

Derudover skaber bestemmelsen hjemmel til, at Naalakkersuisut i en tilladelse kan fastsætte vilkår om, at en rettighedshaver skal dække udgifter til Naalakkersuisuts ansattes uddannelse og kompetenceudvikling.

Naalakkersuisut kan eksempelvis fastsætte vilkår om, at en rettighedshaver skal dække omkostninger i forbindelse med Naalakkersuisuts medarbejders kurser og andre kompetenceudviklende aktiviteter med et vist årligt beløb i tilladelsesperioden.

#### *Til § 52*

Til stk. 1

Efter bestemmelsen forpligtes Naalakkersuisut til at fastsætte vilkår om en rettighedshavers anvendelse af lokal arbejdskraft i en tilladelse til udnyttelse af mineraler.

Udgangspunktet er, at en rettighedshaver efter en tilladelse til udnyttelse af mineraler skal anvende lokal arbejdskraft, i det omfang dette er muligt.

Kravene til anvendelse af lokal arbejdskraft vil generelt svare til de krav, der er opstillet i Landstingslov nr. 27 af 30. oktober 1992 om regulering af arbejdskrafttilgangen i Grønland med senere ændringer, med den undtagelse, at kravene vil gælde samtlige stillinger i rettighedshaverens organisation. Ligesom definitionen af lokal arbejdskraft generelt vil være den samme som i Landstingslov nr. 27 af 30. oktober 1992 om regulering af arbejdskrafttilgangen i Grønland med senere ændringer.

Dette betyder blandt andet, at rettighedshaveren på relevant måde skal forsøge at besætte stillinger med lokal arbejdskraft, inden stillinger kan besættes af udefra kommende arbejdskraft.

Formålet med forslaget § 52, stk. 1, er at sikre, at lokale personer i størst muligt omfang anvendes som arbejdstagere til udførelse af aktiviteter i forbindelse med udnyttelse af mineraler.

Dette skal dels bidrage til at sikre beskæftigelse til lokale arbejdstagere, og dels til at maksimere den grønlandske landskasses udbytte af råstofprojekter.

Grønland har i forhold til EU og EU-reglerne status som et oversøisk land eller territorium (OLT) og er dermed et særligt associeret område. Det betyder, at de almindelige EU-regler ikke finder anvendelse for Grønland. Derimod finder EU's særlige ordning og særlige regler, afgørelser og aftaler om oversøiske lande og territorier (OLT'er) anvendelse for Grønland.

Det er blandt andet artikel 198-204 vedrørende oversøiske lande og territoriers associering med EU i Traktaten om Den Europæiske Unions Funktionsmåde (EUF-traktaten eller TEUF), Rådets afgørelse af 14. marts 2014 om forbindelserne mellem den Europæiske Union på den ene side og Grønland og Kongeriget Danmark på den anden side (2014/137/EU) (partnerskabsaftalen) og Rådets afgørelse af 25. november 2013 om de oversøiske landes og territoriers associering med Den Europæiske Union (2013/755/EU) (associeringsafgørelsen).

Der er generelt ikke vedtaget regler om arbejdskraftens frie bevægelighed mellem EU-landene og de oversøiske lande og territorier efter TEUF artikel 202 (tidligere artikel 186). Det følger af artikel 51, stk. 1, litra b, i associeringsafgørelsen (2013/755/EU), at myndighederne i oversøiske lande og territorier (OLT) skal indrømme fysiske og juridiske personer i EU en behandling, der ikke er mindre gunstig end den gunstigste behandling, der indrømmes lignende fysiske og juridiske personer i enhver stor handelsøkonomi, som OLT-myndigheden har indgået en aftale om økonomisk integration med efter den 1. januar 2014.

I artikel 51, stk. 3, i Rådets afgørelse af 25. november 2013 (2013/755/EU) anføres:

*”Et OLT's myndigheder kan for at fremme eller støtte den lokale beskæftigelse vedtage bestemmelser, der er til fordel for dets fysiske personer og lokale aktiviteter. I så fald underretter det pågældende OLT's myndigheder Kommissionen om de vedtagne bestemmelser, hvorefter Kommissionen underretter medlemsstaterne herom.”*

Hvis sådanne bestemmelser indføres, skal den pågældende OLT-myndighed således underrette Kommissionen om de bestemmelser, der er vedtaget, og Kommissionen underretter derefter medlemsstaterne. Favorisering af lokal arbejdskraft er således ikke i strid med EU-regler.

Kongeriget Danmark, og herunder Grønland, er medlem af Verdenshandelsorganisationen

(World Trade Organisation (WTO)), der har fastsat en række regler. Der er blandt andet fastsat regler til fremme af international handel og udveksling af tjenesteydelser. Grønland er medlem af organisationen i kraft af rigsfællesskabet med Danmark. WTO-reglerne gælder således også for Grønland.

WTO-reglerne omfatter blandt andet General Agreement on Trade in Services (GATS), der indeholder regler om handel med tjenesteydelser. Efter artikel I (3), litra b (art. 1, stk. 3, litra b), i GATS omfatter begrebet tjenesteydelser enhver tjenesteydelse i enhver sektor, bortset fra tjenesteydelser, der leveres som led i myndighedsudøvelse.

GATS indeholder i artikel XVI (art. 16) og artikel XVII (art. 17) regler om markedsadgang og såkaldt nationalbehandling. Reglen om markedsadgang indebærer, at et medlem ikke må behandle tjenesteydelser og tjenesteydere fra andre medlemslande på mindre gunstig måde end den, der følger af medlemsstatens vilkår, begrænsninger og betingelser angivet i den såkaldte koncessionsliste. Reglen om nationalbehandling indebærer, at et medlem ikke må behandle tjenesteydelser og tjenesteydere fra andre medlemslande på mindre gunstig måde end tjenesteydelser og tjenesteydere fra medlemslandet selv. Nationalitetsprincippet finder ligesom reglen om markedsadgang kun anvendelse, hvis medlemmet selv har angivet i koncessionslisten, at princippet skal gælde for alle eller bestemte sektorer inden for tjenesteydelsesområdet.

Danmark, og dermed også Grønland, har på nuværende tidspunkt ikke påtaget sig specifikke forpligtelser (såkaldte koncessioner) med hensyn til markedsadgang og nationalbehandling efter GATS-reglerne. Favorisering af lokal arbejdskraft er således ikke i strid med GATS.

Favorisering af lokal arbejdskraft vil dog kunne komme i strid med reglerne om markedsadgang og nationalbehandling i GATS, hvis Danmark, og dermed også Grønland, påtager sig specifikke forpligtelser inden for sektorer, der omfatter den arbejdskraft, rettighedshavere forpligtes til at anvende efter forslagets § 52, stk. 1.

Til stk. 2

Efter bestemmelsen forpligtes Naalakkersuisut til at fastsætte vilkår om en rettighedshavers anvendelse af lokale leverandører af varer og tjenesteydelser i en tilladelse til udnyttelse af mineraler.

Udgangspunktet er, at en rettighedshaver efter en tilladelse til udnyttelse af mineraler skal anvende lokale leverandører af varer og tjenesteydelser ved udførelse af aktiviteter under tilladelsen, i det omfang dette er muligt.

Kravene til anvendelse af lokale leverandører vil generelt betyde, at rettighedshaveren skal

benytte lokale leverandører, medmindre der ikke findes lokale leverandører med de nødvendige kompetencer og erfaringer, eller ingen lokale leverandører, der har de nødvendige kompetencer og erfaringer, tilbyder levering af ydelserne og vil indgå aftale om levering ydelserne på de prisvilkår og andre aftalevilkår, som tilbydes af rettighedshaveren.

Derudover må prisvilkår og andre aftalevilkår, som tilbydes af rettighedshaveren til lokale leverandører, ikke være dårligere for leverandørerne end de prisvilkår og andre aftalevilkår, som tilbydes af rettighedshaveren til andre leverandører. Og rettighedshaveren skal på relevant måde forsøge at indgå aftaler med lokale leverandører, inden der kan kontraheres med udenlandske leverandører.

Lokale leverandører defineres som selskaber med hjemsted i Grønland, og personer der anses for at have særlig tilknytning til Grønland efter Landstingslov nr. 27 af 30. oktober 1992 om regulering af arbejdskrafttilgangen i Grønland med senere ændringer.

Formålet med forslaget § 52, stk. 2, er at sikre, at lokale leverandører i størst muligt omfang anvendes ved udførelse af aktiviteter i forbindelse med udnyttelse af mineraler.

Dette skal dels bidrage til at sikre beskæftigelse til lokale arbejdstagere, og dels til at maksimere den grønlandske landskasses udbytte af råstofprojekter.

Som omtalt i bemærkningerne til stk. 1 har Grønland i forhold til EU og EU-reglerne status som et oversøisk land eller territorium (OLT) og er dermed et særligt associeret område. Det betyder, at de almindelige EU-regler ikke finder anvendelse for Grønland. Derimod finder EU's særlige ordning og særlige regler, afgørelser og aftaler om oversøiske lande og territorier (OLT'er) anvendelse for Grønland. Det er blandt andet artikel 198-204 vedrørende oversøiske lande og territoriers associering med EU i Traktaten om Den Europæiske Unions Funktionsmåde (EUF-traktaten eller TEUF), Rådets afgørelse af 14. marts 2014 om forbindelserne mellem den Europæiske Union på den ene side og Grønland og Kongeriget Danmark på den anden side (2014/137/EU) (partnerskabsaftalen) og Rådets afgørelse af 27. november 2013 om de oversøiske landes og territoriers associering med Den Europæiske Union (2013/755/EU) (associeringsafgørelsen).

Det følger af OLT-reglerne, at OLT's myndigheder ikke må forskelsbehandle mellem medlemsstaternes selskaber, statsborgere og virksomheder, og at OLT's myndigheder ikke må behandle medlemsstaternes selskaber, statsborgere og virksomheder mindre gunstigt end den måde, hvorpå de behandler tredjelandes statsborgere, selskaber og virksomheder. Endvidere indeholder artikel 51, stk. 3, i associeringsafgørelsen regler om, at OLT's myndigheder kan vedtage bestemmelser, der er til fordel for dets egne indbyggere og lokale aktiviteter, for at fremme eller støtte den lokale beskæftigelse. Der henvises til den nærmere omtale heraf i bemærkningerne til stk. 1. Begunstigelsen af grønlandske entrepriser, leverancer og

tjenesteydere efter bestemmelsen er således ikke i strid med EU-reglerne.

Som anført ovenfor i bemærkningerne til stk. 1 er Grønland medlem af Verdenshandelsorganisationen (World Trade Organisation (WTO)) i kraft af rigsfællesskabet med Danmark. WTO-reglerne gælder således også for Grønland.

WTO-reglerne indeholder blandt andet regler, der regulerer handel med varer i form af "General Agreement on Tariffs and Trade" (GATT), og regler, der regulerer handel med tjenesteydelser i form af "General Agreement on Trade in Services" (GATS).

GATT fastslår i artikel III princippet om nationalbehandling og ikke-diskrimination. Bestemmelsen foreskriver, at importerede varer skal gives en behandling, som ikke er mindre gunstig end den, der gives lignende varer af national oprindelse.

Artikel III (4) (art. 3, stk. 4) i GATT fastslår, at varer fra et medlemsland, som importeres til et andet medlemsland, i relation til love, bestemmelser og krav, som har indflydelse på internt salg, udbud, køb, transport, distribution eller brug, skal behandles på en måde, der ikke er mindre gunstig end den måde, hvorpå lignende varer af national oprindelse bliver behandlet.

I GATT findes der dog regler, der giver et medlemsland mulighed for at blive fritaget for sine forpligtelser i GATT, herunder bestemmelsen i artikel XVIII (art. 18) i GATT om statsstøtte til økonomisk udvikling. Denne bestemmelse fastslår i stk. 1, at medlemslandene erkender, at målene med GATT nemmere vil blive opnået ved en stigende økonomisk udvikling, især for så vidt angår de medlemslandes økonomier, som kun kan opretholde en lav levestandard, og som befinder sig på et lavt udviklingsstadium. Bestemmelsen i stk. 2 konstaterer, at det, for at kunne indføre programmer og politikker om økonomisk udvikling, som har til formål at hæve folkets generelle levestandard, kan blive nødvendigt for disse medlemslande at træffe beskyttende eller andre foranstaltninger, som har indflydelse på importen. Efter artikel XVIII (4) (a) og (b) (art. 18, stk. 4, litra a og b) i GATT, er et medlemsland, hvis økonomi kun kan opretholde en lav levestandard, og som befinder sig på et tidligt udviklingsstadium, eller et medlemsland, der er under udvikling, således berettiget til midlertidigt at fravige bestemmelserne i GATT under nærmere fastsatte betingelser og under forudsætning af, at proceduren i artikel XVIII (art. 18) afsnit C eller D i GATT følges.

Et medlemsland, der er omfattet af artikel XVIII (4) litra (a) (art. 18, stk. 4, litra a) i GATT, er forpligtet til, forinden en påtænkt foranstaltning iværksættes, at informere de øvrige medlemslande om den påtænkte foranstaltning. Hvis de øvrige medlemslande ikke senest 30 dage efter meddelelsen om foranstaltningen opfordrer det relevante medlemsland til at rådføre sig med dem, er medlemslandet berettiget til at fravige de relevante bestemmelser i GATT. Hvis medlemslandet opfordres dertil, skal det dog rådføre sig med de øvrige medlemslande. Hvis medlemslandene ikke inden 90 dage erklærer sig enig, kan det pågældende medlemsland

iværksætte foranstaltningen efter at have informeret medlemslandene derom.

Et medlemsland, der er omfattet af XVIII (4) litra (b) (art. 18, stk. 4, litra b) i GATT, skal anmode de øvrige medlemslande om godkendelse af en påtænkt foranstaltning. De øvrige medlemslande skal straks rådføre sig med det relevante medlemsland, og hvis de øvrige medlemslande samtykker, skal det pågældende medlemsland fritages for sine forpligtelser i relation til den pågældende foranstaltning.

GATT indeholder endvidere en generel undtagelsesbestemmelse til forpligtelserne i artikel XX (art. 20) i GATT. De saglige undtagelser, som kan påberåbes af et medlemsland, er udtømmende opregnet i artikel XX (art. 20) i GATT. De omfatter blandt andet foranstaltninger, der er nødvendige af hensyn til beskyttelse af mennesker, dyr, planter eller sundhed. Det er derudover et krav, at foranstaltningen begrundes og håndhæves sagligt og proportionalt af medlemslandet. De hensyn, der begrundes i stk. 2, falder formentlig i et vist omfang inden for den generelle undtagelsesbestemmelse i GATT.

Tjenesteydelser er som omtalt omfattet af GATS. Efter artikel I (3) (b) (art. 1, stk. 3, litra b) i GATS omfatter begrebet tjenesteydelser enhver tjenesteydelse i enhver sektor, bortset fra tjenesteydelser, der leveres som led i myndighedsudøvelse.

Som det fremgår af bemærkningerne til stk. 1, fastsætter GATS regler om markedsadgang og nationalbehandling. Disse regler finder dog kun anvendelse, hvis medlemslandet selv har angivet i koncessionslisten, at reglerne om markedsadgang henholdsvis nationalbehandling skal gælde for alle eller bestemte sektorer inden for tjenesteydelsesområdet. På nuværende tidspunkt har Danmark og Grønland ikke påtaget sig sådanne specifikke forpligtelser (koncessioner).

Favoriseringen af grønlandske tjenesteydere og tjenesteydelser er således ikke i strid med GATS. Der henvises i øvrigt til bemærkningerne til forslaget § 52, stk. 1.

#### *Til § 53*

Bestemmelsen vedrører det tilfælde, hvor en rettighedshaver efter en udnyttelsestilladelse selv forarbejder de udnyttede mineraler og skal medvirke til at sikre positive økonomiske og samfundsmæssige virkninger for Grønlands Selvstyre og samfundet.

Bestemmelsen giver Naalakkersuisut hjemmel til at fastsætte bestemmelser og vilkår for en udnyttelsestilladelse om, at rettighedshaveren kun må forarbejde de udnyttede mineraler uden for Grønland, hvis forarbejdning i Grønland vil medføre væsentlig større omkostninger eller ulemper for rettighedshaveren, og fordelene for samfundet ikke forringes væsentligt derved, og det godkendes af Naalakkersuisut.

Rettighedshaver skal som udgangspunkt forarbejde mineralerne i Grønland. Bestemmelsen giver Naalakkersuisut mulighed for at godkende forarbejdning uden for Grønland, i tilfælde hvor forarbejdning i Grønland vil gøre et mineprojekt urentabelt, eller forringe rettighedshaverens muligheder for indtjening væsentligt.

En godkendelse af at foretage forarbejdning uden for Grønland vil derudover kræve at fordelene for samfundet ikke forringes væsentligt derved. Dette vil sige, at Naalakkersuisut blandt andet kan tage hensyn til tab af indtægter til samfundet i form af skatter og tab af arbejdspladser ved afgørelsen om godkendelse af at lade rettighedshaveren foretage forarbejdning i udlandet. Naalakkersuisut kan endvidere tage hensyn til fordele for samfundet i bred forstand, såsom at lokale arbejdstagere og leverandører af varer og tjenesteydelser mister muligheden for at udvikle kompetencer inden for mineindustrien, og at lokale leverandører af varer og tjenesteydelser mister muligheden for at skabe indtægter i forbindelse med forarbejdningen.

Som omtalt i bemærkningerne til forslaget § 52, stk. 1, har Grønland status som oversøisk land eller territorium (OLT) i forhold til EU, og begunstigelsen af lokale arbejdstagere og leverandører er ikke i strid med EU-reglerne. Der henvises i det hele til de uddybende bemærkninger til § 52, stk. 1

Som omtalt i bemærkningerne til § 52, stk. 1, er Grønland i kraft af rigsfællesskabet med Danmark medlem af verdenshandelsorganisationen (World Trade Organisation (WTO)). WTO-reglerne gælder således også for Grønland.

WTO-reglerne omfatter blandt andet General Agreement on Trade in Services (GATS), der omhandler handel med tjenesteydelser, og som indeholder regler om markedsadgang og nationalbehandling. Danmark, og dermed Grønland, har ikke på nuværende tidspunkt påtaget sig specifikke forpligtelser med hensyn til markedsadgang og nationalbehandling. En potentiel mulig begunstigelse af grønlandske tjenesteydere, der udfører ydelser vedrørende forarbejdning, er derfor ikke i strid med GATS. Der henvises til bemærkningerne til § 52, stk. 1.

#### *Til § 54*

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår for en udnyttelsestilladelse om, at rettighedshaveren skal opbevare udnyttede mineraler i Grønland og sælge dem til lokale personer, i det omfang lokale personer selv vil forarbejde mineralerne i Grønland eller på anden måde selv anvende mineralerne erhvervsmæssigt i Grønland.

Lokale personer defineres som selskaber med hjemsted i Grønland, og personer der anses for at have særlig tilknytning til Grønland efter Landstingslov nr. 27 af 30. oktober 1992 om regulering af arbejdskrafttilgangen i Grønland med senere ændringer.

Bestemmelsen giver mulighed for, at beboere i Grønland, der ikke selv har mulighed for eller ønsker at indsamle eller bryde mineraler, kan købe mineraler fra disse lagre til brug for deres forarbejdning eller anden erhvervsmæssige anvendelse af mineralerne.

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser om opbevaringspligten og salgspligten og forhold i forbindelse dermed i bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i udnyttelsestilladelser og godkendelser. Se forslaget § 16 og bemærkningerne dertil.

Det kan for eksempel være bestemmelser eller vilkår om forhold vedrørende omfang af mineraltyper og mængder af mineraler med videre, som skal opbevares og må sælges, tidsmæssig udstrækning og procedurer og vilkår for de nævnte personers køb af mineraler, herunder blandt andet om mindstemængder for hvert enkelt køb af mineraler.

Ved fastsættelse af bestemmelser og vilkår om salg til lokale personer skal der tages hensyn til rettighedshaverens muligheder for at indgå aftaler med andre aftagere.

Naalakkersuisut kan efter bestemmelsen alene fastsætte sådanne krav, hvis den lokale selv vil forarbejde mineralerne i Grønland eller på anden måde selv anvende mineralerne erhvervsmæssigt i Grønland.

Til stk. 2

Efter bestemmelsen skal rettighedshaverens salg af mineraler til enhver tid ske til markedspriser og på markedsvilkår.

#### *Til § 55*

Til stk. 1

Bestemmelsen vedrører rettighedshaveres rapportering til myndighederne.

Efter bestemmelsen skal rettighedshaveren efter en udnyttelsestilladelse indlevere rapporter til Naalakkersuisut om udnyttelsen, eventuel efterforskning og andre aktiviteter efter tilladelsen og resultaterne deraf. Rettighedshaveren skal desuden indlevere kopier af rapporter, opgørelser, regnskaber og andre dokumenter og data om udnyttelsen og resultaterne deraf og om eventuelle efterforskningsresultater og data og prøver derfra og rettighedshaverens



fortolkninger, konklusioner og anbefalinger derom samt prøver og borekerner, i det omfang Naalakkersuisut kræver det, jf. stk. 7.

Til stk. 2

Bestemmelsen angiver, at rettighedshaverens rapporteringer, resultater, data, prøver og fortolkninger, konklusioner, anbefalinger med videre, som indleveres til Naalakkersuisut, er fortrolige.

Det er nødvendigt at fastsætte regler om fortrolighed, da de nævnte oplysninger generelt kan være forretningshemmeligheder eller erhvervshemmeligheder, som bør være og behandles som fortrolige i en rimelig fortrolighedsperiode. Det kan give andre en uberettiget fordel, hvis Naalakkersuisut er eller kan blive forpligtet til at udlevere disse oplysninger med videre, herunder eksempelvis ved en aktindsigtsanmodning.

Stk. 2 henviser ikke til stk. 1, nr. 4, 5 og 6, da disse indleveringer kan være fortrolige udover fortrolighedsperioden på 5 år.

Bestemmelsen er i overensstemmelse med landstingslov om offentlighed i forvaltningen. Det følger af lovens § 3, stk. 1, at Naalakkersuisut kan fastsætte regler om, at nærmere angivne myndigheder, sagsområder eller arter af dokumenter, for hvilke bestemmelserne i §§ 7-14 i almindelighed vil medføre, at begæring om aktindsigt kan afslås, skal være undtaget fra loven.

Oplysningerne efter stk. 1 vil som udgangspunkt være omfattet af §§ 12-14 i landstingslov om offentlighed i forvaltningen. Bestemmelsen i stk. 2 vil derfor også bidrage til at sikre, at oplysninger, der udveksles i Naalakkersuisut og sendes til udvalg i Inatsisartut, er undtaget fra aktindsigt.

Efter bestemmelsen er fortrolighedsperioden 5 år, jf. dog stk. 4 og 5, og 5 år efter tidsfristen for indlevering til Naalakkersuisut i hele tilladelsesperioden.

Ved tilladelsens ophør bortfalder fortroligheden. Efter tilladelsens ophør er der ikke noget beskyttelseshensyn at tage i forhold til rettighedshaveren, og det er nødvendigt for Naalakkersuisut at kunne offentliggøre alt det indleverede materiale, for at sikre ligebehandling af alle potentielle ansøgere, i forbindelse med et eventuelt udbud af området efter § 59.

Når fortrolighedsperioden ophører, har både rettighedshaveren og Grønlands Selvstyre ejendomsretten til de indleverede rapporteringer, eventuelle efterforskningsresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre, jf. stk. 6. Se bestemmelsen

i stk. 6 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen præciserer, at dokumenter, der eksempelvis indeholder oplysninger om tekniske indretninger eller fremgangsmåder eller om drifts- eller forretningsforhold eller lignende, for så vidt det er af væsentlig økonomisk betydning for rettighedshaveren, ikke kan offentliggøres af Naalakkersuisut, i det omfang de er undtaget for aktindsigt efter landstingslov om offentlighed i forvaltningen.

At der ikke er nogen tidsgrænse for fortrolighedsperioden for så vidt angår de nævnte dokumenter skyldes, at Naalakkersuisut ikke har nogen interesse i offentliggørelse af disse.

Til stk. 4

Bestemmelsen angiver, at Naalakkersuisut i fortrolighedsperioden kan offentliggøre generelle oplysninger om de fortrolige oplysninger, rapporter, resultater, data, prøver og fortolkninger med videre.

Efter bestemmelsen skal Naalakkersuisut inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, offentliggør Naalakkersuisut ikke disse oplysninger, hvis hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger.

Naalakkersuisuts interesse i at offentliggøre oplysninger af generel karakter kan eksempelvis være hensyn til befolkningens sikkerhed, en lovbunden pligt til at offentliggøre visse oplysninger eller i forbindelse med markedsføring af Grønlands geologi. Ved afgørelsen af, om generelle oplysninger efter bestemmelsen kan offentliggøres på trods af en indsigelse fra rettighedshaveren, kan der blandt andet tages hensyn til rettighedshaverens eventuelle kommercielle interesse i at holde oplysningerne fortrolige, om offentliggørelse af oplysningerne vil være i strid med regler på en børs, hvor rettighedshaveren er registreret og om den enkelte rettighedshaver kan identificeres på trods af oplysningernes generelle karakter.

Til stk. 5

Bestemmelsen skal sikre, at Naalakkersuisut i alle tilfælde har mulighed for at offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse. Dette kan navnlig være tilfældet, hvor borgere med bopæl eller erhvervsinteresser i umiddelbar nærhed af mineralaktiviteter kan påvirkes af aktiviteterernes mulige miljømæssige konsekvenser.

Til stk. 6

Bestemmelsen angiver, at når fortrolighedsperioden er ophørt efter stk. 2, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og anvende de indleverede rapporteringer, eventuelle efterforskningsresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre.

Grønlands Selvstyres ejendomsret omfatter alene materiale, der kan henføres til grønlandske mineralaktiviteter. Rettigheder til eksempelvis software og metoder, der er benyttet ved frembringelse af materialet, overgår ikke til Grønlands Selvstyre.

I praksis indeholder tilladelser efter råstofloven ofte tilsvarende bestemmelser. Det samme forventes at komme til at gælde for tilladelser efter forslaget. Det vurderes dog at være mere hensigtsmæssigt, at bestemmelsen fremgår direkte af forslaget.

Til stk. 7

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-6. Det kan for eksempel være bestemmelser eller vilkår om rapporternes indhold, form og hyppighed, herunder om indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold.

Det kan for eksempel også være bestemmelser eller vilkår om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold.

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser derom i bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

#### *Til § 56*

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår om alle relevante forhold og hensyn ved meddelelse af en tilladelse til udnyttelse af mineraler og forhold i forbindelse dermed.

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med forslaget § 43 vedrørende meddelelse af en tilladelse til udnyttelse af mineraler på nærmere fastsatte vilkår.

Naalackersuisut kan blandt andet fastsætte bestemmelser i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende udnyttelsestilladelser fastsat efter forslaget. Naalackersuisut kan også fastsætte vilkår i standardvilkår for udnyttelsestilladelser og godkendelser vedrørende udnyttelsestilladelser og vilkår i afgørelser truffet efter forslaget. Se forslaget § 16 og bemærkningerne dertil, som angiver, hvad der forstås ved bestemmelser og vilkår efter forslaget.

Selve udnyttelsestilladelsen vil indeholde en række formalia, såsom tilladelsestype, tilladelsesområde, tilladelsesperiode og identifikation af rettighedshaver.

Derudover vil der gælde en række vilkår, som kan være fastsat i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende udnyttelsestilladelser eller i selve tilladelsen. Det kan eksempelvis være krav til rettighedshaverens organisation, aktiviteter omfattet af tilladelsen, under hvilke omstændigheder, tilladelsen kan bringes til ophør, rettighedshaverens forpligtelser efter tilladelsens ophør, krav til sikkerhed og samfundsmæssig bæredygtighed, rettighedshaverens pligt til under visse omstændigheder at udarbejde vurderinger af virkninger på miljøet og redegørelser herfor (VVM-redegørelser), vurderinger af samfundsmæssig bæredygtighed og redegørelser herfor (VSB-redegørelser) og indgå aftaler om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold (IBA-aftaler), indlevering og godkendelse af aktivitetsplaner, sikkerhedsstillelse for rettighedshaverens forpligtelser efter forslaget, rettighedshaverens forsikringsforhold, rettighedshaverens erstatningsansvar, rettighedshaverens rapportering om efterforskning og indlevering til Naalackersuisut af data, og prøver med videre, fortrolighed, rettighedshaverens betaling af gebyrer og vederlag til Naalackersuisut og rettighedshaverens anvendelse af lokale arbejdstagere og leverandører.

#### *Til § 57*

Til stk. 1

Bestemmelsen vedrører procedurer og kriterier for meddelelse af en efterforskningstilladelse, jf. § 34.

Naalackersuisut bestemmer, hvilken en af måderne anført i §§ 58 og 59, Naalackersuisut ønsker at meddele en efterforskningstilladelse på. Meddelelse af en efterforskningstilladelse skal ske på grundlag af udvælgelseskriterierne anført i § 61.

Meddelelse af tilladelser til mineralefterforskning reguleres generelt af forslaget § 34. Se den anførte bestemmelse og bemærkningerne dertil.

Bestemmelserne i §§ 59 og 61 indeholder regler, der i et vist omfang svarer til det, der gælder efter EU's koncessionsdirektiv (Europa-Parlamentets og Rådets direktiv af 30. maj 1994 om betingelser for tildeling og udnyttelse af tilladelser til prospektering, efterforskning og produktion af kulbrinter (94/22/EF)) med senere ændringer.

Koncessionsdirektivet eller tilsvarende regler og principper er gældende i mange lande med aktiviteter vedrørende mineralske råstoffer (olie, naturgas og mineraler), herunder også lande uden for EU. Koncessionsdirektivet finder alene anvendelse for kulbrinter (olie og naturgas), men det er også relevant og hensigtsmæssigt at anvende principperne i koncessionsdirektivet ved meddelelse af tilladelser til mineralefterforskning og udnyttelse af mineraler.

Til stk. 2

Bestemmelsen vedrører proceduren og kriterierne for meddelelse af en udnyttelsestilladelse.

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med §§ 41 og 42. Se de anførte bestemmelser og bemærkningerne dertil.

Efter §§ 41 og 42 har en rettighedshaver efter en efterforskningstilladelse eller en småskalatilladelse ret til på nærmere fastsatte vilkår at få meddelt udnyttelsesrettigheder for afgrænsede og påviste udnyttelige forekomster. En rettighedshaver efter en efterforskningstilladelse har dermed ret til at få meddelt en tilladelse til udnyttelse, når rettighedshaveren har påvist en udnyttelig forekomst af mineraler og i øvrigt har opfyldt de i efterforskningstilladelsen anførte vilkår.

Bestemmelsen vedrører endvidere proceduren og kriterierne for meddelelse af en udnyttelsestilladelse i alle andre tilfælde end de tilfælde, hvor en udnyttelsestilladelse meddeles på grundlag af en forudgående tilladelse til mineralefterforskning, jf. § 41, eller en forudgående tilladelse til småskalaefterforskning og småskalaudnyttelse af mineraler, jf. § 42.

Bestemmelsen fastslår, at meddelelse af udnyttelsestilladelser i alle tilfælde bortset fra tilfælde efter §§ 41 og 42, skal konkurrenceudsættes på en måde, der giver mulighed for, at alle interesserede parter på lige vilkår kan få adgang til at byde på et tilladelsesområde.

Formålet med bestemmelsen er blandt andet at undgå, at udnyttelige forekomster forbliver uudnyttede, ved at tiltrække andre ansøgere i de tilfælde, hvor en rettighedshaver efter en efterforskningstilladelse eller en småskalatilladelse ikke ansøger om meddelelse af en efterfølgende tilladelse til udnyttelse af mineraler.

## *Til § 58*

Bestemmelserne vedrører måder, hvorpå Naalakkersuisut kan meddele en tilladelse til mineralefterforskning eller udnyttelse af mineraler.

Til stk. 1

Bestemmelsen svarer generelt til proceduren for meddelelse af efterforskningsstilladelser efter de gældende standardvilkår af 25. juni 2013 for efterforsknings- og forundersøgelsestilladelser for mineraler i Grønland.

Bestemmelsen vedrører den såkaldte batch-procedure. Det følger af bestemmelsen, at Naalakkersuisut fastsætter en ansøgningsperiode (batch-periode), hvori ansøgere kan ansøge om meddelelse af tilladelser til efterforskning efter forslaget. Batch-proceduren vedrører ikke et nærmere bestemt område. Ansøgerne kan dermed ansøge om meddelelse af tilladelser for ethvert område, der ikke i forvejen er omfattet af en eneretstilladelse efter forslaget, i det omfang området ikke er omfattet af en af procedurerne nævnt i § 59, stk. 1-3. Der henvises til de nævnte bestemmelser og bemærkningerne dertil.

Alle ansøgninger modtaget inden for samme ansøgningsperiode (batch-periode) vil blive betragtet som modtaget samtidigt af Naalakkersuisut. Hvis Naalakkersuisut for eksempel fastsætter en ansøgningsperiode, der omfatter perioden fra den 2. januar 2024 til og med den 16. januar 2024, vil alle ansøgninger modtaget i denne periode blive betragtet som modtaget samtidigt.

Hvis Naalakkersuisut modtager ansøgninger i en anden og efterfølgende fastsat ansøgningsperiode (batch-periode), vil alle ansøgninger modtaget i denne periode blive betragtet som modtaget samtidigt, men efter de ansøgninger, der er modtaget i en forudgående ansøgningsperiode.

Alle modtagne ansøgninger inden for den første ansøgningsperiode vil blive behandlet af Naalakkersuisut først, og således inden Naalakkersuisut behandler eventuelle andre modtagne ansøgninger fra en eller flere efterfølgende ansøgningsperioder (batch-perioder).

En ansøgningsperiode (batch-periode) vil sædvanligvis omfatte en periode på 14 dage.

Naalakkersuisut kan dog fastsætte en længere eller kortere periode, jf. stk. 4. Naalakkersuisut kan desuden fastsætte nærmere bestemmelser og vilkår om indgivelse, modtagelse, registrering og behandling af ansøgninger efter batch-proceduren. Der henvises til den nævnte bestemmelse og bemærkningerne dertil.

Naalakkersuisut kan blandt andet fastsætte krav til ansøgningers indhold og bestemmelser om, at ansøgninger skal være modtaget inden for almindelig kontortid med videre.

Til stk. 2

Efter bestemmelsen forlænges en batch-periode for et område, hvis en tidligere rettighedshaver efter en tilladelse til mineralefterforskning i samme område ansøger om en tilladelse til mineralefterforskning, mindre end 90 kalenderdage efter dennes tilladelsen er ophørt.

Formålet med bestemmelsen er at forhindre, at rettighedshavere efter efterforskningstilladelser kan tilbagelevere og ansøge om efterforskningstilladelser for samme område og derved nedsætte de efterforskningsforpligtelser, der påhviler tilladelsen, uden at andre potentielle ansøgere får mulighed for at ansøge om en tilladelse for samme område på samme vilkår som den rettighedshaver, der tilbageleverer tilladelsen. Ved at udstrække batch-perioden til 90 kalenderdage gives andre potentielle ansøgere en mulighed for at vurdere mineralpotentialet i det omhandlede område og ligestilles dermed med den rettighedshaver der har tilbageleveret tilladelsen.

Bestemmelsen finder også anvendelse i tilfælde af, at der modtages ansøgning fra nogen, der er interesseforbundet part med rettighedshaveren efter den ophørte efterforskningstilladelse.

Til stk. 3

Bestemmelsen fastslår, at Naalakkersuisut kan undlade at meddele en tilladelse på grundlag af ansøgninger, der er indgivet efter stk. 1-2. Naalakkersuisut kan således frit træffe afgørelse, om Naalakkersuisut vil eller ikke vil meddele en tilladelse.

Til stk. 4

Efter bestemmelsen kan Naalakkersuisut fastsætte nærmere bestemmelser og vilkår om indgivelse, modtagelse, registrering og behandling af ansøgninger efter stk. 1-2.

Naalakkersuisut kan blandt andet fastsætte krav til ansøgningers indhold og bestemmelser om, at flere fyldestgørende ansøgninger modtaget inden for kontortid samme arbejdsdag anses som modtaget samtidigt.

*Til § 59*

Til stk. 1

Bestemmelsen vedrører en af flere mulige procedurer, som Naalakkersuisut kan anvende i forbindelse med meddelelse af en tilladelse til mineralefterforskning eller udnyttelse af mineraler.

Baggrunden for bestemmelsen er blandt andet et ønske om at inddrage flest mulige selskaber i en ansøgningsrunde med henblik på at sikre øget konkurrence om adgang til mineralforekomsterne i Grønland.

Efter bestemmelsen offentliggør Naalakkersuisut meddelelse om åben dør-proceduren på Naalakkersuisuts hjemmeside og på anden relevant måde, herunder for eksempel i andre nyhedsmedier.

Meddelelsen skal indeholde oplysninger om, hvilke mineraler og områder, som er omfattet af åben dør-proceduren, og hvordan interesserede parter kan indhente nærmere oplysninger om vilkårene derfor.

I tilfælde af ændringer i en åben dør-procedure skal Naalakkersuisut offentliggøre en meddelelse derom på samme måde som ved offentliggørelsen af meddelelsen om åben dør-proceduren.

Ansøgninger om meddelelse af tilladelser efter åben dør-proceduren kan tidligst indgives 90 dage efter offentliggørelsen af bekendtgørelsen.

Til stk. 2

Bestemmelsen vedrører en af flere mulige procedurer, som Naalakkersuisut kan anvende i forbindelse med meddelelse af en tilladelse til mineralefterforskning eller udnyttelse af mineraler.

Baggrunden for bestemmelsen er blandt andet et ønske om at inddrage flest mulige selskaber i en ansøgningsrunde med henblik på at sikre øget konkurrence om adgang til mineralforekomsterne i Grønland.

Efter bestemmelsen offentliggør Naalakkersuisut en meddelelse om indkaldelse af ansøgninger mindst 90 dage inden ansøgningsfristens udløb på Naalakkersuisuts hjemmeside og på anden relevant måde, herunder for eksempel i andre nyhedsmedier.

Til stk. 3

Bestemmelsen vedrører en af flere mulige procedurer, som Naalakkersuisut kan anvende i



forbindelse med meddelelse af en tilladelse til mineralefterforskning eller udnyttelse af mineraler.

Bestemmelsen svarer i vidt omfang til den danske undergrundslovs § 12, stk. 1, litra b, 1. og 2. pkt.

Den beskrevne fremgangsmåde åbner blandt andet mulighed for udbud af mindre områder (minirunder), hvis det skønnes hensigtsmæssigt på baggrund af opfordringer dertil fra selskaber eller erfaringer fra tidligere særlige udbudsrunder med videre.

Det er dog også muligt at anvende fremgangsmåden i stedet for en almindelig udbudsrunde efter stk. 2. I sådanne tilfælde betragtes ansøgninger til en almindelig udbudsrunde som indgivet i forbindelse med den særlige udbudsrunde.

Til stk. 4

Bestemmelsen fastslår, at Naalakkersuisut kan undlade at meddele en tilladelse på grundlag af ansøgninger, der er indgivet efter stk. 1-3. Naalakkersuisut kan således frit træffe afgørelse, om Naalakkersuisut vil eller ikke vil meddele en tilladelse, selvom der er foretaget offentlig indkaldelse af ansøgninger med videre.

Til stk. 5

Efter bestemmelsen kan Naalakkersuisut fastsætte nærmere bestemmelser og vilkår om indgivelse, modtagelse, registrering og behandling af ansøgninger efter stk. 1-3.

Naalakkersuisut kan blandt andet fastsætte krav til ansøgningers indhold og bestemmelser om, at flere fyldestgørende ansøgninger modtaget inden for kontortid samme arbejdsdag anses som modtaget samtidigt.

#### *Til § 60*

Bestemmelsen angiver, at Naalakkersuisut ikke er ansvarlig for og ikke skal erstatte, godtgøre, refundere eller på anden måde betale nogen udgift eller omkostning eller noget tab eller nogen skade, som opstår hos eller pådrages af en ansøger, der ansøger om meddelelse af en tilladelse.

Efter bestemmelsen gælder det, uanset om et tab eller en skade opstår hos eller pådrages af en ansøger som følge af eller i forbindelse med, at ansøgeren ansøger om meddelelse af en tilladelse, eller at ansøgeren i forbindelse dermed udfører arbejde, aktiviteter og undersøgelser

med videre og afholder omkostninger med videre.

Det gælder desuden uanset, at ansøgeren i forbindelse dermed erhverver, opnår eller udarbejder oplysninger og dokumenter derom og indgiver dem til Naalakkersuisut.

Det gælder også uanset, at Naalakkersuisut behandler og afgør sagen om ansøgerens ansøgning om meddelelse af en tilladelse, eller at Naalakkersuisut træffer afgørelse om ikke at meddele en tilladelse til ansøgeren.

Bestemmelsen skal blandt andet anvendes og fortolkes i overensstemmelse med § 58, stk. 3, og § 59, stk. 4, hvorefter Naalakkersuisut frit kan træffe afgørelse om, hvorvidt Naalakkersuisut vil eller ikke vil meddele en tilladelse, også selvom der er foretaget offentlig indkaldelse af ansøgninger med videre. Hvis Naalakkersuisut for eksempel vælger at undlade at meddele en tilladelse, efter at der er foretaget offentlig indkaldelse af ansøgninger med videre, kan Naalakkersuisut ikke blive ansvarlig for at betale erstatning eller kompensation til ansøgeren for de udgifter, ansøgeren har haft i forbindelse med ansøgningsprocessen med videre.

#### *Til § 61*

Til stk. 1

Efter bestemmelsen meddeles en tilladelse omfattet af §§ 58 og 59 på grundlag af udvælgelseskriterierne i stk. 2-5.

Udvælgelseskriterierne anført i stk. 2-4 svarer til de kriterier, der bliver brugt i tilfælde af konkurrerende ansøgninger efter de gældende ansøgningsprocedurer og standardvilkår for efterforsknings- og forundersøgelsestilladelser for mineraler i Grønland. Endvidere svarer de i vidt omfang til de kriterier, der er anvendt ved tidligere udbudsrunder med videre i Grønland vedrørende kulbrinteefterforskning (olie og naturgas) efter råstofloven. Tilsvarende eller lignende kriterier er i nogle tilfælde også blevet anvendt ved udbudsrunder vedrørende andre naturressourcer i Grønland, herunder isressourcer og vandressourcer efter Inatsisartutlov nr. 11 af 27. november 2018 om kommerciel udnyttelse af is og vand (is- og vandloven).

Udvælgelseskriterierne anført i stk. 2-4 er generelt de lovlige og saglige kriterier, som kan indgå i vurderinger af flere ansøgere til det samme område. Naalakkersuisut kan ved anvendelsen af procedurerne efter § 59, stk. 1-3, fastsætte andre relevante, objektive og ikke-diskriminerende udvælgelseskriterier med henblik på at foretage det endelige valg mellem flere ansøgere, der vurderes at stå lige efter bedømmelsen af ansøgerne baseret på udvælgelseskriterierne i stk. 2-4, jf. stk. 5.

Meddelelse af en tilladelse omfattet af §§ 57-59 skal ske på grundlag af alle udvælgelseskriterierne anført i nr. 2-4 og kan i relevant omfang suppleres af yderligere udvælgelseskriterier fastsat efter stk. 5 ved anvendelsen af procedurene efter § 59, stk. 1-3. Udvalgseskriterierne anført i stk. 2-4 er således obligatoriske og ufravigelige udvælgelseskriterier, som skal anvendes og indgå i vurderingen ved meddelelse af en tilladelse omfattet af §§ 58 og 59, uanset om der foreligger konkurrerende ansøgninger eller ej. En ansøgning om meddelelse af en tilladelse afvises således, hvis ansøgeren for eksempel ikke har den nødvendige tekniske og faglige formåen (sagkundskab) efter stk. 2 eller den nødvendige økonomiske eller finansielle formåen (finansielle kapacitet) efter stk. 3. Der henvises til stk. 2-4 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen angiver det første udvælgelseskriterie. Udvalgseskriteriet vedrører ansøgerens tekniske og faglige formåen, det vil sige ansøgerens sagkundskab.

Udvalgseskriteriet er opdelt i to underkriterier. Efter stk. 2, nr. 1, skal der lægges vægt på ansøgerens tidligere erfaring med efterforskning eller udnyttelse af mineraler. Efter stk. 2, nr. 2, skal der også lægges vægt på ansøgerens tidligere erfaring med efterforskning og udnyttelse af mineraler i områder med tilsvarende forhold. Ved denne vurdering vil det være relevant at lægge vægt på, om ansøgeren har erfaringer med for eksempel forundersøgelse i det ansøgte område.

Udvalgseskriteriet i stk. 2 er et af de obligatoriske og ufravigelige udvalgseskriterier, som altid skal indgå i vurderingen ved meddelelse af en tilladelse omfattet af §§ 57-59. Se bemærkningerne til stk. 1.

Til stk. 3

Bestemmelsen angiver det andet udvalgseskriterie. Udvalgseskriteriet vedrører ansøgerens økonomiske og finansielle formåen, det vil sige ansøgerens finansielle kapacitet.

Det er en væsentlig forudsætning for meddelelse af en tilladelse, at ansøgeren har den fornødne finansielle kapacitet til at kunne afholde de omkostninger, der er forbundet med efterforskning eller udnyttelse af mineraler og aktiviteter i forbindelse dermed.

Udvalgseskriteriet i stk. 3 er et af de obligatoriske og ufravigelige udvalgseskriterier, som skal anvendes og indgå i vurderingen ved meddelelse af en tilladelse omfattet af §§ 57-59. Se bemærkningerne til stk. 1.

Til stk. 4

Bestemmelsen angiver, at Naalakkersuisut også eller i tillæg til kriterierne i stk. 2-3 skal lægge vægt på ansøgerens eventuelle manglende effektivitet eller manglende opfyldelse af forpligtelser i forbindelse med andre eksisterende eller tidligere tilladelser i Grønland.

Det vil således generelt indgå i Naalakkersuisuts vurdering af en ansøgning, om, og eventuelt i hvilket omfang, ansøgeren har opfyldt sine forpligtelser efter andre eksisterende eller tidligere tilladelser i Grønland. Ved andre eksisterende eller tidligere tilladelser efter stk. 4 forstås tilladelser til mineralefterforskning eller udnyttelse af mineraler efter råstofloven og forslaget.

Ved Naalakkersuisuts vurdering af en ansøgers eventuelle manglende effektivitet eller manglende opfyldelse af forpligtelser i forbindelse med andre eksisterende eller tidligere tilladelser i Grønland, skal Naalakkersuisut inddrage alle relevante forhold og hensyn, herunder blandt andet væsentligheden af ansøgerens eventuelle manglende opfyldelse af sine forpligtelser.

Efter bestemmelsen lægger Naalakkersuisut ved sin vurdering også vægt på, om personer i ansøgerens ledelse, herunder en bestyrelse, en direktion, et tilsynsråd eller lignende ledelsesorgan, er eller har været en del af ledelsen af, ejer eller har ejet eller udøver eller har udøvet bestemmende indflydelse over et rettighedshaverselskab, der i forbindelse med andre eksisterende eller tidligere tilladelser i Grønland har udvist manglende effektivitet eller manglende opfyldelse af forpligtelser som rettighedshaver.

Efter bestemmelsen lægger Naalakkersuisut ved sin vurdering desuden vægt på, om virksomheder, der ejer eller udøver bestemmende indflydelse over ansøgeren, også ejer eller har ejet eller udøver eller har udøvet bestemmende indflydelse over et rettighedshaverselskab, der i forbindelse med andre eksisterende eller tidligere tilladelser i Grønland har udvist manglende effektivitet eller manglende opfyldelse af forpligtelser som rettighedshaver.

Bestemmelsen skal blandt andet bidrage til at sikre, at personer i ledelsen, ejerkredsen eller med bestemmende indflydelse over et selskab, der ansøger om meddelelse af en tilladelse efter forslaget, ikke tidligere i forbindelse med sin ledelse af eller sit ejerskab eller bestemmende indflydelse over et rettighedshaverselskab efter andre eksisterende eller tidligere tilladelser i Grønland har udvist manglende effektivitet eller manglende opfyldelse af forpligtelser som rettighedshaver efter disse tilladelser.

Bestemmelsen skal desuden bidrage til at sikre, at virksomheder, der ejer eller udøver bestemmende indflydelse over et selskab, der ansøger om meddelelse af en tilladelse efter forslaget, ikke tidligere i forbindelse med sit ejerskab eller sin bestemmende indflydelse over et rettighedshaverselskab efter andre eksisterende eller tidligere tilladelser i Grønland har

udvist manglende effektivitet eller manglende opfyldelse af forpligtelser som rettighedshaver efter disse tilladelser.

Udvælgelseskriteriet i stk. 4 er det sidste af de obligatoriske og ufravigelige udvælgelseskriterier i stk. 2-4, som skal indgå og anvendes i vurderingen ved meddelelse af en tilladelse omfattet af §§ 57-59. Se bemærkningerne til stk. 1.

Til stk. 5

Forslagets stk. 5 indeholder en hjemmel for Naalakkersuisut til at fastsætte yderligere udvælgelseskriterier (sekundære udvælgelseskriterier) ved anvendelsen af procedurerne efter § 59, stk. 1-3, med henblik på at foretage det endelige valg mellem ansøgere, der vurderes at stå lige efter en bedømmelse efter de primære udvælgelseskriterier i stk. 2-4. Det er et krav, at kriterierne fastsat af Naalakkersuisut efter stk. 5 er relevante, objektive og ikke-diskriminerende.

Bestemmelsen i stk. 5 finder kun anvendelse ved anvendelse af procedurerne efter § 59, stk. 1-3, og bestemmelsen er kun relevant i tilfælde, hvor 2 eller flere ansøgere har fået tildelt lige mange point og dermed er konkurrerende (står lige) efter vurderingen af ansøgerne på grundlag af de primære udvælgelseskriterier i stk. 2-4. I det nævnte tilfælde har Naalakkersuisut efter stk. 5 hjemmel til at fastsætte og anvende relevante, objektive og ikke-diskriminerende sekundære udvælgelseskriterier med henblik på at foretage det endelige valg mellem 2 eller flere ansøgere.

Naalakkersuisut afgør efter en konkret vurdering af alle relevante forhold i det enkelte tilfælde, hvilke sekundære udvælgelseskriterier der efter Naalakkersuisuts vurdering er relevante at fastsætte. De sekundære udvælgelseskriterier fastsat efter stk. 5 skal være fastsat på forhånd ved anvendelse af procedurerne efter § 59, stk. 1-3, og offentliggøres i overensstemmelse med stk. 6. Se stk. 6 og bemærkningerne dertil. Formålet er særligt at sikre gennemsigtighed og ligebehandling af alle ansøgere ved, at ansøgerne kender alle udvælgelseskriterierne på forhånd.

Til stk. 6

Bestemmelsen angiver, at udvælgelseskriterierne nævnt i stk. 2-5 og bestemmelser om deres indbyrdes vægtning ved anvendelse af procedurerne efter § 59, stk. 1-3, skal offentliggøres sammen med de indkaldelser af ansøgninger, som er anført i § 59, stk. 1-3.

Ved fastsættelsen af bestemmelser om udvælgelseskriteriernes indbyrdes vægtning kan der for eksempel anvendes primære og sekundære udvælgelseskriterier. Sådanne primære og sekundære kriterier har tidligere været fastsat i udbudsrunder for kulbrintetilladelser i

Grønland.

## *Til § 62*

Til stk. 1

Bestemmelsen vedrører meddelelse af tilladelse til at udføre videnskabelige undersøgelser vedrørende mineraler.

Det kan for eksempel være videnskabelige undersøgelser om geologiske, geofysiske eller geokemiske forhold. Det kan også være videnskabelige undersøgelser vedrørende andre forhold af betydning for aktiviteter omfattet af forslaget.

Efter bestemmelsen kan Naalakkersuisut på nærmere fastsatte vilkår meddele en sådan tilladelse til udførelse af videnskabelige undersøgelser.

En tilladelse til udførelse af videnskabelige undersøgelser kan for eksempel meddeles til private virksomheder, forskningsinstitutioner, uddannelsesinstitutioner, offentlige myndigheder eller selvstyrejede selskaber.

En tilladelse til videnskabelige undersøgelser omfatter i et vist omfang de samme typer af undersøgelser som en forundersøgelsestilladelse. Efter en forundersøgelsestilladelse udføres undersøgelsesaktiviteterne dog i kommerciel sammenhæng eller helt eller delvist med et kommercielt formål. Rettighedshaveren efter en forundersøgelsestilladelse kan for eksempel selv bruge undersøgelsesresultaterne som grundlag for efterfølgende efterforskning og eventuel udnyttelse af mineraler, eller som grundlag for at sælge oplysninger og rapporter om undersøgelsesresultaterne og kopier af undersøgelsesdata med videre til interesserede parter. Interesserede parter kan for eksempel være virksomheder, der gerne vil udføre mineralefterforskning eller eventuelt udnyttelse af mineraler.

Efter en tilladelse til videnskabelige undersøgelser efter § 62 udføres undersøgelsesaktiviteterne i videnskabelig sammenhæng og med et videnskabeligt formål og dermed ikke i en kommerciel sammenhæng eller med et kommercielt formål.

En tilladelse til videnskabelige undersøgelser kan også meddeles til De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS) eller Nationalt Center for Miljø og Energi (DCE), hvis GEUS eller DCE gerne vil udføre videnskabelige undersøgelser, som ikke udføres efter aftale med Naalakkersuisut efter forslagets § 22, stk. 4.

Ved meddelelse af tilladelse til udførelse af videnskabelige undersøgelser fastsættes der vilkår om, at rettighedshaveren til Naalakkersuisut skal indlevere rapporter om de videnskabelige

undersøgelser og aktiviteter efter tilladelsen og resultaterne deraf og indlevere kopier af undersøgelsesresultaterne, data og prøver derfra og rettighedshaverens fortolkninger, konklusioner og eventuelle anbefalinger derom med videre. Sådanne vilkår fastsættes særligt med henblik på at varetage Naalakkersuisuts, samfundets og andre parters interesse deri, herunder som en del af grundlaget for efterfølgende videnskabelige undersøgelser, forundersøgelser, efterforskning og udnyttelse af mineraler.

En tilladelse til videnskabelige undersøgelser efter § 62 kan og bør generelt meddeles som en almindelig tilladelse til udførelse af bestemte videnskabelige undersøgelser.

En tilladelse til videnskabelige undersøgelser efter § 62 kan dog i særlige tilfælde meddeles som en rammetilladelse, hvis særlige og væsentlige forhold taler derfor, herunder hvis de videnskabelige undersøgelser er omfattet af en samarbejdsaftale med en forskningsinstitution. Naalakkersuisut træffer afgørelse om, hvorvidt dette er tilfældet, og om en tilladelse til videnskabelige undersøgelser efter § 62 skal meddeles som en rammetilladelse.

En rammetilladelse kan omfatte alle eller nogle af de videnskabelige undersøgelser, der planlægges udført det pågældende år eller i en anden længere periode.

Det er hensigten med indgåelse af brede rammeaftaler at sikre uafbrudte forskningsforløb og undgå, at forskningsinstitutioner påføres unødige ekstra administrative byrder i form af en ressourcekrævende sagsbehandling.

Aktiviteter omfattet af en sådan rammetilladelse må dog ikke udføres uden forudgående godkendelse fra Naalakkersuisut, medmindre dette fremgår af tilladelsen.

Til stk. 2

Efter bestemmelsen meddeles en tilladelse til videnskabelige undersøgelser for en tilladelsesperiode på op til 3 år. En tilladelse til udførelse af videnskabelige undersøgelser kan således meddeles for en tilladelsesperiode på mindre end 3 år, herunder for eksempel 2 år, men kan ikke meddeles for en tilladelsesperiode på mere end 3 år ad gangen.

Bestemmelsen i stk. 2 er ikke til hinder for, at en tilladelse til videnskabelige undersøgelser kan forlænges. Se stk. 3 og 4 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen vedrører forlængelse af en tilladelsesperiode for en tilladelse til videnskabelige undersøgelser meddelt efter stk. 1.

Efter bestemmelsen kan tilladelsesperioden på op til 3 år efter stk. 2 forlænges en eller flere gange af Naalakkersuisut med en periode på op til 3 år hver gang.

En tilladelsesperiode kan for eksempel forlænges fra 3 år til 4 år eller 6 år ved en forlængelse. Hvis rettighedshaveren ansøger derom, og Naalakkersuisut godkender ansøgningen, kan tilladelsesperioden forlænges yderligere fra for eksempel 4 år til 6 år eller fra 6 år til 7 år eller 9 år.

Den samlede tilladelsesperiode for en tilladelse til videnskabelige undersøgelser må dog ikke være længere end 12 år, jf. stk. 4.

Naalakkersuisut kan dog undlade at meddele en godkendelse af en forlængelse af en tilladelsesperiode, hvis rettighedshaveren ikke har opfyldt alle forpligtelser vedrørende tilladelsen og aktiviteter efter tilladelsen i den oprindelige tilladelsesperiode efter stk. 2 eller en forlænget tilladelsesperiode stk. 3.

Efter bestemmelsen kan Naalakkersuisut desuden fastsætte ændrede vilkår ved enhver forlængelse af tilladelsesperioden. Det kan for eksempel være ændrede vilkår om rettighedshaverens forpligtelser, herunder for eksempel nærmere eller ændrede vilkår om rettighedshaverens forpligtelser vedrørende indlevering til Naalakkersuisut af rapporter om de videnskabelige undersøgelser og aktiviteter efter tilladelsen og resultaterne deraf og indlevering til Naalakkersuisut af kopier af undersøgelsesresultaterne og data og prøver derfra og rettighedshaverens fortolkninger, konklusioner og eventuelle anbefalinger derom med videre.

Bestemmelsen tilsigter, at der på grundlag af en konkret vurdering kan meddeles en forlængelse med ændrede tilladelsesvilkår, når dette er velbegrundet, for eksempel for at sikre, at igangværende undersøgelser af videnskabelig karakter kan videreføres med henblik på at varetage rettighedshaverens, Grønlands Selvstyres og samfundets interesser.

Til stk. 4

Bestemmelsen fastsætter en øvre grænse for længden af den samlede tilladelsesperiode for en tilladelse til videnskabelige undersøgelser meddelt efter stk. 1. Efter bestemmelsen må en tilladelsesperiode for en tilladelse til videnskabelige undersøgelser ikke være længere end 12 år.

Hvis en rettighedshaver ønsker at udføre yderligere aktiviteter vedrørende videnskabelige undersøgelser efter en tilladelsesperiode på 12 år, må rettighedshaveren ansøge om meddelelse af en ny tilladelse til videnskabelige undersøgelser efter stk. 1.



## Til § 63

Til stk. 1

Bestemmelsen vedrører rettighedshaveres rapportering til myndighederne.

Efter bestemmelsen skal rettighedshaveren efter en tilladelse til videnskabelige undersøgelser generelt indlevere rapporter til Naalakkersuisut om aktiviteter, rettighedshaveren udfører under tilladelsen, kopier af opnåede resultater samt prøver, i det omfang Naalakkersuisut fastsætter bestemmelser eller vilkår herom, se herved stk. 6 og bemærkningerne hertil.

Til stk. 2

Bestemmelsen angiver, at rettighedshaverens rapporteringer, videnskabelige resultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre, som indleveres til Naalakkersuisut, er fortrolige.

Det er nødvendigt at fastsætte regler om fortrolighed, da de nævnte oplysninger kan være forretningshemmeligheder eller erhvervshemmeligheder, som bør være og behandles som fortrolige i en rimelig fortrolighedsperiode. Det kan give andre en uberettiget fordel, hvis Naalakkersuisut er eller kan blive forpligtet til at udlevere disse oplysninger med videre, herunder eksempelvis ved en aktindsigtsanmodning.

Bestemmelsen er i overensstemmelse med landstingslov om offentlighed i forvaltningen. Det følger af lovens § 3, stk. 1, at Naalakkersuisut kan fastsætte regler om, at nærmere angivne myndigheder, sagsområder eller arter af dokumenter, for hvilke bestemmelserne i §§ 7-14 i almindelighed vil medføre, at begæring om aktindsigt kan afslås, skal være undtaget fra loven.

Oplysningerne efter stk. 1 vil som udgangspunkt være omfattet af §§ 12-14 i landstingslov om offentlighed i forvaltningen. Bestemmelsen i stk. 2 vil således sammen med de nævnte bestemmelser i landstingslov om offentlighed i forvaltningen sikre, at oplysninger, der udveksles i Naalakkersuisut og sendes til udvalg i Inatsisartut, er undtaget fra aktindsigt.

Efter bestemmelsen omfatter fortrolighedsperioden generelt hele tilladelsesperioden, jf. dog stk. 3 og 4, og 5 år efter tidsfristen for indlevering til Naalakkersuisut.

Oplysningerne efter stk. 1 vil således generelt være fortrolige, indtil tilladelsen ophører, og kan være fortrolige efter tilladelsen ophører, i det omfang tidsfristen for indlevering er mindre end 5 år før ophøret af tilladelsesperioden.

I det omfang oplysningerne efter stk. 1 skal indleveres på et tidspunkt, hvor der er mindre end 5 år tilbage af tilladelsesperioden, vil oplysningerne være fortrolige, indtil tilladelsen ophører, og i en periode efter tilladelsen ophører, som fastsættes fra tidspunktet for tidsfristen for indlevering og 5 år frem. Det vil sige, at oplysningerne efter stk. 1 er fortrolige indtil den 1. januar 2028, hvis de skal indleveres den 1. januar 2023, selvom den pågældende tilladelse ophører den 1. januar 2026. Hvis tilladelsen i stedet bliver forlænget efter forslaget § 61, stk. 3, således at tilladelsen først ophører den 1. januar 2031, er de nævnte oplysninger fortrolige indtil den dato.

Når fortrolighedsperioden ophører, har både rettighedshaveren og Grønlands Selvstyre ejendomsretten til rettighedshaverens rapporter, forundersøgelsesresultater, data, prøver og fortolkninger, konklusioner og anbefalinger med videre, jf. stk. 5. Se bestemmelsen i stk. 5 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut i fortrolighedsperioden kan offentliggøre generelle oplysninger om de fortrolige oplysninger, rapporter, de videnskabelige undersøgelsesresultater, data, prøver, fortolkninger, konklusioner og anbefalinger med videre.

Efter bestemmelsen skal Naalakkersuisut inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, offentliggør Naalakkersuisut ikke disse oplysninger, hvis hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisut interesse i offentliggørelse af de omhandlede oplysninger.

Naalakkersuisut interesse i at offentliggøre oplysninger af generel karakter kan eksempelvis være hensyn til befolkningens sikkerhed, en lovbunden pligt til at offentliggøre visse oplysninger eller i forbindelse med markedsføring af Grønlands geologi.

Til stk. 4

Bestemmelsen skal sikre, at Naalakkersuisut i alle tilfælde har mulighed for at offentliggøre miljødata og miljørapporter, som skønnes at have almen samfundsmæssig interesse. Dette kan navnlig være tilfældet, hvor borgere med bopæl eller erhvervsinteresser i umiddelbar nærhed af mineralaktiviteter kan påvirkes af aktiviteternes mulige miljømæssige konsekvenser.

Til stk. 5

Bestemmelsen angiver, at når fortrolighedsperioden er ophørt efter stk. 2, har både rettighedshaveren og Grønlands Selvstyre ejendomsret til og ret til frit at råde over og anvende de indleverede rapporteringer, forundersøgelsesresultater, data, prøver, fortolkninger, konklusioner og anbefalinger med videre.

Grønlands Selvstyres ejendomsret omfatter alene materiale, der kan henføres til grønlandske mineralaktiviteter. Rettigheder til eksempelvis software og metoder, der er benyttet ved frembringelse af materialet, overgår ikke til Grønlands Selvstyre.

I praksis indeholder tilladelser eller vilkår for tilladelser efter råstofloven ofte tilsvarende eller lignende vilkår. Det samme forventes at komme til at gælde for tilladelser efter forslaget. Det vurderes dog at være mere hensigtsmæssigt, at bestemmelsen fremgår direkte af forslaget.

De gældende standardvilkår af 23. juni 2013 for efterforsknings- og forundersøgelsestilladelser for mineraler indeholder endvidere tilsvarende bestemmelser.

Til stk. 6

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-5. Det kan for eksempel være bestemmelser eller vilkår om rapporternes indhold, form og hyppighed, herunder om indlevering på bestemte tidspunkter, ved udførelse af bestemte aktiviteter og indtrædelse af bestemte begivenheder eller forhold.

Det kan for eksempel også være bestemmelser eller vilkår om Naalakkersuisuts mulighed for at offentliggøre generelle oplysninger om bestemte aktiviteter, resultater, begivenheder og forhold med videre.

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser derom i bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

#### *Til § 64*

Til stk. 1

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår om alle relevante forhold og hensyn ved meddelelse af en tilladelse til videnskabelige undersøgelser af mineraler og forhold i forbindelse dermed.

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med forslaget § 62 vedrørende meddelelse af en tilladelse til at udføre videnskabelige undersøgelser på nærmere fastsatte vilkår.

Naalakkersuisut kan blandt andet fastsætte bestemmelser i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende tilladelser til videnskabelige undersøgelser fastsat efter forslaget. Naalakkersuisut kan også fastsætte vilkår i standardvilkår for tilladelser til videnskabelige undersøgelser og godkendelser vedrørende videnskabelige undersøgelser og vilkår i afgørelser truffet efter forslaget. Se forslaget § 16 og bemærkningerne dertil, som angiver, hvad der forstås ved bestemmelser og vilkår efter forslaget.

Selve tilladelsen til videnskabelige undersøgelser vil indeholde en række formalia, såsom tilladelsestype, tilladelsesområde, tilladelsesperiode og identifikation af rettighedshaver.

Derudover vil der gælde en række vilkår, som kan være fastsat i bekendtgørelser, modeltilladelser, ansøgningsprocedurer, andre procedurer og vejledninger vedrørende tilladelser til videnskabelige undersøgelser eller i selve tilladelsen. Det kan eksempelvis være krav til rettighedshaverens organisation, aktiviteter omfattet af tilladelsen, under hvilke omstændigheder, tilladelsen kan bringes til ophør, rettighedshaverens forpligtelser efter tilladelsens ophør, rettighedshavers eventuelle forpligtelser til at udføre videnskabelige undersøgelser i tilladelsesperioden, krav til sikkerhed og samfundsmæssig bæredygtighed, rettighedshaverens pligt til under visse omstændigheder at udarbejde vurderinger af virkninger på miljøet og redegørelser herfor (VVM-redegørelser), vurderinger af samfundsmæssig bæredygtighed og redegørelser herfor (VSB-redegørelser) og indgå aftaler om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold (IBA-aftaler), indlevering og godkendelse af aktivitetsplaner, sikkerhedsstillelse for rettighedshaverens forpligtelser efter forslaget, rettighedshaverens forsikringsforhold, rettighedshaverens erstatningsansvar, rettighedshaverens rapportering om videnskabelige undersøgelser og indlevering til Naalakkersuisut af data, og prøver med videre, fortrolighed, rettighedshaverens betaling af gebyrer og vederlag til Naalakkersuisut, og rettighedshaverens anvendelse af lokale arbejdstagere og leverandører.

Til stk. 2

Det følger af bestemmelsen, at Naalakkersuisut kan fastsætte nærmere bestemmelser om rettighedshaverens betaling af udgifter i forbindelse med redningsaktioner. Det kan for eksempel være bestemmelser om rettighedshaverens betaling af udgifter i forbindelse med redningsaktioner af forskere eller andre parter, der udfører aktiviteter efter en tilladelse til videnskabelige undersøgelser.

Det har i praksis blandt andet vist sig, at der kan være et behov for at kunne stille krav om, at sådanne udgifter er omfattet af en forsikringsdækning eller en anden sikkerhedsstillelse. Naalakkersuisut kan således også fastsætte nærmere bestemmelser om sådan forsikringsdækning og sikkerhedsstillelse.

#### *Til § 65*

Bestemmelsen præciserer, at bestemmelserne i kapitlet alene finder anvendelse på tilladelser til forundersøgelse, mineralefterforskning og udnyttelse af mineraler.

#### *Til § 66*

Til stk. 1

Bestemmelsen stiller krav til rettighedshaveres sagkundskab og finansielle kapacitet.

Den sagkundskab og økonomiske baggrund, der kræves i et konkret tilfælde, vil afhænge af aktiviteternes omfang, kompleksitet og risiko med videre. Der tilstræbes en rimelig proportionalitet mellem aktiviteternes omfang og karakter og de krav, der stilles til en rettighedshaver efter en konkret tilladelse.

Da aktiviteter efter en udnyttelsestilladelse vil medføre langt mere omfattende og væsentlige forpligtelser end aktiviteter efter en forundersøgelsestilladelse, må der være strengere krav til rettighedshaverens fornødne sagkundskab og økonomiske og finansielle formåen (finansielle kapacitet), end til rettighedshaveren efter en forundersøgelsestilladelse.

Til stk. 2

Bestemmelsen angiver, at rettighedshaveren efter en tilladelse skal have fuld rådighed over sin formue.

Rettighedshaveren må desuden ikke være insolvent eller omfattet af en retlig eller administrativ proces for insolvens, rekonstruktion eller lignende, herunder ikke være i betalingsstandsning, under konkurs, likvidation eller rekonstruktion eller i en lignende situation.

Bestemmelsen skal bidrage til at sikre, at rettighedshavere efter en tilladelse har den nødvendige økonomiske og finansielle formåen til udførelse af aktiviteterne efter tilladelsen. Det indebærer blandt andet, at rettighedshaveren ikke må være insolvent eller omfattet af en retlig eller administrativ proces for insolvens, rekonstruktion eller lignende med videre.

Til stk. 3

Bestemmelsen angiver, at rettighedshaveren ikke må have ubetalt forfalden gæld på mere end 100.000 kr. til Naalakkersuisut eller andre offentlige myndigheder i Grønland.

Naalakkersuisut kan godkende, at en rettighedshaver fritages for at opfylde kravet i dette stk. 3 i en periode.

Formålet med bestemmelsen er blandt andet at nedbringe gælden til Naalakkersuisut eller andre offentlige myndigheder i Grønland og forebygge nye restancer.

Bestemmelsen svarer til § 19, stk. 1, nr. 4, i Inatsisartutlov om udbud i forbindelse med indkøb af varer og tjenesteydelser i offentlige myndigheder og institutioner (udbudsloven).

Udbudslovens § 19, stk. 1, nr. 1-4, indeholder 4 forhold, der kan medføre, at en ordregiver kan udelukke en ansøger fra en offentlig udbudsrunde. Ordregiveren kan for hvert enkelt udbud bestemme, at de 4 forhold (udelukkelsesgrunde) skal finde anvendelse. De 4 forhold kaldes derfor for frivillige udelukkelsesgrunde.

Efter bestemmelsen i § 19, stk. 1, nr. 4, kan ordregiveren udelukke en ansøger eller tilbudsgiver fra en udbudsproces, hvis ansøgeren eller tilbudsgiveren har ubetalt forfalden gæld til det offentlige, der overstiger 100.000 kr.

I bemærkningerne til udbudslovens § 19, stk. 1, nr. 4, anføres blandt andet følgende:

*”Bestemmelsen har til formål at nedbringe gælden til offentlige myndigheder og forebygge nye restancer.*

*Det er ikke et krav, at ubetalt forfalden gæld på over 100.000 kr. skal være fastslået ved en retlig eller administrativ afgørelse med endelig og bindende virkning.*

*Bestemmelsen omfatter også eventuelle påløbne renter eller bøder, som følger af den ubetalte forfaldne gæld.*

*Gælden er kun relevant, hvis den foreligger ved udløbet af tilbudsfristen eller derefter og ved udbud med prækvalifikation ved udløbet af ansøgningsfristen eller derefter.”*

Hvis en rettighedshaver har ubetalt forfalden gæld på mere end 100.000 kr. til Naalakkersuisut eller andre offentlige myndigheder i Grønland, kan rettighedshaveren fritages for at opfylde kravet efter bestemmelsen, hvis rettighedshaveren stiller sikkerhed for betaling af den del af gælden, som overstiger 100.000 kr., eller har indgået og overholdt en aftale om

afvikling af gælden.

I disse tilfælde vil gælden til det offentlige være sikret i tilstrækkelig grad, og bestemmelsens formål dermed opfyldt.

Til stk. 4

Efter bestemmelsen kan Naalakkersuisut fastsætte bestemmelser og vilkår om ændring af beløbet på 100.000 kr. i overensstemmelse med ændringer i forbrugerprisindekset for Grønland efter forslagetets ikrafttrædelse, jf. § 144.

#### *Til § 67*

Til stk. 1

Bestemmelsen angiver, at rettighedshaveren, personer, der ejer eller udøver bestemmende indflydelse i rettighedshaveren, og personer i rettighedshaverens ledelse, herunder en bestyrelse, en direktion, et tilsynsråd eller et lignende ledelsesorgan, ikke må være dømt eller have vedtaget (accepteret) bøde eller anden straf eller sanktion inden for de seneste 4 år for bestikkelse, svig eller kartelvirksomhed, deltagelse i en kriminel organisation, terrorhandlinger eller strafbare handlinger med forbindelse til terroraktivitet, hvidvaskning af penge eller finansiering af terrorisme og brug af børnearbejde eller menneskehandel.

Bestemmelsen svarer i vidt omfang til § 18 i Inatsisartutlov om udbud i forbindelse med indkøb af varer og tjenesteydelser i offentlige myndigheder og institutioner (udbudsloven).

I bemærkningerne til udbudslovens § 18, anføres blandt andet følgende:

*”Bestemmelsen fastlægger de obligatoriske udelukkelsesgrunde. Det er ikke muligt for ordregiver at fravælge disse udelukkelsesgrunde. De finder anvendelse i ethvert udbud, som foretages i henhold til forslaget.*

*Er man som ansøger eller tilbudsgiver omfattet af en obligatorisk udelukkelsesgrund, kan man ikke opnå deltagelse i udbuddet.*

*Hvis en ansøger eller tilbudsgiver har tilkendegivet f.eks. i en tro- og loveerklæring, at denne ikke er omfattet af de obligatoriske udelukkelsesgrunde, har ordregiver som udgangspunkt ikke pligt til at undersøge dette yderligere. Får ordregiver imidlertid anledning til tvivl om, hvorvidt en obligatorisk udelukkelsesgrund gør sig gældende, både om den ikke er tilstede eller om den er tilstede, har ordregiver pligt til at foretage en effektiv kontrol heraf, f.eks. ved at kræve yderligere dokumentation fra ansøgeren eller tilbudsgiveren.*

*Det er ikke kun grønlandske domme, som er omfattet af bestemmelsen. En dom fra et andet land medfører også en pligt til at udelukke en ansøger eller tilbudsgiver.”*

Til stk. 2

Bestemmelsen angiver, at rettighedshaveren og de nævnte personer, herunder personer i rettighedshaverens ledelse med videre, skal opfylde alle kravene efter stk. 1 og § 66 ved meddelelsen af tilladelsen og i hele tilladelsesperioden.

#### *Til § 68*

Til stk. 1

Bestemmelsen skal medvirke til at sikre, at en rettighedshaver og andre personer eller virksomheder, der udfører eller medvirker ved udførelsen af aktiviteter efter en tilladelse, foretager skatterapporteringer og skatteindbetalinger i overensstemmelse med de til enhver tid gældende regler i Grønland.

Det følger af bestemmelsen, at Naalakkersuisut kan fastsætte bestemmelser og vilkår eller træffe afgørelse om, at rettighedshaveren skal afgive oplysninger om, hvilke virksomheder og personer, som udfører eller medvirker ved udførelsen af aktiviteter efter en tilladelse efter forslaget.

Bestemmelsen har til formål at sikre, at de grønlandske myndigheder kan føre kontrol med, hvilke virksomheder og personer, som udfører eller medvirker ved udførelsen af aktiviteter efter en tilladelse efter forslaget.

Naalakkersuisut kan eksempelvis fastsætte bestemmelser og vilkår eller træffe afgørelse om, at rettighedshaveren skal afgive sådanne oplysninger regelmæssigt for eksempel efter udgangen af hver måned.

Til stk. 2

Bestemmelsen har til hensigt at skabe et klart hjemmelsgrundlag for, at Naalakkersuisut kan kræve, at rettighedshaveren og virksomheder og personer, som udfører eller medvirker ved udførelsen af aktiviteter efter en tilladelse, afgiver oplysninger og dokumenter vedrørende skattemæssige og afgiftsmæssige forhold til Naalakkersuisut og andre grønlandske myndigheder. Derved kan der føres effektiv kontrol med, om de nævnte virksomheder og personer foretager skatteindbetalinger i overensstemmelse med de til enhver tid gældende regler i Grønland.



Bestemmelsen ændrer ikke en rettighedshavers eller andre virksomheder eller personers forpligtelse til at foretage skatterapportering eller skatteindbetaling efter den almindelige gældende skattelovgivning i Grønland.

Forslaget har heller ikke til hensigt at pålægge rettighedshavere at foretage skatteindrapportering eller skatteindbetaling på vegne af sine aftaleparter.

Til stk. 3

Efter bestemmelsen kan Naalakkersuisut meddele en rettighedshaver påbud om, at rettighedshaveren ved udførelsen af aktiviteter efter en tilladelse ikke må anvende aftaleparter, jf. § 17, som ikke har afgivet oplysninger og dokumenter vedrørende skattemæssige og afgiftsmæssige forhold til Naalakkersuisut og andre grønlandske myndigheder efter stk. 2, eller som ikke foretager indbetalinger af skatter og afgifter til Naalakkersuisut og andre grønlandske myndigheder i overensstemmelse med de til enhver tid gældende regler i Grønland. Bestemmelsen skal ses i sammenhæng med stk. 2. Der henvises til stk. 2 og bemærkningerne dertil.

Bestemmelsen ændrer ikke en rettighedshavers eller dennes aftaleparters forpligtelse til at foretage skatterapportering eller skatteindbetaling efter den almindelige gældende skattelovgivning i Grønland.

En rettighedshaver har efter bestemmelsen pligt til at afbryde samarbejdet med en aftalepart, hvis denne ikke foretager korrekt skatterapportering og skatteindbetaling, og Naalakkersuisut på baggrund deraf meddeler rettighedshaveren påbud om ikke at anvende den pågældende aftalepart.

Forslaget har ikke til hensigt at pålægge en rettighedshaver at foretage skatterapportering eller skatteindbetaling på vegne af sine aftaleparter.

Til stk. 4

Bestemmelsen skal ses i sammenhæng med stk. 1-3. Der henvises til de nævnte bestemmelser og bemærkningerne dertil.

Det følger af de almindelige forvaltningsretlige principper, herunder princippet om proportionalitet, at inden en rettighedshaver påbydes at ophøre med at udføre aktiviteter, må rettighedshaveren meddeles en passende frist til at imødekomme kravet.

Bestemmelsen ændrer ikke en rettighedshavers eller dennes aftaleparters forpligtelse til at

foretage skatterapportering eller skatteindbetaling efter den almindelige gældende skattelovgivning i Grønland.

### *Til § 69*

Til stk. 1

Bestemmelsen vedrører overdragelser af tilladelser.

En overdragelse eller overførsel omfatter enhver direkte eller indirekte overdragelse eller overførsel af en tilladelse fra et rettighedshaverselskab til enhver anden part, herunder et selskab, en virksomhed eller en person, uanset om erhververen opfylder eller ikke opfylder kravene til en rettighedshaver efter tilladelsen.

En tilladelse kan kun overdrages eller overføres til et selskab, som opfylder kravene til en rettighedshaver efter tilladelsen.

En direkte overdragelse eller overførsel omfatter en overdragelse eller overførsel af en tilladelse fra en rettighedshaver til enhver anden part.

En indirekte overdragelse eller overførsel omfatter en eller flere ændringer i eller vedrørende et rettighedshaverselskab, hvis det ændrer den eller de parter, der har bestemmende indflydelse i selskabet, eller som enkeltvist eller i fællesskab eller samarbejde direkte eller indirekte (gennem en eller flere andre parter) ejer, kontrollerer eller har råderet over mindst halvdelen af selskabets kapital eller stemmerettigheder.

Der foreligger således kun en indirekte overdragelse i forbindelse med pantsætningen eller option om køb af aktier, hvis disse forhold medfører en ændring af den eller de parter, der har bestemmende indflydelse i selskabet, eller som enkeltvist eller i fællesskab eller samarbejde, direkte eller indirekte (gennem en eller flere andre parter) ejer, kontrollerer eller har råderet over mindst halvdelen af selskabets kapital eller stemmerettigheder.

Den nærmere betydning af begrebet bestemmende indflydelse afgøres generelt efter bestemmelserne og principperne derom i lovgivningen for Grønland om aktieselskaber, anpartsselskaber og eventuelle andre kapitalselskaber. Det er nu anordning for Grønland om ikrafttræden af lov om aktie- og anpartsselskaber (selskabsloven). Loven omfatter også iværksætterselskaber.

Anordning for Grønland om ikrafttræden af lov om aktie- og anpartsselskaber (selskabsloven) indeholder i § 7 nærmere bestemmelser om bestemmende indflydelse. Efter stk. 1 er bestemmende indflydelse beføjelsen til at styre en dattervirksomheds økonomiske og

driftsmæssige beslutninger. Efter stk. 2 har et moderselskab bestemmende indflydelse i forhold til en dattervirksomhed, når moderselskabet direkte eller indirekte gennem en dattervirksomhed ejer mere end halvdelen af stemmerettighederne i en virksomhed, medmindre det i særlige tilfælde klart kan påvises, at et sådant ejerforhold ikke udgør bestemmende indflydelse. Det bestemmes i stk. 3, at hvis et moderselskab ikke ejer mere end halvdelen af stemmerettighederne i en virksomhed, foreligger der bestemmende indflydelse, hvis moderselskabet har (1) råderet over mere end halvdelen af stemmerettighederne i kraft af en aftale med andre investorer, (2) beføjelse til at styre de finansielle og driftsmæssige forhold i en virksomhed i henhold til en vedtægt eller aftale, (3) beføjelse til at udpege eller afsætte flertallet af medlemmerne i det øverste ledelsesorgan og dette organ besidder den bestemmende indflydelse på virksomheden eller (4) råderet over det faktiske flertal af stemmerne på generalforsamlingen eller i et tilsvarende organ og derved besidder den faktiske bestemmende indflydelse over virksomheden. Stk. 4 bestemmer, at eksistensen og virkningen af potentielle stemmerettigheder, herunder tegningsretter og købsoptioner på kapitalandele, som aktuelt kan udnyttes eller konverteres, skal tages i betragtning ved vurderingen af, om et selskab har bestemmende indflydelse. Ved opgørelsen af stemmerettigheder i en dattervirksomhed ses der bort fra stemmerettigheder, som knytter sig til kapitalandele, der besiddes af dattervirksomheden selv eller dens dattervirksomheder. Det følger af stk. 5.

Principperne i lovbestemmelserne skal så vidt muligt anvendes tilsvarende i forhold til andre moderselskaber og selskaber end grønlandske og danske kapitalselskaber, herunder andre grønlandske og danske virksomheder og udenlandske kapitalselskaber og andre virksomheder, og i forhold til personer, der ejer kapitalandele i rettighedshaverselskabet.

Hvis rettighedshaverselskabet har sit hjemsted i et andet land end Grønland, må der også tages hensyn til det andet lands regler for rettighedshaverselskabet, når det afgøres, om et andet selskab, en virksomhed eller en person udøver bestemmende indflydelse i rettighedshaverselskabet.

Overdragelser eller overførsler af tilladelser er ikke usædvanlige og indgår ofte som et naturligt led i udviklingen fra indledende forundersøgelser til eventuel udnyttelse. En overdragelse eller overførsel foretages ofte på baggrund af finansieringsmæssige årsager.

På denne baggrund vil godkendelse af en overdragelse eller overførsel ikke blive nægtet uden rimelig grund dertil. Inden meddelelsen af en godkendelse vil det blandt andet skulle sikres, at grundlaget for opfyldelsen af de forpligtelser, der påhviler rettighedshaveren, ikke forringes eller fjernes ved en overdragelse eller overførsel.

Bestemmelsen har således blandt andet til formål at sikre, at Naalakkersuisut får mulighed for at påse, at det forud for en eventuel overdragelse eller overførsel sikres, at grundlaget for opfyldelse af forpligtelserne efter tilladelsen ikke forringes ved overdragelsen eller

overførslen. Bestemmelsen har desuden til formål at sikre, at Naalakkersuisut får mulighed for at sikre, at grundlaget for en kvalificeret drift af mineralaktiviteterne ikke forringes ved en overdragelse.

Bestemmelsen har videre til formål at sikre, at Naalakkersuisut blandt andet får mulighed for at tage hensyn til økonomiske, afgiftsmæssige og skattemæssige forhold, og at Naalakkersuisut kan afvise meddelelsen af en godkendelse af overdragelser eller overførsler, hvis det kan medføre negative skattemæssige eller afgiftsmæssige virkninger for Grønlands Selvstyre og samfundet. Dette vil typisk kun være tilfældet, hvor der spekuleres i at flytte skattemæssige overskud fra Grønland til udlandet, eller hvor der spekuleres i at flytte skattemæssige underskud fra udlandet til Grønland.

Naalakkersuisut kan blandt andet fastsætte vilkår i en tilladelse om, at en rettighedshaver skal oplyse Naalakkersuisut, hvis der foretages ændringer vedrørende den bestemmende indflydelse i rettighedshaverselskabet.

Til stk. 2

Efter bestemmelsen kan Naalakkersuisut fastsætte vilkår i forbindelse med en godkendelse af en overdragelse.

Bestemmelsen skal medvirke til at sikre, at den nye rettighedshaver lever op til de samme krav, som overdrageren, og at Grønlands Selvstyres muligheder for at varetage sine interesser, herunder økonomiske interesser, ikke forringes ved en overdragelse.

Til stk. 3

Bestemmelsen angiver, at en tilladelse efter dette forslag er undtaget fra retsforfølgning. Det vil sige, at en retsforfølgning mod en tilladelse er uden retsvirkning.

Bestemmelsen skal ses i sammenhæng med stk. 1. Bestemmelsen er derfor ikke udtryk for stillingtagen til muligheden for at indbringe en tilladelse for domstolene med henblik på prøvelse af eksempelvis dens gyldighed eller virkninger.

Ved retsforfølgning tænkes alene på kreditorforfølgning. Bestemmelsen fastslår således, at en kreditor ikke ved rettens hjælp kan overtage en tilladelse efter dette forslag.

#### *Til § 70*

Til stk. 1.

Bestemmelsen angiver, at en rettighedshavers sammenlægning (fusion) med et andet selskab er uden retsvirkning i forhold til rettighedshaverens tilladelse efter forslaget og forslaget, medmindre sammenlægningen er godkendt af Naalakkersuisut.

Bestemmelsen har blandt andet til formål at sikre, at Naalakkersuisut får mulighed for at påse, at det forud for en eventuel sammenlægning sikres, at grundlaget for opfyldelse af rettighedshaverens forpligtelser efter tilladelsen ikke forringes ved sammenlægningen.

Bestemmelsen medfører desuden, at Naalakkersuisut får mulighed for at sikre, at grundlaget for en kvalificeret drift af mineralaktiviteterne ikke forringes ved en sammenlægning.

Til stk. 2

Bestemmelsen angiver, at en rettighedshavers adskillelse (spaltning) i flere selskaber er uden retsvirkning i forhold til rettighedshaverens tilladelse efter forslaget og forslaget, medmindre adskillelsen er godkendt af Naalakkersuisut.

Bestemmelsen har blandt andet til formål at sikre, at Naalakkersuisut får mulighed for at påse, at det forud for en eventuel adskillelse af rettighedshaverselskabet i flere selskaber sikres, at grundlaget for opfyldelse af rettighedshaverens forpligtelser efter tilladelsen ikke forringes ved adskillelsen.

Bestemmelsen medfører desuden, at Naalakkersuisut får mulighed for at sikre, at grundlaget for en kvalificeret drift af mineralaktiviteterne ikke forringes ved en adskillelse af rettighedshaverselskabet i flere selskaber.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut kan fastsætte vilkår for en godkendelse af en sammenlægning eller en adskillelse efter stk. 1 eller 2, herunder vilkår vedrørende rettighedshaverens opfyldelse af kravene til en rettighedshaver efter tilladelsen ved gennemførelsen af sammenlægningen eller adskillelsen og i hele den resterende del af tilladelsesperioden.

Bestemmelsen har til formål at sikre, at Naalakkersuisut blandt andet får mulighed for at tage hensyn til og fastsætte vilkår vedrørende økonomiske, afgiftsmæssige og skattemæssige forhold, og at Naalakkersuisut kan afvise en sammenlægning eller adskillelse efter stk. 1 og 2, hvis det kan medføre negative skattemæssige eller afgiftsmæssige virkninger for Grønlands Selvstyre og samfundet. Dette vil typisk kun være tilfældet, hvor der spekuleres i at flytte skattemæssige overskud fra Grønland til udlandet, eller hvor der spekuleres i at flytte skattemæssige underskud fra udlandet til Grønland.

## *Til § 71*

### Til stk. 1

Efter de almindelige lovvalgsregler vil det generelt også være således, at tilladelsen, aktiviteter efter tilladelsen og forhold i forbindelse dermed er underlagt og reguleres af forslaget og anden grønlandsk ret og dansk ret, som til enhver tid finder anvendelse i Grønland. Den foreslåede bestemmelse har dog til formål at sikre, at tilladelsen, aktiviteter efter tilladelsen og forhold i forbindelse dermed ikke på grundlag af andre forhold bliver underlagt eller skal reguleres af et andet lands ret end grønlandsk ret og dansk ret, som til enhver tid finder anvendelse i Grønland.

Det følger af den foreslåede bestemmelse, at tilladelsen, aktiviteter efter tilladelsen og forhold i forbindelse dermed blandt andet er underlagt og reguleres af bestemmelserne fastsat i forslaget, herunder også bestemmelser fastsat efter forslaget. Det medfører, at alle forhold vedrørende mineaktiviteter og forhold i forbindelse dermed med videre, som er omfattet af forslaget, er underlagt og reguleres af forslaget og anden grønlandsk ret og dansk ret, som til enhver tid finder anvendelse i Grønland.

### Til stk. 2

Bestemmelsen fastsætter, at tvister vedrørende tilladelsen, aktiviteter efter tilladelsen eller forhold i forbindelse dermed, herunder for eksempel tvister om godkendelser, aftaler og garantier med videre, skal afgøres efter forslaget og anden grønlandsk ret og dansk ret, som til enhver tid finder anvendelse i Grønland.

Bestemmelsen finder anvendelse, uanset om tvisten indbringes for en domstol eller en voldgiftsret.

Den foreslåede bestemmelse har til formål at sikre, at tvister vedrørende tilladelsen, aktiviteter efter tilladelsen eller forhold i forbindelse dermed bliver afgjort efter grønlandsk ret og dansk ret, som til enhver tid finder anvendelse i Grønland, og under hensyntagen til særlige grønlandske forhold, herunder særlige forhold vedrørende mineralområdet efter forslaget.

## *Til § 72*

Det følger af grundlovens § 63 om retten til domstolsprøvelse af forvaltningsafgørelser, at domstolene er berettigede til at påkende ethvert spørgsmål om forvaltningsmyndighedernes grænser. Denne domstolsprøvelse omfatter generelt kun retlige spørgsmål. Det betyder, at domstolene generelt alene efterprøver, om forvaltningens afgørelser, herunder deres

retsanvendelse med videre, er i overensstemmelse med gældende ret. Det vil sige, at domstolene generelt ikke tager stilling til, om en afgørelse eller andet forhold fra forvaltningsmyndigheden er hensigtsmæssig eller rimelig, og domstolene tager generelt heller ikke stilling til forvaltningsmyndighedens afvejning af saglige hensyn.

Domstolene kan således blandt andet tage stilling til spørgsmålet om, hvorvidt en forvaltningsmyndigheds afgørelser med videre har fornøden hjemmel, herunder om en forvaltningsmyndigheds afgørelser med videre er omfattet af det nærmere indhold og rækkevidden af en retsregel. Domstolene kan også tage stilling til spørgsmålet om, hvorvidt en afgørelse med videre er truffet i overensstemmelse med almindelige forvaltningsretlige regler og principper, herunder om saglighed, proportionalitet og ligebehandling.

Den foreslåede bestemmelse finder således anvendelse på en tvist vedrørende en lovpligtig eller skønsmæssig afgørelse truffet af Naalakkersuisut vedrørende tilladelsen eller aktiviteter eller forhold i forbindelse med tilladelsen.

#### *Til § 73*

Bestemmelsen vedrører muligheden for at indbringe visse tvister mellem rettighedshaver og Naalakkersuisut for en voldgiftsret. I tilladelser efter dette forslag kan fastsættes, at tvister vedrørende opfyldelsen af forpligtelser efter tilladelsen kan indbringes for en voldgiftsret, hvis afgørelse er endelig.

Bestemmelsen tager sigte på at sikre, at eventuelle tvister kan afgøres hurtigt og af personer med særlig ekspertise på området. Det er tanken, at der med hjemmel i bestemmelsen kan fastsættes nærmere vilkår i bestemmelsen, som angiver, hvorledes en eventuel voldgift skal afvikles, herunder om voldgiftsrettens sammensætning, kompetence, sagsbehandling med videre.

Voldgiftsrettens afgørelse vil være endelig og ikke kunne appelleres.

Afgørelser, som efter dette forslag skal afgøres af tilsynsmyndigheden, kan ikke undergives voldgift, jf. grundlovens § 63 om retten til domstolsprøvelse af forvaltningsafgørelser. Det er følgelig kun privatretlige tvister, der kan gøres til genstand for et vilkår om voldgift.

Bestemmelsen fastsætter en generel frist på 1 år for indbringelse af en afgørelse for en voldgift. Valget af en frist på 1 år skal sikre en enkel og klar fastsættelse af vilkår vedrørende dette forhold. Forslaget viderefører retstillingen efter råstofloven.

#### *Til § 74*

Twister mellem rettighedshaveren og Naalakkersuisut, der for eksempel opstår efter en tilladelse er ophørt, skal efter bestemmelsen fortsat afgøres i overensstemmelse med bestemmelserne i §§ 72 og 73. Sådanne tvister kan blandt andet vedrøre forhold og forpligtelser, der består efter en tilladelses ophør.

#### *Til § 75*

Til stk. 1

Bestemmelsen angiver, at Naalakkersuisut til en rettighedshaver efter en tilladelse kan meddele en godkendelse af, at rettighedshaveren udfører mineraler fra Grønland. Forslagets § 14, stk. 3, angiver, hvad der forstås ved en eksportgodkendelse efter forslaget. Efter bestemmelsen kan en godkendelse meddeles på nærmere fastsatte vilkår.

Bestemmelsen indeholder en generel hjemmel for Naalakkersuisut til at regulere, hvilke mineraler som må udføres fra Grønland efter en godkendelse dertil meddelt af Naalakkersuisut.

Udførsel af mineraler fra Grønland må kun ske efter en godkendelse deraf, i det omfang mineralerne er udnyttet i Grønland eller hidrører fra prøver udtaget i Grønland.

Naalakkersuisut kan desuden fastsætte vilkår om, at udførsel af mineraler fra Grønland kun må ske efter en godkendelse deraf, selvom de pågældende mineraler tidligere er lovligt udført fra Grønland. Naalakkersuisut kan således fastsætte vilkår om, at alle udførelser af mineraler fra Grønland kun må ske efter en godkendelse deraf. Det gælder også, selvom mineralerne er i jævnlig cirkulation mellem Grønland og et eller flere andre lande.

En godkendelse efter bestemmelsen kan kun meddeles til en part, der er rettighedshaver efter en tilladelse efter forslaget. En eksportgodkendelse efter stk. 2 kan dog også meddeles til en part, der ikke er rettighedshaver. Se bestemmelsen i stk. 2 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen vedrører adgangen for en anden part end en rettighedshaver til at udføre mineraler, der er udnyttet lovligt i Grønland, eller hidrører fra prøver udtaget i Grønland, fra Grønland. En godkendelse meddeles som en selvstændig eksportgodkendelse. Forslagets § 14, stk. 3, angiver, hvad der forstås ved en eksportgodkendelse efter forslaget.

En godkendelse kan meddeles på nærmere fastsatte vilkår.

Bestemmelsen indeholder en generel hjemmel for Naalakkersuisut til at regulere, hvilke



mineraller udnyttet lovligt i Grønland, eller hidrørende fra prøver udtaget i Grønland, som må udføres fra Grønland efter en eksportgodkendelse dertil meddelt af Naalakkersuisut til en anden part end en rettighedshaver.

#### *Til § 76*

Til stk. 1

Bestemmelsen vedrører en adgang for Naalakkersuisut til at fastsætte nærmere regler om mineraler, herunder om forarbejdning, opbevaring, deponering, transport, handel, udførsel, indførsel og certificering. Det er med bestemmelsen præciseret, at Naalakkersuisut også kan fastsætte vilkår og ikke kun bestemmelser.

Bestemmelsen giver blandt andet mulighed for at stille kvalitetskrav med videre til forarbejdning af udenlandske mineraler i Grønland, og forarbejdning af grønlandske mineraler som forarbejdes af andre end rettighedshavere efter forslaget.

Bestemmelsen giver desuden blandt andet mulighed for, at Naalakkersuisut kan fastsætte bestemmelser om opbevaring og deponering af mineraler og transport, handel, indførsel og udførsel af mineraler. Der kan for eksempel fastsættes regler om, at indførsel af mineraler skal godkendes af Naalakkersuisut for at sikre, at der kan ske registrering af og opbygning af viden om de mineraler, der indføres.

Derudover giver bestemmelsen også mulighed for, at Naalakkersuisut kan fastsætte regler om certificering af mineraler. Det kan for eksempel bestemmes, at der skal oprettes en oprindelsecertificering vedrørende ædelsten. En sådan certificering kan blandt andet kombineres med Kimberley-processens certificeringsordning (KPCS), der alene omfatter rådiamanter. For at kunne markedsføre fremtidige slebne diamanter fra Grønland mere målrettet, vil der for eksempel kunne oprettes et certificeringssystem på de slebne diamanter.

En oprindelsecertificering vil kunne anvendes på alle mineraler, herunder særligt hvis det kan give det endelige produkt en merværdi.

Naalakkersuisut kan fastsætte bestemmelser som anført ovenfor i en eller flere bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

Til stk. 2

Bestemmelsen sikrer blandt andet, at Naalakkersuisut kan fastsætte bestemmelser om, at forarbejdning af ædelsten kræver en godkendelse.

Bestemmelsen kan for eksempel anvendes til at sikre, at virksomheder, der beskæftiger sig med forarbejdning af og handel med mineraler, har de rette kvalifikationer. Bestemmelsen kan også anvendes til at sikre, at samfundet får størst muligt udbytte af mineralaktiviteter.

Naalakkersuisut kan fastsætte bestemmelser som anført ovenfor i en eller flere bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslaget § 16 og bemærkningerne dertil.

Til stk. 3

Det følger af bestemmelsen, at Naalakkersuisut har hjemmel til at meddele en godkendelse som nævnt i stk. 2 og fastsætte bestemmelser eller vilkår for en sådan godkendelse, når Naalakkersuisut har fastsat bestemmelser eller vilkår efter stk. 2.

#### *Til § 77*

Til stk. 1

Bestemmelsen indeholder en liste med 4 forhold, som en mineplan blandt andet skal indeholde.

De eksisterende udnyttelsesplaner og godkendelser af udnyttelsesplanerne efter råstofloven indeholder generelt disse forhold og andre forhold. Den eksisterende praksis vedrørende udnyttelsesplaner og godkendelse deraf videreføres således efter forslaget bestemmelser. En udnyttelsesplan kaldes dog efter forslaget for en mineplan.

Til stk. 2

Det følger af bestemmelsen, at Naalakkersuisut skal godkende en mineplan for en rettighedshavers udnyttelsesaktiviteter, herunder produktionens tilrettelæggelse og anlæggene dertil, inden rettighedshaveren påbegynder udnyttelse og dertil tilknyttede foranstaltninger. Bestemmelsen indeholder således regler om forudgående godkendelse fra Naalakkersuisut af planer for udnyttelse.

Naalakkersuisut skal ved godkendelsen af en mineplan sikre, at foranstaltningerne udføres forsvarligt i teknisk henseende og med hensyn til sikkerhed, sundhed, miljø og samfundsmæssig bæredygtighed, og at udførelsen foretages med så lidt spild af mineraler som muligt.

Naalakkersuisut kan meddele afslag på en godkendelse, i det omfang afslaget er begrundet i

saglige hensyn, herunder hensyn til forhold vedrørende teknik, sikkerhed, sundhed, miljø, ressourceudnyttelse eller samfundsmæssig bæredygtighed, jf. også forslagets § 1, stk. 2.

I forbindelse med myndighedsbehandlingen vedrørende godkendelse af planer efter bestemmelsen er det væsentligt, at Naalakkersuisut kan træffe afgørelse på et tilstrækkeligt oplyst grundlag med henblik på at foretage en vurdering af udnyttelsesaktiviteter. Det indebærer blandt andet, at der som altovervejende udgangspunkt må foretages en vurdering af virkningerne på miljøet (VVM) og en vurdering af samfundsmæssig bæredygtighed (VSB).

Forslagets kapitel 15 indeholder regler om VVM-redegørelser, og forslagets kapitel 16 indeholder regler om VSB-redegørelser. Se bestemmelserne i §§ 100-102 og §§ 103-105 og bemærkningerne dertil.

Ved Naalakkersuisuts godkendelse af en mineplan efter bestemmelsen kan Naalakkersuisut på nærmere fastsatte vilkår også godkende tilknyttede aktiviteter, såsom etablering og drift af energianlæg og infrastruktur.

Til stk. 3

Bestemmelsen angiver, at mineplanen skal opdateres og ændres i relevant omfang.

En ændring i mineplanen kan blandt andet komme på tale, hvor rettighedshaveren ønsker at udføre andre ikke uvæsentlige udnyttelsesaktiviteter end dem, som Naalakkersuisut oprindeligt har meddelt godkendelse til efter stk. 1 og 2. Det kan for eksempel være, hvor rettighedshaveren ønsker at udføre nye væsentlige udnyttelsesaktiviteter, som i forhold til de godkendte aktiviteter i et større omfang vil medføre, at der skal ske etablering af nye eller flere bygninger, anlæg og installationer med videre. Det kan også være nye aktiviteter, der kan få betydning for forhold omfattet af forslaget, herunder aktiviteter der får betydning for anvendelsen af lokale arbejdstagere med videre.

Bestemmelsen skal bidrage til at sikre, at mineplanen til enhver tid indeholder en opdateret beskrivelse af udnyttelsesaktiviteterne, produktionens tilrettelæggelse og anlæggene dertil med videre.

Til stk. 4

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med stk. 3.

Efter bestemmelsen skal rettighedshaveren snarest muligt udarbejde og indlevere en opdateret eller ændret mineplan, når ændrede forhold efter en konkret og samlet vurdering gør det nødvendigt. Sådanne forhold er generelt de forhold, der er anført i stk. 3. Rettighedshaveren

skal desuden snarest muligt udarbejde og indlevere en opdateret eller ændret mineplan, når Naalakkersuisut træffer afgørelse derom.

Rettighedshaveren skal også opnå Naalakkersuisuts godkendelse af den opdaterede eller ændrede mineplan.

Naalakkersuisut kan fastsætte en frist for udarbejdelse af en mineplan til godkendelse og gennemførelse af påkrævede ændringer.

Bestemmelsen skal ligesom stk. 3 bidrage til at sikre, at en mineplan til enhver tid indeholder en opdateret beskrivelse af udnyttelsesaktiviteterne, produktionens tilrettelæggelse og anlæggene dertil med videre.

Til stk. 5

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte vilkår for en godkendelse efter stk. 2 eller 4 efter § 121, Naalakkersuisut kan blandt andet fastsætte vilkår om varetagelse af sikkerhedsmæssige, sundhedsmæssige, miljømæssige og andre relevante hensyn i forbindelse med udførelsen af aktiviteterne efter tilladelsen.

#### *Til § 78*

Til stk. 1

Det følger af bestemmelsen, at rettighedshaveren efter en tilladelse i hele tilladelsesperioden skal fjerne anlæg og bygninger med videre, som er etableret af rettighedshaveren, og som ikke anvendes af rettighedshaveren, medmindre andet godkendes af Naalakkersuisut, og foretage oprydning og relevant genopretning af natur med videre i de berørte områder, i det omfang det er muligt.

Bestemmelsen har til formål at sikre, at rettighedshaveren opfylder sine nedlukningsforpligtelser ved at foretage løbende nedlukning, oprydning og genopretning af natur med videre i hele tilladelsesperioden

Til stk. 2

Bestemmelsen angiver, at rettighedshaveren ved ophør af virksomheden og aktiviteterne efter tilladelsen skal fjerne anlæg og bygninger med videre, som er etableret af rettighedshaveren, medmindre andet godkendes af Naalakkersuisut, og foretage oprydning og relevant genopretning af natur med videre i de berørte områder, jf. også §§ 80 og 81 vedrørende en udnyttelsestilladelse. Se de nævnte bestemmelser og bemærkningerne dertil.

Bestemmelsen har til formål at sikre, at rettighedshaveren foretager fuldstændig nedlukning, oprydning og genopretning af natur med videre ved ophør af udnyttelsesvirksomheden, medmindre andet godkendes af Naalakkersuisut.

Til stk. 3

Efter bestemmelsen kan Naalakkersuisut gennemføre foranstaltningerne med videre nævnt i stk. 1 og 2 for rettighedshaverens regning og risiko, hvis rettighedshaveren ikke efterkommer et påbud om iværksættelse af foranstaltningerne efter den godkendte nedlukningsplan.

Efter forslaget § 123 kan Naalakkersuisut meddele sådanne påbud, herunder også om enhver anden overholdelse af forslaget og bestemmelser og tilladelsesvilkår fastsat efter forslaget. Se den nævnte bestemmelse og bemærkningerne dertil.

Til stk. 4

Det følger af bestemmelsen, at hvis rettighedshaveren ikke efterkommer et påbud fra Naalakkersuisut om gennemførelse af aktiviteterne og foranstaltningerne med videre nævnt i stk. 1 og 2, kan Naalakkersuisut meddele andre virksomheder og personer påbud om at fjerne anlæg og bygninger med videre, når de pågældende anlæg og bygninger med videre (1) tilhører de pågældende virksomheder og personer, (2) er blevet anvendt ved udførelsen af aktiviteter efter tilladelsen og (3) befinder sig i de berørte områder. Betingelserne er kumulative og skal alle være opfyldt.

Bestemmelsen skal læses i sammenhæng med stk. 1, 2, 3 og 5. Der henvises til disse bestemmelser og bemærkningerne dertil.

Bestemmelsen medfører, at hvis rettighedshaveren ikke opfylder sine forpligtelser til at fjerne for eksempel maskiner eller udstyr, som er anvendt ved udførelsen af aktiviteter efter en tilladelse, fra de berørte områder, og de pågældende maskiner eller det pågældende udstyr er ejet af en anden end rettighedshaveren, kan Naalakkersuisut ligeledes meddele ejeren påbud om at fjerne de pågældende maskiner eller det pågældende udstyr. Det gælder, uanset om de pågældende maskiner eller det pågældende udstyr er ejet af for eksempel en underentreprenør, der udfører arbejder i tilladelsesområdet eller en udlejnings- eller leasingvirksomhed, der alene har udlejet eller leaset en maskine eller udstyr til rettighedshaveren.

Bestemmelsen har til formål at sikre, at der i videst muligt omfang foretages oprydning efter tilladelsesaktiviteter, uden at en sådan oprydning skal foretages og betales af de grønlandske myndigheder.

Bestemmelsen begrænser ikke rettighedshaverens forpligtelser efter stk. 3, og Naalakkersuisut kan lade tredjemands maskiner og udstyr fjerne for rettighedshaverens regning og risiko, uden forinden at meddele ejeren deraf påbud om at fjerne dette.

Hvis ejeren af for eksempel maskiner eller udstyr ikke efterkommer et påbud om at fjerne de pågældende maskiner eller det pågældende udstyr, hæfter rettighedshaveren og ejeren solidarisk for fjernelsen af de pågældende maskiner eller det pågældende udstyr, jf. stk. 3 og 5.

Til stk. 5

Bestemmelsen skal læses i sammenhæng med stk. 3 og 4. Der henvises til disse bestemmelser og bemærkningerne dertil.

Hvis ejeren af for eksempel maskiner eller udstyr ikke efterkommer et påbud om at fjerne de pågældende maskiner eller det pågældende udstyr efter stk. 4, hæfter rettighedshaveren og ejeren solidarisk for fjernelsen af de pågældende maskiner eller det pågældende udstyr, jf. stk. 3.

#### *Til § 79*

Til stk. 1

Bestemmelsen har til formål at sikre, at Naalakkersuisut har en klar hjemmel til at tilbageholde de af rettighedshaverens aktiver, der repræsenterer en værdi, og som Naalakkersuisut har fjernet efter § 78, stk. 3, indtil rettighedshaveren har opfyldt sine forpligtelser overfor Naalakkersuisut.

Bestemmelsen skal medvirke til at sikre, at rettighedshaveren foretager og afholder udgifterne ved nedlukning og oprydning af aktiviteter efter en tilladelse.

Bestemmelsen skal ses i sammenhæng med stk. 3 og § 78, stk. 3. Der henvises til disse bestemmelser og bemærkningerne dertil.

Til stk. 2

Bestemmelsen har til formål at sikre, at Naalakkersuisut har en klar hjemmel til at tilbageholde en persons eller virksomheds aktiver, der repræsenterer en værdi, og som Naalakkersuisut har fjernet efter § 78, stk. 5, indtil den pågældende har betalt udgifterne til fjernelsen af det pågældende aktiv.

Bestemmelsen skal medvirke til at sikre, at landskassen får dækket så meget som muligt af sine udgifter til oprydning, i de tilfælde hvor aktiver, der har været benyttet i forbindelse med aktiviteter efter forslaget, og som ikke er ejet af rettighedshaveren, efterlades.

Bestemmelsen skal ses i sammenhæng med stk. 3 og § 78, stk. 5. Der henvises til disse bestemmelser og bemærkningerne dertil.

Til stk. 3

Bestemmelsen skal læses i sammenhæng med stk. 1 og 2. Der henvises til disse bestemmelser og bemærkningerne dertil.

Bestemmelsen har til formål at sikre, at Naalakkersuisut har en klar hjemmel til at søge sine krav efter stk. 1 eller 2 fyldestgjort i den forpligtedes aktiver, uden at Naalakkersuisut først skal foretage udlæg deri.

Til stk. 4

Naalakkersuisut skal inden en offentlig auktion undersøge, hvem der ejer aktivet, og om der er andre, hvis rettigheder eller forpligtelser med hensyn til aktivet, som må antages at ville blive berørt af salget. Det kan for eksempel være en panthaver, der har pant i det pågældende aktiv. Naalakkersuisut skal undersøge relevante offentlige registre og i relevant omfang spørge rettighedshaveren eller ejeren af aktivet derom.

Bestemmelsen har til formål at sikre, at alle hvis rettigheder eller forpligtelser, der kan berøres af salget af aktivet, orienteres om salget og gives mulighed for at varetage sine interesser i forbindelse med salget.

Til stk. 5

Bestemmelsen angiver, at ved offentlig auktion efter stk. 3 udbyder Naalakkersuisut de enkelte aktiver til salg på et auktionsmøde eller ved elektronisk auktion. Det er således op til Naalakkersuisut at afgøre, hvilken auktionsform der konkret må antages at ville medføre den højeste pris for aktivet.

Det følger videre af bestemmelsen, at hvis Naalakkersuisut efter gennemførelsen af en auktion skønner, at der kan opnås et væsentligt højere bud på en ny auktion, kan Naalakkersuisut bestemme, at der skal afholdes en ny auktion.

Til stk. 6

Bestemmelsen omhandler muligheden for, at interessenter, som ikke opnår fuld dækning for deres rettigheder i aktivet, mod sikkerhedsstillelse kan forlange en ny auktion.

Der kan for eksempel stilles sikkerhed ved deponering af et pengebeløb eller ved en bankgaranti.

Bestemmelsen har til formål at sikre, at ejeren af et aktiv og andre, som ikke ved budet opnår fuld dækning for deres rettigheder i forhold til aktivet, kan varetage deres interesser. Bestemmelsen medvirker desuden til at sikre, at aktiver sælges til markedsprisen.

Til stk. 7

Bestemmelsen betyder, at auktionsomkostningerne fratrækkes salgsprovenuet, inden andre rettigheder i forhold til aktivet dækkes.

Til stk. 8

Bestemmelsen fastslår, hvorledes salgsprovenuet vil blive anvendt. Salgsprovenuet dækker følgende krav i nævnte rækkefølge:

- 1) Auktionsomkostningerne, jf. stk. 7.
- 2) Naalakkersuisuts krav, jf. stk. 1 eller 2.
- 3) Andre rettigheder i forhold til aktivet (eksempelvis panterrettigheder).

Et eventuelt overskud udbetales til ejeren af aktivet.

#### *Til § 80*

Til stk. 1

Bestemmelsen indeholder en liste med 7 forhold, som en nedlukningsplan blandt andet skal indeholde. For nærmere om en nedlukningsplan se § 15, stk. 2, og bemærkningerne dertil.

Nedlukningsplanen skal blandt andet indeholde en plan for, hvad rettighedshaveren skal gøre vedrørende anlæg og bygninger med videre, som er etableret eller brugt af rettighedshaveren, og tilladelsesområdet og andre berørte områder, og hvordan rettighedshaveren skal efterlade tilladelsesområdet og andre berørte områder ved rettighedshaverens ophør med og nedlukning af udnyttelsen, herunder virksomheden og aktiviteterne i forbindelse dermed.

Nedlukningsplanen skal også angive, hvordan rettighedshaveren stiller sikkerhed for opfyldelsen af sine forpligtelser og mulige forpligtelser vedrørende nedlukningen,



gennemførelsen af nedlukningsplanen og aktiviteterne og foranstaltninger i forbindelse dermed. Det følger af § 82.

De eksisterende nedlukningsplaner og godkendelser af nedlukningsplanerne indeholder disse forhold og andre forhold. Den eksisterende praksis vedrørende nedlukningsplaner og godkendelse deraf kan videreføres efter forslaget bestemmelser.

Bestemmelsen har særligt fokus på varetagelse af sikkerheds-, sundheds-, og miljømæssige hensyn og sikring af oprydning med videre ved nedlukning og ophør af udnyttelsesaktiviteter i overensstemmelse med de hensyn, der er angivet i forslaget formålsbestemmelse, jf. § 1.

Til stk. 2.

Bestemmelsen angiver, at hvis rettighedshaveren planlægger at efterlade eller overdrage anlæg eller bygninger med videre i tilladelsesområdet eller andre berørte områder, kan dette kun ske efter godkendelse fra Naalakkersuisut.

Til stk. 3.

Bestemmelsen angiver, at hvis der sker efterladelse af anlæg eller bygninger med videre i tilladelsesområdet eller andre berørte områder, og disse anlæg eller bygninger med videre af sundhedsmæssige, sikkerhedsmæssige, miljømæssige eller andre grunde kræver vedligeholdelse, overvågning eller andre aktiviteter eller foranstaltninger med videre efter nedlukningen, skal nedlukningsplanen indeholde planer derfor, samt at der skal stilles behørig sikkerhed.

#### *Til § 81*

Til stk. 1

Bestemmelsen fastsætter rettighedshaverens pligt til at udarbejde og indlevere en nedlukningsplan til Naalakkersuisut. Nedlukningsplanen skal være godkendt af Naalakkersuisut og skal indeholde en rettighedshavers plan for rettighedshaverens senere ophør med og nedlukning af udnyttelsen af mineraler og aktiviteter i forbindelse dermed efter en udnyttelsestilladelse. En mineplan skal blandt andet omfatte de forhold, der er anført i § 77, stk. 1, nr. 1-4.

Bestemmelsen angiver således, at rettighedshaveren efter en udnyttelsestilladelse skal udarbejde og indlevere en nedlukningsplan til Naalakkersuisut, som skal godkendes af Naalakkersuisut.

Nedlukningsplanen skal udarbejdes, indsendes og godkendes, inden rettighedshaveren begynder at udføre udnyttelse eller aktiviteter som forberedelse dertil eller i forbindelse dermed.

Til stk. 2

Bestemmelsen fastslår, at rettighedshaveren skal indlevere nedlukningsplanen til Naalakkersuisut og have opnået Naalakkersuisuts godkendelse af nedlukningsplanen senest samtidig med, at rettighedshaveren indleverer mineplanen til Naalakkersuisut og opnår Naalakkersuisuts godkendelse af mineplanen, jf. § 77. Se den nævnte bestemmelse og bemærkningerne dertil.

Til stk. 3

Efter bestemmelsen kan Naalakkersuisut stille vilkår om, at en rettighedshaver skal udarbejde og indsende en nedlukningsplan, som skal godkendes af Naalakkersuisut, i forbindelse med andre aktiviteter end udnyttelse af mineraler.

Bestemmelsen har til formål at sikre, at rettighedshavere i forbindelse med omfattende aktiviteter, der ikke har forbindelse med udnyttelse af mineraler, foretager en relevant og tilstrækkelig oprydning ved ophør af aktiviteterne, og at Naalakkersuisut kan kræve økonomisk sikkerhedsstillelse for rettighedshaveres opfyldelse af sine forpligtelser i forbindelse hermed.

Der vil alene blive stillet vilkår om udarbejdelse af nedlukningsplan i forbindelse med ansøgninger om aktiviteter, der strækker sig over mere end 1 år, eller som vil kræve et omfattende eller økonomisk tungt oprydningsarbejde.

Til stk. 4

Bestemmelsen angiver, at nedlukningsplanen skal opdateres og ændres i relevant omfang.

En ændring i nedlukningsplanen kan blandt andet være relevant, hvis rettighedshaveren ønsker at udføre andre ikke uvæsentlige udnyttelsesaktiviteter end dem, som Naalakkersuisut oprindeligt har meddelt godkendelse til. Det kan for eksempel være, hvor rettighedshaveren ønsker at udføre nye udnyttelsesaktiviteter, som i forhold til de godkendte aktiviteter i et større omfang vil medføre, at der skal ske etablering af nye eller flere bygninger, anlæg og installationer med videre. Det kan også være aktiviteter, der kan få betydning for forhold omfattet af forslaget, herunder aktiviteter der får betydning for anvendelsen af lokale arbejdstagere med videre.

Bestemmelsen skal bidrage til at sikre, at nedlukningsplanen til enhver tid indeholder en opdateret beskrivelse af udnyttelsesaktiviteterne, produktionens tilrettelæggelse og anlæggene dertil med videre.

Til stk. 5

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med stk. 4.

Efter bestemmelsen skal rettighedshaveren snarest muligt udarbejde og indlevere en opdateret eller ændret nedlukningsplan, når ændrede forhold efter en konkret og samlet vurdering gør det nødvendigt. Sådanne forhold er generelt de forhold, der er anført i stk. 3.

Rettighedshaveren skal desuden snarest muligt udarbejde og indlevere en opdateret eller ændret mineplan, når Naalakkersuisut træffer afgørelse derom.

Rettighedshaveren skal også opnå Naalakkersuisuts godkendelse af den opdaterede eller ændrede nedlukningsplan.

Naalakkersuisut kan fastsætte en frist for udarbejdelse af en nedlukningsplan til godkendelse og gennemførelse af påkrævede ændringer, herunder med hensyn til sikkerhedsstillelse.

Bestemmelsen skal ligesom stk. 4 bidrage til at sikre, at en nedlukningsplan til enhver tid indeholder en opdateret beskrivelse af relevante forhold.

Til stk. 6

Bestemmelsen angiver, at Naalakkersuisut kan fastsætte vilkår for en godkendelse som nævnt i stk. 1, 3 eller 5 efter § 121. Naalakkersuisut kan blandt andet fastsætte vilkår om varetagelse af sikkerhedsmæssige, sundhedsmæssige, miljømæssige og andre relevante hensyn efter virksomhedens ophør, herunder vilkår om overvågning i en periode eller andre foranstaltninger efter nedlukningen.

Overvågning i en periode efter nedlukningen vil blandt andet være relevant, i tilfælde hvor en rettighedshaver efterlader anlæg med videre i området. I sådanne tilfælde kan Naalakkersuisut for eksempel fastsætte vilkår for en godkendelse om, at rettighedshaveren skal vedligeholde og overvåge de efterladte anlæg i en periode efter nedlukningen.

#### *Til § 82*

Til stk. 1

Bestemmelsen skal anvendes og fortolkes i overensstemmelse med forslaget § 80 og 85 om

de forhold, en nedlukningsplan skal omfatte, og rettighedshaverens pligt til at stille sikkerhed. Se de nævnte bestemmelser og bemærkningerne dertil.

Til stk. 2

Bestemmelsen præciserer, at nedlukningsplanen skal indeholde en beskrivelse af, hvordan rettighedshaveren stiller sikkerhed efter § 85. Se bestemmelsen og bemærkningerne dertil.

Formålet med bestemmelsen er at sikre, at nedlukningsplanen indeholder bestemmelser vedrørende rettighedshaverens sikkerhedsstillelse, herunder at nedlukningsplanen indeholder en detaljeret beskrivelse af det økonomiske grundlag for opfyldelsen af rettighedshaverens forpligtelser vedrørende nedlukningen, gennemførelsen af nedlukningsplanen og aktiviteterne og foranstaltningerne i forbindelse dermed.

Til stk. 3

Det præciseres, at nedlukningsplanens bestemmelser om rettighedshaverens sikkerhedsstillelse for opfyldelse af sine nedlukningsforpligtelser og rettighedshaverens sikkerhedsstillelse skal godkendes af Naalakkersuisut.

Til stk. 4

Bestemmelsen præciserer en pligt for en rettighedshaver til at opdatere bestemmelserne om sikkerhedsstillelse i nedlukningsplanen og stille sikkerhed efter de ændrede bestemmelser, når ændrede forhold gør det nødvendigt at ændre på sikkerhedsstillelsen.

Til stk. 5

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte vilkår for en godkendelse som nævnt i stk. 3 eller 4 efter § 121. Se bestemmelsen i § 121 og bemærkningerne dertil.

### *Til § 83*

Til stk. 1

Bestemmelsen afspejler det forhold, at der kan forekomme perioder under en tilladelse, hvor en fortsat udnyttelsesaktivitet vil være tabsgivende. Det kan for eksempel ske som følge af varierende prisforhold og afsætningsforhold for mineraler. I disse tilfælde kan det ikke udelukkes, at forholdene vil ændre sig tilbage igen, således at projektet igen kan blive overskudsgivende. Det er således hensigtsmæssigt, at der er mulighed for indstilling af

udnyttelsesaktiviteterne for en periode med henblik på senere genoptagelse af aktiviteterne, når en endelig indstilling (nedlukning) af aktiviteterne ikke ønskes gennemført.

Der kan også være tale om forbigående vanskeligheder, der betyder, at aktiviteterne må indstilles for en periode på mere end 60 kalenderdage.

Bestemmelsen omfatter indstilling af udnyttelsesaktiviteter efter en udnyttelsestilladelse og kan først anvendes, når udnyttelsesaktiviteterne er påbegyndt.

Efter bestemmelsen skal en midlertidig indstilling af udnyttelsesaktiviteterne godkendes af Naalakkersuisut. En godkendelse skal ske med henblik på at sikre blandt andet sikkerhedsmæssige og vedligeholdelsesmæssige forhold i den periode, hvor aktiviteterne er midlertidigt nedlukkede og at nedlukningsplanen gennemføres, hvis det senere må konstateres, at aktiviteterne ikke genoptages.

En godkendelse kan meddeles for indtil 2 år ad gangen. En fornyet godkendelse kan meddeles på ændrede vilkår. Det indebærer, at der kan ske en ændring af de oprindelige vilkår for indstillingen af udnyttelsesaktiviteterne, hvis forholdene tilsiger det.

Til stk. 2

Efter bestemmelsen kan Naalakkersuisut fastsætte vilkår for en godkendelse efter § 121. En godkendelse skal blandt andet sikre, at rettighedshaveren vedligeholder, sikrer og overvåger anlæg og bygninger med videre, mens udnyttelsesaktiviteterne er indstillet, og at nedlukningsplanen nævnt i § 80 kan gennemføres, hvis udnyttelsesaktiviteterne ikke genoptages. En godkendelse skal også sikre, at planer for sikkerhed, sundhed, miljø med videre er tilpasset den midlertidige indstilling af udnyttelsesaktiviteterne og en mulig efterfølgende endelig indstilling af udnyttelsesaktiviteterne.

Naalakkersuisut kan eksempelvis også fastsætte vilkår om, at rettighedshaveren skal foretage efterforskningsaktiviteter i den periode, hvor udnyttelsesaktiviteterne er indstillet.

Der vil kun blive stillet vilkår for godkendelsen af indstillingen af udnyttelsesaktiviteter, i det omfang det er nødvendigt for at sikre de nævnte forhold. Indstilles aktiviteterne eksempelvis i en kortere periode grundet midlertidige praktiske vanskeligheder, der umuliggør udførelsen af planlagte aktiviteter, vil der typisk ikke blive stillet vilkår for godkendelsen.

#### *Til § 84*

Bestemmelsen fastslår, at når en midlertidig indstilling efter § 83 har varet i en periode på mindst 6 år, eller hvis vilkårene for godkendelsen af den midlertidige indstilling ikke

overholdes, kan Naalakkersuisut påbyde rettighedshaveren at gennemføre nedlukningsplanen nævnt i § 80. Se den nævnte bestemmelse og bemærkningerne dertil.

#### *Til § 85*

Til stk. 1

Det følger af forslagets § 82, stk. 2, at en rettighedshaver skal stille sikkerhed for opfyldelsen af sine forpligtelser og mulige forpligtelser vedrørende nedlukningen, gennemførelsen af nedlukningsplanen og aktiviteterne og foranstaltninger i forbindelse dermed.

Denne bestemmelse indeholder en hjemmel for Naalakkersuisut til at fastsætte vilkår til sikring af, at rettighedshaveren efter en tilladelse opfylder sine forpligtelser vedrørende tilladelsen og aktiviteterne efter tilladelsen.

Efter stk. 2 kan Naalakkersuisut fastsætte nærmere bestemmelser om, hvordan sikkerhedsstillelsen skal ske.

Vilkårene for sikkerhedsstillelsen fastsættes under hensyn til den konkrete virksomhed og omfanget og karakteren af de forventede foranstaltninger i forbindelse med udførelse af aktiviteterne med videre i tilladelsesperioden og virksomhedens ophør. Udformningen af sikkerhedsstillelsen vil i øvrigt ske efter drøftelse med rettighedshaveren.

Formålet med bestemmelsen er at etablere mulighed for at fastsætte vilkår med henblik på at sikre, at rettighedshaverens forpligtelser opfyldes, samtidig med at vilkårene for virksomhedens udførelse ikke forringes på en afgørende måde. De vilkår, der fastsættes efter bestemmelsen, vil derfor skulle udformes ved en afbalancering af hensynet til forpligtelsernes gennemførelse og hensynet til, at mineralprojekterne realiseres.

Til stk. 2

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om sikkerhedsstillelsen efter stk. 1.

Naalakkersuisut kan fastsætte bestemmelser og vilkår om alle relevante forhold, i det omfang de er i overensstemmelse med forslagets formål i § 1 og andre bestemmelser.

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser om sikkerhedsstillelsen vedrørende mineralaktiviteter og forhold i forbindelse dermed i bekendtgørelser.

Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

Naalakkersuisut kan blandt andet fastsætte bestemmelser og vilkår om, hvilke former for sikkerheder, der kan anvendes, og hvilke vilkår, der skal gælde for sikkerhedsstillelsen.

#### *Til § 86*

Til stk. 1

Bestemmelsen skal fortolkes og anvendes i sammenhæng med forslagets § 85, stk. 1. Bestemmelsen i § 85, stk. 1, anfører, at Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at rettighedshaveren efter enhver tilladelse efter forslaget skal stille og opretholde sikkerhed for opfyldelsen af sine forpligtelser vedrørende tilladelsen og aktiviteterne efter tilladelsen.

Efter bestemmelsen har rettighedshaveren pligt til at opdatere og ændre sikkerhedsstillelsen løbende, i det omfang det er relevant.

Det kan for eksempel være relevant, i tilfælde hvor en rettighedshaver efter en meddelt godkendelse af en aktivitetsplan opnår godkendelse af en ændret aktivitetsplan, der nødvendiggør etablering af nye eller flere bygninger, anlæg og installationer med videre. I et sådan tilfælde vil det være relevant at udvide sikkerhedsstillelsen til at omfatte de nævnte bygninger, anlæg og installationer med videre.

Det kan for eksempel også være relevant, i tilfælde hvor en rettighedshaver ophører med at bruge nogle bygninger og anlæg og fjerner dem, og rettighedshaveren på den baggrund ønsker at sikkerhedsstillelsen skal omfatte et mindre beløb end hidtil.

Naalakkersuisut har ligeledes efter bestemmelsen en pligt til at medvirke til at opdatere og ændre sikkerhedsstillelsen løbende, i det omfang det er relevant. Naalakkersuisut har således blandt andet pligt til at frigive en sikkerhedsstillelse helt eller delvist, hvis vilkårene for en sådan frigivelse er opfyldt.

Bestemmelsen skal desuden anvendes og fortolkes i sammenhæng med forslagets § 82, stk. 2 og 3. Det følger af § 82, stk. 2, at rettighedshaveren efter en udnyttelsestilladelse skal stille sikkerhed for opfyldelsen af sine forpligtelser og mulige forpligtelser vedrørende nedlukningen, gennemførelsen af nedlukningsplanen og aktiviteterne og foranstaltninger i forbindelse dermed efter § 85. Bestemmelsen i § 82, stk. 4, præciserer en pligt for en rettighedshaver til at opdatere bestemmelserne om sikkerhedsstillelse i nedlukningsplanen og stille sikkerhed efter de ændrede bestemmelser, når ændrede forhold gør det nødvendigt at ændre på sikkerhedsstillelsen.

Til stk. 2

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med stk. 1.

Efter bestemmelsen skal rettighedshaveren snarest muligt ændre sikkerhedsstillelsen og opnå Naalakkersuisuts godkendelse af den ændrede sikkerhedsstillelse, når ændrede forhold nødvendiggør det. Sådanne ændrede forhold er generelt de forhold, der er anført i stk. 1. Rettighedshaveren skal desuden snarest muligt ændre sikkerhedsstillelsen og opnå Naalakkersuisuts godkendelse af den ændrede sikkerhedsstillelse, når Naalakkersuisut træffer afgørelse derom.

Bestemmelsen skal bidrage til at sikre, at en rettighedshavers sikkerhedsstillelse efter § 85 til enhver tid er opdateret i forhold til rettighedshaverens forpligtelser efter forslaget, bestemmelser og vilkår fastsat efter forslaget, tilladelsen, aktivitetsplaner og godkendelserne af planerne.

Naalakkersuisut har ligeledes en pligt til at medvirke til at opdatere og ændre sikkerhedsstillelsen løbende, i det omfang det er relevant. Naalakkersuisut har således blandt andet pligt til at frigive en sikkerhedsstillelse helt eller delvist, hvis vilkårene for en sådan frigivelse er opfyldt.

Bestemmelsen fastslår, at enhver ændring af en sikkerhedsstillelse kræver godkendelse deraf meddelt af Naalakkersuisut.

Til stk. 3

Bestemmelsen skal fortolkes og anvende i overensstemmelse med stk. 1-2.

Bestemmelsen skal bidrage til at sikre, at en rettighedshavers sikkerhedsstillelse efter § 85 til enhver tid er opdateret med hensyn til rettighedshaverens forpligtelser efter forslaget, bestemmelser og vilkår fastsat efter forslaget, tilladelsen, aktivitetsplaner og godkendelserne af planerne.

Til stk. 4

Naalakkersuisut kan blandt andet fastsætte nærmere bestemmelser om sikkerhedsstillelsen vedrørende mineralaktiviteter og forhold i forbindelse dermed i bekendtgørelser. Naalakkersuisut kan også fastsætte vilkår derom som vilkår i eller standardvilkår for tilladelser og godkendelser. Se forslagets § 16 og bemærkningerne dertil.

*Til § 87*



Bestemmelsen regulerer miljøbeskyttelse, herunder klimabeskyttelse og naturbeskyttelse, i forbindelse med mineralaktiviteter og er i vidt omfang en sammenskrivning og dermed videreførelse af den miljøbeskyttelse, der følger af råstoflovens §§ 51, 55 og 59.

Til stk. 1

Bestemmelsen i stk. 1 angiver, at en sikring af menneskenes levevilkår og de økologiske kredsløb gør det nødvendigt, at areal- og naturressourcerne udnyttes som led i en bæredygtig udvikling. Bestemmelsen bygger således på den voksende erkendelse af, at miljøproblemerne ikke blot er lokale og veldefinerede, men at de tværtimod er globale, mangfoldige og komplekse. Med bestemmelsen lægges der således op til, at miljøpolitik tager udgangspunkt i et helhedssyn på menneskets samspil med naturen – lige fra udnyttelse af mineraler, over produktion og forbrug, til affaldsbortskaffelse.

Forslaget skal således også værne om klimaet og naturen, så samfundsudviklingen kan ske på et bæredygtigt grundlag i respekt for klimatiske forhold og deres betydning for menneskets livsvilkår og bevarelsen af dyre- og plantelivet.

Til stk. 2

Den foreslåede bestemmelse angiver kapitlets primære beskyttelsesobjekter. Bestemmelsens formulering er i vid udstrækning baseret på internationale anerkendte principper, som også genfindes i formulering af den danske havmiljølovs formålsbestemmelse.

Det foreslås, at det med dette forslags regler om miljø-, klima- og naturbeskyttelse tilsigtes at forebygge, begrænse og bekæmpe forurening og anden påvirkning af miljø, klima og natur fra aktiviteter, der direkte eller indirekte kan bringe menneskets sundhed i fare, skade dyre- eller plantelivet eller naturværdier på eller i jorden eller havet eller i undergrunden, være til gene for den retmæssige udnyttelse af jorden, havet, undergrunden eller naturressourcer, forringe menneskets livsvilkår eller forringe rekreative værdier eller aktiviteter.

Til stk. 3

I det foreslåede stk. 3 foretages en nærmere præcisering af de hensyn, der skal varetages ved lovens administration.

Nr. 1 angiver kapitlets primære målsætninger. Det fremgår således, at der skal ske forebyggelse, begrænsning og bekæmpelse af forurening af hav, havbund, undergrund, vand, luft og skadelige indvirkninger på klimatiske forhold samt vibrations- og støjulemper.

For at forebygge og begrænse spild af ressourcer, jf. nr. 2, og forurening og anden skadelig påvirkning af omgivelserne og dermed skabe bedre grundlag for en bæredygtig udvikling, foreslås det i nr. 3 at fremme af renere teknologi skal være et formål i sig selv ved lovens administration. Renere teknologi kan defineres som ændrede produktionsprocesser, råvarer, hjælpestoffer og produkter, som mindsker ressourceforbruget og hindrer, at forurening opstår, ikke alene i produktionsprocessen, men også i senere led i vare- og produktkredsløbet.

Derfor er rensningsforanstaltninger, som har været den traditionelle måde at angribe forureningsproblemer på, ikke omfattet af betegnelsen "renere teknologi". Det har vist sig, at rensning af spildevand og luft har medført problemer ved deponering af restprodukter, hvorved et forureningsproblem afløses af et andet. Målsætningen i nr. 4 om at fremme genanvendelse og begrænse problemer i forbindelse med affaldsbortskaffelse (herunder også de problemer, som selve mængden af affald betyder) bygger også på kredsløbsperspektivet og har således tæt sammenhæng med målsætningen om at fremme renere teknologi. Se nærmere herom også bemærkningerne til § 88, stk. 1.

#### *Til § 88*

Bestemmelsen er en videreførelse af råstoflovens § 52 og regulerer de forhold, der skal lægges vægt på ved anvendelsen og administration af forslagens bestemmelser om miljø-, klima- og naturbeskyttelse.

Til stk. 1

Bestemmelsen fastslår, at der ved anvendelsen og administrationen af dette forslags regler skal lægges vægt på den bedst tilgængelige teknik.

Ved den bedst tilgængelige teknik forstås det mest effektive og avancerede trin i udviklingen af aktiviteter og driftsmetoder og den tekniks praktiske egnethed til at forhindre eller, hvor dette ikke er muligt, generelt begrænse emissionerne og anden indvirkning på miljøet som helhed.

Der forstås ved:

**Teknik:** Både den anvendte teknologi og den måde, hvorpå anlæg konstrueres, bygges, vedligeholdes, drives og lukkes ned.

**Tilgængelig:** Udviklet i en målestok, der medfører, at den pågældende teknik kan anvendes i den relevante industrisektor på økonomisk og teknisk mulige vilkår, idet der tages hensyn til omkostninger og fordele, uanset hvor teknikken produceres eller i forvejen anvendes, når blot rettighedshaveren kan disponere over teknikken på rimelige vilkår.

Bedste: Den mest effektive teknik til opnåelse af et højt generelt beskyttelsesniveau for miljøet som helhed.

Princippet om renere teknologi, der sigter på at begrænse unødige ressourceanvendelse og spild gennem en forebyggende indsats, står ikke i modsætning til rensningsforanstaltninger. Rensningsløsninger er – og vil fortsat i væsentligt omfang være – nødvendige elementer i miljøbeskyttelsesarbejdet. Men princippet udtrykker nødvendigheden af en prioritering ud fra en økologisk og samfundsøkonomisk helhedsbetragtning.

For den enkelte virksomhed er det af afgørende betydning at kunne overskue virksomhedens aktuelle situation i forhold til de miljøkrav, der stilles, ligesom virksomheden skal have mulighed for at kunne planlægge sine investeringer med størst mulig sikkerhed for, at også fremtidige krav er kendte.

Ydermere må man ved anvendelsen af princippet om renere teknologi nødvendigvis tage hensyn til opretholdelsen af virksomhedernes internationale konkurrenceevne og udviklingsmuligheder ved fastsættelsen af krav efter dette forslag.

Disse overordnede hensyn og principper for dette forslags administration skal både finde anvendelse ved konkrete afgørelser efter dette forslag, ved fastsættelsen af vejledninger og normer som rammer og retningslinjer for Naalakkersuisuts praksis og ved fastsættelsen af generelle regler efter dette forslag.

Til stk. 2

Bestemmelsen vedrører principper for bedømmelse af omfanget og arten af foranstaltninger til forebyggelse og imødegåelse af forurening.

#### *Til § 89*

Bestemmelsen er med visse sproglige og redaktionelle ændringer en videreførelse af råstoflovens § 53, stk. 1-2, og fastsætter regler om forurening i forbindelse med aktiviteter omfattet af forslaget.

Til stk. 1

Efter bestemmelsen skal enhver, der vil påbegynde aktiviteter omfattet af loven, som kan give anledning til forurening, vælge et sådant sted for udførelsen af aktiviteterne, at faren for forurening begrænses mest muligt. Der skal ved valg af stedet for udførelsen tages hensyn til områdets beskaffenhed, herunder den nuværende og planlagte fremtidige udnyttelse. Der skal

endvidere tages hensyn til mulighederne for at bortskaffe spildevand, affald og andre forurenende stoffer og materialer på en hensigtsmæssig måde.

Det foreslåede lokaliseringsprincip indebærer, at en forurenende aktivitet skal placeres i omgivelser, der er robuste over for forurening, og at følsomme områder i videst muligt omfang skal friholdes for forureningsmæssige påvirkninger.

Til stk. 2

Efter bestemmelsen skal enhver, der vil påbegynde, påbegynder eller udfører aktiviteter omfattet af loven, som kan give anledning til forurening, træffe foranstaltninger, der kan forebygge og imødegå denne forurening, og tilrettelægge virksomhedens etablering, indretning og drift på en sådan måde, at den i mindst muligt omfang medfører forurening.

Den foreslåede bestemmelse indebærer, at en forurenende virksomhed skal træffe de nødvendige forureningsbegrænsende foranstaltninger og tilrettelægge driften på en sådan måde, at forureningen begrænses mest muligt. Bestemmelsen skal ses i sammenhæng med forslagets § 9.

Til stk. 3.

Efter bestemmelsen skal enhver, der vil påbegynde, påbegynder eller udfører aktiviteter omfattet af loven, som kan give anledning til forurening, sikre, at forurening, emissioner, affalds-frembringelse og ressourceanvendelse begrænses bedst muligt ved valg, etablering og indretning af anlæg med videre, herunder maskiner, udstyr og eventuelle indkvarteringsfaciliteter.

Bestemmelsen fastslår, at det samme skal sikres ved tilrettelæggelse af driften, herunder ved valg af efterforskningsprocesser, udnyttelsesprocesser, anvendelsesprocesser, arbejdsprocesser, råvarer, stoffer og materialer til brug i forbindelse med driften og procedurer for beredskab og forureningsbekæmpelse.

#### *Til § 90*

Bestemmelsen uddyber forslagets § 88, stk. 1 og 2, og lokaliseringsprincippet og forureningsbegrænsningsprincippet i forslagets § 89, og er en videreførelse af råstoflovens § 53, stk. 3-5.

Til stk. 1

Bestemmelsen fastslår, at virksomheder eller personer, der har forpligtelser efter loven

vedrørende miljøbeskyttelse eller forebyggelse, begrænsning eller bekæmpelse af forurening, ved opfyldelsen af forpligtelserne skal sikre og fremme anvendelse af den bedste tilgængelige teknik og de bedst mulige forureningsbekæmpende foranstaltninger, i det omfang dette er teknisk, praktisk og økonomisk muligt for den pågældende.

Der henvises til bemærkningerne til forslaget §§ 88 og 89.

Til stk. 2

Efter bestemmelsen skal virksomheder eller personer, der efter loven skal sørge for, at miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt, tillige med hensyn til miljøbeskyttelse sikre og fremme anvendelse af den bedste tilgængelige teknik og de bedst mulige forureningsbekæmpende foranstaltninger, i det omfang dette er teknisk, praktisk og økonomisk muligt for den pågældende.

Der henvises til bemærkningerne til stk. 1 og forslaget §§ 88 og 89.

Til stk. 3

Bestemmelsen fastslår, at forpligtelserne efter stk. 2 tillige gælder i en række situationer.

Efter nr. 1 gælder forpligtelserne, når en virksomhed eller en person skal sørge for, at en anden part planlægger og udfører arbejde eller andre aktiviteter således, at miljømæssige risici identificeres, vurderes eller nedbringes så meget, som det er rimeligt praktisk muligt.

Efter nr. 2 gælder forpligtelserne, når en virksomhed eller en person skal sørge for, at der føres tilsyn med, at en anden part planlægger og udfører arbejde eller andre aktiviteter således, at miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt.

Efter nr. 3 gælder forpligtelserne, når en virksomhed eller en person skal medvirke til, at miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt.

Efter nr. 4 gælder forpligtelserne, når en arbejdsgiver eller en anden virksomhed eller en anden person skal sørge for, at en ansat person får nødvendig oplæring og instruktion i at udføre arbejdet, så miljømæssige risici identificeres, vurderes og nedbringes så meget, som det er rimeligt praktisk muligt.

Efter nr. 5 gælder forpligtelserne, når en virksomhed eller en person skal sørge for, at miljømæssige risici fjernes eller nedbringes.

Slutteligt gælder efter nr. 6 forpligtelserne, når en virksomhed eller en person skal sikre sig, at anlæg, indretninger, skibe eller andre fartøjer, herunder den pågældende genstands konstruktion, indretning og udstyr med videre, er i miljømæssig fuldt forsvarlig stand.

#### *Til § 91*

Bestemmelsen vedrører forhold, der vil blive lagt vægt på af Naalakkersuisut ved afgørelse om meddelelse af godkendelse af aktiviteter eller etablering og drift af anlæg omfattet af loven.

Efter den foreslåede bestemmelse vil Naalakkersuisut blandt andet lægge vægt på hensynet til at undgå forringelse eller anden negativ påvirkning af klimatiske forhold, når Naalakkersuisut træffer afgørelse om meddelelse af godkendelse af en aktivitet eller etablering og drift af et anlæg, som er omfattet af dette forslag. Naalakkersuisut vil dertil blandt andet lægge vægt på hensynet til at undgå forringelse af naturen samt naturtyperne og levestederne for arterne i udpegede nationale og internationale naturbeskyttelsesområder og forstyrrelse af de arter, for hvilke områderne er udpeget.

Det afgøres efter national ret og international ret, der er gældende i Grønland, hvilke områder der er nationale og internationale naturbeskyttelsesområder, og hvilke nationale og internationale regler der gælder for sådanne områder.

#### *Til § 92*

Bestemmelsen fastslår følgen af, at en aktivitet eller et anlæg omfattet af loven må antages at kunne få væsentlig indvirkning på miljømæssige, klimatiske eller naturmæssige forhold.

Til stk. 1

Det foreslås, at en aktivitet eller et anlæg nævnt i § 91, der må antages at kunne påvirke klimatiske forhold på væsentlig måde, kun kan meddeles en godkendelse på baggrund af en vurdering af aktivitetens eller anlæggets virkninger på klimatiske forhold. Det kræves desuden efter den foreslåede bestemmelse, at offentligheden og berørte myndigheder og organisationer har haft lejlighed til at udtale sig herom.

Det foreslås, at vurderingen sker efter reglerne for vurdering af virkninger på miljøet (VVM-vurdering), jf. forslagets kapitel 15.

Til stk. 2

Det foreslås efter stk. 2, at en aktivitet eller et anlæg nævnt i forslaget § 91, som må antages at kunne få væsentlige indvirkninger på et udpeget nationalt eller internationalt naturbeskyttelsesområde, kun kan meddeles en godkendelse på baggrund af en vurdering af aktivitetens eller anlæggets virkninger på lokaliteten under hensyn til bevaringsmålsætningerne for denne.

Hvis Naalakkersuisut anser det for nødvendigt, skal offentligheden høres om vurderingen af virkningerne på lokaliteten, inden godkendelsen meddeles. Dette vil eventuelt kunne ske i forbindelse med høring om VVM-redegørelsen. Det vil bero på en konkret vurdering i det enkelte tilfælde, om en vurdering af virkningerne på lokaliteten skal udsendes i høring. Det kan blandt andet bero på, hvor omfattende virkningerne er, og om der samtidig udarbejdes en VVM.

Det vil i mange tilfælde være relevant at gennemføre en vurdering af de miljømæssige konsekvenser, før der meddeles godkendelse til en aktivitet eller et anlæg. Bestemmelsen skal ses i sammenhæng med reglerne om VVM i forslaget kapitel 15. Bestemmelsen tager sigte på, at der gennemføres en vurdering af projektets virkninger på lokaliteten under hensyn til bevaringsmålsætningerne for denne. En sådan vurdering vil normalt ikke ske som led i en VVM-undersøgelse.

Det foreslås, at det afgøres efter national ret og international ret, som er gældende i Grønland, hvilke områder der er nationale og internationale naturbeskyttelsesområder, og hvilke nationale og internationale regler der gælder for sådanne områder.

Til stk. 3-4

Efter de foreslåede bestemmelser kan en godkendelse i de tilfælde, der er nævnt i stk. 1 og 2, kun meddeles, hvis

- 1) aktiviteten eller anlægget ikke skader et nationalt eller internationalt naturbeskyttelsesområdes integritet eller
- 2) væsentlige samfundsinteresser, herunder af social eller økonomisk art, gør det nødvendigt at udføre aktiviteten eller etablere og drive anlægget, jf. dog stk. 4.

Hvis en vurdering af virkningerne viser, at projektet ikke skader internationale naturbeskyttelsesområder, kan der umiddelbart gives godkendelse af projektet under forudsætning af, at øvrige relevante betingelser herfor er opfyldt.

Hvis det derimod er vurderingen, at området udsættes for en væsentlig negativ belastning ved gennemførelse af projektet, kan der kun gives godkendelse af projektet, hvis væsentlige samfundsinteresser, herunder af social eller økonomisk art, gør det nødvendigt at gennemføre

projektet, fordi projektet skønnes at være af afgørende betydning for landet eller regionen, og fordi alternative placeringer af projektet ikke findes mulig.

Den i stk. 3 omtalte prioritering af samfundsmæssige hensyn skal under alle omstændigheder kunne rummes inden for de internationale retlige forpligtelser, Grønland er bundet af i forbindelse med et områdes udpegning til nationalt eller internationalt naturbeskyttelsesområde. En godkendelse, som vedrører et beskyttelsesområde, som er udpeget ved lov, må ikke være mere vidtgående, end hvad beskyttelsesloven giver mulighed for.

Til stk. 5

Det foreslås, at Naalakkersuisut fastsætter passende kompensationsforanstaltninger, herunder ved vilkår for godkendelsen, når en godkendelse meddeles efter stk. 3 eller stk. 4.

Efter den foreslåede bestemmelse skal udgifter til eventuelle kompensationsforanstaltninger dækkes af den, der har ansøgt om godkendelsen.

Hvis godkendelse gives efter det foreslåede stk. 3 eller efter stk. 4, selvom der må konstateres en væsentlig negativ belastning af området, skal der fastsættes passende kompensationsforanstaltninger. Det kan eksempelvis være vilkår til ansøgeren om særlige tiltag for at kompensere for de negative miljømæssige virkninger i form af anvendelse af den bedst tilgængelige teknik og bedst tilgængelige praksis ved anlæg, drift og vedligehold, udpegning af alternative naturbeskyttelsesområder eller gennemførelse af restriktioner for jagt, drift med videre. Fastsættelse af passende kompensationsforanstaltninger vil bero på en konkret vurdering i det enkelte tilfælde og vil ske inden for rammerne af proportionalitetsprincippet.

#### *Til § 93*

Det foreslås, at Naalakkersuisut bemyndiges til at fastsætte nærmere regler om miljø-, klima- og naturbeskyttelse, herunder særligt om de forhold, der er nævnt i forslagens §§ 87-92, herunder om anvendelse af nationale eller internationale regler, aftaler eller retningslinjer vedrørende miljø-, klima- og naturbeskyttelse.

Det er tanken, at Naalakkersuisut med hjemmel i den foreslåede bestemmelse kan supplere reglerne i §§ 87-92, i det omfang det er hensigtsmæssigt for at sikre dette forslags effektivitet og er i overensstemmelse med forslagens formål.

#### *Til § 94*



Bestemmelsen er i vidt omfang en videreførelse af råstoflovens § 84 og § 85, stk. 2 for så vidt angår miljø-, klima- og naturforhold.

Med bestemmelsen foreslås, at Naalakkersuisut som hidtil kan fastsætte og opdatere nærmere regler og detailforskrifter om miljø-, klima- og naturmæssige forhold ved udførelse af mineralaktiviteter.

Eksempelvis vil behandlingsanlæg, transportanlæg samt infrastruktur i øvrigt, der er etableret som led i efterforsknings- eller udnyttelsesvirksomhed, være placeret helt eller delvis uden for det område, tilladelsen omfatter. Det er i den forbindelse afgørende, at de beføjelser, myndighedsbehandlingen er baseret på, også gælder sådanne anlæg med videre.

Naalakkersuisut kan blandt andet fastsætte bestemmelser om beskyttelse af miljø, klima og natur og forpligtelser, ansvar og andre forhold i forbindelse dermed. Naalakkersuisut kan fastsætte sådanne bestemmelser med respekt af lovgivning af betydning for forhold vedrørende miljø, klima eller natur i forbindelse med mineraler eller aktiviteter, der er omfattet af forslaget, hvorved kompetence er henlagt til andre myndigheder.

#### *Til § 95*

Bestemmelsen regulerer miljøansvar.

Til stk. 1

Efter den foreslåede bestemmelse gælder, at der ved den ansvarlige forstås den, der udfører, leder eller kontrollerer en aktivitet omfattet af dette forslag. Hvis den pågældende er en anden end rettighedshaveren efter en tilladelse eller godkendelse vedrørende aktiviteten, er rettighedshaveren også ansvarlig for aktiviteten. De to parter er da i fællesskab (solidarisk) forpligtede og ansvarlige samt den ansvarlige efter reglerne i dette kapitel.

Ansvar for forureninger, der hidrører fra aktiviteter omfattet af forslaget, og som indebærer en miljøskade eller en overhængende fare for en miljøskade, er efter forslaget ubetinget og påhviler den ansvarlige for driften af disse aktiviteter.

Begrebet ”den ansvarlige” er den fysiske eller juridiske, privatretlige eller offentligretlige person, der driver eller kontrollerer den erhvervmæssige aktivitet.

Til stk. 2

Det foreslås, at den ansvarlige for en aktivitet efter stk. 1, der har forårsaget eller medvirket til en miljøskade eller en overhængende fare for en miljøskade, er ansvarlig for miljøskaden. Det

gælder, uanset hvordan skaden eller den overhængende fare for en skade er opstået, og selvom skaden eller den overhængende fare for en skade er opstået som følge af hændelige forhold.

Udgangspunktet er således, at den ansvarlige for aktiviteten anses som den ansvarlige for en miljøskade eller en overhængende fare for en miljøskade. Der gælder således et ubetinget ansvar for en miljøskade eller en overhængende fare for en miljøskade, der er forårsaget ved forureninger, der hidrører fra driften af den erhvervsmæssige aktivitet.

#### *Til § 96*

Bestemmelsen regulerer forpligtelserne for den ansvarlige for en miljøskade eller en overhængende fare for miljøskade og er i vidt omfang en videreførelse af råstoflovens § 64, idet råstoflovens § 64, stk. 1, foreslås opdelt i stk. 1 og 2.

#### Til stk. 1-2

Det foreslås, at den ansvarlige for en overhængende fare for en miljøskade straks skal iværksætte nødvendige forebyggende foranstaltninger, der kan afværge den overhængende fare for en miljøskade, og underrette Naalakkersuisut om faren og foranstaltningerne. Efter den foreslåede bestemmelse skal den ansvarlige for en miljøskade desuden straks iværksætte ethvert praktisk gennemførligt tiltag, der kan begrænse skadens omfang og forhindre yderligere skade, og underrette Naalakkersuisut om skaden og tiltagene.

Der fastlægges således en pligt for den ansvarlige for en miljøskade eller en overhængende fare for en miljøskade til straks at iværksætte de nødvendige foranstaltninger for at afværge en overhængende fare for en miljøskade samt, hvis skaden er indtrådt, straks at iværksætte ethvert praktisk gennemførligt tiltag til at begrænse og hindre yderligere miljøskade.

Det vil således ikke nødvendigvis være tilstrækkeligt at hindre forurening eller yderligere forurening, men derimod tillige nødvendigt hurtigt at begrænse konsekvenserne af en sket forurening, for eksempel ved at hindre, at forureningen spredes. Disse handlepligter kan således indebære, at den ansvarlige skal fjerne en sket forurening, for eksempel ved bortgravning, hurtigst muligt. Det bemærkes, at handlepligterne og håndhævelsen af dem forudsætter, at det umiddelbart er muligt for den ansvarlige at konstatere, at en sket forurening indebærer, at der er indtrådt en miljøskade, eller at en overhængende fare herfor er opstået.

#### Til stk. 3

Efter den foreslåede bestemmelse fører Naalakkersuisut tilsyn med, at pligterne opfyldes, og Naalakkersuisut kan meddele påbud om deres opfyldelse og foretagelse af foranstaltninger i

forbindelse hermed.

### *Til § 97*

Bestemmelsen regulerer muligheden for, at Naalakkersuisut kan meddele påbud i relation til reglerne om miljøskader, og er med visse sproglige ændringer en videreførelse af råstoflovens § 65.

Til stk. 1

Det foreslås, at Naalakkersuisut kan påbyde den ansvarlige at give oplysninger, som har betydning for vurderingen af, om der foreligger en miljøskade eller en overhængende fare for en miljøskade. Efter den foreslåede bestemmelse kan det blandt andet påbydes, at den ansvarlige for egen regning skal foretage undersøgelser, analyser, måling af stoffer eller materialer eller lignende med henblik på at klarlægge årsagen til og virkningen af en stedfunden forurening.

Naalakkersuisut kan meddele den ansvarlige påbud om for egen regning at give oplysninger, foretage undersøgelser med videre, som er nødvendige for bedømmelsen af, om der foreligger en miljøskade eller en overhængende fare herfor.

Til stk. 2

Det foreslås, at påbud kan meddeles, uanset om den ansvarlige ikke har rådighed over den ejendom eller det område, hvor der er påvist forurening. Efter den foreslåede bestemmelse kan der i påbuddet fastsættes en pligt til retablering af den forurenede ejendom eller det forurenede område med videre.

Efter forslaget i stk. 2 kan påbud også udstedes, selv om den ansvarlige ikke har rådighed over den ejendom, som er berørt af forureningen, og hvor eventuelle undersøgelser med videre skal gennemføres. Bestemmelsen er nødvendig, fordi det ikke altid er sådan, at den, der er ansvarlig for den aktivitet, der har medført forureningen, også har rådighed over den forurenede ejendom. I disse tilfælde skal der i påbuddet fastsættes pligt til retablering af ejendommen, efter undersøgelserne med videre er afsluttet.

Til stk. 3

Det foreslås, at Naalakkersuisut kan meddele den, der har rådighed over ejendommen eller området, påbud om at tåle, at den ansvarlige eller andre foretager undersøgelser eller retablering med videre, hvis den ansvarlige ikke har rådighed over ejendommen eller området.

Bestemmelserne i stk. 2 og 3 skal forstås med den begrænsning, at der ikke vil kunne meddeles påbud, hvor påbuddene vil udgøre en ekspropriation.

Til stk. 4

Det foreslås, at påbud efter stk. 3 er bindende for den, der til enhver tid har rådighed over den ejendom eller det område, hvor der er påvist forurening.

Der henvises til bemærkningerne til stk. 1-3.

#### *Til § 98*

Bestemmelsen regulerer afgørelser truffet af Naalakkersuisut efter reglerne om miljøskade og er i vidt omfang en videreførelse af råstoflovens § 66, idet råstoflovens § 66, stk. 3, efter forslaget videreføres som en særskilt bestemmelse.

Til stk. 1

Bestemmelsen giver Naalakkersuisut kompetence til at træffe afgørelse om eventuelle foranstaltninger med videre i de tilfælde, hvor en forurening indebærer en miljøskade eller en overhængende fare for en miljøskade.

Til stk. 2

Det foreslås, at Naalakkersuisut skal offentliggøre afgørelsen på Naalakkersuisuts hjemmeside eller på en anden passende måde. Efter den foreslåede bestemmelse sker offentliggørelse af en afgørelse om, at der foreligger en miljøskade eller en overhængende fare for en miljøskade, for den ansvarliges regning.

#### *Til § 99*

Det foreslås, at Naalakkersuisut bemyndiges til at fastsætte nærmere bestemmelser om miljøansvar. Med den foreslåede bemyndigelse kan Naalakkersuisut fastsætte nærmere bestemmelser, hvor dette viser sig hensigtsmæssigt for at sikre dette forslags effektivitet, når det er i overensstemmelse med dette forslags formål.

#### *Til § 100*

Bestemmelsen regulerer vurdering af virkning på miljøet (VVM) og redegørelse derfor (VVM-redegørelse) og er med visse ændringer en videreførelse af råstoflovens § 73.

Til stk. 1

Den foreslåede bestemmelse indebærer, at godkendelse af en VVM-pligtig aktivitet først kan meddeles, når der er foretaget en vurdering af virkningerne på miljøet ved udførelsen af aktiviteten. Det følger desuden af den foreslåede bestemmelse, at aktivitetens udførelse først må påbegyndes, når VVM-redegørelsen er godkendt af Naalakkersuisut. Ved tilføjelsen af henvisningen til kapitel 12 er det præciseret, at det er godkendelser efter forslaget kapitel 12, der ikke kan meddeles for VVM-pligtige aktiviteter, før reglerne om VVM er iagttaget.

I bestemmelsen er det direkte angivet, hvilke aktiviteter der er VVM-pligtige, da dette vurderes at være mere brugervenligt. De nævnte aktiviteter medfører således, at der skal udarbejdes en VVM-redegørelse, før Naalakkersuisut kan tage stilling til en godkendelse af planer og aktiviteter samt indstilling heraf efter forslaget kapitel 12.

Efter den foreslåede bestemmelse kan Naalakkersuisut ikke meddele godkendelse af en VVM-pligtig aktivitet, før der er gennemført en VVM-vurdering og udarbejdet en redegørelse herom.

Det foreslås i nr. 1, at lokale mineralaktiviteter ikke er VVM-pligtige efter dette forslag.

Til stk. 2

Det foreslås, at rettighedshavere kan søge om fritagelse for kravet om udarbejdelse af en miljøvurdering (VVM) og redegørelse derfor (VVM-redegørelse) forud for godkendelse af udnyttelse af mineraler. Dette kræver, at rettighedshaveren kan godtgøre, at udnyttelsen ikke vil have væsentlig indflydelse på miljøet.

Bestemmelsen forudsættes at have et relativt snævert anvendelsesområde, da det med forslaget påtænkes, at udnyttelse af mineraler som udgangspunkt fortsat skal være en VVM-pligtig aktivitet. Bestemmelsen påtænkes således primært anvendt i tilfælde, hvor der som følge af mere formelle årsager indtræder VVM-pligt, men hvor det kan godtgøres, at udnyttelsen ikke som følge af disse forhold vil have væsentlig påvirkning på miljøet.

Til stk. 3

Efter den foreslåede bestemmelse kan Naalakkersuisut, i tilfælde hvor eksempelvis en ændring eller udvidelse antages at kunne få en væsentlig indvirkning på miljøet, stille krav om, at der udarbejdes en vurdering af virkningerne på miljøet (VVM) med tilhørende redegørelse. Dette indebærer eksempelvis, at der kan stilles krav om udarbejdelse af en VVM med tilhørende redegørelse, når en aktivitet eller driften af et af de i stk. 1 nævnte anlæg ønskes indstillet midlertidigt, og den midlertidige indstilling må antages at få væsentlig

(skadelig) indvirkning på miljøet. Det samme gælder demontering (bortfjernelse) eller nedlukning af et af de i stk. 1 nævnte anlæg.

Formålet med VVM-reglerne er at vurdere aktivitetens miljømæssige påvirkning som en helhedsbetragtning i forhold til områdets miljømæssige bæreevne. Det betyder, at i øvrigt fuldstændig ens aktiviteter i visse sammenhænge kan være VVM-pligtige og i andre situationer ikke. Et af de forhold, der gør sig gældende, er omfanget af aktivitetens miljøpåvirkning – både hvad angår intensitet og geografisk udstrækning – sammenholdt med områdets andre aktiviteter og sårbarhed. En udvidelse af et eksisterende anlæg skal derfor ikke kun vurderes isoleret som et selvstændigt anlæg i relation til tålegrænser og vejledende grænseværdier. Anlægsprojektet skal vurderes i sammenhæng med miljøpåvirkningen fra allerede eksisterende anlæg. Dette kan betyde, at et anlægsprojekt, der isoleret set ikke vil påvirke miljøet væsentligt, alligevel kan være VVM-pligtigt. Dette vil klart være tilfældet, hvis det eksisterende anlæg allerede giver anledning til væsentlige miljøpåvirkninger.

I spørgsmålet om VVM-pligt indgår også anlæggets placering i forhold til det geografiske områdes sårbarhed. En aktivitet vil være VVM-pligtig, hvis den må forventes at være i konflikt med områdets arealanvendelse, naturressourcernes relative rigdom, kvaliteten og regenereringskapaciteten eller det naturlige miljøes bæreevne.

Hvis der kan opstå konflikt mellem en planlagt aktivitet og den nuværende arealanvendelse – ikke nødvendigvis blot for det pågældende område, men også i forhold til tilstødende områder, som kunne blive berørt direkte eller indirekte af en aktivitet – vil det som udgangspunkt give anledning til en væsentlig miljøpåvirkning og dermed VVM-pligt.

For naturparker gælder som oftest, at der i forbindelse med udpegningen eller etableringen findes en nærmere beskrivelse af sigtet med den pågældende naturpark. Endvidere vil der ofte blive gennemført en nærmere planlægning, der indeholder mål og beskyttelsesinteresser. Aktiviteter, der kan forhindre eller vanskeliggøre formålet med naturparken, må antages at kunne påvirke miljøet væsentligt og vil dermed være VVM-pligtige i medfør af de kriterier, som Naalakkersuisut agter at udstede efter stk. 7. Dette gælder, uanset om årsagen til påvirkningen af reservatet eller naturparken er en direkte følge af aktivitetens tilstedeværelse eller en følge af aktivitetens drift, herunder også mere indirekte påvirkninger som eksempelvis trafik til og fra aktiviteten eller nødvendig infrastruktur i tilknytning dertil.

Hvis aktiviteten forudsætter etablering eller udvidelse af rensningsanlæg til rensning af spildevandet, vil en væsentlig miljøpåvirkning ikke kunne udelukkes, og aktiviteten kan være VVM-pligtig. Indebærer aktiviteten, at der vil være behov for bortskaffelse af farligt affald, vil aktiviteten som udgangspunkt være VVM-pligtig, hvis bortskaffelsen og håndteringen af det farlige affald ikke kan finde sted gennem allerede godkendte eller lovligt eksisterende affaldsordninger, bortskaffelsesmetoder eller genanvendelsesmetoder. For det øvrige affald

gælder også, at dette kan føre til VVM-pligt, hvis bortskaffelsen ikke kan finde sted inden for rammerne af allerede godkendte eller lovligt eksisterende affaldsordninger, bortskaffelsesmetoder eller genanvendelsesmetoder.

En aktivitet kan give anledning til forurening og gener, for hvilke der er fastsat enten vejledende eller bindende normer eller grænseværdier. Det skal således allerede ved planlægning af aktiviteten sikres, at de vejledende normer og grænseværdier kan opfyldes.

Til stk. 4

Efter stk. 4 er det Naalakkersuisut, der afgør, hvornår der efter stk. 2 og 3 skal laves en VVM med tilhørende redegørelse. I de tilfælde, hvor en aktivitet ikke antages at få væsentlig indvirkning på miljøet, kan Naalakkersuisut bestemme, at der skal foretages en Vurdering af Forebyggende Tiltag (VFT) og udarbejdes en VFT-redegørelse herom efter stk. 5.

Det er hensigten, at Naalakkersuisut, hvor det er relevant, kan rette henvendelse til lokale eller centrale myndigheder, der har særlig indsigt i eksempelvis de lokale eller biologiske forhold i de relevante områder.

Til stk. 5

Ved den foreslåede bestemmelse præciseres det, at Naalakkersuisut i de tilfælde, hvor en aktivitet ikke antages at få væsentlig indvirkning på miljøet og derfor ikke er fundet VVM-pligtig efter stk. 2 og 3, kan bestemme, at der skal foretages en Vurdering af Forebyggende Tiltag (VFT) og udarbejdes en VFT-redegørelse herom.

Til stk. 6

Det foreslås som noget nyt, at Naalakkersuisut kan bestemme, at en aktivitet omfattet af forslaget skal miljøgodkendes.

Naalakkersuisut kan bestemme, at en aktivitet skal miljøgodkendes i tilfælde af, at aktiviteten er omfattet af forslaget, men hvor aktiviteten ikke kræver en miljøvurdering (VVM) eller vurdering af forebyggende tiltag (VFT).

Bestemmelsen forudsættes således anvendt på mineralaktiviteter af mindre karakter, der med sikkerhed ikke har væsentlig eller anden betydelig påvirkning på miljøet.

Med den foreslåede bestemmelse gives Naalakkersuisut en mulighed for at skabe åbenhed omkring miljøforholdene for også sådanne mindre aktiviteter.

Til stk. 7

Naalakkersuisut kan efter stk. 7 fastsætte nærmere bestemmelser om kriterierne, som skal tillægges vægt, når der skal træffes afgørelse efter stk. 4.

Det foreslås, at Naalakkersuisut også bemyndiges til at fastsætte nærmere bestemmelser om vurdering af forebyggende tiltag (VFT) og kriterierne for denne efter stk. 5.

Desuden bemyndiges Naalakkersuisut til at fastsætte nærmere bestemmelser om miljøgodkendelser efter stk. 6.

#### *Til § 101*

Bestemmelsen er med sproglige og redaktionelle ændringer i det væsentligste en videreførelse af råstoflovens § 74 og regulerer nærmere krav til ansøgeren, når der efter reglerne i § 100 kræves en godkendt VVM-redegørelse.

Redegørelsen med vurdering af virkninger på miljøet (VVM) er en vigtig redegørelse, som er en forudsætning for, at der kan meddeles godkendelse af et mineralprojekt. Redegørelsen skal belyse de forventelige miljømæssige konsekvenser af ansøgers eller rettighedshavers projektforslag. Endvidere skal redegørelsen reflektere berørte samfunds og borgeres bekymringer og indsigelser. Redegørelsen skal bidrage til, at ansøgers eller rettighedshavers projekt udvikles på en miljømæssig forsvarlig måde.

Til stk. 1

Efter den foreslåede bestemmelse er ansøgeren og – i det omfang der ikke måtte være sammenfald – den, der er ansvarlig for en VVM-pligtig aktivitet, forpligtet til at udarbejde og fremsende VVM-redegørelsen til Naalakkersuisut tillige med et ikke-teknisk resumé af redegørelsen. Omfang, form og indhold af det ikke-tekniske resumé kan reguleres nærmere i de retningslinjer, der er omtalt i stk. 3.

Til stk. 2

Bestemmelsen angiver, hvad VVM-redegørelsen skal indeholde.

En VVM-redegørelse skal bidrage til at sikre, at planlægningen og forvaltningen af aktiviteter omfattende af forslaget baseres på undersøgelser af de virkninger, som aktiviteter nationalt og lokalt kan have på det grønlandske miljø.

VVM-redegørelsen skal ikke blot omfatte de enkelte miljømæssige forhold, men også



redegøre for samspillet mellem forholdene, indbyrdes påvirkninger mellem forholdene og kumulerede virkninger af påvirkninger af forholdene. Det skyldes, at der tilsigtes en helhedsorienteret redegørelse for aktiviteternes miljømæssige virkninger.

Bestemmelsen suppleres af retningslinjer for udarbejdelse af VVM-redegørelse for mineraludnyttelse i Grønland, som indeholder nærmere kriterier med videre for udarbejdelse af VVM-redegørelser.

Til stk. 3

Det foreslås, at Naalakkersuisut kan bestemme, at yderligere materiale til miljøvurderingen skal tilvejebringes, eller at særlige forhold skal gøres til genstand for yderligere undersøgelser.

Til stk. 4

Efter den foreslåede bestemmelse kan Naalakkersuisut fastsætte nærmere bestemmelser om foretagelse af miljøvurderinger og udarbejdelse og godkendelse af VVM-redegørelser, herunder om det materiale, der skal tilvejebringes til brug for miljøvurderinger.

#### *Til § 102*

Bestemmelsen regulerer bekendtgørelse for offentligheden af en endelig VVM-redegørelse.

Til stk. 1

Efter den foreslåede bestemmelse skal Naalakkersuisut offentliggøre en meddelelse herom, når en VVM-redegørelse er indgivet til Naalakkersuisut. Bestemmelsen indebærer desuden, at der skal ske offentliggørelse på Naalakkersuisuts hjemmeside og på anden passende måde, eksempelvis i en landsdækkende avis eller gennem de elektroniske medier.

Til stk. 2

Bestemmelsen angiver, at et udkast til en VVM-redegørelse og oplysninger, dokumenter og data i forbindelse dermed, som indleveres til Naalakkersuisut, er fortrolige, indtil det indleverede offentliggøres på Naalakkersuisuts hjemmeside og på anden passende måde jf. stk. 1.

Det findes hensigtsmæssigt, at offentligheden ikke kan få kendskab til indholdet af et udkast til en VVM-redegørelse og oplysninger, dokumenter og data i forbindelse dermed, som forelægges Naalakkersuisut, inden den officielle indlevering til Naalakkersuisut.

Bestemmelsen skal dermed bidrage til at sikre, at rettighedshaveren får arbejdsro til at udarbejde og færdiggøre den endelige VVM-redegørelse.

Den endelige VVM-redegørelsen skal under alle omstændigheder i offentlig høring, og oplysninger, dokumenter og data i forbindelse dermed bør være omfattet af almindelig offentlighed efterfølgende.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut i fortrolighedsperioden kan offentliggøre generelle oplysninger om et fortroligt udkast til en VVM-redegørelse omfattet af § 102 og fortrolige oplysninger, dokumenter og data i forbindelse dermed, som er indleveret til Naalakkersuisut.

Efter bestemmelsen skal Naalakkersuisut inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, offentliggør Naalakkersuisut ikke disse oplysninger, hvis hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger.

Naalakkersuisuts interesse i at offentliggøre oplysninger af generel karakter kan eksempelvis være hensyn til befolkningens sikkerhed eller en lovbunden pligt til at offentliggøre visse oplysninger. Ved afgørelsen af, om generelle oplysninger efter bestemmelsen kan offentliggøres på trods af en indsigelse fra rettighedshaveren, kan der blandt andet tages hensyn til rettighedshaverens eventuelle kommercielle interesse i at holde oplysningerne fortrolige, om offentliggørelse af oplysningerne vil være i strid med regler på en børs, hvor rettighedshaveren er registreret, og om den enkelte rettighedshaver kan identificeres på trods af oplysningernes generelle karakter.

Til stk. 4

Det foreslås, at der uanset bestemmelserne i stk. 2 og 3 kan ske offentliggørelse af miljødata og miljørapporter, som myndighederne skønner, har almen samfundsmæssig interesse. Formålet hermed er at sikre muligheden for at efterleve principperne udtrykt i Aarhus-konventionen. Desuden er formålet, at der til enhver tid kan ske oplysning af borgerne om miljøforhold, der har almen samfundsmæssig interesse.

Til stk. 5

Bestemmelsen indeholder hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-4.

Det kan for eksempel også være bestemmelser eller vilkår om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om et fortroligt udkast til en VVM-redegørelse og oplysninger, dokumenter og data i forbindelse dermed.

### *Til § 103*

Til stk. 1

Bestemmelsen omhandler vurdering af samfundsmæssig bæredygtighed (VSB).

Bestemmelsen indebærer, at aktiviteter, der er omfattet af forslaget, og som må antages at kunne få væsentlig indvirkning på samfundsmæssige forhold, kun må udføres, hvis der er foretaget en vurdering af samfundsmæssig bæredygtighed (VSB), herunder en vurdering af virkningerne på samfundet ved udførelse af aktiviteterne, og Naalakkersuisut har godkendt en redegørelse derfor (VSB-redegørelse).

Aktiviteter, der vedrører etablering eller placering, drift og anvendelse af større anlæg eller bygninger med videre, som anvendes ved udførelse af aktiviteter omfattet af en tilladelse efter forslaget, herunder mineanlæg, større forarbejdningsanlæg, større bygninger, større energiproducerende anlæg, større og længere veje, større landingsbaner for fly, helikoptere eller andre luftfartøjer, større havneanlæg eller større offshoreanlæg, må som udgangspunkt antages at kunne få væsentlig indvirkning på samfundsmæssige forhold.

Bestemmelsen skal ses i sammenhæng med forslagets formålsbestemmelse i § 1, stk. 2, hvorefter der tilstræbes samfundsmæssig bæredygtighed i forbindelse med mineralaktiviteter. Kravet om samfundsmæssig bæredygtighed skal sikre, at aktiviteterne tilrettelægges på en sådan måde, at samfundsudviklingen kan ske på et bæredygtigt grundlag, og at der foretages de nødvendige foranstaltninger for at modvirke negative virkninger på samfundet, samtidigt med at positive udviklingsmuligheder afdækkes og søges udnyttet.

Efter bestemmelsen vil det ikke altid være nødvendigt at foretage en vurdering af den samfundsmæssige bæredygtighed (VSB) og udarbejde en redegørelse derfor (VSB-redegørelse) ved udførelse af udnyttelsesaktiviteter. Der kan således forekomme udnyttelsesaktiviteter, som ikke må antages at kunne få væsentlig indvirkning på samfundsmæssige forhold. Det kan særligt forekomme ved udnyttelsestilladelser, der meddeles på grundlag af småskalatilladelser.

Efter forslaget skal der generelt først foretages en vurdering af den samfundsmæssige bæredygtighed (VSB) ved udførelse af aktiviteter og udarbejdes en redegørelse derfor (VSB-redegørelse), når en rettighedshaver er blevet meddelt en tilladelse. Inden der meddeles en udnyttelsestilladelse, skal der dog foretages en forhøring. Se § 44 og bemærkningerne dertil.

Til stk. 2

Det følger af bestemmelsen, at det er Naalakkersuisut, der afgør, om et konkret tilfælde er omfattet af stk. 1. I det omfang Naalakkersuisut afgør, at et konkret tilfælde efter en tilladelse er omfattet af stk. 1, skal rettighedshaveren, der ansøger om meddelelse af en godkendelse, foretage en VSB, udarbejde en VSB-redegørelse og opnå Naalakkersuisuts godkendelse af VSB-redegørelsen.

Til stk. 3

Naalakkersuisut kan efter bestemmelsen fastsætte nærmere bestemmelser eller vilkår om kriterierne, der anvendes ved en afgørelse om, hvorvidt der i det enkelte tilfælde stilles krav om udarbejdelse af VSB og VSB-redegørelse samt godkendelse heraf.

#### *Til § 104*

Til stk. 1

Bestemmelsen medfører en forpligtelse for rettighedshaveren, der ansøger om meddelelse af en godkendelse, til at foretage en VSB, udarbejde en VSB-redegørelse og indlevere VSB-redegørelsen til Naalakkersuisut, når det kræves efter § 103.

Efter bestemmelsen skal rettighedshaveren også udarbejde en ikke-teknisk sammenfatning af VSB-redegørelsen og indlevere sammenfatningen til Naalakkersuisut.

Til stk. 2

Bestemmelsen angiver, hvad VSB-redegørelsen skal indeholde.

En VSB-redegørelse skal bidrage til at sikre, at planlægningen og forvaltningen af aktiviteter omfattet af forslaget baseres på undersøgelser af de virkninger, som aktiviteter nationalt og lokalt kan have på samfundet. En VSB-redegørelse skal indeholde en beskrivelse og vurdering af virkningerne på samfundslivet i de berørte lokalsamfund, herunder beskæftigelsesmuligheder, den sociale ligevægt og de sociale, kulturelle, religiøse og åndelige værdier og skikke. En VSB-redegørelse skal desuden indeholde en beskrivelse og vurdering af foranstaltninger til at sikre, at samfundsudviklingen kan ske på et bæredygtigt grundlag.

VSB-redegørelsen skal ikke blot omfatte de enkelte samfundsmæssige forhold, men også redegøre for samspejlet mellem forholdene, indbyrdes påvirkninger mellem forholdene og kumulerede virkninger af påvirkninger af forholdene. Det skyldes, at der tilsigtes en helhedsorienteret redegørelse for aktiviteterens samfundsmæssige virkninger.

En VSB-redegørelse bør indeholde følgende oplysninger:

En beskrivelse af aktiviteten eller det anlæg med videre, som aktiviteten vedrører, og en beskrivelse af væsentlige alternativer vedrørende aktiviteten eller anlægget, herunder de væsentligste alternativer, som rettighedshaveren har undersøgt, og virkningerne af, at aktiviteten ikke udføres, eller at anlægget ikke etableres og drives.

En oversigt over de væsentligste relevante alternative aktiviteter og alternative placeringer, som derudover eventuelt er blevet undersøgt eller nærmere overvejet af andre end rettighedshaveren, og som er kommet frem under den offentlige høring.

En beskrivelse af de væsentligste grunde til rettighedshaverens valg af alternativ under hensyn til virkningerne på samfundsmæssige forhold og af de væsentligste kriterier for valget.

En beskrivelse af de samfundsmæssige forhold før udførelse af aktiviteten eller etablering og drift af anlægget med henblik på en vurdering af forudsigelige ændringer af de samfundsmæssige forhold med en beskrivelse af anlæggets kortsigtede og langsigtede virkninger på samfundsmæssige forhold.

Beskrivelsen skal omfatte aktivitetens eller anlæggets direkte virkninger og aktivitetens eller anlæggets indirekte kortsigtede og langsigtede, positive og negative virkninger. Beskrivelsen skal indeholde en angivelse af de metoder, rettighedshaveren har anvendt til forudberegning af virkningerne på samfundsmæssige forhold.

Derudover bør en VSB-redegørelse beskrive de foranstaltninger, der påtænkes anvendt med henblik på at undgå, nedbringe og om muligt neutralisere væsentlige negative indvirkninger på samfundsmæssige forhold.

VSB-redegørelsen bør indeholde en oversigt over eventuelle vanskeligheder (tekniske mangler eller manglende viden), som er opstået i forbindelse med rettighedshaverens indsamling eller vurdering af de påkrævede oplysninger, og eventuelle mangler ved oplysningerne eller vurderingen af samfundspåvirkningerne. Derudover skal VSB-redegørelsen i relevant omfang tage stilling til de forhold, som offentligheden eller berørte myndigheder har tilkendegivet.

Til stk. 3

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at kræve, at oplysninger eller dokumenter, såsom baggrundsdata, til brug for en VSB skal tilvejebringes, eller at der skal foretages yderligere undersøgelser eller vurderinger af nærmere bestemte forhold.

Til stk. 4

Bestemmelsen indeholder hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om processen vedrørende udarbejdelse af en VSB-redegørelse.

Det kan for eksempel være bestemmelser eller vilkår om VSB-redegørelsens indhold, form og løbende opdatering på grund af ændringer i samfundet eller andre relevante forhold.

#### *Til § 105*

Til stk. 1.

Bestemmelsen indeholder en pligt for Naalakkersuisut til at offentliggøre en meddelelse derom, når en endelig VSB-redegørelse er indgivet til Naalakkersuisut.

Bestemmelsen indebærer, at der skal ske offentliggørelse på Naalakkersuisuts hjemmeside og på anden passende måde. Det kan for eksempel være i en landsdækkende grønlandsk avis.

Bestemmelsen skal medvirke til at sikre offentlighedens inddragelse og mulighed for at kunne fremkomme med tilkendegivelser.

Til stk. 2

Bestemmelsen angiver, at et udkast til en VSB-redegørelse og oplysninger, dokumenter og data i forbindelse dermed, som indleveres til Naalakkersuisut, er fortrolige, indtil det indleverede offentliggøres på Naalakkersuisuts hjemmeside og på anden passende måde jf. stk. 1.

Det findes hensigtsmæssigt, at offentligheden ikke kan få kendskab til indholdet af et udkast til en VSB-redegørelse og oplysninger, dokumenter og data i forbindelse dermed, som forelægges Naalakkersuisut inden den officielle indlevering til Naalakkersuisut.

Bestemmelsen skal dermed bidrage til at sikre, at rettighedshaveren får arbejdsro til at udarbejde og færdiggøre den endelige VSB-redegørelse.

Den endelige VSB-redegørelsen skal under alle omstændigheder i offentlig høring, og oplysninger, dokumenter og data i forbindelse dermed bør være omfattet af almindelig offentlighed efterfølgende.

Til stk. 3

Bestemmelsen angiver, at Naalakkersuisut i fortrolighedsperioden kan offentliggøre generelle oplysninger om et fortroligt udkast til en VSB-redegørelse omfattet af § 104 og fortrolige oplysninger, dokumenter og data i forbindelse dermed, som er indleveret til Naalakkersuisut.

Efter bestemmelsen skal Naalakkersuisut inden en offentliggørelse af sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, offentliggør Naalakkersuisut ikke disse oplysninger, hvis hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger.

Naalakkersuisuts interesse i at offentliggøre oplysninger af generel karakter kan eksempelvis være hensyn til befolkningens sikkerhed, en lovbunden pligt til at offentliggøre visse oplysninger eller i forbindelse med markedsføring af Grønlands geologi. Ved afgørelsen af, om generelle oplysninger efter bestemmelsen kan offentliggøres på trods af en indsigelse fra rettighedshaveren, kan der blandt andet tages hensyn til rettighedshaverens eventuelle kommercielle interesse i at holde oplysningerne fortrolige, om offentliggørelse af oplysningerne vil være i strid med regler på en børs, hvor rettighedshaveren er registreret og om den enkelte rettighedshaver kan identificeres på trods af oplysningernes generelle karakter.

Til stk. 4

Bestemmelsen indeholder hjemmel for Naalakkersuisut til at fastsætte nærmere bestemmelser og vilkår om forholdene nævnt i stk. 1-3.

Det kan for eksempel også være bestemmelser eller vilkår om Naalakkersuisuts mulighed for offentliggørelse af generelle oplysninger om et fortroligt udkast til en VSB-redegørelse og oplysninger, dokumenter og data i forbindelse dermed.

*Til § 106*

Til stk. 1

Anmeldelse af aktiviteter til Naalakkersuisut sker ved at indsende et idéoplæg til Naalakkersuisut. Såfremt Naalakkersuisut på grundlag af idéoplægget vurderer, at den påtænkte aktivitet må antages at kunne få væsentlig indvirkning på miljøet, jf. § 100, eller på samfundsmæssige forhold, jf. § 103, skal der udarbejdes en projektbeskrivelse, som Naalakkersuisut sender i offentlig forhøring jf. stk. 2.

Til stk. 2

Bestemmelsen fastslår, at projektbeskrivelsen efter stk. 1 skal sendes i offentlig forhøring i 35 dage, inden indholdet for vurdering af virkninger på miljøet (VVM) og/eller samfundsmæssig bæredygtighed (VSB) fastlægges.

Forhøring er offentlighedens første mulighed for at få indsigt i og kunne fremføre forslag og bekymringer i forhold til en ansøgers eller rettighedshavers planer for udvikling af det præsenterede forslag til en aktivitet. Høringssvar fra forhøring er vigtige for at sikre, at offentligheden på et tidligt tidspunkt kan bidrage til aktivitetens udformning, således at indsigelser eller bemærkninger til projektbeskrivelsen kan få indvirkning på den videre planlægning af aktiviteten.

Bestemmelsen angiver også, at hvis der skal foretages offentlig forhøring for både en redegørelse om vurdering af virkninger på miljøet (VVM-redegørelse) og en redegørelse om samfundsmæssig bæredygtighed (VSB) vedrørende de samme aktiviteter omfattet af bestemmelsen, skal forhøringerne foretages samlet. Dette gælder også i tilfælde, hvor der alene er et delvist sammenfald mellem de aktiviteter, der må antages at kunne få væsentlig indvirkning på samfundsmæssige forhold, og de aktiviteter, der må antages at kunne få væsentlig indvirkning på miljømæssige forhold.

Til stk. 3

Bestemmelsen fastslår, at Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår om indholdet af projektbeskrivelsen.

Det kan for eksempel være bestemmelser eller vilkår om, hvilke forhold projektbeskrivelsen nærmere skal beskrive, herunder blandt andet hvordan rettighedshaveren eller ansøgeren forventes at tage hensyn til eller forsøge at mindske de væsentlige virkninger, som mineralaktiviteter forventes at få på miljømæssige og/eller samfundsmæssige forhold.

*Til § 107*

Til stk. 1



Efter bestemmelsen sender Naalakkersuisut en redegørelse om vurdering af virkninger på miljøet (VVM) og/eller en redegørelse om vurdering af samfundsmæssig bæredygtighed (VSB) i offentlig høring.

Redegørelsen skal belyse de forventede miljømæssige og samfundsmæssige konsekvenser af en rettighedshavers mineralprojektforslag.

Derudover skal redegørelsen reflektere de berørte borgere og lokalsamfunds eventuelle bekymringer og indsigelser, som er fremkommet ved den offentlige høring af projektbeskrivelsen.

VVM- og VSB-redegørelsen skal bidrage til at sikre, at en rettighedshavers mineralprojekt udvikles på en miljømæssigt og samfundsmæssigt forsvarlig og ønskelig måde.

Det følger også af bestemmelsen, at hvis der skal foretages offentlig høring for både en redegørelse om vurdering af virkninger på miljøet (VVM-redegørelse) og en redegørelse om samfundsmæssig bæredygtighed (VSB-redegørelse) vedrørende de samme aktiviteter omfattet af bestemmelsen, skal høringerne foretages samlet. Dette gælder også i tilfælde, hvor der alene er et delvist sammenfald mellem de aktiviteter, der må antages at kunne få væsentlig indvirkning på samfundsmæssige forhold, og de aktiviteter, der må antages at kunne få væsentlig indvirkning på miljømæssige forhold.

Til stk. 2

Høringsperiodens varighed på 8 uger er sædvanlig for høringsperioder i Danmark, herunder også ved meget store projekter. Efter bestemmelsen forlænges fristen, hvis den udløber på en dag, som ikke er en arbejdsdag. Hvis høringsperioden udløber på en lørdag, søndag eller helligdag, forlænges høringsperioden til den følgende hverdag.

Ved høringsmateriale forstås en elektronisk version af VSB-redegørelsen, et ikke-tekniske resumé af VSB-redegørelsen, samt bilag på grønlandsk og dansk og evt. engelsk. Først når alle versioner på alle sprog er afleveret, og myndighederne har bekræftet, at formalia er overholdt, når teksten er korrekt, og redegørelsen i øvrigt følger de kriterier, som fremgår af vejledninger og relaterede love, kan VSB-redegørelsen sendes i offentlig høring. Den endelige VSB-redegørelse og det ikke-tekniske resumé samt alle bilag skal indleveres til Naalakkersuisut på grønlandsk, dansk og evt. engelsk. Resuméerne skal både indgå som en del af VSB-redegørelsen og som separate dokumenter. Høringsperioden vil derfor først kunne begynde, når materialet er fremsendt og godkendt på de angivne sprog.

Andet relevant baggrundsmateriale til VSB-redegørelsen gøres tilgængeligt på selskabets hjemmeside, fra og med den dag høringen igangsættes, således at alt høringsmateriale er

offentligt tilgængeligt.

Høringsmaterialet anses for at være offentligt tilgængeligt, når det fremgår af Naalakkersuisuts internetside.

Til stk. 3

Bestemmelsen skal sikre en nødvendig fleksibilitet til at forlænge høringsperioden. Den omstændighed, at høringsmøderne ikke kan gennemføres på en hensigtsmæssig måde, kan skyldes flere forhold. Det kan for eksempel være nødvendigt i forbindelse med samlinger i Inatsisartut, herunder hvor en Naalakkersuisoq ikke kan være bortrejst på grund af en samling i Inatsisartut. Det kan for eksempel også skyldes manglende tolke eller lokaler til at afholde høringsmøderne.

#### *Til § 108*

Bestemmelsen skal sikre et stort omfang af borgerinddragelse i de områder, der særligt berøres af mineralaktiviteterne. Der vil ofte være tale om byer og bygder, som er beliggende nærmest i forhold til aktiviteterne. Der kan også være tale om byer eller bygder, som ikke er de nærmeste i forhold til aktiviteterne, hvis de for eksempel har nogle faciliteter, som projektselskabet ønsker at benytte i forbindelse med mineralaktiviteterne, og at mineralaktiviteten derfor får indvirkning på byen eller bygden.

Uanset hvor mineralaktiviteten finder sted, skal offentligheden inddrages. Derfor vil Naalakkersuisut kunne træffe afgørelse om, hvor der skal afholdes borgermøder, hvis aktiviteterne geografisk er langt fra byer og bygder eller uden for den kommunale inddeling.

#### *Til § 109*

Til stk. 1

Bestemmelsen skal give borgere mulighed for at planlægge deres deltagelse i borgermøderne og give borgere tid til at sætte sig ind i det materiale, der skal drøftes på borgermøderne. Høringsmøderne vil blive afholdt i selve høringsperioden, jf. § 107, således at borgerne fortsat har mulighed for at indsende høringsvar.

Til stk. 2

Bestemmelsen skal bidrage til at sikre, at så mange borgere som muligt får besked om, at der afholdes borgermøder. Det vil være en konkret vurdering, hvilke andre medier der er relevante, som blandt andet vil afhænge af, hvor borgermøderne afholdes.

Til stk. 3

Bestemmelsen skal gøre det muligt for borgere, der ikke havde mulighed for at deltage i høringsmøderne, at gøre sig bekendte med indholdet af og drøftelserne på møderne.

Til stk. 4

Bestemmelsen giver mulighed for, at deltagerne ved mødet får taletid med videre på høringsmøderne, således at de kan give udtryk for deres holdninger og eventuelle bekymringer og forventninger i forbindelse med et mineralprojekt.

Til stk. 5

Formålet med udpegelsen af en person til at lede høringsmøderne er blandt andet at imødekomme et ønske om åbenhed og transparens ved gennemførelsen af høringsmøderne.

#### *Til § 110*

Til stk. 1

Bestemmelsen omhandler rettighedshaveres pligt til i visse tilfælde, efter Naalakkersuisuts bestemmelse, at indgå aftaler om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold.

Det skal afgøres ud fra en væsentlighedsvurdering af projektets virkninger på den samfundsmæssige bæredygtighed, om en rettighedshaver skal forpligtes til at indgå og opfylde en aftale om samfundsmæssig bæredygtighed og andre socioøkonomiske forhold (en IBA-aftale).

IBA er en forkortelse for den type af aftaler, der på engelsk kaldes ”Impact Benefit Agreement”.

Rettighedshaveren skal i en IBA-aftale forpligte sig til at foretage foranstaltninger med henblik på at sikre samfundsmæssig bæredygtighed.

En IBA-aftale indgås mellem rettighedshaveren og Naalakkersuisut sammen med eventuelt 1 eller flere kommuner, jf. stk. 2 og 3. Rettighedshaveren skal i en IBA-aftale forpligte sig til at foretage foranstaltninger med henblik på at sikre samfundsmæssig bæredygtighed.

Grønland stræber mod at gøre mineralindustrien til en af landets vigtigste erhvervssektorer.

For at dette kan blive muligt, må udviklingen af mineralsektoren ske i samarbejde med befolkningen i Grønland.

Det er afgørende, at de negative virkninger af et mineralprojekt mindskes mest muligt og erstattes med positive virkninger. Det kan blandt andet ske ved at forpligte rettighedshavere til at foretage foranstaltninger med henblik på at sikre den samfundsmæssige bæredygtighed, herunder gennem inddragelse af lokal arbejdskraft, etablering af ordninger for overførsel og opbygning af ny viden inden for mineralområdet, og sikring af de sociokulturelle værdier og traditioner i Grønland, herunder befolkningens sociale, kulturelle, religiøse og åndelige værdier og skikke.

Til stk. 2

En IBA-aftale indgås mellem Naalakkersuisut og rettighedshaveren, men kan også indgås mellem Naalakkersuisut, rettighedshaveren og 1 eller flere kommuner, jf. stk. 3.

Til stk. 3

Bestemmelsen angiver, at IBA-aftalen også indgås med en kommune, hvis tilladelsens tilladelsesområde er i kommunens område. IBA-aftalen indgås således mellem rettighedshaveren og Naalakkersuisut og en kommune, hvis tilladelsens tilladelsesområde er i kommunens område.

Til stk. 4

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser eller vilkår om, at rettighedshaveren skal indgå en IBA-aftale med Naalakkersuisut og 1 eller flere kommuner, der er nærtliggende i forhold til tilladelsens tilladelsesområde, i tilfælde hvor tilladelsesområdet ikke er placeret i en kommunes område.

Efter bestemmelsen kan Naalakkersuisut dog også træffe afgørelse om, at IBA-aftalen ikke også skal indgås med en kommune, hvis krav vedrørende aftalens forhandling, indgåelse eller indhold efter Naalakkersuisuts vurdering ikke er i overensstemmelse med § 111 eller bestemmelser eller vilkår fastsat af Naalakkersuisut efter § 112. Det vil for eksempel være relevant at træffe afgørelse derom, hvis en kommunes krav til rettighedshaverens foranstaltninger med videre må anses for at være for byrdefulde i forhold til mineprojektets virkninger på den samfundsmæssige bæredygtighed.

*Til § 111*

Til stk. 1

Bestemmelsen omhandler IBA-aftalens indhold.

Bestemmelsen skal fortolkes og anvendes i overensstemmelse med §§ 1, 110 og 112. Se de nævnte bestemmelser og bemærkningerne dertil.

Det indebærer blandt andet, at de foranstaltninger, som rettighedshaveren forpligter sig til at foretage efter IBA-aftalen, skal være forsvarlige og hensigtsmæssige med hensyn til samfundsmæssig bæredygtighed og bidrage til at sikre, at aktiviteter omfattet af forslaget medfører økonomiske og andre samfundsmæssige positive virkninger for Grønlands Selvstyre og samfundet.

IBA-aftalen skal desuden forhandles, indgås og have et indhold i overensstemmelse med § 110. Indholdet efter § 110 afhænger blandt andet af tilladelsens type, og om tilladelsesområdet er placeret i en kommunes område. Se bestemmelsen og bemærkningerne dertil.

Til stk. 2

Det følger af bestemmelsen, at det er et krav til en IBA-aftale efter § 110, at aftalen indeholder vilkår om rettighedshaverens anvendelse af lokale arbejdstagere og leverandører og om uddannelse og videreuddannelse af lokal arbejdskraft.

Formålet med bestemmelsen er at bidrage til at sikre økonomiske og andre samfundsmæssige positive virkninger for Grønlands Selvstyre og samfundet gennem anvendelse af lokale arbejdstagere og lokale leverandører af varer og tjenesteydelser og uddannelse og videreuddannelse af lokal arbejdskraft.

Det skal bidrage til at sikre, at lokale personer og virksomheder i størst muligt omfang anvendes som arbejdstagere og leverandører i forbindelse med udførelse af aktiviteter efter tilladelser meddelt efter forslaget.

Til stk. 3

Det følger af bestemmelsen, at en aftale efter forslaget § 110 kan indeholde vilkår om, hvorvidt en tvist vedrørende en aftale skal indbringes for og afgøres af en domstol eller en voldgiftsret. I det omfang der for eksempel er fastsat sådanne vilkår i en udnyttelsestilladelse, jf. § 56, skal vilkårene i IBA-aftalen svare til disse.

Hvis aftalen dog også er indgået med en eller flere kommuner, jf. § 110, stk. 4, skal vilkårene fra tilladelsen ændres i aftalen, så de er tilpasset det forhold, at kommunen eller kommunerne

også er parter i aftalen og dermed også vil være parter i en tvist vedrørende aftalen.

#### *Til § 112*

Formålet med bestemmelsen er at sikre, at Naalakkersuisut har hjemmel til at fastsætte bestemmelser og vilkår om alle relevante forhold vedrørende en IBA-aftale.

Naalakkersuisut kan fastsætte bestemmelser og vilkår efter § 112 som bestemmelser i en bekendtgørelse eller som vilkår i eller standardvilkår for tilladelser eller godkendelser, jf. § 16. Se den nævnte bestemmelse og bemærkninger dertil.

#### *Til § 113*

Til stk. 1

Bestemmelsen er i vidt omfang baseret på det såkaldte ALARP-princip. ALARP er en forkortelse for det princip, der på engelsk kaldes ”As Low As Reasonably Practicable”.

ALARP-princippet medfører generelt, at risici skal nedbringes så meget, som det er rimeligt praktisk muligt. ALARP-princippet er et internationalt anerkendt og anvendt princip i offshorebranchen. Det anvendes generelt af myndighederne i lande med offshoreaktiviteter, hvor sikkerhed og sundhed offshore har en høj prioritet. Princippet benyttes også i andre sammenhænge, hvor risikovurdering og risikoreduktion udgør et væsentligt forhold. På samme måde er det hensigtsmæssigt, at dette forslag også omfatter og anvender ALARP-princippet.

Efter bestemmelsen medfører kravet om, at rettighedshaveren skal nedbringe risiciene efter ALARP-princippet, at alle krav, anvisninger og grænseværdier fastsat i forslaget eller anden lovgivning og bestemmelser fastsat efter forslaget eller anden lovgivning skal overholdes. Rettighedshaveren skal desuden vurdere, om de sikkerhedsmæssige og sundhedsmæssige risici kan fjernes helt, eller om de kan nedbringes yderligere. Det gælder, uanset om der ikke er fastsat konkrete krav, anvisninger eller grænseværdier i forslaget eller anden lovgivning, eller bestemmelser fastsat efter forslaget eller anden lovgivning.

Efter bestemmelsen forpligtes rettighedshaveren til at sikre, at de sikkerhedsmæssige og sundhedsmæssige risici nedbringes så meget, som det til enhver tid er rimeligt praktisk muligt i overensstemmelse med den tekniske og samfundsmæssige udvikling.

Bestemmelsen skal desuden anvendes og fortolkes i overensstemmelse med bestemmelsen i forslagets § 1, stk. 2. Det følger af denne bestemmelse, at aktiviteter omfattende af tilladelser efter dette forslag skal udføres i overensstemmelse med, hvad der under tilsvarende forhold er

anerkendt som god international praksis på området.

Til stk. 2

Bestemmelsen fastslår, at rettighedshaveren efter en tilladelse er forpligtet til at sikre, at driften af et offshoreanlæg foregår i overensstemmelse med forslaget, anden lovgivning, bestemmelser fastsat efter forslaget og anden lovgivning og bestemmelser og vilkår fastsat for tilladelsen, og at der føres tilsyn dermed.

Til stk. 3

Bestemmelsen fastslår, at rettighedshaveren er forpligtet til at sikre, at det er muligt for aftaleparter, der udfører aktiviteter på et offshoreanlæg, at leve op til de sikkerhedsmæssige krav, og at disse aftaleparter også lever op til disse sikkerhedsmæssige krav.

#### *Til § 114*

Til stk. 1

Naalakkersuisuts bemyndigelse efter denne bestemmelse sikrer, at Naalakkersuisut i overensstemmelse med forslagets formål efter § 1 og andre bestemmelser, kan fastsætte bestemmelser og vilkår vedrørende sikkerhed og sundhed i forbindelse med offshoreanlæg, der stemmer overens med gældende international og anerkendt praksis på området og i takt med at praksis udvikler sig.

Naalakkersuisut kan blandt andet fastsætte bestemmelser og vilkår om rettighedshaverens ansvar og forpligtelser, og ansvar og forpligtelser for andre virksomheder og personer, der udfører aktiviteter under tilladelsen, rettighedshaverens udarbejdelse og indlevering af rapporter om sikkerhed og sundhed til Naalakkersuisut, styring af sikkerhed og sundhed og sikkerheds- og beskyttelseszoner.

Naalakkersuisut kan endvidere blandt andet fastsætte bestemmelser og vilkår vedrørende sikkerhed og sundhed i forhold til konstruktion, etablering, placering, drift, anvendelse, demontering og fjernelse af offshoreanlægget. Og offshoreanlæggets udstyr og godkendelser med videre, tilsyn, beredskab, redningsforanstaltninger, uddannelseskraft og arbejdstid.

#### *Til § 115*

Til stk. 1

Bestemmelsen angiver, at et offshoreanlæg generelt er omgivet af en sikkerhedszone, når det

ikke er under forsejling eller bugsering.

Udstrækningen på sikkerhedszonen er fastsat i stk. 3. Se bemærkningerne til stk. 3 nedenfor.

Til stk. 2

Bestemmelsen gælder for offshoreanlæg, der ikke er under forsejling eller bugsering, og som efter en konkret vurdering vurderes ikke at være umiddelbart synlige på havoverfladen for andre offshoreanlæg eller fartøjer med videre. Sådanne offshoreanlæg skal afmærkes med bøjle eller anden let synlig afmærkning, som er godkendt af Naalakkersuisut.

Til stk. 3

Den foreslåede bestemmelse angiver udstrækningen af sikkerhedszonerne fastsat i stk. 1.

Naalakkersuisut kan træffe afgørelse om fravigelse af denne fastsatte udstrækning af en sikkerhedszone efter forslaget § 116, stk. 1. Se den nævnte bestemmelse og bemærkningerne dertil.

Til stk. 4

Det følger af bestemmelsen, at positionen for et offshoreanlæg, der er omgivet af en sikkerhedszone, jf. stk. 1, skal offentliggøres i Efterretninger for Søfarende (EfS) eller på anden måde bestemt af Naalakkersuisut.

Søfartsstyrelsen i Danmark skal underrettes om positionen for et offshoreanlæg, således at der kan bringes meddelelse herom i Efterretninger for Søfarende.

Det følger desuden af bestemmelsen, at offentliggørelsen i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut foretages af rettighedshaveren, medmindre andet bestemmes af Naalakkersuisut.

#### *Til § 116*

Til stk. 1

Det følger af bestemmelsen, at Naalakkersuisut kan træffe afgørelse om fravigelse af den i § 115, stk. 3, fastsatte udstrækning af en sikkerhedszone.

Det følger af havretskonventionens artikel 60, stk. 5, at kyststaten skal fastsætte bredden af sikkerhedszonerne under hensyn til gældende internationale normer. Disse zoner skal



udformes på en sådan måde, at de har en rimelig forbindelse med offshoreanlæggets art og funktion. Bredden af sikkerhedszonerne rundt om dem må ikke overstige 500 meter, beregnet fra noget punkt på deres ydre kant, undtagen hvor dette er tilladt ifølge almindeligt anerkendte internationale normer eller anbefalet af den kompetente internationale organisation.

Det følger også i overensstemmelse dermed af bestemmelsen, at Naalakkersuisut kan træffe afgørelse om, at en fravigelse kan udvide eller indskrænke en sikkerhedszone og kan fastsættes for en bestemt periode.

En fravigelse offentliggøres i Efterretninger for Søfarende (EfS) eller på anden måde bestemt af Naalakkersuisut. Offentliggørelsen i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut foretages af rettighedshaveren, medmindre andet bestemmes af Naalakkersuisut.

Bestemmelsen skal anvendes i overensstemmelse med havretskonventionens artikel 60, stk. 5.

Til stk. 2

Bestemmelsen bemyndiger i overensstemmelse med havretskonventionens artikel 60, stk. 5, Naalakkersuisut til at udvide eksisterende sikkerhedszoner eller oprette nye zoner i faresituationer eller ulykkessituationer, hvis sådanne situationer medfører risiko for personskade, tab af menneskeliv, alvorlig forurening, stor materiel skade eller en væsentlig hindring af aktiviteter på et offshoreanlæg, og i det omfang det anses for nødvendigt for at forebygge, hindre eller begrænse de nævnte skadevirkninger.

Bestemmelsen skal anvendes i overensstemmelse med havretskonventionens artikel 60, stk. 5.

#### *Til § 117*

Til stk. 1

Kravene efter bestemmelsen vedrørende sikkerhedszoner, jf. § 115, har generelt til formål at mindske risici for kollision mellem skibe, pramme og andre søfartøjer med videre og offshoreanlæg, og at fangstredskaber med videre ikke kommer i kontakt med undersøiske indretninger.

Et lovligt formål efter bestemmelsen kan for eksempel være, hvor rettighedshaveren eller tilsynsmyndighederne har meddelt en godkendelse til, at en part kommer ind i sikkerhedszone ved et offshoreanlæg.

Et lovligt formål kan desuden for eksempel være, at myndighederne sejler ind i

sikkerhedszone ved et offshoreanlæg i forbindelse med en inspektion eller tests eller for at udføre miljøforanstaltninger i forbindelse med en miljøforurening.

Et lovligt formål kan for eksempel også være, at en part sejler ind i sikkerhedszone på grund af havsnød.

Til stk. 2

Det følger af bestemmelsen, at Naalakkersuisut kun i visse tilfælde, når særlige forhold taler derfor, kan træffe afgørelser om undtagelse fra forbuddet i stk. 1.

Naalakkersuisut kan fastsætte nærmere bestemmelser og vilkår vedrørende undtagelse fra forbuddet i stk. 1, herunder med hensyn til fiskeri og fangst. Disse bestemmelser og vilkår kan blandt andet vedrøre, i hvilke tidsrum og perioder der må foretages fiskeri og fangst inde i en sikkerhedszone, og hvilke redskaber der må anvendes i forbindelse med fiskeriet og fangsten inde i sikkerhedszonen.

#### *Til § 118*

Til stk. 1

Bestemmelsen fastsætter en generel og overordnet regel for udførelse af aktiviteter efter forslaget. Udførelse af aktiviteterne skal foregå på en ordentlig måde og i overensstemmelse med anerkendt, god international praksis under tilsvarende forhold. Begrebet god international praksis er et dynamisk begreb, og ved fastlæggelsen deraf skal der tages højde for den udvikling, der sker internationalt inden for områderne sikkerhed, sundhed og miljø.

Fastlæggelse af god international praksis vil som hidtil kunne ske med støtte i almindeligt anerkendte internationale principper, herunder for eksempel ALARP og BAT.

ALARP er en forkortelse for det princip, der på engelsk kaldes ”As Low As Reasonably Practicable”. Se nærmere om ALARP i bemærkningerne til forslagets § 113.

BAT er en forkortelse for det princip, der på engelsk kaldes ”Best Available Techniques”.

Mineralområdet er generelt underlagt en dynamisk udvikling. Derfor vil en nærmere udspecificering af gældende standarder alene vise et øjebliksbillede og vil hurtigt være uden relevans.

Til stk. 2

Udførelse af aktiviteterne efter forslaget skal være hensigtsmæssig og forsvarlig med hensyn til sikkerhedsmæssige, miljømæssige og ressourcemæssige forhold og samfundsmæssig bæredygtighed. Det er de samme overordnede principper, der vil være centrale i myndighedsbehandlingen. Bestemmelsen inddrager hensynene i forslagets formålsbestemmelser. Se forslagets § 1 og bemærkningerne dertil.

Sikkerhed og sundhed omfatter blandt andet den fysiske sikkerhed, ansattes sikkerhed og sundhed i forbindelse med arbejdet med aktiviteterne ved udførelse af mineralaktiviteter, undergrundsaktiviteter eller tilknyttede energiaktiviteter i Grønland.

Forslagets sundhedsbegreb skal i øvrigt fortolkes bredt og dækker både sundhed i forhold til arbejdsmiljø i forbindelse med den enkelte aktivitet og den grønlandske befolknings sundhed generelt (folkesundheden). Efter bestemmelsen skal mineralaktiviteterne tilrettelægges på en sådan måde, at hensynet til sundhed inddrages.

Miljø omfatter almindelige miljøhensyn af betydning for mennesker, dyr, planter og natur.

Ved forsvarlig ressourceudnyttelse forstås blandt andet, at mineralaktiviteterne skal ske uden unødigt spild af ressourcer og under hensyntagen til samfundets interesser på kort og længere sigt. De omfatter blandt andet samfundets interesser i udførelse af mineralaktiviteter og udnyttelse af mineraler, aktivitetsskabelse og opbygning af erfaringer og kompetencer for lokale arbejdstagere og leverandører af varer og tjenesteydelser og indtægtsskabelse for Naalakkersuisut og lokale arbejdstagere og leverandører af varer og tjenesteydelser.

En ressourcemæssig forsvarlig udnyttelse indebærer blandt andet, at spild af mineraler så vidt muligt skal undgås, og at udnyttelsen udføres i overensstemmelse med god international praksis for at opnå den størst mulige udnyttelse af den pågældende mineralressource.

#### *Til § 119*

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår eller træffe afgørelser med henblik på at gennemføre eller anvende internationale aftaler eller regler, som er indgået af Grønlands Selvstyre eller af Danmark på vegne af Grønlands Selvstyre, om forhold, der er omfattet af forslaget, i Grønland.

Bestemmelsen skal blandt andet bidrage til at sikre, at Naalakkersuisut har hjemmel til at fastsætte regler om opfyldelse af internationale konventioner, der vedrører forhold omfattet af dette forslag.

#### *Til § 120*

Til stk. 1

Bestemmelsen fastslår, at aktiviteter omfattet af tilladelser og dermed forbundne aktiviteter efter dette forslag ikke må udføres, medmindre Naalakkersuisut forinden har godkendt disse. Efter bestemmelsen skal der blandt andet foreligge en forudgående godkendelse inden etablering af bygninger, anlæg og installationer og aktiviteter og foranstaltninger til opfyldelse af forpligtelser ved ophør af virksomheden og aktiviteter omfattet af tilladelser efter forslaget. Det forudsættes herved, at rettighedshaveren udarbejder en plan til Naalakkersuisuts godkendelse for de planlagte aktiviteter.

Det følger dog af bestemmelsen, at Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at bestemte aktiviteter efter en tilladelse ikke skal godkendes. Naalakkersuisut kan for eksempel fastsætte vilkår derom i standardvilkår eller i en bekendtgørelse. I de gældende standardvilkår for forundersøgelsestilladelser og efterforskningstilladelser findes der vilkår om, at visse mindre aktiviteter efter en forundersøgelsestilladelse og en efterforskningstilladelse kan udføres uden særskilt godkendelse. Denne retstilstand kan efter bestemmelsen videreføres.

Bestemmelsen medfører, at de forskellige aktiviteter efter tilladelser som udgangspunkt skal godkendes, inden de iværksættes. Bestemmelsen omfatter alle aktiviteter omfattet af en tilladelse, både i og uden for det område, der i tilladelsen afgrænser den mineralressource, der efterforskes eller udnyttes.

Ved godkendelser efter bestemmelsen kan der fastsættes en række vilkår for aktiviteterne udførelse jf. § 121, herunder vedrørende tekniske, sikkerhedsmæssige, sundhedsmæssige, miljømæssige, ressourcemæssige og samfundsmæssige forhold. Derudover kan Naalakkersuisut fastsætte vilkår om for eksempel godkendelsens varighed, rettighedshaverens rapportering om bestemte forhold og monitorering (overvågning).

Til stk. 2.

Bestemmelsen angiver, at Naalakkersuisut skal godkende alle foranstaltninger i forbindelse med en midlertidig indstilling af udnyttelsesaktiviteter.

Ved godkendelser efter bestemmelsen kan der fastsættes en række vilkår for aktiviteterne udførelse jf. § 121, herunder vedrørende tekniske, sikkerhedsmæssige, sundhedsmæssige, miljømæssige, ressourcemæssige og samfundsmæssige forhold. Derudover kan Naalakkersuisut fastsætte vilkår om for eksempel godkendelsens varighed, rettighedshaverens rapportering om bestemte forhold og monitorering (overvågning).

Til stk. 3

Efter bestemmelsen skal større eller væsentlige aktiviteter, der udføres i forbindelse med udførelse af aktiviteter efter en tilladelse, herunder boringer, nedsænkning af skakter og indsættelse af stoller med videre, i ethvert tilfælde godkendes af Naalakkersuisut inden iværksættelse. Det skyldes, at de nævnte aktiviteter er komplicerede og kan være forbundet med en særlig risiko.

Ved godkendelser efter bestemmelsen kan der fastsættes en række vilkår for aktiviteterne udførelse jf. § 121, herunder vedrørende tekniske, sikkerhedsmæssige, sundhedsmæssige, miljømæssige, ressourcemæssige og samfundsmæssige forhold. Derudover kan Naalakkersuisut fastsætte vilkår om for eksempel godkendelsens varighed, rettighedshaverens rapportering om bestemte forhold og monitoring (overvågning).

#### *Til § 121*

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår for enhver godkendelse efter forslaget om alle relevante forhold vedrørende godkendelsen, mineplanen, nedlukningsplanen, en anden aktivitetsplan og aktiviteter efter planerne med henblik på at sikre, at rettighedshaveren udfører aktiviteterne efter planerne i overensstemmelse med forslagets formål i § 1 og andre bestemmelser, herunder kan Naalakkersuisut kræve udarbejdelse af en nedlukningsplan jf. § 81, stk. 3.

Bestemmelsen skal blandt andet bidrage til at sikre, at aktiviteterne efter aktivitetsplanerne er i overensstemmelse med forslagets formål efter § 1.

De eksisterende planer og godkendelser deraf efter råstofloven indeholder vilkår om relevante forhold, der skal sikre, at rettighedshavere udfører aktiviteterne omfattet af aktivitetsplanerne i overensstemmelse med råstoflovens formål. Den eksisterende praksis vedrørende aktivitetsplaner og godkendelser deraf kan videreføres efter forslagets bestemmelser. Desuden kan ændrede eller nye bestemmelser eller vilkår fastsættes i overensstemmelse med forslagets § 121.

#### *Til § 122*

Efter bestemmelsen fører Naalakkersuisut tilsyn med rettighedshaveres og andres virksomhed og aktiviteter omfattet af forslaget, herunder bestemmelser og vilkår fastsat efter forslaget.

Bestemmelsen medfører desuden, at tilsynsmyndigheden til enhver tid har adgang til alle dele af en rettighedshaveres og andres virksomhed og aktiviteter omfattet af forslaget. I det omfang det er nødvendigt for at udføre tilsynet efter bestemmelsen, kan medarbejdere i tilsynsmyndigheden således mod behørig legitimation få adgang dertil uden retskendelse.

Adgang til virksomheden og aktiviteterne er dog udelukkende forbeholdt tilfælde, hvor det er påkrævet for varetagelsen af et tilsyn af virksomhedens aktiviteter, der er omfattet af forslaget.

Udtrykket "tilsynsmyndighedens medarbejdere" er valgt frem for "Naalakkersuisut" for at understrege, at det kun er en begrænset kreds af medarbejdere, som kan legitimere sig som tilsynsmedarbejdere, der kan kræve adgang efter denne bestemmelse. Begrebet "tilsynsmyndighedens medarbejdere" omfatter også eksterne konsulenter, rådgivere og eksperter, som udfører tilsyn på vegne af eller sammen med tilsynsmyndigheden efter aftale med tilsynsmyndigheden derom.

Tilsynet kan for eksempel gennemføres ved en stikprøvekontrol, der foretages, uden at rettighedshaveren forudgående er orienteret. Tilsynet kan også foretages med kort varsel derom eller som en regelmæssig, rutinemæssig kontrol. Tilsynsmyndighedens medarbejdere og de personer, som er særligt bemyndiget dertil, kan også gennemføre andre former for tilsyn og kontroller end de ovenfor nævnte.

#### *Til § 123*

Bestemmelsen angiver, at Naalakkersuisut har adgang til at meddele påbud om overholdelse af forslaget og bestemmelser og vilkår fastsat efter forslaget. Bestemmelsen angiver også, at Naalakkersuisut kan meddele påbud og forbud med henblik på at sikre overholdelse af forslaget og bestemmelser og vilkår fastsat efter forslaget.

Efter bestemmelsen kan påbud og forbud meddeles til rettighedshavere eller andre parter omfattet af forslaget. Det kan for eksempel være rettighedshaverens aftaltparter, jf. § 17.

#### *Til § 124*

Bestemmelsen pålægger en vis oplysningspligt for rettighedshavere og andre parter omfattet af dette forslag.

Bestemmelsen omfatter alle oplysninger, som er nødvendige for myndighedsbehandling i forbindelse med eksempelvis behandling af en ansøgning om meddelelse af en tilladelse efter forslaget eller oplysninger til brug for et fyldestgørende tilsyn med aktiviteter efter forslaget.

Naalakkersuisut har efter bestemmelsen mulighed for at pålægge de personer eller selskaber, der er omfattet af bestemmelsen, at indsende oplysninger, som Naalakkersuisut finder nødvendige til brug for Naalakkersuisuts vurdering af en sag. Naalakkersuisut har mulighed for at bestemme, at indsendelse af oplysninger skal ske i bestemt form, herunder eksempelvis

på et USB-stik, som elektroniske datafiler eller andet egnet medie.

#### *Til § 125*

Bestemmelsen har til formål at sikre, at Naalakkersuisut kan indstille sin sagsbehandling og anden myndighedsbehandling i tilfælde af, at en rettighedshaver ikke betaler udestående vedrørende sagsbehandling og anden myndighedsbehandling efter forslaget.

I det tilfælde, hvor Naalakkersuisut meddeler et påbud om at indstille aktiviteterne efter en tilladelse, vil rettighedshaveren have en vis passende periode til at betale ethvert skyldigt beløb til Naalakkersuisut, inden Naalakkersuisut indstiller sin behandling og afgørelse af enhver sag vedrørende rettighedshaveren.

Det vurderes hensigtsmæssigt, at Naalakkersuisut kan indstille sin sagsbehandling og anden myndighedsbehandling af enhver sag vedrørende en rettighedshaver eller anden part, hvis der er risiko for, at Naalakkersuisut ikke vil modtage betaling derfor i overensstemmelse med forslaget.

#### *Til § 126*

Til stk. 1

Bestemmelsen giver mulighed for at nægte en tilladelse eller godkendelse, hvis det vil stride mod væsentlige samfundsmæssige interesser.

Kompetenceforholdet mellem Grønlands Selvstyre og staten vedrørende internationale forhold inden for et område afgøres grundlæggende på baggrund af, om området er overtaget, eller om området ikke er overtaget. Det følger af selvstyrelovens §§ 11-12. Efter § 11 og § 12, stk. 1 og 2, har Grønlands Selvstyre kompetencen til at forhandle, indgå og opsigte folkeretlige aftaler på områder, der er overtaget, herunder inden for råstofområdet. Grønlands Selvstyre har således kompetencen vedrørende internationale forhold, herunder sikkerhedspolitiske og forsvarspolitiske forhold, på de overtagne områder.

Det forventes, at afgørelser efter bestemmelsen vedrørende udenrigspolitiske, forsvarspolitiske eller sikkerhedspolitiske forhold eller interesser træffes i samarbejde med de danske myndigheder, og Naalakkersuisut kan anmode danske myndigheder om at afgive høringsbemærkninger til afgørelsen til Naalakkersuisut, i det omfang det er hensigtsmæssigt og relevant.

En ansøger kan være en ansøger om meddelelse af en enhver tilladelse eller en enhver godkendelse efter forslaget.

Naalakkersuisuts afgørelse derom kan træffes som en selvstændig afgørelse derom eller som en del af en afgørelse om at meddele eller ikke meddele en tilladelse eller en godkendelse til en ansøger eller en rettighedshaver. Naalakkersuisut kan træffe en selvstændig afgørelse derom, inden Naalakkersuisut træffer en afgørelse om at meddele eller ikke at meddele en tilladelse eller en godkendelse.

Formålet med bestemmelsen er at sikre, at Naalakkersuisut efter forslaget har hjemmel (adgang) til at inddrage væsentlige generelle samfundsmæssige forhold og hensyn i afgørelsen af, hvorvidt der skal meddeles en tilladelse eller godkendelse efter forslaget.

Bestemmelsen skal alene anvendes i særlige undtagelsestilfælde, hvor væsentlige samfundsmæssige forhold eller interesser, herunder væsentlige udenrigspolitiske, forsvarspolitiske eller sikkerhedspolitiske forhold eller interesser, begrundes dette.

En tilsvarende bestemmelse findes i den danske lov om kontinentalsoklen og visse rørledningsanlæg på søterritoriet.

Til stk. 2

Bestemmelsen forpligter rettighedshavere og ansøgere til at oplyse om alle forhold, der kan være relevante for at foretage en vurdering efter stk. 1. Dette kan eksempelvis være oplysninger om ejerforhold, tilknytning til fremmede stater, samhandel, eksempelvis leveringsaftaler, med virksomheder inden for militærindustrien eller tredjelande og tidligere sanktioner i forbindelse med brud på internationale konventioner med videre.

Rettighedshaveren eller ansøgerens oplysninger til Naalakkersuisut skal dokumenteres, eksempelvis med udtræk fra registre eller verificerede kopier af certifikater.

Bestemmelsen hjemler endvidere, at Naalakkersuisut kan kræve enhver oplysning, samt dokumentation herfor, fra rettighedshavere og ansøgere, som findes relevante for at kunne træffe en afgørelse efter stk. 1 på et tilstrækkeligt oplyst grundlag.

Oplysninger afgivet til Naalakkersuisut efter bestemmelsen vil være omfattet af landstingslov nr. 9 af 13. juni 1994 om offentlighed i forvaltningen med senere ændringer, hvilket betyder, at eksempelvis oplysninger om tekniske indretninger eller fremgangsmåder eller om drifts- eller forretningsforhold eller lignende, for så vidt det er af væsentlig økonomisk betydning for den person eller virksomhed, oplysningerne angår, vil være undtaget fra aktindsigt.

Til stk. 3



Bestemmelsen giver Naalakkersuisut hjemmel til at foretage de undersøgelser der findes nødvendige, eksempelvis med henblik på at verificere de af rettighedshavere og ansøgere opgivne oplysninger efter stk. 2.

Naalakkersuisut kan i den forbindelse blandt andet søge i nationale og internationale registre og tage kontakt til diverse myndigheder, herunder myndigheder i tredjelande.

#### *Til § 127*

Til stk. 1

Den foreslåede bestemmelse præciserer, at en rettighedshaver, der er meddelt en tilladelse eller godkendelse efter dette forslag, ikke derved er undtaget fra pligten til at indhente fornødne godkendelser eller tilladelser efter anden lovgivning. Det samme gælder for andre parter omfattet af forslaget.

Som et eksempel derpå kan nævnes det tilfælde, hvor der som led i en rettighedshavers aktiviteter efter forslaget blandt andet indgår aktiviteter vedrørende etablering og drift af flyvepladser eller andre luftfartsanlæg. I et sådant tilfælde skal rettighedshaveren og rettighedshaverens eventuelle aftaleparter, jf. § 17, iagttage luftfartslovens bestemmelser ved at sikre, at de nødvendige godkendelser eller tilladelser efter luftfartsloven indhentes hos luftfartsmyndighederne. I det omfang aktiviteter af denne art er et led i en rettighedshavers aktiviteter efter forslaget, indgår de dog også i den samlede myndighedsbehandling efter dette forslag. Naalakkersuisuts godkendelse af forhold i forbindelse dermed er således også nødvendig.

Bestemmelsen kan ses som en opsamlingsbestemmelse, da langt størstedelen af de forhold, der er relevante i forhold til udførelse af mineralaktiviteter, er reguleret efter forslaget. Der kan dog være tale om forhold, der samtidig med tilladelse eller godkendelse efter dette forslag kræver tilladelse eller godkendelse efter anden lovgivning. Det er eksempelvis tilfældet med vandkraftressourceloven og luftfartsloven.

Det fastslås i bestemmelsen, at det påhviler rettighedshaveren at sikre sig, at de fornødne tilladelser eller godkendelser indhentes. Naalakkersuisut er derfor ikke ansvarlig for sådanne forhold, herunder heller ikke i tilfælde, hvor Naalakkersuisut ikke har givet vejledning om anden lovgivning.

Til stk. 2

Bestemmelsen indeholder en undtagelse til stk. 1, idet den fastslår, at en tilladelse efter forslaget fritager en rettighedshaver for at skulle opfylde krav i areallovgivningen om

arealtildeling i og uden for tilladelsesområdet til bygninger og anlæg, der er godkendt efter forslaget.

Naalakkersuisuts godkendelse af mineplan efter § 78, herunder for eksempel om etablering af et mineanlæg, andre anlæg eller bygninger, vil samtidig være en tilladelse til at bruge det pågældende areal omfattet af tilladelsen på den godkendte måde efter areallovgivningen.

#### *Til § 128*

Til stk. 1

Bestemmelsen vedrører muligheden for at gennemføre ekspropriation af ejendom med henblik på at kunne udføre aktiviteter efter forslaget.

Hjemmestyret (i dag selvstyret) overtog i 1992 kompetence til at fastsætte regler om hjemmel til og fremgangsmåden ved ekspropriation på sagsområder, der henhører under selvstyret. Det skete ved lov nr. 1012 af 19. december 1992 om ekspropriation på sagsområder, der henhører under Grønlands hjemmestyre. Ekspropriation i Grønland er reguleret i landstingslov nr. 25 af 30. november 1992 om ekspropriation.

Landstingsloven bygger på den danske ekspropriationslov fra 1992 og er således en ren procedurelov. Det medfører, at dette forslag alene indeholder en hjemmel til at foretage ekspropriation efter reglerne derom i landstingsloven, jf. også stk. 2.

Bestemmelsen medfører, at Naalakkersuisut i nødvendigt omfang kan bestemme, at der iværksættes ekspropriation af en ejendom med henblik på etablering og drift af virksomhed og udførelse af aktiviteter efter dette forslag.

Det er en betingelse efter bestemmelsen, at ekspropriation skal være nødvendig. Ved nødvendig forstås normalt, at der ikke foreligger rimelige alternativer til at ekspropriere ejendommen.

Naalakkersuisut kan også bestemme, at der skal ske ekspropriation, hvor der ikke sker arealafståelse, men hvor etablering og drift af virksomhed og udførelse af aktiviteter efter dette forslag medfører så stor ulempe eller skade for en ejendom, virksomhed med videre, at indgrebet kan danne grundlag for ekspropriationserstatning efter bestemmelsen.

I tilfælde af, at ekspropriation af en del af en ejendom i væsentlig grad vil forringe brugsværdien af den øvrige del af ejendommen, kan rettighedshaveren tilpligtes at erhverve hele ejendommen, hvis ejeren af ejendommen nedlægger påstand derom.

Ekspropriation foretages for rettighedshaverens regning. Det vil sige, at rettighedshaveren skal betale samtlige udgifter ved foretagelse af ekspropriationen, inklusive erstatning for den eksproprierede ejendom.

Til stk. 2

Bestemmelsen fastslår, at ekspropriation efter stk. 1 udføres efter reglerne i landstingslov om ekspropriation.

Landstingsloven indeholder udførlige bestemmelser om ekspropriationsmyndighedens kompetencer, herunder om fremgangsmåde ved ekspropriation og erstatningens udbetaling med videre.

#### *Til § 129*

Til stk. 1

Bestemmelsen angiver, at Naalakkersuisut kan fastsætte bestemmelser om, at et eller flere bestemte områder fredes for at varetage hensyn til geologiske forhold og deres bevarelse. I et geologisk fredet område må ingen aktiviteter af nogen art udføres, medmindre Naalakkersuisut har fastsat bestemmelser om, at en eller flere bestemte aktiviteter må udføres.

Grønland har meget interessant og varieret geologi, der blandt andet omfatter gamle og specielle bjergarter og mineraler. Der er i mange år blevet foretaget undersøgelser og skrevet artikler om den grønlandske geologi, der har stor forhistorisk betydning.

Bestemmelsen skal bidrage til at værne om og bevare områder med særlig geologi. Det kan være områder, der har særlig og væsentlig geologisk betydning.

Naalakkersuisut kan fastsætte bestemmelser om, at et eller flere bestemte områder skal fredes helt eller delvist. Hvis et bestemt område fredes helt, medfører det, at der er forbud mod at udføre aktiviteter af enhver art i det bestemte område. Hvis et bestemt område fredes delvist, medfører det, at der kun kan udføres nærmere bestemte aktiviteter i det bestemte område.

Naalakkersuisut kan for eksempel fastsætte bestemmelser om fredning i en bekendtgørelse.

Til stk. 2

Efter bestemmelsen kan Naalakkersuisut ved bekendtgørelse fastsætte bestemmelser om, at aktiviteter efter forslaget forbydes eller begrænses i et eller flere områder.

Begrebet ”almene interesser” skal forstås bredt.

Bestemmelsen giver eksempelvis Naalakkersuisut mulighed for at fastsætte bestemmelser om, at aktiviteter efter forslaget ikke må udføres inden for nærmere bestemte zoner i bynære områder eller i nærmere definerede områder, hvor mineralaktiviteter eksempelvis må formodes at have skadelige virkninger i forhold til eksisterende erhverv eller den lokale befolkning.

De hensyn, der kan varetages efter bestemmelsen, kan eksempelvis være hensyn til den lokale befolknings muligheder for at udøve erhverv, eller den lokale befolknings muligheder for at benytte et område til rekreative aktiviteter.

Fastsættelse af bestemmelser om forbud eller begrænsninger kan kun ske fremadrettet, det vil sige, at fastsættelse af forbud eller begrænsninger i bekendtgørelsesform kun vil gælde tilladelser meddelt efter offentliggørelse af bekendtgørelsen, og at forbud eller begrænsninger ikke kan gøres gældende i forhold til allerede meddelte tilladelser.

#### *Til § 130*

Til stk. 1

Bestemmelsen regulerer Naalakkersuisuts adgang til i et vist omfang at overlade opgaver til andre myndigheder eller private parter. Bestemmelsen fungerer som selvstændig hjemmel til at udstede bekendtgørelser vedrørende denne delegation. En sådan bekendtgørelses kundgørelse og ikrafttræden vil være en forudsætning for, at delegationen har virkning i forhold til borgere og virksomheder med videre.

Den foreslåede bestemmelse giver for eksempel Naalakkersuisut mulighed for at bestemme, at tilsynsopgaverne skal udføres af andre parter. Bestemmelsen tager sigte på, at tilsynet tilrettelægges på den mest hensigtsmæssige og optimale måde i forhold til kompetencer og ressourceudnyttelse. Hvis andre myndigheder kan varetage tilsynsopgaven mere hensigtsmæssigt, vil det kunne bestemmes, at opgaven i stedet udføres af disse.

Der er efter bestemmelsen også mulighed for at bestemme, at private virksomheder med særlig ekspertise på området kan føre tilsynet. Hvis tilsynsopgaven overlades til en privat virksomhed, kan Naalakkersuisut i forbindelse dermed fastsætte bestemmelser om, at virksomheden har samme rettigheder og pligter, som Naalakkersuisut har ved udøvelsen af tilsynsbeføjelserne.

Det vil særligt kunne være relevant at overlade tilsynsopgaver til private virksomheder, der har særlige forudsætninger for at løse opgaven.

Som et eksempel på, at offentlige myndigheder har overladt opgaver og beføjelser efter lovgivningen til private virksomheder, kan nævnes klassificering af skibe.

I 2003 indgik Søfartsstyrelsen en aftale med American Bureau of Shipping, Bureau Veritas, Det Norske Veritas, Germanischer Lloyd, Lloyd's Register, Nippon Kaiji Kyokai og RINA S.p.A. Registro Italiano Navale Group. Aftalen vedrører udførelse af en række opgaver på vegne af de danske søfartsmyndigheder. Virksomhederne kan efter aftalen blandt andet udstede certifikater, kræve reparationer og udføre inspektioner. På dette område kan modtagerne af klassifikationsselskabernes afgørelser kun indbringe klager om afgørelser for domstolene. Der er ikke administrativ klageadgang.

Hvis Naalakkersuisut bestemmer, at myndighedsopgaver efter forslaget skal udføres af en anden myndighed eller en privat part, vil det være Naalakkersuisuts opgave at føre tilsyn med, at den pågældende myndighed eller private part overholder gældende regler vedrørende myndighedsopgavens udførelse.

Til stk. 2

Hvis det bestemmes, at for eksempel tilsynsbeføjelserne skal overlades til en offentlig myndighed eller en privat virksomhed, har den pågældende part og dennes medarbejdere de samme beføjelser, som tilsynsmyndigheden og dennes medarbejdere har, medmindre andet bestemmes i bemyndigelsen. Hvis der ikke fastsættes sådanne vilkår i bemyndigelsen, har den pågældende part således efter bestemmelsen for eksempel mulighed for at meddele påbud om overholdelse af dette forslag og bestemmelser og vilkår fastsat efter dette forslag. De medarbejdere, der udfører tilsynet, vil desuden have adgang til alle dele af mineralvirksomheden og dennes aktiviteter, i det omfang aktiviteterne er omfattet af dette forslag, og det er nødvendigt for medarbejdernes udførelse af tilsynet. Dette følger af § 122. Se den nævnte bestemmelse og bemærkningerne dertil.

#### *Til § 131*

Til stk. 1

Bestemmelsen har til formål at sikre, at lokalsamfund og borgere, som bliver berørt af et konkret mineralprojekt, kan ansøge om midler til gennemførelsen af undersøgelser eller til at indhente uvildig information om uafklarede problemstillinger.

Derudover kan relevante registrerede grønlandske organisationer søge om midler til gennemførelse af undersøgelser eller indhentning af uvildig information til et konkret mineralprojekt.

Rapporter og andre oplysninger og data med videre, der er udarbejdet eller indsamlet ved hjælp af midlerne, kan indgå i udviklingen af det konkrete mineralprojekt.

Til stk. 2

Bestemmelsen fastslår, at ansøgning om midler kun kan ske, efter at en ansøgning, et kommissorium eller en projektbeskrivelse er sendt i forhøring, jf. §§ 35. 44 og 106. Der henvises til disse bestemmelser og bemærkningerne dertil.

Baggrunden derfor er et ønske om, at puljens midler skal anvendes til, at berørte borgere og relevante organisationer med videre kan skaffe sig viden og information til at kunne bidrage konstruktivt til udviklingen af et konkret mineralprojekt.

Til stk. 3

Efter bestemmelsen fastsætter Naalackersuisut nærmere bestemmelser om puljen.

Naalackersuisut kan for eksempel fastsætte bestemmelser om, hvor mange midler puljen skal indeholde, krav til ansøgningen, hvem der kan ansøge, hvordan midlerne skal fordeles, og hvem der skal administrere puljen.

### *Til § 132*

Til stk. 1

Den foreslåede bestemmelse omfatter enhver skade, som en virksomhed eller aktivitet måtte påføre. Herunder afledte skader, følgeskader og rent økonomiske skader og tab.

Bestemmelsen indebærer, at der gælder et objektivt ansvar for skaderne, der forvoldes ved virksomhed eller aktiviteter, der er omfattet af tilladelsen.

Bestemmelsen bygger på overordnede samfundsmæssige hensyn og fordelingsprincippet om, at de personer og virksomheder med videre, som er ansvarlige for eller udfører virksomhed eller aktiviteter efter dette forslag, og som i almindelighed opnår en økonomisk indtjening ved deres virksomhed eller aktivitet, skal betale erstatning for de skader, som de forvolder som led i deres virksomhed eller aktiviteter.

Bestemmelsen bygger desuden på en antagelse om, at det objektive ansvar kan have en vis præventiv virkning ved at tilskynde personer og virksomheder med videre omfattet af forslaget til at foretage relevante foranstaltninger med videre for at undgå og begrænse skader

og dermed et erstatningsansvar. Det objektive ansvar sikrer desuden, at den skadelidte vil kunne gennemføre krav om erstatning over for skadevolderen, herunder også ved skader, der skyldes hændelige forhold.

Derudover tilgodeser regler om objektivt erstatningsansvar forskellige retstekniske hensyn. Det skyldes, at det ofte vil være vanskeligt for den skadelidte at bevise, at en skadevolder har begået fejl eller forsømmelser. Ordningen efter forslaget med et objektivt ansvar gør det overflødig at føre bevis for, at rettighedshaveren har begået fejl eller forsømmelser. Det objektive ansvar forventes derfor at kunne medvirke til, at en skadelidt i større omfang kan undgå retssager om rettighedshaverens erstatningspligt.

Bestemmelsen medfører desuden, at rettighedshaveren er ansvarlig overfor den skadelidte på samme måde, som hvis rettighedshaveren selv har forårsaget skaden, selvom skaden er forårsaget af en anden end rettighedshaveren ved udførelse af aktiviteter omfattet af tilladelsen.

Det objektive ansvar skal blandt andet også ses i lyset af, at virksomhed og aktiviteter efter forslaget typisk vil foregå i eller i nærheden af sårbar grønlandsk natur, hvor der kan ske uoprettelig skade, hvis virksomheden eller aktiviteten ikke udøves i overensstemmelse med de gældende regler og med stor forsigtighed og omhu.

Til stk. 2

Bestemmelsen regulerer erstatningens nedsættelse ved skadelidtes egen skyld.

Det er alene skadelidtes forsætlige eller groft uagtsomme handling eller undladelse, som kan medføre bortfald eller nedsættelse af erstatningen.

### *Til § 133*

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår om, at rettighedshaverens ansvar, herunder ansvar for miljøskader, skal være omfattet af en forsikringsdækning eller anden form for sikkerhedsstillelse.

En anden form for sikkerhedsstillelse kan for eksempel ske i form af en deponeringskonto med et pengebælb, en bankgaranti eller en deponeringskonto med danske statsobligationer.

Forsikringen eller sikkerhedsstillelsens udformning må foretages under hensyn til den konkrete virksomhed og omfanget og karakteren, herunder risikoen for erstatningsansvar der kan opstå som følge af rettighedshaverens foranstaltninger i forbindelse med udførelse af aktiviteterne med videre i tilladelsesperioden og ved tilladelsens ophør.

Det følger endvidere af bestemmelsen, at Naalakkersuisut kan fastsætte bestemmelser og vilkår om, at rettighedshaverens aktiviteter og forhold i forbindelse dermed skal være omfattet af andre relevante forsikringer. Det følger således af bestemmelsen, at Naalakkersuisut også kan fastsætte bestemmelser og vilkår om, at rettighedshaverens aktiviteter og forhold i forbindelse dermed, der ikke vedrører rettighedshaverens erstatningsansvar, skal være omfattet af en relevant forsikring. Sådanne bestemmelser og vilkår kan for eksempel være, at rettighedshaverens anlæg og bygninger med videre skal være omfattet af relevante forsikringer.

#### *Til § 134*

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser og vilkår om, at en rettighedshavers aftaleparters erstatningsansvar, herunder ansvar for miljøskader, skal være omfattet af en forsikring eller en anden form for sikkerhedsstillelse, i det omfang aftaleparternes ydelser og aktiviteter anvendes ved udførelsen af aktiviteter efter tilladelsen.

En anden form for sikkerhedsstillelse kan for eksempel ske i form af en deponeringskonto med et pengebeløb, en bankgaranti eller en deponeringskonto med danske statsobligationer.

Forsikringen eller sikkerhedsstillelsens udformning må foretages under hensyn til den konkrete virksomhed og omfanget og karakteren og aftalepartens aktiviteter, herunder risikoen for erstatningsansvar der kan opstå som følge af aftalepartens foranstaltninger i forbindelse med udførelse af aktiviteterne med videre i tilladelsesperioden og ved tilladelsens ophør.

#### *Til § 135*

Bestemmelsen regulerer erstatning for miljøskader og er med visse sproglige ændringer en videreførelse af råstoflovens § 67.

Til stk. 1

Det foreslås, at dette forslags regler om erstatning for miljøskader skal gælde for skader, der forvoldes ved forurening af jord, hav, havbund, undergrund, vand eller luft som led i aktiviteter omfattet af dette forslag. Begreberne "jord, hav, havbund, undergrund, vand og luft" skal forstås bredt. På den baggrund omfatter begrebet "vand" blandt andet grundvand, vandløb, søer og havet. Begrebet "forurening" er ikke defineret i forslaget, men skal fortolkes på samme måde som i anden miljølovgivning, som er gældende i Grønland. Forureningen eller rystelser med videre efter stk. 2 skal være forvoldt som led i en aktivitet omfattet af



forslaget. Aktiviteter, der ikke er omfattet af forslaget, kan således ikke medføre erstatningsansvar for miljøskader efter forslaget.

Til stk. 2

Det foreslås, at reglerne nævnt i stk. 1 tilsvarende skal gælde for forurening og anden negativ påvirkning af klimatiske forhold eller naturen samt forstyrrelser ved støj, rystelser, varme, lys eller lignende.

#### *Til § 136*

Bestemmelsen oplister erstatningsberettigende skader efter forslagets regler om erstatning for miljøskader. Bestemmelsen er med sproglige og redaktionelle ændringer en videreførelse af råstoflovens § 68.

Bestemmelsen er udformet i overensstemmelse med den gældende retstilstand og definerer, hvad der i dette forslag skal forstås ved udtrykket "skade". Der kan herefter ikke gives erstatning for ikke-økonomiske tab, medmindre der foreligger særlig hjemmel dertil. Endvidere kan der kun gives erstatning for de rent økonomiske værdier til de personer, der må anses for at høre til den erstatningsretligt værnede personkreds.

Til nr. 1

Bestemmelsen fastsætter, at der kan gives erstatning for personskade og tab af forsørger, der er forvoldt ved en forurening af miljøet. Udtrykket "personskade" omfatter også de psykiske lidelser, der skyldes chok. Der kan dog kun kræves erstatning herfor, i det omfang, den pågældende hører til den erstatningsberettigede personkreds, for eksempel i de tilfælde hvor den pågældende selv har været i fare eller direkte har lidt fysisk overlast.

De ydelser, som er omfattet af denne bestemmelse, er nærmere reguleret i generelle regler om erstatningsansvar. Uanset at det ikke fremgår udtrykkeligt af bestemmelsens ordlyd, forudsættes det således, at der også kan gives erstatning for "rimelige begravelsesudgifter" til den, der har bekostet begravelsen, uanset om den pågældende er berettiget til erstatning for tab af forsørger, jf. erstatningsansvarslovens § 12.

Til nr. 2

Bestemmelsen fastsætter, at der kan ydes erstatning for tingsskade, der er forvoldt ved en forurening af miljøet. Bestemmelsen omfatter navnlig skade på fast ejendom og løsøre, herunder flydende materialer. En færeholder, der får ødelagt sine marker og afgrøder på grund af miljøforurening, skal således efter bestemmelsen have mulighed for at få erstatning for det

tab, der er lidt herved. Bestemmelsen dækker tillige det driftstab, der er forbundet med skaden på for eksempel den faste ejendom eller løsøret. Det er herved en forudsætning, at driftstabet er en adækvat følge af tingsskaden på fast ejendom eller løsøre. Hvis driftstabet ikke har forbindelse med tingsskaden, kan der ikke ydes erstatning efter denne bestemmelse, men eventuelt efter bestemmelsen i nr. 3.

Til nr. 3

Efter denne bestemmelse ydes der erstatning for det rene økonomiske tab. Det er en forudsætning for at få erstatning efter bestemmelsen, at tabet skyldes en forringelse af miljøet ud over, hvad der efter områdets karakter må forventes eller tåles.

Spørgsmålet om, hvem der efter bestemmelsen kan kræve erstatning for et økonomisk (drifts)tab, må afgøres i retspraksis på grundlag af almindelige erstatningsretlige grundsætninger, herunder reglerne om adækvans og om de erstatningsretligt beskyttede interesser og personkredse.

Til nr. 4

Efter bestemmelsen ydes der erstatning for rimelige omkostninger til afværgelse eller forebyggelse af skader. Bestemmelsen giver ret til at få betalt omkostninger både med henblik på at begrænse en skade efter nr. 1-3, der allerede er indtrådt, og med henblik på at afværge en skade, der vil kunne indtræde. Bestemmelsen hænger således nøje sammen med den skadelidtes pligt til efter almindelige erstatningsretlige grundsætninger at foretage rimelige foranstaltninger for at afværge eller begrænse sit tab ("tabsbegrænsningspligt").

Hvis det – med henblik på at afværge eller begrænse en skade efter nr. 1-3 – er nødvendigt at fjerne en forurening af almene goder, såsom luften og havet med videre, giver bestemmelsen mulighed for, at der kan ydes erstatning for de rimelige omkostninger, der er forbundet hermed. Det kan for eksempel være rimelige omkostninger til undersøgelse af det forurenede område og nærmere analyse af de forurenende stoffer på kemiske laboratorier med videre. I kravet om "rimelige omkostninger" ligger blandt andet, at skadelidte skal sørge for at begrænse sine omkostninger så vidt som muligt. I forslaget er det ikke nærmere reguleret, hvem der er berettiget til at foretage foranstaltninger for at afværge eller begrænse en skade efter nr. 1-3 og kræve omkostningerne hertil erstattet af den ansvarlige.

Dette spørgsmål må derfor afgøres på grundlag af den gældende retstilstand vedrørende den erstatningsretligt beskyttede personkreds. Udgangspunktet er herefter, at kun den person, der har en aktuel eller eventuel rådighedsret over den pågældende ting eller den faste ejendom med videre, kan foretage afværgeforanstaltninger og kræve omkostningerne hertil erstattet af den ansvarlige.

Efter bestemmelsen kan der endvidere kræves erstatning for rimelige omkostninger til genopretning af miljøet. Formålet med bestemmelsen er at give skadelidte ret til at få dækket de omkostninger, der er nødvendige for at bringe miljøet op på samme standard som forud for skaden (forureningen). I det omfang der kan iværksættes foranstaltninger til at afværge eller begrænse forurening af de almene goder, vil omkostningerne hertil kunne erstattes efter bestemmelsen. Omkostningerne kan dog kun erstattes, hvis de må anses for "rimelige".

Da de almene goder er karakteriseret ved, at ingen har en særlig ret over dem, kan private personer, herunder miljøorganisationer, der afholder udgifterne til afværgelse af forurening af eller til genopretning af miljøet, normalt kun kræve erstatning af den ansvarlige, hvis der er en særlig lovhjemmel hertil. Det skyldes, at de pågældende ikke vil kunne opfylde det traditionelle rådighedskriterium, hvorefter skadelidte skal have en aktuel eller eventuel rådighedsret over det beskadigede gode, før der kan kræves erstatning.

I det omfang miljømyndighederne har ret eller pligt til at foretage afværgeforanstaltninger eller genopretning af miljøet, vil omkostningerne hertil ligeledes kunne erstattes efter bestemmelsen.

Bestemmelsen indebærer ikke, at omkostningerne til afværgelse eller forebyggelse af skader efter nr. 1-3 eller til genopretning af miljøet skal være afholdt. Er omkostningerne ikke afholdt, forudsætter bestemmelsen dog, at den erstatningsansvarlige kan nægte at udbetale noget beløb, før der er ført et tilstrækkeligt bevis for, at beløbet vil blive anvendt til foretagelse af rimelige afværgeforanstaltninger eller til genopretning af miljøet.

#### *Til § 137*

Bestemmelsen er med visse sproglige ændringer en videreførelse af råstoflovens § 69.

Til stk. 1

Efter den foreslåede bestemmelse skal den, der som led i en aktivitet omfattet af dette forslag forårsager en forurening, erstatte den skade, som forureningen medfører, selvom skaden er hændelig. Med bestemmelsen i stk. 1 indføres der et objektivt erstatningsansvar (ansvar uden culpa) for den, der som led i aktivitet omfattet af dette forslag forårsager en forurening, som medfører en skade.

Der er kun erstatningsansvar efter bestemmelsen, hvis skaden er forårsaget af de aktiviteter omfattet af dette forslag, der udøves af den virksomhed, som det objektive ansvar påhviler. Skyldes skaden forhold, der ikke har nogen forbindelse med disse særlige aktiviteter, er virksomheden således ikke objektivt erstatningsansvarlig efter bestemmelsen.

Det objektive ansvar er knyttet til den ansvarlige efter bestemmelsen i forslaget § 95. Den person, der er ansat i virksomheden, og som udfører den handling, der medfører erstatningsansvar for den ansvarlige på objektivt grundlag, er således kun ansvarlig efter almindelige erstatningsregler, jf. blandt andet erstatningsansvarslovens §§ 19 og 23.

Det objektive ansvar efter bestemmelsen forudsætter i almindelighed, at skadelidte fører bevis for, at den erstatningsansvarliges adfærd (i form af handling eller undladelse) har forårsaget en forurening, og at denne forurening har resulteret i en skade (kausalitet). Det forudsættes dog, at skadelidte kan nyde godt af de lempelser i bevisbyrden, som følger af almindelige bevisretlige grundsætninger.

Der er ikke i bestemmelsen taget nærmere stilling til rækkevidden af det objektive ansvar i tilfælde, hvor der foreligger konkurrerende eller samvirkende årsager til skaden. Dette spørgsmål må derfor afgøres efter den gældende retstilstand.

Har den ansvarlige forårsaget en forurening i samspil med naturkræfterne, således at disse optræder som den skadesudløsende begivenhed, er udgangspunktet, at der ifaldes ansvar efter bestemmelsen. Dette forudsætter dog, at der er tale om en forudsigelig eller forudberegnelig naturbegivenhed. Den ansvarlige vil således kunne pådrage sig et objektivt ansvar, hvis den udløsende faktor er en naturbegivenhed, der optræder med regelmæssige mellemrum (frost, storm, betydelig nedbør osv.).

Hvis der derimod er tale om naturkatastrofer, såsom jordskælv, orkaner, tyfoner eller lignende force majeure-tilfælde, ifaldes der ikke ansvar efter bestemmelsen, uanset at denne ikke indeholder udtrykkelig undtagelse med hensyn til disse tilfælde. Spørgsmålet om lempelse af skadevolders erstatningsansvar må ligeledes afgøres efter den gældende retstilstand. Der kan herved særligt henvises til, at skadevolderens erstatningsansvar kan nedsættes eller bortfalde i henhold til bestemmelsen i erstatningsansvarslovens § 24, stk. 1, når ansvaret vil virke urimeligt tyngende, eller når ganske særlige forhold i øvrigt gør det rimeligt.

Spørgsmålet om den indbyrdes fordeling af erstatningsansvar, når der foreligger flere solidarisk ansvarlige skadevoldere, må ligeledes afgøres på grundlag af den gældende retstilstand, jf. navnlig erstatningsansvarslovens § 25, hvorefter fordelingen foretages efter, hvad der under hensyn til ansvarets beskaffenhed og omstændighederne i øvrigt må anses for rimeligt.

Til stk. 2

Det foreslås, at ansvar efter stk. 1 ikke indtræder, hvis skaden skyldes, at aktiviteten er udøvet i overensstemmelse med ufravigelige bestemmelser, der er fastsat af en offentlig myndighed.

Efter bestemmelsen i stk. 2 indtræder det objektive ansvar ikke, hvis skaden skyldes, at virksomheden er udøvet i overensstemmelse med ufravigelige forskrifter, der er fastsat af en offentlig myndighed. Det er den ansvarlige, der skal bevise, at betingelserne for ansvarsfritagelse er til stede. Bestemmelsen udelukker således ikke, at den ansvarlige kan blive erstatningsansvarlig på objektivi grundlag efter stk. 1 for en miljøskade, selvom virksomheden har handlet i overensstemmelse med en tilladelse eller godkendelse, der er givet af en offentlig myndighed.

Bestemmelsen afskærer ikke den ansvarlige fra at påberåbe sig andre ansvarsfritagelsesgrunde med videre, som for eksempel nødværge, i overensstemmelse med de almindelige formueretlige regler herom.

Forslaget indeholder ikke nærmere regler om, at den ansvarlige, der er omfattet af det objektive erstatningsansvar, skal være fritaget for ansvaret under henvisning til, at skaden er forårsaget af tredjemand forsætligt eller ved grov uagtsomhed. Det objektive erstatningsansvar vil derfor også gælde i dette tilfælde. Den ansvarlige vil dog kunne gøre regres mod tredjemand efter bestemmelsen i erstatningsansvarslovens § 25, ligesom virksomhedens erstatningsansvar over for skadelidte i særlige tilfælde vil kunne lempes efter erstatningsansvarslovens § 24. Den generelle bestemmelse i erstatningsansvarslovens § 24, stk. 2, gælder endvidere for spørgsmålet, om skadelidtes erstatningskrav skal nedsættes eller eventuelt bortfalde på grund af egen skyld eller accept af risiko.

Til stk. 3

Bestemmelsen regulerer erstatningens nedsættelse ved skadelidtes egen skyld, i tilfælde af personskade eller tab af forsørger.

Det er alene skadelidte eller afdødes forsætlige eller groft uagtsomme handling eller undladelse, som kan medføre bortfald eller nedsættelse af erstatningen.

Til stk. 4

Bestemmelsen regulerer erstatningens nedsættelse ved skadelidtes egen skyld i andre tilfælde.

Det er alene skadelidtes forsætlige eller groft uagtsomme handling eller undladelse, som kan medføre bortfald eller nedsættelse af erstatningen.

*Til § 138*

Bestemmelsen regulerer aftaler om fravigelse af forslagens regler om erstatning for

miljøskader og er en videreførelse af råstoflovens § 70.

Til stk. 1

Det foreslås, at en aftale om fravigelse af dette forslags regler om erstatning for miljøskader er ugyldig, hvis aftalen er indgået før en skades indtræden, og fravigelsen er til ugunst for skadelidte.

Baggrunden for bestemmelsen er, at en eventuel skadelidt vil have vanskeligheder ved at overskue konsekvenserne af en aftale, der er indgået inden en skades indtræden.

Bestemmelsen omfatter ikke aftaler indgået, efter en miljøskade er indtrådt, således at for eksempel erstatningsansvarlige har mulighed for at indgå forligsaftaler med videre.

Bestemmelsen vedrører endvidere ikke forsikringsaftaler vedrørende miljøskade, uanset hvornår disse indgås, jf. endvidere stk. 2.

Til stk. 2

Bestemmelsen præciserer, at reglen i stk. 1 ikke indebærer en hindring for en miljøansvarlig, der ønsker at tegne en ansvarsforsikring mod eventuelle krav som følge af reglerne om miljøansvar og erstatning for miljøskader. Den erstatningspligtige kan herefter på sædvanlig måde henvise skadelidte til sit forsikringsselskab.

#### *Til § 139*

Bestemmelsen er med sproglige ændringer en videreførelse af råstoflovens § 71 og medfører, at reglerne i kapitlet om erstatning for miljøskader ikke begrænser skadelidtes adgang til erstatning efter almindelige regler i eller uden for kontrakt eller i medfør af bestemmelser, der er fastsat i eller i medfør af regler i andre kapitler eller anden lovgivning.

Der er forskellige steder i lovgivningen fastsat regler om for eksempel objektivt erstatningsansvar for skader, der indtræder på det pågældende område. I det omfang regler i medfør af anden lovgivning giver den, der lider en skade på grund af forurening af miljøet, en bedre retsstilling end bestemmelserne i dette forslag, vil skadelidte kunne kræve erstatning efter disse særlige regler i lovgivningen. Den, der har lidt en skade på grund af miljøforurening, har således valget mellem at kræve erstatning efter forslagets bestemmelser eller efter andre lovbestemmelser, som måtte være gunstigere for den pågældende.

Bestemmelsen regulerer endvidere forholdet mellem de regler om erstatning for miljøskader, der er fastsat i retspraksis på ulovbestemte områder, og de regler, der fremgår af forslaget.

Bestemmelsen begrænser således ikke skadelidtes adgang til at kræve erstatning efter almindelige regler i eller uden for kontrakt.

Dette forslags regler om erstatning for miljøskader har forrang frem for dette forslags generelle ansvarsregler, i det omfang der er forskel mellem de generelle ansvarsregler og reglerne om erstatning for miljøskader.

#### *Til § 140*

Det foreslås, at Naalakkersuisut bemyndiges til at fastsætte nærmere bestemmelser om erstatning for miljøskader og forholdene nævnt i kapitel 22, herunder om anvendelse af nationale eller internationale regler, aftaler eller retningslinjer vedrørende erstatning for miljøskader. Det er tanken, at Naalakkersuisut med hjemmel i den foreslåede bestemmelse kan supplere reglerne, i det omfang det er hensigtsmæssigt for at sikre dette forslags effektivitet og er i overensstemmelse med dette forslags formål.

#### *Til § 141*

Bestemmelsen indebærer, at en unkladelse af at afgive oplysninger rettidigt, som den pågældende skal afgive efter forslaget, eller som Naalakkersuisut kan kræve efter forslagets § 32, stk. 1, § 39, stk. 1, § 50, stk. 2 jf. § 39, stk. 1, § 55, stk. 1, § 63, stk. 1, § 68, stk. 1, § 68, stk. 2, § 77, stk. 4, § 81, stk. 5, § 82, stk. 4, § 104, stk. 1, § 104, stk. 3 og 4, § 124 eller § 126, stk. 2., kan pålægges tvangsbøder.

Bestemmelsen indebærer desuden, at unkladelse af at efterkomme et påbud eller forbud meddelt efter § 68, stk. 3, §§ 123 eller 125 kan pålægges tvangsbøder.

Endelig kan der pålægges tvangsbøder til den, der ikke rettidigt stiller den krævede sikkerhed efter forslagets § 82, stk. 4.

Formålet med bestemmelsen er at indføre en sanktion, som effektivt kan få personer og virksomheder til at afgive oplysninger, som disse er forpligtet til at afgive, efterkomme påbud og forbud, og stille sikkerhed for deres forpligtelser.

Tvangsbøder er ikke en strafsanktion, men et middel til at søge at gennemtvinge en handlepligt.

Bestemmelsen svarer i vidt omfang til § 37 i Inatsisartutlov om konkurrence (konkurrenceloven).

For så vidt angår de tilfælde, hvor en virksomhed eller en person undlader at afgive oplysninger, som kan kræves af Naalakkersuisut efter forslaget, vil tvangsbøder oftest være den mest relevante sanktion, da alternativet ofte vil være at tilbagekalde en tilladelse, hvilket oftest ikke vil være et proportionelt indgreb set i forhold til lovbruddet.

Det vil ofte være i en rettighedshavers egen interesse at fremkomme med oplysninger rettidigt, da et projekts fremme vil være afhængigt af, at Naalakkersuisut modtager de krævede oplysninger. Men der kan forekomme situationer, hvor en rettighedshaver har en interesse i at forsinke processen, og i disse tilfælde kan det være relevant at benytte tvangsbøder som et pressionsmiddel for at sikre Grønlands Selvstyres interesse i en effektiv mineindustri, jf. herved forslagets formål jf. § 1.

Efter forslagets § 68, stk. 3, kan Naalakkersuisut meddele en rettighedshaver påbud om, at rettighedshaveren ved udførelsen af aktiviteter efter en tilladelse ikke må anvende aftaleparter, som ikke har afgivet oplysninger og dokumenter vedrørende skattemæssige og afgiftsmæssige forhold til Naalakkersuisut og andre grønlandske myndigheder efter stk. 2, eller som ikke foretager indbetalinger af skatter og afgifter til Naalakkersuisut og andre grønlandske myndigheder i overensstemmelse med de til enhver tid gældende regler i Grønland. I tilfælde af manglende efterkommelse af et påbud efter bestemmelsen kan Naalakkersuisut efter bestemmelsens stk. 4 træffe afgørelse om, at rettighedshaveren skal ophøre med at udføre aktiviteter efter en tilladelse. En afgørelse om at ophøre med aktiviteter kan være meget indgribende. Pålæggelse af tvangsbøder vil derfor ofte være en mere proportionel sanktion.

Efter forslagets § 123 kan Naalakkersuisut meddele påbud om overholdelse af bestemmelser i forslaget og bestemmelser og tilladelsesvilkår fastsat efter forslaget. Efter § 123 kan Naalakkersuisut meddele forbud med henblik på overholdelse af forslaget og bestemmelser og tilladelsesvilkår fastsat efter forslaget. Tvangsbøder findes i disse tilfælde at være den mest relevante sanktion i forhold til rettighedshavere, der forsømmer at efterkomme et påbud eller et forbud. Tilfælde, der reguleres af de nævnte bestemmelser, kan være manglende overholdelse af sikkerhedsmæssige forskrifter. Naalakkersuisut vil ofte i disse tilfælde nedlægge et strakspåbud om at indstille specifikke aktiviteter, indtil forholdene er bragt i overensstemmelse med de sikkerhedsmæssige forskrifter. I disse tilfælde vil tvangsbøder, der udmåles proportionelt i forhold til den gevinst, rettighedshaveren kan have ved fortsættelse af aktiviteterne på trods af påbuddet, kunne medvirke til, at rettighedshavere overholder de påbud, der nedlægges af Naalakkersuisut, og dermed blandt andet være med til at sikre arbejdsmiljøet i mineralindustrien. Det kan eksempelvis også være tilfælde, hvor en rettighedshaver eller tredjemand ikke efterkommer et påbud om at foretage oprydning. Naalakkersuisut vil i et sådant tilfælde kunne anvende tvangsbøder i en periode, før man benytter hjemmelen i § 78 til at bortfjerne aktiver for rettighedshaveren eller tredjemands regning.



Efter forslaget § 82, stk. 4, skal en rettighedshaver stille sikkerhed for opfyldelse af sine nedlukningsforpligtelser. Det er vigtigt, at denne sikkerhedsstillelse er tilstrækkelig, da landskassen i tilfælde af manglende eller utilstrækkelig sikkerhed må afholde udgifterne til oprydning, såfremt en rettighedshaver ikke er i stand til at opfylde sine forpligtelser. Muligheden for pålæggelse af tvangsbøder i tilfælde af, en rettighedshaver ikke stiller den krævede sikkerhed rettidigt, vil derfor kunne medvirke til at sikre Grønlands Selvstyres økonomiske interesser, jf. herved forslaget formål jf. § 1.

Tvangsbøder efter bestemmelsen skal fastsættes som daglige eller ugentlige bøder, indtil de relevante oplysninger udleveres, et påbud eller forbud efterkommes, eller den krævede sikkerhed er stillet.

Tvangsbødernes størrelse fastsættes ud fra et konkret skøn. Det generelle proportionalitetsprincip gælder i den forbindelse. Det betyder blandt andet, at tvangsbøderne ikke må stå i misforhold til forseelsen.

Ved fastsættelsen af tvangsbøden skal der tages hensyn til den økonomiske formåen hos den, der pålægges tvangsbøden, således at pressionen har effekt. Der skal ligeledes tages hensyn til forseelsens omfang og karakter.

En tvangsbøde bør mindst være på 1.000 kr. dagligt eller 5.000 kr. ugentligt, og der beregnes kun én daglig eller én ugentlig tvangsbøde.

Tvangsbøder pålægges fra en given dato. Forudsætningen for at pålægge tvangsbøder er, at Naalakkersuisut forinden underretter virksomheden eller personen om, at tvangsbøder vil blive pålagt fra den anførte dato, og hvad forseelsen indebærer.

Tvangsbøderne kan forhøjes, hvis der fortsat ikke efter en periode med pålæg af tvangsbøder sker udlevering af de relevante oplysninger, det relevante påbud eller forbud efterkommes, eller den krævede sikkerhed stilles.

#### *Til § 142*

Til stk. 1

Forslaget er som udgangspunkt rettet mod erhvervsmæssig virksomhed. Der er derfor ikke fundet behov for en omfattende sanktionering af bestemmelserne i forslaget. Det er desuden forudsat, at mulighederne for at tilbagekalde en tilladelse med videre kan bidrage til at sikre en præventiv effekt.

Det er dog fundet nødvendigt at sanktionere visse overtrædelser, herunder for eksempel udførelse af aktiviteter i strid med forslaget § 22, stk. 2 og 3.

Aktiviteterne omfattet af § 22, stk. 2 og 3, omfatter forundersøgelse og mineralefterforskning og udnyttelse af mineraler, videnskabelige undersøgelser vedrørende mineraler, udførsel af mineraler fra Grønland, og andre aktiviteter, der efter forslaget kun må udføres efter en tilladelse eller godkendelse dertil. Bestemmelsen medfører et generelt forbud mod at udføre de nævnte aktiviteter omfattet af forslaget uden tilladelse eller godkendelse dertil meddelt af Naalakkersuisut efter reglerne derom i forslaget.

Til stk. 2

Bestemmelsen angiver, at medmindre højere straf er forskyldt efter anden lovgivning, straffes den med bøde, der udfører aktiviteter i et geologisk fredet område, uden at aktiviteterne må udføres efter bestemmelser derom fastsat af Naalakkersuisut, jf. § 129. Se bestemmelsen i § 129 og bemærkningerne dertil.

Til stk. 3

Bestemmelsen angiver en række forhold i nr. 1-3, der kan medføre pålæggelse af en bøde, hvis der foreligger forsæt eller grov uagtsomhed.

Til nr. 1

Bestemmelsen i stk. 3, nr. 1, fastslår, at medmindre højere straf er forskyldt efter anden lovgivning, straffes den med bøde, der forsætligt eller groft uagtsomt afgiver urigtige eller vildledende oplysninger eller fortier oplysninger, som en myndighed har krav på efter forslaget eller efter bestemmelser eller vilkår fastsat efter forslaget.

Bestemmelsen skal ses i forhold til, at det er en nødvendighed for at kunne udføre myndighedsbehandling og tilsyn med videre efter dette forslag, at samtlige relevante oplysninger meddeles korrekt.

Til nr. 2

Bestemmelsen i stk. 3, nr. 2, fastslår, at medmindre højere straf er forskyldt efter anden lovgivning, straffes den med bøde, der forsætligt eller groft uagtsomt overtræder bestemmelser eller vilkår for tilladelser eller godkendelser meddelt efter forslaget eller bestemmelser eller vilkår fastsat efter forslaget.

Bestemmelsen skal sikre, at aktiviteter udføres i overensstemmelse med forslagets formål. Hvis overtrædelser er væsentlige, kan Naalakkersuisut også træffe afgørelse om at tilbagekalde

tilladelsen, i det omfang det er i overensstemmelse med almindelige forvaltningsretlige regler og principper, herunder om saglighed, proportionalitet og ligebehandling.

Til nr. 3

Bestemmelsen i stk. 3, nr. 3, fastslår, at medmindre højere straf er forskyldt efter anden lovgivning, straffes den med bøde, der forsætligt eller groft uagtsomt undlader at efterkomme påbud eller forbud meddelt af Naalakkersuisut efter forslaget § 123 eller 125 eller bestemmelser eller vilkår for tilladelser eller godkendelse meddelt efter forslaget eller bestemmelser fastsat efter forslaget.

Bestemmelsen skal ses i forhold til, at det er nødvendigt for myndighedernes varetagelse af myndighedsopgaver efter dette forslag at kunne sikre, at meddelte påbud og forbud bliver overholdt. Den, der tilsidesætter et påbud eller forbud, kan således straffes med bøde.

Til stk. 4

Bestemmelsen indeholder en hjemmel for Naalakkersuisut til at fastsætte bestemmelser om, at overtrædelse af bestemmelser fastsat efter forslaget kan straffes med bøde eller andre foranstaltninger efter kriminalloven for Grønland. Bestemmelsen medfører, at sanktionsreglerne efter dette forslag ikke er en udtømmende liste over sanktioner, der kan idømmes for overtrædelse af bestemmelserne, hvis Naalakkersuisut bestemmer andet.

Til stk. 5

Bestemmelsen vedrører juridiske personer med videre, der overtræder bestemmelser som nævnt i stk. 1-3. Efter bestemmelsen vil disse også kunne straffes med bøde for overtrædelser deraf.

Der gælder efter bestemmelsen det samme, hvis overtrædelsen er begået af Grønlands Selvstyre, en kommune eller et kommunalt fællesskab, som er omfattet af Inatsisartutlov om den kommunale styrelse.

Til stk. 6

En bødesag jf. stk. 1-3 eller bestemmelser eller vilkår fastsat efter stk. 4 kan efter bestemmelsen afgøres ved administrativt bødeforlæg. Af retssikkerhedsmæssige hensyn må administrative bødeforelæg kun anvendes, hvor overtrædelserne er klare, ukomplicerede og uden bevismæssige tvivlsspørgsmål.

Det er ligeledes en forudsætning for at afslutte en sag ved et administrativt bødeforlæg, at den, der modtager et bødeforlæg, erklærer sig skyldig (vedkender sig bøden) og betaler bøden inden for en nærmere fastsat frist.

Hvis overtrædelsen ikke er klar, ukompliceret og uden væsentlige bevismæssige tvivlsspørgsmål, vil sagen skulle videresendes til politiet og anklagemyndigheden, der derefter vil vurdere og behandle sagen. Tilsvarende gælder, hvis den, der modtager bødeforlægget, ikke erklærer sig skyldig (ikke vedkender sig bøden) og ikke betaler bøden inden for en nærmere fastsat frist.

Det følger ligeledes af bestemmelsen, at reglerne i retsplejeloven om krav til indholdet af et anklageskrift og om, at en sigtet ikke er forpligtet til at udtale sig, finder tilsvarende anvendelse for bødeforlæg efter forslaget.

Bødens størrelse fastsættes ud fra en konkret skønsmæssig vurdering. Det generelle proportionalitetsprincip gælder i den forbindelse. Det betyder blandt andet, at en bøde ikke må stå i misforhold til forseelsen.

Bøden skal fastsættes under hensyntagen til overtrædelsens grovhed, herunder de eventuelle sikkerhedsmæssige risici, overtrædelsen medfører, og overtrædelsens omfang samt den indvundne eller tilsigtede fortjeneste derved.

Bestemmelsen vil eksempelvis kunne anvendes i forbindelse med Naalakkersuisuts tilsyn jf. § 122, i tilfælde hvor der konstateres klare brud på sikkerhedsmæssige forskrifter, eller hvor mindre mængder mineraler eller mineraler af ringe værdi forsøges udført fra Grønland uden Naalakkersuisuts godkendelse.

Til stk. 7

Bestemmelsen fastslår, at bøder, der idømmes efter forslaget eller bestemmelser fastsat efter forslaget, tilfalder landskassen.

#### *Til § 143*

Til stk. 1

Bestemmelsen hjemler, at mineraler, der uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er indsamlet, brudt eller udnyttet, kan konfiskeres.

Til stk. 2

Bestemmelsen hjemler, at mineraler, der uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er forsøgt udført eller udført fra Grønland, kan konfiskeres.

Til stk. 3

Bestemmelsen giver mulighed for at konfiskere mineraler, der er indsamlet, brudt eller udnyttet uden tilladelse, eller disses værdi hos erhververe, der på tidspunktet for erhvervelsen af mineralerne ved eller burde vide, at mineralerne er indsamlet, brudt eller udnyttet uden tilladelse.

Dette medvirker blandt andet til at imødegå omgåelse af bestemmelsen i stk. 1 og dermed at sikre Grønlands Selvstyre indtægter fra råstofvirksomhed i landet.

Til stk. 4

Det følger af bestemmelsen, at Naalakkersuisut også kan foretage konfiskation af et udbytte eller et dertil svarende beløb, der er opnået i forbindelse med, at mineraler uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er indsamlet, brudt eller udnyttet efter stk. 1, eller uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er forsøgt udført eller udført fra Grønland efter stk. 2.

I det omfang der ikke er et tilstrækkeligt grundlag for at fastslå beløbets størrelse, kan Naalakkersuisut konfiskere et beløb, der efter en konkret vurdering skønnes at svare til det indvundne udbytte.

Til stk. 5

Bestemmelsen angiver, at reglerne om konfiskation af udbyttet ved en forbrydelse eller et dertil svarende beløb i kriminalloven for Grønland finder tilsvarende anvendelse på Naalakkersuisuts konfiskation efter stk. 1 og 2.

De nævnte bestemmelserne om konfiskation af udbyttet ved en forbrydelse eller et dertil svarende beløb er fastsat i §§ 166-170 i den gældende lovbekendtgørelse nr. 1045 af 7. september 2017 om kriminallov for Grønland med senere ændringer.

Bestemmelserne om konfiskation i §§ 166-170 i kriminalloven for Grønland finder således tilsvarende anvendelse på Naalakkersuisuts konfiskation af et udbytte eller et dertil svarende beløb, der er opnået i forbindelse med, at mineraler uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er indsamlet, brudt eller udnyttet efter stk. 1, eller uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er forsøgt udført eller udført fra Grønland efter stk. 2.

Til stk. 6

Bestemmelsen angiver, at Naalakkersuisut selv kan foretage konfiskation efter stk. 1 og 2. Naalakkersuisut kan også efter bestemmelsen anmode om, at den relevante myndighed efter kriminalloven for Grønland, som kan foretage konfiskation efter reglerne derom i kriminalloven, foretager konfiskation for Naalakkersuisut efter stk. 1 og 2.

Den relevante myndighed, der foretager konfiskation efter reglerne derom i kriminalloven, er i praksis politimyndigheden og Grønlands Politi.

Politimyndigheden og Grønlands Politi skal således også foretage konfiskation for Naalakkersuisut efter stk. 1 og 2, hvis Naalakkersuisut anmoder derom, herunder foretage konfiskation for Naalakkersuisut i forbindelse med, at mineraler uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er indsamlet, brudt eller udnyttet efter stk. 1, eller uretmæssigt eller i strid med fastsatte bestemmelser eller vilkår er udført eller forsøgt udført fra Grønland efter stk. 2.

Til stk. 7

Efter forslaget vil der så vidt muligt ske bortsalg af konfiskerede mineraler til fordel for landskassen. Et sådan bortsalg sker på grundlag af og i overensstemmelse forslagets formål, herunder at indtægter fra mineralaktiviteter skal tilfalde samfundet.

#### *Til § 144*

Til stk. 1

Bestemmelsen vedrører ikrafttrædelsestidspunktet for forslaget.

Det foreslås, at forslaget træder i kraft den 1. juli 2023.

Til stk. 2

Det følger af selvstyrelovens §§ 1, 2 og 28, at selvstyret kan ændre eller ophæve regler, der gælder for Grønland på overtagne sagsområder.

Grønlands Selvstyre har overtaget nogle af de områder, der er omfattet af lov om kontinentalsoklen, jf. lovbekendtgørelse nr. 1001 af 18. november 2005 med senere ændringer (kontinentalsokkeloven), som hidtil har været gældende for Grønland.

På grundlag deraf ændrer og ophæver forslaget visse bestemmelser i kontinentalsokkeloven for så vidt angår Grønland. De dele af kontinentalsokkeloven, som omfatter områder, der er overtaget af Grønlands Selvstyre, og som skal ændres eller ophæves, er følgende:

- 1) § 1, § 2, § 3, stk. 2, § 4, stk. 5, og § 5, stk. 1, ophæves.
- 2) I § 3, stk. 1 udgår ”, jf. dog stk. 2”.
- 3) § 6 affattes således:

”§ 6. For anlæg og sikkerhedszoner, jf. § 3, som befinder sig på eller er oprettet inden for den grønlandske del af kontinentalsoklen, gælder den for Grønland i øvrigt gældende ret. Naalakkersuisut udøver de beføjelser, der er fastsat i § 4, under iagttagelse af reglerne i Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven) og Inatsisartutlov om mineralaktiviteter.”

De øvrige bestemmelser i kontinentalsokkeloven vil fortsat være gældende uden ændringer for Grønlands vedkommende.

Til stk. 3

Bestemmelsen vedrører de tilladelser, der er meddelt på tidspunktet for forslagens ikrafttræden.

Bestemmelsen skal sikre, at forslaget ikke medfører, at tilladelser, der er meddelt vedrørende mineraler efter råstofloven, og som ikke er ophørt, mister deres gyldighed ved forslagens ikrafttrædelse. Bestemmelsen fastslår endvidere, at forslaget også skal finde anvendelse på sådanne tilladelser, rettighedshavere efter sådanne tilladelser og aktiviteter udført efter sådanne tilladelser ved forslagens ikrafttræden.

Bestemmelsen sikrer også, at forslaget finder anvendelse på aktiviteter vedrørende mineraler, herunder indsamling, brydning og udnyttelse af mineraler, som er omfattet af råstofloven og udført før forslagens ikrafttræden. Bestemmelsen sikrer desuden, at forslaget finder anvendelse på mineraler, som er indsamlet, brudt eller udnyttet ved sådanne aktiviteter.

Bestemmelsen fastsætter endvidere, at forslaget finder anvendelse på afgørelser om aktiviteter og forhold vedrørende mineraler omfattet af råstofloven, og som er truffet før forslagens ikrafttræden. Tidsfristen nævnt i forslagens §§ 25 og 73 regnes dog fra tidspunktet for forslagens ikrafttræden. Se den nævnte bestemmelse og bemærkningerne dertil.

Til stk. 4

Bestemmelsen angiver, at de den 1. juli 2023 gældende bestemmelser for mineralaktiviteter og ansøgningsprocedurer, standardvilkår og vilkår for tilladelser vedrørende mineraler

forbliver i kraft med de ændringer, som følger af forslaget, indtil bestemmelserne med videre ophæves eller afløses af nye bestemmelser fastsat efter forslaget.

Det følger således af bestemmelsen, at de bestemmelser for mineralaktiviteter og ansøgningsprocedurer, standardvilkår og vilkår for tilladelser vedrørende mineraler, som vedrører forhold omfattet af forslaget og er gældende, efter at forslaget er trådt i kraft den 1. juli 2023, forbliver i kraft med de ændringer, som følger af forslaget. Bestemmelserne og vilkårene kan dog blive ophævet eller afløst af nye bestemmelser fastsat efter forslaget.



**Forslag til:**

**Inatsisartutlov om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven)**

(Konsekvensændringer som følge af vedtagelse af Inatsisartutlov om mineralaktiviteter)

**§ 1**

I Inatsisartutlov nr. 7 af 7. december 2009 om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven), jf. Inatsisartutlovbekendtgørelse nr. 8 af 26. februar 2020, foretages følgende ændringer:

1. Efter § 14 indsættes i kapitel 4:

*”Forhold omfattet af Inatsisartutlov om mineralaktiviteter*

**§ 14 a.** Inatsisartutloven finder ikke anvendelse på forhold, herunder aktiviteter og tilladelser, omfattet af Inatsisartutlov om mineralaktiviteter.”

2. Kapitel 7 ophæves.

3. § 85, stk. 3 ophæves.

4. § 95 a ophæves.

**§ 2**

Denne Inatsisartutlov træder i kraft den 1. juli 2023.

*Grønlands Selvstyre, den xx. xxx 2021*

**Formanden for Naalakkersuisut**

## Bemærkninger til forslaget

### Almindelige bemærkninger

#### 1. Indledning

Som konsekvens af vedtagelsen af Inatsisartutlov om mineralaktiviteter foretages nedenstående ændringer i Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven).

#### 2. Hovedpunkter i forslaget

Forslaget har til formål at ophæve de bestemmelser i råstofloven, som erstattes af den ovenfor nævnte Inatsisartutlov og sikre, at der ikke sker dobbeltregulering efter vedtagelsen af den nævnte Inatsisartutlov.

#### 3. Økonomiske og administrative konsekvenser for det offentlige

Forslaget forventes ikke at have økonomiske og administrative konsekvenser for det offentlige.

#### 4. Økonomiske og administrative konsekvenser for erhvervslivet

Forslaget forventes ikke at have økonomiske og administrative konsekvenser for erhvervslivet.

#### 5. Konsekvenser for miljø, natur og folkesundhed

Forslaget forventes ikke have konsekvenser for miljø, natur eller folkesundhed.

#### 6. Konsekvenser for borgerne

Forslaget forventes ikke at have økonomiske konsekvenser for borgerne.

#### 7. Andre væsentlige konsekvenser

Forslaget forventes ikke at have andre væsentlige konsekvenser.

#### 8. Høring af myndigheder og organisationer med videre

## **Bemærkninger til forslagens enkelte bestemmelser**

### *Til § 1*

Bestemmelserne i nr. 1-3 skal sikre, at forhold, der for fremtiden reguleres af Inatsisartutlov om mineralaktiviteter, ikke samtidig reguleres af råstofloven. De bestemmelser, der foreslås ophævet, erstattes af bestemmelser i Inatsisartutlov om mineralaktiviteter.

Bestemmelsen i nr. 4 ophæver bestemmelsen om oprettelse af en fond til støtte til undersøgelser og rådgivning til afdækning af særlige problemstillinger relateret til konkrete råstofprojekter. Fonden erstattes af en pulje med samme formål, som reguleres i Inatsisartutlov om mineralaktiviteter.

### *Til § 2*

Bestemmelsen vedrører ikrafttrædelsestidspunktet for forslaget.

Det foreslås, at forslaget træder i kraft samtidig med Inatsisartutlov om mineralaktiviteter.

Forslaget sammenholdt med gældende Inatsisartutlov	
Gældende formulering	Forslaget
	<p><b>§ 1</b></p> <p>I Inatsisartutlov nr. 7 af 7. december 2009 om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven), som senest ændret ved Inatsisartutlov nr. 39 af 28. november 2019, foretages følgende ændringer:</p>
	<p><b>1.</b> Efter § 14 indsættes:</p> <p><i>”Forhold omfattet af Inatsisartutlov om mineralaktiviteter</i></p> <p><b>§ 14 a.</b> Inatsisartutloven finder ikke anvendelse på forhold, herunder aktiviteter og tilladelser, omfattet af Inatsisartutlov om mineralaktiviteter.”</p>
<p><b>§ 29.</b> For mineraler meddeles tilladelse efter § 16 til efterforskning for en periode på indtil 10 år eller, hvis særlige omstændigheder foreligger, for en periode på indtil 16 år. En tilladelse kan forlænges med henblik på efterforskning med indtil 3 år ad gangen. En forlængelse ud over 10 år kan meddeles på ændrede vilkår.</p> <p><i>Stk. 2.</i> En rettighedshaver, som under en tilladelse efter stk. 1 har påvist og afgrænset forekomster, som denne agter at udnytte, og som i øvrigt har opfyldt de i tilladelsen anførte vilkår, har ret til at få meddelt en tilladelse til udnyttelse. Tilladelsen kan meddeles til et af rettighedshaveren udpeget selskab, jf. herved § 16, stk. 3. Tilladelsen meddeles for de dele af området, der omfatter forekomster, som rettighedshaveren agter at udnytte. Tilladelsen meddeles for en periode på 30 år, medmindre en kortere periode er fastsat som vilkår for tilladelsen.</p> <p><i>Stk. 3.</i> Den i stk. 2 angivne periode for udnyttelse kan forlænges af Naalakkersuisut, jf. dog § 16, stk. 5.</p> <p><i>Stk. 4.</i> I et område omfattet af en tilladelse efter § 16 til udnyttelse af mineraler må andre end rettighedshaveren efter tilladelsen</p>	<p><b>2.</b> Kapitel 7 ophæves</p>

<p>ikke udføre aktiviteter efter tilladelser til forundersøgelse, efterforskning eller udnyttelse af mineraler.</p> <p><b>§ 30.</b> I en tilladelse efter § 16 til udnyttelse af mineraler kan der kun fastsættes vilkår efter § 17, stk. 1-2, hvis dette er angivet i tilladelsen til efterforskning, eller hvis § 17, stk. 3, eller tilsvarende regel i grønlandsk skattelovgivning bringes i anvendelse.</p> <p><i>Stk. 2.</i> I en tilladelse efter § 16 til udnyttelse af mineraler kan Naalakkersuisut fastsætte vilkår om tidsfrister for forhold af væsentlig betydning for gennemførelsen af udnyttelsesaktiviteterne og andre aktiviteter efter tilladelsen. Naalakkersuisut kan træffe beslutning om, at en tilladelse bortfalder eller kan tilbagekaldes, hvis en tidsfrist eller en forlænget tidsfrist ikke overholdes.</p> <p><b>§ 31.</b> Naalakkersuisut kan fastsætte nærmere bestemmelser om mineraler, herunder om efterforskning, udnyttelse, forarbejdning, opbevaring, deponering, transport, handel, eksport, import og certificering.</p> <p><i>Stk. 2.</i> Naalakkersuisut kan fastsætte bestemmelser om, at forarbejdning af og handel med bestemte mineraler kun må udføres i henhold til tilladelse eller godkendelse meddelt af Naalakkersuisut. Naalakkersuisut kan fastsætte bestemmelser eller vilkår for sådanne tilladelser eller godkendelser. Aktiviteter nævnt i stk. 1, der ønskes foretaget i medfør af en tilladelse efter § 16, kræver alene godkendelse.</p>	
<p><b>§ 85.</b> Naalakkersuisut kan fastsætte bestemmelser om udførsel og indførsel af mineralske råstoffer.</p> <p><i>Stk. 2.</i> Naalakkersuisut kan fastsætte bestemmelser eller træffe afgørelser med henblik på at gennemføre eller anvende internationale aftaler eller regler om forhold, der er omfattet af denne inatsisartutlov i Grønland.</p> <p><i>Stk. 3.</i> Naalakkersuisut kan fastsætte bestemmelser om udførsel og indførsel af rådiamanter og aktiviteter vedrørende rådiamanter samt bestemmelser, der har til formål at</p>	<p><b>3.</b> § 85, stk. 3 ophæves.</p>

<p>gennemføre eller anvende internationale aftaler eller regler om rådiamanter, herunder opfylde krav i henhold til Kimberley-processens certificeringsordning.</p>	
<p><b>§ 95 a.</b> Naalakkersuisut opretter en fond, hvor berørte borgere, lokalsamfund og relevante organisationer i Grønland kan søge midler til at igangsætte undersøgelser og søge rådgivning til afdækning af særlige problemstillinger relateret til konkrete råstofprojekter i Grønland samt til at afholde møde om projektets påvirkning af samfundet og miljøet.</p> <p><i>Stk. 2.</i> Ansøgning om midler kan ske, efter at en projektbeskrivelse er sendt i forhøring.</p> <p><i>Stk. 3.</i> Naalakkersuisut kan fastsætte nærmere bestemmelser om fonden.</p>	<p><b>4.</b> § 95 a ophæves.</p>
	<p style="text-align: center;"><b>§ 2</b></p> <p>Denne Inatsisartutlov træder i kraft den 1. juli 2023.</p>

## **Tusarniaaneq:**

**Uunga siunnersuummut missingiut: Aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaat nr. xx, xx. xxxx 2023-meersoq (aatsitassanut inatsit),**

**aamma**

**Uunga siunnersuummut missingiut: Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaata (aatsitassanut ikummatissanullu inatsit) allanngortinneqarnissaa pillugu Inatsisartut inatsisaat nr. xx, xx. xxx 2023-meersoq**

Matumuuna ”Uunga siunnersuut: Aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaat nr. xx, xx. xxxx 2023-meersoq (aatsitassanut inatsit)”, aamma ” Uunga siunnersuut Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaata (aatsitassanut ikummatissanullu inatsit) allanngortinneqarnissaa pillugu Inatsisartut inatsisaat nr. xx, xx. xxx 2023-meersoq” 2023-mi upernaakkut ataatsimiinnermi saqqummiunneqarnissaat siunertaralugu tusarniaassutigalugit nassiunneqarput.

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Siunnersuutit imarisai siusinnerusukkut tusarniaassutigalugit nassiunneqarsimapput, imaallutik ”Uunga siunnersuummut missingiut: Aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaat nr. xx, xx. xxxx 2022-meersoq (aatsitassanut inatsit)”, aamma ” Uunga siunnersuummut missingiut: Aatsitassarsiorluni misissueqqaarnermi, aatsitassarsiorluni misissuinermi aamma aatsitassanik paaanermi taakkunungalugu atatillugu ingerlatani avatangiisinik allanngutsaaliuineq pillugu Inatsisartut inatsisaat nr. [xx], [ulloq qaammat ukioq]-meersoq”.

## **Tunngaviusoq aamma siunertaq**

Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaanni aatsitassanik paaanermut tunngasut tamarmik maleruagassiivigineqarput, ilanngullugit ikummatissiassanut akuersissutit, aatsitassarsiorluni misissuinissamut aamma aatsitassanik paaanissamut akuersissutit, annikitsumik aatsitassarsiorlunissamut akuersissutit aamma avatangiisinut tunngasut. Inatsit Aatsitassanik Suliassaqarfimmit Avatangiisinut Aqutsisoqarfimmit, Aatsitassanut Ikummatissanullu Aqutsisoqarfimmit aamma Aatsitassanut Inatsisillu Atuutsinneqarnerannut Naalakkersuisoqarfimmit aqunneqarpoq.

Inatsit pissutsinut assigiinngisitaartunut tunngassuteqartoq ilaatigut innuttaasunut suliffeqarfimnullu paasiuminaatsutut issinnaammat, ilaatigullu aalajangersakkat ilaanni aatsitassanut akuersissutit nalinginnaasut, annikitsumik aatsitassarsiorlunissamut akuersissutit aamma ikummatissiassanut akuersissutit maleruagassiivigineqarlutik aatsitassanut ikummatissanullu inatsimmi pisutut, qulequttat pingaarnerinnartigut sammineqartariaqartarlutik, aatsitassanut suliassaqarfimmi

maleruagassiinerup inatsisini arlalinni, suliassaqarfinni ataasiakkaani immikkut maleruagassii viusuni, aggulunneqarnissaa naapertuutsinneqarpoq. Taamaattumik siunnersuutigineqarpoq pissutsit ullumikkut aatsitassanut ikummatissanullu inatsimmi maleruagassii vigineqartut siunissami inatsisini assigiinngitsuni pingasuni maleruagassii vigineqalissasut. Aatsitassarsiorfinnik ingerlatsinermut nalinginnaasumut tunngatillugu pissutsit pillugit aatsitassanut tunngasunik suliaqarnermut inatsit immikkoortoq, annikitsumik aatsitassarsiornermut akuersissutit aamma najukkani illuliornermut attaveqaasersuutinullu suliniutinut aatsitassanik piaanermut tunngatillugu pissutsit pillugit annikitsumik aatsitassarsiornermut inatsit immikkoortoq (2023-mi ukiaanerani ataatsimiinnissamut saqqummiunneqartussatut pilersaarutigineqarpoq) aammalu ikummatissiassanut nunalu iluata toqqorsivittut atorineqartarneranut tunngatillugu pissutsit pillugit maannakkut aatsitassanut ikummatissanullu inatsit. Inatsisini pingasuusuni taakkunani akuersissutinut maleruagassaqartitsinermut avatangiisinullu tunngasut pineqartunut ilaatinneqassapput. Ikummatissiassanut tunngatillugu siusinnerusukkut inatsisissatut siunnersuut suliassaqarfimmi tassani atuuttussaq sularineqaralarpoq, kisianni Naalakkersuisut ulloq 24/6 2021 aalajangermata ikummatissiassanut ingerlatassat atorunnaarsikkiartuaarneqassasut, suliassaqarfiup taassuma aatsitassanut ikummatissanullu inatsimmi kingusinnerusukkut allannguuteqartartumi maleruagassii vigineqarnerata ingerlaannarnissaa aammalu inatsisip taassuma atuutsiinnarnissaa naapertuussorineqarpoq.

Aatsitassanut ikummatissanullu inatsisip allanngortinneqarnissaanut siunnersuut, pissutsit aatsitassanut ikummatissanullu inatsimmi maleruagassii vigineqartut ilaasa, siunissami aatsitassanut tunngasunik suliaqarnermut inatsimmi siunissami maleruagassii vigineqalertussaanerisa, taamaallaat sunniutigaa, aammalu siunnersuummi taamaallaat aalajangersakkat attuumassuteqartut taamaallaat atorunnaarsinneqarput.

Pingaarnertigut isigalugu inatsisitigut inissisimanerup annertunerusumik allanngortinneqarnissaa siunertarineqanngilaq, aammalu siunnersuutit suleriaatsimut atuuttumut annertunerpaatigut takussutissaapput. Siunnersuutini siunertaavoq inatsisitigut inissisimanerup ersarinnerulersinnissaa aammalu aningaasaliivigiuminarnerulersitsinissaq. Taamaattumik siunnersuutit nunani tamalaani malitassanik naammassinninnissaat aammalu nunat aatsitassarsiorfiusut allat inatsisaannut sanilliullugu unammillersinnaassuseqarnissaat, pingaartinneqarpoq. Assersuutigalugu inatsisit nunani allamiunut pisinnaatitsissummik pigisaqartunut aningaasaliisartunullu pissarsiariuminartunngortinnissaat siunertaralugu, atugassarititaasut suut akuersissutinut ataasiakkaanut piunasaqaataanersut, nassuiarneqarpoq. Akuersissutinik qinnuteqartunut tunngatillugu inatsisitigut isumannaatsuunerup annertunerulernissaa siunertaralugu erseqqissarneqarpoq, qinnuteqaatinik sularinninnermut atatillugu tunngavissarititaasut suut Naalakkersuisut pingaartissinnaaneraat.

## **Allannguutit annertuut**

Aatsitassanut ikummatissanullu inatsisip atuuttup inatsisini immikkuullarissuni arlalinni aggulunneqarnerata saniatigut, aatsitassanut ikummatissanullu inatsimmut atuuttumut sanilliullugu siunnersuutini allannguutit annertunerpaat makkuupput:



- Sinerissap avataani ingerlatassat pillugit aalajangersakkat aatsitassanut tunngasunik suliaqarnermut inatsimmi aatsitassarsiorluni ingerlatassanut naleqqussarneqarput. Aatsitassanut ikummatissanullu inatsimmi sinerissap avataani ingerlatassat pillugit aalajangersakkat pingaartumik ikummatissiassanut tunngasunik ingerlataqarnissamut tunngassuteqarput.
- Siunnersuutit upalungaarsimanermut komite pillugu aalajangersakkanik imaqanngillat, tassami taanna atorunnaarsinneqassasoq kissaatigineqarmat.
- Akileraarutinut nalunaarusiortarneq pillugu aalajangersakkat allanngortinneqarput, taamaalillutik pisinnaatitsissummik pigisaqartut isumaqatigiissuteqarnerminni peqatigisaminnit akileraarutitigut paasissutissanik piniarnissamut pisussaaffeqarunnaarsinneqarlutik. Tamatumunnga taarsiullugu Naalackersuisut pisinnaatitsissummik pigisaqartut isumaqatigiissuteqarnerminni peqatigisaannit, aatsitassarsiornissamut akuersissutip ataani ingerlatassanik suliaqartunit, toqqaannartumik akileraarutitigut paasissutissanik piumasaqarsinnaalissapput.
- Naalackersuisut allaffissornikkut akiliisussanngortitsisarnissaannut inatsimmi tunngavissaliisoqarpoq.
- Sumiiffiit immikkut nunap sannamigut soqutiginaatillit eqqissisimatitassanngortinnissaannut Naalackersuisunut inatsimmi tunngavissaliisoqarpoq.
- Annikitsumik aatsitassarsiornissamut akuersissut tunngavigalugu piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaaffeqalersitsisoqarpoq.
- Aatsitassarsiorluni misissuinissamut akuersissutinik tunniussinissaq sioqqullugu tamanut ammasumik tusarniaaneq aallartinneqartassaaq.
- Piiaanissamut akuersissutip suliniummut suliakkiussanut najoqqutassiap, pisariaqarpat VVM-imut (Avatangiisinut sunniutaasussanik nalilersuinerit) aamma VSB-imut (Inuiaqatigiinni piujuartussamik iluaqutaasumik sunniutaasussanik nalilersuineq) suliakkiussanut najoqqutassiamut ataqatigiissillugu, tusarniaassutigineqarnera tunngavigalugu tunniunneqartarnissaannut inatsimmi tunngavissaliisoqarpoq.
- Suliniutissanik pitsaaliuisussanik nalilersuinerimik (VFT), ingerlatassanut tunngatillugu avatangiisinut tunngasut pillugit tamanut ammasumik tusarniaanissaq kissaatigineqarluni, ingerlatassat allaffissornikkut akuerineqartussamik, piumasaqarnissamut inatsimmi tunngavissaliisoqarpoq.
- Innuttaasunik akuutitsinissamut aningaasaateqarfimmik pilersitsinissaq pillugu aatsitassanut ikummatissanullu inatsimmi aalajangersagaq atorunnaarsinneqarpoq aammalu siunertamut tassunga aningaasaliissutinik pilersitsinissaq pillugu aatsitassanik tunngasunik suliaqarnermut inatsimmi aalajangersakkamik taarserneqarluni.

## **Piffissamut killigititaq**

Tusarniaanermut akissuteqaatit nassuteqquneqarput uunga [asn@nanoq.gl](mailto:asn@nanoq.gl) aamma [EAMRA@nanoq.gl](mailto:EAMRA@nanoq.gl) assilineru uunga [bosd@nanoq.gl](mailto:bosd@nanoq.gl) aamma [netl@nanoq.gl](mailto:netl@nanoq.gl) kingusinnerpaamik 22. december 2022.

Inussiarnersumik inuulluaqquilluta

Aatsitassanik Suliassaqarfinnut Avatangiisinut Aqutsisoqarfik aamma Aatsitassanut Inatsisillu  
Atuutsinneqarnerannut Naalakkersuisoqarfik

## Uunga siunnersuut:

### Aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaat

#### Kapitali 1

##### *Siunertaa*

§ 1. Aatsitassarsiorluni misissueqqaarnerup, misissuinerup aamma aatsitassanik piiaanerup aammalu tamatumunnga atatillugu ingerlatassanik suliaqarnerup naapertuuttumik sunniuteqarluartumillu ingerlanneqartarnissaat, Inatsisartut inatsisaanni tunngavissaatinneqarpoq. Tamatuma saniatigut pissutsinik aatsitassarsiorluni ingerlataqarnernut pingaaruteqartunik naapertuuttumik maleruagassiinissaq tunngavissaatinneqarpoq.

*Imm. 2.* Ingerlatat inatsimmi pineqartunut ilaatinneqartut isumannaallisaanermut, peqqinnissamut, avatangiisinut, isumalluutunik atuinermut aamma inuiaqatigiinni piujuartitsinissamut tunngatillugu isumannaatsumik, ilanngullugit innuttaasut inooqatigiinnermut, kulturimut, upperisatigut anersaakkullu naleqartitaat ileqquilu, kiisalu pissutsini taamaaqataanni nunani tamalaani suleriaatsinut pitsaanerpaanut akuerisaasunut naapertuuttumik ingerlanneqartarnissaat, Inatsisartut inatsisaanni tunngavissaatinneqarpoq.

#### Kapitali 2

##### *Atuuffissai*

##### *Nunami sumiiffinni atuuffissai*

§ 2. Inatsisartut inatsisaat, nunami akisussaaffeqarfiusumi aamma imaani akisussaaffeqarfiusumi, nunavittap sumiiffiini aamma Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaani, atuuppoq.

##### *Ingerlatassat*

§ 3. Inatsisartut inatsisaat ingerlatassanut makkununnga atuuppoq:

- 1) Misissueqqaarneq, aatsitassarsiorluni misissuineq, aatsitassanik piiaaneq aamma aatsitassanik ilisimatuussutsikkut misissuinerit kiisalu ingerlatassat tamatumunnga atasut.
- 2) Ingerlatassanut Inatsisartut inatsisaanni pineqartunut ilaasunut nukissiornermut attuumassuteqartunut kiisalu ingerlatassat tamatumunnga atasut.
- 3) Aatsitassarsiorluni ingerlataqarnerit pillugit nunap iluata toqqorsivittut aamma siunertanut allanut atornerqarnera kiisalu ingerlatassat tamatumunnga atasut.
- 4) Misissuinerit aammalu allatigut ingerlatat, ingerlatanut nr. 1-3-mi taaneqartunut pingaaruteqartut.

*Imm. 2.* Inatsisartut inatsisaat ingerlatassanut makkununga atuutinnilaq:

- 1) Najukkami aatsitassarsiorluni ingerlatat.
- 2) Ingerlatat ikummatissiassanut tunngasut.
- 3) Nunap iluata toqqorsinermut allanullu siunertanut, aatsitassarsiorluni ingerlatanut imaluunniit ingerlatanut tamatumunnga atasunut tunngassuteqanngitsunut, atorpeqarnera.

*Sanaartukkat aaqqissuussinerillu*

**§ 4.** Inatsisartut inatsisaat sanaartukkanut aaqqissuussinernullu § 2 naapertorlugu sumiiffinni inissisimasunut, aammallu ingerlatassanik Inatsisartut inatsisaanni pineqartunut ilaasunik suliaqarnermut atatillugu atorpeqartunut, atuuppoq.

*Sinerissap avataani suliaqarfuit, sinerissap avataani umiarsuit aamma sinerissap avataani suliaqarfuit eqqaanni isumannaallisaanermut killeqarfuit*

**§ 5.** Inatsisartut inatsisaat sinerissap avataani suliaqarfinnut, takuuk § 18, aamma sinerissap avataani umiarsuarnut, takuuk § 19, imaani akisussaaffeqarfiusumiittunut, nunavittap sumiiffianiittunut imaluunniit Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaaniittunut, aammalu ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarnermut atatillugu atorpeqartunut, atuuppoq.

**§ 6.** Inatsisartut inatsisaat sinerissap avataani suliaqarfinni imaani akisussaaffeqarfiusumiittuni, nunavittap sumiiffianiittuni imaluunniit Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaaniittuni isumannaallisaanermut killeqarfinnut, atuuppoq.

*Imm. 2.* Isumannaallisaanermut killeqarfiup iluani Inatsisartut inatsisaat umiarsuarnut, prammikut, imaatigut angallatinut allanut, timmisartunut, qulimiguulinnut, droninut aamma silaannakkut angallatinut allanut, sinerissap avataani suliaqarfinnut angallattakkanut aamma sanaartukkanut aaqqissuussinernullu angallattakkanut allanut, imaatigut angalaartunut, tissiarlutik ingerlaartunut, kalinneqartunut imaluunniit tamatumunnga atatillugu kisaqqasunut, imaluunniit allatut iliorlutik isumannaallisaanermut killeqarfimmiittunut, kiisalu aalisarnermut atortunut, kisanut, pituttornermut atortunut allanut, atortunut allanut aamma pigisanut allanut, atuuppoq.

*Imm. 3.* Umiarsuit, imaatigut angallatit, tunisassiornermut atortut aamma silaannakkut angallatit ilaalu ilanngullugit imm. 2-mi taaneqartut Kalaallit Nunaanneersuunersut, Danmarkimeersuunersut, Savalimmiuneersuunersut imaluunniit nunanit allaneersuunersut apeqqutaatinnagu, Inatsisartut inatsisaat atuutissaaq.

*Umiarsuit, imaatigut angallatit, tunisassiornermut atortut aamma silaannakkut angallatit allat ilaalu ilanngullugit taakkualu ingerlataat*

§ 7. Inatsisartut inatsisaat sinerissap avataani umiarsuarnut allanut, umiarsuarnut allanut, pramminut allanut, imaatigut angallatinut allanut, sinerissap avataani suliaqarfiit angallattakkanut allanut aamma sanaartukkanut aaqqissuussinernullu angallattakkanut allanut aamma timmisartunut, qulimiguulinnut, droninut aamma silaannakkut angallatinut allanut, imaani akisussaaffeqarfiusumiittut, nunavittap sumiiffianiittut imaluunniit aningaasarsiornikkut oqartussaaffigisamiittut imaluunniit taakkua silaannartaanniittunut, aammalu ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarnermut atatillugu atorneqartunut, aamma atuuppoq.

*Imm. 2.* Umiarsuit, imaatigut angallatit, tunisassiornermut atortut aamma silaannakkut angallatit ilaalu ilanngullugit imm. 1-imi taaneqartut Kalaallit Nunaanneersuunersut, Danmarkimeersuunersut, Savalimmiuneersuunersut imaluunniit nunanit allaneersuunersut apeqqutaatinnagu, Inatsisartut inatsisaat atuutissaaq.

§ 8. Ingerlatassani Inatsisartut inatsisaanni pineqartunut ilaasuni ilaatigut ilaatinneqarput, imaani akisussaaffeqarfiusumi, nunavittap sumiiffiani aamma Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaani taakkualu silaannartaanni ingerlataqarnerit makkua, taamaattoq takuuk imm. 2 aamma 3:

1) Ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarneq.

2) Ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarnermut atatillugu imaatigut ingerlaarneq aamma umiarsuit aamma angallatit allat atorlugit ingerlatanik allanik suliaqarneq.

3) Ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarnermut atatillugu timmisartorneq aamma timmisartut, qulimiguullit, dronit aamma silaannakkut angallatit allat atorlugit ingerlatanik allanik suliaqarneq.

*Imm. 2.* Ingerlatassat Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasut, ingerlatassat Inatsisartut inatsisaat malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartumit imaluunniit pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaanit suliarineqarpata, ingerlatassanut imm. 1-imi taaneqartunut ilaatinneqarput.

*Imm. 3.* Ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarnermi, takuuk imm. 1 aamma 2, Inatsisartut inatsisaat malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartumut aamma pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaannut, taassuma imaluunniit taakkua ingerlataat imaluunniit taakkununga tunngasut Inatsisartut inatsisaanni, aalajangersakkani Inatsisartut inatsisaat malillugu aalajangersagaasuni imaluunniit Inatsisartut inatsisaat malillugu akuersissutini, akuersissuteqarnermi imaluunniit aalajangiinerni atugassarititaasuni maleruagassiivigineqarsimappata, aatsaat Inatsisartut inatsisaat atuuppoq.

*Imm. 4.* Inatsisartut inatsisaata imm. 1-3-mi nassuiarneqartut atorneqarnerani, Inatsisartut inatsisaat malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartoq imaluunniit pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisai, Kalaallit Nunaanni imaluunniit Danmarkimi inatsisit, ingerlatassanut pineqartunullu imm. 1-3-mi taaneqartunut atuuttut, malinnissaannut pisussaajunnaarsinneqangillat. Inatsisartut inatsisaat aamma inatsisit allat

imminnut naapertuutinnippata, inatsisit allat atuuttariaqaraluartut immikkut mianerisassat tunngavilersuutaasinnaangippata, Inatsisartut inatsisaanni aalajangersakkat aammalu aalajangersakkat atugassarititaasullu Inatsisartut inatsisaat malillugu aalajangersagaasut atuutissapput.

*Avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq*

§ 9. Inatsimmi allatut allassimasoqangippat, Inatsisartut inatsisaanni avatangiisinik allanngutsaaliuineq pillugu maleruagassani aamma ilaatinneqarput silap pissusaanut tunngasunut illersuinissaq aammalu pinngortitamik illersuinissamut ilaatinneqarput.

*Imm. 2.* Tamanna aamma taarsiinissamut akisussaaffeqarnermut allatullu mingutsitsinermut aamma avatangiisini allatut sunniinermut akisussaaffeqarnermut aammalu avatangiisini ajoqusiinernut taarsiisarneq pillugu inatsimmi maleruagassat pillugit Inatsisartut inatsisaanni maleruagassanut atuuppoq.

### **Kapitali 3**

*Nassuiaatit*

*Aatsitassat*

§ 10. Aatsitassat paasineqassapput tassaasut aatsitassanit atortussiassat allat, ikummatissiassanit (uulia aamma naturgassi) allaanerusut, tamarmik.

*Imm. 2.* Ikummatissiassat paasineqassaaq tassaasut ikummatissiassat nalinginnaasumik tassaasut  $C_nH_{2n+2}$ , tassani  $n < 25$ .

*Ingerlatassat, akuersissutit, pisinnaatitsissummik pigisaqartut, akuersissuteqarnerit aamma pilersaarutit*

§ 11. ”Aatsitassarsiorluni ingerlataqarnerit” paasineqassapput tassaasut, ingerlatassat Inatsisartut inatsisaanni pineqartunut ilaasut.

§ 12. ”Akuersissutit” paasineqassaaq tassaasut akuersissutit imm. 2 – 5-imi taaneqartut ilaat, ingerlatassat Inatsisartut inatsisaanni pineqartunut ilaasut suliarinissaannut akuersissut Inatsisartut inatsisaat malillugu Naalakkersuisunit tunniunneqartoq.

*Imm. 2.* . ”Misissueqqaarnissamut akuersissut” paasineqassaaq tassaasoq, aatsitassanut tunngatillugu misissueqqaarnermik suliaqarnissamut akuersissut, takuuk § 28.

*Imm. 3.* ”Aatsitassarsiorluni misissuinissamut akuersissut” paasineqassaaq tassaasoq, aatsitassarsiorluni misissuineramik suliaqarnissamut akuersissut, takuuk § 34.

*Imm. 4.* ”Piiaanissamut akuersissut” paasineqassaaq tassaasoq, aatsitassanik piiaanermik suliaqarnissamut akuersissut, takuuk § 43.

*Imm. 5.* ”Ilisimatuussutsikkut misissuinernut” paasineqassaaq tassaasoq, aatsitassanut tunngatillugu ilisimatuussutsikkut misissuineramik suliaqarnissamut akuersissut, takuuk § 62.

**§ 13.** ”Pisinnaatitsissummik pigisaqartoq” paasineqassaaq tassaasoq, Inatsisartut inatsisaat malillugu akuersissut Naalakkersuisunit tunniunneqartoq malillugu pisinnaatitsissummik pigisaqartoq, takuuk § 12.

**§ 14.** ”Akuersissuteqarneq” tassaasoq, ataqatigiinnerani allatut pisoqartussaasimangippat, ingerlatassanik Inatsisartut inatsisaanni pineqartunut ilaasunik imm. 2-3-mi taaneqartunik suliaqarnissamut Inatsisartut inatsisaat malillugu akuersissuteqarneq Naalakkersuisunit nalunaarutigineqartoq.

*Imm. 2.* ”Ingerlatassanut akuersissuteqarneq” paasineqassaaq tassaasoq aatsitassarsiorfimmuut pilersaarummut, takuuk § 15, imm. 1, matusinissamut pilersaarummut, takuuk § 15, imm. 2, imaluunniit ingerlatassanik aalajangersimasunik suliaqarnissamut akuersissuteqarneq, takuuk § 22, imm. 3, aamma § 120, imm. 1.

*Imm. 3.* ”Avammut annissinissamut akuersissuteqarneq” paasineqassaaq aatsitassanik Kalaallit Nunaanniit annissinissamut akuersissuteqarneq, takuuk § 22, imm. 3, nr. 1, aamma § 75.

**§ 15.** ”Aatsitassarsiorfimmuut pilersaarut” paasineqassaaq tassaasoq, pisinnaatitsissummik pigisaqartup aatsitassanik piiaanissaanut aamma piiaanissamut akuersissut malillugu tamatumunnga atatillugu ingerlatassaannut, pisinnaatitsissummik pigisaqartup pilersaarutaa, takuuk § 77.

*Imm. 2.* ”Matusinissamut pilersaarut” paasineqassaaq tassaasoq, pisinnaatitsissummik pigisaqartup aatsitassanik piiaanermik kingusinnerusukkuut unitsitsinissaanut aamma matusinissaanut aammalu piiaanissamut akuersissut malillugu tamatumunnga atatillugu ingerlatassaannut, pisinnaatitsissummik pigisaqartup pilersaarutaa, takuuk § 80.

*Imm. 3.* Ingerlatassanut pilersaarut” paasineqassaaq tassaasoq, akuersissut malillugu ingerlatassanik aalajangersimasunik suliaqarnissamut pisinnaatitsissummik pigisaqartup pilersaarutaa, takuuk § 120, imm. 1, ilanngullugu ilaatigut aatsitassarsiorfimmuut pilersaarut imm. 1, aamma matusinissamut pilersaarut, takuuk imm. 2.

#### *Aalajangersakkat aamma atugassarititaasut*

**§ 16.** ”Aalajangersakkat aamma atugassarititaasut” paasineqassapput tassaasut, ataqatigiinnerani allatut pisoqartussaasimangippat, aalajangersakkat aamma atugassarititaasut Inatsisartut inatsisaat malillugu aalajangersagaasut. Taakkunani ilaatigut ilaatinneqarput nalunaarutini, qinnuteqaatinut suleriaatsini, suleriaatsini allani aamma ilitersuutini Inatsisartut inatsisaat malillugu aalajangersagaasuni aalajangersakkat, akuersissutinut aamma akuersissuteqarnernut Inatsisartut inatsisaat malillugu tunniunneqartunut atugassarititaasut nalinginnaasut, akuersissutinut aamma akuersissuteqarnernut Inatsisartut inatsisaat malillugu tunniunneqartunut atugassarititaasut aamma Inatsisartut inatsisaat malillugu aalajangiinerni aalajangersakkat aamma atugassarititaasut.

*Pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisai*

§ 17. ”Pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaa” paasineqassaaq tassaasoq, pisinnaatitsissummik pigisaqartup ingerlatassanik pisinnaatitsissummik pigisaqartumut akuersissummi pineqartunut ilaasunik suliaqarnerani, pisinnaatitsissummik pigisaqartup nioqutissanik imaluunniit sullissinernik pilersuisua, ilanngullugit sanaartugassanut akigititaasunut sullissinerit imaluunniit siunnersortitut sullissinerit. Pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaani aamma pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaata isumaqatigiissuteqarfigisai ilaalu ilanngullugit, pineqartunut ilaatinneqarput.

*Sinerissap avataani suliaqarfiit*

§ 18. ”Sinerissap avataani suliaqarfiit” paasineqassaaq tassaasut, umiarsuit, prammit, angallatit allat, platformit aamma aaqqissuussinerit allat, imaani sumiiffimmi aalajangersimasumi imaluunniit sumiiffinni aalajangersimasuni arlalinni tulleriinni ingerlatassamik ataatsimik arlalinnilluunniit suliaqarnermut atorneqartut:

- 1) Imaani sumiiffimmi misissueqqaarneq, aatsitassarsiorluni misissuineq aamma aatsitassanik piiaaneq.
- 2) Aatsitassanik, imaani sumiiffimmi imaluunniit nunami sumiiffimmi piiarneqartunik suliareqqiineq.
- 3) Aatsitassanik, imaani sumiiffimmi imaluunniit nunami sumiiffimmi piiarneqartunik uninngasuuteqarneq.
- 4) Suliffiup atortuinik, atortussanik, nioqutissanik imaluunniit pigisanik imaani sumiiffimmi imaluunniit nunami sumiiffimmi ingerlatassanik Inatsisartut inatsisaanni pineqartunut ilaasunik suliaqarnermut atatillugu atorneqartunik tigusineq, uninngasuuteqarneq, allamut usiliussineq imaluunniit nassiussineq.
- 5) Inuit imaani sumiiffimmi imaluunniit nunami sumiiffimmi ingerlatassanik Inatsisartut inatsisaanni pineqartunut ilaasunik suliaqarnermut atatillugu suliaqarnermik imaluunniit ingerlatassanik suliaqartut assartorneqarnerannut, uninngaarfiinut imaluunniit unnuisarfiinut atatillugu tikiffissap sumiiffia, paarlaaffissap sumiiffia imaluunniit aallarfissap sumiiffia.
- 6) Inuit imaani sumiiffimmi imaluunniit nunami sumiiffimmi ingerlatassanik Inatsisartut inatsisaanni pineqartunut ilaasunik suliaqartut ineqarfi.

*Imm. 2.* ”Sinerissap avataani suliaqarfiit angallattakkat” paasineqassaaq tassaasut, sinerissap avataani suliaqarfiit suulluunniit, imaatigut angallallugit, tissiartillugit imaluunniit kalillugit inissiffissamut allamut nuunneqarsinnaasut, aammalu piffissami atuuffissaanni sumiiffinni arlalinni imaluunniit assigiinngitsorpassuarni atorneqartussatut eqqarsaatigineqartut.

*Imm. 3.* ”Sinerissap avataani suliaqarfiit aalaakkaasut” paasineqassaaq, sinerissap avataani suliaqarfiit, sinerissap avataani angallattagaanngitsut, takuuk imm. 2.

*Sinerissap avataani umiarsuit*



§ 19. “Sinerissap avataani umiarsuit” paasineqassapput tassaasut, umiarsuit, prammit aamma angallatit allat, sinerissap avataani suliaqarfiunngitsut, takuuk § 18, aammalu sinerissap avataani suliaqarfinnut atatillugit ingerlatanik suliarinniffiusut.

*Avatangiisini ajoqusiineq*

§ 20. Avatangiisini ajoqusiineq paasineqassaaq:

- 1) Nunamik, imaani, immap naqqanik aamma nunap iluanik, imermi imaluunniit silaannarmi mingutsitsineq.
- 2) Silap pissusaanut tunngasunut mingutsitsineq imaluunniit allatigut pitsaanngitsumik sunniineq.
- 3) Pinngortitami, ilanngullugit inuit, uumasut imaluunniit naasut, mingutsitsineq imaluunniit allatut annertuumik pitsaanngitsumik sunniineq imaluunniit annertuumik akornusersuineq.

*Imm. 2.* Kapitali 14 malillugu akisussaasuusoq paasineqassaaq tassaasoq ingerlatassamik Inatsisartut inatsisaanni pineqartunut ilaasumik suliaqartoq, aqutsisoq imaluunniit suliarineqarneranik nakkutiginnittoq.

*Najukkami aatsitassarsiorluni ingerlatassat*

§ 21. Najukkami aatsitassarsiorluni ingerlatat paasineqassaaq tassaasoq, aatsitassat pillugit annikitsumik aatsitassarsiorluni ingerlataqarnerit pillugit Inatsisartut inatsisaat aamma Kalaallit Nunaanni sanaartornernik suliaqarnernut aamma attaveqatigiinnermi suliassanut ilaalu ilanngullugit atugassanik aatsitassanik piianeq.

**Kapitali 4**

*Maleruagassat nalinginnaasut*

*Namminersorlutik Oqartussat aatsitassanut pisinnaatitaanerat aammalu ingerlatassanut akuersissummik tunniussisarnissaq imaluunniit akuersissuteqartarnissaq pillugit piunasaqaatit*

§ 22. Namminersorlutik Oqartussat aatsitassanik Kalaallit Nunaanni nunap iluaniittunik atuinissamut piiaanissamullu piginnittussaataapput.

*Imm. 2.* Ingerlatassat makkua akuersissutit Inatsisartut inatsisaanni maleruagassat malillugit Naalakkersuisunit akuerineqartut malillugit taamaallaat Kalaallit Nunaanni suliarineqaaqusaapput:

- 1) Aatsitassanut tunngatillugu misissueqqaarneq § 28 malillugu tamatumunnga akuersissut tunniunneqartoq malillugu aatsaat ingerlateqqusaavoq.
- 2) Aatsitassarsiorluni misissuineq § 34 malillugu akuersissut tamatumunnga tunniunneqartoq malillugu aatsaat ingerlateqqusaavoq.

3) Aatsitassanik piiaaneq § 43 malillugu akuersissut tamatumunnga tunniunneqartoq malillugu aatsaat ingerlateqqusaavoq.

4) Aatsitassanut tunngatillugu ilisimatuussutsikkut misissuinerit, imm. 3 aamma 4 malillugit allatut pisoqartussaasimangippat, § 62 malillugu akuersissut tamatumunnga tunniunneqartoq malillugu aatsaat ingerlateqqusaavoq.

*Imm. 3.* Ingerlatassat makkua akuersissuteqarnerit makkua Inatsisartut inatsisaanni maleruagassat malillugit Naalackersuisunit nalunaarutigineqartut malillugit aatsaat Kalaallit Nunaanni ingerlateqqusaapput:

1) Aatsitassanik Kalaallit Nunaanniit annissineq aatsaat piiaanissamut akuersissut aamma Inatsisartut inatsisaat imaluunniit avammut nioqquteqarnissamut akuersissuteqarneq § 75, imm. 1 imaluunniit 2 malillugu tamatumunnga nalunaarutigineqartoq malillugu aatsaat pisinnaavoq.

2) Ingerlatassat allat aatsitassanut tunngatillugu misissueqqaarnermut, aatsitassarsiorluni misissuinerimut, piiaanermut imaluunniit ilisimatuussutsikkut misissuinerimut tunngassuteqartut, imm. 3, nr. 1 malillugu akuersissummi ilaatinneqanngitsut, ingerlatassanut akuersissuteqarneq malillugu taamaallaat suliarineqarsinnaapput.

*Imm. 4.* Naalackersuisut aatsitassat, aatsitassarsiorluni ingerlataqarnerit aammalu ingerlatassat allat taakkununnga atasut pillugit nalinginnaasumik imaluunniit nunap assiliornissatut isikkoqartumik ilisimatuussutsikkut suliaqarnikkullu misissuinerinik suliaqarsinnaapput.

*Imm. 5.* Imm. 1-3-mi aalajangersakkat najukkami aatsitassarsiorluni ingerlatanut atuutinngillat.

### *Oqartussatut suliarinninneq*

**§ 23.** Naalackersuisut Aatsitassanut Aqutsisoqarfik aamma Aatsitassanik Suliassa qarfinnut Avatangiisinut Aqutsisoqarfik peqatigalugit aatsitassanut suliassa qarfinmi Inatsisartut inatsisaanni pineqartunut ilaasumi, allaffissornikkut oqartussaapput.

*Imm. 2.* Imm. 3 naapertorlugu avatangiisinut tunngasut eqqaassanngikkaanni, Aatsitassanut Aqutsisoqarfik allaffissornikkut oqartussaasuvoq.

*Imm. 3.* Aatsitassanik Suliassa qarfinnut Avatangiisinut Aqutsisoqarfik (Avatangiisinut Aqutsisoqarfik) aatsitassanut suliassa qarfik pillugu avatangiisinut tunngasunut allaffissornikkut oqartussaasuvoq, ilanngullugit avatangiisinik allanngutsaaliuineq, silap pissusaanik allanngutsaaliuineq, pinngortitamik allanngutsaaliuineq, avatangiisinut akisussaaffik aammalu avatangiisinik nalilersuineq. Avatangiisinut Aqutsisoqarfiup nalilersuineri aalajangiinerilu, ilisimatuussutsikkut aamma arlaannaannulluunniit attuumassuteqartunik avatangiisinut sullissivimmit ataatsimit arlalinnilluunniit nalilersuinerinik aallaaveqartinneqassapput.

*Imm. 4.* Aatsitassat, aatsitassarsiorluni ingerlataqarnerit, nunap iluata toqqorsivittut imaluunniit aatsitassarsiorluni ingerlatanut tunngatillugu siunertanut allanut atorneqarnera, nukissiuuteqarnermi ingerlataqarnerit tassunga atasut aammalu ingerlataqarnerit allat tassunga atasut tamaasa pillugit pissutsit Inatsisartut inatsisaanni pineqartunut ilaasut tamarmik,

ataatsimoortumik akuutitsiviusumillu oqartussamit suliarineqarnissaasa isumagineqarnissaa, Naalackersuisut isumagissavaat.

*Imm. 5.* Aatsitassanut suliaasaqarfik Inatsisartut inatsisaanni pineqartunut ilaasoq pillugu oqartussat suliarinnittarnerat, pisinnaatitsissummik pigisaqartut allallu Inatsisartut inatsisaanni pineqartunut ilaasut, oqartussamut ataasiinnarmut attaveqaqateqartussaannerat aammalu nalunaarutunik, allakkianik aalajangiinernillu ilaalu ilanngullugit oqartussamit tassannga tigusaqartartussaannerat, tunngavigalugu aqqissuunneqarput.

*Imm. 6.* Aatsitassanut Aqutsisoqarfik ataqatigiissaarisutut ingerlatsivimmi oqartussaavoq aammalu Avatangiisinut Aqutsisoqarfimmiit oqaaseqaatinik aalajangiinernillu pisariaqartunik piniartarluni. Avatangiisinut Aqutsisoqarfik aamma Aatsitassanut Aqutsisoqarfik suliaasinik suliarinninneq aalajangiinerillu pillugit imminnut ingerlaavartumik ilisimatitseqatigiissapput.

*Imm. 7.* Oqartussat imm. 1-imi taaneqartut tassaapput, ingerlatassanut pissutsinullu Inatsisartut inatsisaanni pineqartunut ilaasunut tunngatillugu, inatsisit maleruagassallu allat malillugit oqartussat aalajangiisinnaatitaasut. Taamaattoq inatsisit imaluunniit maleruagassat allat malillugit oqartussat allat oqartussat suliarinnittussaasimappata, tamanna atuutissanngilaq.

**§ 24.** Aatsitassanut Aqutsisoqarfiup imaluunniit Avatangiisinut Aqutsisoqarfiup aalajangiinerata naammagittaalliutigineqarnera Naalackersuisunut suliakkiunneqarsinnaavoq. Naammagittaalliorsinnaatitaapput:

- 1) Suliami pineqartoq.
- 2) Peqatigiiffiit kattuffiillu malittarisassatik malillugit sukisaarsarneq, avatangiisini pinngortitamilu soqutigisat imaluunniit inuiaqatigiinnut tunngasut pillugit soqutigisanik annertuunik isumaginninnissamut siunertaqartut.

*Imm. 2.* Naammagittaalliornissamut killigititaq sapaatit akunnerinik 6-inik sivisussuseqarpoq. Naammagittaalliornissamut killigititaq naatsorsorneqassaaq, aalajangiineq suliami pineqartumut nalunaarutigineqarsimappat, ulloq nalunaarutigineqarnera aallarnerfigalugu, aammalu aalajangiineq tamanut ammasumik nalunaarutigineqarsimappat, ulloq tamanut nalunaarutigineqarfia aallarnerfigalugu. Naammagittaalliornissamut killigititaq arfininngornermi imaluunniit ullumi nalliuttumi naasimappat, naammagittaalliornissamut killigititat ulluinnarmut tullermut siullermut sivitsorneqassaaq.

*Imm. 3.* Naammagittaalliut oqartussamut aalajangiisumut allaganngorlugit tunniunneqassaaq. Naammagittaalliornissamut piffissamut killigititap naanerata kingorna sapinngisamik piaartumik naammagittaalliut aammalu oqartussap aalajangiinera aamma naammagittaalliummut oqaaseqaataa oqartussap Naalackersuisunut nassitissavai.

*Imm. 4.* Akuersissutip, akuersissuteqarnerup imaluunniit immikkut ittumik akuersissuteqarnerup naammagittaalliutigineqarneri, Naalackersuisut allatut aalajangiisimanngippata, kinguartitsinermik sunniuteqassanngillat.

*Imm. 5.* Akuersissutit, akuersissuteqarnerit aamma immikkut ittumik akuersissuteqarnerit aalajangersimasut naammagittaalliornissamut piffissap killigititap iluani atorneqassanngitsut pillugu aalajangersakkanik Naalackersuisut aalajangersaasinnaapput.

*Imm. 6.* Peqqusissutip imaluunniit inerteqquteqarnerup naammagittaalliuutigineqarnera, Naalakkersuisut allatut aalajangiisimangippata, kinguartitsinermik sunniuteqassanngilaq.

*Eqqartuussivinnut aalajangiinermik suliassanngortitsisarneq*

**§ 25.** Pissutsit Inatsisartut inatsisaanni pineqartunut ilaasut pillugit aalajangiineq taamaallaat piffissaliussap ukiumik ataatsimik sivissuseqartup iluani eqqartuussivinnut suliassanngortinneqarsinnaavoq. Piffissamut killiliussaq ulloq aalajangiinerup suliami pineqartumut, aalajangiineq suliami pineqartumut nalunaarutigineqarsimappat, nalunaarutigineqarfia aallarnerfigalugu naatsorsorneqassaaq. Aalajangiineq tamanut ammasumik nalunaarutigineqarsimappat, taamaattoq piffissamut killiliussaq ulloq tamanut saqqummiussineq aallarnerfigalugu naatsorsorneqassaaq. Piffissamut killiliussaq arfininngornermi, sapaammi imaluunniit nalliuttumi naappat, piffissamut killiliussaq ulluinnarmut tullermut siullermut sivitsorneqassaaq.

*Imm. 2.* Aalajangiinerup eqqartuussivinnut suliassanngortinneqarnerani, Naalakkersuisut allamik aalajangiisimangippata, aalajangiineq kinguartitsinermik sunniuteqassanngilaq.

*Imm. 3.* Pissutsit Inatsisartut inatsisaanni pineqartunut ilaasut pillugit aalajangiineq taamaallaat eqqartuussivinnut Kalaallit Nunaanni aalajangiisinnaatitaasunut suliassanngortinneqarsinnaavoq. Aalajangiineq eqqartuussivinnut suliassanngortinneqartoq, Kalaallit Nunaanni eqqartuussivinnut siullertut suliarinnittussamut suliakkiunneqassaaq.

*Naalakkersuisut akuersissutinik qinnuteqaatit aamma akuersissutit pillugit ukiumoortumik nassuiaataat*

**§ 26.** Naalakkersuisut ukiut tamaasa akuersissutinik qinnuteqaatit, qinnuteqaatit tunniunneqartut aamma akuersissutinik neqeroortitsinissat pilersaarutigineqartut aammalu ingerlanneqartut pillugit nassuiaammik tamanut ammasumik suliaqartassapput. Naalakkersuisut nassuiaat Inatsisartunut nassiutissavaat.

**§ 27.** Naalakkersuisut suliani aalajangiisoqannginnerani, pissutsit inuiaqatigiinnut annertuumik sunniuteqarsinnaasut pillugit Inatsisartuni ataatsimiititaliamut attuumassuteqartumut ilisimatitsisassapput.

## **Kapitali 5**

*Aatsitassanut tunngatillugu misissueqqaarnissamut akuersissut*

*Akuersissut*

**§ 28.** Naalakkersuisut atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit, sumiiffimmut erseqqinnerusumik killissalerneqartumut, aatsitassanut ataatsimut arlalinnulluunniit tunngatillugu misissueqqaarnernik suliaqarnissamut kisermaassisussaataitanani akuersissummik tunniussisinnaapput.

*Pisinnaatitsissummik pigisaqartumut piumasaqaatit*

**§ 29.** § 28 malillugu pisinnaatitsissummik pigisaqartoq akuersissummik tunniussinermi aammalu piffissaq akuersissuteqarfiusoq tamaat aktiaatileqatigiiffittut imaluunniit ingerlatseqatigiiffittut piginneqatigiiffiusutut, aallarnisaasutut ingerlatseqatigiiffiunngitsutut, Kalaallit Nunaanni angerlarsimaffeqartutut imaluunniit nunami allami angerlarsimaffeqarluni taamaaqataanik aningaasaateqarluni ingerlatseqatigiiffittut, nalunaarsorsimasuusaaq. Ingerlatseqatigiiffik aammattaq Kalaallit Nunaanni inuussutissarsiortutut nalunaarsorsimassaaq, takuuk inuussutissarsiummik ingerlataqarneq pillugu Inatsisartut inatsisaat.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup akuersissutip tunniunneqarnerani aammalu piffissaq akuersissuteqarfiusoq tamaat § 66 malillugu piumasaqaatit naammassisimassavai.

*Imm. 3.* Aningaasaateqarluni ingerlatseqatigiiffik nunami allami angerlarsimaffeqartoq, aktiaatileqatigiiffimmut imaluunniit ingerlatseqatigiiffimmut piginneqatigiiffiusumut Kalaallit Nunaanni angerlarsimaffeqartumut, assingunersoq nalornisoqarluni pisoqartillugu, tamatumunnga Naalakkersuisut aalajangiissapput.

*Piffissaq akuersissuteqarfiusoq*

**§ 30.** Misissueqqaarnissamut akuersissut ukiut 5-it tikillugit piffissamut akuersissuteqarfiusumut tunniunneqassaaq.

*Imm. 2.* Imm. 1 malillugu piffissaq akuersissuteqarfiusoq, tamatigut ukiut 5-it tikillugit piffissalerlugu ataasiarluni imaluunniit arlaleriarluni Naalakkersuisunit sivitsorneqarsinnaavoq, taamaattoq takuuk imm. 4.

*Imm. 3.* Piffissap akuersissuteqarfiusup ataatsimut katillugu ukiunit 10-init sivisunerusumut akuersissuteqarfiusoq piffissalerlugu sivitsorneqarneri tamaasa akuersissummut atugassarititaasut allanngortillugit Naalakkersuisut aalajangersaasinnaapput.

*Imm. 4.* Misissueqqaarnissamut akuersissummut piffissaq akuersissuteqarfiusoq ataatsimut katillugu ukiunit 15-init sivisunerusinnaanngilaq.

*Imm. 5.* Aatsitassarsiorluni misissueqqaarnissamut akuersissut atorunnaassaaq, piffissaq akuersissuteqarfiusoq naappat imaluunniit akuersissut atorunnaarpat, Naalakkersuisunit tunuartinneqarpat imaluunniit Naalakkersuisut tamatuminnnga akuersissuteqareernerisigut pisinnaatitsissummik pigineqartumiit Naalakkersuisunut utertinneqarpat.

*Oqartussat suliarinninneranni aningaasartuutininut matussutissanik akiliutinik, akiliutissanik aamma aningaasartanik akiliineq*

**§ 31.** Naalakkersuisut misissueqqaarnissamut akuersissummik tunineqarnissaaq imaluunniit piffissap akuersissuteqarfiusup sivitsorneqarnissaa aamma misissueqqaarnissamut akuersissummik tunineqarnissaaq imaluunniit piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugu qinnuteqaammik tigusaqarnerannut suliarinninnerannullu,

misissueqqaarnissamut akuersissummik imaluunniit misissueqqaarnissamut akuersissut malillugu piffissap akuersissuteqarfiusup sivitsorneqarnissaanik qinnuteqartoq akiliummik akiliissasoq, pillugu aalajangersakkanik Naalakkersuisut aalajangersaasinnaapput.

*Imm. 2.* Pisinnaatitsissummik pigisaqartoq akuersissutip aamma akuersissut malillugu ingerlatassat atuutsiinnarneranut ilaalu ilanngullugu Naalakkersuisunut akiliummik akiliissasoq, misissueqqaarnissamut akuersissummik aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

*Imm. 3.* Akuersissut aamma akuersissut malillugu ingerlatassat pillugit Inatsisartut inatsisaat malillugu suliaassanik suliarinninnermut aamma allanik oqartussat suliarinninnerannut atatillugu Naalakkersuisut aningaasartuutaannut matussutissanik aningaasanik pisinnaatitsissummik pigisaqartoq akiliissasoq pillugu aalajangersakkanik atugassarititaasunillu Naalakkersuisut aalajangersaasinnaapput. Naalakkersuisut aningaasat akilernissaat akiliutitut imaluunniit aningaasartuutunik utertitsilluni akiliinertut akilersissinnaavaat.

*Ingerlatat pillugit nalunaarusiat, paasissutissanik nalunaarsukkanik misissugassanillu tunniussisarneq aamma isertuussisussaaneq*

**§ 32.** Pisinnaatitsissummik pigisaqartup, takuuk § 28, Naalakkersuisunut tunniutissavai:

- 1) Akuersissut malillugu misissueqqaarnerit aamma ingerlataqarnerit allat taakkualu inernerit pillugit nalunaarusiaq
- 2) Misissueqqaarnerup inernerisa aamma taakkunanga paasissutissat nalunaarsukkat misissugassallu assilineri aamma pisinnaatitsissummik pigisaqartup nassuiaaneri, inerniliineri tamatumunngalu inassuteqaatai.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup imm 1 malillugu tunniussai Naalakkersuisunut tunniunneqartut, piffissami akuersissutip atuuffissaa tamakkerlugu isertuussaapput. Akuersissut atorunnaarpat, imm. 1 malillugu tunniussat Naalakkersuisunut tunniunneqartut, Naalakkersuisunut tunniussinissamut piffissamut killiliussamiit ukiuni 5-ini isertuussaapput.

*Imm. 3.* Naalakkersuisut nalunaarusiat, misissueqqaarnerit inernerit, paasissutissat nalunaarsukkat, misissugassat aamma nassuiaaneri, inerniliinerit inassuteqaatillu ilaalu ilanngullugit isertuussat pillugit paasissutissat nalinginnaasut, piffissami isertuussiviusussami tamanut saqqummiussinnaavaat. Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummiussinnginnermi, paasissutissat pisinnaatitsissummik pigisaqartumut tusarniaassutigalugit nassiutissavai aammalu minnerpaamik qaammatisiutit malillugit ulluni 14-ini piffissamut naleqquttumik killissaliussap aalajangersagaasup iluani pisinnaatitsissummik pigisaqartoq tassunga oqaaseqaammik nassiussisinnaasoq immaqalu paasissutissanik tamaginnik imaluunniit ilaannik saqqummiussinissamut tunngavilersukkamik akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutississallugu. Pisinnaatitsissummik pigisaqartoq paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummiussinissamut akerliliissummik piffissamut killiliussap iluani nassiussippat, aammalu pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa, Naalakkersuisut paasissutissanik pineqartunik tamanut saqqummiussinissamut

soqutigisaqarnerannit annertunerusorineqarpat, Naalakkersuisut paasissutissat taakkua tamanut saqqummiutissanngilaat.

*Imm. 4.* Imm. 2 aamma 3 apeqqutaatinnagit, Naalakkersuisut pisuni tamaginni avatangiisinut paasissutissat aamma avatangiisinut nalunaarusiat, nalinginnaasumik inuiaqatigiinnut soqutiginaatilittut nalilerneqartut, tamanut saqqummersissinnaavaat.

*Imm. 5.* Piffissaq isertuussiviusoq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat nalunaarusiornernut, misissueqqaarnerit inernerinut, paasissutissanut nalunaarsukkanut, misissugassanut aamma nassuiaanernut, inerniliinernut inassuteqaatinullu ilaalu ilanngullugit piginnittussaatitaalissapput aammalu akeqanngitsumik atugassiissutiginnissaannut atornissaannullu pisinnaatitaalissallutik.

*Imm. 6.* Naalakkersuisut pissutsit imm. 1-5-imi taaneqartut pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinnaapput, ilanngullugit nalunaarusiat ilusaat, imarisaat aamma piffissani aalajangersimasuni tunniussisarnissaq, ingerlatanik aalajangersimasunik suliaqarnermi aammalu pisut imaluunniit pissutsit aalajangersimasut pilertarnerat aamma Naalakkersuisut ingerlatat aalajangersimasut, ineneri, pisut pissutsillu pillugit paasissutissanik nalinginnaasunik tamanut saqqummiinissamut periarfissaqarnerat.

*Akuersissut aamma ingerlatassat pillugit aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasarnerat*

**§ 33.** Naalakkersuisut akuersissut aamma akuersissut malillugu ingerlatat § 1 malillugu Inatsisartut inatsisaata siunertaanut aamma Inatsisartut inatsisaanni aalajangersakkanut allanut naapertuuttumik, pisinnaatitsissummik pigisaqartup Kalaallit Nunaanni inatsisinik naammassinninnissaa, Namminersorlutik Oqartussat pisinnaatitaaffii aningaasaqarnikkullu soqutigisai aammalu pisinnaatitsissummik pigisaqartup pisinnaatitaaffii qulakkeerniarlugit, misissueqqaarnissamut akuersissummut aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput.

## **Kapitali 6**

*Aatsitassarsiorluni misissuinissamut akuersissut*

*Akuersissut*

**§ 34.** Naalakkersuisut sumiiffimmumt erseqqinnerusumik killissalerneqartumut atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit kisermaassisussaataalluni aatsitassanik ataatsimik arlalinnilluunniit aatsitassarsiorluni misissuinissamut akuersissummik tunniussisinnaapput.

**§ 35.** Qinnuteqartup § 34 malillugu aatsitassarsiorluni misissuinissamut akuersissummik tunineqarsinnaalinnginnerani, Naalakkersuisut qinnuteqaat minnerpaamik qaammatisiutit malillugit ulluni 21-ini tamanut ammasumik tusarniaassutigalugu nassitissavaat.

*Pisinnaatitsissummik pigisaqartumut piumasaqaatit*

§ 36. § 34 malillugu pisinnaatitsissummik pigisaqartup akuersissutip tunniunneqarnerani aammalu piffissaq akuersissuteqarfiusoq tamaat aktiaatileqatigiiffittut imaluunniit ingerlatseqatigiiffittut piginneqatigiiffittut, ingerlatseqatigiiffittut aallarnisaasuunngitsutut, Kalaallit Nunaanni angerlarsimaffeqartutut imaluunniit aningaasaateqarluni ingerlatseqatigiiffittut taamaaqataatut nunami allami angerlarsimaffeqartutut, nalunaarsorsimassaaq. Ingerlatseqatigiiffik aammattaaq Kalaallit Nunaanni inuussutissarsiortutut nalunaarsorsimassaaq, takuuk inuussutissarsiummik ingerlataqarneq pillugu Inatsisartut inatsisaat.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup akuersissutip tunniunneqarnerani aammalu piffissaq akuersissuteqarfiusoq tamaat § 66 malillugu piumasaqaatit tamaasa aamma naammassisimassavai.

*Imm. 3.* Aningaasaateqarluni ingerlatseqatigiiffik nunami allami angerlarsimaffeqartoq, aktiaatileqatigiiffimmuut imaluunniit ingerlatseqatigiiffimmuut piginneqatigiiffiusumut Kalaallit Nunaanni angerlarsimaffeqartumut, takuuk imm. 1, naapertuunnersoq nalornisoqartillugu, Naalakkersuisut tamatumunnga aalajangiissapput.

*Piffissaq akuersissuteqarfiusoq*

§ 37. Aatsitassarsiorluni misissuinissamut akuersissut piffissamut akuersissuteqarfiusumut ukiunut 5-inut tunniunneqassaaq.

*Imm. 2.* Imm. 1 malillugu ukiuni 5-ini piffissaq akuersissuteqarfiusoq Naalakkersuisut ataasiarlutik arlaleriarlutilluunniit sivitsorsinnaavaat. Piffissaq akuersissuteqarfiusoq siullermik ukiunik 5-inik piffissalerlugu sivitsorneqassaaq. Tamatuma kingorna piffissaq akuersissuteqarfiusoq tamatigit ukiunik 3-nik piffissalerlugu sivitsorneqartassaaq. Pisinnaatitsissummik pigisaqartup imm. 1 malillugu ukiuni 5-ini piffissami akuersissuteqarfioqqaartumi akuersissut aamma akuersissut malillugu ingerlatat pillugit pisussaaffini tamaasa naammassisimappagit, pisinnaatitsissummik pigisaqartoq ukiunik 5-inik piffissalerlugu piffissap akuersissuteqarfiusup siullermeertumik sivitsornissaanut pisinnaatitaassaaq. Pisinnaatitsissummik pigisaqartup imm. 2 manna malillugu ukiuni 5-ini imaluunniit ukiuni 3-ini piffissap akuersissuteqarfiusup sivitsorneqarfiani akuersissut aamma akuersissut malillugu ingerlatat pillugit pisussaaffiit tamaasa naammassisimappagit, Naalakkersuisut piffissaq akuersissuteqarfiusoq ukiunik 3-nik piffissalerlugu sivitsorsinnaavaat.

*Imm. 3.* Piffissap akuersissuteqarfiusup ukiunit 10-init ataatsimut katillugu sivilunerusumik akuersissuteqarfiusoq piffissalerlugu sivitsorneqarnerini tamaginni, akuersissummut atugassarititaasunik allangortinneqartunik Naalakkersuisut aalajangersaasinnaapput.

*Imm. 4.* Aatsitassarsiorluni misissuinissamut akuersissummut piffissaq akuersissuteqarfiusoq ataatsimut katillugit ukiunit 22-init sivilunerusinnaangilaq.



*Imm. 5.* Aatsitassarsiorluni misissuinissamut akuersissut atorunnaassaaq, piffissaq akuersissuteqarfiusoq naappat imaluunniit atorunnaarpat, Naalakkersuisunit tunuartinneqarpat imaluunniit Naalakkersuisut tamatuminnga akuersissuteqareernerisigut pisinnaatitsissummik pigineqartumiit Naalakkersuisunut utertinneqarpat.

*Oqartussat suliarinninneranni aningaasartuutitut matussutissanik akiliutinik, akiliutissanik aamma aningaasanik akiliinerit, aatsitassarsiorluni misissuinnermut pisussaaffiit*

**§ 38.** Naalakkersuisut aatsitassarsiorluni misissuinissamut akuersissummik tunineqarnissamut imaluunniit aatsitassarsiorluni misissuinissamut akuersissut malillugu piffissap akuersissuteqarfiusup sivitsorneqarnissaanik aamma aatsitassarsiorluni misissuinissamut akuersissummik imaluunniit piffissap akuersissuteqarfiusup sivitsorneqarnissaanik tunineqarnissamut qinnuteqaammik tigusaqarnerannut suliarinninnerannullu akiliummik, aatsitassarsiorluni misissuinissamut akuersissummik imaluunniit piffissap akuersissuteqarfiusup sivitsorneqarnissaanik qinnuteqartoq akiliissasoq pillugu aalajangersakkanik Naalakkersuisut aalajangersaasinnaapput.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinissamut pisussaaffini naammassisimangippagit, pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinissamut pisussaaffii aamma aningaasanik Naalakkersuisunut akiliisarneq pillugit aatsitassarsiorluni misissuinissamut akuersissummik aalajangersakkanik imaluunniit atugassarititaasunik Naalakkersuisut aalajangersaassapput.

*Imm. 3.* Pisinnaatitsissummik pigisaqartoq akuersissut aamma akuersissut malillugu ingerlatassat atuutsiinnarneranut ilaalu ilanngullugu Naalakkersuisunut akiliummik akiliissasoq, pillugu aatsitassarsiorluni misissuinissamut akuersissummik aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

*Imm. 4.* Akuersissut aamma akuersissut malillugu ingerlatassat pillugit Inatsisartut inatsisaat malillugu suliaasinik suliarinninnermut aamma allanik oqartussat suliarinninnerannut atatillugu Naalakkersuisut aningaasartuutaannut matussutissanik aningaasanik pisinnaatitsissummik pigisaqartoq akiliissasoq pillugu aalajangersakkanik atugassarititaasunillu Naalakkersuisut aalajangersaasinnaapput. Naalakkersuisut aningaasat akilernissaat akiliutitut imaluunniit aningaasartuutinik utertitsilluni akiliinertut akilersissinnaavaat.

*Ingerlatat pillugit nalunaarusiat, paasissutissanik nalunaarsukkanik misissugassanillu tunniussisarneq aamma isertuussinissaq*

**§ 39.** Pisinnaatitsissummik pigisaqartoq nalunaarusianik Naalakkersuisunut tunniussissaq, uku pillugit:

1) Aatsitassarsiorluni misissuineq aamma akuersissut malillugu ingerlataqarnerit allat taakkualu inernerit pillugit

2) Aatsitassarsiorluni misissuinerup inernerisa aamma taakkununga paasissutissat nalunaarsukkat misissugassallu assilineri aamma pisinnaatitsissummik pigisaqartup nassuiaaneri, inerniliussat tamatumunngalu inassuteqaatit.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup imm. 1 malillugu tunniussai , Naalackersuisunut tunniunneqartut, isertuussaapput. Piffissaq isertuussiviususaaq Naalackersuisunut tunniussinissamut piffissamut killiliussamiit ukiunik 5-inik sivissuseqarpoq. Taamaattoq pisuni tamaginni akuersissutip atorunnaarnerani isertuussinissaq atorunnaassaaq.

*Imm. 3.* Naalackersuisut nalunaarusiornerit, aatsitassarsiorluni misissuinerit inernerit, paasissutissat nalunaarsukkat, misissugassat aamma nassuiaaneri, inernilinerit inassuteqaatillu ilaalu ilanngullugit isertuussat pillugit paasissutissat nalinginnaasut piffissami isertuussiviusumi tamanut saqqummersissinnaavaat. Naalackersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummiussinnginnermi, paasissutissat pisinnaatitsissummik pigisaqartumut nassitutissavai aammalu minnerpaamik qaammatisiutit malillugit ulluni 14-ini piffissamut naleqquttumik killissaliussap aalajangersagaasup iluani pisinnaatitsissummik pigisaqartoq tassunga oqaaseqaammik nassiussinnaasooq immaqalu paasissutissanik tamaginnik imaluunniit ilaannik saqqummiussinissamut tunngavilersukkamik akerliliissuteqarsinnaasooq, pisinnaatitsissummik pigisaqartoq paasissutissallugu. Pisinnaatitsissummik pigisaqartoq paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummiussinissamut akerliliissummik piffissamut killiliussap iluani nassiussippat, aammalu pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa, Naalackersuisut paasissutissanik pineqartunik tamanut saqqummiussinissamut soqutigisaqarnerannit annertunerusorineqarpat, Naalackersuisut paasissutissat taakkua tamanut saqqummiutissanngilaat.

*Imm. 4.* Imm. 2 aamma 3 apeqqutaatinnagit, Naalackersuisut pisuni tamaginni avatangiisinut paasissutissat aamma avatangiisinut nalunaarusiat, nalinginnaasumik inuiaqatigiinnut soqutiginaatilittut nalilerneqartut, tamanut saqqummersissinnaavaat.

*Imm. 5.* Piffissaq isertuussiviusooq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat nalunaarusiornerit, aatsitassarsiorluni misissuinerit inernerinik, paasissutissanik nalunaarsukkanik, misissugassanik aamma nassuiaanernik, inernilinerit inassuteqaatinillu ilaalu ilanngullugit tunniunneqartunik piginnittussaataalissapput aammalu killilersorneqanngitsumik atugassiinnaalissallutik atuisinnaataalissallutillu.

*Imm. 6.* Naalackersuisut pissutsit imm. 1-5-imi taaneqartut, ilanngullugit nalunaarusiat ilusaat, imai aamma piffissani aalajangersimasuni tunniussisarneq, ingerlatanik aalajangersimasunik suliaqarnermi aamma pisunik imaluunniit pissutsinik aalajangersimasunik pisoqarnera aammalu Naalackersuisut ingerlatat, pisut aamma pissutsit aalajangersimasut pillugit nalinginnaasunik paasissutissanik tamanut saqqummiinissaannut periarfissaqarneq, pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinnaapput.

*Akuersissut aamma ingerlatassat pillugit aalajangersakkanik aamma atugassarititaasunik  
Naalackersuisut aalajangersaasarnerat*

§ 40. Naalackersuisut akuersissut aamma akuersissut malillugu ingerlatat § 1 malillugu Inatsisartut inatsisaata siunertaanut aamma Inatsisartut inatsisaanni aalajangersakkanut allanut naapertuuttumik, pisinnaatitsissummik pigisaqartup Kalaallit Nunaanni inatsisinik naammassinninnissaa, Namminersorlutik Oqartussat pisinnaatitaaffii aningaasaqarnikkullu soqutigisai aammalu pisinnaatitsissummik pigisaqartup pisinnaatitaaffii qulakkeerniarlugit, aatsitassarsiorluni misissuinissamut akuersissummut aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput.

## **Kapitali 7**

### *Aatsitassanik piiaanissamut akuersissut*

#### *Akuersissut*

§ 41. Aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq § 34 malillugu aatsitassanik piiarneqarsinnaasunik pisinnaatitsissummik pigisaqartup piiarniagaannik peqarfimmik paasinarsisisimappat killissalersuisimallunilu, aammalu aatsitassarsiorluni misissuinissamut akuersissut aamma akuersissut malillugu ingerlataqarnerit pillugit pisussaaffini tamaasa naammassisimallugit, pisinnaatitsissummik pigisaqartoq Inatsisartut inatsisaanni aalajangersakkat aamma tamatumunnga aalajangersakkat aamma atugassarititaasut allat malillugit aatsitassanik piiaanissamut akuersissummik pisinnaatitaavoq.

*Imm. 2.* Imm. 1-imi piumasagaatit naammassineqarsimanersut Naalackersuisut aalajangiissapput.

§ 42. Kisermaassisussaataalluni annikitsumik aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup aamma kisermaassisussaataalluni annikitsumik aatsitassanik piiaanerup, aatsitassanik piiarneqarsinnaasunik peqarfik pisinnaatitsissummik pigisaqartup piiaaviginiagaa, paasinarsisissimappagu killissalersorsimallugulu, aammalu annikitsumik aatsitassarsiorlunissamut akuersissummut aamma akuersissut malillugu ingerlatassanut tunngatillugu pisussaaffiit tamaasa naammassisimappagit, pisinnaatitsissummik pigisaqartoq Inatsisartut inatsisaanni matumani aalajangersakkat aamma tamatumunnga aalajangersakkat aamma atugassarititaasut allat malillugit aatsitassanik piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaavoq.

*Imm. 2.* Imm. 1-imi piumasagaatit naammassineqarsimanersut Naalackersuisut aalajangiissapput.

§ 43. Naalackersuisut sumiiffimmuut erseqqinnerusumik killissalersorneqartumut, atugassarititaasut erseqqinnerusumik aalajangersarneqartut naapertorlugit, aatsitassamik ataatsimik arlalinnilluunniit piiaanissamut kisermaassisussaataalluni akuersissummik tunniussisinnaapput.

*Imm. 2.* §§ 41-42 malillugu pisinnaatitsissummik pigisaqartoq piiaanissamut akuersissummik tunineqarnissamik pisinnaatitaappat aammalu Naalakkersuisut tamatuminnga qinnuigalugit, aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartumut piiaanissamut akuersissummik Naalakkersuisut tunniussissapput.

*Imm. 3.* Pisuni imm. 2-mi pineqartunut ilaasuni, aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup tamanna qinnutigippagu, aammalu ingerlatseqatigiiffiup allap taassuma piiaanissamut akuersissut malillugu ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartumut piumasqaatit naammassisimappagit, Naalakkersuisut, ingerlatseqatigiiffimmut allamut, aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartumit allaanerusumut, piiaanissamut akuersissut tunniutissavaa, takuuk §§ 45-46 aamma 66.

*Imm. 4.* Naalakkersuisut imaluunniit suleqatigisap allap sumiiffimmi aalajangersimasumi aatsitassanik piiarneqarsinnaasunik peqarfik, piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup piiarsinnaasaa, paasinarsisissimappasuk killissalersorsimallugulu, pisuni imm. 2-mi pineqartunut ilaangitsumi Naalakkersuisut piiaanissamut akuersissummik tunniussisinnaapput.

*Imm. 5.* Aatsitassat piiaavigineqarsinnaasutut paasinarsisinneqarsimasut killissalersorneqarsimasullu piiaanissamut akuersissummi pineqartunut ilaatinneqarput.

**§ 44.** §§ 41-43 malillugu piiaanissamut akuersissummik tunniunneqarsinnaalinnginnerani, qinnuteqartoq suliassamut suliakkiissutinut najoqqutassamik Naalakkersuisunut nassiullugu nalunaarutigineqartussamik, suliaqassaaq.

*Imm. 2.* Suliakkiissutinut najoqqutassaq piiaanissamut akuersissutip tunniunneqarsinnaalinnginnerani minnerpaamik qaammatisiutit malillugit ulluni 35-ini tamanut ammasumik tusarniaassutigineqassaaq. Qinnuteqartoq § 106 malillugu inuiaqatigiinnut tunngasut pillugit suliassamut nassuiaammut tamanut ammasumik piareersaataasumik tusarniaassaaq imaluunniit avatangiisinut tunngasut pillugit suliassamut nassuiaammut tamanut ammasumik piareersaataasumik tusarniaassalluni, piareersaataasumik tusarniaaneq imaluunniit tusarniaanerit taakkua sapinngisamik suliakkiissutinut najoqqutassamut tunngatillugu tusarniaanernut peqatigitillugu ingerlanneqassapput.

*Imm. 3.* Imm. 2 malillugu suliakkiissutinut najoqqutassaq tusarniaaneq siusinnerpaamik piiaanissamut akuersissutip tunniunneqannginnerani qaammatit 24-t sioqqullugit naammassereersimassaaq.

*Imm. 4* Imm. 3-mi piffissamut killiliussap saneqqunneqarnissaa, pisuni immikkuullarissuni Naalakkersuisut akuerisinnaavaat.

*Imm. 5.* Naalakkersuisut suliassamut suliakkiissutinut najoqqutassap imarisai aammalu tusarniaanerup ingerlanneqartarnera pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinnaapput.

### *Pisinnaatitsissummik pigisaqartumut piumasagaatit*

§ 45. Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq Kalaallit Nunaanni angerlarsimaffeqarluni aktiaatileqatigiiffittut nalunaarsorsimasuussaaq.

*Imm. 2.* Aktiaatileqatigiiffik pissusiviusuni qullersaqarfia allaffik Kalaallit Nunaanniissaaq, tassanngaaniit aktiaatileqatigiiffik aqunneqassalluni.

*Imm. 3.* Pisinnaatitsissummik pigisaqartoq piffissami piiaanissamut akuersissummik tunniussinerup kingorna qaammatit 6-it tikillugit imm. 2-mi piumasagaatinik naammassinninnissamik pisussaatinneqassanngitsoq, Naalakkersuisut akuerisinnaavaat.

§ 46. Aktiaatileqatigiiffik piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartuusoq, akuersissutit Inatsisartut inatsisaat malillugu tunniunneqartut malillugit aatsaat ingerlatanik suliaqarnermillu suliaqaqqusaavoq aammalu siusinnerusukkut suliaqarsimassalluni.

*Imm. 2.* Ataatsimooqatigiilluni akileraaruserneqarnissaaq pinngitsaaliissutaasimangippat, aktiaatileqatigiiffik ingerlatseqatigiiffiit allat ataatsimooqatigalugit akileraaruserneqassanngilaq.

*Imm. 3.* Aktiaatileqatigiiffik nalinginnaasumik suliffissuarmut aktiaatileqatigiiffiup ilaaffigisaanit annikinnerusumik aningaasannortitsivigineqarsimassanngilaq. Taamaattoq aktiaatileqatigiiffiup avataaneersut aningaasaataasa (akiitsut) aktiaatileqatigiiffiup nammineq aningaasaataannit naleqqiussineq 2:1 angullugu tamatigut annertunerusinnaapput, tassa imaappoq aktiaatileqatigiiffiup avataaneersut aningaasaatai tamatigut aktiaatileqatigiiffiup nammineq aningaasaataannit 200 procentitut annertussusilimmik aningaasartaqaqqusaapput.

*Imm. 4.* Aktiaatileqatigiiffik nalinginnaasumik naalakkersuinermut attuumassuteqanngitsumik akigititaqarluni aammalu atugassarititaasut naalakkersuinermut attuumassuteqanngitsut, illuatungeriit imminnut attuumassuteqanngitsut, suliffissuarmi ataatsimi ingerlatseqatigiiffiunngitsut, akornanni niuernermi atorneqartartut, tunngavigalugit iliuseqartassaaq.

### *Piffissaq akuersissuteqarfiusoq*

§ 47. En Piffissaq akuersissuteqarfiusoq sivikinnerussasoq tamatumunnga aalajangersakkani imaluunniit atugassarititaasuni akuersissummi aalajangersaasoqarsimangippat, piiaanissamut akuersissut ukiuni 30-ini akuersissuteqarfiusoq piffissalerlugu tunniunneqassaaq.

*Imm. 2.* Imm. 1 malillugu piffissaq akuersissuteqarfiusoq Naalakkersuisunit ataasiarluni arlaleriarluniluunniit sivitsorneqarsinnaavoq. Piffissaq akuersissuteqarfiusoq taamaallaat ukiut 20-it tikillugit piffissalerlugu sivitsorneqarsinnaavoq, taamaattoq takuuk imm. 5.

*Imm. 3.* Pisinnaatitsissummik pigisaqartup imm. 1 malillugu piffissami akuersissuteqarfioqqaartumi akuersissut, aamma akuersissut malillugu ingerlatassat, pillugit pisussaaffini tamaasa naammassisimappagit aammalu aatsitassarsiornissamut pilersaarummi Naalakkersuisut akuerisaanni naatsorsuutigineqartutut piiaanermik ingerlatassat sularineqarsimappata, pisinnaatitsissummik pigisaqartoq aatsitassanik peqarfimmik

piiarneqarsinnaasumik, pisinnaatitsissummik pigisaqartup piffissami akuersissuteqarfiusumi sivitsorneqartumi piiarniagaanik, paasinarsisitsisimallunilu killissalersuisimappat, pisinnaatitsissummik pigisaqartoq piffissap akuersissuteqarfiusup sivitsorneqarnissaanut pisinnaatitaavoq.

*Imm. 4.* Piffissap akuersissuteqarfiusup piffissamit akuersissuteqarfiusumit ataatsimut katillugu ukiunit 40-init sivisunerusumut piffissap akuersissuteqarfiusup sivitsorneqarneri tamaasa, akuersissummut atugassarititaasut allangortillugit Naalakkersuisut aalajangersaasinnaapput.

*Imm. 5.* Piiaanissamut akuersissummut piffissaq akuersissuteqarfiusoq tamarmiusoq ukiunit 50-init sivisunerusinnaangilaq.

*Imm. 6.* Piffissaq akuersissuteqarfiusoq naappat imaluunniit akuersissut atorunnaarpat, Naalakkersuisunit tunuartinneqarpat imaluunniit Naalakkersuisut tamatumunnga akuersissuteqareerneranni pisinnaatitsissummik pigisaqartumit Naalakkersuisunut utertinneqarpat, piiaanissamut akuersissut atorunnaassaaq.

#### *Sumiiffik akuersissuteqarfiusoq*

**§ 48.** Piiaanissamut akuersissut sumiiffimmut akuersissuteqarfiusumut Naalakkersuisunit aalajangersarneqartumut, tunniunneqassaaq.

*Imm. 2.* Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup tamatumunnga qinnuteqarnera malillugu, piiaanissamut akuersissut malillugu sumiiffik akuersissuteqarfiusoq, sumiiffik aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup aatsitassanik peqarfittut piiarneqarsinnaasutut paasinarsisissimasaa killissalersorsimasaalu, pisinnaatitsissummik pigisaqartup piiaviginiagaa, ilaaterlugu annertusitinneqarnissaa pillugu atugassarititaasunik ilaqartumik akuersissummut tapiliussamik Naalakkersuisut tunniussisinnaapput. Naalakkersuisut akuersissummut tapiliussami ilaatigut pissutsit §§ 49, imm. 3-mi aamma §§ 51-56-imi ilaatinneqartut pillugit atugassarititaasunik aalajangersaasinnaapput.

#### *Piffissamut killigitat pillugit aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasarnerat*

**§ 49.** Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttumik erseqqinnerusumik aalajangersagaasup iluani §§ 77 aamma 80 aamma tamatumunnga aalajangersakkat aamma atugassarititaasut allat malillugit aatsitassarsiorfimmu pilersaarummik aamma matusinissamut pilersaarummik tamakkiisumik Naalakkersuisunut tunniussisimassasoq, akuersissummik tunniussinissamut akuersissumillu peqaannarnissamut piunasaqaataasoq pillugu piiaanissamut akuersissummut atugassarititaasunik Naalakkersuisut aalajangersaassapput. Aatsitassarsiorfimmu pilersaarummik aamma matusinissamut pilersaarummik tamakkiisumik tunniussinissamut piffissamut killiliussa, piiaanissamut akuersissutit tunniunneqarnerata kingorna ukiunit 4-nit kingusinneroqqusaassanngilaq.

*Imm. 2.* Pisinnaatitsissummik pigisaqartoq imm. 1 malillugu piffissamut killiliussap aalajangersagaasup iluani aatsitassarsiorfimmu pilersaarummik aamma matusinissamut pilersaarummik tamakkiisumik tunniussisimangippat, pisinnaatitsissummik pigisaqartoq tamanna tikitsinnagu piffissamut killissaliussaq kinguartinneqartoq nalunaarfigineqarsimangippat, Naalackersuisut piffissamut killiliussap naanerani piiaanissamut akuersissut atorunnaassaaq.

*Imm. 3.* Pissutsinut piiaanermi ingerlatassat aamma akuersissut malillugu ingerlatassat allat ingerlanneqarnissaannut annertuumik pingaaruteqartunut piffissanut killissaliussat pillugit piiaanissamut akuersissummut atugassarititaasunik Naalackersuisut aalajangersaasinnaapput. Piffissamut killiliussaq imaluunniit piffissamut killiliussamut sivitsuineq malinneqangippat, akuersissut atorunnaassasoq imaluunniit tunuartinneqassasoq pillugu atugassarititaasunik Naalackersuisut aalajangersaasinnaapput imaluunniit aalajangiisinnaallutik.

### *Ingerlatassanik suliaqarneq ilaalu ilanngullugit*

**§ 50.** Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq aatsitassarsiorluni misissuineramik aamma ingerlatassanik tamatumunnga atasunik suliaqarnissamut pisinnaatitaavoq.

*Imm. 2.* § 39-mi aalajangersakkat, imm. 1 malillugu aatsitassarsiorluni misissuineranut taamaaqataanik atuupput.

*Imm. 3.* Piiaanissamut akuersissummut sumiiffimmi akuersissuteqarfiusumi akuersissut malillugu pisinnaatitsissummik pigisaqartup saniatigut allat Inatsisartut inatsisaat imaluunniit najukkami aatsitassarsiorluni ingerlatassat malillugit misissueqqaarnissamut, aatsitassarsiorluni misissuinnissamut imaluunniit aatsitassanik piiaanissamut akuersissut malillugu ingerlatassanik suliaqaqqusaanngillat.

*Oqartussat suliarinninneranni aningaasartuutininik matussutissanik akiliutinik, akiliutissanik aamma aningaasartanik akiliineq*

**§ 51.** Naalackersuisut piiaanissamut akuersissummik tunineqarnissamik aammalu piiaanissamut akuersissummik tunineqarnissamik qinnuteqaammik tigusaqarnerannut suliarinninnerannullu akiliummik, piiaanissamut akuersissummik qinnuteqartoq akiliissasoq, pillugu piiaanissamut akuersissummut aalajangersakkanik aamma atugassarititaasunik Naalackersuisut aalajangersaasinnaapput.

*Imm. 2.* Pisinnaatitsissummik pigisaqartoq akuersissutip aamma akuersissut malillugu ingerlatassat atuutsinnarneranut ilaalu ilanngullugu Naalackersuisunut akiliummik akiliissasoq, pillugu aalajangersakkanik imaluunniit piiaanissamut akuersissummut atugassarititaasunik Naalackersuisut aalajangersaassapput. Pisinnaatitsissummik pigisaqartoq akiliutinik makkuninnga ataatsimik arlalinnilluunniit akiliissasoq pillugu aalajangersakkanik imaluunniit atugassarititaasunik Naalackersuisut aalajangersaasinnaapput:

1) Aatsitassat piarneqartut tunngavigalugit naatsorsorneqarluni royalty-tut ilusilik akiliutissaq (tunisassiornermut royalty), ilanngullugu assersuutigalugu oqimaassusaat (oqimaassutsimut royalty) imaluunniit imaqqortussusaat (annertussutsimut royalty).

2) Aatsitassat piiarneqartut tunisinermut akiat imaluunniit tunisinermi allatut naleqarnera tunngavigalugu naatsorsorneqarluni akitsuutitut ilusilik akiliut (tunisinermut royalty).

3) Pisinnaatitsissummik pigisaqartup suliaqarnerani akuersissummi ilaatinneqartumi aningaasaqarnikkut pissarsiat ilaattut ilusilik akiliut (pissarsianut akitsuut).

*Imm. 3.* Imm. 2 malillugu pisinnaatitsissummik pigisaqartup Naalakkersuisunut akiliutissaanik Naalakkersuisut aalajangersaanerminni, tamatumunnga suliaqarneq akiliuteqartinneqartussaappat (akitsuutit), minnerpaamik akileraarusiinertut nammagaasiitigippat, aammalu akiliutissaq (akitsuutit) Kalaallit Nunaanni Namminersorneq pillugu inatsimmi § 7-imi pineqartunut tamakkiisumik ilaatinneqarpat, pisinnaatitsissummik pigisaqartoq suliaminut akuersissummi pineqartunut ilaasunut akileraaruserneqannginnissaa Naalakkersuisut akuerisinnaavaa.

*Imm. 4.* Aatsitassarsiorluni misissuinissamut akuersissut, Inatsisartut inatsisaasa matuma atuutilinnginnerani tunniunneqarsimasoq, tunngavigalugu piiaanissamut akuersissummik tunniussisoqarpat, takuuk § 41, imm. 1 aamma § 43, imm. 2, aatsitassarsiorluni misissuinissamut akuersissummi aalajangersakkani imaluunniit atugassarititaasuni tamanna allasimappat, imaluunniit imm. 3, imaluunniit Kalaallit Nunaanni akileraartarnermut inatsisini maleruagassaq taamaaqataa, pisinnaatitsissummik pigisaqartup suliaqarneranut piiaanissamut akuersissummi pineqartunut ilaasumut, tamakkiisumik ilaannaasumilluunniit akileraaruserneqannginnissaata akuersissuteqarfigineqarneranut atorneqarpat, aatsaat pisinnaatitsissummik pigisaqartoq Naalakkersuisunut akiliutissamik akiliissasoq, takuuk imm. 2, pillugu Naalakkersuisut aalajangersaasinnaapput.

*Imm. 5.* Akuersissut aamma akuersissut malillugu ingerlatassat pillugit Inatsisartut inatsisaat malillugu suliaassanik suliarinninnermut aamma allanik oqartussat suliarinninnerannut atatillugu Naalakkersuisut aningaasartuutaannut matussutissanik aningaasanik, kiisalu aatsitassarsiornermut suliaasaqarfiup iluani Naalakkersuisut sulisuisa ilinniartitaanerannut piginnaanngorsaarnerannullu aningaasartuutininik, pisinnaatitsissummik pigisaqartoq Naalakkersuisunut akiliissaaq. Naalakkersuisut aningaasat akilernissaat akiliutitut imaluunniit aningaasartuutininik utertitsilluni akiliinertut akilersissinnaavaat. Naalakkersuisut tamatumunnga aalajangersakkanik imaluunniit atugassarititaasunik erseqqinnerusunik aalajangersaassapput.

*Pisinnaatitsissummik pigisaqartup sulisartunik nunaqavissunik sulisoqartarnera aamma nioqqutissanik sullissinernillu pilersuisussanik nunaqavissunik atuisarnera*

**§ 52.** Nunaqavissunik sulisoqarnissamut pisinnaatitsissummik pigisaqartup pisussaaffeqarnera pillugu atugassarititaasut, Naalakkersuisut aatsitassanik piiaanissamut akuersissummi aalajangersassavaat.

*Imm. 2.* Nunaqavissunik nioqqutissanik kiffartuussinernillu pilersuisoqarnissamut pisinnaatitsissummik pigisaqartup pisussaaffeqarnera pillugu atugassarititaasut, Naalakkersuisut aatsitassanik piiaanissamut akuersissummi aalajangersassavaat.

*Pisinnaatitsissummik pigisaqartup aatsitassanik piiarneqartunik suliarinnittarnera*



§ 53. Pisinnaatitsissummik pigisaqartup, aatsitassanik akuersissut malillugu piiarneqartunik suliarinninnissamik kissaateqartup, aatsitassat taakkua Kalaallit Nunaanni suliarissagai, aammalu Kalaallit Nunaanni suliarinninneq pisinnaatitsissummik pigisaqartumut annertunerujussuarnik aningaasartuuteqarnermik imaluunniit ajoqutissartaqarnermik malitseqassappat, taamaaliornermilu inuiaqatigiinnut iluaqutissartaasut annertuumik ajorseriartinneqassanngippata, tamannalu sioqqullugu Naalakkersuisunit akuerineqarpat, aatsaat pisinnaatitsissummik pigisaqartup aatsitassat piiarneqartut Kalaallit Nunaata avataani suliarisinnaagai, piiaanissamut akuersissummut aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

*Pisinnaatitsissummik pigisaqartup aatsitassanik piiarneqartunik uninngasuuteqarnera aamma inunnut nunaqavissunut tunisinera*

§ 54. Pisinnaatitsissummik pigisaqartup aatsitassat piiarneqartut Kalaallit Nunaanni uninngasuutigissagai aammalu inunnut Kalaallit Nunaanni aalajangersimasumik najugaqartunut aammalu tamakkiisumik akileraartussaataitaasunut tuniniassagai, pillugu piiaanissamut akuersissummut aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput. Inuit Kalaallit Nunaanni aalajangersimasumik najugaqartut aammalu tamakkiisumik akileraartussaataitaasut nammineerlutik aatsitassanik suliarinninniarpata imaluunniit allatut aatsitassat Kalaallit Nunaanni inuussutissarsiutigalugu atorniarlugit, tamatumunnga piumasaqaatinik Naalakkersuisut aalajangersaasinnaapput.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup aatsitassanik tunisinera, takuuk imm. 1, niuerfimmi akigititanut aammalu niuerfimmi atugassarititaasut tunngavigalugit pissaaq.

*Ingerlatat pillugit nalunaarusiat aamma paasissutissanik nalunaarsukkanik misissugassanillu tunniussisarneq*

§ 55. Pisinnaatitsissummik pigisaqartup Naalakkersuisunut tunniutissavai:

- 1) piiaanermut nalunaarusiat,
- 2) aatsitassarsiorluni misissuineq aamma akuersissut malillugu ingerlatat allat taakkualu inerneru pillugit nalunaarutit
- 3) nalunaarusiat pisinnaatitsissummik pigisaqartumit imaluunniit pisinnaatitsissummik pigisaqartup suliaakkiineratigut allanit suliarineqartut assilineri,
- 4) naatsorsukkat,
- 5) naatsorsuutit,
- 6) piianeq taakkualu inerneru pillugit paasissutissat nalunaarsukkat,
- 7) aatsitassarsiorluni misissuinerup inerneru aamma taakkununnga paasissutissat nalunaarsukkat misissugassallu aammalu pisinnaatitsissummik pigisaqartup nassuiaaneri, inerniliineri tamatumunngalu inassuteqaatai,
- 8) misissugassat aamma qillerummit qaqitat.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup imm. 1, nr. 1, 2, 3, 7 aamma 8 naapertorlugit tunniussai, isertuussaapput. Piffissaq isertuussiviusoq Naalakkersuisunut tunniussinissamut piffissamut killiliussamiit ukiunik 5-inik sivisussuseqarpoq. Taamaattoq akuersissutip atorunnaarnerani, pisuni tamaginni isertuussinissaq atorunnaassaaq.

*Imm. 3.* Pisinnaatitsissummik pigisaqartup imm. 1, nr. 4 aamma 5 naapertorlugit tunniussai, taakkua pisortat ingerlatsinerat pillugu paasitineqarsinnaatitaaneq pillugu Inatsisartut inatsisaat malillugu allagaatinik takunninnissami ilaatinneqartussaasimangippata, piffissami killiligaanngitsumi.

*Imm. 4.* Nalunaarusiat, paaanerup inerneru immaqalu aatsitassarsiorluni misissuineq, paasissutissat nalunaarsukkat, misissugassat aamma nassuiaanerit ilaalu ilanngullugit isertuussat pillugit paasissutissat nalinginnaasut piffissami isertuussiviusumi tamanut saqqummiussinnaavaat. Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummiussinnginnermi, paasissutissat pisinnaatitsissummik pigisaqartumut nassiutissavai aammalu minnerpaamik qaammatisiutit malillugit ulluni 14-ini piffissamut naleqquttumik killissaliussap aalajangersagaasup iluani pisinnaatitsissummik pigisaqartoq tassunga oqaaseqaammik nassiussinnaasooq immaqalu paasissutissanik tamaginnik imaluunniit ilaannik saqqummiussinissamut tunngavilersukkamik akerliliissuteqarsinnaasooq, pisinnaatitsissummik pigisaqartoq paasissutissallugu. Pisinnaatitsissummik pigisaqartoq paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummiussinissamut akerliliissummik piffissamut killiliussap iluani nassiussippat, aammalu pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa, Naalakkersuisut paasissutissanik pineqartunik tamanut saqqummiussinissamut soqutigisaqarnerannit annertunerusorineqarpat, Naalakkersuisut paasissutissat taakkua tamanut saqqummiutissanngilaat.

*Imm. 5.* Imm. 3 aamma 4 apeqqutaatinngit, Naalakkersuisut pisuni tamaginni avatangiisinut paasissutissat aamma avatangiisinut nalunaarusiat, nalinginnaasumik inuiaqatigiinnut soqutiginaatilittut nalilerneqartut, tamanut saqqummersissinnaavaat.

*Imm. 6.* Piffissaq isertuussiviusoq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat nalunaarusiornermik, paaanerup immaqalu aatsitassarsiorluni misissuinerup inernerinik, paasissutissanik nalunaarsukkanik, misissugassanik aamma nassuiaanernik, inerniliinernik inassuteqaatinillu ilaalu ilanngullugit tunniunneqartunik piginnittussaataalissapput aammalu killilersorneqanngitsumik atugassiiinnaalissallutik atuisinnaatitaalissallutillu.

*Imm. 7.* Naalakkersuisut pissutsit imm. 1-6-imi taaneqartut, ilanngullugit nalunaarusiat ilusaat, imai aamma piffissani aalajangersimasuni tunniussisarneq, ingerlatanik aalajangersimasunik suliaqarnermi aamma pisunik imaluunniit pissutsinik aalajangersimasunik pisoqarnera aammalu Naalakkersuisut ingerlatat, pisut aamma pissutsit aalajangersimasut pillugit nalinginnaasunik paasissutissanik tamanut saqqummiinissaannut periarfissaqarneq, pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinaapput.

*Naalackersuisut akuersissut aamma ingerlatassat pillugit aalajangersakkanik aamma atugassarititaasunik aalajangersaasernerat*

**§ 56.** Naalackersuisut akuersissut aamma akuersissut malillugu ingerlatat § 1 malillugu Inatsisartut inatsisaata siunertaanut aamma Inatsisartut inatsisaanni aalajangersakkanut allanut naapertuuttumik, pisinnaatitsissummik pigisaqartup Kalaallit Nunaanni inatsisinik naammassinninnissaa, Namminersorlutik Oqartussat pisinnaatitaaffii aningaasaqarnikkullu soqutigisai aammalu pisinnaatitsissummik pigisaqartup pisinnaatitaaffii qulakkeerniarlugit, piiaanissamut akuersissummut aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput.

### **Kapitali 8**

*Aatsitassarsiorluni misissuinissamut akuersissummik imaluunniit piiaanissamut akuersissummik tunniussinermut suleriaasissat aamma tunngavissarititaasut*

**§ 57.** Aatsitassarsiorluni misissuinissamut akuersissut, takuuk § 34, periaatsit §§ 58-imi aamma 59-imi taaneqartut arlaat tunngavigalugu aammalu toqqaanissamut tunngavissarititaasut § 61-imi taaneqartut tunngavigalugit Naalackersuisut aalajangersaasernerat malillugu tunniunneqassaaq.

*Imm. 2.* Aatsitassanik piiaanissamut akuersissut, takuuk § 43, periaatsit § 59-imi taaneqartut arlaat tunngavigalugu aammalu toqqaanissamut tunngavissarititaasut § 61-imi taaneqartut tunngavigalugit pisinnaatitsissummik pigisaqartunut, takuuk § 41, § 42 naapertorlugu pisinnaatitaaffeqalersimasunut, imaluunniit Naalackersuisut aalajangersaasernerat malillugu tunniunneqassaaq.

**§ 58.** Sumiiffinnut akuersissummik tunineqarnissaaq pillugu qinnuteqaat, piffissami qinnuteqarfiusussat aalajangersagaasumi (batch-imut piffissaaq) Naalackersuisunit tiguneqartoq, aammalu sumiiffimmut imm. 2 aamma § 59 imm. 1-3 malillugit suleriaasissani ilaatinneqartunut tunngassuteqanngitsoq tunngavigalugu, aatsitassarsiorluni misissuinissamut akuersissut tunniunneqassaaq.

*Imm. 2.* Piffissami qinnuteqarfiusussat aalajangersagaasumi qaammatsiutit malillugit ullut 90-it iluanni sumiiffimmi tassani aatsitassarsiorluni misissuinissamut akuersissummut pisinnaatitsissummik pigisaqartuusimasup qinnuteqaataanik tigusaqartoqarpat, piffissaaq qinnuteqarfiusussat aalajangersagaasoq, pineqartup aatsitassarsiorluni misissuinissamut akuersissut pigisaata atorunnaarneraniit, qaammatsiutit malillugit ullunut 90-inut sivitsorneqassaaq.

*Imm. 3.* Qinnuteqaatit imm. 1 malillugu tunniunneqartut tunngavigalugit akuersissummik Naalackersuisut tunniussinngissinnaapput.

*Imm. 4.* Imm. 1-2 malillugit qinnuteqaatinik tunniussisarneq, tiguisarneq, nalunaarsuisarneq suliarinnittarnerlu pillugit aalajangersakkanik erseqqinnerusunik aamma atugassarititaasunik Naalackersuisut aalajangersaasinnaapput.

**§ 59.** Sumiiffik aalajangersimasoq piffissami aalajangersimasumi tamatuminnga qinnuteqaat malillugu akuersissummik ingerlaavartumik tunniussiviusassasoq (matu ammasumi suleriaaseq), pillugu aalajangersakkanik Naalakkersuisut aalajangersaasinnaapput. Naalakkersuisut matu ammasumi suleriaaseq pillugu nalunaaruteqarneq Naalakkersuisut nittartagaanni aammalu allatut naleqquttumik Naalakkersuisut tamanut saqqummiutissavaat. Matu ammasumi suleriaatsip allannguuteqarnera taamaaqataanik tamanut saqqummiunneqassaaq. Matu ammasumi suleriaaseq malillugu akuersissummik tunineqarnissaq pillugu qinnuteqaatit, sumiiffimmik ammaaneq imaluunniit allannguutit kingulliit tamanut saqqummersinneqarnerisa kingorna siusinnerpaamik qaammatisiutit malillugit ullut 90-it qaangiunneranni tunniunneqarsinnaapput.

*Imm. 2.* Akuersissummik tunniussinissaq pillugu tamanut ammasumik nalinginnaasumik qinnuteqaqqusinerup kingorna akuersissut tunniunneqarsinnaasoq, pillugu aalajangersakkanik Naalakkersuisut aalajangersaasinnaapput. Qinnuteqarnissamut piffissaliussaq minnerpaamik qaammatisiutit malillugit ullunik 90-inik sioqqullugu Naalakkersuisut nittartagaanni kiisalu allatut naleqquttut qinnuteqaateqaqqusineq pillugu nalunaaruteqarneq Naalakkersuisut tamanut saqqummersissavaat.

*Imm. 3.* Sumiiffimmut imm. 1 malillugu matu ammasumi suleriaaseqarnermi pineqartunut ilaatinneqanngitsumut akuersissummik tunineqarnissaq pillugu qinnuteqaat, imm. 2 malillugu sioqqutsisumik qinnuteqartoqaqqusinnngitsoq tunniunneqarpat, akuersissummik tunniussinissaq pillugu immikkut ittumik tamanut ammasumik qinnuteqaqqusineq malillugu akuersissummik tunniussisoqarsinnaasoq, pillugu aalajangersakkanik Naalakkersuisut aalajangersaasinnaapput. Qinnuteqaat aammalu sumiiffinni tassani akuersissummik tunineqarnissaq pillugu allanik qinnuteqaqqusineq pillugit nalunaaruteqarneq Naalakkersuisut tamanut saqqummiutissavaat. Nalunaaruteqarneq qinnuteqaatip tiguneqareernerata kingorna kingusinnerpaamik qaammatisiutit malillugit ullut 90-it qaangiunneranni tamanut saqqummiunneqassaaq. Nalunaaruteqarneq Naalakkersuisut nittartagaanni kiisalu allatut naleqquttut tamanut saqqummiunneqassaaq. Qinnuteqaatinik allanik tunniussinissamut piffissamut killiliunneqarpoq, nalunaaruteqarnerup tamanut saqqummiunneqarnerata kingorna ullut 90-it.

*Imm. 4.* Qinnuteqaatit imm. 1 malillugu tunniunneqartut tunngavigalugit akuersissummik Naalakkersuisut tunniussinngissinnaapput.

*Imm. 5.* Imm. 1-3 malillugit qinnuteqaatinik tunniussisarneq, tigusisarneq, nalunaarsuisarneq suliarinnittarnerlu pillugit aalajangersakkanik erseqqinnerusunik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

**§ 60.** Aningaasartuutitut, aningaasartuutissanut imaluunniit ajoqusiinernut, qinnuteqartumi akuersissummik tunineqarnissamik qinnuteqaateqartumi pilersunut imaluunniit qinnuteqaateqartumit pilersinneqartunut Naalakkersuisut akisussaasuunngillat aammalu taarsiissanatik, ajunngitsorsiassarsititsissanatik, utertillugit akiliuteqassanatik imaluunniit allatut akiliissanatik. Tamanna atuutissaaq, annaasaqarneq imaluunniit ajoqusiineq qinnuteqartup akuersissummik tunineqarnissaq pillugu qinnuteqarnerata malitsigisaanik imaluunniit tamatumunnga atatillugu, qinnuteqartup tamatumunnga atatillugu suliaassanik,

ingerlatassanik misissuineramik ilaalu ilanngullugit suliarinninneranut atatillugu aammalu aningaasartuutininik akiliineranut ilaalu ilanngullugit, qinnuteqartup tamatumunnga atatillugu paasissutissanik tamatumunngalu uppersarsaatininik pissarsineranut, angusaqarneranut imaluunniit suliarinninneranut taakkuninngalu Naalakkersuisunut tunniussineranut atatillugu, Naalakkersuisut akuersissummik tunineqarnissaq pillugu qinnuteqartup qinnuteqaataanik suliarinninnerani suliaassamillu aalajangiineranni, imaluunniit qinnuteqartumut akuersissummik tunniussisoqassanngitsoq Naalakkersuisut aalajangiineranni qinnuteqartumi pilersimanera imaluunniit nalaanneqarsimanera, apeqqutaatinnagu.

**§ 61.** Akuersissut §§ 58-imi aamma 59-imi pineqartunut ilaatinneqartoq toqqaanissamut tunngavissarititaasut imm. 2-5-imi taaneqartut tunngavigalugit tunniunneqassaaq.

*Imm. 2.* Toqqaanissamut tunngavissarititaasoq tassaavoq, qinnuteqartup teknikkikkut suliaassanullu pisinnaassuseqarnera tamarmiusoq, ilaatigut ilanngullugit:

- 1) Qinnuteqartup siusinnerusukkut aatsitassarsiorluni misissuineramik imaluunniit aatsitassanik piaanermik misilittagaqarnera.
- 2) Qinnuteqartup siusinnerusukkut sumiiffinni taamaaqataannik atugaqarfiusuni aatsitassarsiorluni misissuineramik imaluunniit aatsitassanik piaanermik misilittagaqarnera.

*Imm. 3.* Toqqaanissamut tunngavissarititaasoq alla tassaavoq, qinnuteqartup aningaasaqarnikkut aningaasalersuinikkullu pisinnaassuseqarnera.

*Imm. 4.* Qinnuteqartup naliliivigineqarnerani, qinnuteqartup sunniuteqarluannngitsumik pisimasinnaanera imaluunniit Kalaallit Nunaanni akuersissutinut pioreersunut imaluunniit siusinnerusukkut akuersissutinut atatillugu pisinnaatitsissummik pigisaqartup pisussaaffinnik naammassinnissimanninnera, taamatullu inuit qinnuteqartup aqutsisuniittut, ilanngullugit siulersuisuniittut, pisortaatitaniittut, nakkutilliinermut siunnersuisooqatigiinniittut imaluunniit assigisaannik aqutsisuni oqartussaniittut, aqutsisuniittut, piginnittuniittut imaluunniit piginnittuusimasuni ilaasimasuniittut imaluunniit aalajangiisuusumik sunniuteqarsimasut, kiisalu suliffeqarfiit qinnuteqartumik piginnittuusut imaluunniit aalajangiisuusumik sunniuteqartut, piginnittut imaluunniit aalajangiisuusumik sunniuteqartut imaluunniit sunniuteqarsimasut, Naalakkersuisut pingaartissavaat .

*Imm. 5.* § 60, imm. 1-3 malillugit suleriaasissanik atuinermi, Naalakkersuisut aammattaaq qinnuteqartut toqqaanissamut tunngavissarititaasut imm. 2-4-mi taaneqartut malillugit naliliivigineqarnerat malillugu assigiimmik naleqqussuseqartutut nalilerneqartut, akornanni inaarutaasumik toqqaanissaq siunertaralugu, toqqaanissamut tunngavissarititaasunik allanik naleqquttunik, tunngavissalinnik aammalu immikkoortitsiviunngitsunik, aalajangersaasinnaapput.

*Imm. 6.* § 59, imm. 1-3 malillugit suleriaasissanik atuinermi, tunngavissarititaasut imm. 2-5-imi taaneqartut aamma taakkua imminnut sanilliullugit pingaartinneqarnissaat pillugu aalajangersakkat, qinnuteqaqqusinerit § 59-imi taaneqartut ilanngullugit, tamanut saqqummiunneqassapput.

## **Kapitali 9**

### *Ilisimatuussutsikkut misissuineranut akuersissut*

§ 62. Sumiiffimmut erseqqinnerusumik killissaligaasumut, atugassarititaasut erseqqinnerusumik aalajangersagaasut tunngavigalugit, aatsitassanut tunngatillugu ilisimatuussutsikkut misissuinernik suliaqarnissamut akuersissummik Naalakkersuisut qinnuteqartumut tunniussisinnaapput.

*Imm. 2.* Ilisimatuussutsikkut misissuinernut akuersissut ukiut 3-t tikillugit piffissamut akuersissuteqarfiusumut tunniunneqassaaq.

*Imm. 3.* Imm. 2 malillugu piffissaq akuersissuteqarfiusoq, tamatigut ukiut 3-t tikillugit piffissalerlugu, ataasiarlutik imaluunniit arlaleriarlutik Naalakkersuisunit sivitsorneqarsinnaavoq. Taamaattoq pisinnaatitsissummik pigisaqartup imm. 2 malillugu piffissami akuersissuteqarfioqqaartumi imaluunniit imm. 3 manna malillugu piffissami akuersissuteqarfiusumi sivitsorneqartumi akuersissut aamma akuersissut malillugu ingerlatassat pillugit pisussaaffiit tamaasa naammassisimanngippagit, Naalakkersuisut piffissap akuersissuteqarfiusup sivitsorneqarnissaa akuerinngissinnaavaat. Naalakkersuisut piffissap akuersissuteqarfiusup sivitsorneqarnerini tamaginni akuersissummut atugassarititaasut allanngortillugit aalajangersaasinnaapput.

*Imm. 4.* Ilisimatuussutsikkut misissuinernut akuersissummut piffissaq akuersissuteqarfiusoq tamarmiusoq ukiunit 12-init sivisunerusinnaangilaq.

§ 63. Pisinnaatitsissummik pigisaqartup, takuuk § 62, Naalakkersuisunut tunniutissavai:

1) Ilisimatuussutsikkut misissuinerit aammalu akuersissut malillugu ingerlatat allat taakkualu inernerit pillugit nalunaarusiat

2) Misissuinerup inernerisa assilineri aamma paasissutissat nalunaarsukkat taakkunangalu misissugassat aamma pisinnaatitsissummik pigisaqartup nassuiaaneri, inerniliussai taakkunungalu inassuteqaatai.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup imm. 1 malillugu tunniussai, Naalakkersuisunut tunniunneqartut, piffissaq akuersissuteqarfiusoq tamaat isertuussaapput. Akuersissut atorunnaarpat, imm. 1 malillugu tunniunneqartut, Naalakkersuisunut tunniussat, Naalakkersuisunut tunniussinissamut piffissamut killiliussamiit ukiuni 5-ini isertuussaapput.

*Imm. 3.* Naalakkersuisut nalunaarusiat, misissueqqaarnerit inernerit, paasissutissat nalunaarsukkat, misissugassat aamma nassuiaaneri, inerniliinerit inassuteqaatillu ilaalu ilanngullugit isertuussat pillugit paasissutissat nalinginnaasut, piffissami isertuussiviusussami tamanut saqqummiussinnaavaat. Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummiussinnginnermi, paasissutissat pisinnaatitsissummik pigisaqartumut tusarniaassutigalugit nassitutissavai aammalu minnerpaamik qaammatisiutit malillugit ulluni 14-ini piffissamut naleqquttumik killissaliussap aalajangersagaasup iluani pisinnaatitsissummik pigisaqartoq tassunga oqaaseqaammik nassiussisinnaasoq immaqalu paasissutissanik tamaginnik imaluunniit ilaannik saqqummiussinissamut tunngavilersukkamik akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutississallugu. Pisinnaatitsissummik pigisaqartoq paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummiussinissamut akerliliissummik piffissamut killiliussap iluani nassiussippat, aammalu pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata

mianerinissaa, Naalakkersuisut paasissutissanik pineqartunik tamanut saqqummiussinissamut soqutigisaqarnerannit annertunerusorineqarpat, Naalakkersuisut paasissutissat taakkua tamanut saqqummiutissanngilaat.

*Imm. 4.* Imm. 2 aamma 3 apeqquataatinngit, Naalakkersuisut pisuni tamaginni avatangiisinut paasissutissat aamma avatangiisinut nalunaarusiat, nalinginnaasumik inuiaqatigiinnut soqutiginaatilittut nalilerneqartut, tamanut saqqummersissinnaavaat.

*Imm. 5.* Piffissaq isertuussiviusoq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat nalunaarusiornerut, misissueqqaarnerit inernerinut, paasissutissanut nalunaarsukkanut, misissugassanut aamma nassuiaanernut, inerniliinernut inassuteqaatinullu ilaalu ilanngullugit piginnittussaataalissapput aammalu akeqanngitsumik atugassiissutiginissaannut atornissaannullu pisinnaatitaalissallutik.

*Imm. 6.* Naalakkersuisut pissutsit imm. 1-5-imi taaneqartut pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinnaapput, ilanngullugit nalunaarusiat ilusissaat, imarisassaat aammalu piffissani aalajangersimasuni tunniussinissaq, ingerlatassanik aalajangersimasunik suliaqarnermi aammalu pisut imaluunniit pissutsit aalajangersimasut atuutilerneranni aammalu Naalakkersuisut ingerlatat aalajangersimasut, ineneri, pisut pissutsillu pillugit paasissutissanik nalinginnaasunik tamanut saqqummiinissamut periarfissaqarnerat.

**§ 64** Naalakkersuisut ilisimatuussutsikkut misissuinissamut akuersissummut pissutsit attuumassuteqartut tamaasa pillugit aalajangersakkanik atugassarititaasunillu aalajangersaasinnaapput, ilanngullugit § 1 malillugu Inatsisartut inatsisaata siunertaannut naapertuuttumik akuersissut aamma akuersissut malillugu ingerlatassat pillugit sillimmasiinissaq.

*Imm. 2.* Ilisimatuussutsikkut misissuinerit pillugit aalajangersakkanik erseqqinnerusunik Naalakkersuisut aalajangersaasinnaapput, ilanngullugit annaassiniarnernut atatillugu aningaasartuutunik akiliinissaq aamma akiliinernut taamaattunut sillimmasiissummit matussutissaqarnissaq aamma qularnaveeqqusiinissaq pillugit.

## **Kapitali 10**

*Misissueqqaarnissamut akuersissutinut, aatsitassarsiorluni misissuinissamut akuersissutinut aamma piiaanissamut akuersissutinut aalajangersakkat nalinginnaasut*

*Aalajangersakkat nalinginnaasut atuunnerat*

**§ 65.** Kapitali 10-mi aalajangersakkat, misissueqqaarnissamut akuersissutinut, aatsitassarsiorluni misissuinissamut akuersissutinut aamma aatsitassanik piiaanissamut akuersissutinut, atuupput.

*Pisinnaatitsissummik pigisaqartumut piunasaqaatit*

§ 66. Akuersissut malillugu pisinnaatitsissummik pigisaqartoq akuersissut malillugu ingerlatassanik suliaqarnissamut teknikkikkut suliassanullu pisinnaassuseqassaaq kiisalu aningaasaqarnikkut aningaasalersuinikkullu pisinnaassuseqassalluni aammalu akuersissut aamma akuersissut malillugu ingerlatassat pillugit pisussaaffiit tamaasa naammassisimassallugit.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup pisuussutini tamakkiisumik atorsinnaassavai. Pisinnaatitsissummik pigisaqartoq akiliisinnaassuseqanngissanngilaq imaluunniit akiliisinnaassuseqannginnermut, ilusilersueqqinnissamut assigisaannulluunniit eqqartuussivimmi imaluunniit allaffissornikkut sulianik ingerlatitsinermi pineqartunut ilaassanani, ilanngullugu akiliisarnerminik unitsitsisimassanani, akiliisinaajunnaartut inissisimassanani, sulianik unitsitsisimassanani imaluunniit assingusumik inissisimassanani.

*Imm. 3.* Pisinnaatitsissummik pigisaqartoq 100.000 kr. sinnerlugit Naalakkersuisunut imaluunniit Kalaallit Nunaanni pisortani oqartussamut allamut akiligassanngoreersunik akilerneqanngitsunik akiitsoqaqqusaanngilaq. Pisinnaatitsissummik pigisaqartoq akiitsut ilaannut 100.000 koruunit sinnerlugit annertussusilinnut akiliinissamut qularnaveeqqusiisimanngippat, imaluunniit pisinnaatitsissummik pigisaqartoq akiitsut akilersornissaannut isumaqatigiissuteqarsimanngippat imaluunniit isumaqatigiissut malissimanngippagu.

*Imm. 4.* Kalaallit Nunaannut atuisartunut akigititanut naleqqersuummi allannguutitut naapertuuttumik, aningaasartaasa 100.000 kr. allanngortinneqarnissaat pillugu aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

§ 67. Pisinnaatitsissummik pigisaqartoq, inuit pisinnaatitsissummik pigisaqartumi piginnittut imaluunniit aalajangiisuusumik sunnuteqartut aamma inuit pisinnaatitsissummik pigisaqartup aqutsisuiniittut, ilanngullugit siulersuisut, pisortaatat, nakkutilliinermut siunnersuisooqatigiit imaluunniit aqutsisuni oqartussat assigisaat, ukiut 4-t kingulliit iluanni eqqartuunneqarsimassanngillat imaluunniit akiliisitsinermit akuersisimassanatik (akuersaarlutik) imaluunniit allatut pillarneqarsimassanatik imaluunniit pineqaatissinneqarsimassanatik, makkununga tunngasuni:

- 1) Akiliilluni peqquserlutsitsineq, peqquserlunneq imaluunniit niuernikkut isumaqatigiilluni suliaqarneq.
- 2) Pinerluttut aaqqissuussaanni peqataaneq.
- 3) Ajortumeeriniarluni ingerlataqarnernut atatillugu ajortumeeriniarluni iliuuseqarnerit imaluunniit pillarneqaataasussanik iliuuseqarnerit.
- 4) Aningaasanik pinerlunnikkut aningaasarsiarineqartunik malunnarunnaarsaaneq imaluunniit ajortumeerinianut aningaasalersuineq.
- 5) Meeqqanik sulisoqarneq imaluunniit inunnik niuerutiginninneq.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup aamma inuit taaneqartut taakkua akuersissummik tunniussinermi aammalu piffissaq akuersissuteqarfusoq tamaat §§ 66 aamma 67 imm. 1 malillugit piumasaqaatit tamaasa naammassisimassavaat.

*Akileraarutit akitsuutillu aamma taakkuninnga akiliisarneq pillugit nalunaarusiorneq*



**§ 68.** Suliffeqarfiit aamma inuit kikkut Inatsisartut inatsisaat malillugu akuersissut malillugu ingerlatassanik suliarinnittuunersut imaluunniit suliarinninnermi peqataanersut pillugu paasissutissanik pisinnaatitsissummik pigisaqartoq tunniussissasoq pillugu Naalakkersuisut aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput imaluunniit aalajangiisinnaapput.

*Imm. 2.* Suliffeqarfiit aamma inuit Inatsisartut inatsisaat malillugu akuersissut malillugu ingerlatassanik suliarinnittut imaluunniit suliarinninnermi peqataasut, akileraarutinut aamma akitsuutinut tunngasut pillugit paasissutissanik allakkianillu Naalakkersuisunut aamma oqartussanut allanut tunniussissasoq, pillugu Naalakkersuisut aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput imaluunniit aalajangiisinnaapput.

*Imm. 3.* Isumaqatigiissuteqarfigineqartut, akileraarutinut akitsuutinullu tunngasut pillugit Naalakkersuisunut aamma oqartussanut allanut imm. 2 malillugu paasissutissanik allakkianillu tunniussisimangitsut, imaluunniit akileraarutinik akitsuutinillu Kalaallit Nunaanni maleruagassanut sukkulluunniit atuuttunut naapertuuttumik Naalakkersuisunut aamma oqartussanut allanut akiliisimangitsut, pisinnaatitsissummik pigisaqartup akuersissut malillugu ingerlatanik suliaqarnermini atoqqusaanngikkai, pillugu pisinnaatitsissummik pigisaqartumut Naalakkersuisut peqqussuteqarsinnaapput.

*Imm. 4.* Pisinnaatitsissummik pigisaqartup imm. 1 malillugu paasissutissanik tunniussinissaata, imm. 3 malillugu peqqussuteqarnerup naammassinissaata imaluunniit akileraarutinut akitsuutinullu tunngasut pillugit paasissutissanik allakkianillu Naalakkersuisunut aamma oqartussanut allanut tunniussinissaata aammalu Kalaallit Nunaanni maleruagassanut sukkulluunniit atuuttunut naapertuuttumik akileraarutinik akitsuutinillu akiliinissaata, tungaanut pisinnaatitsissummik pigisaqartup Inatsisartut inatsisaat malillugu akuersissut malillugu ingerlatanik suliaqarnini unitsissagaa, Naalakkersuisut aalajangiisinnaapput.

*Akuersissummik allamut tunniussineq aamma eqqartuussivikkut malersuineq*

**§ 69.** Inatsisartut inatsisaat malillugu akuersissutip toqqaannartumik imaluunniit toqqaannangitsumik allamut tunniunneqarnera imaluunniit nuunneqarnera, allamut tunniussineq imaluunniit nuunneqarnera Naalakkersuisunit akuerineqarsimangippat, akuersissummumut aamma Inatsisartut inatsisaannut tunngatillugu inatsisitigut sunniuteqassanngilaq.

*Imm. 2.* Naalakkersuisut allamut tunniussinerup imaluunniit nuussinerup akuersissuteqarfigineqarneranut atugassarititaasunik aalajangersaasinnaapput.

*Imm. 3.* Inatsisartut inatsisaat malillugu akuersissut eqqartuussivikkut malersuinerimi ilaatinneqanngilaq. Akuersissummumut eqqartuussivikkut malersuineq inatsisitigut sunniuteqanngilaq.

*Pisinnaatitsissummik pigisaqartup ingerlatseqatigiiffimmumut allamut kattunneqarnera imaluunniit ingerlatseqatigiiffinni arlalinni aggulunneqarnera*

**§ 70.** Pisinnaatitsissummik pigisaqartup ingerlatseqatigiiffimmut allamut kattunera (kattunneq), kattunneq Naalakkersuisunit akuersissuteqarfigineqarsimangippat, pisinnaatitsissummik pigisaqartumut Inatsisartut inatsisaat malillugu akuersissummut aamma allatigut Inatsisartut inatsisaannut tunngatillugu inatsisitigut sunniuteqassanngilaq.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup ingerlatseqatigiiffinni arlalinni aggulunneqarnera (agguluineq), agguluineq Naalakkersuisunit akuersissuteqarfigineqarsimangippat, pisinnaatitsissummik pigisaqartumut Inatsisartut inatsisaat malillugu akuersissummut aamma allatigut Inatsisartut inatsisaannut tunngatillugu inatsisitigut sunniuteqassanngilaq.

*Imm. 3.* Naalakkersuisut imm. 1 imaluunniit 2 malillugu kattunermut imaluunniit agguluinermut akuersissuteqarnermut atugassarititaasunik aalajangersaasinnaapput.

*Akuersissummut aamma aalajangiinermut eqqartuussinermi imaluunniit isumaqatigiissitsiniarnikkut eqqartuussinertigut akuersissuteqarnermi aaqqiagiinngissuteqarnermi inatsisinik toqqaaneq*

**§ 71.** Akuersissummi, akuersissut malillugu ingerlataqarnerni aamma tamatumunnga atatillugu pisuni Inatsisartut inatsisaat aamma Kalaallit Nunaanni inatsisit allat aamma danskit inatsisaat sukkulluunniit Kalaallit Nunaanni atuuttut malinneqartussaapput, taakkunangalu maleruagassiivigineqarlutik.

*Imm. 2.* Akuersissut, akuersissut malillugu ingerlataqarnerit imaluunniit tamatumunnga atillugu pisut pillugit aaqqiagiinngissuteqarnerit suulluunniit Inatsisartut inatsisaat aamma danskit inatsisaat sukkulluunniit Kalaallit Nunaanni atuuttut malillugit aalajangiiffigineqassapput.

**§ 72.** Akuersissut imaluunniit akuersissummut atatillugu ingerlataqarnerit imaluunniit pissutsit pillugit inatsisini pisussaaffiusumik imaluunniit naliliinikkut Naalakkersuisut aalajangiineri pillugit Naalakkersuisut aamma pisinnaatitsissummik pigisaqartup akornanni aaqqiagiinngissuteqarnerit suulluunniit Kalaallit Nunaanni aamma danskit eqqartuussiviinut Nuummi Kalaallit Nunaanni aalajangiisinnaatitaasunut suliakkiunneqassapput aammalu taamaallaat taakkununnga suliakkiunneqarsinnaallutik aalajangiiffigineqarsinnaallutillu. Eqqartuussiviit taaneqartut taakkua aaqqiagiinngissuteqarnerit taamaattut pillugit kisermaassillutik aalajangiisinnaatitaassapput. Nuummi Kalaallit Nunaanni Eqqartuussiviit tassaassaaq eqqartuussivik siullertut suliarinnittussaq.

**§ 73.** Atugassarititaasut akuersissummi aalajangersagaasut naammassineqarsimanersut pillugu Naalakkersuisut aamma pisinnaatitsissummik pigisaqartup akornanni aaqqiagiinngissuteqarneq eqqartuussivimmut isumaqatigiissitsiniartartumut suliakkiunneqassasoq, akuersissummi aalajangersarneqarsinnaavoq. Eqqartuussiviup isumaqatigiissitsiniartartup aalajangiinera inaarutaasuvoq. Aaqqiagiinngissuteqarneq piffissamut killigititap ukiup ataatsip iluani taamaallaat eqqartuussivimmut isumaqatigiissitsiniartartumut suliakkiunneqarsinnaavoq. Piffissamut killiliussaq ulloq

aalajangiinerup suliame pineqartumut nalunaarutigineqarfia aallarnerfigalugu naatsorsorneqassaaq. Piffissamut killiliussaq arfininngornermi, sapaammi imaluunniit nalliuttumi naappat, piffissamut killiliussaq ulluinnarmut tullermut siullermut sivitsorneqassaaq.

§ 74. Eqqartuussivinnut, takuuk § 72, imaluunniit eqqartuussivimmut isumaqatigiissitsiniartartumut, takuuk § 73, suliassamik suliakkiisinnaatitaaneq, akuersissutip atorunnaareernerata kingorna atuutissaaq, ilanngullugit akuersissutip atuuffissaata naanera, atorunnaarnera imaluunniit Naalakkersuisunit tunuartinneqarnera imaluunniit Naalakkersuisut tamatumunnga akuersissuteqarnerat malillugu pisinnaatitsissummik pigisaqartup akuersissummik utertitsinera.

## **Kapitali 11**

### *Aatsitassat ilaalu ilanngullugit pillugit aalajangersakkat nalinginnaasut*

§ 75. Inatsisartut inatsisaat malillugu pisinnaatitsissummik pigisaqartoq aatsitassanik Kalaallit Nunaanni piiarneqartunik, Kalaallit Nunaanniit annissisinnaasoq imaluunniit Kalaallit Nunaanniit misissugassanik tiguisinnaasoq, Naalakkersuisut Inatsisartut inatsisaat malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartumut akuersissuteqarsinnaapput. Akuersissuteqarneq atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit tunniunneqarsinnaavoq. Akuersissuteqarneq Naalakkersuisut aatsitassarsiorfimmu pilersaarummut imaluunniit pisinnaatitsissummik pigisaqartumit ingerlatassanut pilersaarummut allamut akuersissuteqarnerannut ilaatillugu, akuersissummi akuersissuteqarnermut atugassarititaasut imaluunniit avammut annissinissamut akuersissuteqarnermut immikkoortumut ilaatillugu nalunaarutigineqarsinnaavoq.

*Imm. 2.* Pineqartoq aatsitassanik Kalaallit Nunaanni inatsisit malillugit piiarneqartunik Inatsisartut inatsisaat malillugu akuersissut malillugu Kalaallit Nunaanni avammut annissisinnaasoq imaluunniit misissugassanik tiguisinnaasoq, Naalakkersuisut allamut Inatsisartut inatsisaat malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartumit allaanerummut akuersissuteqarneq nalunaarutigisinnaavaat. Akuersissuteqarneq atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit tunniunneqarsinnaavoq. Akuersissuteqarneq avammut annissinissamut akuersissuteqarnermut immikkoortutut nalunaarutigineqassaaq.

§ 76. Naalakkersuisut aatsitassat pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinnaapput, ilanngullugit suliarinninneq, uninngasuuteqarneq, toqqorsivimmiititsineq, assartuussineq, niuerneq, annissuineq, eqqussuineq aamma akuersissummik allagartaliisarneq.

*Imm. 2.* Aatsitassanik aalajangersimasunik suliarinninneq aamma niuerutiginninneq, akuersissuteqarneq Naalakkersuisunit tunniunneqartoq malillugu taamaallaat

anninneqarsinnaasut pillugu aalajangersakkanik aamma atugassarititaasunik Naalackersuisut aalajangersaasinnaapput.

*Imm. 3.* Imm. 2 malillugu aalajangersakkanik imaluunniit atugassarititaasunik Naalackersuisut aalajangersaareerpata, imm. 2-mi taaneqartutut Naalackersuisut akuersissuteqarnermik tunniussisinnaapput aammalu akuersissuteqarnermut taamaattumut aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaasinnaallutik.

## **Kapitali 12**

*Ingerlatassanut pilersaarutit, akuersissuteqarnerit, ingerlatanik matusineq aamma qularnaveeqqusiisarneq il.il.*

*Aatsitassarsiorfimmumut pilersaarut*

§ 77. Aatsitassarsiorfimmumut pilersaarut pisinnaatitsissummik pigisaqartup aatsitassanik piiaanermut pilersaarutaanut aamma piiaanissamut akuersissut malillugu tamatumunnga atatillugu ingerlatassaannut pisinnaatitsissummik pigisaqartup pilersaarutaanik imaqassaaq. Aatsitassarsiorfimmumut pilersaarummi pissutsit makkua ilaatigut ilaatinneqassapput:

- 1) Aatsitassarsiorfeqarfimmik, suliaqarfissanik allanik aamma illutanik ilaalu ilanngullugit pilersitsineq, ingerlatsineq atuinerlu.
- 2) Aatsitassanik piiaaneq, suliarinninneq, uninngasuuteqarneq, assartuussineq aamma tuniniaaneq.
- 3) Nunaqavissunik sulisoqarneq aatsitassarsiorfimmumut pilersaarut malillugit ingerlatassanik suliarinninnermi nioqqutissanik sullissinernullu nunaqavissunik pilersuisoqarneq.
- 4) Isumannaallisaaneq, peqqinnissaq, isumalluutininik atorluaaneq aamma inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq pillugit ingerlataqarnerit aamma pissutsit.

*Imm. 2.* Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup piiaanermik imaluunniit ingerlataqarnermik tamatumunnga piareersaalluni imaluunniit tamatumunnga atatillugu suliaqarluni aallartinnginnerani, aatsitassarsiorfimmumut pilersaarut suliarineqarsimassaaq aammalu pisinnaatitsissummik pigisaqartumit tunniunneqarsimassalluni aammalu Naalackersuisunit akuersissuteqarfigineqarsimassalluni.

*Imm. 3.* Aatsitassarsiorfimmumut pilersaarut nutartigaassaaq aammalu piiaanermi ingerlatat ineriartornerannut allannguuteqarnerannullu tunngatillugu aammalu isumannaallisaanermi, peqqinnissami, avatangiisini allanilu pissutsini attuumassuteqartuni allannguuteqarnerani, attuumassuteqarnera malillugu allanngortinneqartassalluni.

*Imm. 4.* Pissutsit allanngorsimasut tamanna pisariaqartippassuk, imaluunniit Naalackersuisut tamatuminnga aalajangiippata, pisinnaatitsissummik pigisaqartup sapinngisamik piaartumik aatsitassarsiorfimmumut pilersaarut nutartigaq imaluunniit allanngortinneqartoq suliarissavaa aammalu tunniutissallugu aamma Naalackersuisut aatsitassarsiorfimmumut pilersaarummut nutartikkamut imaluunniit allanngortinneqartumut akuersissuteqartissallugit.

*Imm. 5.* Naalackersuisut imm. 2 imaluunniit 4 malillugu imaluunniit § 121 malillugu akuersissuteqarnermut atugassarititaasunik aalajangersaasinnaapput.

*Piffissami akuersissuteqarfiusumi atortut peerneqarnerat aamma saliineq ilaalu ilanngullugit  
aamma akuersissut malillugu suliaqarnerup aamma ingerlatat unitsinneqarnerat  
matuneqarnerallu*

**§ 78.** Akuersissut malillugu pisinnaatitsissummik pigisaqartup piffissaq akuersissuteqarfiusoq tamaat:

- 1) sanaartukkat illullu, pisinnaatitsissummik pigisaqartumit pilersinneqartut aammalu pisinnaatitsissummik pigisaqartumit atorneqanngitsut, peertassavai aammalu
- 2) Naalackersuisut allamik akuersissuteqarsimangippata, tamanna ajornartinnagu, sumiiffinni kalluarneqartuni pinngortitami ilaalu ilanngullugit saaliisassalluni aammalu attuumassutilinnut iluarseeqqittassalluni.

*Imm. 2.* Akuersissut malillugu pisinnaatitsissummik pigisaqartup akuersissut malillugu suliaqarnerup aamma ingerlataqarnerit unitsinneqarneranni:

- 1) Naalackersuisut allamik akuersissuteqarsimangippata, sanaartukkat illullu pisinnaatitsissummik pigisaqartumit pilersinneqarsimasut piissavai, aammalu
- 2) sumiiffinni kalluarneqartuni pinngortitami ilaalu ilanngullugit saliissalluni aammalu attuumassuteqartuni iluarseeqqissalluni.

*Imm. 3.* Pisinnaatitsissummik pigisaqartup ingerlatassanik aamma iliuuseqarnermik imm. 1-imi aamma 2-mi taaneqartunik ingerlatsinissaq pillugu peqqussuteqarnek Naalackersuisunit aalajangerneqartoq malinngippagu, Naalackersuisut pisinnaatitsissummik pigisaqartup akiligassaanik annaasaqatigisinnaasaanillu taakkua suliaritissinnaavai

*Imm. 4.* Pisinnaatitsissummik pigisaqartup ingerlatassanik aamma iliuuseqarnermik imm. 1-imi aamma 2-mi taaneqartunik ingerlatsinissaq pillugu Naalackersuisunit peqqussuteqarnek malinngippagu, Naalackersuisut sanaartukkat illullu ilaalu ilanngullugit, suliffeqarfinit inunnillu pineqartunit pigineqartut, aammalu akuersissut malillugu ingerlatassanik suliaqarnermi atorneqarsimasut aammalu sumiiffinni kalluarneqartuniittut, peerneqarnissaat pillugu suliffeqarfinit aamma inunnut allanut Naalackersuisut peqqussuteqarsinnaapput.

*Imm. 5.* Inuup imaluunniit suliffeqarfiup imm. 4 malillugu peqqussuteqarnek malinngippagu, Naalackersuisut inuup imaluunniit suliffeqarfiup akiligassaanik annaasaqatigisinnaasaanillu sanaartukkat illullu ilaalu ilanngullugit peersinnaavai.

*Pigisanik nalilinnik peerneqartunik uninngatitsineq aamma tuniniaaneq*

**§ 79.** Pisinnaatitsissummik pigisaqartup akuersissut aamma akuersissut malillugu ingerlataqarnerit pillugit pisussaaffimminik naammassinninnissaata tungaanut, pisinnaatitsissummik pigisaqartup pigisai nalillit Naalackersuisut § 78, imm. 3 malillugu iliuuseqarnerini peerneqartut Naalackersuisut tigummigallarsinnaavaat.

*Imm. 2.* Suliffeqarfiit imaluunniit inuit pigisai nalillit § 78, imm. 5 malillugu Naalackersuisut ingerlataanni iliuuseqarnerinilu peerneqartut, suliffeqarfiup imaluunniit inuup pineqartup Naalackersuisut iliuuseqarnerini Naalackersuisunut pisussaaffimminik, naammassinninnissaasa tungaanut, Naalackersuisut tigummigallarsinnaavaat.

*Imm. 3.* Imm. 1 imaluunniit 2 malillugu pisussaaffeqartup piffissamut killiliussap naleqquttup Naalakkersuisunit aalajangersagaasup iluani imm. 1-imi imaluunniit 2-mi taaneqartut Naalakkersuisunit pisussaaffini naammassisimangippagit, Naalakkersuisut pigisat nalillit tamanut ammasumik kaattaassilluni tuniniaanikkut tuniniartissinnaavaat aammalu aningaasat kaattaassilluni tuniniaanermeersut pisussaaffeqartup pisussaaffiisa naammassinissaannut atorsinnaallugit.

*Imm. 4.* Imm. 3 malillugu tamanut ammasumik kaattaassilluni tuniniaanerup ingerlanneqannginnerani imm. 1 imaluunniit 2 malillugu pisussaaffeqartoq aammalu sapinngisamik kinaluunniit alla, pigisanut nalilinnut tunngatillugu pisinnaatitaaffii imaluunniit pisussaaffii tuniniaanermiit kallarneqartussatut ilimagineqartariaqartut, pineqartup najugaa ilisimaneqarsimappat, minnerpaamik sapaatit akunnerini marlunni ilimasaarluni kaattaassilluni tuniniaanissaq pillugu nalunaarfigineqassapput.

*Imm. 5.* Imm. 3 malillugu tamanut ammasumik kaattaassilluni tuniniaanermi Naalakkersuisut pigisat nalillit ataasiakkaat taakkua kaattaassilluni tuniniaasut ataatsimoorfianni imaluunniit elektroniskimik kaattaassilluni tuniniaanermi tuniniarneqartussatut neqeroortugissavai. Naalakkersuisut naliliippata, kaattaassilluni tuniniaanermi nutaami annertunerujussuarmik neqeroortumik pissarsisoqarsinnaasoq, kaattaassilluni tuniniaaneq nutaaq ingerlanneqassasoq, Naalakkersuisut kaattaassilluni tuniniaanerup pineqartup naammassinerani, aalajangersinnaapput.

*Imm. 6.* Imm. 1 imaluunniit 2 malillugu pisussaaffeqartoq piffissamut killiliussap naleqquttup Naalakkersuisunit aalajangersarneqartup iluani, aningaasartuutit tamatumunnga atasut, taakkua qaffasinnerusumik neqeroortoqarnerani matussuserneqassanngikkaluarpata, akilernissaannut ingerlaannaq qularnaveeqqusiilluni, nutaamik kaattaassilluni tuniniaanissaq piumasarisinnaavaa. Kinaluunniit alla pigisanut nalilinnut tunngatillugu neqeroorummi pisinnaatitaaffimminik tamakkiisumik matussusiivigineqanngitsoq, taamaaliorinnaavoq.

*Imm. 7.* Imm. 3 malillugu tamanut ammasumik kaattaassilluni tuniniaanermi aningaasartuutit mm. 1 imaluunniit 2 malillugu pisussaaffeqartumit akilerneqassapput aammalu piunasaqaatit allat tamaasa sioqqullugit kaattaassilluni tuniniaanerup aningaasartaannit akilerneqarsinnaallutik.

*Imm. 8.* Kaattaassilluni tuniniaanermut aningaasartuutit akilernissaannut atorneqartussanit, takuuk imm. 7, Naalakkersuisut piunasaqaataannit, takuuk imm. 1 imaluunniit 2, aammalu pigisamut tunngatillugu pisinnaatitaaffinnit allanit, kaattaassilluni tuniniaanermi annertunerusumik tunisineq iluanaaruteqarfiuppat, tunisinermi iluanaarutaasut sinneruttut pigisamit piginnittumut tunniunneqassapput.

### *Matusinissamut pilersaarut*

**§ 80.** Pisinnaatitsissummik pigisaqartup piiaanissamut akuersissut malillugu aatsitassanik piiaanermiik tamatumunngalu atatillugu ingerlataminik unitsitsineranut aamma matusineranut pisinnaatitsissummik pigisaqartup pilersaarutaanik, ilanngullugit isumannaallisaanermut, peqqinnissamut, avatangiisinut tunngasut, matusinissamut pilersaarut imaqaassaaq. En matusinissamut pilersaarummi ilaatigut pissutsit makkua ilaatinneqassapput:

- 1) Piiaanerup unitsinneqarnera aamma matuneqarnera, suliareqqiineq, uninngasuuteqarneq, assartuussineq aamma aatsitassanik tuniniaaneq aammalu tamatumunnga atatillugu ingerlatassat.
  - 2) Aatsitassarsiorfimmi atortut, atortut allat aamma illut.
  - 3) Sumiiffimmi akuersissuteqarfiusumit aamma sumiiffinnit kallarnerqartunit allanit pigisat, atortussat, akuutissat eqqagassallu ilaalu ilanngullugit, aatsitassanik piiaanermut, suliareqqiinnermut, uninngasuuteqarnermut, assartuussinermut imaluunniit tuniniaanermut imaluunniit piiaanissamut akuersissut malillugu ingerlatanut allanut atatillugu atorneqartut, pilersinneqartut imaluunniit kuutsinneqartut, peerneqarnerat.
  - 4) Sumiiffimmi akuersissuteqarfiusumi aamma sumiiffinni kallarnerqartuni allani pinngortitami ilaalu ilanngullugit saliineq aamma attuumassuteqartunik iluarseeqqinneq.
  - 5) Piiaanissamut akuersissut ilaalu ilanngullugit malillugu ingerlataqarnerit unitsinneqarnerisa matuneqarnerisalu piviusunnngortinneqarnerisa kingorna, piffissami tassani alapernaarsuinissaq naleqqussimappat, pissutsinik attuumassuteqartunik alapernaarsuineq.
  - 6) Ingerlataqarnerit unitsinneqarnerat matuneqarnerallu tamatumalu kingorna alapernaarsuineq ilaalu ilanngullugit pillugit matusinissamut pilersaarut malillugu ingerlataqarnerit sularineqarneranni, nunaqavissunik sulisoqarneq aamma nioqqutissanik sullissinernillu nunaqavissunik pilersuisoqarneq.
  - 7) Ingerlataqarnerit unitsinneqarnerat matuneqarnerallu tamatumalu kingorna alapernaarsuineq ilaalu ilanngullugit pillugit Inatsisartut inatsisaat, piiaanissamut akuersissut aamma aatsitassarsiorfimmut pilersaarut ilaalu ilanngullugit malillugu pisinnaatitsissummik pigisaqartup pisussaaffiunik naammassinninnissamut qularnaveeqqusiineq.
- Imm. 2.* Aatsitassarsiorfimmi sanaartukkanik ataatsimik arlalinnilluunniit, sanaartukkanik imaluunniit illunik allanik allamut tunniussineq imaluunniit qimanneqarnissaat, Naalackersuisunit akuersissuteqarnikkut aatsaat pisinnaavoq.
- Imm. 3.* Atortut imaluunniit illut arlallit ilaat ataaseq arlallilluunniit qimanneqassappata, aserfallatsaaliuineq, alapernaarsuineq aamma ingerlatassat allat aamma iliuusissat ilaalu ilanngullugit pillugu aalajangersakkanik matusinissamut pilersaarut imaqassaaq, ilanngullugu isumannaallisaaneq, peqqinnissaq aamma avatangiisit pillugit.

**§ 81.** Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup tamatumunnga piareersarluni imaluunniit tamatumunnga atatillugu piiaanermik imaluunniit ingerlatanik sularineqarneranni, matusinissamut pilersaarut pisinnaatitsissummik pigisaqartumit sularineqarsimassaaq tunniunneqarsimassallunilu aammalu Naalackersuisunit akuerineqarsimassalluni.

*Imm. 2.* Pisinnaatitsissummik pigisaqartup matusinissamut pilersaarut Naalackersuisunit tunniutissavaa aammalu kingusinnerpaamik pisinnaatitsissummik pigisaqartup aatsitassarsiorfimmut pilersaarummik Naalackersuisunit tunniussineranut aammalu aatsitassarsiorfimmut pilersaarummik Naalackersuisut akuersissuteqarnerannik pissarsiarinninneranut peqatigitillugu, matusinissamut pilersaarummut Naalackersuisut akuersissuteqarnerat pissarsiarisimassallugu.

*Imm. 3.* Pisinnaatitsissummik pigisaqartup ingerlatassamik imm. 1-imi pineqartunut ilaanngitsumik aallartitsinnginnerani, Naalakkersuisut § 121 naapertorlugu tamatumunnga atugassarititaasunik piumasaqarsimappata, matusinissamut pilersaarut pisinnaatitsissummik pigisaqartumit suliarineqarsimassaaq aammalu tunniunneqarsimassalluni aamma Naalakkersuisunit akuerineqarsimassalluni.

*Imm. 4.* Matusinissamut pilersaarut nutartersimatinneqassaaq aammalu piiaanermi ingerlatat, matusinermi ingerlatat, tamatumunnga atatillugu aningaasartuutit ineriartornerannut aamma isumannaallisaanermi, peqqinnissami, avatangiisini aammalu pissutsini allani attuumassuteqartuni ineriartornermut allannguutinullu tunngatillugu attuumassuteqarnera malillugu allanngortinneqartassalluni.

*Imm. 5.* Pissutsit allanngorneranni tamanna pisariaqalerpat, imaluunniit Naalakkersuisut tamatumunnga aalajangiippata, pisinnaatitsissummik pigisaqartoq sapinngisamik piaartumik matusinissamut pilersaarummik nutartikkamik imaluunniit allanngortinneqartumik suliaqassaaq tunniussissallunilu aammalu matusinissamut pilersaarutip nutartikkap imaluunniit allanngortinneqartup taassuma Naalakkersuisunit akuerineqarnera pissarsiarisimassallugu.

*Imm. 6.* Naalakkersuisut imm. 1-imi, 3-mi aamma 5-imi taaneqartutut § 121 malillugu akuersissuteqarnernut atugassarititaasunik aalajangersaasinnaapput. Naalakkersuisut ilaatigut suliaqarnerup unitsinneqareernerata kingorna isumannaallisaanerup, peqqinnissap, avatangiisit aamma mianerisassat allat attuumassuteqartut isumagineqarnissaat pillugu atugassarititaasunik aalajangersaasinnaapput, ilanngullugu matusinerup kingorna piffissami aalajangersimasumi alapernaarsuinissaq pillugu atugassarititaasut.

**§ 82.** Pisinnaatitsissummik pigisaqartup matusinissamut pilersaarummik, piviusunngortitsisinnaanera aammalu matusineq, matusinissamut pilersaarutip piviusunngortinneqarnissaa aamma tamatumunnga atatillugu ingerlatassat iliuusissallu pillugit pisussaaffimminik naammassinninnissaanera qanoq aningaasaqarnikkut qulakkeerreqassanersoq, matusinissamut pilersaarummi allassimassaaq.

*Imm. 2.* Matusineq, matusinissamut pilersaarutip piviusunngortinneqarnissaa aamma tamatumunnga atatillugu ingerlatassat iliuusissallu pillugit pisussaaffimminik naammassinninnissaanut, takuuk imm. 1, pisinnaatitsissummik pigisaqartoq qanoq qularnaveeqqusiiniarnersoq, matusinissamut pilersaarummi allassimassaaq.

*Imm. 3.* Pisinnaatitsissummik pigisaqartup matusinissamut pisussaaffimminik naammassinninnissaanut qularnaveeqqusiisarnera pillugu matusinissamut pilersaarummi aalajangersakkat Naalakkersuisunit akuerineqassapput. Pisinnaatitsissummik pigisaqartup matusinissamut pisussaaffimminik naammassinninnissaanut qularnaveeqqusiinera Naalakkersuisunit akuerineqassaaq.

*Imm. 4.* Pissutsit allanngorneranni tamanna pisariaqalerpat, pisinnaatitsissummik pigisaqartoq sapinngisamik piaartumik pisinnaatitsissummik pigisaqartup matusinissamut pisussaaffimminik naammassinninnissaanut qularnaveeqqusiinera pillugu aalajangersakkat allanngortinneqartut ilaatillugit, takuuk imm. 1, matusinissamut pilersaarummik suliaqassaaq tunniussissallunilu, ilanngullugit qularnaveeqqusiineq naleqquttoq annertunerusoq



imaluunniit allanngortinneqartoq pillugu, aammalu qularnaveeqqusiineq pillugu aalajangersakkat allanngortinneqartut Naalakkersuisunit akuerineqarnerat pissarsiarissallugu. Pisinnaatitsissummik pigisaqartup tamatuma kingorna sapinngisamik piaartumik matusinissamut pilersaarummi qularnaveeqqusiineq pillugu aalajangersakkat allanngortinneqartut taakkua malillugit piumasaqaatinik naammassinninnissamut qularnaveeqqusiissaaq aammalu qularnaveeqqusiinerup Naalakkersuisunit akuersissuteqarneq pissarsiarissallugu.

*Imm. 5.* Naalakkersuisut imm. 3-4-mi taaneqartut § 121 malillugu akuersissuteqarnermut atugassarititaasunik aalajangersaasinnaapput.

### *Piiaanermi ingerlatat unitsikkallarnejartarnerat*

**§ 83.** Kingusinnerusukkut piiaanermik ingerlataqarnerit aallarteqqinneqarnissaat siunertaralugu piffissamut qaammatisiutit malillugit ullunit 60-init sivisunerusumut piiaanissamut akuersissut malillugu piiaanermik ingerlatanik unitsitsineq, piiaanermik ingerlataqarnerit unitsinneqannginneranni Naalakkersuisunit akuerineqassaaq. Akuersissuteqarneq tamatigut ukiut marluk tikillugit tunniunneqarsinnaavoq. Akuersissuteqarneq nutarterneqarpat, tamanna atugassarititaasut allanngortillugit tunniunneqarsinnaavoq.

*Imm. 2.* Naalakkersuisut § 121 malillugu imm. 1 malillugu akuersissuteqarnermut atugassarititaasunik aalajangersaasinnaapput.

**§ 84.** Piiaanermi ingerlatanik unitsitsigallarnermi piffissaq minnerpaamik ukiunik 6-inik sivisussuseqarpat, imaluunniit unitsitsigallarnissamut akuersissuteqarnermut atugassarititaasut naammassineqarsinnaanngippata, Naalakkersuisut § 80-imi taaneqartut matusinissamut pilersaarutip piviusunngortinnissaanut pisinnaatitsissummik pigisaqartoq peqqusinnaavaat.

### *Qularnaveeqqusiineq*

**§ 85.** Inatsisartut inatsisaat malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartoq akuersissut aamma akuersissut malillugu ingerlatassat pillugit pisussaaffimminik naammassinninnissamut qularnaveeqqusiissasoq aammalu qularnaveeqqusiisimaannassasoq pillugu aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput. Qularnaveeqqusiinermi ilaatinneqassapput Inatsisartut inatsisaat, aalajangersakkat aamma atugassarititaasut Inatsisartut inatsisaat, akuersissut, aatsitassarsiorfimmu pilersaarut, matusinissamut pilersaarut, ingerlatassanut pilersaarutit allat, pilersaarutinu akuersissuteqarnerit, ingerlatassanut akuersissuteqarnerit aamma aalajangiinerit Naalakkersuisunit aalajangiiffiqineqartut malillugit aalajangersagaasut malillugit pisinnaatitsissummik pigisaqartup pisussaaffii.

*Imm. 2.* Imm. 1 malillugu qularnaveeqqusiineq pillugu aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik Naalakkersuisut aalajangersaasinnaapput.

§ 86. § 85, imm. 1 malillugu qularnaveeqqusiineq, akuersissut, tamatumunnga pilersaarutit, taakkununnga akuersissuteqarnerit malillugit ingerlataqarnerit ineriartornerinut allannguuteqarnerinullu, tamatumunnga atatillugu aningaasartuutit aamma isumannaallisaanermi, peqqinnissami, avatangiisini aammalu pissutsini allani attuumassuteqartuni ineriartornermut allannguutinullu tunngatillugu naleqquttumik annertussuseqartumik nutartersimatinneqassapput allanngortinneqartassallutillu.

*Imm. 2.* Pissutsit allanngorneranni tamanna pisariaqalerpat imaluunniit Naalakkersuisut tamatumunnga aalajangiippata, pisinnaatitsissummik pigisaqartup sapinngisamik piaartumik qularnaveeqqusiineq allanngortissavaa aammalu qularnaveeqqusiinermut allanngortinneqartumut Naalakkersuisut akuersissuteqarnerat pissarsiarissallugu.

*Imm. 3.* Pisinnaatitsissummik pigisaqartup Inatsisartut inatsisaat, akuersissut, ingerlatassanut pilersaarutit, ingerlatassanut pilersaarutinut aamma ingerlatassanut akuersissuteqarnerit aamma Naalakkersuisut aalajangiineri malillugit qularnaveeqqusiineq pillugu pisussaaffiisa naammassineqarnissaasa qulakkeernissaanut tamanna pisariaqartillugu, imm. 1-2 malillugit qularnaveeqqusiineq allanngortinneqassaaq.

*Imm. 4.* Naalakkersuisut imm. 1-3 malillugit qularnaveeqqusiinissaq pillugu aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaasinnaapput.

### **Kapitali 13**

#### *Avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq*

§ 87. Inatsisartut inatsisaanni avatangiisinik, silap pissusaanik aamma pinngortitamik allanngutsaaliuinissaq pillugu maleruagassat avatangiisit, silap pissusaata pinngortitallu illersorneqarnerannut iluaqutaassapput, taamaalilluni inuiaqatigiinni ineriartortitsineq, inuit inuuniarnerminni atugaat aammalu uumasut naasullu piujuartinnissaat ataqqillugit piujuartitsiviusumik tunngavilimmik pissalluni.

*Imm. 2.* Inatsisartut inatsisaanni avatangiisinik, silap pissusaanik aamma pinngortitamik allanngutsaaliuinissaq pillugu maleruagassani siunertarineqarpoq ingerlatassanit:

- 1) inuit peqqissusaannut navianartorsiortitsisinnaasunit,
- 2) uumasunik, naasunik, imaluunniit nunami imaluunniit imaani imaluunniit nunap iluani pinngortitami naleqartitanik ajoqusiinnaasunit,
- 3) nunamik, imaanic, nunap iluanik imaluunniit pinngortitami pisuussutinik pisussaataalluni atuinissamut akornusiinnaasumit,
- 4) inuit inuuniarnerminni atugarisaannik ajornerulersitsisinnaasunit aamma
- 5) naleqartitanik imaluunniit ingerlatassanik sukisaarsaarutissanik ajornerulersitsisinnaasunit, avatangiisinik, silap pissusaanik pinngortitamillu mingutsitsinissamik allatullu sunniinissamik pitsaaliuinissaq, killilersimaarinissaq akiuiniarnissarlu.

*Imm. 3.* Imm. 2-mi allassimasunut atatillugu pingaartumik siunertarineqarpoq:

- 1) nunami, imaani, immap naqqani, nunap iluani, imermi, silaannarmi mingutsitsinissamik, silap pissusaanut tunngasunut ajoqusiisumik sunniinissamik kiisalu sajukulaartitsinermi ajoqutissartaqalersitsinissamik nipiliornernillu ajoqutissartaqalersitsinissamik pitsaaliuinissaq, killilersimaarinissaq akiuiniarnissarlu,

- 2) aatsitassanik allanillu pisuussusunik atuinerup maangaannartitsinerullu killilersimaarnissaa,
- 3) teknologiimik minguinnersumik atuinerulernissaq, aamma
- 4) atoqqiisarnerunissaq aammalu eqqakkanik igitsinermut atatillugu ajornartorsiuteqartarnerup killilersimaarnissaa.

**§ 88.** Teknikkip pissarsiarineqarsinnaasup pitsaanerpaap, ilanngullugit sanaartukkat, maskiinat, atortut, sulianik ingerlatitsinerit, teknologiit, nioqqutissiassat, akuutissat atortussallu mingutsitsinnginnerusut, aammalu iliuusissat mingutsitsinermik akiuiniarnermi sapinngisamik pitsaanerpaat, atorneqarnerani suut anguneqarsinnaanersut, avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq pillugu Inatsisartut inatsisaanni maleruagassat atorneqarneranni allaffissornikkullu aquneqarneranni pingaartinneqassaaq. Nalilersuinermi tassani pingaartumik teknologiimik minguinnersumik atuinikkut suliniutissat pitsaaliuisussat pingaartumik pingaartinneqassapput.

*Imm. 2.* Mingutsitsinissamik pitsaaliuinermut pakkersimaarinninnermullu iliuusissat annertussusaannik suussusaannillu naliliinermi, isumalluutinik maangaannartitsinissap sapinngisamik annertunerpaamik killilersimaarneqarnissaa siunertaralugu, avatangiisut silarliit qanoq issusaat aammalu mingutsitsinerup taakkununga aammalu akuutissat atortussallu kuuffiini tamaginni sunniinissaa pingaartinneqassaaq.

**§ 89.** Kinaluunniit ingerlatassanik Inatsisartut inatsisaanni pineqartunut ilaasumik aammalu mingutsitsisinnaasumik aallartitsiniartoq, mingutsitsinissap navianaateqarnera sapinngisamik annertunerpaamik killilersimaarneqartussanngorlugu suliaqarnissap sumiiffissaanik toqqaassaaq. Ingerlatassat ingerlanneqarnissaannut sumiiffimmik toqqaanermi sumiiffiup qanoq issusaa, ilanngullugu maannakkut atuinissaq siunissamilu pilersaarutigineqartoq, aammalu imikoornernik, eqqagassanik allanillu akuutissanik atortussanillu mingutsitsisartunik naapertuuttumik igitsinissamut periarfissat eqqarsaatigineqassapput.

*Imm. 2.* Kinaluunniit ingerlatassanik mingutsitsisinnaasunik aallartitsiniartoq, aallartitsisoq imaluunniit suliaqartoq, iliuusissanik mingutsitsinermut tassunga pitsaaliuisussanik pakkersimaarinnittussanillu aalajangersaassaaq, aammalu ingerlatassat pilersinneqarnissaat, aaqqissuunneqarnerat ingerlanneqarnerallu sapinngisamik annikinnerpaamik mingutsitsinermik malitseqartussanngorlugu aaqqissuutissallugu, takuuk § 88.

*Imm. 3.* Kialuunniit ingerlatassanik mingutsitsisinnaasunik aallartitsiniartup, aallartitsisup imaluunniit suliaqartup, sanaartugaatit ilaalu ilanngullugit, ilanngullugit maskiinat, atortut immaqalu unnuisarfiit, toqqarneqarneranni, pilersinneqarneranni aaqqissuunneqarnerannilu mingutsitsinerup, aniatitsinerit, eqqagassaqalernerit isumalluutinillu atuinerup sapinngisamik pitsaanerpaamik killilersimaarneqarnissaat qulakkiissavaa. Tamanna aamma ingerlatsinerup aaqqissuunneqarnerani qulakkeerneqassaaq, ilanngullugit aatsitassarsiorluni misissuinerup ingerlanissaannik, piiaanerup ingerlanissaannik, suliaqarnerit ingerlanissaannik, nioqqutissiassanik, akuutissanik atortussanillu ingerlatsinermut atatillugu atorneqartussanik aammalu upalungaarsimanermut mingutsitsinernillu akiuiniarnernut suleriaasissanik toqqaanermi.

**§ 90.** Suliffeqarfik imaluunniit inuk avatangiisinik allanngutsaaliuineq imaluunniit mingutsitsinissamik pitsaaliuineq, mingutsitsinermik killilersimaarineq imaluunniit akiuiniarneq pillugit Inatsisartut inatsisaat malillugu pisussaaffeqarpat, tamanna teknikkikkut, suliaqarnikkut aningaasaqarnikkullu pineqartumut periarfissaasimappat, pineqartup pisussaaffiit naammassineqarneranni teknikkimik pissarsiarineqarsinnaasumik pitsaanerpaamik aammalu iliuusissanik mingutsitsinermik akiuiniarnissamut sapinngisamik pitsaanerpaanik atuisoqarnera qulakkiissavaa siuarsassallugulu, takukkit §§ 88 aamma 89.

*Imm. 2.* Suliffeqarfiup imaluunniit inuup Inatsisartut inatsisaat malillugu avatangiisini aarlerinaataasut paasineqarnissaat, nalilersorneqarnissaat aammalu suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillisinneqarnissaat isumagisussaappagu, tamanna teknikkikkut, suliaqarnikkut aningaasaqarnikkullu pineqartumut periarfissaasimappat, pineqartup avatangiisinik allanngutsaaliuinissaq eqqarsaatigalugu aammattaq teknikkimik pissarsiarineqarsinnaasumik pitsaanerpaamik aammalu iliuusissanik mingutsitsinermik akiuiniarnermut sapinngisamik pitsaanerpaanik atuisoqarnera qulakkiissavaa siuarsassallugulu, takukkit imm. 1 aamma §§ 88 aamma 89.

*Imm. 3.* Imm. 2 malillugu pisussaaffiit aamma pisuni makkunani atuupput:

1) Suleqatigisap allap sulinissaq imaluunniit ingerlatassat allat avatangiisini aarlerinaataasut paasineqartussanngorlugit, nalilersorneqartussanngorlugit imaluunniit suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillineqartussanngorlugit pilersaarusiussagai, suliffeqarfiup imaluunniit inuup isumagisussaappagu.

2) Suleqatigisap allap sulinissaq imaluunniit ingerlatassat allat avatangiisini aarlerinaataasut paasineqartussanngorlugit, nalilersorneqartussanngorlugit imaluunniit suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillineqartussanngorlugit pilersaarusiorsimanerai nakkutigineqarnissaa, suliffeqarfiup imaluunniit inuup isumagisussaappagu.

3) Suliffeqarfik imaluunniit inuk avatangiisini aarlerinaataasut paasineqarnissaannut, nalilersorneqarnissaannut aammalu suliaqarnermi naapertuuttumik sapinngisamik annertunerpaamik annikillisinnissaannut peqataasussaappat.

4) Avatangiisini aarlerinaataasut paasineqartussanngorlugit, nalilersorneqartussanngorlugit imaluunniit suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillineqartussanngorlugit suliaqarnerup ingerlannissaanut pisariaqartumik ilinniartinneqassasoq ilitersorneqassasorlu sulisitsisup imaluunniit suliffeqarfiup allap imaluunniit inuup allap isumagisussaappagu.

5) Avatangiisini aarlerinaataasut aarlerinaataajunnaarnissaat imaluunniit annikillisinnissaat suliffeqarfiup imaluunniit inuup isumagisussaappagu.

6) Sanaartukkat, aaqqissuussinerit, umiarsuit imaluunniit angallatit allat, ilanngullugit pineqartup sannai, aaqqissugaanera atortulersugaanera ilaalu ilanngullugit, avatangiisitigut tamakkiisumik isumannaatsuusut, suliffeqarfiup imaluunniit inuup qulakkeertussaappagu.

**§ 91.** Ingerlatassamut imaluunniit sanaartukkamik pilersitsinissamut ingerlatsinissamullu, Inatsisartut inatsisaanni pineqartunut ilaasumut, akuersissuteqarnissaq pillugu aalajangiinerni

ilaatigut mianerisassat pingaartinneqassapput:

- 1) Avatangiisinut, silap pissusaanut pinngortitamullu tunngasunut ajorseriartitsinissap imaluunniit allatut sunniinerlunnissap pinngitsoortinnissaa.
- 2) Nunami namminermermi nunanilu tamalaani pinngortitamik allanngutsaaliuiffiusussatut toqqagaasuni pinngortitap aammalu pinngortitami suussutsit uumasullu najortagaasa ajorseriartinnissaasa aammalu uumasut sumiiffiit toqqarneqarneranni pineqartut akornusersorneqarnissaasa pinngitsoortinnissai.

**§ 92.** Ingerlatassaq imaluunniit sanaartugaq Inatsisartut inatsisaanni pineqartunut ilaasoq avatangiisinut, silap pissusaanut pinngortitamullu tunngasunut annertuumik sunniuteqarsinnaassasoq ilimagineqartariaqarpat, akuersissuteqarneq ingerlatassap imaluunniit sanaartukkap avatangiisinut, silap pissusaanut pinngortitamullu tunngasunut sunniutissaannik nalilersuineq tunngavigalugu, aammalu tamat aamma oqartussat kattuffiillu kalluarneqartussat tamatumunnga oqaaseqaateqarnissamut periarfissaqareernerisa kingorna, aatsaat akuersissuteqartoqarsinnaavoq. Nalilersuineq kapitali 15-imi avatangiisinut sunniutaasussanik nalilersuinnermut maleruagassat malillugit pissaaq.

*Imm. 2.* Ingerlatassaq imaluunniit sanaartugaq Inatsisartut inatsisaanni pineqartunut ilaasoq sumiiffinnut pinngortitamik illersuiviusunut nunami namminermermi imaluunniit nunani tamalaani toqqagaasunut annertuumik sunniuteqarsinnaasoq ilimagineqartariaqarpat, ingerlatassap imaluunniit sanaartukkap taassuma piujuartinnissaanut siunertaasut eqqarsaatigalugit sumiiffimmi sunniutissaannut nalilersuineq tunngavigalugu aatsaat akuersissuteqarfigineqarsinnaavoq. Tamanna Naalakkersuisut naapertuuttutut isigippassuk, akuersissuteqannginnermi sumiiffimmi sunniutaasussanik nalilersuineq pillugu tamat oqaaseqarnissamut periarfissinneqassapput.

*Imm. 3.* Pisuni imm. 1-imi aamma 2-mi taaneqartuni, ingerlatassaq imaluunniit sanaartugaq sumiiffiit nunami namminermermi imaluunniit nunani tamalaani pinngortitamik illersuiviusut qanoq issusaannut ajoqusiissanngippat, imaluunniit inuiaqatigiit soqutigisaat annertuut, ilanngullugit inooqatigiinnermut imaluunniit aningaasaqarnermut tunngasut, ingerlatassat suliarineqarnissaat imaluunniit sanaartukkamik pilersitsinissaq ingerlatsinissarlul pisariaqalersippassuk, aatsaat akuersissuteqartoqarsinnaavoq, taamaattoq takuuk imm. 4.

*Imm. 4.* Ingerlatassat imaluunniit sanaartugaq sumiiffimmut nunami namminermermi imaluunniit nunani tamalaani pinngortitami illersuiviusumi pinngortitap qanoq issusaanik pingaartitsiviusumi imaluunniit suussusaanik pingaartitsiviusumut annertuumik sunniuteqarsinnaassasoq ilimagineqartariaqarpat, inuit peqqissusaat, tamat isumannaatsuunissaat imaluunniit avatangiisinut annertuumik iluaqutaasumik sunniuteqartitsinissaq eqqarsaatigalugu tamanna pisariaqarpat, imaluunniit inuiaqatigiit soqutigisaat allat eqqarsaatigalugit ingerlatassap suliarineqarnissaa imaluunniit sanaartukkap ingerlanneqarnissaa pisariaqarpat, Naalakkersuisut pisuni imm. 3-mi taaneqartuni ingerlatassanut imaluunniit sanaartukkamut aatsaat akuersissuteqarsinnaapput.

*Imm. 5.* Naalakkersuisut imm. 3-mi imaluunniit 4-mi pineqartunut ilaasunut akuersissuteqarpata, Naalakkersuisut naleqquttunik taartissatut iliuusissanik aalajangersaassapput, ilanngullugit akuersissuteqarnermut atugassarititaasut. Taartissatut

iliusissanut aningaasartuutit akuersissuteqarfigineqarnissamik qinnuteqartumit matussuserneqassapput.

#### *Piginnaatitsissutinut aalajangersakkat*

§ 93. Naalackersuisut avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq aamma pissutsit §§ 87-92-mi taaneqartut pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaasinnaapput, ilanngullugu avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq pillugu nunami namminerminni maleruagassat, isumaqatigiissutit imaluunniit malittarisassat atornerqarnissaat pillugu.

§ 94. Sumiiffimmi akuersissuteqarfiusumi avataanilu ingerlatassanik Inatsisartut inatsisaanni pineqartunik ilaasunik aammalu ingerlatassanik allanik suliaqarnermut atatillugu avatangiisit, silap pissusaa pinngortitarlu pillugit aammalu pissutsit Inatsisartut inatsisaanni pineqartunut ilaasut pillugit aalajangersakkanik atugassarititaasunillu Naalackersuisut aalajangersaasinnaapput.

### **Kapitali 14**

#### *Avatangiisinut akisussaaffik*

§ 95. § 20, imm. 2 malillugu akisussaasuusoq ingerlatassamut tunngatillugu akuersissut imaluunniit akuersissuteqarnek malillugu pisinnaatitsissummik pigisaqartuunani allaappat, pisinnaatitsissummik pigisaqartoq aamma ingerlatassanut akisussaasuusaaq. Taamaattoqarnerani taakkua marluk ataatsimoorlutik aammalu tamarmik immikkut kapitalimi matumani maleruagassat malillugit tamakkiisumik pisussaaffeqassapput akisussaasuussallutillu.

*Imm. 2.* Imm. 1 malillugu ingerlatamut, avatangiisinut ajoqusiisimasumut imaluunniit ajoquseeqataasimasumut imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiortitsisimasumut akisussaasuusoq, avatangiisinut ajoqusiinermut imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiortitsinermut akisussaasuvoq. Ajoqusiineq imaluunniit ajoqusiinissamik annertuumik navianartorsiorneq pissutsit pisinnaasut malitsigisaannik pilersimagaluarpuunniit, avatangiisinut ajoqusiineq imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiortitsinerup qanoq pilersimanera apeqquaatinnagu tamanna atuuppoq.

§ 96. Avatangiisinut ajoqusiinissamik annertuumik navianartorsiortitsinermut akisussaasuusoq pitsaaliuilluni iliusissanik pisariaqartunik, avatangiisinut ajoqusiinissamut annertuumik navianartorsiortitsinermik pinngitsoortitsinnaasunik, ingerlaannaq aallartitsissaaq, aammalu navianartorsiorneq aamma iliusissat aallartinneqartut pillugit Naalackersuisut kalerrissallugit.

*Imm. 2.* Avatangiisinut ajoqusiinermut akisussaasuusoq suliniutinik ajoqusiinerup annertussusaanik killilersimaarinnissinnaasunik aammalu ajoqusiinerup

annertunerulernissaanik pinngitsoortitsisinnaasunik suliaqarnikkut ingerlanneqarsinnaasunik ingerlaannaq aallartitsissaq, aammalu Naalackersuisut ajoqusiineq suliniutillu pillugit kalerrissallugit.

*Imm. 3.* Naalackersuisut imm. 1 aamma 2 malillugit pisussaaffiit naammassineqarnerannut nakkutilliissapput, aammalu naammassinninnissaat aamma tamatumunnga atatillugu iliussissanik suliaqarnissaq pillugu peqqusisinnaallutik.

**§ 97.** Paasissutissanik avatangiisini ajoqusiisoqarsimanersoq imaluunniit avatangiisini ajoqusiinissaq annertuumik navianaateqarnersoq nalilersuinissamut pingaaruteqartunik akisussaasuusooq tunniussissasoq Naalackersuisut peqqusisinnaapput. Avatangiisini ajoqusiinermut imaluunniit avatangiisini ajoqusiinissap annertuumik navianaateqarneranut pissutaasut taakkualu sunniutissaasa paasinarsisinneqarnissaat siunertaralugu, akisussaasuusooq nammineq akilikkaminik misissuinernik, misissueqqissaarnernik, akuutissanik imaluunniit atortussanik uuttortaanernik assigisaannilluunniit suliaqassasoq, Naalackersuisut ilaatigut peqqusisinnaapput.

*Imm. 2.* Akisussaasuusup pigisamut aalaakkaasumut imaluunniit sumiiffimmut mingutsinneqarsimasutut paasineqartumut imaluunniit peqqusissuteqarneq malillugu ingerlatassat suliarineqarfissaannut atuisinnaatitaannginnera apeqqutaatinnagu, imm. 1 malillugu peqqusisinnaavoq. Peqqusissuteqarnermi pigisap aalaakkaasup mingutsinneqartup imaluunniit sumiiffiup mingutsinneqartup ilaalu ilanngullugit iluarseqqinneqarnissaanut pisussaaffeqarneq aalajangersarneqarsinnaavoq.

*Imm. 3.* Akisussaasuusooq pigisamut aalaakkaasumut imaluunniit sumiiffimmut atuisinnaatitaanngippat, akisussaasuusup imaluunniit allat misissuinernik imaluunniit iluarseqqinnernik ilaalu ilanngullugit suliaqarnerat akuereqqullugu Naalackersuisut pigisamut aalaakkaasumut imaluunniit sumiiffimmut atuisinnaatitaasoq peqqusinnaavaat.

*Imm. 4.* Imm. 3 malillugu peqqusissuteqarneq pigisamut aalaakkaasumut imaluunniit sumiiffimmut imm. 1 malillugu peqqusissuteqarneq malillugu ingerlatassat suliarineqarfissaannut atuisinnaatitaasumut kimulluunniit pisussaaffiliivoq.

**§ 98.** Avatangiisini ajoqusiisoqarsimappat imaluunniit avatangiisini ajoqusiinissaq annertuumik navianaateqarpat, kapitalimi matumani maleruagassani pineqartunut ilaasumik, Naalackersuisut kapitalimi matumani maleruagassat malillugit tamatumunnga immaqalu iliussissaanik ilaalu ilanngullugit aalajangiissapput.

*Imm. 2.* Naalackersuisut imm. 1 malillugu aalajangiineq Naalackersuisut nittartagaanni imaluunniit allatut naleqquttumik tamanut saqqummiutissavaat. Avatangiisini ajoqusiisoqarsimasooq imaluunniit avatangiisini ajoqusiinissaq annertuumik navianaateqartoq imm. 1 malillugu aalajangiinerup tamanut saqqummiunneqarnera akisussaasuusup akiligassaanik pissaaq.

**§ 99.** Avatangiisinut akisussaaneq pillugu aalajangersakkanik atugassarititaasunillu erseqqinnerusunik Naalackersuisut aalajangersaasinnaapput, ilanngullugu aalajangersakkat kapitalimi matumani taaneqartut atuutsinneqarnissaat pillugu.

## Kapitali 15

### Avatangiisinik nalilersuineq (VVM)

§ 100. Ingerlatassanik suliaqarnermi avatangiisinut sunniutaasussanik nalilersuineq (VVM) suliarineqareerpat, tamatumunngalu nassuiaat (VVM-mut nassuiaat) Naalackersuisunit akuersissuteqarfigineqareerpat, ingerlatassat makkua arlaannut aatsaat akuersissuteqartoqarsinnaavoq, takuuk kapitali 12:

- 1) Aatsitassanik piiaaneq, najukkami aatsitassarsiorluni ingerlataqarneq ilaanani.
- 2) suliaassanut maleruagassiinermi ilaatinneqartoq ilaanani.
- 2) Sanaartukkanik anginerusunik ingerlatassani Inatsisartut inatsisaanni pineqartunut ilaasuni atorneqartussanik pilersitsineq, imaluunniit inissiineq atuinerlu, ilanngullugit aatsitassarsiorfinni suliaqarfiit, nunap iluani suliaqarfiit, nukissiorfiit taakkununnga atasut aamma ruujorilersuinerit taakkununnga atasut.
- 3) Ingerlatamik imaluunniit suliaqarfimmi ingerlatsinermik ilaalu ilanngullugit nr. 1-2-mi taaneqartumik unitsitsineq imaluunniit suliaqarfimmik ilaalu ilanngullugit nr. 2-mi taaneqartumik matusineq.

*Imm. 2.* Piiaaneq avatangiisinut annertuumik sunniuteqartussaangippat, pisinnaatitsissummik pigisaqartup imm. 1, nr. 1-imi piumasaaqatip atuutsinnginnissaa qinnutigisinnaavaa.

*Imm. 3.* Ingerlatassaq Inatsisartut inatsisaanni pineqartunut ilaasoq aammalu imm. 1-imi pineqartunut ilaangitsoq, avatangiisinut annertuumik sunniuteqarsinnaassasoq ilimagineqartariaqarpat, avatangiisinut nalilersuineq suliarineqareerpat aammalu VVM-imut nassuiaat Naalackersuisunit akuersissuteqarfigineqareerpat, aatsaat ingerlatassamut akuersissuteqartoqarsinnaavoq.

*Imm. 4.* Pisuni imm. 2-mi aamma 3-mi taaneqartuni avatangiisinut sunniutaasussanik nalilersuisoqassanersoq aammalu VVM-imut nassuiaat suliarineqassanersoq, Naalackersuisut aalajangissavaat.

*Imm. 5.* Ingerlatassamut avatangiisinut sunniutaasussanik nalilersuineq suliarineqartussaangippat aammalu VVM-imut nassuiaat suliarineqartussaangippat, takuuk imm. 4, suliniutinik pitsaaliuisussanik nalilersuineq (VFT) tamatumunngalu nassuiaat (VFT-mut nassuiaat) suliarineqassasut Naalackersuisut aalajangersinnaapput.

*Imm. 6.* Ingerlatassamut imm. 4 naapertorlugu avatangiisinut sunniutaasussanik nalilersuisoqartussaangippat, imaluunniit imm. 5 naapertorlugu suliniutissanik pitsaaliuisussanik nalilersuisoqartussaangippat, ingerlatassaq avatangiisinut akuersissuteqarfigineqassasoq Naalackersuisut aalajangersinnaavaat.

*Imm. 7.* Tunngavissarititaasut imm. 3 malillugu aalajangiinermi atorneqartussat pillugit aalajangersakkanik erseqqinnerusunik Naalackersuisut aalajangersaasinnaapput. Naalackersuisut aammattaaq suliniutinik pitsaaliuisussanik nalilersuinissaq (VFT) tamatumunngalu tunngavissarititaasut pillugit aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput, takuuk imm. 5. Naalackersuisut tamatuma saniatigut imm. 6 malillugu avatangiisinut akuersissuteqartarneq pillugu aalajangersakkanik erseqqinnerusunik



aalajangersaasinnaapput.

**§ 101.** Pisinnaatitsissummik pigisaqartoq § 101 malillugu VVM-imik pisussaaffeqarfiusumik ingerlatassamik akuersissuteqarfineqarnissamik qinnuteqartoq,

- 1) avatangiisinik nalilersuineramik (VVM) suliaqassaaq,
- 2) VVM-imut nassuiaammik suliaqassaaq,
- 3) nr. 2 naapertorlugu VVM-imut nassuiaammik Naalackersuisunut tunniussissaaq
- 4) VVM-imut nassuiaatip tekniskiunngitsumik eqikkarneqarneranik suliaqassaaq aammalu eqikkaaneq Naalackersuisunut tunniutissallugu.

*Imm. 2.* VVM-imut nassuiaammi ingerlatassap avatangiisini pissutsinut toqqaannartumik aamma toqqaannangitsumik sunniutissai aammalu pissutsit imminnut ataqatigiinnerat, pissutsit imminnut sunneeqatigiinnissaat aammalu ataatsimoortumik sunniutissai (katersuuttut) naapertuuttumik uppernarsitissavai, nassuiassava nalilersussallugillu.

*Imm. 3.* Najoqqutassanik annertunerusunik avatangiisinut sunniutaasussanik nalilersuinermit atugassanik pissarsisitsisoqassasoq, imaluunniit qinnuteqartoq pissutsinik erseqqinnerusunik aalajangerneqartunik, avatangiisinut sunniutaasussanik nalilersuinermit pingaaruteqartunik, annertunerusunik misissuissasoq imaluunniit nalilersuissasoq, Naalackersuisut aalajangersinnaavaat.

*Imm. 3.* Naalackersuisut avatangiisinut nalilersuineramik suliaqarneq, VVM-imut nassuiaammik suliaqarneq aamma Naalackersuisut VVM-imut nassuiaammik akuersissuteqartarnerat ilaalu ilanngullugit pillugit aalajangersakkanik erseqqinnerusunik atugassarititaasunillu aalajangersaasinnaapput, ilanngullugit misissuinerit nalilersuinerillu ingerlanneqartussat aammalu paasissutissat allakkiallu avatangiisinik nalilersuinermit atorneqartussatut pissarsiarineqartussat, VVM-imut nassuiaatip imarisassai aammalu VVM-imut nassuiaatip tunniunneqarnerani Naalackersuisunut tunniunneqartussat pillugit.

**§ 102.** VVM-imut nassuiaatip inaarutaasup Naalackersuisunut tunniunneqarnera pillugu paasissutissat Naalackersuisut nittartagaanni imaluunniit allatut naleqquttumik tamanut ammasumik nalunaarutigineqassapput.

*Imm. 2.* VVM-imut nassuiaammut missingiut aamma paasissutissat, allakkiat tamatumunngalu atatillugu paasissutissat nalunaarsukkat Naalackersuisunut tunniunneqartut, isertuussaapput. Piffissami isertuussiviusumi ilaatinneqarpoq, Naalackersuisut nittartagaanni aammalu allatut naleqquttumik tamanut saqqummersinneqarnissaasa, pisinnaatitsissummik pigisaqartup VVM-imut nassuiaammik inaarutaasumik imm. 1 malillugu Naalackersuisunut tunniussinissaata, tungaannut piffissaq.

*Imm. 3.* Naalackersuisut piffissami isertuussiviusumi VVM-imut nassuiaammut missingiut isertuussaq aamma paasissutissat, allakkiat aamma tamatumunnga atatillugu paasissutissat nalunaarsukkat Naalackersuisunut tunniunneqartut isertuussat pillugit paasissutissat nalinginnaasut tamanut saqqummiussinnaavaat. Naalackersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummiussinnginnermi paasissutissat pisinnaatitsissummik pigisaqartumut tusarniaassutigalugit nassiutissavaat aammalu pisinnaatitsissummik pigisaqartoq minnerpaamik qaammatisiutit malillugit ulluni 14-ini

piffissamut killiliussap naleqquttup aalajangersagaasup iluani, tamatumunnga oqaaseqaateqarsinnaasooq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummiunneqarnissaannut tunngavilersukkamik akerliliissuteqarsinnaasooq pisinnaatitsissummik pigisaqartoq paasitissallugu. Pisinnaatitsissummik pigisaqartoq paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummiunneqarnissaannut akerliliissuteqarluni piffissamut killiliussap iluani nassiussippat, aammalu pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa, Naalakkersuisut paasissutissanik pineqartunik tamanut saqqummiussinissamut soqutigisaqarnerannit annertunerusorineqarpat, Naalakkersuisut paasissutissat taakkua tamanut saqqummiutissanngilaat.

*Imm. 4.* Imm. 2 aamma 3 apeqqutaatinnagit Naalakkersuisut pisuni tamaginni avatangiisinut paasissutissat aamma avatangiisinut nalunaarusiat nalinginnaasumik inuiaqatigiinni soqutiginaateqartut nalilerneqartut, tamanut ammasumik saqqummiussinavaat.

*Imm. 5.* Naalakkersuisut pissutsit imm. 1-4-mi taaneqartut pillugit aalajangersakkanik erseqqinnerusunik atugassarititaasunillu aalajangersaasinnaapput.

## **Kapitali 16**

### *Inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliineq (VSB)*

**§ 103.** Ingerlatassamut, Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasumut, aammalu inuiaqatigiinnut tunngasunut annertuumik sunniuteqarsinnaasussatut ilimagineqartariaqartumut, ingerlatassanik suliaqarnermi inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliineq (VSB) suliarineqareerpat, tamatumunngalu nassuiaat (VSB-imut nassuiaat) pisinnaatitsissummik pigisaqartumit suliarineqareerpat aammalu Naalakkersuisunit akuerineqareerpat, aatsaat Naalakkersuisut akuersissuteqarsinnaapput.

*Imm. 2.* Pisinnaatitsissummik pigisaqartoq akuersissuteqarfigineqarnissamik qinnuteqartoq VSB-imik suliaqartussaalluni, VSB-imut nassuiaammik suliaqartussaalluni aammalu VSB-imut nassuiaammut Naalakkersuisut akuersissuteqarnerannik pissarsisussaalluni, pisoq aalajangersimasooq imm. 1-imi pineqartunut ilaanersoq, Naalakkersuisut aalajangissavaat.

*Imm. 3.* Naalakkersuisut tunngavissarititaasut aalajangiinermi atorneqartut pillugit aalajangersakkanik imaluunniit atugassarititaasunik erseqqinnerusunik aalajangersaasinnaapput.

**§ 104.** Tamanna § 103 malillugu piumasaqaataappat, pisinnaatitsissummik pigisaqartoq ingerlatassamut akuersissuteqarfigineqarnissamik qinnuteqartoq:

- 1) inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinermik (VSB-mik) suliaqassaaq,
- 2) VSB-imut nassuiaammik suliaqassaaq,
- 3) nr. 2 naapertorlugu VSB-imut nassuiaammik Naalakkersuisunut tunniussissaaq,
- 4) VSB-imut nassuiaatip tekniskiunngitsumik eqikkarneqarneranik suliaqassaaq aammalu eqikkaaneq Naalakkersuisunut tunniutissallugu.

*Imm. 2.* VSB-imut nassuiaammi ingerlatassap inuiaqatigiinnut tunngasunut

toqqaannartumik aamma toqqaannangitsumik sunniuteqarnissaa aammalu pissutsit imminnut ataqatigiinnerat, imminnut sunniivigeqatigiinnerat aammalu ataatsimut katillugu (ataatsimoortut) sunniuteqarnissaat, naleqquttumik paasinarsisineqassapput, nassuiarneqassallutik nalilersorneqassallutillu, ilanngullugit innuttaasut inooqatigiinnermut, kulturimut, upperisamut anersaakkullu naleqartitaat ileqquilu.

*Imm. 3.* VSB-mut atugassat paasissutissat imaluunniit allakkiat annertunerusut pissarsiarineqassasut, imaluunniit VSB-mut pisussaaffeqartoq pissutsinik erseqqinnerusumik aalajangerneqartunik, inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinnermut pingaaruteqartunik, annertunerusunik misissuinerneq imaluunniit nalilersuinerneq suliaqassasoq, Naalakkersuisut aalajangersinnaavaat.

*Imm. 4.* Naalakkersuisut VSB-mik suliaqartarneq, VSB-imut nassuiaammik suliaqartarneq aamma Naalakkersuisut VSB-imut nassuiaammut akuersissuteqartarnerat ilaalu ilanngullugit pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinaapput, ilanngullugit misissuinerit nalilersuinerillu ingerlanneqartussat aammalu paasissutissat allakkiallu VSB-mut atugassatut pissarsiarineqartussat, VSB-imut nassuiaatip imarisassai aammalu VSB-imut nassuiaatip Naalakkersuisunut tunniunneqarnerani tunniunneqartussat pillugit.

**§ 105.** VSB-imut nassuiaatip inaarutaasup Naalakkersuisunut tunniunneqarnera pillugu paasissutissat Naalakkersuisut nittartagaanni aammalu allatut naleqquttumik tamanut nalunaarutigineqassaaq.

*Imm. 2.* VSB-imut nassuiaammut missingiut aamma paasissutissat, allakkiat tamatumunngalu atatillugu paasissutissat nalunaarsukkat Naalakkersuisunut tunniunneqartut, isertuussaapput. Piffissami isertuussiviusumi ilaatinneqarput Naalakkersuisut nittartagaanni aammalu allatut naleqquttumik tamanut saqqummersinneqarnissaasa, pisinnaatitsissummik pigisaqartup VSB-imut nassuiaammik inaarutaasumik imm. 1 malillugu Naalakkersuisunut tunniussinissaata, tungaanut piffissaq.

*Imm. 3.* Naalakkersuisut piffissami isertuussiviusumi VSB-imut nassuiaammut missingiut isertuussaqaq aamma paasissutissat, allakkiat aamma tamatumunnga atatillugu paasissutissat nalunaarsukkat Naalakkersuisunut tunniunneqartut isertuussat pillugit paasissutissat nalinginnaasut tamanut saqqummiussinnaavaat. Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummiussinnginnermi paasissutissat pisinnaatitsissummik pigisaqartumut tusarniaassutigalugit nassiutissavaat aammalu pisinnaatitsissummik pigisaqartoq minnerpaamik qaammatisiutit malillugit ulluni 14-ini piffissamut killiliussap naleqquttup aalajangersagaasup iluani, tamatumunnga oqaaseqaateqarsinnaasoq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummiunneqarnissaannut tunngavilersukkamik akerliliissuteqarsinnaasoq pisinnaatitsissummik pigisaqartoq paasitissallugu. Pisinnaatitsissummik pigisaqartoq paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummiunneqarnissaannut akerliliissuteqarluni piffissamut killiliussap iluani nassiussippat, aammalu pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa, Naalakkersuisut paasissutissanik pineqartunik tamanut saqqummiussinissamut

soqutigisaqarnerannit annertunerusorineqarpat, Naalakkersuisut paasissutissat taakkua tamanut saqqummiutissanngilaat.

*Imm. 4.* Naalakkersuisut pissutsit imm. 1-3-mi taaneqartut pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinnaapput.

## **Kapitali 17**

### *Piareersaataasumik tusarniaaneq aamma tusarniaaneq*

**§ 106.** Inatsisartut inatsisaat malillugu ingerlatassaq Naalakkersuisut naliliinerat malillugu avatangiisinut annertuumik sunniuteqarsinnaasussaappat, takuuk § 100, imaluunniit inuiaqatigiinni pissutsinut annertuumik sunniuteqarsinnaasussaappat, takuuk § 103, qinnuteqartoq imaluunniit pisinnaatitsissummik pigisaqartoq suliassamut nassuiaammik, Naalakkersuisunut nassiunneqartussamik, suliaqassaaq.

*Imm. 2.* Avatangiisinut sunniutaasussanik nalilersuinerup (VVM) imaluunniit inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinerup (VSB) imarisassaasa aalajangersarneqannginneranni, suliassamut nassuiaat qaammatisiutit malillugit ulluni 35-ni tamanut ammasumik piareersaataasumik tusarniaassutigalugu nassiunneqassaaq. Avatangiisinut sunniutaasussanik nalilersuinissaq (VVM-imut nassuiaat) pillugu suliassamut nassuiaat aamma inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinissaq (VSB) pillugu suliassamut nassuiaat tamanut ammasumik piareersaataasumik tusarniaassutigineqartussaasimappata, piareersaataasumik tusarniaanerit ataatsimoortillugit ingerlanneqassapput.

*Imm. 3.* Naalakkersuisut suliassamut nassuiaatip imarisassai pillugit aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput.

**§ 107.** Naalakkersuisut avatangiisinut sunniutaasussanik nalilersuineq pillugu nassuiaat (VVM) aamma inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliineq pillugu nassuiaat (VSB) tamanut ammasumik tusarniaassutigalugit nassitutissavai. Avatangiisinut sunniutaasussanik nalilersuineq pillugu nassuiaat (VVM-imut nassuiaat) aammalu inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliineq pillugu nassuiaat (VSB-imut nassuiaat) tamanut ammasumik tusarniaassutigineqartussaasimappata, tusarniaanerit ataatsimoortillugit ingerlanneqassapput.

*Imm. 2.* Piffissaq tusarniaaffiusoq sapaatip akunnerini 8-ni pissaaq. Piffissaq tusarniaaffiusoq ulloq Naalakkersuisut tusarniaanermut najoqqutassat tamanut ammasumik pissarsiarineqarsinnaasunngortinnerat aallarnerfigalugu, aallartissaaq. Piffissaq tusarniaaffiusoq arfininngornermi, sapaammi imaluunniit ullumi nalliuttumi naappat, piffissaq tusarniaaffiusoq ulluinnarmut tullermut sivitsorneqassaaq.

*Imm. 3.* Tamanut ammasumik tusarniaalluni ataatsimiititsineq naapertuuttumik ingerlanneqarsinnaasimangippat, imaluunniit Naalakkersuisut ataatsimiinnerni peqataasinnaanngippata, piffissaq tusarniaaffiusoq sivitsorneqassaaq.

**§ 108.** Naalakkersuisut piffissap tusarniaaffiusup ingerlanerani, takuuk § 107, akuersissut malillugu pisinnaatitsissummik pigisaqartoq suleqatigalugu, illoqarfinni nunaqarfinnilu suliassaq pillugu ingerlatassatut pilersaarutigineqartunit immikkut kalluarneqartussani, tamanut ammasumik tusarniaalluni ataatsimiititsinerik ingerlatsissapput. Ingerlatassat nunami sumiiffinni illoqarfinnit nunaqarfinniillu ungasissumi imaluunniit kommunit aggornerisa avataanni ingerlanneqartussaappata, illoqarfinni nunaqarfinnilu sorlorni tamanut ammasumik tusarniaalluni ataatsimiititsinerit ingerlanneqassanersut, Naalakkersuisut aalajangiissapput.

**§ 109.** Tamanut ammasumik tusarniaalluni ataatsimiititsinerit, takuuk § 108, ingerlanneqarnissaat qaammatisiutit malillugit minnerpaamik ullunik 14-inik sioqqullugit Naalakkersuisut aggersaassapput.

*Imm. 2.* Tamanut ammasumik tusarniaalluni ataatsimiititsinerit aggersaaneq najukkani aviisini aamma pisortat namminersortullu tusagassiuutaanni naleqquttuni allagarsiissutigineqassaaq.

*Imm. 3.* Tusarniaalluni ataatsimiititsinerit imaqarniliamik Naalakkersuisut suliaqassapput. Naalakkersuisut tamatum kingorna imaqarniliaq tamanut saqqummersissavaat.

*Imm. 4.* Ataatsimiinnermi peqataasut apeqquteqarnissaannut, oqaaseqaateqarnissaannut, suliassamik oqaluuserinninnissaannut aammalu suliassaq pillugu nalunaarutit atuaanissamut tusarniaalluni ataatsimiititsinerit piffissaliisoqarnissaa aammalu periarfissiisoqarnissaa, Naalakkersuisut qulakkiissavaat.

*Imm. 5.* Naalakkersuisut tusarniaalluni ataatsimiititsinerit ataatsimiinnermi aqutsisussamik toqqaassapput.

## **Kapitali 18**

### *Inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq pillugu isumaqatigiissut*

**§ 110.** Pisinnaatitsissummik pigisaqartoq ingerlatassamut Inatsisartut inatsisaanni pineqartunut ilaasumut, aammalu inuiaqatigiinni pissutsinut annertuumik sunnuteqarsinnaasussatut naatsorsuutigineqartariaqartumut akuersissuteqarnissamik qinnuteqartoq, inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq pillugu isumaqatigiissummik aamma inuiaqatigiit aningaasaqarnerannut tunngasunut allanut isumaqatigiissuteqassasoq aammalu taanna naammassissagaa pillugu aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

*Imm. 2.* Isumaqatigiissut imm. 1-imi taaneqartoq Naalakkersuisut aamma pisinnaatitsissummik pigisaqartup akornanni isumaqatigiissutigineqassaaq.

*Imm. 3.* Akuersissummi sumiiffik akuersissuteqarfiusoq kommunip sumiiffianiippat, isumaqatigiissut aamma kommunimut isumaqatigiissutigineqassaaq.

*Imm. 4.* Akuersissummi sumiiffik akuersissuteqarfiusoq kommunip sumiiffianiinngippat, Naalakkersuisut tamatumunnga aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaappata imaluunniit tamatumunnga aalajangiippata, isumaqatigiissut aamma kommuninut qanitaaniittunut ataatsimut arlalinnuunniit isumaqatigiissutigineqassaaq.

Taamaattoq isumaqatigiissutip isumaqatiginninniutigineqarnera, isumaqatigiissutigineqarnera imaluunniit imarisai pillugit kommunip piumasaqaatai Naalakkersuisut naliliinerat malillugu § 112-imut imaluunniit aalajangersakkanut imaluunniit atugassarititaasunut § 112 malillugu Naalakkersuisunit aalajangersarneqartunut naapertuutinngippata, isumaqatigiissut kommunimut isumaqatigiissutigineqassanngitsoq pillugu Naalakkersuisut aalajangiinnaapput.

§ 111. § 110 malillugu isumaqatigiissut Inatsisartut inatsisaanni § 1 malillugu siunertamut aamma aalajangersakkanut allanut isumaqatigiissutip siunertanut aamma § 110 malillugu siunertamut sammisanullu aamma aalajangersakkanut atugassarititaasunullu § 112 malillugu aalajangersagaasunut, naapertuuttumik isumaqatiginninniutigineqassaaq, isumaqatigiissutigineqassalluni aammalu imaqassalluni.

*Imm. 2.* § 110 malillugu isumaqatigiissut ilaatigut pisinnaatitsissummik pigisaqartup nunaqavissunik sulisoqarnissaa pilersuisoqarnissaalu pillugit aamma sulisussat nunaqavissut ilinniartitaanerat ilinniaqqinnissaallu pillugu atugassarititaasunik imaqassaaq.

*Imm. 3.* Atugassarititaasut isumaqatigiissummi aalajangersagaasut naammassineqarsimanersut Naalakkersuisut aamma pisinnaatitsissummik pigisaqartup akornanni aaqqiagiinngissuteqarneq eqqartuussivimmut isumaqatigiissitsiniartartumut suliakkiunneqassasoq, § 110 malillugu isumaqatigiissummi aalajangersarneqarsinnaavoq. Tamatumunnga atugassarititaasut nalinginnaasumik akuersissummi tamatumunnga atugassarititaasunut naapertuutissapput. Taamaattoq isumaqatigiissut aamma kommunimut ataatsimut imaluunniit arlalinnut isumaqatigiissutigineqarsimappat, akuersissummit atugassarititaasut isumaqatigiissummi allanngortinneqassapput, taamaalillutik taakkua kommunip imaluunniit kommunit aamma isumaqatigiissummi peqataanerannut, taamaalillutillu aamma isumaqatigiissut pillugu aaqqiagiinngissuteqarnermi peqataanerannut, tunngasunut naleqqussarneqassallutik.

§ 112. Inatsisartut inatsisaanni § 1 malillugu siunertamut aamma aalajangersakkanut allanut naapertuuttumik, § 110 malillugu isumaqatigiissut pillugu pissutsit attuumassuteqartut tamaasa pillugit akuersissummut aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik Naalakkersuisut aalajangersaasinnaapput.

## **Kapitali 19**

### *Sinerissap avataani suliaqarfinnut isumannaallisaaneq aamma peqqinnissaq*

§ 113. Sinerissap avataani suliaqarfinnut, ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarnermi atorneqartunut atatillugu isumannaallisaanermut peqqinnissamullu aarlerinaataasut paasineqarnissaat, nalilersorneqarnissaat annikillisinneqarnissaallu, suliaqarnermi naleqquttumik ajornartinnagu, pisinnaatitsissummik pigisaqartup qulakkiissavaa.

*Imm. 2.* Sinerissap avataani suliaqarfiit ingerlanneqarnerisa Inatsisartut inatsisaannut, inatsisinut allanut, aalajangersakkanut Inatsisartut inatsisaat aamma inatsisit allat malillugit

aalajangersagaasunut aamma aalajangersakkanut aamma atugassarititaasunut akuersissummi aalajangersagaasunut naapertuuttumik ingerlanneqarnissaat, taakkualu nakkutilliiviginissaat, pisinnaatitsissummik pigisaqartup qulakkiissavaa.

*Imm. 3.* Pisinnaatitsissummik pigisaqartup qulakkiissavaa:

- 1) suliffeqarfiup pisinnaatitsissummik pigisaqartoq sinnerlugu sinerissap avataani suliaqarfiit pillugit akuersissut malillugu ingerlatassanik suliaqartup imaluunniit nakkutiginnittup aammalu suliaqarnermik aqutsisup, isumannaallisaanikkut peqqinnissakkullu pisussaaffiit, taassuma pisussaaffigisaasa, naammassinissaannut periarfissaqarnera,
- 2) isumannaallisaanermut peqqinnissamullu aarlerinaataasut, suliaqarnermi naleqquttumik ajornartinnagu, paasineqarnissaat, nalilersorneqarnissaat annikillisinneqarnissaallu suliffeqarfiup pineqartup qulakkiissagai nakkutigissagaalu, aamma
- 3) akuersissut malillugu ingerlatassat Inatsisartut inatsisaannut, inatsisinut allanut, aalajangersakkanut Inatsisartut inatsisaat aamma inatsisit allat malillugit aalajangersagaasunut aamma aalajangersakkanut aamma atugassarititaasunut akuersissummi aalajangersagaasunut naapertuuttumik ingerlanneqarnissaat.

**§ 114.** Naalakkersuisut sinerissap avataani suliaqarfinnut, ingerlatanik Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasunik suliaqarnermi Inatsisartut inatsisaanni § 1 malillugu siunertamut aamma aalajangersakkanut allanut naapertuuttumik atorpeqartunut atatillugu isumannaallisaaneq peqqinnissarlu pillugit aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput.

## **Kapitali 20**

### *Sinerissap avataani suliaqarfinni isumannaallisaanermut killeqarfiit*

**§ 115.** Sinerissap avataani suliaqarfiit, suliaqarfik tissiarluni imaluunniit kalitsilluni ingerlaanggippat, isumannaallisaanermut killeqarfinnik ungalusaavoq.

*Imm. 2.* Sinerissap avataani suliaqarfik, isumannaallisaanermut killeqarfimmik ungalusaasoq, ingerlaannaq immap qaavani ersittanggippat, puttaqummik nalunaaqutsersimassaaq imaluunniit allamik takulertoruminartumik, Naalakkersuisunit akuerisaasumik, nalunaaqutserneqarsimassalluni.

*Imm. 3.* Isumannaallisaanermut killeqarfik sinerissap avataani suliaqarfiup eqqaani, taassuma sinaanit avallermit sorlermilluunniit imaluunniit nalunaaqutsersuutitut atorpeqartumit allamiit uuttorlugu 500 meterinik isorartussuseqarpoq. Napparissuni (napparissut) immap naqqaniit suliaqarfiup portunerpaaffia 500 meterinik qaangerlugu isumannaallisaanermut killeqarfik isorartussuseqarpoq. Makittarissuni (makittarissut) isumannaallisaanermut killeqarfik sinerissap avataani suliaqarfiup sinaaniit silarlermit, taassuma sukkulluunniit sumiiffianit sorlermilluunniit, 500 meterinik isorartussuseqarpoq.

*Imm. 4.* Sinerissap avataani suliaqarfiup, isumannaallisaanermut killeqarfimmit ungalusimasup, sumiiffia, Imarsiortunut Nalunaarutini imaluunniit allami Naalakkersuisunit aalajangerneqartumi, tamanut saqqummiunneqassaaq. Imarsiortunut Nalunaarutini imaluunniit allami Naalakkersuisunit aalajangerneqartumi tamanut saqqummersitsineq,

Naalackersuisut allamik aalajangiisimangippata, pisinnaatitsissummik pigisaqartumit ingerlanneqassaaq.

**§ 116.** Isumannaallisaanermut killeqarfiup isorartussusissaa § 115, imm. 3-mi aalajangerneqartup saneqqunneqarnissaa pillugu Naalackersuisut aalajangiisinnaapput. Saneqqutsinermi isumannaallisaanermut killeqarfik annertusitinneqarsinnaavoq imaluunniit annikillisinneqarsinnaalluni aammalu piffissamut aalajangersimasumut aalajangersarneqarsinnaalluni. Saneqqutsineq Imarsiortunut Nalunaarutini imaluunniit allatut Naalackersuisunit aalajangerneqartumik tamanut saqqummersinneqassaaq. Imarsiortunut Nalunaarutini imaluunniit allatut Naalackersuisunit aalajangerneqartumi tamanut saqqummersitsineq, Naalackersuisut allamik aalajangiisimangippata, pisinnaatitsissummik pigisaqartumit ingerlanneqassaaq.

*Imm. 2.* Inunnik ajoqusiinermik, inuit inuunerannik annasaqarnermik, annertuumik mingutsitsinermik, atortunik annertuumik ajoqusiinermik imaluunniit sinerissap avataani suliaqarfimmi ingerlitanik annertuumik akornusiinermik malitseqarsinnaasumik, navianartorsionartumik pisoqartillugu imaluunniit ajutoortoqarluni pisoqartillugu, tamanna ajoqusiilluni sunniinerit taaneqartut taakkua pitsaaliornissaannut, pinngitsoortinnissaannut imaluunniit killilersimaarnissaannut pisariaqartutut isigineqarpat, Naalackersuisut isumannaallisaanermut killeqarfik pioreersoq annertusitissinnaavaat imaluunniit isumannaallisaanermut killeqarfimmik nutaamik pilersitsisinnaallutik. Isumannaallisaanermut killeqarfiup pioreersup annertusitinneqarnera imaluunniit isumannaallisaanermut killeqarfimmik nutaamik pilersitsineq, Imarsiortunut Nalunaarutini imaluunniit allatut Naalackersuisunit aalajangerneqartumik tamanut saqqummersinneqassaaq. Imarsiortunut Nalunaarutini imaluunniit allatut Naalackersuisunit aalajangerneqartumi tamanut saqqummersitsineq, Naalackersuisut allamik aalajangiisimangippata, pisinnaatitsissummik pigisaqartumit ingerlanneqassaaq.

**§ 117.** Umiarsuit, prammit, imaatigut angallatit allat, timmisartut, qulimiguullit, dronit aamma silaannakkut angallatit allat, sinerissap avataani suliaqarfiit angallattakkat aamma sanaartukkat aqqissuussinerillu angallattakkat allat, aalisarnermut atortut, kisat, pituttornermut atortut allat, atortut allat aamma pigisat allat, taakkua inatsisit malillugit tamatumunnga siunertaqangippata, sinerissap avataani suliaqarfiup eqqaani isumannaallisaanermut killeqarfimmut eqquteqqusaanngillat imaluunniit tassaneeqqusaanatik.

*Imm. 2.* Naalackersuisut pisuni immikkut ittuni imm. 1-imi inerteqquteqarnermi ilaatitsinnginnissaq, ilanngullugu aalisarnek piniarnerlu eqqarsaatigalugit, pillugu aalajangiisinnaapput aammalu tamatumunnga aalajangersakkanik aamma atugassarititaasunik ersarinnerusunik aalajangersaasinnaallutik.

## **Kapitali 21**

### *Aalajangersakkat nalinginnaasut*

#### *Ingerlatassanik suliarinninnermut piunasaqaatit*



**§ 118.** Ingerlatassat Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaatinneqartut, pissutsit taamaaqatai atuutsillugit sumiiffimmi nunani tamalaani suleriaatsinut akuerisaasunut pitsaasunut naapertuuttumik suliarineqassapput.

*Imm. 2.* Ingerlatassat naapertuuttumik aammalu isumannaallisaanermut, peqqinnissamut, isumalluutinik atuinermt aamma inuiaqatigiinni piujuartitsinissamut tunngatillugu isumannaatsumik suliarineqassapput.

*Nunani tamalaani isumaqatigiissuteqarneq taakkuningalu atuineq*

**§ 119.** Nunani tamalaani isumaqatigiissutit imaluunniit pissutsit Inatsisartut inatsisaanni ilaasut pillugit maleruagassat Kalaallit Nunaanni piviusunngortinneqarnissaat imaluunniit atuutsinnissaat siunertaralugu, Naalakkersuisut aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput.

*Naalakkersuisut ingerlatassanik akuersissuteqartarnerat*

**§ 120.** Ingerlatassat Inatsisartut inatsisaat malillugu akuersissummi pineqartunut ilaasut, ilanngullugit sumiiffimmi akuersissummi ilaatinneqartumi avataanilu illunik, sanaartukkanik ikkussuinernillu ilaalu ilanngullugit pilersitsineq aamma akuersissut malillugu suliaqarnerup ingerlatallu unitsinneqarneranni pisussaaffiit naammassinissaannut iliuusissat ingerlatassallu, aallartinneqannginneranni, atugassarititaasunut akuersissummi aalajangersagaasunut naapertuuttumik Naalakkersuisunit akuersissuteqarfigineqassapput. Taamaattoq Naalakkersuisut akuersissut malillugu ingerlatassat aalajangersimasut akuerineqassanngitsut pillugu aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput.

*Imm. 2.* Piiianermik suliaqarnerup unitsikkallarnerqarneranut atatillugu iliuusissat, atugassarititaasunut akuersissummi aalajangersagaasunut naapertuuttumik, aallartinneqannginneranni Naalakkersuisunit akuersissuteqarfigineqassapput.

*Imm. 3.* Ingerlatassat annertunerusut imaluunniit pingaaruteqartut, akuersissut malillugu ingerlatassanik suliaqarnermut atatillugu suliarineqartut, ilanngullugit qillerinerit, sullut isaariaannik appartitsineq aamma qaarusuliornerit ilaalu ilanngullugit, pisuni ataasiakkaani tamaginni aallartinneqannginneranni Naalakkersuisunit akuerineqartassapput.

**§ 121.** Naalakkersuisut akuersissuteqarnermut, ingerlatassamut imaluunniit ingerlatassanut pilersaarummut aamma ingerlatassanut pilersaarut malillugu ingerlatassanut tunngasut attuumassuteqartut tamaasa pillugit, Inatsisartut inatsisaanni § 1 malillugu siunertanut aamma aalajangersakkanut allanut naapertuuttumik ingerlatassamut akuersissuteqarnermut imaluunniit ingerlatassanut pilersaarummut aalajangersakkanik aamma atugassarititaasunik, aalajangersaasinnaapput.

*Nakutillineq, peqqusissuteqartarneq aamma paasisutissiisussaataaneq*

§ 122. Pisinnaatitsissummik pigisaqartup aamma allat suliaqarnerannut aamma ingerlatassanut Inatsisartut inatsisaanni pineqartunut ilaasunut Naalakkersuisut nakkutilliissapput, ilanngullugit aalajangersakkat aamma atugassarititaasut Inatsisartut inatsisaat malillugu aalajangersagaasut. Nakkutilliinermut oqartussap sulisui, tamanna nakkutilliilluni suliaqarnerannut ingerlatsinissamut pisariaqarpat, sukkulluunniit eqqartuussivimmi aalajangiinertaqanngitsumik, sukumiisumik kinaassutsimut uppersaammik takutitsillutik suliffeqarfiit aamma ingerlatassat Inatsisartut inatsisaanni pineqartunut ilaasut immikkoortuinut tamaginnut isersinnaatitaapput.

§ 123. Naalakkersuisut Inatsisartut inatsisaata aamma aalajangersakkat aamma akuersissummum atugassarititaasut Inatsisartut inatsisaat malillugu aalajangersagaasut malinneqarnerisa qulakkeernissaa siunertaralugu peqqusissuteqarsinnaapput inerteqquteqarsinnaallutillu. Peqqusissuteqarneq aamma inerteqquteqarneq pisinnaatitsissummik pigisaqartumut imaluunniit allanut Inatsisartut inatsisaanni pineqartunut ilaasunut nalunaarutigineqarsinnaavoq.

§ 124. Pisinnaatitsissummik pigisaqartut aamma suleqataasut allat Inatsisartut inatsisaanni pineqartunut ilaasut paasisutissanik tamaginnik, suliaqarnerminnut imaluunniit ingerlatassanut Inatsisartut inatsisaanni pineqartunut ilaasunut oqartussat suliarinninnerannut pisariaqartunik, nalunaarutiginnissapput. Naalakkersuisut oqartussat suliarinninnerisa Inatsisartut inatsisaanni pineqartunut ilaasup ingerlannissaanut pisinnaatitsissummik pigisaqartut aamma allat paasisutissanik Naalakkersuisut pisariaqartitaattut iliorlutik aammalu iluseqartitsillutik tunniussissasut, peqqusisinnaapput.

#### *Suliaqarnerminnut suliarinninnerannut unitsitsisarneq*

§ 125. Pisinnaatitsissummik pigisaqartoq Inatsisartut inatsisaanni pineqartunut ilaasoq Naalakkersuisut suliaqarnerminnut suliarinninnerannut aamma Inatsisartut inatsisaat malillugu oqartussat suliarinninnerannut allanut aningaasartuutaannut matussutissanik, takuuk tamatumunnga § 31, imm. 3, 38, imm. 4, aamma § 51, imm. 5, 100.000 koruuninik imaluunniit amerlanerusunik aningaasartalinnik akilerneqartussanik akiliisimangippat, pisinnaatitsissummik pigisaqartup Naalakkersuisunut aningaasat akilerneqanngitsut suulluunniit akilernissaasa tungaanut, pisinnaatitsissummik pigisaqartoq pillugit suliaqarnerminnut suliarineqarnera aalajangiiffigineqarnissaalu Naalakkersuisut unitsissinnaavaat. Taamatut pisoqartillugu, pisinnaatitsissummik pigisaqartup Naalakkersuisunut aningaasat akilerneqanngitsut suulluunniit akilernissaasa tungaanut, pisinnaatitsissummik pigisaqartumut Inatsisartut inatsisaanni pineqartunut ilaasumut, akuersissut malillugu ingerlatani unitseqqullugit aamma Naalakkersuisut peqqusisinnaapput. Naalakkersuisut tamatumunnga aalajangersakkanik erseqqinnerusunik atugassarititaasunillu aalajangersaasinnaapput.

#### *Inuiaqatigiinnut tunngasut soqutigisallu annertuut*

**§ 126.** Inatsisartut inatsisaat malillugu akuersissut imaluunniit akuersissuteqarneq, tamanna inuiaqatigiinni pissutsinut pingaaruteqartunut imaluunniit soqutigisanut, ilanngullugit nunanut allanut politikikkut, illersornissamut politikikkut imaluunniit sillimaniarnermut politikikkut pissutsinut imaluunniit soqutigisanut, ataqatigiissinneqarsinnaanngippat, qinnuteqartumut imaluunniit pisinnaatitsissummik pigisaqartumut tunniunneqarsinnaanngilaq. Naalackersuisut tamatumunnga aalajangiissapput.

*Imm. 2.* Qinnuteqartoq imaluunniit pisinnaatitsissummik pigisaqartoq pissutsit Naalackersuisut imm. 1 malillugu aalajangiinissaannut pingaaruteqarsinnaasut tamaasa pillugit Naalackersuisunut paasissutissiisaaq aammalu paasissutissat taakkua uppersarsassallugit. Naalackersuisut imm. 1 malillugu aalajangiinissamut pisariaqarsorineqartunik paasissutissanik sunilluunniit taakkunungalu uppersarsaatinik pisinnaatitsissummik pigisaqartumit imaluunniit qinnuteqartumit piumasaqarsinnaapput.

*Imm. 3.* Naalackersuisut imm. 1 malillugu aalajangiinissamut pisariaqarsorineqartunik pisinnaatitsissummik pigisaqartumi qinnuteqartunilu misissuinernik suliaqarsinnaapput, ilanngullugit nunanit allanit paasissutissanik piniarsinnaallutik.

*Inatsisit allat malillugit akuersissutit aamma akuersissuteqarnerit*

**§ 127.** Inatsisartut inatsisaat naapertorlugu oqartussat suliarinninneranni, ilanngullugit akuersissutit aamma akuersissuteqarnerit, pisinnaatitsissummik pigisaqartut aamma suleqataasut allat Inatsisartut inatsisaanni pineqartunut ilaasut, inatsisit allat malillugit pisariaqartunik akuersissuteqarnerinik imaluunniit akuersissutinik piniarnissamut, pisussaaffeerutsinneqanngillat, taamaattoq takuuk imm. 2.

*Imm. 2.* Taamaattoq Inatsisartut inatsisaat malillugu akuersissummi sumiiffimmi akuersissuteqarfiusumi avataanilu illutanut sanaartukkanullu nunaminertamik atugassiinissaq pillugu piumasaqaatinik naammassinninnissamut pisussaatinneqanngilaq.

*Pigisanik nalilinnik pinngitsaaliissummik taarsiissutitalimmik piginnikkunnaarsitsisarneq*

**§ 128.** Inatsisartut inatsisaat malillugu ingerlatassanik suliarinnissinnaanissamut pigisanik nalilinnik pinngitsaaliissummik taarsiissutitalimmik piginnikkunnaarsitsineq ingerlanneqassasoq, Naalackersuisut pisariaqartillugu akuerisinnaavaat.

*Imm. 2.* Imm. 1 malillugu pinngitsaaliissummik taarsiissutitalimmik piginnikkunnaarsitsineq pinngitsaaliissummik taarsiissutitalimmik piginnikkunnaarsitsisarneq pillugu Inatsisartut inatsisaanni maleruagassat malillugit ingerlanneqassaaq.

*Sumiiffinnik aalajangersimasunik eqqissisimatitsineq  
aammalu killeqarfinnik atuutsitsilerneq*

**§ 129.** Nunap sannaanut tunngasut taakkualu piujuartinnissaasa mianerinissaannik isumaginninnissamut sumiiffik ataaseq arlallilluunniit aalajangersimasut eqqissisimatinneqarnissaat pillugu aalajangersakkanik Naalackersuisut

aalajangersaasinnaapput. Ingerlatassaq ataaseq arlallilluunniit suliareqqusaasoq pillugu aalajangersakkanik imaluunniit atugassarititaasunik Naalakkersuisut aalajangersaasimangippata, sumiiffimmi nunap sannaatigut eqqissisimatitami ingerlatassanik sunilluunniit suliaqartoqaqqusaanngilaq.

*Imm. 2.* Nalinginnaasumik soqutigisanik mianerinninnissaq isumaginiarlugu sumiiffimmik ataatsimik arlalinnilluunniit Inatsisartut inatsisaat malillugu ingerlatassanik inerteqquteqarnissaq imaluunniit killilersuinissaq pillugu aalajangersakkanik Naalakkersuisut aalajangersaasinnaapput.

*Pisortani oqartussat allat oqartussat suliassaannik isumaginninnerat*

**§ 130.** Inatsisartut inatsisaat malillugu oqartussat suliassai, erseqqinnerusumik aalajangerneqartumik annertussusilimmik, pisortani oqartussanit allanit imaluunniit namminersortunit suleqatigisanik isumagineqassasut, Naalakkersuisut aalajangersinnaapput, taamaattoq.

*Imm. 2.* Piginnaatitsissummi allatut aalajangertoqarsimangippat, pisortani oqartussat imaluunniit namminersortut suleqatigisat piginnaatinneqartut, taakkualu sulisui, Naalakkersuisut aamma Naalakkersuisut sulisuisa suliassanik pineqartunik isumaginninnermi piginnaatitaaffigisassaasa assinginik piginnaatitaaffeqqassapput.

*Innuttaasunut, najukkami inuiaqatigiinnut aamma kattuffinnut attuumassuteqartunut misissuinernut aamma siunnersuinernut ilaalu ilanngullugit aningaasassanik ataatsimoortunik pilersitsineq*

**§ 131.** Naalakkersuisut aningaasassanik ataatsimoortunik pilersitsissapput, tassunga innuttaasut, najukkami inuiaqatigiit aamma Kalaallit Nunaanni kattuffiit attuumassuteqartut kalluarneqartut, Kalaallit Nunaanni aatsitassanut suliassanut aalajangersimasunut attuumassuteqartunik ajornartorsiutinik immikkuullarissunik qulaajaanissamut misissuinernik aallartitsinissamut aammalu siunnersortissarsiornermut aammalu suliassap inuiaqatigiinni sunniinissaa pillugu ataatsimiinnernik ingerlatsinissamut, aningaasassanik qinnuteqarsinnaassallutik.

*Imm. 2.* Qinnuteqarnikkut, suliakkiissutinut najoqqutassap imaluunniit suliassamut nassuiaatip piareersaataasumik tusarniaassutigalugu imaluunniit tusarniaassutigalugu nassiunneqareernerata kingorna, takuuk §§ 35, 44 aamma 107, aningaasassanik qinnuteqarneq aatsaat pisinnaavoq.

*Imm. 3.* Naalakkersuisut imm. 1 malillugu aningasassat ataatsimoortut pillugit aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput.

## **Kapitali 22**

*Taarsiinissamut akisussaasuuneq aamma sillimmasiinerit*

**§ 132.** Ajoqusiinerit suliaqarnerni imaluunniit ingerlatassanit akuersissummi pineqartunut ilaasunit ajoquserneqartut, aamma ajoqusiinerit pisinnaagaluartut, akuersissut malillugu pisinnaatitsissummik pigisaqartup taarsiivigissavai.

*Imm. 2.* Ajoquserneqartoq piaaraluni imaluunniit mianersuaalliorujussuarluni ajoqusiinermi peqataasimappat, imm. 1 malillugu taarsiissutissaq annikillisinneqarsinnaavoq imaluunniit atorunnaarsinnaalluni.

**§ 133.** Pisinnaatitsissummik pigisaqartup taarsiinissamut akisussaasuunera sillimmasiissummi imaluunniit allatut ilusilimmik qularnaveeqqusiinermi pineqartunut ilaatinneqassasoq, aamma pisinnaatitsissummik pigisaqartup ingerlatassai aamma pissutsit tamatumunnga atasut sillimmasiinerni attuumassuteqartuni allani pineqartunut ilaatinneqassasut, pillugu akuersissummi aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

**§ 134.** Isumaqatigiissuteqarfigineqartut sullissineri aamma ingerlatai akuersissut malillugu ingerlatassanik suliarinninnermi atorneqarsimappata, pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaasa taarsiinissamut akisussaasuunerat sillimmasiissummi imaluunniit allatut ilusilimmik qularnaveeqqusiinermi pineqartunut ilaatinneqassasut, pillugu akuersissummi aalajangersakkanik aamma atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

*Avatangiisini ajoqusiinernut taarsiisarneq*

**§ 135.** Ingerlatassanut Inatsisartut inatsisaanni pineqartunut ilaatillugu ajoqusiinernut nunamik, imaani, immap naqqanik, nunap iluanik, imermik imaluunniit silaannarmik mingutsitsinermeersunut, avatangiisinut ajoqusiinernut taarsiisarneq pillugu Inatsisartut inatsisaanni maleruagassat atuupput.

*Imm. 2.* Avatangiisinut ajoqusiinernut taarsiisarneq pillugu Inatsisartut inatsisaanni maleruagassat, taamaaqataanik mingutsitsinernut aammalu silap pissusaanut tunngasunut imaluunniit pinngortitamut allatut pitsaangitsumik sunniinernut aamma nipiliornernit, sajuppillatsitsinernit, qaammaqputinit assigisaanniillu akornusersuinernut, atuupput.

**§ 136.** § 135-mi aamma §§ 137-141-mi maleruagassat malillugit ajoqusiinerit makkua taarsiivigineqassapput:

- 1) Inummut ajoqusiineq aamma pilersuisumik annaasaqarneq.
- 2) Pigisanut ajoqusiineq.
- 3) Allatut pisuussutinik annaasaqarneq.
- 4) Aningaasartuutit naapertuuttut:
  - a) pitsaaliuinermit ajoqusiinissamillu pitsaaliuinermit iliuusissanut,
  - b) avatangiisinik pinngortitamillu iluarseeqqinnermut aamma
  - c) mingutsitsinerup allatullu avatangiisinut, silap pissusaanut tunngasunut pinngortitamullu pitsaangitsumik sunniinerit pitsaaliornissaannut ajoqusiinnaarsinnissaannullu.

**§ 137.** § 95, malillugu avatangiisini ajoqusiinermut akisussaasuusooq, aammalu ingerlatassamut Inatsisartut inatsisaanni pineqartunut ilaasumut atatillugu mingutsitsisimasooq, ajoqusiineq pisinnaagaluarpalluunniit, ajoqusiinermut mingutsitsinerup malitsigisaanut taarsiissaaq. Pineqartooq akuersissut imaluunniit akuersissuteqarneq malillugu pisinnaatitsissummik pigisaqartuunani allaappat, pisinnaatitsissummik pigisaqartooq aamma ingerlatassamut akisussaasuuvooq. Taamaattoqarnerani taakkua marluk ataatsimoorlutik aammalu tamarmik immikkut imm. 2-4-mi aamma §§ 138-141-mi maleruagassat malillugit pisussaaffeqarput aammalu tamakkiisumik akisussaasuullutik.

*Imm. 2.* Avatangiisini ajoqusiineq mingutsitsinerlu taamaallaat ingerlatassat peqqussutinut saneqqunneqarsinnaanngitsunut pisortani oqartussanit aalajangersagaasunut naapertuuttumik suliarineqarneranni pilersimasut akisussaasuusup uppersarpagu, tassani akisussaasuusup nammineq ingerlatassaannik imaluunniit pissutsinik tassunga tunngasunik pissuteqartumik peqqusissuteqarneq, ilitsersuinerit, aalajangiinerit imaluunniit atugassarititaasut malillugit peqqussutaanngippata, imm. 1 malillugu akisussaasuuneq atuutilissanngilaq.

*Imm. 3.* Ajoqusertoq imaluunniit toqusoq piaaraluni ajoqusiinermut peqataasimappat, inunnut ajoqusiinermut imaluunniit pilersuisumik annaasaqarnermut taarsiissutissaq annikillisinneqarsinnaavoq. Aammattaaq ajoqusertoq imaluunniit toqusoq mianersuaalliorujussuarluni ajoqusiinermut peqataasimappat, taarsiissutissaq annikillisinneqarsinnaavoq pisunilu immikkut ittuni atorunnaarsinnaalluni.

*Imm. 4.* Ajoqusertoq piaaraluni imaluunniit mianersuaalliorujussuarluni ajoqusiinermut peqataasimappat, pisuni allani taasiissutissaq annikillisinneqarsinnaavoq imaluunniit atorunnaarsinnaalluni.

**§ 138.** Ajoqusiinerup pinissaa sioqqullugu isumaqatigiissuteqartoqarsimappat, aammalu saneqqutsinissaq ajoqusertumut iluaqutaassanngippat, avatangiisinut ajoqusiinermut taarsiisarneq pillugu Inatsisartut inatsisaanni maleruagassat saneqqunneqarnissaat pillugu isumaqatigiissut atuutissanngilaq.

*Imm. 2.* Isumaqatigiissut isumaqatigiissuteqartut akornanni pisunut tunngassuteqarpat, imm. 1-mi maleruagassat akisussaasuusup aamma inuussutissarsiortup inuussutissarsiorderminut ilaatillugu iliuuseqartup akornanni isumaqatigiissummumut atuutinngillat. Isumaqatigiissut taamaattoq toqqaannartumik imaluunniit toqqaannanngitsumik isumaqatigiissuteqartut allanut attaveqarnerannut tunngassuteqarpat, imm. 1-mi maleruagassat atuutissapput.

**§ 139.** Kapitalimi matumani avatangiisinut ajoqusiinernut taarsiisarneq pillugu maleruagassat, ajoqusertup isumaqatigiissutit iluani imaluunniit avataani taarsiisarneq pillugu maleruagassat nalinginnaasut imaluunniit Inatsisartut inatsisaanni imaluunniit inatsisini allani maleruagassat allat malillugit taarsiivigineqarsinnaaneranut killiliinngillat.

**§ 140.** Naalackersuisut avatangiisinut ajoqusiinernut taarsiisarneq pissutsillu kapitalimi matumani taaneqartut pillugit aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput, ilanngullugu avatangiisinut ajoqusiinernut taarsiisarneq pillugu nunami namminermit

imaluunniit nunani tamalaani maleruagassat, isumaqatigiissutit imaluunniit malittarisassat atorneqarnissaat pillugu.

## **Kapitali 23**

### *Pineqaatissiissutit, arsaarinnittarneq aamma atuutilerana*

#### *Pineqaatissiissutit*

**§ 141.** Naalackersuisut makkununga ullut tamaasa imaluunniit sapaatit akunnikkaartumik pinngitsaaliissummik akileequisarsinnaapput:

- 1) Paasissutissanik taassuma tunniussassaannik imaluunniit § 32, imm. 1, § 39, imm. 1, § 50, imm. 2, takuuk § 39, imm. 1, § 55, imm. 1, § 63, imm. 1, § 68, imm. 1, § 68, imm. 2, § 77, imm. 4, § 81, imm. 5, § 82, imm. 4, § 101, imm. 1, § 101, imm. 3 aamma 4, § 104, imm. 1, § 104, imm. 3 aamma 4, § 124 imaluunniit § 126, imm. 2 malillugit Naalackersuisut piumasarisinnaasaannik, piffissaq eqqorlugu tunniussinngitsaq.
- 2) § 68, imm. 3, § 123 imaluunniit § 125 malillugit peqqusissuteqarnermik imaluunniit inerteqquteqarnermik malinninngitsaq.
- 3) § 82, imm. 4 malillugu piffissaq eqqorlugu qularnaveequsiinngitsaq.

**§ 142.** Inatsisit allat malillugit annertunerusumik pillarneqarneq nammineq pisuussutigineqanngippat, § 22, imm. 2-mi imaluunniit 3-mi taaneqartumik tamatumunnga akuersissummik peqarani imaluunniit tamatumunnga Inatsisartut inatsisaanni aalajangersakkat malillugit akuersissuteqarfigineqarani ingerlatassamik suliarinnittoq, akiliisitsinermik pineqaatissinneqassaaq.

*Imm. 2.* Inatsisit allat malillugit annertunerusumik pillarneqarneq nammineq pisuussutigineqanngippat, ingerlataqarnerit tamatumunnga aalajangersakkat Naalackersuisunit aalajangersarneqartut malillugit ingerlateqqusaanatik, nunap sanaanut sumiiffimmi eqqissimatitami ingerlataqarnermik suliaqartoq, takuuk § 129, akiliisitsinermik pineqaatissinneqassaaq.

*Imm. 3.* Inatsisit allat malillugit annertunerusumik pillarneqarneq nammineq pisuussutigineqanngippat, akiliisitsinermik pineqaatissinneqassaaq, piaaraluni imaluunniit mianersuaalliorujussuarluni:

- 1) Paasissutissanik eqqunngitsunik imaluunniit paatsoortitsisinnaasunik tunniussisoq imaluunniit paasissutissanik Inatsisartut inatsisaat imaluunniit aalajangersakkat imaluunniit atugassarititaasut Inatsisartut inatsisaat malillugu aalajangersagaasut malillugit oqartussamit piumasarineqartunik, nipangiussiinnartoq.
- 2) Aalajangersakkanik imaluunniit akuersissutinut atugassarititaasunik imaluunniit Inatsisartut inatsisaat malillugu akuersissuteqarnermik imaluunniit aalajangersakkanik Inatsisartut inatsisaat malillugu aalajangersagaasunik unioqquutitsisoq.
- 3) § 123 imaluunniit § 125 imaluunniit aalajangersakkat imaluunniit akuersissutinut atugassarititaasut imaluunniit Inatsisartut inatsisaat malillugu akuersissuteqarnerit imaluunniit aalajangersakkat Inatsisartut inatsisaat malillugu aalajangersagaasut malillugit

Naalackersuisut peqqusissuteqarnerannik imaluunniit inerteqquteqarnerannik malinninngitsoq.

*Imm. 4.* Aalajangersakkanik unioqqutitsisoq Kalaallit Nunaannut pinerluttulerinermut inatsit malillugu akiliisitsinermik imaluunniit allatut pineqaatissiinermik pillarneqarsinnaasoq, aalajangersakkanni Inatsisartut inatsisaat malillugu aalajangersagaasuni aalajangerneqarsinnaavoq.

*Imm. 5.* Unioqqutitsineq suliffeqarfimmit tamakkiisumik ilaannaasumilluunniit Namminersorlutik Oqartussanit pigineqartumit, naalagaaffimmit, kommunit imaluunniit kommunit ataatsimooqatigiiffiannit kommunit aqunneqarnerat pillugu Inatsisartut inatsisaanni pineqartunut ilaasumit, aktiaatileqatigiiffimmit, piginneqatigiilluni ingerlatseqatigiiffimmit, piginneqatigiiffimmit assigisaannilluunniit piliarineqarpat, suliffeqarfik ilaalu ilanngullugit taamatut pinerluttulerinermut inatsisitigut akisussaatinneqarsinnaapput. Taamaaqataanik unioqqutitsisoq tassaappat Namminersorlutik Oqartussat, kommuni imaluunniit kommunit ataatsimooqatigiiffiat kommunit aqunneqarnerat pillugu Inatsisartut inatsisaanni pineqartunut ilaasoq, tamanna atuutissaaq.

*Imm. 6.* Unioqqutitsineq ersarippat, pisariunngippat aammalu annertuunik uppernarsaatitigut nalornissutaasunik apeqqutissaqanngippat, imm. 1-3 imaluunniit aalajangersakkat imaluunniit atugassarititaasut imm. 4 malillugu aalajangersagaasut malillugit akiliisitsilluni pillaanissaq pillugu suliaq allaffissornikkut akiliisitsinikkut aalajangiiffiginiarneqarsinnaavoq. Suliassani unnerluussutit imaannut piumasaqaatit pillugit, aammalu pasineqartoq oqaaseqarnissamut pisussaaffeqanngitsoq pillugu eqqartuussisarnermut inatsimmi maleruagassat, Inatsisartut inatsisaat malillugu allaffissornikkut akiliisitsinernut taamaaqataanik atuupput.

*Imm. 7.* Akiliisitsinerit, Inatsisartut inatsisaat imaluunniit aalajangersakkat Inatsisartut inatsisaat malillugu aalajangersagaasut malillugit pisussaatinneqartut, nunap karsianut tutsinneqassapput.

#### *Arsaarinnittarneq*

**§ 143.** Naalackersuisut aatsitassanik, § 22, imm. 2, nr. 1-4-mik unioqqutitsilluni, imaluunniit aalajangersakkanik imaluunniit atugassarititaasunik akuersissummut imaluunniit akuersissuteqarnermut aalajangersagaasunik imaluunniit aalajangersakkanik Inatsisartut inatsisaat malillugu aalajangersagaasunik unioqqutitsisumik akuersissummik peqarani katersorneqartunik, piiarneqartunik imaluunniit atorneqartunik, arsaarinnissinnaapput.

*Imm. 2.* Naalackersuisut aatsitassanik, § 22, imm. 3, nr. 1-imik unioqqutitsilluni, imaluunniit aalajangersakkanik imaluunniit atugassarititaasunik akuersissummut imaluunniit akuersissuteqarnermut aalajangersagaasunik imaluunniit aalajangersakkanik Inatsisartut inatsisaat malillugu aalajangersagaasunik unioqqutitsilluni, tamatumunnga akuersissuteqarfigineqarani, Kalaallit Nunaanniit anniseriarneqaraluartunik imaluunniit anninneqartunik, arsaarinnissinnaapput.

*Imm. 3.* Aatsitassanut § 22, imm. 2, nr. 1-4-mut unioqqutitsilluni, imaluunniit aalajangersakkanut imaluunniit atugassarititaasunut akuersissummi aalajangersagaasumut



imaluunniit akuersissuteqarnermut imaluunniit aalajangersakkanut Inatsisartut inatsisaat malillugu tunniussisoqarpat, imaluunniit taakkununga pisinnaatitaaffinnut unioqquitsisumik katersorneqartunut, piiarneqartunut imaluunniit atorluarniarneqartunut atugassiisoqarsimappat, aatsitassat tunniunneqartut imaluunniit taakkua nalingi pissarsisumiit arsaarinnissutigineqarsinnaapput, taassuma tunniunneqartut pinerluttuliornermut attuumassuteqartut ilisimareersimappagu imaluunniit tassunga tunngatillugu mianersuaalliorujussuarsimappat, imaluunniit tunniussineq tunissutitut pisimappat.

*Imm. 4.* Naalackersuisut imm. 1-imi, 2-mi imaluunniit 3-mi pineqartunut ilaasunik ingerlataqarnerni pissarsianik imaluunniit aningaasanik tamatumunnga naapertuuttunik arsaarinnissuteqarsinnaapput. Aningaasartaasa annertussusaasa aalajangernissaanut naammattumik tunngavissaqanngikkaanni, aningaasat pissarsiarineqartunut naapertuuttut missiliorneqartut, Naalackersuisut arsaarinnissutigisinnaavaat.

*Imm. 5.* Pinerlunnikkut pissarsianik imaluunniit aningaasanik tamatumunnga naapertuuttunik arsaarinnittarnek pillugu Kalaallit Nunaannut pinerluttulerinermut inatsimmi maleruagassat Naalackersuisut imm. 1-4 malillugit arsaarinninnerannut taamaaqataanik atuutissapput.

*Imm. 6.* Imm. 1, 2 aamma 3 malillugu arsaarinnineq Naalackersuisunit imaluunniit tamatumunnga Naalackersuisut qinnuiginnippata, Kalaallit Nunaannut pinerluttulerinermut inatsit malillugu oqartussamit attuumassuteqartumit, pinerluttulerinermut inatsimmi tamatumunnga maleruagassat malillugit arsaarinnissinnaasumit, ingerlanneqassaaq.

*Imm. 7.* Aatsitassat arsaarinnissutigineqartut Naalackersuisunit tuniniarneqassapput. Tunisinermut iluanaarutit nunap karsianut tutsinneqassapput.

*Atuutilerneranut, allannguutitut aamma atorunnaarsitsinermut aalajangersakkat*

**§ 144.** Inatsisartut inatsisaat ulloq 1. juli 2023 atuutilerpoq.

*Imm. 2.* Kalaallit Nunaannut tunngatillugu peqatigisaanik nunavittaq pillugu inatsimmi, takuuk inatsimmut nalunaarut nr. 1101, 18. november 2005-imeersoq, kingusinnerusukkut allannguuteqartoq, makkua allanngortinneqarput:

1) § 1, § 2, § 3, imm. 2, § 4, imm. 5, aamma § 5, imm. 1, atorunnaarsinneqarput.

2) § 3, imm. 1-imi peerneqarpoq, ”taamaattoq takuuk imm. 2”.

3) § 6 imatut oqaasertalerneqarpoq:

” **§ 6.** Atortunut aamma isumannaallisaanermut killeqarfinnut, takuuk § 3, Kalaallit Nunaata nunavittaata ilaaniittunut imaluunniit Kalaallit Nunaata nunavittaani pilersinneqartunut, inatsisit allatigut Kalaallit Nunaanni atuuttut, atuutissapput. Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit inatsisartut inatsisaanni (aatsitassanut ikummatissanullu inatsit) aamma aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni maleruagassat isiginiarlugit, piginnaatitaanerit § 4-imi aalajangersagaasut Naalackersuisut ingerlatissavaat.”

*Imm. 3.* Kalaallit Nunaanni misissueqqaarnissamut, aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissutit imaluunniit Kalaallit Nunaanni aatsitassanut tunngatillugu ilisimatuussutsikkut misissuinerit, Inatsisartut inatsisaata

atuutilernerani tunniunneqareersimasut, atuuttussaaginnassapput. Inatsisartut inatsisaata atuutilernerani akuersissutinut taamaattunut, akuersissutit taamaattut malillugit pisinnaatitsissummik pigisaqartunut aamma ingerlatassanut akuersissutit taamaattut malillugit suliarineqartunut, Inatsisartut inatsisaat aamma atuuppoq. Inatsisartut inatsisaata atuuffissaasa iluanni aammattaaq aatsitassat pillugit ingerlataqarnernut taanna atuuppoq, ilanngullugit katersineq, piiaaneq aamma aatsitassanik piiaaneq, aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit inatsisartut inatsisaanni (aatsitassanut ikummatissanullu inatsit) pineqartunut ilaasut aammalu Inatsisartut inatsisaata atuutilernissaa sioqqullugu suliarineqartut. Tamatuma saniatigut ingerlatani taamaattuni aatsitassanut katersorneqartunut, piiaarneqartunut imaluunniit atorineqartunut, Inatsisartut inatsisaata atuuffissaasa iluanni taanna atuuppoq. Aammattaaq Inatsisartut inatsisaata atuuffissaanni aatsitassat aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaasut pillugit ingerlataqarnerit aamma pissutsit pillugit aalajangiinernut aammalu Inatsisartut inatsisaata atuutilernissaa sioqqullugu aalajangiiffigineqartunut, taanna atuutissaaq, piffissamut killiliussaq §§ 25-mi aamma § 73-mi taaneqarluni, taamaattoq Inatsisartut inatsisaata atuutilerneraniit piffissaq naatsorsorlugu.

*Imm. 4.* Aatsitassarsiorluni ingerlataqarnernut aamma qinnuteqaatinut suleriaatsinut, atugassarititaasunut nalinginnaasunut aamma aatsitassat pillugit akuersissutinut atugassarititaasunut, Inatsisartut inatsisaata atuuffissaanni pineqartunut ilaasunut, aalajangersakkat ulloq 1. juli 2023 atuuttut, aalajangersakkat ilaalu ilanngullugit atorunnaarsinneqarnissaasa imaluunniit aalajangersakkanit Inatsisartut inatsisaat malillugu aalajangersagaasunit taarserneqarnissaasa tungaanut, Inatsisartut inatsisaat malillugu allannguuteqartillugit, atuutiinnassapput.

*Namminersorlutik Oqartussat, ulloq xx. xxx 2023*

Siunnersuummut nassuiaatit

## **Nassuiaatit nalinginnaasut**

### **1. Aallaqqaasiut**

#### *1.1. Siunnersuummut tunngaviusoq aamma siunertaq pingaarneq*

Kalaallit Nunaanni Namminersorneq pillugu inatsit Folketing-imi ulloq 19. maj 2009 akuerineqarpoq aammalu ulloq 21. juni 2009 atuutilerluni.

Namminersorlutik Oqartussat aatsitassanut suliassaqarfik tigusinnaagaat, taamaalillutillu Namminersorlutik Oqartussat aatsitassanut suliassaqarfiup iluani inatsisiliortunngorsinnaasut ingerlatsisunngorsinnaasullu, Kalaallit Nunaanni Namminersorneq pillugu inatsimmi aalajangersarneqarpoq. Aatsitassanut suliassaqarfik Kalaallit Nunaanni Namminersorneq pillugu inatsimmut ilanngussami allattuiffik II-imi allassimavoq. Kalaallit Nunaanni Namminersorneq pillugu inatsimmi § 3, imm. 2-mi aalajangersagaq malillugu suliassaqarfiit ilanngussami allattuiffik II-imi allassimasut, naalagaaffimmi oqartussanut isumaqatiginninniareernermi, piffissani Namminersorlutik Oqartussanit aalajangersarneqartuni Namminersorlutik Oqartussanut tunniunneqartussaapput.

Namminersorlutik Oqartussat aatsitassanut suliassaqarfik ulloq 1. januar 2010 akisussaaffigilerlugu tiguaat.

Aatsitassanut suliassaqarfiup ulloq 1. januar 2010 Namminersorlutik Oqartussanit akisussaaffigilerlugu tiguneqarneranut peqatigitillugu aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaat nr. 7, 7. december 2009-imeersoq (aatsitassanut ikummatissanullu inatsit) atuutilerpoq. Kalaallit Nunaanni aatsitassanik naapertuuttumik piiaanissap aammalu nunap iluaneersunik aammalu ingerlatanik tamatumunnga attuumassuteqartunik atuinissap qulakkeernissaa siunertaralugu, aatsitassanut ikummatissanullu inatsit akuerineqarpoq. Aatsitassanut ikummatissanullu inatsit 2010-imi atuutilernerata kingorna, aatsitassanut suliassaqarfiup, aatsitassarsiornermi suliffissuaqarnerup aammalu inuiaqatigiit kalaallit ineriartornerat ilutigalugu inatsit nutarterniarlugu naleqqussarniarlugulu, arlaleriaryluni allanngortinneqartarpoq.

Aatsitassanut suliassaqarfik, aatsitassanut suliassaqarfimmut ilaasoq, Kalaallit Nunaannut inuiaqatigiinnullu annertuumik pingaaruteqarpoq.

Naalackersuisut aatsitassanut suliassa qarfiup, ilanngullugu aatsitassarsiornermut suliassa qarfik, ineriartortinne qarnerata ingerlaannarnissaa kissaatigaat, taamaalilluni suliassa qarfik Kalaallit Nunaanni suli annertunerusumik annertuumik ingerlata qarfiulissalluni aammalu annertuumik suliffissua qarfiulissalluni. Taamaattumik Naalackersuisut ilaatigut Kalaallit Nunaanni aatsitassarsiornermut suliassa qarfimmuq periusissiamik, qulequtaqartumik ”Kalaallit Nunaanni aatsitassanut periusissiaq 2020-2024” suliaraqput. Periusissiamut siunertaavoq immikkut aatsitassarsiornermut suliassa qarfimmuq pitsaasumik killissaliussinissaaq, taamaalilluni Kalaallit Nunaat periarfissanik orniginartunik neqeroruteqarsinnaassalluni aammalu Kalaallit Nunaanni aatsitassarsiornermi suliassanik tassanilu aningaasaliinernik pilersitsinissamut, ineriartortitsinissamut piviusunngortitsinissamullu pitsaasunik tunngavissiissalluni. Aatsitassarsiornermut suliassa qarfiup ineriartortinne qarnerata ingerlaannarnera, aatsitassarsiornermut suliassa qarfiup iluani suliffissanik aammalu suliffe qarfiit suliassaannik annertunerusunik pilersitsinissamut iluaqutaassaaq, aamma aatsitassarsiornermut suliassa qarfik nunap karsianut annertunerusumik isertitaqartitsissalluni aammalu inuiaqatigiinnut kalaallinut iluaqutaasumik Kalaallit Nunaanni aningaasaqarnikkut ineriartornermut iluaqutaassalluni.

Siunnersuut Kalaallit Nunaata nunanut allanut sanilliullugu nunatut pitsaasutut pilernaatilittullu, aamma aatsitassanik piiaanissamut annertuumik periarfissa qarfiusutut, ineriartorteqqinnissaa pillugu Naalackersuisut periusissiaanut ilaatinne qarpoq. Naalackersuisut naliliinerat malillugu atugassarititaasunut killissaliussat pitsaasuunissaat ersarissuunissaallu aammalu inatsisini maleruagassiivigineqarsimanissaa, Kalaallit Nunaanni aatsitassanut suliassa qarfimmuq suliffe qarfiit aamma aningaasaliisartut pilerilersissinnaanissaannut aalajangiussisimatiinnarnissaannullu, pingaarute qarpoq.

Kalaallit Nunaanni aatsitassanut ikummatissanullu inatsimmi aatsitassarsiorluni ingerlatassat aamma aatsitassanik nunallu iluanik atorluaaneq pillugit pissutsit tamarmik maleruagassiivigine qarput. Pissutsini maleruagassiivigineqartuni ilaatigut ilaatinne qarput nunap iluata toqqorsivittut atorne qarnera ikummatissiassanut ingerlatassat aamma aatsitassarsiorluni ingerlatassat, ikummatissiassat aamma aatsitassat pillugit misissueqqaarnissamut akuersissutit, aatsitassarsiorluni misissuinissamut akuersissutit aamma aatsitassanik piiaanissamut akuersissutit, annikitsumik aatsitassarsiornermut akuersissutit, akuersissummik peqarani aatsitassanik katersisarneq piiasarnertu aammalu pissutsit avatangiisinut aamma inuiaqatigiinni piujuaannartitsisumik ingerlatsinissamut tunngassuteqartut.

Siunnersuut malillugu aatsitassanut suliassa qarfiup iluani aatsitassarsiorluni ingerlatassanut nalinginnaasunut suliassa qarfik aatsitassarsiornermut suliassa qarfiup ilaannit allaniit, aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaasuniit, nalinginnaasumik avissaartinneqassaaq, ilanngullugit ikummatissiassanut suliassa qarfik (suliassa qarfik uuliasiornermut aamma naturgassisiornermut tunngassuteqartoq), nunap iluata toqqorsivittut

atorneqarnera, inuit najukkameersut katersugaasivillu annikitsumik aatsitassarsiorluni ingerlatassaas aamma inuit suliffeqarfiillu tamatumunnga akuersissummik peqaratik atorluaasarnerat, katersisarnerat aatsitassanillu piiasarnerat.

Siunnersuut taamaalilluni Kalaallit Nunaanni aatsitassanut suliassaqaarfiup iluani aatsitassarsiorluni ingerlatassanut nalinginnaasunut kiisalu taakkua pillugit avatangiisinut tunngasunut, taamaallaat tunngassuteqarpoq. Siunnersuut nunap iluata toqqorsivittut atorneqartarneranut, ikummatissiassanut suliassaqaarfimmut aammalu inuit najukkameersut katersugaasiviillu annikitsumik aatsitassarsiorlutik ingerlatassaannut aamma inuit najukkameersut suliffeqarfiillu tamatumunnga akuersissummik peqaratik aatsitassanik atorluaanerannut, katersinerannut piianerannullu imaluunniit annikitsumik aatsitassarsiornermut suliassaqaarfiup iluani avatangiisinut tunngasunut, tunngassuteqanngilaq..

Tamatuma saniatigut, ilaatigut nutartikkamik paasiuminarnerusumillu, ersarissumik, naapertuuttumik atoruminartumillu aatsitassanut suliassaqaarfimmut Inatsisartut inatsiseqalernissaat siunnersuummut siunertaavoq, ilanngullugu avatangiisinut tunngasut. Nutarterineq ilaatigut aatsitassanut ikummatissanullu inatsisip ulloq 1. januar 2010 atuutilerneraniilli suleriaatsit misilittakkallu aammalu aatsitassanut suliassaqaarfimmi aammalu Kalaallit Nunaanni nunanilu tamalaani, aammalu nunani allani annertunerusunik aatsitassarsiornermik ingerlataqaarfiusuni aammalu aatsitassarsiornermi suliffissuaqaarfiusuni, aatsitassarsiornermi suliffissuaqaarnermi ineriartorneq tunngavigalugit pissaq. Aatsitassanut suliassaqaarfimmut Inatsisartut inatsisaanni paasiuminarnerusumi, ersarissumi, naapertuuttumi atoruminartumilu ilaatigut inatsisit nassuiaruminarnerulersinneqassapput aammalu ulluinnarni atoruminarnerulersinneqassallutik aammalu Naalakkersuisunut, maannakkut siunissamilu aatsitassarsiornermut akuersissutit malillugit pisinnaatitsissummik pigisaqartunut aamma aatsitassanut suliassaqaarfiup iluani suleqataasartunut allanut pitsaanerusumik maleruagassiisoqassalluni.

Siunnersuummi aatsitassanut suliassaqaarfimmi siunissami maleruagassiinissamut tunngavissat killissaliussallu aalajangersarneqarput. Aatsitassanut suliassaqaarfimmi ilaatigut ilaatinneqarput aatsitassanik misissueqqaarneq, aatsitassarsiorluni misissuineq aamma aatsitassanik piianeq aammalu taakkununnga akuersissutit aamma ilisimatusarnikkut misissuineranut akuersissutit kiisalu ingerlatassanut taakkununnga atatillugu avatangiisinut tunngasut.

Siunnersuummi ingerlatassanut taakkununnga maleruagassiineq ataatsimut isigalugu, nunami namminerme nunanilu tamalaani maleruagassanut, ingerlatassanut taamaattunut tunngatillugu tunngaviusunut isumaqatigiissutinullu, naapertuuppoq. Taamaalilluni siunnersuut aamma nunami namminerme aamma nunani tamalaani inatsisit malillugit Namminersorlutik Oqartussat pisussaaffinik naammassinninnissamut tapersiissaaq. Siunnersuummi

ingerlatassanut taakkununga maleruagassiineq aammattaaq, ingerlatassanik taamaattunik suliaqarnermut maleruagassiinermullu nunami namminermit aamma nunani tamalaani suleriaatsinut pitsaanerpaanut naleqqussarneqarpoq.

Aatsitassarsiorluni ingerlatassat pillugit Inatsisartut inatsisaannut nutaamut siunnersuut ataatsimut isigalugu aatsitassat pillugit aatsitassanut ikummatissanullu inatsimmi aalajangersakkat aallaavigineqarput. Taamaattoq siunnersuummi aatsitassarsiorluni ingerlatassat pillugit aatsitassanut ikummatissanullu inatsimmi aalajangersakkat aalajangersimasumik annertussusilimmik allanngortinneqarput, siunnersuummi misilittakkat ilisimasallu, aatsitassat pillugit aatsitassanut ikummatissanullu inatsit tunngavigalugu anguneqarsimasut eqqarsaatigineqarlutik, taamaalillunilu siunnersuummi pissutsit aalajangersimasut, aatsitassanut ikummatissanullu inatsit malillugu maleruagassiivigineqanngitsut imaluunniit ersarinnginnerusumik imaluunniit sukumiinnginnerusumik maleruagassiivigineqartut, pillugit siunnersuummi ersarinnerulersinneqarlutik.

Taamaattoq ataatsimut isigalugu siunnersuummi aatsitassanut ikummatissanullu inatsimmi aalajangersakkat tunngaviusullu amerlasuut pingaaruteqartut ingerlateqqinneqarput. Ilaatigut ataatsimoortumik akuutitsiviusumik oqartussat suliarinnittarnerat pillugu tunngavisoq ingerlateqqinneqarpoq. Pissutsit attuumassuteqartut tamarmik, ilanngullugit aatsitassarsiorluni ingerlatassat suliarineqarnissaat aammalu teknikkimut, isumannaallisaanermut isumalluutinullu tunngasut pillugit, ingerlatassat ataatsimoortumik nalilersorneqartarneranni siunnersuummi pineqartunut ilaasuni, ilaatinneqarput. Naalakkersuisut taamaalillutik akuersissummik ataatsimoortumik, ataatsimut isigalugu pissutsit aatsitassarsiorluni ingerlatassanut siunnersuummi pineqartunut ilaasumut pingaaruteqartut tamaasa ilaattillugit, tunniussisassapput. Ilusiliaq taanna Ølgaard-ip nalunaarusiaani 1990-imeersumi (immikkoortoq 1.2-mi matuma kinguliani eqqaaneqartoq) inassuteqaatinut pingaarnertut ilaavoq aammalu ataatsimut isigalugu taamanikkulli Kalaallit Nunaannut aatsitassanut ikummatissanullu inatsimmi atorineqarsimalluni.

Ataatsimoortumik akuutitsiviusumik oqartussat suliarinninneranni, aatsitassanut suliaasaqarfimmi sunniuteqarluartumik aqutsisoqarsinnaalissaaq aammalu innuttaasunut suliffeqarfinnullu atoruminartitsisoqassalluni. Taamaalilluni aamma Namminersorlutik Oqartussanut, inuiaqatigiinnut, aatsitassanut akuersissutit malillugit pisinnaatitsissummik pigisaqartunut aammalu siunissami pisinnaatitsissummik pigisaqartuulersinnaasunut aammalu suleqatigisartakkanut allanut ataatsimut isigalugu pitsaasumik naapertuuttumillu, Naalakkersuisut aatsitassanut suliaasaqarfimmi aqutsisinnaanissaannut, ingerlatsisinnaanissaannut ineriartortitseqqissinnaanissaannullu siunnersuut tunngavissiivoq killissalersuillunilu.

Siunnersuummi aamma akuersissutinut periaaseq aammalu akuersissuteqarnertut periaaseq,

Kalaallit Nunaanni aatsitassanut suliassa qarfiup iluani ileqquusumik ator neqarsimasut, ingerlateqqinneqarput. Ingerlatassat siunnersuummi pineqartunut ilaasut taamaalillutik aatsaat Naalakkersuisut siunnersuummi tamatumunnga aalajangersakkat malillugit tamatumunnga akuersissummik imaluunniit tamatumunnga akuersissuteqarnermik tunniussisimappata, sularineqaqqusaapput.

Akilerartarnermut inatsisit aammalu siunnersuut malillugit Namminersorlutik Oqartussat aatsitassarsiorluni ingerlatassanit isertitat ilaannut ataatsimut isigalugu pisinnaatitaapput, ilanngullugit aatsitassanut akuersissutit malillugit pisinnaatitsissummik pigisaqartunit, taakkua sulisuinit aamma nioqutissanik kiffartuussinernillu pilersuisuinit ingerlatseqatigiiffimmut akileraarutitut aamma inuit akileraarutaattut ittut aamma aatsitassanik piiaanissamut akuersissutit malillugit tamatumunnga atugassarititaasut malillugit akiliutissat (royalty). Taamaalilluni Namminersorlutik Oqartussat aammalu inuiaqatigiit aningaasaqarnerannik tunngavissii nissamut ineriartortitsinissamullu siunnersuut aalajangersimasumik annertussusilimmik tapersiisaaq.

Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq aallaaviatigut, pisinnaatitsissummik pigisaqartup Kalaallit Nunaanni aatsitassanik piiaanerani, Naalakkersuisunut akiliummik akiliisussaavoq (royalty). Piiaanissamut akuersissut malillugu akitsuut (royalty) assersuutigalugu tassaasinnaavoq akitsuut aatsitassat piiarneqartut tunngavigalugit naatsorsorneqartoq (tunisassiornermut akitsuut), ilanngullugu assersuutigalugu aatsitassat oqimaassusaat (oqimaassutsinut akitsuut) imaluunniit taakkua imaqqortussusaat (imaqqortussutsinut akitsuut). Akiliutissaq aamma tassaasinnaavoq akitsuut aatsitassat piiarneqartut tunineranni akigititaaq imaluunniit tunisinermi nalinga alla (tunisinermut akitsuut) imaluunniit pisinnaatitsissummik pigisaqartup akuersissummi ilaasumik suliaqarnerani aningaasaqarnikkut pissarsiaasa ilai (pissarsianut akitsuut) tunngavigalugu naatsorsorneqartoq.

Siunnersuummi aatsitassanut suliassa qarfiup iluani ilaannakortumik aatsitassanut ikummatissanullu inatsit taarserneqarpoq. Nunap iluata toqqorsivittut ator neqarnissaanut aammalu ikummatissiassanik (uuliasiorneq gassisiornerlu) misissueqqaarnissamut, misissuinissamut qalluinissamullu akuersissutit aamma ikummatissiassanut akuersissutit ilaalu ilanngullugit pillugit ikummatissiassanut suliassa qarfimmu tunngatillugu, aatsitassanut ikumatissanullu inatsit siunnersuutip taarsinngilaa.

Aammattaaq inuit najukkameersut aamma katersugaasiviit annikitsumik aatsitassarsiorluni ingerlatassaannut aamma inuit najukkameersut suliffe qarfiillu tamatumunnga akuersissummik peqaratik aatsitassanik atorluaasarnerannut, katersisarnerannut piiasarnerannullu tunngatillugu, aatsitassanut ikummatissanullu inatsit siunnersuummi taarserneqassanngilaq. Suliassa qarfik taanna aammalu pissutsit taakkua tamatumunnga aatsitassanut ikummatissanullu inatsimmi aalajangersakkanit suli maleruagassiivigineqarput. Taamaattoq

annikitsumik aatsitassarsiorluni ingerlatat taamaattut aammalu ingerlatassat allat ilaalu ilanngullugit pillugu Inatsisartut inatsisissaannut siunnersuummik (annikitsumik aatsitassarsiornissamut inatsit) suliaqarnissaq saqqummiussinissarlu Naalakkersuisut pilersaarutigaat. Tamanna pillugu erseqqinnerusut immikkoortoq 2.9-mi takukkit.

### *1.2. Oqaluttuarisaaneq kingumut isigalugu*

Kunngip peqqussutaa 27. april 1935-meersoq malillugu danskit nunap iluanut inatsisaanni tunngaviusut, peqatigisaanik Kalaallit Nunaannut atuussimapput.

Kalaallit Nunaanni aatsitassarsiorluni misissuinissap aamma aatsitassanik paaanissap soqutigineqarnerata annertusiartornera pissutigalugu danskit naalakkersuisui 1960-imi ataatsimiititaliarsuarmik, Kalaallit Nunaannut aatsitassanut inatsimmut missingiummik suliaqartussamik, pilersitsipput. Ataatsimiititaliarsuaq 1963-imi juunimi isumaliutissiissuteqarpoq. Siunertaasimavoq Kalaallit Nunaanni aatsitassarsiorluni misissuineq aamma aatsitassanik paaaneq sapinngisamik pilerinartunngortinneqassasut, peqatigisaanik tamat soqutigisaannut naapertuuttumik isumagineqartussaallutik. 1964-imi novembarimi danskit naalakkersuisui Kalaallit Nunaanni aatsitassat pillugit inatsisissatut siunnersuummik, ataatsimiititaliarsuup isumaliutissiissutaa tunngavigalugu suliarineqartumik, saqqummiussipput. Inatsit Kalaallit Nunaanni aatsitassat pillugit inatsisit nr. 166, 12. maj 1965-imeersutut akuerineqarpoq.

Kalaallit Nunaanni namminersorneruneq pillugu inatsit nr. 577, 29. november 1978-imeersoq atuutilermat, peqatigisaanik aatsitassanut suliaqarfimmut immikkut aqqissuussineq pilersinneqarpoq. Aatsitassanut peqqussummi tunngaviusut pingaarnert namminersornerunermut inatsimmi aalajangersagaapput. Aatsitassanut suliaqarfimmut aalajangersakkat erseqqinnerusut Kalaallit Nunaanni aatsitassat pillugit inatsimmi nr. 585, 29. november 1978-imeersumi aalajangersarneqarput. Aatsitassanut aqqissuussineq pillugu pissutsit pingaarnert makkuupput:

- (1) Kalaallit Nunaanni aalajangersimasumik najugaqartut Kalaallit Nunaanni pinngortitami pisuussutinut tunngaviusumik pisinnaatitaanerannut akuersaarnaq.
- (2) Kalaallit Nunaanni pisuussutinut uumaatsunut tunngatillugu aalajangiinerit pingaarutillit pillugit naalagaaffimmi oqartussat (danskit naalakkersuisui) aamma namminersornerullutik oqartussat (naalakkersuisut) ataatsimoorlutik aalajangiisinnaatitaalerat (illuatungeriit itigartitsisinnaatitaanerat).
- (3) Kalaallit Nunaanni aatsitassarsiorluni suliaqarnermiit pisortat isertitaasa agguarneqartarnerannut tunngaviusunik aalajangersaaneq.
- (4) Danskit/kalaallit ataatsimoorlutik siunnersuisooqatigiivini, taagorneqartumik Kalaallit Nunaanni Atortussiassat Aatsitassanit Pisut Pillugit Ataatsimiittartogitigii, amerlaqqatigiinnik ilaasortaartumik pilersitsineq.
- (5) Aatsitassanut suliaqarfimmi allaffissornikkut suliaassanik qitiusumi



isumaginninnissamut, nukissiuuteqarnermut ministerip ataani Kalaallit Nunaannut aatsitassarsiornermut ingerlatsivimmik pilersitsineq. Aatsitassarsiornermut ingerlatsivimmi tamatuma saniatigut Kalaallit Nunaanni Atortussiassat Aatsitassanit Pisut Pillugit Ataatsimiittartoqatigiinnut allattoqarfittut suliassaq isumagineqartussaasimavoq.

1988-imi martsimi naalackersuisut aamma danskit naalackersuisui aatsitassanut aaqqissuussinerup ilaannik allanngortitsinissamut tunngaviusut pillugit isumaqatigiissuteqarput. Tunngaviusut pingaarnerit makkuupput:

- (1) Aatsitassanut aaqqissuussinermit ukiumi ataatsimi 500 million koruunit angullugit isertitat tamarmik, Namminersornerullutik Oqartussanut naalagaaffiup tapiissutaanni ilanngaasiinani, danskit naalagaaffianut 50 %-imik aamma Namminersornerullutik Oqartussanut 50 %-mik agguarneqassasut. Aningaasat taakkua saniatigut isertitat agguarneqarnerat Namminersornerullutik Oqartussat aamma danskit naalackersuisuisa akornanni isumaqatiginninniarnikkut inatsimmi aalajangersarneqassasut.
- (2) Aatsitassanut suliassaqarfimmi inuussutissarsiornikkut ineriartortitsinerup siuarsarneqarnissaa siunertaralugu, Namminersornerullutik Oqartussat aamma danskit naalagaaffiat tamarmik immikkut ingerlatseqatigiiffimmi ataatsimoorussami, Nunaoil A/S-imi, 12,5 million koruunit angullugit aallarniutaasumik akiliuteqassasut.
- (3) Namminersornerullutik Oqartussat aatsitassanut suliassaqarfimmi ingerlatsinermut sunniuteqarnerat annertusarneqassasoq.
- (4) Aatsitassanut ikummatissanullu inatsimmi akuersissutinut periaaseq (ingerlatsinissamut akuersissuteqariaaseq) aamma Kalaallit Nunaanni erngup nukinganut ingerlatassanut atuutissaaq.
- (5) Illuatungeriit tamarmik immikkut ullup 1. januar 1995 kingorna aatsitassanut aaqqissuussinerup allanngortinneqarnissaa pillugu isumaqatiginninniarnissamik piumasaqarsinnaapput.

Tunngaviusunut isumaqatigiissut taanna aatsitassanut ikummatissanullu inatsisip allanngortinneqartup, inatsisitut nr. 844, 21. december 1988-imeersutut, akuerineqartumut tunngavigineqarpoq.

Naalackersuisut siulittaasuata aamma danskit nukissiuuteqarnermut ministeriata akornanni isumaqatigiissuteqarneq malillugu 1990-imi suleqatigiissitaliaq, Kalaallit Nunaanni aatsitassat iluaqutigineqalernissaannut periusissiamik nutaamik ilusilersuinissamik suliqaartussaq, pilersinneqarpoq. Suleqatigiissitaliap nalunaarusiami, Ølgaard-ip nalunaarusiaa, Kalaallit Nunaanni aatsitassanik atorluannissamut periusissiamut nutaamut arlalinnik siunnersuuteqartoqarpoq. Aatsitassanut suliassaqarfiup Kalaallit Nunaanni inuussutissarsiutit allat assigalugit inuussutissarsiornermut suliassaqarfittut pingaaruteqartutut inissitinneqarsinnaanissaa siunertaralugu, tamanna pivoq. Periusissiamut nutaamut tassunga ilaatinneqartut pingaarnerit akornanniippoq, akuersissutinut atugassarititaasunik annertuumik

allanngortinneqartunik aammalu akileraartarnermut inatsisinik, nunani allani akuersissutitut atugassarititaasunut akileraartarnermullu inatsisinut sanilliullugu unammillersinnaassuseqartussanik, atuutsitsilernissaq, aammalu nunami sumiiffinni aamma Kalaallit Nunaata nunavittaani neqeroortitsinernik ingerlatsinikkut uuliasiorluni misissuineq.

Aatsitassanut suliaasaqarfimmut periusissiamut nutaamut suleqatigiissitaliap siunnersuutaa aatsitassanut ikummatissanullu inatsimmut nutaamut siunnersuummik kinguneqarpoq, taanna inatsisitut nr. 335, 6. juni 1991-imeersutut akuerineqarluni. Kalaallit Nunaanni aatsitassarsiorluni misissuinermi (ikummatissiassat aamma aatsitassat) aningaasaliinissap pilerinartunngortinneqarnissaa, inatsimmi siunertarineqarpoq.

Periusissiami ilaatinneqartut pingaarnerit akornanniittuni pissutsit makkua taaneqarsinnaapput:

- (1) Nunani allani atugassarititaasunut sanilliullugu unammillersinnaassuseqartunik, atugassarititaasunik neqerooruteqarsinnaanissaq siunertaralugu, ingerlatsinissamut akuersissummut atugassarititaasunik annertuumik allanngortinneqartunik atuutsitsilerneq, pingaartumik aatsitassanik (aatsitassat manngertut) piiaanermut.
- (2) Nunami sumiiffinni aamma Kalaallit Nunaata nunavittaani, ilanngullugu Kalaallit Nunaata kitaani nunavittami, 1990-ikkunni neqeroortitsinernik ingerlatsisarnikkut, uuliasiorluni misissuinerit aallartinnissaat.
- (3) Nunani tamalaani aatsitassarsiornermi suliffissuarnut aamma uuliasiornermi suliffissuarnut unammillersinnaassusilimmik sulinermi atugassaqartitsinissaq siunertaralugu, siullermik pingaarnertullu Kalaallit Nunaanni akileraartarnermut inatsisinik allanngortitsineq.
- (4) Kalaallit Nunaat pillugu ataatsimut isigalugu aammalu immikkuullarissunut tunngasunut, aatsitassarsiornermi suliffissuarnut aamma uuliasiornermi suliffissuarnut sammititamik, paasissutissiinermit najoqqutassanik annertuunik suliaqarneq.
- (5) Aatsitassanut suliaasaqarfimmi ineriartortitsineq pillugu Kalaallit Nunaanni innuttaasunut sammititamik paasissutissiinermit najoqqutassanik ingerlaavartumik suliaqarneq.
- (6) Aatsitassanut ingerlatsivimmi aatsitassarsiorluni ingerlatassanut maleruagassiinerup, ilaatigut avatangiisinut isumannaallisaanermullu tunngatillugu, pisariinnerulersinneqarnera iluarsineqarneralu.
- (7) Kalaallit Nunaanni aatsitassarsiorluni ingerlatassanut nunani tamalaani aningaasaliisoqarnerulernissaa siunertaralugu, pisortat tungaanniit aatsitassarsiornermi suliffissuarnut aamma uuliasiornermi suliffissuarnut iliuuseqarnerulluni aammalu ornigulluni suliniuteqarnermik atuneq.

Erngup nukinganut ingerlatassanut akuersissutitunik tunniussisarnermut taakkunungalu oqartussatut suliarinnittarnermut aalajangiisinnaatitaaneq Namminersornerullutik

Oqartussanut (ullumikkut Namminersorlutik Oqartussat) tunniunneqassasoq, Naalakkersuisut siulittaasuut aamma danskit naalagaaffiani ministeriuneq 1992-imi septembarimi isumaqatigiissuteqarput. Tamatuma malitsigisaanik erngup nukinganik pisuussutit inatsimmi nr. 1074, 22. december 1993-imeersumi aatsitassanut aaqqissuussinermit peerneqarput.

Sinerissap avataani uuliasiorluni misissuinermit uuliasiornermi suliffissuit soqutiginnilersinniarnissaannik ilungersuuteqarnek tunngavigalugu paasinarsivoq aatsitassanut ikummatissanullu inatsisip, Kalaallit Nunaanni aatsitassarsiorluni misissuinermi aningaasaliinissaq pilerinaateqarnerulersissinnaanissaanut, allanngortinneqarnissaa pisariaqartinneqartoq. Tamatuma kingunerisaanik aatsitassanut ikummatissanullu inatsit, inatsimmi nr. 303, 24. april 1996-imeersumi akuerineqarpoq.

Aatsitassanut ikummatissanullu inatsisip 1. juli 1998 aallarnerfigalugu atuutilersumik allanngortinneqarnerani, akuersissutinik tunniussinissamut aalajangiisinnaatitaaneq aammalu aatsitassanut suliassaqaarfimmi ingerlatsivimmi suliassat, nukissiuuteqarnermut ministerimiit aammalu ministerip ataaniittumit Kalaallit Nunaanni Aatsitassanut ingerlatsivimmit, Kalaallit Nunaanni Naalakkersuisunut aammalu Naalakkersuisut ataaniittumut Aatsitassanut Ikummatissanullu Pisortaqaarfimmut, tunniunneqarput. Kalaallit Nunaannut aatsitassanut aaqqissuussinermi ilaatinneqartut allat allanngortinneqanngillat.

Aatsitassanut suliassaqaarfimmi aalajangiinernut annertuunut tunngatillugu, ilanngullugu aatsitassanut ikummatissanullu inatsit malillugu akuersissutinik tunniussinissaq pillugu piunasaqaat, Namminersornerullutik Oqartussat aamma naalagaaffiup ataatsimoorlutik aalajangiisinnaatitaanissaannut, danskit naalakkersuisuisa aamma Naalakkersuisut akornanni isumaqatigiissuteqarnissap pisariaqarnera, taamaalilluni allanngortinneqanngilaq. Aatsitassarsiorluni suliaqarnermit pisortat isertitaasa agguarneqartarnerat pillugu aammalu ataatsimiittartoqatigiit suliassai pillugit maleruagassanut tunngatillugu, tamanna aamma pivoq.

Aatsitassanut ikummatissanullu inatsimmi annertuumik periusissiaq Ølgaard-ip nalunaarusiaani saqqummiunneqartoq, aammalu misilittakkat ilisimasallu 1998-imiilli Aatsitassanut Ikummatissanullu Pisortaqaarfimmi inerisarneqartut, annertuumik annertussusilimmik inerisaqqinneqarput.

Siunnersuummi matumani aatsitassanut aaqqissuussinerup ingerlateqqinneqarnera aammalu aatsitassat pillugit aatsitassanut ikummatissanullu inatsimmi maleruagassiineq, annertuumik tunngavigineqarput.

### *1.3. Kalaallit Nunaanni Namminersorneq pillugu inatsit aamma aatsitassanut aaqqissuussineq*

Kalaallit Nunaanni Namminersorneq pillugu inatsisip aamma inatsimmut nassuiaatit

nassuiarneqarnerat malillugu, aatsitassanut ikummatissanullu inatsimmi aalajangersakkat namminersornermut inatsimmi aalajangersakkanut naapertuupput. Tamatuma saniatigut Kalaallit Nunaanni Namminersornermut atatillugu pissutsit aalajangersimasut pillugit inatsit aammalu inatsimmut nassuiaatit malillugit, aatsitassanut ikummatissanullu inatsit aamma inatsimmi tassani aalajangersakkanut naapertuuppoq. Naalakkersuisut aamma Inatsisartut aatsitassanut ikummatissanullu inatsit suliarigamikku akuerigamikku, tamanna tungavissaatipaat.

Siunnersuummi aalajangersakkat, ataatsimut isigalugu aatsitassanut ikummatissanullu inatsimmi aatsitassanut suliassaqqarfik pillugu aalajangersakkanut naapertuupput, ilanngullugu aatsitassanik misissueqqaarnek, aatsitassarsiorluni misissuineq aamma aatsitassanik piianeq taakkunungalu akuersissutit, ilisimatusarnikkut misissuinerit taakkununga pingaaruteqartut aamma ilisimatusarnikkut misissuinerit akuersissutit pillugit aalajangersakkat.

### *1.3.1. Kalaallit Nunaanni Namminersorneq pillugu inatsit aamma aatsitassanut aaqqissuussineq pillugit nalinginnaasumik*

Kalaallit Nunaanni Namminersorneq pillugu inatsit Folketing-imit ulloq 19. maj 2009 akuerineqarpoq aammalu ulloq 21. juni 2009 atuutilerluni. Kalaallit Nunaanni Namminersorneq pillugu inatsimmut ilaatigut Kalaallit Nunaata Danmarkip akornanni sapinngisamik annertunerpaamik nalinginnissap qulakkeerneqarnissaanik kissaateqarnek, tungavigineqarpoq. Inatsit Kalaallit Nunaata suliassaqqarfiit amerlanerpaat pillugit annertunerusumik aalajangiisinnaatitaanermik tigusinissamut inatsisitigut tungavissaliivoq.

Kalaallit Nunaanni Namminersorneq pillugu inatsit malillugu aatsitassanut suliassaqqarfik Namminersorlutik Oqartussanit akisussaaffigilerlugu tiguneqarsinnaavoq. Kalaallit Nunaanni Namminersorneq pillugu inatsimmi § 3, imm. 2 malillugu suliassaqqarfiit Kalaallit Nunaanni Namminersorneq pillugu inatsimmut allattukkani II-mi allassimasut, piffissani naalagaaffimmi oqartussat isumaqatiginninniarfigineqarneri malillugu Namminersorlutik Oqartussanit aalajangersarneqartuni, Namminersorlutik Oqartussanut nuunneqarsinnaapput. Aatsitassanut suliassaqqarfik allattuiffimmi tassani nr. 26-tut taaneqarpoq.

Aatsitassanut suliassaqqarfik 1. januar 2010 atuutilersumik Namminersorlutik Oqartussanit akisussaaffigilerlugu tiguneqarpoq. Aatsitassanut suliassaqqarfiup Namminersorlutik Oqartussanit tiguneqareernerani, aatsitassanut suliassaqqarfimmi Namminersorlutik Oqartussat inatsisiliortussangorput ingerlatsisussangorlutillu.

Aatsitassanut suliassaqqarfiup tiguneqareernerata kingorna Namminersorlutik Oqartussat taamaalillutik aatsitassanut suliassaqqarfimmi ingerlatassanut ataatsimut isigalugu killissaliussat aammalu maleruagassat erseqqinnerusut aalajangersarpaat. Tamatuma saniatigut Namminersorlutik Oqartussat aatsitassanut suliassaqqarfimmi ingerlatsineq isumagisaraat, ilanngullugit aatsitassanut misissueqqaarnissamut, aatsitassarsiorluni

misissuinissamut aamma aatsitassanik piaanissamut akuersissutinik tunniussisarneq aammalu aatsitassarsiorluni ingerlatassat pillugit oqartussat suliarinninnerat.

Kalaallit Nunaanni Namminersorneq pillugu inatsit malillugu Namminersorlutik Oqartussat Kalaallit Nunaanni nunap iluani aatsitassanik piginnittuunissamut atorluanaanissamullu piginnittussaataapput, aammalu aatsitassarsiorluni ingerlatanit isertitat Namminersorlutik Oqartussanut tutsinneqartussaallutik. Kalaallit Nunaanni Namminersorneq pillugu inatsit, Namminersorlutik Oqartussat ukiumut aatsitassarsiornermit isertitai 75 million koruuninit annertunerusimappata, naalagaaffiup Namminersorlutik Oqartussanut ukiumoortumik tapiissutaasa annikillisinneqarnissaat pillugu maleruagassanik erseqinnerusunik imaqarpoq.

### *1.3.2. Aningaasaqarnermut attuumassuteqartut aamma aatsitassarsiorluni ingerlatanit isertitat agguarneqarneri*

Namminersorlutik Oqartussat aamma naalagaaffiup akornanni namminersornermut aaqqissuussinerup ataani aningaasaqarnermut attuumassuteqartunut aaqqissuussinerup imarisaanni qitiutinneqartut, pissutsit makkuupput:

- (1) Naalagaaffik maannamut ataatsimoortumik tapiissutit annertussusaannik, ukiumut aalajangersimasumik Namminersorlutik Oqartussanut tapiissuteqartassaaq.
- (2) Kalaallit Nunaanni Namminersorneq pillugu inatsit malillugu suliassa qarfiit akisussaaffigilerlugit tiguneqartut Namminersorlutik Oqartussat nammineerlutik aningaasalersussavaat.
- (3) Siunissami Kalaallit Nunaanni nunap iluani aatsitassarsiorluni ingerlatanit isertitat Namminersorlutik Oqartussanut tutsinneqassapput.
- (4) Naalagaaffiup Namminersorlutik Oqartussanut tapiissutai, Kalaallit Nunaanni aatsitassarsiorluni ingerlatanit isertitat qaammatsiutit malillugit ukiumi ataatsimi 75 million koruuninit sinnerlugit annertussuseqarpata, aningaasat taakkua affaannik annikillisinneqassapput.
- (5) Naalagaaffiup Namminersorlutik Oqartussanut tapiissutai piffissap ingerlanerani 0 koruuninut annikillisinneqarpata, Naalakkersuisut aamma danskit naalakkersuisuisa akornanni siunissami aningaasaqarnikkut attaveqatigiinnissaq pillugu isumaqatiginninniarnertit aallartinneqassapput.

Tamatuma saniatigut Namminersorlutik Oqartussat danskit ilisimatusarnermut sullissiviini aatsitassanut suliassa qarfimmi siunnersorneqarnissamut periarfissaqaannassapput aammalu ilisimatusarnermut periarfissaqassallutik.

Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini Kalaallit Nunaanni aatsitassarsiornermi ingerlatanit isertitat agguarneqarnissaat pillugu makkua allassimapput (nassuiaatit nalinginnaasut, immikkoortoq 5.3.3):

*”Kalaallit Nunaanni aatsitassarsiornermut tunngasut ineriartortitaanerat Kalaallit Nunaanni siunissami inuutissarsiornermik ineriartortitsineranut pingaaruteqartorujussuannngorsinnaavoq, tamatumuunakkut isertinneqartalersinnaammata naalagaaffiup tapiissutaanut tamakkiisumik ilaannakortumilluunniit taartaasinnaasut, tamatumani Kalaallit Nunaat aningaasarsiornikkut imminut napatissinnaanerulersinnaalluni.*

*Taamaassappat aatsitassarsiornerup Kalaallit Nunaanni inuiaqatigiinnut pitsaasumik sunniutigisinnaasai pilersinnaassapput nalinginnaasumik aningaasarsiornikkut, ilanngullugit sanaartukkanut il.il. aningaasaliissutigut, aammalu sanaartukkat ingerlatinnerannut il.il. atatillugu nunaqavissunik sulisussarsisarnertigut, kiisalu pisortat piginneqatigiiffinniit isertitaasigut.*

*Inatsisissamut siunnersuut manna naapertorlugu Kalaallit Nunaanni aatsitassarsiornermi isertitat Kalaallit Nunaanni Namminersorlutik Oqartussat pissavaat. Naalagaaffiulli tapiissutaasa qanoq pineqarnissaannut apeqqutaasussaassaaq aatsitassarsiornermik ingerlatsinermi pisortat isertitaasa annertussusiat.*

*Siunnersuutikkut tassuuna namminersorlutik oqartussanut naalagaaffiup tapiissutai apparneqassapput ukiumi pineqartumi isertitat 75 mio kr.-nit amerlanerussutaasa affaannut naleqquttumik. 75 mio kr.nik ilanngaasiineq pissaaq ujarlernissamut kajumissuseqarnerulersitsiniarluni tamatumuunakkullu Kalaallit Nunaat aningaasarsiornikkut imminut napatinnerulersinniarlugu.”*

Tamatuma saniatigut Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini allassimavoq (nassuiaatit nalinginnaasut, immikkoortoq 5.3.3):

*”Kalaallit Nunaanni Namminersorlutik Oqartussanut naalagaaffiup tapiissutai Kalaallit Nunaanni aatsitassarsiornermi isertitat kingunerannik ikilippata 0 kruuninngorlutik, ukiumut tullermut tapiissutit aamma peerneqassapput, taamaalillugulu Namminersorlutik Oqartussanut tapiissuteqartoqaqqissanani, illuatungeriit akunnerminni allamik isumaqatigiissuteqarsimangippata, tassunga atatillugu tak. siunnersuummi § 10.*

*Kalaallit Nunaanni aatsitassarsiornermi isertitat kingunerannik Kalaallit Nunaanni Namminersorlutik Oqartussanut naalagaaffiup tapiissutai 0 kruuninngorlutik ikilissappata tapiissutit ukiumut aamma tulliuttumut atorunnaarnissaannik aqqissuussineq taaneqartoq aamma atuutissaaq, Kalaallit Nunaanni aatsitassarsiornermit isertitat ukiumi kingusinnerusuni appariaqqissagaluarpata imaluunniit atorunnaavissagaluarpata. Pissutsit ilaatigut taamaalisinnaapput ukiup siulliup kingorna ukiumi ataasiartumik immikkut ittunik isertitaqartoqassappat, assersuutigalugu selskabini aatsitassanik ingerlatsisuni Kalaallit Nunaanni pisortanit pigineqartuni piginneqataassutit tuninerisa kingunerisaannik.*

*§ 10-imili aalajangersagaq atussanngilaq Namminersorlutik Oqartussanut naalagaaffiup tapiissutai ikilissappata 0 kruuninngorlutik, Danmarkimi pisortatut oqartussaasut imaluunniit selskabit il.il. Danmarkimi pisortatigut oqartussaasunit pigineqartut aatsitassarsiorfinnik § 7, imm. 2, nr. 3-mi taaneqartunik piginneqataassutiminnik, imaluunniit Kalaallit Nunaanni aatsitassarsiornissamut akuersissutinik piginneqataaffigisaminnik tunisaqarpata. Tunisinermi isertitat ilaat ukiumut isertitatut nalunaarsukkanut ilanngunneqartut, taamaalillutillu Kalaallit Nunaanni Namminersorlutik Oqartussanut nuunneqartut, naatsorsorneqassapput naalagaaffiup tapiissutaasa 0 kruuninngortinneqaatigisaattut. Pissutsinili taamaattuni isertitatut ilanngunneqartut naalagaaffiullu tapiissutaasa 0 kruuninngorlugit ikilissutaasa kingunerissanngilaat siunissami tapiissutit peerneqarnissaat, tak. § 10-mut oqaaseqaatit.”*

### *1.3.3. Isertitanut nassuiaassut*

Namminersornermut aaqqissuussinermi ilaatinneqartoq annertoq tassaavoq Namminersorlutik Oqartussat aamma naalagaaffiup akornanni aningaasaqarnikkut attaveqatigiinneq, namminersornermut inatsimmi maleruagassiivigineqartoq, aammalu namminersornermut inatsisissamut siunnersuummut nassuiaatini itisiliisumik nassuiarneqartoq. Aningaasaqarnikkut aaqqissuussinermi ilaatinneqarpoq aatsitassarsiorluni ingerlataniit isertitat nassuiaassutaat.

Aatsitassarsiornermit isertitat nassuiaassutaa namminersornermut inatsimmi § 7, imm. 2-miippoq. Aalajangersakkami aalajangersarneqarpoq, isertitat makkua Kalaallit Nunaanni aatsitassarsiorluni ingerlataniit isertitatut isigineqassasut:

*”1) Atortussianit aatsitassanik misissueqqaarnernik, misissueqqissaarnernik iluaquteqarnernilluunniit akuersissutit aalajangersimasut ataasiakkaat malillugit isertitat, taamaattorli aningaasat Aatsitassanut Ikummatissanullu Pisortaqarfiup aningaasartuutaanut matussutissatut akiliutit pinnagit.*

*2) Danmarkimi aamma Kalaallit Nunaanni akileraarutinik isertitat tamarmik, suliffeqarfinnit Kalaallit Nunaanni atortussiassanit aatsitassarsiornermut tunngasunik pisinnaatitaanermut akuersissutinik pigisalinnit pisut.*

*3) Kalaallit Nunaanni aamma Danmarkimi pisortatut oqartussat ingerlatseqatigiiffinni il. il. Kalaallit Nunaanni aatsitassarsiornermik ingerlataqarnermi piginneqataassuteqarnermit isertitat.*

*4) Agguagarsiat akileraarutaanit il. il. isertitanit Danmarkimi aamma Kalaallit Nunaanni ingerlatseqatigiiffinni piginneqataassutilinnit, pisinnaatitaanermut akuersissutinik pigisalinnit, imaluunniit ingerlatseqatigiiffinnit, toqqaannartumik toqqaannanngikaluartumilluunniit ingerlatseqatigiiffinnik taamaattunik pigisanit, tassannga akileraaruserneqanngitsunit agguagarsianik pissarsiat.”*

Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini nalinginnaasuni

(immikkoortoq 5.3.5) isertitanut nassuiaassut pillugu makkua allassimapput:

*”Aatsitassarsiornermik aaqqissuussinerup nutaap tamanut tunngatillugu tunngavia tassaavoq Kalaallit Nunaanni Namminersorlutik Oqartussat Kalaallit Nunaanni aatsitassanut tunngasut iluanni tamakkiisumik oqartussaaffiginnilersinnaanerit, inatsisillu atuutilerneratigut Kalaallit Nunaanni aatsitassarsiornermi isertitaqarsinnaanerit, tak. siunnersuummi § 7, imm. 1. Tamatuma saniatigut innersuussutigineqassapput § 10-mut oqaaseqaatit, naalagaaffiup Namminersorlutik Oqartussanut tapiissutaasa 0 kruuinngorlutik ikilinerannut tunngasut.*

*§ 7, imm. 2-mi taagorneqarput isertitat suunerannik nassuiaatini isertitat pineqartut. Nassuiaammut annertuumik tunngaviupput aatsitassat pillugit inatsimmi atuuttumi § 2, imm. 3-mi isertitat suunerannik nassuiaatit. Aatsitassanik aaqqissuussineq atuuttoq naapertorlugu danskit-kalaallillu assigiimmik aalajangiisnaatitaapput Kalaallit Nunaanni pisuussutit aatsitassanit pisut pillugit siunnersuisoqatigiit aqutigalugit, Danmarkimi naalackersuisut Naalackersuisullu tamarmik naaggaarsinnaatitaallutik. Taamaalillugu isertitat suunerannik nassuiaatit assigiinngitsutigut naleqqussartariaqarsimapput, nassuiaatit siunissami aatsitassanik aaqqissuussinermi nutaami Namminersorlutik Oqartussat tigusinnaasaanni atorsinnaassammata.*

*§ 7, imm. 2-mi isertitanik nassuiaammut tunngaviupput Kalaallit Nunaanni Danmarkimilu inatsisit atuuttut, siunertaalluni imm. 1 malillugu Kalaallit Nunaanni Namminersorlutik Oqartussat aatsitassatigut isertitassaataagorneqassallutik. Isertitattaq tamakkua tunngaviussapput naalagaaffiup Namminersorlutik Oqartussanut tapiissutaasa ikilineqarsinnaanerannut, angissuseqalersillugit Namminersorlutik Oqartussat aatsitassarsiornermi isertitaasa ukiumut 75 mio koruuninit amerlanerusut affaannik, tak. siunnersuummi § 8.*

*Inatsisissatut siunnersuummi aalajangersakkat aatsitassanut ikummatissanullu inatsimmi aalajangersakkanut naapertuutiinnarsimappata, aatsitassanut ikummatissanullu inatsimmik piareersaalluni suliarineqartut aammalu isumaqatigiissutit tassunga atasut siunnersuummi § 7, imm. 2-mik nassuiaanermut atuinermullu pingaaruteqaannassapput.*

*Kalaallit Nunaanni imaluunniit Danmarkimi inatsisit imaluunniit akileraarutinut, aatsitassanut imaluunniit selskabinut tunngatillugu oqartussaaffiginninnerup siunissami allannguutaasa kingunerisinnaavaat isertitat suunerannik nassuiaatit siunertanut naapertuukkunnaarnerat. Tamatuma kinguneranik isertitat suunerannik nassuiaatit Naalackersuisunit Danmarkimilu naalackersuisunit nalileqqinneqartariaqassapput, qulakkeerniarlugu isertitat suunerannik nassuiaatit inatsimmi siunertarisanut naapertuuttuunissaat. Taamatut nalileeqqinnerup ilisimatitsinermit tunngaveqartumik pinissaa qulakkeerniarlugu naatsorsuutigineqarpoq illuatungeriit atortussani tamatumunnga*



*tunngassutilinni tamani sukumiisumik imminnut ilisimatittarnissaat. Kalaallit Nunaanni Danmarkimilu inatsisit allannguutaat allat aatsitassarsiornermi isertitat avinneqarnissaannut allannguutaasussaannigitsut isertitat suunerannik nassuiaatit nalileqqinnissaannut pissutissaassanngillat. Taamaalillugu assersuutigalugu akileraarutit angissusiannik allannguutissat, tak. siunnersuummi § 7, imm. 2, nr. 2, isertitat suunerannik nassuiaatip nalileqqinnissaanut tunngaviussanngillat.”*

Kalaallit Nunaanni Namminersorneq pillugu inatsisissatut siunnersuummut nassuiaatini matuma siuliani issuarneqartuni, suliassa qarfiup akisussaaffigilerlugu tiguneqareernerata kingorna aatsitassanut suliassa qarfimmi oqartussatut suliagarneq, ataatsimoortumik akuutitsiviusumik oqartussatut suliagarnerut suli ingerlanneqassasoq, oqariartuutigineqarpoq, taamaalilluni isertitanut nassuiaassutip aamma siunissami siunertamik naammassinnissinnaanissaa qulakkeerneqarluni.

Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini nalinginnaasuni (immikkoortoq 5.3.5.1) akuersissutit aalajangersimasut naapertorlugit isertitat pillugit makkua allassimapput:

*”§ 7, imm. 2, nr.1-mi siunnersuutigineqartut aatsitassat pillugit inatsimmi § 22, imm. 3 nr. 1-imi aalajangersagaareersut nanginneraat. Taamaalillugu siunnersuutigineqarpoq aatsitassanik misissueqqaarnissamut, ujarlernissamut imaluunniit piiaanissamut akuersissutit aalajangersimasut naapertorlugit isertitat suunerannik nassuiaatit ingerlatiinnarneqassasut, taamatullu siunnersuutigineqarluni Ikummatissanut aatsitassanullu pisortaqarfiup aningaasartuutaanut matussutitut akilerneqartartunit isertitat naatsorsorneranni maannamut ilanngunneqartanngitsut ingerlatiinnarneqassasut.*

*§ 7, imm. 2, nr. 1-imi siunnersuutigineqartut isertitat assigiinngitsut tassaapput Kalaallit Nunaanni oqartussat isertitaat suulluunniit aatsitassanik misissueqqaarnissamut, ujarlernissamut piiaanissamullu akuersissutit aalajangersimasut naapertorlugit tiguneqartartut, aamma tak. isertitat suunerannik nassuiaatinut 1988-imeersumut oqaaseqaataasimasut (inatsit nr. 103, 17. november 1988). Isertitat pisinnaatitsissummik pigisaqartuneersuusinnaapput, ingerlatseqatigiiffik pisinnaatitsissutinut pigisaqartuulluni taamatullu inuinnaat pisinnaatitsissummik pigisaqartuullutik, takuuk aamma immikkoortoq 5.3.4.*

*Isertitanut nr. 1-imi taaneqartunut assersuutitut taaneqarsinnaavoq nioqutissiornermut akitsuut (royalty), pisinnaatitaanermik pigisaqartup akuersissut naapertorlugu akiligassaa, tak. aatsitassanik inatsimmi § 8, imm. 1.*

*Assersuut alla tassaavoq ingerlatap akuersissuteqarfigineqarsimasup aningaasatigut pissarsiaasa ilaannik pisortanut akiliutit (sinneqartoorutinit pissarsiat), tak. aatsitassat*

*pillugit inatsimmi § 8, imm. 1.”*

Aammattaaq immikkoortumi tassani aatsitassarsiornermit isertitat, isertitanik naatsorsuinermit ilaatinneqanngitsut, pillugit makkua allassimapput:

*”Aatsitassarsiornermi isertitat naatsorsorneranni isertitat ilaat aalajangersimasut ilanngunneqartussaangillat, tak. siunnersuummi § 7, imm. 2, nr. 1, immikkoortup aappaa. Pineqarput isertitat akuersissutinut aalajangersunut atatillugu tiguneqarsimasut, aningaasat Ikummatissanut aatsitassanullu pisorta qarfiup aningaasartuutaanut matussutissatut akilerneqartatut. Ilangussinngitsoormik siunnersuut aatsitassanik inatsimmi § 22, imm. nr. 1-imi aaqqissuussinerup pioreersup nanginneraa.*

*Aningaasat siunnersuut taanna naapertorlugu isertitanik naatsorsuinermit ilanngunneqartussaangitsut tassaapput aningaasat taarsiissutit, akitsuutit aamma akileraarutit il.il. avatangiisinik allanillu tunuliaqutaasunik misissuinerit, pisortat suliaannut (akuersissuteqarnerit, nakkutilliinerit, nalunaarusiornerit il.il.) aammalu paasisitsiniaanernut il.il. atatillugu Ikummatissanut aatsitassanullu pisorta qarfiup aningaasartuutaanut matussutissat. Tamakkununga aningaasartuutit akuersissutit aalajangersimasut naapertorlugit akilersinniarneqartunut tunngasuussapput. Paasisitsiniaanermulli aningaasartuutinut tunngatillugu tamanna piumasarineqanngilaq.*

*Pisinnaatitaaffinnik piginnittut imminnut akuersissutigineqartut naapertorlugit pisussaaffimminnik naammassinninnginnerannut atatillugu Kalaallit danskillu oqartussaasuisa oqartussaasutut iliuutsiminnut aningaasartuutaat (soorlu taamaatitsinernut tunngasut avatangiisinillu saliinerit) aatsitassanik isertitanik akilerneqarsinnaangillat, tamatumani isertitat suunerannik nassuiaatini ilaatinneqassanatik. Taamaaqataanik aningaasat taarsiissutaasut kalaallit danskillu oqartussaasuisa akiliutaagallartunut matussutissatut pisinnaatitsissutinik pigisalinniit tigusaat, isertitat suunerannik nassuiaammi ilaassanngillat.*

*Avatangiisinik saliinermut taamaatitsinernullu assigisaannut Ikummatissanut aatsitassanullu pisorta qarfiup aningaasartuutigisimasinnaasaanut matussutissanik akitsuutinik il.il. akiliisitsiniartoqarsinnaangilaq, isertitat suunerannut nassuiaatini ilanngutinngitsoorneqarsinnaasunik.*

*Akiliutit akitsuutillu il.il. Ikummatissanut aatsitassanullu pisorta qarfiup aningaasartuutaanut matussutissatut akilersinniarneqarsinnaasut aatsitassanik inatsimmi § 31 b-mut oqaaseqaatini erseqqinnerusumik nassuiarneqarput (inatsisissamut siunnersuut 61, 4. november 1993). Tak.siuliini oqaaseqatigiit 5.3.4.*

*Ikummatissanut akuersissutinut tunngasumik nunaminertanut akitsuutit maannakkut atuuttut*

*aalajangerneqarput imaalillugu, nunaminertanut akitsuutit assigalugit Ikummatissanut aatsitassanullu pisortaqarfiup aningaasartuutaanut tunngasutut. Tamakku atussapput siunissami akuersissutini nunaminertanut akitsuutinut.*

*Akiliutit akitsuutillu il.il. siuliini taagorneqartut Ikummatissanut aatsitassanullu pisortaqarfiup aningaasartuutaanut matussutissatut akilersinneqartut ikummatissanut aatsitassanullu allanut assigiinngitsuugajupput. Najooqutassatut aalajangerneqartarpoq Kalaallit Nunaanni aatsitassanik ujarlernissamut piiaanissamullu aatsitassarsioqatigiit uuliasiortullu pilerisaarnissaannut annaanaveersaarnissaannullu periarfissat annertuumik ajorseriartinneqassanngitsut. Akiliutit akitsuutillu taaneqartut angissusilerneqartanngillat aningaasartuutit tamakkiisumik matussutissinniarlugit. Aatsitassanik inatsisip 1993-imi allannortinnerani § 31-ip ilanngunneratigut inatsimmi periarfissiisoqarpoq aningaasartuutit ilaasa matussutissinneqartarnissaannut.”*

Unitsitsinermi iliuusissanut aamma avatangiisini saliinermut tunngatillugu immikkoortumi tassani makkua allassimapput:

*”Aatsitassat pillugit inatsimmi atuuttumi § 18, imm. 1-imi allassimavoq pisinnaatitsissutinik pigisaqartut pisussaasut taamaatitsinermi iliuuseqarnissaminnut, ilanngullugit ingerlatsiunnaarunik avatangiisunik saliinissaminnut. Ikummatissanut aatsitassanullu pisortaqarfik pisinnaatitsissummik pigisaqartut pisussaaffimminnik naamassinninnissaat qulakkeerniarlugu aalajangersakkiorsinnaavoq imm. 1 malillugu, ilanngullugu piumasarisinnaallugu isumannaallsaasiisoqarnissaa, tak. aatsitassanik inatsimmi § 18, imm. 2. Aatsitassanik manngertunik misissueqqaarnissanut piiaanissamulluunniit akuersissuteqarnerni tamanna pisinnaavoq nalinginnaasumik sillimmasiinikkut, ilanngullugu piffissami akuersissuteqarfiusumi akiliuteqartitsisarnertigut, tamatumuunakkut sillimmasiissutit piffissami akuersissuteqarfiusumi ataatsikkoortinneqarsinnaallutik.*

*Ikummatissanik imaani piiaanerup kingorna avatangiisunik saliinermut tunngatillugu Namminersorlutik Oqartussat qulakkiissavaat akuersissutinut aalajangersunut tunngatillugu piumasarineqarnissaa isumannaatsunik sillimmasiisoqassasoq uppernarsaasiisoqassasorlu il.il., Disko Vest’imi juli 2006-imi neqeroortitsinermi akuersissutissanut assersuusiami sillimmasiinernik uppernarsaasiinernillu il.il. piunarsaqaatit aammalu neqeroorteqartitsinermi tassani akuersissutit aalajangersimasut assingannik. Namminersorlutik Oqartussat aamma isumannaassavaat piunarsaqaatit tamakku aqutsisoqarfimmiit malittarineqarnissaat.*

*Aatsitassanik inatsimmi § 18, imm. 3 malillugu Ikummatissanut aatsitassanullu pisortaqarfik taamaatitsinermut saliinermullu il.il. qanoq iliuuseqarsinnaavoq, ilanngullugu avatangiisunik saliisitsisinnaalluni pisinnaatitsissummik piginnittup akiligassaanik, ajutoortoqarpallu akisussaaffigisassaanik, taassuma iliuusereqqusaasut malinngippagit. Tamanna*

*ikummatissanut akuersissutinut akuersissutinullu allanut aamma atorpoq.*

*Siunissami inatsisiliassat akuersissuteqarnissanullu piumasqaatit pisinnaatitaanermik pigisaqartup akiligasaanik ajutoortoqarpallu akisussaaffigisasaanik Aatsitassarsiornermut pisortaqarfiup isumannaallisaatitut, peqqinnissamut, avatangiisinut taamaatitsinermullu il.il. qanoq iliuuseqarnissaanut aalajangersakkanik taakkua assinginik imaqarsinnaapput, akuersissutinik pigisaqartut qanoq iliuuseqanngikkaangata, imaluunniit pisinnaatitsissummik pigisaqartut Ikummatissanut aatsitassanullu pisortaqarfiup aalajangersumik akuersissutinut tunngatillugu aningaasartuutaanut taarsiinngikkaangata. Iliuutsinut taamaattunut tunngatillugu Ikummatissanut aatsitassanullu pisortaqarfiup aningaasartuutaanut taarsiissutinik isertitat siunnersuummi § 7, imm. 2, nr.imi isertitat suunerannik nassuiaammi ilanngunneqanngillat.*

*Isertitat suunerannik nassuiaammi aamma ilaangillat sillimanissamut, peqqinnissamut avatangiisinullu upalungaarsimanissakkut qanoq iliuutsinut, pisinnaatitsissutinik piginnittut Kalaallit Nunaanni aatsitassarsiornernut toqqaannartumik atassuteqartunut atatillugu Ikummatissanut aatsitassanullu pisortaqarfiup aningaasartuutaanut matussutissatut utertitat. Tamanna atorpoq pineqarpata iliuutsit atortussiassanik misissueqqaarnissamut, ujarlernissamut piiaanissamullu akuersissutit naapertorlugit pisinnaatitaaffinnik pigisaqartut pisussaaffiginngisaat Ikummatissanut aatsitassanullu pisortaqarfimmiit tigussallugit.*

*Uuliamik aniasoortoqartillugu allatulluunniit pisoqartillugu pisinnaatitaaffimmik pigisaqartup upalungaarsimanera naammanngippat imaluunniit susoqanngippat, aammalu Kalaallit Nunaanni Danmarkimiluunniit oqartussaasut iliuuseqartariaqalerpata, aningaasat taarsiissutit, tamakkununga atatillugu aningaasartuutiminnut matussutissatut tigusaat, isertitat suunerannik nassuiaammi ilaassanngillat.”*

Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini nalinginnaasuni (immikkoortoq 5.3.5.2) isertitanut nassuiaassutip ilaata aappaa, akileraarutitugit isertitanut tunngassuteqartoq pillugu makkua allassimapput:

*”Piiaanissamut maannamutut akuersissuteqarnerni isumannaarneqassaaq piiaanermi isertitat sorphaanerisa takuneqarsinnaanissaat, aammalu allanik ingerlatsinermi isertitanit aningaasartuutinillu akileraarutit tungaasigut immikkoortinneqarnissaat. Namminersorlutik Oqartussat tamanna aamma qulakkiissavaat atortussiannik aaqqissuussinermi nutaami aatsitassarsiornermut tunngasut tigugunikkit.*

*Tamatuma kinguneranik piiaanissamut akuersissuteqarnermut allannguinerermulluunniit atatillugu isumannaarneqassapput makku: Isertitanik akileraarutit pillugit inatsisartut inatsisaanni § 3, imm. 3-mi taaneqartutut pisinnaatitaaffimmik pigisaqartup akileraartussaataitaannginnerminik nalunaarfigineqannginnissaa, Ikummatissanut*

*aatsitassanullu pisortaqarfiup uppersannangippagu akuerineqarnerup kinguneranik isertitat suunerannik nassuiaammi tamakkiisumik ilaasunik artorsiissutaasunik akitsuutinik akiliisoqartartoq, pisinnaatitsissummik pigisaqartoq akuersissut naapertorlugu aammalu aatsitassanik inatsit naapertorlugu allamik kisimiilluni ingerlatsisuuvoq, pisinnaatitsissummik pigisaqartoq selskabini allani imaluunniit piginneqatigiiffinni allani piginneqataassutalik aningaasaliissuteqanngitsoq, pisinnaatitsissummik pigisaqartoq Kalaallit Nunaanni Danmarkimiluunniit selskabinut allanut ilanngulluni akileraartinneqarsinnaanngitsoq, pinngitsaaliissummik ataatsimut akileraartitsineq pineqanngippat, nunap nammineq iluani ingerlatseqatigiiffissuarni pisinnaatitsissummik pigisaqartoq nunani allani ingerlatseqatigiiffissuarni pisinnaatitsissutinik pigisalittut aningaasannortitsinissamik piumasagaatit assingannik piumaffigineqarsinnaasoq, pisinnaatitsissummik pigisaqartoq tamanut tunngatillugu akinut nammineq sunniuteqarfigisinnaanngisanut, aammalu nammineq sunniuteqarfigisinnaanngisat pillugit piumasagaatit malillugit niuertassasoq, pisinnaatitsissummik pigisaqartup aaqqissuunneqarnera, ilanngullugu moderselskabinut atassuteqarnera, allannortinneqarsinnaanngitsoq Ikummatissanut aatsitassanullu pisortaqarfik akuersisimatinnagu, aammalu pisinnaatitsissummik pigisaqartup sumiiffik angerlarsimaffia allannortinneqarsinnaanngitsoq Ikummatissanut aatsitassanullu pisortaqarfik akuersisimatinnagu.*

*Kalaallit Nunaanni Namminersorlutik Oqartussat piumasarisinnaavaat selskabi, Kalaallit Nunaanni atortussiassanik aatsitassanik pisunik misissueqqaarnissamut, ujarlernissamut imaluunniit piiaanissamut akuerineqarsimasoq Kalaallit Nunaanni angerlarsimaffeqassasoq, takuuk ikummatissanik aatsitassanillu inatsimmi § 7, imm. 3-mi taassuma assinga.*

*Ingerlatseqatigiiffiit saniatigut inuit ataasiakkaat aamma pisuni aalajangersimasuni aammalu erseqqinnerusumik nassuiarneqartuni aatsitassanik piiaanissamut akuersissutinik tunineqarsinnaapput. Tamanna aatsitassanik manngertunik annikitsumik aatsitassarsiorluni piiaanissamut akuersissutitut ittunik pisinnaavoq, takuuk immikkoortoq 5.3.4.*

*Isertitat sorliit Namminersorlutik Oqartussanut tutsinneqassanersut, takuuk § 7, imm. 2, nr. 2, taamaalillunilu isertitanik naatsorsuineri ilaatinneqassanersut, naatsorsuinissamut atugassatut, inuit ataasiakkaat isertitaat aammalu aningaasartuutit aatsitassarsiornermik suliaqarnermut tunngassuteqartut paasineqarsinnaanissaannut aammalu inuit isertitaannit aningaasartuutaannillu allanit immikkoortisimaneqarsinnaanissaat Namminersorlutik Oqartussat qulakkeerpaat.*

*Aaqqissuussinerup allaffissornikkut pisariitsuunissaat paasiuminartuunissaalu qulakkeernissaa siunertaralugu – aammalu isertitat naatsorsorneqarnerisa aaqqissuussaannerup ilusaanik toqqaanermi sunnerneqarnissaa pinngitsoortinniarlugu – akileraarutit aningaasartaat isertitanik naatsorsuineri ilaatinneqartussat, aatsitassarsiorluni suliaqarnermit isertitatut (aningaasartuutit tassunga atasut*

*ilanngaatigineqareerneranni) aktiaatileqatigiiffimmi isertinneqartutut naatsorsorneqassapput, aammalu akileraaruteqareernermi sinneqartoorutit ukiuni isertitaqarfiusumi tassani agguanneqassallutik.*

*Aammattaaq akuersissut akitsuutitut isertitat agguarneqarneranni tamakkiisumik ilaasussatut minnerpaamik nammackersuineramik kinguneqarsimasoq Aatsitassanut Ikummatissanullu Pisorta qarfiup uppersarsisimangippagu, inuit ataasiakkaat (pisinnaatitsissummik pigisaqartut) aningaasarsianit akileraarutit pillugit Inatsisartut inatsisaanni § 3, imm. 3-mi taaneqartutut akileraartussaannigitsutut nalunaarfigineqanninnissaat Namminersorlutik Oqartussat qulakkiissavaat.*

*Pisinnaatitsissummik pigisaqartut, inuit ataasiakkaat annikitsumik aatsitassarsiorlutik suliaqarnerminnut atatillugu aatsitassanik manngertunik tunisinerminnit ukiumut isertitaaq 400.000 koruunit annertunerusimangippata, aningaasartuutitut uppersarsarneqartunut piumasagaammut taarsiullugu tunisinermi isertitat 60 procentiinik ilanngaasiisoqarsinnaavoq. Ilangaat inuussutissarsiutit pingaarnert minnerit, soorlu aalisarnerup piniarnerullu, iluanni isertitat aningaasartuutillu imminnut attuumassuteqarnerat pillugu Kalaallit Nunaanni akileraartarnermut oqartussat nalinginnaasumik misilittagaat tunngavigalugit aalajangersarneqarpoq.*

*Aningaasat 40 procentinut sinneruttunut naapertuuttut tamatuma kingorna akileraarutit aningaasartaannik, inatsimmi § 7, imm. 2, nr. 2-mi pineqartunik, taamaalillutillu isertitanik naatsorsuinerami ilaatinneqartussanik, naatsorsuinerami ilaatinneqassapput. Akileraarutit aningaasartaannik naatsorsuineq aamma tassani aatsitassarsiorluni suliaqarnermit isertitatu aktiaatileqatigiiffimmi isertinneqartutut, pissaaq, aammalu akileraaruteqareernermi sinneqartoorutit ukiumi isertitaqarfiusumi tassani agguanneqassallutik.*

*Akileraarutit aningaasartai pineqartut taakkua taamaallaat isertitanik naatsorsuinerami atugassatut naatsorsorneqassapput aammalu pisinnaatitsissummik pigisaqartup pissusiviusuni akileraartarnikkut atugaannut ataasiakkaanut pingaaruteqarani. Pisinnaatitsissummik pigisaqartut pineqartut taakkua taamaalillutik aalajangersagaq malillugu Namminersorlutik Oqartussanut aatsitassarsiornermik suliaqarnermit isertitaminnut akiliisussaassanngillat.*

*Aamma pisinnaatitsissummik pigisaqartut taakkua atugassarititaasut nalinginnaasut malillugit aatsitassarsiornermik suliaqarnermit isertitanut tamaginnut paasissutissiisussaataapput uppersarsaasussaallutillu, kisianni aningaasartuutitut uppersarsaanissamut piumasagaat, isertitanik naatsorsuinermit atugassamik ilanngaammik matuma siuliani taaneqartumik, taarserneqarsinnaapput. Tunisinermi isertitat ukiumut 400.000 koruunit sinnersimappasigut, annikitsumik aatsitassarsiorluni suliaqarnermut*

*atatillugu aningaasartuutit uppersaanissamik piumasaqarneq aatsaat atuutilissaaq.*

*Aalisartunut, piniartunut assigisaannullu annikinnerusumik inuussutissarsiortunut naatsorsuutininut piumasaqaatit qasukkartinneqarnissaat, akileraartarnermi ukiumoortumik naatsorsuutininut il.il. piumasaqaatit pillugit Namminersornerullutik Oqartussat nalunaarutaat nr. 27, 1. december 2006-imeersumi § 3-mi siunertaavoq. Inuit taakkua naatsorsuutininik suliaqarnissamut inuussutissarsiutigalugu suliaqartunit ikiorneqarnissamut aningaasaqarnikkut pisinnaasaqartanngillat, peqatigisaanillu naatsorsuutininut piumasaqaatit nalinginnaasut naammassiniapiloortarlugit. Mianerisassaq taanna aalajangersakkamut tassunga tunngavigineqartoq, inuiat ataasiakkaat aatsitassanut suliaasaqarfimmi annikitsumik aatsitassarsiornermik suliaqarnermut atatillugu aningaasartuutininut akilerneqarsimasunut pissusiviusunut uppersaksannut taarsiullugu, kaaviiartitanut killissaliussamik aalajangersaanikkut ilanngaammik nalinginnaasumik atuisinnaanerat naleqqutissasoq, naliliisoqarpoq.”*

Aatsitassanut suliaasaqarfimmi suliffeqarfimmi pisortat peqataanerannit isertitanut tunngatillugu, Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini nalinginnaasuni (immikkoortoq 5.3.5.3) makkua allassimapput:

*”Inatsisissamut siunnersuummi § 7, imm. 2, nr. 3-mi aalajangersarneqarpoq isertitat suunerannik nassuiaatini pineqartut tassaasut Kalaallit Nunaanni ikummatissanik aatsitassanillu ingerlatsinermi selskabini il.il. Kalaallit Nunaanni Danmarkimilu pisortat oqartussaasut piginneqataassutaasigut isertitat. Isertitanik aaqqissuussinermi pineqarput Kalaallit Nunaanni ikummatissanik aatsitassanillu ingerlatsinermi isertitat, toqqaannartumik toqqaannartuunngitsumilluunniit Danmarkimi Kalaallit Nunaannilu oqartussaasut piginnittutut pisassaat, oqartussaasullu tamakkua selskabini il.il. Kalaallit Nunaanni ikummatissanik aatsitassanillu ingerlatsisuni piginneqataassutiminnik tunisinerminni isertitaat. Selskabimik ingerlatsinermut sanilliullugu ikummatissanut aatsitassanullu tunngasunik ingerlatsisunut aaqqissuussineq qanorluunniit ittoq aamma ilaavoq, tassunga ilanngullugu pisortat ingerlatsinerannut il.il. atassuteqarneq.*

*Ikummatissanik aatsitassanillu ingerlatsinermi pineqartoq tassaavoq Kalaallit Nunaanni ikummatissanik aatsitassanillu misissueqqaarneq, ujarlerneq piiaanerlu pillugit akuersissutit naapertorlugit ingerlatsineq, tak. ikummatissat aatsitassallu pillugit inatsimmi § 6 aamma § 7.”*

Immikkoortumi tassani aammattaq makkua allassimapput:

*”Selskabit akileraartussaataitanerminni ukiumut angusaannik namminersorlutik oqartussat Kalaallit Nunaanni aatsitassarsiornermi isertitanik piviusumik takussutissaqarnissaq qulakkeerniarlugu namminersorlutik oqartussat makku isumannaassavaat:*

- 1) aatsitassanik misissueqqarnermut, ujarlernermit piiaanermullu akuersissutit pisarnissaat paasiuminartumik assigiinnillu atugassaatitaqarluni,
- 2) ingerlatsiviup aatsitassarsiornerinnarmik ingerlatsinissaa, taamatullu ingerlatsinerup Kalaallit Nunaanni akuersissutaasut taamaallaat tunngavigalugit pinissaa, aamma tak. § 7, imm. 2, nr. 2 aamma 4, kiisalu aatsitassanut ikummatissanullu inatsimmi § 7, imm. 3, aamma § 8, imm. 3,
- 3) ingerlatat § 7, imm. 2, nr. 3-mi taaneqartutut niuernerpalaartumik ingerlanneqarnissaat, tamatum kinguneranik ingerlatsiviup isertitani amerlisassallugit, aammalu assersuutigalugu nioqutissiornerminut, pisiortorfimminut aammalu akissarsianut aningaasartuutiminik annikitsuutitsiniarnissaa, kiisalu
- 4) ingerlatsinermik ukiumoortumik nalunaarusiortoqarnissaa International Finansiel Reporting Standards (IFRS) malillugu.

*Kalaallit Nunaanni Namminersorlutik Oqartussat aatsitassanik misissueqqaarnermut, ujarlernermit piiaanermullu akuersissutinik agguaanermi qulakkiissavaat agguaanerup – paasiuminartumik assigiimmillu atugassaatitaasut saniatigut, tak. siuliini allassimasut – aamma naapertuilluartumik kinnaassusersiunngitsumik tunngaveqarluni pinissaa. Ilaatigut tassaniippoq namminersorlutik oqartussat pingaernerutitsinnginnissaat selskabinut tamakkiisumik ilaannakortumilluunniit Danmarkimi oqartussanit pigineqartunut akuersissutinik agguaassinermi tamakku isertitaasa ilaannik pissarsinissaminnik, tak. §§ 7-8-mi aalajangersagassatut siunnersuutit. Taamaalillugu akuersissutinik agguaaneq aaqqissuunneqassaaq selskabit aalajangersimasut kisimik, soorlu DONG Grønland A/S, kisiisa pineqartussanngorlugit.”*

#### *1.3.4. Naalackersuisut aamma danskit naalackersuisuisa akornanni aatsitassanut suliassa qarfiup iluani suleqatigiinneq*

Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini nalinginnaasuni (immikkoortoq 5.3.6) aatsitassanut suliassa qarfiup iluani kalaallit aamma danskit oqartussaasuisa akornanni suleqatigiinneq pillugu makkua allassimapput:

*”Inatsimmi matumani aalajangersakkat malillugit namminersorlutik oqartussat aatsitassanut tunngasunik tigusinissaata tungaanut aatsitassanut tunngasut namminersorneruneq pillugu inatsimmi, aatsitassat pillugit inatsimmi aammalu inatsimmi tassani isumaqatigiissutit malillugit malittarisassiuunneqarsimapput, imaluunniit Naalackersuisut aammalu Danmarkimi naalackersuisut akornanni isumaqatigiissutaajunnartut malillugit, ilanngullugu ”Kalaallit Nunaanni aatsitassat pillugit ingerlatsinermik Naalackersuisut Danmarkimilu naalackersuisut akornanni isumaqatigiissut 1. juli 1998-imeersoq«.*

*Aatsitassanut tunngasut ullumikkut Kalaallit Nunaanni Danmarkimilu pisortatut oqartussat akornanni annertuumik suleqatigiissutigineqarput. Ilimagineqarpoq namminersorlutik*



*oqartussat aatsitassanut tunngasut tigunerata kinguinngua pisariaqartissagaat Danmarkimi ingerlatsiviit aqutsinikkut ilisimatusarnikkullu suleqatiginerisa ingerlatiinnarnissaa.*

*Taamaattumik inatsisissamut siunnersuummi § 9 malillugu Naalakkersuisut Danmarkimilu naalakkersuisut Kalaallit Nunaata suliassa qarfimmik tiguserata kinguinngua atuutilersussamik isumaqatigiissuteqassapput. Naatsorsuutigineqarpoq isumaqatigiissutip ukiunut tallimanut atuunnissaa. Ukiunut siullernut tallimanut isumaqatigiissutip atorunnaanginnerani Naalakkersuisut aalajangersinnaapput isumaqatigiissut ukiunut arlalinnut atortussanngorlugu nutaangorsassallugu, kingornalu nutaangorsaqqittarsinnaallugu. Isumaqatigiissutit taamaattut makkuninnga imaqarsinnaapput:*

*Naalakkersuisut akiliuteqarlutik Danmarkimi pisortatigut ilisimatusarfinniit siunnersortittassapput aammalu aatsitassanut tunngasunik namminersorlutik oqartussat suliassanik allanik ingerlatsinissaannut allanut siunnersortittarsinnaallutik. Siunertarineqartoq tassaavoq Naalakkersuisut taamatut siunnersorneqarsinnaanissaat GEUS-ip aamma DMU-p (1. januar 2007- imiit Aarhus Universitetip ilagiligaasa) manna tikillugu suleqatigineqarnerisa annertoqataannik. Naatsorsuutigineqarpoq taamatut ikiorneqarnernut akiliutit amerlaqatigissagaat GEUS-ip DMU-llu taamaattunik suliaqartarnerminnut ukiumut aningaasartuutigisagaat, t.i. 2004-mi GEUS-imut 3,0 mio kr. DMU-mullu 2.2 mio kr. Taakku saniatigut namminersorlutik oqartussat GEUS-imut DMU-mullu isumaqatigiissuteqarsinnaapput GEUS-imiit DMU-miillu allanilluunniit allatut siunnersorneqartarnissamik.*

*Oqaatigineqareersutut ukiunut tallimanut siullernut isumaqatigiissutip naanerata kingorna Naalakkersuisut kissaateqarneratigut taamaattunik assigisaanilluunniit sullinneqarnissamik ukiunut arlalinnut atortussanik isumaqatigiissuteqartoqarsinnaavoq. Eqqarsaataavoq taamaattoqartillugu isumaqatigiissutip atuuttup atorunnaarnissaa qaammatinik 12-nik sioqqullugu isumaqatiginninniartoqartalernissaa. Isumaqatigiissuteqarnissap taamatut sivisutiginissaanut piffissallu isumaqatigiissuteqarfiup aallartinnissaa sioqqulluarlugu isumaqatiginninniartoqartarnissaanut pissutaavoq qulakkeerniarneqarmat namminersorlutik oqartussat aatsitassanut pisortaasa periarfissinneqartarnissaat aalajangissallugu Danmarkimi ilisimatusarfinnik suleqateqarnerup ingerlatiinnarneqarnissaa kissaatiginerlugu, imaluunniit akiliuteqarluni allaniit siunnersorneqartarnissaq kissaatigineqarnerisooq, aammalu ilisimatusarfiit periarfissinneqarnissaat ukiunut arlalinnut atuuttussamik suliaminnik aaqqissuussinissaminnut.*

*Isumaqatigiissutinik qulaani taaneqartunik isumaqatigiissuteqarnermi Danmarkimi naalakkersuisut Kalaallit Nunaanni aatsitassanik ujarlernissamut immikkut pingaaruteqartunik Danmarkimi pisortatigut ilisimatusarfiit maannamut ilisimatusartarnerata taamaaqataanik Naalakkersuisunut periarfissiissapput*

*isumaqatigiissutit ingerlaneranni akeqanngitsumik ilisimatusartitsinissamik. Tamatumani eqqarsaatigineqarput suliffeqarfuit ilisimatusarfillu suliassaat pingaaruteqartut, ilanngullugit paasissutissat (databaser) aatsitassarsiornermut immikkut pingaaruteqartut ingerlatiinnarnissaat aningaasalersornissaallu, soorlu sajuppillatsitsisarnermut tunngasunik paasissutissat, aatsitassanut paasissutissat aammalu pinngortitat ilaannut mianernartunut paasissutissat, GEUS-ip DMU-llu Kalaallit Nunaanni aatsitassanik ujarlerneranut tunngassutillit ingerlassimasaat. Isumaqatigiissuteqarfimmi siullermi suliat 2005-mi aningaasatut atorpeqarsimasutut annertussuseqassapput (akinut aningaasarsianullu iluarsillugit). GEUS-ip DMUllu oqaatigaat ukiumut katillugit 29 mio. kruunit missiliorlugit amerlassuseqartut.*

*Naatsorsuutigineqarportaaq namminersorlutik oqartussat taamatut isumaqatigiissuteqarnerminni aatsitassat nassaarineqarunnartut il.il. nioqqutiginnissaannut pilersaarusiussasut manna tikillugu aningaasartuutaasimasut amerlaqataannik, aammalu namminersorlutik oqartussat piffissami isumaqatigiissuteqarfiusumi siullermi GEUS-imik DMU-millu suleqatiginnissasut, 2000-2004-mi suleqatigiissimanerup annertoqataannik, t.i. piffissami isumaqatigiissuteqarfiusumi tamarmiusumi pilersaarutigisap affangajaatut annertussusilimmik. Naalagaaffik siuliini oqaatigineqartutut annertutigisumik pilersaarusanut taakkununga aningaasaleeqataassaaq.*

*Inatsisissatut siunnersuutip matuma saqqummiunneqarnerata peqatigisaanik Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsisissatut siunnersuut, § 9 naapertorlugu danskit naalakkersuisuisa pisussaaffimmi naammassisinnaanissaannut inatsimmi tunngavissaqalersitsisussaq, saqqummiunneqassaaq.*

*Namminersorlutik oqartussat namminneq aalajangissavaat ukiut isumaqatigiissuteqarfiusut tallimat kingorna ukiunut arlalinnut atuuttussanik nutaanik isumaqatigiissuteqarfigissanerlugit Danmarkimi naalakkersuisut Danmarkimi ilisimatusarfuit ikiortiserineqartarnissaat pillugu, taamatullu inatsisissamut siunnersuummi uani Naalakkersuisut killiliiffigineqaratik taamaattunik allanut isumaqatigiissuteqarnissaminnut.*

*Kalaallit Nunaanni Danmarkimilu ingerlatsiviit pisortatullu oqartussat suliassaat aatsitassanillu maannakkut aaqqissuussinermut atatillugu aningaasartuutaat atuarneqarsinnaapput Namminersorneq pillugu ataatsimiititaliarsuup ataani isumalluutit uumassuseqanngitsut pillugit Suleqatigiissitap nalunaarusiaani bilag 3-mi.”*

*1.3.5. Naalagaaffiup tapiissutai 0 koruuninngorlugit annikillineqassappata isumaqatiginninniarnert*

Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini nalinginnaasuni, naalagaaffiup tapiissutai 0 koruuninngorlugit annikillisinneqassappata, Namminersorlutik Oqartussat aamma danskit naalakkersuisuisa akornanni isumaqatiginninniarnert pillugit

immikkoortoq 5.3.7-imi makkua allassimapput:

*”Naalagaaffiup namminersorlutik oqartussanut ukiumi ataatsimi tapiissutai ikilissappata 0 kruuninngorlutik, tak. § 8, Naalakkersuisut Danmarkimilu naalakkersuisut akornanni isumaqatiginninniutigineqalissapput namminersorlutik oqartussat naalagaaffiullu akornanni aningaasanut tunngasutigut atassuteqarnerit, tak. § 10-mi aalajangersakkat.*

*Isumaqatiginninniarnerni immikkut ilanngunneqassapput makku: Namminersorlutik oqartussanut naalagaaffiup tapiissuteqaqqittalernissaanik apeqqu, Kalaallit Nunaanni aatsitassarsiornermi isertitat avinneqartarnissaanik apeqqu aammalu akiliutit § 9-mi taaneqartut pillugit isumaqatigiissutip nanginneqarnissaanik apeqqu.*

*Isumaqatiginninniarnerni aamma ilanngunneqarsinnaavoq inatsisip tunngaviusup aammalu naalagaaffeqatigiinnerup iluani suliassaqarfinnut tiguneqarsinnaanngitsunut naalagaaffiup aningaasartuutaasa matuneqarnissaanik apeqqu, aammalu suliassaqarfiit allat namminersorlutik oqartussat Danmarkimilu naalakkersuisut peqatigiillutik aaqqiiffigiumasaat.*

*Illuatungeriit arlaannaalluunniit isumaqatiginninniarnerni aalajangersumik angusaqarnissaminnut pisussaatitaanngillat.*

*Naalagaaffiup tapiissutaasa millinerisigut 0 krunningorlutik illuatungeriit naalagaaffiup tapiissutaasa ingerlaqqinnissaanik isumaqatigiissuteqanngippata, naalagaaffik ukiuni tulliuuttuni namminersorlutik oqartussanut tapiissuteqassanngilaq. Danmarkimi naalakkersuisut Naalakkersuisullu tamanna pillugu isumaqatigiissuteqarpata, namminersorlutik oqartussanut naalagaaffiup tapiissuteqartarnera aatsaat ingerlaqqissinnaavoq. Tassunga atatillugu naatsorsuutigineqarpoq namminersorlutik oqartussanut naalagaaffiup tapiissutaasa ingerlaqqissinnaanerannik isumaqatigiissuteqartoqarsinnaassasoq inatsisiliornikkut, inatsisitigut tamatumunnga tunngaviusussakkut.*

*Kalaallit Nunaanni aatsitassarsiornermi isertitat avinneqarnissaanik apeqqummut tunngatillugu isertitat tamakku Namminersorlutik Oqartussat pisassavaat, tak. § 7, isertitat avinneqarnissaanik illuatungeriit isumaqatigiissuteqanngippata. Tamannali atunngilaq selskabini Kalaallit Nunaanni aatsitassarsiornermik ingerlataqartuni il.il. Danmarkimi pisortatut oqartussaasut piginneqataassutaasigut isertitanut, aammalu Danmarkimi akileraarutitigut akitsuutitigullu isertitanut, tak. § 7, imm. 2, nr. 2-4. Pissutsini taamaattuni isertitat Danmarkimi pisortatut oqartussat susassaqtut pisassavaat.*

*Naggasiullugu oqaatigineqassaaq Naalakkersuisut Danmarkimilu naalakkersuisut aatsitassanut tunngatillugu namminersorlutik oqartussat ingerlatsinissaannut atugassatut siunnersuisarnissaq suliassanillu allanik ingerlatsinissaq pillugit*

*isumaqatigiissutaajunnartut, tak. § 9, nanginneqarsinnaanngimmata namminersorlutik oqartussanut naalagaaffiup tapiissutai millissappata 0 kruuninngorlutik, illuatungeriit tamatuminna isumaqatigiissuteqarsimangippata.”*

### *1.3.6. Kalaallit Nunaata nunap iluani aatsitassanut pisinnaatitaaffii*

Kalaallit Nunaanni Namminersorneq pillugu inatsimmut nassuiaatini nalinginnaasuni, nunap iluani aatsitassanut Kalaallit Nunaata pisinnaatitaaffeqarnera pillugu immikkoortoq 6-imi makkua allassimapput:

*”Inatsisissamut siunnersuut malillugu aatsitassanut tunngasut namminersorlutik oqartussanit tiguneqarsinnaapput, tak. bilagimi liste II, nr. 26. Aatsitassanut tunngasunik Kalaallit Nunaanni namminersorlutik oqartussat tigusinerminni inatsisiliorsinnaallutillu aqutsinissaminnut piginnaatitaallissapput.*

*Taamaalillugu Kalaallit Nunaata aatsitassanut tunngasunik tigusinerani Kalaallit Nunaanni namminersorlutik oqartussat namminneerlutik aalajangersinnaalissavaat aatsitassanut tunngasunik ingerlatsinermut killissaatitaasut, aammalu soorlu misissueqqaarnissanut, misissueqqissaarnissanut paaanissanullu akuersissusiorsinnaalissallutik. Aatsitassanut tunngasut tiguneqarpata Kalaallit Nunaat nunatami ataani aatsitassanik piginnittussaalerlunilu iluaqutiginninnialersinnaavoq. Naalagaaffiulli Kalaallit Nunaat naalagaaffittut oqartussaaffiguassavaa.*

*Kalaallit Nunaanni aatsitassanik paaanermi isertitanut tunngatillugu tak. siuliini imm. 5-imi allassimasut.*

*Inatsisissamulli siunnersuummi § 21, imm. 4-mi allassimasut naapertorlugit Kalaallit Nunaata namminiilivinnerata kingunerissavaa Kalaallit Nunaata imminut oqartussaaffigilernissaa. Matuma kinguliini imm.10.2-mi oqaatigineqartutut qullersaalluni oqartussaaffiginninnermiippat Kalaallit Nunaanni killeqarfinnut tamanut tunngasut (nunami, imaani silaannarmilu killeqarfiit).”*

## **2. Siunnersuummi immikkoortut pingaarnertit**

### *2.1. Siunertaq*

Siunnersuummi siunertaavoq aatsitassanik naapertuuttumik sunniuteqarluartumillu misissueqqaarnissamut, aatsitassarsiorluni misissuinissamut aamma aatsitassanik paaanissamut, tamatumunngalu atatillugu ingerlatassanik suliaqarnissamut tapersiinissaq. Tamatuma saniatigut aatsitassarsiorluni ingerlatassanut pingaaruteqartunut tunngasunik naapertuuttumik maleruagassiinissaq anguniarneqarpoq.

Siunertaavoq siunnersuut inatsisitut immersugassatut iluseqassasoq, aatsitassarsiorluni ingerlatassanut ingerlatsivimmi aqutsinissamut tunngaviusunik pingaarnarpaanik

aalajangersaaviulluni, aammalu Naalakkersuisut killissaliussat taakkua iluanni aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaanissamut piginnaatinneqassasut. Naalakkersuisut ilaatigut nalunaarutini, akuersissummut ilusiliani aamma akuersissutinut atugassarititaasuni nalinginnaasuni aalajangersakkanik aammalu akuersissutinut pisinnaatitsissummik pigisaqartumut tunniunneqartunut atugassarititaasunik aalajangersaasinnaapput. Aatsitassanut ikummatissanullu inatsit aatsitassanut suliassaqarfimmi maleruagassiinissamut inatsisitut immersugassatut atuutissaaq.

Siunnersuutip siunertaata atuunnerani, aatsitassanik piiaanermi tamatumunngalu atatillugu ingerlatassanik suliaqarnermi inuiaqatigiit aningaasaqarnikkut pissarsiaqarnissaasa aammalu ingerlatassat taakkua ungasinnerusooq isigalugu inuiaqatigiit pisariaqartitaannut naapertuuttumik ingerlanneqarnissaasa qulakkeernissaanut, ilaatigut siunnersuut iluaqutaassaaq.

Kiisalu ingerlatassat pineqartunut ilaasut isumannaallisaanermut, peqqinnissamut, isumalluutini atorluaanissamut aamma inuiaqatigiinni piujuartussamik iluaqutissiinissamut tunngatillugu isumannaatsumik naapertuuttumillu aammalu pissutsini taamaaqataanni nunani tamalaani suleriaatsinut pitsaasunut akuerisaasunut naapertuuttumik, ingerlanneqarnissaat siunnersuummi qulakkeerneqassaaq.

Siunnersuummi taamaalilluni siunnerfigineqarpoq assersuutigalugu aatsitassarsiorluni misissueqqaarnerni, misissuinerni aamma aatsitassanik piiaanerni tamatumunngalu atasumik ingerlataqarnerni avatangiisit, silap pissusaata pinngortitalu allanngutsaaliornissaasa qulakkeerneqarnissaa.

Isumalluutini isumannaatsumik atorluaaneq ilaatigut paasineqassaaq, isumalluutini pisariaqanngitsumik maangaannartitsinani aammalu qanittumi ungasinnerusumilu inuiaqatigiit soqutigisaat eqqarsaatigalugit, ingerlataqarneq pissasoq. Tassani ilaatigut aatsitassarsiorluni ingerlatassanik suliaqarnermut aatsitassanillu piiaanermut, ingerlatassanik pilersitsinermut aamma misilittakkanik aammalu sulisartut najukkaameersut nioqqutissanillu pilersuisussat piginnaasaqarfiinik inerisaanermut aamma Namminersorlutik Oqartussat sulisartut najukkaameersut aamma nioqqutissanik kiffartuussinernillu pilersuisussat isertitaqartinnissaannut, inuiaqatigiit soqutigisaqarnerat pineqartunut ilaatinneqarput.

Inuiaqatigiinni piujuartussamik sunniuteqartitsinissaaq pillugu piumasaqaatip atuunnerani ilaatigut, ingerlatassanut akuersissuteqartoqarsinnaanersooq akuersissuteqartoqartariaqarnerorlu aalajangiisoqartillugu, atituumik isigalugu aatsitassarsiornermi ingerlatassat inuiaqatigiinni piujuartussamik sunniuteqarnissaa eqqarsaatigineqartartussaavoq. Assersuutigalugu ingerlatassaaq suliffissaqartitsinikkut, inooqatigiinnikkut aaqqissugaanikkullu inuiaqatigiinnut aammalu inuiaqatigiinnut aningaasaqarnermullu tunngasunut, sunniuteqarnissaannik aammalu

sunniuteqarluartitsinissamut aammalu annertuumik sunniuteqarnerlunnissaa pinngitsoortinniarlugu imaluunniit akiorniarlugu iliuusissanik pissutsinillu ingerlanneqarsinnaasunik ingerlanneqartariaqartunillu, nalilersuisoqartariaqarpoq.

Ingerlatassat siunnersuummi pineqartunut ilaasut pilersaarusiorneqarneranni aqunneqarnerannilu, ingerlatassat nunamut namminermi najukkamilu inuiaqatigiinnut kalaallinut sunniutissaannik nalilersuinerit aamma aallaavigineqarnissaasa qulakkeernissaanut, inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq pillugu siunnersuummi maleruagassat qulakkeereqataassapput.

Siunnersuummi aatsitassat aammalu tamatumunnga atatillugu ingerlatassat pillugit aatsitassanut ikummatissanullu inatsimmi aalajangersakkat aammalu suliassaqarfimmi inassuteqaatit annertunerpaatigut aallaavigineqarput, tassani ilaalluni 2020-2024-mut Kalaallit Nunaanni Aatsitassanut periusissiaq Naalakkersuisunit suliarineqartoq akuerineqartorlu.

## *2.2. Akuersissutinut periaaseq, akuersissutit aamma aalajangersakkat atugassarititaasullu ilaalu ilanngullugit*

Ilaatigut Kalaallit Nunaanni Namminersorneq pillugu inatsit aamma namminersornermut inatsimmut nassuiaatit malillugit Namminersorlutik Oqartussat Kalaallit Nunaanni nunap iluaniittut aatsitassat aalajangiiffiginissaannut atorluarnissaannullu piginnittussaataapput.

Namminersorlutik Oqartussat aatsitassanut suliassaqarfik akisussaaffigilerlugu tigummassuk, Namminersorlutik Oqartussat aatsitassanut suliassaqarfimmi ingerlatassanut killissaliussanik nalinginnaasunik aalajangersaasussanngorput aammalu aatsitassanut suliassaqarfiup iluani atugassiisussanngorlutik, tassani ilaatigut ilaallutik nunap iluaneersunik aatsitassanik misissueqqaarnissamut, aatsitassarsiorluni misissuinissamut aatsitassanillu pīaanissamut akuersissutinik tunniussisarneq.

Ingerlatassanut siunnersuummi pineqartunut ilaatinneqartunut maleruagassiinissanut siunnersuutigineqartunut ataatsimut isigalugu tunngaviusoq taamaalilluni tassaavoq, Naalakkersuisut siunnersuut malillugu tamatumunnga akuersissummik imaluunniit akuersissuteqarnermik nalunaaruteqarsimappata, aatsaat aatsitassarsiorluni ingerlatassat ingerlanneqarsinnaasut. Tamanna aatsitassanut ikummatissanullu inatsimmi tunngaviusunik ingerlatitseqqiineruvoq.

Aatsitassanut ikummatissanullu inatsimmut sanilliullugu siunnersuut malillugu akuersissutit ingerlatallu assigiinngitsut aammalu pisinnaatitsissummik pigisaqartup tamatumunnga atatillugu pisinnaatitaaffiisa pisussaaffiisalu akornanni ersarinnerusumik agguluisoqarpoq. Tamanna ataatsimut isigalugu suliassaqarfimmi ersarinnerusumik inatsisitigut inissisimalersitseqataassaaq, tassami siunnersuummi aalajangersakkat paasiuminarnerulertussaammata ulluinnarnilu atoruminarnerulertussaallutik. Tassani

pingaartumik pineqarput inuit ingerlatseqatigiiffiillu, aatsitassanut suliassaqarfimmi maleruagassiinermut aammalu Kalaallit Nunaanni eqqartuussinni periaatsinut ilisimasaqanngitsut imaluunniit annikitsuinnarmik ilisimasaqartut.

Akuersissutit pillugit aalajangersakkat kapitalini tamarmik immikkut aalajangersarneqarput: Kapitel 5-imi misissueqqaarnissamut akuersissutit pillugit, kapitel 6-imi aatsitassarsiorluni misissuinnissamut akuersissutit pillugit, kapitel 7-imi aatsitassanik piiaanissamut akuersissutit pillugit aamma kapitel 9-mi ilisimatuussutsikkut misissuinerit pillugit akuersissutit pillugit.

Kapitali 5-7 aamma 9 pissutsit taakkua pillugit ilaatigut aalajangersakkanik imaqarput, kisianni aalajangersakkat taakkua imarisaat, akuersissutip suunera apeqqutaalluni, assigiinngitsuupput. Kapitalit ilaatigut pissutsit makkua pillugit aalajangersakkanik imaqarput:

- 1) Akuersissummik tunniussisarneq aamma akuersissutip imarisai, ilanngullugit akuersissutip kisermaassisussaataaffeqarani imaluunniit kisermaassisussaataaffeqarluni akuersissutip suussusaa pillugu.
- 2) Akuersissut malillugu pisinnaatitsissummik pigisaqartumut piunasaqaatit.
- 3) Aatsitassanut aamma sumiiffik akuersissuteqarfiusoq akuersissummi ilaatinneqartoq.
- 4) Piffissap akuersissuteqarfiusup sivilissusaa taassumalu sivitsorneqarnissaanut periarfissat.
- 5) Naalackersuisut pisinnaatitsissummik pigisaqartup Naalackersuisunut akiliuteqarnissaa pillugu aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaanissamut periarfissaqarnerat. Tassaasinnaapput akuersissummik qinnuteqaammik tigusinermut suliarinninnermullu aammalu tunniussinermut akiliut, akuersissutip aammalu akuersissut malillugu ingerlatassat attatiinnarnissaannut imaluunniit tamatumunnga atatillugu isertitaqaannarnissamut akiliuteqarneq aammalu akuersissut aamma akuersissut malillugu ingerlatassat pillugit siunnersuut malillugu suliassanik suliarinninnermut aamma oqartussat suliarinninnerannut atatillugu Naalackersuisut aningaasartuutaasa matussusernissaannut aningaasartaasa akilernerat.

Kapitali 5-7 aamma 9 tamatuma saniatigut pisinnaatitsissummik pigisaqartup akuersissut malillugu misissuinerit ingerlatallu taakkualu inernerit pillugit nalunaarusiortarnissaa pillugu aalajangersakkanik ilaatigut imaqarpoq. Tamatumunnga aalajangersakkat malillugit pissutsit taaneqartut pillugit nalunaarusianik aammalu misissuinerup inernerisa aamma paasissutissat nalunaarsukkat taakkunangalu misissugassat assilinerinik aammalu pisinnaatitsissummik pigisaqartup nassuiaanerinik, inerniliussaannik tamatumunngalu inassuteqaataannik pisinnaatitsissummik pigisaqartoq Naalackersuisunut tunniussissaaq. Tamatumunnga aalajangersakkamut siunertaavoq ilaatigut Naalackersuisut Kalaallit Nunaanni nunap iluanut tunngasunik paasissutissanik, nalunaarusianik paasissutissanillu nalunaarsukkanik ilaalu ilanngullugit pissarsinnaanissaasa, aammalu Naalackersuisut taakkua atornissaannut pisinnaatitaasinnaanissaasa aammalu piffissap isertuussiviusup naareernerata kingorna

tamanut ammasumik saqqummiussisinnaatitaasinnaanissaasa qulakkeerneqarnissaa. Takukkit siunnersuummi §§ 32-mut, 39-mut, 55-imut aamma 63-imut nassuiaatit.

Kapitali 10 aalajangersakkanik nalinginnaasunik, aalajangersakkani allatut allassimasoqanngippat, ilisimatuussutsikkut misissuinernut akuersissutit eqqaassanngikkaanni, aallaaviatigut siunnersuut malillugu akuersissutinut tamaginnut atuuttussanik, imaqarpoq.

Kapitali 10-mi aalajangersakkat ilaatigut pissutsinut makkununga tunngassuteqarput:

- 1) Akuersissut malillugu pisinnaatitsissummik pigisaqartumut piumasqaatit annertunerusut.
- 2) Akileraarutit akitsuutillu pillugit nalunaarusiorneq aammalu akiliisarneq.
- 3) Akuersissummik tunniussisarneq aamma akuersissummut eqqartuussivimmi malersuisarneq.
- 4) Pisinnaatitsissummik pigisaqartup ingerlatseqatigiiffimmut allamut kattunera imaluunniit ingerlatseqatigiiffinni arlalinni agguluisarneq.

Aalajangersakkat aatsitassanut ikummatissanullu inatsimmi tamatumunnga aalajangersakkanut taamaaqataannut aammalu Naalakkersuisut tamatumunnga aalajangersakkanik atugassarititaasunillu aalajangersaanermut suleriaaseqarnerannut annertuumik assingupput, erseqqissaasoqarluni itisiliisoqarlunilu ilaalu ilanngullugit.

*2.3. Ingerlatassanut pilersaarutit aamma akuersissut malillugu ingerlatat unitsinneqarnerat* Siunnersuummi kapitali 12, pisinnaatitsissummik pigisaqartup ingerlatassanut pilersaarutai, Naalakkersuisut ingerlatassanut pilersaarutinik aammalu pisinnaatitsissummik pigisaqartup ingerlatanik matusisarneranut aammalu qularnaveeqqusiinermut ilaalu ilanngullugit akuersissuteqarnerat pillugit aalajangersakkanik, imaqarpoq.

Aalajangersakkat aatsitassanut ikummatissanullu inatsimmi pissutsit taakkua pillugit aalajangersakkanut annertuumik assingupput, ataasiakkaatigut erseqqissaasoqarluni itisiliisoqarlunilu. Taamaattoq aamma aalajangersakkat nutaat ilanngunneqarput, ilanngullugu, ilanngullugit pigisanik akuersissut malillugu ingerlatassanik suliaqarnermut atatillugu atorneqarsimasunik saliisarneq igitsisarnerlu pillugit aammalu pigisanik peerneqartunik unitsitsisarneq tuniniaasarnerlu pillugit aalajangersakkat.

Aatsitassanut ikummatissanullu inatsimmi pissutsit taakkua pillugit aalajangersakkanut tunngatillugu, aatsitassarsiorfimmut pilersaarut (siusinnerusukkat taagorneqartoq paaanissamat pilersaarut) aamma matusinissamat pilersaarut pillugit siunnersuummi aalajangersakkat, pilersaarutit taakkua pisinnaatitsissummik pigisaqartup paaanissamat akuersissut malillugu ingerlatassaminik aallartitsisinaanissaanut Naalakkersuisunit akuerineqarsimasussat, imminnut ataqatigiinnerat paasinarsisinniarlugu, kapitalimi ataatsimoortinneqarput. Tamanna suliaasaqarfimmi inatsisitigut inissisimanermik ataatsimut



isigalugu ersarinnerulersitsivoq. Tamatuma saniatigut taamaalilluni siunnersuummi aalajangersakkat paasiuminarnerulerput ulluinnarnilu atoruminarnerulerlutik. Tassani pingaartumik pineqarput inuit ingerlatseqatigiiffiillu aatsitassanut suliassa qarfimmi maleruagassiinermut aammalu Kalaallit Nunaanni eqqartuussivinni periaatsinut ilisimanninngitsut imaluunniit annikitsuinnarmik ilisimasaqartut.

#### *2.4. Oqartussaannermut tunngasut*

Siunnersuut kapitali 4-mi ilaatigut Aatsitassanut Ikummatissanullu Aqutsisoqarfik aamma Aatsitassanut Suliassa qarfinnut Avatangiisinut Aqutsisoqarfik, immikkoortortat aatsitassanut suliassa qarfimmi ulluinnarni allaffissornikkut aqutsinermik ingerlatsisuusut pillugit aalajangersakkanik imaqarpoq.

Aqutsisoqarfiit marluusut apeqqutini annikinnerusuni aalajangiisinnaatitaaffeqarput, kisianni aalajangiinerit annertunerusunut tunngassuteqartut Naalakkersuisunit tamarmiusunit aalajangiiffigineqartarlutik. Aqutsisoqarfinni aalajangiinerit Naalakkersuisunut naammagittaalliuutigineqarsinnaapput.

Allaffissornikkut aqutsineq Naalakkersuisoqarfiit assigiinngitsut marluk ataanni immikkoortortani immikkoortuni marlunni avitaavoq, taamaalilluni oqartussa qakuersissutinut aqutsisunut, avatangiisinut tunngasut pillugit aalajangiisartunut, allaffissornikkut aqutsisuusut assigiinnani. Tamatumani avatangiisinik pinngortitamillu allanngutsaaliuinerup ukkatarineqarnissaa, taamaaliormilulu inuiaqatigiinni ineriartortitsinerup, inuit inuuniarnermini atugarisaat ataqqillugit aammalu uumasut naasullu piujuartinnissaat ataqqillugu, piujuaannartitsisumik ingerlatsinermik tunngavilimmik pinissaa, ilaatigut qulakkeerneqassaaq.

Agguaanermi ataatsimoortumik oqartussat sularinnittarnerat (one door tunngavigalugu) pillugu tunngaviusoq allanngortinneqanngilaq. Aatsitassanut Ikummatissanullu Aqutsisoqarfik pisortat ingerlatsineranni oqartussatut ataqatigiissaarisuuvoq aammalu Aatsitassanut Suliassa qarfinnut Avatangiisinut Aqutsisoqarfimmiit oqaaseqaatinik aalajangiinernillu pisariaqartunik piniartarluni, taamaalillutik siunnersuut malillugu pisinnaatitsissummik pigisaqartut taamaallaat oqartussa qataaseq attaveqatigissallugu.

#### *2.5. Ujarassiornermut ilisimasalik avitseqatigiinneq, paasissutissat aamma Kalaallit Nunaanni aatsitassanut suliassa qarfiup nittarsaanneqarnera*

Naalakkersuisut aatsitassanut ikummatissanullu inatsisip atuutilerneraniilli aatsitassanut suliassa qarfimmi ilisimasaqarnerulersimapput misilittagaqarnerulersimallutillu. Ilaatigut Kalaallit Nunaanni nunanilu tamalaani niuerfimmi pissutsit aamma unammilleqatigiinermut tunngasut aammalu aatsitassanut suliassa qarfiup iluani Kalaallit Nunaanni periarfissa qarfiusut pillugit ilisimasat annertunerulersimapput.

Kalaallit Nunaanni aatsitassarsiormi periarfissaqarfiusut ilisimaneqarnerulersinnissaat aammalu paasissutissanut attuumassuteqartunut, nalunaarusianut paasissutissanullu nalunaarsukkanut ilaalu ilanngullugit Kalaallit Nunaanni nunap iluanut tunngassuteqartunut ilisimasani naapertuuttumik avitseqatigiittarnerup qulakkeernissaa, suli Naalakkersuisut kissaatigaat. Pissutsit taakkua 2020-2024-mut Kalaallit Nunaanni Aatsitassanut periusissiami Naalakkersuisunit suliarineqartumi akuerineqartumilu, pingaaruteqartutut oqaatigineqarput.

Aatsitassanut ikummatissanullu inatsit malillugu Kalaallit Nunaanni nunap ilua pillugu paasissutissat attuumassuteqartut, nalunaarusiat aamma paasissutissat nalunaarsukkat ilaalu ilanngullugit, ilanngullugit nunap sannaanut paasissutissat nalunaarsukkat, paasissutissat aamma paasissutissat nalunaarsukkat taaneqartut ilaalu ilanngullugit isertuussinissami pineqartunut ilaatinneqarsimanngippata, Naalakkersuisut atorsinnaavaat aammalu tamanut saqqummiussinnaallugit.

Siunnersuut malillugu Naalakkersuisut, §§ 32, 39, 55 aamma 63 malillugit Kalaallit Nunaanni nunap ilua pillugu paasissutissat attuumassuteqartut, nalunaarusiat aamma paasissutissat nalunaarsukkat ilaalu ilanngullugit, suli atorsinnaavaat tamanullu saqqummiussinnaallugit.

Siunnersuummi Naalakkersuisut Kalaallit Nunaanni nunap ilua pillugu paasissutissanik attuumassuteqartunik, nalunaarusianik aamma paasissutissanik nalunaarsukkanik ilaalu ilanngullugit pissarsisinnaanerata, aammalu Naalakkersuisut piffissap isertuussiviusussap naareernerata kingorna taakkua atorneqarnissaannut tamanullu saqqummiunnissaannut pisinnaatitaalernissaat, taamaalilluni qulakkeerneqassaaq. Tamanna Naalakkersuisut aatsitassanut suliassaqarfiup iluani suli naapertuuttumillu ilisimasani nutaanik pissarsisarnissaannut, aammalu Naalakkersuisut Kalaallit Nunaanni aatsitassanut periarfissaqarfiusunik aammalu nunap sannaanut Kalaallit Nunaanni nunanilu tamalaani suleqatigisartakkanut nittarsaassisinnaanissaannut ilisimasanillu siammarterisinnaanissaannut iluaqutaassaaq.

#### *2.6. Naalakkersuisut aamma danskit naalakkersuisuisa aatsitassanut suliassaqarfiup iluani suleqatigiinnerat*

Namminersornermut inatsimmi § 9, imm. 4 malillugu danskit naalakkersuisuisa taamatut ilisimatusarnermik Naalakkersuisunut atugassiinissamik pisussaaffii naammassiniarlugit ilisimatusarneq ingerlanneqartillugu aammalu ingerlanneqaannartillugu, De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS) aamma Nationalt Center for Miljø og Energi (DCE) Kalaallit Nunaanni aatsitassarsiormi misissuinermit immikkut attuumassuteqartumik ilisimatusarnermik suliqaarsinnaanissaannut inatsimmi tunngavissamik immikkuullarissumik aatsitassanut ikummatissanullu inatsit imaqarpoq.

Naalakkersuisut aamma GEUS-ip aamma DCE-p akornanni suleqatigiinneq Kalaallit Nunaanni Namminersorneq pillugu inatsimmi maleruagassiivigineqarmat, aammalu

ilisimatusarneq Naalakkersuisut isumaqatigiissuteqarfigalugit ingerlanneqartarmat, suleqatigiinneq siunnersuummi immikkut maleruagassiivigineqanngilaq.

*2.7. Pissutsit ikummatissiassanut suliassa qarfirmut tunngassuteqartut (uuliasiornermut aamma naturgassisiornermut suliassa qarfik) aamma nunap iluata toqqorsivittut atorneqarnera*

Ikummatissiassanut suliassa qarfik aamma nunap iluata toqqorsivittut atorneqarnera, siunnersuummi matumani pineqartunut ilaatinneqanngilaq, aammalu aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaaginnassalluni.

*2.8. Avatangiisinut, pinngortitamut aamma silap pissusaanut tunngassuteqartut*

Avatangiisinut tunngasut, ilanngullugit pinngortitamut aamma silap pissusaanut tunngasut, ingerlatassanut siunnersuummi matumani pineqartunut tunngatillugu pingaaruteqartuupput, ilanngullugu pingaartumik piiaanermi ingerlatassat aamma matusinermi ingerlatassat.

Siunnersuummi aatsitassanut suliassa qarfiup iluani avatangiisinut tunngasut maleruagassiivigineqarput, ilanngullugit avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq, avatangiisinut akisussaaffik aamma avatangiisini ajoqusiinernut taarsiisarneq ilaalu ilanngullugit.

Siunnersuummi avatangiisinut tunngasut pillugit aatsitassanut ikummatissanullu inatsimmi aalajangersakkat annertuumik ingerlateqqinneqarput, taamaattumillu avatangiisinut tunngasut pillugit siunnersuummi aalajangersakkat, ingerlatassanut tamaginnut pissutsinullu siunnersuummi matumani pineqartunut ilaasunut tunngatillugu atuutissallutik. Taamaalilluni siunnersuutit ilaatigut avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq pillugu kapitali 13, avatangiisinut akisussaasuuneq pillugu kapitali 14 aammalu avatangiisinik nalilersuineq (VVM) pillugu kapitali 15 imarai, taamatullu taarsiinissamut akisussaasuuneq sillimmasiisarnerlu pillugit kapitali 22 avatangiisini ajoqusiinernut taarsiisarneq pillugu maleruagassanik imaqarluni.

*2.9. Pissutsit annikitsumik aatsitassarsiorluni ingerlatassanut aamma Kalaallit Nunaanni sanaartugassanut aamma attaveqatigiinnermut suliassanut ilaalu ilanngullugit atugassatut aatsitassanik piiaanermut tunngassuteqartut*

Aatsitassanut suliassa qarfirmi aamma aatsitassanut ikummatissanullu inatsimmi ilaatigut ingerlatassat makkua ilaatinneqarput: Najukkani katersugaasiviit aamma inuit annikitsumik aatsitassarsiorlutik misissuineri aamma tamatumunnga annikitsumik aatsitassarsiorlunissamut akuersissutit malillugu annikitsumik aatsitassarsiorluni aatsitassanik piiaaneq. Aammalu Kalaallit Nunaanni aatsitassat aamma nunap sannaanut tunngasut takutinnissaannut tunngatillugu ujarassiorluni takornariartitsisarnerit. Kommuni suliffeqarfiillu Kalaallit Nunaanni sanaartugassami imaluunniit attaveqatigiinnermi suliassami ujaraqqanik, ujaqqanik assigisaannillu aatsitassanik sanaartornermi atortussatut imaluunniit

sanaartugassanut atortussiassatut pīaanerat. Tamatumunnga akuersissummik peqarani aatsitassanik katersineq pīaanerlu, inunnit Kalaallit Nunaanni aalajangersimasumik najugaqartuni aammalu Kalaallit Nunaannut tamakkiisumik akileraartussaataasunit (inuit najugaqavissut) ingerlanneqartut.

Siunnersuummi matumani annikitsumik aatsitassarsiorluni ingerlatassat aammalu Kalaallit Nunaanni sanaartugassanut aamma attaveqatigiinnermut suliassanut ilaalu ilanngullugit atugassatut aatsitassanik pīaaneq pillugu ingerlatassat pineqartunut ilaatinneqanngillat.

Annikitsumik aatsitassarsiorluni ingerlatassat taamaattut ingerlatassallu allat ilaalu ilanngullugit pillugit Inatsisartut inatsisissaannut (annikitsumik aatsitassarsiorlunissamut inatsit) siunnersuummik suliaraqarnissaq saqqummiussinissarlu Naalakkersuisut pilersaarutigaat. Siunnersuut, siunnersuutip matuma saqqummiunneqareernerata kingorna saqqummiunneqassasoq pilersaarutigineqarpoq.

*2.10. Inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq taakkuninngalu nalilersuisarneq*  
Siunnersuut ilaatigut pingaartumillu §§ 1-imi aamma 103-mi inuiaqatigiinni piujuartussamik sunniuteqartitsisarneq pillugu maleruagassanik imaqarpoq.

Siunnersuummi kapitali 16 inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinermik (VSB) suliqartarneq pillugu maleruagassanik imaqarpoq. Inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq pillugu piumasaqaatit ataatsimut isigalugu atuunneranni, ingerlatassat inuiaqatigiinnut tunngasunut annertuumik sunniuteqarsinnaassasut ilimagineqartariaqarpat, pisinnaatitsissummik pigisaqartoq ingerlatassanik pilersaarutigineqartunik suliqarnermi inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinermik (VSB) suliqartussaavoq aammalu tamatumunnga nassuiaammik suliqartussaalluni (VSB-mut nassuiaat). Pisinnaatitsissummik pigisaqartoq VSB-mut nassuiaammik Naalakkersuisunut tunniussissaaq aammalu nassuiaat Naalakkersuisunit akuersissuteqarfigitissallugu.

Inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq pillugu piumasaqaammi ataatsimut isigalugu, inuiaqatigiinni ineriartorerup piujuartussamik tunngavilimmik pisinnaasunngorlugu, ingerlatassat aqqissuunneqassapput suliarineqassallutillu. Piumasaqaammi aamma inuiaqatigiinnut sunniinerlunnerit akiornissaannut killilersimaarnissaannullu aammalu inuiaqatigiinnut pitsaasunik sunniuteqartitsinissamut iliuusissanik pisariaqartunik iliuuseqarnissaq qulakkeerneqassaaq, ilanngullugu pitsaasumik ineriartortitsinissamut periarfissat paasinarsisinneqarnerat atorluarniarneqarnerallu.

Kapitel 16-imi aalajangersakkanut nassuiaatit innersuussutigineqarput.

*2.11. Sinerissap avataani suliqarfinni peqqissuseq aamma isumannaallisaaneq*

Kalaallit Nunaanni nunami akisussaaffeqarfimmi sullivinni avatangiisit pillugit aalajangiisinnaatitaaffik Namminersorlutik Oqartussat tigusimanngilaat. Nunami akisussaaffeqarfimmi sullivinni avatangiisit pillugit aalajangiisinnaatitaaneq, namminersornermut inatsimmi § 3, imm. 2 naapertorlugu naalagaaffimmi oqartussanut isumaqatiginninniarnikkut, tiguneqarsinnaavoq.

Sullivinni avatangiisit sinerissap avataani suliaqarfimmi aatsitassarsiorluni ingerlatassat pillugit sulinermut tunngassuteqartut Namminersorlutik Oqartussat tigusimavaat. Aatsitassanut ikummatissanullu inatsimmi kapitali 19, §§ 113-114 kisimik tassaniillutik, sinerissap avataani suliaqarfimmi isumannaallisaaneq peqqinnissarlu pillugit aalajangersakkanik imaqarpoq.

Siunnersuummi aalajangersakkat ataatsimut isigalugu aatsitassanut ikummatissanullu inatsimmi § 79-imut assingupput.

#### *2.12. Pissutsit soqutigisallu inuiaqatigiinni pingaaruteqartut*

Siunnersuut malillugu tamanna inuiaqatigiinni pissutsinut imaluunniit soqutigisanut pingaaruteqartunut, ilanngullugit nunanut allamut politikkimut, illersornissamut politikkimut imaluunniit sillimaniarnermut politikkimut tunngasut, ataqatigiissinneqarsinnaanngippat, akuersissut imaluunniit akuersissuteqarneq qinnuteqartumut imaluunniit pisinnaatitsissummik pigisaqartumut tunniunneqarsinnaanngillat.

Inuiaqatigiinni pissutsit imaluunniit soqutigisat pingaaruteqartut, ilanngullugit nunanut allamut politikkimut, illersornissamut politikkimut imaluunniit sillimaniarnermut politikkimut tunngasut, malitsigisaannik siunnersuut malillugu akuersissut imaluunniit akuersissuteqarneq qinnuteqartumut imaluunniit pisinnaatitsissummik pigisaqartumut tunniunneqarsinnaassannginnersoq pillugu Naalakkersuisut aalajangiissapput.

### **3. Pisortanut aningaasaqarnikkut allaffissornikkullu sunniutaasussat**

Aatsitassarsiornermut suliaasaqarfik Kalaallit Nunaanni ataatsimoortumik aningaasaqarnikkut inuussutissarsiornikkullu ingerlatanut siuariartortitsinermullu tapertaasussatut siuariartortitsiviussasoq pillugu Naalakkersuisut politikkeqarnerannut naapertuuppoq. Ingerlatassat taakkua ilai aammalu siuariartortitsineq taanna, Kalaallit Nunaanni aatsitassarsiornermut suliaasaqarfiup iluani sulisartut amerlanerusut suliffissaqartinneqarnerisigut aammalu suliffeqarfimmi ingerlatassanik annertunerusumik suliaqarnikkut, pisinnaassasoq naatsorsuutigineqarpoq. Tamanna ataatsimut isigalugu inuussutissarsiornermi ingerlataqarnerulernermut, inuussutissarsiortut isertitaqarnerulernerannut, pisortat isertitaannut aammalu Kalaallit Nunaanni inuuniarnerup pitsaanerulerneranut iluaqutaassaaq. Tamatuma saniatigut tamanna inuiaqatigiinnut kalaallinut ataatsimut isigalugu iluaqutaassaaq, ilaatigut inuit akileraarutaannik aamma ingerlatseqatigiiffiit akileraarutaannik akiliutit annertunerulernerisigut.

Siunnersuummi taamaalilluni, pisortanut aamma inuiaqatigiinnut kalaallinut aningaasaqarnikkut allaffissornikkullu pitsaasumik sunniuteqartitsinerup tunngavissinneqarnissaa, siunnerfigineqarpoq. Taamaattoq siunnersuut Kalaallit Nunaanni aningaasaqarnermut aamma pisortat aningaasaqarnerannut qanoq sunniuteqassanersoq, aningaasartaasa missiliorniarsarinissaat annertuumik nalorninartortaqrpoq. Tamatumunnga ilaatigut pissutaavoq, aatsitassanut suliassaqrarfiup nunarsuarmi akit nikerarnerannit, taamaalillunilu aatsitassanik ujartuinnermit aammalu niuerfimmi akigititanit annertuumik sunnerneqartarnera. Tamatuma saniatigut tamatumunnga pissutaavoq, pissutsit arlallit assigiinngitsorujussuillu aammalu nikerartut pisortanut aammalu inuiaqatigiinnut kalaallinut pitsaasumik pitsaanngitsumillu sunniutaasussanut pingaaruteqartussaanerat.

Siunnersuut malillugu Naalakkersuisut suliassanik suliarinninnermut allatigullu oqartussat suliarinninnerannut atatillugu aningaasartuutit, ilanngullugit suliatigut piginnaanngorsaaneq aamma sulisut aatsitassanut suliassaqrarfiimmi aqutsinermik suliartut amerlisinnissaat, ataatsimut isigalugu pisinnaatitsissummik pigisaqrartup aningaasartuutinik taamaattunik utertitsilluni akiliutaannit matussuserneqartassapput. Taamaalilluni naatsorsuutigineqarpoq suliassanik suliarinninnermut allatigullu oqartussat suliarinninnerannut, ilanngullugit suliatigut piginnaanngorsaaneq aamma sulisut aatsitassanut suliassaqrarfiimmi aqutsinermik suliartut amerlisinnissaat, atatillugu aningaasassanik amerlanerusunik ataatsimut isigalugu immikkoortitsisoqassanngitsoq.

Taamaattumik siunnersuut pisortanut aningaasaqarnikkut imaluunniit allaffissornikkut annertuumik sunniuteqarnissaa naatsorsuutigineqanngilaq.

#### **4. Inuussutissarsiortunut aningaasaqarnikkut allaffissornikkullu sunniutaasussat**

Kalaallit Nunaanni suliffeqrarfinnut aamma suliffeqrarfinnut nunanit allaneersunut pitsaasumik sunniutaasinnaasunut, suliffeqrarfiit nioqqtissanik kiffartuussinernillu, siunnersuut malillugu akuersissut malillugu ingerlatassanik suliqaarnermut atatillugu atorneqartussanik, qanoq pilersuisinnaatiginersut aammalu pisinnaatitsissummik pigisaqrartumit pilersuisussatut toqqarneqassanersut, apeqqutaasussaavoq.

Tamatuma saniatigut Kalaallit Nunaanni suliffeqrarfinnut aamma suliffeqrarfinnut nunanit allaneersunut pitsaasunik sunniuteqartitsisinnaanissamut, aamma suliffeqrarfiit siunnersuut malillugu akuersissummik tunineqassanersut aammalu pisinnaatitsissummik pigisaqrartutut akuersissut malillugu ingerlatassanik suliqaassanersut tamatumunngalu atatillugu isertitaqassanersut, apeqqutaasussaavoq.

Siunnersuummi Kalaallit Nunaanni suliffeqrarfinnut aamma suliffeqrarfinnut nunanit allaneersunut aningaasaqarnikkut allaffissornikkullu pitsaasunik arlalinnik sunniuteqartitsinissaq siunnerfigineqarpoq.

Taamaattoq siunnersuuttip suliffeqarfinnut pitsaasunik sunniutissaasa naatsorsornissaat imaluunniit aningaasartaasa missiliornissaat ajornarpoq. Tamatumunnga pissutaapput ilaatigut pissutsit matuma siuliani taaneqartut aammalu siunnersuut malillugu aatsitassarsiorluni ingerlatassani ingerlatassat aammalu aatsitassanut assigiinngitsunut akigititat assigiinngitsorujussuarmik annertussuseqarsinnaanerat. Aatsitassarsiornermut suliassa qarfik annertuumik nunarsuarmi akit nikerarnerannit, taamaalillunilu aatsitassanut niuerfimmi akigititanit sunnerneqartarpoq. Tamatuma saniatigut tamatumunnga pissutaavoq, pissutsit arlallit assigiinngitsorujussuillu aammalu nikerartut Kalaallit Nunaanni suliffeqarfinnut aamma suliffeqarfinnut nunanit allaneersunut pitsaasumik pitsaanngitsumillu sunniutaasussanut pingaaruteqartussaanerat.

Akiliutissat akitsuutillu ilaalu ilanngullugit, pisinnaatitsissummik pigisaqartut siunnersuut malillugu Naalakkersuisunut akiligassaannut tunngatillugu, siunnersuummi § 31, imm. 1 aamma 3, § 38, imm. 1 aamma 4, § 51, imm. 1 aamma 5 innersuussutigineqarput.

Siunnersuut ataatsimut isigalugu inuussutissarsiortunut aningaasaqarnikkut imaluunniit allaffissornikkut nammagassat annertunerulernerannik malitseqassanngilaq.

#### **5. Avatangiisinut, pinngortitamut inuillu peqqissusaannut sunniutaasussat**

Siunnersuut avatangiisinut, pinngortitamut inuillu peqqissusaannut annertuunik allanngortitsinermik malitseqassanngilaq.

#### **6. Innuttaasunut sunniutaasussat**

Siunnersuut ataatsimut isigalugu ingerlatseqatigiiffiit aamma ilisimatusarfiit Kalaallit Nunaanni aatsitassarsiorluni ingerlatassaannut sammitinneqarpoq. Taamaattoq siunnersuummi aatsitassanut ikummatissanullu inatsimmut sanilliullugu tamanut ammasumik tusarniaanernut tunngasunik annertusititsivoq, tassami siunnersuut malillugu aatsitassarsiorluni misissuinissamut, aatsitassanik piiaanissamut akuersissutinik tunniussinermut aamma inuiaqatigiinni piujuartussamik iluaqutaasumik sunniutaasussanik nalilersuinernut atatillugu tamanut ammasumik tusarniaasoqartussaavoq, aammalu ingerlatassanut inuiaqatigiinnut tunngasunut annertuunik sunniuteqartussat ilimagineqarsinnaasunut atatillugu inuiaqatigiinni piujuartussamik iluaqutaasumik sunniutaasussanik nalilersuinissap piumasarinissaa periarfissaqarpoq. Taamaalilluni siunnersuummi innuttaasut Kalaallit Nunaanni aatsitassarsiornermi suliffissuaqarnerup ineriartortinnerani annertunerusumik sunniuteqarsinnaatinneqarput.

#### **7. Sunniutaasussat annertuut allat**

Siunnersuuttip allanik annertuunik sunniuteqarnissaa naatsorsuutigineqanngilaq.

#### **8. Oqartussanut kattuffinnullu ilaalu ilanngullugit tusarniaaneq**

Siunnersuut piffissami [xxx] - [xxx] Namminersorlutik Oqartussat tusarniaanermut

nittartagaanni [www.naalackersuisut.gl](http://www.naalackersuisut.gl)-imi tamanut ammasumik saqqumitinneqarpoq.

Siunnersuut piffissami tassani oqartussani, kattuffinni ilaalu ilanngullugit makkunani tusarniaassutigineqarpoq:

[xxx]

Aatsitassanut Naalackersuisoqarfiup oqartussanit, kattuffinnit ilaalu ilanngullugit, tusarniaanermut akissuteqaat tiguaa:

[xxx]

Tusarniaanermut akissuteqaatit avammut tusarniaanerup nalaani tiguneqartut tulliuuttuni sammineqassapput. Oqaatigineqassaaq tusarniaanermut akissuteqaatit uingasumik allanneqarmata, aammalu tusarniaanermut akissuteqaatit pingaaruteqarnerannik nalilersuineq tunngavigalugu pingaarnersiorlugit issuarneqarlutik.

[xxx]

### **Siunnersuummi aalajangersakkanut ataasiakkaanut nassuiaatit**

#### *§ 1-imut*

Aalajangersagaq siunertanut paragraffiuvoq, taamaalillunilu atugassarititaasunik aalajangersaanissamut imaluunniit aalajangiinissamut kisimi inatsimmi tunngaviusinnaanani. Naalackersuisut siunnersuut malillugu oqartussat suliarinninnermut atatillugu inatsisit malillugu mianerisassat suut eqqarsaatigisinnaanerat, aalajangersakkami taamaallaat allassimavoq.

Imm. 1-imut

Aalajangersakkami siunnersuutigineqartumi siunnersuummi siunertaq pingaarneq allassimavoq. Siunnersuummi § 1, imm. 1 malillugu ilaatigut Kalaallit Nunaanni, aatsitassarsiorluni ingerlatassanik naapertuuttumik maleruagassiinissaq qulakkeerneqassaaq. Taamaalilluni siunertaavoq siunnersuut inatsisit immersugassatut, aatsitassarsiorluni ingerlatassanik allanillu aatsitassarsiorluni ingerlatassanut atatillugu ingerlatassanik maleruagassiinermut aamma oqartussat suliarinninnerannut tunngaviusunik pingaarnarpaanik aalajangersaaviusussatut atuutissasoq, aammalu Naalackersuisut killissaliussat taakkua iluanni aalajangiinissamut aamma aalajangersakkanik pisariaqartunik aalajangersaanissamut piginnaatinneqassasut.

Naalackersuisut ilaatigut aatsitassarsiornissamut akuersissutit, aatsitassarsiorluni ingerlatassat aamma pissutsit tamatumunnga atasut pillugit aalajangersakkanik erseqqinnerusunik nalunaarummi aalajangersaassapput. Naalackersuisut aamma tamatumunnga



atugassarititaasunik, akuersissutitut akuersissuteqarnernullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaasinnaapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

Siunnersuummi aalajangersakkani mianerisassat pissutsillu suut atugassarititaasuni nalinginnaasuni aammalu akuersissutitut ilusiliani aatsitassanut suliaasaqarfimmi suliarineqartussani, aammalu aalajangiinerni aatsitassanut suliaasaqarfimmi Naalakkersuisunit aalajangiunneqartussani ilanngunneqarnissaannut killissaliussat pingaarnertit ilaatigut aalajangersarneqarput. Siunnersuummi ataatsimut isigalugu aatsitassanut suliaasaqarfimmi ineriartortuatumik nassuiaasinnaanissaq qulakkeerneqarpoq, taamaalilluni aatsitassanut suliaasaqarfimmi ilisimasat nutaat aamma teknologii, siunnersuut allanngortinneqartariaqarani, ingerlaannaq atorneqarsinnaalertassalluni.

Naapertuuttumik misissueqqaarnermi, aatsitassarsiorluni misissuinermi aammalu aatsitassanik piiiaanermi ataatsimut isigalugu ingerlatassat naapertuuttumik, ilanngullugu imm. 2-mi mianerisassanut naapertuuttumik, aaqqissuunneqarnissaat suliarineqarnissaallu anguniarneqartassaaq. Naapertuuttumik piiaanissap ilaatigut kingunerisaanik, siunnersuut aatsitassarsiorluni ingerlatassanik suliaqarnermi, ilanngullugu pingaartumik aatsitassanik piiaanermi, aningaasaqarnikkut pissarsiassanit inuiaqatigiit naapertuuttumik pissarsitinnissaannut aammalu ingerlatassat taakkua inuiaqatigiit qanittumi ungasissumilu pisariaqartitaannut naapertuuttumik suliarineqarnissaannik, qulakkeereqataassaaq.

Sunniuteqarluartumik misissueqqaarnermi, aatsitassarsiorluni misissuinermi aammalu aatsitassanik piiiaanermi ataatsimut isigalugu ingerlatassat sunniuteqarluartumik suliarineqarnissaat anguniarneqartassaaq, ilanngullugu mianerisassanut imm. 2-mi allasimasunut naapertuuttumik. Sunniuteqarluartumik misissueqqaarnerup, aatsitassarsiorluni misissuinerup aammalu aatsitassanik piiaanerup malitsigisaanik ilaatigut pisinnaatitsissummik pigisaqartup akuersissummik tunniussinerup kingorna ajornarunnaarpat piffissap naleqquttup iluani piffissami akuersissuteqarfiusumi ingerlatassanik akuersissuummi pineqartunut ilaasunik suliaqarnermik aallartitsinissaanut, aammalu pisinnaatitsissummik pigisaqartup ingerlatassanut pilersaarutitut, aatsitassarsiorfimmu pilersaarutitut matusinissamullu pilersaarutitut naapertuuttumik pisariaqanngitsumik imaluunniit sivisuumik unikkallartinnagit imaluunniit kipitinnagit suliaqarnissaanik, siunnersuut qulakkeereqataassaaq.

Taamaalilluni ilaatigut aalajangersakkami erseqqissarneqarpoq, naapertuuttumik sunniuteqarluartumillu misissueqqaarnermik, aatsitassarsiorluni misissuinermik aammalu aatsitassanik piiaanermit ingerlatassanillu tamatumunnga atasunik suliaqarnissaq, siunnersuummi anguniarneqartoq. Tamanna ilaatigut aatsitassarsiorluni misissuinissamut akuersissut imaluunniit piiaanissamut akuersissut malillugu sumiiffimmi akuersissuteqarfiusumi tunngavissaqanngitsumik pisariaqanngitsumillu ”nunaminertamik

inniminniinissap” pinngitsoortinnissaanut iluaqutaassaaq.

Misissueqqaarnermut, aatsitassarsiorluni misissuinermit aammalu aatsitassanik piiaanermit atatillugu ingerlatassanik suliaqarneq ataatsimut isigalugu paasineqassaaq tassaasut ingerlatassat allat tamarmik, ingerlatassamut pineqartumut attuumassuteqartut, ilanngullugit misissueqqaarneq, aatsitassarsiorluni misissuineq aammalu aatsitassanik piianeq pillugit ingerlatassat saniatigut ingerlatassat imaluunniit ingiaqatigitillugit ingerlatassat. Ingerlatassanik taamaattumik allanik suliaqarnissamut, pisut ilaanni tamatumunnga akuersissuteqarnerup siunnersuut malillugu Naalakkersuisunit nalunaarutigineqarsimanissaa pisariaqartussaavoq.

Imm. 2-mut

Aalajangersagaq siunnersuutigineqartoq malillugu, ingerlatassat siunnersuummi pineqartunut ilaasut isumannaallisaanermit, peqqinnissamut, isumalluutininik atorluaanissamut aammalu inuiaqatigiinni piujuartussamik sunniteqartitsinissamut tunngatillugu naapertuuttumik isumannaatsumillu suliarineqartarnissaat, ilaatigut siunnersuummi anguniarneqarpoq.

Siunnersuummi ilaatigut illunik, suliaqarfissanik, atortulersuutininik ikkussukkanik attaveqatigiinnernillu ilaalu ilanngullugit pilersitsinermi ingerlatsinermilu sumiiffiini isumannaallisaaneq pineqartunut ilaapput.

Siunnersuummi peqqissutsimut oqaaseq atorneqartoq atituumik nassuiarneqassaaq, aamma sulianut ataasiakkaanut atatillugu sullivinni avatangiisinut tunngatillugu peqqinnissamut, aamma nalinginnaasumik Kalaallit Nunaanni innuttaasut peqqissussaanut (inuit peqqissusaat) tunngassuteqarluni.

Avatangiisini ilaatinneqarput avatangiisini mianerisassat nalinginnaasut, ingerlatassanik siunnersuummi pineqartunut ilaasunik suliaqarnermi inunnut, uumasunut, naasunut pinngortitamullu pingaaruteqartut. Siunnersuummi kapitali 13 avatangiisinik allanngutsaaliuineq, silap pissusaanik allanngutsaaliuineq aamma pinngortitamik allanngutsaaliuineq pillugu maleruagassanik imaqarpoq, aammalu siunnersuummi kapitali 14 aamma 22 avatangiisinut akisussaaffeqarneq aammalu avatangiisini ajoqusiinernut taarsiisarneq pillugit maleruagassanik imaqarluni. Siunnersuummi kapitali 15-imi aammattaaq atuuppoq, ingerlatassat aalajangersimasut avatangiisinut sunniutaasussanik nalilersuinissaaq (VVM), tamatumunngalu nassuiaatip (VVM-imut nassuiaat) akuersissuteqarfigneqarsimanissaa piumasaqaataasoq.

Isumalluutininik isumannaatsumik atuneq ilaatigut paasineqassaaq, pisariaqanngitsumik isumalluutininik maangaannartitsinani aammalu qanittumi ungasissumilu inuiaqatigiit soqutigisaat mianeralugit, aatsitassarsiorluni ingerlatassat ingerlanneqassasut. Taakkunani

ilaatinneqarput ilaatigut aatsitassarsiorluni ingerlatassanik suliaqarnermi aatsitassanillu piiaanermi, ingerlatassanik pilersitsinissamut, aammalu sulisussat aammalu nioqputissanik kiffartuussinernillu pilersuisussat najukkameersut misilittagaqalernissaannut piginnaasaqalernissaannullu aammalu Namminersorlutik Oqartussat aammalu sulisartut aamma nioqputissanik kiffartuussinernillu pilersuisut najukkameersut isertitaqartilernissaannut inuiaqatigiit soqutigisaqarnerat.

Siunnersuummi inuiaqatigiinni piujuartussamik sunniuteqartitsisarneq pillugu maleruagassat, ingerlatassanik siunnersuummi matumani pineqartunut ilaasunik pilersaarusernerup aqutsinerullu aamma ingerlatassat nunami namminermi najukkamilu inuiaqatigiinnut kalaallinut sunniutigisinnaasaannik nalilersuineq aallaavigalugu aamma pisarnissaanut qulakkeereqataassapput. Aalajangersakkat siunnersuutigineqartut atuunneranni taamaalilluni ingerlatassat siunnersuummi pineqartunut ilaatinneqartut tamarmik tamakkiisumik isiginnilluni pilersaaruserneqarnissaat aquneqarnissaallu piumasaqaataavoq. Inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinermi ilaatigut innuttaasut inooqatigiinnermut, kulturimut, upperisarsiornermut anersaakkullu naleqartitaat ileqquilu mianerineqassapput. Siunnersuummi kapitali 16 inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq pillugu maleruagassanik aammalu inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinermik (VSB) suliaqarnissaq pillugu maleruagassanik imaqarpoq.

#### *§ 2-mut*

Siunnersuutip inuiaat pisinnaatitaaffiitut naapertuuttumik nunap sumiiffiini atuuffiit aalajangersakkami aalajangersarneqarput, ilanngullugit Naalagaaffiit Peqatigiit (FN-ip) imaanut maleruagassiisarneq pillugu nunani tamalaani isumaqatigiissutaat 10. December 1982-imeersoq.

Kalaallit Nunaanni imartaq oqartussaaffigineqartoq killeqarfimmiit 3 sømilinut (5.556 meter) isorartussuseqarpoq.

Nunavittap sumiiffiani ilaatinneqarput immap naqqa sumiiffimmilu nunap oqartussaaffiup pissusissamisoorlumik nanginnerani tamarmi imartap akisussaaffeqarfiusup killeqarfianit silarlermiit nunavittap sumiiffiata killiganut silarlermut isorartussuseqartumi immap naqqata ilua. Imaanut maleruagassiisarneq pillugu nunani tamalaani isumaqatigiissummi artikel 76 malillugu tamanna pisussaavoq.

Nunavittap sumiiffia tamatigut killeqarfimmiit 200 sømilinik isorartussusilimmut killeqartinneqarsinnaavoq, tassangaaniit imartap akisussaaffeqarfiup silissusaa uuttorneqarsinnaalluni. Nunavittap sumiiffiata killinga silarleq killeqarfinnut taakkununga qaninnerutillugu, aamma tamanna atuutissaaq. Naalagaaffiup sineriaqartup nunavittaata sumiiffia naalagaaffiit allat sumiiffianut killitsillugu, nunavittap sumiiffianut nunani

tamalaani isumaqatigiissut malillugu killilersuineq naalagaaffiit sanileriit akornanni isumaqatigiissuteqarnikkut aalajangersarneqassaaq. Takuuk imaanut maleruagassiisarneq pillugu nunani tamalaani isumaqatigiissut artikel 76.

Kalaallit Nunaanni nunavittap sumiiffia naalagaaffinnut saniliusunut tamakkiisumik killissalersugaanngilaq. Naalagaaffiup sineriaqartup nunavittap sumiiffianut pisinnaatitaaffeqarneranut pisortatigoortumik tiguaasimanissaq imaluunniit nalunaarummik uppersaateqarnissaq piumasaqaataanngilaq. Imaanup maleruagassiisarneq pillugu nunani tamalaani isumaqatigiissut artikel 77 a malillugu nunavittap sumiiffianut pisinnaatitaaffiit taamatut imminermi aammalu nunavittap sumiiffiata killissalersorneqarsimanera apequtaatinnagu atuupput.

### *§ 3-mut*

Imm. 1-imut

Siunnersuut ingerlatassanut sunut atuutissanersoq imm. 1, nr. 1-4-mi aalajangersakkami aalajangersarneqarpoq.

Aalajangersagaq malillugu siunnersuut aatsitassanut misissueqqaarnermut, misissuinermut, piiaanermut aamma ilisimatuussutsikkut misissuineranut aammalu tamatumunnga atatillugu ingerlatassanut tamatumunngalu pingaaruteqartunut atuutissaaq. Takukkit ilaatigut siunnersuummi § 22, imm. 2, nr. 1-4, aamma § 12 taakkunungalu nassuiaatit.

Imm. 2-mut

Siunnersuut ingerlatassanut sunut atuunnersoq imm. 2, nr. 1-3-mi aalajangersakkami aalajangersarneqarpoq. Ingerlatassat imm. 2, nr. 1-3-mi taaneqartut, siunnersuutip atuuffissaasa avataaniipput, tassami ingerlatassat aatsitassanut ikummatissanullu inatsimmi suli maleruagassiivigineqarmata, taamaalillutillu siunnersuummi pineqartunut ilaanatik.

Aatsitassarsiornermut suliassa qarfimmi ingerlatassat tamarmik tamatumunngalu atatillugu ingerlatassat siunnersuummi matumani imaluunniit aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaanissaannut, aammalu ingerlatassat taakkua arlaalluunniit siunnersuummi matumani aamma aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaatinneqannginnissaannut, aalajangersagaq qulakkeereqataassaaq.

### *§ 4-mut*

Sanaartukkanut aaqqissuussinernullu ilaalu ilanngullugit nunami akisussaaffiusumiittunut, imartami akisussaaffeqarfiusumiittunut, nunavittap sumiiffiani sumiiffinniittunut imaluunniit

Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaaniittunut, aammalu ingerlatassanut siunnersuummi pineqartunut ilaasunut atatillugu atorneqartunut siunnersuut atuutissasoq, aalajangersakkami aalajangersarneqarpoq.

Aalajangersagaq siunnersuummi §§ 5-imi aamma 6-imi aalajangersakkanut matuma kingulianiittunut ataqatigiissillugu isigineqassaaq.

#### *§ 5-imut*

Aalajangersagaq siunnersuutip sinerissap avataani suliaqarfinnut atuunneranut tungassuteqarpoq, takuuk § 18, ilanngullugit sinerissap avataani suliaqarfiit aalaakkaasut aamma nuunneqarsinnaasut, aammalu sinerissap avataani umiarsuit atorneqartut, takuuk § 19.

Aalajangersakkami ilaatigut aalajangersarneqarpoq, siunnersuut sinerissap avataani suliaqarfinnut imartami akisussaaffeqarfiusumiittunut, nunavittap sumiiffiani sumiiffinniittunut imaluunniit Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaaniittunut, aammalu ingerlatassanik siunnersuummi pineqartunut ilaasunik suliaqarnermut atatillugu atorneqartunut, atuutissasoq. Takuuk sinerissap avataani suliaqarfiit pillugit siunnersuummi § 18 tassungalu nassuiaatit.

Aamma allassimavoq, sinerissap avataani umiarsuarnut imartami akisussaaffeqarfiusumiittunut, nunavittap sumiiffiani sumiiffinniittunut imaluunniit Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaaniittunut, aammalu ingerlatassanik siunnersuummi pineqartunut ilaasunik suliaqarnermut atatillugu atorneqartunut, siunnersuut atuuttoq. Takuuk sinerissap avataani umiarsuit pillugit siunnersuummi § 19 tassungalu nassuiaatit.

Inuiaat pisinnaatitaaffii malillugit Namminersorlutik Oqartussat nunap imartaani, nunavittap sumiiffiani aammalu Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaani pinggortitami pisuussutinik misissuinissamut paaanissamullu kisermaassisussaatitaapput. Taamaattumik tassunga atatillugu sinerissap avataani suliaqarfik Kalaallit Nunaanni, Danmarkimi, Savalimmiuni imaluunniit nunami allami nalunaarsorsimasuunersoq, imaluunniit kalaallinit pigineqartuunersoq imaluunniit nunanit allamiunit pigineqartuunersoq, pingaaruteqanngilaq. Maannakkut aamma siunnersuummi § 6, imm. 3-mi tamanna erseqqissumik allassimalerpoq. Takuuk aalajangersagaq taaneqartoq tassungalu nassuiaatit.

#### *§ 6-imut*

Imm. 1-imut

Aalajangersagaq sinerissap avataani suliaqarfinni isumannaallisaaanermut killeqarfinnut

tunngassuteqarpoq, takuuk § 18.

Sinerissap avataani suliaqarnej isumannaallisaanermut killeqarfinit avalisimaneqarpoq. Isumannaallisaanermut killeqarfiit siunnersuummi §§ 115-117-imi erseqqinnerusumik maleruagassiivigineqarput. Takukkit aalajangersakkat taakkua taanneqartut tassungalu nassuiaatit. Takuuk aamma siunnersuutip isumannaallisaanermut killeqarfinit atuuffii pillugit imm. 2 aamma 3, tassungalu nassuiaatit.

Imm. 2-mut

Siunnersuut angallatinut, suliaqarfinit, aaqqissuussinernut, atortunut pigisanullu ilaalu ilanngullugit tamaginnut, sinerissap avataani suliaqarfiup eqqaani isumannaallisaanermut killeqarfinitittunut, atuuttoq aalajangersakkami aalajangersarneqarpoq. Isumannaallisaanermut killeqarfiit siunnersuummi §§ 115-117-imi erseqqinnerusumik maleruagassiivigineqarput. Takukkit aalajangersakkat taakkua taanneqartut tassungalu nassuiaatit.

Kalaallit Nunaanni imarsiornermut tunngasunut nalinginnaasunut tunngatillugu naalagaaffik aalajangiisinnaatitaavoq. Siunnersuut imarsiornermut inatsisini Kalaallit Nunaannut atuuttuni allanngortitsinernik malitseqassanngilaq. Naalagaaffiup aalajangiisinnaatitaaffiini ilaatigut ilaatinneqarput umiarsuarnut inunnik, atortunik aammalu aatsitassanik piarneqarsimasunik ilaalu ilanngullugit nalinginnaasumik imarsiorluni assartuineramik suliaqartunut piumasaqaatit. Umiarsuarnut piumasaqaatini assersuutigalugu ilaatinneqarsinnaapput sananeqarnera, pitsaassusissaa aammalu sikusiutaasinnaanera ilaalu ilanngullugit aammalu umiarsuarni aamma suliaqarfinni nuunneqarsinnaasuni sullivimmi avatangiisit pillugit maleruagassat.

Namminersorlutik Oqartussat imaani avatangiisinut tunngasut aatsitassarsiornermut attuumassuteqartut pillugit aalajangiisinnaatitaapput. Naalakkersuisut assersuutigalugu umiarsuarnut akuersissut malillugu ingerlatassanik suliaqarnermi atorneqartunut piumasaqaatit pillugit pisinnaatitsissummik pigisaqartumut piiaanissamut akuersissummi atugassarititaasunik aalajangersaasinnaapput.

Imm. 3-mut

Suliaqarfiit, umiarsuit angallatillu ilaalu ilanngullugit imm. 2-mi allassimasut Kalaallit Nunaanneersuunersut, Danmarkimeersuunersut, Savalimmiuneersuunersut imaluunniit nunanit allaneersuunersut apeqqutaatinnagu siunnersuut atuuttoq, aalajangersakkami erseqqissarneqarpoq.

Inuiaat pisinnaatitaaffii malillugit Namminersorlutik Oqartussat nunap imartaani, nunavittap sumiiffiani aammalu Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaani

pinngortitami pisuussutiniq misissuinissamut pianaissamullu kisermaassisussaataapput. Taamaattumik tassunga atatillugu sinerissap avataani suliaqarfik imaluunniit umiarsuaq ilaalu ilanngullugit Kalaallit Nunaanni, Danmarkimi, Savalimmiuni imaluunniit nunami allami nalunaarsorsimasuunersaq pingaaruteqanngilaq. Aamma suliaqarfik imaluunniit umiarsuaq kalaallinit pigineqarnerisq imaluunniit nunanit allamiunit pigineqarnerisq pingaaruteqanngilaq.

#### *§ 7-imut*

##### *Imm. 1-imut*

Siunnersuut § 6-imut tunngatillugu aamma angallatinut allanut, ingerlatassanik siunnersuut malillugu akuersissummi pineqartunut ilaasunik suliaqarnermut atorneqartunut atuuttoq, aalajangersakkami allassimavoq.

##### *Imm. 2-mut*

Umiarsuit, imarsiornermi angallatit, suliaqarfiit aamma silaannakkut angallatit ilaalu ilanngullugit imm. 1-imi taaneqartut Kalaallit Nunaanneersuunersut, Danmarkimeersuunersut, Savalimmiuneersuunersut imaluunniit nunanit allaneersuunersut apeqquaatinnagu siunnersuut atuuttoq, aalajangersakkami allassimavoq.

Inuiaat pisinnaatitaaffii malillugit Namminersorlutik Oqartussat nunap imartaani, nunavittap sumiiffiani aammalu Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaani pinngortitami pisuussutiniq misissuinissamut pianaissamullu kisermaassisussaataapput. Taamaattumik tassunga atatillugu sinerissap avataani suliaqarfik imaluunniit umiarsuaq ilaalu ilanngullugit Kalaallit Nunaanni, Danmarkimi, Savalimmiuni imaluunniit nunami allami nalunaarsorsimasuunersaq pingaaruteqanngilaq. Aamma suliaqarfik imaluunniit umiarsuaq kalaallinit pigineqarnerisq imaluunniit nunanit allamiunit pigineqarnerisq pingaaruteqanngilaq.

#### *§ 8-mut*

##### *Imm. 1-imut*

Nunap imartaani, nunavittap sumiiffiani aammalu Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaani aammalu taakkua silaannartaanni ingerlatassat siunnersuummi pineqartunut ilaasut suunersut, aalajangersakkami allassimavoq.

Aalajangersagaq imm. 2-4-mut naapertuuttumik nassuiarneqassaaq atuutsinneqassallunilu.

Aalajangersagaq aammattaaq imaani avatangiisit illersorneqarnissaat pillugu Inatsisartut inatsisaat nr. 15, 8. Juni 2017-imeersumi (imaani avatangiisinut inatsit) imaani avatangiisinut tunngasut aammalu imaani avatangiisinut tunngasut aatsitassanut attuumassuteqartut akornanni erseqqinnerusumik killissaliisarneq pillugu § 6-imut tassungalu nassuiaatinut naapertuuttumik nassuiarneqassaaq. Ingerlatassat imaani avatangiisinut inatsimmi, takuuk tassani § 6, pineqartunut ilaasut naliliisoqarpat, taamaalilluni ingerlatassat siunnersuummi matumani pienqartunut ilaatinneqanngillat.

#### Imm. 2-mut

Ingerlatassat pisinnaatitsissummik pigisaqartumit imaluunniit pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaannit suliarineqanngitsut, ingerlatassat akuersissummi pineqartunut ilaanersut imaluunniit toqqaannartumik atassuteqarsinnaanersut apeqqutaatinnagu, aalajangersagaq malillugu imm. 1-imi aalajangersakkamut tunngatillugu pisinnaatitsissummik pigisaqartumut akuersissummi pineqartunut ilaanngillat. Assersuutigalugu oqartussat nakkutilliisussaataaernerimik ingerlanneranut atatillugu imm. 1, nr. 2-mi allassimasutut imaatigut ingerlaarneq akuersissummi pineqartunut ilaatinneqassanngilaq, tassami ingerlataq akuersissummut pineqartumut toqqaannartumik attuumassuteqaraluortoq, aammalu nakkutilliineq pillugu atugassarititaasut akuersissummi aalajangersagaagaluartut, ingerlataq pisinnaatitsissummik pigisaqartumit imaluunniit pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaannit suliarineqanngimmat.

#### Imm. 3-mut

Aalajangersagaq malillugu siunnersuut pisinnaatitsissummik pigisaqartumut, taassuma suliai siunnersuummi akuersissutinilu il. II. Atugassarititaasut naapertorlugit maleruagassiivigineqarsimappata, taamaallaat atuutissaaq.

#### Imm. 4-mut

Aalajangersakkami allassimavoq siunnersuutip ingerlatassanut suleqatigisanullu imm. 1-3-mi taaneqartunut imm. 1-3-mi taaneqartutut atuunnerani, kalaallit aamma danskit inatsisaasa aamma ingerlatassanut suleqatigisanullu imm. 1-3-mi taaneqartunut atuuttut, malinnissaannut suleqatigisat pisussaaffeerutsinneqanngitsut. Tassa imaappoq, pissutsit imaluunniit ingerlatassaq siunnersuummi inatsisinilu allani pineqartunut ilaasimappat, ingerlatassanik suliarinnittup siunnersuummi aammalu inatsisini allani aalajangersakkat atuuttut isiginiassavai.

Aammattaaq aalajangerneqarpoq, naapertuutinnngitsoqartillugu, siunnersuummi aalajangersakkat aammalu aalajangersakkat atugassarititaasullu siunnersuut malillugu aalajangersarneqartut, aallaaviatigut inatsisinit allanit salliusussaasut. Siunnersuummi



aalajangersakkat imaluunniit aalajangersakkat atugassarititaasullu siunnersuut malillugu aalajangersarneqartut, inatsisit allat malillugit atuuttunut sanilliullugu, siunnersuut malillugu ingerlatassanik suliarinnittumut sukannernerusunik imaluunniit tapiliussanik piunasaqaateqartillugit, tamanna nalinginnaasumik pisarpoq. Assersuutigalugu ingerlatassat nunani tamalaani suleriaatsinut pitsaasunut naapertuuttumik ingerlanneqarnissaasa qulakkeernissaa siunertaralugu.

### *§ 9-mut*

Aalajangersakkami siunnersuutigineqartumi avatangiisinik allanngutsaaliuineq pillugu siunnersuummi maleruagassat atuuffissai allassimapput. Avatangiisinik allanngutsaaliuineq pillugu maleruagassat atuuffissaat atituujussasoq siunnersuutigineqarpoq, taamaalilluni aamma silap pissusaanut tunngasut aammalu pinngortitamik allanngutsaaliuineq pineqartunut ilaatinneqarlutik.

#### Imm. 1-imut

Imm. 1-imi aalajangersakkami siunnersuutigineqartumi allassimasutut, avatangiisinik allanngutsaaliuineq pillugu siunnersuummi maleruagassani aamma, kisianni taakkuinnaanngitsunut, silap pissusaanut tunngasut (silap pissusaanik allanngutsaaliuineq) aamma pinngortitamik allanngutsaaliuinissaq (pinngortitamik allanngutsaaliuineq) siunnerfigineqarput. Taamaattoq tamanna siunnersuummi taamaallaat aallaaviuvoq, tassami aalajangersakkami aalajangersarneqarpoq allatut aalajangersakkani ataasiakkaani allassimasoqarsinnaasoq.

Silap pissusaanut tunngassuteqartunut tunngatillugu oqaatigineqassaaq, oqaatsimi sumiiffimmiinnaq silap pissusaanut tunngassuteqartut annikitsuaqqat, ingerlatassap CO2-mut ilapittuina kiisalu siunissami silap pissusaata allanngornerani sunniutaasussat, soorlu assersuutigalugu erngup portuneruleriartornera, pineqartunut ilaatinneqarmata.

Siunnersuut manna malillugu siunnersuummi matumani kapitalini allani, aamma avatangiisinut tunngasunut siunnerfeqartuni qalleraattoqarsinnaavoq. Qalleraattoqarnerani imaluunniit assigiittoqarnerani maleruagassaq qaffasinnerpaamik avatangiisinut malitassiinermik malitseqartoq, tamanna paasillugu avatangiisinik allanngutsaaliuinnermut qaffasinnerpaamik annertussuseqartoq, salliutinneqassaaq.

Kapitalimi matumani maleruagassat atornerarneranni ilaatigut VVM-imut malittarisassat (Guidelines for Environmental Impact Assessment (EIA) in the Arctic) programmip Arctic Environmental Protection Strategy ataani Arctic Council-imit suliarineqartut pingaartinneqassapput.

## Imm. 2-mut

Aalajangersagaq siunnersuutigineqartoq malillugu silap pissusaanik allanngutsaaliuineq aamma pinngortitamik allanngutsaaliuineq taamaqataanik taarsiinissamut akisussaasuuneq, mingutsitsinermut allatut akisussaasuuneq, avatangiisinut allatut sunniineq (avatangiisinut akisussaasuuneq) aamma avatangiisini ajoqusiinernut taarsiisarneq pillugit siunnersuummi maleruagassani pineqartunut ilaatinneqarpoq.

### § 10-mut

## Imm. 1-imut

Siunnersuut malillugu aatsitassat qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Aatsitassarsiornermut suliassaqarfimmi immikkut maleruagassiinissamik kissaateqarneq eqqarsaatigalugu aalajangersagaq isigineqassaaq. Takukkit nassuiaatini nalinginnaasuni immikkoortoq 1.1 aamma 2.7.

## Imm. 2-mut

Imm. 1-imi aalajangersakkami aatsitassat nassuiarneqarput tassaasut, aatsitassat allat ikummatissiassanit allaanerusut tamarmik. Taamaattumik siunnersuut malillugu ikummatissiassat qanoq paasineqassanersoq erseqqinnerusumik nassuiaanissaq pisariaqarpoq.

### § 11-mut

Siunnersuut malillugu aatsitassarsiorluni ingerlatassat qanoq paasineqarnersoq, aalajangersakkami allassimavoq. Aatsitassarsiorluni ingerlatassat, ingerlatassanut tamaginnut siunnersuummi pineqartunut ilaatinneqartunut, ataatsimut isigalugu ataatsimoortumik taaguutaavoq. Taamatut isumaqarnera ataatsimut isigalugu siunnersuummi atorneqarpoq.

Aatsitassarsiorluni ingerlatassani assersuutigalugu ilaatinneqarput ingerlatassat tamarmik, akuersissummi siunnersuut malillugu tunniunneqartumi pineqartunut ilaatinneqartut, takuuk § 12, aammalu tamatumunnga atatillugu ingerlatassat. Piiaanissamut akuersissut malillugu ingerlatassani, takuuk § 12, imm. 4, assersuutigalugu ilaatigut ilaatinneqarput aatsitassanik akuersissummi pineqartunut ilaatinneqartunik piiaanerpiaq. Aatsitassarsiorluni ingerlatassani ilaatigut aamma ilaatinneqarput aatsitassarsiorfimmik, suliaqarfissanik allanik, atortulersuutinik ikkussukkanik, illutanik attaveqatigiinnermillu ilaalu ilanngullugit, piiaanermut atugassanik pilersitsineq ingerlatsinerlu. Aatsitassarsiorluni ingerlatassani tamatuma saniatigut ilaatinneqarput sumiiffimmi akuersissuteqarfiusumi aammalu sumiiffinni allani kalluarneqartuni saliineq iluarseeqqinnerlu, piiaanermik ingerlatanik matusineq

tamatumalu kingorna nakkutiginninneq (alapernaarsuineq) ilaalu ilanngullugit. Aatsitassarsiorluni ingerlatassani aamma ilaatinneqarput, ingerlatassat tamarmik siunnersuut malillugu akuersissutini allani pineqartunut ilaatinneqartut, ilanngullugit assersuutigalugu misissueqqaarnissamut akuersissutit aamma aatsitassarsiorluni misissuinissamut akuersissutit.

Aatsitassarsiorluni ingerlatassani aamma assersuutigalugu ilaatinneqarput ingerlatassat siunnersuummi pineqartunut ilaasut, kisianni tamatumunnga akuersissummik peqarani suliarineqarsinnaasut. Takuuk assersuutigalugu Naalakkersuisut tamatumunnga akuersissummik peqaratik ilisimatuussutsikkut isumagisassatigullu misissuinernik aalajangersimasunik suliaqarnissamut periarfissaqarnerat pillugu siunnersuummi § 22, imm. 4.

Aatsitassarsiorluni ingerlatassanut assersuutit matuma siuliani taaneqartut tamakkiisuunnigillat. Oqaaseq aatsitassarsiorluni ingerlatassat taamaalilluni ataatsimut isigalugu atituumillu ingerlatassanut siunnersuummi pineqartunut ilaasunut tamaginnut tunngasutut paasineqassaaq.

#### *§ 12-imut*

##### Imm. 1-imut

Siunnersuut malillugu akuersissut qanoq paasineqassanersoq aalajangersakkami allassimavoq.

Siunnersuut malillugu taamaalilluni akuersissutit assigiinngitsut sisamaapput. Tassaapput misissueqqaarnissamut akuersissutit, aatsitassarsiorluni misissuinissamut akuersissutit, aatsitassanik piiaanissamut akuersissutit aamma ilisimatuussutsikkut misissuinerit pillugit akuersissutit. Takukkit imm. 2-5, tassungalu nassuiaatit.

##### Imm. 2-mut

Siunnersuut malillugu misissueqqaarnissamut akuersissut qanoq paasineqassanersoq aalajangersakkami allassimavoq.

Misissueqqaarnermi ingerlatassani misissueqqaarnissamut akuersissuummi pineqartunut ilaasuni ingerlatassat tamarmik akuersissut malillugu pisinnaatitsissummik pigisaqartoq sinnerlugu suliarineqartut, aamma pissutsit tamatumunnga atasut tamarmik pineqartunut ilaatinneqarput.

Misissueqqaarnissamut akuersissuummi ataatsimut isigalugu ilaatinneqarput, sumiiffimmi erseqqinnerusumik aalajangerneqartumi aatsitassaqaarfiusinnaasunik nassaarnissaq killissalersuinissarlu siunertaralugit aallarniutaasumik pingaarnertiguunerusorlu

misissuinerit ingerlataqarnerit. Taakkua assersuutigalugu tassaapput laboratoriami misissuinissat siunertaralugit atortunik tigummaaannartakkanik atortoqarluni nunap sannaani aammalu geokemiskimik misissuinerit misissugassanillu tiguisarneq. Misissueqqaarnerit tamatuma saniatigut assersuutigalugu imaani sumiiffimmi sajuppillatsitsisararluni misissuinerit ilaqartinneqarsinnaapput.

Kalaallit Nunaanni misissueqqaarnissamut akuersissutinut atugassarititaasut nalinginnaasut atuuttut malillugit misissueqqaarnissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ilaatigut atortunik tigummaaannartakkanik atortoqarluni qillerinernik suliaqarsinnaavoq. Taamaattoq misissueqqaarnissamut akuersissut malillugu ingerlatassat, akuersissummi imaluunniit atugassarititaasuni nalinginnaasuni allassimangitsut, misissueqqaarnissamut akuersissutip saniatigut ingerlatassanut akuersissuteqarnermik nalunaarfigineqarsimanissaq pisariaqarpoq. Assersuutigalugu tassani pineqarput qaartiterutissanik atuineq aammalu laboratoriamik misissuinissaq siunertaralugu tigummaaannartakkanik atortoqarluni misissugassanik annertuunik tiguisarneq. Takukkit siunnersuummi §§ 15, imm. 3, aamma § 120, imm. 1, tassungalu nassuiaatit.

Misissueqqaarnissamut akuersissut aatsitassaq ataaseq arlallilluunniit pillugit kismaassisussaatitaanani aammalu kismaassisussaatitaalluni misissueqqaarnissamut pisinnaatitaaffilimmik tunniunneqartarpoq. Misissueqqaarnissamut akuersissut ataatsimut isigalugu sumiiffimmut annertuumut imaluunniit nunami sumiiffimmut annertunerusumut tunniunneqartarpoq. Misissueqqaarnissamut akuersissut § 28 malillugu tunniunneqartarpoq. Takuuk ataatsimut isigalugu siunnersuummi § 28 tassungalu nassuiaatit.

Aamma imm. 3-mut nassuiaatini matuma kingulianiittuni takuuk misissueqqaarnissamut akuersissutit aamma aatsitassarsiorluni misissuinissamut akuersissutit assigiississutaasa assigiissutaasalu allaaserineqarnera.

Imm. 3-mut

Siunnersuut malillugu aatsitassarsiorluni misissuinissamut akuersissut qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Aatsitassarsiorluni misissuinerit ingerlatassani aatsitassarsiorluni misissuinissamut akuersissummi pineqartunut ilaatinneqartuni ingerlatassat tamarmik akuersissut malillugu pisinnaatitsissummik pigisaqartoq sinnerlugu suliarineqartut, pissutsillu tamatumunnga atasut, pineqartunut ilaatinneqarput.

Aatsitassarsiorluni misissuinissamut akuersissummi misissueqqaarnissamut akuersissutituulli misissuinerit ingerlatassat taakkua annertuutigut pineqartunut ilaatinneqarput. Takukkit imm. 2-mut nassuiaatit. Taamaattoq aatsitassaqarfiusinnaasunik pissutsinillu tamatumunnga

attuumassuteqartunik misissuinerit aalajangersimanagerusut itisiliiffiunerusullu aatsitassarsiorluni misissuinissamut akuersissummi ilaatinneqarnerusarput. Taakkua assersuutigalugu tassaasinnaapput ujarassiornikkut, geokemiskimik aamma geofysiskimik misissuinerit. Aamma assersuutigalugu tassaasinnaapput imaani sumiiffinni sajuppillatsitsisarlunga misissuinerit.

Aatsitassarsiorluni misissuinissamut akuersissut aatsitassarsiorluni misissuinissamut kisermaassisussaatitaaffilimmik tunniunneqartarpoq aammalu sumiiffiup akuersissuteqarfiusup erseqqinnerusumik killissalersugaasup iluani aatsitassaq ataaseq arlallilluunniit pineqartunut ilaatinneqartarlutik. Aatsitassarsiorluni misissuinissamut akuersissut § 34 malillugu tunniunneqartarpoq. Takukkit aalajangersagaq aammalu tassunga nassuiaatit.

Misissueqqaarnissamut akuersissutit aamma aatsitassarsiorluni misissuinissamut akuersissutit assigiinngissutaasa annertuut ilagaat, akuersissutit kisermaassisussaatitaaffilimmik imaluunniit kisermaassisussaatitaaffiliinani tunniunneqarnerusut aammalu sumiiffiup akuersissuteqarfiusup annertussusaa. Assigiinngissutaasoq alla pingaaruteqartoq tassaavoq, aatsitassarsiorluni misissuinissamut akuersissut malillugu pinnaatitsissummik pigisaqartup piffissami akuersissuteqarfiusumi aatsitassarsiorluni misissuinerimi ingerlatassanik suliaqarnissamik pisussaaffeqarnera.

Misissueqqaarnissamut akuersissut malillugu pinnaatitsissummik pigisaqartoq aatsitassarsiorluni misissuinissamut akuersissummik tunineqarnissamut pinnaatitaasussanngorlugu, siunnersuut malillugu misissueqqaarnissamut akuersissut aammalu aatsitassarsiorluni misissuinissamut akuersissut inatsisitigut imminnut attuumassuteqanngillat. Pinnaatitsissummik pigisaqartup aatsitassanik peqarfimmik imaluunniit aatsitassanik peqarfiusinnaasumik imaluunniit aatsitassanik piiarneqarsinnaasunik paasinarsisitsisimagaluartoq aammalu killissalersuisimagaluartoq, tamanna aamma atuutissaaq.

Sioqqutsisumik misissueqqaarnissamut akuersissummik peqarsimanngitsunut aatsitassarsiorluni misissuinissamut akuersissut tunniunneqarsinnaavoq. Aatsitassarsiorluni misissuinissamut akuersissut malillugu pinnaatitsissummik pigisaqartoq sumiiffimmi akuersissuteqarfiusumi aatsitassarsiorluni misissuinissamut akuersissummi pineqartunut ilaatinneqartumi aatsitassarsiorluni misissuinerimik suliaqarnissamut kisermaassisussaatitaamat, sumiiffimmi tassani allanik aatsitassarsiorlutik misissuisoqartinnagu, pinnaatitsissummik pigisaqartoq sumiiffimi akuersissuteqarfiusumi aatsitassarsiorluni misissuinissamut pinnaatitaavoq. Taamaalilluni aatsitassarsiorluni misissuinissamut akuersissut ataatsimut isigalugu aatsitassarsiorluni misissuinerimi ingerlatassani aningaasaliinissamut aammalu isertitaqarsinnaanermut pinnaatitaanermut, allatigut aatsitassarsiorluni misissuinerimi pissarsiaqarnissamut, tamatumunngalu atatillugu

iluautissarsinissamut tunngatillugu ilaatigut qulakkeerinerunermik malitseqartussaavoq.

Tamatuma saniatigut pisinnaatitsissummik pigisaqartoq aatsitassanik peqarfimmik piiarneqarsinnaasumik, pisinnaatitsissummik pigisaqartup piiarniagaanik, paasinarsisitsisimappat killissalersuisimallunilu, aammalu pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinissamut akuersissut aammalu akuersissut malillugu ingerlatassat pillugit pisussaaffini tamaasa naammassisimappagit, aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq aatsitassanik piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaavoq. Tamanna siunnersuummi § 41 malillugu pisussaavoq. Takukkit aalajangersagaq aammalu tassunga nassuiaatit. Kisiannili siunnersuummi aalajangersakkat allat malinneqartussaanagerat tamatumani allanngortinneqanngilaq, ilanngullugit VVM-imut aamma VSB-imut nassuiaatit pillugit aalajangersakkat. Taamaattumik assersuutigalugu VVM aamma VSB pillugit maleruagassat malitsigisaannik tunngavissarititaasunik, suliaassap, § 41 malillugu piiaanissamut akuersissummik pissarsiffioreersimagaluartup, piviusunngortinnissaanik ajornakusuulersitsisunik imaluunniit piviusunngortitsisinnaajunnaarsitsisunik, aalajangersaasoqarsinnaanera mattunneqarsinnaanngilaq.

Imm. 4-mut

Siunnersuut malillugu piiaanissamut akuersissut qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Piiaanermi ingerlatassani piiaanissamut akuersissummi pineqartunut ilaatinneqartuni ingerlatassat akuersissut malillugu pisinnaatitsissummik pigisaqartoq sinnerlugu suliarineqartut tamarmik aammalu pissutsit tamatumunnga atasut, pineqartunut ilaatinneqarput. Taakkua ilaatigut tassaapput aatsitassarsiorfimmik, suliaqarfissanik allanik, atortulersuutunik ikkussuinernik, illutanik aammalu attaveqaqatigiinnermi pisariaqartunik, ilanngullugit aqqusernit umiarsualiviillu, ilaalu ilanngullugit pilersitsineq, ingerlatsineq atuinerlu. Taakkua aamma ilaatigut tassaapput piiaaneq, suliareqqiineq, uningasuuteqarneq, assartuineq aamma aatsitassanik tuniniaaneq aammalu piiaanermi ingerlatanik matusineq pillugit ingerlatassanik suliaqarneq, tassani ilaallutik sumiiffimmi akuersissuteqarfiusumi allanilu sumiiffinni kalluarneqartuni saliineq iluarseeqqinnerlu.

Piiaanissamut akuersissut aatsitassanik aalajangersimasunik ataatsimik arlalinnilluunniit piiaanissamut aammalu sumiiffimmut akuersissuteqarfiusumut erseqqinnerusumik killissalersugaasumut, kisermaassisussaataaaffilimmik tunniunneqartarpoq. Piiaanissamut akuersissut sioqutsisumik aatsitassarsiorluni misissuinissamut akuersissummik peqanngitsunut tunniunneqarsinnaavoq. Assersuutigalugu pisinnaatitsissummik pigisaqartoq aatsitassanik siusinnerusukkat piiaanissamut akuersissutaasimasumi maannakkullu atorunnaareersumi pineqartunut ilaatinneqarsimasunik peqarfimmi piiarneqarsinnaasumi

piiaanissamut akuersissummik tunniussisoqarluni pisoqarnerani, tamanna suliaqarnermi pisinnaavoq.

Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup piumasaqaatinik erseqqinnerusumik aalajangersagaasunik naammassinnissimanissaa, ilaatigut piiaanissamut akuersissummik tunniussinissamut piumasaqaataavoq. Takukkit piiaanissamut akuersissummik tunniussinermut piumasaqaatit ilaalu ilanngullugit pillugit §§ 41-46 tassungalu nassuiaatit.

Imm. 5-imut

Siunnersuut malillugu ilisimatusarnikkut misissuinissanut akuersissut qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Aatsitassat pillugit ilisimatusarnikkut misissuineri ilaatigut pineqartunut ilaatinneqarput ujarassiornermut, geofysiskinut aamma geokemiskimut tunngasut pillugit misissuinerit. Tassani aamma pissutsit allat ingerlatassanut siunnersuummi pineqartunut ilaatinneqartunut pingaarutillit, pineqartunut ilaatinneqarsinnaapput, ilanngullugit pissutsit misissueqqaarnernut, aatsitassarsiorluni misissuinerimut imaluunniit aatsitassanik piiaanermut, sermimut tunngassuteqartunut, imeqartunut tunngassuteqartunut imaluunniit nukissiamik seqinermeersumik, anorimeersumik imaluunniit nunap iluaneersumik atuinermut tunngassuteqartunut pingaarutillit.

Ilisimatusarnikkut misissuinerit inernerit assersuutigalugu sumiiffimmi aalajangersimasumi aatsitassanik peqarfiusinnaasunik, taakkunanilu piiaanissamik periarfissaqarfiusunut nunap assiliornermut iluaqutaasinnaapput. Misissuinerit inernerit taamaattut, ingerlatseqatigiiffik sumiiffiup akuersissuteqarfiusup pineqartup ilaani ataatsimi arlalinniluunniit aatsitassarsiorluni misissuinissamut akuersissummik tunineqarnissamik qinnuteqarusunnersoq pillugu, ingerlatseqatigiiffiup nalilersuinerani ilaatinneqarsinnaapput.

Ilisimatusarnikkut misissuineri suliaqarnissamut akuersissut assersuutigalugu suliffeqarfinnut namminersortunut, ilisimatusarnermut sullissivinnut, ilinniarfinnut, pisortani oqartussanut imaluunniit ingerlatseqatigiiffinnut Namminersorlutik Oqartussanit pigineqartunut, tunniunneqarsinnaavoq.

Ilisimatusarnikkut misissuinissamut akuersissummi, aalajangersimasumik annertussulimmik misissuinerit, misissueqqaarnissamut akuersissutitut ittut, pineqartunut ilaapput, takuuk imm. 2. Misissueqqaarnissamut akuersissut malillugu taamaattoq misissuineri ingerlatassat niuerutiginninnermut attuumassuteqarput imaluunniit tamakkiisumik ilaannaasumilluunniit niuerutiginninnissamik siunertaqarluni.

Imm. 5-imi ilisimatusarnikkut misissuinissanut akuersissut immikkuullarissiq malillugu misissuineramik ingerlatassanik suliaqarnerit ilisimatusarnermut atatillugu aammalu ilisimatusarnermik siunertaqartumik ingerlanneqassapput, taamaalillutillu niuernermet atatillugu imalluunniit niuernermik siunertaqartumik ingerlanneqassanatik.

GEUS ilisimatusarnikkut misissuineramik suliaqarusuppat, taakkualu siunnersuummi § 22, imm. 4 malillugu Naalakkersuisut isumaqatigiissuteqarfigalugit ingerlanneqassappata, aamma ilisimatusarnikkut misissuinissamut akuersissut De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS)-imut tunniunneqarsinnaavoq.

Ilisimatusarnikkut misissuineramik suliaqarnissamut akuersissut § 62 malillugu tunniunneqartarpoq. Takukkit aalajangersagaq aammalu tassunga nassuiaatit.

### *§ 13-imut*

Imm. 1-imut

Siunnersuut malillugu pisinnaatitsissummik pigisaqartoq qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Ilisimatusarnikkut misissuinissanut akuersissut malillugu pisinnaatitsissummik pigisaqartoq tassaasinnaavoq ingerlatseqatigiiffik aningaasaliiffigineqarluni ingerlanneqartoq imaluunniit allaasinnaalluni. Aamma assersuutigalugu tassaasinnaavoq De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS). Misissueqqaarnissamut, misissuinissamut imaluunniit piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq taamaallaat tassaasinnaavoq ingerlatseqatigiiffik aningaasaliiffigineqarluni ingerlanneqartoq ataasiinnaq.

Ingerlatseqatigiiffik aningaasaliiffigineqarluni ingerlanneqartoq tassunga atatillugu paasineqassaaq tassaasoq aktiaatileqatigiiffik (A/S) imaluunniit piginneqatigiilluni ingerlatseqatigiiffik (ApS), aallarnisaasutut ingerlatseqatigiiffiunngitsoq (IVS). Misissueqqaarnissamut akuersissut taamaallaat Kalaallit Nunaanni imaluunniit nunani allani ingerlatseqatigiiffimmut aningaasaliiffigineqarluni ingerlanneqartumut tunniunneqarsinnaavoq. Aatsitassarsiorluni misissuinissamut akuersissut taamaallaat Kalaallit Nunaanni imaluunniit nunani allani ingerlatseqatigiiffimmut aningaasaliiffigineqarluni ingerlanneqartumut tunniunneqarsinnaavoq. Piiaanissamut akuersissut taamaallaat Kalaallit Nunaanni aktiaatileqatigiiffimmut tunniunneqarsinnaavoq.

Aatsitassanik piiaanissamut akuersissutit pillugit Kalaallit Nunaanni aktiaatileqatigiiffinnut Kalaallit Nunaanni angerlarsimaffeqartunut killiliinermut pingaartumik pissutaavoq, aatsitassanik piiaanissamut akuersissutit ataatsimut isigalugu annertuunik ingerlataqarnermik



pisussaaffeqarnermillu malitseqartarnerat, ingerlatseqatigiiffik ingerlatseqatigiiffimmut aningaasaliiffigineqarluni ingerlanneqartumut Kalaallit Nunaanni angerlarsimaffeqartumut annerpaamik nammineq aningaasaatinut piumasaqaateqarnermi aammalu aktiaatileqatigiiffinnut Kalaallit Nunaanni angerlarsimaffeqartunut naatsorsuutini allattuisarneq ukiumoortumillu nalunaarusiat pillugit maleruagassani pineqartunut ilaasariaqarluni, aammalu ingerlatseqatigiiffik aktiaatileqatigiiffinnut Kalaallit Nunaanni angerlarsimaffeqartunut akileraarutinik akitsuutinillu nalunaarutiginnittarneq akiliisarnerlu pillugit maleruagassani pineqartunut ilaasariaqarluni. Killilersuinerni Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsit nr. 474, 13. Juni 2009-meersumi § 9, nr. 1 malillugu ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartuusumut taamaattumut piumasaqaatit naammassineqarput.

#### *§ 14-imut*

Imm. 1-imut

Siunnersuut malillugu akuersissuteqarneq qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Siunnersuut malillugu akuersissuteqarnermik assigiinngitsunik Naalakkersuisut nalunaarutiginnissinnaapput. Takuuk imm. 2-3 tassungalu nassuiaatit.

Aalajangersakkami oqaaseqatigiinni kingullerni allassimavoq, ataqatigiinnerani allat malinneqartussaasimappata, akuersissuteqarnermut siunnersuummi nassuiaassut atuutissanngitsoq. Aalajangersakkap tassunga tunngasortaa ilaatigut siunnersuummi inatsisit allat malillugit akuersissuteqarnerit allat innersuussutigineqarlutik imaluunniit taaneqarlutik pisoqartillugu, tamanna attuumassuteqassaaq, ilanngullugit assersuutigalugu aatsitassanut ikummatissanullu inatsit.

Imm. 2

Siunnersuut malillugu ingerlatassanut akuersissuteqarneq qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Ingerlatassanut akuersissuteqarneq paasineqassaaq tassaasoq, siunnersuut malillugu ingerlatassamik Naalakkersuisut akuersissuteqarnerat sunaluunniit. Ingerlatassanut akuersissuteqarneq taamaalilluni tassaasinnaavoq pisinnaatitsissummik pigisaqartup ingerlatassaannut pilersaarummut akuersissuteqarneq aammalu aatsitassarsiorluni ingerlatassanik immikkuullarissunik akuersissuteqarneq.

Imm. 3

Siunnersuut malillugu avammut annissinissamut akuersissuteqarneq qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Aatsitassanik Kalaallit Nunaanniit annissineq taamaallaat tamatumunnga § 75 malillugu akuersissuteqarneq malillugu pisinnaavoq.

Naalakkersuisut tamatuma saniatigut, aatsitassat pineqartut taakkua siusinnerusukkut inatsisit malillugit Kalaallit Nunaannit anninneqarsimagaluarpataluunniit imaluunniit Kalaallit Nunaannut eqqunneqarsimagaluarpataluunniit, aatsitassanik Kalaallit Nunaanniit annissineq aatsaat tamatumunnga akuersissuteqarneq pillugu pisinnaasoq pillugu atugassarititaasunik siunnersuummi § 75 malillugu aalajangersaassapput. Naalakkersuisut taamaalillutik aatsitassanik Kalaallit Nunaanniit annissinerit tamarmik aatsaat tamatumunnga akuersissuteqarneq malillugu pisinnaasoq pillugu atugassarititaasunik aalajangersaassapput. Aatsitassat Kalaallit Nunaata aammalu nunat allat ataatsip arlallilluunniit akornanni akuttunngitsumik kaaviiartaraluartut, tamanna aamma atuutissaaq.

Avammut annissinissamut akuersissuteqarneq § 75 malillugu nalunaarutigineqassaaq. Taakkununnga aalajangersakkat nassuiaatillu takukkit.

#### *§ 15-imut*

Imm. 1-imut

Siunnersuut malillugu aatsitassarsiorfimmuut pilersaarut qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Siunnersuummi § 77-imi allassimavoq, pisinnaatitsissummik pigisaqartoq piiaanermik imaluunniit tamatumunnga piareersaatitut tamatumunngaluunniit atatillugu ingerlatassanik suliaqarluni aallartinnginnermini, akuersissut malillugu pisinnaatitsissummik pigisaqartoq ingerlatassanut iliuusissanullu ilaalu ilanngullugit piiaanissamut aatsitassarsiorfimmuut pilersaarummik suliaqarnissamut tunniussinissamullu pisussaaffeqartoq. Aatsitassarsiorfimmuut pilersaarut Naalakkersuisunit akuersissuteqarfigineqarsimassaaq. Tamanna isumaqarpoq ingerlatassat taaneqartut taakkua, Naalakkersuisut aatsitassarsiorfimmuut pilersaarummik pisinnaatitsissummik pigisaqartumit suliarineqartumik tunniunneqartumillu akuersissuteqarnerisigut, Naalakkersuisut akuersissuteqareersimangippata, ingerlanneqaqqusaanngitsut.

Taakkununnga § 77 nassuiaatillu takukkit.

Imm. 2-mut

Siunnersuut malillugu matusinissamut pilersaarut qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

§ 80 malillugu pisinnaatitsissummik pigisaqartoq matusinissamut pilersaarummik suliaqarnissamik, tunniussinissamik aammalu Naalakkersuisunit akuersissuteqarfigineqarnissamik pisussaaffeqarpoq. § 80, imm. 2 malillugu matusinissamut pilersaarut kingusinnerpaamik aatsitassarsiorfimmuut pilersaarutip akuersissuteqarfigineqarneranut peqatigitillugu Naalakkersuisunit akuersissuteqarfigineqarsimassaaq. § 80, imm. 3 malillugu matusinissamut pilersaarut ingerlatassat aallartinnginneranni Naalakkersuisunit akuersissuteqarfigineqarsimassaaq.

Matusinissamut pilersaarut ilaatigut pisinnaatitsissummik pigisaqartup ingerlatassaannut aammalu pisinnaatitsissummik pigisaqartup paaajunnaarnerani imaluunniit ingerlataminik unitsitsinerani matusineranilu iliussissanut pilersaarummik imaqassaaq. Taanna ilaatigut suliaqarfiit illutallu ilaalu ilanngullugit, pisinnaatitsissummik pigisaqartumit pilersinneqartut imaluunniit atorneqartut, aammalu sumiiffik akuersissuteqarfiusoq sumiiffiillu kalluarneqartut allat pillugit pisinnaatitsissummik pigisaqartoq qanoq iliorniarnersoq aammalu pisinnaatitsissummik pigisaqartup qanoq iliorluni sumiiffik akuersissuteqarfiusoq sumiiffiillu kalluarneqartut allat qimassaneraa pillugit pilersaarutaassaaq.

Takuuk § 80 tassungalu nassuiaatit.

Imm. 3-mut

Siunnersuut malillugu ingerlatassanut pilersaarut qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Ingerlatassanut pilersaarut tassaasinnaavoq aatsitassarsiorfissamut pilersaarut, takuuk imm. 1, matusinissamut pilersaarut, takuuk imm. 2, imaluunniit ingerlatassat akuersissut malillugu ingerlatassanik suliaqarnermut atatillugu suliarineqartussat pillugit pilersaarut alla, ilanngullugit qillerinerit, sullumut isaariaanik appartitsineq aamma qaarusuliornerit ilaalu ilanngullugit.

Pisinnaatitsissummik pigisaqartoq aallaaviatigut Naalakkersuisut ingerlatassanik suliaqarnissamut pilersaarummumut akuersissuteqareertinnagit imaluunniit ingerlatassanik suliaqarnissamut akuersissuteqareertinnagit ingerlatassat suliareqqusaanngillat. Pilersaarut imaluunniit ingerlatassat siunnersuummi § 77, § 80 imaluunniit § 121 malillugit akuersissuteqarfigineqassapput.

§ 120-imi aalajangersagaq malillugu ilaatigut sumiiffimmi akuersissummi pineqartunut ilaasumi avataanilu illuliornermi, sanaartornermi aammalu atortulersuutinik ikkussuinnermi ilaalu ilanngullugit, sioqqutsisumik akuersissuteqarsimaneq pigineqassaaq. Tamanna aamma suliaqarnerup ingerlatallu siunnersuut malillugu akuersissummi pineqartunut ilaasut uninneranni pisussaaffinnik naammassinninnissamut ingerlatassanut iliuusissanullu atuuppoq.

Takuuk § 120 tassungalu nassuiaatit.

#### *§ 16-imut*

Siunnersuut malillugu aalajangersakkat atugassarititaasullu qanoq paasineqassanersut, aalajangersakkami allassimavoq.

Oqaaseqatigiit siulliit naggataanni allassimavoq, ataqatigiinnerani allat malinneqartussaasimappata, aalajangersakkanut atugassarititaasunullu nassuiaassut atuutissanngitsoq. Aalajangersakkap tassunga tunngasortaa ilaatigut siunnersuummi aalajangersakkat imaluunniit atugassarititaasut siunnersuut malillugu aalajangersakkanit imaluunniit atugassarititaasunit allaanerusut, ilanngullugit assersuutigalugu aatsitassanut ikummatissanullu inatsit malillugit aalajangersakkat imaluunniit atugassarititaasut aalajangersagaasut, innersuussutigineqarlutik imaluunniit taaneqarlutik pisoqartillugu, tamanna naleqqutissaaq.

Naalakkersuisut siunnersuut malillugu aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaanissamut inatsisitigut sunik sakkusaqarnerusut erseqqissarnissaanut, § 16-imi aalajangersakkanut atugassarititaasunullu nassuiaassut iluaqutaassaaq. Pingaartumik inuit suliffeqarfiillu Kalaallit Nunaanni inatsisinut aamma eqqartuussivimmi periaatsinut ataatsimut isigalugu ilisimanninngitsut imaluunniit annikitsuinnarmik ilisimannittut eqqarsaatigalugit tamanna pivoq.

#### *§ 17-imut*

Pisinnaatitsissummik pigisaqartup siunnersuut malillugu isumaqatigiissuteqarfigisai qanoq paasineqassanersoq, aalajangersakkami allassimavoq. Pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisai ilaatigut paasineqassaaq tassaasut pisinnaatitsissummik pigisaqartup nioqqutissanik imaluunniit kiffartuussinernik pilersuisui, ilanngullugit sanaartugassanut akigititanut tunngasunut sullissinerit imaluunniit siunnersuisartut sullissinerit. Nioqqutissanut kiffartuussinernullu assersuutit taaneqartut tamakkiisuunngillat. Pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaanni aamma ilaatinneqarput pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaasa isumaqatigiissuteqarfigisai ilaalu ilanngullugit.

§ 17-imi nassuiaassummi assersuutigalugu entreprenørit suliffeqarfiat pisinnaatitsissummik pigisaqartoq isumaqatigiissuteqarfigalugu pīaanissamut akuersissut pisinnaatitsissummik pigisaqartumut tunniunneqarsimasoq malillugu aatsitassarsiorfimmik pilersitsissasoq, pineqartunut ilaatinneqarpoq. § 17-imi nassuiaassummi assersuutigalugu aamma entreprenøri entreprenørimut sullissisussaq sunaluunniit aammalu isumaqatigiissuteqarfigineqartoq alla entreprenørit suliffeqarfiata assersuummi siulliullugu taaneqartup aatsitassarsiorfimmik pilersitsinissamut atatillugu isumaqatigiissuteqarfigisaa, pineqartunut ilaatinneqarput.

§ 17-imi nassuiaassut ilaatigut siunnersuut malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartup aamma pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaasa, taakkualu isumaqatigiissuteqarfigisaasa, akornanni isumaqatigiissuteqarnermut tunngasunut assigiinngitsunut tunngatillugu attuumassuteqassaaq. Nassuiaassut siunnersuummi aalajangersakkat allat peqatigalugit siunnersuummi aalajangersakkat aamma akuersissutinut atugassarititaasut ilaalu ilanngullugit naammassineqarnissaannik qulakkeereqataassaaq, ilanngullugu akileraarutit akitsuutillu pillugit taakkualu akilernerqartarnerannut aammalu pisinnaatitsissummik pigisaqartup aamma pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaasa, taakkualu isumaqatigiissuteqarfigisaasa, pisussaaffiitut allanut tunngatillugu.

Aalajangersagaq inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq aammalu inuiaqatigiit aningaasaqarnerannut tunngasut allat pillugit pisinnaatitsissummik pigisaqartup aamma Naalakkersuisut kommuni ataaseq arlallilluunniit peqatigalugit akornanni isumaqatigiissuteqarnermut (IBA-mut isumaqatigiissut) tunngassuteqanngilaq.

Takuuk IBA-mut isumaqatigiissutit pillugit siunnersuummi § 110 tassungalu nassuiaatit.

### *§ 18-imut*

Imm. 1-imut

Siunnersuut malillugu sinerissap avataani suliaqarfiit qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Siunnersuummi § 18, imm. 1 imaani sumiiffinni aatsitassarsiorluni ingerlatassanut tunngassuteqarpoq, tassa imaappoq nunap imartaani, nunavittap sumiiffiani aammalu Kalaallit Nunaata aningaasarsiornikkut oqartussaaffigisaani. Takuuk siunnersuummi § 2. Takukkit aamma nassuiaatini nalinginnaasuni immikkoortut 1.1 aamma 2.11.

Sinerissap avataani suliaqarfiit paasineqassaaq tassaasut ilaatigut umiarsuit, prammit, angallatit allat, imaani suliaqarfiit allallu aaqquissuussinerit, imaani sumiiffinni aatsitassanik

piiānermut atorņeqartut, takuuk imm. 1, nr. 1. Imaani sumiiffinni aatsitassanik piiāneq pisinnaavoq immap naqqata qaavani, immap naqqani imaluunniit immap naqqata iluani.

Sinerissap avataani suliaqarfiit paasineqassaaq ilaatigut aamma tassaasut umiarsuit, prammit, angallatit allat, imaani suliaqarfiit allallu aqqissuussinerit, aatsitassanik imaani sumiiffimmi imaluunniit nunami sumiiffimmi piiarneqartunik suliareqqiinnermi atorņeqartut, takuuk imm. 1, nr. 2.

Tamatuma saniatigut sinerissap avataani suliaqarfiit paasineqassaaq ilaatigut tassaasut umiarsuit, prammit, angallatit allat, imaani suliaqarfiit allallu aqqissuussinerit, aatsitassanik imaani sumiiffimmi imaluunniit nunami sumiiffimmi piiarneqarsimasunik uninngasuutiginninnermut atorņeqartut, takuuk imm. 1, nr. 3.

Aammattaaq sinerissap avataani suliaqarfiit paasineqassaaq ilaatigut tassaasut umiarsuit, prammit, angallatit allat, imaani suliaqarfiit allallu aqqissuussinerit, suliaqarfinni, atortunik, nioqutissanik allaniluunniit imaani sumiiffimmi imaluunniit nunami sumiiffimmi ingerlatassanik siunnersuummi pineqartunut ilaasunik suliaqarnermut atatillugu tigooqqaanermut, uninngasuuteqarnermut, usilersoqqinnermut imaluunniit nassiussinnermut atorņeqartut, takuuk imm. 1, nr. 4.

Sinerissap avataani suliaqarfiit aamma ilaatigut paasineqassaaq tassaasut umiarsuit, prammit, angallatit allat, imaani suliaqarfiit allallu aqqissuussinerit, imaani sumiiffimmi imaluunniit nunami sumiiffimmi ingerlatassanik siunnersuummi pineqartunut ilaasunik suliaqarnermut imaluunniit ingerlatassanut, takuuk imm. 1, nr. 5, atatillugu inuit sulisussat assartorneqarnerannut, uninngavissaannut imaluunniit unnuivissaannut atatillugu tikittarfiisut, paarlaattarfiisut imaluunniit aallartarfiisut atorņeqartut.

Aammattaaq sinerissap avataani suliaqarfiit ilaatigut paasineqassaaq tassaasut umiarsuit, prammit, angallatit allat, imaani suliaqarfiit allallu aqqissuussinerit, inunnut imaani sumiiffimmi imaluunniit nunami sumiiffimmi ingerlatassanik siunnersuummi pineqartunut ilaasunik suliaqartussanut unnuisarfittut atorņeqartut, takuuk imm. 1, nr. 6.

Aalajangersakkami ilaatigut ilaatinneqarput umiarsuit ilaalu ilanngullugit inunnut umiarsuarni, prammini, angallatini allani, imaani suliaqarfinni allanilu aqqissuussinerni nr. 1-5-imi pineqartunut ilaasuni sulisussanut unnuisarfiit. Aalajangersakkami ilaatigut aamma ilaatinneqarput umiarsuit ilaalu ilanngullugit inunnut nunami aatsitassanik piiāneq pillugu suliaassani sulisussanik, kisianni suliffiup avataani unnuinissaq ilaalu ilanngullugit siunertaralugit umiarsuarmut unnuisarfirmut imaatigut angallanneqartussanut, unnuisarfiit.

Imm. 2-mut

Siunnersuut malillugu sinerissap avataani suliaqarfiit nuunneqarsinnaasut qanoq

paasineqassanersoq, aalajangersakkami erseqqissarneqarpoq. Sinerissap avataani suliaqarfiit nuunneqarsinnaasut paasineqassaaq tassaasut sinerissap avataani suliaqarfik sunaluunniit umiarsuarmik, tingerlaatilerlugu imaluunniit kalillugu sumiiffianiit sumiiffimmut allamut nuunneqarsinnaasut, aammalu piffissami atorneqarfissaani sumiiffinni assigiinngitsuni atorneqartussatut eqqarsaatigineqartut. Sinerissap avataani suliaqarfiit nuunneqarsinnaasut assersuutigalugu tassaapput umiarsuaq, prammi imaluunniit imaatigut angallat alla.

Imm. 3-mut

Aalajangersakkami allassimavoq siunnersuut malillugu sinerissap avataani suliaqarfik aalaakkaasoq qanoq paasineqassanersoq. Sinerissap avataani suliaqarfinni aalaakkaasuni ataatsimut isigalugu ilaatinneqartut sinerissap avataani suliaqarfiit allat, sinerissap avataani suliaqarfinnit nuunneqarsinnaasunit allaanerusut, tamarmik. Takukkit matuma siuliani imm. 2-mut nassuiaatit.

Sinerissap avataani suliaqarfik aalaakkaasoq ataatsimut isigalugu tassaavoq sinerissap avataani suliaqarfik sumiiffimmi aalaakkaasumik inissisimaffeqartoq. Taakkua assersuutigalugu tassaapput imaani suliaqarfik imaluunniit aaqqissuussaq alla sumiiffimmi aalajangersimasumi inissisimasooq aammalu piffissami atorneqarfissaani sumiiffinni allani atorneqartussatut naatsorsuutigineqanngitsoq.

#### *§ 19-imut*

Sinerissap avataani umiarsuit siunnersuummi aalajangersakkami nassuiarneqarput.

Sinerissap avataani umiarsuit paasineqassaaq tassaasut umiarsuit, prammit angallatillu allat, siunnersuummi § 18, imm. 1 malillugu sinerissap avataani suliaqarfiunngitsut, aammalu sinerissap avataani suliaqarfinnut atasunik ingerlatassanik suliaqartut. Aalajangersakkami assersuutigalugu pineqarput umiarsuit sullissiviusut, umiarsuit upalungaarsimasut, kalittaatit, kisartitsinissamut umiatsiat, kranit puttasut angallatillu allat sivikitsukkaamik atorneqartartut.

Aalajangersakkap atuunnerani suliasat umiarsuit, prammit imaluunniit angallatit allat taaneqartut taakkua sinerissap avataani suliaqarfimmut atasumik suliarisassaat, siunnersuummi attuumassuteqartortaanni pineqartunut ilaapput.

#### *§ 20-mut*

Aalajangersakkami avatangiisini ajoqusiisarneq aammalu avatangiisinut ajoqusiinermut akisussaasuusoq nassuiarneqarput. Aamma takukkit avatangiisinut akisussaasuuneq pillugu kapitali 14-imut aamma avatangiisini ajoqusiinernut taarsiisarneq pillugu kapitali 22-mut nassuiaatit.

Imm. 1-imut

Siunnersuut malillugu paasinnittaatsimi avatangiisinut ajoqusiineq qanoq paasineqassanersoq, aalajangersakkani nassuiarneqarpoq.

Ataatsimut isigalugu avatangiisini ajoqusiinermut ilisarnaataavoq, pissusissamisoortumik pinngortitap ataqatigiinnerata oqimaaqatigiinneranik nikisitsisoqarnera – pingaartumik mingutsitsinertut ittumik. Mingutsitsineq atituumik paasineqassaaq, taamaalillunilu aamma nipiliornerit, sajuppillatsitsinerit, kissarneq, qaammaneq assigisaalluunniit pineqartunut ilaatinneqarlutik.

Imm. 2-mut

Aalajangersagaq siunnersuutigineqartoq malillugu akisussaasuusoq paasineqassaaq tassaasoq ingerlatassamik siunnersuummi matumani pineqartunut ilaasumik suliaqartoq, aqutsisoq imaluunniit suliarineqarneranik nakkutiginnittoq.

#### *§ 21-mut*

Siunnersuut malillugu najukkani aatsitassarsiorluni ingerlataqarneq qanoq paasineqassanersoq, aalajangersakkami allassimavoq.

Najukkani aatsitassarsiorluni ingerlataqarnerni ilaatigut ilaatinneqarput annikitsumik aatsitassarsiorluni ingerlatassat, Kalaallit Nunaanni illuliortiternermut atortussatut imaluunniit sanaartornermi atortussatut imaluunniit attaveqaasersuutitut suliasami atugassanik ujaraaqqanik, ujaqqanik assigisaannillu aatsitassanik paaaneq aammalu inuit najukkameersut tamatumunnga akuersissummik peqaratik aatsitassanik katersinissamut paaanissamullu pisinnaatitaanerit, ingerlatassat aatsitassanut ikummatissanullu inatsimmi kapital 8-mi aamma 11-mi pineqartunut ilaatinneqartut.

Oqaatigineqassaaq inatsisissatut siunnersuummik, pissutsinut taakkununga maleruagassiisumik, piaartumik saqqummiussinissaq Naalakkersuisut pilersaarutigimmassuk.

#### *§ 22-mut*

Imm. 1-imut

Aalajangersakkami aalajangersarneqarpoq Namminersorlutik Oqartussat Kalaallit Nunaanni nunap iluaniittunik aatsitassanik atuinissamut paaanissamullu piginnittussaataasut, taamaalillutillu aamma Kalaallit Nunaanni nunap iluaniittut aatsitassat pillugit akuersissutinik



tunniussinissamut pisinnaatitaasut.

Tamatuma ilaatigut malitsigisaanik aatsitassat akuersissummik peqarani katersorneqarsimappata imaluunniit piiarneqarsimappata, aatsitassat imaluunniit piiaanermit isertitat Namminersorlutik Oqartussanut tutsinneqartariaqarput.

Aammattaaq tamanna isumaqarpoq, ilisimatusarnikkut misissuinissamut akuersissut, misissueqqaarnissamut akuersissut, aatsitassarsiorluni misissuinissamut akuersissut imaluunniit piiaanissamut akuersissut atorunnaarpat, siunnersuut malillugu akuersissut malillugu misissugassat tiguneqarsimasut Namminersorlutik Oqartussanit pineqartut. Tamanna akuersissutip atorunnaarnerani misissugassanut Kalaallit Nunaanniittunut aammalu misissugassanut nunani allaniittunut atuutissaaq.

Aalajangersagaq Kalaallit Nunaanni Namminersorneq pillugu inatsimmut naapertuuppoq. Namminersornermut inatsit malillugu Namminersorlutik Oqartussat aatsitassanut suliassaqarfik akisussaaffigilerlugu tiguppasuk, aatsitassat Kalaallit Nunaanni nunap iluaniittut pigilernissaannut atorluarnissaannullu Namminersorlutik Oqartussat piginnittussaataalissapput.

Takuuk namminersornermut inatsimmut siunnersuummut nassuiaatini nalinginnaasuni immikkoortoq 6. Namminersorlutik Oqartussat aatsitassanut suliassaqarfik ulloq 1. Januar 2010 akisussaaffigilerlugu tiguaat. Takukkit matuma siulianiittut immikkoortoq 1.1 aamma 1.3.1.

Imm. 2-mut

Aalajangersakkap siunnersuutigineqartup malitsigisaanik tamatumunnga akuersissummik siunnersuummi tamatumunnga maleruagassat malillugit Naalakkersuisunit tunniunneqarsimasumik peqarani ingerlatassanik siunnersuummi pineqartunut ilaatinneqartunik suliaqarnissaq ataatsimut isigalugu inerteqqutigineqarpoq.

Taamaattoq aatsitassanut ikummatissanullu inatsit malillugu tamanna pisinnaappat, ingerlatassat akuersissummik peqarani ingerlanneqarsinnaassapput. Tamanna isumaqarpoq aatsitassarsiornermut suliassaqarfimmi ingerlatassat tamarmik, tamatumunngalu ataallugu ingerlatassat, siunnersuummi matumani imaluunniit aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaasussaasut.

Siunnersuut malillugu aatsitassarsiorluni ingerlatassat suut akuersissummik Naalakkersuisunit tunniunneqartumik peqarfiusariaqarnersut, nr. 1-4-imi aalajangersakkami erseqqissarneqarput.

Siunnersuummi kapitali 5-7 aamma 9 aatsitassarsiorluni ingerlatassanut akuersissummik

tunniussinermut maleruagassanik imaqarput. Kapitali 10 akuersissutinut ataatsimut isigalugu maleruagassanik imaqarpoq. Siunnersuummi kapitali 11-imiipput aatsitassat ilaalu ilanngullugit pillugit maleruagassat, ilanngullugit aatsitassanik annissisarneq, suliarinnittarneq niuerutiginnittarnerlu pillugit.

Ilanngullugit nunap iluani ingerlatassat, ruujorinik aqquersuutit aammalu ilanngullugit nukissiornermi ingerlatassat pillugit aalajangersakkanik imaqanngikkaluartoq, pisinnaatitsissummik pigisaqartup siunnersuut malillugu ingerlatassanik taamaattunik suliaqarsinnaannginneranik siunnersuut malitseqqanngilaq. Ingerlatassat taamaattut aatsitassanut akuersissut malillugu ingerlatassanut pingaarnernut tunngatillugu ilanngullugit ingerlatassat suliarineqarsinnaapput (ingiaqatigitillugu ingerlatassat imaluunniit saniatigut ingerlatassat), takuuk tamanna pillugu siunnersuummi § 3, imm. 1, nr. 2. Nunap iluani ingerlatassanik imaluunniit nukissiornermi ingerlatassanut ilanngullugit suliarineqartussanik suliaqarnissamut, tamatumunnga Naalakkersuisunit akuersissuteqarfigineqarsimanissaq pisariaqarpoq. Pisinnaatitsissummik pigisaqartup assersuutigalugu aatsitassarsiorfimmuut pilersaarummik imaluunniit ingerlatassamut pilersaarummik allamik nunap iluani ingerlatassanik aamma nukissiornermi ingerlatassanik ilaqartumik suliaqarnermini tunniussinermilulu Naalakkersuisut tamatumunnga akuersissuteqarnissamik qinnuigisinnaavai. Takuuk siunnersuummi § 120 tassungalu nassuiaatit.

Imm. 3-mut

Aalajangersakkami allassimavoq, imm. 3, nr. 1-2-mi ingerlatassat, siunnersuut malillugu maleruagassat malillugit akuersissuteqarneq Naalakkersuisunit nalunaarutigineqartoq malillugu taamaallaat ingerlanneqarsinnaasut. Aalajangersakkap siunnersuutigineqartup malitsigisaanik, ingerlatassat akuersissummi ilaatinneqarsimanngippata, Naalakkersuisut tamatumunnga akuersissuteqarsimanngippata, ingerlatassat siunnersuummi pineqartunut ilaasut suliarineqarnissaat ataatsimut isigalugu inerteqqutaavoq.

Akuersissuteqarneq ataatsimut isigalugu taamaallaat siunnersuut malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartumut nalunaarutigineqarsinnaavoq. Taamaattoq aamma avammut annissinissamut akuersissuteqarneq pisinnaatitsissummik pigisaqartuunngitsumut nalunaarutigineqarsinnaavoq, takuuk § 75, imm. 2. Tamatumunnga pissutaavoq, pisut amerlanersaanni akuersissuteqarnerup ingerlatassanut akuersissut malillugu pingaarnertut ingerlanneqartussanut imaluunniit akuersissut malillugu ingerlatassanut pingaarnernut tunngatillugu, taakkununnga atasutut ingerlatassanut (ingiaqatigitillugu ingerlatassat imaluunniit saniatigut ingerlatassat) tunngassuteqartarnerat.

Nr. 2-mi aalajangersakkamut siunertaavoq, ingerlatassat allat nr. 1-imi taaneqartunit allaaneruset, ingerlatassat suliarineqarnissaat sioqqullugu Naalakkersuisut akuersissuteqarsimanissaat pillugu piunasaqaammi pineqartunut ilaatinneqarsimasinnaasut,

erseqqissarnissaa. Tamanna ingerlatassanut tamaginnut akuersissummi ilaatinneqanngitsunut atuutissaq.

Ingerlatassat akuersissummi ilaatinneqartut tasaanerusarput ingerlatassat annertunnginnerusut, akuersissut pineqartoq malillugu pisinnaatitsissummik pigisaqartup arlaataluunniit akuttunngitsumik ingerlatassarissagaa naatsorsuutigineqartariaqarluni, taamaattumik ingerlatassat taakkua pisuni ataasiakkaani tamaginni akuersissutigineqassasut piunasaqaatigineqassappat, tamanna pisariaqanngitsumik annertuumik allaffissorfiusussaavoq. Ingerlatassat taakkua akuersissummi taaneqarsimappata, akuersissummi akuerineqarsimasutut oqaatigineqarsinnaassapput.

Ingerlatassanut akuersissuteqarfigineqartariaqartunut assersuutitut siunnersuummi § 77 taaneqarsinnaavoq. § 77 malillugu pisinnaatitsissummik pigisaqartup piiaanermik imaluunniit tamatumunnga piareersaatitut imaluunniit tamatumunnga atatillugu ingerlatassanik suliaqarluni aallartinnginnerani, piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ingerlatassanut iliuusissanullu ilaalu ilanngullugit aatsitassarsiorfimmut pilersaarummik suliaqarnissamik tunniussinissamillu pisussaaffeqarpoq. Aatsitassarsiorfimmut pilersaarut Naalakkersuisunit akuersissuteqarfigineqarsimassaaq. Tamanna isumaqarpoq Naalakkersuisut aatsitassarsiorfimmut pilersaarummik pisinnaatitsissummik pigisaqartumit suliarineqartumik tunniunneqartumillu akuersissuteqarnerisigut, Naalakkersuisunit akuersissuteqarfigineqariinngippat, ingerlatassat taaneqartut taakkua suliareqqusaanngitsut.

Tamatuma saniatigut akuersissummi imaluunniit akuersissuteqarnermi Naalakkersuisunit tunniunneqartumi atugassarititaasut malillugit Naalakkersuisut ingerlatassat suliarineqarnissaannut pilersaarummut akuersissuteqareersimatinnagit, pisinnaatitsissummik pigisaqartoq ingerlatassanik aalajangersimasunik suliaqaqqusaanngissinnaavoq. Taamaassimappat ingerlatassat akuersissummi imaluunniit akuersissuteqarnermi tamatumunnga atugassarititaasut aammalu siunnersuummi § 120 malillugit akuersissuteqarfigineqartussaassapput.

Imm. 4-mut

Aalajangersagaq siunnersuummi § 22, imm. 2-mi akuersissummut piunasaqaatini nalinginnaasuni immikkut ilaatitsinnginnermik imaqarpoq. Aalajangersagaq aatsitassarsiornermut suliaqarfigimmut attuumassuteqartumik misissuinerinik aamma nunap assiliornerinik suliaqarnissamut Inatsisartuniit Naalakkersuisunut atuuttuaannartussatut piginnaatitsissutaavoq. Tamanna Kalaallit Nunaanni aatsitassarsiornermut suliaqarfiup imaluunniit Kalaallit Nunaanni ujarassiornerup, imaluunniit misissuinerit aamma nunap assiliornerit ataatsimut isigalugu inuiaqatigiinni soqutigineqartut nittarsaanneqarnerannut ilaatillugu misissuinerinut nunallu assiliornerinut amerlanertigut tunngassuteqartassaaq.

Naalakkersuisut nammineerlutik misissuinerni ingerlatassanik suliaqarsinnaapput imaluunniit suleqatigisat allat ingerlatassanik suliaqartissinnaallugit. Naalakkersuisut assersuutigalugu De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS)-imut, Nationalt Center for Miljø og Energi (DCE)-mut imaluunniit suleqatigisamut allamut ingerlatassanik imm. 3-mi pineqartunut ilaasunik suliaqarnissaq pillugu isumaqatigiissuteqarsinnaapput. Pisuni taaneqartuni tamatumunnga akuersissummik peqaratik Naalakkersuisut sullillugit aammalu Naalakkersuisunut isumaqatigiissummut naapertuuttumik, GEUS imaluunniit suleqatigisat alla ingerlatassanik imm. 3-mi pineqartunut ilaasunik suliaqarsinnaapput.

Imm. 5-imut

Aalajangersakkami allassimavoq, imm. 1-3 najukkani aatsitassarsiorluni ingerlataqarnernut atuutissanngitsut.

Aatsitassanut ikummatissanullu inatsit ataatsimut isigalugu annikitsumik aatsitassarsiorluni ingerlatassanut atuutiinnassaaq, ilanngullugit annikitsumik aatsitassarsiorluni misissuineq aamma aatsitassanik annikitsumik piianeq, ujaraaqanik, ujaqqanik assigisaannillu aatsitassanik najukkami illuliortiternernut aamma attaveqatigiinnermi suliassanut atorneqartussanik piianeq, najukkameersut tamatumunnga akuersissummik tunniunneqartumik peqaratik aatsitassanik katersinerat piianerallu aammalu Kalaallit Nunaanni aatsitassanik aammalu ujarassiornermut tunngasunik takornarianut ilaalu ilanngullugit takutitsinissaq pillugu inuit najukkameersut ujarassiorluninut takornariartitsinermik suliaqarnerat.

Aalajangersagaq aatsitassarsiornermut suliassaqarfimmi ingerlatassat tamarmik aammalu ingerlatassat tamatumunnga atasut siunnersuummi matumani imaluunniit aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaatinneqarnissaannut qulakkeereqataassaaq.

#### *§ 23-mut*

Imm. 1-imut

Aalajangersagaq siunnersuutip atuuffissaasa iluanni oqartussap ilusiligaaneranut tunngassuteqarpoq.

Siunnersuummi aalajangersakkat aqunnissaannut aammalu siunnersuut malillugu aalajangiinissamut piginnaatitaaneq aallaaviatigut Aatsitassanut Ikummatissanullu Aqutsisoqarfimmi aamma Aatsitassanik Suliassaqarfinnut Avatangiisinut Aqutsisoqarfimmi inissisimavoq. Naalakkersuisut pingaarutilimmik ilusilinnut aalajangiisarput aammalu Aatsitassanut Ikummatissanullu Aqutsisoqarfiup aamma Aatsitassanik Suliassaqarfinnut

Avatangiisinut Aqutsisoqarfiup aalajangiineri Naalakkertsuisunut naammagittaalliuutigineqarsinnaapput, takuuk § 24 tassungalu nassuiaatit.

Taamaalilluni suliaqarnermi aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissutip tunniunneqarnissaa, annertuumik allanngortinneqarnissaa, allamut tunniunneqarnissaa, utertitseqqusinissaaq aamma utertitsinissap akuersissuteqarfigineqarnissaa pillugit aalajangiinerit kisimik Naalakkertsuisunit aalajangiiffigineqartassapput. Tamatuma saniatigut, aalajangiinerit aalajangersimasut Aatsitassanut Ikummatissanullu Aqutsisoqarfimmit aamma Aatsitassanut Suliassaqarfinnut Avatangiisinut Aqutsisoqarfimmit aalajangiiffigineqartassasut pillugu aalajangersakkanik Naalakkertsuisut aalajangersaasimangippata, pissutsit inuiaqatigiinnut imaluunniit avatangiisinut annertuumik sunniisinnaasut pillugit aalajangiinerit Naalakkertsuisunit aalajangiiffigineqassapput.

Tamatuma saniatigut Naalakkertsuisut suliassani ataasiakkaani siunissami suliassanut taamaaqataannut aalajangiinerit tunngaviumik pingaaruteqartuni, imaluunniit suliassaqarfimmi allaffissornikkut suleriaatsimik nutaamik aalajangersaanissamik pisariaqartitsisoqartoq allatigut naliiisoqarpat, taarsiissutitalimmik arsaarinninnermik aallartitsinissaaq pillugu aalajangiissapput, siunnersuut malillugu suliassat aalajangersimasut oqartussanit allanit imaluunniit namminersortunit suleqatigisanit isumagineqarnissaat pillugu aalajangiissapput aammalu nalunaarutitut ilusilimmi atugassarititaasunik aalajangersakkanillu aalajangersaassallutik.

Aalajangiinerit allat tamarmik aammalu oqartussat suliarinninneri tamarmik aallaaviatigut Aatsitassanut Ikummatissanullu Aqutsisoqarfimmit aamma Aatsitassanut Suliassaqarfinnut Avatangiisinut Aqutsisoqarfimmit isumagineqartussaapput.

Imm. 2-mut

Siunnersuutigineqarpoq Aatsitassanut Ikummatissanullu Aqutsisoqarfik aatsitassanut suliassaqarfimmi allaffissornikkut oqartussatut ingerlaannassasoq, aammalu avatangiisinut suliassaqarfik Aatsitassanut Suliassaqarfinnut Avatangiisinut Aqutsisoqarfimmit isumagineqaannassasoq (Avatangiisinut Aqutsisoqarfik), takuuk imm. 3.

Aatsitassanut Ikummatissanullu Aqutsisoqarfiup, avatangiisinut tunngasut eqqaassanngikkaanni, aatsitassanut suliassaqarfik pillugu pissutsit tamaasa pillugit oqartussat suliassai isumagisarai. Aalajangiisinnatitaaffimmi iluani Aatsitassanut Ikummatissanullu Aqutsisoqarfik aalajangiisinnaavoq, ilanngullugit pisinnaatitsissummik pigisaqartup ingerlatassanut pilersaarutaannut imaluunniit pilersaarutinut (avatangiisinut pilersaarutit ilaanatik) akuersissuteqartarneq imaluunniit akuersissuteqarnissamik itigartitsisarneq imaluunniit siunnersuummi maleruagassat imaluunniit akuersissummumut atugassarititaasut (avatangiisinut tunngasut pillugit maleruagassat imaluunniit atugassarititaasut ilaanatik)

naammassineqarnissaannik peqqusissuteqarneq.

Pilersaarummi ingerlatassat inuiaqatigiinnut annertuumik sunniisinnaasut pineqartunut ilaatinneqarpata, ingerlatassanut pilersaarut Naalakkersuisunit akuersissuteqarfigineqassaaq. Tamanna inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineq pillugu nassuiaatinut (VSB-imut nassuiaat) aamma atuuppoq, takuuk siunnersuummi Kapitali 16.

Aatsitassanut Ikummatissanullu Aqutsisoqarfiup aalajangiinerinut naammagittaalliuutit Naalakkersuisunut, taamaattoqarnerani suliassani aalajangiisussaasunut, suliakkiunneqarsinnaapput, takuuk siunnersuummi § 24. Naalakkersuisut naammagittaalliuutit suliassami aalajangiisinnaapput imaluunniit taanna Aatsitassanut Ikummatissanullu Aqutsisoqarfimmi suliareqqinneqartussanngorlugu aalajangiiffineqartussanngorlugulu utertissinnaallugu.

Imm. 3-mut

Aatsitassanik Suliassaqaqfimmittut Avatangiisinut Aqutsisoqarfik (Avatangiisinut Aqutsisoqarfik) Naalakkersuisut ataanni aatsitassanut suliassaqaqfimmi avatangiisinut tunngasunut tunngatillugu suliassaqaqfimmi oqartussaaginnassaaq, tassani ilaallutik avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq, avatangiisinut akisussaasuineq aamma avatangiisinik nalilersuisarneq.

Avatangiisinut Aqutsisoqarfiup aatsitassanut suliassaqaqfimmi avatangiisinut tunngasut pillugit oqartussat suliassai isumagisarai.

Avatangiisinut Aqutsisoqarfik avatangiisinut suliassaqaqfimmi allaffissornikkut oqartussatut aalajangiinissamut imaluunniit aalajangiinissanut kiisalu nalilersuinernut oqaaseqaatinullu missingiutinik sularinnitsitsinissamut aalajangiisinnaatitaavoq.

Taamaattoq taamaaliornermi aatsitassarsiornermut suliassaqaqfimmi oqartussap sularinninnerata attaveqatigiinnerullu matu-ataasiinnaq-tunngavigalugu (one door principle) taaneqartartoq malillugu aqqissuussaananerit allanngortinneqanngillat.

Avatangiisinut Aqutsisoqarfiup aalajangiinerinut naammagittaalliuutit Naalakkersuisunut, taamaattoqarnerani suliassani aalajangiisussaasunut, suliakkiunneqarsinnaapput, takuuk siunnersuummi § 24. Naalakkersuisut naammagittaalliuutit suliassami inaarutaasumik aalajangiisinnaapput imaluunniit taanna Avatangiisinut Aqutsisoqarfimmi suliareqqinneqartussanngorlugu aalajangiiffineqartussanngorlugulu utertissinnaallugu.

Avatangiisinut Aqutsisoqarfiup naliliinerinut, inassuteqaataannut oqaaseqaataannullu ilisimatuussutsikkut avatangiisinut sullissiviit arlaannaannulluunniit attuumassuteqanngitsut

ataatsip arlallilluunniit nalilersuineri aamma aalajangiinissamut missingiusiai aallaavigineqassapput.

Naalackersuisut piginnaatitaaneq oqartussamut allamut suliakkiussimangippagu, taamaalillunilu aalajangiisussaalluni, oqartussat aalajangiinissamut ilaalu ilanngullugit inassuteqaataat tamatigut pissutsit tamaasa pillugit ataatsimoortumik inassuteqaataasussaavoq. Taamaattumik oqartussat inassuteqaataannut aamma avatangiisinut sullissivinnit arlaannaannulluunniit attuumassuteqanngitsunit nalilersuinerit ilaalu ilanngullugit tamakkiisuutillugit ilanngunneqassapput, soorlu tamanna maannamut aatsitassanut ikummatissanullu inatsit malillugu pisussaasimasoq.

Suleriaatsimut naapertuuttumik Naalackersuisut imaluunniit aatsitassanut suliassaqarfimmi oqartussat ilisimatuussutsikkut sullissivinnit taakkunannga nalilersuinerit imaluunniit inassuteqaatinit pisussaaffilerneqanngillat. Nalilersuinerit taakkua tamakkiisuutitsilluni aalajangiinermi ilaatinneqartut ilaattut ilaatinneqassapput, aammalu oqartussat inassuteqaamminni imaluunniit aalajangiinerminni ilisimatuussutsikkut sullissivinnit allaanerusumik oqimalutaasinnaapput, ilanngullugu sukannernerusumik imaluunniit sukanninnginnerusumik nassuiaasinnaallutik. Inaarutaasumik aalajangiinissaq pisuni tamaginni Naalackersuisuni imaluunniit oqartussami Naalackersuisut aalajangiisinnaatitaanermik suliackersimasaani pisussaavoq, aammalu pissutsit tamarmik oqimalutarneqarnerat aamma siunnersuummi piumasqaatinut tunngatillugu ilaatinneqartut tamarmik nalilersorneqarnerat tunngavigalugu oqartussaq pineqartoq taamaalilluni aalajangiissalluni.

Imm. 4-mut

Aatsitassarsiornermut suliassaqarfimmi oqartussat suliarinninnerat ataatsimoortumik akuutitsiviusumillu oqartussat suliarinninnerattut aaqqissuunneqassasoq, aalajangersakkami aalajangersarneqarpoq. Oqartussat suliarinninneranni ilaatinneqarput aatsitassat pillugit pissutsit tamarmik, aatsitassarsiorluni ingerlatassat, nunap iluata toqqorsivittut imaluunniit aatsitassarsiorluni ingerlatassat pillugit siunertanut allanut atorineqarnissaa, nukissiornermi ingerlatassat ilaatinneqartut, ruujorilersuineri ingerlatassat ilaatinneqartut allallu ingerlatassat ilaatinneqartut.

Oqartussat suliarinninnerat ataatsimoortoq akuutitsiviusorlu ingerlatsivimmi aqutsinermi suliassaqarfimmi teknikkikkut ajornakusoortumi, aatsitassarsiorluni ingerlatassanut, ingerlatassanut ilaatinneqartunut, aatsitassanut akuersissutinut, tamatumunnga atatillugu ujarassiornermut, teknikkimut aningaasaqarnermullu tunngasunut aammalu pissutsinut tamatumunnga atatillugu isumannaallisaanermut, peqqinnissamut, avatangiisinut, isumalluutinik atorluanaissamut aamma inuiaqatigiinni piujuartussamik sunniuteqartitsinissamut pingaaruteqarsinnaasunut ilisimasaqarnissamik

pisariaqartitsiviusumi, tamakkiisumik isiginnilluni suliassanik suliarinnittarnerup ingerlaannarnissaanut iluaqutaassaaq.

Aammattaaq oqartussat ataatsimoortumik akuutitsiviusumillu suliarinninneranni suliassa qarfinni avatangiisinik, suliassanik aatsitassanut suliassa qarfimmi ingerlatsivimmi aqutsinermi pisariaqartumik pitsaassusilimmik, aammalu nunami namminermi nunanilu tamalaani aatsitassanik suliaqarnermi naatsorsuutigineqartutut sukkulluunniit isumaginnissinnaasunik peqarnissaaq qulakkeerneqassaaq nukittorsarneqassallunilu.

Aalajangersagaq imm. 7-imi aalajangersakkamik siunnersuutigineqartumik tapertaqartinneqarpoq. Taamaattoqarnerani oqartussat imm. 1-imi taaneqartut aamma aatsitassanut, aatsitassarsiorluni ingerlatassanut aammalu ingerlatassanut ilaatinneqartunut tunngatillugu inatsisit maleruagassallu allat malillugit akisussaasuupput aammalu oqartussatut aalajangiinnaatitaallutik. Takuuk imm. 7 tassungalu nassuiaatit.

Imm. 5-imut

Imm. 5 malillugu aatsitassarsiornermut suliassa qarfimmi oqartussat suliarinninnerat attaveqatigiinnerlu taaneqartartoq matu-ataaseq-tunngaviusoq (one door principle) malillugu aqqissuussaavoq. Tamatuma atuunnerani pisinnaatitsissummik pigisaqartut allallu siunnersuummi pineqartunut ilaasut, ataatsimut isigalugu oqartussamut ataasiinnarmut attaveqateqassapput.

Imm. 6-imut

Aalajangersagaq malillugu Aatsitassanut Ikummatissanullu Aqutsisoqarfiup maannamut pisartutut, aatsitassanut suliassa qarfimmi avatangiisinut nalilersuinerit, oqaaseqaatit aalajangiinerillu pisariaqartinneqartillugit, suliniutissat Avatangiisinut Aqutsisoqarfimmut ataqatigiissaassavai.

Taamaalilluni tamatumunnga atatillugu avatangiisinut tunngasut pillugit nalilersuinissaaq imaluunniit aalajangiinissaaq pisariaqarpat, Avatangiisinut Aqutsisoqarfik tusarniaqqaarnagu Aatsitassanut Ikummatissanullu Aqutsisoqarfik suliassamik suliarinnissanngitsoq, aalajangiissanngitsoq imaluunniit Naalakkersuisunut inassuteqassanngitsoq, siunnersuut malillugu aatsitassanut suliassa qarfimmi suliassanik suliarinnittarneq aqqissuussaavoq.

Aatsitassanut Ikummatissanullu Aqutsisoqarfik pisuni taamaattuni oqartussatut ataqatigiissaarisussatut, Avatangiisinut Aqutsisoqarfimmit oqaaseqaammik imaluunniit aalajangiinermik piniartassaaq.

Avatangiisinut Aqutsisoqarfiup suliassanik suliarinninnera aalajangiinerilu pillugit Avatangiisinut Aqutsisoqarfiup aammattaaq nammineq ingerlataminik Aatsitassanut



Ikummatissanullu Aqutsisoqarfik ilisimatissavaa. Tamatumani ilaatigut Aatsitassanut Ikummatissanullu Aqutsisoqarfiup aatsitassanut suliassaqarfimmi pisortat ingerlatsineranni oqartussatut ataqatigiissaarisuunerminik isumaginnissinnaanissaa qulakkeerneqassaaq.

Aatsitassanut suliassaqarfimmi avatangiisinut tunngasunut pisortat ingerlatsineranni, Aqutsisoqarfiup teknikkikkut siunnersortaasa avatangiisinut tunngasut pillugit avatangiisinik nalilersuisarneri aammalu aalajangiinissanut missingiummik suliaqartarneri (inassuteqaatit) pillugit tunngaviusumik tunngavissaatitaasoq aallaavigineqarpoq. Matuma siuliani imm. 3-mut nassuiaatini taaneqartutut, avatangiisinut tunngasut pillugit oqartussat nalilersuinerisa aalajangiinerisalu, ilisimatuussutsikkut avatangiisinut sullissivinnit arlaannaannulluunniit attuumassuteqaangitsunit nalilersuinerinik aammalu aalajangiinissanut missingiutinik suli aallaaveqartarnissai, taamaalilluni qulakkeerneqassaaq.

Tamatuma atuunnerani avatangiisinut tunngasut pillugit nalilersuinerit imaluunniit aalajangiinerit pillugit suliassat, suleriaatsit tunngaviusullu makkua malillugit nalinginnaasumik suliarineqartassapput:

Aatsitassanut Ikummatissanullu Aqutsisoqarfiup suliassaq, aamma avatangiisinut tunngasunut tunngassuteqartoq, tiguppagu, Aatsitassanut Ikummatissanullu Aqutsisoqarfiup suliassaq Avatangiisinut Aqutsisoqarfimmut nassiutissavaa, taannalu oqaaseqaateqaqqussallugu imaluunniit aalajangeeqqussallugu. Tamatuma kingorna Avatangiisinut Aqutsisoqarfiup teknikkikkut siunnersorti nalilersuinerinik, oqaaseqaatinik aamma aalajangiinissanut missingiutinik pisariaqartunik suliaqaqqussavaa. Avatangiisinut Aqutsisoqarfiup najoqqutassat teknikkikkut siunnersortimit tiguppagit, Avatangiisinut Aqutsisoqarfiup najoqqutassat misissussavai aammalu pisariaqarpat tamatumunnga oqaaseqaatinik suliaqassalluni. Avatangiisinut Aqutsisoqarfiup teknikkikkut siunnersortip najoqqutassai, Avatangiisinut Aqutsisoqarfiup oqaaseqaatigisinnaasai, inassuteqaataa tamatumunngalu atatillugu aalajangiineri ilanngullugit, Aatsitassanut Ikummatissanullu Aqutsisoqarfimmut nassiutissavai.

Suliassaq Naalackersuisunut saqqummiunneqartussaasimappat, Aatsitassanut Ikummatissanullu Aqutsisoqarfiup suliassaq Naalackersuisunut saqqummiutissavaa. Tamatumunnga atatillugu Aatsitassanut Ikummatissanullu Aqutsisoqarfiup najoqqutassat teknikkikkut siunnersortimeersut aamma Avatangiisinut Aqutsisoqarfimmeersut, ilusai allanngortinnagit ilanngullugit nassiutissavai. Tamatuma kingorna Naalackersuisut suliassami aalajangiissapput.

Imm. 7-imut

Siunnersuummi imm. 7, oqartussat imm. 1-imi taaneqartut aatsitassanut suliassaqarfimmi suliaqarnermi ataatsimoortumik akuutitsiviusumillu oqartussat suliarinninnerannut

tunnjavissanik qulakkeereqataassaaq, tassami aalajangersarneqarpoq oqartussat imm. 1-imi taaneqartut siunnersuummik allaffissornikkut aqutsinerminni, inatsisit maleruagassallu allat malillugit tamanna ajornanngippat, aamma oqartussaasut piginnaatitaasut.

#### § 24-mut

Maannamut pisartutut siunnersuutigineqarpoq Aatsitassanut Ikummatissanullu Aqutsisoqarfiup imaluunniit Aatsitassanut Suliassaqaqarfinnut Avatangiisinut Aqutsisoqarfiup aalajangiineranut naammagittaalliut, Naalakkersuisunut, taamaattoqarnerani suliami aalajangiisussaasunut, suliakkiuinneqarsinnaasoq.

Taamaalilluni aalajangiinissaq siulleq Naalakkersuisunit aalajangiiffigineqarsimanngippat, suliap aalajangiisussani marlunni sularitinnissaanut aalajangiiffigitinnissaanullu., naammagittaalliornissamut maleruagassat periarfissiippat. Tamanna ataatsimut isigalugu suliassat ataasiakkaat aalajangiiffigineqartarnerat pillugu inatsisini isumannaatsuutitsinissamik mianerinninnermut naapertuuppoq.

Naammagittaalliornissamut maleruagassat suliassap suulluunniit Naalakkersuisunit sularitinnissaanut aalajangiiffigitinnissaanullu periarfissiippat. Suliassaq ataatsimut isigalugu annertuumik pingaarutilinnut tunngasut, Naalakkersuisunit Namminersorlutik Oqartussat pisortat ingerlatsineranni oqartussani qullersaasunit aalajangiiffigineqartariaqaraluarnerannut imaluunniit aalajangiiffigineqarsinnaanissaannut tamanna naapertuuppoq.

#### Imm. 1-imut

Imm. 1 malillugu aalajangersagaq malillugu naammagittaalliorsinnaatitaasutut isigineqartut Aatsitassanut Ikummatissanullu Aqutsisoqarfiup imaluunniit Avatangiisinut Aqutsisoqarfiup aalajangiinera Naalakkersuisunut naammagittaalliutigisinnaavaat. Taamaalilluni naammagittaalliut allaffissornikkut oqartussamut allamut imaluunniit naammagittaalliuteqartarfinnut suliakkiunneqarsinnaanngilaq.

Kikkulluunniit suliassap inernerani ataasiakkaarlutik soqutigisaqartutut isigineqartariaqartut, nr. 1 malillugu suliami pineqartutut isigineqarput. Tamatuma saniatigut peqatigiiffiit kattuffiillu aalajangersimasut nr. 2 malillugu naammagittaalliorsinnaatitaappat.

Aalajangersakkami eqqartuussivimmi misiliinissaq imaluunniit Inatsisartut Ombudsmandiani sularinninnissaq periarfissaarutsinneqanngillat.

#### Imm. 2-mut

Aatsitassanut Ikummatissanullu Aqutsisoqarfiup imaluunniit Avatangiisinut Aqutsisoqarfiup

aalajangiinerata Naalakkersuisunut naammagittaalliuutiginiisaanut sapaatit akunnerini 6-ini naammagittaalliornissamut killigititaq aalajangersakkami aalajangersarneqarpoq.

Naammagittaalliornissamut killigititap aallartinnera pillugu maleruagassanik marlunnik aalajangersagaq imaqarpoq. Aalajangersagaq suliami pineqartumut nalunaarutigineqarsimappat, naammagittaalliornissamut killigititaq nalunaarutiginninnerup ulluanit aallartittutut naatsorsorneqassaaq. Aalajangiineq tamanut ammasumik nalunaarutigineqarsimappat, naammagittaalliornissamut killigititaq tamanut ammasumik nalunaarutiginninnerup ulluanit naatsorsorneqassaaq.

Naammagittaalliornissamut killigititap naanera pillugu maleruagassamik ataasiinnarmik aalajangersagaq imaqarpoq. Naammagittaalliornissamut killigititaq arfininngornermi imaluunniit ullumi nalliuttumi naassappat, naammagittaalliornissamut killigititaq ulluinnaap tullianut sivitsorneqassaaq.

Naammagittaalliornissamut killigititap naareernerata kingorna naammagittaalliuut Naalakkersuisunut suliakkiunneqarsinnaanngilaq.

Imm. 3-mut

Aalajangersagaq malillugu naammagittaalliuut allaganngorlugu tunniunneqassaaq, ilannugllugu elektroniskimik attaveqaqatigiinneq atorlugu, soorlu assersuutigalugu e-mail, aammalu naammagittaalliuut oqartussamut aalajangiisimasumut tunniunneqassalluni. Oqartussaq tassaassaaq Aatsitassanut Ikummatissanullu Aqutsisoqarfik imaluunniit Avatangiisinut Aqutsisoqarfik.

Imm. 4-mut

Imm. 4-mi siunnersuutigineqarpoq akuersissutip, akuersissuteqarnerup imaluunniit immikkut ittumik akuersissuteqarnerup naammagittaalliuutigineqarnera, Naalakkersuisut allamik aalajangiisimanngippata, kinguartitsinermik sunniuteqassanngitsoq. Aalajangiinerit allaanerusut naammagittaalliuutigineqarnerat kinguartitsinermik sunniuteqassasut pillugu aalajangersakkanik Naalakkersuisut imm. 5 malillugu aalajangersaasinnaapput.

Imm. 5-imut

Akuersissutit, akuersissuteqarnerit aamma immikkut ittumik akuersissuteqarnerit aalajangersimasut naammagittaalliornissamut killigititap iluani atorneqaqqusaanngitsut, pillugu aalajangersakkanik Naalakkersuisut imm. 5 malillugu aalajangersaasinnaapput.

Imm. 6-imut

Aalajangersakkami allassimavoq, peqqusissuteqarnernut imaluunniit inerteqquteqarnernut naammagittaalliuitit aallaaviatigut kinguartitsinermik sunniuteqassanngitsut. Tamatumunnga tunngavilersuutigineqarpoq, nakkutilliinermut oqartussap ingerlatap ingerlaannartumik unitsinnissaa pisariaqarsorippagu, peqqusissuteqarnerup imaluunniit inerteqquteqarnerup amerlanertigut atorneqartarnerat.

#### § 25-mut

Imm. 1-imut

Aalajangersakkami aalajangiinermik eqqartuussivimmut suliaakkiinissamut ataatsimut isigalugu piffissamut killiliussaq ukiumut ataatsimut aalajangersarneqarpoq. Ataatsimut isigalugu ukiumik ataatsimik piffissamut killiliinerup toqqarneqarnerani, pissutsit taakkua pillugit inatsisitigut inissisimanerup pisariitsuullunilu ersarissuunissaa qulakkeerneqassaaq. Siunnersuummi aatsitassanut ikummatissanullu inatsit malillugu inatsisitigut inissisimaneq ingerlateqqinneqarpoq.

Aalajangersagaq aalajangiineq pillugu eqqartuussisunut suliaassanngortitsinermut atuutissaaq, ilanngullugu assersuutigalugu aalajangiinerup atuunnerata imaluunniit sunniuteqarnerata eqqartuussivimmi misilinneqarnera, aammalu aalajangiineq pillugu imaluunniit aalajangiinermut atatillugu taarsiinissamik piumasaqaateqarnek, akiliinissamik piumasaqarnerit allat imaluunniit piumasaqaatit allat.

Aalajangersagaq piffissamut killiliussap aallartinnera pillugu maleruagassanik marlunnik imaqarpoq. Killigititaq suliame pineqartumut aalajangiinerup nalunaarutigineqarnerata ulluanit naatsorsorneqassaaq. Aalajangersagaq suliassami pineqartumut nalunaarutigineqarpat, piffissamut killiliussaq nalunaaruteqarnermut ulloq taanna aallarnerfigalugu naatsorsorneqassaaq. Taamaattoq aalajangersagaq tamanut ammasumik nalunaarutigineqarpat, piffissamut killiliussaq tamatigut tamanut saqqummiussinermut ulloq taanna aallarnerfigalugu naatsorsorneqassaaq. Aalajangersakkami aamma piffissamut killiliussap naanera pillugu maleruagassamik aalajangersaasoqarpoq. Piffissamut killiliussaq nalinginnaasooq arfininngornermi imaluunniit nalliuttumi naappat, piffissamut killiliussaq ulluinnarmut tullermut sivitsorneqassaaq. Piffissamut killiliussaq assersuutigalugu sisamangorneq 1. februar 2024 aallartippat, eqqartuussivinni suliaakkiinissamut piffissamut killiliussaq kingulleq tassaassaaq ulloq 1. februar 2025. Ulloq 1. februar 2025 arfininngornerummat, aammalu ulloq 2. februar 2025 sapaataalluni, suliaakkiinissamut piffissamut killiliussaq kingulleq taamaalilluni tassaassaaq ataasinngorneq ulloq 3. februar 2025.

Imm. 1-imi aalajangersakkami siunertaavoq, innuttaasut, oqartussat inuussutissarsiortullu

piffissamat killiliussap naapertuuttup iluani inaarutaasumi inatsisitigut inissisimanerminnik paasisaqarnissaannik qulakkeerinissaq. Pisinnaatitsissummik pigisaqartut allallu siunnersuummi suliassaqarfiup iluani ingerlatassanik suliqaartut, aamma suliassap piffissap sivisuup qaangiutereernerani eqqartuussivinnut imaluunniit eqqartuussivimmut isumaqatigissitsiniartartumut suliakkiunneqarnissaa nalornisoorutigiginagu aalajangiinerit tatigalugit iliuuseqarsinnaanissaq pisariaqartippaat.

Aalajangersakkat assingusut danskit inatsisaanniipput. Danskit avatangiisinik allanngutsaaliuineq pillugu inatsisaanni pissutsit inatsimmi pineqartunut ilaasut pillugit eqqartuussivinnut suliakkiinissamat aallaaviusumik qaammatini 6-ini piffissamat killiliussaq atuuppoq. Taamaattoq avatangiisinik allanngutsaaliuineq pillugu danskit inatsisaanni pisuni aalajangersimasuni ukiumik ataatsimik piffissamat killiliisoqartarpoq. Pilersaarusionerq pillugu danskit inatsisaanni aamma eqqartuussivinnut aalajangiinerit suliakkiunnissaannut qaammatinik 6-inik piffissamat killiliuineq atuuppoq.

Piffissap naleqquttup iluani ersarissumik inaarutaasumillu inatsisitigut inissisimatitsinissamat inuiaqatigiinni pisariaqartitsisoqartillugu, ilaatigut inuiaqatigiinni soqutigisanik pingaaruteqartunik maleruagassiineq, avatangiisinik allanngutsaaliuineq pilersaarusionerlu pillugit danskit inatsisaanni assigiissutaavoq. Pisariaqartitsineq taamaattoq aamma siunnersuummi suliassaqarfiup iluani atuuppoq.

Imm. 2-mut

Naalakkersuisut allamik aalajangiisimangippata, aalajangiinerup eqqartuussivinnut suliakkiunneqarnera kinguartitsinermik sunniuteqassanngitsoq, aalajangersakkami aalajangersarneqarpoq.

Aalajangiinerup eqqartuussivinnut suliakkiunneqarnera kinguartitsinermik sunniuteqassappat, suliaq aalajangiineq atorunnaarsinnagu imaluunniit allanngortinnagu aalajangiiffigineqarpat imaluunniit suliassaq tigungmaneqanngippat, taamaatinneqarpat imaluunniit allatut atorunnaarpat, aatsaat aalajangiineq atuutilissaaq.

Kinguartitsinermik sunniuteqartitsinissaq pillugu apeqqutip nalilersorneqarnerani ilaatigut aalajangiineq inuiaqatigiinnut imaluunniit pissutsinut pingaarutilinnut allanut annertuunik sunniuteqarnerlussinnaassanersoq eqqarsaatigineqassaaq. Taamaattoq oqaatigineqartut aallaaviatigut aalajangiinerup eqqartuussivinnut suliakkiunneqarnera kinguartitsinermik sunniuteqartussaannngilaq.

Imm. 3-mut

Aalajangiineq siunnersuummi pineqartunut ilaasoq taamaallaat eqqartuussivinnut Kalaallit

Nunaanni aalajangiisinnaatitaasunut suliakkiunneqarsinnaasoq, aalajangersakkami aalajangersarneqarpoq.

*§ 26-mut*

Aalajangersakkap malitsigisaanik akuersissutinik qinnuteqaatit, akuersissutit tunniunneqartut aammalu akuersissutit neqeroortitsivigineqartussatut pilersaarutigineqartut ingerlanneqartullu pillugit ukiunut tamaginnut nassuiaammik suliaqarnissamik tamanullu saqqummersitsinissamik Naalackersuisut pisussaaffeqarput. Siunertaavoq Naalackersuisut Inatsisartunut tamanullu siunnersuut manna malillugu ingerlatassat pillugit ataatsimut isigalugu paasisstissiineratut nassuiaat atorneqassasoq.

Naalackersuisut nassuiaat Inatsisartunut ilaasortanut nassiuutissavaat aammalu nassuiaat tamanut saqqummiutissallugu.

*§ 27-mut*

Pissutsit inuiaqatigiinnut annertuumik sunniisinnaasut pillugit aalajangiisoqartinnagu, Inatsisartuni ataatsimiititaliamut attuumassuteqartumut ilisimatitsinissamik Naalackersuisut pisussaaffeqarnerannik aalajangersagaq malitseqarpoq, assersuutigalugu piiaanissamut akuersissummik tunniussinissaq pillugu aalajangiinerit.

Aatsitassarsiornermut suliassa qarfimmi misilittakkat takutippaat, aatsitassarsiornermut suliassa qarfik aningaasaqarnikkut inuussutissarsiornikkullu Kalaallit Nunaannut pingaaruteqariartuinnartoq aammalu suli pingaaruteqariartuinnartussaasoq. Taamaattumik inatsisartut suliassa qarfimmi paasisimasaqarnissaat nakkutiginninnissaallu suli pisariaqartinneqarpoq. Siusinnerusukkut imaluunniit siunissami ataatsimiititaliamik immikkuullarissumik pilersitsinissaq imaluunniit Inatsisartuni ataatsimiititaliat akornanni aalajangiisinnaatitaanerup suliassallu allatigut agguarneqarnissaannut Inatsisartut sunnerneqarnissaat siunnersuummi siunertaanngilaq.

Naalackersuisut aamma ataatsimiititaliap attuumassuteqartup tamatuma kingorna ilisimatitsinerup annertussusaa pillugu erseqqinnerusumik isumaqatigiissuteqarnissaat tunngavissaatinneqarpoq. Ataatsimiititaliaq nalunaarusiamik teknikkikkut oqimaatsunik assigisaannillu nanertorneqarnissaa aalajangersakkami siunertarineqanngilaq, kisianni pissutsit pingaaruteqartut kisimik erseqqissarneqarnissaat siunertaalluni.

*§ 28-mut*

Aalajangersagaq aatsitassat pillugit misissueqqaarnissamut kisermaassisussaatitaanani akuersissummik tunniussinermut tunngassuteqarpoq.

Misissueqqaarnermi ataatsimut isigalugu ilaatinneqarpoq, sumiiffimmi erseqqinnerusumik aalajangerneqartumi aatsitassa qarfiusinnaasunik nassaarniarnissaq killissalersuinissarlu siunertaralugit aallarniutaasumik aammalu pingaarnertiguunerusoq misissuinerit.

Misissueqqaarnissamut ilaatigut siunertaavoq ataatsimut isigalugu sumiiffimmi pineqartumi aatsitassanik ujaasilluni aatsitassarsiorluni misissuinermik aallartitsinissamik periarfissanik aallarniutaasumik nalilersuinerit tunngavissaqalernissaq.

Takuuk § 12, imm. 2-mi, tassungalu nassuiaatini misissueqqaarnissamut akuersissummut nassuiaassutit.

Siunnersuut malillugu misissueqqaarnissamut akuersissut oqaatigineqartutut taamaallaat kisermaassisusaa taaffe qartinnagu tunniunneqarsinnaavoq. Tamanna isumaqarpoq pisinnaatitsissummik pigisaqartut arlallit misissueqqaarnissamut akuersissutinik, tamakkiisumik ilaannaasumilluunniit nunami sumiiffinni sumiiffimmut ataatsimut tunngassuteqartunik tunniussisoqarsinnaasoq. Ataatsimut isigalugu sumiiffimmut nunami sumiiffinni annertoorujussuarmiittumut misissueqqaarnissamut akuersissut tunniunneqarsinnaavoq.

Misissueqqaarnissamut akuersissummi ilaatinneqarput aatsitassaq ataaseq arlallilluunniit pillugit misissuinerit. Akuersissummi aatsitassat tamarmik ilaatinneqannginnerannut pissutaavoq, aatsitassanik Namminersorlutik Oqartussat piiarneqartussat kissaatiginngisaannik peqarsinnaanera. Suliaqarnermi tamatumunnga atugassarititaasut nalinginnaasut malillugit misissueqqaarnissamut akuersissummi aatsitassat tamarmik pineqartunut ilaasarput, aatsitassat inatsimmi imaluunniit nalunaarummi piiarneqarnissaat inerteqqutiigneqarsimasut ilaanatik.

Aatsitassap akuersissummi pineqartunut ilaatinneqannginnera isumaqanngilaq aatsitassamut tunngatillugu misissuinerit ingerlanneqaqqusaanngitsut, imaluunniit aatsitassamut tunngatillugu Naalakkersuisunut nalunaarusiamik nassiussisoqassanngitsoq. Tamanna isumaqarpoq sumiiffinni aalajangersimasuni aatsitassamik peqarfiusumi killilersuinerik atuuttoqarsinnaasoq, sumiiffiit taakkua akuersissummi ilaatinneqannginnerannik, imaluunniit akuersissut tunniunneqareersimappat, sumiiffimmit akuersissuteqarfiusumit peerneqarnerannik, kinguneqartumik.

Pissutsit mianerisassallu attuumassuteqartut tamaasa pillugit atugassarititaasunik misissueqqaarnissamut akuersissutini Naalakkersuisut aalajangersaasinnaapput. Atugassarititaasut siunnersuummut taassumalu siunertaanut naapertuuttumik aalajangersarneqassapput. Takukkit misissueqqaarnissamut akuersissummi atugassarititaasunik aalajangersaasarneq pillugu siunnersuummi §§ 1 aamma 33 tassungalu nassuiaatit.

Pisinnaatitsissummik pigisaqartoq kingusinnerusukkut siunnersuummi §§ 34 aamma 43 malillugit aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaasoq imaluunniit salliusussaataitaasoq, siunnersuummi § 28 malillugu misissueqqaarnissamut akuersissummik tunniussineq pisinnaatitsissummik pigisaqartumut neriorsuummik malitseqanngitsoq.

### § 29-mut

Imm. 1-imut

Aalajangersagaq malillugu misissueqqaarnissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ingerlatseqatigiiffiusaaq aningaasaliiffigineqarluni ingerlanneqartoq.

Aktiaatileqatigiiffiit, piginneqatigiilluni ingerlatseqatigiiffiit aamma aallarnisaasut ingerlatseqatigiiffii tamarmik ingerlatseqatigiiffiupput aningaasaliiffiusut aammalu aktiaatileqatigiiffiit aamma piginneqatigiilluni ingerlatseqatigiiffiit pillugit inatsisip (ingerlatseqatigiiffinnut inatsit) Kalaallit Nunaannut atuutilersinnissaa pillugu danskit Kalaallit Nunaannut peqqussutaanni Kalaallit Nunaanni ingerlatseqatigiiffinnut aningaasaliiffiusunut inatsimmi pineqartunut ilaallutik.

Taamaattoq aalajangersagaq malillugu pisinnaatitsissummik pigisaqartoq aallarnisaasutut ingerlatseqatigiiffiusinnaanngilaq, aallarnisaasutut ingerlatseqatigiiffik piginneqatigiilluni ingerlatseqatigiiffiulluni immikkut ittuugaluarpalluunniit. Tamatumunnga ilaatigut pissutaavoq, aallarnisaasutut ingerlateqatigiiffiup minnerpaamik taamaallaat 1 koruunimik ingerlatseqatigiiffik aningaasaateqarluni nalunaarsorneqarsinnaanera, aammalu piginneqatigiilluni ingerlatseqatigiiffiup tamatumunnga taarsiullugu minnerpaamik 40.000 koruunimik ingerlatseqatigiiffik aningaasaateqarluni nalunaarsorneqartussaana. Piginneqatigiilluni ingerlatseqatigiiffik taamaalilluni ataatsimut isigalugu aallarnisaasutut ingerlatseqatigiiffimmit annertunermik ingerlatseqatigiiffimmi aningaasaateqartussaavoq.

Ingerlatseqatigiiffik nunami allami angerlarsimaffeqartoq aktiaatileqatigiiffimmut naapertuunnersoq imaluunniit piginneqatigiilluni ingerlatseqatigiiffiunersoq Kalaallit Nunaanni angerlarsimaffeqarluni aallarnisaasutut ingerlatseqatigiiffiunani, taamaalillunilu misissueqqaarnissamut akuersissut malillugu ingerlatseqatigiiffittut pisinnaatitsissummik pigisaqartuusinnaanersoq, Naalakkersuisut aalajangiissapput.

§ 29-mut naapertuuttumik aammalu ingerlatseqatigiiffinnut aalajangersimasumik suussusilinnut maleruagassiinermut, nalunaarsuinermut, aningaasaatinut tunngasunut, aningaasaqarnikkut aningaasalersuinikkullu pisinnaasaqarnissamik (aningaasaateqarneq), aqutsinermut, naatsorsuutini allattuinermmut naatsorsuutinullu ilaalu ilanngullugit tunngaviumik annertuumillu piumasaaqateqarnissap qulakkeernissaa siunertaralugu,



tamanna pillugu aalajangiineq pissaaq.

Aammattaaq aalajangerneqarpoq ingerlatseqatigiiffik pisinnaatitsissummik pigisaqartoq Kalaallit Nunaanni inuussutissarsiummik ingerlatsisutut nalunaarsorsimasuussasoq. Tamatumunnga maleruagassat atuuttut malillugit imaappoq, ingerlatseqatigiiffik CVR-imi nalunaarsorsimasuussasoq. Tamanna ilaatigut ingerlatseqatigiiffimmiit akileraarutigut nalunaarutiginnittarnissat eqqarsaatigalugit piumasaqaatigineqarpoq.

Imm. 2-mut

Aalajangersakkami allassimavoq imm. 1 malillugu pisinnaatitsissummik pigisaqartup piffissaq akuersissuteqarfiusoq tamaat akuersissutit aalajangersimasut naammassisimassagai.

Imm. 3-mut

Aalajangersakkami allassimavoq, ingerlatseqatigiiffiit nunanit allaneersut sorliit aktiaatileqatigiiffittut aamma piginneqatigiilluni ingerlatseqatigiiffittut Kalaallit Nunaanni angerlarsimaffeqartutut isigineqarnissaannut tunngatillugu Naalakkersuisut aalajangiisinnaatitaasut.

Naalakkersuisut taamaalillutik aalajangiisinnaapput misissueqqaarnissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ingerlatseqatigiiffiusinnaasoq aningaasaliiffigineqartoq aalajangersimasumik suussuseqartoq, Kalaallit Nunaannit allaanerusumi nunami allami angerlarsimaffeqartoq imaluunniit taamatut ingerlatseqatigiiffiusinnaanngitsoq.

### *§ 30-mut*

Imm. 1-imut

Aalajangersagaq malillugu ukiut 5-it angullugit akuersissut piffissalerlugu misissueqqaarnissamut akuersissut tunniunneqassaaq. Taamaalilluni ukiunit 5-init sivikinnerusumik akuersissut piffissalerlugu misissueqqaarnissamut akuersissut tunniunneqarsinnaavoq, ilanngullugu assersuutigalugu ukiunut 3-nut, kisianni ukiunit 5-ikkaanit sivisunerusukkaamik akuersissut piffissalerlugu tunniussisoqarsinnaanani.

Misissueqqaarnissamut akuersissutip sivitsorneqarsinnaaneranut imm. 1-imi aalajangersagaq akornusiinngilaq. Takukkit imm. 2 aamma 3 tassungalu nassuiaatit.

Imm. 2-mut

Aalajangersagaq misissueqqaarnissamut akuersissummut § 28 malillugu tunniunneqartumut piffissap akuersissuteqarfiusup sivitsorneqarnissaanut tunngassuteqarpoq.

Aalajangersagaq malillugu imm. 1 malillugu ukiut 5-it angullugit piffissaq akuersissuteqarfiusoq Naalackersuisunit tamatigut ukiut 5-it angullugit piffissalerlugu ataasiarluni arlaleriarluniluunniit sivitsorneqarsinnaavoq.

Piffissaq akuersissuteqarfiusoq imm. 2 malillugu sivitsuineri assersuutigalugu ukiunit 5-iniit ukiunut 8-inut imaluunniit 10-nut sivitsorneqarsinnaavoq. Pisinnaatitsissummik pigisaqartoq tamatuminnga qinnuteqarpat, aammalu Naalackersuisut qinnuteqaat akuerippassuk, piffissaq akuersissuteqarfiusoq assersuutigalugu ukiunit 8-iniit ukiunut 10-nut imaluunniit ukiunit 10-niit ukiunut 12-nut imaluunniit 15-inut sivitsoqqinneqarsinnaavoq.

Misissueqqaarnissamut akuersissutinut piffissami akuersissuteqarfiusumi killiliinernut pissutaavoq, akuersissutip ataani paasissutissat nalunaarsukkat katersorneqartut sapinngisamik piaarnerpaamik tamanut saqqummersinneqarsinnaanissaannik Naalackersuisut soqutigisaqarnerat. Taamaattumik pisinnaatitsissummik pigisaqartup paasissutissat nalunaarsukkat katersorneqartut isertuussaannissaannik soqutigisaqarnera, tamatumunnga takuuk § 32, imm. 2, Naalackersuisut tamanut saqqummiussinissamik soqutigisaqarnerannit pingaarnerusorineqarpat, aallaaviatigut piffissap akuersissuteqarfiusup sivitsorneqarnissaa akuerineqartussaavoq. Pisinnaatitsissummik pigisaqartoq tuniniaanissaq siunertarlugu paasissutissanik nalunaarsukkanik annertunerusunik ingerlaavartumik katersitillugu, tamanna assersuutigalugu pisinnaavoq. Piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugu aalajangiineri pisinnaatitsissummik pigisaqartup sivitsuinissaq pillugu qinnuteqarnermut tunngavilersuutai amerlanertigut sivitsuinissaq akuerineqassanersoq, aalajangiisuusussaavoq.

Misissueqqaarnissamut akuersissummut piffissaq akuersissuteqarfiusoq tamarmiusoq ukiunit 15-iniit sivilunerusinnaanngilaq, takuuk imm. 4.

Imm. 3-mut

Naalackersuisut piffissaq akuersissuteqarfiusoq katillugu ukiunit 10-iniit sivilunerusumut sivitsorneqarnerini tamaginni akuersissummut atugassarititaasunik allanngortinneqartunik aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Aalajangersakkap atuunnerani, piffissaq akuersissuteqarfioqqaartoq ukiunit 10-nit sivilunerusumut ataatsimut katillugu akuersissut piffissalerlugu sivitsorneqartillugu, Naalackersuisut akuersissummut atugassarititaasunik allanngortinneqartunik aalajangersaasinnaapput.

Naalackersuisut taamaalillutik piffissap akuersissuteqarfiusup siullermeertumik

sivitsorneqarnerani atugassarititaasunik allanngortinneqartunik aalajangersaasinnaangillat, takuuk imm. 2, tassami akuersissutip ataatsimut katillugu ukiunit 10-nit sivilunerusumik akuersissummut piffissalernerqarneranik, akuersissutip sivitsorneqarnera siulleq malitseqartussaangimmat. Piffissaq akuersissuteqarfioqqaartoq ukiunik 5-inik piffissalerlugu akuerineqarsimappat, allatut piffissap akuersissuteqarfiusup sivitsorneqarnerani akuersissummut atugassarititaasunik allanngortinneqartunik Naalakkersuisut aalajangersaasinnaapput, takuuk imm. 2.

Imm. 4-mut

Aalajangersakkami misissueqqaarnissamut akuersissummut piffissap akuersissuteqarfiusup ataatsimut katillugu sivilussusissaanut sivilunerpaaffissanut killiliusaaq aalajangersarneqarpoq. Aalajangersagaq malillugu misissueqqaarnissamut akuersissummut piffissaq akuersissuteqarfiusoq ukiunit 15-nit sivilunerusinnaangilaq. Aamma takukkit matuma siuliani imm. 2-mut nassuiaatit.

Pisinnaatitsissummik pigisaqartoq ukiuni 15-ini piffissap akuersissuteqarfiusup kingorna annertunerusumik misissueqqaarnermi ingerlatassanik suliaqarnissamik kissaateqaruni, pisinnaatitsissummik pigisaqartoq § 28 malillugu nutaamik misissueqqaarnissamut akuersissummik tunineqarnissamik qinnuteqartariaqarpoq.

Imm. 5-imut

Aalajangersakkap atuunnerani misissueqqaarnissamut akuersissut, imm. 1-4 malillugit piffissap akuersissuteqarfiusup naanissaaniit siusinnerusukkut atorunnaarsinnaavoq. Tamanna assersuutigalugu pissaaq, pisinnaatitsissummik pigisaqartup misissueqqaarnissamut akuersissut Naalakkersuisunut utertissagaa, tamanna tikitsinnagu Naalakkersuisut akuerippassuk.

#### *§ 31-mut*

Imm. 1-imut

Imm. 1-imi aalajangersakkami § 28 malillugu misissueqqaarnissamut akuersissummik tunineqarnissamik imaluunniit § 30, imm. 2 malillugu misissueqqaarnissamut akuersissut malillugu piffissap akuersissuteqarfiusup sivitsorneqarnissaanik qinnuteqaammik tigusaqarnermut suliarinninnermullu, aammalu misissueqqaarnissamut akuersissummik imaluunniit piffissap akuersissuteqarfiusup sivitsorneqarnissaanut akuersissuteqarnermut akiliummik akiliinissaaq pillugu aalajangersakkanik aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaat erseqqissarneqarpoq itisilernerqarlunilu. Tamatuma saniatigut Naalakkersuisut misissueqqaarnissamut akuersissut imaluunniit misissueqqaarnissamut

akuersissummut piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugu oqartussat suliarinninnerannut akiliummik akiliinissaq pillugu aalajangersakkanik aalajangersaanissamut Naalackersuisut inatsimmi tunngavissaat imm. 1-imi aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu.

Naalackersuisut akiliutinik matuma siuliani allassimasutut akiliisarneq pillugu aalajangersakkanik nalunaarummi aalajangersaasinnaapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

Imm. 2-mut

Pisinnaatitsissummik pigisaqartup akuersissut malillugu misissueqqaarnissamut akuersissutip ingerlatassallu attatiinnarnissaannut akiliutissamik akiliinissaa pillugu aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalackersuisut inatsimmi tunngavissaat imm. 2-mi aalajangersakkami erseqqissarneqarput itisilerneqarlutillu.

Assersuutigalugu misissueqqaarnermik suliaqarnissamut pisinnaatitaanermut ukiumoortumik akiliuteqartarnissaq, imaluunniit akiliutip ingerlatassanut aalajangersimasunut tunngassuteqartinnissaa pillugit aalajangersakkanik aalajangersaasoqarsinnaavoq.

Akiliutissaq nunap karsiani pisinnaatitsissummik pigisaqartumit, taassuma misissueqqaarnissamut akuersissut malillugu ingerlatassanik suliaqarnissamut pisinnaatitaaneranut, tamatumunngalu atatillugu aningaasaqarnikkut niuernikkullu iluaqutissarsinnaaneranut, akiliutinik tigusaqarsinnaanerup ilaatinneqarsinnaavoq. Akiliutissap annertussusaa, ilaatigut aatsitassarsiornermut suliaasaqarfiup iluani niuerfimmuut tunngasut sukkulluunniit atuuttut eqqarsaatigalugit, aalajangersarneqarsinnaavoq.

Ingerlatassanik aalajangersimasunik suliaqarnermut akiliutissaq assersuutigalugu tassaasinnaavoq aningaasartaa aningaasaateqarfimmuut imaluunniit aningaasaliissutinut akiliutigineqartussaq, pisinnaatitsissummik pigisaqartoq siunnersuut malillugu salinissamut pisussaaffimminik naammassinnitsinnagu, aammalu pisussaaffinnut taakkununnga qularnaveeqqusiisimatinnagu imaluunniit qularnaveeqqusiussaq naammassimanngippat, aatsitassarsiorluni ingerlataqareernermi salinissamut Naalackersuisut aningaasartuutaannut matussutissanut ilanngunneqartussaq.

Akiliutissap aalajangersarneqarnera siunissamut taamaallaat tunngatinneqarsinnaavoq, tassa imaappoq nalunaarutitut ilusilimmi akiliutissamik aalajangersaaneq akuersissutinut nalunaarutip tamanut saqqummersinneqareernerata kingorna tunniunneqartunut taamaallaat atuutissasoq, aammalu akiliutissat akuersissutini aalajangersagaasut, piffissap akuersissuteqarfiusup akuersissummi aalajangersarneqartup ingerlanerani allanngortinneqarsinnaanatik.

### Imm. 3-mut

Aningaasartuutitut siunnersuut manna malillugu suliaassanik suliarinninnermut aamma oqartussat suliarinninnerannut atatillugu Naalakkersuisut akilersimasaannut matussutissatut aningaasanik akiliisitsinissamut Naalakkersuisut periarfissaqarnerannut aalajangersagaq inatsimmi tunngavissaavoq. Aalajangersakkami assersuutigalugu suliaassanik suliarinninnermut, nakkutilliinnermut, allatut oqartussat suliarinninnerannut, sulilluni angalanernut aamma siunnersortitut avataaneersunut siunnersuisartunullu ilaalu ilanngullugit aningaasartuutit pillugit akiliisitsinerit pineqartunut ilaatinneqarput.

Akiliutissaq akiliutitut imaluunniit aningaasartuutitut utertitsinertut akilersinneqarsinnaavoq.

Oqartussat suliarinninnerannut akiliinissaq, assersuutigalugu suliaassanik suliarinninnermi allatullu oqartussat suliarinninneranni, ilanngullugit akuersissutitut akuersissuteqarnernillu tunniussineq ilaalu ilanngullugit, piffissamut atuinermut pisumut nalunaaquttap akunneranut akigititaq tunngavigalugu akilersinneqarsinnaavoq.

Akiliutissaq suliaassanik suliarinninnermut aamma oqartussat suliarinninnerannut atatillugu Naalakkersuisut aningaasartuutaannut ataatsimut isigalugu naapertuuppat, aningaasartuutit suulluunniit akiliutitut imaluunniit aningaasartuutitut utertitsinertut akilersinneqarsinnaapput. Taamaalilluni Naalakkersuisut ataatsimut isigalugu suliaassanik suliarinninnermut aamma oqartussat suliarinninnerannut akilersimasaasa imaluunniit atuinissamik naatsorsuutigisaasa, saniatigut akiliutitut imaluunniit aningaasartuutitut utertitsinermik akiliisitsinnaanerup aalajangersakkami tunngavissinneqarnissaa siunertaanngilaq.

### § 32-mut

#### Imm. 1-imut

Aalajangersagaq oqartussanut pisinnaatitsissummik pigisaqartup nalunaarusiortarnissaanut tunngassuteqarpoq.

Aalajangersagaq malillugu Naalakkersuisut tamanna pillugu aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaasimappata, takuuk tamanna pillugu imm. 6 aammalu tassunga nassuiaatit, misissueqqaarnissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ataatsimut isigalugu ingerlatat pisinnaatitsissummik pigisaqartup akuersissutit ataani suliarisai, paasisat assilineri, kiisalu misissugassat pillugit nalunaarusianik Naalakkersuisunut tunniussisussaavoq.

#### Imm. 2-mut

Aalajangersakkami allassimavoq pisinnaatitsissummik pigisaqartup nalunaarusiai, misissueqqaarnermi paasisai, paasissutissat nalunaarsukkat, misissugassat nassuiaanerillu, inerniliussat inassuteqaatillu ilaalu ilanngullugit Naalakkersuisunut tunniunneqartut isertuussaasut.

Isertuussinissaq pillugu maleruagassanik aalajangersaanissaq pisariaqarpoq, tassami paasissutissat taaneqartut ingerlatsinermi isertuussaasinnaammata imaluunniit inuussutissarsiornermi isertuussaasinnaallutik, piffissami isertuussiviusussami naleqquttumi isertuussasut pineqartariaqarlutik pineqartussaallutillu. Naalakkersuisut paasissutissanik taakkuninnga ilaalu ilanngullugit tunniussinissamut pisussaaffeqassappata imaluunniit pisussaaffeqarsinnaappata, ilanngullugu assersuutigalugu allagaatinik takunninnissamik qinnuteqartoqarnerani, tamatumani allat pisussaananik iluaqutissarsitinneqarsinnaapput.

Aalajangersagaq pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaannut naapertuuppoq. Inatsimmi § 3, imm. 1 malillugu, oqartussat, suliassaqarfiit imaluunniit allakkiat suussusai erseqqinnerusumik taaneqartut, §§ 7-14-imi aalajangersakkat nalinginnaasumik malillugit pisussat, allagaatinik takunninnissamik piumasagarneq itigartinneqarsinnaasoq, inatsimmi ilaatinneqassanngitsut, pillugu maleruagassanik Naalakkersuisut aalajangersaasinnaapput.

Imm. 1 malillugu paasissutissat aallaaviatigut pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaanni §§ 12-14-imi pineqartunut ilaatinneqassapput. Imm. 2-mi aalajangersagaq taamaalilluni, pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaanni aalajangersakkat taaneqartut taakkua ilanngullugit, paasissutissat Naalakkersuisuni ingerlaartinneqartut aammalu Inatsisartuni ataatsimiititaliamut nassiunneqartut, allagaatini takunninnissami ilaatinneqannginnissaannik, qulakkeerissaaq.

Aalajangersagaq malillugu piffissaq isertuussiviususaaq ataatsimut isigalugu piffissaq akuersissuteqarfiusoq tamaat, taamaattoq takuuk imm. 3 aamma 4, aammalu Naalakkersuisunut tunniussinissamut piffissamut killiliussap kingorna ukiuni tallimani atuutissaaq.

Imm. 1 malillugu paasissutissat taamaalillutik akuersissutip atorunnaarnissaa tikillugu isertuussaassapput aammalu tunniussinissamut piffissamut killiliusaaq piffissap akuersissuteqarfiusup naannginnerani ukiunit tallimanit sivikinnerusimappat, akuersissutip atorunnaareernerata kingorna isertuussaasinnaallutik.

Imm. 1 malillugu paasissutissat piffissami, piffissap akuersissuteqarfiusup naanissaa ukiunit tallimanit sivikinnerulersoq, tunniunneqartussaasimappata, paasissutissat akuersissutip

atorunnaarnissaata tungaanut aammalu piffissami akuersissutip atorunnaareernerata kingorna, tunniussinermut piffissamut killiliussamit aammalu ukiut tallimat siumut piffissalerlugu aalajangersarneqartumi, isertuussaassapput. Tassa imaappoq, akuersissut pineqartoq ulloq 1. Januar 2026 atorunnaareeraluartoq, taakkua ulloq 1. Januar 2023 tunniunneqartussaasimappata, imm. 1 malillugu paasissutissat 1. Januar 2028 tikillugu isertuussaassapput. Tamatumunnga taarsiullugu akuersissut siunnersuummi § 30 imm. 2 malillugu sivitsorneqarsimappat, taamaalilluni akuersissut ulloq 1. Januar 2031 aatsaat atorunnaartussaalluni, paasissutissat taaneqartut taakkua ulloq taanna tikillugu isertuussaassapput.

Piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat pisinnaatitsissummik pigisaqartup nalunaarusiornerinut, misissueqqaarnermi paasisaanut, paasissutissanut, misissugassanut nassuiaanernullu, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit, piginnittussaataapput, takuuk imm. 5. Takuuk imm. 5-imi aalajangersagaq tassungalu nassuiaatit.

Imm. 3-mut

Aalajangersakkami allassimavoq Naalackersuisut piffissami isertuussiviusussami paasissutissat isertuussat, nalunaarusiat, misissueqqaarnermi paasisat, paasissutissat nalunaarsukkat, misissugassat, nassuiaanerit, inerniliussat inassuteqaatillu ilaalu ilanngullugit pillugit paasissutissat nalinginnaasut tamanut saqqummersissinnaagaat.

Aalajangersagaq malillugu Naalackersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummersitsinnginnerminni paasissutissat pisinnaatitsissummik pigisaqartumut nassitissavaat aammalu pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttup minnerpaamik qaammatisiutit malillugit ullunik 14-inik sivilissuseqartup iluani tamatumunnga oqaaseqaatinik nassiuussinnaasoq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummersinneqarnissaannut tunngavilersugaasumik akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutissillugu. Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap iluani paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummersitsinissamut akerliliissummik nassiuusippat, pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa Naalackersuisut paasissutissanik pineqartunik tamanut saqqummersitsinissamut soqutigisaannit pingaaruteqarnerusorineqarpat, Naalackersuisut paasissutissat taakkua tamanut saqqummersissanngilaat.

Naalackersuisut paasissutissanik nalinginnaasutut isikkoqartunik tamanut saqqummersitsinissamut soqutigisaat assersuutigalugu tassaasinnaapput innuttaasut isumannaatsuunissaasa eqqarsaatigineqarnissaa, paasissutissanik aalajangersimasunik tamanut saqqummersitsinissamut inatsimmi pisussaaffiliisumik pisussaaffeqarnek imaluunniit

Kalaallit Nunaanni nunap sannaanik nittarsaassinissamut atatillugu. Pisinnaatitsissummik pigisaqartoq akerliliissuteqaraluartoq, aalajangersagaq malillugu paasissutissat nalinginnaasut tamanut saqqummersinneqarsinnaanersut aalajangiinermi ilaatigut pisinnaatitsissummik pigisaqartup paasissutissat isertuussaanaissaannut niuernikkut soqutigisaqarsinnaanera, paasissutissat tamanut saqqummiunneqarnerat aningaasanut niuerfimmi pisinnaatitsissummik pigisaqartup nalunaarsorsimaffianni maleruagassanut unioqqutitsinerussanersoq aammalu paasissutissat nalinginnaasutut isikkoqaraluartut pisinnaatitsissummik pigisaqartut ataasiakkaat kinaassusersineqarsinnaanerat, mianerineqarsinnaapput.

Imm. 4-mut

Naalackersuisut pisuni tamaginni avatangiisinut paasissutissat nalunaarsukkat aamma avatangiisinut nalunaarusiat, inuiaqatigiinni nalinginnaasumik soqutiginaatilittut nalilerneqartut, tamanut saqqummiunnissaannut periarfissaqarnissaat, aalajangersakkami qulakkeerreqassaaq. Innuttaasut aatsitassarsiorluni ingerlatat qanitaanni najugaqartut imaluunniit inuussutissarsiornermi soqutigisaqartut, ingerlatassat avatangiisinut sunniutigisinnaasaannit sunnerneqarsinnaappata, pingaartumik tamanna pisinnaavoq.

Imm. 5-imut

Aalajangersakkami allassimavoq, imm. 2 malillugu piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartup aamma Namminersorlutik Oqartussat nalunaarusianik, misissueqqaarnermi paasisanut, paasissutissanut nalunaarsukkanut, misissugassanut, nassuiaanernut, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit tunniunneqartunut piginnittussaataasut akeqanngitsumillu atuisussaataasut atuisinnaatitaasullu.

Namminersorlutik Oqartussat piginnittussaataaneranni najoqqutassat Kalaallit Nunaanni aatsitassarsiorluni ingerlatassanut tunngatinneqarsinnaasut kisimik pineqartunut ilaatinneqarput. Assersuutigalugu software-nut periaatsinullu najoqqutassat pilersinneqarnerannut atorneqartunut pisinnaatitaanerit Namminersorlutik Oqartussat pisinnaatitaaffigilissanngilaat.

Suliaqarnermi aatsitassanut ikummatissanullu inatsit malillugu akuersissutit imaluunniit akuersissutinut atugassarititaasut amerlanertigut atugassarititaasut taamaaqatigisarpaat imaluunniit assingusarlutik. Siunnersuut malillugu akuersissutinut tamanna aamma atuutissasoq naatsorsuutigineqarpoq. Taamaattoq aalajangersakkap siunnersuummi toqqaannartumik allassimanissaa naapertuunnerusoq naliliisoqarpoq.

Aammattaaq aatsitassarsiorluni misissuinissamut aamma misissueqqaarnissamut akuersissutinut atugassarititaasut nalinginnaasut 23. Juni 2013-imeersut atuuttut aalajangersakkanik taamaaqataannik imaqarput.



Imm. 6-imut

Aalajangersagaq Naalakkersuisut pissutsit imm. 1-imi taaneqartut pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaanissaannut inatsimmi tunngavissamik imaqarpoq. Taakkua assersuutigalugu tassaasinnaapput ingerlatassanik aalajangersimasunik suliaqarnermi aammalu pisut imaluunniit pissutsit aalajangersimasut pineranni nalunaarusiat imarisaat, ilusaat akulikissusaallu pillugit aalajangersakkat imaluunniit atugassarititaasut, ilanngullugit piffissani aalajangersimasuni tunniussisarneq pillugu.

Aamma assersuutigalugu tassaasinnaapput Naalakkersuisut ingerlatat, paasisa, pisut pissutsillu ilaalu ilanngullugit aalajangersimasut pillugit paasissutissanik nalinginnaasunik tamanut saqqummiussinissamut periarfissaqarnerat pillugu aalajangersakkat imaluunniit atugassarititaasut.

Naalakkersuisut ilaatigut tamatumunnga nalunaarutini aalajangersakkanik erseqqinnerusunik aalajangersaanissaannapput. Naalakkersuisut aamma tamatumunnga atugassarititaasunik, akuersissutitut akuersissuteqarnernullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaanissaannapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

### *§ 33-mut*

Imm. 1-imut

Aatsitassarsiorluni misissueqqaarnissamut akuersissummik tunniussinermi pissutsit mianerisassallu attuumassuteqartut tamaasa tamatumunngalu atasut pissutsit pillugit aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaannik aalajangersagaq imaqarpoq.

Atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit misissueqqaarnissamut akuersissummik tunniussisarneq pillugu siunnersuummi § 28-mut naapertuuttumik aalajangersagaq nassuiarneqassaaq atuutsinneqassallunilu.

Naalakkersuisut ilaatigut nalunaarutini, akuersissutitut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma misissueqqaarnissamut akuersissutitut pillugit ilitersuutini siunnersuut malillugu aalajangersagaasuni aalajangersakkanik aalajangersaanissaannapput. Naalakkersuisut aamma misissueqqaarnissamut akuersissutitut aammalu misissueqqaarnissamut akuersissutitut pillugit akuersissuteqarnernut atugassarititaasuni nalinginnaasuni atugassarititaasunik aamma siunnersuut malillugu aalajangiinerni atugassarititaasunik aalajangersaanissaannapput. Takuuk siunnersuummi § 16

tassungalu nassuiaatit, tassani allassimalluni siunnersuut malillugu aalajangersakkat atugassarititaasullu qanoq paasineqassanersut.

Misissueqqaarnissamut akuersissut piumasarineqartunik arlalinnik imaqarpoq, soorlu akuersissutip suussusaa, sumiiffik akuersissuteqarfiusoq, piffissaq akuersissuteqarfiusoq aamma pisinnaatitsissummik pigisaqartup kinaassusaa.

Tamatuma saniatigut atugassarititaasut arlallit, nalunaarutini, akuersissutinut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma misissueqqaarnissamut akuersissutip pillugit ilitersuutini imaluunniit akuersissummi aalajangersagaasinnaasut, atuuttussaapput. Taakkua assersuutigalugu tassaasinnaapput pisinnaatitsissummik pigisaqartumi aaqqissuussaanermut, ingerlatassanut akuersissummi pineqartunut ilaasunut, pisuni qanoq ittuni akuersissutip atorunnaarsinneqarsinnaaneranut, pisinnaatitsissummik pigisaqartup akuersissutip atorunnaareernerani pisussaaffiitut, pisinnaatitsissummik pigisaqartup piffissami akuersissuteqarfiusumi misissueqqaarnernik suliaqarnissamut piusussaaffigisinnaasaannutpisussaaffigisinnaasaannutpisussaaffigisinnaasaannut piumasaqaatit, qularnaveeqqusiinermut inuiaqatigiinnilu piujuartussamik sunnuteqartitsinissamut piumasaqaatit, pisinnaatitsissummik pigisaqartup pisuni aalajangersimasuni inuiaqatigiinni piujuannartitsisumik ingerlatsinermik nalilersuineramik tassungalu nassuiaatinik (VSB-mut nassuiaatit) suliaqarnissamut aammalu inuiaqatigiinni piujuartussamik sunnuteqartitsinissaq pillugu isumaqatigiissutinik allanillu inuiaqatigiit aningaasaqarnerannut tunngasunut isumaqatigiissuteqarnissaq (IBA-mut isumaqatigiissutip), ingerlatassanut pilersaarutini tunniussinissaq akuersissuteqarnissarluk, pisinnaatitsissummik pigisaqartup siunnersuut malillugu pisussaaffiitut qularnaveeqqusiinissaq, pisinnaatitsissummik pigisaqartumi sillimmasiinermut tunngasut, pisinnaatitsissummik pigisaqartup taarsiinissamut akisussaaffeqarnera, pisinnaatitsissummik pigisaqartup misissueqqaarnerit pillugit nalunaarusiortarneri aammalu paasissutissanik nalunaarsukkanik misissugassanillu ilaalu ilanngullugit Naalakkersuisunut tunniussisarnissaa, isertuussinissaq, pisinnaatitsissummik pigisaqartup akiliutinik akiliutissanillu Naalakkersuisunut akiliisarnissaa aamma pisinnaatitsissummik pigisaqartup najukkameersunik sulisoqarnissaa pilersuisoqarnissaalu.

#### *§ 34-mut*

Aalajangersagaq siunnersuutigineqartoq aatsitassarsiorluni misissuinissamut kisermaassisussaatitaalluni akuersissummik tunniussisarnermut tunngassuteqarpoq. Aalajangersagaq siunnersuutigineqartoq malillugu aatsitassarsiorluni misissuinissamut akuersissut taamaallaat kisermaassisussaatitaaffilimmik tunniunneqarsinnaavoq. Tamatuma kingunerisaanik pisinnaatitsissummik pigisaqartut arlallit aatsitassarsiorluni misissuinissamut akuersissutinik, nunami sumiiffinni sumiiffimmut ataatsimut tamakkiisumik ilaannaasumilluunniit, tunineqarsinnaanngillat.

Aatsitassarsiorluni misissuinermit ingerlatassani annertuumik misissueqqaarnissamut akuersissummituulli misissuinermit ingerlatassat pineqartunut ilaatinneqartarput, takukkit § 28 aamma § 12, imm. 2. Aatsitassarsiorluni misissuinissamut akuersissutini taamaattoq aatsitassa qarfiusinnaasunik tamatumunngalu atatillugu pissutsinik aalajangersimasuunerusunik itinerusunillu misissuinerit ingerlanneqarajupput. Assersuutigalugu tassaasinnaapput nunap sannaanik, geokemiskimik aamma geofysiskimik misissuinerit. Aamma assersuutigalugu tassaasinnaapput imaani sumiiffinni sajuppillatsitsisarlunga misissuinerit.

Aatsitassarsiorluni misissuinermit ingerlatassani ingerlatassat aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartumit imaluunniit taanna sinnerlugu ingerlanneqartut tamarmik pineqartunut ilaatinneqarput, ilanngullugit illunik, atortulersuutinik ikkussuinermit attaveqatigiinnernillu ilaalu ilanngullugit pisariaqartunik pilersitsineq aammalu aatsitassarsiorluni misissuinermit ingerlatassanut atatillugu ingerlatassat allat.

Aalajangersagaq malillugu aatsitassarsiorluni misissuinissamut akuersissut sumiiffimmut erseqqinnerusumik killissalersugaasumut aammalu atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit tunniunneqartarput. Akuersissummi taamaalilluni ilaatigut sumiiffik akuersissute qarfiusoq allassimassaaq. Akuersissut aamma aatsitassarsiorluni misissuinermit ingerlatassanut atatillugu pissutsit attuumassuteqartut allat pillugit atugassarititaasunik imaqassaaq.

Aatsitassarsiorluni misissuinissamut akuersissummi aatsitassamik ataatsimik arlalinnilluunniit misissuineq ilaatinneqarpoq. Akuersissummi aatsitassat tamarmik pineqartunut ilaatinneqannginnerannut pissutaavoq, aatsitassanik aalajangersimasunik Namminersorlutik Oqartussat piiarneqartussatut kissaatiginngisaannik peqarsinnaanera. Suliaqarnermit tamatumunnga atugassarititaasut nalinginnaasut malillugit aatsitassarsiorluni misissuinissamut akuersissummi aatsitassat tamarmik pineqartunut ilaatinneqartarput, aatsitassat inatsimmi imaluunniit nalunaarummi piiaanissamut inerteqquteqarfigineqartut ilaanatik.

Aatsitassap akuersissummi pineqartunut ilaatinneqannginnera isumaqanngilaq aatsitassaq pillugu misissuinermit suliaqartoqaqqusaanngitsoq, imaluunniit aatsitassaq pillugu nalunaarusianik Naalakkersuisunut nassiussisoqassanngitsoq. Tamatuma aatsitassarsiorluni misissuinissamut akuersissummut qanoq erseqqinnerusumik kinguneqarnera, tassalu aatsitassamik ataatsimik arlalinnilluunniit piiaanissaq inerteqqutigineqartoq, inatsisini nalunaarutinilu inerteqquteqarnermut atatillugu aalajangersarneqartuni kiisalu akuersissummut atugassarititaasuni allassimassaaq.

Naalakkersuisut pissutsit mianerisassallu attuumassuteqartut tamaasa pillugit aatsitassarsiorluni misissuinissamut akuersissutini atugassarititaasunik aalajangersaasinnaapput. Takuuk siunnersuummi aatsitassarsiorluni misissuinissamut akuersissummi atugassarititaasunik aalajangersaasarneq pillugu §§ 1 aamma 40 taakkunungalu nassuiaatit.

#### *§ 35-mut*

Aatsitassarsiorluni misissuinissamut akuersissummik tunniussisoqanginnerani qinnuteqaat tamanut ammasumik tusarniaassutigineqassasoq, aalajangersakkami maleruagassiivigineqarpoq.

Soqutigisaqartut tamarmik, assersuutigalugu soqutigisaqatigiiffiit, kommunit imaluunniit innuttaasut inatsisit allat naapertorlugit sumiiffimmut qinnuteqaatigineqartumi pisinnaatitaaffeqartut, akuersissummik tunniussinissamut akerriliissuteqarnissamut periarfissaqarnerat, aalajangersakkami qulakkeerneqassaaq. Akuersissutip tunniunneqanginneranik imaluunniit akuersissutip atugassarititaasut immikkut ittut tunngavigalugit tunniunneqarneranik, akerriliissuteqarnerit kinguneqarsinnaapput.

Innuttaasut aamma soqutigisaqartut allat piffissami tassani akerriliissuteqarnissamut periarfissaqarnissaat pingaaruteqarpoq, tassami aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq, takuuk § 34, aalajangersakkami matumani piumasaqaatit naammassineqarsimappata § 41 naapertorlugu aatsitassanik piiiaanissamut akuersissummik tunineqarnissamik pisinnaatitaammat.

#### *§ 36-mut*

Imm. 1-imut

Aalajangersagaq malillugu aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ingerlatseqatigiiffiusaaq aningaasaliiffigineqarluni ingerlanneqartoq.

Aktiaatileqatigiiffiit, piginneqatigiilluni ingerlatseqatigiiffiit aamma aallarnisaasut ingerlatseqatigiiffii tamarmik ingerlatseqatigiiffiupput aningaasaliiffiusut aammalu aktiaatileqatigiiffiit aamma piginneqatigiilluni ingerlatseqatigiiffiit pillugit inatsisip (ingerlatseqatigiiffinnut inatsit) Kalaallit Nunaannut atuutilersinnissaa pillugu danskit Kalaallit Nunaannut peqqussutaanni Kalaallit Nunaanni ingerlatseqatigiiffinnut aningaasaliiffiusunut inatsimmi pineqartunut ilaallutik.

Taamaattoq aalajangersagaq malillugu pisinnaatitsissummik pigisaqartoq aallarnisaasutut

ingerlatseqatigiiffiusinnaangilaq, aallarnisaasutut ingerlatseqatigiiffik piginneqatigiilluni ingerlatseqatigiiffiulluni immikkut ittuugaluarpalluunniit. Tamatumunnga ilaatigut pissutaavoq, aallarnisaasutut ingerlateqatigiiffiup minnerpaamik taamaallaat 1 koruunimik ingerlatseqatigiiffik aningaasaateqarluni nalunaarsorneqarsinnaanera, aammalu piginneqatigiilluni ingerlatseqatigiiffiup tamatumunnga taarsiullugu minnerpaamik 40.000 koruunimik ingerlatseqatigiiffik aningaasaateqarluni nalunaarsorneqartussaana. Piginneqatigiilluni ingerlatseqatigiiffik taamaalilluni ataatsimut isigalugu aallarnisaasutut ingerlatseqatigiiffimmit annertunermik ingerlatseqatigiiffimmi aningaasaateqartussaavoq.

Ingerlatseqatigiiffik nunami allami angerlarsimaffeqartoq aktiaatileqatigiiffimmut naapertuunnersoq imaluunniit piginneqatigiilluni ingerlatseqatigiiffiunersoq Kalaallit Nunaanni angerlarsimaffeqarluni aallarnisaasutut ingerlatseqatigiiffiunani, taamaalillunilu aatsitassarsiorluni misissuinissamut akuersissut malillugu ingerlatseqatigiiffittut pisinnaatitsissummik pigisaqartuusinnaanersoq, Naalakkersuisut aalajangiissapput.

Tamatumunnga aalajangiineq § 36-mut naapertuuttumik aammalu ingerlatseqatigiiffinnut taamaattunut maleruagassiinermut, nalunaarsuinermt, aningaasaatinut tunngasunut, aningaasaqarnikkut aningaasalersuinikkullu pisinnaasaqarnermt (aningaasaateqarneq), aqutsinermut, naatsorsuutinut allattuinermt naatsorsuutinullu ilaalu ilanngullugit tunngaviusumik annertuumillu piunasaqaateqarnissap qulakkeernissaa siunertaralugu aalajangiiffigineqassaaq.

Aammattaaq aalajangerneqarpoq ingerlatseqatigiiffik pisinnaatitsissummik pigisaqartoq Kalaallit Nunaanni inuussutissarsiummik ingerlatsisutut nalunaarsorsimasuussasoq, tassa tamatumunnga maleruagassat atuuttut malillugit imaappoq, ingerlatseqatigiiffik CVR-imi nalunaarsorsimasuussasoq. Tamanna ilaatigut ingerlatseqatigiiffimmiit akileraarutitigut nalunaarutiginnittarnissat eqqarsaatigalugit piunasaqaatigineqarpoq.

Imm. 2-mut

Aalajangersakkami allassimavoq imm. 1 malillugu pisinnaatitsissummik pigisaqartup piffissaq akuersissuteqarfiusoq tamaat akuersissutit aalajangersimasut naammassisimassagai.

Imm. 3-mut

Aalajangersakkami allassimavoq, ingerlatseqatigiiffiit nunanit allaneersut sorliit aktiaatileqatigiiffittut aamma piginneqatigiilluni ingerlatseqatigiiffittut Kalaallit Nunaanni angerlarsimaffeqartutut isigineqarnissaannut tunngatillugu Naalakkersuisut aalajangiisinnaatitaasut.

Naalakkersuisut taamaalillutik aalajangiisinnaapput aatsitassarsiorluni misissuinissamut

akuersissut malillugu pisinnaatitsissummik pigisaqartoq ingerlatseqatigiiffiusinnaasoq aningaasaliiffigineqartoq aalajangersimasumik suussuseqartoq, Kalaallit Nunaannit allaanerusumi nunami allami angerlarsimaffeqartoq imaluunniit taamatut ingerlatseqatigiiffiusinnaanngitsoq.

### *§ 37-mut*

#### Imm. 1-imut

Aatsitassarsiorluni misissuinerlut tunngatillugu akuersissutip sivilissusissaa pillugu maleruagassanik aalajangersagaq imaqarpoq. Aalajangersakkami allassimavoq aatsitassarsiorluni misissuinissamut akuersissutit ukiunik 5-inik piffissalerlugit tunniunneqartassasut.

Akuersissut siullermeertumik ukiut 5-it tikillugit tamatumalu kingorna ukiut 3-kkaarlugit aatsitassarsiorluni misissuinissaq siunertaralugu sivitsorneqassaaq. Takuuk imm. 2 tassungalu nassuiaatit.

#### Imm. 2-mut

Aalajangersagaq aatsitassarsiorluni misissuinissamut akuersissutit sivitsorneqartarnerat pillugu maleruagassanik imaqarpoq. Piffissap akuersissuteqarfiusup sivitsorneqarnera kinaassusersiunngitsumik tunngavissarititaasunik nalilersuineq tunngavigalugu pissaaq, ilanngullugu pisinnaatitsissummik pigisaqartup akuersissut pillugu aammalu akuersissut malillugu ingerlatassanut pisussaaffini naammassisimanagera nalilersuineq. Taamaalilluni pissutsit immikkut ittut pingaaruteqartullu tamatumunnga tunngassuteqartinnagit piffissaq akuersissuteqarfiusooq sivitsorneqarsinnaavoq.

Aalajangersakkami allassimavoq ukiuni 5-ini piffissaq akuersissuteqarfiusooq imm. 1 malillugu aatsitassarsiorluni misissuinissaq siunertaralugu Naalakkersuisunit sivitsorneqarsinnaasoq. Taamatut sivitsuineq ataasiarluni arlaleriarluniluunniit pisinnaavoq. Piffissaq akuersissuteqarfiusooq siullermeertumik ukiunik 5-inik piffissalerlugit sivitsorneqassaaq. Tamatuma kingorna piffissaq akuersissuteqarfiusooq tamatigut ukiunik 3-inik piffissalerlugit sivitsorneqassaaq. Aatsitassarsiorluni misissuinerlut piffissaq akuersissuteqarfiusooq tamarmiusooq ukiunit 22-init sivilissusinnaanngilaq. Takuuk imm. 4 tassungalu nassuiaatit.

#### Imm. 3-mut

Ataatsimut katillugu ukiunit 10-nit sivilissusissamut piffissap akuersissuteqarfiusup sivitsorneqarnerini tamaginni akuersissummumut atugassarititaasut allannngortinneqartut

aalajangersarnissaannut Naalakkersuisut inatsimmi tunngavissaannik aalajangersagaq imaqarpoq.

Taamaalillutik Naalakkersuisut siullermeertumik piffissap akuersissuteqarfiusup sivitsorneqarnerani atugassarititaasut allanngortillugit aalajangersaasinnaanngillat, takuuk imm. 2, tassami piffissap akuersissuteqarfiusup ataatsimut katillugu ukiunit 10-nit sivilunerulerneranik akuersissutip siullermeertumik sivitsorneqarnera malitseqartussaanngimmat. Taamaalillutik Naalakkersuisut aappassaannik piffissap akuersissuteqarfiusup sivitsorneqarnerani akuersissummut atugassarititaasut allanngortillugit aalajangersaasinnaapput, takuuk imm. 2, tassami akuersissummi taamaaliornermi ataatsimut katillugu ukiunit 10-init sivilunerulertussaammat.

Naalakkersuisut assersuutigalugu pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinermi pisussaaffiit aamma, Naalakkersuisunut aningaasanik akiliinissaq pillugit akuersissummut atugassarititaasunik aalajangersaasinnaapput.

Tamanna tunngavilersorluagaappat, assersuutigalugu aatsitassat nassaarineqartut piiarneqarsinnaanersut nalilersorneqarnissaa siunertaralugu aatsitassarsiorluni misissuinerup ingerlasup ingerlatiinnarnissaa qulakkeerniarlugu, ataasiakkaatigut naliliineq tunngavigalugu akuersissummut atugassarititaasut allanngortillugit sivitsuineq akuerineqarsinnaasoq, aalajangersakkami siunertaavoq.

Imm. 4

Aatsitassarsiorluni misissuinissamut akuersissummut ataatsimut katillugu piffissap akuersissuteqarfiusup sivilussusissaanut sivilunerpaaffissaq aalajangersakkami aalajangersarneqarpoq.

Aalajangersagaq pingaartumik pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinermik sunniuteqarluartumik suliaqarnissaanut, ilanngullugu mianerisassanut § 1, imm. 2-mi allassimasunut naapertuuttumik sunniuteqarluartumik aatsitassarsiorluni misissuinermi ingerlatassanik suliaqarnissaanut, qulakkeereqataassaaq. Sunniuteqarluartumik aatsitassarsiorluni misissuinerup kingunerisaanik ilaatigut pisinnaatitsissummik pigisaqartup akuersissutip tunniunneqareernerata kingorna ajornarunnaarnerani piffissap naleqquttup iluani ingerlatassat akuersissummi pineqartunut ilaatinneqartut aallartissinnaassavai, aammalu piffissami akuersissuteqarfiusumi pisariaqanngitsumik imaluunniit siviluumik unikkallartitsinani imaluunniit unitsitsinani ingerlatassat suliarissallugit. Tamanna ilaatigut sumiiffimmi akuersissuteqarfiusumi aatsitassaqaqfinnik piiarneqarsinnaasunik nassaarnissamik ilimanaateqartunik nunaminertamik inniminniinninnissamik pinngitsoortitseqataassaaq. Tamatuma ilaatigut malitsigisaanik akuersissut malillugu pisinnaatitsissummik pigisaqartoq, akuersissutip tunniunneqareernerani ajornarunnaarpat

piffissap naleqquttup iluani ingerlatassanik aallartitsinninnissamut naleqquttumik tunngavissaqassaaq.

Imm. 5-imut

Aalajangersakkap atuunnerani aatsitassarsiorluni misissuinissamut akuersissut, imm. 1-4 malillugit piffissap akuersissuteqarfiusup naanissaaniit siusinnerusukkut atorunnaarsinnaavoq. Tamanna assersuutigalugu pissaaq, pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinissamut akuersissut Naalakkersuisunut utertissagaa, tamanna tikitsinnagu Naalakkersuisut akuerippassuk.

#### *§ 38-mut*

Imm. 1-imut

§ 34 malillugu aatsitassarsiorluni misissuinissamut akuersissummik tunniussinissaq imaluunniit § 37, imm. 2 malillugu aatsitassarsiorluni misissuinissamut akuersissut malillugu piffissap akuersissuteqarfiusup sivitsorneqarnissaa, aammalu aatsitassarsiorluni misissuinissamut akuersissummik tunniussinissaq imaluunniit piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugu qinnuteqaammik tigusaqarnermut suliarinninnermullu akiliummik akiliinissaq pillugu Naalakkersuisut inatsimmi tunngavissaat imm. 1-imi aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu. Tamatuma saniatigut aatsitassarsiorluni misissuinissamut akuersissut imaluunniit aatsitassarsiorluni misissuinissamut akuersissummut piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugu oqartussat suliarinninnerannut akiliummik akiliinissaq pillugu aalajangersakkanik aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaat imm. 1-imi aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu.

Naalakkersuisut akiliutinik matuma siuliani allassimasutut akiliisarneq pillugu aalajangersakkanik nalunaarummi aalajangersaasinnaapput.

Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

Imm. 2-mut

naammassinninngippat, pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinissamut pisussaaffii aammalu Naalakkersuisunut aningaasanik akiliinissaq pillugit aalajangersakkanik aalajangersaanissamut periarfissaqarnermut, aalajangersagaq siunnersuutigineqartoq tunngassuteqarpoq.

Pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinissamut pisussaaffii



akuersissummi atugassarititaasunik aalajangersaanissamut periarfissaqarnermut, aalajangersagaq tunngassuteqarpoq.

Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

Aatsitassanut aatsitassarsiorluni misissuinissamut aamma misissueqqaarnissamut akuersissutitut atugassarititaasut nalinginnaasut 23. Juni 2013-imeersut atuuttut malillugit 1. Januar 2009 qaammatisiutit malillugit ukiumut akuersissummut ataatsimut aningaasat makkua aatsitassarsiorluni misissuinissamut pisussaaffigineqarput:

Ukiut 1-2: 100.000 kr.  
Ukiut 3-5: 200.000 kr.  
Ukiut 6-10: 400.000 kr.  
Ukiut 11-13: 1.128.800 kr.  
Ukiut 14-16: 2.257.600 kr.  
Ukiut 17-19: 4.515.200 kr.  
Ukiut 20-22: 9.030.400 kr.

Qaammatisiutit malillugit ukiumi ataatsimi km<sup>2</sup>-mut ataatsimut aningaasartai:

Ukiut 1-2: kvadratkilometerimut 1.000 kr.  
Ukiut 3-5: kvadratkilometerimut 5.000 kr.  
Ukiut 6-10: kvadratkilometerimut 10.000 kr.  
Ukiut 11-13: kvadratkilometerimut 28.220 kr.  
Ukiut 14-16: kvadratkilometerimut 56.440 kr.  
Ukiut 17-19: kvadratkilometerimut 112.880 kr.  
Ukiut 20-22: kvadratkilometerimut 225.760 kr.

Imm. 3-mut

Aatsitassarsiorluni misissuinissamut akuersissutit aamma akuersissut malillugu ingerlatassat ilaalu ilanngullugit attatiinnarnissaannut pisinnaatitsissummik pigisaqartup akiliutissamik akiliinissaa pillugu aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalackersuisut inatsimmi tunngavissaat, imm. 3-mi aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu.

Assersuutigalugu aatsitassarsiorluni misissuineramik suliaqarsinnaatitaanermut ukiumoortumik akiliuteqarnissaq, imaluunniit akiliutissaq ingerlatassanut aalajangersimasunut tunngatinneqartoq pillugu aalajangersakkanik aalajangersaasoqarsinnaavoq.

Akiliutissaq pisinnaatitsissummik pigisaqartumit, taassuma aatsitassarsiorluni

misissuinissamut akuersissut malillugu ingerlatassanik suliaqarsinnaatitaaneranut, tamatumunngalu atatillugu aningaasaqarnikkut niuernikkullu iluaqutissarsisinnaaneranut akiliutinik nunap karsiata tigusaqarsinnaaneranut ilaatinneqarsinnaavoq. Akiliutip annertussusaa ilaatigut aatsitassarsiornermut suliassa qarfiup iluani niuerfimmi pissutsit sukkulluunniit atuuttut eqqarsaatigalugit aalajangersarneqarsinnaavoq.

Ingerlatassanik aalajangersimasunik suliaqarnermut akiliutissaq assersuutigalugu tassaasinnaavoq aningaasartaa aningaasaateqarfimmut imaluunniit aningaasaliissutinut akiliutigineqartussaq, pisinnaatitsissummik pigisaqartoq siunnersuut malillugu saliinissamut pisussaaffimminik naammassinnitsinnagu, aammalu pisussaaffinnut taakkununnga qularnaveeqqusiisimatinnagu imaluunniit qularnaveeqqusiussaq naammassimangippat, aatsitassarsiorluni ingerlataqareernermi saliinissamut Naalakkersuisut aningaasartuutaannut matussutissanut ilanngunneqartussaq.

Akiliutissap aalajangersarneqarnera siunissamut taamaallaat tunngatinneqarsinnaavoq, tassa imaappoq nalunaarutitut ilusilimmi akiliutissamik aalajangersaaneq akuersissutinut nalunaarutip tamanut saqqummersinneqareernerata kingorna tunniunneqartunut taamaallaat atuutissasoq, aammalu akiliutissat akuersissutini aalajangersagaasut, piffissap akuersissuteqarfiusup akuersissummi aalajangersarneqartup ingerlanerani allanngortinneqarsinnaanatik.

Imm. 4-mut

Aningaasartuutinut siunnersuut manna malillugu suliassanik suliarinninnermut aamma oqartussat suliarinninnerannut atatillugu Naalakkersuisut akilersimasaannut matussutissat aningaasanik akiliisitsinissamut Naalakkersuisut periarfissaqarnerannut aalajangersagaq inatsimmi tunngavissaavoq. Aalajangersakkami assersuutigalugu suliassanik suliarinninnermut, nakkutilliinnermut, allatut oqartussat suliarinninnerannut, sulilluni angalanernut aamma siunnersortinut avataaneersunut siunnersuisartunullu ilaalu ilanngullugit aningaasartuutit pillugit akiliisitsinerit pineqartunut ilaatinneqarput.

Akiliutissaq akiliutitut imaluunniit aningaasartuutininik utertitsinertut akilersinneqarsinnaavoq.

Oqartussat suliarinninnerannut akiliinissaq, assersuutigalugu suliassanik suliarinninnermi allatullu oqartussat suliarinninneranni, ilanngullugit akuersissutinik akuersissuteqarnernillu tunniussineq ilaalu ilanngullugit, piffissamut atuinermut pisumut nalunaaquttap akunneranut akigititaq tunngavigalugu akilersinneqarsinnaavoq.

Naalakkersuisut aningaasartuutaannut ataatsimut isigalugu naapertuuppat, aningaasartuutit suulluunniit akiliutitut imaluunniit aningaasartuutininik utertitsinertut akilersinneqarsinnaapput. Taamaalilluni Naalakkersuisut ataatsimut isigalugu suliassanik suliarinninnermut aamma

oqartussat suliarinninnerannut akilersimasaasa imaluunniit atuinissamik naatsorsuutigisaasa, saniatigut akiliutinik imaluunniit aningaasartuutinik utertitsinermik akiliisitsisinnaanerup aalajangersakkami tunngavissinneqarnissaa siunertaanngilaq.

### § 39-mut

#### Imm. 1-imut

Aalajangersagaq pisinnaatitsissummik pigisaqartup oqartussanut nalunaarusiortarneranut tunngassuteqarpoq.

Aalajangersagaq malillugu, tamatumunnga Naalakkersuisut aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaasimappata, aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ataatsimut isigalugu ingerlatassat pisinnaatitsissummik pigisaqartup akuersissutip ataani suliarisai pillugit nalunaarusianik, paasisat assilinerinik kiisalu misissugassanik Naalakkersuisunut tunniussisussaavoq, tamanna pillugu takuuk imm. 6 tassungalu nassuiaatit.

#### Imm. 2-mut

Aalajangersakkami allassimavoq pisinnaatitsissummik pigisaqartup nalunaarusiai, aatsitassarsiorluni misissuinermi paasisai, paasissutissat nalunaarsukkat, misissugassat nassuiaanerillu, inerniliussat inassuteqaatillu ilaalu ilanngullugit, Naalakkersuisunut tunniunneqartut, Naalakkersuisunut tunniunneqarnissaannut piffissamut killiliussamit piffissami ukiuni 5-ini isertuussaasut.

Isertuussinissaq pillugu maleruagassanik aalajangersaanissaq pisariaqarpoq, tassami paasissutissat taaneqartut ingerlatsinermi isertuussaasinnaammata imaluunniit inuussutissarsiornermi isertuussaasinnaallutik, piffissami isertuussiviusussami naleqquttumi isertuussasut pineqartariaqarlutik pineqartussaallutillu. Naalakkersuisut paasissutissanik taakkuninnga ilaalu ilanngullugit tunniussinissamut pisussaaffeqassappata imaluunniit pisussaaffeqarsinnaappata, ilanngullugu assersuutigalugu allagaatinik takunninnissamik qinnuteqartoqarnerani, tamatumani allat pisussaananatik iluaqutissarsitinneqarsinnaapput.

Aalajangersagaq pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaannut naapertuuppoq. Aalajangersagaq pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaannut naapertuuppoq. Inatsimmi § 3, imm. 1 malillugu, oqartussat, suliaassarfiit imaluunniit allakkiat suussusai erseqqinnerusumik taaneqartut, §§ 7-14-imi aalajangersakkat nalinginnaasumik malillugit pisussat, allagaatinik takunninnissamik piunasaqarneq itigartinneqarsinnaasoq, Inatsisartut inatsisaanni ilaatinneqassanngitsut, pillugu maleruagassanik Naalakkersuisut

aalajangersaasinnaapput.

Imm. 1 malillugu paasissutissat aallaaviatigut pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaanni §§ 12-14-imi pineqartunut ilaatinneqassapput. Imm. 2-mi aalajangersagaq taamaalilluni, pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaanni aalajangersakkat taaneqartut taakkua ilanngullugit, paasissutissat Naalakkersuisuni ingerlaartinneqartut aammalu Inatsisartuni ataatsimiititaliamut nassiunneqartut, allagaatini takunninnissami ilaatinneqannginnissaannik, qulakkeerissaaq.

Aalajangersagaq malillugu piffissaq isertuussiviususaaq aammalu piffissaq akuersissuteqarfiusoq tamaat Naalakkersuisunut tunniussinissamut piffissamut killiliussap kingorna ukiunik 5-inik sivissuseqarpoq, taamaattoq takukkit imm. 3 aamma 4.

Akuersissutip atorunnaarnerani isertuussinissaaq atorunnaassaaq. Akuersissutip atorunnaarnerata kingorna pisinnaatitsissummik pigisaqartumut tunngatillugu illersuinissaaq mianerineqarunnaartussaavoq, aammalu § 59, imm. 2 malillugu neqeroortitsisoqassappat tamatumunnga atatillugu qinnuteqartuusinnaasunik tamaginnik naligiisitsinissaaq qulakkeerniarlugu, najoqqutassat tunniunneqartut tamarmik tamanut saqqummersinneqarsinnaanissaat Naalakkersuisunut pingaaruteqarpoq.

Piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat pisinnaatitsissummik pigisaqartup nalunaarusiornerinut, aatsitassarsiorluni misissuinermi paasisaanut, paasissutissanut nalunaarsukkanut, misissugassanut nassuiaanernullu, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit, piginnittussaataapput, takuuk imm. 5. Takuuk imm. 5-imi aalajangersagaq tassungalu nassuiaatit.

Imm. 3-mut

Aalajangersakkami allassimavoq Naalakkersuisut piffissami isertuussiviusussami paasissutissat isertuussat, nalunaarusiat, aatsitassarsiorluni misissuinermi paasisat, paasissutissat nalunaarsukkat, misissugassat, nassuiaanerit, inerniliussat inassuteqaatillu ilaalu ilanngullugit pillugit paasissutissat nalinginnaasut tamanut saqqummersissinnaagaat.

Aalajangersagaq malillugu Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummersitsinnginnermini paasissutissat pisinnaatitsissummik pigisaqartumut nassiutissavaat aammalu pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttup minnerpaamik qaammatisiutit malillugit ullunik 14-inik sivissuseqartup iluani tamatumunnga oqaaseqaatinik nassiussisinnaasooq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummersinneqarnissaannut tunngavilersugaasumik

akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutissillugu. Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap iluani paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummersitsinissamut akerliliissummik nassiussippat, pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa Naalackersuisut paasissutissanik pineqartunik tamanut saqqummersitsinissamut soqutigisaannit pingaaruteqarnerusorineqarpat, Naalackersuisut paasissutissat taakkua tamanut saqqummersissanngilaat.

Naalackersuisut paasissutissanik nalinginnaasutut isikkoqartunik tamanut saqqummersitsinissamut soqutigisaat assersuutigalugu tassaasinnaapput innuttaasut isumannaatsuunissaasa eqqarsaatigineqarnissaa, paasissutissanik aalajangersimasunik tamanut saqqummersitsinissamut inatsimmi pisussaaffiliisumik pisussaaffeqarneq imaluunniit Kalaallit Nunaanni nunap sannaanik nittarsaassinissamut atatillugu. Pisinnaatitsissummik pigisaqartoq akerliliissuteqaraluartoq, aalajangersagaq malillugu paasissutissat nalinginnaasut tamanut saqqummersinneqarsinnaanersut aalajangiinermi ilaatigut pisinnaatitsissummik pigisaqartup paasissutissat isertuussaannissaannut niuernikkut soqutigisaqarsinnaanera, paasissutissat tamanut saqqummiunneqarnerat aningaasanut niuerfimmi pisinnaatitsissummik pigisaqartup nalunaarsorsimaffianni maleruagassanut unioqqutitsinerussanersoq aammalu paasissutissat nalinginnaasutut isikkoqaraluartut pisinnaatitsissummik pigisaqartut ataasiakkaat kinaassusersineqarsinnaanerat, mianerineqarsinnaapput.

Imm. 4-mut

Naalackersuisut pisuni tamaginni avatangiisinut paasissutissat nalunaarsukkat aamma avatangiisinut nalunaarusiat, inuiaqatigiinni nalinginnaasumik soqutiginaatilittut nalilerneqartut, tamanut saqqummiunnissaannut periarfissaqarnissaat, aalajangersakkami qulakkeerneqassaaq. Innuttaasut aatsitassarsiorluni ingerlatat qanitaanni najugaqartut imaluunniit inuussutissarsiornermi soqutigisaqartut, ingerlatassat avatangiisinut sunniutigisinnaasaannit sunnerneqarsinnaappata, pingaartumik tamanna pisinnaavoq.

Imm. 5-imut

Aalajangersakkami allassimavoq, imm. 2 malillugu piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartup aamma Namminersorlutik Oqartussat nalunaarusianik, aatsitassarsiorluni misissuinermi paasisanut, paasissutissanut nalunaarsukkanut, misissugassanut nassuiaanernullu, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit tunniunneqartunut piginnittussaataitaasut akeqanngitsumillu atuisussaataitaasut atuisinnaataitaasullu.

Namminersorlutik Oqartussat piginnittussaataitaaneranni najoqqutassat Kalaallit Nunaanni aatsitassarsiorluni ingerlatassanut tunngatinneqarsinnaasut kisimik pineqartunut

ilaatinneqarput. Assersuutigalugu software-nut periaatsinullu najoqqutassat pilersinneqarnerannut atorneqartunut pisinnaatitaanerit Namminersorlutik Oqartussat pisinnaatitaaffigilissanngilaat.

Suliaqarnermi aatsitassanut ikummatissanullu inatsit malillugu akuersissut aalajangersakkanik taamaaqataannik amerlanertigut imaqartarpoq. Siunnersuut malillugu akuersissutinut tamanna atuutissasoq naatsorsuutigineqarpoq. Taamaattoq aalajangersakkap siunnersuummi toqqaannartumik allassimanissaa naapertuunnerusoq naliliisoqarpoq.

Aammattaaq aatsitassarsiorluni misissuinissamut aamma misissueqqaarnissamut akuersissutinut atugassarititaasut nalinginnaasut 23. Juni 2013-imeersut atuuttut aalajangersakkanik taamaaqataannik imaqarput.

Imm. 6-imut

Aalajangersagaq Naalackersuisut pissutsit imm. 1-5-imi taaneqartut pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaanissaannut inatsimmi tunngavissamik imaqarpoq. Taakkua assersuutigalugu tassaasinnaapput ingerlatassanik aalajangersimasunik suliaqarnermi aammalu pisut imaluunniit pissutsit aalajangersimasut pineranni nalunaarusiata imarisaat, ilusaat akulikissusaallu pillugit aalajangersakkat imaluunniit atugassarititaasut, ilanngullugit piffissani aalajangersimasuni tunniussisarneq pillugu.

Aamma assersuutigalugu tassaasinnaapput Naalackersuisut ingerlatat aalajangersimasut, paasisat, pisut pissutsillu pillugit paasissutissanik nalinginnaasunik tamanut saqqummersitsinissamut periarfissaqarnerat pillugu aalajangersakkat imaluunniit atugassarititaasut.

Naalackersuisut ilaatigut tamatumunnga nalunaarutini aalajangersakkanik erseqqinnerusunik aalajangersaanissaannapput. Naalackersuisut aamma tamatumunnga atugassarititaasunik, akuersissutinut akuersissuteqarnernullu atugassarititaasut imaluunniit atugassarititaasut nalinginnaasut, aalajangersaanissaannapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

*§ 40-mut*

Aatsitassarsiorluni misissuinissamut akuersissummik tunniussinermi pissutsit mianerisassallu attuumassuteqartut tamaasa tamatumunngalu atasut pissutsit pillugit aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalackersuisut inatsimmi tunngavissaannik aalajangersagaq imaqarpoq.

Atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit aatsitassarsiorluni misissuinissamut akuersissummik tunniussineq pillugu siunnersuummi § 34-mut naapertuuttumik aalajangersagaq nassuiarneqassaaq atorneqassallunilu.

Naalackersuisut ilaatigut nalunaarutini, akuersissutinut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma aatsitassarsiorluni misissuinissamut akuersissutit pillugit ilitersuutini siunnersuut malillugu aalajangersagaasuni aalajangersakkanik aalajangersaasinnaapput. Naalackersuisut aamma aatsitassarsiorluni misissuinissamut akuersissutinut aammalu aatsitassarsiorluni misissuinissamut akuersissutit pillugit akuersissuteqarnermut atugassarititaasuni nalinginnaasuni atugassarititaasunik aamma siunnersuut malillugu aalajangiinerni atugassarititaasunik aalajangersaasinnaapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit, tassani allassimalluni siunnersuut malillugu aalajangersakkat atugassarititaasullu qanoq paasineqassanersut.

Aatsitassarsiorluni misissuinissamut akuersissut piumasarineqartunik arlalinnik imaqartussaavoq, soorlu akuersissutip suussusaa, sumiiffik akuersissuteqarfiusoq, piffissaq akuersissuteqarfiusoq aamma pisinnaatitsissummik pigisaqartup kinaassusaa.

Tamatuma saniatigut atugassarititaasut arlallit, nalunaarutini, akuersissutinut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma misissuinissamut akuersissutit pillugit ilitersuutini imaluunniit akuersissummik aalajangersagaasinnaasut, atuuttussaapput. Taakkua assersuutigalugu tassaasinnaapput pisinnaatitsissummik pigisaqartumi aaqquissuusaanermut, ingerlatassanut akuersissummik pineqartunut ilaasunut, pisuni qanoq ittuni akuersissutip atorunnaarsinneqarsinnaaneranut, pisinnaatitsissummik pigisaqartup akuersissutip atorunnaareernerani pisussaaffiinit, pisinnaatitsissummik pigisaqartup piffissami akuersissuteqarfiusumi misissuinerik suliaqarnissamut pisussaaffigisinnaasaannut pisussaaffigisinnaasaannut piumasaqaatit, qularnaveeqqusiinermut inuiaqatigiinnilu piujuartussamik sunniuteqartitsinissamut piumasaqaatit, pisinnaatitsissummik pigisaqartup pisuni aalajangersimasuni inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineramik tassungalu nassuiaatinik (VSB-mut nassuiaatit) suliaqarnissamut aammalu inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq pillugu isumaqatigiissutinik allanillu inuiaqatigiit aningaasaqarnerannut tunngasunut isumaqatigiissuteqarnissaq (IBA-mut isumaqatigiissutit), ingerlatassanut pilersaarutinik tunniussinissaq akuersissuteqarnissarluk, pisinnaatitsissummik pigisaqartup siunnersuut malillugu pisussaaffiinit qularnaveeqqusiinissaq, pisinnaatitsissummik pigisaqartumi sillimasiinermut tunngasut, pisinnaatitsissummik pigisaqartup taarsiinissamut akisussaaffeqarnera, pisinnaatitsissummik pigisaqartup misissuinerit pillugit nalunaarusiortarneri aammalu paasissutissanik nalunaarsukkanik misissugassanillu ilaalu ilanngullugit Naalackersuisunut tunniussisarnissaa, isertuussinissaq, pisinnaatitsissummik pigisaqartup akiliutinik akiliutissanillu Naalackersuisunut akiliisarnissaa aamma pisinnaatitsissummik pigisaqartup najukkameersunik sulisoqarnissaa pilersuisoqarnissaalu.

## § 41-mut

### Imm. 1-imut

Aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq peqarfik piiarneqarsinnaasutut paasineqartoq pillugu atugassarititaasut erseqqinnerusumik aalajangersarneqartut naleqquttullu tunngavigalugit piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaasoq, aalajangersakkami aalajangersarneqarpoq.

Aalajangersakkap malitsigisaanik pisinnaatitsissummik pigisaqartup aatsitassanik peqarfik piiarneqarsinnaasoq paasinarsisissinnaassavaa killissalersorsinnaassallugulu, taamaalillunilu pisinnaatitsissummik pigisaqartup aatsitassanik piiaanermik suliaqarsinnaanera naammattumik ilimanaateqartillugu, ataatsimut isigalugu ilimanarsisissinnaassallugu.

Aatsitassanik peqarfik paasinarsisinneqarsimanersoq killissalersorneqarsimanersorlu, aammalu aatsitassanik peqarfik piiarneqarsinnaanersoq pillugu pisinnaatitsissummik pigisaqartup misissussavaa, nalilersussavaa aammalu Naalakkersuisunut nalunaarusiami paasissutissiissutigissallugu uppersassallugulu.

Siunnersuut malillugu pisinnaatitsissummik pigisaqartup taamaallaat peqarfik paasinarsisissavaa killissalersussallugulu. Taamaalilluni Naalakkersuisut pisinnaatitsissummik pigisaqartoq imminut akilersinnaassutsimut misissuineramik imaluunniit nalunaarusiamik aatsitassanik piiaanermi aningaasaqarnikkut pissarsinissamut periarfissat pillugit paasissutissanik imaqartumik tunniussinissaq, Naalakkersuisunit piumasaaqatigineqanngilaq.

Siunnersuummi § 1, imm. 2, aamma § 118, malillugit ingerlatassat siunnersuummi pineqartunut ilaasut ilaatigut pissutsit taamaaqatai atuutsillugit nunani tamalaani suleriaatsinut pitsaasunut naapertuuttumik suliarineqassapput.

Tamanna ilaatigut isumaqarpoq, aatsitassanik peqarfik paasinarsisinneqarsimanersoq killissalersorneqarsimanersorlu pillugit misissuinermut nalilersuinernullu periaatsit malitassallu nunani tamalaani akuerisaasut, pisinnaatitsissummik pigisaqartup atussagai.

Tamatuma saniatigut aatsitassanik peqarfimmik paasinarsisitsineq killissalersuinerlu pillugit Naalakkersuisunut nalunaarusiamik suliaqarnermi tunniussinermilu aatsitassarsiornermut suliffissuaqarnermut nalunaarusiornermut malitassat pitsaasut aammalu nunani tamalaani akuerisaasut pisinnaatitsissummik pigisaqartup atussavai. Nalunaarusiornermut malitassat taamaattut amerlanertigut taaneqartarput aatsitassarsiornermut nalunaarusiornermut malitassat. Taakkua pisinnaatitsissummik pigisaqartup qanoq aatsitassarsiorluni misissuinermi paasisat,



sillimmatit pisuussutillu aningaasaliisartunut, aningaasaliisartunngorsinnaasunut taakkualu siunnertortaannut nalunaarusiussaneraai pillugu aalajangersakkanik nalinginnaasunik aalajangersaaviupput.

Australiamiut nalunaarusiornermut malitassiaat "The JORC Code", canadamiut nalunaarusiornermut malitassiaat "National Instrument 43-101 Standards of Disclosure for Mineral Projects", "the CIM Definition Standards on Mineral Resources and Mineral Reserves, the "CIM Definition Standards"-mut innersuussisoq, sydafrikamiut nalunaarusiornermut malitassiaat "The SAMREC Code" imaluunniit Europa tamaat nalunaarusiornermut malitassiaat "The PERC Reporting Standard" malillugit "indicated resource" uppersarsarneqarsimappat, pisinnaatitsissummik pigisaqartup piiaanissamut akuersissummik tunineqarnissamik pisinnaatitaalernissaanut peqarfiup paasinarsisinneqarnissaa pillugu piumasagaat naammassineqarsimassaaq.

"Indicated resource"-mut uppersarsaat Naalakkersuisunit akuerineqassaaq. Naalakkersuisut najoqqutassanik nassinneqartunik nammineerlutik nalilersuinissamut sukkulluunniit pisinnaatitaapput, ilanngullugu aamma suleqatinit avataaneersunit siunnertorneqarlutik ikiorneqarlutillu. Naalakkersuisut tassunga atatillugu, uppersarsaat inummit akuersissummik allagartallimmit suliarineqarsimanersooq atsiorneqarsimanersorlu apequtaatinnagu, uppersarsaammi pisinnaatitsissummik pigisaqartup nassiusaani inerniliussanit pisussaaffilerneqanngillat.

Aalajangersakkami ilaatigut siunertaavoq, peqarfiit piiarneqarsinnaasut paasineqartut piiarneqarsimanngiinnarnissaasa pinngitsoortinnissaa, aammalu aatsitassarsiorluni misissuinerimi ingerlatassanik siuarsaanissaaq.

Matuma siuliani allassimasutut aalajangersagaq malillugu pisinnaatitsissummik pigisaqartoq aatsitassanik peqarfimmik piiarneqarsinnaasumik paasinarsisitsisimappat aammalu allatigut atugassarititaasut aatsitassarsiorluni misissuinissamut akuersissummi allassimasut naammassisimallugit, pisinnaatitsissummik pigisaqartoq piiaanissamut akuersissummik tunineqarnissamik pisinnaatitaavoq. Pisinnaatitaaneq taamaattoq aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartumut pingaaruteqartoq, aammalu peqarfimmi paasinarsisinneqartumi piiaanissamut piumasagaatitalimmik pisinnaatitaanermigut tamatuminnga pissarsiaqarnissaaq qulakkeersimanngikkunikku ingerlatseqatigiiffiit Kalaallit Nunaanni aatsitassarsiorluni misissuinerimi ingerlatassani aningaasaliinissaa killilimmik taamaallaat naatsorsuutigineqarsinnaasoq, Naalakkersuisut naliliupput.

Piiaanissamut akuersissut piiaanermik ingerlatassanik suliaqarnissamut pisinnaatitaaffiliinngilaq. Ingerlatassat sulluunniit akuersissut malillugu suliarineqartut Naalakkersuisunit akuersissuteqarfigineqassasut piumasagaataavoq.

Imm. 2-mut

Piiaanissamut akuersissummik tunniussinissamik piunasaqarnissamut piunasaqaatit naammassineqarsimanersut Naalakkersuisut nalilertussaavaat.

Naalakkersuisut najoqqutassanik nassiunneqartunik nammineerlutik nalilersuinissamut sukkulluunniit pisinnaatitaapput, ilanngullugu aamma suleqatinit avataaneersunit siunnersorneqarlutik ikiorneqarlutillu. Naalakkersuisut tassunga atatillugu, uppernarsaat inummit akuersissummik allagartallimmit suliarineqarsimanersoq atsiorneqarsimanersorlu apeqqutaatinnagu, uppernarsaammi pisinnaatitsissummik pigisaqartup nassiussaani inerniliussanit pisussaaffilerneqanngillat.

*§ 42-mut*

Imm. 1-imut

Pisinnaatitsissummik pigisaqartoq aatsitassanik peqarfimmik piiarneqarsinnaasumik, pisinnaatitsissummik pigisaqartup piiarniagaanik, paasinarsisitsisimappat killissalersuisimallunilu, aammalu annikitsumik aatsitassarsiornissamut akuersissut aamma akuersissut malillugu ingerlatassat pillugit pisussaaffini tamaasa naammassisimappagit, siunnersuummi aalajangersakkat aamma aalajangersakkat allat tamatumunngalu atugassarititaasut malillugit annikitsumik aatsitassarsiorluni misissuinissamut aamma aatsitassanik annikitsumik piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup aatsitassanik piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaaneranut, aalajangersagaq tunngassuteqarpoq.

Takuuk peqarfiup piiarneqarsinnaasup § 41, imm. 1-mut nassuiaatini eqqaaneqarnera.

Imm. 2-mut

Aalajangersakkami aalajangersarneqarpoq, piiaanissamut akuersissummik tunineqarnissamik piunasaqarnissamut piunasaqaatit naammassineqarsimanersut Naalakkersuisut nalilersuisussaasut.

Naalakkersuisut najoqqutassanik nassiunneqartunik nammineerlutik nalilersuinissamut sukkulluunniit pisinnaatitaapput, ilanngullugu aamma suleqatinit avataaneersunit siunnersorneqarlutik ikiorneqarlutillu. Naalakkersuisut tassunga atatillugu, uppernarsaat inummit akuersissummik allagartallimmit suliarineqarsimanersoq atsiorneqarsimanersorlu apeqqutaatinnagu, uppernarsaammi pisinnaatitsissummik pigisaqartup nassiussaani inerniliussanit pisussaaffilerneqanngillat.

## § 43-mut

Imm. 1-imut

Aalajangersagaq malillugu Naalackersuisut sumiiffimmut erseqqinnerusumik killissalersugaasumut aammalu atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit aatsitassamik ataatsimik arlalinnilluunniit piiaanissamut akuersissummik tunniussisinnaapput.

Aatsitassanut pisinnaatitsissummik pigisaqartup peqarfimmi piarneqarsinnaasutut paasisaannut killissalersugaannullu piiaanissamut akuersissummik tunniussisoqassaaq. Takuuk imm. 4 aamma 5 tassungalu nassuiaatit.

Aatsitassanik piiaanissamut akuersissut taamaallaat kisermaassisussaataaaffilimmik tunniunneqarsinnaavoq. Tamatuma kingunerisaanik pisinnaatitsissummik pigisaqartut arlallit aatsitassanik piiaanissamut akuersissutinik, tamakkiisumik ilaannaasumilluunniit nunami sumiiffinni sumiiffimmut ataatsimut tunngassuteqartumut, tunineqarsinnaanngillat. Aammattaaq § 50, imm. 3 malillugu, sumiiffimmi akuersissuteqarfiusumi akuersissut malillugu pisinnaatitsissummik pigisaqartup saniatigut allat siunnersuut malillugu misissueqqaarnissamut, aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissutit malillugit, piiaanissamut akuersissut malillugu ingerlatassanik suliaqarsinnaannaanngillat. Takuuk sumiiffimmi akuersissuteqarfiusumi ingerlatassat allat pillugit siunnersuummi § 50 tassungalu nassuiaatit.

Piiaanermi ingerlatassani piiaanissamut akuersissummi pineqartunut ilaatinneqartuni ingerlatassat akuersissut malillugu pisinnaatitsissummik pigisaqartoq sinnerlugu suliarineqartut tamarmik aammalu pissutsit tamatumunnga atasut, pineqartunut ilaatinneqarput. Tassaapput ilaatigut illunik, sanaartukkanik, atortulersuutinik ikkussukkanik attaveqaatinillu pisariaqartunik pilersitsineq ingerlatsinerlu, ilanngullugit aqquserneq umiarsualiviillu ilaalu ilanngullugit. Ilaatigut aamma tassaapput aatsitassanik aamma tunisassiat sinnikuinik immikkoortiterineq, aatsitassanik suliareqqiineq aamma piiaanermi ingerlatanik matusineq, ilanngullugit sumiiffimmi akuersissuteqarfiusumi sumiiffinnilu kalluarneqartuni allani saliineq aamma iluarseeqqinneq.

Aalajangersagaq malillugu sumiiffimmut erseqqinnerusumik killissalersorneqartumut aammalu atugassarititaasut erseqqinnerusumik aalajangersagaasut tunngavigalugit piiaanissamut akuersissut tunniunneqartussaavoq. Akuersissummi taamaalilluni ilaatigut sumiiffik akuersissuteqarfiusoq, aammalu aatsitassat suut akuersissummi pineqartunut ilaatinneqarnersut, allassimassapput. Akuersissut aamma piiaanermi ingerlatassanut atatillugu pissutsit attuumassuteqartut allat pillugit atugassarititaasunik imaqassaaq.

Pissutsit mianerisassallu tamaasa pillugit atugassarititaasunik Naalakkersuisut aatsitassanik piiiannissamut akuersissutini aalajangersaasinnaapput. Atugassarititaasut siunnersuummut taassumalu siunertaanut naapertuuttumik aalajangersarneqassapput. Takuuk piiiannissamut akuersissummi atugassarititaasunik aalajangersaasarneq pillugu siunnersuummi §§ 1 aamma 56 tassungalu nassuiaatit.

#### Imm. 2-mut

Aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup kisermaassisussaataalluni aatsitassanik piiiannissamut tunineqarnissaanut periarfissaq, aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu.

Aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup siunnersuummi §§ 41-42-mi piumasagaatit naammassisimassagai, piiiannissamut akuersissummik tunniussinissamut tunngavissaatinneqarpoq. Aalajangersagaq taamaalilluni §§ 41-42-mut naapertuuttunik atorneqassaaq nassuiarneqassallunilu.

#### Imm. 3-mut

Aalajangersagaq malillugu ingerlatseqatigiiffik alla, aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut pisinnaatitsissummik pigisaqartumit allaanerusoq, aatsitassanik peqarfik piiarneqarsinnaasoq paasinarsisinneqarsimappat aammalu ingerlatseqatigiiffiup allatigut atugassarititaasut pisinnaatitsissummik pigisaqartumut aatsitassarsiorluni misissuinissamut akuersissummi imaluunniit annikitsumik aatsitassarsiornissamut akuersissummi allassimasut naammassisimappagit, piiiannissamut akuersissummik tunineqarsinnaavoq, taamaalillunilu pisinnaatitsissummik pigisaqartup piiiannissamut pisinnaatitaaffii tigusunnaallugit.

Ingerlatseqatigiiffiup piiiannissamut akuersissut malillugu pisinnaatitsissummik pigisaqartumut piumasagaatit naammassisimappagit, pisinnaatitsissummik pigisaqartup aatsitassanik peqarfik piiarneqarsinnaasoq paasinarsisissimasaa killissalersorsimasaalu pillugit piiiannissamut pisinnaatitaaffiit, aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup ingerlatseqatigiiffimmut allamut tunniussinnaagai, aalajangersagaq periarfissiivoq.

Ingerlatseqatigiiffiup siunnersuummi §§ 45-46-mi aamma 66-67-imi piumasagaatinik naammassinissimanissaa taamaalilluni ingerlatseqatigiiffimmut allamut

pisinnaatitsissummik pigisaqartumit allaanerusemut piiaanissamut akuersissummik tunniussinissamut tunngavissaatinneqarpoq. Aalajangersagaq aalajangersakkanut taaneqartunut naapertuuttumik atorineqassaaq nassuiarneqassallunilu.

Takukkit §§ 45-46-mi aamma 66-67-imi aalajangersakkat tassungalu nassuiaatit.

Aalajangersakkami taamaalilluni akuersissummik toqqaannartumik imaluunniit toqqaannangitsumik tunniussisarneq imaluunniit nuussisarneq pillugit siunnersuummi § 69-imi aalajangersakkami mianerisassat ataatsimut isigalugu isumagineqartussaapput.

Imm. 4-mut

Aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq §§ 41-42 malillugit peqarfimmut piiarneqarsinnaasutut paasinarsisinneqarsimasumut killissalersorneqarsimasumullu piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaaffimminik atuisinnaangippat imaluunniit atuinissamik kissaateqanngippat, aatsitassanik piiaanissamut akuersissutinik tunniussinissamut periarfissaqarnermut aalajangersagaq tunngassuteqarpoq.

Assersuutigalugu aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq §§ 41 aamma 43 naapertorlugit aatsitassanik piiaanissamut akuersissummik tamatuma kingorna tunineqarnissamut pisinnaatitaasimangippat imaluunniit tunineqarnissamik qinnuteqarsimanani, tamanna pisinnaavoq. Tamatumunnga pissutaasoq assersuutigalugu tassaasinnaavoq pisinnaatitsissummik pigisaqartup piiaanissamut akuersissut malillugu piiaanermik suliassap piviusunngortinnissaanut aningaasalersuinissamut, iluatsinngitsumik suleqatigisat allat aningaasaliitinniarsarisimagaluarai imaluunniit pisinnaatitsissummik pigisaqartumut taarsigassarsititsiniarsarisimagaluartoq. Taamaattoqarnerani Naalakkersuisut sumiiffimmut aamma aatsitassanik peqarfimmut siunnersuummi § 59, imm. 1-3-mi suleriaatsit malillugit piiaanissamut akuersissummik tunniussisinnaapput.

Assersuut alla tassaasinnaavoq siusinnerusukkut piiaanissamut akuersissut atorunnaarsimasoq, ilanngullugu atorunnaarnermini, utertinneqarnermini imaluunniit uterteqquneqarnermini, aammalu sumiiffik akuersissuteqarfiusoq aatsitassanik peqarfiup paasinarsisinneqarsimasup killissalersorneqarsimasullu ilaanik suli peqartoq.

Taamaattoqarnerani Naalakkersuisut siunnersuummi § 59, imm. 1-3-mi suleriaatsit malillugit sumiiffimmut aamma aatsitassanik peqarfimmut nutaamik piiaanissamut akuersissummik tunniussisinnaapput.

## Imm. 5-imut

Aatsitassanik piiaanissamut akuersissutit malillugit pisinnaatitsissummik pigisaqartut taamaallaat aatsitassanik paasinarsisinneqartumi, killissalersorneqartumi piiarneqarsinnaasumilu peqarfimmiittunik taamaallaat piiaanissamut pisinnaatitaassasut, aalajangersakkami aalajangersarneqarpoq.

Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq § 50, imm.1 naapertorlugu sumiiffimmi akuersissuteqarfiusumi aatsitassarsiorluni misissuinermit ingerlatassanik suliaqarsinnaatitaavoq. Pisinnaatitsissummik pigisaqartoq tassunga atatillugu aatsitassanik piiaanissamut akuersissummi pineqartunut ilaatinneqanngitsunik peqarfimmik paasinarsisitsisimappat killissalersuisimappallu, aatsitassarsiorluni misissuinissamut akuersissutip ataani peqarfik paasinarsisinneqarsimalluni killissalersorneqarsimallunilu pisoqartarneratuulli pisinnaatitsissummik pigisaqartoq peqarfimmik taassuminnga piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaavoq. Aatsitassanik piiaanissamut akuersissutaaqqaartumi pineqartunut ilaatinneqanngitsunik piiaanissamut akuersissummik tunniussineq, akuersissutaaqqaartumut ilanngussinikkut pisinnaavoq.

Akuersissutaaqqaartumut ilanngussisinnaatitaanermi, aatsitassarsiorluni misissuinissamut akuersissut tunngavigalugu piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaanertuulli, tunngavissarititaasut assingi malinneqartussaapput. Tassa imaappoq, peqarfik nunani tamalaani malitassat malillugit uppersarneqarsimassasoq aammalu pisinnaatitsissummik pigisaqartup akuersissut ilaalu ilanngullugit pillugu pisussaaffiit tamaasa naammassisimassagai, tamakkiisunut takukkit § 41, imm. 1 tassungalu nassuiaatit. Aammattaq tunngavissarititaasut taakkua naammassineqarsimanersut, Naalackersuisut aalajangiisussaapput, takukkit § 41, imm. 2 tassungalu nassuiaatit.

Akuersissummut ilanngussinermut atatillugu pilersaarutitik nassuiaatinillu nutaanik suliaqartoqassanersoq imaluunniit allakkiat pioreersut nutarterneqarnerat naammassanersoq, naliliineq apeqqutaassaaq aammalu ingerlatassat nutaat imaluunniit annertusineqartut, aatsitassanik ilanngunneqartunik piiaanerup pilersitassaasa, annertussusaat suussusaallu apeqqutaassallutik. Naliliineq Naalackersuisunit ingerlanneqassaaq.

Naalackersuisut pisut malillugit aatsitassarsiornermut matusinissamullu pilersaarutitik piunasaqaateqartoqassanersoq, suliassap tamakkiisuutillugu nalilersorsinnaanissaanut, suliassaq taakkualu suliarinissaannut pilersaarutit pillugit paasissutissanik naammattunik piunasaqartariaqarput, tamatumunnga takukkit §§ 77 aamma 80-82. Kisianni taamaallaat iluarsinerit annertusititsinerillu pineqartillugit, pilersaarutaaqqaartunut tapiliussaq naammattussaavoq. Taamaalilluni pilersaarutaaqqaartuni pissutsinut nassuiarneqartunut pilersaarutit saqqummiunnissaat pisariaqartussaangilaq, kisianni tapiliussat minnerpaamik qularnaveeqqusiissut annertusitinneqassanersoq isummernermit imaqartussaassapput.

Aatsitassat ilanngunneqartut aatsitassanik pineqartunut ilaatinneqaqqaartunik piiaanermit sinneruttuusimappata, amerlanertigut pilersaarutit akuerineqareersut nutarternissaat naammattussaavoq.

Inuiaqatigiinni piujuartussamik iluaqutaasumik sunniutaasussanut nassuiaatinut aammalu inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq pillugu isumaqatigiissutitut tunngatillugu, takukkit kapitali 16 aamma 18, nassuiaatinik nutaanik suliaqarnissaq aammalu nutaanik isumaqatigiissuteqarnissaq qaqutiguiinnaq pisariaqartussaavoq, tassami maannamut nassuiaatit isumaqatigiissutillu taakkua amerlanertigut annertusititsisoqassagaluarpat atorneqarsinnaasarmata. Taamaattoq pisuni immikkut ittuni, aatsitassanik nutaanik taakkuninnga piiaanerup nassuiaatinut/isumaqatigiissutitut tunngaviusunik annertuunik allanngortitsinermik malitseqassatillugit, nassuiaatinik nutaanik suliaqarnissaq nutaanillu isumaqatigiissuteqarnissaq pisariaqartussaavoq, pingaartumik Kalaallit Nunaanni annertuumik suliareqqiinnissaq pilersaarutigineqarluni pisoqartillugu.

Avatangiisinut sunniutaasussat pillugit nassuiaatinut tunngatillugu, takuuk kapitali 15, pisuni aalajangersimasuni nassuiaammik nutaarluinnarmik suliaqarnissaq taamatuttaaq pisariaqartussaavoq. Tamanna pisinnaavoq aatsitassanik nutaanik taakkuninnga piiaanerup malitsigisaanik annertunerusumik mingutsitsinissaq aarlerinaateqarsimappat. Kisianni aamma tassani pisumi aalajangersimasumi, nassuiaammik nutaanik piumasaqartoqassanersoq pillugu aalajangiinissaq siunertaralugu, annertussusaannik nalilersuisoqartussaassaaq imaluunniit nalilersueqqaarnermut tapiliussaq imaluunniit pitsaaliuilluni suliniutissat pillugit nassuiaat naammassanersoq.

Akuersissummut aatsitassanik arlalinnik ilanngussineq, inuiaqatigiinni piujuartussamik iluaqutaasumik sunniutaasussanut nassuiaatit, inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq pillugu isumaqatigiissutit aamma/imaluunniit avatangiisinut nassuiaatit allanngortinneqarnissaannut imaluunniit tapiliussinissamut tunngavilersuutigineqarsinnaanani pisoqartillugu, pisinnaatitsissummik pigisaqartumiit uppersaalluni nalunaarut, ilanngussineq nutarterinernik imaluunniit tapiliussamik malitseqartariaqanngitsoq tunngavilersuilluni, naammattussaavoq.

#### *§ 44-mut*

Imm. 1-imut

Aalajangersagaq malillugu qinnuteqartoq imaluunniit pisinnaatitsissummik pigisaqartoq piiaanissamut akuersissummik tunineqarnissamik kissaateqartoq suliassamut suliakkiissutitut najoqqutassiamik suliaqassaaq, tamannalu Naalakkersuisunut nassiussinermikkut nalunaarutigissallugu.

Naalackersuisunut suliassamik nalunaarutiginninneq suliakkiissutininut najoqqutassamik (piiaanissamut suliassamut nassuiaatit) Naalackersuisunut nassiussinikkut pissaaq. Nalunaarutiginninnermi siunertaavoq suliap ingerlanerani aallartitsinissaq, aatsitassarsiorluni suliassap ineriartorerani tamat atituumik siusissukkut akuutinneqarnissaannik qulakkeerisussaq (isumassarsiap immikkoortua). Suliakkiissutininut najoqqutassiap taassuma nassiunneratigut nalunaarutigineqarnera qinnuteqartup imaluunniit pisinnaatitsissummik pigisaqartup tamat atituumik oqaloqatiginissaannut alloriarneruvoq siulleg.

Pisinnaatitsissummik pigisaqartoq suliakkiissutininut najoqqutassiamik suliaqassaaq aammalu suliassamut atatillugu § 100 malillugu avatangiisinut sunniutaasussanik nalilersuineramik (VVM) suliaqartussaanneramik aamma/imaluunniit § 103 malillugu inuiaqatigiinni piujuaannartitsisumik ingerlatsineramik nalilersuineramik (VSB) suliaqartussaanneramik malitseqartussaalluni suliassap sunniuteqarsinnaasutut ilimagineqartariaqarnera apeqqaatinnagu, taanna Naalackersuisunut nassiunneratigut nalunaarutigissallugu.

## Imm. 2-mut

Aalajangersakkami allassimavoq imm. 1 malillugu suliakkiissutininut najoqqutassiap piiaanissamut akuersissummik tunniussinissaq sioqqullugu ulluni 35-ni tamanut ammasumik tusarniaassutigalugu nassiunneqassasoq.

Tusarniaaneq qinnuteqartup imaluunniit pisinnaatitsissummik pigisaqartup aatsitassarsiorluni suliassamut siunnersuummik saqqummiunneqartumik ineriartortitsinissamut pilersaarutaannut tunngatillugu tamat paasisimasaqalernissamut aammalu siunnersuutininik aarlerissutigineqartunillu saqqummiussinnaanissamut siullertut periarfissaraat. Suliassap immikkoortuani siusissukkut tamat suliassap ilusilersorneqarneranut ilassuteqarsinnaanissaannik qulakkeerinissamut, suliakkiissutininut najoqqutassap tusarniaassutigineqarneranut tusarniaannermut akissuteqaatit pingaaruteqarput, taamaalilluni suliakkiissutininut najoqqutassiamut akerliliissuteqarnerit imaluunniit oqaaseqaatit aatsitassarsiorluni suliassamik ineriartortitsinermut suliaqarnerup ingerlaqqinneranut sunniuteqarsinnaallutik.

Naalackersuisut piiaanissamut akuersissummik tunniussermi atugassarititaasunik aalajangersaanermi tusarniaannermut akissuteqaatit attuumassuteqartut isiginiassavaat.

Aalajangersakkami aamma allassimavoq, qinnuteqartup imaluunniit pisinnaatitsissummik pigisaqartup § 106 malillugu avatangiisinut tunngasut imaluunniit inuiaqatigiinnut tunngasut pillugit suliassamut nassuiaat tamanut ammasumik piareersaataasumik tusarniaassutigisussaappagu, piareersaataasumik tusarniaanerit aammalu suliakkiissutininut najoqqutassiap tusarniaassutigineqarnera sapinngisamik ataatsimoortinneqassasut. Taamaalilluni aalajangersagaq malillugu suliakkiissutininut najoqqutassiap



tusarniaassutigineqarnera aammalu suliassamut nassuiaatit piareersaataasumik tusarniaassutigineqarnerat ataatsikkoortillugit ingerlanniarneqartussaapput.

Taamaattoq § 106 malillugu avatangiisinut tunngasut imaluunniit inuiaqatigiinnut tunngasut pillugit suliassamut nassuiaat tamanut ammasumik piareersaataasumik tusarniaassutigineqassasoq, aalajangersagaq manna malillugu tusarniaanerup ingerlanneqareernerani paasinarsilluni, pisoqarsinnaavoq. Taamaattoqarnerani piareersaataasumik tusarniaaneq taanna imaluunniit taakkua tamatuma kingorna ingerlanneqartariaqarput.

Imm. 3-mut

Piiaanissamut akuersissummik tunniussisoqarani qaammatit 24-t sinnerlugit ingerlareersimappata, aalajangersagaq malillugu nutaamik tusarniaasoqassaaq. Suliakkiissutinut najoqqutassiap aammalu tusarniaanerup ullutsinnut naleqqugunnaarsimannginnissaasa, aammalu piiaanissamut akuersissummik tunniussinnginnermi pisoqalisimannginnissaasa qulakkeernissaa, aalajangersakkami siunertaavoq.

Imm. 4-mut

Piiaanissamut akuersissummik tunniussinissaq naatsorsuutigineqartunit sivisunerusumik sivisussuseqartillugu imm. 3-mi piffissamut killiliussap saneqqunneqarnissaanut inatsimmi tunngavissamik aalajangersagaq imaqarpoq. Naalakkersuisut qinnuteqaammik sularinninnerat piffissamut killiliussap naammassineqarsinnaannginneranik kinguneqarluni pisoqartillugu pisinnaatitsissummik pigisaqartut isumannaarneqarnissaat, aalajangersakkami pingaarnertut siunertaavoq.

Imm. 5-imut

Naalakkersuisut suliassamut suliakkiissutinut najoqqutassiap imarisai aammalu tusarniaanermik ingerlatsinissaq pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaasinnaasut, aalajangersakkami aalajangersarneqarpoq.

Assersuutigalugu taakkua tassaasinnaapput pissutsit suut suliakkiissutinut najoqqutassiami erseqqinnerusumik nassuiarneqassanersoq pillugu aalajangersakkat imaluunniit atugassarititaasut.

*§ 45-mut*

Imm. 1-imut

Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq taamaallaat aktiaatileqatigiiffiusinnaasoq, aalajangersakkami allassimavoq. Aktiaatileqatigiiffik aktiaatileqatigiiffittut nalunaarsorsimasuussaaq aammalu Kalaallit Nunaanni angerlarsimaffeqassalluni.

Ingerlatseqatigiiffiit ilusaat allat aktiaatileqatigiiffinnit allaanerusut siunnersuut malillugu piiaanissamut akuersissummik tunineqarsinnaanngillat. Tamatumunnga ilaatigut pissutaavoq aatsitassanik piiaanermut tunngatillugu ingerlatassat ataatsimut isigalugu, misissueqqaarnermut imaluunniit aatsitassarsiorluni misissuinermut aamma pissutsit tamatumunnga pingaaruteqartut pillugit ilisimatuussutsikkut misissuinerlut tunngatillugu ingerlatassanik, annertunerujussuunerat aammalu ataatsimut isigalugu piffissami sivisunerusumi ingerlanneqartarnerat.

Tamatuma saniatigut aatsitassanik piiaanissamut akuersissutit pisussaaffinnik annertunerujussuarnik pingaaruteqarnerujussuarnillu malitseqarsinnaapput. Taamaattumik pisinnaatitsissummik pigisaqartup aningaasaqarnikkut aningaasalersuinikkullu pisinnaasaqarneranut (aningaasaateqartoq) piumasaqaatit sukannerusariaqarput. Tamatuma saniatigut pisinnaatitsissummik pigisaqartup naatsorsuutini allattuina, naatsorsuutai aamma ukiumoortumik nalunaarsuiai pillugit piumasaqaatit annertunerujussusariaqarput.

Kalaallit Nunaanni angerlarsimaffeqarnissaq pillugu piumasaqaatip atuunnerani ingerlatseqatigiiffik Kalaallit Nunaannut tamatumunnga inatsisinut naapertuuttumik nalunaarsorsimasuussavaoq aammalu Kalaallit Nunaanni angerlarsimaffeqartutut suliffeqarfittut ingerlanneqartussaalluni.

Kalaallit Nunaanni angerlarsimaffeqarnissaq pillugu piumasaqaat ilaatigut ingerlatseqatigiiffiup inuussutissarsiorluni ingerlatanik suliaqarnermigut piviusumik Kalaallit Nunaannut atassuteqarnissaata, aammalu Kalaallit Nunaanni aatsitassarsiorluni ingerlatassanik isertitanik akileraarusiinerup Namminersorlutik Oqartussanut tutsinneqarnissaannut qulakkeereqataassaaq. Tamanna Kalaallit Nunaanni Namminersorneq pillugu inatsimmi § 7-imi isertitanut nassuiaassummut naapertuuppoq.

Imm. 2-mut

Aktiaatileqatigiiffik Kalaallit Nunaanni piviusumik qullersaqarfeqassasoq pillugu aalajangersakkami piumasaqaat, ingerlatseqatigiiffiup inuussutissarsiorluni ingerlatanik suliaqarnermigut piviusumik Kalaallit Nunaannut atassuteqarnissaata, aammalu Kalaallit Nunaanni aatsitassarsiorluni ingerlatassanik isertitanik akileraarusiinerup Namminersorlutik Oqartussanut tutsinneqarnissaannut qulakkeereqataassaaq. Tamanna Kalaallit Nunaanni Namminersorneq pillugu inatsimmi § 7-imi isertitanut nassuiaassummut naapertuuppoq.

Aalajangersagaq imm. 1 naapertorlugu Kalaallit Nunaanni angerlarsimaffeqarnissaq pillugu piumasqaammut ataqatigiissillugu nassuiarneqassaaq atorneqassallunilu.

Imm. 3-mut

Pisinnaatitsissummik pigisaqartoq piviusuni Kalaallit Nunaanni qullersaqarfeqassasoq, tassanngaaniit aktiaatileqatigiiffik aqunneqarluni, pillugu imm. 2-mi piumasqaat pisinnaatitsissummik pigisaqartup piffissami aalajangersimasumi naammassissanngikkaa, aalajangersagaq malillugu Naalakkersuisut akuerisinnaavaat. Akuersissuteqarneq piiaanissamut akuersissummik tunniussereernerup kingorna qaammatit 6-it angullugit piffissalerlugu akuerineqarsinnaavoq. Pisinnaatitsissummik pigisaqartumut, pisinnaatitsissummik pigisaqartoq piffissap sivisunerpaamik qaammatinik 6-inik sivisussuseqartup iluani qanoq iliorluni aktiaatileqatigiiffimmut aqutsiviusussamik piviusumik Kalaallit Nunaanni qullersaqarfimmik pilersitsiniarnerminut pilersaarummik saqummiussisimasumut, taamatut akuersissuteqarneq taamaallaat pisinnaavoq.

Ingerlatseqatigiiffiit nunanit allaneersut, assersuutigalugu Kalaallit Nunaanni aatsitassarsiorluni misissuinermi ingerlatassanik suliaqarsimasut, piiaanissamut akuersissummik tunniussereernerup kingorna Kalaallit Nunaanni ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartumut piviusumik qullersaqarfimmik pilersitsinissamut naleqquttumik piffissamut killiliinissamut Naalakkersuisut inatsimmi tunngavissinnissaat, aalajangersakkami siunertaavoq.

#### *§ 46-mut*

Imm. 1-imut

Aktiaatileqatigiiffiit aatsitassanik piiaanissamut akuersissutit malillugit pisinnaatitsissummik pigisaqartuusut akuersissut siunnersuut malillugu tunniunneqartoq malillugu ingerlatassanik aamma suliaqarnernik taamaallaat suliaqarsinnaasut aammalu siusinnerusukkut suliaqarsimassasut, aalajangersakkami allassimavoq. Akuersissutit siunnersuut malillugu tunniunneqarsimasut matumunnga atatillugu paasineqassaaq tassaasut aamma akuersissutit aatsitassanut imaluunniit ikummatissiassanut siunnersuutip atuutilernissaa sioqqullugu imaluunniit kingornatigut aatsitassanut ikummatissanullu inatsit malillugu tunniunneqarsimasut.

Siunnersuut malillugu akuersissutit malillugit imaluunniit aatsitassanut ikummatissanullu inatsit malillugu akuersissutit malillugit ingerlatanit allanit imaluunniit suliaqarnernit allanit allaanerusunik siusinnerusukkut ingerlatassanik imaluunniit allanik suliaqarnernik suliaqarsimappat, aktiaatileqatigiiffik piiaanissamut akuersissut malillugu

pisinnaatitsissummik pigisaqartuusinnaassanngilaq.

Aamma aktiaatileqatigiiffik ingerlatseqatigiiffittut ingerlaqqittoq, ingerlatseqatigiiffittut atorunnaartutut aktiaatileqatigiiffimmut allamut kattutsinneqarpat (kattunneq), aammalu aktiaatileqatigiiffiup aappaa ingerlatassanik allanik imaluunniit suliaqarnernik allanik, siunnersuut malillugu akuersissut malillugu akuersissutit imaluunniit aatsitassanut ikummatissanullu inatsit malillugu akuersissutit malillugit ingerlatassanik suliaqarnernillu allaanerusunik siusinnerusukkut suliaqarsimappat, aktiaatileqatigiiffik aamma piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartuusinnaassanngilaq.

Aalajangersakkami ilaatigut siunertaavoq, ilaatigut aktiaatileqatigiiffiit siunnersuut aamma aatsitassanut ikummatissanullu inatsit malillugit akuersissutit malillugit ingerlatassanik suliaqarnernillu taamaallaat suliaqartut aammalu siusinnerusukkut suliaqarsimasut, aammalu aktiaatileqatigiiffiit tamakkiisumik ilaannaasumilluunniit ingerlatassanik allanik aamma suliaqarnernik allanik suliaqartut imaluunniit siusinnerusukkut suliaqarsimasut, immikkoortinnissaasa killissalersorneqarnissaasalu qulakkeernissaa. Taamatut immikkoortitsinissamut killissalersuinissamullu ilaatigut siunertaavoq, aktiaatileqatigiiffiit assigiinngitsut marluk taakkua aatsitassanik piiaanissamut akuersissutit malillugit Naalackersuisunut akiliutissanik (royalty) akiliinissaat pillugu inuusutissarsiornermut, aningaasaqarnermut akileraartarnermullu tunngasutigut taamaaqataanik immikkoortisimaneqarnissaasa killissalersorneqarnissaasalu qulakkeernissaa.

Taamatut immikkoortisimatitsinissamut killissalersuinissamullu piunasaqaammi Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsit nr. 474, 12. juni 2009-meersumi § 9, nr. 1-ip nassuiarneqarnera malinneqarpoq.

*”Aatsitassanik iluaquteqarnissamik akuersissut taamaallaat tunniunneqarsinnaavoq aktieselskabinut taamaallaat inatsit una malillugu akuerineqarlutik ingerlassisunut aammalu selskabinik allanik peqateqarlutik akileraartitaanngitsunut, tamannali aatsaat allaasinnaalluni pinngitsoornatik peqatigiillutik akileraartussaataappata.”*

§ 9, nr. 1-mik nassuiaaneq, aammalu aalajangersakkamut siunertaasoq, malillugit aktiaatileqatigiiffik piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartuusooq, siunnersuut aamma aatsitassanut ikummatissanullu inatsit malillugit akuersissutit malillugit ingerlatassanik suliaqarnernillu taamaallaat suliaqarsinnaasoq aammalu suliaqarsimassasoq pillugu aalajangersakkamik siunnersuut imaqartussaavoq.

Imm. 2-mut

Aalajangersakkami Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsit nr. 474, 12. juni 2009-meersumi § 9, nr. 1-mi aalajangersagaq taamaaqataa

aammalu Kalaallit Nunaanni Namminersorneq pillugu inatsisissatut siunnersuummut (namminersornermut inatsit) nassuiaatit tunngavigineqarput piviusunngortinneqarlunilu. Namminersornermut inatsimmut nassuiaatini nalinginnaasuni akileraarutitigut isertitat pillugit immikkoortoq 5.3.5.2-mi ilaatigut makkua allassimapput:

*”Piiaanissamut maannamutut akuersissuteqarnerni isumannaarneqassaaq piiaanermi isertitat sorphaanerisa takuneqarsinnaanissaat, aammalu allanik ingerlatsinermi isertitanit aningaasartuutinillu akileraarutit tungaasigut immikkoortinneqarnissaat. Namminersorlutik Oqartussat tamanna aamma qulakkiisavaat atortussiannik aaqqissuussinermi nutaami aatsitassarsiornermut tunngasut tigugunikkit.*

*Tamatuma kinguneranik piiaanissamut akuersissuteqarnermut allannguiner Mulluunniit atatillugu isumannaarneqassapput makku: Isertitanik akileraarutit pillugit inatsisartut inatsisaanni § 3, imm. 3-mi taaneqartutut pisinnaatitaaffimmik pigisaqartup akileraartussaataaanginnerminik nalunaarfigineqannginnissaa, Ikummatissanut aatsitassanullu pisorta qarfiup uppersannagippagu akuerineqarnerup kinguneranik isertitat suunerannik nassuiaammi tamakkiisumik ilaasunik artorsiisutaasunik akitsuutinik akiliisoqartartoq, pisinnaatitsissummik pigisaqartoq akuersissut naapertorlugu aammalu aatsitassanik inatsit naapertorlugu allamik kisimiilluni ingerlatsisuusooq, pisinnaatitsissummik pigisaqartoq selskabini allani imaluunniit piginneqatigiiffinni allani piginneqataassutilik aningaasaliissuteqanngitsoq, pisinnaatitsissummik pigisaqartoq Kalaallit Nunaanni Danmarkimiluunniit selskabinut allanut ilanngulluni akileraartinneqarsinnaanngitsoq, pinngitsaaliissummik ataatsimut akileraartitsineq pineqanngippat, nunap nammineq iluani ingerlatseqatigiiffissuarni pisinnaatitsissummik pigisaqartoq nunani allani ingerlatseqatigiiffissuarni pisinnaatitsissutinik pigisalittut aningaasanngortitsinissamik piumasagaatit assingannik piumaffigineqarsinnaasooq, pisinnaatitsissummik pigisaqartoq tamanut tunngatillugu akinut nammineq sunniuteqarfigisinnaanngisanut, aammalu nammineq sunniuteqarfigisinnaanngisat pillugit piumasagaatit malillugit niuertassasooq, pisinnaatitsissummik pigisaqartup aaqqissuunneqarnera, ilanngullugu moderselskabinut atassuteqarnera, allanngortinneqarsinnaanngitsoq Ikummatissanut aatsitassanullu pisorta qarfik akuersisimatinnagu, aammalu pisinnaatitsissummik pigisaqartup sumiiffik angerlarsimaffia allanngortinneqarsinnaanngitsoq Ikummatissanut aatsitassanullu pisorta qarfik akuersisimatinnagu.”*

Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsit nr. 474, 12. juni 2009-meersumut siunnersuummi § 9, nr. 1-mut nassuiaatini ilaatigut siusinnerusukkut danskit Kalaallit Nunaannut aatsitassanut inatsisaanni 1998-imeersumi § 7, imm. 3-mi aalajangersagaq taamaaqataa pillugu makkua allassimapput:

*”§ 7-imi, imm. 3-kkut allanngortitsinikkut selskabit pinngitsoornatik akileraaqatigiittussaasut periarfissaqalissapput iluaquteqarnissaminnik akuerineqarnissaminnut. Isertitat*

*naatsorsornerat Kalaallit Nunaanni Namminersornermik inatsisissatut siunnersuummi piffissaq una peqatigalugu saqqummiussami § 7, imm.1-imi isertitat suunerinik aalajangersakkanit pineqartut eqqarsaatigalugit naatsorsuutigineqarpoq akileraaqatigiinnerup sunniutaanik iluarsiivigineqartassasut taamaalilluni isertitat il.il. akuerineqarluni ingerlassanit pisut kisimik ilanngunneqartassallutik.”*

Naalakkersuisut siunnersuut malillugu oqartussatut suliarinninnermut, ilanngullugu piiaanissamut akuersissummik tunineqarnissaq imaluunniit tunniussinerup akuerineqarnissaa pillugu qinnuteqaammik suliarinninnermut, atatillugu aalajangersakkat, nassuiaatit tunngavissaritinneqartullu, namminersorneq pillugu isumaqatigiissummut aammalu kingusinnerusukkut Kalaallit Nunaanni Namminersorneq pillugu inatsimmut aamma Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsimmut kingusinnerusukkut akuerineqartunut ilaatinneqartut matuma siuliani taaneqartut ilannguttassavaat.

Imm. 3-mut

Aalajangersakkami Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsit nr. 474, 12. juni 2009-meersumi § 9, nr. 1-mi aalajangersagaq taamaaqataa tunngavigineqarpoq piviusunngortinneqarlunilu. Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsisissatut siunnersuummi § 9, nr. 1-mut nassuiaatini ilaatigut aalajangersagaq pillugu makkua allassimapput:

*”Aamma selskabi pisussaavoq koncern-imit peqataaffigisaminit annikinnerusumik aningaasaliiffigisaanani. Tamatuma kingunerissavaa akiitsut aamma nammineq aningaasaatit nikingassutaat koncern-imi tamarmiusumi akiitsunut namminerlu aningaasaatinut sanilliullutik annerussanngimmata, aningaasanik atukkiisup koncern-imut atanera atannginneraluunniit apeqqutaatinnagu aammalu taassuma nunap iluaniittuunera avataaniittuuneraluunniit apeqqutaatinnagu. Selskabimulli aningaasaliissutit avataneersut nammineq aningaasaatit tamatigut 2:1 tikillugu qaangersimassavaat, tassa selskabinit nunanit allamiunit pigineqartunit annikitsumik aningaasaliinermik Kalaallit Nunaanni akileraarutininik malittarisassat atuuttut killinginut naapertuuttut. Taamaallaat sunniutigissavaa koncern-it nunami namminermitittut aningaasaliinermik piumasagarfigineqassammata koncern-itulli nunap avataaniittutulli. Tamatuma kingunerissanngilaa isertitat nunani allani imaluunniit Kalaallit Nunaanni selskabinut iluarisamik nuunneqarsinnaanissat tamatumami selskabip iluanaarutai akileraaruserneqartussat aammalu isertitat suunerinik aalajangersakkat tunngaviat imaluunniit kingulliinnaq narajorsinnaamassuk. Taakku saniatigut annikitsumik aningaasaliinermik akileraarutininik inatsisini aalajangersakkat allanngoratik selskabimut atorneqassapput.”*

Naalackersuisut siunnersuut malillugu oqartussatut suliarinninnermut, ilanngullugu piiaanissamut akuersissummik tunineqarnissaq imaluunniit tunniussinerup akuerineqarnissaa pillugu qinnuteqaammik suliarinninnermut, atatillugu aalajangersakkat, nassuiaatit tunngavissaritinneqartullu, namminersorneq pillugu isumaqatigiissummut aammalu kingusinnerusukkut Kalaallit Nunaanni Namminersorneq pillugu inatsimmut aamma Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsimmut kingusinnerusukkut akuerineqartunut ilaatinneqartut matuma siuliani taaneqartut ilannguttassavaat.

Imm. 4-mut

Aalajangersakkami Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsit nr. 474, 12. juni 2009-meersumi § 9, nr. 1-mi aalajangersagaq taamaaqataa tunngavigineqarpoq piviusunngortinneqarlunilu. Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsisissatut siunnersuummi § 9, nr. 1-mut nassuiaatini ilaatigut aalajangersagaq pillugu makkua allassimapput:

*”Selskabit pineqartut nalinginnaasumik pisussaatinneqassapput, tassa soqutigisaqaqatiminnik niuernerminniinnaangitsoq, akit unammilleqatigiinnermi atuuttut aammalu unammilleqatigiinnermi atugarineqartut atussallugit, niuernerminni tassa imaappoq OECD-p transfer pricing-imik taaneqartartunik tunngavigititaanik atugassarititaanillu maleruaqqusai naapertorlugit peqataasut imminnut atanngitsut akornanni aningaasanik nuussisarnermi akit atukkallu assigiit atussallugit.*

*Tamanna ilapittueqataassaaq iluaqutissamik pigisartup selskabinut Kalaallit Nunaanni Namminersornermik inatsisissatut siunnersuummi § 7-imi isertitat suunerinik aalajangersakkanut ilaangitsunut iluarisamik nuussinnginnissaanut.”*

Naalackersuisut siunnersuut malillugu oqartussatut suliarinninnermut, ilanngullugu piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup ingerlatassaannik suliarinninnermut tamatumunngalu atatillugu iliuseqarnermut, atatillugu aalajangersakkat, nassuiaatit tunngavissaritinneqartullu, namminersorneq pillugu isumaqatigiissummut aammalu kingusinnerusukkut Kalaallit Nunaanni Namminersorneq pillugu inatsimmut aamma Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsimmut kingusinnerusukkut akuerineqartunut ilaatinneqartut matuma siuliani taaneqartut ilannguttassavaat.

§ 47-mut

Imm. 1-imut

Aalajangersagaq aatsitassanik piiannermut tunngatillugu akuersissutit sivisussusissaat pillugu maleruagassanik imaqarpoq. Aalajangersakkami allassimavoq aatsitassanik piiaanissamut akuersissutit piffissamut ukiut 30-t angullugit tunniunneqartassasut. Suliaqarnermi piffissaq akuersissummi aalajangersarneqassaaq.

Piffissaq akuersissuteqarfiusoq ukiunit 30-nit sivikinnerutillugu akuersinissamut pissutsit immikkut ittut assersuutigalugu tassaasinnaapput, pisinnaatitsissummik pigisaqartup ukiunit 30-nit sivikinnerusumik piiaanissamut pilersarusiornera. Tamatumunnga assersuutit taaneqarsinnaavoq, pisinnaatitsissummik pigisaqartoq piffissap ukiunik 15-inik sivisussusillip iluani piiaanissamut akuersissut malillugu aatsitassarsiorfimmumut pilersaarummik ingerlatassanillu ingerlatsisinnaassalluni naliliisoq. Naalakkersuisut taamatut pisoqartillugu piffissamut ukiunik 15-inik sivisussusilimmumut piiaanissamut akuersissummik tunniussisinnaapput. Naalakkersuisut aamma taamatut pisoqartillugu piffissamut ukiunik 15-inik sivisussusilimmumut, naapertuuttumik naliliineq malillugu pisinnaatitsissummik pigisaqartoq piiaanissamut akuersissut malillugu aatsitassarsiorfimmumut pilersaarut ingerlatassallu piffissap ukiunik 15-inik sivisussusillip iluani naammassisinnaassaneraai nalornissutigineqartillugu, ukiualunnik ilallugu, piiaanissamut akuersissummik tunniussisinnaapput.

Pisinnaatitsissummik pigisaqartup piffissap ukiunit 30-nit sivikinnerusup iluani piiaanissamut akuersissut malillugu aatsitassarsiorfimmumut pilersaarut ingerlatassallu piviusunnigortissinnaagai, paasissutissanik attuumassuteqartunik tamaginnik naliliineq tunngavigalugu ilimagineqartariaqarpat, Naalakkersuisut pisuni tamaginni ukiunit 30-nit sivikinnerusumut akuersissut piffissalerlugu tunniussisinnaapput.

Imm. 2-5-imi aalajangersakkat malillugit Naalakkersuisut piffissaq akuersissuteqarfiusoq ataasiarlutik arlaleriarlutilluunniit sivitsorsinnaavaat.

Piiaanissamut piffissaq akuersissuteqarfiusoq ataatsimut katillugu ukiunit 50-init siviuserusinnaangilaq, takuuk imm. 5.

Imm. 2-mut

Piiaanissamut akuersissummumut piffissaq imm. 1-imi allassimasoq Naalakkersuisunit ataasiarluni arlaleriarluniluunniit sivitsorneqarsinnaasoq, aalajangersakkami aalajangersarneqarpoq. Aalajangersagaq malillugu piffissaq akuersissuteqarfiusoq tamatigut taamaallaat ukiut 20-t angullugit piffissalerlugu sivitsorneqarsinnaavoq, taamaattoq takuuk imm. 5.

Piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugu akuersissuteqarnermi piffissap sivitsuffiusup siviussusaanut tunngatillugu naliliisoqartassaaq, takukkit oqaaseqatigiit ”ukiut



20-t angullugit”. Naliliinermi tassani peqarfimmi piiarneqarsinnaasutut paasinarsisinneqartumi killissalersorneqartumilu pitsaasumik piiaanissamut qanoq sivistutigisoq atorneqartariaqarnersoq, pisinnaatitsissummik pigisaqartup annertunerusunik aningaasaliissutimi imminut akilersinnaanissaanut qanoq sivistutigisoq pisariaqartinneraa aammalu suliasap piffissami sivitsuiffiusumi inuiaqatigiinnut tunngasunut sunniinissaa, assersuutigalugu pingaartinneqarsinnaapput.

Ingerlatassat piffissami akuersissuteqarfiusumi sivitsorneqartumi pilersaarutigineqartut avatangiisinut tunngasunut aamma/imaluunniit inuiaqatigiinnut tunngasunut, avatangiisinut sunniutaasussanik nalilersuinermi pioreersumi tamatumunngalu nassuiaammi, takuuk siunnersuummi § 100, aamma/imaluunniit inuiaqatigiinni piujuartussamik iluaqutaasumik sunniutaasussanik nalilersuinermi tamatumunngalu nassuiaammi, takuuk siunnersuummi § 103, sillimaffigineqarsimanngitsunik, annertuumik sunniuteqarsinnaasasut naatsorsuutigineqartariaqarpat, pisinnaatitsissummik pigisaqartoq tamatumunnga nutaanik nalilersuisussaassaaq, tamatumunngalu nassuiaammik suliaqartussaassalluni, takukkit siunnersuummi §§ 100 aamma 103.

Imm. 3-mut

Pisinnaatitsissummik pigisaqartup piumasaqaatit aalajangersimasut atuutsillugit piffissap akuersissuteqarfiusup sivitsorneqarnissaanut pisinnaatitaanera, aalajangersakkami qulakkeerneqarpoq.

Piffissap akuersissuteqarfiusup sivistussusaa malillugu pisinnaatitsissummik pigisaqartup aaqqissuussinnaanissaa pingaaruteqarpoq, pingaartumik aatsitassarsiorfimmu suliasamut aningaasassarsinissaq siunertaralugu, aammalu aatsitassarsiorfimmu suliasamut pilersaarusiornissamut tunngatillugu kiisalu aatsitassanik peqarfimmi pitsaanerpaamik piiaanissaq qulakkeerniarlugu. Taamaattumik pisinnaatitsissummik pigisaqartup taamatut pisinnaatitaaffeqartinnissaa pingaaruteqarpoq.

Piffissap akuersissuteqarfiusup sivitsorneqarnissaanut pisinnaatitaalernissamut piumasaqaatit, aatsitassarsiorluni misissuinissamut akuersissut tunngavigalugu piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaalernissamut piumasaqaatinut naapertuupput. Kalaallit Nunaanni inatsisit aammalu atugassarititaasut taassuma maannamut malitassai pisinnaatitsissummik pigisaqartup ilaatigut malissavai, ilaatigullu pisinnaatitsissummik pigisaqartup peqarfik piiarneqarsinnaasoq, piffissap akuersissuteqarfiusup sivitsorneqarnissaata akuerineqarnissaanut tunngavilersuutaasinnaasoq, paasinarsisissimassavaa killissalersorsimassallugulu.

Imm. 4-mut

Piffissap akuersissuteqarfiusup ataatsimut katillugu ukiunit 40-nit sivisunerusumik sivilissuseqartussanngorlugu piffissap akuersissuteqarfiusup sivitsorneqarnerani akuersissummut atugassarititaasut allanngortillugit Naalakkersuisut aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Assersuutigalugu pisinnaatitsissummik pigisaqartup akuersissut imaluunniit ingerlatassanut pilersaarutit malillugit pisussaaffii imaluunniit sumiiffiup akuersissuteqarfiusup piiaanissamut akuersissut malillugu aatsitassanik piiaanermik imaluunniit ingerlatassanik allanik suliaqarnermut atatillugu atorneqanngippat annikillisikkiartuaarneqarnissaa pillugit atugassarititaasut allanngortinneqarsinnaapput.

Imm. 5-imut

Aatsitassanik piiaanissamut akuersissut ukiunit 50-init sivisunerusinnaanngitsoq, aalajangersakkami aalajangersarneqarpoq.

Pisinnaatitsissummik pigisaqartup aatsitassanik piiaanermik sunniuteqarluartumik suliaqarnissaanut aalajangersagaq qulakkeereqataassaaq, ilanngullugu piiaanermik suliaqarnerit mianerisassanut § 1-imi allassimasunut naapertuuttumik ingerlannissai. Sunniuteqarluartumik piiaanermi ilaatigut pisinnaatitsissummik pigisaqartup piffissap naleqquttup iluani ingerlatassat piiaanissamut akuersissummi pineqartunut ilaasut aallartissavai, aammalu aatsitassarsiorfimmumut pilersaarummut naapertuuttumik piffissami akuersissuteqarfiusumi ingerlatassat suliarissallugit aammalu piiaanissamut akuersissut malillugu ingerlatassat pisariaqanngitsumik imaluunniit sivilissuumik unikkallarfiunngitsumik imaluunniit unitsinnagit suliarissallugit. Tamanna ilaatigut sumiiffimmi akuersissuteqarfiusumi aatsitassanik peqarfimmik ataatsimik arlalinnilluunniit paasinarsisitsiviusumi killissalersuiffiusumilu nunaminertamik inniminniinissap pinngitsoortitseqataassaaq.

Imm. 6-imut

Aalajangersakkap atuunnerani piiaanissamut akuersissut imm. 1-5 malillugit piffissap akuersissuteqarfiusup naannginnerani piffissami siusinnerusumi atorunnaarsinnaavoq. Tamanna assersuutigalugu tamanna pallinngikkaa Naalakkersuisut pisinnaatitsissummik pigisaqartup piiaanissamut akuersissummik Naalakkersuisunut utertitsinissaanut akuersissuteqarpata, tamanna pisinnaavoq.

*§ 48-mut*

Imm. 1-imut

Piiaanissamut akuersissut sumiiffimmut akuersissuteqarfiusumut Naalakkersuisunit aalajangersarneqartumut tunniunneqassasoq, aalajangersakkami allassimavoq.

Pisumi § 43, imm. 2-mi pineqartunut ilaasumi Naalakkersuisut assersuutigalugu sumiiffik pisinnaatitsissummik pigisaqartup siuliani aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu aatsitassanik piiarneqarsinnaasunik peqarfik paasinarsisissimasaa killissalersorsimasaalu, pisinnaatitsissummik pigisaqartup piiaaffiginiagaa, tunngavigalugu piiaanissamut akuersissut malillugu sumiiffittut akuersissuteqarfiusutut aalajangersarsinnaavaat.

Pisinnaatitsissummik pigisaqartup aatsitassanik peqarfimmik ataatsimik arlalinnilluunniit, pisinnaatitsissummik pigisaqartup piiarniagaanik, paasinarsisitsisimanissaa killissalersuisimanissaa, piiaanissamut akuersissummik tunniussinissamut piumasqaataavoq. Takuuk siunnersuummi §§ 41 aamma 42 tassungalu nassuiaatit.

Piiaanissamut akuersissut malillugu sumiiffimmi akuersissuteqarfiusumi sumiiffik(iit) pisinnaatitsissummik pigisaqartup §§ 41-42 naapertorlugu aatsitassanik peqarfittut paasinarsisissimasaa killissalersorsimasaalu, sumiiffiit ataaseq arlallilluunniit pisinnaatitsissummik pigisaqartup Australiamiut nalunaarusiornermut malitassai ”The JORC Code”, Canadamiut nalunaarusiornermut malitassai ”National Instrument 43-101 Standards of Disclosure for Mineral Projects”, ukununga ”the CIM Definition Standards on Mineral Resources and Mineral Reserves, the “CIM Definition Standards” innersuussisut, Sydafrikamiut nalunaarusiornermut malitassai ”The SAMREC Code” imaluunniit Europami tamarmi nalunaarusiornermut malitassat ”The PERC Reporting Standard” malillugit ”inferred resource”-mut uppersarsimasai aammalu sumiiffiit allat ataaseq arlallilluunniit akuersissut malillugu piiaanermi ingerlatassanik allanillu ingerlatassanik suliaqarnermut atorpeqartussat, pineqartunut ilaatinneqarsinnaapput. Sumiiffiit allat ilaatigut illunut, sanaartukkanut, atortulersuutinut ikkussukkanut, toqqorsivinnut, illoqannginneranut, aqqusinernut, umiarsualivinnut allanullu attaveqaatinut atugassaasinnaapput.

Sumiiffik ataaseq arlallilluunniit pisinnaatitsissummik pigisaqartup ”inferred resource”-mut uppersarsimasai, sumiiffimmut pisinnaatitsissummik pigisaqartup §§ 41-42 naapertorlugu aatsitassanik peqarfittut piiarneqarsinnaasutut paasinarsisitsivigisimasaanut killissalersorsimasaanullu ilanngullugu sumiiffimmi akuersissuteqarfiusumi ilaatinneqarsinnaanersut, Naalakkersuisut aalajangiinissaat apequtaassaaq. Peqarfiit pineqartut peqarfimmut siunnersuummi §§ 41-42 naapertorlugu akuersissummik tunniussinermut tunngavissiisimasumut ataqatigiiffeqarnerat, pingaartinneqassaaq. Tassunga atatillugu ilaatigut peqarfiit peqarfimmut akuersissummik tunniussinermut tunngavissiisumut sanilliullugu inissisimaffii isiginiarneqarsinnaapput. Peqarfiit pineqartut peqarfimmut akuersissummik tunniussinermut tunngavissiisimasumut nangissutigalugu inissisimangippata, peqarfimmut akuersissummik tunniussinermut tunngavissiisimasumut

qanoq ungasitsigisumiinnersoq, qanoq annertutigisumik taakkua aatsitassannguussimanersut, nunap sannaata ilusai katitigaanerallu, aammalu suliarinninnermut atortorissaarutit aamma attaveqaasersuutit ilaalu ilanngullugit peqarfimmut akuersissummik tunniussinnermut tunngavissiisimasumut atasut, peqarfinni peqarfinni pisinnaatitsissummik pigisaqartup ”inferred resource”-mik uppersaavigisimasaanniittuni piiaanermi atorpeqarsinnaanersut, pingaartinneqarsinnaavoq. Nunaminertat taakkua nunaminertamit §§ 41-42 naapertorlugu pisinnaatitsissummik pigisaqartup aatsitassanik peqarfittut piiarneqarsinnaasutut paasinarsisissimasaanit killissalersorsimasaanillu angineruppata, sumiiffiit allat pisinnaatitsissummik pigisaqartup ”inferred resource”-mik uppersaavigisimasai aatsaat pisuni immikkuullarissuni sumiiffimmut akuersissuteqarfiusumut ilanngutsinneqarsinnaapput.

Sumiiffik akuersissuteqarfiusoq piiaanissamut akuersissummik tunniussinnermi, sumiiffimmut imaluunniit sumiiffinnut aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup ”indicated resources”-mut aamma ”inferred resources”-imut matuma siuliani nassuiarneqartutut uppersaavigisaanut tapiliullugu, sumiiffinnik sanaartukkanik attaveqaatinillu inissiivissaasinnaasunik arlalinnik ilaqartillugu, sumiiffimmut tamakkiisumut tunngatinneqarsinnaavoq.

Taamaalilluni sumiiffiit § 77 naapertorlugu aatsitassarsiorfimmud pilersaarutip piviusunngortinnissaanut pisariaqanngitsut, sumiiffimmut akuersissuteqarfiusumut ilaatinneqarpata, sumiiffik akuersissuteqarfiusoq § 77, imm. 2 naapertorlugu aatsitassarsiorfimmud pilersaarummut Naalakkersuisut akuersissuteqarnerat malillugu annikillisinneqassaaq, taamaalilluni sumiiffimmi akuersissuteqarfiusumi, sumiiffiup imaluunniit sumiiffiit aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup ”indicated resources”-imut aamma ”inferred resources”-imut uppersarsimasaasa saniatigut, taamaallaat sumiiffiit sanaartukkanut attaveqaatinullu atorpeqartussat, pineqartunut ilaatinneqassapput.

Imm. 2-mut

Pisinnaatitsissummik pigisaqartup, aatsitassanik piiaanissamut akuersissut ataaseq arlallilluunniit imaluunniit aatsitassarsiorluni misissuinissamut akuersissut ataaseq arlallilluunniit malillugit pisinnaatitsissummik pigisaqartuusup, akuersissummik nutaamik tunniussisoqartussaananani, piiaanissamut akuersissut malillugu sumiiffiup akuersissuteqarfiusup aamma sumiiffiit aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup aatsitassanik pisinnaatitsissummik pigisaqartup piiarniagaanik peqarfittut paasinarsisissimasai killissalersorsimasaalu ilaatilerlugit annertusititsisinnaaneranut, periarfissiinissaq aalajangersakkami siunertaavoq.

Aalajangersagaq malillugu Naalakkersuisut sumiiffiup akuersissuteqarfiusup allilerneqarnissaa pillugu akuersissummut tapiliussami, akuersissummituulli

atugassarititaasunik aalajangersaasinnaapput.

Akuersissummut tapiliussamut akuersisoqarsinnaanersoq Naalackersuisut nalilersuineranni peqarfiup piiaanissamut akuersissummut tunngavigineqartup aammalu peqarfiup piiarneqarsinnaasutut paasinarsisinneqartup killissalersorneqartullu nutaap imminnut ataqatigiinnerat eqqarsaatigineqarsinnaavoq. Peqarfik nutaaq pioreersumut toqqaannartumik attuuteqqappat imaluunniit taanna aatsitassat assinginik akoqarpat, tamanna tapiliussamut akuersissuteqarnissamut tapersiissaaq.

Aammattaaq oqaatigineqassaaq, tapiliussaq malillugu ingerlatassanik suliaqarnissamut, ingerlatassat avatangiisinut tunngasunut imaluunniit inuiaqatigiinnut tunngasunut annertuumik sunniuteqarsinnaasussatut naatsorsuutigineqartariaqarpata, siunnersuummi kapitali 15 naapertorlugu VVM-imut nassuiaammik aamma/imaluunniit siunnersuummi kapitali 16 naapertorlugu VSB-mut nassuiaammik suliaqarnissaq piumasaqaataasinnaammat.

#### *§ 49-mut*

Imm. 1-imut

Piiaanissamut akuersissummik tunniussinissamut atuutsiinnarnissaanullu pisinnaatitsissummik pigisaqartup piffissamut killiliussap naleqquttup erseqqinnerusumik aalajangersagaasup iluani §§ 77 aamma 80 aammalu tamatumunnga aalajangersakkat allat atugassarititaasullu malillugit aatsitassarsiorfimmu pilersaarummik aamma matusinissamut pilersaarummik tamakkiisumik tunniussisimanissaa piumasaqaataasooq pillugu Naalackersuisut atugassarititaasunik aalajangersaanissaannut inatsimmi tunngavissamik pisussaaffimmillu aalajangersagaq imaqarpoq.

Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttup erseqqinnerusumik aalajangersagaasup iluani §§ 77 aamma 80 aammalu tamatumunnga aalajangersakkat allat atugassarititaasullu malillugit pilersaarutiminik tunniussisimassasoq, piiaanissamut akuersissummik tunniussinissamut atuutsiinnarnissaanullu piumasaqaataasooq, aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu.

Takukkit tassunga aalajangersakkat nassuiaatillu allassimasut.

Pisinnaatitsissummik pigisaqartup pilersaarutiminik tunniussinissaanut piffissamut killiliussaq, piiaanissamut akuersissummik tunniussinerup kingorna ukiunit 4-nit kingusinnerussanngitsoq, tamatuma saniatigut aalajangersakkami allassimavoq.

Imm. 2-mut

Pisinnaatitsissummik pigisaqartup piffissamut killiliussap naleqquttup erseqqinnerusumik aalajangersagaasup iluani aatsitassarsiorfimmu pilersaarummik aamma matusinissamut pilersaarummik tamakkiisumik Naalakkersuisunut tunniussinissaata qulakkeernissaanut aalajangersagaq iluaqutaassaaq. Takuuk imm. 1-imi aalajangersagaq tassungalu nassuiaatit.

Imm. 3-mut

Naalakkersuisut akuersissut imaluunniit akuersissut malillugu ingerlatassat pillugit pissutsinut aalajangersimasunut piffissamut killiliussat aalajangersimasut pillugit atugassarititaasunik aalajangersaanissamut aatsitassanik piiaanissamut akuersissummi tunngavissaqartut, aalajangersakkami erseqqissarneqarpoq.

Siunnersuummi § 43 malillugu Naalakkersuisut atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit aatsitassanik piiaanissamut akuersissummik tunniussisinnaapput. Aalajangersagaq malillugu Naalakkersuisut ataatsimut isigalugu aatsitassanik piiaanissamut akuersissutit aamma akuersissutit malillugit ingerlatassat tamaasa pillugit atugassarititaasunik attuumassuteqartunik tamaginnik aalajangersaassapput, ilanngullugit akuersissut imaluunniit akuersissut malillugu ingerlatassat pillugit pissutsinut aalajangersimasunut piffissamut killiliussat. Akuersissummut atugassarititaasunik aalajangersaaneq § 1 malillugu siunnersuummi siunertaasunut aamma aalajangersakkanut attuumassuteqartunut allanut naapertuuttumik pissaaq. Aalajangersagaq siunnersuutigineqartoq taamaalilluni aatsitassanik piiaanissamut akuersissut imaluunniit akuersissut malillugu ingerlatassat pillugit pissutsinut aalajangersimasunut piffissamut killiliussat pillugit atugassarititaasunik aalajangersaanissamut Naalakkersuisut tunngavissaannik (periarfissaannik) erseqqissaaneruvoq.

Naalakkersuisut assersuutigalugu pisinnaatitsissummik pigisaqartup siunnersuummi § 77 malillugu aatsitassarsiorfimmu pilersaarummik nutartikkamik, siunnersuummi § 80 malillugu matusinissamut pilersaarummik, imaluunniit siunnersuummi §§ 120-121 malillugit pissutsinut ingerlatassanullu allanut pilersaarutinin nassiussinissaanut piffissamut killiliussanik aalajangersaasinnaapput.

Naalakkersuisut ilaatigut aamma pisinnaatitsissummik pigisaqartup inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq aamma inuiaqatigiit aningaasaqarnerannut tunngasut allat pillugit isumaqatigiissuteqarnissamut piffissamut killiliussanik aalajangersaasinnaapput.

Pisinnaatitsissummik pigisaqartup aatsitassanik piiaanissamut sanaartukkanik imaluunniit taakkua ilaannik ilaalu ilanngullugit pilersitsinissaanut, matusinissamut aningaasartuutinin qularnaveeqquusiinissamut imaluunniit aatsitassanik piiaanerup aallartinnissaanut piffissamut killiliussat assersuutitit allatut taaneqarsinnaapput.

Piffissamut killiliussat aalajangersarneqartut imaluunniit piffissamut killiliussat sivitsorneqartut naammassineqanngippata akuersissut atorunnaassasoq imaluunniit uterteqquneqarsinnaasoq pillugu akuersissummi atugassarititaasunik Naalackersuisut aamma aalajangersaasinnaasut imaluunniit aalajangiisinnaasut, tamatuma saniatigut aalajangersakkami erseqqissarneqarpoq.

### *§ 50-imut*

#### Imm. 1-imut

Aalajangersagaq malillugu piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq sumiiffimmi piiaviausussami akuersissutip sumiiffiani aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartumut atugassarititaasut assingi tunngavigalugit aatsitassarsiorluni misissuineri ingerlatassanik suliaqarsinnaavoq. Taamaattoq pisinnaatitsissummik pigisaqartoq tamatumunnga pisussaaffeqassanngilaq.

Aalajangersakkamut ilaatigut tunngaviuvoq piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup suliaqarnermi sumiiffimmi akuersissuteqarfiusumi aatsitassanik peqarfinnik piiarneqarsinnaasunik nutaanik peqarnersoq erseqqinnerusumik misissuineri nalilersuinermillu suliaqarsinnaanissamik amerlanertigut pisariaqartitsisarnera aammalu amerlanertigut aatsitassarsiorluni misissuineri imaluunniit ingerlatassanik taamaaqataannik suliaqartarnera.

#### Imm. 2-mut

Pisinnaatitsissummik pigisaqartup piiaanissamut akuersissut malillugu aatsitassarsiorluni misissuineq taassumalu inerneril ilaalu ilanngullugit pillugit siunnersuummi § 39, imm. 1 malillugu nalunaarusiornissamut pisussaaffeqarneranut aalajangersagaq tunngassuteqarpoq. § 39, imm. 2-mi aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuineq taassumalu inerneril ilaalu ilanngullugit pillugit nalunaarusiai, akuerissutip atorunnaarnissaata tungaanut, aatsitassarsiorluni misissuineq taassumalu inerneril ilaalu ilanngullugit pillugit nalunaarusiat taaneqartut taakkua tunniunneqarnissaannut piffissamut killiliussap kingorna ukiuni 5-ini ataatsimut isigalugu isertuussaassapput. Piffissaq isertuussiviusussa naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat pisinnaatitsissummik pigisaqartup nalunaarusiaannut ilaalu ilanngullugit piginnittussaatalissapput aammalu akeqanngitsumik atugassiisutigisinnaalissallugit atorsinnaalissallugillu, takuuk § 39, imm. 5.

Takukkit § 39-mi aalajangersakkat tassungalu nassuiaatit.

Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup, imm. 1 malillugu

aatsitassarsiorluni misissuineramik aamma akuersissut malillugu ingerlatassanik tamatumunnga atasunik suliaqartup, pisussaaffinnik piffissami akuersissuteqarfiusumi tamarmi aatsitassarsiorluni misissuinissamut akuersissutit malillugit pisinnaatitsissummik pigisaqartunut atuuttunik ataatsimut isigalugu naammassinninnissaanut aalajangersagaq qulakkeereqataassaaq. Taamaattoq pisinnaatitsissummik pigisaqartoq aatsitassarsiorluni misissuinerami ingerlatassanik suliaqarnissamut aammalu § 38, imm. 2 malillugu aatsitassarsiorluni misissuinissamut pisussaaffinnik naammassinninnissamut pisussaaffeqanngilaq.

Imm. 3-mut

Aatsitassanut misissueqqaarnissamut, aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissutit allat malillugit pisinnaatitsissummik pigisaqartut pisinnaatitsissummik pigisaqartup aatsitassanik piiaanissamut akuersissut pigisaa malillugu sumiiffimmi akuersissuteqarfiusumi aatsitassarsiorluni ingerlatassanik suliaqaqqusaanngillat. Kisermaassisussaatitaanani misissueqqaarnissamut akuersissut, sumiiffimmut aamma kisermaassisussaatitaalluni piiaanissamut akuersissummi pineqartunut ilaasumut, tunngassuteqarsinnaavoq. Kisermaassisussaatitaalluni aatsitassarsiorluni misissuinissamut akuersissut imaluunniit kisermaassisussaatitaalluni piiaanissamut akuersissut alla sumiiffimmut kisermaassisussaatitaalluni piiaanissamut akuersissummi pineqartunut ilaasumut, tunngatinneqarsinnaanngilaq.

Allat aatsitassanut akuersissutit malillugit pisinnaatitsissummik pigisaqartuunngitsut, piiaanissamut akuersissut malillugu sumiiffimmi akuersissuteqarfiusumi aatsitassarsiorluni ingerlatassanik suliaqaqqusaanngillat.

Aatsitassanik piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq kisimi piiaanissamut akuersissut malillugu sumiiffimmi akuersissuteqarfiusumi aatsitassat pillugit ingerlatassanik suliaqaqqusaanerata qulakkeernissaa, aalajangersakkamut ilaatigut siunertaavoq. Pisinnaatitsissummik pigisaqartup sumiiffimmi akuersissuteqarfiusumi piiaanermik ingerlatassanik suliaqarnera taamaalilluni allat piiaanissamut akuersissut malillugu sumiiffimmi akuersissuteqarfiusumi aatsitassat pillugit ingerlatassaannit akornuserneqarsinnaanngilaq, killilersorneqarsinnaanngilaq imaluunniit allat sunnernerlunneqarsinnaanani.

Inerteqquteqarnermi piiaanissamut akuersissut malillugu sumiiffimmi akuersissuteqarfiusumi aatsitassanut tunngatillugu ingerlatassanik tamaginnik allat suliaqarnissaat tamarmik pineqartunut ilaapput. Allat ingerlatassaasa aatsitassanik misissueqqaarnissamut, aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissutit, annikitsumik aatsitassarsiorluni misissuinissamut aamma aatsitassanik annikitsumik piiaanissamut akuersissutit imaluunniit ujaraaqqanik, ujaqqanik atortussiassanillu



assigisaannik Kalaallit Nunaanni illuliortiternermut sanaartormullu suliassani atorneqartussanik piiaanissamut akuersissuteqarnerit malillugit suliarineqarnerisut apeqqutaatinnagu tamanna atuutissaaq. Misissueqqaarnissamut akuersissut sumiiffimmut akuersissuteqarfiusumut tunngasoq, piiaanissamut akuersissutip tunniunneqannginnerani tunniunneqarsimanersoq, apeqqutaatinnagu aammattaaq inerteqquteqarneq atuuppoq.

### *§ 51-imut*

#### Imm. 1-imut

§ 43 malillugu piiaanissamut akuersissummik tunineqarnissaq imaluunniit 47, imm. 2 malillugu piiaanissamut akuersissut malillugu piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugu qinnuteqaatip tiguneqarneranut suliarineqarneranullu, aammalu piiaanissamut akuersissummik imaluunniit piffissap akuersissuteqarfiusup sivitsorneqarnissaanut akuersissuteqarnermut akiliummik akiliinissaq pillugu aalajangersakkanik aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaat imm. 1-imi aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu. Tamatuma saniatigut piiaanissamut akuersissut imaluunniit piiaanissamut akuersissummumut piffissap akuersissuteqarfiusup sivitsorneqarnissaa pillugit oqartussat suliarinninnerannut akiliummik akiliinissaq pillugu aalajangersakkamik aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaat imm. 1-imi aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu.

Naalakkersuisut akiliutinik matuma siuliani allassimasutut akiliisarneq pillugu aalajangersakkanik nalunaarummi aalajangersaasinnaapput.

Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

#### Imm. 2-mut

Piiaanissamut akuersissutip aamma akuersissut malillugu ingerlatassat ilaalu ilanngullugit attatiinnarnissaannut pisinnaatitsissummik pigisaqartup akiliutissamik akiliinissaa pillugu aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaat, aalajangersakkami erseqqissarneqarpoq itisilerneqarlunilu.

Assersuutigalugu piiaanermik suliaqarnissamut pisinnaatitaanermut ukiumoortumik akitsuusiinissaq, imaluunniit akitsuutit ingerlatassanut aalajangersimasunut attuumassuteqartut, pillugit aalajangersakkanik aalajangersaasoqarsinnaavoq.

Akiliutissaq nunap karsiani pisinnaatitsissummik pigisaqartumit, taassuma misissueqqaarnissamut akuersissut malillugu ingerlatassanik suliaqarnissamut pisinnaatitaaneranut, tamatumunngalu atatillugu aningaasaqarnikkut niuernikkullu

iluautissarsisinnaaneranut, akiliutininik tigusaqarsinnaanerup ilaatinneqarsinnaavoq. Akiliutissap annertussusaa, ilaatigut aatsitassarsiornermut suliassaqrarfiup iluani niuerfimmuut tunngasut sukkulluunniit atuuttut eqqarsaatigalugit, aalajangersarneqarsinnaavoq.

Ingerlatassanik aalajangersimasunik suliaqarnermut akiliutissaq assersuutigalugu aamma akitsuutaasinnaavoq aningaasaateqarfimmuut imaluunniit aningaasassanut ataatsimoortunut tutsinneqartussaq, pisinnaatitsissummik pigisaqartut siunnersuut malillugu saliinissamut pisussaaffimminnik naammassinninngippata, aammalu pisussaaffinnuut taakkununga qularnaveeqqusiisoqarsimanngippat, imaluunniit qularnaveeqqusiussaq naammannngippat, aatsitassarsiorluni ingerlataqareernermi saliinissamut Naalakkersuisut aningaasartuutaannuut matussutissanuut ilanngunneqartussaq.

Naalakkersuisut ilaatigut aamma aatsitassanik piiaanissamut akuersissutinuut royalty-nik akiliinissaq pillugu aalajangersakkanik atugassarititaasunillu aalajangersaasinnaasut, imm. 2, nr. 1-3-mi erseqqissarneqarpoq itisilerneqarlunilu. Assersuutininik taakkartuineq tamakkiisuunngilaq.

Royalty tassaavoq pisinnaatitsissummik pigisaqartup aatsitassanik piiaanissamut pisinnaatitaanerminuut akiliutaa, taamaalillunilu akileraarutaanani.

Akiliutissap aalajangersarneqarnera siunissamut taamaallaat tunngatinneqarsinnaavoq, tassa imaappoq nalunaarutitit ilusilimmi akiliutissamik aalajangersaaneq akuersissutinuut nalunaarutip tamanuut saqqummersinneqareernerata kingorna tunniunneqartunuut taamaallaat atuutissasoq, aammalu akiliutissat akuersissutini aalajangersagaasut, piffissap akuersissuteqarfiusup akuersissummi aalajangersarneqartup ingerlanerani allanngortinneqarsinnaanatik.

Imm. 3-mut

Aalajangersagaq pisinnaatitsissummik pigisaqartup Naalakkersuisunut akiliutissaanik aalajangersaanermuut tunngassuteqarpoq, ilanngullugu pisinnaatitsissummik pigisaqartup suliaqarnermut pisinnaatitsissummik pigisaqartup akuersissutaani pineqartunuut ilaasumut akileraaruserneqannginnissaanuut periarfissaqarneq.

Pisinnaatitsissummik pigisaqartup piiaanermik suliaqarnera akiliuteqarfiusussaasimappat (akitsuutit), minnerpaamik akileraarusiinertuut nammakkersuitigisumik, aammalu akiliuteqartitsineq (akitsuutit) Kalaallit Nunaanni Namminersorneq pillugu inatsimmi § 7-imi tamakkiisumik pineqartunuut ilaappat, pisinnaatitsissummik pigisaqartup imm. 2 malillugu Naalakkersuisunut akiliuteqarnissaanik aalajangersaanermuut atatillugu, pisinnaatitsissummik pigisaqartup suliaqarnermut akuersissummi pineqartunuut ilaasumut akileraaruserneqannginnissaa akuerineqarsinnaasoq, aalajangersakkami

aalajangersarneqarpoq.

Tamatuma saniatigut aalajangersagaq siusinnerusukkut aatsitassanut ikummatissanullu inatsimmi 1998-meersumi § 8, imm. 3-mut, Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsit nr. 474, 13. juni 2009-meersumi § 9, nr. 2-mi allanngortinneqartumut, naapertuuppoq. Kalaallit Nunaata Namminersorneranut atatillugu pissutsit assigiinngitsut pillugit inatsimmi § 9, nr. 2-mut siunnersuummut nassuiaatini § 9, nr. 2 pillugu ilaatigut makkua allassimapput:

*”Piginnaatitsissummik pigisaqartup imm. 1 aamma 2 malillugit pisortanut akiliutaasa aalajangersarnerinut atatillugu piginnaatitsissummik pigisalik akuersissut atorlugu ingerlatsinerminut atatillugu akileraartussaaajunaarsitaasinnaavoq suliffeqarfik akitsuusiivigineqarpat minnerpaamik akileraartitaanertut oqimaatsigisunik aammalu akitsuutit tamakkerlutik Kalaallit Nunaanni Namminersornermik inatsimmi § 7-imi isertitat suunerinik aalajangersakkanut ilaappata.”*

Namminersornermut inatsisissatut siunnersuummi ilaatigut § 7-imut nassuiaatini makkua allassimapput:

*”Kalaallit Nunaanni Namminersornermik inatsisissatut siunnersuummi § 7 malillugu aatsitassarsiornermit akileraarusiinerni tamani § 7-imi isertitat suunerinik aalajangersakkanit pineqarput. Taamaattumik akileraartitsissanngikkaanni apeqqutaassaaq akileraarutit akitsuutinik minnerpaamik namminersornermik inatsimmi § 7-imi isertitat suunerinik aalajangersakkatulli eqqutigisunik taarserneqarnissaat.”*

Piumasaqaatit marluk naammassineqarsimassasut, akileraaruserneqannginnissamut tunngavissaatinneqarpoq. Siullermik suliffeqarfik imm. 2 malillugu akiliuteqartinneqassaaq (akitsuutit), aammalu akiliutissaq (akitsuutit) minnerpaamik akileraarusiinertuut nammakkersuitigissaaq. Aappaattut akitsuusiussat namminersornermut inatsimmi § 7-imi isertitanut nassuiaassummi tamakkiisumik pineqartunut ilaassapput. Aalajangersagaq malillugu akileraaruserneqannginnissamut piumasaqaatit marluk taakkua naammassineqarsimassapput.

Imm. 4-mut

Aatsitassanik piiaanissamut akuersissutit, aatsitassarsiorluni misissuinissamut akuersissutit siunnersuutip atuutilernissaa sioqqullugu tunniunneqartut tunngavigalugit tunniunneqartut malillugit pisinnaatitsissummik pigisaqartut, aningaasaqarnikkut aatsitassarsiorluni misissuinissamut akuersissutit tunniunneqarnerani naatsorsuutigineqartunit sakkortunerusumik eqqorneqannginnissaat, aalajangersakkami qulakkeerneqassaaq.

## Imm. 5-imut

Aalajangersagaq, aningaasartuutit siunnersuut manna malillugu suliassanik suliarinninnermut aamma oqartussat suliarinninnerannut atatillugu Naalakkersuisut akilersimasaannut Naalakkersuisut akiliisitsinissaannut, inatsimmi tunngavissaavoq. Aalajangersakkami assersuutigalugu suliassanik suliarinninnermut, nakkutilliinnermut, allatut oqartussat suliarinninnerannut, sulilluni angalanernut aamma siunnersortinut avataaneersunut siunnersuisartunullu ilaalu ilanngullugit aningaasartuutit pillugit akiliisitsinerit pineqartunut ilaatinneqarput.

Aalajangersagaq piiaanissamut akuersissut aammalu akuersissut malillugu ingerlatassat pillugit oqartussat suliarinninneranni aningaasartuutitut matussutissamik akiliummik imaluunniit aningaasanik akiliisitsinissamut tunngassuteqarpoq.

Akiliutissaq akiliutitut imaluunniit aningaasartuutinik utertitsinertut akilersinneqarsinnaavoq.

Oqartussat suliarinninnerannut akiliinissaq, assersuutigalugu suliassanik suliarinninnermi allatullu oqartussat suliarinninneranni, ilanngullugit akuersissutinik akuersissuteqarnernillu tunniussineq ilaalu ilanngullugit, piffissamut atuinnermut pisumut nalunaaquttap akunneranut akigititaq tunngavigalugu akilersinneqarsinnaavoq.

Naalakkersuisut aningaasartuutaannut ataatsimut isigalugu naapertuuppat, aningaasartuutit suulluunniit akiliutitut imaluunniit aningaasartuutinik utertitsinertut akilersinneqarsinnaapput. Taamaalilluni Naalakkersuisut ataatsimut isigalugu suliassanik suliarinninnermut aamma oqartussat suliarinninnerannut akilersimasaasa imaluunniit atuinissamik naatsorsuutigisaasa, saniatigut akiliutinik imaluunniit aningaasartuutinik utertitsinermik akiliisitsinnaanerup aalajangersakkami tunngavissinneqarnissaa siunertaangilaq.

Tamatuma saniatigut pisinnaatitsissummik pigisaqartup Naalakkersuisut sulisuisa ilinniartitaanerannut piginnaangorsarneqarnerannullu aningaasartuutit matussusissagai pillugu atugassarititaasunik Naalakkersuitut akuersissummi aalajangersaasinnaanerannut aalajangersakkami inatsimmi tunngavissaliisoqarpoq.

Assersuutigalugu Naalakkersuisut sulisuisa pikkorissarnerannut allatullu piginnaangorsaasunik ingerlataqarnerannut atatillugu piffissami akuersissuteqarfiusumi ukiumoortumik aningaasartalerlugu pisinnaatitsissummik pigisaqartoq aningaasartuutinut matussusiissasoq pillugu atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput.

## § 52-imut

## Imm. 1-imut

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup najukkameersunik sulisoqarnissaa pillugu atugassarititaasunik aatsitassanik piiaanissamut akuersissummi aalajangersaanissamut Naalakkersuisut pisussaaffilerneqarput.

Aallaavigineqarpoq aatsitassanik piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq tamanna ajornartinnagu najukkameersunik sulisoqassasoq.

Najukkameersunik sulisoqarnissamut piumasaqaatit ataatsimut isigalugu piumasaqaatinut Kalaallit Nunaannut suliffissarsiorlut killilersimaarnissaat pillugu Inatsisartut inatsisaat nr. 27 30. oktober 1992-imeersumi kingusinnerusukkut allannguuteqartartumi piumasaqaatigineqartunut naapertuutissapput, pisinnaatitsissummik pigisaqartup suliffeqarfiup aaqqissuussaanerani atorfinnut tamaginnut piumasaqaatip atuutissasut, allaanerussutaalluni. Taamatullu sulisussat najukkaameersut nassuiaassutaat, Kalaallit Nunaannut suliffissarsiorlut killilersimaarnissaat pillugu Inatsisartut inatsisaat nr. 27, 30. oktober 1992-imeersumi kingusinnerusukkut allannguuteqartartumi pisutut ataatsimut isigalugu nassuiaassutaassaaq.

Tamanna ilaatigut isumaqarpoq pisinnaatitsissummik pigisaqartup atorfiup sulisussanik avataaneersunik inuttalernerqarsinnaalinnginnerani, naleqquttumik periaaseqarluni atorfiit sulisussanik najukkameersunik inuttalerniartassagai.

Siunnersuummi § 52, imm. 1-imut siunertaavoq, inuit najukkameersut sapinngisamik annertunerpaamik aatsitassanik piiaanermut atatillugu ingerlatassanik suliaqarnermi sulisorineqartarnissaasa qulakkeernissaa.

Tamanna ilaatigut sulisartut najukkameersut suliffissaqartinneqarnissaannut, ilaatigullu aatsitassarsiorluni suliassanit Kalaallit Nunaanni nunap karsiata pissarsiassaasa annertunerpaamiitinnissaannut, qulakkeereqataassaaq.

Kalaallit Nunaat EU-mut aamma EU-mi maleruagassanut tunngatillugu nunatut imarpiuk akianiittutut nunasiaataasimasutullu (OLT) inissisimavoq, taamaalillunilu sumiiffittut immikkut attuumassuteqartuulluni. Tamatuma kingunerisaanik EU-mi maleruagassat nalinginnaasut Kalaallit Nunaannut atuutinngillat. Kisianni EU-mi aaqqissuussinerit immikkut ittut aammalu maleruagassat immikkut ittut, nunat imarpiup akianiittut nunasiaataasimasullu (OLT-t) pillugit aalajangiinerit isumaqatigiissutillu Kalaallit Nunaannut atuupput.

Taakkua ilaatigut tassaapput nunat imarpiup akianiittut nunasiaataasimasullu EU-mut atassuteqarnerat pillugu EU-p atuuteriaasissaa pillugu isumaqatigiilluni aalajangersakkami (EUF-mi isumaqatigiilluni aalajangersagaq imalluunniit TEUF) artikel 198-204, Illuatungaani

EU-p aammalu illuatungaani Kunngearfik Danmarkip akornanni ataqatigiinnerit pillugit Siunnersuisooqatigiit aalajangiinerat 14. marts 2014-imeersoq (2014/137/EU) (suleqatigiittut inissisimanissamut isumaqatigiissut) aamma nunat imarpiup akianiittut nunasiaataasimasullu EU-mut atassuteqarnerat pillugu Siunnersuisooqatigiit aalajangiinerat 25. november 2013-imeersoq (2013/755/EU) (atassuteqarnermut aalajangiineq).

Ataatsimut isigalugu TEUF artikel 202 (siusinnerusukku artikel 186) malillugu nunat EU-mut ilaasortaasut aammalu nunat imarpiup akianiittut nunasiaataasimasullu akornanni sulisartut killilersugaanngitsumik nuttarsinnaanerit pillugu maleruagassanik akuersisoqarsimanngilaq. Atassuteqarnermut aalajangiinermit (2013/755/EU) artikel 51, imm. 1, litra b, malillugu nunani imarpiup akianiittuni nunasiaataasimasunilu (OLT) oqartussat EU-miittut inuit aammalu pisinnaatitaallutillu pisussaataasut niuernikkut aningaasaqarnermi annertuumi sumiluunniit OLT-mi oqartussat ullup 1. januar 2014 kingorna aningaasaqarnikkut akuulernissaq pillugu isumaqatigiissuteqarfigisimasaanni inunnik aamma pisinnaatitaallutillu pisussaataasunut assingusumik pitsaanerpaamik suliarinninnermit, ajornerusumik pineqartussaannngillat.

Siunnersuisooqatigiit aalajangiineranni 25. november 2013-imeersumi (2013/755/EU) artikel 51, imm. 3-mi allassimavoq:

*”OLT-mi oqartussat najukkami suliffissaqartitsiniarnermi siuarsaniarlutik imaluunniit tapersiiniarlutik aalajangersakkanik inunnuat aamma najukkami ingerlatassanut iluaqutaasussanik akuersisinnaapput. Taamaattoqarpat OLT-mi oqartussat pineqartut Kommissioni aalajangersakkat akuerineqartut taakkua pillugit ilisimatissavaat, tamatum kingorna Kommissionip naalagaaffiit ilaasortaasut tamatuminnga ilisimatissallugit.”*

Aalajangersakkat taamaattut atuutsinneqalissappata, OLT-mi oqartussap pineqartup taamaalilluni Kommissioni aalajangersakkat akuerineqartut pillugit ilisimatissavaa, tamatumalu kingorna Kommissionip naalagaaffiit ilaasortaasut ilisimatissavai. Najukkameersunik sulisoqarnissap salliutinniarneqarnera taamaalilluni EU-mi maleruagassanik unioqquitsinerunngilaq.

Kunngearfik Danmark, ilanngullugulu Kalaallit Nunaat, Nunarsuarmit niuernermut kattuffimmi (World Trade Organisation (WTO)), maleruagassanik arlalinnik aalajangersaasimasumi, ilaasortaavoq. Ilaatigut nunani tamalaani niuernerp suarsarnissaanut aammalu kiffartuussinernik paarlaasseqatigiinnissamut maleruagassanik aalajangersagaqarpoq. Kalaallit Nunaani Danmarkimik naalagaaffeqateqarnermini kattuffimmi ilaasortaavoq. WTO-mi maleruagassat taamaalilluni Kalaallit Nunaannut aamma atuupput.

WTO-mi maleruagassani ilaatigut ilaavoq General Agreement on Trade in Services (GATS),

kiffartuussinernik niuerutiginnittarneq pillugu maleruagassanik imaqartoq. GATS-imi artikel I (3), litra b (art. 1, imm. 3, litra b) suliassa qarfimmi sumiluunniit kiffartuussinerni suniluunniit, kiffartuussineq oqartussatut suliaqarnermut ilaatillugu pilersuutigineqartoq eqqaassanngikkaanni, oqaaseq kiffartuussineq pineqartunut ilaavoq.

GATS artikel XVI-imi (art. 16) aamma artikel XVII-imi (art. 17) niuerfinniissinnaaneq aammalu nunami namminerimi sularinninnermik taaneqartartoq pillugit maleruagassanik imaqarput. Niuerfinniissinnaaneq pillugu maleruagassap atuunnerani kiffartuussinerit aammalu kiffartuussisut nunanit ilaasortanit allaneersut, atugassarititaasunit, killilersuinerit tunngavissarititaasunillu ingerlatsinissamut akuersissutitut allattuiffimmik taaneqartartumi allassimasunit, pitsaanerusemik ilaasortamit pineqaqqusaanngillat. Nunami namminerimi sularinnittarneq pillugu maleruagassap atuunnerani, nunanit ilaasortanit allanit kiffartuussinerit kiffartuussisullu, kiffartuussinernit kiffartuussisunillu nunanit nammineq ilaasortaminneersunit, pitsaanerusemik ilaasortamit pineqaqqusaanngillat. Tunngaviusoq kiffartuussiviusussat iluanni suliassa qarfinni tamaginni imaluunniit aalajangersimasuni atuutissasoq ilaasortap nammineerluni ingerlatsinissamut akuersissutitut allattuiffimmi allassimappagu, niuerfimmiissinnaaneq pillugu maleruagassaq assigalugu nunamut namminerimut tunngaviusoq atuutissaaq.

Danmark, taamaalillunilu Kalaallit Nunaat, GATS-imi maleruagassat malillugit niuerfimmiissinnaanermut aamma nunami nammineq sularinnittarnermut tunngatillugu pisussaaffinnik aalajangersimasunik (ingerlatsinissamut akuersissutitut taaneqartartut) maannakkorpiaq pisussaaffeqalersimannngillat. Taamaalilluni sulisussat najukkameersut salliutinniarneqarnerat GATS-imi unioqquitsinerunngilaq.

Taamaattoq Danmark, taamaalillunilu Kalaallit Nunaat, suliassa qarfiit siunnersuummi § 52, imm. 1 malillugu pisinnaatitsissummik pigisaqartut sulisoqarfiginissaannut pisussaaffeqarnerani pineqartunut ilaasut iluanni aalajangersimasunik pisussaaffeqalersimappat, najukkameersunik sulisoqarnissap salliutinniarneqarnera GATS-imi niuerfimmiissinnaaneq aamma nunami namminerimi sularinnittarneq pillugit maleruagassanik unioqquitsinerusinnaassaaq.

Imm. 2-mut

Aalajangersagaq malillugu Naalackersuisut pisinnaatitsissummik pigisaqartup nioqquitsanik kiffartuussinernillu pilersuisunik najukkameersunik atuinissaa pillugu atugassarititaasunik aatsitassanik piiaanissamut akuersissummi aalajangersaanissamut pisussaaffeqarput.

Aatsitassanik piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup akuersissut tunngavigalugu ingerlatassanik suliaqarnermini tamanna ajornanngippat nioqquitsanik kiffartuussinernillu pilersuisunik najukkameersunik atuinissaa

aallaavigineqarpoq.

Pilersuisunik najukkameersunik atuinissamut piumasaqaatit ataatsimut isigalugu kingunerisaannik, pilersuisunik najukkameersunik pisariaqartunik piginnaasaqartoqarani misilittagaqartoqaranilu, imaluunniit pilersuisunik najukkameersunik pisariaqartunik piginnaasaqartunik misilittagaqartunillu sullissinernik pilersuinissamik neqerooruteqartoqarsimanani aammalu akigititanut atugassarititaasut aamma isumaqatigiissummut atugassarititaasut allat pisinnaatitsissummik pigisaqartumit neqeroorutigineqartut tunngavigalugit isumaqatigiissuteqarusuttoqarani pisoqarsimanngippat, pisinnaatitsissummik pigisaqartoq pilersuisunik najukkameersunik atuisussaavoq.

Tamatuma saniatigut akigititanut atugassarititaasut aammalu isumaqatigiissummut atugassarititaasut allat pisinnaatitsissummik pigisaqartumit pilersuisunut najukkameersunut neqeroorutigineqartut, akigititanut atugassarititaasunit aammalu isumaqatigiissummut atugassarititaasunit allanit pisinnaatitsissummik pigisaqartumit pilersuisunut allanut neqeroorutigineqartunit, ajornerussanngillat. Aammalu pisinnaatitsissummik pigisaqartoq pilersuisunut nunanit allaneersunut isumaqatigiissuteqarsinnaalinnginnermini, naapertuuttumik pilersuisunut najukkameersunut isumaqatigiissuteqarniarsarissaaq.

Pilersuisut najukkameersut nassuiarneqarput tassaasut ingerlatseqatigiiffiit Kalaallit Nunaanni angerlarsimaffeqartut aammalu inuit Kalaallit Nunaannut suliffissarsiorlut killilersimaarnissaat pillugu Inatsisartut inatsisaat nr. 27, 30. oktober 1992-imeersoq kingusinnerusukkut allannguuteqartoq malillugu Kalaallit Nunaannut immikkut atassuteqartutut isigineqartut.

Pilersuisut najukkameersut aatsitassanik piiaanermut atatillugu ingerlatassanik suliaqarnermi sapinngisamik annertunerpaamik atorneqarnissaasa qulakkeernissaa, siunnersuummi § 52, imm. 2-mut siunertaavoq.

Tamanna ilaatigut sulisussat najukkameersut suliffissaqartinneqarnissaannik, ilaatigullu Kalaallit Nunaanni nunap karsiata aatsitassarsiorluni suliassanit pissarsiaqarnissaata annertunerpaamiitinnissaanik, qulakkeereqataassaaq.

Imm. 1-mut nassuiaatini oqaatigineqartutut Kalaallit Nunaat EU-mut aamma EU-mi maleruagassanut tunngatillugu nunatut imarpiuk akianiittutut nunasiaataasimasutullu (OLT) inissisimavoq, taamaalillunilu immikkut ittumik ilaatinneqarluni. Tamanna isumaqarpoq EU-mi maleruagassat nalinginnaasut Kalaallit Nunaannut atuutinngitsut. Kisiannili nunat imarpiup akianiittut nunasiaataasimasullu (OLT) pillugit EU-mi aqqissuussineq immikkut ittoq aammalu maleruagassat immikkut ittut, aalajangiinerit isumaqatigiissutillu Kalaallit Nunaannut atuupput. Taakkua ilaatigut tassaapput EU-p atuuteraasissaa pillugu isumaqatigiilluni aalajangersakkami (EUF-mi isumaqatigiilluni aalajangersagaq imalluunniit



TEUF) nunat imarpiup akianiittut nunasiaataasimasullu EU-mi ilaatinneqarnerat pillugu artikel 198-204, Illuatungaani EU-p aammalu illuatungaani Kunneqarfik Danmarkip akornanni ataqatigiinnerit pillugit Siunnersuisooqatigiit aalajangiinerat 14. marts 2014-imeersoq (2014/137/EU) (suleqatigiittut inissisimanissamut isumaqatigiissut) aammalu nunat imarpiup akianiittut nunasiaataasimasullu EU-mut atassuteqarnerat pillugu Siunnersuisooqatigiit aalajangiinerat 27. november 2013-imeersoq (2013/755/EU) (atassuteqarnermut aalajangiineq).

OLT-imi maleruagassat malillugit OLT-mi oqartussat naalagaaffinni ilaasortaasuni ingerlatseqatigiiffiit, naalagaaffiup innuttaasa suliffeqarfiisalu akornanni assigiinngisitseqqusaanngillat, aammalu OLT-mi oqartussat nunani allani naalagaaffimmi innuttaasut, ingerlatseqatigiiffiit suliffeqarfiillu pineqartarnerannit, naalagaaffinni ilaasortaasuni ingerlatseqatigiiffiit, naalagaaffimmi innuttaasut suliffeqarfiillu pitsaannginnerusumik pisussaannngilaat. Aammattaaq najukkami suliffisaqartitsinerulernissamut imaluunniit tapersernissaanut, OLT-mi oqartussat aalajangersakkanik nammineq innuttaminnut aammalu najukkami sammisassanut iluaqutaasussanik akuersisinnaasut pillugu maleruagassanik atassuteqarnermut aalajangiinermit artikel 51, imm. 3 imaqarpoq. Tamatuma erseqqinnerusumik allaaserineqarneranut imm. 1-mut aalajangersakkat innersuussutigineqarput. Aalajangersagaq malillugu Kalaallit Nunaanni sanaartugassanut akigititassanut isumaqatigiissutinik, pilersuinerunik kiffartuussinernillu salliutitsineq taamaalilluni EU-mi maleruagassanik unioqutitsinerunngilaq.

Imm. 1-mut aalajangersakkani matuma siuliani allassimasutut Kalaallit Nunaat Danmarkimut naalagaaffeqatigiinnermini Nunarsuarmi niuernermit kattuffimmi (World Trade Organisation (WTO)) ilaasortaavoq. WTO-mi maleruagassat taamaalillutik aamma Kalaallit Nunaannut atuupput.

WTO-mi maleruagassat ilaatigut maleruagassanik ”General Agreement on Tariffs and Trade”-tut (GATT) ittunik nioqutissanik niuernermit maleruagassiiviusunik, aammalu maleruagassanik ”General Agreement on Trade in Services”-tut (GATS) ittunik kissartuussinernik niuerutiginninnermik maleruagassiiviusunik imaqarput.

GATT-imi artikel III-mi nunami namminermi suliarinnittarneq aammalu assigiinngisitsinnginnissaq pillugit tunngaviusoq aalajangersarneqarpoq. Aalajangersakkami allassimavoq nioqutissat eqqussorneqartut, nioqutissat nunami namminermeersut assingusut pineqartarnerannit, pitsaannginnerusumik pineqartussaannngitsut.

GATT-imi artikel III-mi (4) (art. 3, imm. 4) aalajangersarneqarpoq nioqutissat nunamit ilaasortameersut nunamut ilaasortamut allamut eqqussorneqartut, inatsisinut, aalajangersakkanut piunasaqaatinullu nunap iluani tuniniaanermut, neqeroorutinut,

pisarnermut, assartuinnermut, siammarterinnermut imaluunniit atuinnermut sunniuteqartartunut tunngatillugu, nioqqutissat nunamit namminermeersut assingusut pineqartarnerannit pitsaannginnerusumik pineqartussaangitsut.

Taamaattoq GATT-imi maleruagassaqqarpoq, nunanut ilaasortanut GATT-imi pisussaaffimmik pisussaaffigiunnaarnissaannut periarfissiisunik, ilanngullugu aningaasaqarnikkut ineriartortitsinissamut naalagaaffiup tapiissuteqartarnera pillugu GATT-imi artikel XVIII-imi (art. 18) aalajangersagaq. Aalajangersakkami tassani imm. 1-imi aalajangersarneqqarpoq, GATT-imi siunnerfiit aningaasaqarnikkut ineriartortitsinerup annertusiartorneratigut anguneqarsinnaanerulertussaasut nunat ilaasortaasut nassuerutigigaat, pingaartumik nunani ilaasortaasuni inuuniarneq pitsaavallaanngitsuinnarmik attanneqarsinnaalluni inissisimasuni aningaasaqarnermut, aammalu annikitsumik ineriartortitsillutik inissisimasunut tunngatillugu. Aningaasaqarnikkut ineriartortitsineq inuiaat ataatsimut isigalugu inuunerminni atugaasa pitsanngorsarnissaannik siunertaqqartoq pillugu pisussanut pilersaarutitik politikkinillu atuutsitsilersinnaanissamut, nunat ilaasortaasut taakkua iliuusissanik illersuissutaasussanik allanilluunniit eqqussuinnermut sunniuteqartussanik aalajangersaanissaat pisariaqalersinnaasoq, imm. 2-mi aalajangersakkami oqaatigineqqarpoq. GATT-imi artikel XVIII (4) (a) aamma (b) (art. 18, imm. 4, litra a aamma b) malillugit nunap ilaasortaasup aningaasaqarnikkut inuuniarneq pitsaanngitsumiitillugu taamaallaat atuutsitsinnaasup, aammalu ineriartornermi siusissumi killiffeqartup, imaluunniit nunap ilaasortaasup ineriartortitsileruttortup, taamaalilluni GATT-imi artikel XVIII (art. 18) immikkoortoq C-imi imaluunniit D-imi tunngavissarititaasut erseqqinnerusumik aalajangersagaasut atuutsillugit aammalu suleriaatsit tunngavissaatillugit GATT-imi aalajangersakkat saneqqukkallarnissaannut pisinnaatitaavoq.

Nuna ilaasortaasoq GATT-imi artikel XVIII (4) litra (a)-mi (art. 18, imm. 4, litra a) pineqartunut ilaasoq, iliuusissatut eqqarsaatigineqqartup aallartinneqqannginnerani iliuusissatut eqqarsaatigineqqartoq pillugu nunanut ilaasortanut allanut paasissutissiinissamik pisussaaffeqarpoq. Nunat ilaasortat allat iliuusissaq pillugu nalunaarutiginninnerup kingorna kingusinnerpaamik ullut 30-t qaangiunneranni nunap ilaasortap attuumassuteqqartup isumasioqatigissagaatik kaammattuisimannigippat, nuna ilaasortaasoq GATT-imi aalajangersakkat attuumassuteqqartut saneqqunnissaannut pisinnaatitaavoq. Taamaattoq nuna ilaasortaq tamatuminnga kaammattuippat, nunat ilaasortat allat isumasioqatigissavai. Nunat ilaasortat ullut 90-it qaangiutsinnagit isumaqataallutik nalunaarpata, nunap ilaasortap pineqartup nunat ilaasortat tamatuminnga paasissutissereerneranni iliuusissaq aallartissinnaavaa.

Nunap ilaasortaasup GATT-imi XVIII (4) litra(b)-imi (art. 18, imm. 4, litra b) pineqartunut ilaasup iliuusissatut eqqarsaatigineqqartoq akuereqqullugu nunat ilaasortat allat qinnuigissavai. Nunat ilaasortat allat nuna ilaasortaqqartup attuumassuteqqartoq ingerlaannaq isumasioqatigissavaat, aammalu nunat ilaasortat allat akuersippata, nuna ilaasortaqqartup pineqartoq iliuusissamut

pineqartumut tunngatillugu pisussaaffeerutsinneqassaaq.

Aammattaaq GATT-imi artikel XX-mi (art. 20) pisussaaffinnut ataatsimut isigalugu ilaatitsinnginnissamut aalajangersakkamik GATT imaqarpoq. Tunngavissalimmik ilaatitsinnginnerit nunamit ilaasortamit patsisigineqarsinnaasut GATT-imi artikel XX-imi (art. 20) tamakkiisumik allattorsimapput. Taakkunani ilaatigut ilaatinneqarput inunnik, uumasunik, naasunik imaluunniit peqqinnissamik illersuinissaq eqqarsaatigalugit iliuusissat pisariaqartut. Tamatuma saniatigut iliuusissap nunamit ilaasortamit tunngavilersorneqarnissaa tunngavissalimmillu atuutsinneqarnissaa aammalu annertoqqatigiisitsiviginissaa piumasqaataavoq. Mianerisassat imm. 2-mi aalajangersakkamut tunngavilersuutaasut, GATT-imi ataatsimut isigalugu ilaatitsinnginnermut aalajangersakkat iluanniissasut ilimanarpoq.

Kiffartuussinerit oqaatigineqartutut GATS-imi pineqartunut ilaapput. GATS-imi artikel I (3) (b) (art. 1, imm. 3, litra b) malillugu kiffartuussinernut oqaatsimi ilaapput suliassaqarfimmi sumiluunniit kiffartuussinerit suulluunniit, oqartussatut suliaqarnermut ilaatillugu kiffartuussinerit ilaanatik.

Imm. 1-mut nassuiaatini allassimasutut niuerfimmiissinnaaneq aamma nunami namminerimi suliarinnittarneq pillugit maleruagassanik GATS aalajangersaasarpoq. Taamaattoq niuerfimmiissinnaaneq aamma nunami namminerimi suliarinnittarneq pillugit maleruagassat kiffartuussiviusut iluanni suliassaqarfinnut tamaginnut imaluunniit aalajangersimasunut atuutissasut ingerlatsinissamut akuersissutinut allattuiffimmi nunap ilaasortap nammineerluni allatsissimappagu, maleruagassat taakkua aatsaat nuna atuutissapput. Maannakkorpiak Danmarki aamma Kalaallit Nunaat pisussaaffinnik immikkuullarissunik (ingerlatsinissamut akuersissutit) taamaattunik pisussaaffeqalersimangillat.

Taamaalilluni kiffartuussisunik kiffartuussinernillu Kalaallit Nunaanersunik salliutitsinissaq GATS-imi unioqqutitsinerunngilaq. Aammattaaq siunnersuummi § 52, imm. 1-imut nassuiaatit allat innersuussutigineqarput.

### *§ 53-imut*

Piiaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq nammineerluni aatsitassanik piiarneqartunik piareersaalluni suliarinnilluni pisoqarnerinut aalajangersagaq tunngassuteqarpoq, aammalu Namminersorlutik Oqartussanut aammalu inuiaqatigiinnut kalaallinut aningaasaqarnikkut inuiaqatigiinnilu pitsaasumik sunniuteqartitsinissamut qulakkeereqataassalluni.

Kalaallit Nunaanni suliareqqiineq pisinnaatitsissummik pigisaqartumut annertunerujussuarnik aningaasartuuteqarnermik imaluunniit ajoqutissartaqarnermik malitseqartussaappat, aammalu

inuiaqatigiinnut kalaallinut iluaqutissartaasut taamaaliornermi annertuumik ajornerulersinneqassanngippata, tamannalu Naalakkersuisunit akuerineqarpat, aatsaat pisinnaatitsissummik pigisaqartoq aatsitassanik piiarneqartunik Kalaallit Nunaata avataani piareersaalluni suliarinnissinnaasoq pillugu paaanissamut akuersissummut aalajangersakkanik atugassarititaasunillu aalajangersaanissamut, aalajangersakkami Naalakkersuisut inatsimmi tunngavissinneqarput.

Pisinnaatitsissummik pigisaqartoq aallaaviatigut aatsitassanik Kalaallit Nunaanni piareersaalluni suliarinnittassaaq. Kalaallit Nunaanni suliareqqiineri aatsitassarsiorfissaq imminut akilersinnaassanngippat, imaluunniit pisinnaatitsissummik pigisaqartup isertitaqarnissamut periarfissai annertuumik ajornerulersinneqassappata, Kalaallit Nunaata avataani suliareqqiinnissap akuerinissaanut Naalakkersuisut aalajangersakkami periarfissinneqarput.

Tamatuma saniatigut Kalaallit Nunaata avataani suliareqqiinnissamut akuersissuteqarnissamut, inuiaqatigiinnut iluaqutissartaasut taamaaliornermi annertuumik ajorseriartinneqannginnissaat piunasaqaataavoq. Tamanna isumaqarpoq Naalakkersuisut pisinnaatitsissummik pigisaqartup nunani allani piareersaalluni suliarinnittarnissaanut akuersissuteqarnissaq pillugu aalajangiineranni ilaatigut inuiaqatigiit akileraarutinit aammalu suliffissanik annasaqarnertut ittunik isertitassanik annasaqarnissaat eqqarsaatigisinnaagaat. Naalakkersuisut aammattaaq atituumik isigalugu inuiaqatigiinnut iluaqutissartaasut eqqarsaatigissavaat, soorlu sulisartut najukkameersut aammalu nioqqtissanik kiffartuussinernillu pilersuisut aatsitassarsiornermi suliffissuaqarnerup iluani piginnaasaqarnernik ineriartortitsinissamut periarfissaarunnissaat, aammalu nioqqtissanik kiffartuussinernillu pilersuisut najukkameersut suliareqqiinnermut atatillugu isertitaqalernissamut periarfissaarunnissaat.

Siunnersuummi § 52, imm. 1-imut nassuiaatini oqaatigineqartut Kalaallit Nunaat EU-mut tunngatillugu nunatut imarpiuk akianiittutut nunasiaataasimasutullu (OLT) inissisimavoq, aammalu kalaallit sulisussat pilersuisullu salliusussaatinneqarnerat EU-mi maleruagassanik unioqquitsinerunngilaq. § 52, imm. 1-imut nassuiaatit itisiliisut annertunerpaatigut innersuussutigineqarput.

§ 52, imm. 1-imut nassuiaatini oqaatigineqartut Kalaallit Nunaat Danmarkimut naalagaaffeqataanermini nunarsuarmi niuernermit kattuffimmi (World Trade Organisation (WTO)) ilaasortaavoq. WTO-mi maleruagassat taamaalilluni aamma Kalaallit Nunaannut atuupput.

WTO-mi maleruagassani ilaatigut General Agreement on Trade in Services (GATS) pineqartunut ilaavoq, taanna kiffartuussinernik niuerutiginninnermut tunngassuteqarluni, aammalu niuerfimmisinnanaaneq aamma nunami namminermi suliarinnittarneq pillugit maleruagassanik imaqarluni. Danmarki, taamaalillunilu Kalaallit Nunaat, maannakkorpiaq

niuerfimmiissinnaanermut aamma nunami namminermit suliarinnittarnermut tunngatillugu immikkut pisussaaffilerneqanngillat. taamaattumik kiffartuussisartut Kalaallit Nunaanneersut suliareqqiineq pillugu sullissisartut salliusussaatisinnaanerit GATS-imik unioqquitsinerunngilaq. § 52, imm. 1-imut nassuiaatit innersuussutigineqarput.

#### *§ 54-imut*

Inuit najukkameersut nammineerlutik Kalaallit Nunaanni aatsitassanik suliareqqiiniarpata imaluunniit allatut Kalaallit Nunaanni aatsitassat inuussutissarsiornerminni atorniarpasigit, pisinnaatitsissummik pigisaqartup aatsitassat Kalaallit Nunaanni piiarneqartut uninngasuutigissagai aammalu inunnut najukkameersunut tuniniassagai pillugu paaanissamut akuersissummi aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalackersuisut inatsimmi tunngavissaannik aalajangersagaq imaqarpoq.

Inuit najukkameersut nassuiarneqarput tassaasut ingerlatseqatigiiffiit Kalaallit Nunaanni angerlarsimaffeqartut aammalu inuit Kalaallit Nunaannut suliffissarsiorlut killilersimaarnissaat pillugu Inatsisartut inatsisaat nr. 27, 30. oktober 1992-imeersoq kingusinnerusukkut allannguuteqartoq malillugu Kalaallit Nunaannut immikkut atassuteqartutut isigineqartut.

Kalaallit Nunaanni innuttaasut nammineerlutik aatsitassanik katersinissamik periarfissaqanngitsut imaluunniit katerserusunngitsut imaluunniit paaarusunngitsut, suliareqqiinerminnut atugassaminnik imaluunniit allatut inuussutissarsiornerminnut aatsitassanik atuinissaminnut toqqorsivinnit taakkunanga aatsitassanik pisisinnaapput.

Naalackersuisut ilaatigut uninngasuuteqarnissamik pisussaaffeqarneq aamma tuniniaanissamik pisussaaffeqarneq pissutsillu tamatumunnga atasut pillugit aalajangersakkanik ersarinnerusunik nalunaarummi aalajangersaasinnaapput. Naalackersuisut aamma aatsitassanik paaanissamut akuersissutini akuersissuteqarnenilu atugassarititaasutut tamatumunnga atugassarititaasunik aalajangersaasinnaapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

Assersuutigalugu tassaasinnaapput aatsitassat suussusaasa annertussusissai aamma aatsitassat ilaalu ilanngullugit uninngasuutigineqartussat tuniniarneqartussallu annertussusissai, piffissatigut sivirusissusissat suleriaasissallu aamma inuit taaneqartut aatsitassanik pisinerinut atugassarititaasut pillugit aalajangersakkat imaluunniit atugassarititaasut, ilanngullugit ilaatigut aatsitassanik pisinerit ataasiakkaat tamarmik minnerpaaffissaat.

Inunnut najukkameersunut tunisinermut aalajangersakkanik atugassarititaasunillu aalajangersaanermi, pisinnaatitsissummik pigisaqartup pisisussanut allanut isumaqatigiissuteqarnissamut periarfissai mianerineqassapput.

Inuup najukkameersup nammineerluni Kalaallit Nunaanni aatsitassanik suliareqqiiniarpat imaluunniit allatut Kalaallit Nunaanni aatsitassat inuussutissarsiornerminni atorniarpagit aatsaat Naalakkersuisut aalajangersagaq malillugu piumasaqaatinik taamaattunik aalajangersaasinnaapput.

Imm. 2-mut

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup aatsitassanik kimulluunniit tunisineri niuerfimmi akigititanut aamma niuerfimmi atugassarititaasut tunngavigalugit pissapput.

### *§ 55-imut*

Imm. 1-imut

Aalajangersagaq pisinnaatitsissummik pigisaqartup oqartussanut nalunaarusiortarneranut tunngassuteqarpoq.

Aalajangersagaq malillugu piaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq piaanep, akuersissut malillugu aatsitassarsiorluni misissuineq ingerlatassallu allat taakkualu inernerini pillugit nalunaarusianik Naalakkersuisunut tunniussisussaavoq. Pisinnaatitsissummik pigisaqartoq tamatuma saniatigut nalunaarusiat, naatsorsukkat, naatsorsuutit allallu allakkiat assilinerinik aamma piaanep pillugu paasissutissanik nalunaarsukkanik taakkualu inernerinik immaqalu aatsitassarsiorluni misissuinerup inernerinik paasissutissanillu nalunaarsukkanik aamma taakkunangga misissugassanik aammalu pisinnaatitsissummik pigisaqartup nassuiaanerinik, inerniliussaannik tamatumunngalu inassuteqaataannik, kiisalu misissugassanik aamma qillerummit qaqitanik, Naalakkersuisut imm. 7 naapertorlugu tamanna piumasarisimappassuk, tunniussisaaq.

Imm. 2-mut

Pisinnaatitsissummik pigisaqartup nalunaarusiai, paasisai, paasissutissaatai nalunaarsukkat, misissugassat nassuiaanerillu, inerniliussat, inassuteqaatit ilaalu ilanngullugit Naalakkersuisunut tunniunneqartut isertuussaasut, aalajangersakkami allassimavoq.

Isertuussinissaq pillugu maleruagassanik aalajangersaanissaq pisariaqarpoq, tassami paasissutissat taaneqartut taakkua ataatsimut isigalugu tassaasinnaapput ingerlatsinermi isertuussat imaluunniit inuussutissarsiornermi isertuussat, piffissami isertuussiviusumi naleqquttumi isertuussaasariaqartut taamatullu pisariaqartut. Naalakkersuisut paasissutissanik taakkuninnga ilaalu ilanngullugit tunniussinissamut pisussaaffeqassappata imaluunniit

pisussaaffeqarsinnaappata, ilanngullugu assersuutigalugu allagaatinik takunninnissamik qinnuteqartoqarnerani, tamatumani allat pisussaanatik iluaqutissarsitinneqarsinnaapput.

Imm. 2-mi henviser ikke imm. 1, nr. 4, 5 aamma 6 innersuussutigineqanngillat, tassami taakkua tunniussinerit ukiuni tallimani isertuussisussaanerup saniatigut isertuussassaasinnaammata.

Aalajangersagaq pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaannut naapertuuppoq. Aalajangersagaq pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaannut naapertuuppoq. Inatsimmi § 3, imm. 1 malillugu, oqartussat, suliassa qarfiit imaluunniit allakkiat suussusai erseqqinnerusumik taaneqartut, §§ 7-14-imi aalajangersakkat nalinginnaasumik malillugit pisussat, allagaatinik takunninnissamik piunasaqarneq itigartinneqarsinnaasoq, Inatsisartut inatsisaanni ilaatinneqassanngitsut, pillugu maleruagassanik Naalakkersuisut aalajangersaasinnaapput.

Imm. 1 malillugu paasissutissat aallaaviatigut pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaanni §§ 12-14-imi pineqartunut ilaassapput. Taamaattumik imm. 2-mi aalajangersagaq aamma paasissutissat Naalakkersuisuni paarlaasseqatigiissutigineqartut aammalu Inatsisartuni ataatsimiititaliamut nassiunneqartut allagaatinik takunninnissami ilaatinneqannginnissaannut qulakkeereqataassaaq.

Aalajangersagaq malillugu piffissaq isertuussiviususaaq ukiunik 5-inik, taamaattoq takukkit imm. 4 aamma 5, aammalu piffissaq akuersissuteqarfiusoq tamaat Naalakkersuisunut tunniussinissamut piffissamut killiliussap kingorna ukiunik 5-inik sivilissuseqarpoq.

Akuersissutip atorunnaarnerani isertuussinissaq atorunnaassaaq. Akuersissutip atorunnaarnerata kingorna pisinnaatitsissummik pigisaqartumut tunngatillugu illersuinissaq mianerineqarunnaartussaavoq, aammalu § 59 malillugu neqeroortitsisoqassappat tamatumunnga atatillugu qinnuteqartuusinnaasunik tamaginnik naligiisitsinissaq qulakkeerniarlugu, najoqqutassat tunniunneqartut tamarmik tamanut saqqummersinneqarsinnaanissaat Naalakkersuisunut pingaaruteqarpoq.

Piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat nalunaarusiornerit, aatsitassarsiorluni misissuinermit paasisaanut, paasissutissanut nalunaarsukkanut, misissugassanut nassuiaanernullu, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit, piginnittussaataapput, takuuk imm. 6. Takuuk imm. 6-imi aalajangersagaq tassungalu nassuiaatit.

Imm. 3-mut

Allakkiat assersuutigalugu teknikkikkut aaqqissuussineq imaluunniit periaatsit imaluunniit pisinnaatitsissummik pigisaqartumut aningaasaqarnikkut annertuumik pingaaruteqartunut tunngatillugu ingerlatsinermut niuernernullu tunngasut assigisaallu pillugit paasissutissanik imaqartut, pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaat malillugu allagaatinik takunninnissami ilaatinneqarsimangippata, Naalackersuisunit tamanut saqqummiunneqarsinnaanngitsut, aalajangersakkami erseqqissarneqarpoq.

Allakkianut taaneqartunut tunngatillugu piffissamut isertuussiviusussamut piffissap killiligaannginnera, Naalackersuisut taakkuninnga tamanut saqqummiussinissamut soqutigisaqannginnerat, pissutaavoq.

Imm. 4-mut

Aalajangersakkami allassimavoq Naalackersuisut piffissami isertuussiviusussami paasissutissat isertuussat, nalunaarusiat, paasisat, paasissutissat nalunaarsukkat, misissugassat, nassuiaanerit, inerniliussat inassuteqaatillu ilaalu ilanngullugit pillugit paasissutissat nalinginnaasut tamanut saqqummersissinnaagaat.

Aalajangersagaq malillugu Naalackersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummersitsinnginnerminni paasissutissat pisinnaatitsissummik pigisaqartumut nassitissavaat aammalu pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttup minnerpaamik qaammatsiutit malillugit ullunik 14-inik sivissuseqartup iluani tamatumunnga oqaaseqaatinik nassiussinnaasoq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummersinneqarnissaannut tunngavilersugaasumik akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutissillugu. Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap iluani paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummersitsinissamut akerliliissummik nassiussippat, pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa Naalackersuisut paasissutissanik pineqartunik tamanut saqqummersitsinissamut soqutigisaannit pingaaruteqarnerusorineqarpat, Naalackersuisut paasissutissat taakkua tamanut saqqummersissanngilaat.

Naalackersuisut paasissutissanik nalinginnaasutut isikkoqartunik tamanut saqqummersitsinissamut soqutigisaat assersuutigalugu tassaasinnaapput innuttaasut isumannaatsuunissaasa eqqarsaatigineqarnissaa, paasissutissanik aalajangersimasunik tamanut saqqummersitsinissamut inatsimmi pisussaaffiliisumik pisussaaffeqarnej imaluunniit Kalaallit Nunaanni nunap sannaanik nittarsaassinissamut atatillugu. Pisinnaatitsissummik pigisaqartoq akerliliissuteqaraluartoq, aalajangersagaq malillugu paasissutissat nalinginnaasut tamanut saqqummersinneqarsinnaanersut aalajangiinnermi ilaatigut pisinnaatitsissummik



pigisaqartup paasissutissat isertuussaannissaannut niuernikkut soqutigisaqarsinnaanera, paasissutissat tamanut saqqummiunneqarnerat aningaasanut niuerfimmi pisinnaatitsissummik pigisaqartup nalunaarsorsimaffianni maleruagassanut unioqqutitsinerussanersoq aammalu paasissutissat nalinginnaasutut isikkoqaraluartut pisinnaatitsissummik pigisaqartut ataasiakkaat kinaassusersineqarsinnaanerat, mianerineqarsinnaapput.

Imm. 5-imut

Naalackersuisut pisuni tamaginni avatangiisinut paasissutissat nalunaarsukkat aamma avatangiisinut nalunaarusiat, inuiaqatigiinni nalinginnaasumik soqutiginaatilittut nalilerneqartut, tamanut saqqummiunnissaannut periarfissaqarnissaat, aalajangersakkami qulakkeerneqassaaq. Innuttaasut aatsitassarsiorluni ingerlatat qanitaanni najugaqartut imaluunniit inuussutissarsiornermi soqutigisaqartut, ingerlatassat avatangiisinut sunniutigisinnaasaannit sunnerneqarsinnaappata, pingaartumik tamanna pisinnaavoq.

Imm. 6-imut

Aalajangersakkami allassimavoq, imm. 2 malillugu piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartup aamma Namminersorlutik Oqartussat nalunaarusianik, aatsitassarsiorluni misissuinermi paasisanut, paasissutissanut nalunaarsukkanut, misissugassanut, nassuiaanernut, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit tunniunneqartunut piginnittussaataasut akeqanngitsumillu atuisussaataasut atuisinnaatitaasullu.

Namminersorlutik Oqartussat piginnittussaataaneranni najoqqutassat Kalaallit Nunaanni aatsitassarsiorluni ingerlatassanut tunngatinneqarsinnaasut kisimik pineqartunut ilaatinneqarput. Assersuutigalugu software-nut periaatsinullu najoqqutassat pilersinneqarnerannut atorneqartunut pisinnaatitaanerit Namminersorlutik Oqartussat pisinnaatitaaffigilissanngilaat.

Suliaqarnermi aatsitassanut ikummatissanullu inatsit malillugu akuersissut aalajangersakkanik taamaaqataannik amerlanertigut imaqartarpoq. Siunnersuut malillugu akuersissutinut tamanna atuutissasoq naatsorsuutigineqarpoq. Taamaattoq aalajangersakkap siunnersuummi toqqaannartumik allassimanissaa naapertuunnerusoq naliliisoqarpoq.

Imm. 7-imut

Aalajangersagaq Naalackersuisut pissutsit imm. 1-6-imi taaneqartut pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaanissaannut inatsimmi tunngavissamik imaqarpoq. Taakkua assersuutigalugu tassaasinnaapput ingerlatassanik aalajangersimasunik suliaqarnermi aammalu pisut imaluunniit pissutsit

aalajangersimasut pineranni nalunaarusiat imarisaat, ilusaat akulikissusaallu pillugit aalajangersakkat imaluunniit atugassarititaasut, ilanngullugit piffissani aalajangersimasuni tunniussisarneq pillugu.

Aamma assersuutigalugu tassaasinnaapput Naalakkersuisut ingerlatat aalajangersimasut, paasisat, pisut pissutsillu pillugit paasisutissanik nalinginnaasunik tamanut saqqummersitsinissamut periarfissaqarnerat pillugu aalajangersakkat imaluunniit atugassarititaasut.

Naalakkersuisut ilaatigut tamatumunnga nalunaarutini aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput. Naalakkersuisut aamma tamatumunnga atugassarititaasunik, akuersissutinut akuersissuteqarnernullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaasinnaapput.

Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

#### *§ 56-imut*

Aatsitassanik piiaanissamut akuersissummik tunniussinermi pissutsit mianerisassallu attuumassuteqartut tamaasa tamatumunngalu atasut pissutsit pillugit aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaannik aalajangersagaq imaqarpoq.

Atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit aatsitassanik piiaanissaq pillugu siunnersuummi § 43-mut naapertuuttumik aalajangersagaq nassuiarneqassaaq atuutsinneqassallunilu.

Naalakkersuisut ilaatigut nalunaarutini, akuersissutinut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma aatsitassanik piiaanissamut akuersissutit pillugit ilitsersuutini siunnersuut malillugu aalajangersagaasuni aalajangersakkanik aalajangersaasinnaapput. Naalakkersuisut aamma aatsitassanik piiaanissamut akuersissutinut aammalu aatsitassanik piiaanissamut akuersissutit pillugit akuersissuteqarnernut atugassarititaasuni nalinginnaasuni atugassarititaasunik aamma siunnersuut malillugu aalajangiinerni atugassarititaasunik aalajangersaasinnaapput.

Takuuk siunnersuummi § 16 tassungalu nassuiaatit, tassani allassimalluni siunnersuut malillugu aalajangersakkat atugassarititaasullu qanoq paasineqassanersut.

Piiaanissamut akuersissut piumasarineqartunik arlalinnik imaqartussaavoq, soorlu akuersissutip suussusaa, sumiiffik akuersissuteqarfiusoq, piffissaq akuersissuteqarfiusoq aamma pisinnaatitsissummik pigisaqartup kinaassusaa.

Tamatuma saniatigut atugassarititaasut arlallit, nalunaarutini, akuersissutitut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma aatsitassanik paaanissamut akuersissutit pillugit ilitersuutitini imaluunniit akuersissummi aalajangersagaasinnaasut, atuuttussaapput. Taakkua assersuutigalugu tassaasinnaapput pisinnaatitsissummik pigisaqartumi aaqqissuussaannermut, ingerlatassanut akuersissummi pineqartunut ilaasunut, pisuni qanoq ittuni akuersissutip atorunnaarsinneqarsinnaaneranut, pisinnaatitsissummik pigisaqartup akuersissutip atorunnaareernerani pisussaaffiitut piumasaqaatit, qularnaveeqqusiinermut inuiaqatigiinnilu piujuartussamik sunniuteqartitsinissamut piumasaqaatit, pisinnaatitsissummik pigisaqartup pisuni aalajangersimasuni avatangiisut sunniutaasussanik nalilersuineramik, tamatumunngalu nassuiaatinik (VVM-imut nassuiaatit), inuiaqatigiinni piujuaannartitsisumik ingerlatsineramik nalilersuineramik tamatumunngalu nassuiaatinik (VSB-mut nassuiaatit) suliaqarnissamut pisussaaffeqarneranut aammalu inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq pillugu isumaqatigiissutinik allanillu inuiaqatigiit aningaasaqarnerannut tunngasunut isumaqatigiissuteqarnissamut (IBA-mut isumaqatigiissutit), ingerlatassanut pilersaarutinik tunniussinissamut akuersissuteqarnissamullu, pisinnaatitsissummik pigisaqartup siunnersuut malillugu pisussaaffiitut qularnaveeqqusiinissamut, pisinnaatitsissummik pigisaqartumi sillimasiinermut tunngasunut, pisinnaatitsissummik pigisaqartup taarsiinissamut akisussaaffeqarneranut, pisinnaatitsissummik pigisaqartup aatsitassarsiorluni misissuinerit pillugit nalunaarusiortarnerinut aammalu paasissutissanik nalunaarsukkanik misissugassanillu ilaalu ilanngullugit Naalakkersuisunut tunniussisarnissaanut, isertuussinissamut, pisinnaatitsissummik pigisaqartup akiliutinik akiliutissanillu Naalakkersuisunut akiliisarnissaanut aamma pisinnaatitsissummik pigisaqartup najukkameersunik sulisoqarnissaanut pilersuisoqarnissaanullu piumasaqaatit.

#### *§ 57-imut*

##### **Imm. 1-imut**

Aalajangersagaq aatsitassarsiorluni misissuinissamut akuersissummik tunniussinermut suleriaatsinut tunngavissarititaasunullu tunngassuteqarpoq, takuuk § 34.

Periaatsit §§ 58-imi aamma 59-imi allassimasut arlaat tunngavigalugu Naalakkersuisut aatsitassarsiorluni misissuinissamut akuersissummik tunniusserusunnersut, Naalakkersuisut aalajangissavaat. Aatsitassarsiorluni misissuinissamut akuersissummik tunniussineq toqqaanissamut tunngavissarititaasut § 61-imi allassimasut tunngavigalugit pissaq.

Aatsitassarsiorluni misissuinissamut akuersissutinik tunniussisarneq ataatsimut isigalugu siunnersuummi § 34-imi maleruagassiivigineqarpoq. Takuuk aalajangersagaq allassimasoq tassungalu nassuiaatit.

§ 59-imi aamma 61-imi aalajangersakkat maleruagassanik EU-mi ingerlatsinissamut akuersissutinut malitassanut (ikummatissiassanik suliaqarnissamut pilersaarusiornissamut, misissuinissamut tunisassiornissamullu akuersissutinik tunniussisarnermut atuinissamullu piunasaqaatit pillugit Europa-Parlamentip aamma Siunnersuisooqatigiit malitassiaat 30. maj 1994-imeersoq (94/22/EF)) kingusinnerusukkut allannguuteqartunut atuuttunut naapertuuttunik imaqarput.

Ingerlatsinissamut akuersissutinut malittarisassiat imaluunniit maleruagassat tunngaviusullu taamaaqatai aatsitassanut (uulia, naturgas aamma aatsitassat) tunngatillugu nunanut arlalinnut ingerlataqartartunut atuupput, ilanngullugit aamma nunat EU-p avataaniittut. ikummatissiassat (uulia aamma naturgas), kisianni aamma aatsitassarsiorluni misissuinissamut aamma aatsitassanik piiaanissamut akuersissutinik tunniussinermi ingerlatsinissamut akuersissutinut malittarisassiani tunngaviusut atornissaat naleqqutissaaq naapertuutissallunilu.

Imm. 2-mut

Aalajangersagaq piiaanissamut akuersissummik tunniussinissamut suleriaatsinut tunngavissarititaasunullu tunngassuteqarpoq.

Aalajangersagaq §§ 41-mut aamma 42-mut naapertuuttumik nassuiarneqassaaq atuutsinneqassallunilu. Takukkit tassunga aalajangersakkat nassuiaatillu allassimasut.

§§ 41 aamma 42 malillugit aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq peqarfinnut piiarneqarsinnaasunut killissalersorneqartunut paasineqartunullu atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit piiaanissamut pisinnaatitaaffinnut akuerineqarnissamut pisinnaatitaavoq. Taamaalilluni aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq aatsitassanik peqarfimmik piiarneqarsinnaasumik paasinarsisitsisimappat aammalu atugassarititaasut aatsitassarsiorluni misissuinissamut akuersissummi allassimasut allatigut naammassisimallugit, pisinnaatitsissummik pigisaqartoq piiaanissamut akuersissummik tunineqarnissamut pisinnaatitaavoq.

Piiaanissamut akuersissut § 41 naapertorlugu siuliani aatsitassarsiorluni misissuinissamut akuersissut imaluunniit § 42 naapertorlugu siuliani annikitsumik aatsitassarsiorluni misissuinissamut aamma aatsitassanik annikitsumik piiaanissamut akuersissut tunngavigalugu piiaanissamut akuersissummik tunniussisoqarluni pisunit allaanerusumik pisoqartillugu, piiaanissamut akuersissummik tunniussinissamut suleriaatsimut tunngavissarititaasunullu aammattaaq aalajangersagaq tunngassuteqarpoq.

§§ 41 aamma 42 malillugit pisut eqqaassanngikkaanni, pisuni tamaginni soqutigisaqartut tamarnik atugassarititaasut assigiit tunngavigalugit sumiiffimmut akuersissuteqarfiusumut neqerooruteqarsinnaanissaannut periarfissiisumik, aatsitassanik piiaanissamut akuersissutinik tunniussineq unammilleqatigiissitsiviussasoq, aalajangersakkami aalajangersarneqarpoq.

Aatsitassarsiorluni misissuinissamut akuersissut imaluunniit annikitsumik aatsitassarsiornissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq tamatuma kingorna aatsitassanik piiaanissamut akuersissummik tunineqarnissamik qinnuteqaateqarani pisoqartillugu qinnuteqartussanik allanik pilerilersitsinikkut, peqarfiit piiarneqarsinnaasut piiarneqanngiinnarnissaasa pinngitsoortinnissaa ilaatigut aalajangersakkami siunertaavoq.

### *§ 58-imut*

Naalackersuisut aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissutinik tunniussisinnaaneranni periaatsinut aalajangersakkat tunngassuteqarput.

#### *Imm. 1-imut*

Aalajangersagaq ataatsimut isigalugu Kalaallit Nunaanni aatsitassarsiorluni misissuinissamut aamma misissueqqaarnissamut akuersissutinut atugassarititaasut nalinginnaasut 25. juni 2013-imeersut atuuttut malillugit aatsitassarsiorluni misissuinissamut akuersissutinik tunniussinermut suleriaatsimut naapertuuppoq.

Aalajangersagaq batch-imi suleriaatsimut taaneqartartumut tunngassuteqarpoq. Aalajangersagaq malillugu Naalackersuisut piffissaq qinnuteqarfissaq (batch-imi piffissaq) aalajangersassavaat, tassani qinnuteqartut siunnersuut malillugu aatsitassarsiorluni misissuinissamut akuersissutinik tunniussinissaq pillugu qinnuteqarsinnaallutik. Batch-imi suleriaaseq sumiiffimmut aalajangersimasumut erseqqinnerusumut tunngassuteqanngilaq. Taamaalilluni sumiiffik suleriaatsini § 59-imi, imm. 1-3-mi taaneqartuni pineqartunut ilaasimangippat, qinnuteqartut sumiiffimmut siunnersuut malillugu kisermaassisussaatitaalluni akuersissummi pineqartunut ilaariinngitsumut akuersissutinik tunineqarnissamik qinnuteqarsinnaapput. Aalajangersakkat taakkunungalu nassuiaatit taaneqartut innersuussutigineqarput.

Qinnuteqaatit tamarnik piffissap qinnuteqarfissap (batch-imi piffissaq) iluani tiguneqartut ataatsikkut Naalackersuisunit tiguneqartutut isigineqassapput. Naalackersuisut assersuutigalugu piffissaq qinnuteqarfissaq piffissamut ulloq 2. januar 2024 aallarnerfigalugu ulloq 16. januar 2024 tikillugu ingerlasussanngorlugu aalajangersarpassuk, qinnuteqaatit tamarnik piffissami tassani tiguneqartut ataatsikkut tiguneqartutut isigineqassapput.

Naalakkersuisut piffissami qinnuteqarfissami (batch-imi piffissaq) allami tamatumalu kingorna aalajangersarneqartumi qinnuteqaatit tiguppasigit, qinnuteqaatit tamarmik piffissami tassani, kisianni qinnuteqaatit siuliani piffissami qinnuteqarfissami tiguneqartut kingorna tiguneqartut, ataatsikkut tiguneqartutut isigineqassapput.

Piffissap qinnuteqarfissap siulliup iluani qinnuteqaatit tiguneqartut tamarmik Naalakkersuisunit siulliullugit, taamaalillunilu tamatuma kingorna piffissani qinnuteqarfissani (batch-imi piffissat) ataatsimi arlalinniluunniit tiguneqartunik allanik tamaginnik Naalakkersuisut suliarinninnginneranni, suliarineqassapput.

Piffissaq qinnuteqarfissaq (batch-imi piffissaq) nalinginnaasumik ullunik 14-inik sivisussuseqassaaq.

Taamaattoq Naalakkersuisut piffissaq sivisunerusumut imaluunniit sivikinnerusumut aalajangersarsinnaavaat, imm. 4 naapertorlugu Naalakkersuisut tamatuma saniatigut batch-imi suleriaaseq malillugu qinnuteqaatinik tunniussisarneq, tigusaqartarneq, nalunaarsuisarneq suliarinnittarnerlu pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaasinnaapput. Aalajangersagaq tassungalu nassuiaatit taaneqartut innersuussutigineqarput.

Naalakkersuisut ilaatigut qinnuteqaatit imarisassaannut piumasaqaatinik aammalu qinnuteqaatit allaffiup ammasarfiisa nalinginnaasut iluanni tiguneqarsimassasut ilaalu ilanngullugit pillugit aalajangersakkanik aalajangersaasinnaapput.

Imm. 2-mut

Aalajangersagaq malillugu siusinnerusukkut aatsitassarsiorluni misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq akuersissutip taassuma pigisaata atorunnaareernerata kingorna qaammatisiutit malillugit ullunit 90-init sivikinnerusup qaangiunnerani sumiiffimmi tassani aatsitassarsiorluni misissuinissamut akuersissummik qinnuteqarpat, batch-imi piffissaq sivitsorneqassaaq.

Aalajangersakkamut siunertaavoq, pisinnaatitsissummik pigisaqartumut akuersissummik utertitsisumut atugassarititaasut assingi tunngavigalugit qinnuteqartussaasinnaasut allat sumiiffimmut tassunga akuersissummik qinnuteqarnissamut periarfissaqartinnagit, aatsitassarsiorluni misissuinissamut akuersissutit malillugit pisinnaatitsissummik pigisaqartut sumiiffimmut ataatsimut aatsitassarsiorluni misissuinissamut akuersissutinik utertitsisinaanissaasa qinnuteqarsinaanissaasalu, taamaaliornikkullu akuersissummik aatsitassarsiorluni misissuinissamut pisussaaffiit akuersissummi pisussaaffigineqartut annikillissinaanissaasa, pinngitsoortinnissaat. Batch-imi piffissap qaammatisiutit malillugit ullunik 90-nik sivisussuseqartinneratigut qinnuteqartuusinnaasut allat sumiiffimmi

pineqartumi aatsitassaqaarsinnaaneraniq nalilersuinissamut periarfissaqartinneqassapput, taamaalillunilu pisinnaatitsissummik pigisaqartumut akuersissummik utertitsisimasumut naligiissinneqassallutik.

Aatsitassarsiorluni misissuinissamut akuersissut atorunnaareersoq malillugu pisinnaatitsissummik pigisaqartumut soqutigisaqarluni suleqataasumit qinnuteqaammik tigusaqarluni pisoqarnerani, aalajangersagaq aamma atuutissaaq.

Imm. 3-mut

Naalackersuisut qinnuteqaatit imm. 1-2 malillugit tunniunneqartut tunngavigalugit akuersissummik tunniussinngissinnaasut, aalajangersakkami aalajangersarneqarpoq. Naalackersuisut akuersissummik tunniussiniartut imaluunniit tunniussiniannngitsut pillugu Naalackersuisut taamaalillutik nammineerlutik aalajangiisinnaapput.

Imm. 4-mut

Aalajangersagaq malillugu Naalackersuisut imm. 1-2 malillugit qinnuteqaatinik tunniussisarneq, tiguisarneq, nalunaarsuisarneq suliarinnittarnerlu pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaasinnaapput.

Naalackersuisut ilaatigut qinnuteqaatit imarisaannut piumasaqaatinik aammalu qinnuteqaatit tamakkiisut arlallit ullormi suliffiusumi tassani allaffiup ammanerata iluani tiguneqartut, ataatsikkut tiguneqarsimasutut isigineqassasut pillugu aalajangersakkanik aalajangersaasinnaapput.

#### *§ 59-imut*

Imm. 1-imut

Aalajangersagaq suleriaasiusinnaasut arlallit ilaannut ataatsimut, Naalackersuisut aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiiaanissamut akuersissummik tunniussinermut atatillugu atorsinnaasaannut, tunngassuteqarpoq.

Kalaallit Nunaanni aatsitassaqaqarfinnut periarfissaqarnissaaq pillugu unammilleqatigiinnerulersitsinissap qulakkeernissaa siunertaralugu, qinnuteqartitsinermi ataatsimi ingerlatseqatigiiffiit sapinngisamik amerlanerpaat akuutinneqarnissaannik kissaateqarneq, ilaatigut aalajangersakkamut tunngavigineqarpoq.

Aalajangersagaq malillugu Naalackersuisut matu-ammasumut-suleriaaseq pillugu nalunaarut Naalackersuisut nittartagaanni aammalu allatut naleqquttumik tamanut saqqummiutissavaat,

ilanngullugit assersuutigalugu nutaarsiassaqtitsivinni allani.

Aatsitassat sumiiffiillu suut matu-ammasumi-suleriaatsimi pineqartunut ilaatinneqarnerisut, aammalu soqutiginnittut qanoq iliorlutik tamatumunnga atugassarititaasut pillugit paasissutissanik erseqqinnerusunik piniarsinnaanersut pillugu paasissutissanik nalunaarut imaqaassaaq.

Matu-ammasumi-suleriaatsimi allanngortoqarnerani matu-ammasumi-suleriaaseq pillugu nalunaarutip tamanut ammasumik saqqummiunneqarneratuut, Naalakkersuisut taamaaqataanik tamatuminnga nalunaarut tamanut ammasumik saqqummiutissavaat.

Matu-ammasumi-suleriaaseq malillugu akuersissutinik tunniussinissamik qinnuteqaatit siusinnerpaamik nalunaarutip tamanut ammasumik saqqummersinneqarnerata kingorna ullut 90-it qaangiunneranni tunniunneqarsinnaavoq.

Imm. 2-mut

Aalajangersagaq suleriaasiusinnaasut arlallit ilaannut ataatsimut, Naalakkersuisut aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissummik tunniussinermut atatillugu atorsinnaasaannut, tunngassuteqarpoq.

Kalaallit Nunaanni aatsitassaqarfinnut periarfissaqarnissaaq pillugu unammilleqatigiinnerulersitsinissap qulakkeernissaa siunertaralugu, qinnuteqartitsinermi ataatsimi ingerlatseqatigiiffiit sapinngisamik amerlanerpaat akuutinneqarnissaannik kissaateqarneq, ilaatigut aalajangersakkamut tunngavigineqarpoq.

Aalajangersagaq malillugu Naalakkersuisut qinnuteqaqqusillutik nalunaarut, qinnuteqaatinut piffissamut killiliussap naanissaa minnerpaamik ullunik 90-inik sioqqullugu Naalakkersuisut nittartagaanni aammalu allatut, ilanngullugu assersuutigalugu nutaarsiassanik saqqummiisarfinni allani, tamanut saqqummersissavaat.

Imm. 3-mut

Aalajangersagaq suleriaasiusinnaasut arlallit ilaannut ataatsimut, Naalakkersuisut aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissummik tunniussinermut atatillugu atorsinnaasaannut, tunngassuteqarpoq.

Aalajangersagaq annertunerpaatigut danskit nunap iluanut inatsisaanni § 12, imm. 1, litra b, uniffik 1-imut aamma 2-mut naapertuuppoq.

Ingerlatseqatigiiffinnit tamatuminnga kaammattuineq imaluunniit neqeroortitsinernit



immikkut ittunit ilaalu ilanngullugu siusinnerusukkat misilittakkat tunngavigalugit tamanna naapertuussorineqarpat, periaaseq nassuiarneqartoq ilaatigut sumiiffinnut annikinnerusunut neqeroortitsinissamut (neqeroortitsinerit annikitsut) periarfissamik ammaassissaaq.

Taamaattoq aamma imm. 2 malillugu neqeroortitsinermut nalinginnaasumut taarsiullugu periaaseq atorneqarsinnaavoq. Taamatut pisoqarnerani neqeroortitsinermut nalinginnaasumut qinnuteqaatit immikkut ittumik neqeroortitsinermut atatillugu tunniunneqartutut isigineqassapput.

Imm. 4-mut

Naalakkersuisut qinnuteqaatit imm. 1-3-mi taaneqartut malillugit tunniunneqartut tunngavigalugit akuersissummik tunniussinngissinnaasut, aalajangersakkami aalajangersarneqarpoq. Tamanut ammasumik qinnuteqaqqusisoqarsimagaluartoq ilaalu ilanngullugu, Naalakkersuisut akuersissummik tunniussiniartut imaluunniit tunniussiniangitsut pillugu Naalakkersuisut taamaalillutik nammineerlutik aalajangiisinnaapput.

Imm. 5-imut

Aalajangersagaq malillugu Naalakkersuisut imm. 1-3 malillugit qinnuteqaatinik tunniussisarneq, tiguisarneq, nalunaarsuisarneq suliarinnittarnerlu pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaasinnaapput.

Naalakkersuisut ilaatigut qinnuteqaatit imarisaannut piunasaqaatinik aammalu qinnuteqaatit tamakkiisut arlallit ullormi suliffiusumi tassani allaffiup ammanerata iluani tiguneqartut, ataatsikkut tiguneqarsimasutut isigineqassasut pillugu aalajangersakkanik aalajangersaasinnaapput.

#### *§ 60-imut*

Naalakkersuisut aningaasartuutininik imaluunniit aningaasartuutissanik imaluunniit annaasaqarnernut imaluunniit ajoqusersimasunut qinnuteqartumi akuersissummik tunineqarnissamik qinnuteqaateqartumi pisunut imaluunniit qinnuteqaateqartumit pilersinneqartunut taarsiinissamut, taarsernissaannut, utertillugit akilernisaannut imaluunniit allatut akiliinissamut akisussaasuunngitsut akisussaasuussannngitsullu, aalajangersakkami allassimavoq.

Aalajangersagaq malillugu annaasaqarneq imaluunniit ajoquserneq qinnuteqartup akuersissummik tunineqarnissamik qinnuteqarnerata malitsigisaanik imaluunniit tamatumunnga atatillugu pilersimanersoq pilersinneqarsimanersorluunniit, imaluunniit

qinnuteqartup tamatumunnga atatillugu suliassanik sularinninnera, ingerlatassanik misissuinernillu ilaalu ilanngullugit suliaqarnera aammalu aningaasartuutunik ilaalu ilanngullugit akiliisimanera apeqquataatinnagit aalajangersagaq atuutissaaq.

Tamatuma saniatigut qinnuteqartup tamatumunnga atatillugu paasissutissanik tamatumunngalu uppersaatunik pissarsisimanera, angusaqarsimanera imaluunniit suliaqarsimanera aammalu Naalackersuisunut tunniussisimanera apeqquataatinnagit tamanna atuutissaaq.

Aamma Naalackersuisut qinnuteqartup akuersissummik tunineqarnissamik qinnuteqaataa pillugu suliassamik sularinninnerat aalajangiinerallu, imaluunniit Naalackersuisut akuersissummik qinnuteqartumut tunniussinnginnissaq pillugu aalajangiinerat apeqquataatinnagu tamanna atuutissaaq.

Aalajangersagaq ilaatigut §§ 58, imm. 3-mi aamma 59, imm. 4-mi naapertuuttumik atuutissaaq nassuiarneqassallunilu, taanna malillugu Naalackersuisut akuersissummik tunniussiniarnersut imaluunniit tunniussinanginersut pillugu Naalackersuisut nammineerlutik aalajangiisinnaapput, aamma tamanut ammasumik qinnuteqartoqaqqusisoqaraluarpuunniit ilaalu ilanngullugit. Naalackersuisut assersuutigalugu tamanut ammasumik qinnuteqaqqusinerit ilaalu ilanngullugit kingorna akuersissummik tunniussinnginnissamik aalajangerpata, Naalackersuisut qinnuteqartumut aningaasartuutitut qinnuteqartup qinnuteqaatip sularineqarnerata ingerlaneranut ilaalu ilanngullugu atatillugu aningaasartuutigisimasaannut taarsiinermik akiliinissamut imaluunniit taarsiiviginnissamut akisussaatinneqarsinnaanngillat.

### *§ 61-imut*

Imm. 1-imut

Aalajangersagaq malillugu akuersissut §§ 58-imi aamma 59-imi pineqartunut ilaasoq imm. 2-5-imi toqqaanissamut tunngavissarititaasut tunngavigalugit tunniunneqassaaq.

Toqqaanissamut tunngavissarititaasut imm. 2-4-imi allassimasut, Kalaallit Nunaanni aatsitassarsiorluni misissuinissamut aamma misissueqqaarnissamut akuersissutitut qinnuteqarnermut suleriaatsit aamma atugassarititaasut nalinginnaasut atuuttut malillugit unammilleqatigiittunik qinnuteqaateqartoqartillugu tunngavissarititaasunut atorneqartartunut naapertuupput. Aammattaq taakkua tunngavissarititaasunut aatsitassanut ikummatissanullu inatsit malillugu ikummatissiassarsiorluni (uulia aamma naturgassi) misissuinissaq pillugu Kalaallit Nunaanni siusinnerusukkut neqeroortitsinerni atorneqartartunut annertuumik naapertuupput. Pisut ilaanni aamma tunngavissarititaasut taamaaqatai imaluunniit assingusut Kalaallit Nunaanni pinngortitami pisuussutitut allanut tunngatillugu neqeroortitsinerni

aamma atorneqartarput, tassani ilaallutik sermip erngullu niuernikkut iluaqutigineqarnissaat pillugu Inatsisartut inatsisaat nr. 11, 27. november 2018-imeersoq (sermimut imermullu inatsit) malillugu sermimit pisuussutit aamma imermit pisuussutit.

Toqqaanissamut tunngavissarititaasut imm. 2-4-mi allassimasut ataatsimut isigalugu tassaapput tunngavissarititaasut inatsimmik naammassinnittut kinaassusersiunngitsullu, sumiiffimmut ataatsimut qinnuteqaatinik arlalinnik nalilersuinermi ilaatinneqarsinnaasut. Naalakkersuisut § 59, imm. 1-3 malillugu suleriaatsinik atuinerminni, imm. 2-4-mi toqqaanissamut tunngavissarititaasut aallaavigalugit qinnuteqartunik nalileereernerup kingorna qinnuteqartut arlallit akornani inaarutaasumik toqqaanissaq siunertaralugu, toqqaanissamut tunngavissarititaasunik attuumassuteqartunik, kinaassusersiunngitsunik aammalu immikkoortitsinngitsunik allanik aalajangersaasinnaapput, takuuk imm. 5.

Akuersissummik §§ 57-59-imi pineqartunut ilaasumik tunniussineq toqqaanissamut tunngavissarititaasut imm. 2-4-mi allassimasut tunngavigalugit pissaaq aammalu tamanna naleqqutsillugu § 59, imm. 1-3 malillugit suleriaatsit atorlugit toqqaanissamut tunngavissarititaasut imm. 5 malillugu aalajangersarneqartunik allanik tapertaqartinneqarsinnaallutik. Toqqaanissamut tunngavissarititaasut imm. 2-5-imi allassimasut taamaalillutik toqqaanissamut tunngavissarititaapput pinngitsoorani atorneqartussat saneqqunneqarsinnaanngitsullu, qinnuteqaatit unammilleqatigiinnerat unammilleqatigiinnginnerallu apeqqutaatinnagu akuersissummik §§ 58-imi aamma 59-imi pineqartunut ilaasumik tunniussinermi atorneqartussaallutik nalilersuinermilu ilaatinneqartussaallutik. Taamaalilluni assersuutigalugu qinnuteqartoq imm. 2 malillugu teknikkikkut suliaassanullu pisariaqartunik piginnaasaqangippat (sulianut paasisimasaqarneq) imaluunniit imm. 3 malillugu aningaasaqarnikkut aningaasalersuinikkullu pisariaqartunik piginnaasaqangippat (aningaasalersuinermit pisinnaasaqarneq), akuersissummik tunniussinissamik qinnuteqaat itigartinneqassaaq. Imm. 2-4 tassungalu nassuiaatit innersuussutigineqarput.

Imm. 2-mut

Aalajangersakkami toqqaanissamut tunngavissarititaasoq siulleq allassimavoq. Toqqaanissamut tunngavissarititaasoq qinnuteqartup teknikkikkut suliaasatigullu pisinnaasaqarneranut, tassalu qinnuteqartup sulianut paasisimasaqarneranut, tungassuteqarpoq.

Toqqaanissamut tunngavissarititaasoq tunngavissarititaasunut marlunnet aggulugaavoq. Imm. 2, nr. 1 malillugu qinnuteqartup aatsitassarsiorluni misissuinermit imaluunniit aatsitassanik piaanermik siusinnerusukkut misilittagaqarnera pingartinneqassaaq. Imm. 2, nr. 2 malillugu aamma qinnuteqartup sumiiffinni pissutsit taamaaqataat atuutsillugit aatsitassarsiorluni misissuinermit imaluunniit aatsitassanik piaanermik siusinnerusukkut misilittagaqarnera

pingaartinneqassaaq. Nalilersuinermi tassami aamma qinnuteqartup assersuutigalugu sumiiffimmi qinnuteqarfigineqartumi misissueqqaarnermik misilittagaqarnera pingaartinneqassaaq.

Imm. 2 malillugu toqqaanissamut tunngavissarititaasoq, toqqaanissamut tunngavissarititaasunut pinngitsoorani ilaatinneqartussanut saneqqunneqarsinnaanngitsunullu, akuersissummik §§ 57-59-imi pineqartunut ilaasumik tunniussinissamut nalilersuinermi tamatigut ilaatinneqartussanut, ilaasut ilagaat. Takukkit imm. 1-mut nassuiaatit.

Imm. 3-mut

Aalajangersakkami toqqaanissamut tunngavissarititaasut aappassaat allassimavoq. Toqqaanissamut tunngavissarititaasoq qinnuteqartup aningaasaqarnikkut aningaasalersuinnikkullu piginnaasaqarnerannut, tassa imaappoq qinnuteqartup aningaasaateqarneranut, tunngassuteqarpoq.

Qinnuteqartup aningaasartuutit aatsitassarsiorluni misissuinermit imaluunniit aatsitassanik piiaanermut ingerlatassanullu taakkununga atasunut attuumassuteqartut akilersinnaanissaannut pisariaqartunik aningaasaateqarnissaa, akuersissummik tunniussinissamut pingaaruteqartumik tunngavissaatinneqarpoq.

Imm. 3 malillugu toqqaanissamut tunngavissarititaasoq toqqaanissamut tunngavissarititaasunut pinngitsoorani ilaatinneqartussanut saneqqunneqarsinnaanngitsunullu, akuersissummik §§ 57-59 -imi pineqartunut ilaasumik tunniussinissamut nalilersuinermi tamatigut ilaatinneqartussanut, ilaasut ilagaat. Takukkit imm. 1-imut nassuiaatit.

Imm. 4-mut

Naalackersuisut aamma imm. 2-3-mi tunngavissarititaasunut ilanngullugu qinnuteqartup Kalaallit Nunaanni akuersissutinut pioreersunut imaluunniit siusinnerusukkut pigineqartunut atatillugu pisussaaffimminik naammassinninnissamut sunniuteqarluartitsinngissimanera imaluunniit naammassinninngissimanera pingaartissagaat, aalajangersakkami allassimavoq.

Taamaalilluni qinnuteqartup Kalaallit Nunaanni akuersissutit pioreersut imaluunniit siusinnerusukkut atuuttut allat malillugit pisussaaffini naammassisimanerai qanorlu annertutigisumik tamanna pisimanersoq, Naalackersuisut qinnuteqaammik nalilersuineranni nalinginnaasumik ilaatinneqassaaq. Imm. 4 malillugu akuersissutit pioreersut imaluunniit siusinnerusukkut atuuttut allat paasineqassaaq tassaasut, aatsitassanut ikummatissanullu inatsit aamma siunnersuut malillugit aatsitassarsiorluni misissuinissamut imaluunniit aatsitassanik piiaanissamut akuersissutit.

Qinnuteqartup Kalaallit Nunaanni akuersissutinut pioreersunut imaluunniit siusinnerusukkut pigineqartunut allanut atatillugu pisussaaffimminik naammassinninnissamut sunniuteqarluartitsinngissimasinnaanerani imaluunniit naammassinninngissimasinnaanerani Naalakkersuisut nalilersuinerminni, Naalakkersuisut pissutsit mianerisassallu tamaasa ilaatissavaat, ilanngullugu ilaatigut qinnuteqartup pisussaaffimminik naammassinninngissimasinnaanerata pingaaruteqassusaa.

Aalajangersagaq malillugu inuit qinnuteqartumi aqutsisuniittut, ilanngullugit siulersuisut, pisortaaqatigiit, nakkutilliisoqarfik assigisaaluunniit aqutsisuniittut, ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartuusumut, Kalaallit Nunaanni akuersissutinut pioreersunut imaluunniit siusinnerusukkut atuussimasunut allanut atatillugu pisinnaatitsissummik pigisaqartutut pisussaaffimminik sunniuteqarluartitsinngissimasumut imaluunniit naammassinninngissimasumut aqutsisuni ilaanersut imaluunniit ilaasimanersut, piginnittuunersut imaluunniit piginnittuusimanersut imaluunniit aalajangiisuusumik sunniuteqartuunersut imaluunniit sunniuteqartuusimanersut, Naalakkersuisut aamma nalilersuinerminni pingaartissavaat.

Aalajangersagaq malillugu tamatuma saniatigut ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartuusumut, Kalaallit Nunaanni akuersissutinut pioreersunut imaluunniit siusinnerusukkut atuussimasunut allanut atatillugu pisinnaatitsissummik pigisaqartutut pisussaaffimminik sunniuteqarluartitsinngissimasumut imaluunniit naammassinninngissimasumut piginnittuunersut imaluunniit piginnittuusimanersut imaluunniit aalajangiisuusumik sunniuteqartuunersut imaluunniit sunniuteqartuusimanersut, Naalakkersuisut aamma nalilersuinerminni pingaartissavaat.

Inuit ingerlatseqatigiiffimmut siunnersuut malillugu akuersissummik qinnuteqartumut aqutsisuniittut, piginnittuusut imaluunniit aalajangiisuusumik sunniuteqartut Kalaallit Nunaanni akuersissutit pioreersut allat imaluunniit siusinnerusukkut atuussimasut malillugit ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartuusumut aqutsisuunerminut imaluunniit piginnittuunerminut imaluunniit aalajangiisuusumik sunniuteqarnerminut atatillugu siusinnerusukkut, akuersissutit taakkua malillugit pisinnaatitsissummik pigisaqartutut pisussaaffimminik sunniuteqarluartitsisimannngissimannnginnissaat imaluunniit naammassinnissimanngitsoorsimannnginnissaat, aalajangersagaq ilaatigut qulakkeeqataassaaq.

Tamatuma saniatigut suliffeqarfiit ingerlatseqatigiiffimmut siunnersuut malillugu akuersissummik tunineqarnissamik qinnuteqartumut piginnittut imaluunniit aalajangiisuusumik sunniuteqartut, Kalaallit Nunaanni akuersissutit pioreersut allat imaluunniit siusinnerusukkut atuussimasut malillugit ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartuusumut piginnittuunerminut imaluunniit aalajangiisuusumik sunniuteqarnerminut atatillugu siusinnerusukkut, akuersissutit taakkua malillugit pisinnaatitsissummik pigisaqartutut pisussaaffimminik

sunniuteqarluartitsisimangissimanginnissaat imaluunniit  
naammassinnissimangitsoorsimanginnissaat, aalajangersagaq ilaatigut qulakkeeqataassaaq.

Imm. 4-mi toqqaanissamut tunngavissarititaasut imm. 2-4-mi toqqaanissamut  
tunngavissarititaasuni pinngitsoorani ilaatinneqartussani saneqqunneqarsinnaanngitsunilu,  
akuersissummik tunniussinermi §§ 57-59 -imi pineqartunut ilaatinneqartunik nalilersuiner  
milaatinneqartussani atorineqartussanilu kingullersaapput. Takukkit imm. 1-imut nassuiaatit.

Imm. 5-imut

Siunnersuummi imm. 5, qinnuteqartut imm. 2-4-mi toqqaanissamut tunngavissarititaasut  
pingaarnerit malillugu nalileereerner  
milaatigittutut nalilerneqartut, akornanni inaarutaasumik  
toqqaanissaq siunertaralugu § 59, imm. 1-3-mi malillugit suleriaatsinik atuinermi  
toqqaanissamut tunngavissarititaasunik allanik (saniatigut toqqaanissamut  
tunngavissarititaasut) Naalackersuisut aalajangersaanissaannut inatsimmi tunngavissamik  
imaqarpoq. Tunngavissarititaasut imm. 5 malillugu Naalackersuisunit aalajangersarneqartut  
naleqquttuussasut, kinaassusersiortuussanngitsut aammalu immikkoortitsinerussanngitsut,  
piumasaqaataavoq.

Imm. 5-imi aalajangersagaq, § 59, imm. 1-3-mi malillugit suleriaatsit atorineqarneranni  
taamaallaat atuutissaaq aammalu imm. 2-4-mi toqqaanissamut tunngavissarititaasut  
pingaarnerit tunngavigalugit qinnuteqartunik nalilersuineq malillugu qinnuteqartut marluk  
arlallilluunniit naligiimmik pointeqlutik, taamaalillutillu unammilleqatigiillutik  
(naligiillutik) pisoqartillugu taamaallaat attuumassuteqassalluni. Pisuni taaneqartuni  
qinnuteqartut marluk arlaallilluunniit akornanni inaarutaasumik toqqaanissaq siunertaralugu  
Naalackersuisut saniatigut toqqaanissamut tunngavissarititaasunik attuumassuteqartunik,  
kinaassusersiunngitsunik immikkoortitsinngitsunillu aalajangersaanissamut atuinissamullu  
imm. 5 malillugu inatsimmi tunngavissinneqarput.

Pisuni ataasiakkaani pissutsinik attuumassuteqartunik tamaginnik ataasiakkaatigut naliliineq  
malillugu, saniatigut toqqaanissamut tunngavissarititaasut suut Naalackersuisut naliliinerat  
malillugu aalajangersarnissaat naleqqunnersoq, Naalackersuisut aalajangertussaavaat.  
Saniatigut toqqaanissamut tunngavissarititaasut imm. 5 malillugu aalajangersarneqartut § 59,  
imm. 1-3-mi malillugit suleriaatsinik atuinermi sioqqutsisumik  
aalajangersarneqareersimassapput, aammalu imm. 6-imut naapertuuttumik tamanut  
saqqummiunneqareersimassallutik. Takuuk imm. 6 tassungalu nassuiaatit. Siunertaavoq  
pingaartumik qinnuteqartut toqqaanissamut tunngavissarititaasunut tamaginnut  
sioqqutsisumik ilisimannereernerisigut, qinnuteqartunut tamaginnut paasiuminartitsinissamik  
naligiimmillu pinninnissamik qulakkeerinissaq.

Imm. 6-imut

Aalajangersakkami allassimavoq toqqaanissamut tunngavissarititaasut imm. 2-5-imi taaneqartut aammalu § 59, imm. 1-3-mi malillugit suleriaatsit atorneqarneranni taakkua iluanni naliliisarneq pillugu aalajangersakkat, qinnuteqaateqaqqusinernut, § 59, imm. 1-3-mi allassimasunut ilanngullugu tamanut saqqummiunneqassapput.

Toqqaanissamut tunngavissarititaasut akornanni nalilersuineq pillugu aalajangersakkanik aalajangersaanermi assersuutigalugu saniatigut toqqaanissamut tunngavissarititaasut atorneqarsinnaapput. Tunngavissarititaasut pingaarnerit aamma saniatigut tunngavissarititaasut siusinnerusukkut Kalaallit Nunaanni ikummatissiassanut akuersissutitut neqeroortitsinerni aalajangersarneqarput.

### *§ 62-imut*

Imm. 1-imut

Aalajangersagaq aatsitassat pillugit ilisimatusarnikkut misissuinernik suliaqarnissamut akuersissummik tunniussisarnermut tunngassuteqarpoq.

Taakkua assersuutigalugu tassaasinnaapput nunap sannaanut, geofysiskinut imaluunniit geokemiskinut tunngasut pillugit ilisimatuussutsikkut misissuinerit. Aamma tassaasinnaapput ingerlatassanut pingaaruteqartut pissutsit allat siunnersuummi pineqartunut ilaasut pillugit ilisimatuussutsikkut misissuinerit.

Aalajangersagaq malillugu Naalakkersuisut atugassarititaasut erseqqinnerusumik aalajangersagaasut tunngavigalugit ilisimatuussutsikkut misissuinernik suliaqarnissamut taamatut akuersissummik tunniussisinnaapput.

Ilisimatusarnikkut misissuinernik suliaqarnissamut akuersissut assersuutigalugu suliffeqarfinnut namminersortunut, ilisimatusarnermut sullissivinnut, ilinniarfinnut, pisortani oqartussanut imaluunniit ingerlatseqatigiiffinnut Namminersorlutik Oqartussanit pigineqartunut, tunniunneqarsinnaavoq.

Ilisimatusarnikkut misissuinissamut akuersissummi, aalajangersimasumik annertussusilimmik misissuinerit, misissueqqaarnissamut akuersissutitut ittut, pineqartunut ilaapput. Misissueqqaarnissamut akuersissut malillugu taamaattoq misissuinerimi ingerlatassat niuerutiginninnermut attuumassuteqarput imaluunniit tamakkiisumik ilaannaasumilluunniit niuerutiginninnissamik siunertaqarluni. Misissueqqaarnissamut akuersissut malillugu pisinnaatitsissummik pigisaqartup assersuutigalugu misissuinerup inernerit tamatuma kingorna aatsitassarsiorluni misissuinissamut immaqalu aatsitassanik paaanissamut tunngavissatut nammineerluni atorsinnaavai, imaluunniit paasissutissat aamma misissuinerup inernerit

pillugit nalunaarusianut aammalu misissuinermit paasissutissat assilineri ilaalu ilanngullugit suleqatinut soqutiginnittunut tuniniarnissaannut tunngavissatut. Suleqatit soqutiginnittut assersuutigalugu tassaasinnaapput suliffeqarfiit aatsitassarsiorlutik misissuinermit imaluunniit aatsitassanik piiaanermik suliaqarusuttut.

Ilisimatusarnermut atatillugu misissuinermit ingerlataqarnerit § 62 malillugu ilisimatusarnikkut misissuinissamut akuersissut malillugu aammalu ilisimatusarnermit siunertaqartumik ingerlanneqassapput, taamaalillutillu niuerutiginninnissamut tunngassuteqartinneqassanatik imaluunniit niuerutiginninnissamik siunertaqassanatik.

GEUS imaluunniit DCE ilisimatusarnikkut misissuinermit suliaqarusuppat, siunnersuummi § 22, imm. 4 malillugu Naalakkersuisunut isumaqatigiissuteqarneq malillugu suliarineqarsinnaangitsunik, De Nationale Geologiske Undersøgelser for Danmark og Grønland (GEUS) imaluunniit Nationalt Center for Miljø og Energi (DCE) ilisimatusarnikkut misissuinissamut akuersissummik aamma tunineqarsinnaavoq.

Pisinnaatitsissummik pigisaqartoq ilisimatusarnikkut misissuinerit aammalu akuersissut malillugu ingerlataqarnerit taakkualu inernerit pillugit nalunaarusianik Naalakkersuisunut tunniussissasoq aammalu misissuinerup inernerisa, paasissutissat nalunaarsukkat taakkunangalu misissugassat assilinerinik aammalu pisinnaatitsissummik pigisaqartup nassuiaanerinik, inerniliussaannik immaqalu tamatumunnga inassuteqaataannik ilaalu ilanngullugit tunniussissasoq pillugu atugassarititaasunik ilisimatusarnikkut misissuinermit suliaqarnissamut akuersissummik tunniussinermit aalajangersaasoqassaaq. Atugassarititaasut taamaattut Naalakkersuisut, inuiaqatigiit kalaallit aamma suleqatigisat allat tamatumunnga soqutigisaannik isumaginninnissaq siunertaralugu pingaartumik aalajangersarneqassapput, ilanngullugu tamatuma kingorna ilisimatusarnikkut misissuinermit, misissueqqaarnernut, aatsitassarsiorluni misissuinermit aamma aatsitassanik piiaanernut tunngavissat ilaattut.

§ 62 malillugu ilisimatusarnikkut misissuinissamut akuersissut ilisimatusarnikkut misissuinermit aalajangersimasunik suliaqarnissamut akuersissutitut nalinginnaasutut tunniunneqarsinnaavoq aammalu tunniunneqartariaqarluni.

Taamaattoq pissutsit immikkut ittut aammalu pingaaruteqartut tamanna naleqqutsippassuk § 62 malillugu ilisimatusarnikkut misissuinissamut akuersissut pisuni immikkut ittuni akuersissutitut sinaakkusiisutut tunniunneqarsinnaavoq, ilanngullugu ilisimatusarnikkut misissuinerit ilisimatusarfimmut suleqatigiinnissamut isumaqatigiissummi pineqartunut ilaasimappata. Taamaattoqarnerisooq aammalu § 62 malillugu ilisimatusarnikkut misissuinissamut akuersissut akuersissutitut sinaakkusiisutut tunniunneqassanersooq Naalakkersuisut aalajangiissapput.

Akuersissut sinaakkusiisooq, ilisimatusarnikkut misissuinermit ukiumi pineqartumi imaluunniit



piffissami allami sivilunerusumi suliarineqartussat pilersarusiorneqartunut tamaginnut imaluunniit taakkua ilaannut tunngatinneqarsinnaavoq.

Kipisaqattaanngitsumik ilisimatusarnerup ingerlanissaata aammalu ilisimatusarfiup isumalluutinik annertuunik atuiffiusumik suliaassanik suliarinninnertut ittumik allaffissornikkut immikkut ittumik pisariaqanngitsumik nammakkorsorneqannginnissaata qulakkeernissaa, atituunik sinaakkusiisunik isumaqatigiissuteqarnermi siunertaavoq.

Taamaattoq ingerlatassat akuersissummi sinaakkusiisumi taamaattumi pineqartunut ilaasut, tamanna akuersissummi allassimangippat, Naalakkersuisunit sioqqutsisumik akuersissuteqartoqarsimangippat ingerlanneqaqqusaanngillat.

Imm. 2-mut

Aalajangersagaq malillugu ilisimatusarnikkut misissuinissamut akuersissut ukiut pingasut tikillugit piffissamut akuersissuteqarfiusumut tunniunneqassaaq. Ilisimatusarnikkut misissuinernik suliaqarnissamut akuersissut taamaalilluni piffissaq akuersissuteqarfiusoq ukiunit pingasunit sivikinnerutillugu tunniunneqarsinnaavoq, ilanngullugu assersuutigalugu ukiunut marlunnut, kisianni piffissaq akuersissuteqarfiusoq ukiunit pingasukkaanit sivilunerutillugu tunniunneqarsinnaanani.

Ilisimatusarnikkut misissuinissamut akuersissutip sivitsorneqarsinnaaneranut imm. 2-mi aalajangersagaq akornusiinngilaq. Takukkit imm. 3 aamma 4 taakkunungalu nassuiaatit.

Imm. 3-mut

Aalajangersagaq ilisimatusarnikkut misissuinissamut akuersissummut imm. 1 malillugu tunniunneqartumut piffissap akuersissuteqarfiusup sivitsorneqartarneranut tunngassuteqarpoq.

Imm. 2 malillugu ukiut pingasut tikillugit piffissaq akuersissuteqarfiusoq, aalajangersagaq malillugu tamatigut ukiut pingasukkaarlugit piffissalerlugu Naalakkersuisunit ataasiarluni arlaleriarluniluunniit sivitsorneqarsinnaavoq.

Assersuutigalugu piffissaq akuersissuteqarfiusoq sivitsuinermi ukiunit 3-niit ukiunut 4-nut imaluunniit ukiunut 6-inut sivitsorneqarsinnaavoq. Pisinnaatitsissummik pigisaqartoq tamatuminnga qinnuteqarpat, aammalu Naalakkersuisut qinnuteqaat akuerippassuk, piffissaq akuersissuteqarfiusoq assersuutigalugu ukiunit 4-niit ukiunut 6-inut imaluunniit ukiunit 6-iniit ukiunut 7-inut imaluunniit ukiunut 9-nut sivitsoqqinneqarsinnaavoq.

Taamaattoq ilisimatusarnikkut misissuinissamut akuersissummut piffissaq akuersissuteqarfiusoq ukiunit 12-iniit sivilunerusinnaanngilaq, takuuk imm. 4.

Taamaattoq imm. 2 malillugu piffissami akuersissuteqarfioqqaartumi imaluunniit imm. 3 malillugu piffissami akuersissuteqarfiusumi sivitsorneqartumi pisinnaatitsissummik pigisaqartoq akuersissut aammalu akuersissut malillugu ingerlatassat pillugit pisussaaffimminik tamaginnik naammassinnissimangippat, Naalakkersuisut piffissap akuersissuteqarfiusup sivitsorneqarnissaanik akuersissuteqanngissinnaapput.

Aalajangersagaq malillugu tamatuma saniatigut Naalakkersuisut piffissap akuersissuteqarfiusup sivitsorneqarnerini tamaginni atugassarititaasut allanngortillugit aalajangersaasinnaapput. Taakkua assersuutigalugu tassaasinnaapput pisinnaatitsissummik pigisaqartup pisussaaffii pillugit atugassarititaasut allanngortinneqartut, ilanngullugu assersuutigalugu ilisimatuussutsikkut misissuinerit aamma akuersissut malillugu ingerlatassat taakkualu inernerit pillugit nalunaarusianik Naalakkersuisunut tunniussinissaq aamma misissuinerit inernerisa aamma paasissutissat nalunaarsukkat taakkuninngalu misissugassat assilinerinik aamma pisinnaatitsissummik pigisaqartup nassuiaanerinik, inerniliussaannik immaqalu tamatumunnga inassuteqaataannik ilaalu ilanngullugit Naalakkersuisunut tunniussinissaq pillugit pisinnaatitsissummik pigisaqartup pisussaaffii pillugit atugassarititaasut erseqqinnerusut imaluunniit allanngortinneqartut.

Aalajangersakkami siunertaavoq, ataasiakkaatigut nalilersuineq tunngavigalugu tamanna tunngavilersorluagaappat, akuersissummut atugassarititaasut allanngortillugit sivitsuinissaq akuerineqarsinnaasoq, assersuutigalugu pisinnaatitsissummik pigisaqartup, Namminersorlutik Oqartussat aammalu inuiaqatigiit kalaallit soqutigisaasa isumaginissaat siunertaralugu ilisimatusarnermut tunngasunik misissuinerit ingerlasut ingerlaqqissinnaanissaat qulakkeerniarlugu.

Imm. 4-mut

Imm. 1 malillugu ilisimatusarnikkut misissuinissamut akuersissummut piffissap akuersissuteqarfiusup tamarmiusup siviussusissaanut siviunerpaaffissamut killissaq, aalajangersakkami aalajangersarneqarpoq. Aalajangersagaq malillugu ilisimatusarnikkut misissuinissamut akuersissummut piffissaq akuersissuteqarfiusoq ukiunit 12-init siviunerusinnaangilaq.

Pisinnaatitsissummik pigisaqartup ukiuni 12-imi piffissap akuersissuteqarfiusup kingorna ilisimatuussutsikkut misissuinerit pillugit annertunerusunik ingerlataqarnissaq kissaatigippagu, pisinnaatitsissummik pigisaqartoq imm. 1 malillugu ilisimatusarnikkut misissuinissanut akuersissummik nutaamik tunineqarnissamik qinnuteqassaaq.

*§ 63-imut*

## Imm. 1-imut

Aalajangersagaq pisinnaatitsissummik pigisaqartup oqartussanut nalunaarusiortarneranut tunngassuteqarpoq.

Aalajangersagaq malillugu, tamatumunnga Naalakkersuisut aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaasimappata, ilisimatusarnikkut misissuinissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq ataatsimut isigalugu ingerlatassat pisinnaatitsissummik pigisaqartup akuersissutip ataani suliarisai pillugit nalunaarusianik, paasisat assilinerinik kiisalu misissugassanik Naalakkersuisunut tunniussisussaavoq, tamanna pillugu takuuk imm. 6 tassungalu nassuiaatit.

## Imm. 2-mut

Aalajangersakkami allassimavoq pisinnaatitsissummik pigisaqartup nalunaarusiai, ilisimatusarnikkut paasisai, paasisutissat nalunaarsukkat, misissugassat nassuiaanerillu, inerniliussat inassuteqaatillu ilaalu ilanngullugit, Naalakkersuisunut tunniunneqartut, isertuussaasut.

Isertuussinissaq pillugu maleruagassanik aalajangersaanissaq pisariaqarpoq, tassami paasisutissat taaneqartut ingerlatsinermi isertuussaasinnaammata imaluunniit inuussutissarsiormi isertuussaasinnaallutik, piffissami isertuussiviusussami naleqquttumi isertuussasut pineqartariaqarlutik pineqartussaallutillu. Naalakkersuisut paasisutissanik taakkuninnga ilaalu ilanngullugit tunniussinissamut pisussaaffeqassappata imaluunniit pisussaaffeqarsinnaappata, ilanngullugu assersuutigalugu allagaatinik takunninnissamik qinnuteqartoqarnerani, tamatumani allat pisusnaanatik iluaqutissarsitinneqarsinnaapput.

Aalajangersagaq pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaannut naapertuuppoq. Aalajangersagaq pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaannut naapertuuppoq. Inatsimmi § 3, imm. 1 malillugu, oqartussat, suliassaqrarfiit imaluunniit allakkiat suussusai erseqqinnerusumik taaneqartut, §§ 7-14-imi aalajangersakkat nalinginnaasumik malillugit pisussat, allagaatinik takunninnissamik piunasaqarneq itigartinneqarsinnaasoq, inatsimmi ilaatinneqassanngitsut, pillugu maleruagassanik Naalakkersuisut aalajangersaasinnaapput.

Imm. 1 malillugu paasisutissat aallaaviatigut pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaanni §§ 12-14-imi pineqartunut ilaatinneqassapput. Imm. 2-mi aalajangersagaq taamaalilluni, pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaanni aalajangersakkat taaneqartut taakkua ilanngullugit, paasisutissat Naalakkersuisuni ingerlaartinneqartut aammalu Inatsisartuni ataatsimiititaliamut nassiunneqartut, allagaatini takunninnissami

ilaatinneqannginnissaannik, qulakkeerissaaq.

Aalajangersagaq malillugu piffissaq isertuussiviususaaq ataatsimut isigalugu piffissaq akuersissuteqarfiusoq tamaat, taamaattoq takukkit imm. 3 aamma 4, aammalu Naalakkersuisunut tunniussinissamut piffissamut killiliussap kingorna ukiuni tallimani atuutissaaq.

Imm. 1 malillugu paasissutissat taamaalillutik akuersissutip atorunnaarnissaa tikillugu isertuussaassapput aammalu tunniussinissamut piffissamut killiliussaq piffissap akuersissuteqarfiusup naannginnerani ukiunit tallimanit sivikinnerusimappat, akuersissutip atorunnaareernerata kingorna isertuussaasinnaallutik.

Imm. 1 malillugu paasissutissat piffissami, piffissap akuersissuteqarfiusup naanissaa ukiunit tallimanit sivikinnerulersoq, tunniunneqartussaasimappata, paasissutissat akuersissutip atorunnaarnissaata tungaanut aammalu piffissami akuersissutip atorunnaareernerata kingorna, tunniussinermut piffissamut killiliussamit aammalu ukiut tallimat siumut piffissalerlugu aalajangersarneqartumi, isertuussaassapput. Tassa imaappoq, akuersissut pineqartoq ulloq 1. januar 2026 atorunnaareeraluartoq, taakkua ulloq 1. januar 2023 tunniunneqartussaasimappata, imm. 1 malillugu paasissutissat 1. januar 2028 tikillugu isertuussaassapput. Tamatumunnga taarsiullugu akuersissut siunnersuummi § 61, imm. 3 malillugu sivitsorneqarsimappat, taamaalilluni akuersissut ulloq 1. januar 2031 aatsaat atorunnaartussaalluni, paasissutissat taaneqartut taakkua ulloq taanna tikillugu isertuussaassapput.

Piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartoq aamma Namminersorlutik Oqartussat pisinnaatitsissummik pigisaqartup nalunaarusiornerinut, misissueqqaarnermi paasisaanut, paasissutissanut, misissugassanut nassuiaanernullu, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit, piginnittussaataapput, takuuk imm. 5. Takukkit imm. 5-imi aalajangersagaq tassungalu nassuiaatit.

Imm. 3-mut

Aalajangersakkami allassimavoq Naalakkersuisut piffissami isertuussiviusussami paasissutissat isertuussat, nalunaarusiat, ilisimatuussutsikkut misissuineri paasisat, paasissutissat nalunaarsukkat, misissugassat, nassuiaanerit, inerniliussat inassuteqaatillu ilaalu ilanngullugit pillugit paasissutissat nalinginnaasut tamanut saqqummersissinnaagaat.

Aalajangersagaq malillugu Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummersitsinnginnerminni paasissutissat pisinnaatitsissummik pigisaqartumut nassitutissavaat aammalu pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttup minnerpaamik qaammatisiutit malillugit ullunik 14-inik sivisussuseqartup iluani

tamatumunnga oqaaseqaatinik nassiussisinnaasoq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummersinneqarnissaannut tunngavilersugaasumik akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutissillugu. Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap iluani paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummersitsinissamut akerliliissummik nassiussippat, pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa Naalackersuisut paasissutissanik pineqartunik tamanut saqqummersitsinissamut soqutigisaannit pingaaruteqarnerusorineqarpat, Naalackersuisut paasissutissat taakkua tamanut saqqummersissanngilaat.

Naalackersuisut paasissutissanik nalinginnaasutut isikkoqartunik tamanut saqqummersitsinissamut soqutigisaat assersuutigalugu tassaasinnaapput innuttaasut isumannaatsuunissaasa eqqarsaatigineqarnissaa, paasissutissanik aalajangersimasunik tamanut saqqummersitsinissamut inatsimmi pisussaaffiliisumik pisussaaffeqarneq imaluunniit Kalaallit Nunaanni nunap sannaanik nittarsaassinissamut atatillugu.

#### Imm. 4-mut

Naalackersuisut pisuni tamaginni avatangiisinut paasissutissat nalunaarsukkat aamma avatangiisinut nalunaarusiat, inuiaqatigiinni nalinginnaasumik soqutiginaatilittut nalilerneqartut, tamanut saqqummiunnissaannut periarfissaqarnissaat, aalajangersakkami qulakkeerneqassaaq. Innuttaasut aatsitassarsiorluni ingerlatat qanitaanni najugaqartut imaluunniit inuussutissarsiornermi soqutigisaqartut, ingerlatassat avatangiisinut sunniutigisinnaasaannit sunnerneqarsinnaappata, pingaartumik tamanna pisinnaavoq.

#### Imm. 5-imut

Aalajangersakkami allassimavoq, imm. 2 malillugu piffissaq isertuussiviususaaq naappat, pisinnaatitsissummik pigisaqartup aamma Namminersorlutik Oqartussat nalunaarusianik, misissueqqaarnermi paasisanut, paasissutissanut nalunaarsukkanut, misissugassanut, nassuiaanernut, inerniliussanut inassuteqaatinullu ilaalu ilanngullugit tunniunneqartunut piginnittussaataitaasut akeqanngitsumillu atuisussaataitaasut atuisinnaatitaasullu.

Namminersorlutik Oqartussat piginnittussaataitaneranni najoqqutassat Kalaallit Nunaanni aatsitassarsiorluni ingerlatassanut tunngatinneqarsinnaasut kisimik pineqartunut ilaatinneqarput. Assersuutigalugu software-nut periaatsinullu najoqqutassat pilersinneqarnerannut atorneqartunut pisinnaatitaanerit Namminersorlutik Oqartussat pisinnaatitaaffigilissanngilaat.

Suliaqarnermi aatsitassanut ikummatissanullu inatsit malillugu akuersissutit imaluunniit akuersissutinut atugassarititaasut amerlanertigut atugassarititaasut taamaaqatigisarpaat

imaluunniit assingusarlutik. Siunnersuut malillugu akuersissutitut tamanna aamma atuutissasoq naatsorsuutigineqarpoq. Taamaattoq aalajangersakkap siunnersuummi toqqaannartumik allassimanissaa naapertuunnerusooq naliliisoqarpoq.

Aammattaaq aatsitassarsiorluni misissuinissamut aamma misissueqqaarnissamut akuersissutitut atugassarititaasut nalinginnaasut 23. juni 2013-imeersut atuuttut aalajangersakkanik taamaaqataannik imaqarput.

#### Imm. 6-imut

Aalajangersagaq Naalakkersuisut pissutsit imm. 1-5-imi taaneqartut pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaanissaannut inatsimmi tunngavissamik imaqarpoq. Taakkua assersuutigalugu tassaasinnaapput ingerlatassanik aalajangersimasunik suliaqarnermi aammalu pisut imaluunniit pissutsit aalajangersimasut pineranni nalunaarusiat imarisaat, ilusaat akulikissusaallu pillugit aalajangersakkat imaluunniit atugassarititaasut, ilanngullugit piffissani aalajangersimasuni tunniussisarneq pillugu.

Aamma assersuutigalugu tassaasinnaapput Naalakkersuisut ingerlatat, paasisa, pisut pissutsillu ilaalu ilanngullugit aalajangersimasut pillugit paasisutissanik nalinginnaasunik tamanut saqqummiussinissamut periarfissaqarnerat pillugu aalajangersakkat imaluunniit atugassarititaasut.

Naalakkersuisut ilaatigut tamatumunnga nalunaarutini aalajangersakkanik erseqqinnerusunik aalajangersaanissaannapput. Naalakkersuisut aamma tamatumunnga atugassarititaasunik, akuersissutitut akuersissuteqarnernullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaanissaannapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

#### *§ 64-imut*

#### Imm. 1-imut

Aatsitassarsiorluni ilisimatuussutsikkut misissuinissamut akuersissummik tunniussinermi pissutsit mianerisassallu attuumassuteqartut tamaasa tamatumunngalu atasut pissutsit pillugit aalajangersakkanik atugassarititaasunillu aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaannik aalajangersagaq imaqarpoq.

Atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit misissueqqaarnissamut akuersissummik tunniussisarneq pillugu siunnersuummi § 62-imut naapertuuttumik aalajangersagaq nassuiarneqassaaq atuutsinneqassallunilu.

Naalakkersuisut ilaatigut nalunaarutini, akuersissutitut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma ilisimatuussutsikkut misissuinerit pillugit akuersissutit pillugit ilitersuutini siunnersuut malillugu aalajangersagaasuni aalajangersakkanik aalajangersaasinnaapput. Naalakkersuisut aamma ilisimatuussutsikkut misissuinerit pillugit akuersissutitut aammalu ilisimatuussutsikkut misissuinerit pillugit akuersissuteqarnerit atugassarititaasuni nalinginnaasuni atugassarititaasunik aamma siunnersuut malillugu aalajangiinerni atugassarititaasunik aalajangersaasinnaapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit, tassani allassimalluni siunnersuut malillugu aalajangersakkat atugassarititaasullu qanoq paasineqassanersut.

Ilisimatusarnikkut misissuinissamut akuersissutit malittarineqartussanik arlalinnik imaqartussaavoq, soorlu akuersissutit suussusaa, sumiiffik akuersissuteqarfiusoq, piffissaq akuersissuteqarfiusoq aamma pisinnaatitsissummik pigisaqartup kinaassusaa.

Tamatuma saniatigut atugassarititaasut arlallit, nalunaarutini, akuersissutitut ilusiliani, qinnuteqarnermi suleriaatsini, allani suleriaatsini aamma ilisimatuussutsikkut misissuinerit pillugit akuersissutit pillugit ilitersuutini imaluunniit akuersissuummi aalajangersagaasinnaasut, atuuttussaapput. Taakkua assersuutigalugu tassaasinnaapput pisinnaatitsissummik pigisaqartumi aaqqissuussaananermut, ingerlatassanut akuersissuummi pineqartunut ilaasunut, pisuni qanoq ittuni akuersissutit atorunnaarsinneqarsinnaananerit, pisinnaatitsissummik pigisaqartup akuersissutit atorunnaareernerani pisussaaffiit, pisinnaatitsissummik pigisaqartup piffissami akuersissuteqarfiusumi ilisimatusarnikkut misissuinissamut suliaqarnissamut pisussaaffigisinnaasaannut piumasagaatit, qularnaveeqqusiinermut inuiaqatigiinnilu piujuartussamik sunnuteqartitsinissamut piumasagaatit, pisinnaatitsissummik pigisaqartup pisuni aalajangersimasuni avatangiisut sunniutaasussanik nalilersuinermit tamatumunngalu nassuiaatinik (VVM-imut nassuiaatit), inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuinermit tamatumunngalu nassuiaatinik (VSB-mut nassuiaatit) suliaqarnissamut aammalu inuiaqatigiinni piujuartussamik sunnuteqartitsinissaq pillugu isumaqatigiissutitut allanillu inuiaqatigiit aningaasaqarnerannut tunngasunut isumaqatigiissuteqarnissamut (IBA-mut isumaqatigiissutit) pisussaaffeqarnera, ingerlatassanut pilersaarutinik tunniussinissaq akuersissuteqarnissarluk, pisinnaatitsissummik pigisaqartup siunnersuut malillugu pisussaaffiit qularnaveeqqusiinissaq, pisinnaatitsissummik pigisaqartumi sillimasiinermut tunngasut, pisinnaatitsissummik pigisaqartup taarsiinissamut akisussaaffeqarnera, pisinnaatitsissummik pigisaqartup ilisimatusarnikkut misissuisarnerit pillugit nalunaarusiortarneri aammalu paasissutissanik nalunaarsukkanik misissugassanillu ilaalu ilanngullugit Naalakkersuisunut tunniussisarnissaa, isertuussinissaq, pisinnaatitsissummik pigisaqartup akiliutinik akiliutissanillu Naalakkersuisunut akiliisarnissaa aamma pisinnaatitsissummik pigisaqartup najukkameersunik sulisoqarnissaa pilersuisoqarnissaalu.

## Imm. 2-mut

Pisinnaatitsissummik pigisaqartup annaassiniarnernut atatillugu aningaasartuutunik akiliisarnissaa pillugu aalajangersakkanik erseqqinnerusunik Naalakkersuisut aalajangersagaq malillugu aalajangersaasinnaapput. Taakkua assersuutigalugu tassaasinnaapput pisinnaatitsissummik pigisaqartup ilisimatuunik allanillu suleqatigisanik ilisimatusarnikkut misissuinissamut akuersissut malillugu ingerlatassanik suliaqartunik annaassiniarnermut atatillugu aningaasartuutunik akiliinissaq pillugu aalajangersakkat.

Suliaqarnerni paasinarsisimavoq, aningaasartuutit taamaattut sillimmasiissummi matussusiinerni imaluunniit allatut qularnaveeqqusiinerni pineqartunut ilaatinneqarnissaat pillugu piumasaqaateqarsinnaanissaq pisariaqarsinnaasoq. Naalakkersuisut taamaalillutik aamma taamatut sillimmasiissummi matussusiinissaq aamma qularnaveeqqusiinissaq pillugit aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput.

### *§ 65-imut*

Kapitalimi aalajangersakkat taamaallaat misissueqqaarnissamut, aatsitassarsiorluni misissuinissamut akuersissutinut aamma aatsitassanik piiaanissamut akuersissutinut atuuttut, aalajangersakkami erseqqissarneqarpoq.

### *§ 66-imut*

## Imm. 1-imut

Pisinnaatitsissummik pigisaqartup sulianut paasisimasaqarnissaanut aamma aningaasalersuinermit pisinnaasaqarnissaanut aalajangersakkami piumasaqaatigineqarpoq.

Sulianut paasisimasaqarluni aningaasaqarnikkullu tunuliaqutaqarnissamut pisuni ataasiakkaani piumasarineqartumut, ingerlatassat annertussusaat, pisariussusaat aarlerinaateqarnerat ilaalu ilanngullugu, apeqqutaassapput. Ingerlatassat annertussusaasa qanoq issusaasalu aammalu piumasaqaatit akuersissut aalajangersimasoq malillugu pisinnaatitsissummik pigisaqartumut piumasaqaatigineqartut akornanni naleqquttumik annertoqqatigiissitsinissaq anguniarneqassaaq.

Piiaanissamut akuersissut malillugu ingerlatassat, misissueqqaarnissamut akuersissut malillugu ingerlatassanut sanilliullugu pisussaaffinnik annertunerujussuarnik pingaaruteqarnerujussuarnillu malitseqartussaasarmata, misissueqqaarnissamut akuersissut malillugu pisinnaatitsissummik pigisaqartumiit, pisinnaatitsissummik pigisaqartup pisariaqartunik sulianut paasisimasaqarnissaanut aamma aningaasaqarnikkut aningaasalersuinikkullu pisinnaasaqarnissaanut (aningaasalersuinermit pisinnaasaqarneq)



piumasaqaatit sukannernerusariaqarput.

Imm. 2-mut

Aalajangersakkami allassimavoq akuersissut malillugu pisinnaatitsissummik pigisaqartup pisuussutiminut tamakkiisumik atuisinnaassasoq.

Tamatuma saniatigut pisinnaatitsissummik pigisaqartoq akiliisinnaassuseqanngissanngilaq imaluunniit akilisinnaassuseqannginnermut, ilusilersueqqinnissamut assigisaannulluunniit eqqartuussivimmi imaluunniit allaffissornikkut sulianik ingerlatitsinermi pineqartunut ilaassanani, ilanngullugu akiliisarnerninik unitsitsisimassanani, akiliisinnaajunnaartutut inissisimassanani, sulianik unitsitsisimassanani imaluunniit ilusilersoqqittussaassanani imaluunniit assingusumik inissisimassanani.

Akuersissut malillugu pisinnaatitsissummik pigisaqartut akuersissut malillugu ingerlatassanik suliaqarnissamut aningaasaqarnikkut aningaasalersuinikkullu pisariaqartunik pisinnaasaqarnissaanut aalajangersagaq qulakkeereqataassaaq. Tamatuma atuunnerani ilaatigut pisinnaatitsissummik pigisaqartoq akiliisinnaassuseqanngissanngilaq imaluunniit akilisinnaassuseqannginnermut, ilusilersueqqinnissamut assigisaannulluunniit eqqartuussivimmi imaluunniit allaffissornikkut sulianik ingerlatitsinermi pineqartunut ilaassanani.

Imm. 3-mut

Pisinnaatitsissummik pigisaqartoq 100.000 kr. sinnerlugit Naalakkersuisunut imaluunniit Kalaallit Nunaanni pisortani oqartussamut allamut akiligassanngoreersunik akilerneqanngitsunik akiitsoqaqqusaanngitsoq, aalajangersakkami allassimavoq.

Pisinnaatitsissummik pigisaqartoq piffissami aalajangersimasumi imm. 3-mi tassani piumasaqaatinik naammassinninnginnissaa Naalakkersuisut akuerisinnaavaat.

Aalajangersakkami ilaatigut siunertaavoq Naalakkersuisunut imaluunniit Kalaallit Nunaanni pisortani oqartussanut allanut akiitsut annikillisinneqarnissaat aammalu nutaanik akilinngitsuukkanik akiitsoqalertoqannginnissaa.

Aalajangersagaq pisortat oqartussaaffigisaanni suliffeqarfiinilu nioqputissanik kiffartuussinernillu pisiniarnermut tunngatillugu neqeroorteqartitsisarneq pillugu Inatsisartut inatsisaanni (neqeroortitsinermit inatsit) § 19, imm. 1, nr. 4-mut naapertuuppoq.

Neqeroortitsinermit inatsimmi § 19, imm. 1, nr. 1-4, pissutsinik suliakkiisup tamanut ammasumik neqeroortitsinermit qinnuteqartumik mattussisinnaaneranik malitseqartunik,

imaqarpoq. Pissutsit sisamat taakkua (mattussinissamut tunngaviusut) atuutissasut, suliakkiisup neqeroortitsinerni ataasiakkaani tamaginni aalajangersinnaavaa. Pissutsit sisamat taakkua taamaattumik nammineq kajumissutsimik mattussinissamut tunngavissatut taaneqartarput.

§ 19, imm. 1, nr. 4-mi aalajangersagaq malillugu, qinnuteqartoq imaluunniit neqerooruteqartoq pisortanut 100.000 koruunit sinnerlugit akiligassanngoreersunik akilerneqanngitsunik akiitsoqarpat, suliakkiisup qinnuteqartoq imaluunniit neqerooruteqartoq neqeroortitsinerup ingerlanerani mattussinnaavaa.

Neqeroortitsinermut inatsimmi § 19, imm. 1, nr. 4-mut nassuiaatini ilaatigut makkuningga allassimasoqarpoq:

*”Aalajangersakkami siunertarinearpoq pisortat oqartussaasuinut akiitsup appartinneqarnissaa akiligassallu akilerneqanngitsuukkat nutaat pinaveersaartinnissaat.*

*Akiitsut akilereersimasussaagaluit 100.000 kr. sinnerlugit nalillit suli akilerneqanngitsut eqqartuussinikkut annertussusilernissaat imaluunniit inaarutaasumik akisussaaffiusumillu sunniutilimmik allaffissornikkut aalajangiiffiqineqarnissaat piumasaqaataannilaq.*

*Aalajangersakkami aammattaaq pineqarput akiitsut akilereersimasussaagaluit suli akilerneqanngitsut kingunerisaanik erniaalersinnaasut imaluunniit akileeqqusissutaasinnaasut.*

*Akiitsoq taamaallaat atuussinnaavoq qinnuteqarfissatut kingusinnerpaamik killiliussap naareernerani tamatumaluunniit kingorna pitsaassusiliigallarnertalimmik neqerooruteqartitsinermi aamma neqerooruteqartitsinermut kingusinnerpaamik killiliussap naareernerani tamatumaluunniit kingorna suli akiligassaappat.”*

Pisinnaatitsissummik pigisaqartoq 100.000 koruuninit amerlanerusunik Naalackersuisunut imaluunniit Kalaallit Nunaanni pisortani oqartussanut allanut akiligassanngoreersunik akilerneqanngitsunik akiitsoqarpat, pisinnaatitsissummik pigisaqartoq akiitsut 100.000 koruuninit amerlanerusut ilaasa akilernissaannut qularnaveeqqusiippat imaluunniit akiitsut akilersornissaannut isumaqatigiissut naammassisimappagu, pisinnaatitsissummik pigisaqartoq aalajangersagaq malillugu piumasaqaammik naammassinninnginnissamut akuerineqarsinnaavoq.

Taamatut pisoqartillugu pisortanut akiitsut naammattumik qulakkeerneqarsimassapput, taamaallunilu aalajangersakkap siunertaa naammassineqarsimassalluni.

Imm. 4-mut

Aalajangersagaq malillugu Naalakkersuisut siunnersuutip atuutilereernerata kingorna, takuuk § 144, Kalaallit Nunaannut atuisartunut akigititanut naleqqersuummi allannguutinut naapertuuttumik, aningaasartaasa 100.000 koruuniusut allanngortinneqarnissaat pillugu aalajangersakkanik aamma atugassarititaasunik aalajangersaasinnaapput.

### § 67-imut

#### Imm. 1-imut

Aalajangersakkami allassimavoq pisinnaatitsissummik pigisaqartoq, inuit pisinnaatitsissummik pigisaqartumi piginnittut imaluunniit aalajangiisuusumik sunniuteqartut aamma inuit pisinnaatitsissummik pigisaqartup aqutsisuiniittut, ilanngullugit siulersuisut, pisortaatitat, nakkutilliinermut siunnersuisooqatigiit imaluunniit aqutsisuni oqartussat assigisaat, ukiut 4-t kingulliit iluanni akiliilluni peqquserlutsitsinernut, peqquserlunnernut imaluunniit niuernikkut isumaqatigiilluni suliaqarnermut, pinerluttut aaqqissuussaanni peqataanermut, ajortumeeriniarluni ingerlataqarnermut atatillugu ajortumeeriniarluni iliuuseqarnermut imaluunniit pillarneqaataasussanik iliuuseqarnermut, aningaasanik pinerlunnikkut aningaasarsiarineqartunik malunnarunnaarsaanermut imaluunniit ajortumeerinianut aningaasalersuinernut aammalu meeqqanik sulisoqarnermut imaluunniit inunnik niuerutiginninnermut eqqartuunneqarsimassanngitsut imaluunniit akiliisitsinermut akuersisimassanngitsut (akuersarlutik) imaluunniit allatut pillarneqarsimassanngitsut imaluunniit pineqaatissinneqarsimassanngitsut.

Aalajangersagaq pisortat oqartussaaffigisaanni suliffeqarfiinilu nioqputissanik kiffartuussinernillu pisiniarnermut tunngatillugu neqerooruteqartitsisarneq pillugu Inatsisartut inatsisaanni (neqeroortitsinermut inatsit) § 18-imut annertuutigut naapertuuppoq.

Neqeroortitsinermut inatsimmi § 18-imut nassuiaatini ilaatigut makkuninnga allassimasoqarpoq:

*”Aalajangersakkami naqissuserneqarput pinngitsaalisamik peqataatitsinninnissamut patsisissat. Peqataatitsinninnissamut patsisissat taakku peqataaffiginninnissaannut pisiniartoq toqqaasinnaanngilaq. Taakku neqeroortitsinerni siunnersuut naapertorlugu ingerlanneqartuni tamani malinneqassapput.*

*Qinnuteqaateqartutut neqerooruteqartutulluunniit pinngitsaalisaaasumik peqataatitsinninnissamut patsisit ilaannit ataatsimut akuutitaagaanni, neqeroorummi peqataanissaq anguneqarsinnaanngilaq.*

*Assersuutigalugu neriorsuisitsinermi qinnuteqaateqartoq neqerooruteqartorluunniit*

*pinngitsaalisaasumik peqataatinneqarnissamut patsisinit ilaatinneqannginneq  
uppernarsarlugu saqqummiussimappagu, tamanna saniatigut misissussallugu pisiniartoq  
tunngaviatigut pisussaaffeqanngilaq. Kisianni pinngitsaalisamik  
peqataatinneqannginnissamut patsit atuutsinneqarnerseq pisiniap  
nalornissuteqarfigilissappagu, atortinneqarpat atortinneqanngikkaluarpalluuniit, tamatuma  
kingunissalimmik ingerlannissaanut pisiniaq pisussaaffeqarpoq, assersuutigalugu  
qinnuteqaateqartup neqerooruteqartulluuniit tamatuminnga saniatigut uppernarsaasiinissaa  
piumasaqaatigineqarpat.*

*Kalaallit Nunaanni eqqartuussivinni aalajangiinerit kisimik aalajangersakkami  
pineqanngillat. Nunami allami eqqartuussivimmi aalajangiineq qinnuteqaateqartup  
neqerooruteqartulluuniit peqataatinnginnissaanut aamma pisussaaffiliisuvoq.”*

Imm. 2-mut

Aalajangersakkami allassimavoq, pisinnaatitsissummik pigisaqartup inuillu taaneqartut,  
ilanngullugit inuit pisinnaatitsissummik pigisaqartup aqutsisuiniittut ilaalu ilanngullugit,  
akuersissummik tunniussinermi aammalu piffissaq akuersissuteqarfiusoq tamaat imm. 1  
aamma § 66 malillugit piumasaqaatit naammassisimassagaat.

#### § 68-imut

Imm. 1-imut

Aalajangersagaq pisinnaatitsissummik pigisaqartup aamma inuit allat imaluunniit  
suliffeqarfiit akuersissut malillugu ingerlatassanik suliaqartut imaluunniit suliaqarnermi  
peqataasut, Kalaallit Nunaanni maleruagassanut sukkuunniit atuuttunut naapertuuttumik  
akileraarutinik nalunaarutiginnittarnissaannut aammalu akileraarutinik akiliisarnissaannut,  
qulakkeereqataassaaq.

Aalajangersagaq malillugu, suliffeqarfiit aamma inuit sorliit siunnersuut malillugu akuersissut  
malillugu ingerlatassanik suliarinninersut imaluunniit suliarinninnermi peqataanersut pillugu  
paasissutissanik pisinnaatitsissummik pigisaqartoq tunniussissasoq pillugu aalajangersakkanik  
atugassarititaasunillu Naalakkersuisut aalajangersaasinnaapput imaluunniit  
aalajangiisinaallutik.

Suliffeqarfiit inuillu siunnersuut malillugu akuersissut malillugu ingerlatassanik suliaqartut  
imaluunniit suliaqarnermi peqataasut kikkunersut Kalaallit Nunaanni oqartussat  
nakkutiginnissinnaanissaasa qulakkeernissaa, aalajangersakkami siunertaavoq.

Naalakkersuisut assersuutigalugu pisinnaatitsissummik pigisaqartoq assersuutigalugu

qaammatit naaneri tamaasa paasissutissanik taamaattunik tunniussisassasoq pillugu aalajangersakkanik atugassarititaasunillu aalajangersaasinnaapput imaluunniit aalajangiisinnaallutik.

#### Imm. 2-mut

Pisinnaatitsissummik pigisaqartoq aamma suliffeqarfiit inuillu akuersissut malillugu ingerlatassanik suliaqartut imaluunniit suliaqarnermi peqataasut akileraarutinit akitsuutinullu tunngasut pillugit paasissutissanik allakkianillu Naalakkersuisunut aamma Kalaallit Nunaanni oqartussanut allanut tunniussisarnissaannut Naalakkersuisut piumasqaateqarsinnaanissaannut, ersarissumik inatsimmi tunngavissaliinissaq, aalajangersakkami siunertaavoq. Taamaaliornermi suliffeqarfiit inuillu taaneqartut taakkua Kalaallit Nunaanni maleruagassanut sukkulluunniit atuuttunut naapertuuttumik akileraarutinit akiliisarnerinit sunniuteqarluartumik nakkutiginnittoqarsinnaassaaq.

Pisinnaatitsissummik pigisaqartup imaluunniit suliffeqarfiit allat imaluunniit inuit Kalaallit Nunaanni akileraartarnermut inatsisit nalinginnaasumik atuuttut malillugit akileraarutinit nalunaarutiginninnissamut imaluunniit akileraarutinit akiliinissamut pisussaaffeqarnerat, aalajangersakkami allanngortinneqanngilaq.

Pisinnaatitsissummik pigisaqartut isumaqatigiissuteqarfigisatik sinnerlugit akileraarutinit nalunaarutiginnittarnissaannik imaluunniit akileraarutinit akiliisarnissaannik pisussaaffiliinissaq, aamma siunnersuummi siunertarineqanngilaq.

#### Imm. 3-mut

Pisinnaatitsissummik pigisaqartoq akuersissut malillugu ingerlatanik suliaqarnermini isumaqatigiissuteqarfigineqartunik, takuuk § 17, akileraarutinit akitsuutinullu tunngasut pillugit Naalakkersuisunut aamma Kalaallit Nunaanni oqartussanut allanut imm. 2 malillugu paasissutissanik allakkianillu tunniussisimangitsunik, imaluunniit akileraarutinit akitsuutinullu Kalaallit Nunaanni maleruagassanut sukkulluunniit atuuttunut naapertuuttumik Naalakkersuisunut aamma Kalaallit Nunaanni oqartussanut allanut akiliisimangitsunik atuissanngitsoq pillugu pisinnaatitsissummik pigisaqartumut Naalakkersuisut aalajangersagaq malillugu peqqussuteqarsinnaapput. Aalajangersagaq imm. 2-mut ataqatigiissillugu isigineqassaaq. Imm. 2-mut tassungalu nassuiaatit innersuussutigineqarput.

Pisinnaatitsissummik pigisaqartup imaluunniit taassuma isumaqatigiissuteqarfigisaasa Kalaallit Nunaanni akileraartarnermut inatsisit nalinginnaasut malillugit akileraarutinit nalunaarutiginninnissamik imaluunniit akileraarutinit akiliinissamik pisussaaffeqarnera, aalajangersakkami allanngortinneqanngilaq.

Isumaqatigiissuteqarfigineqartoq eqqortumik akileraarutinik nalunaarutiginninngippat akileraarutinillu akiliinngippat, tamannalu tunngavigalugu isumaqatigiissuteqarfigineqartoq pineqartoq atoqqunagu Naalakkersuisut pisinnaatitsissummik pigisaqartumut peqqusissuteqarpata, aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigineqartumik suleqateqarnerminik unitsitsinissamut pisussaaffeqarpoq.

Pisinnaatitsissummik pigisaqartut isumaqatigiissuteqarfigisatik sinnerlugit akileraarutinik nalunaarutiginnittarnissaannik imaluunniit akileraarutinik akiliisarnissaannik pisussaaffiliinissaq, siunnersuummi siunertarineqanngilaq.

Imm. 4-mut

Aalajangersagaq imm. 1-3-miittut ataqatigiissillugit isigineqassaaq. Aalajangersakkat taaneqartut tassungalu nassuiaatit innersuussutigineqarput.

Pisortat ingerlatsinerannut inatsisini nalinginnaasuni tunngaviusut malillugit, ilanngullugu annertoqqatigiimmik pinninnissaq pillugu tunngaviusoq, pisinnaatitsissummik pigisaqartup ingerlataminik suliaqarnini unitsissagaa peqqusissuteqannginnermi pisinnaatitsissummik pigisaqartoq piunasaqaatinik naammassinninnissamut naleqquttumik piffissamik killiliiffigineqartariaqarpoq.

Pisinnaatitsissummik pigisaqartup imaluunniit taassuma isumaqatigiissuteqarfigisaasa Kalaallit Nunaanni akileraartarnermut inatsisit nalinginnaasut malillugit akileraarutinik nalunaarutiginninnissamik imaluunniit akileraarutinik akiliinissamik pisussaaffeqarnera, aalajangersakkami allangortinneqanngilaq.

#### *§ 69-imut*

Imm. 1-imut

Aalajangersagaq akuersissutinik allamut tunniussisarnermut tunngassuteqarpoq.

Akuersissummik ingerlatseqatigiiffimmit pisinnaatitsissummik pigisaqartumit suleqatigisamut allamut kimulluunniit, ilanngullugu ingerlatseqatigiiffimmut, suliffeqarfimmut imaluunniit inummut, tunniussineq imaluunniit nuussineq, piginnittuulersup akuersissut malillugu pisinnaatitsissummik pigisaqartumut piunasaqaatit naammassisimanerai naammassisimannginneraalunniit apeqqutaatinnagu, toqqaannartumik imaluunniit toqqaannangitsumik tunniussinermut imaluunniit nuussinermut pineqartunut ilaatinneqarpoq.

Akuersissut ingerlatseqatigiiffimmut akuersissut malillugu pisinnaatitsissummik

pigisaqartumut piumasqaatinik naammassinnissimasumut taamaallaat tunniunneqarsinnaavoq imaluunniit nuunneqarsinnaalluni.

Akuersissummik pisinnaatitsissummik pigisaqartumit suleqatigisamut allamut kimulluunniit tunniussineq imaluunniit nuussineq, toqqaannartumik allamut tunniussinermut imaluunniit nuussinermut pineqartunut ilaatinneqarpoq.

Tamanna suleqatigisamik imaluunniit suleqatigisamik ingerlatseqatigiiffimmi aalajangiisuusumik sunniuteqartunik, imaluunniit ataasiakkaarlutik imaluunniit ataatsimoorlutik imaluunniit suleqatigiillutik, ingerlatseqatigiiffiup aningaasaataasa imaluunniit taasisinnaatitaanerit minnerpaamik affaannut toqqaannartumik imaluunniit toqqaannanngitsumik (suleqatigisaq ataaseq arlallilluunniit aqutigalugit) piginnittunik, nakkutiginnittumik atuisinnaatitaasunillu allangortitsinermik malitseqarpat, toqqaannanngitsumik allamut tunniussineq imaluunniit nuussineq ingerlatseqatigiiffimmi pisinnaatitsissummik pigisaqartuusumi imaluunniit taanna pillugu ataatsimik arlalinnilluunniit allangortitsineq pineqartunut ilaassaaq.

Pissutsit taakkua suleqatigisamik imaluunniit suleqatigisamik ingerlatseqatigiiffimmi aalajangiisuusumik sunniuteqartunik, imaluunniit ataasiakkaarlutik imaluunniit ataatsimoorlutik imaluunniit suleqatigiillutik, ingerlatseqatigiiffiup aningaasaataasa imaluunniit taasisinnaatitaanerit minnerpaamik affaannut toqqaannartumik imaluunniit toqqaannanngitsumik (suleqatigisaq ataaseq arlallilluunniit aqutigalugit) piginnittunik, nakkutiginnittumik atuisinnaatitaasunillu allangortitsinermik malitseqarpata, taamaalilluni qularnaveeqqusiusilluni taarsigassarsinermut imaluunniit aktiaatinik pisinissamik toqqaasinnaanermut atatillugu toqqaannanngitsumik kisimi allamut tunniussisoqarsimassaaq.

Oqaatsip aalajangiisuusumik sunniuteqarnerup erseqqinnerusumik isumaa, ataatsimut isigalugu aktiaatileqatigiiffiit, piginneqatigiilluni ingerlatseqatigiiffiit immaqalu ingerlatseqatigiiffiit aningaasaliiffigineqarlutik ingerlanneqartut allat pillugit tamatumunnga Kalaallit Nunaannut inatsisini aalajangersakkat tunngaviusullu malillugit aalajangerneqassaaq. Taanna maannakkut tassaavoq aktiaatileqatigiiffiit aamma piginneqatigiilluni ingerlatseqatigiiffiit pillugit inatsisip Kalaallit Nunaannut atuutinneqalernissaanut peqqussut (ingerlatseqatigiiffinnut inatsit). Ingerlatseqatigiiffiit aallarnisaasut aamma inatsimmi pineqartunut ilaatinneqarput.

Aktiaatileqatigiiffiit aamma piginneqatigiilluni ingerlatseqatigiiffiit pillugit inatsisip Kalaallit Nunaannut atuutinneqalernissaanut peqqussut (ingerlatseqatigiiffinnut inatsit) § 7-imi aalajangiisuusumik sunniuteqarneq pillugu aalajangersakkanik erseqqinnerusunik imaqarpoq. Imm. 1 malillugu aalajangiisuusumik sunniuteqarneq tassaavoq, suliffeqarfiup immikkoortortaqarfiusup aningaasaqarnikkut ingerlatsinikkullu aalajangiinerinik aqutsinissamut piginnaatitaaneq. Imm. 2 malillugu taamatut piginnittuuneq

aalajangiisuusumik sunniuteqarnerusoq, pisuni immikkut ittuni ersarissumik paasinarsisinneqarsinnaasimangippat, ingerlatseqatigiiffik qullersaqarfiusoq suliffeqarfik ingerlatseqatigiiffiusoq aqquutigalugu toqqaannartumik imaluunniit toqqaannangitsumik suliffeqarfimmi taasisinnaatitaanerit affaanit amerlanerusunik piginnittuuppat, ingerlatseqatigiiffik qullersaqarfiusoq suliffeqarfimmut immikkoortortaqarfiusumut tunngatillugu aalajangiisuusumik sunniuteqartuuvoq. Ingerlatseqatigiiffik qullersaqarfiusoq suliffeqarfimmi taasisinnaatitaanerit affaanit amerlanerusunik piginnittuusimangippat, ingerlatseqatigiiffiup qullersaqarfiusoq (1) aningaasaliisunut allanut isumaqatigiissuteqarnermini taasisinnaatitaanerit affaanit amerlanerusunik atuisinnaappat, (2) maleruagassat imaluunniit isumaqatigiissut naapertorlugu suliffeqarfimmi aningaasalersuinnermut ingerlatsinermullu tunngasunik aqutsinissamut piginnaatitaappat, (3) pisortaaatitani qullersaasuniittussanik toqqaanissamut imaluunniit peersitsinissamut piginnaatitaappat aammalu taakkua suliffeqarfimmi aalajangiisuusumik sunniuteqartuuppata imaluunniit (4) ataatsimeersuarnermi imaluunniit oqartussani taamaaqataanni taasisinnaasut amerlanerpaartaannik atuisinnaappat, taamaalillunilu suliffeqarfimmut pissusiviusuni aalajangiisuusumik sunniuteqartuulluni, aalajangiisuusumik sunniuteqarnek atuuttoq, imm. 3-mi aalajangersarneqarpoq. Taasisinnaatitaanernik, ilanngullugit atsiorsinnaatitaanerit aamma aningaasaatinik piginneqataassutinik pisinissamut periarfissaqarneq, maannakkut atornerqarsinnaasunik imaluunniit allanngortinneqarsinnaasunik peqarsinnaanera sunniuteqarsinnaneri, ingerlatseqatigiiffik aalajangiisuusumik sunniuteqarnerusoq nalilersuinnermi isiginiarneqassasut, imm. 4-mi aalajangersarneqarpoq. Suliffeqarfimmi immikkoortortaqarfiusumi taasisinnaatitaanernik naatsorsuinnermi, taasisinnaatitaanerit aningaasaatinut piginneqataassutinut atasut, suliffeqarfimmit immikkoortortaqarfiusumit taassumaluunniit suliffeqarfiutaani immikkoortortaqarfiusumit pigineqartut, ilanngunneqassanngillat. Tamanna imm. 5 malillugu pisussaavoq.

Inatsimmi aalajangersakkani tunngaviusut ingerlatseqatigiiffinnut qullersaqarfiusunut allanut, Kalaallit Nunaanni aamma Danmarkimi ingerlatseqatigiiffinnit aningaasaliiffigineqarlutik ingerlanneqartunit allaanerusunut tunngatillugu, tassani ilaallutik kalaallit aamma danskit suliffeqarfiutaat aamma nunani allani ingerlatseqatigiiffiit aningaasaliiffigineqarlutik ingerlanneqartut aamma suliffeqarfiit allat, aammalu inunnut ingerlatseqatigiiffimmi pisinnaatitsissummik pigisaqartuusumi aningaasaatinut piginneqataassutinik pigisaqartunut, tunngatillugu taamaaqataanik sapinngisamik atornerqassapput.

Ingerlatseqatigiiffik pisinnaatitsissummik pigisaqartuusooq Kalaallit Nunaanniunngitsooq allami nunami angerlarsimaffeqarpat, ingerlatseqatigiiffik alla, suliffeqarfik imaluunniit inuk ingerlatseqatigiiffimmi pisinnaatitsissummik pigisaqartuusumi aalajangiisuusumik sunniuteqartuunersoq aalajangerneqarnerani, nunami tassani ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartuusumut maleruagassat aamma mianerineqassapput.

Akuersissutinik allamut tunniussisarnerit imaluunniit nuussisarnerit qaqutigoortuunngillat



aammalu misissueqqaarnernit aallarniutaasunit piaanerusinnaasumut ineriartortitsinermut pissusissamisoortumik ilaatinneqartarlutik. Allamut tunniussineq imaluunniit nuussineq amerlanertigut aningaasalersuinermik pissuteqartut tunngavigalugit pisarput.

Tamanna tunngavigalugu allamut tunniussinermut imaluunniit nuussinermut akuersissuteqarneq tamatumunnga naapertuuttumik tunngavissaqanngitsumik itigartinneqarsinnaanngilaq. Akuersissuteqarnissaq sioqqullugu ilaatigut pisussaaffiit pisinnaatitsissummik pigisaqartup pisussaaffigisaasa naammassineqarnissaannut tunngavigisat allamut tunniussinermi imaluunniit nuussinermi ajorseriartinneqannginnissaat imaluunniit atuukkunnaarsinneqannginnissaat, qulakkeerneqartussaasaq.

Allamut tunniussinermi imaluunniit nuussinermi akuersissut malillugu pisussaaffiit naammassinissaannut tunngaviusut ajorseriartinneqannginnissaasa qulakkeernissaa, allamut tunniussinissaq imaluunniit nuussinissaq sioqqullugu misissornissaanut Naalakkersuisut periarfissaqarnissaat, taamaalilluni aalajangersakkami ilaatigut siunertaavoq. Aatsitassarsiorluni ingerlatassanik pitsaassusilimmik ingerlatsinissamut tunngaviusut, allamut tunniussinermi ajorseriartinneqannginnissaasa qulakkeernissaanut Naalakkersuisut periarfissaqarnissaasa qulakkeernissaa, tamatuma saniatigut aalajangersakkami siunertaavoq.

Naalakkersuisut ilaatigut aningaasaqarnermut, akitsuutitut akileraarutinullu tunngasut eqqarsaatiginissaannut periarfissaqarnissaasa qulakkeernissaa, aammalu akileraarutitigut imaluunniit akitsuutitigut taakkua Namminersorlutik Oqartussanut aamma inuiaqatigiinnut kalaallinut pitsaanngitsumik malitseqarsinnaappat, Naalakkersuisut allamut tunniussinernit imaluunniit nuussinernit akuersissuteqarfiginissaannut itigartitsisinnaanerat, aammattaq aalajangersakkami siunertaavoq. Tamanna akileraarutitigut sinneqartoorutinik Kalaallit Nunaanniit nunanut allanut nuussilluni aningaasannanniartoqartillugu, imaluunniit akileraarutitigut amigartoorutinik nunanit allaniit Kalaallit Nunaannut nuussilluni aningaasannanniartoqartillugu taamaallaat pisartussaassaaq.

Ingerlatseqatigiiffimmi pisinnaatitsissummik pigisaqartuusumi aalajangiisuusumik sunniuteqarnermut tunngasunik allanngortitsisoqarpat, pisinnaatitsissummik pigisaqartup Naalakkersuisut paasitissagaat pillugu Naalakkersuisut ilaatigut akuersissummi atugassarititaasumik aalajangersaasinnaapput.

Imm. 2-mut

Aalajangersagaq malillugu Naalakkersuisut allamut tunniussinermut akuersissuteqarnermut atatillugu atugassarititaasunik aalajangersaasinnaapput.

Pisinnaatitsissummik pigisaqartunngortup piumasaqaatinut tunniussisumut piumasaqaatigineqartunut naammassininnissaanut, aammalu Namminersorlutik Oqartussat

soqutigisaminnik isumaginninnissamut periarfissaqarnissaannut, ilanngullugu aningaasaqarnikkut soqutigisat tunniussinermi ajorseriartinneqannginnissaannut, aalajangersagaq qulakkeereqataassaaq.

Imm. 3-mut

Siunnersuut malillugu akuersissut eqqartuussivikkut malersuinermi ilaatinneqanngitsoq, aalajangersakkami allassimavoq. Tassa imaappoq, akuersissummut eqqartuussivikkut malersuineq inatsisitigut sunniuteqanngilaq.

Aalajangersagaq imm. 1-imut ataqatigiissillugu isigineqassaaq. Taamaattumik akuersissutip assersuutigalugu atuunnerata imaluunniit sunniuteqarnerata misilinneqarnissaanut eqqartuussivikkut suliakkiussinissamik periarfissaqarnissaata isummerfigineqarneranut tunngatillugu, aalajangersagaq takussutissaanngilaq.

Eqqartuussivikkut malersuineq taamaallaat akiligassaqaqarfinnik malersuinermut taamaallaat eqqarsaatigineqarpoq. Akiligassaqaqarfigineqartup eqqartuussivik ikiorsiullugu akuersissut manna malillugu akuersissut tigusinnaanngikkaa, taamaalilluni aalajangersakkami aalajangersarneqarpoq.

#### *§ 70-imut*

Imm. 1-imut.

Aalajangersakkami allassimavoq pisinnaatitsissummik pigisaqartup ingerlatseqatigiiffimmut allamut kattunera (kattunneq), kattunneq Naalakkersuisunit akuersissuteqarfigineqarsimangippat, siunnersuut malillugu pisinnaatitsissummik pigisaqartumut aamma siunnersuummut tunngatillugu inatsisitigut sunniuteqassanngitsoq.

Naalakkersuisut kattunermi akuersissut malillugu pisinnaatitsissummik pigisaqartup pisussaaffiinik naammassinninnissamut tunngavissat ajorseriartinneqannginnissaasa misissornissaanut periarfissaqarnissaasa qulakkeernissaa, ilaatigut aalajangersakkami siunertaavoq.

Tamatuma saniatigut aatsitassarsiorluni ingerlatassanik ingerlatsinerup pitsaassuseqartinnissaanut tunngavissat, kattunermi ajorseriartinneqannginnissaasa qulakkeernissaanut Naalakkersuisut periarfissinneqarnerannik aalajangersagaq malitseqassaaq.

Imm. 2-mut

Aalajangersakkami allassimavoq, pisinnaatitsissummik pigisaqartup ingerlatseqatigiiffinni arlalinni aggulunneqarnera (agguluineq), agguluineq Naalakkersuisunit akuersissuteqarfigineqarsimanngippat, siunnersuut malillugu pisinnaatitsissummik pigisaqartumut akuersissummumut aamma siunnersuummut tunngatillugu inatsisitigut sunniuteqassanngitsoq.

Naalakkersuisut avissaartitsinermi akuersissut malillugu pisinnaatitsissummik pigisaqartup pisussaaffiini naammassinninnissamut tunngavissat ajorseriartinneqannginnissaasa misissornissaanut periarfissaqarnissaasa qulakkeernissaa, ilaatigut aalajangersakkami siunertaavoq.

Tamatuma saniatigut aatsitassarsiorluni aatsitassarsiorluni ingerlatassanik ingerlatsinerup pitsaassuseqartinnissaanut tunngavissat, ingerlatseqatigiiffiup pisinnaatitsissummik pigisaqartuusup ingerlatseqatigiissinnut arlalinnut aggulunneqarnerani ajorseriartinneqannginnissaasa qulakkeernissaanut Naalakkersuisut periarfissinneqarnerannik aalajangersagaq malitseqassaaq.

Imm. 3-mut

Aalajangersakkami allassimavoq, imm. 1 imaluunniit 2 malillugit kattunnerup imaluunniit avissaartitsinerup akuersissuteqarfigineqarneranut atugassarititaasunik Naalakkersuisut aalajangersaasinnaasut, ilanngullugit kattunnerup imaluunniit avissaartitsinerup ingerlanneqarnerani aammalu pisinnaatitsissummik pigisaqartup piffissap akuersissuteqarfiusup tamarmi sinnerani akuersissut malillugu pisinnaatitsissummik pigisaqartumut piumasaqaatinik naammassinninnissaa pillugu atugassarititaasut.

Naalakkersuisut ilaatigut aningaasaqarnermut, akitsuutitut akileraarutinullu tunngasut pillugit mianerinninnissamut aammalu atugassarititaasunik aalajangersaanissamut periarfissaqarnissaasa, aammalu akileraarutitigut imaluunniit akitsuutitigut taakkua Namminersorlutik Oqartussanut aamma inuiaqatigiinnut kalaallinut pitsaanngitsumik malitseqarsinnaappat, imm. 1 aamma 2 malillugit kattunnissaannik imaluunniit avissaartinnissaannik Naalakkersuisut itigartitsisinnaanissaasa qulakkeernissaa, aalajangersakkami siunertaavoq. Tamanna akileraarutitigut sinneqartoorutinik Kalaallit Nunaanniit nunanut allanut nuussilluni aningaasannanniartoqartillugu, imaluunniit akileraarutitigut amigartoorutinik nunanit allaniit Kalaallit Nunaannut nuussilluni aningaasannanniartoqartillugu taamaallaat pisartussaassaaq.

#### *§ 71-imut*

Imm. 1-imut

Inatsisinik toqqaasarnermut maleruagassat nalinginnaasut malillugit ataatsimut isigalugu aamma akuersissummi, akuersissut malillugu ingerlataqarnerni aamma tamatumunnga atatillugu pisuni Inatsisartut inatsisaat aamma Kalaallit Nunaanni inatsisit allat aamma danskit inatsisaat sukkulluunniit Kalaallit Nunaanni atuuttut malinneqartussaapput, taakkunangalu maleruagassiivigineqarlutik. Taamaattoq akuersissummi, akuersissut malillugu ingerlataqarnerni aamma tamatumunnga atatillugu pisuni, pissutsit allat nunami allami inatsisit, kalaallit inatsisaannit aamma danskit inatsisaannit sukkulluunniit Kalaallit Nunaanni atuuttunit allaanerusut, tunngavigalugit maleruagassiivigineqannginnissaasa qulakkeernissaa, aalajangersakkami siunnersuutigineqartumi siunertaavoq.

Aalajangersagaq siunnersuutigineqartoq malillugu akuersissummi, akuersissut malillugu ingerlataqarnerni aamma tamatumunnga atatillugu pisuni aalajangersakkat siunnersuummi aalajangersarneqartut ilaatigut malinneqassapput aammalu maleruagassiivigineqassapput, ilanngullugit aamma aalajangersakkat siunnersuut malillugu aalajangersarneqartut. Tamatuma malitsigisaanik pissutsini tamaginni aatsitassarsiorluni ingerlatassanut tunngasuni aammalu pissutsini tamatumunnga atasuni ilaalu ilanngullugit, siunnersuummi pineqartunut ilaasuni, siunnersuut allallu kalaallit inatsisaat aamma danskit inatsisaat Kalaallit Nunaanni sukkulluunniit atuuttut malinneqassapput taakkunangalu maleruagassiivigineqassallutik.

Imm. 2-mut

Aalajangersakkami aalajangersarneqarpoq akuersissut, akuersissut malillugu ingerlatassat imaluunniit pissutsit taakkununnga atasut pillugit aaqqiagiinngissuteqarnerit, ilanngullugit assersuutigalugu akuersissuteqarnerit, isumaqatigiissutit qularnaveeqqusiinerillu ilaalu ilanngullugit pillugit aaqqiagiinngissuteqarnerit, siunnersuut aamma kalaallit inatsisaat aamma danskit inatsisaat sukkulluunniit Kalaallit Nunaanni atuuttut malillugit aalajangerneqassapput.

Aaqqiagiinngissuteqarneq eqqartuussivimmuut imaluunniit eqqartuussivimmuut isumaqatigiissitsiniartartumut suliakkiissutigineqarnersoq apeqqutaatillugu aalajangersagaq atuutissaaq.

Akuersissut, akuersissut malillugu ingerlatassat imaluunniit pissutsit taakkununnga atasut pillugit aaqqiagiinngissuteqarnerit kalaallit inatsisaat aamma danskit inatsisaat sukkulluunniit Kalaallit Nunaanni atuuttut malillugit, aammalu Kalaallit Nunaanni pissutsit immikkuullarissut mianeralugit, ilanngullugu pingaartumik siunnersuut malillugu aatsitassanut suliaasaqarfik pillugu pissutsit, aalajangiiffigineqartarnissaasa qulakkeernissaa, aalajangersakkami siunnersuutigineqartumi siunertaavoq.

§ 72-imut

Pisortat ingerlatsivianni aalajangiinerit eqqartuussivimmi misilinneqarnissaannut pisinnaatitaaneq pillugu inatsimmi tunngaviusumi § 63 malillugu eqqartuussiviit pisortat ingerlatsiviini oqartussat killissaat pillugit apeqqutinut sunulluunniit aalajangiisnaatitaavoq. Eqqartuussivimmi misiliinissami tassani ataatsimut isigalugu inatsisitigut apeqqutit kisimik pineqartunut ilaapput. Tamatuma kingunerisaanik eqqartuussiviit ataatsimut isigalugu taamaallaat ingerlatsiviup aalajangiinerinut, ilanngullugu inatsisinik atuinerannut, ilaalu ilanngullugit, inatsisinut naapertuuttumik misiliissapput. Tassa imaappoq, ataatsimut isigalugu ingerlatsivimmi oqartussap aalajangiinera imaluunniit pissutsit allat naapertuunnersut naleqqunnersulluunniit, eqqartuussiviit isummerfigisussaangilaat, aammalu eqqartuussiviit ataatsimut isigalugu ingerlatsivimmi oqartussap tunngavissalimmik mianerinninneranik nalilersuisussaangillat.

Taamaalillutik eqqartuussiviit, ingerlatsivimmi oqartussap aalajangiineri ilaalu ilanngullugit pisariaqartumik inatsimmi tunngavissaqarnersut, ilanngullugu ingerlatsivimmi oqartussap aalajangiineri ilaalu ilanngullugit inatsisini maleruagassat imarisaanni erseqqinnerusuni atuuffissaannilu pineqartunut ilaatinneqarnersut, pillugu apeqqutinut ilaatigut isummertussaapput. Eqqartuussiviit aamma aalajangiineq pisortat ingerlatsineranni maleruagassanut tunngaviusunullu, ilanngullugit kinaassusersiunnginnissaq, annertoqqatigiimmik pinninnissaq naligiimmillu pinninnissaq, naapertuuttumik aalajangiiffigineqarsimanersoq pillugu apeqqummut isummersinnaapput.

Taamaalilluni akuersissut imaluunniit akuersissummut atatillugu ingerlatassat imaluunniit pissutsit pillugit inatsisini pisussaaffiusumik imaluunniit naliliinikkut aalajangiineq Naalakkersuisunit aalajangiiffigineqartoq pillugu aaqqiagiinngissuteqarnernut aalajangersagaq siunnersuutigineqartoq atuutissaaq.

### *§ 73-imut*

Pisinnaatitsissummik pigisaqartup aamma Naalakkersuisut akornanni aaqqiagiinngissuteqarnerup eqqartuussivimmut isumaqatigiissitsiniartartumut suliakkiunneqarnissaanut periarfissaqarnermut aalajangersagaq tunngassuteqarpoq. Akuersissut malillugu pisussaaffiit naammassineqarnissaat pillugu aaqqiagiinngissuteqarnerit eqqartuussivimmut isumaqatigiissitsiniartartumut suliakkiunneqarsinnaasut, taassumalu aalajangiinera inaarutaasoq, siunnersuut manna malillugu akuersissutini aalajangersarneqarsinnaavoq.

Aaqqiagiinngissutigineqartut sukkasuumik aammalu inunnit suliassaqarfimmi immikkut ilisimasaqartunit aalajangiiffigineqarsinnaanerisa qulakkeernissaa, aalajangersakkami siunnerfigineqarpoq. Eqqarsaataavoq aalajangersagaq inatsimmi tunngavigalugu aalajangersakkami atugassarititaasunik erseqqinnerusunik aalajangersaasoqarsinnaasoq, tassani isumaqatigiissitsiniarnerup qanoq ingerlanneqarnissaa allassimassalluni, ilanngullugu

eqqartuussivik isumaqatigiissitsiniartartup katitigaanera, aalajangiisinnaatitaanera, suliassanik sularinninnera ilaalu ilanngullugit.

Eqqartuussiviup isumaqatigiissitsiniartartup aalajangiinera inaarutaasuusaaq aammalu allamut suliakkiuteqqinneqarsinnaassanani.

Aalajangiinerit siunnersuut manna malillugu nakkutilliinernut oqartussamit aalajangiiffigineqartussat, isumaqatigiissitsiniarnermi ilaatinneqarsinnaanngillat, takuuk pisortat ingerlatsivianni aalajangiinerit eqqartuussivimmi misilinneqarnissaannut pisinnaatitaaneq pillugu inatsimmi tunngaviusumi § 63. Soorunami taamaallaat inuit akornanni inatsisitigut aaqqiagiinnngissuteqarnerit kisimik isumaqatigiissitsiniarneq pillugu atugassarititaasuni ilaatinneqarsinnaapput.

Aalajangiinerup isumaqatigiissitsiniarnissamut suliakkiunnissaanut ataatsimut isigalugu ukiumik ataatsimik piffissamut killiliusaaq aalajangersakkami aalajangersarneqarpoq. Ukiumik ataatsimik piffissamut killiliinerup toqqarneqarnerani, pissutsit taakkua pillugit atugassarititaasunik pisariitsunik ersarissunillu aalajangersaanisaaq qulakkeerneqarpoq. Siunnersuummi aatsitassanut ikummatissanullu inatsit malillugu inatsisitigut inissisimaneq.

#### *§ 74-imut*

Pisinnaatitsissummik pigisaqartup aamma Naalakkersuisut akornanni aaqqiagiinnngissuteqarnerit, assersuutigalugu akuersissutip atorunnaareernerata kingorna pilersut, aalajangersagaq malillugu §§ 72-imi aamma 73-imi aalajangersakkanut naapertuuttumik suli aalajangiiffigineqartassapput. Aaqqiagiinnngissuteqarnerit taamaattut ilaatigut pissutsinut pisussaaffinnullu akuersissutip atorunnaareernerata kingorna atuutiinnartunut ilaatigut tunngassuteqarsinnaapput.

#### *§ 75-imut*

Imm. 1-imut

Aalajangersakkami allassimavoq, pisinnaatitsissummik pigisaqartoq Kalaallit Nunaanniit aatsitassanik annissisinnaasoq, Naalakkersuisut akuersissut malillugu pisinnaatitsissummik pigisaqartumut akuersissuteqarsinnaasut. Siunnersuut malillugu avammut annissinissamut akuersissuteqarneq qanoq paasisariaqarnersoq, siunnersuummi § 14, imm. 3-mi allassimavoq. Aalajangersagaq malillugu akuersissuteqarneq atugassarititaasut erseqqinnerusumik aalajangersarneqartut malillugit nalunaarutigineqarsinnaavoq.

Aatsitassat suut tamatumunnga Naalakkersuisunit akuerineqartumik akuersissuteqarneq malillugu Kalaallit Nunaanniit anninneqarsinnaanerannut maleruagassiinissamut

Naalakkersuisut ataatsimut isigalugu inatsimmi tunngavissaannik aalajangersagaq imaqarpoq.

Aatsitassanik Kalaallit Nunaanniit annissineq, aatsitassat Kalaallit Nunaanni piiarneqarsimappata imaluunniit misissugassanik Kalaallit Nunaanni tiguneqartuneersuusimappata, taamaallaat tamatumunnga akuersissuteqarneq malillugu pisinnaavoq.

Tamatuma saniatigut, aatsitassat pineqartut siusinnerusukkut inatsisit malillugit Kalaallit Nunaanniit anninneqarsimagaluarpataluunniit, aatsitassanik Kalaallit Nunaanniit annissineq aatsaat tamatumunnga akuersissuteqarneq malillugu pisinnaasoq pillugu atugassarititaasunik Naalakkersuisut aalajangersaasinnaapput. Naalakkersuisut taamaalillutik, aatsitassanik Kalaallit Nunaanniit annissinerit tamarmik tamatumunnga akuersissuteqarneq malillugu aatsaat pisinnaasoq pillugu atugassarititaasunik aalajangersaasinnaapput. Aatsitassat Kalaallit Nunaata aammalu nunat allat ataatsip arlallilluunniit akornanni akuttunngitsumik kaaviiartaraluartut, tamanna aamma atuutissaaq.

Aalajangersagaq malillugu akuersissuteqarneq taamaallaat pineqartumut siunnersuut malillugu akuersissut malillugu pisinnaatitsissummik pigisaqartuusumut tunniunneqarsinnaavoq. Taamaattoq imm. 2 malillugu avammut annissinissamut akuersissuteqarneq aamma pineqartumut pisinnaatitsissummik pigisaqartuunngitsumut tunniunneqarsinnaavoq. Takuuk imm. 2-mi aalajangersagaq tassungalu nassuiaatit.

Imm. 2-mut

Pineqartup pisinnaatitsissummik pigisaqartuunngitsup aatsitassanik Kalaallit Nunaanni inatsisit malillugit piiarneqarsimasunik, imaluunniit misissugassanik Kalaallit Nunaanni tiguneqarsimasuneersunik, Kalaallit Nunaanniit annissinissamut periarfissaqarneranut aalajangersagaq tunngassuteqarpoq. Akuersissuteqarneq avammut annissinissamut akuersissuteqarnertut immikkoortutut tunniunneqassaaq. Siunnersuut malillugu avammut annissinissamut akuersissuteqarneq qanoq paasisariaqarnerisooq, siunnersuummi § 14, imm. 3-mi allassimavoq.

Akuersissuteqarneq atugassarititaasut erseqqinnersumik aalajangersarneqartut tunngavigalugit tunniunneqarsinnaavoq.

Aatsitassat Kalaallit Nunaanni inatsisit malillugit piiarneqarsimasut, imaluunniit misissugassanik Kalaallit Nunaanni tiguneqarsimasuneersut suut, tamatumunnga avammut annissinissamut akuersissuteqarneq pineqartumut pisinnaatitsissummik pigisaqartuunngitsumut Naalakkersuisunit tunniunneqartoq malillugu Kalaallit Nunaanniit anninneqaaqqusaanersut, maleruagassiinissamut Naalakkersuisut ataatsimut isigalugu inatsimmi tunngavissaannik, aalajangersagaq imaqarpoq.

## § 76-imut

### Imm. 1-imut

Naalakkersuisut aatsitassat pillugit aalajangersakkanik aamma atugassarititaasunik erseqqinnerusunik aalajangersaasinnaanannut, ilanngullugit aatsitassarsiorluni misissuineq, piianeq, suliarinnineq, uninngasuuteqarneq, toqqorsivimmiititsineq, assartuussineq, niuerneq, avammut annissuineq, eqqussuineq aamma akuersissummik allagartaliisarneq, aalajangersagaq tunngassuteqarpoq. Aalajangersakkami erseqqissarneqarpoq Naalakkersuisut aamma atugassarititaasunik aammalu aalajangersagaannaangitsunik, aalajangersaasinnaasut.

Aalajangersagaq ilaatigut aatsitassanik nunanit allaneersunik Kalaallit Nunaanni suliareqqiisarnermut, aammalu aatsitassanik kalaallit Nunaanneersunik siunnersuut malillugu pisinnaatitsissummik pigisaqartumit allaanerusumit suliareqqinneqartussanut, pitsaassusissanut piumasaqaateqarnissamut ilaalu ilanngullugit periarfissiivoq.

Tamatuma saniatigut aatsitassanik uninngasuuteqarneq inissiivimmiititsisarnerlu aamma aatsitassanik assartuineq, niuerutiginnineq, eqqussuineq avammullu annissuineq pillugit aalajangersakkanik aalajangersaanissamut Naalakkersuisut periarfissinneqarput. Assersuutigalugu aatsitassat eqqussorneqartut pillugit nalunaarsuisoqarsinnaanissaa aammalu ilisimasaqarnerulernissaq qulakkeerniarlugu, aatsitassanik eqqussineq Naalakkersuisunit akuersissuteqarfigineqassasoq pillugu maleruagassanik aalajangersaasoqarsinnaavoq.

Tamatuma saniatigut Naalakkersuisut aatsitassanik akuersissummik allagartaliisarneq pillugu maleruagassanik aalajangersaanissamut aamma periarfissinneqarput. Assersuutigalugu ujaqqat erlinnartut pillugit nunamit suminngaaneerfianut akuersissummik allagartamik pilersitsisoqassasoq aalajangerneqarsinnaavoq. Taamatut akuersissummik allagartaq taamaattoq ilaatigut Kimberley-mi sulianik ingerlatitsinermi akuersissummik allagartaliinermut aaqquissuussinermut (KPCS), taamaallaat aligoqqinnut suliarineqanngitsunut tunngatinneqartunut, ataqatigiissinneqarsinnaavoq. Siunissamit aligoqqinnik Kalaallit Nunaanneersunik silisanik siunnerfeqarnerusumik nittarsaassisinnaanissamut, assersuutigalugu aligoqqinnut silisanut akuersissummik allagartaleeriaatsimik pilersitsisoqarsinnaassaaq.

Nunamut suminngaaneerfianut akuersissummik allagartaliineq aatsitassanut tamaginnut atorneqarsinnaassaaq, ilanngullugu pingaartumut tamanna naggataatigut tunisassiamut naleqarnerulersitsisinnaassappat.

Matuma siuliani allassimasutut Naalakkersuisut aalajangersakkanik nalunaarummi ataatsimi arlalinniluunniit aalajangersaasinnaapput. Naalakkersuisut aamma tamatumunnga



atugassarititaasunik, akuersissutitut akuersissuteqarnernullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaasinnaapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

#### Imm. 2-mut

Ujaqqanik erlinnartunik suliareqqiinissamut akuersissuteqarnissaq pisariaqartoq pillugu Naalakkersuisut aalajangersakkanik aalajangersaasinnaasut, aalajangersakkami ilaatigut qulakkeerneqarpoq.

Assersuutigalugu suliffeqarfiit aatsitassanik suliareqqiinermik niuerutiginninnermillu suliaqartut eqqortunik pitsaassuseqartitsinissaannik qulakkeerinissamut, aalajangersagaq atorpeqarsinnaavoq. Aamma inuiaqatigiit aatsitassarsiorluni ingerlatassanit sapinngisamik annertunerpaamik pissarsiaqarnissaannik qulakkeerinissamut aalajangersagaq atorpeqarsinnaavoq.

Matuma siuliani allassimasutut Naalakkersuisut aalajangersakkanik nalunaarummi ataatsimi arlalinniluunniit aalajangersaasinnaapput. Naalakkersuisut aamma tamatumunnga atugassarititaasunik, akuersissutitut akuersissuteqarnernullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaasinnaapput.

Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

#### Imm. 3-mut

Aalajangersagaq malillugu Naalakkersuisut imm. 2 malillugu aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaappata, imm. 2-mi taaneqartutut akuersissuteqarnermik nalunaarutiginninnissamut aammalu taamatut akuersissuteqarnernut aalajangersakkanik imaluunniit atugassarititaasunik aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaqarput.

### *§ 77-imut*

#### Imm. 1-imut

Aalajangersagaq pissutsinik sisamanik, aatsitassarsiorfimmumut pilersaarutip ilaatigut imarisassaannik, imaqarpoq.

Aatsitassanut ikummatissanullu inatsit malillugu piiaanissamut pilersaarutit aamma piiaanissamut pilersaarutitut akuersissuteqarnerit atuuttut, ataatsimut isigalugu pissutsinik taakkuninnga pissutsinillu allanik imaqarput. Piiaanissamut pilersaarutit taakkuninngalu

akuersissuteqarnerit pillugit suleriaaseq atuuttoq taamaalilluni siunnersuummi aalajangersakkat malillugit ingerlateqqinneqassapput. Taamaattoq piiaanissamut pilersaarut siunnersuut malillugu aatsitassarsiorfimmuut pilersaarummik taagorneqarpoq.

Imm. 2-mut

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup piiaanermi ingerlatassaannut aatsitassarsiorfimmuut pilersaarut, pisinnaatitsissummik pigisaqartup piiaanermik iliuusissanillu tassunga atasunik aallartitsinissaa sioqqullugu, Naalakkersuisut akuersissuteqarfīgissavaat, ilanngullugu tunisassiornerup aaqqissuunneqarnissaa tamatumunngalu sanaartukkat. Taamaalilluni aalajangersagaq piiaanissamut pilersaarutit Naalakkersuisunit sioqquatsisumik akuersissuteqarfīgineqarnissaat pillugu maleruagassanik imaqarpoq.

Iliuusissat teknikkimut tunngatillugu aammalu isumannaallisaanermut, peqqinnissamut inuiaqatigiinnilu piujuaannartitsisumik ingerlatsinissamut tunngatillugu isumannaatsumik suliarineqarnissaat, aammalu aatsitassanik maangaannartitsineq sapinngisamik annikinnerpaamiitillugu suliarineqarnissaat Naalakkersuisut akuersissuteqarnermini qulakkiissavaat.

Itigartitsineq tunngavissalinnik mianerinninnermi tunngavilersorneqarpat, Naalakkersuisut akuersissuteqarnissamut itigartitsinissaapput, ilanngullugit pissutsinik teknikkimut, isumannaallisaanermut, peqqinnissamut, isumalluutinik atorluaanermut imaluunniit inuiaqatigiinni piujuaannartitsisumik ingerlatsinissamut mianerinninneq, takuuk aamma siunnersuummi § 1, imm. 2.

Naalakkersuisut piiaanermik ingerlatassanik nalilersuinissaq siunertaralugu paasisutissanik naammattunik tunngavilimmik aalajangiisinnaanissaat, aalajangersagaq malillugu pilersaarutiniq akuersissuteqarnissaq pillugu oqartussat suliarinninnerannut atatillugu pingaaruteqarpoq. Tamatuma ilaatigut atuunnerani pingaarnerpaatigut aallaaviusumik avatangiisinut sunniutaasussanik nalilersuineramik (VVM) aammalu inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineramik (VSB) suliaqartoqartariaqarpoq.

Siunnersuummi kapitali 15 VVM-imut nassuiaatit pillugit maleruagassanik imaqarpoq aammalu kapitali 16 VSB-mut nassuiaatit pillugit maleruagassanik imaqarluni. Takukkit §§ 100-102-mi aamma §§ 103-105-imi aalajangersakkat taakkununngalu nassuiaatit.

Aalajangersagaq malillugu Naalakkersuisut aatsitassarsiorfimmuut akuersissuteqarneranni, Naalakkersuisut atugassarititaasut erseqqinnerusumik aalajangersarneqartut tunngavigalugit aamma ingerlatassanut tassunga atasunut akuersissuteqarsinnaavoq, soorlu nukissiorfimmik attaveqaatinillu pilersitsinissamut ingerlatsinissamullu.

Imm. 3-mut

Aalajangersakkami allassimavoq aatsitassarsiorfimmut pilersaarut naleqqutsillugu nutarterneqartassasoq allanngortinneqartassasorlu.

Pisinnaatitsissummik pigisaqartoq Naalakkersuisut imm. 1 aamma 2 malillugit akuersissuteqaqqaarneranniit allaanerusunik pingaaruteqannginngitsunik piiaanermik ingerlatassanik suliaqarnissamik kissaateqarpat, aatsitassarsiorfimmut pilersaarut allanngortinneqartussanngorsinnaavoq. Assersuutigalugu pisinnaatitsissummik pigisaqartoq nutaanik pingaaruteqartunik piiaanermi ingerlatassanik, ingerlatassanut akuerineqartunut sanilliullugu annertunerusumik illunik, sanaartukkanik atortulersuutinik ikkussukkanik ilaalu ilanngullugit nutaanik imaluunniit amerlanerusunik pilersitsinermik malitseqartussamik, suliaqarnissamik kissaateqartillugu tamanna pisinnaavoq. Aamma tassaasinnaapput ingerlatassat nutaat pissutsinut siunnersuummi pineqartunut ilaasunut pingaaruteqarsinnaasut, ilanngullugit ingerlatassat najukkameersunik sulisoqarnissamut ilaalu ilanngullugu pingaaruteqartut.

Aatsitassarsiorfimmut pilersaarutip sukkulluunniit piiaanermi ingerlatassanik, tunisassiornerup aaqqissuunneqarneranik taakkunungalu sanaartugassanik ilaalu ilanngullugit nassuiaanernik nutartikkanik imaqarnissaanut aalajangersagaq qulakkeereqataassaaq.

Imm. 4-mut

Aalajangersagaq imm. 3-mut naapertuuttumik nassuiarneqassaaq atuutsinneqassallunilu.

Aalajangersagaq malillugu ataasiakkaatigut ataatsimoortumillu nalilersuineq malillugu pissutsit allanngorneranni tamanna pisariaqalerpat, pisinnaatitsissummik pigisaqartoq sapinngisamik piaartumik aatsitassarsiorfimmut pilersaarummik nutartikkamik imaluunniit allanngortinneqartumik suliaqassaaq tunniussissallunilu. Pissutsit taamaattut ataatsimut isigalugu imm. 3-mi allassimasuupput. Pisinnaatitsissummik pigisaqartoq tamatuma saniatigut Naalakkersuisut tamatuminnga aalajangiisimappata, sapinngisamik piaartumik aatsitassarsiorfimmut pilersaarummik nutartikkamik allanngortinneqartumillu suliaqassaaq tunniussissallunilu.

Pisinnaatitsissummik pigisaqartoq aamma aatsitassarsiorfimmut pilersaarummut nutartikkamut imaluunniit allanngortinneqartumut Naalakkersuisunit akuersissummik pissarsissaaq.

Aatsitassarsiorfimmut pilersaarummik akuersissuteqarfigineqartussamik aammalu

allanngortitsinerit pisariaqartut piviusunnngortillugit suliaqarnissamut piffissamut killiliussamik Naalakkersuisut aalajangersaasinnaapput.

Aalajangersagaq imm. 3-misuulli, aatsitassarsiorfimmuut pilersaarutip sukkulluunniit piiaanermi ingerlatassanik, tunisassiornerup aqqissuunneqarneranik taakkunungalu sanaartugassanik ilaalu ilanngullugit nassuiaanernik nutartikkanik imaqarnissaanut qulakkeereqataassaaq.

Imm. 5-imut

Naalakkersuisut imm. 2 imaluunniit 4 malillugit akuersissuteqarnermut atugassarititaasunik aalajangersaanissamut inatsimmi tunngavissaannik aalajangersagaq imaqarpoq. § 121 malillugu Naalakkersuisut ilaatigut akuersissut malillugu ingerlatassanik suliarinninnermut atatillugu isumannaallisaanermik, peqqinnissamik, avatangiisinik allanillu mianerisassanik isumaginninnissaq pillugu atugassarititaasunik aalajangersaasinnaapput.

#### *§ 78-imut*

Imm. 1-imut

Aalajangersagaq malillugu akuersissut malillugu Naalakkersuisut allatut akuersissuteqarsimangippata pisinnaatitsissummik pigisaqartup piffissaq akuersissuteqarfiusoq tamaat sanaartukkat illullu, pisinnaatitsissummik pigisaqartumit pilersinneqartut aammalu pisinnaatitsissummik pigisaqartumit atorneqanngitsut, peertassavai aammalu tamanna ajornartinnagu, sumiiffinni kalluarneqartuni pinngortitami ilaalu ilanngullugit saaliisassalluni aammalu attuumassutilinnut iluarseeqqittassalluni.

Pisinnaatitsissummik pigisaqartup piffissaq akuersissuteqarfiusoq tamaat ingerlaavartumik matusisarluni, saliisarluni aammalu pinngortitami iluarseeqqittarluni ilaalu ilanngullugit matusinissamut pisussaaffimminik naammassinninnissaata qulakkeernissaa, aalajangersakkami siunertaavoq

Imm. 2-mut

Aalajangersakkami allassimavoq pisinnaatitsissummik pigisaqartup akuersissut malillugu suliaqarnerup aamma ingerlataqarnerit unitsinneqarneranni, Naalakkersuisut allamik akuersissuteqarsimangippata, sanaartukkat illullu pisinnaatitsissummik pigisaqartumit pilersinneqarsimasut piissagai, aammalu sumiiffinni kalluarneqartuni pinngortitami ilaalu ilanngullugit saliissalluni aammalu attuumassuteqartuni iluarseeqqissalluni, takuuk aamma piiaanissamut akuersissut pillugu §§ 80 aamma 81. Takukkit aalajangersakkat taakkua taanneqartut tassungalu nassuiaatit.

Naalackersuisut allatut akuersissuteqarsimangippata, pisinnaatitsissummik pigisaqartup piiianermik suliaqarnerup unitsinneqarnerani tamakkiisumik matusinissaata, saliinissaata aammalu pinngortitami iluarseeqqinnissaata qulakkeerneqarnissaa, aalajangersakkami siunertaavoq.

Imm. 3-mut

Pisinnaatitsissummik pigisaqartup matusinissamut pilersaarut akuerineqartoq malillugu iliuusissanik aallartitsinissaq pillugu peqqusissuteqarneq malinnigpagu, aalajangersagaq malillugu Naalackersuisut imm. 1-imi aamma 2-mi taaneqartut iliuusissat il.il. pisinnaatitsissummik pigisaqartup akiligassaanik annaasaqaatigisinnaasaanillu ingerlassinnaavaat.

Siunnersuummi § 123 malillugu Naalackersuisut taamatut peqqusissuteqarsinnaasut, ilanngullugu aamma siunnersuutip aamma aalajangersakkat aamma akuersissummut atugassarititaasut siunnersuut malillugu aalajangersagaasut sukkulluunniit allatut naammassineqarnissaat. Takukkit aalajangersagaq taaneqartoq tassungalu nassuiaatit.

Imm. 4-mut

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup ingerlatassanik aamma iliuuseqarnernik imm. 1-imi aamma 2-mi taaneqartunik ingerlatsinissaq pillugu Naalackersuisunit peqqusuteqarneq malinnigpagu, Naalackersuisut sanaartukkat illullu ilaalu ilanngullugit, (1) suliffeqarfinnit inunnillu pineqartunit pigineqartut, (2) akuersissut malillugu ingerlatassanik suliaqarnermi atorneqarsimasut aammalu (3) sumiiffinni kalluarneqartuniittut, peerneqarnissaat pillugu suliffeqarfinnut aamma inunnut allanut Naalackersuisut peqqusissuteqarsinnaapput. Piumasaqaatit annertusiartortuupput aammalu tamarmik naammassineqartussaallutik.

Aalajangersagaq imm. 1-imut, 2-mut, 3-mut aamma 5-imut ataqatigiissillugu atuarneqassaaq. Aalajangersakkat taakkua tassungalu nassuiaatit innersuussutigineqarput.

Aalajangersakkap malitsigisaanik pisinnaatitsissummik pigisaqartup assersuutigalugu maskiinat imaluunniit atortut akuersissut malillugu ingerlatassanik suliaqarnermi atorneqarsimasut sumiiffinnit kalluarneqartunit peernissaannut pisussaaffini naammassisimangippagit, aammalu maskiinat pineqartut imaluunniit atortut pineqartut pisinnaatitsissummik pigisaqartumit allaanerusemit allamit pigineqarpata, Naalackersuisut taamatuttaaq maskiinat pineqartut imaluunniit atortut pineqartut peeqqullugit piginnittumut peqqusissuteqarsinnaapput. Tamanna maskiinat pineqartut imaluunniit atortut pineqartut assersuutigalugu entreprenørimit taassuma ataaniittumit sumiiffimmi akuersissuteqarfiusumi

suliassanik suliarinnittumit imaluunniit suliffeqarfimmit attartortitsisartumit imaluunniit atukkiisartumit, taamaallaat maskiinanik imaluunniit atortunik pisinnaatitsissummik pigisaqartumut attartortitsisimasumit imaluunniit atukkiisimasumit pigineqarnersut apequtaatinnagu, tamanna atuutissaaq.

Saliinerup taamaattup kalaallit oqartussaasuinit ingerlanneqartariaqarani akilerneqartariaqaranilu, akuersissummi ingerlatassat kingorna sapinngisamik annertunerpaamik saliisoqarnissaata qulakkeernissaa, aalajangersakkami siunertaavoq.

Aalajangersakkami pisinnaatitsissummik pigisaqartup imm. 3 malillugu pisussaaffii killilerneqanngillat, aammalu Naalackersuisut tamanna pitinnagu taakkua peernissaannik piginnittumut peqqusissuteqaratik, maskiinat aamma atortut allap pigisai pisinnaatitsissummik pigisaqartup akiligassaanik annaasaqaatigisinnaasaanillu peertissinnaavaat.

Assersuutigalugu maskiinanik imaluunniit atortunik piginnittup maskiinat pineqartut imaluunniit atortut pineqartut peernissaannik peqqusissuteqarneq malinngippagu, pisinnaatitsissummik pigisaqartoq aamma piginnittoq maskiinat pineqartut aamma atortut pineqartut peernissaannut nammaqatigiillutik akiliisussaassapput, takuuk imm. 3 aamma 5.

Imm. 5-imut

Aalajangersagaq 3-mut aamma 4-imut ataqatigiissillugu atuarneqassaaq. Aalajangersakkat taakkua tassungalu nassuiaatit innersuussutigineqarput.

Assersuutigalugu imm. 4 malillugu maskiinanik imaluunniit atortunik piginnittup maskiinat pineqartut imaluunniit atortut pineqartut peernissaannik peqqusissuteqarneq malinngippagu, pisinnaatitsissummik pigisaqartoq aamma piginnittoq maskiinat pineqartut aamma atortut pineqartut peernissaannut nammaqatigiillutik akiliisussaassapput, takuuk imm. 3.

#### *§ 79-imut*

Imm. 1-imut

Pisinnaatitsissummik pigisaqartup Naalackersuisunut pisussaaffimminik naammassinninnissaata tungaanut, Naalackersuisut pisinnaatitsissummik pigisaqartup pigisaasa naleqartut § 78, imm. 3 malillugu peersimasaasa tigumminissaannut Naalackersuisut ersarissumik inatsimmi tunngavissaqarnissaasa qulakkeernissaa, aalajangersakkami siunertaavoq.

Pisinnaatitsissummik pigisaqartup akuersissut malillugu ingerlatanik matusinissaanut saliinissaanullu aammalu aningaasartuutunik akiliinissaanut aalajangersagaq

qulakkeereqataassaaq.

Aalajangersagaq imm. 3-mut aamma § 78, imm. 3-mut ataqatigiissillugu isigineqassaaq. Aalajangersakkat taakkua tassungalu nassuiaatit innersuussutigineqarput.

Imm. 2-mut

Pigisat pineqartut peerneqarnerannut aningaasartuutininik pineqartup akiliinissaata tungaanut, inuup imaluunniit suliffeqarfiup pigisaasa naleqartut, aammalu Naalakkersuisut § 78, imm. 5 malillugu peersimasaasa tigungminissaannut Naalakkersuisut ersarissumik inatsimmi tunngaveqarnissaasa qulakkeernissaa, aalajangersakkami siunertaavoq.

Pigisat siunnersuut malillugu ingerlatanut atatillugu atorneqarsimasut, aammalu pisinnaatitsissummik pigisaqartumit pigineqanngitsut qimanneqartillugit, saliinermut Nunap karsiata aningaasartuutaasa sapinngisamik amerlanerpaat matussuserneqarnissaannut aalajangersagaq qulakkeereqataassaaq.

Aalajangersagaq imm. 3-mut aamma § 78, imm. 5-imut ataqatigiissillugu isigineqassaaq. Aalajangersakkat taakkua tassungalu nassuiaatit innersuussutigineqarput.

Imm. 3-mut

Aalajangersagaq imm. 1-imut, 2-mut ataqatigiissillugu atuarneqassaaq. Aalajangersakkat taakkua tassungalu nassuiaatit innersuussutigineqarput.

Pisussaaffeqartup pigisaanni Naalakkersuisut Naalakkersuisut taakkuninnga akiliusseqqaartariaqaratik, imm. 1 imaluunniit 2 malillugu piumasaqaatiminnik naammassinnitsitsinissaasa qulakkeernissaa aalajangersakkami siunertaavoq.

Imm. 4-mut

Pigisamut tunngatillugu allat pisinnaatitaaffii imaluunniit pisussaaffii tuniniaanermi kalluarneqassasut naatsorsuutigineqartariaqarnersoq, Naalakkersuisut tamanut ammasumik kaattaassilluni tuniniaalinnginnermi misissussavaat. Assersuutigalugu tassaasinnaavoq qularnaveeqqusiussaqarluni taarsigassarsititsisoq pigisami pineqartumi qularnaveeqqummik pissaqartoq. Naalakkersuisut pisortat nalunaarsuiffii attuumassuteqartut misissussavaat aammalu naapertuutsillugu pisinnaatitsissummik pigisaqartoq imaluunniit pigisamik piginnittoq tamatuminnga aperissallugu.

Pisinnaatitaaffiit imaluunniit pisussaaffiit pigisap tuniniarneqarneranit kalluarneqarsinnaasut tuniniaanissaq pillugu ilisimatinneqartarnissaasa aammalu tuniniaanermut atatillugu

soqutigisaminnik isumaginnissinnaanissamut periarfissinneqarnissaasa qulakkeernissaa, aalajangersakkami siunertaavoq.

#### Imm. 5-imut

Aalajangersakkami allassimavoq, imm. 3 malillugu tamanut ammasumik kaattaassilluni tuniniaanermi Naalackersuisut pigisat nalillit ataasiakkaat taakkua kaattaassilluni tuniniaasut ataatsimoorfianni imaluunniit elektroniskimik kaattaassilluni tuniniaanermi tuniniarneqartussatut neqeroorutigissagaat. Taamaalilluni kaattaassilluni tuniniaariaaseq sorleq pisuni ataasiakkaani pigisamut akigititap qaffasinnerusumik akeqalerneranik malitseqarsinnaasutut ilimagineqartariaqarnersoq, Naalackersuisut aalajangertussaavaat.

Aammattaaq aalajangersagaq malillugu Naalackersuisut kaattaassilluni tuniniaanerup ingerlanneqareernerata kingorna naliliippata nutaamik kaattaassilluni tuniniaanermi neqeroorummik qaffasinnerujussuarmik angusaqartoqarsinnaasoq, nutaamik kaattaassilluni tuniniaasoqassasoq Naalackersuisut aalajangersinnaapput.

#### Imm. 6-imut

Soqutigisaqartut pigisami pisinnaatitaaffimminnik tamakkiisumik matussusiivigineqanngitsut, qularnaveeqqusillutik nutaamik kaattaassilluni tuniniaanissamik piunasaqarnissamut periarfissaqarnerannut, aalajangersagaq tunngassuteqarpoq.

Assersuutigalugu aningaasanik toqqorsivimmiititsinikkut imaluunniit aningaaserivimmi qularnaveeqqusiinikkut qularnaveeqqusiisoqarsinnaavoq.

Pigisamik piginnittup allallu neqeroorummi pigisamut tunngatillugu pisinnaatitaaffimminnik tamakkiisumik matussusiivigineqanngitsut soqutigisaminnik isumaginnissinnaanissaasa qulakkeernissaa, aalajangersakkami siunertaavoq. Tamatuma saniatigut pigisat niuerfimmi akigititanut tunineqarnissaannut aalajangersagaq iluaqutaassaaq.

#### Imm. 7-imut

Aalajangersakkap kingunerisaanik pigisamut tunngatillugu pisinnaatitaaffiit allat matussuserneqannginneranni, kaattaassilluni tuniniaanermut aningaasartuutit tunisinermi iluanaarutinit ilanngaatigineqassapput.

#### Imm. 8-mut

Aalajangersakkami aalajangersarneqarpoq tuniniaanermi iluanaarutit qanoq atorneqassanersut. Tuniniaanermi iluanaarutit tulleriinnilersuineri taaneqartumi



piumasaqaatinut makkununga matussusiissapput:

- 1) Kaattaassilluni tuniniaanermi aningaasartuutit, takuuk imm. 7.
- 2) Naalackersuisut piemasaqaataat, takuuk imm. 1 imaluunniit 2.
- 3) Pigisamut tunngatillugu pisinnaatitaaffiit allat (assersuutigalugu qularnaveeqqusiussaqaarnermi pisinnaatitaaffiit).

Sinneqartooruteqarpat, taakkua pigisamik piginnittumut tunniunneqassapput.

### *§ 80-imut*

Imm. 1-imut

Aalajangersagaq pissutsinut 7-nut allattuiffimmik matusinermut pilersaarutip ilaatigut imarisassaannik imaqarpoq. Matusinissamut pilersaarut pillugit erseqqinnerusunut takuuk § 15, imm. 2, tassungalu nassuiaatit.

Pisinnaatitsissummik pigisaqartup sanaartukkat illullu ilaalu ilanngullugit pisinnaatitsissummik pigisaqartumit pilersinneqartut imaluunniit atorneqartut, aammalu sumiiffik akuersissuteqarfiusoq aammalu sumiiffiit allat kalluarneqartut pillugit qanoq iliornissaanut, aammalu pisinnaatitsissummik pigisaqartup piiaanerup, ilanngullugu tamatumunnga atatillugu suliaqarneq ingerlatassallu, uninnerani matuneqarneranilu, pisinnaatitsissummik pigisaqartup sumiiffik akuersissuteqarfiusoq aamma sumiiffiit allat kalluarneqartut qanoq qimassanersai, matusinissamut pilersaarutip ilaatigut imarissavai.

Pisinnaatitsissummik pigisaqartoq pisussaaffimminik aammalu matusineq pillugu pisussaaffigisimasinnaasaminik naammassinninnissamut, matusinissamut pilersaarutip tamatumunngalu atatillugu ingerlatassat iliuusissallu ingerlannissaanut qanoq qularnaveeqqusiissanersoq, aamma matusinissamut pilersaarummi allassimassaaq. Tamanna § 82 malillugu pisussaavoq.

Matusinissamut pilersaarutit aamma matusinissamut pilersaarutitut akuersissuteqarnerit atuutereersut aamma pissutsinik taakkuninnga aammalu pissutsinik allanik imaqarput. Matusinissamut pilersaarutit taakkuninngalu akuersissuteqarnerit pillugit suleriaaseq atuutereersoq siunnersuummi aalajangersakkat malillugit ingerlateqqinneqarsinnaavoq.

Aalajangersakkami isumannaallisaanermi, peqqinnissami avatangiisinilu mianerisassanik aammalu matusinermi aamma piiaanermi ingerlatat unitsinneqarneranni mianerisassanik, siunnersuummi siunertanut aalajangersakkami allassimasunut naapertuuttumik isumaginninnissaq, immikkut ukkatarineqarpoq, takuuk § 1.

Imm. 2-mut.

Aalajangersakkami allassimavoq pisinnaatitsissummik pigisaqartoq sanaartukkat imaluunniit illut ilaalu ilanngullugit sumiiffimmi akuersissuteqarfiusumi imaluunniit sumiiffinni allani kalluarneqartuni qimannissaannik imaluunniit tunniunniissaannik pilersaaruteqarpat, tamanna aatsaat Naalakkersuisut akuersissuteqarnerisigut pisinnaavoq.

Imm. 3-mut.

Aalajangersakkami allassimavoq, sanaartukkat imaluunniit illut ilaalu ilanngullugit sumiiffimmi akuersissuteqarfiusumi imaluunniit sumiiffinni allani kalluarneqartuni qimanneqassappata, taakkualu sanaartukkat imaluunniit illut ilaalu ilanngullugit matusinerup kingorna peqqissutsimik, isumannaallisaanermik imaluunniit allanik tunngaveqartumik aserfallatsaaliorneqartariaqarpata, alapernaarsorneqartariaqarpata imaluunniit ingerlatassat imaluunniit iliuusissat allat pisariaqarpata, tamatumunnga pilersaarutinik matusinissamut pilersaarut imaqaassaaq, kiisalu sukumiisumik qularnaveeqqusiisoqassalluni.

#### *§ 81-imut*

Imm. 1-imut

Aalajangersakkami aalajangersarneqarpoq pisinnaatitsissummik pigisaqartoq matusinissamik pilersaarummik suliaqarnissamik aammalu Naalakkersuisunut tunniussinissamik pisussaaffeqartoq. Matusinissamut pilersaarut Naalakkersuisunit akuersissuteqarfigineqarsimassaaq aammalu pisinnaatitsissummik pigisaqartup kingusinnerusukkut paaanissamut akuersissut malillugu aatsitassanik paaanermik tamatumunngalu atatillugu ingerlatanik unitsitsinissaanut matusinissaanullu pisinnaatitsissummik pigisaqartup pilersaarutaanik imaqaassalluni. Aatsitassarsiorfimmut pilersaarummi ilaatigut pissutsit § 77, imm. 1, nr. 1-4-mi allassimasut ilaatinneqassapput.

Taamaalilluni aalajangersakkami allassimavoq, paaanissamut akuersissut malillugu pisinnaatitsissummik pigisaqartoq matusinissamut pilersaarummik Naalakkersuisunit akuersissuteqarfigineqartussamik suliaqassasoq aammalu Naalakkersuisunut tunniussissasoq.

Pisinnaatitsissummik pigisaqartup paaanerup imaluunniit tamatumunnga piareersaatitut imaluunniit tamatumunnga atatillugu ingerlatassat suliarineqarnerisa aallartinnginneranni matusinissamut pilersaarut suliarineqassaaq, nassiunneqassaaq akuerineqarsimassallunilu.

Imm. 2-mut

Aalajangersagakkami aalajangersarneqarpoq pisinnaatitsissummik pigisaqartoq tamatuma kingusinnerpaamik pisinnaatitsissummik pigisaqartup aatsitassarsiorfimmu pilersaarummik Naalakkersuisunut tunniussineranut aammalu Naalakkersuisut aatsitassarsiorfimmu pilersaarummik akuersissuteqarnerannut peqatigitillugu, matusinissamut pilersaarut Naalakkersuisunut tunniutissavaat aammalu matusinissamut pilersaarut Naalakkersuisunit akuersissuteqarfigitissimassallugu. takuuk § 77. Takuuk aalajangersagaq taaneqartoq tassungalu nassuiaatit.

#### Imm. 3-mut

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartoq aatsitassanik piianaanerup saniatigut allanik ingerlataqarnissamut atatillugu matusinissamut pilersaarummik Naalakkersuisunit akuerineqartussamik suliaqassasoq nassiussissasorlu pillugu atugassarititaasunik Naalakkersuisut piumasaqaateqarsinnaapput.

Pisinnaatitsissummik pigisaqartup aatsitassanik piiaanermut atanngitsunik annertuunik ingerlataqarnermut atatillugu, ingerlatat uninneranni naleqquttumik naammattumillu saliinissaata qulakkeernissaa, aammalu Naalakkersuisut pisinnaatitsissummik pigisaqartup tamatumunnga atatillugu pisussaaffimminik naammassinninnissaanut aningaasaqarnikkut qularnaveeqqusiinissamik piumasaqarsinnaanissaasa qulakkeernissaa, aalajangersagakkami siunertaavoq.

Ingerlatassat ukioq ataaseq sinnerlugu siviussuseqartussat, imaluunniit annertuumik imaluunniit aningaasaqarnikkut oqimaatumik saliinermik suliaqarnissamik pisariaqartitsiviusussat pillugit qinnuteqaatinut atatillugu matusinissamut pilersaarummik suliaqarnissaq pillugu atugassarititaasut piumasarineqassapput.

#### Imm. 4-mut

Aalajangersagakkami allassimavoq matusinissamut pilersaarut naleqqutsillugu nutarterneqartassasoq allanngortinneqartassasorlu.

Pisinnaatitsissummik pigisaqartoq Naalakkersuisut akuersissuteqarfigeqqaagaannut sanilliullugu pingaaruteqannginngitsunik piiaanermi ingerlatassanik allanik suliaqarnissamik kissaateqarpat, matusinissamut pilersaarutip allanngortinneqarnissaa ilaatigut naleqqutissaq. Assersuutigalugu pisinnaatitsissummik pigisaqartoq piiaanermi ingerlatassanik nutaanik suliaqarnissamik kissaateqarsinnaavoq, ingerlatassanut akuersissuteqarfigineqartunut sanilliullugu illunik, sanaartukkanik aamma atortulersuutinik ikkussukkanik ilaalu ilanngullugit nutaanik imaluunniit amerlanerusunik pilersitsinermik annertunerusumik malitseqartussamik. Aamma tassaasinnaapput ingerlatassat pissutsinut siunnersuummi pineqartunut ilaasunut pingaaruteqalersinnaasut, ilanngullugu ingerlatassat najukkameersunik

sulisoqarnissamut ilaalu ilanngullugu pingaaruteqalertussat.

Matusinissamut pilersaarutip sukkulluunniit piiiaanermi ingerlatassanut, tunisassiornerup aaqqissugaaneranut taakkunungalu sanaartukkanut ilaalu ilanngullugu nassuiaatinik nutartikkanik imaqarnissanut aalajangersagaq qulakkeereqataassaaq.

Imm. 5-imut

Aalajangersagaq imm. 4-mut naapertuuttumik nassuiarneqassaaq atuutsinneqassallunilu.

Aalajangersagaq malillugu ataasiakkaatigut ataatsimoortumillu nalilersuineq malillugu pissutsit allanngorneranni tamanna pisariaqalernat, pisinnaatitsissummik pigisaqartoq sapinngisamik piaartumik matusinissamut pilersaarummik nutartikkamik imaluunniit allanngortinneqartumik suliaqassaaq tunniussissallunilu. Pissutsit taamaattut ataatsimut isigalugu imm. 3-mi allassimasuupput. Pisinnaatitsissummik pigisaqartoq tamatuma saniatigut Naalackersuisut tamatuminna aalajangiisimappata, sapinngisamik piaartumik aatsitassarsiorfimmu pilersaarummik nutartikkamik allanngortinneqartumillu suliaqassaaq tunniussissallunilu.

Pisinnaatitsissummik pigisaqartoq aamma matusinissamut pilersaarummut nutartikkamut imaluunniit allanngortinneqartumut Naalackersuisunit akuersissummik pissarsissaaq Pisinnaatitsissummik.

Matusinissamut pilersaarummik akuersissuteqarfigineqartussamik aammalu allanngortitsinerit pisariaqartut piviusunngortillugit suliaqarnissamut piffissamut killiliussamik Naalackersuisut aalajangersaasinnaapput, ilanngullugu qularnaveeqqusiinissamut tunngatillugu.

Aalajangersakkami imm. 4-mituulli matusinissamut pilersaarutip sukkulluunniit pissutsinut attuumassuteqartunut nassuiaanernik nutartikkanik imaqarnissanut qulakkeereqataassaaq.

Imm. 6-imut

Aalajangersakkami allassimavoq Naalackersuisut imm. 1-imi, 3-mi imaluunniit 5-imi taaneqartut § 121 malillugu akuersissuteqarnernut atugassarititaasunik aalajangersaasinnaasut. Naalackersuisut ilaatigut suliaqarnerup unitsinneqareernerata kingorna isumannaallisaaq, peqqinnissap, avatangiisit aamma mianerisassat allat attuumassuteqartut isumagineqarnissat pillugu atugassarititaasunik aalajangersaasinnaapput, ilanngullugit matusinerup kingorna piffissami aalajangersimasumi alapernaarsuinisaaq pillugu atugassarititaasut.

Matusinerup kingorna piffissami aalajangersimasumi alapernaarsuineq ilaatigut

pisinnaatitsissummik pigisaqartoq sumiiffimmi sanaartukkanik ilaalu ilanngullugit qimatsisimatillugu naleqqutissaaq. Taamatut pisoqartillugu Naalakkersuisut assersuutigalugu pisinnaatitsissummik pigisaqartoq matusinerup kingorna piffissami aalajangersimasumi sanaartukkanik qimanneqartunik aserfallatsaaliuissasoq alapernaarsuissasorlu pillugu akuersissuteqarnermut atugassarititaasunik aalajangersaasinnaapput.

## § 82-imut

### Imm. 1-imut

Aalajangersagaq matusinissamut pilersaarummi pissutsit ilaatinneqartut pillugit aammalu pisinnaatitsissummik pigisaqartup qularnaveeqqusiinissamik pisussaaffeqarnera pillugu siunnersuummi §§ 80-imut aamma 85-imut naapertuuttumik atorpeqassaaq nassuiarneqassallunilu. Takukkit aalajangersakkat taanneqartut tassungalu nassuiaatit.

### Imm. 2-mut

Aalajangersakkami erseqqissarneqarpoq, pisinnaatitsissummik pigisaqartoq qanoq § 85 malillugu qularnaveeqqusiissanersoq nassuiaatinik matusinissamut pilersaarut imaqqassasoq. Takukkit aalajangersagaq aammalu tassunga nassuiaatit.

Matusinissamut pilersaarutip pisinnaatitsissummik pigisaqartup qularnaveeqqusiinissaa pillugu aalajangersakkanik imaqqarnissaata qulakkeernissaa, aalajangersakkami siunertaavoq, ilanngullugu matusinissamut pilersaarut pisinnaatitsissummik pigisaqartup matusinissamut pilersaarut, matusinissamut pilersaarutip naammassinissaanut tamatumunngalu atatillugu ingerlatassanut iliuusissanullu pisussaaffiinik naammassininnissamut aningaasaqarnikkut tunngavissanik sukumiisunik nassuiaatinik imaqqassasoq.

### Imm. 3-mut

Erseqqissarneqarpoq pisinnaatitsissummik pigisaqartup matusinermi pisussaaffimminik naammassininnissamut qularnaveeqqusiinissaa aammalu pisinnaatitsissummik pigisaqartup qularnaveeqqusiinera Naalakkersuisunit akuersissuteqarfigineqarnissaa pillugit aalajangersakkanik matusinissamut pilersaarut imaqqassasoq.

### Imm. 4-mut

Pissutsit allanngortut qularnaveeqqusiissutip allanngortinneqarnissaa pisariaqartilerpassuk, pisinnaatitsissummik pigisaqartup matusinissamut pilersaarummi qularnaveeqqusiinissaaq pillugu aalajangersakkanik nutarterinissamut aammalu aalajangersakkat allanngortinneqartut

malillugit qularnaveeqqusiinissamut pisussaaffeqarnera, aalajangersakkami erseqqissarneqarpoq.

Imm. 5-imut

Imm. 3-mi imaluunniit 4-mi taaneqartutut § 121 malillugu akuersissuteqarnermut atugassarititaasunik aalajangersaanissamut Naalakkersuisut inatsimmi tunngavissaannik, aalajangersagaq imaqarpoq. Takuuk § 121-mi aalajangersagaq tassungalu nassuiaatit.

### § 83-imut

Imm. 1-imut

Piiaanermi ingerlatat ingerlaannarpata annaasaqaataasinnaalluni akuersissummi piffissani pisoqarsinnaanera, aalajangersakkami pineqarpoq. Tamanna assersuutigalugu aatsitassanut akigititanut tunngasut aamma tuniniaanermut tunngasut nikerarnerisa malitsigisaanik pisinnaavoq. taamatut pisoqarnerani pissutsit iluarseqqillutik allanngoqqissinnaanerat mattunneqarsinnaanngilaq, taamaalilluni suliaasaq sinneqartoorfioqqilersinnaalluni. Taamaalilluni ingerlatassat inaarutaasumik unitsinneqarnissaat (matusineq) kissaatigineqanngippat, kingusinnerusukkut ingerlatat aallarteqqinneqarnissaat siunertaralugu piffissami aalajangersimasumi piiaanermi ingerlatat unitsinnissaasa periarfissaqarnissaa naapertuutissaaq.

Aamma ajornartorsiutit qaangiuteqqittussaasinnaapput, tamatuma kingunerisaanik ingerlatat piffissami qaammatisiutit malillugit ullunit 60-init sivilunerusumik unitsinneqartariaqalersinnaallutik.

Piiaanissamut akuersissut malillugu piiaanermi ingerlatat unitsinneqarnissaat pineqarpoq, aammalu piiaanermi ingerlatat aallarteererneranni aatsaat atorineqarsinnaalluni.

Aalajangersagaq malillugu piiaanermi ingerlatat unitsikkallarneqarnissaat Naalakkersuisuniit akuersissuteqarfigineqassaaq. Piffissami ingerlatat matuneqarallarnertuni aammalu ingerlatat aallarteqqinneqarsinnaanngitsut kingusinnerusukkut paasineqarpat matusinissamut pilersaarutip ingerlanneqarnerani, ilaatigut isumannaallisaanermut aserfallatsaaliuinernullu tunngasut isumannaarnissaat siunertaralugu, akuersissuteqarnek pissaq.

Akuersissuteqarnek ukiut marlukkaarlugit pisinnaavoq. Akuersissuteqarnerup nutarterneqarnera atugassarititaasut allanngortillugit akuerineqarsinnaavoq. Tamatuma atuunnerani pissutsit tamanna pisariaqartippassuk piiaanermi ingerlatat unitsinneqarnerannut atugassarititaqqaartut allanngortinneqarsinnaapput.

## Imm. 2-mut

Aalajangersagaq malillugu Naalackersuisut § 121 malillugu akuersissuteqarnermut atugassarititaasunik aalajangersaasinnaapput. Akuersissuteqarnermi ilaatigut piiaanermi ingerlatat unitsinneqarneranni pisinnaatitsissummik pigisaqartup aserfallatsaaliuinissaa, sanaartukkanik illunillu ilaalu ilanngullugit isumannaarinissaa alapernaarsuinissaalu, aammalu piiaanermi ingerlatat aallarteqqinneqanngippata matusinissamut pilersaarutip § 80-imi taaneqartup ingerlanneqarsinnaanissaa, qulakkeerneqassapput. Akuersissuteqarnermi aamma isumannaallisaanermut, peqqinnissamut ilaalu ilanngullugit pilersaarutip piiaanermi ingerlatat unitsikkallarnerqarnerannut aammalu tamatuma kingorna piiaanermi ingerlatat unitsivinneqarnissaannut naleqqussarneqarsimanissaat qulakkeerneqassaaq.

Naalackersuisut assersuutigalugu aamma pisinnaatitsissummik pigisaqartoq piffissami piiaanermi ingerlatat unitsinneqarneranni aatsitassarsiorluni misissuineri ingerlatassanik suliaqassasoq pillugu atugassarititaasunik aalajangersaasinnaapput.

Pissutsit taaneqartut isumannaarnissaannut pisariaqartillugu piiaanermi ingerlatat unitsinneqarnerannut akuersissuteqarnermut atugassarititaasunik taamaallaat piumasagaateqartoqassaaq. Ingerlatat assersuutigalugu piffissami sivikinnerusumi unitsinneqarpat, ingerlatassatut pilersaarutigineqartut suliarineqarnissaat ajornarluni isumagissanik ajornakusooruteqarallarnerq pissutigalugu, akuersissuteqarnermut atugassarititaasunik aalajangersaasoqartannginnera nalinginnaasuvoq.

### *§ 84-imut*

§ 83 malillugu unitsitsigallarnerq minnerpaamik ukiunik 6-inik sivissuseqarsimappat, imaluunniit unitsitsigallarnermut akuersissuteqarnermut atugassarititaasut naammassineqanngippata, Naalackersuisut pisinnaatitsissummik pigisaqartup matusinissamut pilersaarut § 80-imi taaneqartoq ingerlatissagaa Naalackersuisut peqqussutigisinnaagaat, aalajangersakkami aalajangersarneqarpoq. Takukkit aalajangersagaq taaneqartoq tassungalu nassuiaatit.

### *§ 85-imut*

## Imm. 1-imut

Siunnersuummi § 82, imm. 2 malillugu pisinnaatitsissummik pigisaqartoq matusineq, matusinissamut pilersaarutip ingerlanneqarnera tamatumunngalu atatillugu ingerlatassat iliuusissallu pillugit pisussaaffimminik aamma pisussaaffigisinnaasaminik naammassinninnissamut qularnaveeqqusiisussaavoq.

Aalajangersagaq manna akuersissut malillugu pisinnaatitsissummik pigisaqartup akuersissut aamma akuersissut malillugu ingerlatassat pillugit pisussaaffimminik naammassinninnissaata qulakkeernissaanut atugassarititaasunik Naalakkersuisut aalajangersaanissaannut inatsimmi tunngavissamik imaqarpoq.

Imm. 2 malillugu qularnaveeqqusiineq qanoq pissanersoq pillugu aalajangersakkanik erseqqinnerusunik Naalakkersuisut aalajangersaassapput.

Suliaqarneq aalajangersimasoq aammalu piffissami akuersissuteqarfiusumi ingerlatassanik ilaalu ilanngullugit suliarinninnermut atatillugu iliuusissat naatsorsuutigineqartut annertussusaat qanoq issusaallu eqqarsaatigalugit, qularnaveeqqusiinnermut atugassarititaasut aalajangersarneqassapput. Qularnaveeqqusiinerup ilusiligaanera aamma pisinnaatitsissummik pigisaqartoq oqaloqatigalugu pissaaq.

pinnaatitsissummik pigisaqartup pisussaaffimminik naammassinninnissaata qulakkeernissaa siunertaralugu, peqatigisaanillu suliaqarnerup ingerlanneqarneranut atugassarititaasut aalajangiisuusumik ajorseriartinnagit, atugassarititaasunik aalajangersaanissamut periarfissaqalersitsinissaq, aalajangersakkami siunertaavoq. Taamaattumik atugassarititaasut aalajangersagaq malillugu aalajangersarneqartut, pisussaaffiit piviusunngortinneqarnissaat eqqarsaatigalugu aammalu aatsitassarsiorluni suliaasat piviusunngortinneqarnissaat eqqarsaatigalugu ilusilersorneqartussaassapput.

Imm. 2-mut

Naalakkersuisut imm. 1 malillugu qularnaveeqqusiinissaq qularnaveeqqullu pillugit aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Taakkua siunnersuutip § 1-imi siunertaanut aamma aalajangersakkanut allanut naapertuussimappata, pissutsit attuumassuteqartut tamaasa pillugit aalajangersakkanik atugassarititaasunillu Naalakkersuisut aalajangersaasinnaapput.

Naalakkersuisut ilaatigut qularnaveeqqusiinissaq aammalu aatsitassarsiorluni ingerlatassat pillugit qularnaveeqqutissaq pissutsillu tamatumunnga atasut pillugit aalajangersakkanik erseqqinnerusunik nalunaarummi aalajangersaasinnaapput. Naalakkersuisut aamma tamatumunnga atugassarititaasunik, akuersissutinut akuersissuteqarnernullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaasinnaapput.

Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

Qularnaveeqqutit qanoq ilusillit atorneqarsinnaanersut, aammalu atugassarititaasut suut



qularnaveeqqusiinermut atuutissanersut pillugu aalajangersakkanik atugassarititaasunillu Naalakkersuisut ilaatigut aalajangersaasinnaapput.

### *§ 86-immut*

#### Imm. 1-immut

Aalajangersagaq siunnersuummi § 85, imm. 1-immut ataqatigiissillugu nassuiarneqassaaq atorpeqassallunilu. § 85, imm. 1-imi aalajangersakkami allassimavoq, siunnersuut malillugu akuersissut sunaluunniit malillugu pisinnaatitsissummik pigisaqartoq akuersissut aamma akuersissut malillugu ingerlatassat pillugit pisussaaffimminik naammassinninnissamut qularnaveeqqusiissasoq qularnaveeqqusiisimaannassasorlu pillugu aalajangersakkanik atugassarititaasunillu Naalakkersuisut aalajangersaasinnaasut.

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartoq tamanna naleqqutsillugu qularnaveeqqusiissutip ingerlaavartumik nutartertarnissaanut allanngortittarnissaanullu pisussaaffeqartoq.

Assersuutigalugu pisinnaatitsissummik pigisaqartoq ingerlatassanut pilersaarutip akuersissuteqarfigineqareernerata kingorna illunik, sanaartukkanik aamma atortulersuutininik ikkussukkanik ilaalu ilanngullugit nutaanik imaluunniit amerlanerusunik pilersitsinissamik pisariaqalersitsisup ingerlatassanut pilersaarutip allanngortinneqartup akuersissuteqarfigineqarluni pisoqarnerani tamanna naleqqussinnaavoq. Taamatut pisoqartillugu qularnaveeqqusiissutip aamma illut, sanaartukkat aamma atortulersuutit ikkussukkat ilaalu ilanngullugit taaneqartut pineqartunut ilaaterlugit annertusititsinissaq naleqqutissaaq.

Assersuutigalugu pisinnaatitsissummik pigisaqartoq illut sanaartukkallu ilaannik atuiunnaarluni taakkualu peerlugit, aammalu pisinnaatitsissummik pigisaqartoq tamanna tunngavigalugu qularnaveeqqusiissutip maannamut pisunit annikinnerusumik aningaasartaqalernissaanik kissaateqarluni pisoqartillugu, tamanna aamma naleqqussinnaavoq.

Naalakkersuisut taamatuttaaq aalajangersagaq malillugu tamanna naleqqutsillugu qularnaveeqqusiissutip ingerlaavartumik nutarterneqartarnissaanut allanngortinneqartarnissaanullu peqataanissamut pisussaaffeqarput. Naalakkersuisut taamaalillutik taamatut tunniussinissamut atugassarititaasut naammassineqarsimappata, qularnaveeqqusiissutip tunniunnissaanut ilaatigut pisussaaffeqarput.

Tamatuma saniatigut aalajangersagaq siunnersuummi § 82, imm. 2-mut aamma 3-mut ataqatigiissillugu atorpeqassaaq nassuiarneqassallunilu. § 82, imm. 2 malillugu piiaanissamut

akuersissut malillugu pisinnaatitsissummik pigisaqartoq § 85 malillugu matusinissaq, matusinissamut pilersaarutip ingerlanneqarnissaa tamatumunngalu atatillugu ingerlatassat iliuusissallu pillugit pisussaaffimmi aammalu pisussaaffigisinnaasami naammassinissaanut qularnaveeqqusiisussaavoq. Pissutsit allanngorneranni qularnaveeqqusiissutip allanngortinnissaa pisariaqalerpat. pisinnaatitsissummik pigisaqartoq qularnaveeqqusiissut pillugu matusinissamut pilersaarummi aalajangersakkanik nutarterinissamut aammalu aalajangersakkat allanngortinneqartut malillugit qularnaveeqqusiinissamut pisussaaffeqartoq, § 82, imm. 4-imi aalajangersakkami erseqqissarneqarpoq.

Imm. 2-mut

Aalajangersagaq imm. 1-mut naapertuuttumik nassuiarneqassaaq atuutsinneqassallunilu.

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup sapinngisamik piaartumik qularnaveeqqusiissut allanngortissavaa aammalu qularnaveeqqusiissut qularnaveeqqusiinerlu allanngortinneqartut, pissutsit allanngortut pisariaqartilissappagu Naalakkersuisunit akuersissuteqarfigitissallugu. Pissutsit taamatut allanngortinneqartut ataatsimut isigalugu tassaapput pissutsit imm. 1-imi allassimasut. Pisinnaatitsissummik pigisaqartup tamatuma saniatigut qularnaveeqqusiissut aamma qularnaveeqqusiineq sapinngisamik piaartumik allanngortissavai aammalu Naalakkersuisut tamatumunnga aalajangiippata, qularnaveeqqusiissut qularnaveeqqusiinerlu Naalakkersuisunit akuersissuteqarfigitissallugu.

Pisinnaatitsissummik pigisaqartup § 85 malillugu qularnaveeqqusiinerisa pisinnaatitsissummik pigisaqartup siunnersuut, aalajangersakkat atugassarititaasullu siunnersuut malillugu aalajangersagaasut, akuersissut, ingerlatassanut pilersaarutit aamma pilersaarutinut akuersissuteqarnerit malillugit pisussaaffiitut sanilliullugu sukkulluunniit nutarterneqarsimanissaanut aalajangersagaq qulakkeereqataassaaq.

Naalakkersuisut taamatuttaaq tamanna naleqqutsillugu qularnaveeqqusiissutip ingerlaavartumik nutarterneqartarnissaanut allanngortinneqartarnissaanullu peqataanissamut pisussaaffeqarput. Naalakkersuisut taamaalillutik taamatut tunniussinissamut atugassarititaasut naammassineqarsimappata, qularnaveeqqusiissummik tamakkiisumik ilaannaasumilluunniit tunniussinissamut pisussaaffeqarput.

Qularnaveeqqusiissutip aamma qularnaveeqqusiinerup allanngortinneqarnera sunaluunniit tamatumunnga Naalakkersuisut akuersissuteqarsimanissaat piumasaqaataasoq, aalajangersakkami aalajangersarneqarpoq.

Imm. 3-mut

Aalajangersagaq imm. 1-2-mut naapertuuttumik nassuiarneqassaaq atorneqassallunilu.

Pisinnaatitsissummik pigisaqartup siunnersuut, aalajangersakkat atugassarititaasullu siunnersuut malillugu aalajangersarneqartut, akuersissut, ingerlatassanut pilersaarutit aamma pilersaarutitut akuersissuteqarnerit malillugit pisussaaffinnut tunngatillugu, pisinnaatitsissummik pigisaqartup § 85 malillugu qularnaveeqqusiissutaata aamma qularnaveeqqusiinerata sukkulluunniit nutarterneqarsimanissaanut aalajangersagaq qulakkeereqataassaaq.

Imm. 4-mut

Naalackersuisut ilaatigut qularnaveeqqusiinissaq aammalu aatsitassarsiorluni ingerlatassat pillugit qularnaveeqqutissaq pissutsillu tamatumunnga atasut pillugit aalajangersakkanik erseqqinnerusunik nalunaarummi aalajangersaasinnaapput. Naalackersuisut aamma tamatumunnga atugassarititaasunik, akuersissutitut akuersissuteqarnullu atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, aalajangersaasinnaapput. Takuuk siunnersuummi § 16 tassungalu nassuiaatit.

#### *§ 87-imut*

Aalajangersakkami aatsitassarsiorluni ingerlatassanut atatillugu avatangiisinik allanngutsaaliuineq maleruagassiivigineqarpoq, ilanngullugit silap pissusaanik allanngutsaaliuineq aamma pinngortitamik allanngutsaaliuineq, aammalu annertuumik ataatsimoortillugu allataalluni, taamaalillunilu aatsitassanut ikummatissanullu inatsimmi §§ 51, 55 aamma 59 malillugit avatangiisinik allanngutsaaliuineq ingerlateqqinneqarluni.

Imm. 1-imut

Imm. 1-imi allassimavoq, inuit inuuniarnermini atugaasa aammalu pinngortitap ataqatigiinnerata kaaviiaarfiisa, piujuartussamik ineriartortitsinermut ilaatillugu nunaminertanik pinngortitamilu pisuussutinik atorluaanissaq pisariaqalersikkaat. Taamaalilluni avatangiisini ajornartorsiutit sumiiffiiniinnaq atuutinngitsut aammalu nassuiarluagaaginnangitsut, kisianni paarlattuanik nunarsuarmi atuuttut, assigiinngisitaartut pisariusuusullu, nassuerutigisarnerata annertusiartornera aalajangersakkami tunngavigineqarpoq. Avatangiisinut politikimi inuiat pinngortitamut ataqatigiinnerat tamakkiisuutillugu isiginninneq taamaalilluni aalajangersakkami siunnerfigineqarpoq aatsitassanik piiaanermiit, tunisassiornermut atuinermullu, eqqagassanik igitsisarnermut.

Siunnersuummi taamaalilluni silap pissusaa pinngortitarlu illersorneqassapput, taamaalilluni inuiaqatigiinni ineriartorneq, silap pissusaanut tunngasut taakkualu inuit inuuniarnermi atugarisaannut aamma uumasut naasullu piujuartinnissaannut pingaaruteqarnerat ataqqillugu, piujuaannartitsisumik ingerlatsinermik tunngavilimmik pisinnaassalluni.

Imm. 2-mut

Aalajangersakkami siunnersuutigineqartumi kapitalimi illersuinermi pineqartut allassimapput. Aalajangersakkap oqaasertalersugaanerani annertuumik nunani tamalaani tunngaviusut akuerisaasut, aamma danskit imaani avatangiisinut inatsisaanni siunertamut aalajangersakkamik oqaasertaliinermi takoqqinneqarsinnaasut, aallaavigineqarput.

Siunnersuutigineqarpoq siunnersuummi matumani avatangiisinik, silap pissusaanik pinngortitamillu allannqutsaaliuineq pillugit maleruagassat, mingutsitsinermik pitsaaliuinissamik, killilersimaarinissamik akiuniarnissamillu aammalu allatigut avatangiisit, silap pissusaata pinngortitallu ingerlatanit toqqaannartumik imaluunniit toqqaannangitsumik inuit peqqissusaannut navianartorsiortitsisinnaasunit, uumasunik imaluunniit naasunik ajoqusiisinnaasunit, nunamik, imaani, nunap iluanik imaluunniit pinngortitami pisuussutinik pisinnaatitaalluni atuinissamut ajoqutaasinnaasunit, inuit inuuniarnermi atugarisaannik ajornerulersitsisinnaasunit imaluunniit sukisaarsaarnermut pingaaruteqarnera ingerlatanilluunniit ajornerulersitsisinnaasunit, allatut sunnerneqannginnissaat, siunnerfigineqassasoq.

Imm. 3-mut

Imm. 3-mi siunnersuutigineqartumi, mianerisassat inatsisip allaffissornikkut aqunneqarnerani isumagineqartussat, erseqqinnerusumik erseqqissarneqarput.

Nr. 1-imi kapitalimi anguniakkat pingaarnerit allassimapput. Taamaalilluni allassimavoq imaani, immap naqqani, nunap iluani, imermi, silaannarmi mingutsitsinissaq aamma silap pissusaanut tunngasunut ajoqusiisumik sunniinissaq kiisalu sajukulaartitsinermi nipiliornernillu ajoqutissartaqalersitsinissaq pitsaaliorneqassasoq, killilersimaarneqassasoq akiorniarneqassasorlu.

Isumalluutinik maangaannartitsinissap, takuuk nr. 2, aammalu mingutsitsinerup aamma allatut avatangiisinut ajoqusiisumik sunniinissap pitsaaliornissaanut killilersimaarnissaanullu, taamaalillunilu piujuartussamik ineriartortitsinermut pitsaaneruseqarnerup tunngavissiiinissamut, teknologimik minguinneqarnerup atuilersitsinissaq inatsisip allaffissornikkut aqunneqarnerani imminnermini siunertaassasoq, nr. 3-mi siunnersuutigineqarpoq. Teknologii minguinneqarnerup nassuiarneqarsinnaavoq tassaasoq tunisassiornermi sulianik ingerlatitsisarnerit, nioqqutissiassat, akuutissat iluaqutaasussat aamma tunisassiat isumalluutinik atuinermik annikinnerulersitsisussat aammalu mingutsitsinerup pilernissaanik pinngitsoortitsisussat, tunisassiornerup ingerlaneraniinnaangitsoq, kisianni aamma kingusinnerusukkut nioqqutissat tunisassiallu ingerlaarfiinut ilaatillugu.

Taamaattumik saliinermi iliuusissat, mingutsitsinermik ajornartorsiuteqarnerit ileqquusumik iliuuseqarfigineqarneranni periaasiusartut, oqariaatsimi "teknologii minguinnerusiq" pineqartunut ilaatinneqanngillat. Paasinarsisimavoq imikoornernik silaannarmillu saliineq, sinnikunik inissiinermi ajornartorsiuteqarnernik malitseqartartoq, taamaaliornermi mingutsitsinermik ajornartorsiuteqarneq allamik taarsiinneqartarluni. Ingerlaarfiinik isiginninnissaq aamma atoqqiisernerunissaq aammalu eqqakkanik igitsinermut atatillugu ajornartorsiuteqartarnerup (ilanngullugit aamma ajornartorsiutit eqqakkat annertussusaasa kingunerisartagaat) killilersimaarnissaa pillugu nr. 4-mi anguniakkamut aamma tunngavigineqarpoq, taamaalillunilu teknologiimik minguinnerusumik atuinerulersitsinissaq pillugu anguniakkamut qanimut atasuulluni. Takukkit aamma tamanna pillugu § 88, imm. 1-imut nassuiaatit erseqqinnerusut.

### *§ 88-imut*

Aalajangersagaq aatsitassanut ikummatissanullu inatsimmi § 52-imik ingerlatitseqqiineruvoq aammalu pissutsinut avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq pillugu siunnersuummi aalajangersakkat atorneqarneranni allaffissornikkullu aqunneqarneranni pingaartinneqartussanut maleruagassiilluni.

Imm. 1-imut

Aalajangersakkami aalajangersarneqarpoq, siunnersuummi matumani maleruagassat atorneqarneranni allaffissornikkullu aqunneqarneranni teknikki pissarsiarineqarsinnaasoq pitsaanerpaaq pingaartinneqassasoq.

Teknikki pissarsiarineqarsinnaasoq pitsaanerpaaq paasineqassaaq tassaasoq, ingerlatassanik aamma ingerlatsinermi periaatsinik ineriartortitsinermi alloriarfiit sunniuteqarluarnerpaat nutaaliaanerpaallu aammalu teknikip taassuma pinngitsoortitsinissamut imaluunniit tamanna ajornartillugu, aniatitsinernik allatullu avatangiisit tamakkiisuutillugit sunniinissap ataatsimut isigalugu killilersimaarnissaanut suliaqarnermi naleqqussusaa.

Tamanna paasineqassaaq:

Teknikki: Teknologii atorneqartoq aammalu suliaqarfiup qanoq ilusilersorneqarnissaa, sananeqarnissaa, aserfallatsaaliorneqarnissaa, ingerlanneqarnissaa matuneqarnissaalu.

Pissarsiarineqarsinnaanera: Teknikkip pineqartup aningaasaqarnikkut teknikkikkullu atugassarititaasinnaasut tunngavigalugit suliffissuaqarnermut suliassaqarfimmi attuumassuteqartumi atorneqarsinnaaneramik malitseqartumik annertussusilimmi ineriartortinneqartoq, pisinnaatitsissummik pigisaqartoq teknikkimik atugassarititaasut naapertuuttut tunngavigalugit atugassaqsinnaappat, teknikip sumi

tunisassiarineqarsimanera imaluunniit atorneqareenera apeqqutaatinnagu, aningaasartuutissat iluaqutissartaasullu eqqarsaatigineqassallutik.

Pitsaanerpaaq: Avatangiisut tamakkiisuutillugit ataatsimut isigalugu qaffasissumik illersuisinnaanissamut teknikki sunniuteqarluarnerpaaq.

Teknologii minguinnerusoq pillugu tunngaviusoq, pitsaaliuisussamik suliniuteqarnikkut pisariaqanngitsumik isumalluutitik atunerup maangaannartitsinerullu killilersimaarnissaanik siunnerfeqartoq, saliinermik iliuusissat paarlattuanni inissisimanngilaq. Saliinermi aaqqiissutissat avatangiisinik allanngutsaaliuineramik suliaqarnermi pingaaruteqartutut ilaapput aammalu annertuumik taamaaginnartussaalluni. Kisianni tunngaviusumi pinngortitap ataqatigiinnera aallaavigalugu aamma inuiaqatigiit aningaasaqarnerat tamakkiisutut isigalugu pingaarnersiutinissaq pisariaqartoq, tunngaviusumik oqariartuutigineqarpoq.

Suliffeqarfinni ataasiakkaani avatangiisinut piumasaqaatinut tunngatillugu suliffeqarfiup maannakkut inissisimanerata paasisimaarisinnaanissaa aalajangiisuulluinnartumik pingaaruteqarpoq, taamatullu suliffeqarfik siunissami piumasaqaatit aamma ilisimaneqarnissaat sapinngisamik annertunerpaamik qularnaarlugu, aningaasaliinissaminut pilersaarusiorsinnaanissamut periarfissaqassalluni.

Aammattaaq teknologii minguinnerusoq pillugu tunngaviusup atorneqarnerani, siunnersuut manna malillugu piumasaqaatinik aalajangersaanermi suliffeqarfiup nunani tamalaani unammillersinnaassuseqarnera ineriartornissamullu periarfissaasa eqqarsaatigineqarnissaat pisariaqarpoq.

Siunnersuutip matuma allaffissornikkut aqunneqarneranut pingaarnertigut mianerisassat tunngaviusullu taakkua, siunnersuut manna malillugu aalajangiinerni ataasiakkaani, ilitersuutitik najoqqutassanillu Naalakkersuisut suleriaasiannut killissaliussassatut malittarisassatullu aalajangersaanermi aammalu siunnersuut manna malillugu maleruagassanik nalinginnaasunik aalajangersaanermi, atuutissapput.

Imm. 2-mut

Aalajangersagaq mingutsitsinerup pitsaaliornissaanut pakkersimaarnissaanullu iliuusissat annertussusissaannik suussusissaannillu naliliinermut tunngaviusunut tunngassuteqarpoq.

#### *§ 89-imut*

Aalajangersagaq oqaatsitigut aaqquissuussinikkullu allannguuteqartillugu aatsitassanut ikummatissanullu inatsimmi § 53, imm. 1-2-mik ingerlatitseqqiineruvoq aammalu ingerlatassanut siunnersuummi pineqartunut ilaasunut atatillugu mingutsitsineq pillugu

maleruagassanik aalajangersaaviulluni.

#### Imm. 1-imut

Aalajangersagaq malillugu kinaluunniit ingerlatassanik inatsimmi pineqartunut ilaasumik mingutsitsisinnaasumik aallartitsiniartoq, mingutsitsinissap navianaateqarnera sapinngisamik annertunerpaamik killilersimaarneqartussanngorlugu ingerlatassap sumiiffissaanik toqqaassaaq. Ingerlatassap suliarineqarnissaanut sumiiffimmik toqqaanermi sumiiffiup qanoq issusaa, ilanngullugu maannakkut atuinissaq siunissamilu pilersaarutigineqartoq eqqarsaatigineqassaaq. Aammattaaq imikoornernik, eqqagassanik allanillu akuutissanik atortussanillu mingutsitsisartunik naapertuuttumik igitsinissamut periarfissat eqqarsaatigineqassapput.

Sumiiffissarsiornissamut tunngaviusup siunnersuutigineqartup atuunnerani ingerlatassaq mingutsitsisusaaq avatangiisini mingutsitsinissamut patajaatsuni aammalu sumiiffiit sunnertiasut sapinngisamik annertunerpaamik mingutsitsinikkut sunniivigineqartussaajunnaarlugit inissineqassaaq.

#### Imm. 2-mut

Aalajangersagaq malillugu kinaluunniit ingerlatassamik inatsimmi pineqartunut ilaasumik, mingutsitsinermik pilersitsisinnaasunik, aallartitsiniartoq, aallartitsisoq imaluunniit suliaqartoq, iliuusissanik mingutsitsinermut tassunga pitsaaliuisinnaasunik pakkersimaarinnissinnaasunillu aalajangersaassaaq aammalu suliffeqarfiup pilersinneqarnera, aaqqissuunneqarnera ingerlanneqarneralu sapinngisamik annikinnerpaamik mingutsitsinermik malitseqartussanngorlugu aaqqissuutissallugu.

Aalajangersakkap siunnersuutigineqartup atuunnerani suliffeqarfik mingutsitsisusaaq, iliuusissanik mingutsitsinermik killilersimaarinnittussanik pisariaqartunik aalajangersaassaaq aammalu mingutsitsineq sapinngisamik annertunerpaamik killilersimaarneqartussanngorlugu ingerlatsineq aaqqissuutissallugu. Aalajangersagaq siunnersuummi § 9-mut ataqatigiissillugu isigineqassaaq.

#### Imm. 3-mut.

Aalajangersagaq malillugu kialuunniit ingerlatassamik inatsimmi pineqartunut ilaasumik mingutsitsisinnaasumik aallartitsiniartup, aallartitsisup imaluunniit suliaqartup, atortunik ilaalu ilanngullugit, ilanngullugit maskiinat, atortut immaqalu unnuisarfiit, toqqarneqarneranni, pilersinneqarneranni aaqqissuunneqarnerannilu mingutsitsinerup, aniatitsinerit, eqqagassaqaqalerterit isumalluutinillu atuinerup sapinngisamik pitsaanerpaamik killilersimaarneqarnissaat qulakkiissavaa.

Aalajangersakkami aalajangersarneqarpoq, tamanna aamma ingerlatsinerup aaqqissuunneqarnerani qulakkeerneqassasoq, ilanngullugit aatsitassarsiorluni misissuinerup ingerlanissaannik, piiaanerup ingerlanissaannik, suliaqarnerit ingerlanissaannik, nioqutissiassanik, akuutissanik atortussanillu ingerlatsinermut atatillugu atorneqartussanik aammalu upalungaarsimanermut mingutsitsinernillu akiuiniarnernut suleriaasissanik toqqaanermi.

#### *§ 90-imut*

Aalajangersakkami siunnersuummi § 88, imm. 1 aamma 2, aammalu siunnersuummi § 89-imi sumiissusersiinerup tunngaviusoq aamma mingutsitsinermik killilersimaarinissamut tunngaviusoq itisilerneqarput, aammalu aatsitassanut ikummatissanullu inatsimmi § 53, imm. 3-5-imik ingerlatitseqqiinerulluni.

#### *Imm. 1-imut*

Aalajangersakkami aalajangersarneqarpoq, suliffeqarfiit imaluunniit inuit avatangiisinik allanngutsaaliuineq imaluunniit mingutsitsinissamik pitsaaliuineq, mingutsitsinermik killilersimaarineq imaluunniit akiuiniarneq pillugit inatsisit malillugit pisussaaffeqartut, tamanna teknikkikkut, suliaqarnikkut aningaasaqarnikkullu pineqartumut periarfissaasimappat, pineqartup pisussaaffiit naammassineqarneranni teknikkimik pissarsiarineqarsinnaasumik pitsaanerpaamik aammalu iliuusissanik mingutsitsinermik akiuiniarnissamut sapinngisamik pitsaanerpaanik atuinissaq qulakkiissagaat siuarsassallugulu.

Siunnersuummi §§ 88-imut aamma 89-imut nassuiaatit innersuussutigineqarput.

#### *Imm. 2-mut*

Aalajangersagaq malillugu suliffeqarfiup imaluunniit inuup inatsit malillugu avatangiisini aarlerinaataasut paasineqarnissaat, nalilersorneqarnissaat aammalu suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillisinneqarnissaat isumagisussaappagu, tamanna teknikkikkut, suliaqarnikkut aningaasaqarnikkullu pineqartumut periarfissaasimappat, aammattaq avatangiisinik allanngutsaaliuinissaq eqqarsaatigalugu, teknikkimik pissarsiarineqarsinnaasumik pitsaanerpaamik aammalu iliuusissanik mingutsitsinermik akiuiniarnermut sapinngisamik pitsaanerpaanik atuisoqarnera qulakkiissavaa siuarsassallugulu.

Imm. 1-imut aamma siunnersuummi §§ 88-imut aamma 89-imut nassuiaatit innersuussutigineqarput.



Imm. 3-mut

Aalajangersakkami aalajangersarneqarpoq, imm. 2 malillugu pisussaaffiit aammattaaq pisuni arlalinni atuuttut.

Suleqatigisap allap sulinissaq imaluunniit ingerlatassat allat avatangiisini aarlerinaataasut paasineqartussanngorlugit, nalilersorneqartussanngorlugit imaluunniit suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillineqartussanngorlugit pilersaarusiussagai, suliffeqarfiup imaluunniit inuup isumagisussaappagu, nr. 1 malillugu pisussaaffiit atuutissapput.

Suleqatigisap allap sulinissaq imaluunniit ingerlatassat allat avatangiisini aarlerinaataasut paasineqartussanngorlugit, nalilersorneqartussanngorlugit imaluunniit suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillineqartussanngorlugit pilersaarusiorsimanerai nakkutigineqarnissaa, suliffeqarfiup imaluunniit inuup isumagisussaappagu, nr. 2 malillugu pisussaaffiit atuutissapput.

Suliffeqarfik imaluunniit inuk avatangiisini aarlerinaataasut paasineqarnissaannut, nalilersorneqarnissaannut aammalu suliaqarnermi naapertuuttumik sapinngisamik annertunerpaamik annikillisinnissaannut peqataasussaappat, nr. 3 malillugu pisussaaffiit atuutissapput.

Avatangiisini aarlerinaataasut paasineqartussanngorlugit, nalilersorneqartussanngorlugit imaluunniit suliaqarnermi naapertuuttumik ajornartinnagu sapinngisamik annertunerpaamik annikillineqartussanngorlugit suliaqarnerup ingerlannissaanut pisariaqartumik ilinniartinneqassasoq ilitersorneqassasorlu sulisitsisup imaluunniit suliffeqarfiup allap imaluunniit inuup allap isumagisussaappagu, nr. 4 malillugu pisussaaffiit atuutissapput.

Avatangiisini aarlerinaataasut aarlerinaataajunnaarnissaat imaluunniit annikillisinnissaat suliffeqarfiup imaluunniit inuup isumagisussaappagu, nr. 5 malillugu pisussaaffiit atuutissapput.

Naggataatigut sanaartukkat, aaqqissuussinerit, umiarsuit imaluunniit angallatit allat, ilanngullugit pineqartup sannai, aaqqissugaanera atortulersugaanera ilaalu ilanngullugit, avatangiisitigut tamakkiisumik isumannaatsuusut, suliffeqarfiup imaluunniit inuup qulakkeertussaappagu, nr. 6 malillugu pisussaaffiit atuutissapput.

#### *§ 91-imut*

Pissutsinut Naalakkersuisut ingerlatassamut imaluunniit sanaartukkamik pilersitsinissamut ingerlatsinissamullu inatsimmi pineqartunut ilaasumut akuersissuteqarnissaq pillugu

aalajangiinermi pingaartitassaannut, aalajangersagaq tunngassuteqarpoq.

Aalajangersagaq siunnersuutigineqartoq malillugu, ingerlatassamut imaluunniit sanaartukkamik pilersitsinissamut ingerlatsinissamullu siunnersuummi matumani pineqartunut ilaasumut akuersissuteqarnissaq pillugu Naalakkersuisut aalajangiippata, Naalakkersuisut ilaatigut ajornerulersitsinissap pinngitsoortinnissaa imaluunniit silap pissusaanut tunngasunit sunniinerlunnissat pingaartissavaat. Naalakkersuisut tassunga tunngatillugu ilaatigut pinngortitap kiisalu pinngortitap suussusaasa aamma nunami namminermi nunanilu tamalaani pinngortitamik allanngutsaaliuiffiusussatut toqqagaasuni uumasut najortagaasa ajorseriartinninnissaannik aammalu uumasut taakkua sumiiffinni toqqaanermi pineqartut akornusersorneqannginnissaannik mianerinninnissaq pingaartissavaat.

Sumiiffiit sorliit nunami namminermi nunanilu tamalaani pinngortitamik allanngutsaaliuiffiunersut, aammalu nunami namminermi nunanilu tamalaani maleruagassat suut sumiiffinnut taamaattunut atuunnersut, nunami namminermi nunanilu tamalaani inatsisit Kalaallit Nunaanni atuuttut malillugit aalajangerneqartarpoq.

#### *§ 92-imut*

Ingerlatassaq imaluunniit sanaartugaq inatsimmi pineqartunut ilaasoq silap pissusaanut pinngortitamullu tunngasunut annertuumik sunniuteqarsinnaassasoq ilimagineqartariaqarpat, tamatuma malitsigisassai aalajangersakkami aalajangersarneqarput.

Imm. 1-imut

Siunnersuutigineqarpoq ingerlatassaq imaluunniit sanaartugaq § 91-imi taaneqartoq, silap pissusaanut tunngasunut annertuumik sunniuteqarsinnaassasoq ilimagineqartariaqarpat, ingerlatassap imaluunniit sanaartukkap silap pissusaanut tunngasunut sunniutissaannik nalilersuineq tunngavigalugu aatsaat akuersissuteqartoqarsinnaasoq. Tamat aamma oqartussat kattuffiillu kalluarneqartussat tamatumunnga oqaaseqaateqarnissamut periarfissaqareersimanissaat aalajangersagaq siunnersuutigineqartoq malillugu piumasqaataavoq.

Siunnersuutigineqarpoq nalilersuineq avatangiisinut sunniutaasussanik nalilersuinerlut (VVM-mut nalilersuineq) maleruagassat malillugit pissasoq, takuuk siunnersuummi kapitali 15.

Imm. 2-mut

Imm. 2 malillugu siunnersuutigineqarpoq ingerlatassaq imaluunniit sanaartugaq siunnersuummi § 91-imi taaneqartoq, nunami namminermi imaluunniit nunani tamalaani

pinngortitami allanngutsaaliuiffiusussatut toqqagaasumut annertuumik sunniuteqarsinnaassoq ilimagineqartariaqarpat, tassunga piujaannartitsisumik ingerlatsinissamik siunertaqarneq eqqarsaatigalugu sumiiffimmut ingerlatassap imaluunniit sanaartukkap sunniutissaannik nalilersuineq tunngavigalugu aatsaat akuersissuteqartoqarsinnaasoq.

Naalackersuisut tamanna pisariaqartutut isigippassuk, akuersissuteqannginnermi sumiiffimmi sunniutaasussanik nalilersuineq pillugu tamanut tusarniaasoqassaaq. Tamanna VVM-mut nassuiaat pillugu tusarniaanermut atatillugu pisinnaavoq. Sumiiffimmi sunniutaasussanik nalilersuineq tusarniaassutigalugu nassiunneqassanersoq, pisuni ataasiakkaani ataasiakkaatigut nalilersuineq tunngavigineqassaaq. Sunniutaasussat qanoq annertutiginersut, peqatigisaanillu VVM-imik suliaqartoqassanersoq, ilaatigut tamatumunnga tunngavigineqarsinnaavoq.

Pisuni arlalinni ingerlatassamut imaluunniit sanaartukkamut akuersissuteqartoqannginnerani avatangiisinut sunniutaasussanik nalilersuinemik ingerlatsinissaq naleqquttussaavoq. Aalajangersagaq siunnersuummi kapitali 15-imi VVM pillugu maleruagassanut ataqatigiissillugu isineqassaaq. Tassunga piujaannartitsisumik ingerlatsinissamut siunertaasut mianeralugit suliassap sumiiffimmut sunniutissaannik nalilersuinerup ingerlanneqartarnissaa, aalajangersakkami siunnerfigineqarpoq. Taamatut nalilersuineq nalinginnaasumik VVM-mi missisuinerup ilaatillugu pisussaangilaq.

Siunnersuutigineqarpoq sumiiffiit nunami namminermi aamma nunani tamalaani pinngortitamik illersuiviusassanersoq, aammalu sumiiffinnut taamaattunut nunami namminermi nunanilu tamalaani maleruagassat suut atuutissanersoq, nunami namminermi inatsisit aamma nunanilu tamalaani inatsisit Kalaallit Nunaanni atuuttut malillugit aalajangerneqassasoq.

Imm. 3-mut-4

Aalajangersagaq siunnersuutigineqartoq malillugu pisuni imm. 1-imi aamma 2-mi taaneqartuni akuersissuteqartoqarsinnaavoq,

- 1) ingerlatassaq imaluunniit sanaartuqaq sumiiffiit nunami namminermi imaluunniit nunani tamalaani pinngortitamik illersuiviusut qanoq issusaannut ajoqusiissanngippat imaluunniit
- 2) inuiaqatigiit soqutigisaat annertuut, ilanngullugit inooqatigiinnermut imaluunniit aningaasaqarnermut tunngasut, ingerlatassat sularineqarnissaat imaluunniit sanaartukkamik pilersitsinissaq ingerlatsinissarlugu pisariaqalersippassuk, taamaattoq takuuk imm. 4.

Sunniutaasussanut nalilersuinerup takutippagu suliassaq sumiiffinni nunani tamalaani pinngortitamik illersuiffiusuni ajoqusiissanngitsoq, tamatumunnga piumasagaatit attuumassuteqartut allatigut naammassineqarsimappata, ingerlaannaq suliassamut akuersissuteqartoqarsinnaavoq.

Kisiannili suliassap piviusunnigortinneqarnerani sumiiffik annertuumik sunnernerlunneqartussaasoq naliliisoqarpat, inuiaqatigiit soqutigisaat annertuut, ilanngullugit inooqatigiinnermut imaluunniit aningaasaqarnermut tunngasut suliassap ingerlanneqarnissaa pisariaqalersippassuk, suliassap nunamut imaluunniit nunap immikkoortuanut aalajangiisuulluinnartumik pingaaruteqarnera pissutigalugu, aammalu suliassamut allatut inissiivissaqanngitsoq isumaqartoqarnera pissutigalugu, aatsaat suliassamut akuersissuteqartoqarsinnaavoq.

Inuiaqatigiinnut tunngasunik mianerinninnissap salliutinneqarnissaa imm. 3-mi taaneqartoq qanoq pisoqaraluarpalluunniit nunani tamalaani inatsisit pisussaaffiit sumiiffiup nunami namminerimi imaluunniit nunani tamalaani pinngortitami illersuiviusutut toqqagaaneranut atatillugu Kalaallit Nunaata pituttorsimaffigisaasa iluanniitinneqarsinnaassapput. Akuersissuteqarneq sumiiffimmu illersuiffiusumut inatsisitigut toqqagaasumut tunngassuteqartoq, illersuinermit inatsimmi periarfissiissutigineqartunit annertuneroqusaanngilaq.

Imm. 5-imut

Siunnersuutigineqarpoq imm. 3 imaluunniit imm. 4 malillugit akuersissuteqartoqarnerani, Naalakkersuisut naleqquttunik taartissatut iliuusissanik aalajangersaassasut, ilanngullugit akuersissuteqarnermut atugassarititaasuni.

Aalajangersagaq siunnersuutigineqartoq malillugu taartissatut iliuusissanut aningaasartuutit akuersissuteqarfigineqarnissamik qinnuteqartumit matussuserneqassapput.

Sumiiffimmik annertuumik sunniinerluttoqartussaasoq paasineqaraluartoq imm. 3 siunnersuutigineqartoq imaluunniit imm. 4 malillugu akuersissuteqartoqassappat, taartissatut iliuusissanik naleqquttunik aalajangersaasoqassaaq. Assersuutigalugu taakkua tassaasinnaapput sumiiffinnik pinngortitamik illersuiffiusussanik allanik toqqaanermi imaluunniit aallaaniarnermut, ingerlatsinermit ilaalu ilanngullugit killilersuinermit atuutsitsilernermit sanaartukkani, ingerlatsinermit aserfallatsaaliuinermitu teknikkimik pissarsiarineqarsinnaasumik pitsaanerpaamik aammalu suleriaatsimik pissarsiarineqarsinnaasumik pitsaanerpaamik atuinertut ittumik, avatangiisinut sunniinerlunnermut taartissanut suliniutissat immikkut ittut pillugit atugassarititaasut. Taartissatut iliuusissanik naleqquttunik aalajangersaanermi pisuni ataasiakkaani ataasiakkaatigut nalilersuineq tunngavigineqassaaq aammalu annertoqqatigiimmik pinninnissamut tunngaviusumut killissaliussat iluanni tamanna pissalluni.

*§ 93-imut*

Siunnersuutigineqarpoq avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq pillugu maleruagassanik erseqqinnerusunik aalajangersaanissamut Naalakkersuisut piginnaatinneqassasut, ilanngullugit pingaartumik pissutsit siunnersuummi §§ 87-92-imi taaneqartut pillugit, ilanngullugu avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq pillugu nunami namminermi imaluunniit nunani tamalaani maleruagassat, isumaqatigiissutit imaluunniit malittarisassat atorneqarnissaat.

Eqqarsaatigineqarpoq, siunnersuutip matuma sunniuteqarluarnissaa qulakkeerniarlugu tamanna naleqquppat aammalu siunnersuutip siunertaanut naapertuuppat, Naalakkersuisut aalajangersagaq siunnersuutigineqartoq tunngavigalugu §§ 87-92-imi maleruagassat ilassusersinnaagaat.

#### *§ 94-imut*

Aalajangersagaq avatangiisinut, silap pissusaanut pinngortitamullu tunngasunut tunngatillugu, annertuumik aatsitassanut ikummatissanullu inatsimmi § 84-imi aamma § 85, imm. 2-mik ingerlatitseqqiineruvoq.

Aalajangersakkami siunnersuutigineqarpoq Naalakkersuisut maannamut pisartutut aatsitassarsiorluni ingerlatassanik suliarinninnermi avatangiisinut, silap pissusaanut, pinngortitamut tunngasut pillugit aalajangersakkanik erseqqinnerusunik aamma peqqussutinik sukumiisunik aalajangersaasinnaasut nutarterisinnaasullu.

Assersuutigalugu suliarinnittarfik, assartuussivik kiisalu allatigut attaveqarnek, aatsitassarsiorluni misissuinermik imaluunniit aatsitassanik piiaanermik suliaqarnermut ilaatillugu pilersinneqartut, sumiiffiup akuersissummi ilaatinneqartup avataani tamakkiisumik ilaannaasumilluunniit inissinneqarsimassapput. Tassunga atatillugu aalajangiisuulluinnarpoq piginnaatitaanerit oqartussap suliarinninnerani aallaavigineqartut, aamma suliaqarfissanut ilaalu ilanngullugit taamaattunut atuuttut.

Naalakkersuisut ilaatigut avatangiisinik, silap pissusaanik pinngortitamillu allanngutsaaliuineq, tamatumunngalu atatillugu pisussaaffiit, akisussaaffik pissutsillu allat pillugit aalajangersakkanik aalajangersaasinnaapput. Naalakkersuisut aatsitassanut imaluunniit ingerlatassanut siunnersuummi pineqartunut ilaasunut atatillugu, inatsisit avatangiisit, silap pissusaa imaluunniit pinngortitaq pillugit pissutsinut pingaaruteqartut ataqqillugit, aalajangersakkanik taamaattunik aalajangersaasinnaapput, taamaaliornermi piginnaatitaaneq oqartussanut allanut inissinneqarluni.

#### *§ 95-imut*

Aalajangersakkami avatangiisinut akisussaasuuneq maleruagassiivigineqarpoq.

## Imm. 1-imut

Aalajangersagaq siunnersuutigineqartoq malillugu akisussaasuusoq paasineqassaaq tassaasoq ingerlatassamik Inatsisartut inatsisaanni pineqartunut ilaasumik suliaqartoq, aqutsisoq imaluunniit suliarineqarneranik nakkutiginnittoq. Pineqartoq ingerlatassamut tunngatillugu akuersissut imaluunniit akuersissuteqarneq malillugu pisinnaatitsissummik pigisaqartuunani allaappat, pisinnaatitsissummik pigisaqartoq aamma ingerlatassanut akisussaasuussaaq. Taamaattoqarnerani taakkua marluk ataatsimoorlutik (nammaqatigiillutik) pisussaaffeqassapput akisussaasuussallutillu kiisalu kapitalimi matumani maleruagassat malillugit akisussaasuussallutik.

Mingutsitsinermut ingerlatassanit siunnersuummi pineqartunut ilaasuneersumut, aammalu avatangiisinut ajoqusiineq imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiorfitsineq akisussaasuunermik malitseqartoq, siunnersuut malillugu piumasaaqatitaqanngilaq, aammalu ingerlatassanik taakkuninnga ingerlatsinermut akisussaasuusup pisussaaffigalugu.

Oqaaseq ”akisussaasuusoq” tassaavoq inuk imaluunniit pisinnaatitaallunilu pisussaataasooq imaluunniit pisortat ingerlatsineranni inatsisit malillugit inuk inuussutissarsiorluni ingerlatassanik ingerlatsisoq imaluunniit nakkutiginnittoq.

## Imm. 2-mut

Siunnersuutigineqarpoq imm. 1 malillugu ingerlatassamut akisussaasuusoq, avatangiisini ajoqusiisimasooq imaluunniit ajoquseeqataasimasooq imaluunniit avatangiisinut ajoqusiinissap navianaateqarujussualersitsisooq imaluunniit pisooqataasooq, avatangiisinut ajoqusiinermut akisussaasuussasooq. Ajoqusiineq imaluunniit ajoqusiinissamik annertuumik navianartorsiorneq pissutsit pisinnaasut malitsigisaannik pilersimagaluarpuunniit, ajoqusiineq imaluunniit ajoqusiinissamik annertuumik navianartorsiorfitsinerup qanoq pilersimanera apeqqutaatinnagu tamanna atuuppoq.

Taamaalilluni aallaaviusooq tassaavoq, ingerlatassamut akisussaasuusoq avatangiisinut ajoqusiinermut imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiorfitsinermut akisussaasuusutut isigineqartoq, takuuk imm. 2. Taamaalilluni avatangiisinut ajoqusiinermut imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiorfitsinermut, mingutsitsinerni inuussutissarsiorluni ingerlatassamik ingerlatsinermeersumi pilersinneqartunut piumasaaqatitaqanngitsumik akisussaasuuneq atuuppoq.

Aalajangersakkami avatangiisini ajoqusiinermut imaluunniit annertuumik navianartorsiortitsinermut akisussaasuusup pisussaaffii maleruagassii vigineqarput aammalu annertuumik aatsitassanut ikummatissanullu inatsimmi § 64-imik ingerlatitseqqiinerulluni, tassani aatsitassanut ikummatissanullu inatsimmi § 64, imm. 1, imm. 1-imut aamma 2-mut aggulunneqassasoq siunnersuutigineqarluni.

Imm. 1-2-mut

Siunnersuutigineqarpoq avatangiisinut ajoqusiinissamik annertuumik navianartorsiortitsinermut akisussaasuusup pitsaaliuilluni iliuusissanik pisariaqartunik, avatangiisinut ajoqusiinissamut annertuumik navianartorsiortitsinermik pinngitsoortitsinnaasunik, ingerlaannaq aallartitsissasoq, aammalu navianartorsiorneq iliuusissallu pillugit Naalakkersuisut kalerrissallugit. Aalajangersagaq siunnersuutigineqartoq malillugu avatangiisinut ajoqusiinermut akisussaasuusup suliniutinik ajoqusiinerup annertussusaanik killilersimaarinnissinnaasunik aammalu ajoqusiinerup annertunerulernissaanik pinngitsoortitsinnaasunik suliaqarnikkut ingerlanneqarsinnaasunik ingerlaannaq aallartitsissaaq, aammalu Naalakkersuisut ajoqusiineq suliniutillu pillugit kalerrissallugit.

Taamaalilluni avatangiisinut ajoqusiinermut imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiortitsinermut akisussaasuusup avatangiisinut ajoqusiinissap annertuumik navianaateqarnerata pinngitsoortinnissaanut iliuusissanik pisariaqartunik ingerlaannaq aallartitsinissamik kiisalu ajoqusiineq pereersimappat, avatangiisinut ajoqusiinerup annertunerulernissaata killilersimaarinnissaanut pinngitsoortinnissaanullu suliniutissanik suliaqarnikkut ingerlanneqarsinnaasunik sunilluunniit ingerlaannaq aallartitsinissamik pisussaaffeqartoq, aalajangersarneqarpoq.

Taamaalilluni mingutsitsinerup imaluunniit mingutsitsinerup annertunerulernissaata pinngitsoortinnissaa naammangissinnaavoq, kisiannili aammattaaq mingutsitsinerup pisup sunniuteqarnissaata sukkasuumik killilersimaarneqarnissaa pisariaqarsinnaalluni, assersuutigalugu mingutsitsinerup siaruarnissaata pinngitsoortinneratigut. akisussaasuusup mingutsitsineq pisoq piaarnerpaamik piissagaa, assersuutigalugu assaallugu, iliuusissanut pisussaaffiit taakkua taamaalilluni kingunerisinnaavaat. Oqaatigineqassaaq, iliuuseqarnissamut pisussaaffiit taakkuninngalu atuutsinissamut, mingutsitsinerup pisup kingunerisaanik avatangiisini ajoqusiineq pisimasoq, imaluunniit tamatumunnga annertuumik navianaateqalersimasoq, akisussaasuusup paasisimassagaa pisariaqarpoq.

Imm. 3-mut

Aalajangersagaq siunnersuutigineqartoq malillugu pisussaaffiit naammassineqarnissaannut

Naalackersuisut nakkutilliisuupput, aammalu naammassinninnissaat aamma tamatumunnga atatillugu iliussissanik suliaqarnissaq pillugu Naalackersuisut peqqusissuteqarsinnaallutik.

#### § 97-imut

Naalackersuisut avatangiisinut ajoqusiinerit pillugit maleruagassanut tunngatillugu peqqusissuteqarsinnaanerannut periarfissaqarnera aalajangersakkami maleruagassiivigineqarpoq, aammalu oqaatsitigut aalajangersimasunik allannguuteqartillugu aatsitassanut ikummatissanullu inatsimmi § 65-imik ingerlatitseqqiinerulluni.

#### Imm. 1-imut

Siunnersuutigineqarpoq Naalackersuisut akisussaasuusoq paasissutissanik avatangiisini ajoqusiisoqarsimanersoq imaluunniit avatangiisini ajoqusiinissaq annertuumik navianaateqarnera nallersuinissamut pingaaruteqartunik tunniusseqqusinnaagaat. Aalajangersagaq siunnersuutigineqartoq mingutsitsinermut pisumut pissutaasut taakkualu sunniutissaasa paasinarsinneqarnissaat siunertaralugu, akisussaasuusoq nammineq akilikkaminik misissuinerik, misissueqqissaarnernik, akuutissanik imaluunniit atortussanik uuttortaanernik assigisaannilluunniit suliaqassasoq, peqqusissutigineqarsinnaavoq.

Nammineq akilikkaminik paasissutissanik tunniussinissaq, misissuinerik suliaqarnissaq, ilaalu ilanngullugit avatangiisini ajoqusiisoqarsimanersoq imaluunniit tamanna annertuumik navianaateqarnera naliliinissamut pisariaqartoq, pillugu akisussaasuusumut Naalackersuisut peqqusissuteqarsinnaapput.

#### Imm. 2-mut

Siunnersuutigineqarpoq akisussaasuusup pigisamut aalaakkaasumut imaluunniit sumiiffimmuut mingutsinneqarsimasutut paasineqartumut atuisinnaatitaannginnera apeqqutaatinnagu peqqusissuteqartoqarsinnaasoq. Aalajangersagaq siunnersuutigineqartoq malillugu peqqusissuteqarnermi pigisap aalaakkaasup mingutsinneqartup imaluunniit sumiiffiup mingutsinneqartup ilaalu ilanngullugit iluarseqqinneqarnissaanut pisussaaffeqarnera aalajangersarneqarsinnaavoq.

Akisussaasuusoq pigisamut aalaakkaasumut mingutsitsinermi kalluarneqartumut aammalu misissuiffigineqartussamut ilaalu ilanngullugit atuisinnaatitaanngikkaluartoq, imm. 2-mi siunnersuut malillugu aamma peqqusissuteqatoqarsinnaavoq. Aalajangersagaq pisariaqarpoq, pissutigalugu ingerlatassamut mingutsitsinermik malitseqartumut akisussaasuusoq aamma pigisamik aalaakkaasumik mingutsinneqartumik tamatigut atuisinnaatitaasuusanngimmat. Taamatut pisoqarnerani, misissuineri ilaalu ilanngullugit naammassereerneranni pigisamik aalaakkaasumik iluarseeqqinnissamut pisussaaffeqarnera peqqusissummi



aalajangersarneqassaaq.

Imm. 3-mut

Siunnersuutigineqarpoq akisussaasuusooq pigisamut aalaakkaasumut imaluunniit sumiiffimmut atuisinnaatitaanngippat, akisussaasuusup imaluunniit allat misissuinernik imaluunniit iluarseeqinnernik ilaalu ilanngullugit suliaqarnerat akuereqqullugu Naalackersuisut pigisamut aalaakkaasumut imaluunniit sumiiffimmut atuisinnaatitaasooq peqqusinnaavaat.

Peqqusissuteqarnerit taarsiissutitalimmik arsaarinnissutaasussaatiillugit, peqqusissuteqartoqarsinnaassanngitsoq killilersuisoqartoq, imm. 2-mi aamma 3-mi aalajangersakkat paasineqassapput.

Imm. 4-mut

Siunnersuutigineqarpoq imm. 3 malillugu peqqusissuteqarneq pigisamut aalaakkaasumut imaluunniit sumiiffimmut mingutsinneqarsimasutut paasineqartunut atuisinnaatitaasumut kimulluunniit pisussaaffiliivoq.

Imm. 1-3-mut nassuiaatit innersuussutigineqarput.

#### *§ 98-imut*

Aalajangersakkami avatangiisini ajoqusiineq pillugu maleruagassat malillugu Naalackersuisut aalajangiinerinut maleruagassiisoqarpoq aammalu annertuumik aatsitassanut ikummatissanullu inatsimmi § 66-imik ingerlatitseqqiisoqarluni, tassani aatsitassanut ikummatissanullu inatsimmi § 66, imm. 3, siunnersuut malillugu aalajangersakkatut immikkoortutut ingerlateqqinneqarluni.

Imm. 1-imut

Aalajangersakkami mingutsitsinerup nassatarippagu avatangiisinut ajoqusiinermik imaluunniit avatangiisinut ajoqusiinissamik annertuumik navianartorsiortitsinermik malitseqarluni pisoqartillugu iliuusissaasinnaasut ilaalu ilanngullugit pillugit aalajangiinissamut Naalackersuisut piginnaatinneqarpoq.

Imm. 2-mut

Siunnersuutigineqarpoq Naalackersuisut aalajangiineq Naalackersuisut nittartagaanni imaluunniit allatut naleqquttumik tamanut saqqummiutissagaat. Aalajangersagaq

siunnersuutigineqartoq malillugu avatangiisini ajoqusiisoqarsimasoq imaluunniit avatangiisini ajoqusiinissaq annertuumik navianaateqartoq pillugu aalajangiinerup tamanut saqummiunneqarnera akisussaasusup akiligassaanik pissaaq.

#### *§ 99-imut*

Siunnersuutigineqarpoq Naalackersuisut avatangiisinut ajoqusiisarneq pillugu aalajangersakkanik erseqqinnerusunik aalajangersaanissamut piginnaatinneqassasut. Tamanna siunnersuutip sunnuteqarluarnissaa qulakkeerniarlugu naapertuuttoq paasineqarpat, tamanna siunnersuutip siunertaanut naapertuussimappat, piginnaatitsissummi siunnersuutigineqartumi Naalackersuisut aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput.

#### *§ 100-mut*

Aalajangersakkami avatangiisinut sunniutaasussanut nalilersuisarneq (VVM) tamatumunngalu nassuiaat (VVM-imut nassuiaat) maleruagassiivigineqarput aammalu aalajangersimasunik allannguuteqartillugu aatsitassanut ikummatissanullu inatsimmi § 73-imik ingerlatitseqqiinerulluni.

#### *Imm. 1-imut*

Aalajangersakkap siunnersuutigineqartup atuunnerani ingerlatassat VVM-imik pisussaaffeqarfiusut akuersissuteqarfigineqarnissaat, ingerlatassap suliarineqarnerani avatangiisinut sunniutaasussanik nalilersuinerup ingerlanneqareernerani, aatsaat akuersissuteqarfigineqarsinnaapput. Tamatuma saniatigut aalajangersagaq siunnersuutigineqartoq malillugu, VVM-mut nassuiaat Naalackersuisunit akuersissuteqarfigineqareerpat, aatsaat ingerlatassat suliarineqarnerat aallartissinnaavoq. Kapitali 12-imut innersuussutip ilanngunneqarnerani erseqqissarneqarpoq, VVM pillugu maleruagassat qimerloorneqariinngippata, tamanna siunnersuummi kapitali 12 malillugu akuersissuteqarnerit, ingerlatassanut VVM-imik pisussaaffeqarfiusunut pisinnaanngitsut.

Aalajangersakkami ingerlatassat suut VVM-imik pisussaaffeqarfiunersut toqqaannartumik allassimavoq, tassami tamanna atoruminarnerusutut nalilerneqarmat. Taamaalilluni ingerlatassat taaneqartut malitsigisaannik, pilersaarutit ingerlatassallu akuersissuteqarfigineqarnissaasa kiisalu siunnersuummi kapitali 12 malillugu tamatumunnga inassuteqaammut Naalackersuisut isummersinnaalinnginneranni, VVM-imut nassuiaat suliarineqartussaavoq.

Aalajangersagaq siunnersuutigineqartoq malillugu VVM-mut nalilersuineq ingerlanneqariinngippat, tamatumunngalu nassuiaat suliarineqariinngippat, Naalackersuisut ingerlatassanut VVM-imik pisussaaffeqarfiusunut akuersissuteqarsinnaanngillat.

Nr. 1-imi siunnersuutigineqarpoq, najukkami aatsitassarsiorluni ingerlatassat siunnersuut manna malillugu VVM-imik pisussaaffeqarfiussanngitsut.

Imm. 2-mut

Siunnersuutigineqarpoq pisinnaatitsissummik pigisaqartut aatsitassanik piiaanissap akuersissuteqarfigineqarnissaa sioqqullugu avatangiisinut sunniutaasussanik nalilersuineramik (VVM) tamatumunngalu nassuiaammik (VVM-imut nassuiaat) suliaqarnissaq pillugu piunasaqaateqarfigineqannginnissamik qinnuteqqarsinnaasoq. Tamatumunnga piianerup avatangiisinut annertuumik sunniuteqannginnissaa pisinnaatitsissummik pigisaqartup uppersarsinnaassagaa piunasaqaataavoq.

Aalajangersakkap annikitsunut atuuttussaanera naatsorsuutigineqarpoq, tassami siunnersuummi eqqarsaatigineqarmat, aatsitassanik piianeq aallaaviatigut VVM-imik pisussaaffeqarfiunnessasoq. Aalajangersagaq taamaalilluni pingaartumik pisortatigoornerusumik pissuteqartut malitsigisaannik VVM-imik pisussaaffeqalerluni, kisianni piianeq pissutsit taakkua malitsigisaannik annertuumik avatangiisinut annertuunik sunniuteqassanngitsaq uppersarsarneqarsinnaalluni, pisoqarnerini atorqartussatut eqqarsaatigineqarpoq.

Imm. 3-mut

Aalajangersagaq siunnersuutigineqartoq malillugu, assersuutigalugu allanngut imaluunniit allilerineq avatangiisinut annertuumik sunniuteqarsinnaassasoq ilimagineqartariaqarluni pisoqartillugu, avatangiisinut sunniutaasussanik nalilersuineramik (VVM) nassuiaatitalimmik suliaqarnissaq pillugu Naalakkersuisut piunasaqaateqarsinnaapput. Tamatuma atuunnerani assersuutigalugu ingerlatassaq imaluunniit suliaqarfissat imm. 1-imi taaneqartut ilaat unitsikkallarneqassasoq kissaatigineqarpat, takuuk § 46, imm. 1, aammalu unitsitsigallarneq avatangiisinut annertuumik (ajoqusisussamik) sunniuteqassasoq ilimagineqartariaqarpat, VVM-imik nassuiaatitalimmik suliaqarnissaq piunasaqaatigineqarsinnaavoq. Tamanna aamma suliaqarfiit imm. 1-imi taaneqartut ilaannik piiaanissamut (peerneqarnera) imaluunniit matusinissamut atuuppoq.

Sumiiffiup avatangiisit eqqarsaatigalugit nammassinnaassusaanut sanilliullugu tamakkiisuutillugu isigalugu, ingerlatassap avatangiisinut sunniinissanik nalilersuinissaq, VVM-imut maleruagassanut siunertaavoq. Tamanna isumaqarpoq, allatigut ingerlatassat assigeeqqinnaat aalajangersimasumik ataqatigiinnerminni VVM-imik pisussaaffeqarfiusinnaasut pisunilu allani taamaassanani. Pissutsit ilaat taamatut pisussaq tassaavoq ingerlatassap avatangiisinut sunniinerani annertussusaa sakkortussusaanut aammalu nunami sumiiffinni isorartussusaanut tunngatillugu sumiiffimmi ingerlatassanut allanut

sunnertiassutsinullu ataqatigiissillugu. Taamaattumik suliaqarfiup pioreersup allilerneqarnera kisiat ajoqusiinissamut killissanut aammalu naliusunut killissanut ilitersuissutaasunut tunngatillugu suliaqarfittut immikkoortutut isigalugu taamaallaat nalilersorneqassanngilaq. Sanaartugassaq suliaqarfinit pioreersunit avatangiisinut sunniinissamut ataqatigiissillugu nalilersorneqassaaq. Tamatuma kingunerisinnaavaa sanaartugassaq, taannaanaq isigalugu, avatangiisinut annertumik sunniisussaanngitsoq, taamaakkaluartoq VVM-imik pisussaaffeqarfiusinnaasoq. Suliaqarfik pioreersoq annertuumik avatangiisinut sunniinernik pilersitsisareersimappat, tamanna ersarilluinnartumik pisussaassaaq.

VVM-imik pisussaaffeqarneq pillugu apeqqummi aamma suliaqarfiup nunami sumiiffinni sumiiffimmut sunnertiasumut sanilliullugu inissisimavissaa aamma ilaatinneqassaaq. Ingerlatassaq sumiiffimmi nunaminertamik atuinnermut, pinngortitami isumalluutit pisuussutaannut, pinngortitami avatangiisit pitsaassusaannut iluarseqqinneqarsinnaassusaannullu imaluunniit nammassinnaasaannut aporaaffiussasoq naatsorsuutigisariaqarpat, taanna VVM-imik pisussaaffiussusaavoq.

Ingerlatassap pilersaarutigineqartup aammalu maannakkut nunaminertamik atuinnerup akornanni aporaattoqalersinnaappat sumiiffimmi pineqartumuinnaanngissinnaasumi, kisianni aamma sumiiffimmut tassunga killittumut ingerlatassamit toqqaannartumik imaluunniit toqqaannanngitsumik kalluarneqarsinnaasussamut tunngatillugu aallaaviatigut tamanna avatangiisinut annertuumik sunniinernik pilersitsisussaavoq taamaalillunilu VVM-imik pisussaaffeqarfiusussaalluni.

Pinngortitami nunami allanngutsaaliukkanut tunngatillugu amerlanertigut toqqaanermut imaluunniit pilersitsinnermut atatillugu pinngortitami nunami allanngutsaaliukkamut pineqartumut siunertaasoq erseqqinnerusumik nassuiarneqarsimasarpoq. Aammattaq amerlanertigut erseqqinnerusumik pilersaarusiortoqareersimasarpoq, siunnerfimmik allanngutsaaliuinnermilu soqutigisanik imaqartumik. Ingerlatassat pinngortitami nunami allanngutsaaliukkamut siunertaasumut akornusiisinnaasut imaluunniit ajornakusuulersitsisinnaasut, avatangiisinut annertumik sunniisinnaasussatut ilimagineqartariaqarput, taamaalillutillu tunngavissarititaasut Naalakkersuisut imm. 7 malillugu aalajangersalersaagaat naapertorlugit VVM-mik pisussaaffeqarfiussallutik. Eqqissisimatitsiviusumi imaluunniit pinngortitami nunami allanngutsaaliukkami sunniinnermut pissutaasoq ingerlatassap tamaaniinnerata toqqaannartumik malitsigineraa imaluunniit ingerlatassami ingerlatsinnerup malitsigineraa apeqqutaatinnagu tamanna atuuppoq, ilanngullugit aamma assersuutigalugu ingerlatassamut tassanngaaniillu angallannermit imaluunniit tassunga atatillugu attaveqarnermit pisariaqartumit toqqaannannginnerusumik sunniinerit.

Ingerlatassami imikoornernik sukuluiaanissamut sukuluiaavimmik pilersitsinissaq imaluunniit allilerinissaq pisariaqarpat, avatangiisinut annertuumik sunniinissaq

mattunneqarsinnaangilaq, aammalu ingerlatassaq VVM-imik pisussaaffeqarfiusinnaavoq. Eqqakkanik navianartunik igitsinissaq pisariaqartussaalluni ingerlatassaq kinguneqartussaappat, eqqakkat navianartut taakkua iginneqarnissaat passunneqarnissaallu eqqaavilerinermut aaqqissuussinerit, igitsinermi periaatsit imaluunniit atoqqiinermi periaatsit akuerisaareersut imaluunniit inatsisit malillugit atuuttut aqputigalugit pisinnaangippat, ingerlatassaq aallaaviatigut VVM-imik pisussaaffeqarfiusussaavoq. Eqqagassanut allanut tunngatillugu aamma igitsineq eqqaavilerinermut aaqqissuussinerit, igitsinermi periaatsit imaluunniit atoqqiinermi periaatsit akuerisaareersut imaluunniit inatsisit malillugit atuuttut killissaasa iluanni pisinnaangippat, tamanna VVM-imik pisussaaffeqarnermik malitseqarsinnaavoq.

Ingerlatassaq ilitersuissutaasumik imaluunniit pituttuisumik ileqqussanik imaluunniit naliusunut killissanik aalajangersaaviusimasoq mingutsitsisinnaavoq akornusiisinnaallunilu. Taamaalluni ingerlatassamik pilersaarusiornermi ileqqussat ilitersuissutaasut aammalu naliusunut killissat naammassineqarsinnaanissaat qulakkeerqariissaaq.

Imm. 4-mut

Imm. 4 malillugu qaqugukkut VVM-imik nassuiaatitalimmik suliaqartoqartassanersoq, Naalackersuisut imm. 2 aamma 3 malillugit aalajangertussaavaat. Ingerlatassaq avatangiisinut annertuumik sunniuteqassasoq ilimagineqarani pisoqartillugu, imm. 5 malillugu Suliniutinik pitsaaliuisussanik nalilersuisoqassasoq (VFT) tamatumunngalu VFT-imut nassuiaat suliarineqassasoq, Naalackersuisut aalajangersinnaavaat.

Siunertaavoq Naalackersuisut, tamanna naleqqutsillugu, najukkami qitiusumilu oqartussanut, assersuutigalugu sumiiffimmi attuumassuteqartumi najukkami imaluunniit uummassusilinni pissutsinik immikkut paasisimasaqartunut, saaffiginnissinnaassasut.

Imm. 5-mut

Aalajangersakkami siunnersuutigineqartumi erseqqissarneqarpoq, ingerlatassaq annertuumik avatangiisinut sunniuteqartussatut ilimagineqarani, taamaattumillu imm. 2 aamma 3 malillugit VVM-imik pisussaaffeqarfiunani pisoqartillugu, Suliniutinik pitsaaliuisussanik nalilersuisoqassasoq (VFT) tamatumunngalu VFT-imut nassuiaat suliarineqassasoq, Naalackersuisut aalajangersinnaagaat.

Imm. 6-imut

Nutaatut siunnersuutigineqarpoq, ingerlatassaq siunnersuummi pineqartunut ilaasoq avatangiisinut akuersissuteqarsigineqassasoq, Naalackersuisut aalajangersinnaagaat.

Ingerlatassaq siunnersuummi pineqartunut ilaappat, kisianni ingerlatassamut avatangiisinik nalilersuinissaq (VVM) imaluunniit suliniutinik pitsaaliuisussanik nalilersuinissaq (VFT) piumasagaataanani, pisoqartillugu, ingerlatassaq avatangiisinut akuersissuteqarfigineqassasoq, Naalakkersuisut aalajangersinnaavaat.

Taamaalilluni aatsitassarsiorluni ingerlatassanut annikinnerusunut, qularnaatumik avatangiisinut annertuumik imaluunniit allatut annertuumik sunniuteqartussaangitsunut aalajangersagaq atorineqassasoq naatsorsuutigineqarpoq.

Aalajangersakkami siunnersuutigineqartumi Naalakkersuisut ingerlatassanut annikinnerusunut taamaattunut avatangiisinut tunngasut pillugit ammasuutitsinissamut periarfissinneqarput.

Imm. 7-imut

Naalakkersuisut imm. 7 malillugu tunngavissarititaasut imm. 4 malillugu aalajangiisoqartussanngorpat pingaartinneqartussat pillugit aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput.

Siunnersuutigineqarpoq Naalakkersuisut suliniutinik pitsaaliuisussanik nalilersuineq (VFT) tassungalu imm. 5 malillugu tunngavissarititaasut pillugit aalajangersakkanik erseqqinnerusunik aalajangersaanissamut aamma piginnaatinneqassasut.

Tamatuma saniatigut imm. 6 malillugu avatangiisinut akuersissuteqarnissaq pillugu aalajangersakkanik erseqqinnerusunik aalajangersaanissamut Naalakkersuisut piginnaatinneqarput.

#### *§ 101-imut*

Aalajangersagaq oqaatsitigut aqqissuussinikkullu allannguuteqartillugu aatsitassanut ikummatissanullu inatsimmi § 74-imik ingerlatitseqqiineruvoq aammalu § 100-mi maleruagassat malillugit VVM-imut nassuiaatip akuerineqarsimanissaa piumasarineqartillugu, qinnuteqartumut piumasagaatinut erseqqinnerusunut maleruagassiiviulluni.

Avatangiisinut sunniutaasussanik nalilersuineranut (VVM) nassuiaat nassuiaataavoq pingaaruteqartoq, aatsitassasiorfissamut akuersissuteqarnissamut pisariaqartoq. Nassuiaammi qinnuteqartup imaluunniit pisinnaatitsissummik pigisaqartup suliassamut siunnersuutaata avatangiisinut sunniutissai naatsorsuutigineqartut paasinarsinneqartussaapput. Aammattaq nassuiaammi inuiaqatigiit innuttaasullu kalluarneqartussat ernumassutaat akerliliissutaallu qisuariarfigineqartussaapput. Qinnuteqartup imaluunniit pisinnaatitsissummik pigisaqartup

suliassaata avatangiisinut isumannaatsumik ineriartortinneqarnissaanut nassuiaat tunngavisseeqataassaaq.

Imm. 1-imut

Aalajangersagaq siunnersuutigineqartoq malillugu qinnuteqartoq aammalu taanna ataasiinnaasimangippat ingerlatassamut VVM-imik pisussaaffeqarfiusumut akisussaasuusoq, VVM-mut nassuiaammik suliaqarnissamik aammalu nassuiaatip tekniskiunngitsumik eqikkaarneqarnera ilanngullugu Naalakkersuisunut nassiussinissamik, pisussaaffeqarpoq. Tekniskiunngitsumik eqikkaanerup annertussusissaa, ilusissaa imarisassaalu malittarisassani imm. 3-mi taaneqartuni erseqqinnerusumik maleruagassiivigineqarsinnaapput.

Imm. 2-mut

VVM-mut nassuiaat sunik imaqassanersoq, aalajangersakkami allassimavoq.

Ingerlatassat siunnersuummi pineqartunut ilaasut pilersaarusioneqarneranni aqunneqarnerannilu, ingerlatassat nunami namminermi najukkamilu Kalaallit Nunaanni avatangiisinut sunniutigisinnaasaannik misissuinerup aallaavigineqarnissaanut VVM-mut nassuiaat qulakkeereqataassaaq.

VVM-imut nassuiaammi avatangiisinut tunngasut ataasiakkaat kisimik pineqartunut ilaatinneqassanngillat, kisianni aamma pissutsit, pissutsit akornanni imminnut sunneeqatigiittarnerisa aammalu pissutsinut sunniineri annertusiartortarnerisa imminnut ataqatigiinnerat nassuiarneqassalluni. Tamatumunnga pissutaavoq, ingerlatassat avatangiisinut sunniinissaannut tamakkiisuutitsilluni isiginnittumik nassuiaanissap siunnerfigineqarnera.

Aalajangersagaq Kalaallit Nunaanni aatsitassanik piiaanermut VVM-imut nassuiaammik suliaqartarnermut malittarisassanik, VVM-imut nassuiaammik suliaqarnissamut tunngavissarititaasunik ilaalu ilanngullugit erseqqinnerusunik imaqartunik, tapertaqartinneqarpoq.

Imm. 3-mut

Siunnersuutigineqarpoq najoqqutassanik annertunerusunik avatangiisinut sunniutaasussanik nalilersuinermut atugassanik pissarsisitsisoqassasoq, imaluunniit pissutsit immikkut ittu annertunerusumik misissuinermi ilaatinneqassasut, Naalakkersuisut aalajangersinnaassagaat.

Imm. 4-mut

Aalajangersagaq siunnersuutigineqartoq malillugu Naalakkersuisut avatangiisinik

nalilersuinernik ingerlatsineq aamma VVM-mut nassuiaatinik suliaqarneq akuersissuteqartarnerlu pillugit aalajangersakkanik erseqqinnerusunik aalajangersaasinnaapput, ilanngullugit najoqqutassat avatangiisinut nalilersuinerlut atugassatut pissarsiaritinneqartussat.

### *§ 102-mut*

Aalajangersakkami VVM-imut nassuiaatip inaarutaasup tamanut ammasumik nalunaarutigineqartarnera maleruagassiivigineqarpoq.

#### Imm. 1-imut

Aalajangersagaq siunnersuutigineqartoq malillugu VVM-imut nassuiaat Naalakkersuisunut tunniunneqareerpat, Naalakkersuisut tamatumunnga nalunaarummik tamanut saqqummiissapput. Tamatuma saniatigut aalajangersakkap kingunerisaanik Naalakkersuisut nittartagaanni aammalu allatut naleqquttumik, assersuutigalugu nuna tamakkerlugu aviiisimi imaluunniit tusagassiiivinni elektroniskimik tamanut saqqummiisoqartassaaq.

#### Imm. 2-mut

Aalajangersakkami allassimavoq, VVM-imut nassuiaammut missingiut, tamatumunngalu atatillugu paasissutissat, uppernarsaatit aamma paasissutissat nalunaarsukkat Naalakkersuisunut tunniunneqartut, Naalakkersuisut nittartagaanni allatullu naleqquttumik tamanut ammasumik tunniunneqartut taakkua saqqummiunneqarnissaasa tungaanut isertuussassaasut, takuuk imm. 1.

VVM-imut nassuiaammut missingiutip, tamatumunngalu atatillugu paasissutissat, uppernarsaatit aamma paasissutissat nalunaarsukkat, Naalakkersuisunut saqqummiunneqartut, imarisaasa, Naalakkersuisunut pisortatigoortumik tunniussinissap tungaanut, tamanit ilisimaneqalinnginnissaat naapertuussorinarpoq.

Taamaalilluni pisinnaatitsissummik pigisaqartup VVM-imut nassuiaatip inaarutaasup suliarinissaanut naammassinissaanullu eqqissilluni sulinissaanut aalajangersagaq qulakkeereqataassaaq.

VVM-imut nassuiaat inaarutaasoq qanoq pisoqaraluarpalluunniit tamanut ammasumik tusarniaassutigineqassaaq, tamatumunngalu atatillugu paasissutissat, uppernarsaatit aamma paasissutissat nalunaarsukkat tamatuma kingorna nalinginnaasumik tamat paasitinneqarnissaanni pineqartunut ilaasariaqarput.

#### Imm. 3-mut



Aalajangersakkami allassimavoq, Naalakkersuisut piffissami isertuussiviusumi VVM-imut nassuiaammut missingiut § 102-mi pineqartunut ilaasoq isertuussaasoq, tamatumunngalu atatillugu paasissutissat, uppersaatit aamma paasissutissat nalunaarsukkat Naalakkersuisunut tunniunneqareersut, tamanut saqqummiussinagaat.

Aalajangersagaq malillugu Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummersitsinnginnermini paasissutissat pisinnaatitsissummik pigisaqartumut nassiutissavaat aammalu pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttup minnerpaamik qaammatisiutit malillugit ullunik 14-inik sivilissuseqartup iluani tamatumunnga oqaaseqaatinik nassiussinnaasoq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummersinneqarnissaannut tunngavilersugaasumik akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutissillugu. Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap iluani paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummersitsinissamut akerliliissummik nassiussippat, pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa Naalakkersuisut paasissutissanik pineqartunik tamanut saqqummersitsinissamut soqutigisaannit pingaaruteqarnerusorineqarpat, Naalakkersuisut paasissutissat taakkua tamanut saqqummersissanngilaat.

Naalakkersuisut paasissutissanik nalinginnaasutut isikkoqartunik tamanut saqqummersitsinissamut soqutigisaat assersuutigalugu tassaasinnaapput innuttaasut isumannaatsuunissaasa eqqarsaatigineqarnissaa imaluunniit paasissutissanik aalajangersimasunik tamanut saqqummersitsinissamut inatsimmi pisussaaffiliisumik pisussaaffeqarnej. Pisinnaatitsissummik pigisaqartoq akerliliissuteqaraluartoq, aalajangersagaq malillugu paasissutissat nalinginnaasut tamanut saqqummersinneqarsinnaanersut aalajangiinermi ilaatigut pisinnaatitsissummik pigisaqartup paasissutissat isertuussaanaannaannut niuernikkut soqutigisaqarsinnaanera, paasissutissat tamanut saqqummiunneqarnerat aningaasanut niuerfimmi pisinnaatitsissummik pigisaqartup nalunaarsorsimaffianni maleruagassanut unioqqutitsinerussanersoq aammalu paasissutissat nalinginnaasutut isikkoqaraluartut pisinnaatitsissummik pigisaqartut ataasiakkaat kinaassusersineqarsinnaanerat, mianerineqarsinnaapput.

Imm. 4-mut

Siunnersuutigineqarpoq, imm. 2-mi aamma 3-mi aalajangersakkat apequtaatinnagit, avatangiisinut paasissutissat nalunaarsukkat aamma avatangiisinut nalunaarusiat oqartussat inuiaqatigiinni nalinginnaasumik soqutiginaatilittut naliligaat, tamanut saqqummiunneqarsinnaasut. Tamatumunnga siunertaavoq tunngaviusut Aarhus-imi nunani tamalaani isumaqatigiissummi oqaatigineqartut malinnissaannut periarfissaqarnissamik qulakkeerinissaq. Tamatuma saniatigut siunertaavoq, avatangiisinut tunngasut, inuiaqatigiinni

nalinginnaasumik soqutiginaateqartut, pillugit innuttaasunut sukkulluunniit paasissutissiissutigineqarsinnaanissaat.

Imm. 5-imut

Naalackersuisut pissutsit imm. 1-4-mi taaneqartut pillugit aalajangersakkanik atugassarititaasunillu aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Assersuutigalugu aamma taakkua tassaasinnaapput Naalackersuisut VVM-imut nassuiaammut missingiut isertuussaq, tamatumunngalu atatillugu paasissutissat, uppersaatit aamma paasissutissat nalunaarsukkat pillugit paasissutissanik nalinginnaasunik tamanut saqqummiussinissamut periarfiasaqarnera pillugu aalajangersakkat imaluunniit atugassarititaasut.

### *§ 103-mut*

Imm. 1-imut

Aalajangersagaq inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineranut (VSB) tunngassuteqarpoq.

Aalajangersakkap atuunnerani ingerlatassat siunnersuummi pineqartunut ilaasut, aammalu inuiaqatigiinnut tunngasunut annertuumik sunniuteqartussatut naatsorsuutigineqartariaqartut, inuiaqatigiinni piujuaannatitsisumik ingerlatsinermik nalilersuineq (VSB) suliarineqarsimappat, ilanngullugu ingerlatassat ingerlanneqarneranni inuiaqatigiinnut sunniutaasussanik nalilersuineq, aammalu Naalackersuisut tamatumunnga nassuiaat (VSB-mut nassuiaat) akuerisimappassuk aatsaat ingerlanneqarsinnaapput.

Ingerlatassat sanaartukkamik annertunerusumik imaluunniit illunik ilaalu ilanngullugit, ingerlatassat siunnersuut malillugu akuersissuummi pineqartunut ilaatinneqartut suliarineqarneranni atorneqartut, ilanngullugit aatsitassarsiorfimmi suliaqarfissat, suliareqqiisarfiit annertunerusut, illut annertunerusut, suliaqarfiit nukissiornermut atorneqartut annertunerusut, aqqusernit annertunerusut takinerusullu, timmisartunut, qulimiguulinnut imaluunniit silaannakkut angallatinut allanut mittarfiit anginerusut, umiarsualiveqarfiit annertunerusut imaluunniit sinerissap avataani suliaqarfiit annertunerusut, pilersinneqarnerannut imaluunniit inissinneqarnerannut, ingerlanneqarnerannut atorneqarnerannullu tunngassuteqartut, aallaaviatigut inuiaqatigiinnut tunngasunut annertuunik sunniuteqarsinnaasussatut ilimagineqartariaqarput.

Aalajangersagaq § 1, imm. 2-mi siunnersuutip siunertaanut aalajangersakkamut

ataqatigiissillugu isigineqassaaq, taanna malillugu aatsitassarsiorluni ingerlatassanut atatillugu inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq anguniarneqartussaavoq. Inuiaqatigiinni ineriartorneq piujuartussamik tunngavilimmik pisinnaanngorlugu ingerlatassat aaqqissuunneqarnissaat, aammalu inuiaqatigiinnut sunniinerlunnerit pitsaaliornissaannut iliuusissanik pisariaqartunik iliuuseqartoqassasoq, peqatigisaanillu ineriartortitsinissamut periarfissat pitsaasut paasinarsisinneqarnissaat atorluarniarneqarnissaallu, inuiaqatigiinni piujuartussamik sunniuteqartitsinissaq pillugu piumasaqaateqarnermi qulakkeerneqassaaq,.

Aalajangersagaq malillugu piiianermi ingerlatassanik suliaqarnermi inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineramik (VSB) suliaqarnissaq, tamatumunngalu nassuiaammik (VSB-mut nassuiaat) suliaqarnissaq, tamatigit pisariaqartussaavoq. Taamaalilluni piiianermi ingerlatassanik inuiaqatigiinnut tunngasunut annertuumik sunniuteqarsinnaasussatut naatsorsuutigineqartariaqanngitsunik pisoqarsinnaavoq. Tamanna pingaartumik aatsitassanik piiianissamut akuersissutini annikitsumik aatsitassarsiorlunissamut akuersissutit tunngavigalugit tunniunneqartuni pisinnaavoq.

Siunnersuut malillugu pisinnaatitsissummik pigisaqartoq akuersissummik tunineqareerpat, ataatsimut isigalugu aatsaat ingerlatassanik suliaqarnermi inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineq (VSB) ingerlanneqassaaq tamatumunngalu nassuiaat (VSB-mut nassuiaat) suliarineqassalluni. Taamaattoq piiianissamut akuersissummik tunniussisoqannginnerani ataatsimut isigalugu piaareersaataasumik tusarniaaneq ingerlanneqassaaq. Takuuk § 44 tassungalu nassuiaatit.

#### Imm. 2-mut

Pisoq aalajangersimasoq imm. 1-imi pineqartunut ilaatinneqarnersoq, aalajangersagaq malillugu Naalakkersuisut aalajangertussaavaat. Akuersissut malillugu pisoq aalajangersimasoq imm. 1-imi pineqartunut ilaasoq Naalakkersuisut aalajangerpata, pisinnaatitsissummik pigisaqartoq akuersissuteqarnissamik qinnuteqartoq VSB-imik suliaqassaaq aammalu VSB-mut nassuiaat suliarissallugu aamma Naalakkersuisut VSB-mut nassuiaammut akuersissuteqartissallugit.

#### Imm. 3-mut

Naalakkersuisut aalajangersagaq malillugu, tunngavissarititaasut VSB-imik aamma VSB-mut nassuiaammik suliaqarnissaq kiisalu taassuma akuersissuteqarfigineqarnissaa pillugit pisuni ataasiakkaani piumasaqaateqartoqassanersoq aalajangiinermi atorneqartussat pillugit aalajangersakkanik erseqqinnerusunik imaluunniit atugassarititaasunik aalajangersaasinnaapput.

## § 104-mut

### Imm. 1-imut

Pisinnaatitsissummik pigisaqartup tamanna § 103 malillugu piumasaqaatigineqarpat, akuersissuteqartoqarnissaanik qinnuteqartumut VSB-imik ingerlatsinissamut, VSB-mut nassuiaammik suliaqarnissamut aammalu VSB-mut nassuiaammik Naalakkersuisunut tunniussinissamut pisussaaffiliinermik, aalajangersagaq malitseqarpoq.

Aalajangersagaq malillugu pisinnaatitsissummik pigisaqartoq aamma VSB-mut nassuiaatip tekniskiunngitsumik eqikkarneqarneranik suliaqartussaavoq aammalu eqikkaaneq Naalakkersuisunut tunniuttussaallugu.

### Imm. 2-mut

Aalajangersakkami allassimavoq VSB-mut nassuiaat sunik imaqassanersoq.

Ingerlatassanik siunnersuummi pineqartunut ilaasunik pilersaarusiorderup aqutsinerullu sunniutaasussanik ingerlatassat nunami namminermi najukkamilu inuiaqatigiinnut sunniutigisinnaasaannik misissuinernik aallaaveqarnissaanut VSB-mut nassuiaat qulakkeereqataassaaq. Najukkami inuiaqatigiinni kallarneqartussani inuiaqatigiinni inuunermut, ilanngullugit suliffissaqartitsinissamut periarfissat, inooqatigiinnermi naligiissitsineq aamma inooqatigiinnermut, kulturikkut, upperisatigut anersaakkullu naleqartitat ileqqullu, nassuiaatit nalilersuinerillu, VSB-mut nassuiaatip imarissavai. Tamatuma saniatigut inuiaqatigiinni ineriartorderup piujuaannartitsisumik ingerlatsinermik tunngavilimmik pisinnaanissaa qulakkeerniarlugu, iliuusissanik nassuiaatinik nalilersuinerillu VSB-mut nassuiaat imaqassaaq.

VSB-mut nassuiaammi inuiaqatigiinnut tunngasut ataasiakkaat kisimik ilaatinneqassanngillat, kisianni aamma pissutsit imminnut ataqatigiinnerat, pissutsit imminnut sunneeqatigiinnissaat aammalu pissutsit sunnerneqarnerisa annertusiartortunik sunniuteqarnissaat nassuiarneqassapput. Ingerlatassat inuiaqatigiinnut sunniutissaannut tamakkiisunut sammisumik nassuiaasoqarnissaata siunnerfigineqarnera, tamatumunnga pissutaavoq.

VSB-mut nassuiaat paasissutissanik makkuninnga imaqartariaqarpoq:

Ingerlatassanut imaluunniit sanaartugassanut ilaalu ilanngullugit ingerlatassanut tunngassuteqartunut nassuiaat, aammalu ingerlatassaq imaluunniit sanaartugassaq pillugu periarfissanut allanut pingaarutilinnut, ilanngullugit allatut periarfissat pingaaruteqartut, pisinnaatitsissummik pigisaqartup misissorsimasaannut, aammalu ingerlatassat ingerlanneqannginnerisa imaluunniit sanaartugassap pilersinneqannginnerata

ingerlanneqanginneratalu sunniutissaannut nassuiaat.

Allatut ingerlatassanut attuumassuteqartunut pingaarnerpaanut aammalu allatut inissiivissanut tamatuma saniatigut misissorneqarsimasunut imaluunniit piginnaatitsissummik pigisaqartup saniatigut allanit erseqqinnerusumik isumaliutersuutigineqarsimasunut aammalu tamanut ammasumik tusarniaanerup nalaani saqqummersimasunut takussutissiaq.

Inuiaqatigiinnut tunngasut aammalu toqqaanermut tunngavissarititaasut pingaarnerpaat eqqarsaatigalugit pisinnaatitsissummik pigisaqartup allatut periarfissanik toqqaaneranut pissutaasunut pingaarnerpaanut nassuiaat.

Sanaartugassap qanittumi ungasissumilu inuiaqatigiinnut tunngasunut sunniutissaannik nassuiaatitaqartumik inuiaqatigiinnut tunngasut allannguuteqarnissaannik eqqoriarneqarsinnaasunik nalilersuinissaq siunertaralugu, ingerlatassap ingerlanneqarnissaa imaluunniit sanaartugassap pilersinneqarnissaa ingerlanneqarnissaalu sioqqullugu inuiaqatigiinnut tunngasunut nassuiaat.

Nassuiaammi ingerlatassap imaluunniit sanaartugassap toqqaannartumik sunniutissai aammalu ingerlatassap imaluunniit sanaartugassap toqqaannangitsumik qanittumi ungasissumilu pitsaasunik pitsaannangitsunillu sunniuteqarnissaat ilaatinneqassapput. Nassuiaat periaatsinik pisinnaatitsissummik pigisaqartup inuiaqatigiinnut tunngasunut sunniutaasussat sioqqutsisumik naatsorsorneqarnerannut atorsimasaasa nassuiarneqarnerannik imaqassaaq.

Tamatuma saniatigut inuiaqatigiinnut tunngasunut sunniinerlunnissat annertuut pinngitsoortinnissaat, annikillisinnissaat ajornanngippallu sunniuteqarunnaarsinnissaat siunertaralugu iliuusissat atorineqartussatut naatsorsuutigineqartut VSB-mut nassuiaammi nassuiarneqassapput.

VSB-mut nassuiaat ajornakusoorutaasinnaasunut (teknikkikkut amigaatit imaluunniit ilisimasat amigaataasut), pisinnaatitsissummik pigisaqartup paasissutissanik piumasarineqartunik katersinermut imaluunniit nalilersuinermut atatillugu pilersimasunut, immaqalu paasissutissani imaluunniit inuiaqatigiinnut sunniutaasussanut nalilersuinermi amigaataasimasinnaasunut takussutissiamik imaqassaaq. Tamatuma saniatigut naleqquttumik annertussusilimmik pissutsit tamat imaluunniit oqartussat kalluarneqartut oqariartuutigisimasat VSB-mut nassuiaammi isummerfigineqassapput.

Imm. 3-mut

Paasissutissanik imaluunniit allakkianik, soorlu paasissutissanik nalunaarsukkanik tunngaviusunik, VSB-mut atugassanik, imaluunniit misissuinernik annertunerusunik suliaqarnissamik imaluunniit pissutsinik aalajangersimasunik erseqqinnerusunik

nalilersuinissamik Naalackersuisut piumasaqarnissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Imm. 4-mut

VSB-mut nassuiaammik suliaqarnermut tunngatillugu suliap ingerlanera pillugu aalajangersakkanik erseqqinnerusunik atugassarititaasunillu Naalackersuisut aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Assersuutigalugu tassaasinnaapput VSB-mut nassuiaatip imarisassai, ilusissaa aammalu inuiaqatigiinni allanngortoqarnera tunngavigalugu imaluunniit pissutsit attuumassuteqartut allat tunngavigalugit ingerlaavartumillu nutarterneqartarnissaa pillugit aalajangersakkat imaluunniit atugassarititaasut.

### *§ 105-imut*

Imm. 1-imut.

VSB-mut nassuiaat inaarutaasq Naalackersuisunut tunniunneqarpat, tamanna pillugu nalunaarummik Naalackersuisut tamanut saqqummiussinissamik pisussaaffeqarnerannik aalajangersagaq imaqarpoq.

Aalajangersakkap atuunnerani Naalackersuisut nittartagaanni aammalu allatut naleqquttumik tamanut saqqummiussisoqassaaq. Assersuutigalugu taanna tassaasinnaavoq nuna tamakkerlugu Kalaallit Nunaanni aviisi.

Tamat akuutinneqarnissaannut aammalu oqariartuutiminnik saqqummiussisinnanissamut periarfissaqarnissaannut aalajangersagaq qulakkeereqataassaaq.

Imm. 2-mut

Aalajangersakkami allassimavoq, tunniunneqartut Naalackersuisut nittartagaanni allatullu naleqquttumik tamanut saqqummiunneqarnissaasa tungaanut VSB-mut nassuiaammut missingiut aamma paasissutissat, allakkiat tamatumunngalu atatillugu paasissutissat nalunaarsukkat Naalackersuisunut tunniunneqartut isertuussaasut, takuuk imm. 1.

VSB-mut nassuiaammut missingiutip aamma paasissutissat, allakkiat tamatumunngalu atatillugu paasissutissat nalunaarsukkat, Naalackersuisunut pisortatigoortumik tunniussinnginnermi Naalackersuisunut saqqummiunneqartut, imarisaasa tamanit ilisimaneqalinnnginnissat naapertuussorineqarpoq.

Taamaalilluni pisinnaatitsissummik pigisaqartup eqqissilluni sulinissaanut aammalu VSB-mut nassuiaatip inaarutaasup inaarsarnissaanut aalajangersagaq qulakkeereqataassaaq.

VSB-mut nassuiaat inaarutaasooq qanoq pisoqaraluarpalluunniit tamanut ammasumik tusarniaassutigineqartussaavoq, aammalu paasissutissat, allakkiat tamatumunngalu atatillugu paasissutissat nalunaarsukkat tamatuma kingorna nalinginnaasumik tamanut saqqummiussinermi ilaatinneqartariaqarput.

Imm. 3-mut

Aalajangersakkami allassimavoq Naalakkersuisut piffissami isertuussiviusussami VSB-mut nassuiaammut missingiut isertuussaq § 104-mi pineqartunut ilaasoq aammalu paasissutissat, allakkat tamatumunngalu atatillugu paasissutissat nalunaarsukkat Naalakkersuisunut tunniunneqareersut pillugit paasissutissanik nalinginnaasunik tamanut saqqummiussisinnaapput.

Aalajangersagaq malillugu Naalakkersuisut paasissutissanik nalinginnaasunik taamaattunik tamanut saqqummersitsinneginnermini paasissutissat pisinnaatitsissummik pigisaqartumut nassiuutissavaat aammalu pisinnaatitsissummik pigisaqartoq piffissamut killiliussap naleqquttup minnerpaamik qaammatsiutit malillugit ullunik 14-inik sivissuseqartup iluani tamatumunnga oqaaseqaatinik nassiuussisinnaasoq immaqalu paasissutissat tamarmik imaluunniit ilaasa tamanut saqqummersinneqarnissaannut tunngavilersugaasumik akerliliissuteqarsinnaasoq, pisinnaatitsissummik pigisaqartoq paasissutissillugu. Pisinnaatitsissummik pigisaqartoq piffissamut killiliussap iluani paasissutissanik tamaginnik imaluunniit ilaannik tamanut saqqummersitsinissamut akerliliissummik nassiuusippat, pisinnaatitsissummik pigisaqartup isertuussinissamik soqutigisaqarnerata mianerinissaa Naalakkersuisut paasissutissanik pineqartunik tamanut saqqummersitsinissamut soqutigisaannit pingaaruteqarnerusorineqarpat, Naalakkersuisut paasissutissat taakkua tamanut saqqummersissanngilaat.

Naalakkersuisut paasissutissanik nalinginnaasutut isikkoqartunik tamanut saqqummersitsinissamut soqutigisaat assersuutigalugu tassaasinnaapput innuttaasut isumannaatsuunissaasa eqqarsaatigineqarnissaa, paasissutissanik aalajangersimasunik tamanut saqqummersitsinissamut inatsimmi pisussaaffiliisumik pisussaaffeqarneq imaluunniit Kalaallit Nunaanni nunap sannaanik nittarsaassinissamut atatillugu. Pisinnaatitsissummik pigisaqartoq akerliliissuteqaraluartoq, aalajangersagaq malillugu paasissutissat nalinginnaasut tamanut saqqummersinneqarsinnaanersut aalajangiinermi ilaatigut pisinnaatitsissummik pigisaqartup paasissutissat isertuussaannissaannut niuernikkut soqutigisaqarsinnaanera, paasissutissat tamanut saqqummiunneqarnerat aningaasanut niuerfimmi pisinnaatitsissummik pigisaqartup nalunaarsorsimaffianni maleruagassanut unioqqutitsinerussanersoq aammalu paasissutissat nalinginnaasutut isikkoqaraluartut pisinnaatitsissummik pigisaqartut

ataasiakkaat kinaassusersineqarsinnaanerat, mianerineqarsinnaapput.

Imm. 4-mut

Pissutsit imm. 1-3-mi taaneqartut pillugit aalajangersakkanik erseqqinnerusunik atugassarititaasunillu Naalakkersuisut aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Assersuutigalugu tassaasinnaapput VSB-mut nassuiaammut missingiut aamma paasissutissat, allakkiat tamatumunngalu atatillugu paasissutissat nalunaarsukkat isertuussat pillugit paasissutissat nalinginnaasut tamanut saqqummiunnissaannut Naalakkersuisut periarfissaqarnerat pillugu aalajangersakkat imaluunniit atugassarititaasut.

#### *§ 106-imut*

Imm. 1-imut

Naalakkersuisunut isumassarsiamut isummernissamut tunngavissiamik nassiussinikkut, Naalakkersuisunut ingerlatassanik nalunaarutiginninneq pissaaq. Naalakkersuisut isumassarsianut isummernissamut tunngavissiaq tunngavigalugu naliliippata ingerlatassatut eqqarsaatigineqartut avatangiisinut, takuuk § 100 imaluunniit inuiaqatigiinnut tunngasunut, takuuk § 103 annertuunik sunniuteqarsinnaassasut ilimagineqartariaqartoq, suliassamut nassuiaat sularineqassaaq, taannalu Naalakkersuisut tamanut ammasumik piareersaataasumik tusarniaassutigalugu nassiutissavaat, takuuk imm. 2.

Imm. 2-mut

Aalajangersakkami aalajangersarneqarpoq, avatangiisinut sunniutaasussanik nalilersuinerup (VVM) aamma/imaluunniit inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuinerup (VSB) imarisassaasa aalajangersarneqannginneranni, imm. 1 malillugu suliassamut nassuiaat ulluni 35-ni tamanut ammasumik piareersaataasumik tusarniaassutigineqassasoq.

Piareersaataasumik tusarniaaneq qinnuteqartup imaluunniit pisinnaatitsissummik pigisaqartup ingerlatassatut siunnersuummik saqqummiunneqartumik ineriartortitsinissamut pilersaarutaannut tunngatillugu tamat paasisimasaqalernissamut aammalu siunnersuutininik aarlerissutigineqartunillu saqqummiussisinnaanissamut siullertut periarfissaraat. Tamat siusissukkat ingerlatassat ilusilersorneqarnerannut ilassuteqarsinnaanissaat qulakkeerniarlugu piareersaataasumik tusarniaanermiit tusarniaanermut akissuteqaatit pingaaruteqarput, taamaalilluni suliassamut nassuiaammut akerliliissutit imaluunniit oqaaseqaatit ingerlatassap pilersaarusionerqarnerata ingerlaqqinneranut sunniuteqarsinnaallutik.



Aamma aalajangersakkami allassimavoq, ingerlatassat aalajangersakkami pineqartunut ilaasut assigiit pillugit avatangiisinut sunniutaasussanik nalilersuineq pillugu nassuiaammut (VVM-imut nassuiaat) aammalu inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik naliliinerit pillugit nassuiaammut (VSB) tamanut ammasumik piareersaataasumik tusarniaasoqassappat, piareersaataasumik tusarniaanerit ataatsimoortillugit ingerlanneqassapput. Ingerlatassat inuiaqatigiinnut tunngasunut annertuumik sunniuteqarsinnaasussatut ilimagineqartariaqartut, aammalu ingerlatassat avatangiisinut tunngasunut annertuumik sunniuteqarsinnaasussatut ilimagineqartariaqartut ilaannakortumik assigiissuteqarlutik pisoqartillugu tamanna aamma atuutissaaq.

Imm. 3-mut

Aalajangersakkami aalajangersarneqarpoq Naalakkersuisut suliassamut nassuiaatip imarisassai pillugit aalajangersakkanik erseqqinnerusunik atugassarititaasunillu aalajangersaasinnaasut.

Assersuutigalugu taakkua tassaasinnaapput pissutsit suut suliassamut nassuiaammi erseqqinnerusumik nassuiarneqassanersut pillugu aalajangersakkat imaluunniit atugassarititaasut, ilanngullugu ilaatigut sunniutaasussat annertuut aatsitassarsiorluni ingerlatassat avatangiisinut aamma/imaluunniit inuiaqatigiinnut tunngasunut sunniutissaattut naatsorsuutigineqartut pisinnaatitsissummik pigisaqartup imaluunniit qinnuteqartup qanoq mianerissagai naatsorsuutigineqarnerisq.

#### *§ 107-imut*

Imm. 1-imut

Aalajangersagaq malillugu Naalakkersuisut avatangiisinut sunniutaasussanik nalilersuineq pillugu nassuiaat (VVM) aamma/imaluunniit inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineq pillugu nassuiaat (VSB) tamanut ammasumik tusarniaassutigalugu nassiuutissavaat.

Pisinnaatitsissummik pigisaqartup aatsitassarsiornermut suliassamut siunnersuutaata inuiaqatigiinnut sunniutissaattut naatsorsuutigineqartut nassuiaammi paasinarsisinneqassapput.

Tamatuma saniatigut innuttaasut kalluarneqartussat aamma najukkami innuttaasut isumanerluutigisinnaasaat akerliliissutaallu suliassamut nassuiaatip tamanut ammasumik tusarniaassutigineqarnerani saqqummertut nassuiaammi isummersorfigineqassapput.

Pisinnaatitsissummik pigisaqartup aatsitassarsiornermut suliassaata inuiaqatigiinnut

isumannaatsumik kissaatigineqartutullu ilusilimmik ineriartortinneqarnissaanut VVM-imut aamma VSB-mut nassuiaat qulakkeereqataassapput.

Aamma aalajangersagaq malillugu ingerlatassat aalajangersakkami pineqartunut ilaasut assingiit pillugit avatangiisinut sunniutaasussanik nalilersuineq pillugu nassuiaammut (VVM-imut nassuiaat) aamma inuiaqatigiinni piujuaannartitsisumik ingerlatsinermik nalilersuineq pillugu nassuiaammut (VSB-imut nassuiaat) tamanut ammasumik tusarniaaneq ingerlanneqassappat, tusarniaanerit ataatsimoortillugit ingerlanneqassapput. Ingerlatassat inuiaqatigiinnut tunngasunut annertuumik sunniuteqarsinnaasussatut ilimagineqartariaqartut, aammalu ingerlatassat avatangiisinut tunngasunut annertuumik sunniuteqarsinnaasussatut ilimagineqartariaqartut ilaannakortumik assigiissuteqarlutik pisoqartillugu tamanna aamma atuutissaaq.

Imm. 2-mut

Piffissap tusarniaaffiusup sapaatit akunnerinik 8-nik sivisussuseqarnera Danmarkimi tusarniaanermut piffissaliinermi nalinginnaasuvoq, ilanngullugu aamma suliasani angisorujussuarni. Aalajangersagaq malillugu piffissamut killiliussat ulloq suliffiusussaangitsoq naappat, taanna sivitsorneqassaaq. Piffissaq tusarniaaffiusoq arfininngornermi, sapaammi imaluunniit nalliuttumi naappat, piffissaq tusarniaaffiusoq ulluinnarmut tullermut sivitsorneqassaaq.

Tusarniaanermut najoqqutassat paasineqassaaq tassaasut VSB-mut nassuiaat elektroniskinnorlugi, VSB-mut nassuiaatip tekniskiuungitsumik eqikkarneqarnera, kiisalu ilanngussat kalaallisuut, danskisuut immaqalu tuluttuut. Aatsaat oqaatsit tamaasa atorlugit allanneri tunniunneqarpata, aammalu maleruagassat malillugit ilusissaat naammassineqarsimasoq oqartussat uppernarsarpassuk, oqaasertai eqqortuuppata, aammalu nassuiaammi allatigut tunngavissarititaasut ilitersuutini inatsisinilu attuumassuteqartuni allassimasut malinneqarpata, VSB-mut nassuiaat tamanut ammasumik tusarniaassutigalugu nassiunneqarsinnaavoq. VSB-mut nassuiaat inaarutaasoq aammalu tekniskiuungitsumik eqikkarneqarnera, kiisalu ilanngussat tamarmik kalaallisuunngorlugit, danskisuunngorlugit immaqalu tuluttuunngorlugit Naalackersuisunut tunniunneqassapput. Eqikkarneqarneri VSB-mut nassuiaammut ilaatinneqassapput aammalu immikkoorlutik allakkiatut iluseqassallutik. Taamaattumik najoqqutassat nassiunneqareerpata aammalu oqaatsini allassimasuni akuerineqareerpata, piffissaq tusarniaaffiusoq aatsaat aallartissinnaavoq.

VSB-mut nassuiaammut tunngavigineqartut najoqqutassat attuumassuteqartut allat ulloq tusarniaanerup aallartiffia aallarnerfigalugu ingerlatseqatigiiffiup nittartagaani pissarsiarineqarsinnaasunngortinneqassapput, taamaalilluni tusarniaanermut najoqqutassat tamarmik tamanit pissarsiarineqarsinnaallutik.

Tusarniaanermut najoqqutassat Naalakkersuisut nittartagaani takuneqarsinnaappata, taakkua tamanit pissarsiarineqarsinnaasutut isigineqassapput.

Imm. 3-mut

Piffissap tusarniaaffiusup sivitsorneqarnissaanut pisariaqartumik allanngorarsinnaatitsinissaq aalajangersakkami qulakkeerneqassaaq. Tusarniaalluni ataatsimiititsinerit naapertuuttumik ingerlanneqarsinnaanani pisoqarnera pissutsinik arlalinnik pissuteqarsinnaavoq. Assersuutigalugu Inatsisartuni ataatsimiinnernut atatillugu tamanna pisariaqarsinnaavoq, ilanngullugu Inatsisartuni ataatsimiinneq pissutigalugu Naalakkersuisoq aallaqqasinnaatinnagu. Assersuutigalugu tusarniaalluni ataatsimiititsinerit ingerlannissaannut oqalutsissaaleqineq imaluunniit ininik amigaateqarneq aamma pissutaasinnaapput.

#### *§ 108-mut*

Sumiiffinni aatsitassarsiorluni ingerlatassanit immikkut kalluarneqartussani annertuumik innuttaasunik akuutitsinissaq aalajangersakkami qulakkeerneqarpoq. Amerlanertigut illoqarfiit nunaqarfiillu ingerlatassanut tunngatillugu qaninnerpaami inissisimasut tassani pineqassapput. Aamma illoqarfiit imaluunniit nunaqarfiit ingerlatassanut tunngatillugu qaninnerpaamiinngitsut tassani pineqarsinnaapput, assersuutigalugu taakkua atugassanik aatsitassarsiorluni ingerlatassanut atatillugu suliasamat ingerlatseqatigiiffiup atorusutaannik peqarsimappata, taamaattumillu aatsitassarsiorluni ingerlatassat illoqarfimmut imaluunniit nunaqarfimmut sunniuteqartussaallutik.

Aatsitassarsiorluni ingerlatassat sumi ingerlanneqarnissaat apeqqutaatinnagu tamat akuutinneqassapput. Taamaattumik ingerlatassat nunami sumiiffinni illoqarfinnit nunaqarfinniillu ungasissumiippata imaluunniit kommunit aggornerisa avataanniillutik, sumi innuttaasunik ataatsimiititsisoqassanersoq Naalakkersuisut aalajangiisinnaassapput.

#### *§ 109-mut*

Imm. 1-imut

Innuttaasut innuttaasunik ataatsimiititsinerni peqataanissaminnik pilersaaruteqarnissaat aalajangersakkami periarfissinneqarpoq aammalu innuttaasut najoqqutassanut innuttaasunik ataatsimiititsinermi oqallisigineqartussanik paasisaqarnissaannut piffissaqalersinneqarlutik. Tusarniaalluni ataatsimiititsinerit piffissami tusarniaaffiusumi ingerlanneqassapput, takuuk § 107, taamaalillutik innuttaasut tusarniaanermut akissuteqaatinik nassiussinissamat periarfissaqaannassallutik.

Imm. 2-mut

Innuttaasut sapinngisamik amerlanerpaat innuttaasunik ataatsimiititsinissat pillugit nalunaarfigineqarnissaannut aalajangersagaq qulakkeereqataassaaq. Tusagassiuutit sorliit naleqqutissanersut ataasiakkaatigut naliliisoqassaaq, ilaatigut innuttaasunik ataatsimiititsinerit sumi ingerlanneqarnissaat apeqqutaassalluni.

Imm. 3-mut

Innuttaasut tusarniaalluni ataatsimiititsinerni peqataanissamut periarfissaqanngitsut, ataatsimiititsinerit imarisaannut oqallinnernullu paasisaqarnissaat, aalajangersakkami ajornarunnaarsinneqassaaq.

Imm. 4-mut

Ataatsimiititsinermi peqataasut tusarniaalluni ataatsimiititsinerni oqaaseqarnissaat ilaalu ilanngullugit aalajangersakkami periarfissinneqarpoq, taamaalillutik taakkua aatsitassarsiornermi suliassamut atatillugu isummaminnik isumanerluutigisinnaasaminnillu aammalu naatsorsuutigisaminnik oqariartuuteqarsinnaassallutik.

Imm. 5-imut

Inummi tusarniaalluni ataatsimiititsinernik aqutsisussamik toqqaanermi ilaatigut siunertaavoq, tusarniaalluni ataatsimiititsinerit ingerlanneqarneranni ammasuunissamik ersarissuunissamillu kissaateqarnerit naammassiniarnissaat.

#### *§ 110-mut*

Imm. 1-imut

Pisinnaatitsissummik pigisaqartup pisuni aalajangersimasuni Naalakkersuisut aalajangiinerat malillugu, inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq aammalu inuiaqatigiit aningaasaqarnerannut tunngasut allat pillugit isumaqatigiissuteqarnissamut pisussaaffeqarneranut aalajangersagaq tunngassuteqarpoq.

Pisinnaatitsissummik pigisaqartoq inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq aamma inuiaqatigiit aningaasaqarnerannut tunngasut allat pillugit isumaqatigiissuteqarnissamut (IBA-mut isumaqatigiissut) taassumalu naammassinissaanut pisussaaffilerneqassanersoq, inuiaqatigiinni piujuaannartitsisumik ingerlatsinissamut suliassap sunniuteqarnissaata pingaaruteqarnerini nalilersuineq aallaavigalugu aalajangerneqassaaq.

IBA isumaqatigiissutinut tuluttut taaguuteqartunut ”Impact Benefit Agreement”

naalisaataavoq.

Pisinnaatitsissummik pigisaqartoq inuiaqatigiinni piujuaannartitsisumik ingerlatsinissap qulakkeernissaa siunertaralugu iliuusissanik suliaqarnissamut IBA-mut isumaqatigiisummi pisussaaffilerneqassaaq.

IBA-mut isumaqatigiisut pisinnaatitsissummik pigisaqartup aamma Naalakkersuisut akornanni kommuni ataaseq arlallilluunniit peqatigalugit isumaqatigiisutigineqassaaq, takuuk imm. 2 aamma 3. Pisinnaatitsissummik pigisaqartoq inuiaqatigiinni piujuaannartitsisumik ingerlatsinissap qulakkeernissaa siunertaralugu iliuusissanik suliaqarnissamut IBA-mut isumaqatigiisummi pisussaaffeqalissaaq.

Aatsitassarsiornermi suliffissuaqarnerup nunatsinni inuussutissarsiutit pingaarnersaannut ilaatilernissaa Kalaallit Nunaanni ilungersuutigineqarpoq. Tamatuma ajornarunnarsinnaanissaanut aatsitassarsiornermut suliassaqrifiup ineriartortinneqarnera Kalaallit Nunaanni innuttaasut suleqatigalugit pisariaqarpoq.

Aatsitassarsiornermik suliassap sunniinerlunnissaata sapinngisamik annikinnerpaamiitinnissaa aammalu pitsaasunik sunniteqartitsinermik taarserneqarnissaa, aalajangiisuulluinnarpoq. Tamanna ilaatigut inuiaqatigiinni piujuaannartitsisumik ingerlatsinissap qulakkeernissaa siunertaralugu pisinnaatitsissummik pigisaqartut iliuusissanik suliaqarnissamut pisussaaffilerneqarsigut pisinnaavoq, ilaatigut najukkameersunik sulisoqarnermigut, aatsitassanut suliassaqrifiup iluani ilisimasanik nutaanik nuussinermut inerisaanermullu aaqqissuussinermik pilersitsinikkut aammalu Kalaallit Nunaanni inuiaqatigiinni kulturikkut naleqartitat ileqqullu qulakkeernerisigut, ilanngullugit innuttaasut inooqatigiinnermut, kulturikkut, upperisatigut anersaakkullu naleqartitaat ileqquilu.

Imm. 2-mut

IBA-mut isumaqatigiisut Naalakkersuisut aamma pisinnaatitsissummik pigisaqartup akornanni isumaqatigiisutigineqassaaq, kisianni aamma Naalakkersuisut, pisinnaatitsissummik pigisaqartup aamma kommunip ataatsip arlallilluunniit akornanni isumaqatigiisutigineqarsinnaalluni, takuuk imm. 3.

Imm. 3-mut

Aalajangersakkami allassimavoq, akuersissummi sumiiffik akuersissuteqarfiusoq kommunip sumiiffianiippat, IBA-mut isumaqatigiisut aamma kommunimut isumaqatigiisutigineqassasoq. Taamaalilluni akuersissummi sumiiffik akuersissuteqarfiusoq kommunip sumiiffianiippat IBA-mut isumaqatigiisut pisinnaatitsissummik pigisaqartup aamma Naalakkersuisut aammalu kommunip akornanni isumaqatigiisutigineqassaaq.

Imm. 4-mut

Sumiiffiup akuersissuteqarfiusup kommunip sumiiffiani inissisimanani pisoqartillugu, pisinnaatitsissummik pigisaqartoq Naalakkersuisunut aamma kommunimut akuersissummi sumiiffimmut akuersissuteqarfiusumut sanilliullugu qanitaaniittumut ataatsimut arlalinnuunniit IBA-mut isumaqatigiissummik isumaqatigiissuteqassasoq pillugu aalajangersakkanik imaluunniit atugassarititaasunik Naalakkersuisut aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Taamaattoq kommunip isumaqatigiissutip isumaqatiginninniutigineqarneranut, isumaqatigiissutigineqarneranut imaluunniit imarisaannut tunngasunut piumasaqaatai Naalakkersuisut naliliinerat malillugu § 111-mut imaluunniit aalajangersakkanut imaluunniit atugassarititaasunut Naalakkersuisut § 112 malillugu aalajangersagaannut naapertuutinnigippata, IBA-mut isumaqatigiissut aamma kommunimut isumaqatigiissutigineqassanngitsoq, aalajangersagaq malillugu Naalakkersuisut aalajangiinnaapput. Assersuutigalugu kommunip pisinnaatitsissummik pigisaqartup iliussisaannut ilaalu ilanngullugit piumasaqaatai aatsitassarsiorfissap inuiaqatigiinni piujuaannartitsisumik ingerlannissaanut sanilliullugit nammakkersuivallaartutut isigineqartariaqarpata, tamatuminnga aalajangiinissaq naleqqutissaaq.

### *§ 111-mut*

Imm. 1-imut

Aalajangersagaq IBA-mut isumaqatigiissutip imarisaannut tunngassuteqarpoq

Aalajangersagaq §§ 1-imut, 110-mut aamma 112-imut naapertuuttumik nassuiarneqassaaq atuutsinneqassallunilu. Takukkit aalajangersakkat taakkua taanneqartut tassungalu nassuiaatit.

Tamatuma ilaatigut atuunnerani iliussissat, pisinnaatitsissummik pigisaqartup IBA-mut isumaqatigiissut malillugu pisussaaffigisai isumannaatsuussapput aammalu inuiaqatigiinni piujuaannartitsisumik ingerlatsinissamut tunngatillugu naapertuutissallutik aammalu ingerlatassat siunnersuummi pineqartunut ilaasut Namminersorlutik Oqartussanut aammalu inuiaqatigiinnut kalaallinut aningaasaqarnikkut allanillu inuiaqatigiinnut pitsaasumik sunniuteqarnissaannut qulakkeereqataassalluni.

Tamatuma saniatigut IBA-mut isumaqatigiittut § 110-mut naapertuuttumik isumaqatiginninniutigineqassaaq, isumaqatigiissutigineqassaaq imaqassallunilu. § 110 malillugu imarisaannut ilaatigut akuersissutip suussusaa aammalu sumiiffik akuersissuteqarfiusooq kommunip sumiiffiani inissisimanersoq, apeqqutaassapput. Takukkit

aalajangersagaq aammalu tassunga nassuiaatit.

Imm. 2-mut

Aalajangersagaq malillugu, pisinnaatitsissummik pigisaqartup najukkameersunik sulisoqarnissaa pilersuisoqarnissaalu pillugit aammalu sulisussat najukkaameersut ilinniartitaanerat ilinniaqqittarnerallu pillugit atugassarititaasunik imaqaassasoq, § 110 malillugu IBA-mut isumaqatigiissummut piumasagaataavoq.

Aalajangersakkami siunertaavoq najukkameersunik sulisoqarnikkut aammalu nioqputissanik kiffartuussinernillu najukkameersunik pilersuisoqarnikkut aammalu sulisussat najukkameersut ilinniartitaanerisigut ilinniaqqittarnerisigullu, Namminersorlutik Oqartussanut aammalu inuiaqatigiinnut aningaasaqarnikkut allatigullu inuiaqatigiinnut pitsaasunik sunniuteqartitsinissamik qulakkeereqataanissaq.

Akuersissut siunnersuut malillugu tunniunneqartoq malillugu ingerlatassanik suliaqarnermut atatillugu inuit suliffeqarfiillu najukkameersut sapinngisamik annertunerpaamik atorneqarnissaannut tamanna qulakkeereqataassaaq.

Imm. 3-mut

Aalajangersagaq malillugu, siunnersuummi § 110 malillugu isumaqatigiissut isumaqatigiissummut inatsisinik toqqaaneq pillugu atugassarititaasunik aamma isumaqatigiissut pillugu aaqqiagiinngissuteqarneq eqqartuussivimmut imaluunniit eqqartuussivik isumaqatigiissitsiniartartumut suliakkiunneqassanersoq aalajangiiffiqineqassanersorlu pillugu atugassarititaasunik imaqaarsinnaavoq. Assersuutigalugu piiaanissamut akuersissummi, takuuk § 56, atugassarititaasut taamaattut aalajangersarneqarsimappata, IBA-mut isumaqatigiissummi atugassarititaasut taakkununga naapertuutissapput.

Taamaattoq isumaqatigiissut kommunit ataatsumut arlalinnuunniit isumaqatigiissutigineqarsimappat, takuuk 110, imm. 4, akuersissummit atugassarititaasut isumaqatigiissummi allanngortinneqassapput, taamaalillutik taakkua pissutsinut kommunip imaluunniit kommunit isumaqatigiissummi aamma suleqataanerannut tunngasunut naleqqussarneqassallutik, taamaalillutillu aamma isumaqatigiissut pillugu aaqqiagiinngissuteqarnermi pisussanut akuusussanngussallutik.

#### *§ 112-immut*

Naalackersuisut IBA-mut isumaqatigiissut pillugu pissutsit attuumassuteqartut tamaasa pillugit aalajangersakkanik atugassarititaasunillu aalajangersaanissamut inatsimmi

tunngavissaqarnissaasa qulakkeernissaa, aalajangersakkami siunertaavoq.

Naalackersuisut § 112 malillugu aalajangersakkanik atugassarititaasunillu aalajangersaasinnaapput, nalunaarummi aalajangersakkatut imaluunniit akuersissummut imaluunniit akuersissuteqarnermut atugassarititaasutut imaluunniit atugassarititaasutut nalinginnaasutut, takuuk § 16. Takukkit aalajangersagaq taaneqartoq tassungalu nassuiaatit.

### *§ 113-imut*

#### Imm. 1-imut

Aalajangersagaq annertuumik ALARP-imi tunngaviusutut taagorneqartumik aallaaveqarpoq. ALARP tunngaviusumut tuluttut taaneqartartumut ”As Low As Reasonably Practicable” naalisaataavoq.

ALARP-imi tunngaviusup nalinginnaasumik malitsigisaanik aarlerinaataasut sapinngisamik annertunerpaamik suliaqarnermi naapertuuttumik annikillisinneqassapput. ALARP-imi tunngaviusoq nunani tamalaani akuerisaavoq aammalu sinerissap avataani inuussutissarsiutini tunngaviusutut atorneqarluni. Tamanna ataatsimut isigalugu nunani sinerissap avataani ingerlataqartuni, sinerissap avataani isumannaallisaaneq peqqinnissarlu annertuumik pingaartinneqartillugu, oqartussanit nalinginnaasumik atugaavoq. Tunngaviusoq aamma allanut aarlerinaataasunik nalilersuineq aammalu aarlerinaataasunik annikillisitsinissaq pingaaruteqartunut tunngasunut atatillugu atorneqartarpoq. Taamaaqataanik siunnersuummi matumani aamma ALARP-imi tunngaviusup pineqartunut ilaatinneqarnissaa atorneqarnissaalu naapertuuppoq.

Aalajangersagaq malillugu, pisinnaatitsissummik pigisaqartup aarlerinaataasunik ALARP-imi tunngaviusoq malillugu annikillisitsinissaa, piumasaqaatit innersuussinerrillu aamma naliusunut killissat siunnersuummi imaluunniit inatsisini allani, siunnersuut malillugu imaluunniit inatsimmi allami aalajangersakkani aalajangersagaasut tamarmik naammassineqassasut pillugit piumasaqaateqarnermik malitseqassaaq. Isumannaallisaanikkut peqqinnissakkullu aarlerinaataasut aarlerinaataarutivitsinneqarsinnaanersut imaluunniit annertunerusumik annikillisinneqarsinnaanersut, tamatuma saniatigut Pisinnaatitsissummik pigisaqartup nalilersussavaa. Siunnersuummi imaluunniit inatsisini allani, imaluunniit aalajangersakkani siunnersuut imaluunniit inatsisit allat malillugit aalajangersagaasuni piumasaqaatinik imaluunniit innersuussinernik imaluunniit naliusut killissaannik aalajangersaasoqarsimannginnera apeqqaatinnagu tamanna atuutissaaq.

Aalajangersagaq malillugu isumannaallisaanikkut peqqissutsikkullu aarlerinaataasut sukkulluunniit suliaqarnikkut naapertuuttumik aammalu teknikkikkut inuiaqatigiinnilu ineriartornermut naapertuuttumik annikillisinneqarnissaasa qulakkeernissaannut,



pisinnaatitsissummik pigisaqartoq pisussaaffilerneqarpoq.

Tamatuma saniatigut aalajangersagaq siunnersuummi § 1 imm. 2-mi aalajangersakkamut naapertuuttumik atorneqassaaq nassuiarneqassallunilu. Aalajangersagaq taanna malillugu ingerlatassat siunnersuut manna malillugu akuersissummi pineqartunut ilaatinneqartut, pissutsit taamaaqatai atuutsillugit suliaqarfimmi nunani tamalaani suleriaatsinut pitsaasunut akuerisaasunut naapertuuttumik ingerlanneqassapput.

Imm. 2-mut

Aalajangersakkami aalajangersarneqarpoq, sinerissap avataani suliaqarfimmi ingerlatsinerup siunnersuummut naapertuuttumik ingerlanneqarnissaata tamatumalu nakkutigineqarnissaata qulakkeernissaannut akuersissut, inatsisit allat, aalajangersakkat siunnersuut aammalu inatsisit allat malillugit aalajangersagaasut aamma aalajangersakkat atugassarititaasullu akuersissummi aalajangersagaasut malillugu pisinnaatitsissummik pigisaqartoq pisussaaffeqartoq.

Imm. 3-mut

Aalajangersakkami aalajangersarneqarpoq, isumaqatigiissuteqarfigineqartut sinerissap avataani suliaqarfimmi ingerlatassanik suliaqartup isumannaallisaanermut piumasaqaatinik naammassinnissinnaanissaata aammalu isumaqatigiissutigineqartut taakkua aamma isumannaallisaanikkut piumasaqaatinik naammassinnissinnaanissaasa qulakkeernissaanut, pisinnaatitsissummik pigisaqartoq pisussaaffeqartoq.

#### *§ 114-imut*

Imm. 1-imut

Aalajangersagaq malillugu Naalackersuisut piginnaatitaaneranni, § 1 malillugu siunnersuutip sinertaanut aamma aalajangersakkanut allanut naapertuuttumik, sinerissap avataani suliaqarfimmut atatillugu isumannaallisaaneq peqqinnissarlu pillugit aalajangersakkanik atugassarititaasunillu, suliaqarfimmi nunani tamalaani suleriaatsinut akuerisaasunullu naapertuuttunik aammalu suleriaatsit ineriartornerat ilutigalugu, Naalackersuisut aalajangersaasinnaanerat qulakkeerneqarpoq.

Naalackersuisut ilaatigut pisinnaatitsissummik pigisaqartup akisussaaffeqarnera pisussaaffiilu, aammalu suliffeqarfimmut inunnullu allanut akuersissutip ataani ingerlatassanik suliaqartunut akisussaaffeqarnera pisussaaffeqarneralu, pisinnaatitsissummik pigisaqartup isumannaallisaaneq peqqinnissarlu pillugit nalunaarussianik suliaqarnissaa aamma Naalackersuisunut tunniussinissaa, isumannaallisaanermik aqutsinissaaq aamma

peqqinnissamut isumannaallisaanermullu aamma illersuinissamut killeqarfiit pillugit aalajangersakkanik atugassarititaasunillu aalajangersaasinnaapput.

Naalackersuisut aammattaaq sinerissap avataani suliaqarfiit sannaannut, pilersinneqarnerannut, inissisimaffiinut, ingerlanneqarnerannut, atorneqarnerannut, piiarneqarnerannut peerneqarnerannullu tunngasunik aalajangersakkanik atugassarititaasunillu aalajangersaasinnaapput. Aamma sinerissap avataani suliaqarfinni atortut aammalu akuersissuteqartarnerit ilaalu ilanngullugit, nakkutilliineq, upalungaarsimaneq, annaassiniarnermi iliuusissat, ilinniartitaanermi piumasaqaatit aammalu piffissaq suliffiusussa.

### *§ 115-imut*

#### Imm. 1-imut

Aalajangersakkami allassimavoq sinerissap avataani suliaqarfik, taanna tissiarluni imaluunniit kalitsilluni ingerlaanngippat, nalinginnaasumik isumannaallisaanermut killeqarfimmik ungalusaasoq.

Isumannaallisaanermut killeqarfiup isorartussusissaa imm. 3-mi aalajangersagaavoq. Takukkit matuma kinguliani imm. 3-mut nassuiaatit.

#### Imm. 2-mut

Aalajangersagaq sinerissap avataani suliaqarfimmut tissiarluni imaluunniit kalitsilluni ingerlaanngitsumut, aammalu ataasiakkaatigut naliliineq malillugu sinerissap avataani suliaqarfinnut allanut imaluunniit angallatinut ilaalu ilanngullugit immap qaavani ingerlaannaq takuneqarsinnaanngitsutut nalilerneqartunut, atuuppoq. Sinerissap avataani suliaqarfiit taamaattut puttaqummik imaluunniit allamik nalunaaqutsiussamik takulertorneqarsinnaasumik Naalackersuisunit akuerisaasumik nalunaaqutsigaassapput.

#### Imm. 3-mut

Aalajangersakkami siunnersuutigineqartumi isumannaallisaanermut killeqarfiit imm. 1-imi aalajangersagaasut isorartussusissaat allassimapput.

Siunnersuummi § 116, imm. 1 malillugu isumannaallisaanermut killeqarfiup isorartussusissaa aalajangersagaasup saneqqunneqarnissaa pillugu Naalackersuisut aalajangiisinnaapput. Takukkit aalajangersagaq taaneqartoq tassungalu nassuiaatit.

#### Imm. 4-mut

Aalajangersagaq malillugu sinerissap avataani suliaqarfiup isumannaallisaanermut killeqarfimmit ungalusimasup sumiiffia, takuuk imm. 1, Imarsiortunut Nalunaarutini (EfS) imaluunniit allami Naalakkersuisunit aalajangerneqartumi, tamanut saqqummiunneqassaaq.

Danmarkimi Søfartsstyrelsi sinerissap avataani suliaqarfiup sumiiffia pillugu nalunaarfigineqassaaq, taamaalilluni tamanna pillugu Imarsiortunut Nalunaarutini nalunaarummik ilanngussisoqarsinnaassalluni.

Tamatuma saniatigut aalajangersagaq malillugu, Naalakkersuisut allatut aalajangiisimanngippata, Imarsiortunut Nalunaarutini imaluunniit allatut Naalakkersuisunit aalajangerneqartumi tamanut saqqummersitsineq pisinnaatitsissummik pigisaqartumit ingerlanneqassaaq.

### *§ 116-imut*

#### **Imm. 1-imut**

Aalajangersagaq malillugu isumannaallisaanermut killeqarfiup isorartussusissaata § 115, imm. 3-mi aalajangersagaasup saneqqunneqarnissaa pillugu Naalakkersuisut aalajangiisinnaapput.

Imaanut maleruagassiisarneq pillugu nunani tamalaani isumaqatigiissummi artikel 60, imm. 5 malillugu naalagaaffiit sineriaqartut, nunani tamalaani ileqqut atuuttut mianeralugit, isumannaallisaanermut killeqarfiit atitussusissaat aalajangersassavaat. Killeqarfiit taakkua, sinerissap avataani suliaqarfiup suussusaanut atuuffianullu naleqquttumik atassuteqartillugit, ilusilerneqassapput. Tamanna nunani tamalaani ileqqut nalinginnaasumik akuerisaasut malillugit tamatuma akuerisaanera imaluunniit nunani tamalaani kattuffimmit aalajangiisinnaatitaasumit inassutigineqarnera eqqaassanngikkaanni, isumannaallisaanermut killeqarfiit kaajallallugit atitussusaasa, sinaani avallerpaamiit naatsorsorlugu 500 meterit sinnersimassanngilaat.

Taamaalilluni aamma saneqqutsinermi isumannaallisaanermut killeqarfik annertusitinneqarsinnaasoq imaluunniit annikillisinneqarsinnaasoq aammalu piffissamut aalajangersimasumut aalajangersarneqarsinnaasoq pillugu tamatumunnga naapertuuttumik aalajangersagaq malillugu Naalakkersuisut aalajangiisinnaapput.

Saneqqutsineq Imarsiortunut Nalunaarutini (EfS) imaluunniit allatut Naalakkersuisut aalajangigaattut tamanut saqqummiunneqassaaq. Imarsiortunut Nalunaarutini imaluunniit allatut Naalakkersuisut aalajangigaattut tamanut saqqummiussineq, Naalakkersuisut allamik aalajangiisimanngippata, pisinnaatitsissummik pigisaqartumit ingerlanneqassaaq.

Aalajangersagaq imaanut maleruagassiisarneq pillugu nunani tamalaani isumaqatigiisummi artikel 60, imm. 5-imut naapertuuttumik atuutsinneqassaaq.

Imm. 2-mut

Navianartorsiortoqartillugu imaluunniit ajutoortoqartillugu, pisut taamaattut inuit ajoqusernissaannut, inuunernik annaasaqarnissamut, annertuumik mingutsitsinissamut, atortunik annertoorsuarnik ajoqusertoqarnissaanik imaluunniit sinerissap avataani suliaqarfimmi ingerlatassat annertuumik akornuserneqarnissaannut aarlerinaateqartillugit, ajoqusiinerup sunniutaasa taaneqartut taakkua pitsaaliornissaannut, pinngitsoortinnissaannut imaluunniit killeqalersinnissaannut pisariaqartutut tamanna isigineqarpat, isumannaallisaanermut killeqarfiit annertusitinnissaannut imaluunniit killeqarfinnik nutaanik pilersitsinissamut, imaanut maleruagassiisarneq pillugu nunani tamalaani isumaqatigiisummi artikel 60, imm. 5-imut naapertuuttumik, Naalackersuisut aalajangersakkami piginnaatinneqarput.

Aalajangersagaq imaanut maleruagassiisarneq pillugu nunani tamalaani isumaqatigiisummi artikel 60, imm. 5-imut naapertuuttumik atuutsinneqassaaq.

#### *§ 117-imut*

Imm. 1-imut

Aalajangersagaq isumannaallisaanermut killeqarfinnut piumasagaatinut tunngassuteqarpoq, takuuk § 115, aammalu umiarsuit, prammit allallu imaatigut angallatit ilaalu ilanngullugit aamma sinerissap avataani suliaqarfiup imminnut aporsinnaanerannut aarlerinaataasut annikillisinnissaat, aammalu piniarnermi atortut ilaalu ilanngullugit immap iluani aaqqissuussinernut attuutinninnissaat ,ataatsimut isigalugu siunertaalluni.

Aalajangersagaq malillugu siunertaq inatsisini tunngaveqartoq assersuutigalugu tassaasinnaavoq pisinnaatitsissummik pigisaqartoq imaluunniit nakkutilliinermut oqartussat suleqatigisap isumannaallisaanermut killeqarfinnut sinerissap avataani suliaqarfiup eqqaaniittumut isersinnaaneranut akuersissuteqarsimasut.

Tamatuma saniatigut inatsisit malillugit siunertaq assersuutigalugu tassaasinnaavoq oqartussat takusaanerminnut imaluunniit misissuinerminnut imaluunniit avatangiisinik mingutsitsinermut atatillugu avatangiisini iliuusissanik suliaqarniarlutik isumannaallisaanermut killeqarfikoorlutik ingerlaarnerat.

Inatsisit malillugit siunertaq assersuutigalugu aamma tassaasinnaavoq imaani

ajornartorsiorneq pissutigalugu suleqatigisaq isumannaallisaanermut killeqarfikkoorluni ingerlaartoq.

Imm. 2-mut

Aalajangersagaq malillugu Naalackersuisut taamaallaat pisuni aalajangersimasuni, pissutsit immikkuullarissut tamanna pisariaqartippassuk, imm. 1-imi inerteqquteqarnerup saneqqunneqarnissaanut aalajangiisinnaapput.

Naalackersuisut imm. 1-imi inerteqquteqarnermi ilaatitsinnginnissaq pillugu aalajangersakkanik atugassarititaasunillu erseqqinnerusunik aalajangersaasinnaapput, ilanngullugit aalisarnermut piniarnermullu. Aalajangersakkat atugassarititaasullu taakkua ilaatigut piffissani aammalu piffissat ilaanni sorlerni isumannaallisaanermut killeqarfiup iluani aalisartoqarsinnaaneranut piniartoqarsinnaaneranullu, aammalu sakkut suut isumannaallisaanermut killeqarfiup iluani aalisarnermi piniarnermilu atorpeqarsinnaanerannut tunngassuteqarsinnaapput.

#### *§ 118-imut*

Imm. 1-imut

Aalajangersakkami siunnersuut malillugu ingerlatassat suliarineqarnissaannut maleruagassat nalinginnaasut pingaarnertigullu atuuttussat aalajangersarneqarput. Ingerlatassanik suliaqarneq pitsaasumik aammalu pissutsit taamaaqatai atuutsillugit sumiiffimmi nunani tamalaani suleriaatsinut akuerisaasunut pitsaasunut naapertuuttumik ingerlanneqassallutik. Oqaaseq nunani tamalaani suleriaaseq pitsaasoq oqaasiuvoq ineriartortuartoq, tamatumalu aalajangersarneqarnerani ineriartorneq isumannaallisaanermut, peqqussutsimut avatangiisinullu suliassa qarfiit iluanni nunani tamalaani pisartut sillimaffigineqassallutik.

Nunani tamalaani suleriaatsinik pitsaasunik aalajangersaaneq maannamut pisartutut nunani tamalaani tunngaviusut nalinginnaasumik akuerisaasut tapertaralugit pisinnaassaaq, ilanngullugit assersuutigalugu ALARP aamma BAT.

ALARP tunngaviusumut tuluttut taaneqartartumut ”As Low As Reasonably Practicable” naalisaataavoq. Siunnersuummi § 113-imut nassuiaatini ALARP pillugu annertunerusut erseqqinnerusumik takukkit.

BAT tunngaviusumut tuluttut taaneqartartumut ”Best Available Techniques” naalisaataavoq.

Aatsitassanut suliassa qarfinni ineriartorneq nalinginnaasumik ineriartortuartuuvoq.

Taamaattumik malitassanik atuuttunik erseqqinnerusumik sukumiisortaannik nassuiaaneq maannakkut pisunik taamaallaat takutitsisuuvoq aammalu sukkasuumik naleqqukkunnaartussaalluni.

Imm. 2-mut

Siunnersuut malillugu ingerlatassanik suliaqarneq isumannaallisaanermut isumalluutinullu tunngavut aamma inuiaqatigiinni piujuaannartitsisumik ingerlatsinissaq eqqarsaatigalugit naapertuutissaaq isumannaatsuussallunilu. Tunngaviusut pingaarnertit taakkua assingi oqartussat suliarinninneranni qitiutinneqassapput. Aalajangersakkami sinnersuutip siunertaanut aalajangersakkani mianerisassat ilaatinneqarput. Takuuk siunnersuummi § 1 tassungalu nassuiaatit.

Isumannaallisaanermi peqqinnissamilu ilaatinneqarput aatsitassarsiorluni ingerlatassanik, nunap iluani ingerlatassanik imaluunniit Kalaallit Nunaanni nukissiornermi ingerlatanik taakkununga atasunik suliaqarnermi ingerlatassat suliarineqarnerannut atatillugu tigussaasuni isumannaallisaaneq, sulisut peqqinnissaat.

Siunnersuummi taaguutip peqqinnissamut tunngasup nassuiarnissaa tamatigoortuussaaq, suliamut ataatsimut atatillugu sulinermi avatangiisinut naleqqiullugu peqqissutsimut, kalaallit nunaatalu inuisa peqqissusaannut tamatigoortumut nassuiaataalluni (inuit peqqissusaat). Aalajangersagaq malillugu aatsitassarsiorluni ingerlatassat peqqissutsip mianerineqarnissaa ilaatillugu aaqqissuunneqassapput.

Avatangiisini ilaatinneqarput avatangiisini nalinginnaasumik mianerisassat, inunnut, uumasunut, naasunut pinngortitamullu pingaaruteqartut.

Isumalluutinik isumannaatsumik atuineq ilaatigut paasineqassaaq, pisariaqanngitsumik isumalluutinik maangaannartitsinani aammalu qanittumi ungasissumilu inuiaqatigiit soqutigisaat mianeralugit, aatsitassarsiorluni ingerlatassat ingerlanneqassasut. Taakkunani ilaatinneqarput ilaatigut aatsitassarsiorluni ingerlatassanik suliaqarnermi aatsitassanillu piianaanermi, ingerlatassanik pilersitsinissamut aammalu sulisussat aammalu nioqqutissanik kiffartuussinernillu pilersuisussat najukkameersut misilittagaqalernissaannut piginnaasaqalernissaannullu aammalu Naalakkersuisut aammalu sulisartut aamma nioqqutissanik kiffartuussinernillu pilersuisut najukkameersut isertitaqartilernissaannut inuiaqatigiit soqutigisaqarnerat.

Isumalluutitigut illersorneqarsinnaasumik piianerup kingunerisaanik ilaatigut aatsitassanik maangaannartitsinissaq sapinngisamik pinngitsoortinneqassaaq, aammalu aatsitassat isumalluutit pineqartut sapinngisamik annertunerpaamik atorluarnissaannut piianaaneq nunani tamalaani suleriaatsinut pitsaasunut naapertuuttumik ingerlanneqassalluni.

### *§ 119-imut*

Nunani tamalaani isumaqatigiissutit imaluunniit maleruagassat, Kalaallit Nunaanni pissutsit siunnersuummi pineqartunut ilaasut pillugit Namminersorlutik Oqartussanit imaluunniit Namminersorlutik Oqartussat sinnerlugit Danmarkimit isumaqatigiissutigineqartut, piviusunnngortinneqarnissaat imaluunniit atorineqarnissaat siunertaralugu, Naalakkersuisut aalajangersakkanik atugassarititaasunillu aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Naalakkersuisut nunani tamalaani isumaqatigiissutit pissutsinut siunnersuummi matumani ilaatinneqartunut tunngassuteqartut naammassineqarnissaat pillugu maleruagassanik aalajangersaanissamut inatsimmi tunngavissaqarnissaannut aalajangersagaq ilaatigut qulakkeereqataassaaq.

### *§ 120-mut*

#### Imm. 1-imut

Aalajangersakkami aalajangersarneqarpoq, ingerlatassat akuersissutini pineqartunut ilaasut aamma siunnersuut manna malillugu ingerlatassat tamatumunnga atasut Naalakkersuisut sioqqutsisumik taakkununnga akuersissuteqarsimangippata, ingerlanneqaqqusaanngitsut. Aalajangersagaq malillugu ilaatigut illunik, sanaartukkanik aamma atortulersuutinik ikkkussukkanik pilersitsinissaq sioqqullugu aammalu suliaqarnerup aamma ingerlatassat siunnersuut malillugu akuersissummi ilaatinneqartut unitsinneqarneranni pisussaaffiit naammassinissaannut ingerlatassat iliuusissallu sioqqutsisumik akuersissuteqarfigineqarsimassapput. Tamatumani tunngavissaatinneqarpoq pisinnaatitsissummik pigisaqartoq Naalakkersuisut ingerlatassanut pilersaarutigineqartunut akuersissuteqarnissaannut pilersaarummik suliaqassasoq.

Taamaattoq akuersissut malillugu ingerlatassat aalajangersimasut akuersissuteqarfigineqassanngitsut pillugu aalajangersakkanik atugassarititaasunillu aalajangersagaq malillugu Naalakkersuisut aalajangersaasinnaapput. Naalakkersuisut assersuutigalugu tamatumunnga atugassarititaasunik atugassarititaasuni nalinginnaasuni imaluunniit nalunaarummi aalajangersaasinnaapput. Misissueqqaarnissamut akuersissut aamma aatsitassarsiorluni misissuinissamut akuersissut malillugu ingerlatassat annikinnerusut aalajangersimasut immikkut akuersissuteqarfigineqanngitsumik suliarineqarsinnaasut pillugu atugassarititaasut, misissueqqaarnissamut akuersissutinut aamma aatsitassarsiorluni misissuinissamut akuersissutinut atugassarititaasuni nalinginnaasuni atuuttuni allassimapput. Taamatut inatsisitigut inissisimaneq aalajangersagaq malillugu ingerlateqqinneqarpoq.

Aalajangersakkap malitsigisaanik akuersissutit malillugit ingerlatassat assigiinngitsut aallartinneqannginneranni aallaaviatigut akuersissuteqarfigineqarsimasussaapput. Sumiiffimmi akuersissummi aatsitassanik misissorneqartunik imaluunniit piiarneqartunik isumalluuteqarfittut killissalernerqarsimasumi avataanilu ingerlatassat tamarmik akuersissummi pineqartunut ilaasut, aalajangersakkami ilaatinneqarput.

Aalajangersagaq malillugu akuersissuteqarnerni ingerlatassat suliarineqarnissaannut atugassarititaasunik arlalinnik aalajangersaasoqarsinnaavoq, § 121 ilanngullugit teknikkimut, isumannaallisaanermut, peqqinnissamut, avatangiisinut, isumalluutitut inuiaqatigiinnullu tunngasut pillugit. Tamatuma saniatigut Naalakkersuisut assersuutigalugu akuersissuteqarnerup sivilissusaa, pisinnaatitsissummik pigisaqartup pissutsit aalajangersimasut pillugit nalunaarusiortarnissaa malinnaanissarlu (alapernaarsuineq) pillugit atugassarititaasunik aalajangersaasinnaapput.

Imm. 2-mut.

Aalajangersakkami allassimavoq Naalakkersuisut piiaanermit ingerlatassanik unitsitsigallarnermut atatillugu iliuusissat tamaasa akuersissuteqarfigissagaat.

Aalajangersagaq malillugu akuersissuteqarnerni ingerlatassat suliarineqarnissaannut atugassarititaasunik arlalinnik aalajangersaasoqarsinnaavoq, § 121 ilanngullugit teknikkimut, isumannaallisaanermut, peqqinnissamut, avatangiisinut, isumalluutitut inuiaqatigiinnullu tunngasut pillugit. Tamatuma saniatigut Naalakkersuisut assersuutigalugu akuersissuteqarnerup sivilissusaa, pisinnaatitsissummik pigisaqartup pissutsit aalajangersimasut pillugit nalunaarusiortarnissaa malinnaanissarlu (alapernaarsuineq) pillugit atugassarititaasunik aalajangersaasinnaapput.

Imm. 3-mut

Aalajangersagaq malillugu ingerlatassat annertunerusut imaluunniit pingaaruteqartut, akuersissut malillugu ingerlatassanik suliaqarnermut atatillugu suliarineqartut, ilanngullugit qillerinerit, sullumut isaarianik appartitsinerit aamma qaarusuliornerit ilaalu ilanngullugit, pisuni tamaginni aallartinneqannginneranni Naalakkersuisunit akuersissuteqarfigineqassasut. Tamatumunnga pissutaavoq ingerlatassat taaneqartut taakkua pisariusuunerat aammalu immikkut aarlerinaateqarsinnaanerit.

Aalajangersagaq malillugu akuersissuteqarnerni ingerlatassat suliarineqarnissaannut atugassarititaasunik arlalinnik aalajangersaasoqarsinnaavoq, § 121 ilanngullugit teknikkimut, isumannaallisaanermut, peqqinnissamut, avatangiisinut, isumalluutitut inuiaqatigiinnullu tunngasut pillugit. Tamatuma saniatigut Naalakkersuisut assersuutigalugu akuersissuteqarnerup sivilissusaa, pisinnaatitsissummik pigisaqartup pissutsit



aalajangersimasut pillugit nalunaarusiortarnissaa malinnaanissarlu (alapernaarsuineq) pillugit atugassarititaasunik aalajangersaasinnaapput.

*§ 121-mut*

Pisinnaatitsissummik pigisaqartup siunnersuummi § 1-imi siunertamut aamma aalajangersakkanut allanut naapertuuttumik pilersaarutit malillugit ingerlatassat suliarineqarnissaasa qulakkeernissaa siunertaralugu akuersissuteqarneq, aatsitassarsiorfimmu pilersaarut, matusinissamut pilersaarut, ingerlatassamut pilersaarut alla aamma pilersaarutit malillugit ingerlatassat pillugit pissutsit tamaasa pillugit akuersissut malillugu akuersissuteqarnernut tamaginnut aalajangersakkanik atugassarititaasunillu Naalakkersuisut aalajangersaanissaannut, ilanngullugu Naalakkersuisut § 81, imm. 3 naapertorlugu matusinissamut pilersaarummik suliaqarnissamik piumasaqarsinnaanerannut, inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Aalajangersakkami ilaatigut ingerlatassanut pilersaarutit malillugit ingerlatassat § 1 malillugu siunnersuutip siunertaanut naapertuunnissaannik qulakkeereqataassaaq.

Aatsitassanut ikummatissanullu inatsit malillugu pilersaarutit akuersissuteqarnerillu atuutereersut, pissutsit pisinnaatitsissummik pigisaqartut ingerlatassanik aatsitassanut ikummatissanullu inatsisip siunertaanut naapertuuttumik ingerlatassanut pilersaarutini pineqartunut ilaasunik suliaqarnissamik qulakkeerisussat pillugit atugassarititaasunik imaqarput. Ingerlatassanut pilersaarutit tamatumunngalu akuersissuteqarnerit pillugit suleriaatsit atuutereersut siunnersuummi aalajangersakkat malillugit ingerlatiinnarneqarsinnaapput. Tamatuma saniatigut aalajangersakkat imaluunniit atugassarititaasut allanngortinneqartut imaluunniit nutaat siunnersuummi § 121-mut naapertuuttumik aalajangersarneqarsinnaapput.

*§ 122-mut*

Aalajangersagaq malillugu Naalakkersuisut pisinnaatitsissummik pigisaqartup allallu suliaqarnerinut ingerlataannullu siunnersuummi pineqartunut ilaasunut nakkutilliisuupput, ilanngullugit aalajangersakkat atugassarititaasullu siunnersuut malillugu aalajangersarneqartut.

Tamatuma saniatigut aalajangersakkap malitsigisaanik nakkutilliinermut oqartussaq sukkulluunniit pisinnaatitsissummik pigisaqartup aamma allat suliaqarnerannut ingerlataannullu siunnersuummi pineqartunut ilaasunut imaluunniit taakkua ilaannut sukkulluunniit isersinnaapput. Aalajangersagaq malillugu nakkutilliinerup ingerlanneqarnissaanut tamanna pisariaqarpat, nakkutilliinermik oqartussani sulisut taamaalillutik eqqartuussivimmi aalajangiinertaqanngitsumik sukumiisumik kinaassutsimut

uppernarsaammik takutitsillutik tamatumunnga isersinnaapput.

Taamaattoq suliffeqarfimmut ingerlatassanullu siunnersuummi pineqartunut ilaasunut isernissamut, tamanna suliffeqarfiup ingerlataannik nakkutilliinerup isumaginissaanut pisariaqarluni pisoqarneri kisimik tamatumani pineqarput.

Sulisut ikittuinnaat nakkutilliisuni sulisutut kinaassutsiminnik uppernarsaasinnaasut kisimik aalajangersagaq malillugu isernissamik piumasaqarsinnaanerit erseqqissarniarlugu ”Naalackersuisut” atornissaannut taarsiullugu, oqariaaseq ”nakkutilliinermut oqartussani sulisut” toqqarneqarpoq. Oqaatsimi ”nakkutilliinermut oqartussani sulisut” aamma siunnersortit avataaneersut, siunnersuisartut aamma immikkut ilisimasallit nakkutilliinermut oqartussaq tamatumunnga isumaqatigiissuteqarfigalugu nakkutilliinermut oqartussaq sinnerlugu imaluunniit peqatigalugu nakkutilliinermik suliaqartut pineqartunut ilaatinneqarput.

Nakkutilliineq assersuutigalugu pisinnaatitsissummik pigisaqartoq sioqqutsisumik ilisimateqqaarnagu ingerlanneqartumik misissugassanik tigusilluni misissuinikkut, ingerlanneqarsinnaavoq. Nakkutilliineq aamma tamatumunnga sivikitsumik ilimasaarluni imaluunniit akuttunngitsumik, suleriaaseralugu misissuisarnikkut ingerlanneqarsinnaavoq. Nakkutilliinermut oqartussani sulisut aammalu inuit tamatumunnga immikkut piginnaatinneqartut aamma nakkutilliinermik misissuinernillu matuma siuliani taaneqartunit allaanerusunik ingerlatsisinnaapput.

#### *§ 123-mut*

Aalajangersakkami allassimavoq Naalackersuisut siunnersuutip aamma aalajangersakkat aammalu akuersissummut atugassarititaasut siunnersuut malillugu aalajangersagaasut naammassineqarnissaat pillugu peqqusissuteqarnissamut periarfissaqartut. Aamma aalajangersakkami allassimavoq, siunnersuutip aamma aalajangersakkat aammalu akuersissummut atugassarititaasut siunnersuut malillugu aalajangersagaasut malinneqarnissaasa qulakkeernissaa siunertarlugu Naalackersuisut peqqusissuteqarsinnaasut inerteqquteqarsinnaasullu.

Aalajangersagaq malillugu peqqusissuteqarneq inerteqquteqarnerlu pisinnaatitsissummik pigisaqartumut imaluunniit allanut siunnersuummi pineqartunut ilaasunut nalunaarutigineqarsinnaavoq. Taakkua assersuutigalugu tassaasinnaapput pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisai, takuuk § 17.

#### *§ 124-mut*

Pisinnaatitsissummik pigisaqartut allallu suleqatigisat siunnersuummi matumani pineqartunut

ilaasut paasissutissiisussaaitaanermik aalajangersakkami pisussaaffilerneqarput.

Aalajangersakkami pineqarput paasissutissat tamarmik, assersuutigalugu siunnersuut malillugu akuersissummik tunineqarnissamik qinnuteqaatip suliarineqarnissaanut atatillugu oqartussat suliarinninnissaanut pisariaqartut imaluunniit paasissutissat siunnersuut malillugu ingerlatassanik tamakkiisumik nakkutilliinissamut atorneqartussat.

Aalajangersagaq malillugu Naalakkersuisut inunnut imaluunniit ingerlatseqatigiiffinnut aalajangersakkami pineqartunut ilaasunut, taakkua paasissutissanik Naalakkersuisut suliassamik nalilersuinerannut atugassatut Naalakkersuisut pisariaqartitaannik nassiussissasut, peqqusinissamut periarfissaqarput. Paasissutissanik nassiussineq aalajangersimasumik iluseqassasoq, ilanngullugu assersuutigalugu USB-mi, elektroniskimik paasissutissanut fil-imi imaluunniit immiussivimmi allami naleqquttumi, aalajangernissaanut Naalakkersuisut periarfissaqarput.

#### *§ 125-mut*

Pisinnaatitsissummik pigisaqartup suliassanik suliarinninneq allatullu siunnersuut malillugu oqartussat suliarinninnerat pillugit akilerneqanngitsut akilinngippagit, Naalakkersuisut suliassanik suliarinninnermik aamma allatigut oqartussat suliarinninnerannik unitsitsisinnaanerannik qulakkeernissaq, aalajangersakkami siunertaavoq.

Ima pisoqartillugu, Naalakkersuisut akuersissuteqartoreernerata kingorna sulianik unitsitsitsisoqarnissaanik peqqusippata, Naalakkersuisut pisinnaatitsissummik pigisaqartoq pillugu suliarinninnerminik unitsitsinnginneranni aammalu suliame sumiluunniit aalajangiinnginneranni, pisinnaatitsissummik pigisaqartoq Naalakkersuisunut aningaasat akiitsorineqartut sulluunniit akilernissaannut naleqquttumik piffissalerneqassaaq.

Naalakkersuisut tamatumunnga siunnersuummut naapertuuttumik akiliutinik tigusaqannginnissaat aarlerinaateqarpat, Naalakkersuisut pisinnaatitsissummik pigisaqartoq imaluunniit alla pillugu suliame sumiluunniit suliassanik suliarinninnerminnik allatullu oqartussat suliarinninnerannik unitsitsinissaat naapertuuttoq naliliisoqarpoq.

#### *§ 126-mut*

Imm. 1-imut

Tamanna inuiaqatigiit soqutigisaannut annertuunut akerliussappat, akuersissummik imaluunniit akuersissuteqarnermik tunniussiumannginnissamut aalajangersagaq periarfissiivoq.

Suliassaqarfiup iluani nunani tamalaani pissutsit pillugit Namminersorlutik Oqartussat aamma naalagaaffiup akornanni aalajangiisinnaatitaanermut tunngasut, suliassaqarfik akisussaaffigilerlugu tiguneqarsimanersoq imaluunniit suliassaqarfik akisussaaffigilerlugu tiguneqarsimannginnersoq tunngavigalugu tunngaviusumik aalajangerneqassaaq. Namminersornermut inatsimmi §§ 11-12 malillugu tamanna pisussaavoq. Aamma § 11 aamma § 12, imm. 1 aamma 2 malillugit Namminersorlutik Oqartussat suliassaqarfinni akisussaaffigilerlugit tiguneqarsimasuni inuiaat pisinnaatitaaffiit isumaqatigiissutinik isumaqatiginninniarnissamik, isumaqatigiissuteqarnissamik atorunnaarsitsinissamullu aalajangiisinnaatitaapput, ilanngullugu aatsitassanut suliassaqarfiup iluani. Namminersorlutik Oqartussat taamaalillutik suliassaqarfinni akisussaaffigilerlugu tiguneqarsimasuni nunani tamalaani pissutsit pillugit aalajangiisinnaatitaapput, ilanngullugit sillimaniarnermut politikkimut aamma illersornissamut politikkimut tunngasut.

Naatsorsuutigineqarpoq nunanut allanut politikki, illersornissamut politikki imaluunniit sillimaniarnermut politikki imaluunniit soqutigisat pillugit aalajangersagaq malillugu aalajangiinerit danskit oqartussaasui suleqatigalugit aalajangiiffigineqassapput, tamannalu naapertuutsillugu naleqqutsillugulu Naalakkersuisut danskit oqartussaasui aalajangiinissamut Naalakkersuisunut tusarniaanermut oqaaseqaateqaqqusinnaavaat.

Qinnuteqartoq tassaasinnaavoq akuersissummik sumilluunniit tunineqarnissamik imaluunniit siunnersuut malillugu akuersissuteqarnermik sumilluunniit akuerineqarnissamik qinnuteqartoq.

Naalakkersuisut tamatuminnga aalajangiinerat tamatumunnga immikkoortumik aalajangiinertut imaluunniit qinnuteqartumut imaluunniit pisinnaatitsissummik pigisaqartumut akuersissummik imaluunniit akuersissuteqarnermik tunniussinissaq imaluunniit tunniussinnginnissaq pillugu aalajangiinerup ilaatut aalajangiiffigineqarsinnaalluni. Naalakkersuisut akuersissummik imaluunniit akuersissuteqarnermik tunniussinissaq imaluunniit tunniussinnginnissaq pillugu aalajangiinnginnermi, tamatumunnga Naalakkersuisut immikkut aalajangiisinnaapput.

Naalakkersuisut siunnersuut malillugu inuiaqatigiinnut tunngasut pingaaruteqartut aammalu mianerisassat siunnersuut malillugu akuersissummik imaluunniit akuersissuteqarnermik tunniussisoqassanersoq aalajangiinnermi ilanngunnissaannut inatsimmi tunngavissaqarnissaannik (periarfissaqarnissaannik) qulakkeerinissaq, aalajangersakkami siunertaavoq.

Aalajangersagaq immikkut qaqutigoortunik pisoqartillugu, inuiaqatigiinnut tunngasut imaluunniit soqutigisat pingaarutillit, ilanngullugit nunanut allanut politikkimut, illersornissamut politikkimut imaluunniit sillimaniarnermut politikkimut tunngasut imaluunniit soqutigisat tamatumunnga tunngavilersuutigineqartillugit, taamaallaat

atorneqassaaq.

Aalajangersagaq taamaaqataa nunavittap sumiiffia aammalu imartami akisussaaffeqarfiusumi ruujorit aqquersuutit aalajangersimasut pillugit danskit inatsisaaniippoq.

Imm. 2-mut

Aalajangersakkami pisinnaatitsissummik pigisaqartut aamma qinnuteqartut pissutsit tamaasa imm. 1 malillugu nalilersuinissamut attuumassuteqarsinnaasut pillugit paasissutissiinissamut pisussaaffilerneqarput. Taakkua assersuutigalugu tassaasinnaapput piginnittumut tunngasut, naalagaaffinnut allanut atanerit, niueqatigiinneq, assersuutigalugu sakkutooqarnerup iluani imaluunniit nunani allani suliffeqarfinnut pilersuinissamut isumaqatigiissutit aammalu nunani tamalaani isumaqatigiissutinik ilaalu ilanngullugit unioqqutitsinermut atatillugu siusinnerusukkut pineqaatissiinerit pillugit paasissutissat.

Pisinnaatitsissummik pigisaqartup imaluunniit qinnuteqartup Naalakkersuisunut passissutissiineri uppersarneqassapput, assersuutigalugu nalunaarsuiffinnit tigusanik imaluunniit akuersissutit allagartat assilinerinik uppersakkanik.

Naalakkersuisut paasissutissanik sunilluunniit kiisalu tamatumunnga uppersaatinik imm. 1 malillugu naammattumik paasissutissanik tunngaveqartumik aalajangiisinnaanissamut attuumassuteqartutut isigineqartunik pisinnaatitsissummik pigisaqartunit qinnuteqartuniillu piumasaqarsinnaanissaa, aalajangersakkami aammattaaq inatsimmi tunngavissalerneqarpoq.

Aalajangersagaq malillugu paasissutissat Naalakkersuisunut tunniunneqartut, pisortat ingerlatsinerat pillugu paasitinneqarsinnaatitaaneq pillugu Inatsisartut inatsisaat nr. 9, 13. juni 1994-imeersumi kingusinnerusukkut allannguuteqartumi pineqartunut ilaasussaapput, tamanna assersuutigalugu isumaqarpoq teknikkikkut aaqqissuussinerit imaluunniit periaatsit imaluunniit ingerlatsinermut niuernerimullu tunngasut imaluunniit assigisaat pillugit paasissutissat, taakkua inummut imaluunniit suliffeqarfimmu paasissutissani pineqartunut annertuumik aningaasaqarnikkut pingaaruteqarpata, allagaatinik takunninnissami ilaatinneqassanngitsut.

Imm. 3-mut

Assersuutigalugu pisinnaatitsissummik pigisaqartut qinnuteqartullu imm. 2 malillugu paasissutissat tunniussaasa uppersarinissaat siunertaralugu misissuinernik pisariaqarsorineqartunik suliaqarnissamut aalajangersakkami Naalakkersuisut inatsimmi tunngavissinneqarput.

Tassunga atatillugu Naalakkersuisut ilaatigut nunami namminerimi nunanilu tamalaani

nalunaarsuiffinni ujaasisinnaapput aammalu oqartussat assigiinngitsut attavigisinnaallugit, ilanngullugit nunani allani oqartussat.

*§ 127-mut*

Imm. 1-imut

Pisinnaatitsissummik pigisaqartoq siunnersuut manna malillugu akuersissummik tunineqartoq imaluunniit akuersissuteqarfigineqartoq taamaaliormi inatsisit allat malillugit akuersissuteqarnernik imaluunniit akuersissutinik pisariaqartunik piniarnissamut pisussaaffeqarunnaarsinneqanngitsut, aalajangersakkami siunnersuutigineqartumi erseqqissarneqarpoq. Tamanna allanut siunnersuummi pineqartunut ilaasunut aamma atuuppoq.

Tamatununga assersuutitut taaneqarsinnaavoq, pisinnaatitsissummik pigisaqartup siunnersuut malillugu ingerlataannut ilaatillugu ilaatigut mittarfinnik imaluunniit allanik silaannakkut angallannermut sanaartukkanik pilersitsinissaq ingerlatsinissarlu pillugit ingerlatassat ilaanerat. Taamatut pisoqartillugu pisinnaatitsissummik pigisaqartup aamma pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfiisa, takuuk § 17, silaannakkut angallannermut inatsit malillugu silaannakkut angallannermut oqartussanut akuersissuteqarnerit imaluunniit akuersissutit piniarnissaasa qulakkeerneratigut, silaannakkut angallannermut inatsimmi aalajangersakkat misissussavaat. Taamaattoq ingerlatassat taamatut ittut pisinnaatitsissummik pigisaqartup siunnersuut malillugu ingerlataannut ilaatinneqartillugit, taakkua siunnersuut manna malillugu oqartussat suliarinninneranni tamarmiusumi ilaatinneqassapput. Naalakkersuisut tamatumunnga atatillugu pissutsinut akuersissuteqarnissaat taamaalilluni aamma pisariaqartussaavoq.

Aalajangersagaq eqikkaanermut aalajangersakkatut isigineqassaaq, tassami pissutsit taakkua annertunerpaartaat aatsitassarsiorluni ingerlatassani siunnersuut manna malillugu maleruagassiivigineqartunik suliaqarnermut tunngatillugu attuumassuteqartussaammata. Taamaattoq tassani pissutsit siunnersuut manna malillugu akuersissummut imaluunniit akuersissuteqarnermut peqatigitillugu inatsisit allat malillugit akuersissummik imaluunniit akuersissuteqarnermik peqarfiussat pineqarsimasinnaapput. Tamanna assersuutigalugu erngup nukinganit isumalluutininut inatsimmi aamma silaannakkut angallannermut inatsimmi pisussaavoq.

Aalajangersakkami aalajangersarneqarpoq, akuersissutit imaluunniit akuersissuteqarnerit pisariaqartut qulakkeernissaat pisinnaatitsissummik pigisaqartup pisussaaffigigaa. Taamaattumik Naalakkersuisut pissutsinut taamaattunut akisussaasuunngillat, ilanngullugu Naalakkersuisut inatsisit allat pillugit ilitersuisimanatik pisoqartillugu.

## Imm. 2-mut

Aalajangersagaq imm. 1-mi ilaatitsinnginnermik, imaqarpoq, tassami tassani aalajangersarneqarmat siunnersuut malillugu akuersissummi pisinnaatitsissummik pigisaqartoq sumiiffimmi akuersissuteqarfiusumi taassumalu avataani illunut sanaartukkanullu nunaminertamik atugassinneqarnissaq pillugu nunaminertanut inatsimmi piumasagaatinik naammassinnittussaatinneqanngilaq.

Naalackersuisut § 78 malillugu aatsitassarsiorfimmut pilersaarummut akuersissuteqarnerat, ilanngullugu assersuutigalugu aatsitassarsiorfimmi suliaqarfissamik, sanaartukkanik allanik imaluunniit illuutitik pilersitsinissamut tunngatillugu, nunaminertanut inatsit malillugu akuerisaasumik, peqatigisaanik akuersissut nunaminertamik pineqartumik atuinissamut akuerissutaasussaavoq.

## § 128-mut

### Imm. 1-imut

Siunnersuut malillugu ingerlatassanik ingerlatsisinnaanissaq siunertaralugu pigisamik aallaakkaasumik pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnerup ingerlanneqarnissaanut periarfissaqarnermut aalajangersagaq tunngassuteqarpoq.

Suliassaqarfinni Namminersorlutik Oqartussat ataanniittuni pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqartarnissamut inatsimmi tunngavissat periaasissallu pillugit maleruagassanik aalajangersaanissamut aalajangiisinnaatitaaneq 1992-imi Namminersornerullutik Oqartussat (ullumikkut Namminersorlutik Oqartussat) tiguaat. Tamanna suliassaqarfinni Namminersornerullutik Oqartussat ataanniittuni pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq pillugu inatsimmi nr. 1012, 19. december 1992-imeersumi pivoq. Kalaallit Nunaanni pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq pillugu Inatsisartut inatsisaanni nr. 25, 30. november 1992-imeersumi maleruagassiivigineqarpoq.

Danskit pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnernut inatsisaat 1992-imeersoq Inatsisartut inatsisaannut tunngavigineqarpoq, taamaalillunilu suleriaatsinuinnaq inatsisaalluni. Tamatuma malitsigisaanik siunnersuut manna Inatsisartut inatsisaanni tamatumunnga maleruagassat malillugit pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnissamut inatsimmi tunngavissamik taamaallaat imaqarpoq, takuuk aamma imm. 2.

Siunnersuut manna malillugu suliaqarnermik pilersitsinissaq ingerlatsinissarlu aammalu ingerlatassanik suliaqarnissaq siunertaralugu, pigisamik aalaakkaasunik pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq aallartinneqassasoq, aalajangersakkap malitsigisaanik Naalakkersuisut pisariaqartillugu aalajangersinnaapput.

Pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq pisariaqassasoq, aalajangersagaq malillugu piumasaqaataavoq. Pisariaqartoq nalinginnaasunik paasineqassaaq, pigisat aalaakkaasut taarsiissutitalimmik arsaarinnissutiginnissaannut naapertuuttunik allanik periarfissaqanngitsoq.

Nunaminertaq taamaatinneqarani, kisianni siunnersuut manna malillugu suliaqarnermik pilersitsineq ingerlatsinerlu aamma ingerlatassanik suliaqarneq annertoorsuarnik ajoqutissartaqarluni imaluunniit pigisamut aalaakkaasumut, suliffeqarfimmut ilaalu ilanngullugit ajoqusiinermik malitseqarluni, akuliunneq aalajangersagaq malillugu pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnermut taarsiinissamut tunngavissaliisinnaatillugu, pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq pissasoq aamma Naalakkersuisut aalajangiisinnaapput.

Pigisap aalaakkaasup ilaanut pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnermi pigisap aalaakkaasup ilaata atorneqarsinnaanera annertuumik ajornerulersinneqarluni pisoqartillugu, pigisamik aalaakkaasunik piginnittoq tamatuminnga oqariartuuteqarpat, pisinnaatitsissummik pigisaqartoq pigisap aalaakkaasup tamarmiusup pisiarinissaanut pisussaaffilerneqarsinnaavoq.

Pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq pisinnaatitsissummik pigisaqartup akiligassaanik ingerlanneqassaaq. Tassa imaappoq pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnermi aningaasartuutit tamarmiusut, pigisamut aalaakkaasumut taarsiissutitalimmik arsaarinnissutigineqartumut taarsiissutissat ilanngullugit, pisinnaatitsissummik pigisaqartup akilissavai.

Imm. 2-mut

Aalajangersakkami aalajangersarneqarpoq imm. 1 malillugu pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarneq, pigisanik aalaakkaasunik arsaarinnissuteqartarneq pillugu Inatsisartut inatsisaanni maleruagassat malillugit ingerlanneqassasoq.

Inatsisartut inatsisaat pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnermut oqartussap aalajangiisinnaatitaanera pillugu aalajangersakkanik sukumiisunik imaqarpoq, ilanngullugu pigisanik aalaakkaasunik taarsiissutitalimmik arsaarinnissuteqarnermi periaasissaq aammalu taarsiissutissat tunniunneqarnerat ilaalu ilanngullugit.



## § 129-mut

### Imm. 1-imut

Aalajangersakkami allassimavoq, nunami sumiiffinnut tunngasut taakkualu piujuartinnissaannut mianerisassat isumaginissaannut, sumiiffik ataaseq arlallilluunniit eqqissisimatitaalnissaat pillugu aalajangersakkanik Naalackersuisut aalajangersaasinnaasut. Ingerlatassaq ataaseq arlallilluunniit ingerlanneqarsinnaasut pillugu aalajangersakkanik Naalackersuisut aalajangersaasimangippata, sumiiffimmi nunami sumiiffinni eqqissisimatitami sunilluunniit ingerlatassanik suliaqartoqaqqusaanngilaq.

Kalaallit Nunaanni nunap sannaa soqutiginaateqartorujussuuvoq assigiinngisitaartorujussuullunilu, ilaatigut ujaqqat aatsitassallu pisoqqat immikkuullarissullu tassaniillutik. Ukiopassuarni misissuinernik suliaqartoqartarsimasoq aammalu Kalaallit Nunaanni nunap sannaa itsarsuarnitsanik pingaaruteqartunik annertuunik peqarfiusoq pillugu allaaserisaqartoqartarsimalluni.

Sumiiffiit immikkuullarissunik nunap sannaqartut illersorneqarnissaannut piujuartinneqarnissaannullu aalajangersagaq iluaqutaassaaq. Taakkua tassaasinnaapput sumiiffiit nunap sannaa immikkut annertuumillu pingaaruteqartut.

Sumiiffik ataaseq arlallilluunniit tamakkiisumik ilaannaasumillu eqqissisimatitaalissasut pillugu aalajangersakkanik Naalackersuisut aalajangersaasinnaapput. Sumiiffik aalajangersimasoq tamakkiisumik eqqissisimatitaalerpat, tamatuma malitsigisaanik sumiiffimmi aalajangersimasumi tassani sunilluunniit ingerlatassanik suliaqarnissaq inerteqqutaalissaaq. Sumiiffik aalajangersimasoq ilaannakortumik eqqissisimatitaalerpat, tamatuma malitsigisaanik sumiiffimmi aalajangersimasumi tassani ingerlatassat erseqqinnerusumik aalajangerneqartut kisimik suliarineqarsinnaalissapput.

Naalackersuisut assersuutigalugu eqqissisimatitsinissaq pillugu aalajangersakkanik nalunaarummi aalajangersaasinnaapput.

### Imm. 2-mut

Aalajangersagaq malillugu, siunnersuut malillugu ingerlatassat sumiiffimmi ataatsimi arlalinniluunniit inerteqqutigineqarsinnaasut imaluunniit killilersorneqarsinnaasut pillugu Naalackersuisut aalajangersakkanik nalunaarummi aalajangersaasinnaapput.

Oqaaseq ”nalinginnaasumik soqutigisat” atituumik paasineqassaaq.

Aalajangersakkami assersuutigalugu siunnersuut malillugu ingerlatassat sumiiffinni illoqarfiup qanitaaniittuni sumiiffinni erseqqinnerusumik aalajangerneqartuni, imaluunniit sumiiffinni erseqqinnerusumik nassuiarneqartuni aatsitassarsiorluni ingerlatassat assersuutigalugu inuussutissarsiutinut atuutereersunut imaluunniit najukkami innuttaasunut ajoqusiisumik sunniuteqassasut naatsorsuutigineqartariaqartuni, ingerlateqqusaanngitsut pillugu aalajangersakkanik aalajangersaanissamut Naalakkersuisut periarfissinneqarput.

Mianerisassat aalajangersagaq malillugu isumagineqarsinnaasut assersuutigalugu tassaasinnaapput najukkami innuttaasut inuussutissarsiummik ingerlatsinissamut periarfissaqarnissaat, imaluunniit najukkami innuttaasut sumiiffimmik sukisaarsarluni sammisassanut atuinissamut periarfissaqarnissaat.

Inerteqquteqarneq imaluunniit killilersuineq pillugu aalajangersakkanik aalajangersaaneq siunissamut tunngasunut taamaallaat pisinnaavoq, tassa imaappoq, nalunaarutitut ilusilimmi inerteqquteqarnermik imaluunniit killilersuinerik aalajangersaaneq taamaallaat akuersissutinut nalunaarutip tamanut saqqummiunneqareernerata kingorna tunniunneqartunut atuutissasoq, aammalu inerteqquteqarneq imaluunniit killilersuinerit akuersissutinut tunniunneqareersimasunut tunngatillugu atuutsinneqarsinnaanngitsut.

#### *§ 130-mut*

Imm. 1-imut

Naalakkersuisut aalajangersimasumik annertussusilimmik suliassanik oqartussanut allanut imaluunniit suleqatigisanut namminersortunut suliqartitsisalersinnaanerata aalajangersakkami maleruagassiivigineqarpoq. Aalajangersagaq taamatut suliakkiinissaq pillugu nalunaarummik saqqummiussinissamut inatsimmi tunngavissatut immikkoortutut atuutissaaq. Nalunaarutip taamaattup atuutilerneranik nalunaarutiginninnik atuutilerneralu, innuttaasunut suliffeqarfinnullu ilaalu ilanngullugit tunngatillugu suliakkiussinerup sunniuteqalernissaanut tunngavissaatinneqassaaq.

Aalajangersagaq siunnersuutigineqartoq assersuutigalugu nakkutilliinermi suliassaq suleqatigisanit allanit sularineqassasoq aalajangerneqarsinnaasut Naalakkersuisunut periarfissiivoq. Aalajangersakkami siunnerfigineqarpoq nakkutilliinerup piginnaasaqarnernut isumalluutinillu atorluaanermut tunngatillugu naapertuunnerpaamik pitsaanerpaamillu aaqqissuunneqarnissaa. Oqartussat allat nakkutilliinermi suliassamik naapertuunnerpaamik isumaginnissinnaappata, suliassaq taakkunani sularineqassasoq, aalajangerneqarsinnaassaaq.

Aalajangersagaq malillugu aamma suliffeqarfiit namminersortut suliassaqarfimmi immikkut piginnaasaqartut nakkutilliinermik ingerlataqarnissaasa aalajangerneqarsinnaasut aamma periarfissaavoq. Nakkutilliinermi suliassat suliffeqarfimmut namminersortumut suliakkiunneqarput, Naalakkersuisut nakkutilliinermut piginnaatitaaffimminnik atuineranni

pisinnaatitaaffiit pisussaaffiillu suliffeqarfimmi atorneqassasut pillugu Naalakkersuisut tamatumunnga attatillugu aalajangersakkanik aalajangersaassapput.

Tamanna pingaartumik nakkutilliinermi suliassaq suliffeqarfinnut namminersortunut suliassanik suliarinninnissamut tunngavissaqartunut suliakkiunneqarneranni pingaartumik naleqqutissaaq.

Pisortani oqartussat suliassanik aamma inatsisit malillugit piginnaatitaaffinnik suliffeqarfinnut namminersortunut suliakkiussinerannut assersuutitut taaneqarsinnaavoq umiarsuarnik suussusiliisarneq.

Søfartsstyrelsen 2003-mi American Bureau of Shipping-imut, Bureau Veritas-imut, Det Norske Veritas-imut, Germanischer Lloyd-imut, Lloyd's Register-imut, Nippon Kaiji Kyokai-imut aamma RINA S.p.A.-imut Registro Italiano Navale Group-imut isumaqatigiissuteqarpoq. Isumaqatigiissut danskit imarsiornermut oqartussaasui sinnerlugit suliassanik arlalinnik suliaqarnissamut tunngassuteqarpoq. Suliffeqarfiit isumaqatigiissut malillugu ilaatigut akuersissutinik allagartanik tunniussisinnaapput, iluarsaassinissamik piumasaqarsinnaallutik aammalu takusaanernik suliaqarsinnaallutik. Suliassaqarfimmi tassani ingerlatseqatigiiffiit suussusiliisartut aalajangiinerinik tigusaqartut taamaallaat eqqartuussivinnut aalajangiineq naammagittaalliutigalugu suliakkiisinnaapput. Allaffissornikkut naammagittaalliorfissaqanngilaq.

Siunnersuut malillugu oqartussat suliassai oqartussamit allamit imaluunniit suleqatigisamit namminersortumit suliarineqartassasut Naalakkersuisut aalajangerpata, oqartussap pineqartup imaluunniit suleqatigisap namminersortup oqartussat suliassaannik suliarinninneq pillugu maleruagassanik atuuttunik naammassinninneranut nakkutilliinissaq Naalakkersuisut suliassarilissavaat.

## Imm. 2-mut

Aalajangerneqarpat assersuutigalugu nakkutilliinissamut piginnaatitaaffiit pisortani oqartussamut imaluunniit suliffeqarfimmut namminersortumut suliakkiunneqassasut, piginnaatitsissummi allatut aalajangertoqarsimanngippat, suleqatigisaaq pineqartoq taassumalu sulisui nakkutilliinermut oqartussatut taassumalu sulisuisut piginnaatitaallissapput. Piginnaatitsissummi atugassarititaasunik taamaattunik aalajangersaasoqanngippat, taamaalilluni suleqatigisaaq pineqartoq aalajangersagaq malillugu assersuutigalugu siunnersuutip matuma aamma aalajangersakkat atugassarititaasullu siunnersuut manna malillugu aalajangersagaasut malinnissaat pillugu peqquisssuteqarnissaaq periarfissaavoq. Sulisut nakkutilliinermik suliaqartut tamatuma saniatigut, ingerlatassat siunnersuummi matumani pineqartunut ilaasimappata tamannalu sulisut nakkutilliinermik suliaqarnerannut pisariaqarpat, aatsitassarsiornermik suliaqarnermut ilaasunut tamaginnut taassumalu

ingerlataannut isersinnaassapput. Tamatumani § 122 malinneqarpoq. Takukkit aalajangersagaq taaneqartoq tassungalu nassuiaatit.

*§ 131-mut*

Imm. 1-imut

Najukkami innuttaasut aamma innuttaasut aatsitassarsiorluni suliassamit aalajangersimasumit kalluarneqartussat, ajornartorsiutit paasinarsisinneqanngitsut pillugit misissuinernik ingerlatsinissamut imaluunniit paasissutissanik arlaannaannulluunniit attuumassuteqanngitsumik piniarnissamut aningaasanik qinnuteqarsinnaanissaannik qulakkeerinissaq, aalajangersakkami siunertaavoq.

Tamatuma saniatigut Kalaallit Nunaanni kattuffiit nalunaarsugaasut attuumassuteqartut aatsitassarsiorluni suliassamut aalajangersimasumut misissuinernik ingerlatsinissamut imaluunniit paasissutissanik arlaannaannulluunniit attuumassuteqanngitsumik piniarnissamut aningaasanik qinnuteqarsinnaapput.

Nalunaarusiat aamma paasissutissat allat aammalu paasissutissat nalunaarsukkat ilaalu ilanngullugit aningaasat taakkua atorlugit suliarineqartut imaluunniit katersorneqartut, aatsitassarsiorfissap pineqartup ineriartortinneqarnerani ilaatinneqassapput.

Imm. 2-mut

Aalajangersakkami aalajangersarneqarpoq aningaasanik qinnuteqarneq qinnuteqarnikkut, suliakkiussanut najoqqutassiap imaluunniit suliassamut nassuiaatip piareersaataasumik tusarniaassutigineqareernerata, takukkit §§ 35, 44 aamma 106, kingorna aatsaat pisinnaasoq. Aalajangersakkat taakkua tassungalu nassuiaatit innersuussutigineqarput.

Tamatumunnga tunngaviuvoq aningaasaliissutini aningaasassat innuttaasut aamma kattuffiit attuumassuteqartut ilaalu ilanngullugit aatsitassarsiorfissap aalajangersimasup ineriartortinneqarneranut pilersitsiviulluartumik iluaqutaasinnaanissaanut ilisimasanik paasissutissanillu pissarsinissamut atorneqarnissaasa kissaatigineqarnera.

Imm. 3-mut

Aalajangersagaq malillugu Naalakkersuisut aningaasassat pillugit aalajangersakkanik erseqqinnerusunik aalajangersaassapput.

Naalakkersuisut assersuutigalugu aningaasassat aningaasanik qanoq annertutigisunik imaqassanersut, qinnuteqaammut piumasqaatit, kina qinnuteqarsinnaanersaq, aningaasat

qanoq agguarneqassanersut aammalu kia aningaasassat aqussaneraï pillugit aalajangersakkanik aalajangersaassapput.

*§ 132-mut*

Imm. 1-imut

Aalajangersagaq siunnersuutigineqartoq ajoqusiinernut sunulluunniit suliaqarnerup imaluunniit ingerlatat ajoqusersimasinnaasaannut tunngassuteqarpoq. Ilanngullugit malittaasumik ajoqusiinerit, malitsigisaanik ajoqusernerit aammalu aningaasaqarnerinnakkut ajoqusiinerit annaasaqarnerillu.

Aalajangersakkap atuunnerani ajoqusiinernut, suliaqarnermit imaluunniit ingerlatassanit akuersissummi pineqartunut ilaasunit ajoquserneqartunut, kinaassusersiunngitsumik akisussaasuuneq atuuppoq.

Inuit aamma suliffeqarfiit ilaalu ilanngullugit siunnersuut manna malillugu suliaqarnernut imaluunniit ingerlatassanut akisussaasuusut imaluunniit siunnersuut manna malillugu suliaqartut imaluunniit ingerlatassanik suliarinnittut, aammalu suliaqarnerminni imaluunniit ingerlataqarnerminni nalinginnaasumik aningaasaqarnikkut isertitaqalersut, ajoqusiinernut suliaqarnerminnut imaluunniit ingerlataqarnerminnut ilaatillugu ajoquserneqartunut taarsiissutissanik akiliissasut pillugu inuiaqatigiinni eqqarsaatigisassanik pingaarnernik aammalu agguaanermut tunngaviusunik aalajangersagaq tunngaveqarpoq.

Tamatuma saniatigut inuit suliffeqarfiillu ilaalu ilanngullugit siunnersuummi pineqartunut ilaasut, ajoqusiinerit taamaalillunilu taarsiinissamut akisussaaffeqalernissaq pinngitsoortinniarlugit killilersimaarniarlugillu naleqquttunik iliuusissanik sillimmateqarnissamik kajumissaarlugit, kinaassusersiunngitsumik akisussaaffeqarneq pitsaaliuinerimik sunnuteqarsinnaassasoq pillugu ilimagisaqarneq, aalajangersakkami tunngaviuvoq. Tamatuma saniatigut ajoquserneqartup ajoqusiisumut taarsiinissamik piunasaqaateqarsinnaanissaa, kinaassusersiunngitsumik akisussaaffeqarnermi qulakkeerneqassaaq, ilanngullugu aamma ajoqusiinerni pisinnaasunut tunngasunik pissuteqartuni.

Tamatuma saniatigut kinaassusersiunngitsumik taarsiinissamut akisussaaffeqarneq pillugu maleruagassani inatsiseqariaatsini mianerisassat assigiinngitsut isiginiarneqassapput. Tamatumunnga pissutaavoq, ajoqusiisup kukkusimaneranut imaluunniit sumiginnaasimaneranut ajoquserup uppernarsaanissaata amerlanertigut ajornakusoortussaanera. Pisinnaatitsissummik pigisaqartup kukkusimaneranut imaluunniit sumiginnaasimaneranut uppernarsaanissaq siunnersuut malillugu kinaassusersiunngitsumik akisussaaffeqarnermut aqqissuussinerup pisariaarutsittussaavaa. Taamaattumik ajoquserup

pisinnaatitsissummik pigisaqartup taarsiisussaaitaanera pillugu eqqartuussivimmi suliassanik ingerlatsinissamik pinngitsuuisinnaaneranut, annertunerusumik kinaassusersiunngitsumik akisussaaffeqarneq malitseqarsinnaassasoq naatsorsuutigineqarpoq.

Tamatuma saniatigut ajoqusiineq ingerlatassanik akuersissummi pineqartunik ilaasunik sularinninnermi pisinnaatitsissummik pigisaqartumit allaanerusumit ajoqusiinerugaluartoq, pisinnaatitsissummik pigisaqartup nammineerluni ajoqusiisimaneratuut, pisinnaatitsissummik pigisaqartup ajoqusertumut akisussaasuuneranik aalajangersagaq malitseqassaaq.

Kinaassusersiunngitsumi akisussaaffeqarneq, siunnersuut malillugu suliagarnerup ingerlatassallu Kalaallit Nunaanni pinngortitami sunnertiasumi eqqaaniluunniit, suliagarnerit imaluunniit ingerlatassat maleruagassanut atuuttunut naapertuuttumik aammalu annertoorujussuarmik mianersorluni peqqissaarussillunilu ingerlanneqanngippata iluarsineqarsinnaanngitsunik ajoqusiisoqarsinnaalluni, pisartussaanerat eqqarsaatigalugu ilaatigut aamma isigineqassaaq.

Imm. 2-mut

Aalajangersakkami ajoquserneqartup nammineq pisuussuteqarnerani taarsiinissap annikillisinneqarnissaa maleruagassiivigineqarpoq.

Ajoqusertup piaaraluni imaluunniit mianersuaalliorujussuarluni iliuuseqarnera imaluunniit iliuuseqannginnera taamaallaat, taarsiinissap atorunnaarneranik imaluunniit annikillisinneqarneranik malitseqarsinnaavoq.

#### *§ 133-mut*

Pisinnaatitsissummik pigisaqartup akisussaaffia, ilanngullugu avatangiisini ajoqusiinernut akisussaaffik, sillimmasiissummit matussusiinermi imaluunniit allatut ilusilimmik qularnaveeqqusiinermi ilaatinneqassasoq pillugu aalajangersakkanik atugassarititaasunillu Naalakkersuisut aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Qularnaveeqqusiinermut allatut ilusiliineq assersuutigalugu tassaasinnaavoq aningaasartalerlugu kontutut toqqorsiviusussatut ilusiliineq, aningaaserivimmi qularnaveeqqusiineq imaluunniit danskit naalagaaffimmi obligationiinik kontumi toqqorsivimmiititsineq.

Sillimmasiissut imaluunniit qularnaveeqqusiissutip ilusiligaanera suliagarneq pineqartoq aammalu annertussusaa suussusaalu eqqarsaatigalugit ingerlanneqassaaq, ilanngullugu taarsiinissamik akisussaaffeqalersinnaaneq pisinnaatitsissummik pigisaqartup piffissami

akuersissuteqarfiusumi aammalu akuersissutip atorunnaarnerani suliaqarnermut atatillugu iliussissat malitsigisaannik pilersinnaasoq.

Aammattaaq aalajangersagaq malillugu pisinnaatitsissummik pigisaqartup ingerlatai pissutsillu tamatumunnga atasut sillimmasiissutini allani attuumassuteqartuni ilaatinneqassasut pillugu aalajangersakkanik atugassarititaasunillu Naalackersuisut aalajangersaasinnaapput. Taamaalilluni pisinnaatitsissummik pigisaqartup ingerlatai pissutsillu tamatumunnga atasut pisinnaatitsissummik pigisaqartup taarsiinissamik akisussaaffeqarneranut tunngassuteqanngitsut, sillimmasiissummi attuumassuteqartumi ilaatinneqassasut pillugu aalajangersakkanik atugassarititaasunillu Naalackersuisut aamma aalajangersagaq malillugu aalajangersaasinnaapput. Aalajangersakkat atugassarititaasullu taamaattut assersuutigalugu tassaasinnaapput, pisinnaatitsissummik pigisaqartup sanaartugai illuutaalu ilaalu ilanngullugit sillimmasiissutini attuumassuteqartuni ilaatinneqassasut.

#### *§ 134-mut*

Isumaqatigiissuteqarfigineqartut sullississutai ingerlataalu akuersissut malillugu ingerlatassanik suliaqarnermi atorneqarsimappata, pisinnaatitsissummik pigisaqartup isumaqatigiissuteqarfigisaasa taarsiinissamut akisussaaffii, ilanngullugu avatangiisinut ajoqusiinernut akisussaaffik, sillimmasiissummi imaluunniit allatut ilusilimmi qularnaveeqqusiissummi ilaatinneqassasut pillugu aalajangersakkanik atugassarititaasunillu Naalackersuisut aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq.

Qularnaveeqqusiinermut allatut ilusiliineq assersuutigalugu tassaasinnaavoq aningaasartalerlugu kontutut toqqorsiviusussatut ilusiliineq, aningaaserivimmi qularnaveeqqusiineq imaluunniit danskit naalagaaffimmi obligationiinik kontumi toqqorsivimmiititsineq.

Sillimmasiissut imaluunniit qularnaveeqqusiissutip ilusiligaanera suliaqarneq pineqartoq aammalu annertussusaa suussusaalu aammalu isumaqatigiissuteqarfigineqartut ingerlataat eqqarsaatigalugit ingerlanneqassaaq, ilanngullugu taarsiinissamik akisussaaffeqalersinnaaneq isumaqatigiissuteqarfigineqartup piffissami akuersissuteqarfiusumi aammalu akuersissutip atorunnaarnerani suliaqarneranut atatillugu iliussissat malitsigisaannik pilersinnaasoq.

#### *§ 135-mut*

Aalajangersakkami avatangiisinut ajoqusiinernut taarsiisarneq maleruagassivigineqarpoq aammalu oqaatsitigut aalajangersimasunik allannguuteqartillugu aatsitassanut ikummatissanullu inatsimmi § 67-imik ingerlatitseqqiinerulluni.

## Imm. 1-imut

Siunnersuutigineqarpoq ingerlatassanut siunnersuummi matumani pineqartunut ilaatillugu ajoqusiinernut nunamik, imaani, immap naqqanik, nunap iluanik, imermik imaluunniit silaannarmik mingutsitsinermeersunut, avatangiisinut ajoqusiinernut taarsiisarneq pillugu siunnersuummi matumani maleruagassat atuutissasut. Oqaatsit "nuna, imaq, immap naqqa, nunap ilua, imeq aamma silaannaq" atituumik paasineqassapput. Tamanna tunngavigalugu oqaatsimi "imeq" ilaatigut ilaatinneqarpuq imeq nunap iluaneersoq, kuuk, tatsit aamma imaq. Oqaaseq "mingutsitsineq" siunnersuummi nassuiarneqanngilaq, kisianni avatangiisinut inatsisini allani Kalaallit Nunaanni atuuttuni nassuiaasernerup assinganik nassuiarneqassalluni. Imm. 2 malillugu mingutsitsineq imaluunniit sajuppillannerit ilaalu ilanngullugit ingerlatassanut siunnersuummi pineqartunut ilaasunut ilaatillugu pisimassapput. Ingerlatassat siunnersuummi pineqartunut ilaatinneqanngitsut taamaalilluni siunnersuut malillugu taarsiinissamik akisussaaffeqarnermik malitseqarsinnaanngillat.

## Imm. 2-mut

Siunnersuutigineqarpoq maleruagassat imm. 1-imi taaneqartut taamaaqataanik mingutsitsinernut aammalu silap pissusaanut tunngasunut imaluunniit pinngortitamut allatut pitsaannngitsumik sunniinernut aamma nipiliornernit, sajuppillatsitsinernit, qaammaqqutinit assigisaanniillu akornusersuinernut atuutissasut.

### *§ 136-mut*

Aalajangersakkami avatangiisinut ajoqusiinernut taarsiisarneq pillugu siunnersuummi maleruagassat malillugu ajoqusiinerit taarsiivigineqartussaataasut allatorneqarput. Aalajangersagaq oqaatsitigut aaqqissuussinikkullu allannguuteqartillugu aatsitassanut ikummatissanullu inatsimmi § 68-istik ingerlatitseqqiineruvoq.

Aalajangersagaq inatsisitigut inissisimanermut atuuttumut naapertuuttumik ilusiligaavoq aammalu oqariaatsip "ajoqusiineq" siunnersuummi matumani qanoq paasineqarnissaa nassuiarneqarluni. Tamatuma kingorna, tamatumunnga immikkut inatsimmi tunngavissaqanngippat, aningaasaqarnikkuunngitsoq annaasanut taarsiisoqarsinnaanngilaq. Aammattaaq inunnut taarsiisarnermut inatsisitigut illersugaasunut ilaasutut isigineqartariaqartunut, aningaasaniinnaq nalilinnut aatsaat taarsiisoqarsinnaavoq.

## Nr. 1-imut

Aalajangersakkami aalajangersarneqarpoq, inummut ajoqusiinermut aamma pilersuisumik annaasaqarnermut, avatangiisini mingutsitsinermut pilersinneqartumut taarsiisoqarsinnaasoq. Oqariaatsimi "inummut ajoqusiineq" aamma tarnikkut anniaatit tupannermik pissuteqartut



pineqartunut ilaatinneqarput. Taamaattoq pineqartoq inunntut taarsiivigineqartussaataitaasunut ilaasimappat aatsaat tamatumunnga taarsiivigineqarnissaq piumasagaatigineqarsinnaavoq, assersuutigalugu pineqartoq nammineerluni navianartorsiorsimalluni imaluunniit toqqaannartumik timikkut ajoqusersimalluni pisoqartillugu.

Tunniussinissat aalajangersakkami matumani pineqartunut ilaasut, taarsiinissamut akisussaaffeqarnek pillugu maleruagassani nalinginnaasuni erseqqinnerusumik maleruagassiivigineqarpoq. Tamatuma aalajangersakkap oqaasertaani erseqqissumik allassimanginnera apeqqutaatinnagu, taamaalilluni pineqartup pilersuisumik annaasaqarnermut taarsiivigineqarnissamut pisinnaatitaanera apeqqutaatinnagu, aamma ilisinermut aningaasartuuteqarsimasumut "ilisinermut aningaasartuutitut naleqquttunut" taarsiisoqarsinnaasoq tunngavissaatinneqarpoq, takuuk taarsiinissamik akisussaaffeqarnermut inatsimmi § 12.

Nr. 2-mut

Pigisanik ajoqusiinermut avatangiisini mingutsitsinermut pilersinneqartumut taarsiisoqarsinnaasoq aalajangersakkami aalajangersarneqarpoq. Aalajangersakkami pingaartumik pigisani aalaakkaasuni aamma pigisani nuunneqarsinnaasuni, ilanngullugit atortut puttasut, ajoqusiineq pineqartunut ilaatinneqarpoq. Savaatilik avatangiisini mingutsitsineq pissutigalugu narsaatiminik naatitaminillu aseruiffigineqartoq taamaalilluni aalajangersagaq malillugu tamatumani annaasaminut taarsiivigineqarnissamut periarfissaqarpoq. Aalajangersakkami aammattaaq ilaavoq ingerlatsinermi annaasaqarnek, assersuutigalugu pigisami aalaakkaasumi imaluunniit pigisasmi nuunneqarsinnaasumi ajoqusiinermut attuumassuteqartoq. Tassani tunngavissaatinneqarpoq ingerlatsinermi annaasaqarnek pigisami aalaakkaasumi imaluunniit pigisami nuunneqarsinnaasumi pigisaanik ajoqusertoqarnerata malitsigisaannut naapertuutissasoq. Ingerlatsinermi annaasaqarnek pigisat ajoqusernerannut attuumassuteqanngippat, aalajangersagaq manna malillugu taarsiisoqarsinnaanngilaq, kisianni immaqa nr. 3-mi aalajangersagaq malillugu pisinnaalluni.

Nr. 3-mut

Aalajangersagaq manna malillugu aningaasaqarnerinnakkut annaasaqarnermut taarsiisoqassaaq. Annaasaqarnek sumiiffiup qanoq issusaa malillugu suut naatsorsuutigisariaqarnermut imaluunniit naammagittarfigisariaqarnermut saniatigut, avatangiisini ajorseriartitsinermik pissuteqassasoq, aalajangersagaq malillugu taarsiivigineqarnissamut tunngavissaatinneqarpoq.

Aalajangersagaq malillugu kina aningaasaqarnikkut (ingerlatsinermut) annaasaqarnermut taarsiinissamik piumasagaarsinnaanersoq pillugu apeqqut, nalinginnaasumik taarsiisarnermut inatsisini tunngaviusut tunngavigalugit eqqartuussivimmi suleriaatsimi

aalajangerneqartariaqarpoq, ilanngullugit taamaaqataanni pisartut pillugi aammalu taarsiisarnermut inatsisitigut illersorneqartut soqutigisaat aamma inuit taakkunani ilaasut pillugit maleruagassat.

Nr. 4-mut

Aalajangersagaq malillugu ajoqusiinerup pinngitsoortinnissaanut imaluunniit pitsaaliorneqarneranut aningaasartuusunut naleqquttunut taarsiisoqasinnaavoq. Nr. 1-3 malillugu ajoqusiinerup pereersimasup killilersimaarnissaa siunertaralugu aammalu ajoqusiinerup pilersinnaasup pinngitsoortinnissaa siunertaralugu aningaasartuutitut akiliunneqarnissamut aalajangersagaq pisinnaatitsivoq. Taamaalilluni aalajangersagaq ajoquserneqartup taarsiisarnermut inatsisini tunngaviusut nalinginnaasut malillugit annaasaqarnissaminik pinngitsoortitsinissamut imaluunniit killilersimaarnissamut ("annaasaqarnerup killilersimaarnissaanut pisussaaffeqarneq") pisussaaffeqarneranut atalluinnarpoq.

Tamat iluaqutissaannik, soorlu silaannaq aamma imaq ilaalu ilanngullugit, mingutsitsinerup peerneqarnissaa nr. 1-3 malillugu ajoqusiinerup pinngitsoortinnissaa imaluunniit killilersimaarnissaa siunertaralugu pisariaqarpat, tamatumunnga atasunut aningaasartuutitut naleqquttunut taarsiinnaanissamut aalajangersakkami periarfissiisoqarpoq. Assersuutigalugu tassaasinnaapput sumiiffimmik mingutsinneqartumik misissuinermut aammalu akuutissanut uumaatsunut laboratoriani ilaalu ilanngullugit akuutissanik mingutsitsisartunik erseqqinnerusumik misissueqqissaarnissamut aningaasartuutit naleqquttut. Ilaatigut "aningaasartuutit naleqquttuunissaat" pillugu piumasaqaammaippoq, ajoquserneqartup sapinngisamik annertunerpaamik aningaasartuuteqarnissami killilersimaarnissaa isumagissagaa. Nr. 1-3 malillugit ajoqusiinerup pinngitsoortinnissaanut imaluunniit killilersimaarnissaanut iliuusissanik kina suliaqarsinnaatitaanersoq aammalu akisussaasuusup tamatumunnga taarsiinnaanik piumasaqarsinnaatitaanersoq, siunnersuummi erseqqinnerusumik maleruagassiivigineqanngilaq.

Taamaattumik apequt taanna inuit taarsiisarnermut inatsisitigut illersugaasut pillugit inatsisini inissisimaneq atuuttoq tunngavigalugu aalajangiiffigineqartariaqarpoq. Tamatuma kingorna aallaaviussaaq, inuk maannakkut pigisamut imaluunniit pigisamut aalaakkaasumut ilaalu ilanngullugit pineqartumut atuisinnaatitaasoq imaluunniit atuisinnaatitaajunnartoq, pinngitsoortitsinissamut iliuuseqarsinnaasoq, tamatumunngalu aningaasartuutit akisussaasuusumit taarserneqarnissaannik piumasaqarsinnaasoq.

Aalajangersagaq malillugu aammattaaq avatangiisini iluarseeqqinnermut aningaasartuutit naleqquttut taarserneqarnissaat piumasarineqarsinnaavoq. Aalajangersakkami siunertaavoq, ajoquserneqartup aningaasartuutit avatangiisunut ajoqusiinnginnermi (mingutsitsineq) pitsaassusaattut ilersinnissaannut pisariaqartut matussusertinnissaannik

pisinnaatitaaffeqalersinnissaa. Tamanut iluaqutaasussanik mingutsitsinerup pinngitsoortinnissaanut imaluunniit killilersimaarnissaanut iliuusissanik aallartitsisoqarsinnaappat, tamatumunnga aningaasartuutit aalajangersagaq malillugu taarserneqarsinnaassapput. Taamaattoq aningaasartuutit "naleqquttutut" isigineqartariaqarpata, aatsaat taakkua taarserneqarsinnaapput.

Arlaannaalluunniit taakkununnga immikkut pisinnaatitaanngitsoq, tamanit iluaqutigineqartunut ilisarnaataammat, inuit, ilanngullugit avatangiisinut kattuffiit, avatangiisinik mingutsitsinerup pinngitsoortinnissaanut imaluunniit iluarseeqqinnissamut aningaasartuuteqarsimasut, tamatumunnga immikkut inatsimmi tunngavissaqarpata aatsaat akisussaasuusumit taarsiivigineqarnissamik piumasqaarsinnaapput. Tamatumunnga pissutaavoq pineqartup atuisinnaatitaanermut tunngavissarititaasumik nalinginnaasumik naammassinnissinnaasussaanginnera, taanna malillugu taarsiivigineqarnissamik piumasqaateqarsinnaanissamut ajoquserneqartoq maannakkut imaluunniit immaqa iluaqutigineqartunik ajoquserneqarsimasunik atuisinnaatitaasussaammat.

Avatangiisinut oqartussat pinngitsoortitsinissamut iliuusissanik suliaqarnissamik imaluunniit avatangiisinik iluarseeqqinnissamik pisinnaatitaappata imaluunniit pisussaaffeqarpata, tamatumunnga aningaasartuutit aalajangersagaq malillugu taamatuttaaq taarserneqarsinnaasussaapput.

Nr. 1-3 malillugit ajoqusiinernik pinngitsoortitsinermut imaluunniit pitsaaliuinnermut imaluunniit avatangiisinik iluarseeqqinnermut aningaasartuutit akilerneqareersimanissaat aalajangersakkap malitsigissanngilaa. Taamaattoq aningaasartuutit akilerneqareersimanngippata, aningaasartaasa naleqquttumik pinngitsoortitsinissamut iliuusissanik suliaqarnermut imaluunniit avatangiisinik iluarseeqqinnermut atorneqarniartut naammattumik uppersaasoqareersimatinnagu taarsiinissamut akisussaasuusoq aningaasanik tunniussiumannngissinnaasoq aalajangersakkami tunngavissaatinneqarpoq.

#### *§ 137-mut*

Aalajangersagaq oqaatsitigut aalajangersimasunik allannguuteqartillugu aatsitassanut ikummatissanullu inatsimmi § 69-imik ingerlatitseqqiineruvoq.

Imm. 1-imut

Aalajangersagaq siunnersuutigineqartoq malillugu ingerlatassanut siunnersuummi matumani pineqartunut ilaasunut ilaatillugu mingutsitsisimasoq, ajoqusiineq pisinnaagaluarpalluunniit, ajoqusiinermut mingutsitsinerup malitsigisaanut taarsiissaaq. Ingerlatassamut siunnersuummi matumani ilaasumut ilaatillugu ajoqusiinernik malitseqartumik mingutsitsisup, imm. 1-imi aalajangersakkami kinaassusersiunngitsumik taarsiinissamut akisussaaffeqarnera

(pissuussuseqarani akisussaasuusooq) atuutsinneqalerpoq.

Ajoqusiineq ingerlatassanit siunnersuummi matumani ilaasumit, suliffeqarfimmit kinaassusersiunngitsumik akisussaaffeqartuusumit suliarineqartunit, pilersinneqarsimappat, aatsaat aalajangersagaq malillugu taarsiinissamut akisussaasuuneq atuutissaaq. Ajoqusiineq pissutsinik immikkut ingerlatanut taakkununga attuumassuteqanngitsunik pissuteqarpat, suliffeqarfik taamaalilluni aalajangersagaq malillugu kinaassusersiunngitsumik taarsiinissamut akisussaasuussanngilaq.

Kinaassusersiunngitsumik akisussaasuuneq siunnersuummi § 24-mi aalajangersagaq malillugu akisussaasuusumut atasuuvoq. Inuk suliffeqarfimmi sulisuusooq, aammalu kinaassusersiunngitsumik tunngaveqartumik taarsiinissamut akisussaasuunermik malitseqartumik iliuuseqartoq, taamaalilluni taamaallaat taarsiisarnermut maleruagassat nalinginnaasut malillugit akisussaasuussaaq, takuuk ilaatigut taarsiinissamik akisussaaffeqarnermut inatsimmi §§ 19 aamma 23.

Aalajangersagaq malillugu kinaassusersiunngitsumik akisussaasuunermut, taarsiinissamut akisussaasuusup pissusilersorsimanera (iliuuseqarluni imaluunniit iliuuseqarani) mingutsitsinermik kinguneqarsimalluni, aammalu mingutsitsineq taanna ajoqusiinermik kinguneqarsimasooq (pisoq pisup tulliani pissutaasooq) ajoqusertup uppersarnaansaa nalinginnaasumik tunngavissaatinneqarpoq. Taamaattoq ajoqusertup uppersarnaanermi uppersarnaanermut inatsisini tunngavissat nalinginnaasut malillugit qasukkaanernik iluaquserneqarsinnaansaa, tunngavissaatinneqarpoq.

Ajoqusiineq unammilleqatigiittunik imaluunniit ataatsimooqatigiinnik pissuteqarluni pisoqartillugu kinaassusersiunngitsumik akisussaasuunerup atuuffissaannut aalajangersakkami erseqqinnerusumik isummerfigineqanngillat. Taamaattumik apeqqut taanna inatsisini inissisimaneq atuuttoq malillugu aalajangiiffigineqartariaqarpoq.

Akisussaasuusooq pinngortitap nukiisa sunneeqataaneranni mingutsitsisimappat, taamaalilluni taakkua ajoqusiisuusut takuneqarsinnaalluni, aalajangersagaq malillugu akisussaasuutitsisoqassasooq aallaavigineqarpoq. Taamaattoq tamatumani pinngortitami pisut eqqoriarneqarsinnaasut imaluunniit sioqqutsisumik naatsorsuutigineqarsinnaasut pineqartut tunngavissaatinneqarpoq. Taamaalilluni pinngortitami pisoqarnera aallartitsisuuppat, akuttunngitsumik pisartuulluni (qerinarooq, anorersuaq, annertoorsuarmik nittaattoq il.il.) akisussaasuusooq kinaassusersiunngitsumik akisussaaffeqalersinnaassaaq.

Kisiannili pinngortitami ajunaarnersuaqarpat, soorlu nuna sajulluni, ulussaarsuaqarluni, kaavittuliortorsuarmik anorersuarluni assigisaanilluunniit eqqoriarneqarsinnaanngitsumik pisoqarluni, pisunut taakkununga tunngatillugu taassuma erseqqissumik ilaatitsinnginnermik imaqqannginnera apeqqutaatinnagu, aalajangersagaq malillugu akisussaattitsisoqassanngilaq.

Ajoqusiisup taarsiinissamut akisussaasuunerata qasukkartinnissaa pillugu apeqquq, taamatutaaq inatsisitigut inissisimaneq atuuttoq malillugu aalajangerneqartariaqarpoq. Taamaaliormi akisussaaffik naapertuutinnigsumik nanertuisussaappat imaluunniit allatigut pissutsit immikkut ittut tamanna naleqqutsippassuk, pingaartumik ajoqusiisup taarsiinissamut akisussaasuunerata taarsiinissamik akisussaaffeqarnermut inatsimmi § 24, imm. 1-imi aalajangersagaq naapertorlugu appartinneqarsinnaanera imaluunniit atorunnaarsinnaanera innersuussutigineqarsinnaavoq.

Nammaqatigiillutik akisussaasuusit ajoqusiisut arlaqartillugit, taarsiinissamut akisussaaffiup taakkua iluanni agguarneqarnissaa pillugu apeqquq, taamatutaaq pingaartumik taarsiinissamik akisussaaffeqarnermut inatsimmi § 25 naapertorlugu inatsisitigut inissisimaneq atuuttoq tunngavigalugu aalajangiiffigineqartariaqarpoq, taanna malillugu akisussaasuunerup qanoq issusaa aammalu allatigut pisut eqqarsaatigalugit suut naleqquttutut isigineqartariaqarnermut malillugu agguaaneq pisariaqarluni.

## Imm. 2-mut

Siunnersuutigineqarpoq, ajoqusiinermut ingerlatassap aalajangersakkanut saneqqunneqarsinnaanngitsunut, pisortani oqartussamit aalajangersagaasunut naapertuuttumik ingerlanneqarnera pissutaappat, imm. 1 malillugu akisussaasuuneq atuutilissanngitsoq.

Imm. 2-mi aalajangersagaq malillugu suliaqarnerup peqqussutinut saneqqunneqarsinnaanngitsunut, pisortani oqartussamit aalajangersagaasunut, naapertuuttumik ingerlanneqarnera ajoqusiinermut pissutaappat, kinaassusersiunngitsumik akisussaasuuneq atuutilissanngilaq. Akisussaasuunnginnissamut piumasaqaatit naammassineqartut, akisussaasuusup uppernarsartussaavaa. Taamaalilluni suliffeqarfik akuersissummut imaluunniit akuersissuteqarnermut pisortani oqartussamit tunniunneqartumut naapertuuttumik iliuuseqarsimagaluortoq, akisussaasuusup imm. 1 malillugu avatangiisinut ajoqusiinermut kinaassusersiunngitsumik tunngavilimmik taarsiinissamut akisussaasunngorsinnaanera, aalajangersakkami mattunneqanngilaq.

Aalajangersakkami akisussaasuuvoq allanik akisussaatinneqannginnissamut tunngaviusunik ilaalu ilanngullugit patsisilersornissamut mattunneqanngilaq, soorlu assersuutigalugu tamatumunnga nalinginnaasumik pisuussutinut inatsisini maleruagassanut naapertuuttumik ajornartoorneq.

Akisussaasuusoq, kinaassusersiunngitsumik taarsiinissamut akisussaaffeqarnermi pineqartunut ilaatinneqartoq, ajoqusiineq allap piaarluni imaluunniit mianersuaalliorujussuarluni pilersissimagaa innersuussutigalugu akisussaasuutinneqassanngitsoq pillugu maleruagassanik erseqqinnerusunik imaqqanngilaq. Taamaattumik kinaassusersiunngitsumik taarsiinissamut akisussaasuuneq aamma pisumi

tassani atuutissaaq. Taamaattoq akisussaasuusooq taarsiinissamik akisussaaffeqarnermut inatsimmi § 25-mi aalajangersagaq malillugu allamut aningaasartuutiminik taarseeqqusisinnaassaaq, taamatullu suliffeqarfiup ajoquserneqartumut taarsiinissamut akisussaaffeqarnera pisuni immikkut ittuni taarsiinissamik akisussaaffeqarnermut inatsimmi § 24 malillugu qasukkartinneqarsinnaassapput. Taarsiinissamik akisussaaffeqarnermut inatsimmi § 24, imm. 2-mi aalajangersagaq nalinginnaasoq, ajoquserneqartup taarsiivigineqarnissamik piumasagaataa nammineq pisuunera imaluunniit aarlerinaataasumut akuersisimanera pissutigalugu appartinneqassanersoq imaluunniit atorunnaassanersoq pillugu apeqqummut aamma atuuppoq.

Imm. 3-mut

Inunnik ajoquserneqartullugu imaluunniit pilersuisup annaaneqarnerani, ajoquserneqartup nammineq pisuussuteqarnerani taarsiissutissap appartinneqarnissaa aalajangersakkami maleruagassiivigineqarpoq.

Ajoquserneqartup imaluunniit toqusup piaaraluni imaluunniit mianersuaalliorujussuarluni iliuuseqarnera imaluunniit iliuuseqannginnera kisimi taarsiissutissap atorunnaarneranik imaluunniit appartinneqarneranik malitseqarsinnaavoq.

Imm. 4-mut

Pisuni allani ajoqusersup nammineq pisuussuteqarnerani taarsiissutissap appartinneqarnissaa aalajangersakkami maleruagassiivigineqarpoq.

Ajoquserneqartup piaaraluni imaluunniit mianersuaalliorujussuarluni iliuuseqarnera imaluunniit iliuuseqannginnera kisimi taarsiissutissap atorunnaarneranik imaluunniit appartinneqarneranik malitseqarsinnaavoq.

#### *§ 138-mut*

Aalajangersakkami avatangiisinut ajoqusiinernut taarsiisarneq pillugu siunnersuummi maleruagassat saneqqunneqarnissaat pillugu isumaqatigiissutinut maleruagassiiviuvooq aammalu aatsitassanut ikummatissanullu inatsimmi § 70-imik ingerlatitseqqiinerulluni.

Imm. 1-imut

Siunnersuutigineqarpoq ajoqusiinernut pinissaa sioqqullugu isumaqatigiissuteqartoqarsimappat, aammalu saneqqutsinissaaq ajoquserneqartumut iluaqutaassanngippat, avatangiisinut ajoqusiinernut taarsiisarneq pillugu siunnersuummi matumani maleruagassat saneqqunneqarnissaat pillugu isumaqatigiissut atuutissanngilaq.

Aalajangersakkamut tunngaviusoq, ajoquserneqartoq isumaqatigiissutip ajoqusiinerup pinnginnerani isumaqatigiissutigineqarsimasup sunniutissaannik paasisimaarinninniarnerninik ajornakusoortitsissanersoq.

Avatangiisini ajoquseereernerup kingorna isumaqatigiissutit isumaqatigiissutigineqartut aalajangersakkami pineqartunut ilaatinneqanngillat, taamaalilluni assersuutigalugu taarsiinissamut akisussaasuusoq isumaqatiginninniarnikkut isumaqatigiissuteqarnissamut ilaalu ilanngullugit periarfissaqassalluni.

Aalajangersagaq aammattaaq avatangiisinut ajoqusiineq pillugu sillimmasiissutinut isumaqatigiissutinut tunngassuteqanngilaq, taakkua qanga isumaqatigiissutigineqarsimanersut apeqqutaanani, takuuk aammattaaq imm. 2.

Imm. 2-mut

Aalajangersakkami erseqqissarneqarpoq, avatangiisinut akisussaasuusumut avatangiisinut akisussaaffik aamma avatangiisini ajoqusiinernut taarsiisarneq pillugit maleruagassat malillugit piumasaqaateqarfigineqarsinnaanermut akisussaasutut sillimmasiinissamik kissaateqartumut imm. 1-imi maleruagassaq akornusiinermik malitseqassanngitsut. Taarsiisussaataasooq tamatuma kingorna nalinginnaasumik pisartutut ajoquserneqartoq sillimmasiisarfimminut innersuussinnaavaa.

#### *§ 139-mut*

Aalajangersagaq oqaatsitigut allannguuteqarluni aatsitassanut ikummatissanullu inatsimmi § 71-imi ingerlatitseqqiineruvoq, tamatumalu malitsigisaanik kapitalimi avatangiisinut ajoqusiinernut taarsiisarneq pillugu maleruagassat, ajoquserneqartoq isumaqatigiissutip iluani imaluunniit avataani taarsiisarneq pillugu maleruagassat nalinginnaasut malillugit imaluunniit aalajangersakkat kapitalini allani imaluunniit inatsisini allani maleruagassat naapertorlugit aalajangersagaasut naapertorlugit taarsiivigineqarsinnaaneranut killiiliinatik.

Inatsimmi assigiinngitsutigut assersuutigalugu ajoqusiinernut sumiiffimmi pineqartumi pisunut kinaassusersiunngitsumik taarsiinissamut akisussaasuuneq pillugu maleruagassat aalajangersarneqarput. Avatangiisini mingutsitsineq pissutigalugu ajoquserneqartoq, inatsisit allat naapertorlugit maleruagassat, siunnersuummi matumani aalajangersakkanit, pitsaanerusumik inatsisitigut inissimalersitsippata, ajoquserneqartoq inatsimmi maleruagassat immikkut ittut taakkua malillugit taarsiivigineqarnissamik piumasaqarsinnaassaaq. Avatangiisini mingutsitsineq pissutigalugu ajoquserneqartoq taamaalilluni siunnersuummi aalajangersakkat malillugit imaluunniit inatsimmi aalajangersakkat allat, pineqartumut iluaqutaanerusinnaasut, malillugit

taarsiivigineqarnissamik piumasaqarnissaq qinersinnaavaat.

Aalajangersakkami aammattaaq avatangiisini ajoqusiinernut taarsiisarneq pillugu maleruagassat suliassaqarfinni inatsimmi aalajangersagaanngitsuni eqqartuussivimmi suleriaatsimi aalajangersagaasut, aammalu maleruagassat siunnersuummi allassimasut, akornanni pissutsinut maleruagassiisoqarpoq. Taamaalilluni aalajangersagaq ajoquserneqartup isumaqatigiissutip iluani imaluunniit avataani maleruagassat nalinginnaasut malillugit taarsiivigineqarnissamik piumasaqarnissamik periarfissaqarneranut killiliinngilaq.

Akisussaasuunermut maleruagassat nalinginnaasut aamma avatangiisini ajoqusiinernut taarsiisarneq pillugu maleruagassat assigiinngissuteqartillugit, avatangiisini ajoqusiinernut taarsiisarneq pillugu siunnersuummi matumani maleruagassat, akisussaasuunermut maleruagassanit nalinginnaasunit, salliutinneqassapput.

#### *§ 140-mut*

Siunnersuutigineqarpoq avatangiisinut ajoqusiinernut taarsiisarneq aamma pissutsit kapitali 22-mi taaneqartut pillugit aalajangersakkanik erseqqinnerusunik aalajangersaanissamut Naalakkersuisut piginnaatinneqassasut, ilanngullugu avatangiisinut ajoqusiinernut taarsiisarneq pillugu nunami namminerme imaluunniit nunani tamalaani maleruagassat, isumaqatigiissutit imaluunniit malittarisassat atorineqarnissaat pillugu. Eqqarsaataavoq tamanna siunnersuutip matuma sunniuteqarluarnissaata aammalu siunnersuutip siunertaanut naapertuunnissaata qulakkeernissaanut naapertuutillugu, Naalakkersuisut aalajangersakkami siunnersuutigineqartumi inatsimmi tunngavissaq atorlugu maleruagassat ilassusersinnaagaat.

#### *§ 141-mut*

Aalajangersakkap atuunnerani paasissutissanik pineqartup siunnersuut malillugu tunniussassaanik, imaluunniit siunnersuummi § 32, imm. 1, § 39, imm. 1, § 50, imm. 2 jf. § 39, imm. 1, § 55, imm. 1, § 63, imm. 1, § 68, imm. 1, § 68, imm. 2, § 77, imm. 4, § 81, stk. 5, § 82, imm. 4, § 104, imm. 1, § 104, imm. 3 aamma 4, § 124 imaluunniit § 126, imm. 2 malillugit Naalakkersuisut piumasarisinnaasaannik, piffissaq eqqorlugu tunniussinnginneq, pinngitsaaliissummik akiliisitsinermik pineqaatissiivigineqarsinnaavoq.

Tamatuma saniatigut aalajangersakkap atuunnerani peqqusissummik imaluunniit inerteqqutigineqartumik § 68, imm. 3, § 123 imaluunniit 125 malillugit nalunaarutigineqartumik malinninnginneq, pinngitsaaliissummik akiliisitsinermik pineqaatissiivigineqarsinnaavoq.

Kiisalu siunnersuummi § 82, imm. 4 malillugu piumasarineqartumik piffissaq eqqorlugu qularnaveeqqusiinngitsoq, pinngitsaaliissummik akiliisitsinermik pineqaatissiivigineqarsinnaavoq.



Aalajangersakkami siunertaavoq pineqaatissiisummik atuutsitsilernissaq, inuit suliffeqarfiillu paasissutissanik taakkua tunniussinissamik pisussaaffeqarfigisaannik tunniussinissamut, peqqusissuteqarnermik inerteqquteqarnermillu malinninnissaannik aammalu pisussaaffimminnut qularnaveeqqusiinissaannut sunniuteqarluartitsilersinnaasoq.

Pinnigtsaaliisummik akiliisitsisarnerit pineqaatissiisutaanngillat, kisianni iliuseqartussaataanerup pinnigtsaaliisummik pitinniarnanarut sakkussaallutik.

Aalajangersagaq annertuumik unammilleqatigiinneq pillugu Inatsisartut inatsisaanni (unammilleqatigiinnermut inatsit) § 37-mut assinguvoq.

Suliffeqarfik imaluunniit inuk paasissutissanik siunnersuut malillugu Naalackersuisut piumasarinnaasaannik tunniussiumanani pisoqarnerinut tunngatillugu, pinnigtsaaliisummik akiliisitsinerit amerlanertigut pineqaatissiisutissatut naleqqunnerpaasussaapput, tassami allatut iliuusissaq amerlanertigut tassaasussaammat akuersissutip uterteqquneqarnera, tamannalu amerlanertigut inatsisinik unioqqutitsinnermut sanilliullugu annertoqqatigiimmik akuliunnerusussaasannilaq.

Paasissutissanik piffissaq eqqorlugu saqqummiussinissaq amerlanertigut pisinnaatitsisummik pigisaqartup nammineerluni soqutigisarissusaavaa, tassami suliassap siumut ingerlanissaanut Naalackersuisut paasissutissanik piumasarineqartunik tigusaqarnissaat apeqqutaasussaammat. Kisianni pisinnaatitsisummik pigisaqartoq suliap ingerlaneranik kinguaattoortitsinissamik soqutigisaqarluni pisoqarsinnaavoq, aammalu taamatut pisoqarnerani Namminersorlutik Oqartussat sunniuteqarluartumik aatsitassarsiornermik suliaqarnerup ingerlanissaanik soqutigisaqarnat qulakkeerniarlugu, pinnigtsaaliisummik akiliisitsinerit tuavisaarutitut atornissaat naleqqussinnaavoq, takuuk tamatumunnga siunnersuutip siunertaa, takuuk § 1.

Siunnersuummi § 68, imm. 3 malillugu pisinnaatitsisummik pigisaqartoq akuersissut malillugu ingerlatassanik suliaqarnermi isumaqatigiissuteqarfigisanik imm. 2 malillugu akileraarutinut akitsuutinullu tunngasut pillugit paasissutissanik allakkianillu Naalackersuisunut aamma Kalaallit Nunaanni oqartussanut allanut tunniussisimanngitsumik, imaluunniit Naalackersuisunut aamma Kalaallit Nunaanni oqartussanut allanut Kalaallit Nunaanni maleruagassanut sukkulluunniit atuuttunut naapertuuttumik akileraarutinik akitsuutinillu akiliisimanngitsumik atueqqusaanngitsoq pillugu Naalackersuisut pisinnaatitsisummik pigisaqartoq peqqusinnaavaat. Aalajangersagaq malillugu peqqusissuteqarneq malinneqarnani pisoqartillugu, pisinnaatitsisummik pigisaqartoq akuersissut malillugu ingerlatassanik suliaqarnerminik unitsitsissasoq, Naalackersuisut imm. 4-mi aalajangersagaq malillugu aalajangiisnaapput. Ingerlatanik unitsitsinissaq pillugu aalajangiineq annertunerujussuarmik akuliunnerusinnaavoq. Taamaattumik

pinngitsaaliissummik akiliinissamik pisussaaffiliineq amerlanertigut annertoqqatigiinnerusumik pineqaatissiinerusussaavoq.

Siunnersuummi aalajangersakkat aammalu aalajangersakkat aamma akuersissummut atugassarititaasut siunnersuut malillugu aalajangersarneqartut malinneqarnissaat pillugu siunnersuummi § 123 malillugu Naalakkersuisut peqqusissuteqarsinnaapput. Siunnersuutip aamma aalajangersakkat aammalu akuersissummut atugassarititaasut siunnersuut malillugu aalajangersagaasut malinneqarnissaat siunertaralugu § 123 malillugu Naalakkersuisut inerteqquteqarsinnaapput. Pisinnaatitsissummik pigisaqartut peqqusissummik imaluunniit inerteqquteqarnermik malinninnissamik sumiginnaaneranunut sanilliullugu, pisuni taamaattumi pinngitsaaliissummik akiliisitsinerit naleqqunnerpaatut pineqaatissiissutaassasorineqarput. Pisut aalajangersakkani taaneqartuni maleruagassiivigineqartut tassaasinnaapput isumannaallisaanikkut peqqussutinik malinninnginneq. Taamatut pisoqarnerani pissutsit isumannaallisaanikkut peqqussutinut taakkununga naapertuutsinneqalernissaasa tungaanut Naalakkersuisut amerlanertigut ingerlatat immikkuullarissut unitsinnissaannut ingerlaannaq peqqusissuteqartussaapput. Pisuni taakkunani pinngitsaaliissummik akiliisitsinerit, pisinnaatitsissummik pigisaqartup peqqusissuteqartoqaraluartoq ingerlatanik ingerlatsiinnarsinnaanerani iluanaarutissanut sanilliullugit annertoqqataannik nalilerneqarpata, tamanna pisinnaatitsissummik pigisaqartut Naalakkersuisut peqqusissuteqarnerannik malinnitsitseqataasinnaassaaq, taamaalillunilu ilaatigut aatsitassarsionermik suliaqartuni sullivimmi avatangiisunik qulakkeereqataassalluni. Assersuutigalugu aamma pisinnaatitsissummik pigisaqartoq imaluunniit alla salinissaq pillugu peqqusissummik malinnigatik pisoqarnerani tamanna pisinnaavoq. Taamatut pisoqarnerani Naalakkersuisut piffissami aalajangersimasumi, pisinnaatitsissummik pigisaqartup imaluunniit allap akiligaanik pigisat nalillit peertinnissaannut § 78-imi inatsimmi tunngavissap atorineqalinnginnerani, pinngitsaaliissummik akiliisitsinerit atorineqarsinnaassapput.

Siunnersuummi § 82, imm. 4 malillugu pisinnaatitsissummik pigisaqartoq matusinissamut pisussaaffimminik naammassinninnissamut qularnaveeqqusiissaaq. Qularnaveeqqusiinerup taassuma naammattumik annertussuseqarnissaa pingaaruteqarpoq, tassami qularnaveeqqusiisoqarani imaluunniit naammangitsumik qularnaveeqqusiisoqarluni pisoqartillugu, pisinnaatitsissummik pigisaqartup pisussaaffini naammassisinnaanngippagit, Nunap karsiata salinermut aningaasartuutit akilertariaqalertussaammagit. Pisinnaatitsissummik pigisaqartoq piumasarineqartumik piffissaq eqqorlugu qularnaveeqqusiinani pisoqartillugu pinngitsaaliissummik akiliinissamik peqqusissuteqarnissamut periarfissaq taamaattumik Namminersorlutik Oqartussat aningaasaqarnikkut soqutigisaannik isumannaareqataasinnaassaaq, takuuk tamatumunnga siunnersuutip siunertaa, takuuk § 1.

Aalajangersagaq malillugu pinngitsaaliissummik akiliisitsinerit, paasissutissat attuumassuteqartut tunniunneqarnissaasa, peqqusissuteqarnerup imaluunniit

inerteqquteqarnerup naammassineqarnissaata imaluunniit qularnaveeqqusiissutissap piumasarineqartup qularnaveeqqusiissutigineqarnissaata tungaanut ullormut imaluunniit sapaatip akunnikkaartumik akiliisitsinertut aalajangersarneqassapput.

Pinngitsaaliissummik akiliisitsinerit annertussusaat ataasiakkaatigut naliliineq aallaavigalugu aalajangersarneqassapput. Tassunga atatillugu nalinginnaasumik annertoqqatigiimmik pinninnissamut tunngaviusoq atuuppoq. Tamanna ilaatigut isumaqarpoq, pinngitsaaliissummik akiliisitsinerit kukkuluttornermut naleqqutinngitsuussanngitsut.

Pinngitsaaliissummik akiliisitsinerup aalajangersarneqarnerani pinngitsaaliissummik akiliisinnegartussami aningaasaqarnikkut pisinnaassuseqarneq eqqarsaatigineqassaaq, taamaalilluni pinngitsaaliissuteqarneq sunniuteqassalluni. Taamatuttaaq kukkuluttornerup annertussusaa suussusaalu eqqarsaatigineqassapput.

Pinngitsaaliissummik akiliisitsinerit ullormut minnerpaamik 1.000 koruuniusariaqarpoq imaluunniit sapaatip akunnikkaartumik 5.000 koruuniusariaqarluni, aammalu pinngitsaaliissummik akiliisitsineq ullormut ataasiaannarluni imaluunniit sapaatip akunneranut ataasiaannarluni naatsorsorneqassaaq.

Pinngitsaaliissummik akiliisitsinerit ulloq pineqartoq aallarnerfigalugu pisussaaffiliunneqassapput. Pinngitsaaliissummik akiliisitsinerit peqqussutiginnissaannut tunngavissaatinneqarpoq Naalakkersuisut tamanna sioqqullugu pinngitsaaliissummik akiliisitsinerit ulloq taaneqartoq aallarnerfigalugu peqqussutigineqarnissaat aammalu kukkuluttornerup qanoq malitseqarnissaa pillugit suliffeqarfimmut imaluunniit inummut nalunaaruteqarsimassasut.

Pinngitsaaliissummik akiliisitsinissamik peqqusissuteqarluni piffissap aalajangersimasup kingorna paasissutissat attuumassuteqartut tunniunneqanngiinnarpata, peqqusissuteqarneq imaluunniit inerteqquteqarneq attuumassuteqartoq malinneqanngiinnarpat imaluunniit piumasarineqartumik qularnaveeqqusiisoqanngiinnarpat, pinngitsaaliissummik akiliisitsinerit qaffanneqarsinnaapput.

#### *§ 142-mut*

Imm. 1-imut

Siunnersuut aallaaviatigut inuussutissarsiutigalugu suliffeqarfimmut sammitinneqarpoq. Taamaattumik siunnersuummi aalajangersakkanit annertuumik pineqaatissiinissaq pisariaqarsorineqanngilaq. Tamatuma saniatigut akuersissutip uterteqquneqarnissaanut periarfissaqarnerit ilaalu ilanngullugit pitsaaliuisumik sunniuteqartitsinissamut qulakkeereqataasinnaasut tunngavissaatinneqarpoq.

Taamaattoq unioqquitsineri aalajangersimasut pineqaatissiiviginissaat pisariaqarsorineqarpoq, ilanngullugu assersuutigalugu siunnersuummi § 22, imm. 2-mik aamma 3-mik unioqquitsilluni ingerlatassanik suliaqarneq.

Ingerlatassat § 22, imm. 2-mi aamma 3-mi pineqartunut ilaasut, misissueqqaarnermi aamma aatsitassarsiorluni misissuineri aamma aatsitassanik piiaanermi, aatsitassat pillugit ilisimatusarnikkut misissuineri, aatsitassanik Kalaallit Nunaannii annissineri aammalu ingerlatassani allani siunnersuut malillugu tamatumunnga akuersissut imaluunniit akuersissuteqarfigineqarneq malillugu aatsaat ingerlanneqassasuni pineqartunut ilaatinneqarput. Ingerlatassat taaneqartut taakkua siunnersuummi pineqartunut ilaatinneqartut tamatumunnga akuersissummik imaluunniit akuersissuteqarnermik tamatumunnga siunnersuummi maleruagassat malillugit Naalakkersuisunit tunniunneqartumik peqarani suliarinissaannut ataatsimut isigalugu inerteqquneqarnermik aalajangersagaq malitseqarpoq.

Imm. 2-mut

Aalajangersakkami allassimavoq, inatsisit allat malillugit qaffasinnerusumik pillaanissaq pisussaasimangippat, ingerlatassat tamatumunnga aalajangersakkat Naalakkersuisunit aalajangersarneqartut malillugit suliareqqusaanngippata, takuuk § 129, sumiiffimmi nunap sannaani eqqissisimatitsiviusumi ingerlatassanik suliaqartoq akiliisitsineri pillarneqassaaq. Takuuk 129-imi aalajangersagaq tassungalu nassuiaatit.

Imm. 3-mut

Nr. 1-3-mi pissutsit arlallit, piaaraluni imaluunniit mianersuaalliorujussuarluni pisoqarsimatillugu akileeqqusineri malitseqarsinnaasut, aalajangersakkami allassimapput.

Nr. 1-imut

Imm. 3, nr. 1-imi aalajangersakkami aalajangersarneqarpoq, inatsisit allat malillugit qaffasinnerusumik pillaanissaq pisussaasimangippat, piaaraluni imaluunniit mianersuaalliorujussuarluni paasissutissanik eqqunngitsunik imaluunniit paatsuugatitsisunik tunniussisoq imaluunniit paasissutissanik siunnersuut malillugu imaluunniit aalajangersakkat imaluunniit atugassarititaasut siunnersuut malillugu aalajangersarneqartut malillugit oqartussap piumasarisaannik nipangiussiinnartoq, akiliisitsineri pillarneqassasoq.

Oqartussat suliarinnissinnaannaannut aamma siunnersuut manna malillugu nakkutilliinissamut ilaalu ilanngullugit paasissutissanik attuumassuteqartunik tamaginnik eqqortumik tunniussinissap pisariaqarneranut sanilliullugu aalajangersagaq isigineqassaaq.

Nr. 2-mut

Imm. 3, nr. 2-mi aalajangersakkami aalajangersarneqarpoq, inatsisit allat malillugit qaffasinnerusumik pillaanissaq pisussaasimangippat, aalajangersakkanik imaluunniit akuersissummut atugassarititaasunik imaluunniit akuersissuteqarnernik siunnersuut malillugu imaluunniit aalajangersakkat imaluunniit atugassarititaasut siunnersuut malillugu aalajangersarneqartut malillugit tunniunneqartunik piaaraluni imaluunniit mianersuaalliorujussuarluni unioqutitsisoq, akiliisitsinermik pillarneqassasoq.

Ingerlatassat siunnersuutip siunertaanut naapertuuttumik suliarineqarnissaat aalajangersakkami qulakkeerneqassaaq. Unioqutitsineq annertuujuppat, tamanna pisortat ingerlatsineranni maleruagassanut tunngaviusunullu naapertuuppat, ilanngullugit kinaassusersiunnginnissaq, annertoqqatigiimmik pinninnissaq naligiimmillu pinninnissaq, akuersissutip tunuartinneqarnissaa pillugu Naalakkersuisut aamma aalajangiisinaapput.

Nr. 3-mut

Imm. 3, nr. 3-mi aalajangersakkami aalajangersarneqarpoq, inatsisit allat malillugit qaffasinnerusumik pillaanissaq pisussaasimangippat, peqqusissuteqarnernik imaluunniit inerteqquteqarnernik siunnersuummi § 123 imaluunniit § 125 imaluunniit aalajangersakkat imaluunniit akuersissummut atugassarititaasut imaluunniit siunnersuut malillugu akuersissuteqarneq imaluunniit aalajangersakkat siunnersuut malillugu aalajangersagaasut malillugit Naalakkersuisunit nalunaarutigineqartumik piaaraluni imaluunniit mianersuaalliorujussuarluni malinninnginneq, akiliisitsinermik pillarneqassasoq.

Peqqusissuteqarnissap inerteqquteqarnissallu naammassineqarnissaata qulakkeersinnaanissaata, siunnersuut manna malillugu oqartussat suliassaannik oqartussat isumaginnissinnaanissaannut pisariaqarneranut sanilliullugu aalajangersagaq isigineqassaaq. Taamaalilluni peqqusissuteqarnernik imaluunniit inerteqquteqarnernik sumiginnaasoq akiliisitsinermik pillarneqarsinnaavoq.

Imm. 4-mut

Aalajangersakkanik siunnersuut malillugu aalajangersagaasunik unioqutitsineq Kalaallit Nunaannut pinerluttulerinermut inatsit malillugu akiliisitsinermik imaluunniit allanik pineqaatissiinermik pillarneqarsinnaasoq pillugu aalajangersakkanik Naalakkersuisut aalajangersaanissaannut inatsimmi tunngavissamik aalajangersagaq imaqarpoq. Aalajangersakkap malitsigisaanik Naalakkersuisut allatut aalajangiippata, siunnersuut manna malillugu pineqaatissiissutissanut maleruagassat, pineqaatissiinernut aalajangersakkanik unioqutitsinermut pineqaatissiissutaasinnaasunut tamakkiisumik allattoreqanngillat.

Imm. 5-imut

Aalajangersagaq inatsisitigut pisussaaitaasunut pisinaatitaasunullu, aalajangersakkanik imm. 1-3-mi taaneqartunik unioqqutitsisunut tunngassuteqarpoq. Aalajangersagaq malillugu taakkua aamma tamatuminnga unioqqutitsinerminni akiliisitsinermik pillarneqarsinnaassapput.

Unioqqutitsisoq tassaappat Namminersorlutik Oqartussat, kommuni imaluunniit kommunit ataatsimoorfiat, kommunimi aqutsineq pillugu Inatsisartut inatsisaanni pineqartunut ilaasoq, aalajangersagaq malillugu taamaaqatai atuutissapput.

Imm. 6-imut

Imm. 1-3 naapertorlugu imaluunniit aalajangersakkat imaluunniit atugassarititaasut imm. 4 malillugu aalajangersarneqartut naapertorlugit akiliisitsinissamik suliassaq, aalajangersagaq malillugu allaffissornikkut akiliisitsinikkut aalajangiiffigineqarsinnaavoq. Inatsisitigut isumannaatsuutitsinissaq eqqarsaatigalugu, unioqqutitsinerit ersaritsillugit, pisariusuutinnagu aammalu uppersaaitigut nalornissuteqartinnagu, allaffissornikkut akiliisitsinerit taamaallaat atorineqarsinnaapput.

Taamatuttaaq akileeqqusissummik tigusaqartup pisuulluni nalunaarutiginninnissaa (akiliisitsinissaq akueralugu) aammalu piffissamut killiliussap erseqqinnerusumik aalajangersagaasup iluani akiliisitsissummik akiliinissaa, allaffissornikkut akileeqqusilluni suliassap naammassinnaanut tunngavissaatinneqarput.

Unioqqutitsineq ersarinngippat, pisariuppat aammalu uppersaaitigut annertuunik nalornissuteqartoqarpat, suliassaq politiinut aamma unnerluussinermut oqartussanut ingerlateqqinneqartussaassaaq, taakkua tamatuma kingorna suliassaq nalilersussallugu sularissallugulu. Akileeqqusissummik tigusaqartoq pisuulluni nalunaarutiginninngippat (akiliisitsinissaq akuerinagu) aammalu piffissamut killiliussap erseqqinnerusumik aalajangersarneqartup iluani akiliisitsissut akilerneqanngippat, taamaaqatai atuutissapput.

Taamatuttaaq aalajangersagaq malillugu, unnerluussutip imarisassaannut piumasaqaatit pillugit aammalu unnerluutigineqartup oqaaseqarnissamut pisussaaffeqannginnera pillugit eqqartuussisaatsimut inatsimmi maleruagassat, siunnersuut malillugu akileeqqusinernut taamaaqataanik atuupput.

Akiliisitsinerup annertussusaa ataasiakkaatigut missiliuilluni naliliineq aallaavigalugu aalajangersarneqassaaq. Tassunga atatillugu nalinginnaasumik annertoqqatigiimmik pinninnissamut tunngaviusoq atuutissaaq. Tamatuma ilaatigut kingunerisaanik akiliisitsineq kukkuluttornermut naapertuutinnigsumik annertussuseqassanngilaq.

Akiliisitsinissaq unioqqutitsinerup sakkortussusaa eqqarsaatigalugu aalajangersarneqassaaq, ilanngullugu isumannaallisaanikkut aarlerinaataasinnaasut unioqqutitsinerup malitsigisassai, aammalu unioqqutitsinerup annertussusaa kiisalu tamatumani iluanaarutigineqartoq imaluunniit iluanaarutigisassatut siunertarineqartoq.

Aalajangersagaq assersuutigalugu isumannaallisaanermut peqqussutit ersarissumik unioqqutinneqartut paasineqarluni pisoqartillugu imaluunniit aatsitassat annikinnerusut imaluunniit aatsitassat nalitunnginnerusut Naalakkersuisut akuersissuteqartinnagit Kalaallit Nunaanniit anninniarsarineqarlutik, Naalakkersuisut nakkutilliinerannut atatillugu atorneqarsinnaassaaq, takuuk § 122.

Imm. 7-imut

Aalajangersakkami aalajangersarneqarpoq akiliisitsinerit siunnersuut imaluunniit siunnersuut malillugu aalajangersakkat malillugit pineqaatissiissutigineqartut, nunap karsianut tutsinneqassapput.

#### *§ 143-mut*

Imm. 1-imut

Aatsitassat pisussaanani imaluunniit aalajangersakkanik imaluunniit atugassarititaasunik aalajangersarneqartunik unioqqutitsilluni katersorneqartut, piiarneqartut imaluunniit atorneqartut arsaarinnissutigineqarsinnaanerit, aalajangersakkami inatsimmi tunngavissalerneqarpoq.

Imm. 2-mut

Aatsitassat pisussaanani imaluunniit aalajangersakkanik imaluunniit atugassarititaasunik aalajangersarneqartunik unioqqutitsilluni Kalaallit Nunaanniit anninniarsarineqartut imaluunniit anninneqartut arsaarinnissutigineqarsinnaasut, aalajangersakkami inatsimmi tunngavissalerneqarpoq.

Imm. 3-mut

Aatsitassanik pissarsinerup nalaani pissarsisup akuersissummik peqarani aatsitassanik katersisoqartoq, paaasoqartoq imaluunniit atuisoqartoq ilisimallugu imaluunniit ilisimasariaqaraluarlugu. aatsitassat akuersissummik peqarani katersorneqartut, piiarneqartut imaluunniit atorneqartut, imaluunniit taakkua nalingisa arsaarinnissutigineqarnissaannut aalajangersakkami periarfissiisoqarpoq.

Tamanna ilaatigut imm. 1-imi aalajangersakkap avaqutaaneqarnissaata pakkersimaarneqarnissaanut, taamaalillunilu Namminersorlutik Oqartussat nunatsinni aatsitassarsiornermik suliaqarnermit isertitaqarnissaata qulakkeernissaanut, iluaqutaassaaq.

Imm. 4-mut

Aalajangersagaq malillugu aamma iluanaarutinik imaluunniit aningaasanik taakkununga naapertuuttunik, aatsitassat pisussaanani imaluunniit aalajangersakkanik imaluunniit atugassarititaasunik aalajangersarneqartunik unioqquitsilluni katersorneqarnerannut, piiarneqarnerannut imaluunniit imm. 1 malillugu atorneqarnerannut atatillugu pissarsiarineqartunik imaluunniit pisussaanani imaluunniit aalajangersakkanut imaluunniit atugassarititaasunut aalajangersarneqartunik unioqquitsilluni imm. 2 malillugu Kalaallit Nunaannit anninneqartunik imaluunniit anniseriaraluarneqartunik Naalakkersuisut arsaarinnissinnaapput.

Aningaasartaasa annertussusissaasa aalajangersarnissaanut naammattunik tunngavissaqarsimanngippat, aningaasat ataasiakkaatigut naliliineq malillugu iluanaarutigineqartunut naapertuuttutut nalilerneqartut, Naalakkersuisut arsaarinnissutigissavaat.

Imm. 5-imut

Aalajangersakkami allassimavoq, Kalaallit Nunaannut pinerluttulerinermut inatsimmi pinerluttuliornermi arsaarinnissuteqartarnek imaluunniit tamatumunnga naapertuuttut aningaasartat pillugit maleruagassat, imm. 1 aamma 2 malillugit Naalakkersuisut arsaarinnissuteqarneranut atuuttut.

Pinerluttuliornermi imaluunniit aningaasani tamatumunnga naapertuuttuni iluanaarutinik arsaarinnittarnek pillugu aalajangersakkat taaneqartut taakkua Kalaallit Nunaannut pinerluttulerinermut inatsit kingusinnerusukkut allanguuteqartoq pillugu inatsimmut nalunaarummi nr. 1045, 7. september 2017-imeersumi atuuttumi §§ 166-170-imi aalajangersagaapput.

Kalaallit Nunaannut pinerluttulerinermut inatsimmi §§ 166-170-imi arsaarinnittarnek pillugu aalajangersakkat taamaalillutik, iluanaarutinik imaluunniit aningaasanik taakkununga naapertuuttunik, aatsitassanik pisussaanani imaluunniit imm. 1 malillugu aalajangersakkat imaluunniit atugassarititaasut unioqquittillugit katersorneqarnerannut, piiarneqarnerannut imaluunniit atorneqarnerannut atatillugu pissarsiarineqartunik, imaluunniit imm. 2 malillugu pisussaanani imaluunniit aalajangersakkat imaluunniit atugassarititaasut aalajangersagaasut unioqquittillugit Kalaallit Nunaanniit anninneqartunik imaluunniit anninniarsarineqartunik Naalakkersuisut arsaarinninnerannut, taamaaqataannik atuupput.



#### Imm. 6-imut

Aalajangersakkami allassimavoq Naalakkersuisut imm. 1 aamma 2 malillugit nammineerlutik arsaarinnissinnaasut. Naalakkersuisut aamma aalajangersagaq malillugu oqartussap attuumassuteqartup pinerluttulerinermut inatsimmi tamatumunnga maleruagassat malillugit arsaarinnissinnaasup, imm. 1 aamma 2 malillugit Naalakkersuisut sullillugit Kalaallit Nunaannut pinerluttulerinermut inatsit malillugu arsaarinninnissaanik qinnuigisinnaavaat.

Oqartussaq attuumassuteqartoq pinerluttulerinermut inatsimmi tamatumunnga maleruagassat malillugit arsaarinnittoq, suliaqarnermi tassaavoq politiini oqartussaq aamma Kalaallit Nunaanni Politiit.

Politiini oqartussaq aamma Kalaallit Nunaanni Politiit taamaalillutik Naalakkersuisut tamatumunnga qinnuigippatik imm. 1 aamma 2 malillugit Naalakkersuisut sullillugit arsaarinnissapput, ilanngullugu aatsitassanik pisussaananani imaluunniit imm. 1 malillugu aalajangersakkat imaluunniit atugassarititaasut unioqquutillugit katersorneqarnerannut, piiarneqarnerannut imaluunniit atorneqarnerannut atatillugu pissarsiarineqartunik, imaluunniit imm. 2 malillugu pisussaananani imaluunniit aalajangersakkat imaluunniit atugassarititaasut aalajangersagaasut unioqquutillugit Kalaallit Nunaanniit anninneqartunik imaluunniit anninniarsarineqartunik Naalakkersuisut sullillugit arsaarinnissallutik.

#### Imm. 7-imut

Siunnersuut malillugu sapinngisamik aatsitassat arsaarinnissutigineqartut nunap karsianut iluaqutaasussamik tuniniarneqassapput. Taamatut tuniniaaneq siunnersuutip siunertaa tunngavigalugit tamatumunngalu naapertuuttumik pissaq, ilanngullugu aatsitassarsiorluni ingerlatassanit isertitat inuiaqatigiinnut kalaallinut tutsinneqassallutik.

### *§ 144-mut*

#### Imm. 1-imut

Aalajangersagaq siunnersuutip atuutilernissaanut piffissamut tunngassuteqarpoq.

Siunnersutigineqarpoq siunnersuut ulloq 1. juli 2023.

#### Imm. 2-mut

Namminersornermut inatsimmi §§ 1, 2 aamma 28 malillugit Namminersorlutik Oqartussat suliassaqarfinni akisussaaffigilerlugit tiguneqareersuni maleruagassat Kalaallit Nunaannut

atuuttut allangortissinnaavai imaluunniit atorunnaarsissinnaallugit.

Namminersorlutik Oqartussat suliassaqrarfiit nunavittap sumiiffia pillugu inatsimmi, takuuk inatsimmut nalunaarut nr. 1001, 18. november 2005-imeersoq kingusinnerusukkut allannguuteqartoq (nunavittamut inatsit), maannamut Kalaallit Nunaannut atuussimasoq, pineqartunut ilaasut ilai akisussaaffigilerlugit tigusimavaat.

Taanna tunngavigalugu Kalaallit Nunaannut tunngatillugu nunavittamut inatsimmi aalajangersakkat aalajangersimasut siunnersuummi allangortinneqarput atorunnaarsinneqarlutillu. Nunavittamut inatsisip suliassaqrarfinnut Namminersorlutik Oqartussanit akisussaaffigilerlugit tiguneqareersunut tunngasortaannut tunngasut, aammalu allangortinneqartussat imaluunniit atorunnaarsinneqartussat makkuupput:

1) § 1, § 2, § 3, imm. 2, § 4, imm. 5, aamma § 5, imm. 1, atorunnaarsinneqarput.

2) § 3, imm. 1-imi peerneqarpoq ”, taamaattoq takuuk imm. 2”.

3) § 6 imatut oqaasertalerneqarpoq:

”§ 6. Sanaartukkanut aamma isumannaallisaanermi killeqarfinnut, takuuk § 3, nunavittap sumiiffiata Kalaallit Nunaanniittup iluaniittunut imaluunniit tassani pilersinneqarsimasunut, inatsisit atuuttut Kalaallit Nunaannut allatigut atuupput. Naalakkersuisut aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit inatsisartut inatsisaanni (aatsitassanut ikummatissanullu inatsit) aamma aatsitassarsiorluni ingerlatassat pillugit Inatsisartut inatsisaanni maleruagassat isiginiarlugit, piginnaatitsissutinik § 4-imi aalajangersagaasunik atuissapput.”

Nunavittamut inatsimmi aalajangersakkat allat Kalaallit Nunaannut tunngatillugu allannguuteqaratik atuutiinnassapput.

Imm. 3-mut

Aalajangersagaq akuersissutinut siunnersuutip atuutilernerani tunniunneqareersimasunut tunngassuteqarpoq.

Akuersissutit aatsitassanut ikummatissanullu inatsit malillugu aatsitassanut tunngatillugu tunniunneqarsimasut aammalu atorunnaarsimangitsut, siunnersuutip atuutilernerani atuuttussaaajunnaarsinneqarnerannik siunnersuutip malitseqannginnissaa, aalajangersakkami qulakkeerneqassaaq. Aammattaaq siunnersuutip atuutilernerani akuersissutinut taamaattunut, akuersissutit taamaattut malillugit pisinnaatitsissummik pigisaqartunut aamma ingerlatassanut akuersissutit taamaattut malillugit suliarineqartunut, siunnersuut aamma atuuttoq, aalajangersakkami aalajangersarneqarpoq.

Siunnersuutip aatsitassat pillugit ingerlatassanut atuunnissaa, ilanngullugit katersineq,

piiaaneq aamma aatsitassanik piiaaneq, aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaasut aammalu siunnersuutip atuutilernissaa sioqqullugu suliarineqartut, aamma aalajangersakkami qulakkeerneqarpoq. Tamatuma saniatigut ingerlatani taamaattuni aatsitassanut katersorneqartunut, piiaarneqartunut imaluunniit atorineqartunut, siunnersuutip atuunnissaa, aalajangersakkami qulakkeerneqarpoq.

Siunnersuut aatsitassat aatsitassanut ikummatissanullu inatsimmi pineqartunut ilaasut pillugit ingerlataqarnerit aamma pissutsit pillugit aalajangiinernut, aammalu siunnersuutip atuutilernissaa sioqqullugu aalajangiiffigineqartunut atuutissasoq aammattaq aalajangersakkami aalajangersarneqarpoq. Taamaattoq piffissamut killiliussaqaq siunnersuummi §§ 25-imi aamma 73-imi taaneqartut siunnersuutip atuutilerfianiit naatsorsorneqassalluni. Takukkit aalajangersagaq taaneqartoq tassungalu nassuiaatit.

Imm. 4-mut

Aalajangersakkami allassimavoq, aalajangersakkat aatsitassarsiorluni ingerlataqarnerit aamma qinnuteqaatinut suleriaatsinut, atugassarititaasunut nalinginnaasunut aamma aatsitassat pillugit akuersissutinut atugassarititaasunut ulloq 1. juli 2023 atuuttut, aalajangersakkat ilaalu ilanngullugit atorunnaarsinneqarnissaasa imaluunniit aalajangersakkanit siunnersuut malillugu aalajangersagaasunit taarserneqarnissaasa tungaanut, siunnersuut malillugu allannguutai atuutsillugit, atuutiinnassasut.

Taamaalilluni aalajangersagaq malillugu, aatsitassarsiorluni ingerlataqarnerit aamma qinnuteqaatinut suleriaatsinut, atugassarititaasunut nalinginnaasunut aamma aatsitassat pillugit akuersissutinut atugassarititaasunut aalajangersakkat, pissutsinut siunnersuummi pineqartunut ilaasunut tunngasut aammalu siunnersuutip ulloq 1. januar 2023 atuutilernerani atuuttut, siunnersuut malillugu allannguuteqartillugit, atuutiinnassapput. Taamaattoq aalajangersakkat atugassarititaasullu aalajangersakkanit nutaanit siunnersuut malillugu aalajangersagaasunit atorunnaarsinneqarsinnaavoq imaluunniit taarserneqarsinnaallutik.

## Uunga siunnersuut:

### **Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaata (aatsitassanut ikummatissanullu inatsit) allanngortinneqarnissaa pillugu Inatsisartut inatsisaat**

(Aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaata akuerineqarnerat malitsigisaanik sunniutaasunik allanngortitsinerit)

#### § 1

Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaat nr. 7, 7. december 2009-imeersumi (aatsitassanut ikummatissanullu inatsit, takuuk Inatsisartut inatsisaannut nalunaarut nr. 8, 26. februar 2020-meersoq, makkua allanngortinneqarput:

1. § 14-ip kingorna kapitali 4-mi ilanngunneqarput:

*”Pissutsit Aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni pineqartunut ilaasut*

§ 14 a. Inatsisartut inatsisaat pissutsinut, ilanngullugit ingerlatassat akuersissutillu, aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni pineqartunut ilaasunut, atuutinnngilaq.”

2. Kapitali 7 atorunnaarsinneqarpoq.

3. § 85, imm. 3 atorunnaarsinneqarpoq.

4. § 95 a atorunnaarsinneqarpoq.

#### § 2

Inatsisartut inatsisaat manna ulloq 1. juli 2023 atuutilerpoq.

*Namminersorlutik Oqartussat, ulloq xx. xxx 2021*

## Naalakkersuisut Siulittaasuat



Siunnersuummut nassuiaatit

## **Nassuiaatit nalinginnaasut**

### **1. Aallaqqaasiut**

Aatsitassanut tunngasunik suliaqarnek pillugu Inatsisartut inatsisaata akuerineqarnerata kingunerisaanik aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaanni (aatsitassanut ikummatissanullu inatsit) matuma kinguliani allassimasut allanngortinneqarput.

### **2. Siunnersuummi immikkoortut pingarnerit**

Siunnersuummi siunertaavoq aatsitassanut ikummatissanullu inatsimmi aalajangersakkat, Inatsisartut inatsisaannit matuma siuliani taaneqartumit taarserneqartut, atorunnaarsinneqarnissaat aammalu Inatsisartut inatsisaata taaneqartup akuerineqareernerata kingorna marloqiusamik maleruagassiinnginnissap qulakkeernissaa.

### **3. Pisortanut aningaasaqarnikkut allaffissornikkullu sunniutaasussat**

Siunnersuutip pisortanut aningaasaqarnikkut allaffissornikkullu sunniuteqarnissaa naatsorsuutigineqanngilaq.

### **4. Inuussutissarsiortunut aningaasaqarnikkut allaffissornikkullu sunniutaasussat**

Siunnersuutip inuussutissarsiortunut aningaasaqarnikkut allaffissornikkullu sunniuteqarnissaa naatsorsuutigineqanngilaq.

### **5. Avatangiisinut, pinngortitamut inuillu peqqissusaannut sunniutaasussat**

Siunnersuutip avatangiisinut, pinngortitamut imaluunniit inuit peqqissusaannut sunniuteqarnissaa naatsorsuutigineqanngilaq.

### **6. Innuttaasunut sunniutaasussat**

Siunnersuutip innuttaasunut aningaasaqarnikkut sunniuteqarnissaa naatsorsuutigineqanngilaq.

### **7. Sunniutaasussat annertuut allat**

Siunnersuutip annertuunik allanik sunniuteqarnissaa naatsorsuutigineqanngilaq.

### **8. Oqartussanut kattuffinnullu ilaalu ilanngullugit tusarniaaneq**

## **Siunnersuummi aalajangersakkanut ataasiakkaanut nassuiaatit**

### *§ 1-imut*

Pissutsit siunissami aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni maleruagassiivigineqartut, peqatigisaanik aatsitassanut ikummatissanullu inatsimmi maleruagassiivigineqannginnissaat, nr. 1-3-mi aalajangersakkani qulakkeerneqassaaq. Aalajangersakkat atorunnaarsinneqartussat siunnersuutigineqartut, aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni aalajangersakkanik taarserneqarput.

Ajornartorsiutit immikkuullarissut aatsitassarsiorluni suliassanut aalajangersimasunut tunngassuteqartut paasinarsinneqarnissaannut misissuinernut siunnersuinernullu tapersiinissamut aningaasaateqarfimmik pilersitsinissaq pillugu aalajangersagaq, nr. 4-mi aalajangersakkap atorunnaarsippaa. Aningaasaateqarfik siunertamut tassunga aningaasaliissutinit, aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni maleruagassiivigineqartunit, taarserneqarpoq.

### *§ 2-mut*

Aalajangersagaq siunnersuutip atuutilerfissaanut tunngassuteqarpoq.

Siunnersuutigineqarpoq siunnersuut aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaata peqatigisaanik atuutilissasoq.

<b>Siunnersuut Inatsisartut inatsisaannut atuuttumut sanilliullugu</b>	
<i>Oqaasertai atuuttut</i>	<i>Siunnersuut</i>
	<p><b>§ 1</b></p> <p>Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaat nr. 7, 7. december 2009-imeersumi (aatsitassanut ikummatissanullu inatsit, takuuk Inatsisartut inatsisaannut nalunaarut nr. 8, 26. februar 2020-meersoq, makkua allanngortinneqarput:</p>
<p><b>§ 29.</b> Aatsitassat eqqarsaatigalugit misissuinissamut § 16 malillugu akuersissut tunniunneqassaaq ukiut 10-t angullugit atuuttussanngorlugu, imaluunniit pissutsit immikkut ittut atuutissappata, ukiut 16-it angullugit atuuttussanngorlugu. Misissuinissaq siunertaralugu akuersissut sivitsorneqartarsinnaavoq ukiut pingasukkaartut (3) angullugit. Ukiut 10-t sinnerlugit sivitsuineqassappat, piunasaqaatit allanngortillugit akuersissut tunniunneqassaaq.</p> <p><i>Imm. 2.</i> Pisinnaatitsissummik pigisaqartoq imm. 1 malillugu akuersissutip ataani peqarfimmik piiiaaffiginiagassaminik paasinarsisitsisimappat sumiiffissiisimallunilu, aammalu allatigut atugassarititaasut akuersissummi aalajangersarneqartut naammassisimallugit, piiiaanissamut akuersissummik tunineqarnissaminut pisinnaatitaavoq. Akuersissut ingerlatseqatigiiffimmut pisinnaatitsissummik pigisaqartup toqqagaanut tunniunneqarsinnaavoq, tamanna pillugu takuuk § 16, imm. 3. Akuersissut, sumiiffiup ilaani peqarfiit pisinnaatitsissummik pigisaqartup piiiaaffigilersagaasa sumiiffianniittunut, tunniunneqassaaq. Akuersissummut atugassarititaasutut piffissaq sivikinnerusussanngorlugu aalajangersarneqarsimangippat, akuersissut ukiuni 30-ni atuuttussanngorlugu tunniunneqassaaq.</p> <p><i>Imm. 3.</i> Piffissaq piiiaaffissatut imm. 2-mi</p>	<p><b>1.</b> §§ 29-31 aamma § 85, imm. 3, atorunnaarsinneqarput.</p>



taaneqarsimasoq Naalakkersuisut  
sivitsorsinnaavaat, takuulli § 16, imm. 5.

*Imm. 4.* Sumiiffimmi § 16 malillugu  
aatsitassanik pīaanissamut akuersissummi  
pineqartunut ilaasumi, akuersissut malillugu  
pisinnaatitsissummik pigisaqartup saniatigut  
allat aatsitassanik misissueqqaarnissamut,  
misissuinissamut imaluunniit aatsitassanik  
pīaanissamut akuersissut malillugu,  
ingerlataqarlutik suliaqquusaanngillat.

**§ 30.** § 16 malillugu aatsitassanik  
pīaanissamut akuersissummi taamaallaat §  
17, imm. 1-2 malillugu pīumasaqaatinik  
aalajangersaasoqarsinnaavoq,  
misissuinissamut akuersissummi tamanna  
ilanngunneqarsimappat, imaluunniit § 17,  
imm. 3-mi, imaluunniit Kalaallit Nunaanni  
akileraartarnermut inatsimmi malittarisassaq  
assingusoq atorneqarsimappat.

*Imm. 2.* Pissutsinut pīaanermik  
suliaqarnerup ingerlanneqarnissaanut  
aammalu akuersissut malillugu  
ingerlatassanut allanut annertuumik  
pingaaruteqartunut piffissamut killiliussat  
pillugit atugassarititaasunik § 16 malillugu  
aatsitassanik pīaanissamut akuersissummi  
Naalakkersuisut aalajangersaasinnaapput.  
Piffissamut killiliussaq imaluunniit  
piffissamut killiliussamut sivitsuineq  
naammassineqanngippat akuersissut  
atorunnaassasoq imaluunniit  
utertinneqassasoq, Naalakkersuisut  
aalajangiisinaapput.

**§ 31.** Aatsitassat pillugit Naalakkersuisut  
erseqqinnerusumik  
malittarisassiuussisinaapput, ilaallutik  
misissuineq, pīaaneq, suliareqqiineq,  
uninngasuutiginnineq, toqqorsimatitsineq,  
assartuineq, niuerneq, avammut  
aallarussineq, avataanit eqqussineq kiisalu  
akuersissusiisarneq pillugit.

*Imm. 2.* Naalakkersuisut malittarisassanik  
aalajangersaasinnaapput, aatsitassanik  
aalajangersimasunik  
suliareqqiisoqarsinnaasoq  
niuerniutiginnittoqarsinnaasorlu taamaallaat  
akuersissut malillugu imaluunniit  
Naalakkersuisunit akuerineqqaarnikkut.

<p>Taama akuersissuteqarnernut imaluunniit akuerineqarnermut Naalackersuisut maleruagassanik piunasaqaatinillu aalajangersaasinnaapput. Ingerlatat imm. 1-imi taaneqartut § 16 malillugu akuersissuteqarfimmik kinguneqartussat isumaginiarlugit taamaallaat akuerineqarnissaq pisariaqarpoq.</p> <p><b>§ 85.</b> Aatsitassanik avammut aallarussisarneq avataaniillu eqqussuisarneq pillugu Naalackersuisut malittarisassiuussisinnapput.</p> <p><i>Imm. 2.</i> Nunat tamat isumaqatigiissutaat imaluunniit malittarisassa at pissutsit Inatsisartut inatsisaanni matumunnga ilaatinneqartut Kalaallit Nunaanni ingerlanneqarnissaat imaluunniit atorneqarnissaat siunertaralugu Naalackersuisut malittarisassanik aalajangersaasinnaapput imaluunniit aalajangiussassanik aalajangiisinnaallutik.</p> <p><i>Imm. 3.</i> Diamantinik suliarineqarsimangitsunik eqquassinissaq aallarussinissarlu pillugit, diamantinillu suliarineqarsimangitsunik ingerlataqarnernut tunngasunik Naalackersuisut malittarisassanik aalajangersimasunik aalajangersaasinnaapput, kiisalu malittarisassanik nunat tamat akornanni pisussaaffiit eqquutsinnissaannut siunertaqartunut, tamakkununnga ilaallutik aaqqiissut Kimberley malillugu piunasaqaatit eqquutsinniarlugit siunertaqartunut.</p>	
	<p><b>2.</b> § 14 kingorna qulequtaq nutaaq ilanngunneqarpoq:  <i>”Pissutsit Aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni pineqartunut ilaasut”</i></p>
	<p><b>3.</b> Qulequttap nutaap kingorna</p>

	<p>ilanngunneqassaaq:  ” § 14 a. Inatsisartut inatsisaat pissutsinut, ilanngullugit ingerlatassat akuersissutillu, aatsitassanut tunngasunik suliaqarneq pillugu Inatsisartut inatsisaanni pineqartunut ilaasunut, atuutinngilaq.”</p>
	<p style="text-align: center;"><b>§ 2</b></p> <p>Inatsisartut inatsisaat manna ulloq 1. juli 2023 atuutilerpoq.</p>

**Brevdato** 19-12-2022

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Officiel post til EAMRA (Postkasse, Departementet for  
Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høring over forslag til minelov og ændring af råstofloven

**Aktnummer**

**Identifikationsnummer** 22055693

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høring over forslag til minelov og ændring af råstofloven  
(Nanoq - ID nr. 21844839)  
Høringsbrev DK.docx  
signaturbevis

**Dokumenter uden PDF-  
version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
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**Sendt:** 19-12-2022 16:35  
**Bilag:** Høringsbrev DK.docx.pdf; signaturbevis.txt;

Til Miljøstyrelsen for Råstofområdet og Departementet for Råstoffer og Justitsområdet

Udtrykket straf bruges flere gange i § 142 i forslaget til mineloven. Dette udtryk søges sædvanligvis undgået i grønlandsk lovgivning, og i stedet anvendes udtrykket foranstaltninger, således som det er anvendt i den vidtgående delegationsbestemmelse i lovforslagets § 142, stk. 4.

Herudover har Grønlands Landsret ikke bemærkninger til de fremsendte forslag.

Med venlig hilsen  
Kirsten Thomassen  
Landsdommer

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## Høring:

**Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven),**

og

**Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxx 2023 om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven)**

Hermed sendes ”Forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven)”, og ”Forslag til: Inatsisartutlov nr. xx af xx. xxx 2023 om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven)” i høring med henblik på fremsættelse på forårssamlingen 2023.

De to forslag sendes samlet i høring, da forslaget til ændring af råstofloven er en konsekvens af vedtagelsen af forslaget til lov om mineralaktiviteter.

## Baggrund og formål

Den gældende lov om mineralske råstoffer og aktiviteter af betydning herfor regulerer alle forhold vedrørende udnyttelse af råstoffer, herunder kulbrintetilladelser, efterforsknings- og udnyttelsestilladelser vedrørende mineraler, småskalatilladelser og miljøforhold. Loven administreres af Miljøstyrelsen for Råstofområdet, Råstofstyrelsen og Departementet for Råstoffer og Justitsområdet.

Da en lov, der dækker så forskelligartede forhold, dels kan virke uoverskuelig for borgere og virksomheder, og dels, i råstoflovens tilfælde, hvor nogle bestemmelser regulerer både almindelige mineraltilladelser, småskalatilladelser og kulbrintetilladelser, må behandle visse emner meget overordnet, findes det hensigtsmæssigt, at reguleringen af råstofområdet opdeles i flere love, der specifikt regulerer de enkelte områder. Det foreslås derfor, at forholdene der i dag reguleres af råstofloven, fremover reguleres i tre forskellige love. En selvstændig minelov om forhold vedrørende almindelig minedrift, en selvstændig småskalalov om forhold vedrørende småskalatilladelser og udnyttelse af mineraler til lokale bygge- og infrastrukturprojekter (planlægges fremsat på efterårssamlingen 2023) og den nuværende råstoflov om forhold vedrørende kulbrinter og anvendelse af undergrunden til lagring. Disse tre love vil omfatte både tilladelsesregimer og miljøforhold. For så vidt angår kulbrinter, blev der tidligere arbejdet på et lovforslag, som skulle dække dette område, men da Naalakkersuisut d. 24/6 2021 besluttede at udfase kulbrinteaktiviteter, findes det hensigtsmæssigt fortsat at lade dette område være reguleret af og bibeholde den gældende råstoflov med senere ændringer.

Forslaget til ændring af råstofloven er udelukkende en konsekvens af, at en del af de forhold, der reguleres af råstofloven, fremover reguleres af mineloven, og forslaget ophæver alene relevante bestemmelser.

Overordnet set er der ikke tilsigtet større ændringer i retstilstanden, og forslagene er langt hen ad vejen udtryk for gældende praksis. Forslagene sigter mod at gøre retstilstanden mere klar og mere investorvenlig. Der er derfor lagt vægt på, at forslagene lever op til internationale standarder og er konkurrencedygtige i forhold til andre minelands lovgivninger. Det er eksempelvis blevet udspecificeret, hvilke vilkår der stilles til de enkelte tilladelsestyper, med henblik på at gøre lovene mere tilgængelige for udenlandske rettighedshavere og investorer. Med henblik på at øge retssikkerheden for ansøgere af tilladelser er det blevet tydeliggjort, hvilke kriterier Naalakkersuisut kan lægge vægt på i forbindelse med behandling af ansøgninger.

## Væsentligste ændringer

Forslagenes væsentligste ændringer i forhold til den gældende råstoflov, udover at den gældende råstoflov deles op i flere speciallove, er følgende:

- Bestemmelserne vedrørende offshore-aktiviteter er i mineloven tilpasset mineralaktiviteter. Råstoflovens bestemmelser om offshore-aktiviteter vedrører hovedsageligt kulbrinteaktiviteter.
- Forslagene indeholder ikke bestemmelser om beredskabskomiteen, da denne ønskes nedlagt.
- Bestemmelserne om skatterapportering ændres, således at rettighedshavere ikke længere kan tilpligtes at indhente skatteoplysninger fra deres medkontrahenter. Det vil i stedet blive muligt for Naalakkersuisut at kræve skatteoplysninger direkte fra rettighedshaveres medkontrahenter, som udfører aktiviteter under en mineraltilladelse.
- Der skabes hjemmel for Naalakkersuisut til at udstede administrative bøder.
- Der skabes hjemmel for Naalakkersuisut til at frede områder af særlig geologisk interesse.
- Der skabes en ret til at få meddelt en udnyttelses tilladelse på grundlag af en småskalatilladelse.
- Der iværksættes offentlig høring før meddelelse af efterforskningstilladelser.
- Der skabes hjemmel til, at udnyttelsestilladelsen meddeles på baggrund af en høring af et kommissorium for projektet, evt. kombineret med et kommissorium for VVM (Vurderinger af Virkninger på Miljøet) og VSB (Vurdering af Samfundsmæssig Bæredygtighed).
- Der skabes hjemmel til at kræve en Vurdering af forebyggende tiltag (VFT), der godkendes administrativt for aktiviteter, hvor man ønsker en offentlig høring angående miljøforhold.
- Bestemmelsen i råstofloven om at oprette en fond til borgerinddragelses ophæves, og erstattes med en bestemmelse i mineloven om oprettelse af en pulje med samme formål.

## Frist

Høringssvar bedes fremsendt til [asn@nanoq.gl](mailto:asn@nanoq.gl) og [EAMRA@nanoq.gl](mailto:EAMRA@nanoq.gl) med kopi til [bosd@nanoq.gl](mailto:bosd@nanoq.gl) og [netl@nanoq.gl](mailto:netl@nanoq.gl) senest 22. december 2022.

Med venlig hilsen

Miljøstyrelsen for Råstofområdet og Departementet for Råstoffer og Justitsområdet

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**Brevdato** 22-12-2022

**Afsender** Jan Petersen (jan.rehtmar.petersen@gmail.com) Sendt af Jan Rehtmar-Petersen: jan.rehtmar.petersen@gmail.com

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø); Bo Simmelsgaard (Sagsbehandler, Departementet for Råstoffer og Justitsområdet); Nette Levermann (Sagsbehandler, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Re: Aatsitassanut inatsisissamut tusaniaaneq

**Aktnummer**

**Identifikationsnummer** 22085691

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Re Aatsitassanut inatsisissamut tusaniaaneq  
pisinnaatitaaffiit rettigheder Urani Naamik Narsaq

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl), Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Jan Petersen (jan.rehtmar.petersen@gmail.com)  
**Titel:** Re: Aatsitassanut inatsisissamut tusaniaaneq  
**Sendt:** 22-12-2022 18:56  
**Bilag:** pisinnaatitaaffit rettigheder Urani Naamik Narsaq.pdf;

Aamma aana et til

Hilsen Jan Urani Naamik Narsaq

Den tor. 22. dec. 2022 kl. 15.11 skrev Jan Rehtmar-Petersen <[jan.rehtmar.petersen@gmail.com](mailto:jan.rehtmar.petersen@gmail.com)>:

Den tor. 22. dec. 2022 kl. 10.47 skrev Jan Rehtmar-Petersen <[jan.rehtmar.petersen@gmail.com](mailto:jan.rehtmar.petersen@gmail.com)>:

Hej

Takuuk tapiliussaq

Jan



## Uraani? Naamik Peqatigiiffik Narsaq

### Nunap Inoqqaajuneq.

Nunap Inoqqaavisa pisinnaatitaaffiisa Kalaallinut atuutsinnerinut tunngatillugu Uraani Naamik isumaqarpoq naak inuiaat kalaallit nunatsinni amerlanerussuteqaraluarluta, namminersulivinnissarlu namminersorluta oqartussaalernitsinni qulakkeeqqagaluarlutigu, sulii namminiilivinninnatta Danmarkimut nunasiaataasimasutut nunap inoqqaavisut inissisimanerput naqissusertariaqarlugu. Kalaallit inuiaat Inuit issittumiittunut ilaapput taakkua naalagaaffiit sisamat Danmark, Rusland, USA Canadallu ataanniipput. Inatsisartut 2014-mi Alta Deklaration nunap inoqqaavisut atsioqataaffigaat (<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/468/28/PDF/N1446828.pdf?OpenElement>). Uraani Naamimi isumaqarpugut nunap inoqqaajuneq tamatigut atuuttoq susassa qarfinni ataasiakkaani kisimi pinnani. Nunap Inoqqaajuneq tamakkiisuvoq ilaannakortuusinnaangilaq. Piumallerlunilu nunap inoqqaajusoqarsinnaangilaq. Inuiattut namminiilivinnissaq suaarutigineqarpat aatsaat nunap inoqqaajunerput nunallu inoqqaat pisinnaatitaaffii atuukkunnaarumaarput. Danmarkimulli nunasiaataasimaneq atuuttuartussaavoq.

### At være et oprindeligt folk.

Med hensyn til rettigheder som et oprindeligt folk vil vi fra Uraani Naamik gerne understrege endnu engang at vi på trods af at være en majoritet i vores eget land, og har selvbestemmelse garanteret i Selvstyreloven, endnu ikke har påberåbt os selvstændighed, og derfor stadig som en tidligere dansk koloni, også har status som et oprindeligt folk. Derfor vil oprindelige folks rettigheder indtil vi påberåber os selvstændighed, inkludere det grønlandsk folk. Det grønlandske folk som er en del af Inuit i Arktis og er underlagt de fire stater Danmark, Rusland, USA og Canada. Inatsisartut har i 2014 desuden tilsluttet sig Alta Deklarationen som et oprindeligt folk ( <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/468/28/PDF/N1446828.pdf?OpenElement> ). Uraani Naamik mener ikke man kan være oprindeligt folk på nogle områder og et suverænt folk på andre områder. Enten er man et oprindeligt folk fuldstændigt, eller også er man helt selvstændige og 100 % et frit folk. Man kan ikke bare være et oprindeligt folk når det passer en. Grønland vil dog altid være en tidligere dansk koloni.

Uraani? Naamik Narsaq sinnerlugu

Jan Rehtmar-Petersen

22.december 2022

**Brevdato** 22-12-2022

**Afsender** Jan Petersen (jan.rehtmar.petersen@gmail.com) Sendt af Jan Rehtmar-Petersen: jan.rehtmar.petersen@gmail.com

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø); Bo Simmelsgaard (Sagsbehandler, Departementet for Råstoffer og Justitsområdet); Nette Levermann (Sagsbehandler, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Re: Aatsitassanut inatsisissamut tusaniaaneq

**Aktnummer**

**Identifikationsnummer** 22084928

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**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Re Aatsitassanut inatsisissamut tusaniaaneq  
De besværlige usynlige støv

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl), Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Jan Petersen (jan.rehtmar.petersen@gmail.com)  
**Titel:** Re: Aatsitassanut inatsisissamut tusaniaaneq  
**Sendt:** 22-12-2022 15:11  
**Bilag:** De besværlige usynlige støv.pdf;

Den tor. 22. dec. 2022 kl. 10.47 skrev Jan Rehtmar-Petersen <[jan.rehtmar.petersen@gmail.com](mailto:jan.rehtmar.petersen@gmail.com)>:

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Jan



Urani? Naamik  
Peqatigiiffik Narsaq

## De besværlige usynlige støv

Originalen: Grønlandsk.

### 1. Indledning.

Først vil vi nævne, at DCE (Dansk Center for miljø og Energi) og vort land har aftale om, at DCE skal have os til at følge med verdensudviklingen vedrørende mineaktiviteter. At de ikke følger med i udviklingen kan vi se til deres svar af ”Greenland Minerals utroværdigheder” udgivet af Urani? Naamik Narsaq forår 2022.[1] I deres svar forsvare DCE USEPA AP-42, og kalder den ”internationale standarder”.[2]

Urani? Naamik Narsaq har ikke ventet på DCE for at få informationer. Vi har fulgt med i verdensudvikling omkring minedrift via internettet. Således finder vi hele tiden nyeste oplysninger. Specielt omkring de sundhedsfarlige usynlige støvpartikler. Og vi har brugt de seneste viden omkring støv, og brugt dem til Kuannersuit projektet, som vi kender godt efterhånden.

Vi vil også kigge på vores krav om forurening af omgivende miljøer, som land, og omkring udarbejdelse af VVM-rapporter i minevirksomhed.

### 2. Vores krav omkring miljø i bearbejdning af VVM-rapporter:

Der står blandt andet:

*”Guidelines for preparing an Environmental Impact Assessment (EIA) report for mineral exploitation in Greenland, Mineral Resources Authority 2015, [3]:*

#### **4.1 Discharges/Emissions to the environment**

*Emissions from power plants, fuel combustion plants, incineration plants, process plants and similar shall comply with EU standards (the EU Directive on Industrial Emissions, IE Directive). Emissions from non-road mobile machinery (e.g. excavators, bulldozers, front loaders, back loaders and drilling equipment) shall comply with EU environmental standards (EU directives on emissions from non-road mobile machinery). US or DK standards shall be used if EU standards are not available. Emissions from means of transport such as ships shall meet EU, IMO and DK standards.”*

Kapitel 4.1 er meget vigtig. Der står hvilke emissionsfaktorer der er anbefalet. Ganske kort:

Støvemissions faktorer: EU-standarder bruges. Derefter standarder fra USA og til sidst fra Danmark.

Virkeligheden er at, EU henviser til emissionsfaktorer fra Canada/USA. På den måde kræver, vi faktisk støvemissionsfaktorer fra USA, som kaldes USEPA AP-42 i daglig tale. [4]

### 3. Kort om USEPA AP-42.

Først vil vi nævne, at USEPA AP-42-s faktorer på usynlig støv er udgangspunkt i TSP (PM30), og derefter fastsættes faktorer på PM10 og PM2,5 efter TSP.



## Urani? Naamik Peqatigiiffik Narsaq

Richardson skrev i sin store doktorafhandling om støv, at Huertas har undersøgt kulminer i Colombia, som kun bruger USEPA AP-42 i deres støvemissioner. Hans resultater viser, at deres støvemissioner er 13 gange for lidt. [5]

I de nyeste forskning tager man kun udgangspunkt i PM10 og PM2,5, som er indhalebare kun indhalebare.

### 4. Nyere emissionsfaktorer i Kvanefjelds projektet.

#### 4.1 DATA til viderearbejde.

I Kvanefjelds projektet skrev SRK Consulting: "Kvanefjeld mining study"-mi [6]. Vi bruger tal fra det 3. år til og med det 14. år, hvor mineaktiveterne vil være på det højeste. Der vil blive sprængt i gennemsnittet 7,4 mio. tons fjeldgrund om året. Delt i 3 mio. tons malm og 4,4 tons til gråbjerget. Der vil være 212 sprængninger om året. Frostperioden vil være på 213 dage (7 måneder) og ikke-frostperioden vil være 152 dage (5 måneder).

Greenland Minerals regner med sprænge 5,9 mio. tons fjeldgrund [7], og de DATA vi skal arbejde er 26 % højere.

#### 4.2 Boringer

Antal huller til enkelt sprængning: 59. Antal sprængninger om året: 213

Huller pr. år: 12.567

Hullets diameter: 18 cm      Hullets dybde: 6 m

Richardsons faktor for PM2,5 er 0,1691 kg. I USEPA AP-42 er forholdtallet mellem PM10 og PM2,5 på 0,15 (PM2,5/PM10). [5]

Man vil suge støvet, og støvreduktionen er på 74 %.

#### 4.3 Sprængninger

USEPA AP-42 beregningsbetoder på støv er arealbaseret. Og Richardson anbefaler, at man ikke bruges, hvis man har andre alternativer.[5]

Vi bruger vægtbaseret beregningsmetode. Der vil være 0,064 kg PM10/tons og 80 % vil ikke forlade den åbne mine. Vi brugte  $PM_{2,5} = 0,357 \times PM_{10}$  kg. [9]

46,4 % af støvet bliver bekæmpet med vandkanoner. [10]

#### 4.6 Trafik på grusveje.

Gillies m.a. undersøgte i 2004 grusvej støv. Og kom fremtil:

Fartøjets vægt i tons x tilbagelagt afstand i km x hastighed i km/t x 0,003 = kg PM10. (tons x km x km/t x 0,003 kg). PM2,5 er entindedel af PM10. [11,22]

Gillies kritiserer på det kraftigste, og skriver, at USEPA AP-42 regnenemetoder kun passer til en personbil, der kører 20 km/t.



## Urani? Naamik Peqatigiiffik Narsaq

USEPA AP-42 anbefalede i starten 30 miles/t (48 km/t). Vi bruger 15 miles/t (24 km/t) , selvom Greenland Minerals regner med 30-35 km/t. [12] Hvis man kører hurtige øges støvforureningen.

I Sverige opnåede man lignende resultater som Gillies.[13]

Bekæmpelse af grusvejstøv. Richardson undersøgte bekæmpelse af grusvejstøv med vand. Hun fandt ud af at man kun nedsætter PM10 med 25 % og PM2,5 kunne ikke bekæmpes med vand. [5] I frostperioden bekæmpes støv med salt, reduktion fra 50 % til 70 % . [14]

Grusveje	Længder	Last
De åbne miner til kanten af de åbne miner	1 km	7 420 000 tons
Fra kanten af de åbne miner til vejkrydset	0,8 km	7 420 000 tons
Vejkrydset til maimknuseren	3,3 km	3 000 000 tons
Vejkrydset til gråbjerget	1 km	4 420 000 tons
Export	11,5 km	65 000 tons
Import	11,5 km	312 000 tons

[6]



Komatsu 785, Kæmpe lastbil 72 tons. Kan laste 92 tons. [6]





#### 4.4 Håndtering af sprængt sten:

I Sydkorea har man lave støvemissionsfaktorer, hvor man kombinerede flere landes støvemissionsfaktorer i håndtering af sten. De er alle vægtbaseret. De er anderkendte og bruges officielt nu [15].

Bulldozing: Bugseret sten i hvor bulldozerens bevægelser er medregnet. 0,0596 kg PM10/t og 0,032 kg PM2,5 kg/t.

Excavator: 0,009 kg PM10/t og 0,0018 kg PM2,5/t.

Lastning: 0,000088 kg PM10/t og 0,0000133 kg PM2,5/t.

Losning: 0,009 kg PM10/t og 0,0018 kg PM2,5/t.



## 5. Resultater af beregninger.

I tabel er alle beregninger foretaget af Urani Naamik Narsaq. Og under "USEPA AP-42" er taget fra "Greenland Minerals utroværdigheder. Beregningerne har udgangspunkt i 5,9 mio. tons sprængt fjeldgrund. Alle støvreduktioner er fra WRAP. [12]

Under "Andre" er emissionsfaktorerne beskrevet ovenfor. De er baseret på 7,4 mio. tons sprængt fjeldgrund og er fra 3.-og 14. produktionsår, hvor minen er på sit højeste.

Tabel 1	Usynligt støv				Usynligt støv efter støvreduktionen			
	USEPA AP-42		Andre		USEPA AP-42		Andre	
	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg
Boring	3 070	460	14 100	2 120	800	120	3 670	550
Sprængning	1 980	110	94 980	33 920	<b>1 270</b>	<b>70</b>	76 620	27 370
Bulldozing i den åbne mine	59 500	24 880	442 230	237 440	<b>35 430</b>	<b>13 250</b>	<b>313 320</b>	<b>168 220</b>
Lastning	8 960	1 360	67 430	13 450	<b>5 820</b>	<b>880</b>	<b>47 780</b>	<b>9 530</b>
Bolldozering og lostning i gråbjerget	19 950	6 880	265 640	141 880	<b>12 970</b>	<b>4 470</b>	<b>188 210</b>	<b>100 520</b>
Transport af sten + (bulldozers-, borerer-, excavators kørsler)	398 090	148 880	5 118 190	511820	<b>151 180</b>	<b>56 540</b>	2 494 590	302 740
Transport i vejen fra stenknuseren og havnen	173 830	65 010	842 500	84 250	<b>64 320</b>	<b>24 050</b>	410 630	49 830
Lostning på knuseren	4 570	690	18 000	2 250	<b>2 970</b>	<b>450</b>	<b>12 750</b>	<b>1 590</b>
Sum	669 950	248 270	6 863 070	1 027 130	274 760	99 830	3 547 570	660 350
Forhold	<b>1</b>	<b>1</b>	<b>10,2</b>	<b>4,1</b>	<b>1</b>	<b>1</b>	<b>12,9</b>	<b>6,6</b>

**WRAP brugt.(kursiv+fed)**



I tabel 2 er tallene fra ”Andre” efter støvreduktionen. De er inddelt i frostperioden og ikke frostperioden. Der henholdsvis 213 dage og 152 dage.

Tabel 2	Ukiumi		Aasami	
	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg
Boring	2 140	320	1 530	230
Sprængning	55 420	19 790	21 200	7 570
Bulldozing i den åbne mine	258 120	138 580	55 280*	29 670*
Lastning	38 970	7 790	8 340*	1 670*
Transport af sten + (boreres-, excavators kørsler)	240 340	24 030	428 770	57 170
Sum	<b>594 990</b>	<b>190 510</b>	<b>515 120</b>	<b>96 310</b>

\* WRAP bruges.

## 6. Måling af usynligt støv.

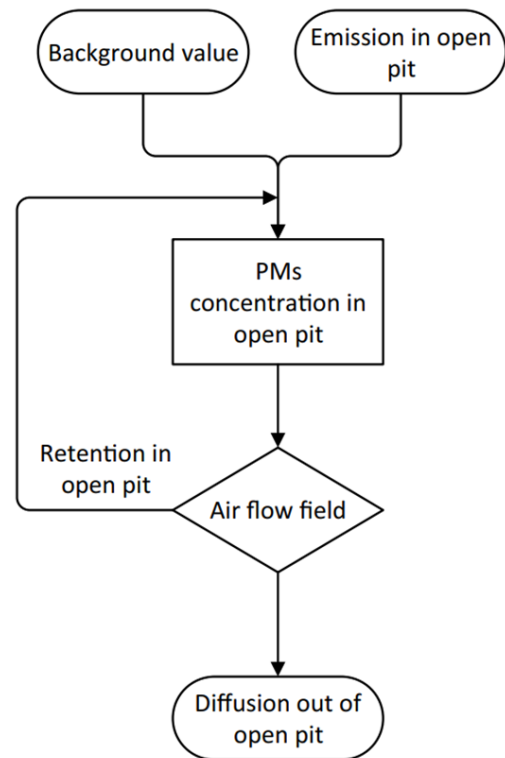
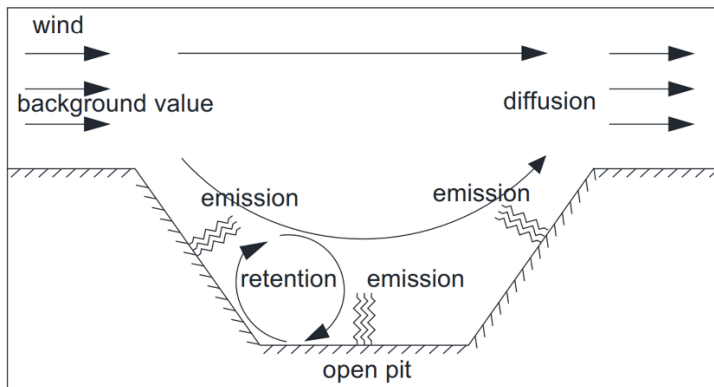
I Brasilien har man ved en mineby undersøgt pålideligheden af de officielle støvstal. Forskeren tog sine prøver til nærmere undersøgelse på et laboratorium. Det viste sig forskerens resultater er tre gange større end de officielle tal.[16]

Derfor er det vigtigt at have flere forskelligeartede metoder. Sairanen [17] foreslog disse:

- (1) Filter paper technique,
- (2) Particulate sampling trains,
- (3) Automatic paper tape instruments,
- (4) Continuous microbalance instruments,
- (5) Light scattering systems,
- (6) Size selective techniques aamma
- (7) Deposit gauges.

## 7. Animation af usynlig støv fra åbne miner.

Med computerprogram, ANSYS Fluent, har man i Kina undersøgt støv, fra en åben mine, hvor støvstørrelserne var PM100 - PM2,5. Under animationen fandt man ud af, at alle støv under PM10, d.v.s. PM10 og PM2,5 og nedefter blæser sig ud af minen. [18]



open pit = åben mine, wind = vind, background value = støv fra andre steder, emission = alle usynlige støv i den åbne mine, retention = vindrotation, air flow field = luftens bevægelse, diffusion = alt usynligt støv rydder ud af den åbne mine. [19]

I illustrationerne vises hvordan alt skabt støv rydder ud. Også dem man har bekæmpet med vand. Og 80% af PM10 og PM2,5 fra sprængninger er der stadig. De er tale om PM10 på 380 000 kg og PM2,5 på 135 680 kg.

Hvis animationen er rigtig, så er alt støvbekæmpelse med ligegyldigt. Når vandet fordamper kommer de usynlige støv i vanddampene, og bliver til aerosoler.[20]

## 8. WHO kom med nye støvkriterier i 2021. [21]

Nye kriterier for støv:

PM<sub>2.5</sub>: Årsgennemsnit 5 µg/m<sup>3</sup>; 24 timersgennemsnit 15 µg/m<sup>3</sup>

PM<sub>10</sub>: Årsgennemsnit 15 µg/m<sup>3</sup>; 24-timersgennemsnit 45 µg/m<sup>3</sup>

## 9. Diskussion om resultaterne af beregninger:

Først vil vi komme vejledning til lande, som ikke har støvemissionsbestemmelser, forfattet af Harry Vallack (Stockholm Environment Institute) og Kristin Rypdal (CICERO Center for International Climate Research - Oslo) samarbejde med støvekspertter fra, Brazilia (Gabriel Branco), Kina (Jiming Hao), India (Sumana Bhattacharya) og Malawi (Kenneth Gondwe): *The Global Atmospheric Pollution Forum Air Pollutant Emission Inventory Manual, Version 6.0, May 2019 revision*. Medfinanceret af: BOC Foundation, US EPA og Swedish International Development Cooperation Agency (Sida), som er ”Regional Air Pollution in Developing Countries



## Urani? Naamik Peqatigiiffik Narsaq

(RAPIDC) programme"-s afdeling. Der står under minedrift: "Vi anbefaler til støvemissionsfaktorer, fordi der er for lidt forskning." Man skal bemærke en af medfinancererne US EPA, USA-s centrale miljøagentur. [22]

Skal man så tro, at US EPA ikke anerkender deres eget USE AP-42?

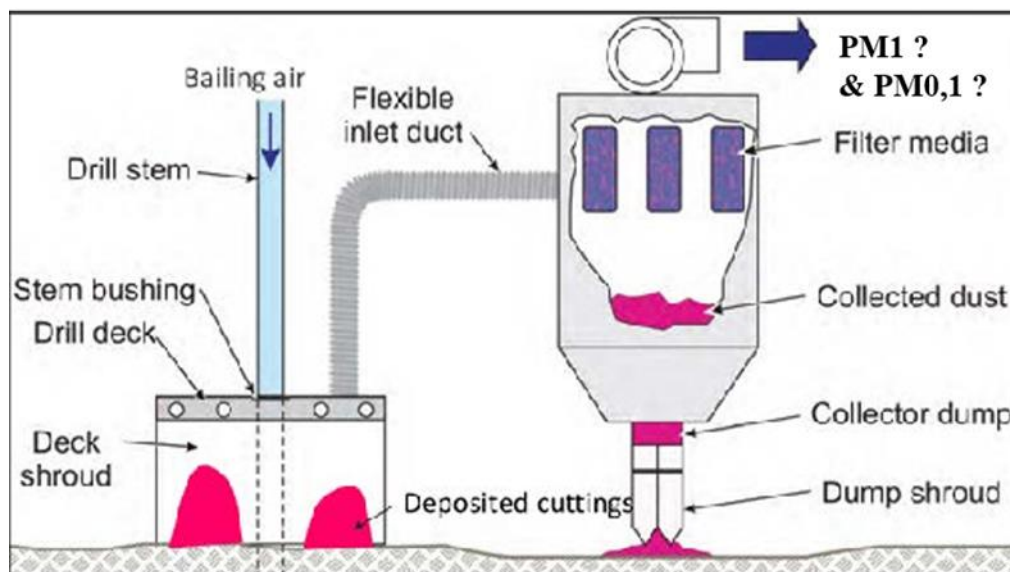
Under artiklen nævnes det, at hvis man bruger udelukkende USE AP-42s støvforudsigelser, kan man få resultater, som er 13 gange forsmå. [5]

Til vores beregninger brugte vi emissionsfaktorer, som er lavet af folk med doktorgrad, i boringer og sprængninger. [5,8] Og officielt anderkendte emissionsfaktorer fra Sydkorea i håndtering af sten. [15] Og vi så på også hvor svært det er, at bekæmpe støv med vand.

I tabel valgte vi ikke, at bruge ERM's resultater. De vil bekæmpe støvet i hele året. De tog ikke bulldozerens kørsel med. Det endnu værre med transporten i grusvejene. Resultaterne af støvemmissioner på mineområdet er katastrofalt, hvor de kun nå at transportere 2,1 mio. tons sten, selvom der skal transporteres 5,9 mio. tons sten. Og mellem havnen er det bedre, hvor de når ca. 7 km frem og tilbage. Vejen mellem malmknuseren og havnen er 11,5 km. Vort lands rådgiver, DCE, er ikke deres ansvar bevist, de har ikke tjekket resultaterne. [1,2,7]

Forholdet med ERM's resultater og "Andre" udregnet af Uran? Naamik, efter støvbekæmpelsene, er på PM10 og PM2,5 henholdsvis 33 – og 21 gange større. [7]

Forholdet mellem USEPA-AP-42's resultater (som vi mener at de er mere pålidelige) og Urani? Naamik's resultater er, på PM10 og PM2,5 henholdsvis 13 og 7 gange større.



Kan filteret på støvsugeren på holde PM1 og PM0,1?  
[12]



*På billedet vises kæmpeborer ATLAS COPCO, som har tømt deres affald på sprængsområdet. [6]*

*Affald på 7 600 tons om året.*

*Hvor stor del af dem vil havne som PM10- og PM2,5-støvpartikel?*

### **11. Krav:**

1. Vi må revurdere vores krav til VVM-rapporterne. Skal vi bibeholde USEPA-AP-42, forudser støv op til 13 gange så småt.?

Urani? Naamik Narsaq mener, at vi må have mere realistiske støvemmissionsfaktorer.

2. Vi skal kræve micro-methology til kommende mineaktiviteter. På den måde kan vi få bedre animationer af støv.

3. Vi ønsker, at råstof – og miljødirektoraterne skal finde en computeranimationsprogram, som er velegnet til nærområdet af miner.

4. Urani? Naamik er være med til at tilfreds med at flere miljøeksperter, og andre institutioner bliver bedt om at vurdere miljøspørgsmål.



## Støvnedfald – beregnet udbredelse

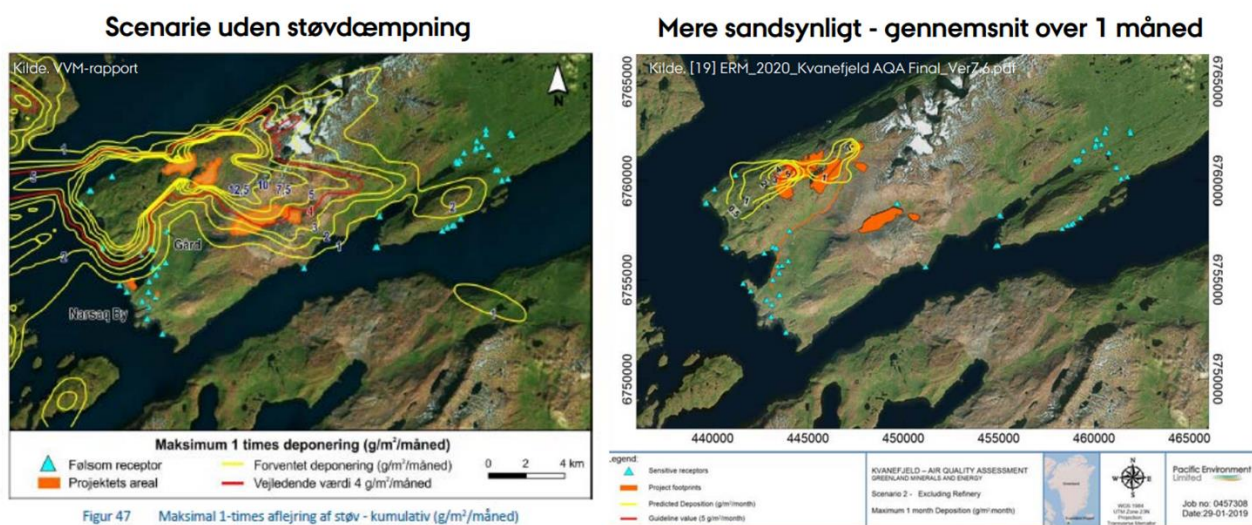


Figure 4-11: Maximum 1-month deposition cumulative impact Scenario 2 (g/m<sup>2</sup>/month)



DCE/Pinngortitaleriffik bruger ERM's resultater uden spørgsmål. Disse er fra deres folkeoplysning for det grønlandske folk. Bemærk enheder gram/m<sup>2</sup>/måned, selvom WHO bruger enhederne mikrogram/m<sup>3</sup>/24-timer eller om året. [23]

4. Vi kræver, beregninger fra VVM-rapporter udleveres som regnearker. På den måde kan vi holde mineselskaberne i kort snor.

5. Når der kommer væsentlige ændringer i krav, skal der foretages nyt miljøvurdering. F.eks. WHO's nye støvkriterier.

### 12. Naatsorsuinerit/Beregninger: DCE-mut paasissutissat uparuaanerata kingorna. Til orientering til DCE, efter deres kritik. [1,2]

Aasaq/Sommer: Ullut **152/152** dage. Ukioq/Vinter: Ullut **213/213** dage.

Qaartitsinerit/sprængninger: 212. Qaartitsinermi ataatsimi putut/Huller pr.sprængning: 59

Ukiumut putut/Huller pr. år: **12 508**

Ukiumut qaartitaq/Sprængning pr. år: **7 420 000 tons**, ujaqqanik aserorterivatassaq/til malmknuseren: **3 000 000 tons**, ujaqqanut qaleriissarsuarnut/til gråbjerget: **4 420 000 tons**.

Aqqusernit takissusaat angallatallu/Vejlængder og transport:

A. Aatsitassarsiorfinniit aatsitassarsiorfiit killinginut/Fra de åbne miner til udgange af de åbneminer: **1 km**. Ujaqqat angallatassat/Mængder af sten der skal transporteres: **7 420 000 tons**  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **80 653**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **80 653**





## Urani? Naamik Peqatigiiffik Narsaq

B. Aatsitassarsiorfiit killinganniit aqquernit naapiffiannut/Fra udgange af de åbne miner til vejkrydset: **0,8 km**. Ujaqqat angallatassat/Mængder af sten der skal transporteres: 7 420 000 tons  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **80 653**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **80 653**

C. Aqquernit naapiffianniit ujaqqanik aserorterivimmot/Fra vejkrydset til malmknuseren: **3,3 km**.  
Ujaqqat angallatassat/Mængder af sten der skal transporteres: 3 000 000 tons.  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **32 609**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **32 609**

D. Aqquernit naapiffianniit ujaqqanut qaleriissarsuarnut/Fra vejkrydset til gråbjerget: **1 km**.  
Ujaqqat angallatassat/Mængder af sten der skal transporteres: 4 420 000 tons.  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **48 044**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **48 044**

E. Lastbilersuit sukkassusaat/Kæmpe lastbilers hastighed: **24 km/t**

F. PM10 kg ukiumut = ingerlaarnerit x ingerlaarfiup takissusaa x sukkassuseq x 0,003  
PM2,5 kg ukiumut = PM10 kg x 0,1  
PM10 kg pr. år = antal ture x rutelængde x km/t x 0,003  
PM2,5 kg pr. år = PM10 kg x 0,1

G. Aqqusinerni pujoralaqqanik akiuiniarnerup kingorna silaannarmiilertussat/ I luften efter støvbekæmpelse af veje:

Ukiumi/om vinteren:

PM10 kg ukiumut/pr. år x 213/365 x 0,3

PM2,5 kg ukiumut/ pr. år x 213/365 x 0,3

Aasami/om sommeren:

PM10 kg ukiumut/pr. år x 152/365 x 0,75

PM2,5 kg ukiumut/ pr. år x 152/365 x 1

Avaanneqartussat/Eksport: Aqqusineq/vejlængde: **11,5 km**

H. Aatsitassanik containerinut nalinginnaasunut/Almenlige containere til råstoffer:

Containerip oqimaassusaa/Vægten af container 3 tons + imai/indhold 32 tons + kaletaq/trailer 4 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **54 tons**. Ingerlaarnerit/Ture: **1 680**

Containerit imaqqanngitsut marlukkaarlugit/To tomme containere:

Containerit oqimaassusaat/Vægten af containere 6 tons + kaletaq/trailer 7 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **28 tons**. Ingerlaarnerit/Ture: **1 081**

I. Uranimik angallassineq/Transport af uran:

Containerip oqimaassusaa/Vægten af container 8,5 tons + imai/indhold 12,5 tons + kaletaq/trailer 7 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **43 tons**. Ingerlaarnerit/Ture: **40**

Containerit imaqqanngitsut marlukkaarlugit/To tomme containere:





## Urani? Naamik Peqatigiiffik Narsaq

Containerit oqimaassusaa/Vægten af containere 17 tons + kaletaq/trailer 13 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **45 tons**. Ingerlaarnerit/Ture: **20**

J. Angallatassaq/Transport af Sodium Hypochlorite:

Containerip oqimaassusaa/Vægten af container 3 tons + imai/indhold 23,31 tons + kaletaq/trailer 4 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **45,31 tons**. Ingerlaarnerit/Ture: **481**

Containerit aqqussuunneranni pujoralaaqanik pilersitsineq/Støvdannelse af transport af containere: Takukkit/Se E, F & G

Eqqussukat/Import: Aqqusineq/vejlængde: **11,5 km** Sukkassuseq/Fart: **24 km/t**

K. Containerinut nalinginnaasunut/Almenlige containere:

Containerip oqimaassusaa/Vægten af container 3 tons + imai/indhold 25 tons + kaletaq/trailer 4 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **47 tons**. Ingerlaarnerit/Ture: **10 203**

Containerit imaqqanngitsut marlukkaarlugit/To tomme containere:

Containerit oqimaassusaa/Vægten af containere 6 tons + kaletaq/trailer 7 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **28 tons**. Ingerlaarnerit/Ture: **5 100**

L. Dieselolia/Dieselolie:

Oliamik assartuut/Tankbil 11 tons + imaa/indhold 25,5 tons = **36,5 tons**. Ingerlaarnerit/Ture: **220**

M. Heavy fuel oil:

Oliamik assartuut/Tankbil 11 tons + imaa/indhold 30 tons = **41 tons**. Ingerlaarnerit/Ture: **1 233**

N. Oliamik assartuut imaqarani/Tom tankbil: **11 tons**. Ingerlaarnerit/Ture: **1 453**

O. Bussi ilaasulik/Bus med passagere: **11,5 tons**. Ingerlaarnerit/Ture: **14 600**

Bearbejdet og på vegne af Urani? Naamik Narsaq

Jan Rehtmar-Petersen

22.december 2022

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**Brevdato** 22-12-2022

**Afsender** mba@dundas.gl Sendt af Mathias Barfod: MBA@dundas.gl

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); EAMRA@nanoq.g

**Akttitel** Høringssvar til Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven),

**Aktnummer**

**Identifikationsnummer** 22084021

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høringssvar til Udkast til forslag til Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven),  
Høringssvar til udkast til lovforslag om mineralaktiviteter

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

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**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), EAMRA@nanoq.g (EAMRA@nanoq.g)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** mba@dundas.gl (mba@dundas.gl)  
**Titel:** Høringssvar til Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven),  
**Sendt:** 22-12-2022 13:33  
**Bilag:** Høringssvar til udkast til lovforslag om mineralaktiviteter.pdf;

Se venligst det vedhæftede høringssvar.

*Inussiarnersumik inuulluaqqusillunga – Best regards – Venlig hilsen*

**Mathias Barfod**

Compliance and Administration Manager



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December 2022

Sendt pr. mail til: [asn@nanoq.gl](mailto:asn@nanoq.gl), [EAMRA@nanoq.gl](mailto:EAMRA@nanoq.gl), [bosd@nanoq.gl](mailto:bosd@nanoq.gl), [netl@nanoq.gl](mailto:netl@nanoq.gl)

### Vedr: Udkast til forslag til Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter

§ 1, stk 2 i udkastet står der følgende om forsvarlig udførelse af råstofaktiviteter:

*"Ved Inatsisartutloven forudsættes, at aktiviteter omfattet af loven udføres forsvarligt med hensyn til sikkerhed, sundhed, miljø, ressourceudnyttelse og samfundsmæssig bæredygtighed, herunder hensyntagen til befolkningens sociale, kulturelle, religiøse og åndelige værdier og skikke, samt hensigtsmæssigt og i overensstemmelse med anerkendt god international praksis under tilsvarende forhold."*

Dette er næsten en gentagelse af den tilsvarende bestemmelse i den gældende [råstoflov](#). Dundas Titanium A/S vil i forbindelse med denne høring derfor venligst gøre opmærksom på, at Grønland som investeringsland ikke bliver risikovurderet af OECD, da Grønland falder uden for OECDs kriterier (Se Bilag 1). Dermed ved de internationale investorer ikke om Grønland lever op til den **internationale praksis** som kræves. Den **internationale praksis** er defineret i dokumenter såsom "[OECDs common approaches](#)", "[The Equator Principles](#)" og "[IFC Performance Standards](#)". Denne manglende viden skaber usikkerhed om Grønland i forhold til at tiltrække internationale investeringer.

Udvalgte finansieringsinstitutter har dog valgt at gennemføre deres egen vurdering af Grønland på baggrund af blandt andet OECDs kriterier fra "[The common approaches](#)" eksempelvis EKF. Som det fremgår af bilag 2, får Grønland af EKF ikke samme lave risikovurdering som andre råstofnationer såsom Canada og Australien.

Dundas Titanium A/S vil derfor benytte lejligheden til at opfordre til, at Naalakkersuisut får vurderet om Grønlands nuværende regelsæt på råstofområdet inden for områder som miljø, arbejdsmiljø samt samfundsmæssige forhold lever op til **den internationale praksis**, der er beskrevet i "[The Equator Principles](#)" "[OECDs common approaches](#)" og "[The IFC Performance Standards](#)".

En sådan vurdering vil ikke kun bidrage til at forbedre Grønlands mulighed for at tiltrække internationale investeringer i råstofsektoren, men også være et tiltag, der kan bidrage til at indfri Naalakkersuisuts målsætning i [råstofstrategien](#) om, at "*sikre, at råstofområdet udvikles på et miljømæssigt bæredygtigt grundlag med respekt for den storslåede grønlandske natur.*"

Med venlig hilsen

A handwritten signature in blue ink that reads "Mathias Barfod". The signature is written in a cursive style.

Mathias Barfod  
Compliance and Administration Manager

# Bilag 1

## Mathias Barfod

---

**From:** export-credits@oecd.org  
**Sent:** 22 April 2022 12:58  
**To:** Mathias Barfod  
**Subject:** RE: Concerning OECD's Country risk classification

Dear Mr Barfod

Thank you for your message. There are several factors that determine whether or not a country is classified by the country risk experts. First of all, it should be on the list of countries identified by the Participants for the purposes of applying the rules (e.g. for maximum repayment terms and tied aid eligibility) of the Arrangement [<https://www.oecd.org/trade/topics/export-credits/aid-and-export-credits/>]. In this list, any non-fully independent territory or autonomous area that is associated with another country is excluded. On this basis alone, Greenland does not appear on the Participants' list as it is an autonomous country within the Kingdom of Denmark. Moreover, only countries with a population of at least one million inhabitants are classified by the country risk experts, as explained in the document that sets out the operational procedures of country classification [[http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=TAD/PG\(2017\)11/FINAL&docLanguage=en](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=TAD/PG(2017)11/FINAL&docLanguage=en)].

I hope this answers your query,

Best regards,  
Export Credit Secretariat

**From:** [REDACTED]  
**Sent:** 20 April, 2022 12:26 AM  
**To:** TAD Export-Credits <[export-credits@oecd.org](mailto:export-credits@oecd.org)>  
**Subject:** Concerning OECD's Country risk classification

Dear Sir/Mme,

I am interested in knowing more about [OECD's Country risk classification](#). Specifically, I can see that Greenland is not on [the list from March 2022](#). I was wondering whether you would disclose the reasons why Greenland has not been rated by the OECD?

I look forward to hearing from you at your earliest convenience.

*Inussiarnersumik inuulluaqqusillunga – Best regards – Venlig hilsen*

**Mathias Barfod**

Compliance and Administration Manager



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# Grønland



Her kan du finde information om mulighederne for dækning på eksportforretninger i Grønland.

## Risikoklasse

Lav risiko

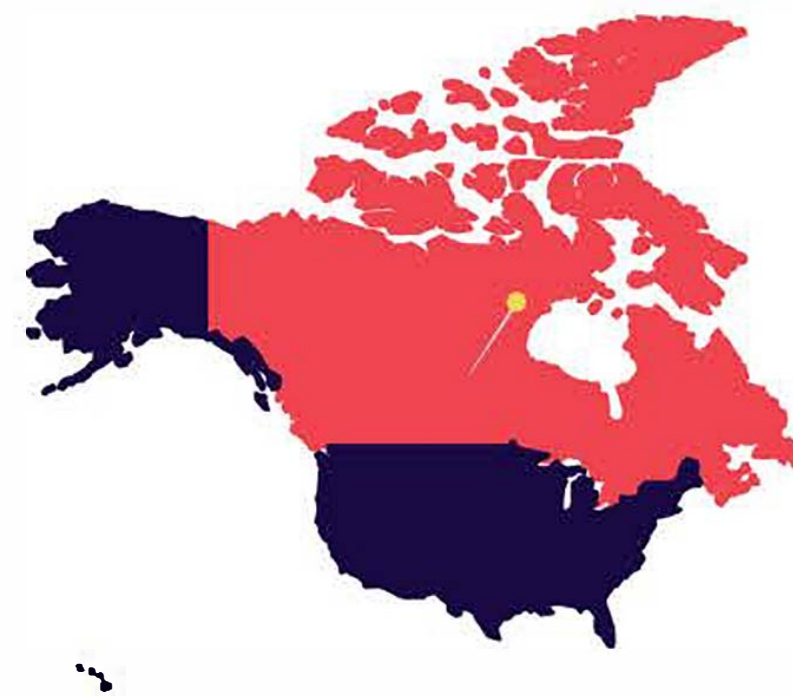
Høj risiko



Risikoklassen afspejler risikoen for, at en køber ikke kan betale på grund af politiske risici i landet. Jo højere tallet er, des højere er risikoen.

[Side](#) → [Landevurderinger](#) → [Canada](#)

# Canada



Her kan du finde information om mulighederne for dækning på eksportforretninger i Canada.

## Risikoklasse

Lav risiko

Høj risiko



[Forside](#) → [Landevurderinger](#) → [Australien](#)

# Australien



Her kan du finde information om mulighederne for dækning på eksportforretninger i Australien.

## Risikoklasse

Lav risiko

Høj risiko



Risikoklassen afspejler risikoen for, at en køber ikke kan betale på grund af politiske risici i landet. Jo højere tallet er, des højere er risikoen.

Kilde: <https://ekf.dk/landevurderinger>

**Brevdato** 22-12-2022

**Afsender** Helen Kibsgaard (hk@nuna-law.gl)

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø); Bo Simmelsgaard (Sagsbehandler, Departementet for Råstoffer og Justitsområdet); Nette Levermann (Sagsbehandler, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høringssvar fra Nunatsinni Advokatit Grønlandske Advokater - Forslag til Insatsisartutlov om mineralaktiviteter

**Aktnummer**

**Identifikationsnummer** 22083896

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høringssvar fra Nunatsinni Advokatit Grønlandske Advokater - Forslag til Insatsisartutlov om mineralaktiviteter  
Høringssvar fra Nunatsinni Advokatit Grønlandske Advokater - Insatsisartutlov om mineralaktiviteter  
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**Dokumenter uden PDF-version (ikke vedlagt)**

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Til Grønlands Selvstyre  
Departementet for Råstoffer og Justitsområdet/Miljøstyrelsen for Råstofområdet

Se venligst vedhæftede høringssvar på vegne Grønlandske Advokater.

Med venlig hilsen / Inussiarnersumik Inuulluaqquillunga / Best regards,

Helen Kibsgaard  
Advokat / Attorney at law, Partner

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Grønlands Selvstyre  
Departementet for Råstoffer og Justitsområdet/Miljøstyrelsen for Råstofområdet

22. december 2022

**Vedr.: Forslag til Inatsisartutlov nr. xx af xx.xxxx 2023 om mineralaktiviteter ("mineloven") - høringssvar**

Departementet for Råstoffer og Justitsområdet og Miljøstyrelsen for Råstofområdet udsendte den 23. november 2022 udkast til en ny minelov og ændring af råstofloven til offentlig høring.

Nunatsinni Advokatit • Grønlandske Advokater har gennemgået forslaget til en ny minelov, og foreningens bemærkninger er indeholdt i nærværende høringssvar.

Forslaget til mineloven giver anledning til følgende bemærkninger:

**1 Generelt**

Ifølge høringsbrevet er der overordnet set *"ikke tilsigtet større ændringer i retstilstanden, og forslagene er langt hen ad vejen udtryk for gældende praksis"* og *"forslagene sigter mod at gøre retstilstanden mere klar og mere investorenlig"*.

Det bemærkes indledningsvis, at lovbemærkningerne til forslagets enkelte bestemmelser savner sædvanlig oplysning om, hvorvidt der er tale om videreførelse af nugældende bestemmelser og praksis eller helt nye bestemmelser. Det er dermed vanskeligt for nuværende rettighedshavere at identificere ændringerne i retstilstanden.

**2 Bemærkninger til de enkelte bestemmelser**

Til § 10:

Bestemmelsen definerer i stk. 1 mineraler som værende *"alle andre mineralske råstoffer end kulbrinter"*, og i stk. 2 angives definition på kulbrinter. Der ses ikke i lovtæksten eller lovbemærkningerne taget stilling til, om der ved "mineraler" også skal forstås industrielle gasser, såsom fx helium og hydrogen, således at der kan opnås tilladelse til forundersøgelse, efterforskning og udnyttelse heraf ifølge mineloven. Vi har forstået, at industrigasser er ikke i modstrid med Naalakkersuisuts beslutning om at standse kulbrinteefterforskningen i Grønland. Det skyldes at industrigasser ikke er det samme som kulbrinter.

Det foreslås, at dette præciseres.

Til § 16:

Bestemmelsen indeholder definition af "bestemmelser og vilkår". Det anføres i bestemmelsen, at det blandet kan være bestemmelser i *"..vejledninger"*. Vejledninger er forvaltningsretligt ikke retligt bindende, og det foreslås derfor at fjerne henvisningen dertil.



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Til § 29:

Der fremgår i stk. 1 et krav om, at "Selskabet skal endvidere være registreret som erhvervsdrivende i Grønland jf. Inatsisartutlov om næring." Inatsisartutlov nr. 29 af 2015-12-09 om næring har et anvendelsesområde, der er begrænset til detailsalg af varer, jf. lovens § 1. Vi foreslår derfor, at nævnte bestemmelse udgår.

Ifølge stk. 1 kan en rettighedshaver (til en forundersøgelsestilladelse) være et kapitalselskab med hjemsted i Grønland eller et tilsvarende kapitalselskab med hjemsted i et andet land. Af stk. 2 fremgår det, at i tilfælde af tvivl om, hvorvidt et kapitalselskab med hjemsted i et andet land svarer til et aktieselskab eller et anpartsselskab med hjemsted i Grønland, træffer Naalakkersuisut afgørelse herom.

Kravet om en bestemt selskabsform er et nyt krav i relation til forundersøgelsestilladelser, som er kendetegnet ved, at de hverken er forbundet med eneret eller efterforskningsforpligtelser. Det er typisk her, den indledende efterforskning foretages.

Det bemærkes, at langt de fleste forundersøgelsestilladelser udstedes til udenlandske selskaber fra forskellige lande verden over. Kravene til minimumskapital er meget forskellige, ligesom der heller ikke nødvendigvis er krav om, at selskabskapitalen skal være fuldt indbetalt. Det må derfor forventes, at der i mange tilfælde vil skulle foretages en individuel vurdering med afgørelse fra Naalakkersuisut om, hvorvidt et givent kapitalselskab med hjemsted i et andet land svarer til et aktieselskab eller anpartsselskab i Grønland.

Det er dermed som udgangspunkt forbundet med usikkerhed for udenlandske mineselskaber, om de overhovedet kan opnå tilladelse til efterforskning, og det må forventes at lægge pres på administrationsbyrden for råstofmyndigheden. Der må sættes spørgsmålstejn ved, om dette krav og administrationsbyrde i tilknytning til forundersøgelsestilladelser står mål med hensynet ud fra en proportionalitetsbetragtning.

Til § 32:

Rettighedshaveren skal rapportere om undersøgelserne og resultaterne heraf. Uanset, om de indleverede oplysninger er fortrolige i hele tilladelsesperioden, kan Naalakkersuisut i løbet af fortrolighedsperioden ifølge bestemmelsens stk. 3 offentliggøre generelle oplysninger om de fortrolige rapporteringer, forundersøgelsesresultater m.v. Rettighedshaveren skal forudgående høres, men Naalakkersuisut kan vælge foretage offentliggørelse, uanset indsigelse fra rettighedshaveren angående kommerciel interesse i at holde oplysningerne fortrolige, samt børsregler. Dette er i sig selv bekymrende ud fra et retssikkerhedssynspunkt, og det kan forvolde stor skade for rettighedshaveren. Det skal desuden påpeges, at en forundersøgelsestilladelse som nævnt ikke er forbundet med eneret. Uanset om en rettighedshaver således umiddelbart kan identificeres, er der risiko for, at konkurrerende mineaktører vil kunne drage fordel af offentliggørelsen og søge om en eksklusiv efterforskningstilladelse for det pågældende område til skade for rettighedshaveren, som måtte tåle offentliggørelse.

Det opfordres derfor til, at Naalakkersuisut skal være forpligtet til at undlade offentliggørelse, såfremt rettighedshaveren har fremført en begrundet indsigelse og rimeligvis identificeret risiko for skadevirkning herved.

Til § 35:

Ifølge bestemmelsen indføres der som noget nyt offentlig høring i mindst 21 dage, før en efterforskningstilladelse kan meddeles.

Det er betænkeligt ud fra lighedsprincipper og retssikkerhedshensyn, at evt. indsigelse kan resultere i, at tilladelsen ikke meddeles, eller at det sker på særlige vilkår på dette stadie. Dette



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må i sig selv kræve en dyberegående undersøgelse med belysning og vurdering af de foreliggende omstændigheder før, der træffes afgørelse af Naalakkersuisut herom. Det vil desuden gøre det administrative tungt og ressourcetrækvende for administrationen at udstede nye tilladelser. Det bør derfor nøje overvejes, om et sådant høringskrav er proportionalt med de bagvedliggende hensyn.

Dertil er det spørgsmålet, hvordan høringsprocessen skal finde sted og betydningen heraf i det tilfælde, hvor der måtte være indgivet konkurrerende ansøgninger om efterforskningstilladelser under samme batch. Det må under alle omstændigheder formodes, at høring ikke iværksættes, førend et "batch", som en given ansøgning hører under, er udløbet, således at andre ikke kan indgive konkurrerende ansøgninger inden for samme batch på grundlag af oplysninger ved en høring.

I lovbemærkningerne anføres det, at er det vigtigt, at borgere og andre interesserede får mulighed for at gøre indsigelse gældende på dette tidspunkt, da en rettighedshaver efter en efterforskningstilladelse har ret til at få meddelt en tilladelse til udnyttelse, jf. § 41.

På det indledende stadie er det imidlertid vanskeligt og nærmest umuligt at kunne foretage de nødvendige analyser, allerede fordi man ikke ved, hvilke mineralforekomster, der er findes (hvilket netop skal undersøges ved efterforskningen), ligesom størrelsen og karakteren af et udnyttelsesprojekt er helt ukendt på dette tidspunkt.

Høring af borgere og andre interesserede sker i forvejen iht. kapitel 17, hvis Naalakkersuisut vurderer, at en aktivitet må antages at få væsentlig indvirkning på miljøet, jf. § 100, eller væsentlig indvirkning på samfundsmæssige forhold, jf. § 103. Godkendelse af udnyttelse kan herefter under alle omstændigheder kun meddeles, når en vurdering af virkningerne på miljøet (VVM) og samfundsmæssig bæredygtighed (VSB) er foretaget, og en redegørelse herfor er godkendt af Naalakkersuisut, jf. kapitel 15 og 16. Borgere og andre interesseredes interesser må derfor allerede anses for varetaget ved disse regler og på et langt bedre oplysningsgrundlag. Vi skal derfor indstille, at lovforslagets § 35 udgår.

Til § 36:

Der henvises til vores bemærkninger til § 29 ovenfor.

Til § 39:

Der henvises til vores bemærkninger til § 32 ovenfor.

Til § 43:

Ifølge bestemmelsens stk. 3 kan Naalakkersuisut meddele en udnyttelsestilladelse i et tilfælde, hvor Naalakkersuisut eller en anden part (underforstået en tidligere rettighedshaver) i et bestemt område har påvist og afgrænset en udnyttelig forekomst af mineraler, som en rettighedshaver efter en udnyttelsestilladelse vil kunne udnytte.

Ifølge lovbemærkningerne kan en sådan situation eksempelvis opstå, såfremt hvor en rettighedshaver efter en efterforskningstilladelse ikke har ret til eller ikke ansøger om meddelelse af en efterfølgende tilladelse til udnyttelse af mineraler.

Det bemærkes, at det af hensyn til retssikkerheden for the tidligere rettighedshaver må være fuldstændig uomtvisteligt, at denne har givet afkald på eller fortabt sine rettigheder til at få en udnyttelsestilladelse, dvs. klagefristen på 1 år skal være udløbet og en retssag/voldgiftssag skal være endelig afgjort i tilfælde af tvister. Dette foreslås præciseret.

Det bemærkes endvidere, at det er uklart, hvordan kravene til miljø (VVM)- og samfundsmæssig bæredygtighed (VSB)-redegørelserne samt høring ifølge kapitel 15, 16, og



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17 vil skulle opfyldes i denne situation, da sådan høring jo ligger i efterforskningsfasen forud for meddelelse af en udnyttelsestilladelse, ligesom høringen angår det specifikke påtænkte projekt. Dette foreslås afklaret og præciseret.

Det bemærkes desuden, at ifølge lovbemærkningerne vil meddelelse af en udnyttelsestilladelse for området og forekomsten ske iht. forslaget § 59 (open door procedure). Der foreslås indsat henvisning til forslaget § 59 i § 43 så det præciseres, at tildeling af en udnyttelsestilladelse ifølge § 43 kun kan ske iht § 59.

Til § 44:

Ifølge bestemmelsen skal der udarbejdes et kommissorium for projektet, der skal i høring i idéfasen (forud for forhøring og høring i relation til VVM miljø (VVM)- og samfundsmæssig bæredygtighed (VSB)-redegørelserne samt høring ifølge kapitel 15, 16, og 17. Det fremgår endvidere af stk. 3, at høring tidligst må være afsluttet 24 måneder inden meddelelse af en udnyttelsestilladelse, og ifølge bemærkningerne skal der gennemføres en ny høring, hvis der går mere end 24 måneder.

Det bemærkes, at en ny høring synes at savne rimeligt formål, såfremt høringer ifølge kapitel 15, 16, og 17 allerede er igangsat eller gennemført.

Til § 45:

Ifølge bestemmelsen skal rettighedshavere (aktieselskabet) skal have sit reelle hovedkontor, hvorfra aktieselskabet ledes, i Grønland. Det følger endvidere, at Naalakkersuisut kan godkende, at en rettighedshaver fritages for at opfylde kravet i stk. 2 i en periode på op til 6 måneder efter meddelelsen af en udnyttelsestilladelse.

Det bemærkes for det første, at det ikke er defineret og hverken af bestemmelsen eller lovbemærkningerne nærmere fremgår, hvad der skal forstås ved "reelle hovedkontor". Ifølge lovbemærkningerne er det væsentligste hensyn skattemæssigt, herunder at selskabets erhvervs-mæssige aktivitet har en reel tilknytning til Grønland, og at beskatning af indtægter fra mineralaktiviteter i Grønland tilfalder Grønlands Selvstyre.

Det er væsentligt at få afklaret og præciseret, om kravet om "*reelle hovedkontor*" forstås og fortolkes i overensstemmelse med skatteretten – og om der ved denne vurdering heraf først og fremmest lægges vægt på den daglige ledelse af selskabet, dvs. hvor direktionen har sæde, henholdsvis i det omfang bestyrelsen forestår den reelle ledelse af selskabet, det sted, hvor bestyrelsens beslutninger reelt træffes.

Det bemærkes for det andet, at en frist på 6 måneder under alle omstændigheder er meget kort i forhold til, hvad der er praktisk muligt, da der formodningsvis skal gennemføres en rekrutteringsproces og findes egnede lokaler.

Det bemærkes endvidere, at når udnyttelsestilladelsen er udstedt, påbegyndes et stort arbejde med udarbejdelse af mine- og nedlukningsplan, tilvejebringelse af finansiering m.v., jf. også lovforslagets § 49. Der er normalt i udnyttelsestilladelsen givet en frist på typisk 2 år til indlevering og godkendelse af mine- og nedlukningsplan, en frist på typisk 3 år til tilvejebringelse af finansiel sikkerhed, og en frist på typisk 4 år eller mere for igangsættelse af minedriften. Det må også formodes, at der ikke i denne periode vil være indtægter til beskatning.

Det foreslås derfor, at der sættes en frist (og som minimum dispensationsadgang) for etablering af reelt hovedkontor i Grønland, der svarer til fristen for igangsættelse af minedriften, og under alle omstændigheder ikke mindre en 24 måneder.



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Til § 49:

Ifølge bestemmelsen skal Naalakkersuisut fastsætte frist for indlevering af fyldestgørende mine- og nedlukningsplan, og der kan for udnyttelsestilladelsen fastsættes vilkår om tidsfrister for forhold af væsentlig betydning for gennemførelsen af udnyttelsesaktiviteterne m.v. Naalakkersuisut kan også fastsætte vilkår eller træffe afgørelse om, at tilladelsen bortfalder eller kan tilbagekaldes, hvis en tidsfrist eller en forlænget tidsfrist ikke overholdes.

Det foreslås, at der ligeledes indsættes hjemmel til, at Naalakkersuisut kan dispensere fra sådanne frister i særlige tilfælde på linje med lovforslagets § 44 stk. 4, som primært har til formål at sikre rettighedshavere i tilfælde, hvor Naalakkersuisuts behandling af en ansøgning bevirker, at tidsfrister ikke kan overholdes.

Til § 52:

Forslag til bestemmelsen er sålydende:

*"§ 52. Naalakkersuisut fastsætter i en tilladelse til udnyttelse af mineraler vilkår om rettighedshaverens pligt til at benytte lokal arbejdskraft. Stk. 2. Naalakkersuisut fastsætter i en tilladelse til udnyttelse af mineraler vilkår om rettighedshaverens pligt til at benytte lokale leverandører af varer og tjenesteydelser."*

Den nugældende bestemmelse om anvendelse af lokale arbejdstagere og lokale leverandører er sålydende:

*"§ 18. I en tilladelse efter § 16 skal det fastsættes, i hvilket omfang rettighedshaveren skal anvende grønlandsk arbejdskraft. I det omfang det er nødvendigt for virksomheden, kan rettighedshaveren dog anvende arbejdskraft fra andre steder end Grønland, når tilsvarende kvalificeret arbejdskraft ikke findes eller er disponibel i Grønland.*

*Stk. 2. I en tilladelse efter § 16 skal det fastsættes, i hvilket omfang rettighedshaveren skal anvende grønlandske virksomheder ved entrepriser, leverancer og tjenesteydelser. Andre virksomheder kan dog anvendes, hvis grønlandske virksomheder ikke er konkurrencedygtige i teknisk eller kommerciel henseende.*

*..." (mine understregninger).*

Som det fremgår, er der i den nugældende bestemmelse undtagelsesbestemmelser, som sikrer, at rettighedshavere kan rekruttere arbejdskraft udefra, når kvalificeret arbejdskraft ikke findes eller er disponibel i Grønland, ligesom udenlandske leverandører kan bruges, hvis grønlandske virksomheder ikke er konkurrencedygtige i teknisk eller kommerciel henseende.

På grund af arbejdsmarkedssituationen i Grønland i dag er manglende arbejdskraft og lokale leverandører et stort problem – ikke mindst på grund af konkurrencen med bygge- og anlægsbranchen om den samme arbejdskraft. Det er derfor bydende nødvendigt for projekternes gennemførelse, at rettighedshaverne har sådan adgang, når og i det omfang der ikke kan skaffes kvalificeret lokal arbejdskraft og leverandører.

Det foreslås derfor at videreføre de nugældende undtagelsesbestemmelser.

Til § 68:

Ifølge bestemmelsens stk. 3 kan Naalakkersuisut meddele en rettighedshaver påbud om, at rettighedshaveren ved udførelsen af aktiviteter efter en tilladelse ikke må anvende aftaleparter, som ikke har afgivet oplysninger og dokumenter vedrørende skattemæssige og afgiftsmæssige forhold til Naalakkersuisut m.fl., eller som ikke foretager indbetalinger af skatter og afgifter til Naalakkersuisut m.fl. Ifølge stk. 4 kan Naalakkersuisut også kræve, at aktiviteter sættes i bero, indtil forholdene er bragt i orden.





Det fremgår af lovbemærkningerne, at i konsekvens heraf har rettighedshaveren pligt til at afbryde samarbejdet med en aftalepart, der ikke foretager korrekt skatterapportering og skatteindbetaling.

Det bemærkes, at dette ud fra et retssikkerhedssynspunkt er stærkt betænkeligt. En aftaleparts forhold, der ligger helt uden for rettighedshaverens kontrol, kan således have store negative konsekvenser for rettighedshaveren.

Dels kan det føre til retstab hos rettighedshaveren. Bestemmelsen kræver, at rettighedshaveren skal afbryde kontrakten som påbudt. Det betyder, at en rettighedshaver f.eks. midt i en feltsæson skal finde en anden aftalepart til at levere de aftalte varer eller ydelser – hvilken ikke altid vil mulig at skaffe med kort varsel. Det kan yderligere have den afledte konsekvens, at rettighedshaveren skal betale tvangsbøder og ikke kan opfylde frister i tilladelsen, som igen kan have den yderste konsekvens, at rettighedshaveren mister tilladelsen. Endvidere må det formodes, at manglende opfyldelse af påbuddet kan have den konsekvens, at tilladelsen kan tilbagekaldes fra Naalakkersuisuts side.

Dels kan det føre til økonomiske tab hos rettighedshaveren. Efterlevelse af et påbud om at afbryde samarbejde med en aftalepart kan have den konsekvens, at efterforskningsarbejdet eller produktion sættes i stå, indtil anden aftalepart kan skaffes, alt imens omkostninger til andre aftaleparter m.v. fortsat påløber. Desuden kan de aftalte varer eller ydelser ikke nødvendigvis skaffes til samme prisniveau.

Det foreslås derfor, at stk. 3 og stk. 4 udgår af bestemmelsen.

#### Til § 144

Ifølge bestemmelsens stk. 3 finder lovforslaget også anvendelse på tilladelser, rettighedshavere efter sådanne tilladelser og aktiviteter udført efter sådanne tilladelser ved lovens ikrafttræden, der er sat til den 31. juli 2023. lovforslaget finder også anvendelse på afgørelser om aktiviteter og forhold vedrørende mineraler omfattet af råstofloven og truffet før lovens ikrafttræden (med særlig regel for tidsfristen nævnt i lovudkastets §§ 25 og 73).

Det bemærkes, at der ses behov for overgangsregler i relation til en række bestemmelser ud over §§ 25 og 73 – bl.a.:

- Det formodes, at udenlandske selskaber, som allerede er meddelt tilladelse, bevarer tilladelsen, uanset at de ikke måtte kunne sidestilles med et kapitalsselskab i Grønland, sml. § 29.
- Det formodes, at det vil savne rimeligt formål at kræve udarbejdelse af et kommissorium for rettighedshavere, der allerede har udarbejdet og fået godkendt terms of reference efter en forhøring, sml. § 44.
- Der foreslås særlig dispensation i en forlænget periode for rettighedshaveres pligt til at have sit reelle kontor i Grønland, sml. § 45.

Med venlig hilsen

På foreningens vegne

Advokat Marie Louise Frederiksen

v/ Advokat Peter Schriver

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Pujoralaaqqat ersinngitsut akioruminaatsut

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Hej  
Takuuk tapiliussaq

Jan



Urani? Naamik  
Peqatigiiffik Narsaq

## Pujoralaaqqat ersinngitsut akioruminaatsut

Allaqaarnera: Kalaallisut suliaavoq.

### 1. Aallaasiut.

Aallarniutigissavarput Nunatta DCE-llu (Dansk Center for miljø og Energi) isumaqatigiissuteqarmata, nunatut aatsitassarsiornerup iluani ineriartornermut malinnaatissagaatigut. Ineriartornermut malinnaannginneranut ersiutaavoq Urani? Naamik Narsap 2022-mi upernaakkut "Greenland Mineralsip Kuannersuarni suliniummi sianiinaarutai"-nut [1] akissuteqarnermini USEPA AP-42 tassaanerarmagit "internationale standarder" [2], tassa nunani tamalaani atugaasut.

DCE utaqqinagu Urani? Naamik Narsaq aatsitassarsiornermi ineriartornermut internet aqutugalugu malinnaavoq. Ilisimatusarnermilu paasisat nutaarluinnaat, pujoralaaqqanut ersinngitsunut, sulisunut innuttaasullu peqqissusaannut ajoqusiisinnaasut, Kuannersuarnut suliniummut tutsillugit suliaralugit.

Saniatigut pinngortitamut avatangiisinullu mingutsittaaliuinissamut aatsitassarsiornermut Nunatut piumasaaqatigisagut tikissavagut.

### 2. Pinngortitap avatangiisillu pillugit Nunatta piumasaaqatai:

Mingutsitsinissaq killilersimaaniarlugu nalunaarusiortarnissamut Nunatut piumaqaatitta ilaanni ima allassimasooqarpoq:

*"Guidelines for preparing an Environmental Impact Assessment (EIA) report for mineral exploitation in Greenland, Mineral Resources Authority 2015, [3]:*

#### **4.1 Discharges/Emissions to the environment**

*Emissions from power plants, fuel combustion plants, incineration plants, process plants and similar shall comply with EU standards (the EU Directive on Industrial Emissions, IE Directive). Emissions from non-road mobile machinery (e.g. excavators, bulldozers, front loaders, back loaders and drilling equipment) shall comply with EU environmental standards (EU directives on emissions from non-road mobile machinery). US or DK standards shall be used if EU standards are not available. Emissions from means of transport such as ships shall meet EU, IMO and DK standards."*

Immikkoortumi 4.1 pingaartorujussuuvoq. Tassani piumasaaqaataapput aatsitassarsiorfiit mingutsitsinissaat qanoq siulittorneqassanersut aamma siulittuinnermi suut tangiliunneqassanersut.

Naatsumik oqaatigalugu imaappoq:

Pujoralatsitsinissamut siulittuutit EU-meersut atorneqassapput. Tassani allassimangippata USA-meersut Danmarkimeersulluunniit atorneqassapput.

Piviusorlu imaappoq: EU-mi pujoralatsitsinissamut siulittuutaasartut atorneqartut USA-mi Canadamilu atorneqartartut asserluinnaraat. Taamaalilluni Nunatta piumasaaqatai USA-mi atorneqartartuupput. Pujoralatsitsinissamut siulittuutaasartut taakku ulluinnarni USEPA AP-42-mik taaguuteqartinneqarput. [4] Taakkorpiaallu aatsitassarsiornermut Nunami maani pujoralannik naatsorsuinnerminni atortarpaat.



### 3. USEPA AP-42, naatsumik.

Taanna tikitsinnagu oqaatigilaassavarput USEPA AP-42-mi pujoralaaqqat ersinngitsut tangilerneqartarneranni TSP (PM30) aallaavigalugu PM10 aamma PM2,5 tangilerneqartarmata.

Richardson-ip nalunaarusiarsuamini, doktorinngorniutigisamini, eqqaavaa Huertas 2011-mi Colombiami aamarsuorsiorfinni USEPA AP-42-mik atuiffiusuni misissuigalumi, paasisimagaa pujoralaaqqanik ersinngitsunik pilersitsisimanerit 13-eriaat angullugu minnaarisinnaagaat. [5]

Maanna taamaallaat inuup anersaartornermi najuussorsinnaasai PM10 aamma PM2,5 aallaavigineqalerput. Allaammi ilaatigut PM1 allallu minnerusut PM0,1 misissuinerne ilanngunneqartalerlutik.

### 4. Kuannersuarni suliniummi pujoralatsitsinissamut siulittuutit nutaanerusut.

#### 4.1 Kisitsisit aallaavissat.

Kuannersuarni suliniummi SRK Consulting-p nalunaarusiaani "Kvanefjeld mining study"-mi [6] nalunaarsorsimapput ukiut pingajuanniit ukiut 14-nissaat ilanngullugu piiaaneq annerpaaffimminiikkumaartoq. Ukiuni taakkunani ukiumut agguaqatigiisillugu qaarsoq 7,4 mio.tons qaartinneqartartussaavoq. Ujaqqanut aserorteriviliaaneqartassaapput 3 mio tons missaat, 4,4 tons-illu missaat ujaqqanut qaleriissarsuarnut igikkiartorneqartartussaalluni. Tassa qaartitsinerit ukiumut 212. Ukioq imatut avipparput: Ulluni 213 missaanni sila qerinnartarpoq, qaammatini arfineq-marlunni. Ukiup sinnerani ulluni 152-ini qerinnassanani, qaammatini tallimani.

Greenland Mineralsip ukiumut agguaqatigiisitsineraniit 5,9 mio. tonsiniit [7] 26 %-imik qaffasinnerupput.

#### 4.2 Qillerinerit

Qaartitsinermi ataatsimi putut pisariaqartinneqartut: 59. Ukiumut qaartitsinerit: 213

Ukiumut putut qillerneqartussat: 12.567

Putup ataatsip silissusaa: 18 cm Putup itissusaa: 6 m

Qillerinermi pujoralaaqqanik akiuiniarnermi milluaat atorineqartarpoq. Taamaaliornikku pujoralaaqqat ersinngitsut 74 %-ii milluarneqartarlutik.

Richardson-ip qillerinermi misissuinermini paasisaa aallaavigaarput, tassa putumut ataatsimut 0,1691 kg PM2,5. USEPA AP-42-mi PM10-it 15%-ii tassaapput PM2,5. [5]

#### 4.3 Qaartitsinerit

USEPA AP-42-mi qaartitsinermi pujoralaaqqanik ersinngitsunik pilersitsinissaq qaartitsiffiup annertussusaa aallaavigalugu naatsorsorneqartarpoq. Qanoq ititigisumut putunik qillerinerit apeqquataatinneqarneq ajorput. Tamannalu Richardson-ip mianersoqqussutigaa. [5]

Qaartitsinermi pujoralaaqqanik pilersitsinissamut siulittuut tonsinoortoq atorparput. Tassani naatsorsuutigineqarpoq tons-imut 0,064 kg PM10 pilersinneqartarumaartoq, taakkulu 80 %-ii aatsitassarsiorfimmii ginnartarumaartut. [8] PM2,5-mit PM10-t 35,7 %-eraat. [9]



## Urani? Naamik Peqatigiiffik Narsaq

Imermik pujoralaaqqat ersinngitsut akiorniarnernanni 46,4 % aatsitassarsiorfimmumt nakkartinneqarumaarput. [10]

### 4.6 Aqqusinikkut asfaldilersugaanngitsukkut angallanneq.

Gillies allallu 2004-mi missuinermini paasisani aallaavigalugit siunnersuutigaa aqqusinikkut asfaldiligaanngitsukkut pujoralaaqqanik ersinngitsunik pilersitsisarneq ima naatsorsorneqartassasoq:

Angallassissutit opqimaassusaa tonsinngorlugi x ingerlaarfiup takissusaa km-inngorlugi x ingerlaanermi sukkassuseq km tiimimut x 0,003 = kg PM10. (tons x km x km/t x 0,003 kg). PM2,5 PM10-t quleraterutigaa. [11]

Gillies-ilu misissuinerminilu USEPA AP-42-mi aqqusinernut asfaldilerneqanngitsunut pujoralaaqqanik pilersitsinissamut tangiliuttagaa sakkortuumik uparuarpa. Taallugu inuinnaat biliannut tiimimut 20 km-ersortumut taamaallaat atorsinnaasoq.

USEPA AP-42-mi aqqusinikkut asfaldilerneqanngitsutigut angallanermi pujoralaaqqanik pilersitsinissaanut aallaqqaammumt sukkassuseq 30 miles tiimimut (48 km/t) innersuutigaa. Uani sukkassuseq 15 miles tiimimut (24 km/t) atussavarput, naak Greenland Mineralsip tiimimut 30-35 km naatsorsuutigaluaraa. [12] Sukkanerusumik lastbilersuit, nunakkullu angallattut allat, ingerlaassappata pujoralaaqqat pilersinneqartut annerulissapput.

Sverigemi aqqusinernik asfalderneqanngitsunik misissuinermini Gillies misissuisimaneqartungajak angusaqarput. [13]

Ukiumi aqqusernemi asfaldeqanngitsuni pujoralaaqqat ersinngitsut tarajoq atorlugi akiorniarneqartussaapput. Tassani naatsorsuinitinni 50 %-imiit 70 %-imut PM10-t aamma PM2,5-t akiorneqarnissaat atorparput. [14]

Aqqusernit	Takissusaa	Angallassassat
Aatsitassarsiorfimmumt aatsitassarsiorfiup killinganut	1 km	7 420 000 tons
Aatsitassarsiorfiup killinganiit aqqusernit naapiffiannut	0,8 km	7 420 000 tons
Aqqusernit naapiffianniit ujaqqanik aserorterivimmumt	3,3 km	3 000 000 tons
Aqqusernit naapiffianniit ujaqqanut qaleriissarsuarnut	1 km	4 420 000 tons
Aserorterivimmiit aqqutassat	11,5 km	65 000 tons
Umiarsualivimmiit timmukaatassat	11,5 km	312 000 tons

[6]



Komatsu 785, lastbilersuaq 72 tonseq. Usigisinnaavai 92 tonsit. [6]

#### 4.4 Ujaqqanik passussineq:

Korea Kujallermi pujoralaaqqanik ersinngitsunik pilersitsinissamut siulittuutit tonsinoortut atussavagut. Siulittuutit taakku nunat tamalaat siulittuutigisartagaat kateriarlugit suliaapput. [15]

Bulldozerneq: Ujaqqat kaassuarneqartut oqimaassusaat bulldozerillu kaassuaanermi ingerlaarnera ilanngutereerlugu naatsorsorneqartarpoq. Tonsimut 0,0596 kg PM10 kiisalu PM2,5-minut 0,032 kg.

Excavator, usilersuussuaq: Tonsimut 0,009 kg PM10 PM2,5-minullu 0,0018 kg.

Usilersuineq: Usilersornermi tonsimut 0,000088 kg PM10 PM2,5-minullu 0,0000133 kg.

Usigiarnertit: Tonsimut 0,009 kg PM10 PM2,5-minullu 0,0018 kg.

#### 5. Naatsorsuinerit inernerit.

Takussutissiaq 1-mi kisitsisit Urani Naamik Narsap tamaasa naatsorsugarai. "USEPA AP-42"-mik allaqqasut "Greenland Mineralsip Kuannersuarni suliniummi sianiinaarutai"-minnaanneersuupput. Ukiumut 5,9 mio. tons qartinneqartartussaavoq. Tassani aamma imermik pujoralaaqqanik ersinngitsunik akiuniarnermi kiisalu aqqusernermi taratsersuilluni pujoralaaqqanik ersinngitsunik akiuniarnermi "WRAP"-mi allaqqasut malinneqarlutik. [12]

"Allat" tassaapput qulaani atussallugit allaaserisavut. Tassani 7,4 mio. tons qarsoq qartinneqartartussaavoq, aatsitassarsiornerup sukaruttorfiani ukiut pingajussaanniit ukiut 14-nissaat ilanngullugu.



Takussutissiaq 1	Pujoralaqqat ersinngitsut pilertussat				Pujoralaqqat ersinngitsut akiorniarneqareermi kingorna			
	USEPA AP-42		Allat		USEPA AP-42		Allat	
	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg
Qillerineq	3 070	460	14 100	2 120	800	120	3 670	550
Qaartitsineq	1 980	110	94 980	33 920	<b>1 270</b>	<b>70</b>	76 620	27 370
Bulldozerernej itersaliarsuarmi	59 500	24 880	442 230	237 440	<b>35 430</b>	<b>13 250</b>	<b>313 320</b>	<b>168 220</b>
Usilersuineq	8 960	1 360	67 430	13 450	<b>5 820</b>	<b>880</b>	<b>47 780</b>	<b>9 530</b>
Ujaqqanik qaleriissarsuarni bolldozerernej usigiaanerlu	19 950	6 880	265 640	141 880	<b>12 970</b>	<b>4 470</b>	<b>188 210</b>	<b>100 520</b>
Ujaqqanik angallassineq + (bulldozerip, qillerutit, nivattaatipiluunersuullu aqqusinikkoorneri)	398 090	148 880	5 118 190	511 820	<b>151 180</b>	<b>56 540</b>	2 494 590	302 740
Sissigarsuarmut aqqussineq majuussinerlu	173 830	65 010	842 500	84 250	<b>64 320</b>	<b>24 050</b>	410 630	49 830
Ujaqqanik aserorterivimmut usigiarneq	4 570	690	18 000	2 250	<b>2 970</b>	<b>450</b>	<b>12 750</b>	<b>1 590</b>
Katillugit	669 950	248 270	6 863 070	1 027 130	274 760	99 830	3 547 570	660 350
Sanilliunneri	<b>1</b>	<b>1</b>	<b>10,2</b>	<b>4,1</b>	<b>1</b>	<b>1</b>	<b>12,9</b>	<b>6,6</b>

***WRAP atorneqarpoq.(kursiv+fed)***

Takussutissiaq 2-mi ukiumut pujoralaqqanik ersinngitsunik aatsitassarsiorfiup iluani pilersitsinissamut siulittuinerit "Allat" aallaavigalugit immikkoortippagut marlunggorlugit. "Qerinnarnera", 213-ninik ulluligaavoq. Ulluni taakkunani pineqartuni pujoralaqqat ersinngitsut pilersinneqartut suneqarsinnaanatik silaannarmut akuleruttussaapput. "Qerinnannginnera", 152-sinik ulluligaavoq. Ulluni taakkunani pujoralaqqat ersinngitsut imermik akiorniarneqarsinnaapput.



Takussutissiaq 2	Ukiumi		Aasami	
	PM10 kg	PM2,5 kg	PM10 kg	PM2,5 kg
Qillerineq	2 140	320	1 530	230
Qaartitsineq	55 420	19 790	21 200	7 570
Bulldozerernej itersaliarsuarmi	258 120	138 580	55 280*	29 670*
Usilersuineq	38 970	7 790	8 340*	1 670*
Ujaqqanik angallassineq + (bulldozerip, qillerutit, nivattaatipiluunersuullu aqqusinikkoorneri)	240 340	24 030	428 770	57 170
<b>Katillugit</b>	<b>594 990</b>	<b>190 510</b>	<b>515 120</b>	<b>96 310</b>

\* WRAP atorreqarpoq.

## 6. Pujoralaaqqanik ersinngitsunik silaannarmiittunik uuttortaasarneq.

Brasiliami saviminissarsiorfiup eqqaaniittumi illoqarfimmi Itabirami pisortat pujoralaaqqanik ersinngitsunik uuttuisimanerat ilisimatusartup qanoq tutsuiginartiginerat paasiniarsimavaa. Laboratoriami misissuinermini paasivaa, nammineq misissukkani pisortat kisitsisaataanniit pingasoriaammik annerusut. [16]

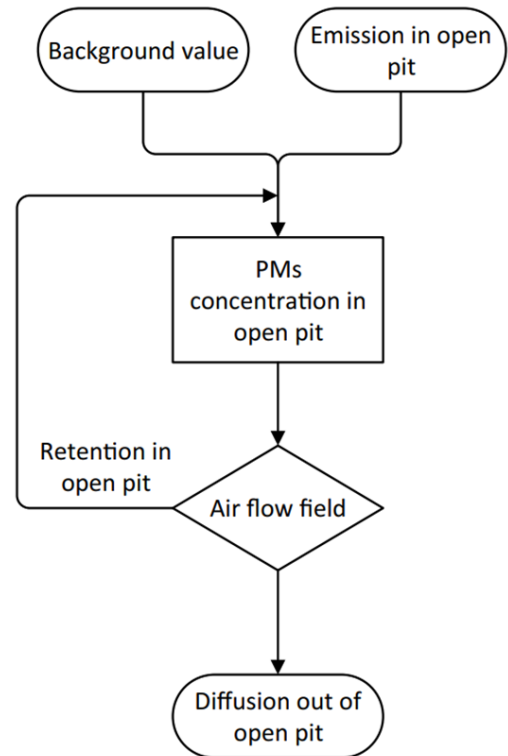
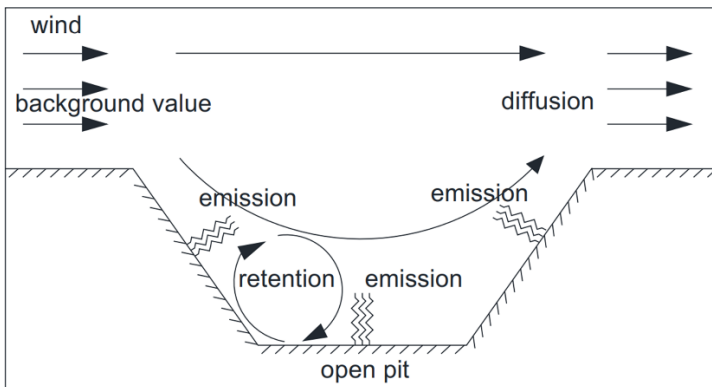
Taamaattumik pingaaruteqarsimavoq misissuariaatsit assigiinnngitsuunissaat. Taamaattumik Sairanen [17] uku atorreqatnissaannik innersuussaqarpoq:

- (1) Filter paper technique,
- (2) Particulate sampling trains,
- (3) Automatic paper tape instruments,
- (4) Continuous microbalance instruments,
- (5) Light scattering systems,
- (6) Size selective techniques aamma
- (7) Deposit gauges.

## 7. Pujoralaaqqat ersinngitsut aatsitassarsiorfimmiit ammartumiit tamarmik anillattarneranik siulittuineq.

Qarasaasiami programmi, ANSYS Fluent, atorlugu pujoralaaqqat PM100 - PM2,5 aatsitassarsiorfimmi ammaannatummiittut Kinamiut misileraaffigisimavaat. Tassani pujoralaaqqat ersinngitsut PM10 - PM2,5 aatsitassarsiorfimmi ammaannartumi pilersinneqartut oqaannaraanni tamarmik qimattassagaat piviusuusaartitsinermi inernilunneqarpoq. [18]





open pit = itersaliarsuaq, wind = anori, background value = pujoralaaqqat ersinngitsut allameersut, emission = pujoralaaqqat ersinngitsut itersaliarsuarmi pilersitat tamarmik, retention = kaavittuliorneq, air flow field = silaannaap ingerlaarnera, diffusion = pujoralaaqqat ersinngitsut itersaliarsuarmiit anillakaannerat. [19]

Assilissani takutinneqarput piviusuusaartitsinermi pujoralaaqqat ersinngitsut itersaliarsuarmi pilersinneqartut tamarmik itersaliarsuaq qimakkumaaraat. Tassani ilaapput imeq atorlugu itersaliarsuarmut nakkartitat. Tassani ilaapputtaaq qaartitsinermi pujoralaaqqat ersinngitsunik pilersitat 80 %-ii, ukiumut ukuusut PM10 380 000 kg aamma PM2,5 135 680 kg.

Piviusuusaartitsineq tamanna ilumuussappat pujoralaaqqanik ersinngitsunik akiuiniarneq asuliinnaasimassaaq. Imermi atorlugu aatsitassarsiorfimmuut nakkartitat suli itersaliarsuarmiimmata. Imeq aalannguuppat pujoralaaqqat ersinngitsut tassunga ilaliutissapput aerosolinngorlutik. [20]

## 8. WHO-p 2021-mi pujoralaaqqat ersinngitsut pillugit nutaanik saqqummiivoq. [21]

Taakkulu ima isikkoqalerput:

PM<sub>2.5</sub>: Ukiumut agguaqatigiisillugu 5 µg/m<sup>3</sup>; akunnernut 24-nut agguaqatigiisillugu 15 µg/m<sup>3</sup>

PM<sub>10</sub>: Ukiumut agguaqatigiisillugu 15 µg/m<sup>3</sup>; akunnernut 24-nut agguaqatigiisillugu 45 µg/m<sup>3</sup>

## 9. Naatsorsukkat eqqartorneri:

Naatsorsukkat eqqartunnginneranni eqqaasariaavoq nunanut pujoralaaqqat ersinngitsut pillugit malittarisassaqqanngitsunut siunnersuisartoqatigiit ukunaneersut, Harry Vallack (Stockholm Environment Institute) aamma Kristin Rypdal (CICERO Center for International Climate Research



## Urani? Naamik Peqatigiiffik Narsaq

- Oslo) immikkut ilisimasallit uku suleqatigalugit, Brazilia (Gabriel Branco), Kina (Jiming Hao), India (Sumana Bhattacharya) aamma Malawi (Kenneth Gondwe), saqqumersippaat: *The Global Atmospheric Pollution Forum Air Pollutant Emission Inventory Manual, Version 6.0, May 2019 revision*. Uku aningaasaleeqataapput: BOC Foundation, US EPA aamma Swedish International Development Cooperation Agency (Sida), Regional Air Pollution in Developing Countries (RAPIDC) programme-p immikkoortortaaneersoq. Tassani aatsitassarsiorneq pillugu ima allassimasoqarpoq: ”Pujoralaaqqanik ersinngitsunik aatsitassarsiornermi siulittuutit innersuussinngilagut, aatsitassarsiornermi ilisimatusarneq annikippallaaqimmat.” Aningaasaleeqataasuni maluginiagassaavoq US EPA, USA-mi avatangiisit pillugit qitiusumik immikkoortortaarfik. [22]

Taava ima isumaqarnarpa US EPA-p namminneerlutik suliatik, USE AP-42-mi pujoralaaqqanik ersinngitsunik pilersitsinissamat siulittuutit, innersuutinngikkaat?

Siuliani eqqareerpapput USE AP-42-p pujoralaaqqanik ersinngitsunik siulittuutigisartagai kisiisa atoraanni 13-eriaammik minnaarisooqarsinnaasoq. [5]

Kuannersuarni suliummi pujoralaaqqanik ersinngitsunik pilersitsinissamat siulittuutit ilisimatusarfinni doktorinngussutaasut, qaartitsineri qillerinermilu siulittuutaasut atorpagut. Ilanngullugu aqqusinerni imermik pujoralaaqqanik ersinngitsunik pilersitsinississat akiorniarneqarnerata ilungersunassusaa ilanngullugu. [5,8]

Takussutissiami 1-mi ERM-p Kuannersuarni suliummi pujoralaaqqanik ersinngitsunik pilersitsinissanut nalunaarusiaaneersut atunngilagut. Tassani pissutaavoq itersaliarsuarmi suliani assigiinngitsuni pujoralaaqqanik ersinngitsunik pilersitsinissat ingasaallugit minnaarniarsarimmatigit. Soorlu bulldozernermi ujaqqanik kaassuaaneq kisiat naatsorsorsimarpassippaat. Aamma pujoralaaqqanik ersinngitsunik akiuiniarneq ukioq tamaat ingerlanneqartussatuut naatsorsorsimallugu. Aqqusinikkut angallanneq suli ingasanneruvoq. Pujoralaaqqat ersinngitsut pilersinneqartussat aallaavigingaanni, tamaallaat ujaqqat 2,1 mio tonsit angallanneqarnissaanut naammapput, naak 5,9 mio. tonsit angallanneqartussaagaluartut. Tassani Nunatut siunnersortigisarput nakkutilliisorisarpullu DCE uparuartariaavoq, suliasani pimoorullugu suliarisimangimmagu. [1,2,7]

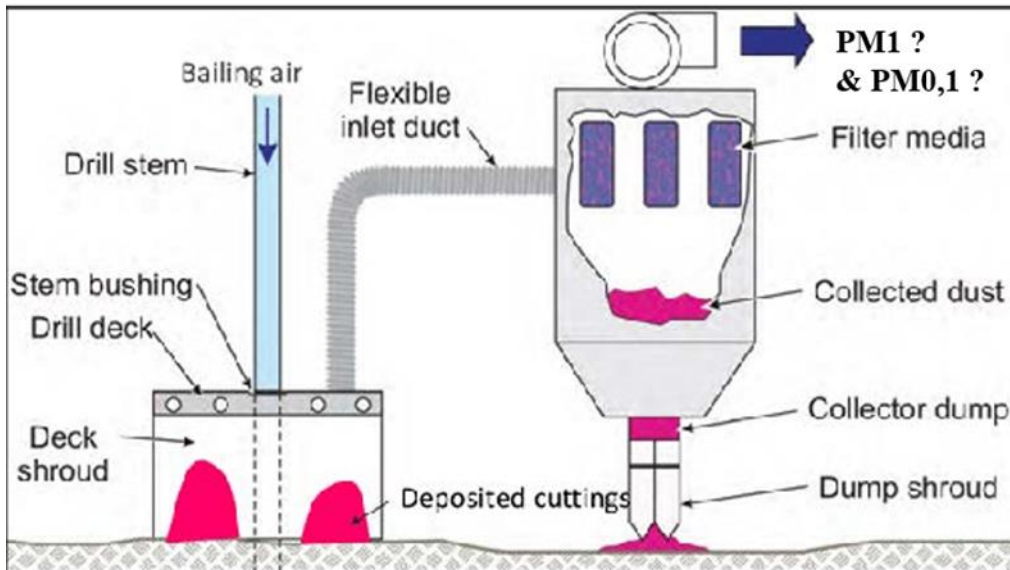
ERM-p suliarisimasaanut Urani? Naamik-p naatsorsugai ”Allat” imminnut sanilliukkaani pujoralaaqqat ersinngitsut pilersinneqartut PM10 aamma PM2,5, 33-riaataapput 21-riataallutillu, pujoralaaqqat akiorniarnerisa kingorna. [7]

Urani? Naamik-p USEPA AP-42-mi naatsorsugai malillugit (isumaqarpugullu ERM-p suliaaniit uppernarnerusut) ”Allat”-nut sanilliukkaanni PM10-t aamma PM2,5-mit, quleriaataapput sisamariaataallutillu. Pujoralaaqqallu akiorniarneqareerneranni 13-eriaataapput arfineq-marloriaatigajaallutillu.

Tassani ersepoq imeq atorlugu pujoralaaqqanik akiuiniarnerup ilungersunassusaannik.

Bulldozernermi, usilersuineri usigiarnermi WRAP 70 %-mik imeq atorlugu pujoralaaqqanik ersinngitsunik akiuiniarnerani malinneqartartut malippagut. Tassunga pissutigaarput ilisimatuussutsikkut suli misissorneqarsimangimmata, naak qaartitsineri imermik pujoralaaqqanik ersinngitsunik akiuiniarnermi taamaallaat 47 %-ingajak taamaallaat akiorneqarsinnaagaluartoq, kiisalu aqqusinerni taamaallaat 25 % PM10-t appartinneqarsinnaagaluartut aammalu PM2,5 akiorneqarsinnaanngitsut.

Qillerinermi milluaassuaq atorneqarpoq filteria inuup timaanut aak aqutigalugu siaruaasinnaasut PM0,1-nit uninngatissinnaavai, aamma PM1?



[12]



*Assimi takuneqarsinnaavog qillerussuaq  
ATLAS COPCO-p milluaataata tankianik  
sioraaqqat qaartitsiffissap qaanut  
kuiinnakkat. [6]  
Ukiumut perlukut 7 600 tons  
taamatut kuiinnarneqartartussaapput.  
PM10-t PM2,5-millu pilersinneqarnissaanut  
qanoq ilapittuutaatigissappat?*

**11. Piumasaqaatit:**

1. Aatsitassanut inatsisip ataani avatangiisit illersorneqarnissaannut nalunaarusiortarnermi piumasaqaatigut qimerlooqqittariaavagut. 13-inneriaammik minnaarisinnaasoq USEPA AP-42 pujoralaaqqanik ersinngitsunik pilersitsinissamut siulittuutigisartagai eqqumiilukaartut atuunnassavagut?

Urani? Naamik Narsaq isumaqarpoq pujoralaaqqanik ersinngitsunik pilersitsinissamut siulittuutunik piviusorsiornerusunik peqartariaqartugut.

2. Aatsitassarsiorniartoqartillugu micro-metherology, tassa qanittumut silap pissusaanik misissuinerit, atorneqartassasoq. Qanittumut pujoralaaqqat ersinngitsut siaruannissaannut siulittuinerit atorneqartartussa.

3. Pujoralaaqqat ersinngitsut siaruannissaannut siulittuutaasartoq CALPUFF atorneqartannginissaa aammaarluta piumaqaateqqipparput. Aatsitassarsiordiillu qanitaaniittunut tulluunnerusumik Avatangiisinut Pisortaarfik ujaasissasoq.



4. Urani? Naamik iluarisimaarppaa, avatangiisinut inuullu peqqissusaannut sunniutaasartussanik nalilersuinerimi DCE kisiat isumalluutaajunnaarlugu inatsisilulertoqarnera. Kuannersuarni suliniut pillugu tusarniaanermi maluginiarparput DCE VVM-rapporti allaqqasut aalanngaat upperigaat illuatungiliussisinnaassuseqaratillu.

## Støvnedfald – beregnet udbredelse

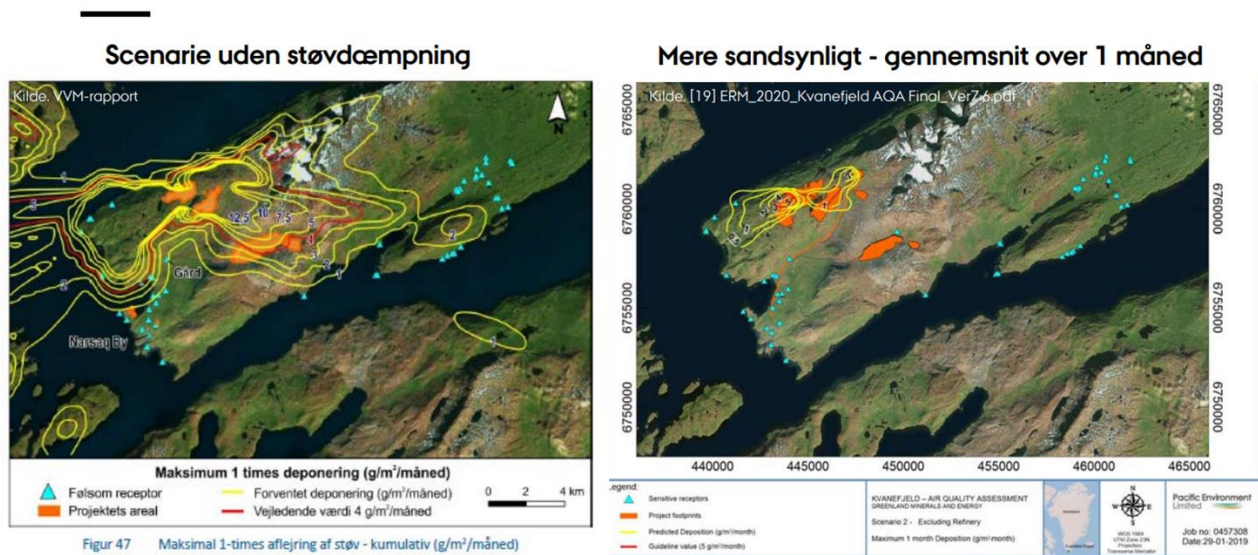


Figure 4-11: Maximum 1-month deposition cumulative impact Scenario 2 (g/m<sup>2</sup>/month)

DCE/pinngortitaleriffik ERM-p suliai apeqqusiinngiivillutik issuaaffigisarpaat. Uku inuiannut kalaallinut Kuannersuit pillugit suliniummik paasissitsiataanneersuupput. Uuttuutaat maluginiarparput, gram/m<sup>2</sup>/qaammammut, aali WHO-p mikrogram/m<sup>3</sup>/ullormut iml. ukiumut uuttuutigisaraluaraa. [23]

4. Silaannamik, avatangiisinut, imermut immamullu mingutsitsinissap killilersimaarniarneqarneranni naatsorsuinerimi kisitsisinik paasissutissat tamarmiusut regnearkinngorlugit saqqummiunneqartassasut. Tassani pinngitsoorneqassammat piaaraluni minnaarinerit. Soorlu taama pisoqartoq ERM-p pujoralaat pillugit nalunaarusiaani.

5. Paasissutissanik nutaanik saqqummertoqatillugu silaannarissutsimut, avatangiisinut, imermut immamullu mingutsitsinernut tunngasunik, nutaanik nalilersuisoqartassasoq. Soorlu WHO silaannaap mingutsinneqartarneranut killinik nutaanik 2021-mi saqqummersitsivoq. Taannalu nutaanik piумаqateqarpoq.

**12. Naatsorsuinerit/Beregninger: DCE-mut paasissutissat uparuaanerata kingorna. Til orientering til DCE, efter deres kritik. [1,2]**

Aasaq/Sommer: Ullut **152/152** dage. Ukioq/Vinter: Ullut **213/213** dage.

Qaartitsinerit/sprængninger: 212. Qaartitsinerimi ataatsimi putut/Huller pr.sprængning: 59

Ukiumut putut/Huller pr. år: **12 508**



## Urani? Naamik Peqatigiiffik Narsaq

Ukiumut qaartitaq/Sprængning pr. år: **7 420 000 tons**, ujaqqanik aserorteriviatassaq/til malmknuseren: **3 000 000 tons**, ujaqqanut qaleriissarsuarnut/til gråbjerget: **4 420 000 tons**.  
Aqqusernit takissusaat angallatallu/Vejlængder og transport:

A. Aatsitassarsiorfinniit aatsitassarsiorfiit killinginut/Fra de åbne miner til udgange af de åbneminer: **1 km**. Ujaqqat angallatassat/Mængder af sten der skal transporteres: 7 420 000 tons  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **80 653**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **80 653**

B. Aatsitassarsiorfiit killinganniit aqqusernit naapiffiannut/Fra udgange af de åbne miner til vejkrydset: **0,8 km**. Ujaqqat angallatassat/Mængder af sten der skal transporteres: 7 420 000 tons  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **80 653**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **80 653**

C. Aqqusernit naapiffianniit ujaqqanik aserorterivimmu/Fra vejkrydset til malmknuseren: **3,3 km**.  
Ujaqqat angallatassat/Mængder af sten der skal transporteres: 3 000 000 tons.  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **32 609**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **32 609**

D. Aqqusernit naapiffianniit ujaqqanut qaleriissarsuarnut/Fra vejkrydset til gråbjerget: **1 km**.  
Ujaqqat angallatassat/Mængder af sten der skal transporteres: 4 420 000 tons.  
Lastbilersuaq useqanngitsoq/Kæmpe lastbil uden last: **72 tons**. Ingerlaarnerit/Ture: **48 044**  
Lastbilersuaq usilik/Kæmpe lastbil med last: **164 tons**. Ingerlaarnerit/Ture: **48 044**

E. Lastbilersuit sukkassusaat/Kæmpe lastbilers hastighed: **24 km/t**

F. PM10 kg ukiumut = ingerlaarnerit x ingerlaarfiup takissusaa x sukkassuseq x 0,003  
PM2,5 kg ukiumut = PM10 kg x 0,1  
PM10 kg pr. år = antal ture x rutelængde x km/t x 0,003  
PM2,5 kg pr. år = PM10 kg x 0,1

G. Aqqusinerni pujoralaaqqanik akiuiniarnerup kingorna silaannarmiilertussat/ I luften efter støvbekæmpelse af veje:

Ukiumi/om vinteren:

PM10 kg ukiumut/pr. år x 213/365 x 0,3

PM2,5 kg ukiumut/ pr. år x 213/365 x 0,3

Aasami/om sommeren:

PM10 kg ukiumut/pr. år x 152/365 x 0,75

PM2,5 kg ukiumut/ pr. år x 152/365 x 1

Avaanneqartussat/Eksport: Aqqusineq/vejlængde: **11,5 km**

H. Aatsitassanik containerinut nalinginnaasunut/Almenlige containere til råstoffer:

Containerip oqimaassusaa/Vægten af container 3 tons + imai/indhold 32 tons + kaletaq/trailer 4 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **54 tons**. Ingerlaarnerit/Ture: **1 680**





## Urani? Naamik Peqatigiiffik Narsaq

Containerit imaqanngitsut marlukkaarlugit/To tomme containere:

Containerit oqimaassusaa/Vægten af containere 6 tons + kaletaq/trailer 7 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **28 tons**. Ingerlaarnerit/Ture: **1 081**

I. Uranimik angallassineq/Transport af uran:

Containerip oqimaassusaa/Vægten af container 8,5 tons + imai/indhold 12,5 tons + kaletaq/trailer 7 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **43 tons**. Ingerlaarnerit/Ture: **40**

Containerit imaqanngitsut marlukkaarlugit/To tomme containere:

Containerit oqimaassusaa/Vægten af containere 17 tons + kaletaq/trailer 13 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **45 tons**. Ingerlaarnerit/Ture: **20**

J. Angallatassaq/Transport af Sodium Hypochlorite:

Containerip oqimaassusaa/Vægten af container 3 tons + imai/indhold 23,31 tons + kaletaq/trailer 4 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **45,31 tons**. Ingerlaarnerit/Ture: **481**

Containerit aqqussuunneranni pujoralaaqanik pilersitsineq/Støvdannelse af transport af containere:  
Takukkit/Se E, F & G

Eqqussukat/Import: Aqqusineq/vejlængde: **11,5 km** Sukkassuseq/Fart: **24 km/t**

K. Containerinut nalinginnaasunut/Almenlige containere:

Containerip oqimaassusaa/Vægten af container 3 tons + imai/indhold 25 tons + kaletaq/trailer 4 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **47 tons**. Ingerlaarnerit/Ture: **10 203**

Containerit imaqanngitsut marlukkaarlugit/To tomme containere:

Containerit oqimaassusaa/Vægten af containere 6 tons + kaletaq/trailer 7 tons + lastbilip oqimaassusaa/Lastbilen vægt 15 tons = **28 tons**. Ingerlaarnerit/Ture: **5 100**

L. Dieselolia/Dieselolie:

Oliamik assartuut/Tankbil 11 tons + imaa/indhold 25,5 tons = **36,5 tons**. Ingerlaarnerit/Ture: **220**

M. Heavy fuel oil:

Oliamik assartuut/Tankbil 11 tons + imaa/indhold 30 tons = **41 tons**. Ingerlaarnerit/Ture: **1 233**

N. Oliamik assartuut imaqarani/Tom tankbil: **11 tons**. Ingerlaarnerit/Ture: **1 453**

O. Bussi ilaasulik/Bus med passagere: **11,5 tons**. Ingerlaarnerit/Ture: **14 600**

Suliarinnittoq Urani? Naamik Narsaq sinnerlugu

Jan Rehtmar-Petersen

22.december 2022



**Najoqqutariisat:**

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**Brevdato** 22-12-2022

**Afsender** Julie Gjedsig Grauslund (jgg@dma.dk)

**Modtagere** Bo Simmelsgaard (Sagsbehandler, Departementet for Råstoffer og Justitsområdet)

**Akttitel** Søfartsstyrelsens svar på offentlig høring, forslag til minelov og ændring af råstofloven

**Aktnummer**

**Identifikationsnummer** 22081337

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Søfartsstyrelsens svar på offentlig høring, forslag til minelov og ændring af råstofloven  
SFS svar til forslag om ændringer til minelov i Grønland0  
Bilag 1 til høringssvar\_Afmærkningsbekendtgørelsen1  
Bekendtgørelse af anordning om ikrafttræden for Grønland af lov sikkerhed til søs

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023



**Til:** Bo Simmelsgaard (bosd@nanoq.gl)  
**Cc:** Malene Loftager Mundt (mlm@dma.dk)  
**Fra:** Julie Gjedsig Grauslund (jgg@dma.dk)  
**Titel:** Søfartsstyrelsens svar på offentlig høring, forslag til minelov og ændring af råstofloven  
**Sendt:** 22-12-2022 10:24  
**Bilag:** SFS svar til forslag om ændringer til minelov i Grønland0.docx; Bilag 1 til høringssvar\_Afmærkningsbekendtgørelsen1.pdf; Bekendtgørelse af anordning om ikrafttræden for Grønland af lov sikkerhed til søs.pdf;

Kære Bo

Se venligst søfartsstyrelsens svar samt bilag på høring vedr. forslag til minelov og ændring af råstofloven vedhæftet.

God jul og godt nytår,  
Julie

Med venlig hilsen  
**Julie Gjedsig Grauslund**  
Fuldmægtig

Søfartsstyrelsen  
Maritim regulering og jura  
Dir. tlf.: 72 19 62 14  
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20-12-2022

**Vores reference:**

Sag: 2022157874

Maritim regulering og jura

/ Julie Gjedvig Grauslund

### **Høringsvar vedr. forslag til minelov samt ændring til råstofloven**

Søfartsstyrelsen takker for høringen vedr. forslag til minelov samt ændring til råstofloven fra Departementet for Råstoffer og Justitsområdet, Grønlands selvstyre af 23. november 2022.

Søfartsstyrelsen har følgende bemærkninger til § 114:

§ 114 i loven om Mineralaktiviteter anfører ” § 114. Naalakkersuisut kan fastsætte bestemmelser og vilkår om sikkerhed og sundhed i forbindelse med offshoreanlæg, der anvendes ved udførelse af aktiviteter omfattet af en tilladelse efter Inatsisartutloven, i overensstemmelse med Inatsisartutlovens formål efter § 1 og andre bestemmelser”

Henset til at Offshoreanlæg i § 18 defineres som indbefattende ”skibe, pramme og andre fartøjer” synes § 114 at være for vidtgående ved at indføre hjemmel for Naalakkersuisut til at regulere sikkerheds- og sundhedsmæssige forhold på skibe. Et anliggende som er rigsansliggende, og som varetages af Søfartsstyrelsen.

Bemærkningerne til § 114 synes i ordlyden primært at omhandle regulering af rettighedshaveren og selve offshore anlæg men ikke skibe m.v. Det bør tydeliggøres, at § 114 alene kan rette sig mod selve offshoreanlæg og ikke skibe, pramme m.v.

Søfartsstyrelsen har følgende bemærkninger til lovforslagets §§ 115 og 116:

Jf. lovens § 115, stk. 2, skal et offshoreanlæg, såfremt det er omgivet af en sikkerhedszone, som ikke umiddelbart er synlig på havoverfladen, afmærkes med bøjle eller anden let synlig afmærkning. En sådan anmærkning skal jf. bestemmelsen godkendes af Naalakkersuisut.

Det følger af afmærkningsbekendtgørelsens § 4 (vedhæftet), at Søfartsstyrelsen fører kontrol med den i § 3 nævnte farvandsafmærkning og sikrer, at den er rimelig og nødvendig henset til skibstrafikkens omfang og risikoens størrelse.

Jf. afmærkningsbekendtgørelsens § 3, nr. 1, omfatter farvandsafmærkning hjælp til sejlads ved etablering af bl.a. flydende afmærkning.

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ERHVERVSMINISTERIET

Således må det jf. ovennævnte regler i afmærkningsbekendtgørelsen være Søfartsstyrelsen, der skal godkende afmærkning af et offshoreanlæg, der er omgivet af en sikkerhedszone, som ikke umiddelbart er synlig på havoverfladen.

Jf. lovens § 115, stk. 4, skal offentliggørelsen af positionen for et offshoreanlæg, der er omgivet af en sikkerhedszone i Efterretninger for Søfarende eller på anden måde bestemt af Naalakkersuisut, foretages af rettighedshaveren, medmindre andet bestemmes af Naalakkersuisut.

Det følger af Anordning om ikrafttræden for Grønland af lov om sikkerhed til søs, § 6, nr. 6 (vedhæftet), at erhvervsministeren kan fastsætte regler om oprettelse af zoner til overholdelse af orden og forebyggelse af fare omkring havanlæg [...].

Således bør offentliggørelsen af en position for et offshoreanlæg, der er omgivet af en sikkerhedszone, altid offentliggøres i Efterretninger for Søfarende af Søfartsstyrelsen. Det bør ikke være muligt at foretage en offentliggørelse på anden måde af anden aktør.

Tilsvarende må gælde for lovens § 116, stk. 2, 2. og 3. pkt.

Endelig bemærker Søfartsstyrelsen:

Flere steder i lovforslaget anvendes udtrykket ”medmindre andet bestemmes af Naalakkersuisut”. Udtrykket efterlader en vis uigennemsigthed i forhold til, hvordan retsstillingen og reguleringen er på de givne områder.

Med venlig hilsen

Malene Loftager Mundt  
Kontorchef

Udskriftsdato: 20. december 2022

**BEK nr 1466 af 29/06/2021 (Gældende)**

## **Bekendtgørelse om farvandsafmærkning i dansk og grønlandsk afmærkningsområde m.v. (Afmærkningsbekendtgørelsen)**

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Ministerium: Erhvervsministeriet

Journalnummer: Erhvervsmin.,  
Søfartsstyrelsen, j.nr. 2020-53160

# Bekendtgørelse om farvandsafmærkning i dansk og grønlandsk afmærkningsområde m.v. (Afmærkningsbekendtgørelsen)<sup>1)</sup>

I medfør af § 8, stk. 1 og 4, § 17, stk. 5, og § 32, stk. 9, i lov om sikkerhed til søs, jf. lovbekendtgørelse nr. 1629 af 17. december 2018, og i medfør af § 8, stk. 1 og 4, § 17, stk. 4, og § 32, stk. 2, i anordning om ikrafttræden for Grønland af lov om sikkerhed til søs, jf. anordningsbekendtgørelse nr. 1674 af 16. december 2015, fastsættes efter bemyndigelse i henhold til § 1, stk. 1, nr. 3, i bekendtgørelse nr. 261 af 23. marts 2020 om henlæggelse af visse beføjelser til Søfartsstyrelsen og om klageadgang m.v. og § 1, stk. 1, nr. 2, i bekendtgørelse nr. 279 af 23. marts 2020 for Grønland om henlæggelse af visse beføjelser til Søfartsstyrelsen og om klageadgang m.v.:

## *Anvendelse*

**§ 1.** Bekendtgørelsen finder anvendelse for farvandsafmærkning og navigationssystemer i dansk og grønlandsk afmærkningsområde.

## *Definitioner*

**§ 2.** Ved dansk afmærkningsområde forstås:

- 1) Det indre og ydre territorialfarvand som anført i lov om afgrænsning af søterritoriet samt bekendtgørelse om afgrænsning af Danmarks søterritorium.
- 2) Den eksklusive økonomiske zone (EEZ) som angivet i bekendtgørelse om Danmarks eksklusive økonomiske zone.

*Stk. 2.* Ved grønlandsk afmærkningsområde forstås:

- 1) Det indre og ydre territorialfarvand hvorved forstås farvandet inden for basislinjen som angivet i anordning om afgrænsningen af søterritoriet ved Grønland, samt det ydre territorialfarvand som strækker sig 3 sømil ud fra basislinjen.
- 2) Den eksklusive økonomiske zone (EEZ) som anført i bekendtgørelse om den eksklusive økonomiske zone ved Grønland.

*Stk. 3.* Bekendtgørelsen finder desuden anvendelse, hvor Danmark er nærmest til at foretage afmærkning m.v.

**§ 3.** Farvandsafmærkning og navigationssystemer omfatter hjælp til pladsbestemmelse og sejlads ved etablering af:

- 1) flydende og fast afmærkning, herunder sømærker, fyr, båker, racon og tågesignalanlæg,
- 2) navigationssystemer og elektronisk afmærkning samt andre systemer og indretninger, der etableres til vejledning for skibes navigation, eksempelvis AIS-afmærkning (automatisk identifikationssystem),
- 3) markering og skiltning, og
- 4) anden indretning og belysning til navigationsformål.

## *Kontrol og afholdelse af omkostninger*

**§ 4.** Søfartsstyrelsen fører kontrol med den i § 3 nævnte farvandsafmærkning og sikrer, at den er rimelig og nødvendig henset til skibstrafikkens omfang og risikoens størrelse.

**§ 5.** Søfartsstyrelsen udfører og afholder omkostninger ved farvandsafmærkning i hoved- og gennemsejlingsfarvande samt til sikker ankerplads i danske farvande.

*Stk. 2.* Søfartsstyrelsen udfører og afholder omkostninger ved farvandsafmærkning i grønlandske farvande langs kysterne og ind til større byer.

§ 6. Omkostninger ved farvandsafmærkning, der ikke er omfattet af § 5, afholdes af den, som ved sin tilstedeværelse skaber et behov for farvandsafmærkning, herunder vedkommende ejere af havne, broer, vindmølleparker, offshoreanlæg, kabel- og rørledninger.

§ 7. Spørgsmål om afgrænsningen mellem § 5 og § 6 afgøres af Søfartsstyrelsen.

#### *Tilladelse*

§ 8. Der må ikke etableres farvandsafmærkning omfattet af § 6 uden tilladelse fra Søfartsstyrelsen.

*Stk. 2.* Søfartsstyrelsen giver tilladelse til etablering, ændring eller inddragelse af farvandsafmærkning og navigationssystemer efter ansøgning.

*Stk. 3.* Ansøgningen i henhold til stk. 2, skal som minimum indeholde oplysninger om:

- 1) Formål.
- 2) Position.
- 3) Driftsperiode (eksempelvis helårlig eller sæsonbestemt).
- 4) Tidspunkt for etablering, ændring eller inddragelse.
- 5) Afmærkningens type i henhold til publikationen, Afmærkning af danske farvande, der findes på Søfartsstyrelsens hjemmeside.
- 6) Ansøgers kontaktoplysninger.
- 7) Ejers kontaktoplysninger.
- 8) Kontaktoplysninger på den, der vedligeholder afmærkningen.

*Stk. 4.* Tilladelsen gives på nærmere vilkår om varsling, etablering, drift, vedligeholdelse, inddragelse m.v.

*Stk. 5.* Tilladelsen kan inddrages, såfremt de fastsatte vilkår ikke efterkommes.

*Stk. 6.* Tilladelsen kan inddrages, hvis sejladsikkerhedsmæssige betragtninger eller ændret anvendelse af farvandet gør dette nødvendigt.

§ 9. For anlæg i dansk afmærkningsområde, der drives med henblik på produktion af energi fra vedvarende energikilder, finder bestemmelserne i kapitel 3 i bekendtgørelse om kontaktpunkt og tidsfrister for VE-tilladelsesprocessen anvendelse ved ansøgning om tilladelse efter § 8.

#### *Påbud*

§ 10. Søfartsstyrelsen kan meddele påbud om vedligeholdelse, etablering, drift, ændring og inddragelse af farvandsafmærkning, der ikke er omfattet af § 5.

*Stk. 2.* Søfartsstyrelsens påbud efter stk. 1 indeholder nærmere vilkår om udførsel og en tidsramme for, hvornår påbuddet skal være gennemført.

*Stk. 3.* Omkostninger i forbindelse med påbud afholdes af afmærkningsejer, eller den som ved sin tilstedeværelse skaber et behov for farvandsafmærkning, jf. § 6.

#### *Forbud*

§ 11. Der må ikke:

- 1) anbringes genstande i farvandene, der kan påvirke skibes sikre navigation,
- 2) etableres lysreklamer belysning, skiltning eller andre indretninger, der kan påvirke skibes sikre navigation, eller
- 3) foretages fortøjning, fastgøring af fiskeredskaber m.v. til farvandsafmærkning.

*Stk. 2.* Undervandsarbejder må ikke foretages uden afmærkningsejers tilladelse nærmere end 200 meter ved bundfast farvandsafmærkning eller nærmere end 50 meter plus 3 gange vanddybden ved flydende farvandsafmærkning.

### *Beskadigelse af farvandsmærkning*

**§ 12.** Ved påsejling og anden beskadigelse af farvandsafmærkning som anført i § 5 holdes skadesvolder i størst muligt omfang ansvarlig for udgifter til udbedring af skaden, hvis det er muligt og økonomisk forsvarligt for staten at finde frem til og rette kravet mod skadevolder.

**§ 13.** Beskadigelse eller opståede fejl og mangler ved farvandsafmærkning, der ikke umiddelbart kan afhjælpes, skal straks indberettes til Søfartsstyrelsen.

*Stk. 2.* Meddelelse om endelig udbedring af fejl og mangler skal ligeledes indberettes til Søfartsstyrelsen.

**§ 14.** Oplysning om ændringer i farvandsafmærkning i dansk og grønlandsk afmærkningsområde bekendtgøres i Efterretninger for Søfarende på Søfartsstyrelsens hjemmeside.

### *Strafbestemmelser og foranstaltninger*

**§ 15.** Overtrædelse af §§ 8, 10, 11 og § 13 i dansk afmærkningsområde straffes med bøde eller fængsel i indtil 1 år.

*Stk. 2.* Straffen kan stige til fængsel i indtil 2 år, hvis der:

- 1) ved overtrædelsen er sket skade på liv eller helbred eller fremkaldt fare herfor,
- 2) tidligere er afgivet forbud eller påbud for samme eller tilsvarende forhold, eller
- 3) ved overtrædelsen er opnået eller tilsigtet en økonomisk fordel for den pågældende selv eller andre.

*Stk. 3.* Der kan pålægges selskaber m.v. (juridiske personer) strafansvar efter reglerne i straffelovens 5. kapitel.

**§ 16.** Der kan for overtrædelse af §§ 8, 10, 11 og § 13 i grønlandsk afmærkningsområde fastsættes foranstaltninger i henhold til kriminalloven for Grønland.

*Stk. 2.* Ved udmålingen skal det betragtes som en skærpende omstændighed, hvis der:

- 1) ved overtrædelsen er sket skade på liv eller helbred eller fremkaldt fare herfor,
- 2) tidligere er afgivet forbud eller påbud for samme eller tilsvarende forhold ved overtrædelsen er opnået, eller
- 3) tilsigtet en økonomisk fordel for den pågældende selv eller andre.

*Stk. 3.* Sker der ikke i medfør af kriminallovens bestemmelser konfiskation af udbytte, som er opnået ved overtrædelsen, skal der ved udmåling af bøde, herunder tillæggsbøde, tages særligt hensyn til størrelsen af en opnået eller tilsigtet økonomisk fordel.

*Stk. 4.* Er en overtrædelse begået af selskaber m.v. (juridiske personer), kan der pålægges den juridiske person som sådan bødeansvar. Er overtrædelsen begået af staten, Grønlands Selvstyre, en kommune, eller en bygdebestyrelse, kan der pålægges vedkommende offentlige myndighed som sådan bødeansvar.

*Stk. 5.* Såfremt en person ikke er bosat i Grønland, eller personens tilknytning til det grønlandske samfund i øvrigt har en sådan løsere karakter, at forudsætningerne for anvendelse af foranstaltninger ikke er til stede, kan sagen anlægges eller henvises til forfølgning i Danmark, jf. § 7 i kriminalloven for Grønland.

### *Ikrafttræden m.v.*

**§ 17.** Bekendtgørelsen træder i kraft den 30. juni 2021.

*Stk. 2.* Samtidig ophæves bekendtgørelse nr. 45 af 22. januar 2015 om afmærkning m.v. i dansk afmærkningsområde for dansk og grønlandsk afmærkningsområde (Afmærkningsbekendtgørelsen).

*Stk. 3.* Bekendtgørelse nr. 229 af 4. april 1989 om afmærkning m.v. i dansk afmærkningsområde vil dog fortsat være gældende for Færøerne.

*Søfartsstyrelsen, den 29. juni 2021*

JAN THORN

/ Kristina Ravn



- <sup>1)</sup> Bekendtgørelsen indeholder bestemmelser, der gennemfører dele af Europa-Parlamentets og Rådets direktiv 2018/2001/EU af 11. december 2018 om fremme af anvendelse af energi fra vedvarende energikilder, EU-Tidende 2018, nr. L 328, side 82.



# Lovtidende A

2015

Udgivet den 18. december 2015

16. december 2015.

Nr. 1674.

## Bekendtgørelse af anordning om ikrafttræden for Grønland af lov om sikkerhed til søs

Herved bekendtgøres anordning nr. 71 af 29. januar 2013 om ikrafttræden for Grønland af lov om sikkerhed til søs med de ændringer, der følger af anordning nr. 1031 af 24. august 2015.

### Kapitel 1

#### *Lovens anvendelsesområde på danske og udenlandske skibe*

§ 1. Loven finder anvendelse på danske skibe, herunder skibe hjemmehørende i Grønland. For krigsskibe og troppe-transportskibe finder dog alene kapitel 3, § 17, stk. 3, og kapitel 12 anvendelse.

Stk. 2. Erhvervs- og vækstministeren kan fastsætte regler om, hvilke genstande, der skal anses som skibe.

Stk. 3. Erhvervs- og vækstministeren kan fastsætte regler om, at loven og de i medfør af denne udstedte forskrifter helt eller delvis skal finde anvendelse på andre danske og udenlandske skibe i grønlandsk havn, på grønlandsk søterritorium, i de eksklusive økonomiske zoner samt på grønlandsk kontinentalsokkelområde og fiskeriterritorium. Færøske skibe sidestilles i denne lov med skibe, som er udenlandske.

### Kapitel 2

#### *Forskrifter vedrørende skibes bygning, udstyr og drift m.v.*

§ 2. Ethvert skib skal være bygget og udstyret og skal drives således, at menneskeliv på søen er sikret fuldt betryggende, og således, at det er egnet til det formål, det til enhver tid er bestemt for. Der skal tages mest muligt hensyn til beskyttelse mod forurening.

Stk. 2. Skibet skal være forsynet med navigeringsmidler, maskinanlæg, radioanlæg, redningsmateriel, lægemidler samt brandsikrings- og brandslukningsmidler i et sådant omfang, at de ombordværende, skibet og ladningen er sikret bedst muligt.

Stk. 3. Skibets arbejdssteder og opholdsrum m.v. skal være indrettet således, at der tages mest muligt hensyn til sikkerheden og sundhedstilstanden om bord og de ombordværendes velbefindende samt deres beskyttelse mod skadelige påvirkninger.

Stk. 4. Skibet skal være forsynet med konstruktionsmæssige og tekniske indretninger til beskyttelse mod forurening.

§ 3. Erhvervs- og vækstministeren kan fastsætte regler om skibes bygning, udstyr og drift, herunder om,

- 1) hvornår og efter hvilke retningslinjer et skib skal synes, eftersyn, godkendelse og afprøvning af materiel, krav, der skal stilles til skibes stabilitet, lastelinjer og dybgangsmærker, og rederens og skibsførerens pligter i forbindelse hermed, samt om værfters og andre virksomheders anmeldelse af ombygninger af skibe,
- 2) sikkerhedsstyringssystemer for skibe og rederier,
- 3) hvilke love, forskrifter, certifikater og skibsbøger, herunder skibsplaner i forbindelse med forebyggelse af forurening fra skibe, samt tilsynsbøger der skal være om bord, og om autorisation, indretning og førelse af bøgerne, samt om, hvilke opslag der skal være anbragt om bord,
- 4) skibsjournaler i forbindelse med forebyggelse af forurening, herunder om autorisation af journalerne og ansvaret for disses førelse og opbevaring, samt om kontrollen hermed,
- 5) maritim sikring med sigte på at forebygge terrorhandlinger m.v. mod skibe,
- 6) hjælpemidler og materialer, om disses indretning og mærkning, anvendelse, vedligeholdelse og pasning, om sikkerhedsarbejdet, om rederens og andre arbejdsgivers pligter i forbindelse med de søfarendes arbejds- og levevilkår om bord, herunder de sikkerheds- og sundhedsmæssige forhold, hvorunder arbejde om bord, som ikke er omfattet af lov om arbejdsmiljø, skal udføres,
- 7) skibets sikkerheds-, brand- og redningstjeneste, sundhedsforholdene og renligheden om bord, sygdomsbehandlernes sundhedsuddannelse, arbejdsmedicinske undersøgelser, udgifternes afholdelse i forbindelse hermed, samt rederens og andre arbejdsgivers og arbejdstagerens pligter i denne forbindelse,
- 8) ansvarsområdet for skibsofficerer og andre om bord, der har ledende stillinger,
- 9) forebyggelse mod at få blindpassagerer om bord samt behandlingen af blindpassagerer om bord,
- 10) mærkning, lastning, transport og losning af farligt gods og anden ladning, der kræver særlige foranstaltninger af hensyn til skibets og menneskelivs sikker-

hed og beskyttelse mod forurening, herunder om terminaloperatørens kvalitetsstyringssystemer for lastning og losning af bulkskibe, og

11) transport af levende dyr.

*Stk. 2.* Erhvervs- og vækstministeren kan fastsætte regler om skærpede sikkerhedskrav for skibe, hvis sejlads i arktiske farvande udgør en særlig risiko for ombordværende på skibet eller det arktiske miljø, herunder regler om brug af lods, der er certificeret til sejlads i det pågældende område.

**§ 4.** Erhvervs- og vækstministeren kan fastsætte regler om levering, markedsføring og fremstilling af fritidsfartøjer, skibsstyr, personlige værnemidler og andre produkter, som anvendes om bord i skibe.

*Stk. 2.* Erhvervs- og vækstministeren kan fastsætte regler om forhold, som afsenderen skal iagttage ved transport af gods til søs.

*Stk. 3.* Erhvervs- og vækstministeren fastsætter regler om undersøgelse af ulykker til søs, der vedrører danske skibe, samt ulykker til søs med anden tilknytning til Danmark, herunder om

- 1) meldepligt og fjernelse af vragele i forbindelse med søulykker med henblik på at sikre undersøgelsesmulighederne,
- 2) samarbejde med udenlandske myndigheder,
- 3) begrænsning i adgangen til aktindsigt, indtil undersøgelsen er afsluttet, og
- 4) offentliggørelse af rapporter om undersøgelserne, herunder om offentliggørelse af oplysninger om personers helbredsmæssige forhold, hvor dette sker for at forebygge fremtidige ulykker eller begrænse disses konsekvenser.

*Stk. 4.* Søfartsstyrelsen kan påbyde, at den, der markedsfører et fartøj eller et produkt som nævnt i stk. 1, og som anvendt i overensstemmelse med sin bestemmelse kan frembyde fare for sikkerhed, sundhed eller miljø, skal træffe de nødvendige foranstaltninger til afværgelse heraf. Det kan herunder påbydes,

- 1) at levering eller markedsføring af de pågældende fartøjer eller produkter skal standses, og
- 2) at de pågældende produkter eller fartøjer skal tilbagekaldes fra markedet.

**§ 5.** For skibe, hvis køl er lagt, eller som er på tilsvarende konstruktionsstadium, på det tidspunkt da nye regler udstedt efter §§ 3 og 4 træder i kraft, kan det fastsættes, at de nye regler ikke eller ikke i fuldt omfang skal finde anvendelse. Der skal herved tages rimeligt hensyn til beskyttelse mod forurening, sikkerheds- og sundhedsmæssige forhold samt skibets art og anvendelse.

*Stk. 2.* For skibe under 20 BRT, med en bruttotonnage under 20 eller med en længde under 15 m og for bevaringsværdige skibe kan der fastsættes lempeligere regler, der fraviger bestemmelserne i § 2.

## Kapitel 3

### *Forholdsregler for sejladsen m.v.*

**§ 6.** Erhvervs- og vækstministeren kan fastsætte regler, træffe foranstaltninger og meddele generelle og konkrete forbud eller påbud til sikring af sejladsen, overholdelse af orden og forebyggelse af fare samt til forebyggelse af, at der lægges den frie sejlads hindringer i vejen, herunder om

- 1) forbud mod sejlads, fiskeri, ankring og dykning i særlige områder,
- 2) søvejsregler, fartrestriktioner og ruteforløb,
- 3) meldesystemer og rutesystemer, radarovervågning og anvendelse af afviserfartøjer,
- 4) godkendelse af hurtigfærger,
- 5) broer,
- 6) beskyttelse af søkabler og undersøiske rørledninger,
- 7) oprettelse af zoner til overholdelse af orden og forebyggelse af fare omkring havanlæg og i forbindelse med anlægsarbejder,
- 8) vagthold i skibe, og
- 9) bistand til redning af menneskeliv på søen.

**§ 7.** Erhvervs- og vækstministeren kan pålægge enhver fører af skib under dansk flag igennem optagelse og videre-sendelse af meteorologiske observationer at bidrage til opretholdelse af en vejrtjeneste i et sådant omfang, som kræves af hensyn til sejladssikkerheden.

*Stk. 2.* Trafikministeren træffer efter forhandling med erhvervs- og vækstministeren de fornødne foranstaltninger til Danmarks medvirken ved opretholdelsen af en international vejrtjeneste til betryggelse af skibsfarten.

**§ 8.** Når forholdene gør det påkrævet, etableres der efter erhvervs- og vækstministerens nærmere bestemmelse navigationssystemer og afmærkning til hjælp for pladsbestemmelse og sejlads i dansk afmærkningsområde.

*Stk. 2.* Etablering og vedligeholdelse af navigationssystemer og afmærkning til hjælp for pladsbestemmelse og sejlads i hoved- og gennemsejlingsfarvande samt til sikker ankerplads udføres for statens regning ved Søfartsstyrelsens foranstaltning.

*Stk. 3.* Navigationssystemer og afmærkning, der ikke er omfattet af stk. 2, udføres og vedligeholdes af vedkommende havnevæsen, brobestyrelse m.v., der tillige afholder udgifterne i forbindelse hermed.

*Stk. 4.* Spørgsmål om afgrænsning mellem stk. 2 og 3 afgøres af erhvervs- og vækstministeren.

**§ 8 a.** Erhvervs- og vækstministeren kan efter forhandling med forsvarsministeren fastsætte regler om overvågningen af danske og grønlandske farvande og skibes anløb af havne, herunder om pligt til at foretage indberetning om de skibe, der besejler de i § 1, stk. 3, nævnte farvandsområder og havne, om de ombordværende og om skibenes last m.v.

## Kapitel 4

### *Almindelige pligter*

**§ 9.** Rederen skal sikre, at reglerne i denne lov og regler udstedt i medfør af loven vedrørende skibet og dets drift

overholdes. Rederen skal sørge for, at skibet gennemgår de lovpligtige syn og er forsynet med gyldige certifikater. Rederen skal tillige sørge for, at skibsføreren har mulighed for at opfylde de forpligtelser, der påhviler denne. Forpligtelserne efter 1-3. pkt. påhviler rederen, uanset om andre organisationer, virksomheder eller personer opfylder visse af opgaverne eller pligterne på rederens vegne.

*Stk. 2.* Har rederen helt eller delvis overladt de pligter og ansvarsområder, som er omfattet af den kode om sikker skibsdrift, som er fastsat af FN's Internationale Maritime Organisation, til en anden organisation eller person, finder stk. 1 tillige anvendelse for den pågældende, for så vidt angår de overtagne pligter og ansvarsområder.

**§ 10.** Skibsføreren skal sørge for, at skibet er i sikkerheds- og sundhedsmæssigt forsvarlig stand, og at arbejdet om bord kan tilrettelægges således, at det kan udføres sikkerheds- og sundhedsmæssigt forsvarligt. Skibsføreren skal tillige sørge for, at foreskrevne konstruktionsmæssige og tekniske indretninger til beskyttelse mod forurening er i forsvarlig stand og kan benyttes efter formålet.

**§ 11.** Den, der leder arbejdet om bord, skal sørge for, at de ansatte er tilstrækkeligt beskyttet mod ulykkestilfælde og sundhedsfarlig påvirkning og skal ved instruktion og tilsyn sikre, at arbejdet udføres på forsvarlig måde under hensyn til ulykkes- og sundhedsrisikoen.

**§ 12.** De ansatte om bord skal medvirke til, at de foranstaltninger, der er truffet for at sikre mod ulykker eller skadelige påvirkninger, virker efter deres hensigt.

**§ 13.** Det påhviler enhver ombordværende at respektere de sikkerhedsforanstaltninger, som træffes om bord af hensyn til skibets sødygtighed og de ombordværendes sikkerhed.

## Kapitel 5

### *Tilbageholdelse og anløbsforbud*

**§ 14.** Er det som følge af fejl eller mangler ved skrog, maskineri, sikkerhedsudstyr, placering af ballast og ladning, bemanning eller af andre grunde forbundet med fare for ombordværendes sikkerhed eller sundhed eller fare for forurening at lade et skib gå til søs eller fortsætte sejladsen, kan Søfartsstyrelsen tilbageholde skibet.

*Stk. 2.* Søfartsstyrelsen kan endvidere tilbageholde et skib, hvis skibet mangler foreskrevne certifikater, dokumenter eller udstyr, eller dette er fejlbehæftet. Ligeledes kan Søfartsstyrelsen tilbageholde et skib, såfremt rederen, føreren eller den, der handler på disses vegne, lægger Søfartsstyrelsen hindringer i vejen for en forsvarlig udøvelse af dens pligter.

*Stk. 3.* Søfartsstyrelsen kan fastsætte regler om udstedelse af forbud mod, at et skib forlader en havn på grund af ugunstige vejr-, sø- eller isforhold.

*Stk. 4.* Afgørelsen om skibets tilbageholdelse skal snarest muligt meddeles føreren eller rederen med oplysning om grunden til tilbageholdelsen og om de vilkår, hvorunder frigivelse kan finde sted. Søfartsstyrelsen kan betinge frigivel-

sen af et skib af, at udstederen af skibets certifikater har kontrolleret og bekræftet, at certificeringen kan opretholdes.

*Stk. 5.* Søfartsstyrelsen kan foranledige, at der træffes forholdsregler til at hindre skibets afgang. I udlandet kan afgørelsen om tilbageholdelse anmeldes til den stedlige danske repræsentation, der efter anmodning fra Søfartsstyrelsen kan foranledige, at der træffes forholdsregler til at hindre skibets afgang.

**§ 15.** Søfartsstyrelsen kan udstede anløbsforbud, hvor dette er hjemlet i EU-regler eller internationale bestemmelser. Når der er udstedt et anløbsforbud over for et skib, kan Søfartsstyrelsen give tilladelse til anløb af en bestemt grønlandsk havn, hvis skibets fortsatte sejlads indebærer risiko for tab af menneskeliv, skade på havmiljøet, eller hvis bydende nødvendige sikkerhedshensyn gør det påkrævet, eller med henblik på at afhjælpe fejl og mangler.

**§ 16.** Kun de medarbejdere i Søfartsstyrelsen, som er bemyndiget dertil, kan tilbageholde skibe, jf. § 14, stk. 1 og 2. Havnefogder (havnemestre) kan dog af Søfartsstyrelsen bemyndiges til foreløbigt at tilbageholde et skib.

*Stk. 2.* Søfartsstyrelsen kan informere andre lande, klassifikationsselskaber, Europa-Kommissionen, Det Europæiske Agentur for Søsikkerhed eller andre organisationer eller personer om konstaterede fejl eller mangler på skibe og andre oplysninger af betydning for sikkerheden eller miljøet og om skibe, der er blevet tilbageholdt eller er meddelt anløbsforbud, herunder om navnet på skibets klassifikationsselskab, befragter m.v. og årsagen til tilbageholdelsen eller anløbsforbuddet.

*Stk. 3.* Erhvervs- og vækstministeren kan fastsætte nærmere regler om Søfartsstyrelsens tilbageholdelse af skibe og meddelelse af anløbsforbud, herunder om underretning af politi og havnemyndigheder m.v. Erhvervs- og vækstministeren kan endvidere fastsætte regler om fremgangsmåden ved og betingelserne for ophævelse af tilbageholdelser eller anløbsforbud.

*Stk. 4.* Søfartsstyrelsens afgørelse om tilbageholdelse af et skib og anløbsforbud kan af vedkommende rederi indbringes for Ankenævnet for Søfartsforhold.

## Kapitel 6

### *Tilsyn m.v.*

**§ 17.** Erhvervs- og vækstministeren er øverste administrative myndighed i spørgsmål vedrørende denne lov, jf. dog stk. 3, § 7, stk. 2, § 8 og § 21, stk. 3.

*Stk. 2.* Søfartsstyrelsen varetager administrationen af denne lov, jf. dog § 7, stk. 2, § 8 og § 20 a og har til opgave at

- 1) påse, at loven og de i medfør heraf fastsatte regler, påbud og forbud overholdes,
- 2) godkende skibes anvendelse, herunder det tilladte fartsområde og passagerantal, og i forbindelse hermed udstede de fornødne certifikater og anden dokumentation, og
- 3) holde sig orienteret om den tekniske og sociale udvikling inden for lovens område og medvirke til sikker-

heds-, sundheds- og miljømæssige forbedringer af skibe samt deres udstyr og drift.

*Stk. 3.* Forsvarsministeren kan fastsætte regler om sikkerhed og sundhed for de i § 1, stk. 1, 2. pkt., nævnte skibe. Tilsyn med overholdelsen af de i 1. pkt. nævnte regler føres af forsvarsministeren.

*Stk. 4.* Erhvervs- og vækstministeren fører kontrol med navigationssystemer og afmærkning og kan fastsætte nærmere regler herom, herunder om reglernes anvendelse på udenlandske skibe.

*Stk. 5.* Erhvervs- og vækstministeren kan bemyndige Søfartsstyrelsen til at udøve de beføjelser, der i denne lov er tillagt erhvervs- og vækstministeren.

*Stk. 6.* Ministeren kan fastsætte regler om kundgørelsen af de i medfør af loven udstedte forskrifter og kan bestemme, at internationale vedtagelser inden for lovens område skal være gældende, uanset at de ikke foreligger på dansk eller grønlandsk. Ministeren kan endvidere bestemme, at skibe skal opfylde forskrifter fastsat af anerkendte klassifikations-selskaber m.v., uanset at de ikke foreligger på dansk eller grønlandsk.

*Stk. 7.* Erhvervs- og vækstministeren kan i øvrigt efter aftale med vedkommende minister fastsætte regler om Søfartsstyrelsens samarbejde med andre offentlige myndigheder og havne og beslutte, at erhvervs- og vækstministerens og Søfartsstyrelsens beføjelser efter loven udøves af andre offentlige myndigheder.

*Stk. 8.* Erhvervs- og vækstministeren kan fastsætte regler om klageadgang, herunder om at Søfartsstyrelsens og andre offentlige myndigheders afgørelser truffet i medfør af loven ikke kan indbringes for anden administrativ myndighed.

**§ 17 a.** Erhvervs- og vækstministeren kan fastsætte regler om, at skriftlig kommunikation til og fra myndigheder om forhold, som er omfattet af denne lov eller af regler udstedt i medfør af denne lov, skal foregå digitalt.

*Stk. 2.* Erhvervs- og vækstministeren kan fastsætte nærmere regler om digital kommunikation, herunder om anvendelse af bestemte it-systemer, særlige digitale formater og digital signatur el.lign.

*Stk. 3.* En digital meddelelse anses for at være kommet frem, når den er tilgængelig for adressaten for meddelelsen.

**§ 17 b.** Erhvervs- og vækstministeren kan fastsætte regler om, at myndighederne kan udstede afgørelser og andre dokumenter efter denne lov eller efter regler udstedt i medfør af denne lov uden underskrift, med maskinelt eller på tilsvarende måde gengivet underskrift eller under anvendelse af en teknik, der sikrer entydig identifikation af den, som har udstedt afgørelsen eller dokumentet. Sådanne afgørelser og dokumenter sidestilles med afgørelser og dokumenter med personlig underskrift.

*Stk. 2.* Erhvervs- og vækstministeren kan fastsætte regler om, at afgørelser og andre dokumenter, der udelukkende er truffet eller udstedt på grundlag af elektronisk databehandling, kan udstedes alene med angivelse af den pågældende myndighed som afsender.

**§ 18.** Søfartsstyrelsen kan påbyde, at forhold, der strider mod loven eller regler eller afgørelser i medfør af loven, skal bringes i orden straks eller inden en nærmere fastsat frist.

**§ 19.** Søfartsstyrelsens medarbejdere har, hvis det skønnes nødvendigt i forbindelse med deres hverv, til enhver tid mod behørig legitimation uden retskendelse adgang til at gå om bord i ethvert skib, der er omfattet af loven, for at udføre deres opgaver. På samme måde har Søfartsstyrelsens medarbejdere adgang til lokaler, hvorfra der udføres erhvervsvirksomhed, som er omfattet af loven. 1. pkt. finder tilsvarende anvendelse for skibe under bygning.

*Stk. 2.* Det påhviler såvel skibets reder, fører og maskinchef som enhver, der handler på disses vegne, at yde Søfartsstyrelsen den nødvendige bistand ved dens undersøgelser og give enhver oplysning i forbindelse hermed.

*Stk. 3.* (Ikke sat i kraft for Grønland).

*Stk. 4.* Søfartsstyrelsens medarbejdere skal ved udførelsen af hvervet drage omsorg for, at skibet ikke unødigt opholdes, og at arbejdet om bord ikke unødigt vanskeliggøres.

*Stk. 5.* Søfartsstyrelsen yder inden for rammerne af denne lov bistand til Europa-Kommissionen og Det Europæiske Agentur for Søfartssikkerhed vedrørende denne lov og forordninger inden for denne lovs område.

**§ 20.** Erhvervs- og vækstministeren kan fastsætte regler om indberetningspligt i forbindelse med skibes anløb af danske, herunder grønlandske, eller udenlandske havne.

*Stk. 2.* Politiet kan standse et fritidsfartøj og lade det undersøge for fejl og mangler, herunder fornødent udstyr, samt kontrollere, at skibsføreren lovligt kan føre fartøjet. Opfylder fartøjet ikke bestemmelserne i loven eller de regler, der er udstedt i medfør af loven, kan politiet forbyde anvendelse af fartøjet, indtil forholdene er lovliggjorte.

*Stk. 3.* Politi, toldmyndigheder, arbejdstilsyn og havne-myndigheder, som får kendskab til forhold, der strider mod denne lov eller regler fastsat i medfør af loven, skal underrette Søfartsstyrelsen herom. Vedkommende myndighed kan fastsætte nærmere regler herom.

*Stk. 4.* En læge, der konstaterer eller får mistanke om, at en person har været udsat for skadelige påvirkninger i forbindelse med sit arbejde om bord i et skib, skal underrette arbejdstilsynet herom. Erhvervs- og vækstministeren kan fastsætte nærmere regler herom.

*Stk. 5.* Erhvervs- og vækstministeren kan fastsætte regler om pligt til anmeldelse af arbejdsulykker, forgiftningstilfælde, erhvervssygdomme og andre forhold af sikkerheds- og sundhedsmæssig betydning.

**§ 20 a.** Søfartsstyrelsen kan som led i tilsynsvirksomheden efter denne lov tillige føre tilsyn med overholdelsen af lov om skibes besætning, lov om skibsmåling og §§ 153, 186, 197, 198 og 471 i søloven og regler udstedt i medfør heraf. Søfartsstyrelsen kan påbyde, at forhold, der strider mod de nævnte love eller regler, der er udstedt i medfør heraf, bringes i orden straks eller inden en nærmere angiven frist.

*Stk. 2.* § 16, stk. 2, § 17, stk. 9 og 10, § 19, § 22 og § 24 og de regler, der er udstedt i medfør heraf, samt § 25 finder tilsvarende anvendelse på tilsynsvirksomheden efter stk. 1.

*Stk. 3.* Erhvervs- og vækstministeren kan fastsætte regler om det tilsyn, som udføres efter denne lov, og om behandling af klager fra søfarende m.fl., herunder at det ikke må oplyses, at tilsynsbesøg foretages som følge af en klage.

**§ 20 b.** (Sættes ikke i kraft for Grønland).

## Kapitel 7

### *Ankenævnet for Søfartsforhold*

**§ 21.** Erhvervs- og vækstministeren nedsætter et Ankenævn for Søfartsforhold, der behandler klager over tilbageholdelse af skibe og forbud imod anløb af dansk havn, påbud og forbud over for skibe, som er meddelt i henhold til § 43 eller § 43 a, stk. 1 eller 2, i lov om beskyttelse af havmiljøet, fastsættelse af skibes besætning samt søfartslægers afgørelser om søfarendes og fiskeres helbredsmæssige egnethed til skibstjeneste.

*Stk. 2.* Erhvervs- og vækstministeren kan henlægge behandlingen af klager over andre afgørelser end de i stk. 1 nævnte til Ankenævnet for Søfartsforhold.

*Stk. 3.* Nævnets afgørelser kan ikke indbringes for anden administrativ myndighed. Senest 4 uger efter at nævnet har truffet afgørelse, kan sagen af hver af parterne indbringes for domstolene. Retssag anlægges mod den myndighed, hvis afgørelse er påklaget til nævnet. Sager vedrørende søfartslægers afgørelser om egnethed til skibstjeneste anlægges dog altid mod Søfartsstyrelsen. Retssag, som rejses af den myndighed, hvis afgørelse er påklaget til nævnet, anlægges mod den part, som har påklaget afgørelsen. Den myndighed, hvis afgørelse er påklaget til nævnet, skal underrette andre, der har været part i sagen for nævnet, om søgsmålet.

*Stk. 4.* Nævnet består af en formand og et antal sagkyndige medlemmer. For formanden kan udpeges en stedfortræder. Formanden og stedfortræderen for formanden skal være landsdommere. Nævnets sagkyndige medlemmer skal have kendskab til søfartsforhold, herunder tekniske, nautiske eller søfartsmedicinske forhold.

*Stk. 5.* Formanden og nævnets medlemmer samt stedfortræderen for formanden udnævnes af erhvervs- og vækstministeren for en periode af 4 år med mulighed for genudnævnelse.

*Stk. 6.* Ved afgørelsen af den enkelte sag deltager et antal medlemmer udpeget af formanden efter regler fastsat af erhvervs- og vækstministeren.

*Stk. 7.* Erhvervs- og vækstministeren fastsætter regler om nævnets virksomhed, herunder udpegning af nævnets medlemmer og formandens sammensætning af nævnet i de enkelte sager, samt om klagefrister og sagsbehandling.

*Stk. 8.* Søfartsstyrelsen er sekretariat for Ankenævnet for Søfartsforhold.

## Kapitel 8

### *Klassifikationsselskaber m.v.*

**§ 22.** Erhvervs- og vækstministeren kan på nærmere angivne vilkår autorisere klassifikationsselskaber, andre virksomheder eller enkeltpersoner til på Søfartsstyrelsens vegne at foretage syn af skibe, herunder at foretage beregninger, undersøgelser og opmålinger af skibe, samt at udstede certifikater.

*Stk. 2.* Erhvervs- og vækstministeren kan på nærmere angivne vilkår autorisere virksomheder eller enkeltpersoner til at foretage godkendelsesarbejde samt undersøgelser af og prøver med skibe, skibsudstyr og andre produkter, der skal være godkendt af Søfartsstyrelsen.

*Stk. 3.* Erhvervs- og vækstministeren kan fastsætte regler om anerkendelse af prøvninger og godkendelser m.v.

*Stk. 4.* Søfartsstyrelsen er ikke erstatningsansvarlig for fejl begået af de i stk. 1 og 2 nævnte autoriserede virksomheder m.v.

*Stk. 5.* Søfartsstyrelsen er ikke forpligtet til selv at udføre syn og foretage godkendelser, der er omfattet af en autorisation, som er udstedt i medfør af stk. 1 eller 2.

*Stk. 6.* Når der udstedes autorisation i medfør af stk. 1 eller 2, kan Søfartsstyrelsen, såfremt den, der autoriseres, ønsker det, indgå aftale om begrænsning af den autoriseredes ansvar for skader, der indtræffer på grund af simpel uagtsomhed under udførelse af de opgaver, som autorisationen omfatter.

**§ 23.** Erhvervs- og vækstministeren kan fastsætte regler om, at skibe med en længde på 45 m og derover skal være optaget i registeret hos et autoriseret klassifikationsselskab.

## Kapitel 9

### *Betaling og sikkerhedsstillelse i forbindelse med afholdelse af syn og tilbageholdelser*

**§ 24.** Erhvervs- og vækstministeren kan fastsætte regler om betaling for Søfartsstyrelsens udførelse af syn af skibe, som foretages i medfør af loven.

*Stk. 2.* Erhvervs- og vækstministeren kan fastsætte regler om betaling for syn, som foretages efter anmodning, herunder syn af udenlandske skibe, og om betaling for arbejde, som udføres i forbindelse med godkendelser eller certificeringer, som foretages i medfør af loven.

*Stk. 3.* Konstatere der ved havnestatskontrol af et udenlandsk skib fejl, som gør tilbageholdelse af skibet berettiget, kan Søfartsstyrelsen opkræve betaling for kontrollen. Tilbageholdelsen ophæves ikke, før der er sket fuldstændig betaling eller stillet sikkerhed herfor.

*Stk. 4.* Erhvervs- og vækstministeren kan fastsætte regler om forrentning af beløb efter stk. 1-3, der ikke betales til forfaldstid, og om betaling af rykkergebyr.

**§ 25.** De i §§ 22 og 23 nævnte klassifikationsselskaber, andre virksomheder og enkeltpersoner kan kræve betaling for deres arbejde.

## Kapitel 10

### Skibstilsynsrådet

§ 26. Erhvervs- og vækstministeren nedsætter Skibstilsynsrådet, der

- 1) rådgiver Erhvervs- og Vækstministeriet og Søfartsstyrelsen vedrørende sikkerhed til søs,
- 2) følger udviklingen inden for lovens område, og
- 3) fremsætter ønsker og forslag vedrørende lovgivningen om sikkerhed til søs og den dertil knyttede administration.

Stk. 2. Skibstilsynsrådet består af en af ministeren udnævnt formand samt i øvrigt af et af ministeren nærmere fastsat antal medlemmer omfattende repræsentanter for rederne, de søfarende og skibsværfterne. Ministeren kan udpege repræsentanter for andre erhverv som medlemmer.

Stk. 3. Erhvervs- og vækstministeren fastsætter rådets forretningsorden.

## Kapitel 11

### Arbejds miljøråd og arbejds miljøtjenester

§ 27. Erhvervs- og vækstministeren kan oprette arbejds miljøråd, som har til formål at fremme de ansattes sikkerhed og sundhed om bord. Arbejds miljørådene sammensættes med et ligeligt antal repræsentanter for arbejdstagere om bord og arbejdsgivere for disse. Skibstilsynsrådet fastsætter regler om udvælgelse af medlemmer til arbejds miljørådene.

Stk. 2. Til varetagelse af sikkerheds- og sundhedsarbejdet for personer, der arbejder om bord, opretter arbejds miljørådene en arbejds miljøtjeneste under deres område.

Stk. 3. Erhvervs- og vækstministeren kan yde tilskud til Fiskeriets Arbejds miljøråds arbejde med rådgivning, vejledning, information, analyser, målinger og øvrige forebyggelsesmæssige aktiviteter. Beløbets størrelse fastsættes på de årlige finanslove.

Stk. 4. Erhvervs- og vækstministeren fastsætter regler om arbejds miljørådenes og arbejds miljøtjenesternes opbygning, opgaver, funktioner og finansiering.

## Kapitel 12

### Foranstaltninger

§ 28. Der kan idømmes foranstaltninger over for den, der

- 1) overtræder §§ 9-13 eller § 19, stk. 2,
- 2) tilsidesætter vilkår knyttet til en tilladelse, dispensation eller godkendelse efter anordningen eller
- 3) ikke efterkommer påbud eller forbud, der er meddelt i henhold til loven eller i henhold til forskrifter udstedt i medfør af loven.

§ 29. Den, der foranlediger grundstødning, forlis eller anden søulykke ved grov fejl eller grov forsømmelse i tjenesten, kan idømmes foranstaltninger efter kriminalloven for Grønland. Det samme gælder, hvis den pågældende gentagne gange ved fejl eller forsømmelse foranlediger en sådan begivenhed.

Stk. 2. Den skibsfører, der på grov måde eller gentagne gange navigerer eller behandler skibet i strid med godt sømandskab, kan idømmes foranstaltninger efter kriminallo-

ven for Grønland. Den skibsfører, der undlader at gøre sig bekendt med de påbud og forskrifter, der gælder for skibsfarten i de farvande, skibet besejler, og på de steder, som skibet anløber, kan idømmes foranstaltninger efter kriminalloven for Grønland.

Stk. 3. Den skibsfører, der forsømmer sine forpligtelser efter sølovens § 135 vedrørende redning af de ombordværende, efter at skibet er kommet i havsnød, idømmes foranstaltninger efter kriminalloven.

§ 29 a. For spiritussejlads idømmes den, som fører skib eller i øvrigt udfører arbejde om bord på et skib i en stilling af væsentlig betydning for sikkerheden efter at have indtaget spiritus i et sådant omfang, at alkoholkoncentrationen i blodet under eller efter sejlads overstiger 0,50 promille, foranstaltninger efter kriminalloven for Grønland.

Stk. 2. Stk. 1 finder ikke anvendelse for fritidsfartøjer, hvortil der ikke er foreskrevet uddannelseskraft til fartøjets fører eller eventuelle styrmand. Førere af vandscootere og lignende fartøjer er dog omfattet af stk. 1.

Stk. 3. Stk. 1 finder ikke anvendelse, når et fritidsfartøj er fortøjet i havn.

Stk. 4. For spiritussejlads idømmes endvidere den, som fører skib eller i øvrigt udfører arbejde om bord på et skib i en stilling af væsentlig betydning for sikkerheden efter at have indtaget spiritus eller andre rusmidler i et sådant omfang, at vedkommende er ude af stand til at udføre sin tjeneste på fuldt betryggende måde, foranstaltninger efter kriminalloven for Grønland.

Stk. 5. Stk. 1 finder tilsvarende anvendelse for et udenlandsk fritidsfartøj, såfremt der ville have været foreskrevet uddannelseskraft til fartøjets fører eller eventuelle styrmand, jf. stk. 2, 1. pkt., hvis fartøjet havde ført dansk flag.

Stk. 6. Erhvervs- og vækstministeren kan fastsætte, at stk. 2, stk. 3 og stk. 5 helt eller delvis ikke skal finde anvendelse i grønlandske farvande.

§ 29 b. Politiet kan til enhver tid forlange, at personer, der er omfattet af bestemmelserne om spiritussejlads i denne lov, foretager en udåndingsprøve.

Stk. 2. Politiet kan fremstille en person til udtagelse af blod og urinprøve, hvis der er grund til at antage, at vedkommende har overtrådt bestemmelserne om spiritussejlads, eller vedkommende nægter eller ikke er i stand til at medvirke til udåndingsprøve. Når særlige omstændigheder taler derfor, kan politiet tillige fremstille den pågældende til undersøgelse af en læge.

### § 29 c. (Udelades)

§ 29 d. Den, som fører skib eller gør tjeneste som styrmand eller maskinmester, til trods for at retten hertil er frakendt den pågældende ubetinget, idømmes foranstaltninger efter kriminalloven for Grønland.

§ 29 e. Retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester kan ved dom frakendes den, som har gjort sig skyldig i spiritussejlads. Frakendelsen sker ubetinget, men kan under formildende omstændigheder dog ske betinget.

*Stk. 2.* Retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester kan under skærpende omstændigheder tillige frakendes i forbindelse med dom for overtrædelse af § 29, stk. 1 eller 2. Frakendelsen kan ske betinget.

*Stk. 3.* Ubetinget frakendelse efter stk. 1 og 2 sker for et tidsrum af mellem 6 måneder og 5 år eller for bestandig.

*Stk. 4.* Frakendes retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester ubetinget, sender anklagemyndigheden vedkommendes sønæringsbevis, duelighedsbevis eller speedbådsbevis og udskrift af dommen til Erhvervs- og Vækstministeriet. Er retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester frakendt nogen for længere tid end 3 år, kan spørgsmålet om generhvervelse af retten inden frakendelsestidens udløb indbringes for domstolene. Indbringelse sker efter reglerne i Kriminallov for Grønland §§ 164-165, og kan tidligst finde sted, når der er forløbet 2 år fra endelig dom. Retten kan kun gengives, når ganske særlige omstændigheder foreligger.

*Stk. 5.* Betinget frakendelse sker på vilkår af, at den pågældende i en prøvetid på 3 år fra endelig dom ikke fører skib eller gør tjeneste som styrmand eller maskinmester under sådanne omstændigheder, at retten hertil skal frakendes. Ved betinget frakendelse udsættes fastsættelse af frakendelsestiden. Begår den dømte i prøvetiden et nyt forhold, der medfører frakendelse af retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester, fastsætter retten en fælles frakendelse for dette forhold og den tidligere pådømte lovovertrædelse.

*Stk. 6.* Skønner politiet i tilfælde af spiritussejlads, at betingelserne for ubetinget frakendelse af retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester foreligger, kan politiet midlertidigt inddrage denne ret, dog således at retten, inden spørgsmålet endelig afgøres ved dommen, kan ophæve den af politiet truffene bestemmelse. Afsiges der frifindende dom i første instans, og dommen ankes af anklagemyndigheden, kan anklagemyndigheden, hvor forholdene særligt taler for at opretholde inddragelsen af retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester under anken, indbringe spørgsmålet for appelinstansen, der træffer afgørelse herom ved kendelse. Det tidsrum, hvori retten til at føre skib eller gøre tjeneste som styrmand eller maskinmester har været inddraget, fradrages i frakendelsestiden.

*Stk. 7.* Frakendes en skibsfører, styrmand eller maskinmester retten til at gøre tjeneste, bestemmes det ved dommen henholdsvis, om skibsføreren kan gøre tjeneste som styrmand, og om styrmanden eller maskinmesteren kan gøre tjeneste i stilling af lavere grad. Erhvervs- og vækstministeren meddeler i så fald den pågældende fornødent sønæringsbevis. Delvis frakendelse kan dog ikke finde sted, hvis den pågældende har gjort sig skyldig i spiritussejlads.

**§ 30.** Forsømmer skibsføreren i tilfælde af skibssammenstød, eller hvor skibet ved sin sejlads eller på lignende måde forårsager skade på et andet skib eller ombordværende personer eller gods, så vidt det kan ske uden særlig fare for eget skib, dets besætning og passagerer, at yde det andet skib og dets besætning og passagerer al hjælp, som er mulig og

fornøden til frelse fra den opståede fare, samt til at opgive sit eget skibs radiokaldesignal, navn og hjemsted såvel som sted eller havn, hvorfra det kommer, og hvortil det er bestemt, kan den pågældende idømmes foranstaltninger efter kriminalloven for Grønland.

**§ 31.** (Ikke sat i kraft for Grønland).

**§ 31 a.** Søfartsstyrelsen kan i sager om overtrædelse af regler udstedt i medfør af § 3, nr. 4, der ikke skønnes at ville medføre højere foranstaltninger end bøde, i et bødeforelæg tilkendegive, at sagen kan afgøres uden retssag, hvis den, der har begået overtrædelsen, erklærer sig skyldig i overtrædelsen og erklærer sig rede til inden for en nærmere angiven frist at betale en i bødeforelægget angivet bøde. Fristen kan efter anmodning forlænges af Søfartsstyrelsen.

*Stk. 2.* Retsplejeloven for Grønlands regler om krav til indholdet af et anlageskrift og om, at en sigtet ikke er forpligtet til at udtale sig, finder tilsvarende anvendelse på bødeforelæg.

*Stk. 3.* Vedtager den, der har begået lovovertrædelsen, bøden, bortfalder videre forfølgning.

**§ 31 b.** Hvis der om bord på et skib som led i dets drift er sket overtrædelse af denne lov, af lov om skibes besætning eller af forskrifter udstedt i medfør heraf, kan skibet tilbageholdes, hvis det er nødvendigt for at sikre et krav på betaling af bøde og sagsomkostninger. Tilbageholdelse kan dog ikke ske, hvis den, der havde rådighed over skibet, var uberettiget i besiddelse af skibet, da kravet opstod.

*Stk. 2.* Hvis bøde eller sagsomkostninger ikke er betalt, eller der ikke er stillet sikkerhed herfor inden for 2 måneder efter sagens endelige afgørelse, kan der søges fyldestgørelse i skibet.

*Stk. 3.* Tilbageholdelse foretages af politiet. Ved overtrædelse af bestemmelser udstedt i medfør af § 3, nr. 4, kan tilbageholdelse tillige foretages af Søfartsstyrelsen.

*Stk. 4.* Ved iværksættelse af tilbageholdelse i henhold til stk. 1 finder §§ 417-419 i den grønlandske retsplejelov om beslaglæggelse anvendelse med de ændringer, der følger af stk. 1-3.

**§ 32.** Sker der ikke konfiskation af udbytte, jf. Grønlands kriminallovs kapitel 37, som er opnået ved overtrædelsen, skal der ved udmåling af bøde, herunder tillægsbøde, tages særligt hensyn til størrelsen af en opnået eller tilsigtet økonomisk fordel.

*Stk. 2.* I forskrifter, der udstedes i medfør af loven, kan der fastsættes foranstaltninger i henhold til kriminalloven for Grønland.

*Stk. 3.* Er en overtrædelse begået af selskaber m.v. (juridiske personer) kan der pålægges den juridiske person som sådan bødeansvar. Er overtrædelsen begået af staten, Grønlands Selvstyre, en kommune, et kommunalt fællesskab, der er omfattet af § 64 i Landstingslov om kommunalbestyrelser og bygdebestyrelser m.v., eller en bygdebestyrelse, kan der pålægges vedkommende offentlige myndighed som sådan bødeansvar.

*Stk. 4.* Ved pålæggelse af strafansvar efter stk. 1 anses personer, som er ansat til at udføre arbejde om bord på ski-



bet af andre end rederen, tillige for at være knyttet til rederen. Er der udstedt overensstemmelsesdokument i henhold til koden om sikker skibsdrift eller certifikat i henhold til konventionen om søfarendes arbejdsforhold til en anden organisation eller person, anses skibsføreren og de søfarende tillige for at være knyttet til den, som dokumentet er udstedt til.

*Stk. 5.* En juridisk person, som godtgør at have gjort alt, som er nødvendigt for at sikre et godt og sikkert arbejdsmiljø, kan dog ikke straffes i tilfælde, hvor en ansat overtræder § 12 eller bestemmelser fastsat i medfør af § 3, nr. 6, og stk. 5, hvis overtrædelsen vedrører anvendelse af personlige værnemidler, udsagningsforanstaltninger, beskyttelsesudstyr eller sikkerhedsforanstaltninger, der alene tjener til beskyttelse af den pågældende selv.

*Stk. 6.* Såfremt en straffesag pådømmes uden for Grønland, eller vedrører en person eller virksomhed, jf. stk. 1, der har bopæl eller er etableret uden for Grønland, kan der i stedet for foranstaltninger idømmes straf af bøde eller fængsel.

### Kapitel 13 *Ikrafttræden m.v.*

\_\_\_\_\_

Anordning nr. 71 af 29. januar 2013 indeholder følgende ikrafttrædelses- og overgangsbestemmelse:

#### **§ 33**

Anordningen træder i kraft den 1. februar 2013.

\_\_\_\_\_

Anordning nr. 1031 af 24. august 2015 indeholder følgende ikrafttrædelses- og overgangsbestemmelse:

#### **§ 2**

Anordningen træder i kraft den 1. januar 2016.

*Søfartsstyrelsen, den 16. december 2015*

TROELS BLICHER DANIELSEN

/ Flemming Sparre Sørensen

**Brevdato** 22-12-2022

**Afsender** Stefan Bernstein (StefanB@greenrocmining.com)

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Svar på høring

**Aktnummer**

**Identifikationsnummer** 22081292

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Svar på høring  
Høringssvar, GreenrocMiningDec2022

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Stefan Bernstein (StefanB@greenrocmining.com)  
**Titel:** Svar på høring  
**Sendt:** 22-12-2022 10:23  
**Bilag:** Høringssvar, GreenrocMiningDec2022.pdf;

Til rette vedkommende,

hermed fremsendes svar på høring af forslag til Minelov og ændring af Råstofloven.

Høringsperioden har været meget kort for så omfangsrige forslag.

mvh

**Stefan Bernstein**  
CEO  
GreenRoc Mining Plc

**Mob:** +45 31202279  
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**GREENROC**  
MINING PLC



Til Miljøstyrelsen for Råstofområdet og Departementet for Råstoffer

Høringssvar til to lovforslag om hhv mineralaktiviteter og ændring af lov om mineralske råstoffer og aktiviteter af betydning herfor, modtaget 23. november 2022.

Af væsentlig betydning finder vi bestemmelsen om at opkræve gebyrer for administrationen af efterforskningsaktiviteter, herunder behandling af ansøgninger, feltaktiviteter etc. Det vil ikke bidrage til at gøre Grønland mere konkurrencedygtigt på verdensmarkedet i forhold til at tiltrække investeringer i efterforskningsfasen. Ændringen i sig selv giver heller ikke et positivt indtryk af en administration der *sammen* med industrien hjælper med at opbygge en udnyttelse af Grønlands mineralforekomster.

Der er et forslag om forhøring af et ekstra udarbejdet kommissorium for projekter der ligger ud over den eksisterende høringsproces for EIA og SIA. Det bliver ikke godtgjort hvad dette ekstra kommissorium og høring skal tjene til og vil i vores øjne blot bidrage til en yderligere bureaukratisering, fordyrelse og uproduktiv forlængelse af tilladelsesprocessen. Det er vanskeligt at se værdi i dette forslag hverken for mineraladministrationen, for selskaberne eller for samfundet.

Vi finder det også bekymrende at der ønskes en bestemmelse om at Naalakkersuisut kan træffe afgørelse om ikke at meddele tilladelse eller godkendelse efter Inatsisartutloven af de grunde der angives i § 126. Det er for uspecifikt og forslaget åbner med sine tolkningsmuligheder for en usikkerhed som vil blive modtaget meget negativt.

Slutteligt er vi positive overfor forslaget om at sende efterforskningsansøgninger i høring, i fald der menes en lokal høringsproces, hvor nærboende borgere og foreninger og kommuner får mulighed for at udtrykke sig. Det vil betyde at et selskab tidligt i processen kan følge op på eventuelle bekymringer og forhåbninger. Dog er det ønskeligt om tidsrammen for en sådan høring ikke er mindst 21 dage, men et maksimalt antal dage, og ikke 21, så 28 dage eller lign, så at processen ikke unødigt bliver trukket ud.

Mvh

Stefan Bernstein

CEO

København 21. december 2022.

**Brevdato** 22-12-2022

**Afsender** Niels Henrik Hooge (nielshenrik@noah.dk)

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høringssvar til forslag til minelov og ændringer af råstoflov

**Aktnummer**

**Identifikationsnummer** 22080830

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høringssvar til forslag til minelov og ændringer af råstoflov  
Position paper on mining and mineral resources act amendment 2022-12-22

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl), NOAHs urangruppe (urangruppen@noah.dk)  
**Fra:** Niels Henrik Hooge (nielshenrik@noah.dk)  
**Titel:** Høringssvar til forslag til minelov og ændringer af råstoflov  
**Sendt:** 22-12-2022 09:54  
**Bilag:** Position paper on mining and mineral resources act amendment 2022-12-22.pdf;

Miljøstyrelsen for Råstofområdet  
Departementet for Råstoffer og Justitsområdet

på vegne af NOAH Friends of the Earth Denmark, fremsender jeg et høringssvar til forslag til minelov og ændringer af råstoflov. Høringssvaret fremsendes i en engelsk version. Samtidigt vil vi gerne benytte lejligheden til at takke Miljøstyrelsen for Råstofområdet og Departementet for Råstoffer og Justitsområdet for at have mulighed for at indsende kommentarer til lovforslagene.

venlig hilsen

Niels Henrik Hooge

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Copenhagen, 21 December 2022

**Position Paper by NOAH Friends of the Earth Denmark on Draft Bill for: Greenland Parliament Act No. xx of xx xxxx 2023 on mineral activities (the Mining Act), and Draft Bill for: Greenland Parliament Act No. xx of xx xxx 2023 amending Greenland Parliament Act on mineral resources and mineral resource activities (the Mineral Resources Act)**

NOAH is grateful for the opportunity to comment on the draft bills<sup>1</sup> and supports the idea of splitting the existing Mineral Resources Act into several special acts in order to make the current legislation more efficient and clear.

Generally, we support the strengthening of the government's statutory powers, especially in regard to environmental issues. We are also in favour of the idea that the government should be able to request tax information directly from licensees' contracting parties performing activities under a mineral licence and its proposed statutory authority to issue administrative fines.

In particular, we support statutory authority of the government to protect areas of special geological interest and call on the government to protect Kuannersuit/Kvanefjeld in Southern Greenland. In our opinion, this should be the first step in a process which would result in an enlargement of the UNESCO Kujataa World Heritage to include Kuannersuit/Kvanefjeld.

Especially in Southern Greenland, there has long existed a notion that the Kujataa World Heritage Site in its present form has been delineated to accommodate the Kuannersuit/Kvanefjeld mining project and that the potential impacts of the other mining projects surrounding the site have not been considered. In March 2018, responding to call for submissions by Greenland's Ministry of Education, Culture, Research and Church and the Danish Ministry of Culture's Agency for Culture and Palaces, The URANI NAAMIK/NO TO URANIUM Society in Narsaq proposed that Kujataa should be extended to include large parts of the Erik Aappalaartup Nunaa Peninsula (or the Narsaq

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<sup>1</sup> Link to the consultation portal: [Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter \(mineloven\), og Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxx 2023 om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. \(råstofloven\) \(naalakkersuisut.gl\)](#)

Peninsula), which should be entered into Greenland's World Heritage Tentative List. Subsequently, Narsaq Museum's curator recommended that Landnamsgaarden and Dyrnæs Church near Narsaq should be recognised as world heritage and in a letter to URANI NAAMIK, Greenland National Museum and Archive mentioned the big Northener Farm in Narsaq as a possible world heritage prospect<sup>2</sup>. Generally, the proposed sites meet a wide range of selection criteria for nomination to the World Heritage Tentative List<sup>3</sup>. NOAH fully supports these initiatives and calls on the government to protect Kuannersuit/Kvanefjeld and initiate proceedings to provide the mountain and its surroundings with UNESCO world heritage site status<sup>4</sup>.

We support the implementation of criteria for vetting of license applicants<sup>5</sup> before and during the license period that amongst others takes into consideration possible prior criminal convictions and ties to criminal organisations by key people in the companies in question, and not only the economic capacity to pay the license fees, which is currently the only requirement to be able to apply for a license.

Finally, we applaud that a fund for citizen involvement will continue, albeit on a new legal basis.

**However, any comment on the draft bills is insufficient if it does not take place in the perspective of mining issues in general. Thus, we would like to add the following general comments:**

Together with almost 140 other green NGOs from all over the world, including from Greenland, we have called for a moratorium on large-scale mining in Greenland, and argued that the Greenlandic government should be compensated for the possible loss of revenue from such a measure<sup>6</sup>.

**Until that happens, Greenland's mining legislation could benefit from the following amendments:**

(i) Greenland is not party to the Aarhus Convention and Greenland's environmental legislation does not mandate strategic environmental impact assessments for mineral exploration areas. This means that few areas in principle are excluded from being licensed and also that the public is not informed

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<sup>2</sup> NGO press release, Kvanefjeld Mining Project Endangers UNESCO World Heritage Site (August 8, 2018), <https://noah.dk/node/1109>

<sup>3</sup> With respect to Kvanefjeld and the Ilimmaasaq Complex with their more than 200 different minerals, mainly criteria 7 and 8 are relevant. See UNESCO World Heritage Convention homepage: <https://whc.unesco.org/en/criteria/>

<sup>4</sup> For more on this subject, see: Kujataa – A Property Surrounded by Mining Projects, in World Heritage Watch Report 2020, p. 80-84: [WHW-Report-2020.pdf \(world-heritage-watch.org\)](https://www.world-heritage-watch.org/WHW-Report-2020.pdf)

<sup>5</sup> Cf. the Draft Bill for the Mineral Resources Act, article 67.

<sup>6</sup> NGO declaration, Appeal to the Greenlandic and Danish Governments and the European Union to Help Protect the Greenlandic and Arctic Environment, 10 February 2021: [Declaration on large-scale mining and oil and gas extraction in Greenland 1.pdf \(noah.dk\)](https://www.noah.dk/declaration-on-large-scale-mining-and-oil-and-gas-extraction-in-greenland-1.pdf)



in advance on what areas could be designated<sup>7</sup>. The government should adopt this convention, so that not only environmental impact assessments, but also strategic environmental assessments of the plans and programs that set the frame for all large- and small-scale mining projects become mandatory<sup>8</sup>.

(ii) The government should sign and adopt the standards, measures and rules in UN's Convention Against Corruption<sup>9</sup> in both the public and private sector and assure that licensing procedures are not manipulated or interfered with. There should be firm boundaries between the licensing authority and the mining companies. Conflicts of interest should be prevented by imposing appropriate restrictions for a reasonable period of time on the professional activities of former public officials and on their employment by the private sector after their resignation or retirement in situations, where their activities relate directly to the functions held or supervised by them during their tenure.

Also, it should be possible to annul prospecting, exploration and exploitation licenses if a license holder violates Greenland's penal code, tries to manipulate the licensing process, unduly influence the decision-making, or undermine local and general elections in order to facilitate mining projects.

The government should also take measures to ensure that entities or persons who have suffered damage as a result of an act of corruption, including the government itself, municipalities and local communities, have the right to initiate legal proceedings against those responsible for that damage in order to obtain compensation.

(iii) Whistle-blower protection must be seen as a necessary precondition for fighting corruption as well as for transparency and access to relevant information by the public: The government should incorporate measures into the legal system to give protection against any unjustified treatment for anybody who in good faith and on reasonable grounds reports facts about serious offences to the competent authorities.

(iv) In regard to large-scale mining projects, local communities should have the right to free prior and informed consent, including a right to say no to mining<sup>10</sup>.

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<sup>7</sup> For more information on Greenland's legislation in this field, see Ellen Margrethe Basse, Juridisk responsum om den gældende grønlandske lovgivning vurderet i lyset af Århuskonventionen, Juridisk Institut, Business and Social Sciences, Aarhus Universitet, June 2014.

<sup>8</sup> The rights guaranteed by the Aarhus Convention relate to three areas: (a) The public's right of access to environmental information vis-à-vis administrative authorities and private parties with public responsibilities for environmental protection. (b) The public's right to participate in certain environmental decision-making processes. (c) The public's right of access to courts or tribunals in environmental matters. Transparency includes informing all persons and stakeholders in a way that they can assess the risk of a certain activity. Information has to be provided complete and early enough for this to happen. Link to the convention website: [Introduction | UNECE](#)

<sup>9</sup> United Nation, United Nations Convention Against Corruption, New York, 2004: [UNITED NATIONS CONVENTION AGAINST CORRUPTION \(unodc.org\)](#)

<sup>10</sup> For more on this and related subjects, see: Friends of the Earth Europe and others, Driving destructive mining, June 2021: [YLNM EU Page 1.jpg \(friendsoftheearth.eu\)](#)

(v) Granting of exploration licenses should not automatically lead to exploitation licenses. Every exploration license should have a disclaimer, ensuring that the government is not liable to pay damages if an exploitation license is not granted, irrespective of the reason, and also if the exploitation license is revoked at a later stage due to health and environmental concerns that have arisen during the operation of the mine.

(vi) Mining should be prohibited in conservation areas and under the sea and Heritage Impact Assessments (HIA) of all large-scale mining projects near Greenland's 3 UNESCO world heritage sites should be mandatory. A decision on granting any such project an exploitation license should not be made, before it has been presented to UNESCO for an evaluation in accordance with §172 of the operational guidelines for the World Heritage Convention<sup>11</sup>. The HIA should take into consideration the cumulative effect of all other mining projects in the area.

**For more information, please contact:**

[NOAH Friends of the Earth Denmark](#): Niels Henrik Hooge, Tel.: +45 21 83 79 94, Email: [nielshenrik\(at\)noah.dk](mailto:nielshenrik@noah.dk) and Palle Bendsen, Tel.: +45 30 13 76 95, Email: [pnb\(at\)ydun.net](mailto:pnb@ydun.net)

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<sup>11</sup> World Heritage Centre, The Operational Guidelines for the Implementation of the World Heritage Convention, Paris, July 2019: [UNESCO World Heritage Centre - The Operational Guidelines for the Implementation of the World Heritage Convention](#)

**Brevdato** 22-12-2022

**Afsender** soje@qeqqata.gl - Qeqqata Kommunia

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet)

**Akttitel** Qeqqata Kommunias høringssvar vedr. forslag til minelov og ændring af råstofloven

**Aktnummer**

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**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Qeqqata Kommunias høringssvar vedr. forslag til minelov og ændring af råstofloven  
Qeqqata\_Kommunias\_hoeringssvar\_vedr\_forslag\_til\_minelov\_og\_aendring\_af\_raastofloven

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl)  
**Cc:** Officiel post til EAMRA (eamra@nanoq.gl), Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (nett@nanoq.gl), Qeqqata Kommunia (qeqqata@qeqqata.gl), Juliane Henningsen (juhe@qeqqata.gl), Hans Christian Sværd (hcsv@qeqqata.gl)  
**Fra:** soje@qeqqata.gl (soje@qeqqata.gl)  
**Titel:** Qeqqata Kommunnias høringsvar vedr. forslag til minelov og ændring af råstofloven  
**Sendt:** 22-12-2022 09:39  
**Bilag:** Qeqqata\_Kommunnias\_hoeringssvar\_vedr\_forslag\_til\_minelov\_og\_aendring\_af\_raastofloven.pdf;

Til Departementet for Råstoffer og Justitsområdet

Hermed Qeqqata Kommunnias høringsvar, vedhæftet.

Inussiarnersumik inuulluaqqusillunga / Med venlig hilsen



**Sofie Jessen**  
Ineriartoritsinermut pisortaq  
Udviklingschef

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**Fra:** Bo Simmelsgaard <[bosd@nanoq.gl](mailto:bosd@nanoq.gl)>  
**Sendt:** 24. november 2022 09:49  
**Cc:** Officiel post til EAMRA <[eamra@nanoq.gl](mailto:eamra@nanoq.gl)>  
**Emne:** Korrektion af høringsbrev/correction of consultation letter (Nanoq - ID nr.: 21844839)

Se venligst tilrettet høringsbrev i vedlagte dokumenter.  
Please see adjusted consultation letter in attached documents.

Inussiarnersumik Inuulluaqqusillunga  
Med venlig hilsen  
Best regards

**Bo Simmelsgaard**  
Inatsisileritooq  
Jurist  
Legal Advisor to the Deputy Minister



**NAALAKKERSUISUT**  
GOVERNMENT OF GREENLAND

Aatsitassanut Inatsisillu Atuutsinneqarnerannut Naalakkersuisoqarfik  
Departementet for Råstoffer og Justitsområdet  
Ministry of Mineral Resources and Justice  
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[www.naalakkersuisut.gl](http://www.naalakkersuisut.gl)  
[www.govmin.gl](http://www.govmin.gl)

**Til:**  
**Cc:** Officiel post til EAMRA ([eamra@nanoq.gl](mailto:eamra@nanoq.gl))  
**Fra:** Bo Simmelsgaard ([bosd@nanoq.gl](mailto:bosd@nanoq.gl))  
**Titel:** Offentlig høring, forslag til minelov og ændring af råstofloven  
**Sendt:** 23-11-2022 15:55

Matumuuna Aatsitassanik tunngasunik suliaqarneq pillugu aamma aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit inatsisartut inatsisaata allanngortinneqarnissai pillugit siunnersuutit tusarniaassutigalugit kakkiullugit nassiinneqarput, kakkiussat takukkit.

Hermed fremsendes udkast til forslag til minelov og ændring af råstofloven til offentlig høring, se venligst vedhæftede dokumenter.

Hereby draft bills for Mining and amendment of the Mineral Resources Act for public consultation, please see attached documents.

Inussiarnersumik Inuulluaqqusillunga  
Med venlig hilsen  
Best regards

**Bo Simmelsgaard**  
Inatsisileritooq  
Jurist  
Legal Advisor to the Deputy Minister



**NAALAKKERSUISUT**  
GOVERNMENT OF GREENLAND

Aatsitassanut Inatsisillu Atuutsinneqarnerannut Naalakkersuisoqarfik  
Departementet for Råstoffer og Justitsområdet

Ministry of Mineral Resources and Justice  
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Greenland

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# Qeqqata Kommunia

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Aqutsisoqaqfik aamma Aatsitassanut Inatsisillu  
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Ulloq / Dato 22/12/2022

Sull. / Sagsbeh. soje, lok.7849

**Qeqqata Kommuniata tusarniutfigineqartunut oqaaseqaataa:**

- **Uunga siunnersuummut missingiut: Aatsitassanut tunngasunik suliaqarnek pillugu Inatsisartut inatsisaat nr. xx, xx.xxxx 2023-meersoq (aatsitassanut inatsit),**

aamma

**Uunga siunnersuummut missingiut: Aatsitassat pillugit ingerlatallu tamatumunnga pingaarutillit pillugit Inatsisartut inatsisaata (aatsitassanut ikummatissanullu inatsit) allanngortinneqarnissaa pillugu Inatsisartut inatsisaat nr. xx, xx.xxx 2023-meersoq.**

Qeqqata Kommunia oqaaseqaatissaqaanngilaq.

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**Qeqqata Kommunias høringssvar til:**

- **Udkast til forslag til: Inatsisartutlov nr. xx af xx.xx 2023 om mineralaktiviteter (mineloven),**

og

- **Udkast til forslag til: Inatsisartutlov nr. xx af xx.xx 2023 om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven).**

Qeqqata Kommunia har ingen bemærkninger.

Inussiarnersumik inuulluaqqusilluta / Med venlig hilsen

Sofie Jessen

Ineriartortitsinermut pisortaq

Udviklingschef

Qeqqata Kommuniannut saaffiginnittoqartassaaq, inunnut ataasiakkaanut pinani.  
Henvendelse bedes adresseret til Qeqqata Kommunia og ikke til enkeltpersoner.

**Kommunip allaffia · Kommunekontoret**

Sisimiut Makkorsip aqquserna 2 · Boks 1014 · DK-3911 Sisimiut

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**Ammasarfili:** Ataas., marlu., sisam, aamma talli. 10-15<sup>00</sup>  
(pingasunngornermi mataqqaasarpoq)

**Åbningstider:** Man., tirs., tors. og fredag. 10-15<sup>00</sup>  
(onsdag lukket)

**Brevdato** 22-12-2022

**Afsender** Info Transparency (info@transparency.gl) Sendt af info (TI GL): info@transparency.gl

**Modtagere** Ane Stefani Henson (Sagsbehandler, Departementet for Fiskeri, Fangst og Landbrug); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høringssvar Mineloven

**Aktnummer**

**Identifikationsnummer** 22079734

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høringssvar Mineloven  
TIG Høringssvar

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Ane Stefani Henson (ANS@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Info Transparency (info@transparency.gl)  
**Titel:** Høringssvar Mineloven  
**Sendt:** 22-12-2022 09:09  
**Bilag:** TIG Høringssvar.pdf;

Med venlig hilsen

**Bodil Karlshøj**

Sekretariatet



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Nuuk, 22. december 2022

Miljøstyrelsen og

Departementet for Råstoffer og Justitsområdet

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**Høringssvar til Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven), og Udkast til forslag til: Inatsisartutlov nr. xx af xx. xxx 2023 om ændring af Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor. (råstofloven)**

Transparency International Greenland (TIG) er grundlæggende tilfreds med, at Råstofloven fremover agtes reguleret i tre forskellige love:

1. En selvstændig minelov om forhold vedrørende almindelig minedrift,
2. en selvstændig småskalalov om forhold vedrørende småskatilladelser og udnyttelse af mineraler til lokale bygge- og infrastrukturprojekter (planlægges fremsat på efterårssamlingen 2023)
3. og den nuværende råstoflov om forhold vedrørende kulbrinter og anvendelse af undergrunden til lagring.

Åbenhed er et mantra for TIG. I dette høringssvar vil vi endnu en gang opfordre til at følge anbefalingerne fra Extractive Industries Transparency Initiatives (EITI). EITI blev opstartet i 2002 for at forbedre gennemsigtighed og ansvarlighed i bl.a. olie og mineralrige lande.

I princippet er EITI nogle minimumsstandarder for interaktion mellem regeringer, private selskaber og det civile samfund. EITI bygger på nogle grundprincipper og kriterier om en bæredygtig udvikling med fokus på åbenhed og udveksling af informationer. Ved at implementere en standardiseret og international anerkendt procedure for gennemsigtighed, kan Naalakkersuisut imødekomme de ofte høje forventninger til, og det ofte uklare billede af, indtjening fra mineralaktiviteter. Forpligtelsen til at åbne op for selskabers indtjening, samt myndighedernes indtægter, via en multi-interessent proces, signalerer god regeringsførelse, forbedrer international troværdighed og understreger, at regeringer er villige til at bekæmpe korrupsion. EITI påbyder at selskaber at offentliggøre hvad de tjener og at regeringer offentliggør hvad de modtager.

I brev af 3. juni 2011 udtrykker Naalakkersuisoq for Råstoffer Den grønlandske regerings støtte til EITI. Han udtrykker håb om at der kommer dialog mellem EITI og regeringen i Grønland. Transparency International

Greenland anbefaler, at Grønland snarest, hvis det ikke allerede er sket, bliver et implementerede medlem af EITI.

TIG vil også her gøre opmærksom på det problematiske forhold, at Selvstyrets hjemmeside i mange måneder har været under opdatering. Dette gør det utrolig vanskeligt at søge og tilgå relevante publikationer og dokumenter. Når hjemmesiden engang kommer til at fungere, anbefaler TIG, at der oprettes en samlet portal, hvor mineselskabers indrapporteringer ligger sammen med Naalakkersuisut's årlige redegørelser herom.

## **Mineloven**

Generelle bemærkninger:

Der henvises flere steder til, at bedste internationale standarder skal anvendes. I bemærkninger til loven er flere henvisninger til disse, men dette er ikke konsekvent.

Forkortelser: her anbefales, at der i bemærkningerne er en oversigt over anvendte forkortelser på grønlandsk, dansk og engelsk.

Bemærkninger til:

§ 9. Miljøbeskyttelse, klimabeskyttelse og naturbeskyttelse, stk.1. I bemærkninger angives, der ved anvendelse af forslagets regler om miljøbeskyttelse blandt andet kan lægges vægt på de arktiske VVM-retningslinjer (Guidelines or Environmental Impact Assessment (EIA) in the Arctic) udarbejdet af Arctic Council under programmet Arctic Environmental Protection Strategy. Denne anbefaling kunne også indgå i bemærkningerne til Kapitel 13, §§ 87 – 94.

§ 26. Naalakkersuisut's offentlige redegørelse. Hvor offentliggøres den?

§ 31 og § 38. Gebyrer, vederlag osv til myndighedsbehandling. I bemærkninger fremgår ” Bestemmelsen omfatter for eksempel opkrævning vedrørende udgifter til sagsbehandling, tilsyn, anden myndighedsbehandling, tjenesterejser og eksterne rådgivere og konsulenter med videre”. En så bred formulering vil vanskeliggøre for ansøger at budgetlægge. Kan en tjenesterejse fx gå til en minemesse for x antal ansatte i Råstofstyrelsen? Må antallet af konsulenttimer overstige antal ansatte? Bekendtgørelsen herom bør komme meget kort tid efter lovens eventuelle vedtagelse og indeholde maksimalgrænser for udgifter.

TIG finder, at indtægter ved gebyrer og vederlag i forhold til mineloven bør være offentligt tilgængelige, fx fremgå af Landskassens regnskab.

§ 32 Fortrolighed. Lovforslaget angiver en fortrolighedsperiode for data indsamlede i forundersøgelserperioden der rækker så langt som tidsrammen for udnyttelsestilladelsen. Af bemærkninger til loven fremgår ” Efter bestemmelsen skal Naalakkersuisut inden en offentliggørelse af

sådanne generelle oplysninger sende oplysningerne til rettighedshaveren og oplyse til rettighedshaveren, at rettighedshaveren kan sende bemærkninger dertil og en eventuel begrundet indsigelse mod offentliggørelsen af alle eller nogle af oplysningerne inden for en fastsat rimelig tidsfrist på mindst 14 kalenderdage. Hvis rettighedshaveren inden for tidsfristen sender en indsigelse mod offentliggørelse af alle eller nogle af oplysningerne, offentliggør Naalakkersuisut ikke disse oplysninger, hvis hensynet til rettighedshaverens interesse i fortrolighed findes at overstige Naalakkersuisuts interesse i offentliggørelse af de omhandlede oplysninger”.

TIG's spørgsmål hertil: Hvis nu rettighedshaveren siger nej. Er det så korrekt opfattet at Naalakkersuisut ikke offentliggør oplysningerne? Dette overflødigdigør vel egentlig stk. 3?

TIG fastholder sin anbefaling om at landets ressourcer forvaltes efter befolkningens ønske om størst mulig åbenhed og gennemsigtighed. Dette skrev vi i høringssvar til Selvstyrets bekendtgørelse om fortrolighed og undtagelse fra aktindsigt af visse dokumenter om kommercielle vandkraftaktiviteter. I denne bekendtgørelse handlede det kun om fortrolighed i dialog- og forhandlingsfasen. Her drejer det sig om mange år.

§ 41. Rettighedshaverne har ret til at få meddelt tilladelse, hvis alle forpligtigelser er opfyldte. Høring, § 44, indgår i forpligtigelserne. Høring kunne derfor indskrives i § 41.

§ 81 og § 82. Nedlukningsplan. Bemærkningerne hertil forekommer upræcise. TIG anbefaler, at der angives hvilke internationale standarder, der skal opfyldes. De begrænsede ressourcer på verdensplan gør, at der internationalt tænkes i og stilles krav om cirkulær økonomi. Ved nedrivning af bygninger og bortskaffelse af materiel er dette særdeles relevant. EU's direktiv Corporate Sustainability Reporting Directive (CSRD) kunne være et pejlemærke.

§ 92, stk. 2: ”Hvis en aktivitet eller et anlæg, som er omfattet af Inatsisartutloven, må antages at kunne få væsentlige indvirkninger på et udpeget nationalt eller internationalt naturbeskyttelsesområde, kan en godkendelse kun meddeles på baggrund af en vurdering af aktivitetens eller anlæggets virkninger på lokaliteten under hensyn til bevaringsmålsætningerne for denne. Hvis Naalakkersuisut anser det for hensigtsmæssigt, gives offentligheden lejlighed til at udtale sig om vurderingen af virkningerne på lokaliteten, inden en tilladelse eller godkendelse meddeles.”

TIG ønsker afklaret, hvorledes dette stemmer overens med bekendtgørelsen om Nationalparken i Nord- og Østgrønland (omtalt i bemærkningerne til §100 stk.3 men ikke præcist). Ligeledes anbefaler TIG at henvisning til Århuskonventionen indsættes i bemærkningerne.

§ 100. Aftaler om samfundsmæssig bæredygtighed.

TIG anbefaler, at det her præciseres, hvem der skal deltage med udformning af disse aftaler, og at civilsamfundet inddrages i dette arbejde.

## § 129. Zoner.

Dette udtryk optrådte i Rapporten Til Gavn for Grønland<sup>1</sup>. Daværende Landsstyre afviste på det bestemteste, at dette var en diskussion værdig. TIG hilser med tilfredshed, at muligheden for zoner indskrives i loven, da fastlagte zoner kan have betydning for erhvervslivet nu og på langt sigt. Et par citater fra rapporten: *I scenariet etableres zoner, hvor samfundet aktivt ønsker at fremme udvinding af mineralske råstoffer ud fra overvejelser om lokal erhvervsstruktur og regionaludvikling, og andre zoner, hvor der af hensyn til miljø, trivsel, eksisterende erhverv, demografiske forhold eller lignende ikke ønskes mineralaktiviteter og Minedrift udvikles kun, hvor den kan understøtte diversifikation af erhvervsmulighederne for den fastboende grønlandske befolkning, og i de zoner hvor det på forhånd er vurderet, at de miljømæssige og negative sociale påvirkninger klart opvejes af de positive økonomiske og sociale fordele.*

§ 131. En pulje er fin, men høringsfristen er 8 uger, hvorfor det kan være vanskeligt for en lokal NGO først at sætte sig ind i materialet, derefter finde nødvendig ekspertise, søge og vente på svar OG afholde møde eller skrive rapport.

TIG anbefaler, at der åbnes for ansøgninger i forbindelse med forhøring, dette vil give minimum 35 dage mere.

## Råstofloven

TIG har ingen bemærkninger til denne.

Med venlig hilsen

 Karen Heilmann Lennert  


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<sup>1</sup> Til gavn for Grønland. Udvalget for samfundsgavnlig udnyttelse af Grønlands naturressourcer. Januar 2014.

**Brevdato** 21-12-2022

**Afsender** Malik Vahl Rasmussen (malik@explogreenland.gl)

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høringssvar - "Forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven)"

**Aktnummer**

**Identifikationsnummer** 22071954

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høringssvar - Forslag til Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven)  
Høringssvar - Forslag til nye punkter i lovgivning

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Malik Vahl Rasmussen (malik@explogreenland.gl)  
**Titel:** Høringssvar - "Forslag til: Inatsisartutlov nr. xx af xx. xxxx 2023 om mineralaktiviteter (mineloven)"  
**Sendt:** 21-12-2022 10:18  
**Bilag:** Høringssvar - Forslag til nye punkter i lovgivning.pdf;

Hej.

Hermed fremsendes høringssvar med forslag til input eller emner der bør diskuteres yderligere og evt. implementeres.

Høringssvar er vedhæftet som PDF.

*Best Regards / Inussiarnersumik Inuulluaqqusillunga / Med Venlig Hilsen*

### Malik Vahl Rasmussen

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**ExploGreenland**

Exploration & Blasting Consulting

CVR-NR: 43594729



## Hørings svar

Ny råstoflovgivning – forslag / Inputs til ny lovgivning

**Grøn omstilling – Det grønne Grønland med fokus på klimaet og de kritiske råstofelementer til den grønne omstilling.**



### Grøn produktion

Det bør overvejes om der kan stilles krav om en Energi-potentiale analyse/rapport der afleveres under samme betingelser som, og sammen med VSB og VVM-rapporterne. Dette med henblik på at kortlægge og analysere alle muligheder for produktion af vedvarende energi til drift af minen i en given radius omkring eller afstand der giver mening ift. placeringen af minen.

Rentabilitetsstudie bør være inkluderet her for alle potentielle energikilder. Her bør energiproduktion til fremstilling af eksempelvis e-fuel som f.eks. Diesel, methanol, brint el.lign., eller anden form for energi omsætning/lagring, for transportskibe eller til lokale kunder også inkluderes, for at sikre yderligere grøn drift. Et evt. overskud af energi kan derved senere anvendes til transport eller i stedet for konventionel Diesel ved etablering af et Power-to-L procesanlæg.

Et andet Forslag er et krav på op til 100% ren vedvarende energi eller anvendelse af CO2 neutralt brændstof til alt energiforbrug relateret til minedriften, herunder f.eks. camp, kontorer, produktionsanlæg, transport og udvinding.

Dette vil være med til at sikre et attraktivt produkt for kunden og potentielle investorer. Ingen CO2 udledning ved minedrift. Derved åbnes der også for muligheder for f.eks. økonomisk støtte via f.eks. fonde med CO2 reducerende mål.

Det vil påtvinge licensansøgeren at tænke i grønnere baner end traditionel diesel drift og herved også gennemfører detaljerede analyser der kan kortlægge energi potentialerne i området og derved gavne lokalsamfundet.

Grøn omstilling i den globale mineindustri gør at maskinproducenterne allerede nu er ved at udføre tests og udvikler nye produkter der kører på batteri eller anden CO2 neutral energikilde.

Endvidere vil det fremtidssikre driften af minen og gøre minen, og derved prisen på produktet, uafhængig af de meget varierende globale olie-priser.

Det vil skabe et bedre arbejdsmiljø for undergrundsminer, Lavt støjniveau og ingen dieseludstødningsgasser/sod o.lign. i minegange. Flere maskinproducenter har allerede opbygget denne teknologi netop for at forbedre arbejdsmiljø for alle ansatte i undergrundsminer.

Det vil give resten af verden en tanke om potentielle fordele for den grønne omstilling, da de kritiske elementer og råstoffer for den grønne omstilling ligeledes begynder at blive udvundet på en grønnere måde.

## Planlægning af minedrift

Planlægning af minedriften bør også foregå således at de mindst energikrævende fremgangsmåder ved planlægning af bruddet tilgodeses. f.eks. bør en evt. højdeforskel mellem brud og procesanlæg udnyttes således at maskiner til materialetransport kører nedad med fuld last og genoplader batterierne til at køre opad igen og hente endnu en last. Dette kan selvfølgelig være vanskeligt i en undergrundsmine, men her bør de elektriske maskiner der kører på vedvarende energi også anvendes.

Camp, kontorer og andre opholdsbygninger bør opføres efter passiv-hus standarder, eller noget der falder under samme kategori.

Fokus på disse punkter vil signalere til omverdenen at Grønland er 100% engageret i den grønne omstilling og også ønsker at denne udvikling vil ske hurtigst muligt. Det er NU vi har chancen for at vise overfor resten af verden at vi er klar til at udvinde vores undergrund til fordel for hele verdens omstilling til vedvarende energi. Forudsat at mineselskaberne også stiller sig selv de samme mål for at mindske udledning af CO2. Dette som et modsvar for de måske misforståede signaler om nultolerancen overfor radioaktive stoffer.

Vi har meget få og ikke så store miner i drift, på nuværende tidspunkt, så tiden er der stadigvæk for at opnå de klimamål som hele verden og Grønland bør fokusere på, for at sikre de fremtidige generationer en velfungerende planet at leve på!

En kontakt fra mineindustrien der ville forblive anonym skrev nedenstående udkast til mig:

”Dear Members of the Greenlandic Parliament,

As a concerned citizen, I am writing to suggest that new laws be implemented to require mining companies in Greenland to use renewable energy sources for their operations.

Mining has the potential to provide significant economic benefits, but it must be done in a way that protects the environment and the unique ecosystem of Greenland. By requiring the use of renewable energy, we can reduce the impact of mining on air and water quality, and support the development of clean, sustainable energy in our country.

In addition to benefiting the environment, using renewable energy for mining operations could also improve public health and provide long-term economic benefits. By reducing our reliance on fossil fuels, we can decrease air pollution and improve the health and economy of our communities. Investing in renewable energy can also create jobs and stimulate economic growth in the long term.

I strongly believe that this is a necessary and positive step for Greenland, and I urge you to consider implementing laws that would require mining companies to use renewable energy sources.

Thank you for considering my suggestion.

Sincerely, Malik”

Som en fremtidig borger og professionel i branchen er min professionelle vurdering at ovenstående forslag bør tages til efterretning og undersøges yderligere. Dette for at undersøge om interessen for at implementere dette lovforslag kunne have relevans for industrien.



Jeg håber at det vil blive taget til efterretning og i er velkommen til at kontakte mig hvis i vil have uddybet forslagene.

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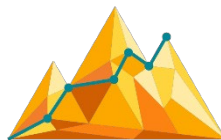
Mvh.

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**Brevdato** 21-12-2022

**Afsender** Bjarne Petersen - SIK (bj@sik.gl) Sendt af Bjarne Petersen | SIK: BJ@SIK.GL

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Høringssvar til forslag til minelov og til ændring af råstofloven

**Aktnummer**

**Identifikationsnummer** 22071818

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**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Høringssvar til forslag til minelov og til ændring af råstofloven  
Høringssvar til forslag til minelov og ændring af råstofloven

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Bjarne Petersen - SIK (bj@sik.gl)  
**Titel:** Høringssvar til forslag til minelov og til ændring af råstofloven  
**Sendt:** 21-12-2022 10:12  
**Bilag:** Høringssvar til forslag til minelov og ændring af råstofloven.pdf;

Vedlagt høringssvar til forslag til minelov og forslag til ændring af råstofloven.

Inussiarnersumik Inuulluaqqusillunga/  
Med venlig hilsen/Best regards

Bjarne Petersen  
Sekretariatschef, Allattoqarfimmi pisortaq



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## Sulinermik Inuussutissarsiuqartut Kattuffiat

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Departementet for Råstoffer og Justitsområdet

Nuuk, ulloq 21. december 2022  
Allakkap normua D-22-73904

### Høringssvar til forslag til minelov og forslag til ændring af råstofloven

SIK takker for muligheden for at afgive høringssvar til den fremsendte høring vedrørende forslag til inatsisartutlov om mineralaktiviteter og forslag til ændring af råstofloven.

SIK har ud fra de fremsendte forslag og bemærkninger hertil noteret sig, at der overordnet set ikke er tilsigtet større ændringer i retstilstanden på råstofområdet, og at forslagene langt hen ad vejen er udtryk for gældende praksis. SIK kan ligeledes forstå, at forslagene ligeledes vil medvirke til at gøre retstilstanden mere klar.

SIK har henset til ovennævnte forhold ingen bemærkninger til de fremsendte forslag.

Inussiarnersumik inuulluaqqusilluta

Med venlig hilsen / Best regards

Bjarne Petersen

Sekretariatschef

**Brevdato** 20-12-2022

**Afsender** Astrid Maria Spring Öberg (astrid@ga.gl) - Grønlands Erhverv

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet (Postkasse, Departementet for Råstoffer og Justitsområdet); Officiel post til EAMRA (Postkasse, Departementet for Landbrug, Selvforsyning, Energi og Miljø); Bo Simmelsgaard (Sagsbehandler, Departementet for Råstoffer og Justitsområdet); Nette Levermann (Sagsbehandler, Departementet for Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Vedr. Udkast til forslag til: Inatsisartutlov nr. xx af xx.xxxx 2023 om mineralaktiviteter

**Aktnummer**

**Identifikationsnummer** 22067478

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Vedr. Udkast til forslag til Inatsisartutlov nr. xx af xx.xxxx 2023 om mineralaktiviteter  
Høringssvar Mineloven GE

**Dokumenter uden PDF-version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl), Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** Astrid Maria Spring Öberg (astrid@ga.gl)  
**Titel:** Vedr. Udkast til forslag til: Inatsisartutlov nr. xx af xx.xxxx 2023 om mineralaktiviteter  
**Sendt:** 20-12-2022 17:06  
**Bilag:** Høringssvar Mineloven GE.pdf;

Til rette vedkommende

Vedhæftet er Grønlands Erhvervs høringssvar.

Inussiarnersumik inuulluaqquillunga / Med venlig hilsen / Best regards

**Astrid Maria Spring Öberg**

Siunnersorti / Konsulent / Consultant

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## Vedr. Udkast til forslag til: Inatsisartutlov nr. xx af xx.xxxx 2023 om mineralaktiviteter

Grønlands Erhverv takker for materialet og fremsender hermed sine kommentarer på vegne af råstofbranchen. Indledningsvist skal det bemærkes, at der er tale om en meget kort høringsperiode for et meget omfattende og komplekst materiale. Udarbejdelsen af hørings svar er desuden besværliggjort af, at det ikke fremgår, hvorvidt en bestemmelse er ny eller videreføres.

### Fremme af attraktive rammebetingelser

I forbindelse med indførelsen af forbuddet mod efterforskning og udnyttelse af uran blev det, blandt andet af Grønlands Erhverv, fremført at forbuddet kunne have negativ indvirkning på investeringslysten. Særligt §2, der bemyndiger Naalakkersuisut til at udstede yderligere forbud gennem bekendtgørelser, blev den gang fremhævet som yderst uheldig for den internationale investeringslyst i grønlandske råstofprojekter.

Skiftende Naalakkersuisut har igennem mange år haft en målsætning om at udvikle en velfungerende mineindustri til gavn for samfundet. Internationale risikovurderinger af Grønland som råstofland og at eksisterende råstofselskaber fortsat har svært ved at skaffe international finansiering taget i betragtning tyder dog på, at der ikke er tilstrækkelig tillid til Grønland som investeringsland sammenlignet med andre råstoflande. Nærværende forslag indeholder flere bestemmelser, der unødvendigt udvider Naalakkersuisuts skønsmæssige beføjelser og som vil bidrage til yderligere forringelser af rammebetingelserne for at tiltrække internationale investorer.

§53 bemyndiger Naalakkersuisut til at fastsætte bestemmelser om, hvorvidt den enkelte rettighedshaver må forarbejde de udvundne mineraler i udlandet eller om det skal ske her i landet. Det skaber øget usikkerhed for selskaberne og hænger ikke sammen med råstofstrategiens målsætning om at tydeliggøre dokumentationskrav for oparbejdning af mineraler udenfor Grønland.

Ligeledes bemyndiger §126 Naalakkersuisut til at træffe afgørelse om afslag på ansøgning om tilladelse eller godkendelse, såfremt "det ikke er foreneligt med væsentlige samfundsmæssige forhold eller interesser." At Naalakkersuisut endnu en gang skal bemyndiges til egenrådigt at standse enkelte projekter uden forudgående behandling i Inatsisartut er yderst problematisk for selskabernes retssikkerhed.

Det har tidligere været foreslået, at et Råstofudvalg bestående af personer med internationale kompetencer og erfaring indenfor branchen skulle udpeges, men dette er blevet sparet væk år efter år. Der er således ikke nødvendigvis sammenhæng mellem hvad der er godt og udviklende for råstofindustrien og anerkendt praksis udenfor Grønland og den måde området administreres på her i landet.



## Myndighedsrefusion

I lovforslagets §31 og §38 foreslås det at der indføres myndighedsrefusion for behandling af ansøgning om og udstedelse af tilladelser samt godkendelse af efterforskningsaktiviteter og forundersøgelsesaktiviteter til forskel fra i dag, hvor der kun kræves refusion for behandling af ansøgninger og udstedelser af tilladelser af udnyttelsesaktiviteter. Det betyder, at selskaberne fremadrettet reelt skal betale for vidensindsamling – herunder feltrapporter og geologiske undersøgelser. Det stemmer ikke overens med international praksis. Det modarbejder desuden målsætningen i Naalakkersuisuts råstofstrategi, om at *”skabe de rigtige rammer, så vi kan tiltrække efterforskningsselskaber, der vil investere i Grønland, da efterforskning er en forudsætning for opbygningen af en råstofindustri i Grønland.”* Det vil også medvirke til at forringe rammebetingelserne for udvikling af råstofsektoren.

Forslagets kapitel 9 bemærker desuden, at videnskabelige tilladelser ikke er omfattet af kravet om myndighedsrefusion. Det betyder at offentligt ejede institutioner eller universiteter som producerer viden på baggrund af en videnskabelig undersøgelsestilladelse fritages for den udgift, som selskaberne er pålagt. Den viden som offentlig ejet institutioner producerer, sælger de ofte videre til efterforskningsselskaberne, hvormed de agerer på det private marked i konkurrence med private aktører. Dette forhold kan således være konkurrenceforvridende.

## Beskatning

§53 om forarbejdning af mineraler i Grønland er ikke fordrende for en bæredygtig udvikling af råstofsektoren. Så længe Grønland ikke har flere dobbeltbeskatningsaftaler med andre lande end det er tilfældet i dag, vil lønomkostninger til medarbejdere i forarbejdningsanlæg her i landet være markant højere end i andre lande, der enten har dobbeltbeskatningsaftaler eller selv kan skaffe arbejdskraft nok.

De manglende dobbeltbeskatningsaftaler i forhold til beskatning af arbejdsindkomst med lande såsom Australien, England, Canada, Finland, Sverige og USA gør det desuden dyrere at drive efterforskningsaktiviteter i Grønland, fordi eksempelvis geologer herfra forventes kræve kompensation af selskaberne for reduktionen i deres løn som følge af dobbeltbeskatningen af deres indkomst.

§ 68 (videreførelse fra gældende lov) udgør desuden en hjemmel til, at Råstofstyrelsen kan kræve skattemæssig rapportering af selskaberne i tillæg til den afrapportering der i forvejen skal aflægges til Skattestyrelsen. Dermed pålægges råstofbranchen en øget administrativ byrde i forhold andre brancher, der kun skal indgive skattemæssig afrapportering til Skattestyrelsen. Administration og rapportering af skatter for råstofbranchen bør ligestilles med andre brancher i Grønland.

## Hjemmel for Naalakkersuisut til at udstede administrative bøder

Det fremgår allerede af loven, at Naalakkersuisut kan inddrage en licens, hvis ikke licensindehaver følger betingelserne. Det er desuden givet i loven, at man kan klage til Naalakkersuisut over en afgørelse i MLSA, men at denne ikke kan ankes. At Naalakkersuisut nu kan begynde at udstede administrative bøder synes at være endnu et vidtgående redskab.

Det bør desuden fremgå tydeligt, at formålet med tvangsbøder jfr. §141 ikke er en strafsanktion, men et middel til at gennemføre en handlepligt. I bemærkningerne til §123 fremgår det dog, at tvangsbøder er en





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sanktion. Det fremgår i øvrigt ikke af bemærkningerne til §142 hvilke kompetencer Naalakkersuisut har i forhold til at vurdere proportionalitet og fastsætte bødens størrelse.

### **Øget administration**

§44 indfører et krav om forhøring for kommissoriet samtidig med det eksisterende krav om forhøring af VVM og VSB. Der er dermed lagt op til, at selskaberne skal udarbejde endnu et dokument, som øger administrationsbyrden og som det er svært at se et reelt formål med.

Høring for kommissoriet må desuden ifølge forslagens §44 stk. 2 tidligst være afsluttet 24 måneder inden meddelelsen af en udnyttelsestilladelse. Det er ikke tids nok til at få godkendt både VVM og VSB, blandt andet idet vejledningen til udarbejdelse af VVM stiller krav om 2-3 års baggrundsundersøgelser og myndighedernes gennemsnitlige sagsbehandlingstid for disse i øjeblikket overskrider 24 måneder.

Samtidig foreslås det også med §21 at indføre høring for ansøgning om efterforskningsstilladelse. Begge bestemmelser udgør en øget og unødvendig administrativ byrde, både for selskaberne og for myndighederne.

### **Krav om reelt hovedkontor**

Der stilles i forslagens §45 krav om at rettighedshaver til en udnyttelsestilladelse udgøres af et i Grønland registreret aktieselskab. Det er helt på sin plads at rettighedshaver er skattepligtig her i landet. Det er uklart, hvad der menes med "reelt hovedkontor" i §45 stk 2. Hvilke aktiviteter skal være til stede for at der er tale om et reelt hovedkontor – er det al administration inkl. personale og løn?

### **Fond eller pulje?**

Bestemmelsen i råstofloven om at oprette en fond til borgerinddragelses ophæves, og erstattes med en bestemmelse i mineloven om oprettelse af en pulje med samme formål. Hvad betyder forskellen i praksis?

### **Efterforskningsforpligtigelse**

Det er angivet i bemærkningerne til §38 at den årlige efterforskningsforpligtigelse udgør 1000.kr /km<sup>2</sup> i første og andet år fra 1. januar 2009. Satserne bør opdateres til de gældende satser pr 1. januar 2023.

Inussiarnersumik inuulluaqqusillunga / Med venlig hilsen / Best regards

**Astrid Maria Spring Öberg**  
Siunnersorti / Konsulent / Consultant

**Brevdato** 20-12-2022

**Afsender** lindsaydick@gexpl.com Sendt af Lindsay Dick:  
lindsaydick@gexpl.com

**Modtagere** Officiel post til Departementet for Råstoffer og Justitsområdet  
(Postkasse, Departementet for Råstoffer og Justitsområdet);  
Officiel post til EAMRA (Postkasse, Departementet for  
Landbrug, Selvforsyning, Energi og Miljø)

**Akttitel** Re: FW: Offentlig høring, forslag til minelov og ændring af  
råstofloven

**Aktnummer**

**Identifikationsnummer** 22056194

**Versionsnummer** 1

**Sagsnummer** 2021 - 15045

**Ansvarlig** Bo Simmelsgaard

**Vedlagte dokumenter** Re FW Offentlig høring, forslag til minelov og ændring af  
råstofloven (Nanoq - ID nr. 21835316)  
221220 Consultation - Bill to amend the Greenland Parliament  
Act on Mineral Resources and Mineral Resource Activities -  
Greenfields Exploration Limited (Signed)

**Dokumenter uden PDF-  
version (ikke vedlagt)**

**Udskrevet** 13. apr 2023

---

**Til:** Officiel post til Departementet for Råstoffer og Justitsområdet (asn@nanoq.gl), Officiel post til EAMRA (eamra@nanoq.gl)  
**Cc:** jonbell@gexpl.com (jonbell@gexpl.com), Bo Simmelsgaard (bosd@nanoq.gl), Nette Levermann (netl@nanoq.gl)  
**Fra:** lindsaydick@gexpl.com (lindsaydick@gexpl.com)  
**Titel:** Re: FW: Offentlig høring, forslag til minelov og ændring af råstofloven  
**E-mailtitel:** Re: FW: Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)  
**Sendt:** 20-12-2022 01:23  
**Bilag:** 221220 Consultation - Bill to amend the Greenland Parliament Act on Mineral Resources and Mineral Resource Activities - Greenfields Exploration Limited (Signed).pdf;

Dear addressees

Thank you for the opportunity to comment on the draft bills for Mining and amendment of the Mineral Resources Act.

I attach a submission on behalf of Greenfields Exploration Limited.

If you have any questions around this submission please do not hesitate to contact me.

Best regards

Lindsay Dick

On Thu, Nov 24, 2022 at 8:12 AM <[jonbell@gexpl.com](mailto:jonbell@gexpl.com)> wrote:

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**From:** Bo Simmelsgaard <[bosd@nanoq.gl](mailto:bosd@nanoq.gl)>  
**Sent:** Thursday, 24 November 2022 2:55 AM  
**Cc:** Officiel post til EAMRA <[eamra@nanoq.gl](mailto:eamra@nanoq.gl)>  
**Subject:** Offentlig høring, forslag til minelov og ændring af råstofloven (Nanoq - ID nr.: 21835316)

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Hermed fremsendes udkast til forslag til minelov og ændring af råstofloven til offentlig høring, se venligst vedhæftede dokumenter.

Hereby draft bills for Mining and amendment of the Mineral Resources Act for public consultation, please see attached documents.

Inussiarnersumik Inuulluaqqusillunga  
Med venlig hilsen  
Best regards

**Bo Simmelsgaard**

Inatsisileritooq  
Jurist  
Legal Advisor to the Deputy Minister



NAALAKKERSUISUT  
GOVERNMENT OF GREENLAND

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**Lindsay Dick**

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Greenfields Exploration

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20 December 2022

Rannvá Clementsen, Head of Agency  
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Greenland

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## Introduction

I represent Greenfields Exploration Limited, an Australian mineral explorer and project developer. Since 2017 we have been engaged in several projects within Greenland. In 2019 Greenfields Exploration was awarded the Prospector and Developer of the Year Award.

Our projects focus on ambitious early stage 'greenfields' projects with little or no prior geological work. Our goal is to unlock belt-scale opportunities for mineral projects at the nation-building scale.

We thank the MMR and EAMRA for the opportunity to comment on the 'Bill Greenland Parliament Act on Mineral Activities' (the **Bill**) to amend the Mineral Resources Act, Greenland Parliament Act No. 7 of 7 December 2009 (the **Act**).

Greenfields has no comment on most of the proposed changes within the Bill, which are largely administrative and/or technical amendments to a legislative system that already works quite well.

However, there are several proposed changes within the Bill which, in our opinion, deserve to be reconsidered. The changes, if enacted, would in our view negatively impact the development of the mineral resources industry within Greenland. These changes would run counter to the stated purpose of '(making) the regulatory environment clearer and more investor-friendly, with an emphasis on meeting international standards and being competitive with the legislation of other mining countries'.

At the outset, in our view the consultation process could have been made easier by circulating a version of the Bill which highlighted any provisions which are changed from the Act. A comparative legislative analysis is a significant time burden, particularly for those groups which may not have access to legal expertise.

Nonetheless, our key areas of concern are discussed below.

## **1. Public hearing process for exploration licences – section 35**

We are concerned that the new rules around the public hearing process for exploration licences go too far and will restrict future applications for exploration within Greenland.

The existing rules under the Act allow the MLSA to grant an exploration licence without a period of public consultation. The MLSA, as the organization best placed to assess the suitability of a party to hold an exploration licence, is empowered to assess applications to perform these very preliminary activities. At this stage of a project's development, there is extremely high geological and project risk – very little is known about the area and the investment is at significant risk. The lower administrative threshold aligns with the higher project risk.

Under section 35(1) of the Bill, all applications for an exploration licence will be subject to a public consultation process lasting 21 days. This consultation applies regardless of whether the project has any significant social or environmental impact.

We note that the six-week appeals period for decisions generally remains largely unchanged. This means that there are at least nine (3+6) weeks between an application and a final decision. A conservative investor will not begin work on a project until that nine-week period has been completed. Under the Bill, any applicant must be prepared to expend the significant time and resources in answering questions a public consultation. These questions may be asked by *anyone*. For the smaller companies which tend to be first mover licence applicants in Greenland, this is a significant burden on a very early-stage project.

We note the comment in the explanatory notes that:

*It is important that citizens and other interested parties are given an opportunity to object at this stage in the process as a licensee under an exploration licence, see section 34, is entitled to be granted a mineral exploitation licence, see section 41, if the requirements of this provision are satisfied.*

With respect, we cannot follow this reasoning and, in our opinion, the significant burden of a public consultation has been incorrectly placed too early in the project lifecycle under the Bill. A licence holder is *not* automatically entitled to an exploitation licence under section 41, because there are further stages at which approval must be granted:

- the full 'terms of reference document' process under s44 must be completed;
- the Government is entitled to make a decision under s41(2) on whether the requirements of s41(1) have been met. This decision appears to not be subject to any qualifications or limitations – it is solely a decision for the Government of Greenland;
- section 43(1) states that an exploitation licence *may* be granted if the criteria are fulfilled. This is another unqualified exercise of discretion on the part of the government;
- under section 126 the Government of Greenland has an effectively unlimited discretion on whether to award a licence on any grounds.

There are at least four stages between the granting of an exploration licence and the granting of an exploitation licence where interested parties can object and/or the Government of Greenland can refuse to grant the exploitation licence. Once an exploration licence is granted, this is not the 'point of no return'.

For a project developer, a non-exclusive prospecting licence is commercially of very little value. The only way to attract investment is with an exclusive exploration licence. As a result, developers will apply for this licence before making a site visit, based purely on a 'desktop study'. To the best of Greenfields' knowledge, this has been the case with every new licence in Greenland in recent memory.

The new Bill would effectively mean that every exploration licence applicant would need to go through a full public consultation process and answer detailed questions about their project before even visiting the site or confirming that there is any potential in the project. Recent examples suggest that there will be groups within and outside Greenland who will strongly object to every licence application. There are no rules for the scope of the consultation other than the 21-day period. Of course, citizens are entitled to have their viewpoint, and there is a time when they can do so under the existing rules. Recent history suggests that this feedback can be quite effective. Ultimately, though, the MLSA needs to take the responsibility to make some decisions about who is entitled to hold an exploration licence.

We note that under the current regime, the MLSA already reviews all applicants as part of the licensing process. Applicants are required to state their credentials to the satisfaction of MLSA. Additionally, the field programs themselves are subject to quite detailed review. Adding an additional public consultation is a duplication of the reviewing process at this early stage.

We assume that the change proposed in the Bill was made in pursuit of Priority Area 3 of the Mineral Strategy, 'simplified transition from exploration to exploitation'. Unfortunately, it does not simplify any of these matters while adding significantly to the upfront burden elsewhere. The MLSA review process for an exploration licence, and the public consultation process for an exploitation licence are still there, and under the Bill there is another significant public consultation process which must be completed even before the developer has a good idea of whether the project has any potential.

At the risk of oversimplification, the proposed position of the Bill on this matter may have these effects:

- Every mineral project will need to be prepared to face coordinated and enthusiastic opposition from the very first stage of the project's life.
- Before a single geologist has set foot on the ground, or a single study is done, the developer will be in a position where they need to prove to the public's satisfaction that nebulous standards will be met. Even with the best intentions, this is not possible. The developer doesn't know where the prospect even is, let alone what an eventual mine might look like.
- Incoming investors will see that they can expect a period of at least 9 weeks from application before finding out whether the licence is *actually* approved. A prudent investor would not invest any money in a field campaign until that 9-week period has expired (though they must set aside money for a public consultation and public relations campaign before even setting foot on the ground).
- In a nation with short field seasons, high cost of exploration, and extremely long lead times required for field work, this delay might be enough to lose one season of exploration. Alternatively, an incoming investor might simply look at the upfront burden and decide to invest elsewhere.

## 2. Special Exploration Licences

We note that the provisions for Special Exploration Licences (**SELs**) are currently contained within the Standard Terms for Exploration Licences rather than within the Act. Greenfields has been granted several SELs and the improved terms of these licences are in our view one of the largest benefits of exploring in Greenland.

The SELs are effectively a fourth category of licence as they are quite different to a standard Exploration Licence. For new entrants into Greenland reviewing the Bill, it may not be clear how the SELs tie in with the wider regime.

The Bill provides an opportunity for the rules around SELs to be clearly set out in their own Part of the Bill to make it clear how these licences operate.

## 3. De facto management within Greenland – section 45(2)

Section 45(2) of the Bill creates a new requirement that the holder of an exploitation licence must have its *de facto* head office, the place from where the company is managed, in Greenland. While we support that any exploitation licence holder should have a strong and active engagement with the Greenlandic community, this requirement may be unintentionally too restrictive.

The prospects within Greenland are enticing enough to attract globally significant mining companies – and indeed, they have already done so. These companies are likely to be incorporated and managed within the USA, Canada, Australia, or other mining centres. If one of



these companies does go forward with a mine development in Greenland, the subsidiary which holds the licence will always have its *de facto* head office in the global HQ for that company. A global miner will not relocate its headquarters for the sake of one project, but in our view, these are the sorts of companies that Greenland should be trying to attract. If this requirement had been in place when Greenfields was attracting investment for our projects, it would have been seen as a significant 'red flag' for potential investment partners.

In our view, if the desired outcome is to ensure that exploitation licence holders are adequately engaged in the Greenland business community and can effectively be managed by the Government of Greenland, this could be achieved by a 'softer' requirement. For example, it may be enough that the *management of the project the subject of the exploitation licence* is located in Greenland.

#### **4. Additional costs of processing in Greenland – section 53(1)**

Section 53(1) sets out rules in relation to onshore and offshore processing of minerals. Notably, a licensee may only process minerals outside Greenland where processing in Greenland would result in **both** significantly greater costs **and** that 'advantages to Greenlandic society will not be significantly affected thereby'. The current Act allows offshore processing where there would be increased costs only.

Realistically, having both requirements in place may mean that there are no situations where offshore processing would ever be permitted. A minerals processing plant is a significant employer and source of local income, particularly taking regard to the small size of many Greenlandic towns near mining prospects. If a decision is made to locate a plant somewhere other than Greenland, that decision will always 'significantly affect advantages' to local employment. So, no matter how severe the increased costs will be for the developer, the vague second criteria will never be met, and offshore processing will never be permitted.

The decision on whether to allow offshore processing needs to be made by considering and weighing up conflicting interests. The explanatory notes identify that this needs to be a consideration of both factors (economics vs social benefit), but the Bill itself demands that both are satisfied at once. We would like to see this section redrafted to make it clear that these are both factors which will be considered in making a decision but removing the requirement that both need to be satisfied.

#### **5. Orders prohibiting the use of contractors – section 68(3)**

Section 68(3) of the Bill allows the MLSA to issue an 'enforcement notice' prohibiting a licensee from working with any contractors who have been delinquent in their tax obligations to Greenland. We have no issue with this in principle, but we do note that plans for exploration programs are usually made many months in advance and tend to rely heavily on one or two contractors (for example, a transport provider).

The explanatory memorandum states that the Bill 'is not intended to impose on a licensee an obligation to submit tax reports or make tax payments on behalf of its contracting parties'. However, the Bill effectively does so as it is currently drafted. A prudent licensee will include a clause in every agreement with a contractor which requires the contractor to do the necessary tax reporting, and a power of attorney for the licensee to take over those obligations if the contractor fails. If there is no power in the contract for the licensee to complete tax reporting for a contractor, the licensee has no way of ensuring that the contract will remain valid. A contractor might refuse to meet their obligations, the MLSA might forbid the licensee from using that contractor, and the licensee is left without a vital piece of their field program. Damages against the contractor would be an insufficient remedy.

A good compromise would be if the MLSA made a list of those 'blacklisted' contractors each year, and that list was made available to licensees in advance of a coming field season. Then a licensee could make arrangements with contractors *not* on that list for the following year, knowing that the MLSA is not going to step in and issue an enforcement notice for one year, at least.

This would avoid the situation where a licensee either:

- through no fault of their own, loses an essential contractor for a year of field work (and as is standard for working in Greenland, would be unable to find a replacement); or
- is required to effectively take on all of the reporting obligations for all of their contractors.

A list made available to all licensees would also incentivize all contractors to ensure they are up to date with their taxation obligations.

## **6. New remediation obligation – section 78**

The Bill contains a new explicit obligation to 'clean up and restore nature etc. as relevant in the affected areas, to the extent possible', in section 78(1)(2). This obligation to restore a more explicit obligation than under the Act which requires 'clean up'.

Greenfields is, and remains, dedicated to exploring these sensitive environments with the utmost care and in accordance with all regulatory requirements. However, all exploration activities, even at a very early stage, have an impact on the environment. In an arctic environment these impacts can be more difficult to remediate than in other jurisdictions.

For the industry it would be very useful to have more detailed guidance about exactly what the new obligations entail, and particularly what restoration is considered to be 'within the extent possible'.

## **7. Suspension of administrative processing – section 125**

In section 125, the Bill contains a new provision empowering the Government of Greenland to demand 100 000 DKK or more 'to cover the Government of Greenland's processing and other

administrative costs'. If that amount is not paid, the government may order that all activities be suspended.

We understand the rationale behind this provision and note from the explanatory memorandum that this is intended to be aimed at licensees which continue to not to pay any amounts while due. However, the way it is presented (in English at least) can easily be interpreted to read that the Government of Greenland can demand 100 000 DKK at any time and impose a stop-work order if the payment is not made. From an international comparative perspective this would be a very concerning provision.

We would like to see this provision redrafted to make it clear that it only applies in case of repeat offenders who have incurred a significant administrative debt. Ideally there would be caps and/or scales on the various administrative debts that arise, eg a cap on the amount that the Government can charge for each administrative action.

## **8. General discretion for important public interests – section 126**

In section 126, the Bill introduces a broad new power for the Government of Greenland to refuse the granting of a licence or approval on essentially any grounds. It was clearly a policy decision to include this wide-ranging power. We would like to see more definite criteria applied in relation to the power so that licensees have a better idea on what criteria their application will be measured against.

We note from the explanatory notes that 'the provision should only be applied in special exceptional cases if justified by important public considerations and interests, including important foreign policy, defence policy or national security considerations or interests.' However, there is no such limitation on the power in the Bill itself. If the power is meant to be used only in extraordinary circumstances, this should be included in the actual Bill. We understand that the explanatory notes have no legal effect.

There is also a requirement on an applicant or licensee to 'inform the Government of Greenland of all matters which may be of importance to the Government of Greenland's decision'. This is simply not possible. A licensee cannot be put into a position where they are responsible for doing the Government's job in assessing what criteria might be important or not. A licensee can only provide what information is requested or required of it. For example, how is a licensee expected to have such a strong understanding of Greenland's foreign or defence policies, that it can inform the Government of everything which *might* be of importance? These are areas about which a licensee is explicitly not given any information.

The Bill has many sections where an applicant or licensee is required to provide information. There is also a right of the Government to demand further information. There is no need for an obligation on all licensees to provide information they do not have about matters they don't understand, which might impact interests they have no power over.

On behalf of Greenfields Exploration, I thank you for your consideration of the above points. We look forward to continuing to play an active role in the responsible development of the mining industry within Greenland.

If there are any questions or clarifications which we can provide in relation to these or any other matters please contact the undersigned.

Sincerely

A handwritten signature in dark ink, appearing to read 'Lindsay Dick', followed by a small dot.

Lindsay Dick  
Executive Director  
Greenfields Exploration Limited

**Brevdato** 19-12-2022

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**Udskrevet** 13. apr 2023

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Jan Rehtmar-Petersen

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Urani? Naamik  
Peqatigiiffik Narsaq



# Afsløring

## Greenland Minerals` utroværdigheder

April 2022



# Urani? Naamik Peqatigiiffik Narsaq

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Korrektur: Aili Liimakka Laue





## Indledning:

Greenland Minerals' høring omkring Kuannersuit-projektet skabte travlhed hos Urani? Naamik Narsaq. De er første gang i Grønlands historie, at et så stort projekt skal til høring med tusinder af sider der skal læses og analyseres. Og det har været nyt for alle her i landet.

Men nu, hvor vi ikke føler os kvælertaget, har vi, med vores eget tempo, kunne analysere støvemissionerne i Kuannersuit-projektet.

Analyse af Greenland Minerals' støvforurening rapporten kom lidt tilfældet. Vi opdagede, at støvforurening-emissionerne fra den åbne mine er mere end halveret, og støvforurenings-emissionerne på grusvejene ikke rigtigt hænger sammen. Vi fandt ud af at PM<sub>2,5</sub>-emissionerne der skulle være 10 % af PM<sub>10</sub>-emissionerne, var næsten 30 %.

Derfor besluttede vi, at undersøge alle slags støvforurening-emissioner i projektet. Og da Greenland Minerals havde meddelt sine aktionærer, at Urani? Naamik Narsaq kun beskæftiger sig med uranspørgsmålet, tog vi fat på arbejdet med støvforureningen.

I vores rapportskrivning var det vigtigt, at vi skrev på en troværdig måde. Vi tjekkede vores resultater flere gange. Vi brugte ERM fremgangsmåde ved at bruge alle emissionsfaktorer fra USEPA AP-42. På den måde fandt vi flere fejl i ERM's rapport, selvom Greenland Minerals kaldte dem for støvekspertes.

Vores grundige fremgangsmåde skyldes også, at Greenland Minerals 35 gange refererede til ERM's rapport i deres hvidebogsvar, og lige så mange gange refererede til VVM-rapportens kapitel 8, hvor støvforurening emissioner blev behandlet.

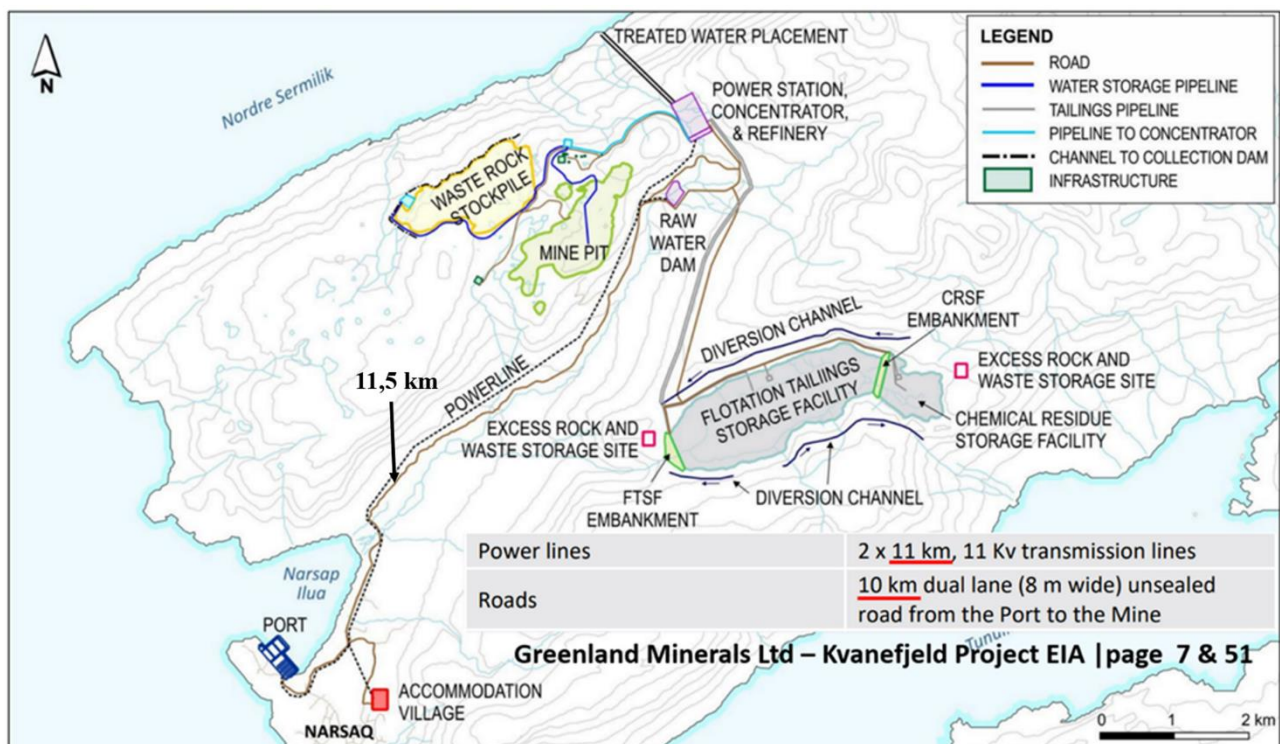
Til sidst vil vi evaluere Nationalt Dansk Center for Miljø og Energi, DCE's rolle under Greenland Minerals' høring omkring Kuannersuit-projektet.



## 1. Greenland Minerals`fuldt overlæg svindelnumre for at mindske støvforureningen:

Først vil vi præcisere, at ERM ikke har været i Narsaq på studietur. De har løst opgaven, som Greenland Minerals har bestilt. Alle oplysningerne omkring Kuannersuit-projektet har Greenland Minerals givet til ERM. Derfor skal det understreges at Greenland Minerals har det fulde ansvar for ERM`s støvrapport.

1.A. Alle aktiviteter i den åbne mine er reduceret med 70-74 %. Man ”glemmer” vinteren, hvor man ikke kan sprøjte med vand. På dette svindelnummer over reducerer Greenland Minerals med 54-55 %.



1.B. På landkortet kan man tydeligt se svindel med længden af grusvej fra havnen til mineområdet. Når man måler nøje får man længden på grusvejen på 11,5 km, medregnet stigninger på grusvejen. Man kan tydeligt se det på kortet. Det er en støvforureningsbesparelse på 39 % (medregnet andre mangler).



Table C- 12: Activity data for Grading

**Greenland Minerals and Energy (GME) A/S: ERM page C-8**

Data Input		Units
No. of grader <sup>a</sup>	1	-
Distance on road 3 (from pit to dump)	2	km
Distance on road 4 (from pit to crusher)	3	km
Operating hours on road 3 <sup>b</sup>	1,012	hours
Operating hours on road 4 <sup>b</sup>	1,003	Hours
a. Communication with GME on 11 November 2014		
b. Assumed by PEL		

Table C- 16: Activity Data for Wheel Generated Dust (Unpaved Roads)

**Greenland Minerals and Energy (GME) A/S: ERM page C-10**

Data Input		Units
No. of truck <sup>a</sup>	6	-
Distance on road 1 (from pit to dump – 100% of waste)	3	km
Distance on road 2 (from pit to crusher – 100% of ore)	2	km
Operating hours on road 1 <sup>b</sup>	6,248	hours
Operating hours on road 2 <sup>b</sup>	6,584	Hours
d. Communication with GME on 11 November 2014		
e. assumed by PEL		

1.C. Kæmpe lastbiler på 72 tons, med last 174 tons, skal køre henholdsvis 33 000 gange til gråbjergsdumperen og køre til stenknuseriet 34 400 gange om året. Det vil skabe meget støv. Greenland Minerals har byttet om på længderne af ruterne. Så ruten til stenknuseren bliver 2 km lang og vejen til gråbjergsdumperen vil blive 3 km lang.

Men i SRK Consult`s rapport, opdateret sidst i 2017, kan man læse, at fra vejkrydset nær gråbjergsdumpen og til stenknuseren er afstanden 3,3 km. Og fra vejkrydset er der 800 meter lang grusvej. Gennemsnitligt må kæmpe lastbilerne køre 5 km ned til stenknuseren. På dette store svindelnummer sparer Greenland Minerals 217 % af støvforureningen på grusvejene omkring mine området.

1.D. Endvidere gør SRK Consult opmærksom på, at specielt 800 meter lange og 20 meter bred grusvej, fra den åbne mine til vejkrydset, skal vedligeholdes jævnlige. Det ser ikke ud til, at vedligeholdelse af grusveje er medregnet i ERM`s støvrapport. Vi har forsigtigt skønnet, at Greenland Minerals må regne med, at bruge 100 000 tons grus om året til det formål. I den 800 meter lange grusvej vil der køre 15 mio. tons sten og køretøj igennem hvert år og belaste grusvejen. Og bulldozer på 74 tons vil også køre der 168 gange frem og tilbage mellem den åbne mine til gråbjergsdumperen.

Hjulspor fra de tunge køretøj, vandsprøjtning, støvdannelser, vandløb, erosion og elvsprængninger om foråret vil slide grusvejene. Man skal også huske på, at i nogle vintre kommer der kraftige regnbyger, der skaber våde meget tunge snelaviner som skrider fra fjeld skråningerne. Og der er selvfølgelig andre grusveje der skal vedligeholdes.



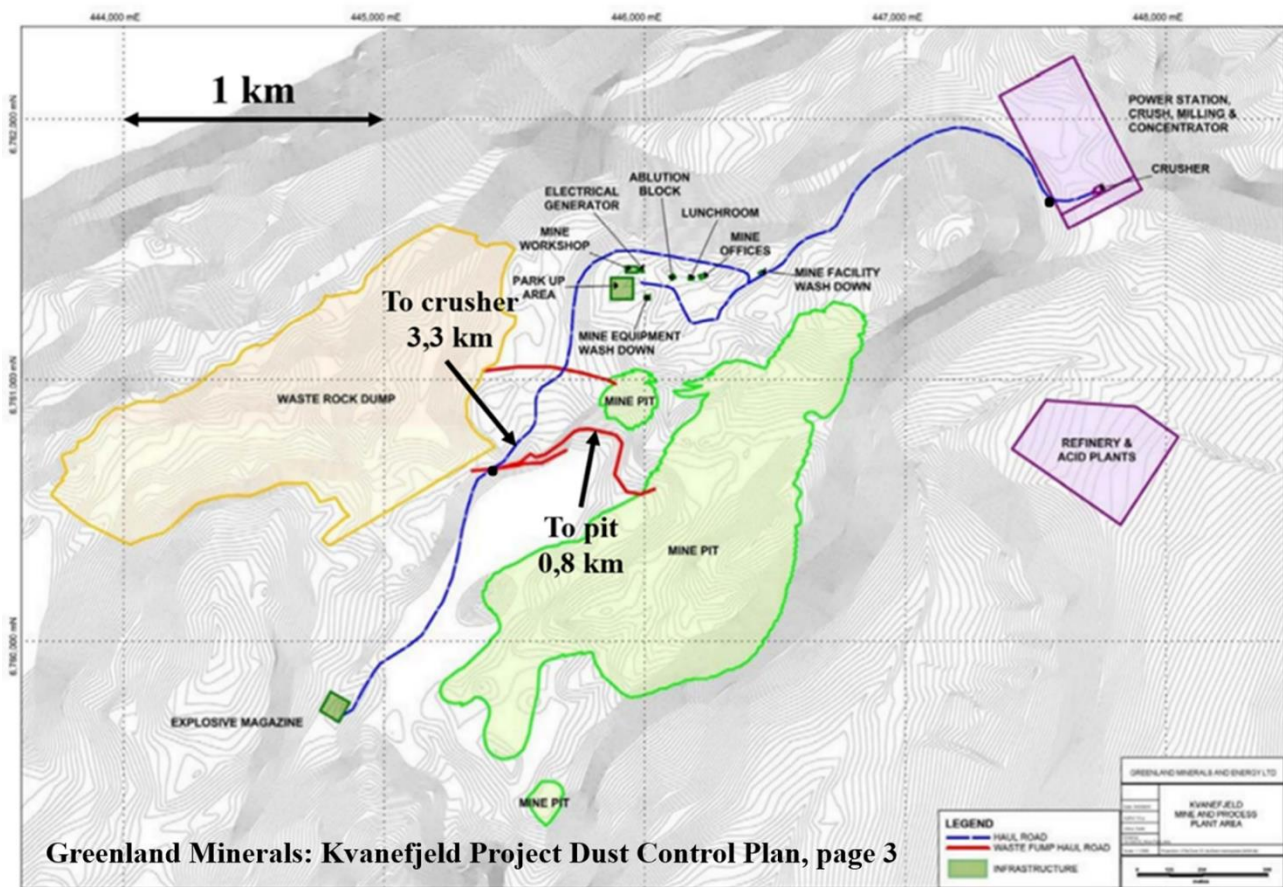
## Urani? Naamik Peqatigiiffik Narsaq

Manglende vedligeholdelse medfører, at der kommer skader på tunge de køretøjer.

Når man behandler grus mange gange skabes der meget støvforurening af samme grus.

Losning af skib vil danne støvforurening. Lastning af lastbiler vil skabe støvforurening. Transport på grusveje skaber støvforurening og tomme lastbiler på returvejen skaber støvforurening. Losning af grus evt. til grus depotet vil skabe støvforurening. Lastning af grus. Losning af grus på vedligeholdelses stedet vil skabe støvforurening og tomme lastbiler vil også skabe støvforurening. Skrabning af vejen vil skabe støvforurening.

Og især grusvejene i mineområdet, hvor tunge lastbiler kører, skal også vedligeholdes jævnlige. Og selvfølgelig grusvejen, på 11,5 km, mellem mineområdet til havnen skal også vedligeholdes. Det kan være at 100 000 tons grus vil være for lidt.



1.2. Kun bulldozerens arbejde er medregnet. Bulldozeren skal køre 60.000 km hvert år og slide på minegrunden. Trafik fra pit 1 og pit 2: Excavators -, bulldozers - og borekøretøjs kørsler skal også medregnes.

1.3. Ændringer af antallet af sprængninger. Når en aktivitet i den åbne mine skaber mindre støv stiger antallet af sprængninger i beregningsgrundlaget. Og eller modsat:

1.3.A. Boringer: Beregningsgrundlaget er 184 sprængninger.

1.3.B. Sprængninger: Beregningsgrundlaget er 177 sprængninger.

1.3.C. Lastning af sten i den åbne mine: Beregningsgrundlaget er 168 sprængninger.

1.4 Man kommer i tvivl med hensyn til, at vurdere eksporten af råstoffer. Fordi forskellen mellem de fleste og de færreste sprængninger er på 560 000 tons sten.



## 2. Organisering af Greenland Minerals` aktiviteter med sten og transport.

Transporten af importerede stoffer og kemikalier er dårligt beskrevet. Og nogle af reagenserne er kun betegnet som containere. Vi benyttede en almindelig container, som kan rumme 25 tons, til disse reagenser. Og de andre reagenser, som er betegnet med vægt, blev lagt ind i de samme containere. Til eksporten af råstoffer benyttede vi specielle containere der kan indeholde 32 tons råstoffer.

Lastbilen skal kunne klare opstigningen til mineområdet. Derfor valgte vi en lastbil, som vejer 15 tons. Containertrailer vægt 4 tons. Og alle containere vejer 3 tons.

Vi brugte de samme emissionsfaktorer, som er beskrevet i Greenland Minerals` VVM-rapport og i bilagene.

Vi brugte pålidelige emissionsfaktorer fra USEPA AP-42. Resultaterne kan ses på tabel 1. Resultaterne i tabel 2 er emissionstal efter støvreduktioner, som er anvist af Greenland Minerals. Vi rettede fejlene og andre tal blev korrigeret til 168 sprængninger. Fordeling af sten fra den åbne mine er, 3 000 000 tons sten til stenknuseren og 2 880 000 tons sten til gråbjergsdumperen.





## 2.1 Beregning af støvforurening før støvbekæmpelserne.

### Greenland Minerals

### Urani? Naamik Narsaq

Tabel 1	PM <sub>30</sub> kg	PM <sub>10</sub> kg	PM <sub>2,5</sub> kg	PM <sub>30</sub> kg	PM <sub>10</sub> kg	PM <sub>2,5</sub> kg
Boringer	5 800	3 070	460	5 800	3 070	460
Sprængninger	3 800	1 980	110	3 800	1 980	110
Bulldozing i den åbne mine	32 400	5 910	3 410	199 800	46 830	18 710
Lastning	18 900	8 960	1 360	18 900	8 960	1 360
Bulldozing og losning af sten i gråbjergsdumperen	20 100	6 360	1 800	75 700	19 950	6 880
Transport af sten + (bulldozeren-, excavators- og borekøretøjenes bevægelser på grusvejen) <sup>a</sup>	603 400	146 170	55 790	1 618 000	398 090	148 880
Aktiviteter på grusvejen mellem havnen og mineområdet	432 700	105 800	39 570	711 000	173 830	65 010
Vedligeholdelse af grusveje	(2 200) <sup>b</sup>	(680) <sup>b</sup>	(70) <sup>b</sup>	176 000	43 470	15 940
Losning af sten på stenknuseren	9 700	4 570	690	9 700	4 570	690
I alt	<b>1 137 020</b> (1 137 156) <sup>c</sup>	<b>286 650</b> (288 249) <sup>c</sup>	<b>103 500</b> (84 742) <sup>c</sup>	<b>2 871 860</b>	<b>700 750</b>	<b>258 050</b>
Forholdet	1 PM30	1 PM10	1 PM2,5	2,5 PM30	2,4 PM10	2,5 PM2,5

<sup>a</sup> Greenland Minerals har ikke medregnet +(.....)

<sup>b</sup> Ikke medregnet i summen, for at undgå dobbeltberegning.ERM: AQA, Kvanefjeldet page 18.

<sup>c</sup> Fra ERM: AQA, Kvanefjeldet page 18.

Afsløringerne af Greenland Minerals` svindelnumre og mangler ses i resultaterne i tabel 1. Tallene blev 2½ så store.



2.2 Beregning af støvforurening efter støvbekæmpelserne.

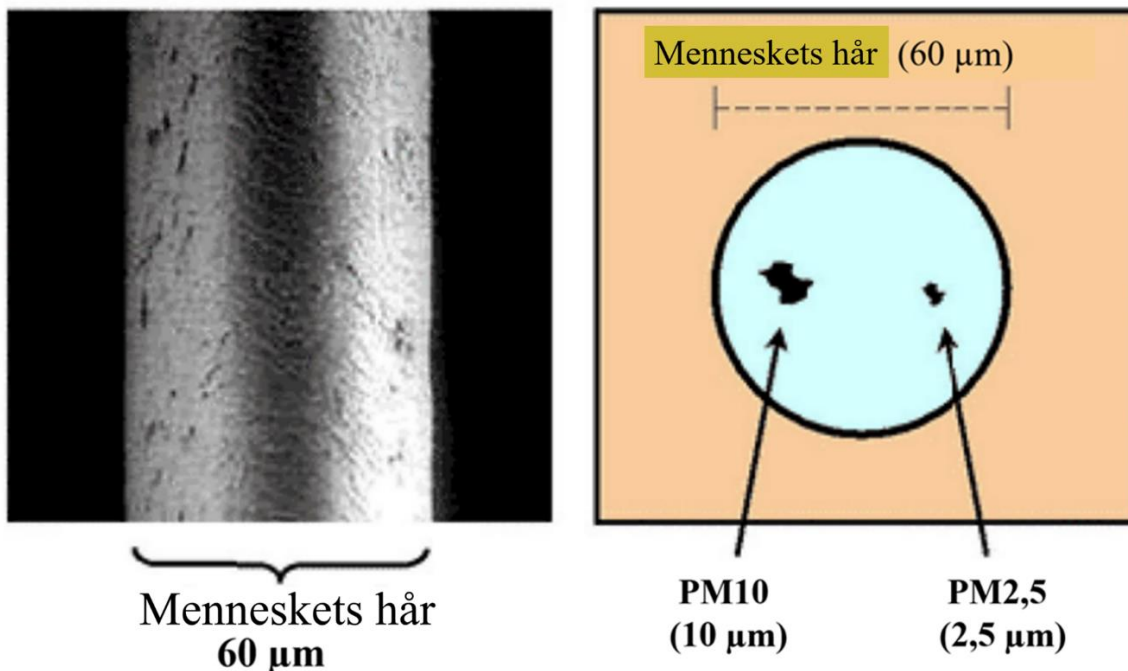
Tabel 2	Greenland Minerals			Urani? Naamik Narsaq		
	PM <sub>30</sub> kg	PM <sub>10</sub> kg	PM <sub>2,5</sub> kg	PM <sub>30</sub> kg	PM <sub>10</sub> kg	PM <sub>2,5</sub> kg
Boringer	1 550	800	120	1 550	800	120
Sprængninger	1 070	560	30	2 440	1 270	70
Bulldozing i den åbne mine	9 700	1 770	1 020	129 700	30 400	12 150
Lastning	5 700	2 690	410	12 300	5 820	880
Bulldozing og losning af sten i gråbjergsdumperen	6 000	1 910	540	49 200	12 970	4 470
Transport af sten + (bulldozeren-, excavators- og borekøretøjenes bevægelser på grusvejen)	221 490	53 500	20 590	594 600	145 370	54 370
Aktiviteter på grusvejen mellem havnen og mineområdet	160 100	39 140	14 640	263 100	64 320	24 050
Vedligeholdelse af grusveje	(650)	(200)	(20)	48 100	12 050	4 340
Losning af sten på stenknuseren	2 900 <sup>a</sup>	1 370 <sup>a</sup>	210 <sup>a</sup>	6 280	2 970	450
I alt	<b>414 030</b> (420 486) <sup>b</sup>	<b>103 740</b> (107 543) <sup>b</sup>	<b>37 730</b> (31 615) <sup>b</sup>	<b>1 130 930</b>	<b>281 770</b>	<b>103 080</b>
Forholdet	1 PM <sub>30</sub>	1 PM <sub>10</sub>	1 PM <sub>2,5</sub>	<b>2,7</b> PM <sub>30</sub>	<b>2,7</b> PM <sub>10</sub>	<b>2,7</b> PM <sub>2,5</sub>

<sup>a</sup> Samme fremgangsmåde, som de andre reduktioner. Nedsat med 70 %.

<sup>b</sup>ERM: AQA, Kvanefjeldet page 28.



### 3. Små partikler, som påvirker menneskets sundhed.



*PM10 og PM2,5 er sundhedsfarlige for mennesker.*

Forholdet mellem Greenland Minerals svindelnumre og Urani? Naamik Narsaq's resultater:  
Små partiklerne PM10 og PM2,5 er næsten tredoblet (2,7 gange større).

### 4. Vurdering af ERM's støvrapport.

#### 4.1 Transport af importerede stoffer og kemikalier

Stoffer og kemikalier er kun beskrevet som containere. Der er ingen vægt betegnelser. Og andre reagenser er kun beskrevet med vægt, men man fortæller ikke hvordan til skal transporteres. (ERM: AQA, Kvanefjeldet page 29 and page 30).

#### 4.2 Beregning af støvemissioner på grusvejene.

Man kan ikke se, hvordan man nået frem til resultaterne. Der er ikke dokumenteret hvilke grundlag man har haft til udregningerne. (ERM: AQA, Kvanefjeldet page 18).

#### 4.3 Støvbekæmpelse.

I ERM's støvrapport fylder støvbekæmpelsen på knap en side. De refererer til Greenland Minerals' egen støvbekæmpelsesrapport : "Kvanefjeld Project Dust Control Plan". Den sendte Greenland Minerals til ERM juni 2015. På den står der hvordan de vil bekæmpe støvet i deres egen Kuannersuit-projekt. Men der står ikke konkret hvad Greenland Minerals vil med støvbekæmpelsen. Der står ikke hvor meget vand de vil bruge pr. m<sup>2</sup> grusvej om sommeren, hvor meget salt de vil bruge pr. m<sup>2</sup> pr. sprængning f.eks.grusvej. Og der står heller ikke nogen konkret





fremgangsmåde med hensyn til støvbekæmpelsen i den åbne mine. Hvor mange m<sup>3</sup> vand vil de bruge til det formål?

Et eksempel på en god rapport omkring støvbekæmpelse er lavet af australske Pacific Environment i 2014 til NSW Minerals Council / ACARP Project C22027. En rapport med 65 sider. Efter navneforandring kom firmaet til at hedde Environmental Resources Management, ERM.

## **5. Brugen af ERM's støvrapport under høringen om Greenland Minerals Kuannersuit-projekt.**

I Greenland Minerals hvidebog, skrevet efter endt høring, som udkom på deres hjemmeside, har Greenland Minerals refereret til ERM's støvrapport 35 gange og lige så mange gange til VVM-rapportens kapitel 8, der omhandler om støvforurening.

Til alting.dk udtalte daværende direktør John Mair, 9. november 2020, således: ” Vi ser frem til mange gode høringssvar, gode borgermøder og ikke mindst en dialog præget af saglighed og fakta.”

ERM's støvrapport fyldte meget under høringerne. Vores undersøgelse viser, at dialogen omkring støvforurening, under høringerne, var præget af usaglighed og udenfor fakta.

## **6. DCE's rolle under Greenland Minerals' Kuannersuit-projekt.**

DCE, Dansk National Center for Miljø, de uafhængige konsulenter, er implementeret i vores råstoflov. Vi skal samarbejde med GEUS/DCE omkring råstofområdet, når der er undersøgelser og høringer. Og de bliver honoreret via aftale mellem GEUS/DCE og Naalakkersuisut. De skal følge med udvikling i mineområdet i hele verden, og informere os omkring det. Vi ønsker, at GEUS/DCE tager højde for, at vi prioriterer vores naturomgivelser, som er sårbare overfor forurening, meget højt.

Derfor føler vi os trygge, for GEUS/DCE ”passer på os”. De vores anker, når minefirmaer søger om udnyttelse af vores ressourcer. Vi har, som land, givet dem vetoret. Man kan ikke starte høringer uden GEUS/DCE accept.

### **6.1 DCE's rolle omkring ERM's rapport.**

I Greenland Minerals' Kuannersuit-projekt fik DCE første gang ERM's udkast til sin støvrapport 5. juni 2018. Således fik DCE chance til, at checke støvforureningen i projektet. De svarede 23. juni 2018, med deres første bemærkninger. Og den endelige støvrapport blev sendt til DCE 30. januar 2019 fra ERM.

”DCE/GINR - miljømæssig gennemgang og teknisk evaluering af: "Kvanefjeld-projektet. Evaluering af miljømæssig påvirkning" af Greenland Minerals A/S” august 2020 står der bl.a.: ” DCE/GINR antager, at EIA's rapport er i overensstemmelse med minimumskravene tilhørende retningslinjerne og kan tilvejebringe et tilstrækkeligt og korrekt grundlag for offentlig deltagelse i beslutningstagningsprocessen.”

Det vil så sige, at DCE/GINR accepteret ERM's støvrapport, for at være tilstrækkeligt og korrekt grundlag.



DCE/GINR har haft 1½ år til, at beregne og checke støvemissions beregningernes korrekthed. De nævnte heller ikke emnet ”støv” i deres miljømæssig gennemgang og teknisk evaluering af Kvanefjeld-projektet.

De vil hellere bruge kræfterne, på at lave en animationsfilm om ”minimal støvforurening i Kuannersuit-projektet”. Den florerede i Naalakkersuit’s hjemmeside under høringerne.

## 6.2 Første runde af høringsmøder.

I første runde af høringsmøderne (og den sags skyld i anden runde) svarede DCE på spørgsmål, med citater fra Greenland Minerals` VVM-rapporten og dens referencer. Og de fyldte meget i høringsmøderne.

Dagen efter mødtes DCE og Urani? Naamik Narsaq. Vi havde nogle spørgsmål, som vi ikke havde styr på dengang. Vi spurgte om flusspat og uranoxid indholdet af dem. DCE svarede irriteret: ”I må selv tælle atomerne!” En af DCE’s opgave er informere den grønlandske befolkning. Svaret undrede os meget. Men vi kunne fornemme hvilken side DCE har valgt. Senere blev vi meget bedre til, at finde oplysninger over nettet.

## 6.3 Anden runde af høringsmøderne.

I Greenland Minerals hjemmeside på den australske aktiebørs, ASX, får DCE altid meget ros fra Greenland Minerals for deres gode samarbejdsvillighed. I sidste øjeblik lige før starten af anden runde af høringerne meldte Greenland Minerals afbud. En af begrundelserne var, at de vil ikke deltage, fordi DCE kun vil deltage i høringsmøderne via videoopkald.

## 6.4 Samarbejde mellem Grønland og DCE i fremtiden.

Under hele forløbet med Greenland Minerals høring om Kuannersuit-projekt har DCE opført sig naivt. De har ikke kapacitet nok, heller ikke viden nok om storskalaprojekter. Derfor kunne DCE ikke være modspiller i sådanne projekter. Det blev snarere medspiller for Greenland Minerals.

I fremtiden må vi finde samarbejdspartnere ude i hele verden. Ellers bliver vi ofre i vores eget land.

## 7. Vi er blevet narret.

Vi, som land, er blevet narret af Greenland Minerals. Det må vi alle erkende. Vores uvidenhed vil blive udnyttet og misbrugt af Greenland Minerals-type-mineselskaber, også i fremtiden. Vi må være mere påpasselige med mineselskaber, hvor deres eneste interesse er at tjene penge på vores undergrund og er ligeglade med vores folkesundhed og vores uerstattelige og sårbare natur.

## 8. Eftermæle.

Først vil vi sige, at vi er kede af at lave undersøgelserne, som DCE eller andre embedsfolk skulle have gjort. Men vi håber, at de i fremtiden vil blive mere opmærksomme.

USEPA AP-42 støvemission fremgangsmåde er meget populære hos alle mineselskaber over hele verden. Når de bruger disse forudsigelser, kan de fortælle befolkningen, at de kun forurener ”meget lidt”.

Her i landet har London Mining og Tandbreez brugt USEPA AP-42.



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USEPA AP-42 har deres basisviden fra kulminer i 70'erne og slut 80'erne. Dengang var der ikke bestemmelser omkring PM10 og PM2,5. Da disse kom blev USEPA AP-42 bare tilpasset uden at ændre deres basis udgangspunkt.

Bemærkede I, at 35 000 tons sprængt klippe skaber mindre støv end 59 borehuller?

Derfor vil Urani? Naamik Narsaq komme med støvemissioner, der er baseret på den nyeste viden. Og bruge Kuannersuit-projektet, som udgangspunkt.

På vegne af Urani? Naamik Narsaq

Jan Rehtmar-Petersen



## Urani? Naamik Peqatigiiffik Narsaq

### 9. Kilder:

ERM Worldwide Group, 2020: Air Quality Assessment – Kvanefjeld

Greenland Minerals A/S, 2020: Kvanefjeld Project Environmental Impact Assessment

SRK Consulting Pty Ltd, 2017: Kvanefjeld Project Mining Study – Report Prepared for Greenland Minerals and Energy Ltd

Greenland Minerals and Energy Ltd, MAY 2020: Kvanefjeld Project - Dust Control Plan

<https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors> 2022

[https://www.epa.gov/sites/default/files/2015-05/documents/trupactiii\\_may07.pdf](https://www.epa.gov/sites/default/files/2015-05/documents/trupactiii_may07.pdf) 2022

<https://www.altinget.dk/arktis/artikel/mineselskab-svarer-miljoeforkaempere-jeres-kritik-er-uden-hold-i-virkeligheden> 2020

<https://hotcopper.com.au/threads/ann-update-on-kvanefjeld-public-meetings.6239453/> 2021

Pacific Environment Operations Pty Ltd, 2014: Final report, Coal Mine Pollution Reduction Program Condition U3 Assessment

Til landkort: Snor og lineal



Urani? Naamik  
Peqatigiiffik Narsaq



# Disclosure: Greenland Minerals` unreliability

April 2022



## Urani? Naamik Peqatigiiffik Narsaq

### Introduction:

Greenland Minerals' hearing about the Kuannersuit project caused busyness at organization; Urani? Naamik Narsaq. It is the largest project at a hearing in Greenland's history, which includes thousands of pages to be read and analyzed. It has been new for everyone in this country. But now that we do not feel suffocated, we have, at our own pace, been able to analyze the dust emissions in the Kuannersuit project.

Analysis of Greenland Minerals' dust pollution report came more as a coincidence. We discovered that the dust pollution emissions from the open pit mine are more than halved, and the dust pollution emissions on the gravel roads are not really related. We found that the PM2.5 emissions, which should be 10% of the PM10 emissions, were almost 30%.

Therefore, we decided to investigate all kinds of dust pollution emissions in the project. And when Greenland Minerals had notified its shareholders that Urani? Naamik Narsaq only deals with the uranium issue, we took upon us the work on dust pollution.

In our report writing, it was important that we wrote in a credible way. We checked all of our results several times. We used the ERM approach using all emission factors from USEPAAP-42. That way, we found several major flaws in the ERM's report, even though Greenland Minerals called them dust experts.

Our thorough approach is also due to the fact that Greenland Minerals referenced 35 times in their White Paper responses, and just as many times refer to Chapter 8 of the EIA report, where dust pollution emissions were addressed.

Finally, we will evaluate the National Danish Center for Environment and Energy, DCE's role during the Greenland Minerals' hearings on the Kuannersuit project.

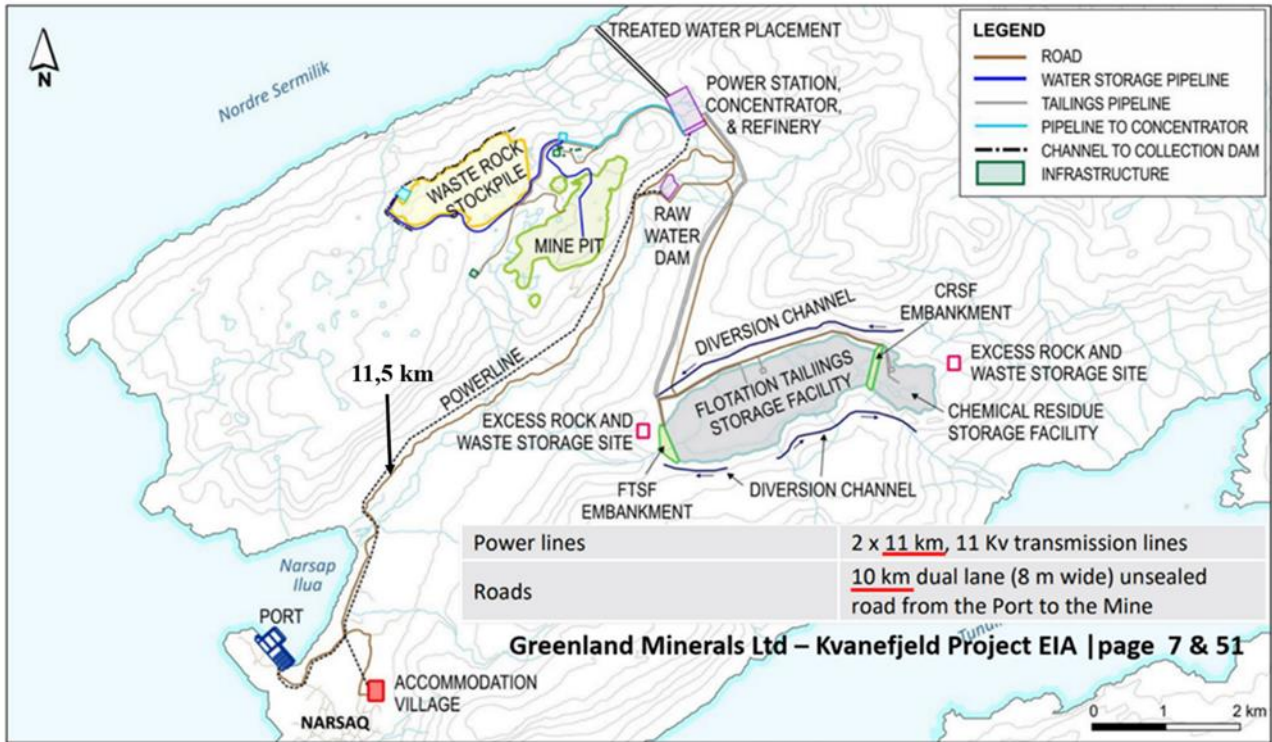




**1. Greenland Minerals` full deliberation  
scams to reduce dust pollution:**

First, we want to clarify that ERM has not been to Narsaq on a study trip. They have solved the task that Greenland Minerals has commissioned. Greenland Minerals has provided all information about the Kuannersuit project to ERM. Therefore, it must be emphasized that Greenland Minerals has the full responsibility for ERM`s dust report.

1.A. All activities in the open mine are reduced by 70-74%. They "forget" the winter, where it is not possible to spray with water. On the scam above, Greenland Minerals reduces by 54-55%.



1.B. On the map you can clearly see the fraud regarding the length of gravel road from the port to the mining area. When you measure carefully, you get the length of the gravel road which is 11.5 km, including the bumps on the gravel road. You can clearly see it on the map. This is a dust pollution saving of 39% (including other deficiencies).



Table C- 12: Activity data for Grading

**Greenland Minerals and Energy (GME) A/S: ERM page C-8**

Data Input		Units
No. of grader <sup>a</sup>	1	-
Distance on road 3 (from pit to dump)	2	km
Distance on road 4 (from pit to crusher)	3	km
Operating hours on road 3 <sup>b</sup>	1,012	hours
Operating hours on road 4 <sup>b</sup>	1,003	Hours
a. Communication with GME on 11 November 2014		
b. Assumed by PEL		

Table C- 16: Activity Data for Wheel Generated Dust (Unpaved Roads)

**Greenland Minerals and Energy (GME) A/S: ERM page C-10**

Data Input		Units
No. of truck <sup>a</sup>	6	-
Distance on road 1 (from pit to dump – 100% of waste)	3	km
Distance on road 2 (from pit to crusher – 100% of ore)	2	km
Operating hours on road 1 <sup>b</sup>	6,248	hours
Operating hours on road 2 <sup>b</sup>	6,584	Hours
d. Communication with GME on 11 November 2014		
e. assumed by PEL		

1.C. Giant trucks of 72 tons, must drive 33,000 times to the waste dump and drive to the crushing plant 34,400 times a year, respectively. It will create a lot of dust. Greenland Minerals has changed the lengths of the routes so the route to the rock crusher will be 2 km long and the route to the dump truck will be 3 km long.

But in the SRK Consult's report, last updated in 2017, you can read that from the intersection near the waste dump and to the stone crusher, the distance is 3.3 km. And from the crossroads there is an 800 meter long gravel road. On an average, the giant trucks have to drive 5 km down to the stone crusher. On this large scam, Greenland Minerals saves 217% of the dust pollution on the gravel roads around the mining area.

1.D. Furthermore, SRK Consult draws attention to the fact that especially the 800 meters long and 20 meters wide gravel road, from the open pit to the intersection, must be maintained regularly. It does not appear that maintenance of the gravel roads is included in the ERM's dust report. We have carefully estimated that Greenland Minerals can count on using 100,000 tons of gravel per year for that purpose. In the 800 meter long gravel road, 15 million tons of stone and vehicles will drive through each year and strain the gravel road. And also bulldozers of 74 tons will drive on the road 168 times back and forth between the open mine to the gray waste dump truck.

Wheel tracks from the heavy vehicles, water spraying, dust formation, streams, erosion and river bursts in the spring will wear out the gravel roads. One must also keep in mind that in some winters





there will be heavy rain showers, creating wet and very heavy snow avalanches that slide from the mountain slopes.

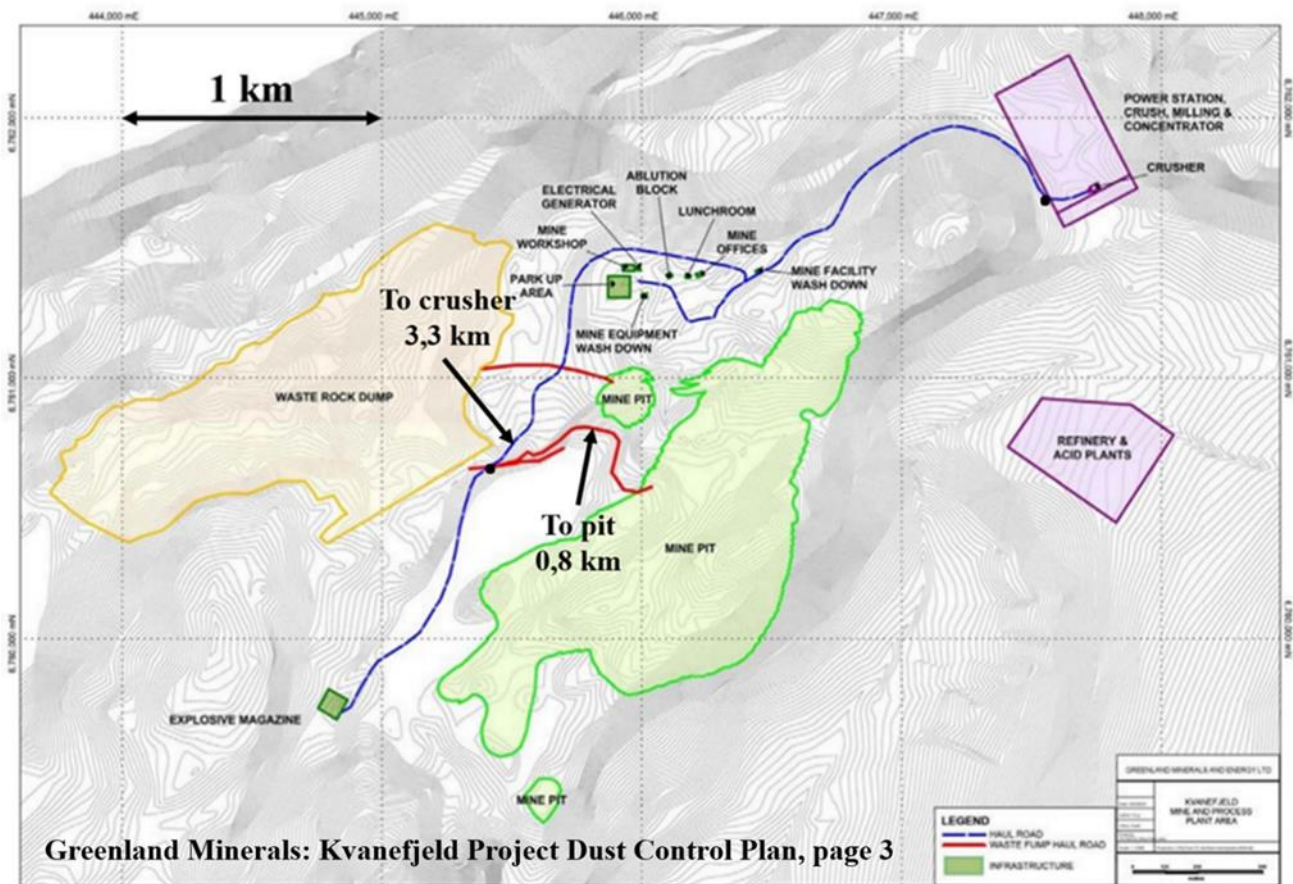
And of course there are other gravel roads that need to be maintained.

Lack of maintenance causes damage to heavy vehicles.

When you treat gravel many times, a lot of dust pollution is created by the same gravel. Unloading from ships will create dust pollution. Loading trucks will also create dust pollution. Transport on gravel roads creates dust pollution and empty trucks on the return road create dust pollution.

Unloading of gravel, if necessary, to the gravel depot will create dust pollution. Loading gravel, unloading gravel at the maintenance site will create dust pollution and empty trucks will also create dust pollution. Scraping the road will create dust pollution.

Especially the gravel roads in the mine area where heavy trucks drive also need to be maintained regularly. And of course the 11.5 km gravel road, between the mine area to the port also needs to be maintained. It may be that 100,000 tons of gravel will be too little.



1.2. Only the work of the bulldozer is included. The bulldozer must drive 60,000 km each year and slide on the mine site. Traffic from pit 1 and pit 2: Excavators, bulldozers and drilling vehicle runs must also be included.

1.3. Changes in the number of blastings. When an activity in the open mine creates less dust, the number of blastings in the calculation basis increases and vice versa:

1.3.A. Drilling: The calculation basis is 184 blastings.



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1.3.B. Blastings: The calculation basis is 177 blastings.

1.3.C. Loading of stones in the open pit: The calculation basis is 168 blastings.

1.4 There are doubts about assessing the export of raw materials. Because the difference between the most and the fewest blasts is 560,000 ton of rock.

### **2. Organizing Greenland Minerals` stone and transport activities.**

The transport of imported substances and chemicals is poorly described. And some of the reagents are referred to as containers only. We used a general container, which can hold 25 tons, for these reagents. And the other reagents, denoted by weight, were placed in the same containers. For the export of raw materials, we used special containers that can contain 32 tons of raw materials. The truck must be able to ascend to the mining area. Therefore, we chose a truck that weighs 15 tons. Container trailer weighs 4 tons. And all containers weigh 3 tons.

We used the same emission factors as described in Greenland Minerals' EIA report and in the appendices.

We used reliable emission factors from USEPAAP-42. The results can be seen in Table 1. The results in Table 2 are emission figures after dust reductions, which have been indicated by Greenland Minerals.

We corrected the errors and other numbers were corrected to 168 drilling rigs. Distribution of stones from the open pit mine is 3,000,000 tons of stone for the stone crusher and 2,880,000 tons of stone for the waste dump truck.



## 2.1 Calculation of dust pollution before dust control

Table 1	Greenland Minerals			Urani? Naamik Narsaq		
	PM30 kg	PM10 kg	PM2,5 kg	PM30 kg	PM10 kg	PM2,5 kg
Drilling	5 800	3 070	460	5 800	3 070	460
Blasting	3 800	1 980	110	3 800	1 980	110
Bulldozing in the open pits	32 400	5 910	3 410	199 800	46 830	18 710
Loading	18 900	8 960	1 360	18 900	8 960	1 360
Bulldozing and unloading stones at the waste dump	20 100	6 360	1 800	75 700	19 950	6 880
Transport of rocks + (bulldozer, excavators and the movements of the drilling vehicles on the gravel road) <sup>a</sup>	603 400	146 170	55790	1 618 000	398 090	148 880
Activities on the gravel road between the harbor and the mining area	432 700	105 800	39 570	711 000	173 830	65 010
Maintenance of gravel roads	(2 200) <sup>b</sup>	(680) <sup>b</sup>	(70) <sup>b</sup>	176 000	43 470	15 940
Unloading in the crusher	9 700	4 570	690	9 700	4570	690
Total	<b>1 137 020</b> (1 137 156) <sup>c</sup>	<b>286 650</b> (288 249) <sup>c</sup>	<b>103 500</b> (84 742) <sup>c</sup>	<b>2 871 860</b>	<b>700 750</b>	<b>258 050</b>
The proportion	1 PM30	1 PM10	1 PM2,5	<b>2,5</b> PM30	<b>2,4</b> PM10	<b>2,5</b> PM2,5

<sup>a</sup> Greenland Minerals have not included + (.....) in the calculations

<sup>b</sup> Not included in the sum, to avoid double calculation

<sup>c</sup> From ERM: AQA, Kvanefjeldet page 18.

The revelations of Greenland Minerals' fraud numbers and deficiencies are shown in the results in table 1. The numbers were almost three times as large.



## 2.2 Calculation of dust pollution after the dust control.

Table 2	Greenland Minerals			Urani? Naamik Narsaq		
	PM30 kg	PM10 kg	PM2,5 kg	PM30 kg	PM10 kg	PM2,5 kg
Drilling	1 550	800	120	1 550	800	120
Blasting	1 070	560	30	2 440	1 270	70
Bulldozing in the open pits	9 700	1 770	1 020	129 700	30 400	12 150
Loading	5 700	2 690	410	12 300	5 820	880
Bulldozing and unloading stones at the waste dump	6 000	1 910	540	49 200	12 970	4 470
Transport of rocks + (bulldozer, excavators and the movements of the drilling vehicles on the gravel road)	221 490	53 500	20 590	594 600	145 370	54 370
Activities on the gravel road between the harbor and the mining area	160 100	39 140	14 640	263 100	64 320	24 050
Maintenance of gravel roads	(650)	(200)	(20)	48 100	12 050	4 340
Unloading in the crusher	2 900 <sup>a</sup>	1 370 <sup>a</sup>	210 <sup>a</sup>	6 280	2 970	450
Total	<b>414 030</b> (420 486) <sup>b</sup>	<b>103 740</b> (107 543) <sup>b</sup>	<b>37 730</b> (31 615) <sup>b</sup>	<b>1 130 930</b>	<b>281 770</b>	<b>103 080</b>
The proportion	1 PM30	1 PM10	1 PM2,5	<b>2,7</b> PM30	<b>2,7</b> PM10	<b>2,7</b> PM2,5

<sup>a</sup> The same reduction as other reductions with 70 %

<sup>b</sup> From ERM: AQA, Kvanefjeldet page 18.

### 3. Small particles that affect human health.

The difference between Greenland Minerals scams and Urani? Naamik Narsaq's results: The small particles PM10 and PM2.5 is 2,7 more.



#### **4. Assessment of ERM's dust report.**

##### 4.1 Transport of imported substances and chemicals

Substances and chemicals are only described as containers. There are no weight designations. And other reagents are described by weight only, but do not tell how to transport. (ERM: AQA, Kvanefjeldet page 29 and page 30).

##### 4.2 Calculation of dust emissions on gravel roads.

It is not possible to see how they got to the results. There is no document of the basis for the calculations. (ERM: AQA, Kvanefjeldet page 18).

##### 4.3 Dust control.

In ERM's dust report, the dust control fills almost a page. They refer to Greenland Minerals's own dust control report: "Kvanefjeld Project Dust Control Plan". Greenland Minerals sent it to ERM in June 2015. It states how they will fight the dust on their own Kuannersuit project.

But it is not clear what Greenland Minerals wants with the dust control.

It does not say how much water they will use per. m<sup>2</sup> gravel road in the summer, how much salt they will use per. m<sup>2</sup> pr. blasting for example on the gravel road. And there is also no concrete approach with regard to dust control in the open mine. How many m<sup>3</sup> of water will they use for that purpose?

An example of a good report on dust control was made by Australian Pacific Environment in 2014 for NSW Minerals Council / ACARP Project C22027. A 65-page report. After the name change, the company was renamed Environmental Resources Management, ERM.

#### **5. The use of ERM's dust report during the consultation on Greenland Minerals Kuannersuit project.**

In Greenland Minerals' white paper, written after consultations, which were published on their website, Greenland Minerals has referred to ERM's dust report 35 times and just as many times in the EIA report chapter 8, which deals with dust pollution.

To alting.dk, the director John Mair, November 9, 2020, stated as follows: "We look forward to many good consultation responses, good citizen meetings and not least a dialogue characterized by objectivity and facts."

ERM's dust report filled a lot during the hearings. Our study shows that the dialogue on dust pollution, during the hearings, was characterized by unspeakability and outside facts.

#### **6. DCE's role in Greenland Minerals' Kuannersuit project.**

DCE, the Danish National Center for the Environment, the independent consultants, is implemented in our raw materials law. We must cooperate with GEUS / DCE around the raw materials area when there are investigations and consultations. And they are honored via agreement between GEUS / DCE and Naalakkersuisut. They are obliged to keep up with developments in the mining area



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around the world, and inform us/the people about it. We want GEUS / DCE to take into account that we give very high priority to our natural environment, which is vulnerable to pollution. They are why we feel safe, because GEUS / DCE "takes care of us". They are our anchor when mining companies apply for the exploitation of our resources. We, as a country, have given them the right of veto. Hearings cannot be started without GEUS / DCE acceptance.

### 6.1 DCE`s role in the ERM`s report.

In Greenland Minerals` Kuannersuit project, DCE received ERM`s draft of its dust report for the first time on 5 June 2018. This way DCE had a chance to check the dust pollution in the project. They responded on June 23, 2018, with their first remarks. And the final dust report was sent to DCE January 30, 2019 from ERM.

"DCE / GINR - environmental review and technical evaluation of:" The Kvanefjeld project. Evaluation of environmental impact "of Greenland Minerals A / S" August 2020 states, among other things: "DCE / GINR assumes that EIA's report is in accordance with the minimum requirements associated with the guidelines and can provide an adequate and correct basis for public participation in the decision-making process. "

This means that DCE / GINR accepted ERM`s dust report, in order to be a sufficient and correct basis.

DCE / GINR has had 1½ years to calculate and therefore validate the accuracy of the dust emission calculations. They also did not mention the topic of "dust" in their environmental review and technical evaluation of the Kvanefjeld project.

They would rather use their energy to make an animated film about "minimal dust pollution in the Kuannersuit project". It flourished on Naalakkersuit's website during the hearings.

### 6.2 First round of hearings.

In the first round of the consultation meetings (and for that matter in the second round) DCE answered questions, with quotes from the Greenland Minerals` EIA report and its references. And they did fill a great deal in the consultation meetings.

The next day, DCE and Urani? Naamik Narsaq met. We had some issues that we did not have control over at the time. We asked about fluorspar and uranium oxide content. DCE replied irritably: "You have to count the atoms yourself!" One of DCE`s tasks is to inform the Greenlandic people. The answer surprised us a lot. But we could sense which side DCE had chosen. Later we became much better at finding information over the internet.

### 6.3 Second round of hearings.

In Greenland Minerals' website on the Australian Stock Exchange, ASX, DCE always receives much praise from Greenland Minerals for their good cooperation. At the last minute just before the start of the second round of hearings, Greenland Minerals announced an interruption. One of the reasons was that they will not attend because DCE will only attend the consultation meetings via video call.





## Urani? Naamik Peqatigiiffik Narsaq

### 6.4 Cooperation between Greenland and DCE in the future.

Throughout the course of Greenland Minerals' consultation on the Kuannersuit project, DCE has behaved naively. They do not have enough capacity, nor enough knowledge about large-scale projects. Therefore, DCE could not be an opponent in such projects. They rather became a partner to Greenland Minerals.

In the future, we will have to find partners all over the world. Otherwise we will become victims in our own country.

### **7. We have been scammed.**

We, as a country, have been scammed by Greenland Minerals. We must all acknowledge that. Our ignorance will be exploited and abused by Greenland Minerals types of mining companies, also in the future. We need to be more careful with mining companies where their only interest is to make money on our subsoil and are indifferent to our public health and our irreplaceable and vulnerable nature.

### **8. Legacy.**

First, we would like to express how sorry we are to do the investigations that DCE or other officials should or have done. But we hope that in the future they will become more aware. The USEPA AP-42 dust emission process is very popular with all mining companies worldwide. When they use these predictions, they can tell the population that they pollute only "very little".

In this country, London Mining and Tandbreez have used the USEPAAP-42.

USEPAAP-42 has their basic knowledge from coal mines in the 70s and late 80s. At that time, there were no provisions regarding PM10 and PM2.5. When these came, the USEPAAP-42 was just customized without changing their base starting point.

Did you notice that 35,000 tons of blasted stone create less dust than 59 drilling holes?

Therefore will Urani? Naamik Narsaq come with dust emissions based on the latest knowledge.

And use the Kuannersuit project as a starting point.

On behalf of Urani? Naamik Narsaq

Jan Rehtmar-Petersen



## Urani? Naamik Peqatigiiffik Narsaq

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For the land map: Cord and ruler





Urani? Naamik  
Peqatigiiffik Narsaq



# Qulaajaaneq:

## Greenland Mineralsip Kuannersuarni suliniummini sianiinaarutai.

April 2022



# Urani? Naamik Peqatigiiffik Narsaq

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Allaqaarnera: Kalaallisut suliaavoq.



## Aallaqqaasiut:

Greenland Mineralsip Kuannersuarni suliumminik tusarniaasitsinera Urani? Naamik Narsamut assut ulapisitsisimavoq. Allatuulli sulianut taama atsigisunut, taamalu misissugassaqaqarnartigisumut, tamatsinnut nutaajusimavoq. Maanna toqqusassineqarsimasutuut misigiunnaariaratta piffissaqarluarluta naqqa tikillugu suliniummi tassani pujoralatsitsinissamik siulittuutit samminissaannut periarfissaqalersimavugut.

Greenland Mineralsip pujoralatsitsinissamut siulittuinerata misissoqqissaarnissaa nalaat-sornerinnakkut pivoq. Maluginialersimavarput siullermik itersaliarsuarmi ukiumi ataatsimi pujoralatsitsineq, naak ukiup affaani imermik seqqataasoqarsinnaangikkaluartoq. Aappasaanik aqqusinerni PM10-it PM2,5-millu nikinganerat 10 %-iusussaalluni 30%-ingajaasoq. Taamaammat isumataarpugut ERM-ip silami ujaqquerinermi pujoralatsitsinissamik naatsorsuinera kiisalu aqqusinerni pujoralatsitsinissamik naatsorsuinera misissorniarlugit.

Aamma Greenland Minerals piginneqataasunut nalunaarnikummat Urani? Naamik Narsaq-rooq urani kisiat pillugu Kuannersuarni suliniut akerlerigipput. Taannattaaq sulerusussutsumik tunisivoq.

Allaaserisami uani pingaartipparput unneqarissumik naatsorsugassat naatsorsoqqissaarnissaat, arlaleriarlugillu ajunnginersut misissortarlugit. Taakkunani ERM-p naatsorsuinermini najoqqutarisai, tamarnik USEPA AP-42-meersut, issuaqqissaarlugit naatsorsuivugut. Taamaalior-nitsigut ERM-ip kukkusimasai iluarsaattarlugit, naak Greenland Mineralsip pujoralalerillammattut taagaluarai.

Peqqissaartumik sulinitinnut aamma pissutaavoq Greenland Mineralsip tusarniaanermi akissutiminut, Naalakkersuisut nassiunneqarsimasunut, 35-riarluni ERM-p suliarisimasaa akissute-qarnermini tunngavilersuutigisarmagu. Aamma taama amerlaqataannik VVM-rapportimi kapitalit arfineq-pingajuanni allaqqasut, pujoralannut tunngasut, tunngavilersuutigisarmagit.

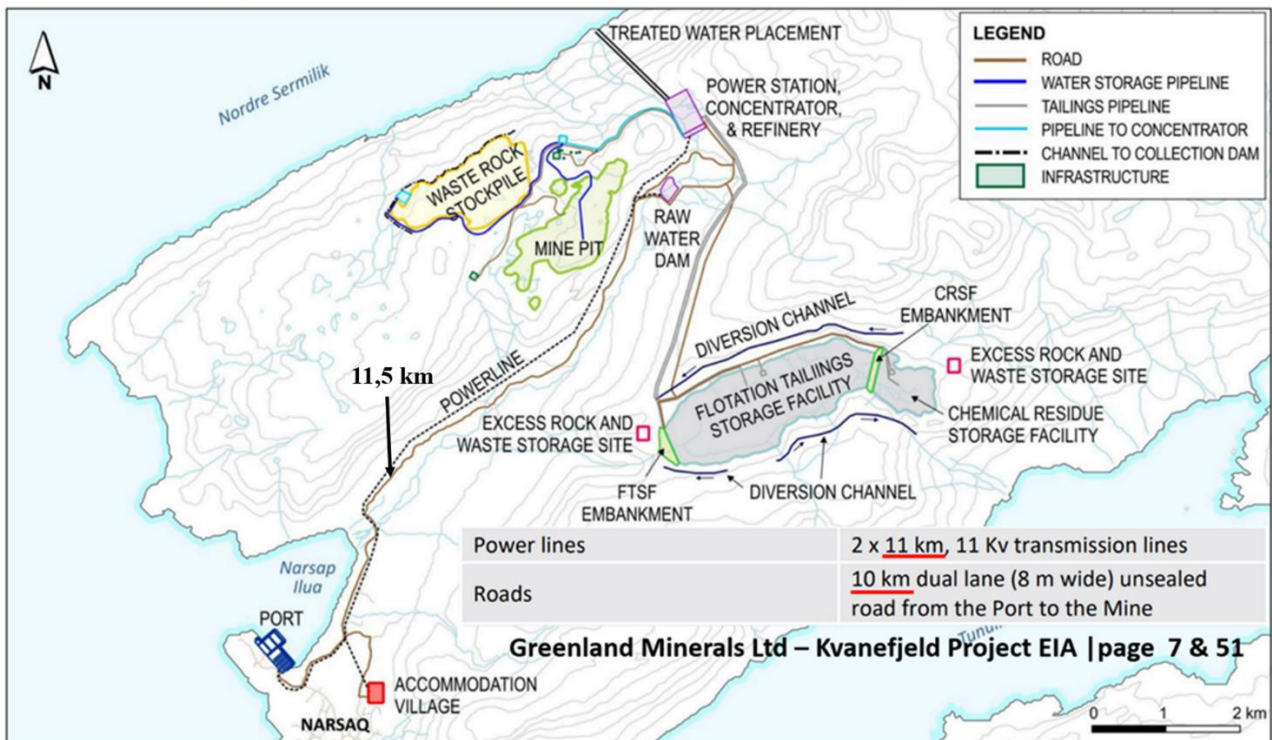
Naggataagut Nationalt Dansk Center for Miljø og Energi, DCE, Greenland Mineralsip Kuannersuarni suliniutaanut inissisimanera nalilersuiffigissavarput.



## 1. Greenland Mineralsip ilisimaaralugu iliussai pujoralatsitsinnginnerulernissamik siunertallit:

Siullermik erseqqissaatigineqartariaqarput, ERM Narsamut paasisassarsiorluni angalanikuunngimmat. Greenland Mineralsip suliaakkiinera naapertorlugu sulivoq. Greenland Minerals tassaavoq paasisutissanik, ERM suliaqarnissanut, tunniussisoq. Taamaalillunilu Greenland Minerals tassaavoq pujoralannik siullituinermi akisussaanerpaq.

1.A. Itersaliarsuarmi pujoralatsitsinerit tamarmik aalanngaat 70-74 %-mik ilanngarneqarput. Qerinnarnera qerinnannginneraluni apeqqutaatinnagu. Greenland Mineralsip ullut qerinnartut qerinnangitsullu immikkoortissinnaallugit takutippaa, aqqusinerni pujoralatsitsinissat naatsorsoramikkit. Unneqqaserluttuliut taanna itersaliarsuarmi pujoralatsitsinermik 54-55 %-imik appaavoq.



1.B. Aqqusineq sissiuarsuarmiit aatsitassalerivimmut uuttortaqqissaaraanni ammukajaat qummukajaallu naatsorsuutigalugit aqqusernup takissuseraa 11,5 km. Greenland Mineralsip 1,5 km-imik ilanngarsimavaa. Tamanna nunap assingani ersarissorujussuuvoq. Unneqqaserlunneq taanna 39 %-mik (natsorsuisimanerat ilanngukkaanni) pujoralammik mingutsitsinnginnerulernermik kinguneqarpoq.



Table C- 12: Activity data for Grading

Greenland Minerals and Energy (GME) A/S: ERM page C-8

Data Input		Units
No. of grader <sup>a</sup>	1	-
Distance on road 3 (from pit to dump)	2	km
Distance on road 4 (from pit to crusher)	3	km
Operating hours on road 3 <sup>b</sup>	1,012	hours
Operating hours on road 4 <sup>b</sup>	1,003	Hours
<p>a. Communication with GME on 11 November 2014</p> <p>b. Assumed by PEL</p>		

Table C- 16: Activity Data for Wheel Generated Dust (Unpaved Roads)

Greenland Minerals and Energy (GME) A/S: ERM page C-10

Data Input		Units
No. of truck <sup>a</sup>	6	-
Distance on road 1 (from pit to dump – 100% of waste)	3	km
Distance on road 2 (from pit to crusher – 100% of ore)	2	km
Operating hours on road 1 <sup>b</sup>	6,248	hours
Operating hours on road 2 <sup>b</sup>	6,584	Hours
<p>d. Communication with GME on 11 November 2014</p> <p>e. assumed by PEL</p>		

1.C. Lastbilipiluunersuit, 72 tonsit, ujaqqanut qaleriissarsualiartartussaapput ukiumut 33 000-eriarlutik ujaqqanillu aserorterivimmut 34 400-eriarlutik. Taamaattumik pujoralammik mingutsitsineq annertoq taakkunani pisussaavoq. Greenland Minerals unneqqaserluttuliorluni takissusaat nikisissimavai. Itersaliarsuarmit ujaqqanut qaleriissarsuarmit agguaqatigiisillugu 2 km-iuvoq. Itersaliarsuarmit ujaqqanik aserorterivimmut 3 km-iulluni.

SRK Consultip nalunaarusiaani, kingullermik 2017-imi nutarsarneqartumi, atuarneqarsinnaavoq ujaqqanik aserorterivimmit itersaliarsuarmit aqquernup naapiffiata tungaanut 3,3 km-iusoq. Tassangaanniillu itersaliarsuup tungaanut aqquasineq 800 m-itut takissuseqartoq. Taamaattumik agguaqatigiisillugu itersaliarsuarmit ujaqqanik aserorterivimmut 5 km-iusimassaaq. Itersaliarsuarmit ujaqqanut qaleriissarsuarmit agguaqatigiisillugu 2, km-iuvortaaq Peqquserluttuliut angingaattoq taanna pujoralammik mingutsitsinissaagaluumik 62 % appaavoq.

1.D. SRK Consult nangilluni allappoq, ingammik ujaraaqanik aqquerniaq 800 m-itut takitigisoq 20 m-itullu silitsigisoq, akuttunngitsumik aserfallatsaaliorneqartariaqartoq. Ukiut tamaasa, aqqu-sinermi tassani, 15 mio tons aqquसारunneqartartussaavoq, aqqusinermilu tassani nungullarsaangaartartussaalluni. Nungullarsaaqataasussaavoq aamma bulldozereq 74 tonsimik oqimaassusilik. Taanna, itersaliarsuarmit ujaqqanik qaleriissarsuarmit manissajaartornermini, 168-eriarluni siumut utimullu ujaraaqanik aqquerniakkoortartussaavoq. ERM-ip pujoralannik mingutsitinissamut nalunaarusiamini ilanngussimarpasinngilaa. Taamaattumik mianersortunnguamik ujaraaqat 100 000 tons aserfallatsaaliuinissamut atugassatut nalilerpagut.





# Urani? Naamik Peqatigiiffik Narsaq

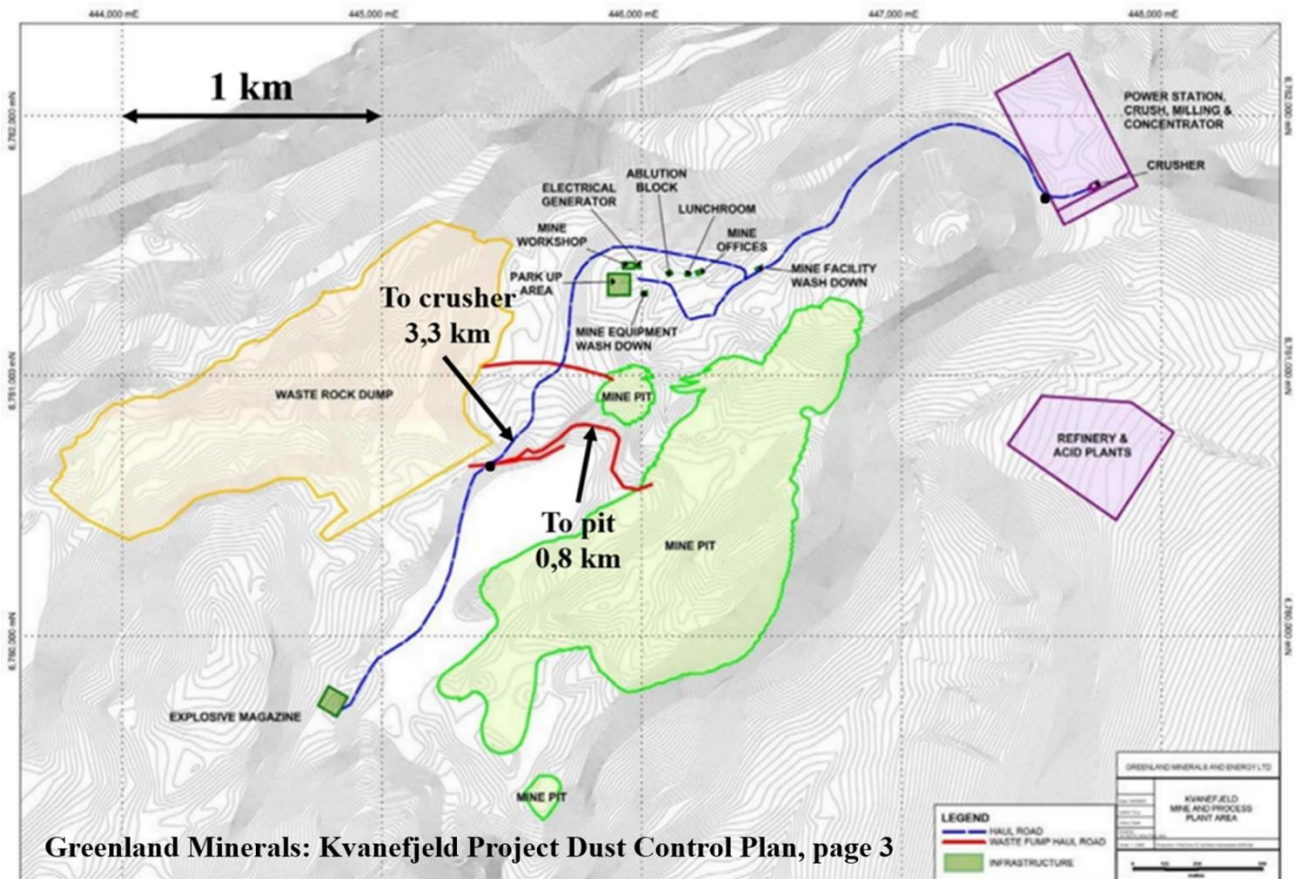
Assakaasut ammut naqitaat, aasami imernik seqqartaanerit, pujoranngorlutik teqqartut, kuuit kuutsitai, kuuit upernaakkut supinerminninni aserugaat, anorillu teqqartiatitai taarserneqartar-tussaapput. Aamma eqqaamasariaqarpoq ukiut ilaanni ukiukkut sialussuarternera. Suna tamarmi kuulersinnaasarpog, qaqqaniillu aput masattoq oqimaatsorussuaq amiilaarnaqisumik sisoortarluni. Taamatullu qaqqat nakkaasinnaasarpog.

Aqqusernit aserfatsaaliukulanngikkaanni qamussuit angallassissutit aserukulanerannik kinguneqartussaassaaq.

Ujaraaqqat tikisinnegassagunik sissiuqarsuarmi usigiarnerat pujoralatsitsissaaq. Majuunneri aqqusermi pujoralatsitsissapput. Lastbilit ujaraaraasivimmuut niusigunik pujoralatsitsissapput. Lastbilit useqaratik uteqqikkunik pujoralatsitsissapput. Atorfissaqalerpata usilersuunneri pujoralatsitsissapput. Kuisiffissap tungaanut angallanneri pujoralatsitsissapput. Aqqusermullu kuineri pujoralatsitsissapput. Lastbilit useqaratik uterineri aamma pujoralatsitsissapput.

Taamatutaaq manissaat 26 tonseq aamma pujoralatsitsissalluni.

Aamma ingammik ujaraaqqanik aqquserniat aatsitassarsiorfiup eqqaaniittut, lastbilersuit aqqutigisartagaat, aserfallatsaalineqartuartaussaapput, taamatullu sissiuqarsuarmiit aatsitassaleriffiup tungaanut aqqusineq 11,5 km-eq 8 meterit silissusilik aamma aserfallatsaaliorneqartussaassaaq. Taamaattumik 100 000 tons sioraaqqat amigaratarsinnaapput.



Greenland Minerals: Kvanefjeld Project Dust Control Plan, page 3

1.2. Itersaliarsuarmi bulldozerip sulinerata pujoralatsitsinera kisimi ikkunneqarsimavoq. Ukiumut 60 000 km ingerlaarnerata pujoralatsitsinera ikkuppapput. Aamma ilannguppapput bulldozerip, aqqusinnikoorluni, ujaqqanut qaleriissarsuarnut manissaajartortarnera. Taamatutaaq qillereutit nivattaatipateernasuup ingerlaarnerisa pujoralatsitsineri annikkaluartut ikkuppagut.



## Urani? Naamik Peqatigiiffik Narsaq

1.3. Ersarissumik qaartitsisernerit amerlassusaat allanngortippaat, apeqqutaatillugu suliaassap qanoq pujoralattaqartiginissaa:

1.3.A. Qillerineq: Qaartitsinerit 184-it aallaavigalugit pujoralatsitsinissamik naatsorsuipput.

1.3.B. Qaartitsineq: Qaartitsinerit 177 aallaavigalugit pujoralatsitsinissamik naatsorsuipput.

1.3.C. Itersaliarsuarmiit ujaqqanik assartuinerneq: Qaartitsinerit 168 aallaavigalugit pujoralatsitsinissamik naatsorsuipput.

1.4 Tamatuma kinguneraa aatsitassat avammut umiarsuakkoorullugit nassiussassat qaartitsinerit qassit atorlugit naatsorsugaanersut. Taamaattumik suna aallaafigissallugu nalunaqqaarsimavoq. Qaartitsinerit taakku ikinneq annerlu 560 000 tonsinik nikingammata.

## **2. Greenland Mineraalsip pujoralatsitsinissamut siulittuutaasa iluarsaanneri ujaqqanut tunngasut aqqusinermullu tunngasut.**

Akuutissat kemikaliallu timmukaatassat aqqusinikkoorunneranni pujoralatsitinerat paatsuunganaqqaarsimavoq. Tassani pissutaavoq aqqusinerni pujoralatsitinerit siulittuutit ersernerluttumik suliarineqarnerat. Taamatullu containerit qanoq oqimaatsiginerat nalunaarsorsimanani. Taamaattumik aallaavigaarput containerip ataatsip naliginnaasup imarissagai 25 tons. Timmukaassassat tamaasa containerinut im-miunneqarsimasutuut naatsorsorpagut. Aatsitassarsiorfimmiit avammut nassiussassat containerinut, aatsitassanut tulluarsakkanut, 32 tonsikkaarlugit assartorneqartutuut naatsorsorpagut.

Lastbili atugassaq qummukajaakkortartussaammat nukittoq 15 tons-imik oqimaassusilik, kalitaa containerinut tulluarsagaq 4 tons, toqqarpagut. Containerit tamarmik oqimaassuseraat 3 tons. Greenland Mineralsip suliniummini pujoralatsitsinissamut siulittuutai, VVM-rapportimi allaqqasut tapiliussaaniittullu aallaavigalugit, suliaaraagut. Tassani Greenland Mineralsip atugai USEPA AP-42-meersut atorlugit, unneqqarissumik naatsorsorpavut. Siullermik najoqqutassiat maleqqissaarlugit suliaaraagut. Taakku takussutissiaq 1-mi takuneqarsinnaapput. Takussutissiaq 2-mi pujoralannik akiuiniarnermi Greenland Mineralsip atugai maleqqissaarlugit aamma suliaaraagut. Greenland Mineralsip najoqqutassiat kukkusimasaat iluarsaattarlugit, qaartitsinernullu 168-nut naleqqussarlugit. Tassa aallaavigaavut ukiumut ujaqqat 3 000 000 tons suliareqqitassat 2 880 000 tons-illu ujaqqanut qalereersarsualiaatassat.



# Urani? Naamik Peqatigiiffik Narsaq

## 2.1 Pujoralannik akiuniarneq sioqqullugu pujoralatsitsineq.

### Greenland Minerals

### Urani? Naamik Narsaq

Takussutissiaq 1	PM30 kg	PM10 kg	PM2,5 kg	PM30 kg	PM10 kg	PM2,5 kg
Qillerineq	5 800	3 070	460	5 800	3 070	460
Qaartitsineq	3 800	1 980	110	3 800	1 980	110
Bulldozererneq itersaliarsuarmi	32 400	5 910	3 410	199 800	46 830	18 710
Usilersuineq	18 900	8 960	1 360	18 900	8 960	1 360
Ujaqqanik qaleriissarsuarmi bolldozererneq usigiaanerlu	20 100	6 360	1 800	75 700	19 950	6 880
Ujaqqanik angallassineq + (bulldozerip, qillerutit, nivattaatipiluunersuullu aqqusinikkoorneri) <sup>a</sup>	603 400	146 170	55790	1 618 000	398 090	148 880
Sissiuqarsuarmut aqqussineq majuussinerlu	432 700	105 800	39 570	711 000	173 830	65 010
Aqqusinernik aserfatsaaliuineq minus umiarsuarmiit usigiaaneq	(2 200) <sup>b</sup>	(680) <sup>b</sup>	(70) <sup>b</sup>	176 000	43 470	15 940
Ujaqqanik aserorterivimmut usigiarneq	9 700	4 570	690	9 700	4570	690
Katillugit	<b>1 137 020</b> (1 137 156) <sup>c</sup>	<b>286 650</b> (288 249) <sup>c</sup>	<b>103 500</b> (84 742) <sup>c</sup>	<b>2 871 860</b>	<b>700 750</b>	<b>258 050</b>
Sanilliunneri	1 PM30	1 PM10	1 PM2,5	2,5 PM30	2,4 PM10	2,5 PM2,5

<sup>a</sup> Greenland Mineralsimi ilanngunneqanngillat (.....)

<sup>b</sup> Marlortortoornialeqimmata peerpagut. ERM: AQA, Kvanefjeldet page 18.

<sup>c</sup> ERM: AQA, Kvanefjeldet page 28.

Immikkoortumi 1.-imi eqqartukkagut ima sunniuteqarput katinneranni 2,5-meriaammik qaffararnerannik.





# Urani? Naamik Peqatigiiffik Narsaq

## 2.2 Pujoralannik akiuniareernermi sinneruttut.

### Greenland Minerals

### Urani? Naamik Narsaq

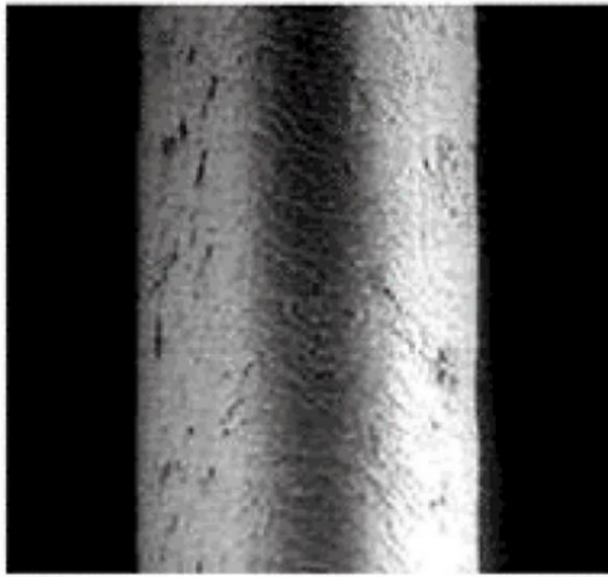
Takussutissiaq 2	PM30 kg	PM10 kg	PM2,5 kg	PM30 kg	PM10 kg	PM2,5 kg
Qillerineq	1 550	800	120	1 550	800	120
Qaartitsineq	1 070	560	30	2 440	1 270	70
Bulldozerernej itersaliarsuarmi	9 700	1 770	1 020	129 700	30 400	12 150
Usilersuineq	5 700	2 690	410	12 300	5 820	880
Ujaqqanik qaleriissarsuarni bolldozerernej usigiaanerlu	6 000	1 910	540	49 200	12 970	4 470
Ujaqqanik angallassineq + (bulldozerip, qillerutit, nivattaatipiluunersuullu aqqusinikkoorneri).	221 490	53 500	20 590	594 600	145 370	54 370
Sissiugarsuarmut aqqussineq majuussinerlu	160 100	39 140	14 640	263 100	64 320	24 050
Aqqusinernik aserfatsaaliuineq minus umiarsuarmiit usigiaaneq	(650)	(200)	(20)	48 100	12 050	4 340
Ujaqqanik aserorterivimmut usigiarnej	2 900 <sup>a</sup>	1 370 <sup>a</sup>	210 <sup>a</sup>	6 280	2 970	450
<b>Katillugit</b>	<b>414 030</b> (420 486) <sup>b</sup>	<b>103 740</b> (107 543) <sup>b</sup>	<b>37 730</b> (31 615) <sup>b</sup>	<b>1 130 930</b>	<b>281 770</b>	<b>103 080</b>
Sanilliunneri	1 PM30	1 PM10	1 PM2,5	<b>2,7</b> PM30	<b>2,7</b> PM10	<b>2,7</b> PM2,5

<sup>a</sup> Iliuutsit allat assigalugit 70 %-imik appakkat.

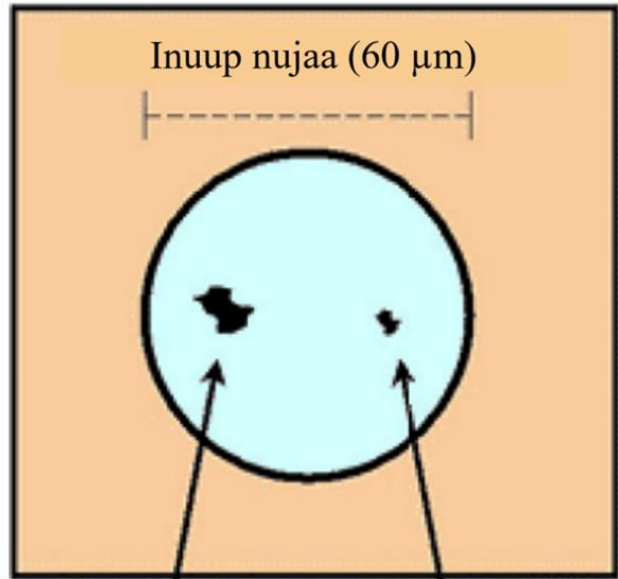
<sup>b</sup> ERM: AQA, Kvanefeldet page 28.



### 3. Inuup peqqissusaanut ajoqusiisartut.



Inuup nujaa  
60 µm



PM10  
(10 µm)

PM2,5  
(2,5 µm)

*PM10 aamma PM2,5 inuup peqqissusaannut innarliisartut.*

Greenland Mineralsip peqquserluttuliai Urani? Naamik Narsap naatsorsugaasa imminnut sanilliunnerat.:

Pujoralaaqqat PM10-t PM2,5-millu pingasoriaatingajammik Urani? Naamik Narsap naatsorsuinerisa takutippaat.

### 4. ERM-p suliaata nalilerneru.

#### 4.1 Akuutissat kemikaliallu tikisitat timmukaanqartarneri.

Akuutissat kemikaliallu aatsitassarsiornermi atorqartussat, containeriinnangorlugit nalunaarsorneqarput oqimaassusaallu ilanngunneqaratik. Aamma akoorutissat sinneruttut, tonsinngorlugit nalunaarsukkat, qanoq timmukaanqassanersut nassuiaatitaqarani. (ERM: AQA, Kvanefjeldet page 29 and page 30).

#### 4.2 Ujaraaqqanik aqquserniat pujoralatsitsinerat.

Ujaraaqqanik aqquserniat pujoralatsitsinerat angallaviunerusut immikkoortillugit suliarinerat ersernerluppoq (ERM: AQA, Kvanefjeldet page 18). Aamma naatsorsuinerit qanoq inernerit pissarsiarineqarsimaneri ersigatik.

#### 4.3 Pujoralammik akiuniarneq.

Greenland Mineralsip Kuannersuarni suliniutaani pujoralannik akiuniarneq pillugu ERM allaasari-saqarpoq qupperneq ataasiunngitsumilluunnit.

Nalilerneqartariaqarpoq pujoralannik akiuniarneq pingaartinneqanngitsoq, tassami qanoq angune-qassanersoq allaasarineqannginnami.



## Urani? Naamik Peqatigiiffik Narsaq

ERM-p aallaavigaa Greenland Mineralsip nammineerluni nalunaarusiaa "Kvanefjeld Project Dust Control Plan". Taanna ERM-p pissarsiaraa juni 2015 pissarsiaraa. Tassani soorlu allaaserineqanngilaq ukiukkut ujaraaqqanik aqqusernit m<sup>2</sup>-imut qanoq taratsersorneqassanersut, imermik serpalittaannermi imeq qanoq atsigisoq atorneqassanersoq, atortullu sorpiaat atorneqassanersut nalunaarusiami eqqartorneqaratik.

ERM, Environmental Resources Management, siornatigut taaguutigaa Pacific Environment. 2014-mi NSW Minerals Council / ACARP Project C22027 sullillugu pujorannik akiuiniarneq pillugu allaaseraa "Coal Mine Pollution Reduction Program Condition U3". Tassani sukumeeqqinnaartumik allaaserineqarpoq assitalersorneqarlunilu, qanoq pujorannik akiuiniarneq pissanersoq Nalunaaruaq taanna 65-sinik qupperneqarpoq.

### **5. ERM-p suliaata tusarniaannermi atornerqarnera.**

Tusarniaannermi, Naalackersuisunut nassiunneqarsimasuni, Greenland Minerals "atuagaq qaartumi" akissutiminni ERM-p suliaa minnerpaamik 35-riarlugu innersuussutigaa aamma taamatut amerlatigusunik VVM-rapportimi kapitali 8, pujoralannut tunngasoq, innersuutigalugu.

Urani? Naamik-p tusarniaannermi kissaataasa ilagaat ERM-p suliaa immikkut ilisimasalinniit misissorneqartariaqartoq. Tassunga Greenland Minerals akivoq ERM-ikkormiut tassaasut pujoralannut immikkut ilisimasallit.

Greenland Mineralsip pisortaa novemberimi tusarniaasoqanngilaattaani alting.dk-mi issuarneqarpoq ima oqartoq: "Tusarniaannermi akissuteqarluarnissatsinnut qilanaarpugut, tusarniaannermi ataatsimiinnerit pitsaasut, minnerunngitsunik oqallinneq piviusorsiortoq ilumoortunillu tunngavik." Eqqaariikkatsituut ERM-p pujoralannut nalunaarusiaa tusarniaannermi initusimavoq. Misissuinitta inernerisa takutippaat, pujoralannut tunngatillugu, tusarniaannermi oqallinneq piviusorsioranilu ilumuunngitsoq.

### **6. DCE-p, Greenland Mineralsip Kuannersuarni suliniutaanut, tunngatillugu inissisimanera.**

#### 6.1 ERM-p suliaa pillugu.

DCE, Dansk National Center for Miljø, arlaannaannulluuniit attuumassuteqanngitsoq aatsitassanut inatsisitsinni allaqqavoq, Nunatsinni aatsitassarsiortoqalersillugu saaffigisassarput. Suliaalu aallaavigalugit qaavatigut Nunatsinniit akilerneqartassasoq isumatigiissutaavoq. Nunarsuarmi aatsitassat tungaatigut ineriartornermut malinnaatittussaavaatigut. Pinngortitarput, pingaarteqisarput, mianerinneqataaffigalugu DCE-p suliasarnissaa kissaatinut annernut ilaavoq.

Taamaattumik DCE toqqissinartutut isigaarput "paarimmatigut". DCE, ajaappissatut isigisarput, ima piginnaassusilertigisimavarput, allaat aatsitassanut sulitutut pilersaarutit tusarniunigeqarsinnaanngitsut DCE akersitinnagu.

Greenland Mineralsip Kuannersuarni suliniutaanut atatillugu, pujoralatsitsinissamut siulittuut pillugu nalunaarusiaq siullerpaamik ERM-p DCE-mut nassiuppa 15. juni 2018. Taamaalilluni DCE periarfissaqalerpoq siullerpaamik nalunaarusiap misissoqqinnaanissaanut. 23. juni 2018, tassa ullut arfineq-pingasut qaangiuttullu attavigeeqqipput.

Taamaalilluni tunngaviusumik pujoralatsitsinissamut siulittuut ERM-p nassiuppa DCE-mut 30. januar 2019.

"DCE/GINR - miljømæssig gennemgang og teknisk evaluering af: "Kvanefjeld-projektet.

Evaluering af miljømæssig påvirkning" af Greenland Minerals A/S" august 2020-mi ilaatigut ima



## Urani? Naamik Peqatigiiffik Narsaq

allapput: ” DCE/GINR isumaqarput, Greenland Mineralsip VVM-rapportiliaa, minnerpaaffiliussat eqqortissimagai. Taamaalilluni tusarniutigineqarnissaminut piareertoq.”

Tassa ERM-p nalunaarusiaa pujoralatsitsinissamut siulittuutaa ilanngullugu akuerisimassavaat. DCE/GINR ukiup aappaata affaanik piffissaqarsimapput ERM-p nalunaarusiaata misissoqqissaar-nissanut. Tamannali pisimarpasinnigilaq. Greenland Mineralsimmi ukapaatsitsiniutai august 2020 inaarutaagallartumik nalunaarusiaminni eqqaanngilaat.

Nukitik atorusunnerusimavaat ERM-p suliaa malillugu Kuannersuarni ”pujoralatsitsinninnissap” filmiliarinissanut. Taanna Kuannersuit pillugit tusarniaanerup nalaani Naalakkersuisut.gl-mi saqqumilaartitat ilagivaat.

### 6.2 Tusarniaanerup siullermeernerani.

Kuannersuit pillugit suliniutit tusarniutigeqqaarnerani DCE saqqummiigaangami Greenland Mineralsip nalunaarusiaa aallaavigalugu apeqquteqaatinut akisarpoq, assullu tusarniaanermi initulluni.

Narsami Kuannersuarni suliniut pullugu tusarniaanerup aqaguani Urani? Naamik´-p aallartitaasa DCE-p aallartitaa Hotel Narsami naapisimaatsiarpaa. Aatsitassat anninneqartussat ilaat flusspat aamma uranoxid akui apeqqutigigatsigit akivaatigut: ”I må selv tælle atomerne!” Taama akinera tupaallaatigaarput, Nunattami GEUS/DCE-llu isumaqatigiissutaani allassimasoqarmat, inuiaat ilanngullugit aamma paasisitsiniaavigissagaat.

### 6.3 Aappasaanik tusarniaasoqarnerani.

Australiami pappiaqqanik nalilinnik niuerfissuarmi ASX-mi, Greenland Mineralsip nitartakkamini, DCE assut unnersiutigisarpaa. Allaammi aappasaanik tusarniaanermut kingullermut piffissaq kingulleq atorlugu Greenland Minerals peqataaniarnani nalunaarpoq. Pissutaasa ilagaat, suleqatigilluakkatik DCE video-opkaldiinnakkut peqataaniarmat, namminneq peqataanngiinnarunik ajunnginneruvoq.

### 6.4 Siunissami DCE-mik suleqateqarneq.

Greenland Mineralsip Kuannersuarni suliniutaani ersarissivoq, DCE ilatsiinnartutut inissisimavoq. Suliami taama annertutigisumi suliasaq DCE-p kivissinnaanngikkaa, aammalu ilisimasai killeqarlutik. Taamaattumik illuatungiussinnaasusaa killeqarpoq. Greenland Mineralsimullu illersuisutut taasariaqarnerullutik.

Siunissami nunarsuarmioqatitsinnik ilisimasarluartunik suleqatissarsiortariaqarpugut. Taamaaliunngikkutta Nunatsinni uatsinnut ajorsartunngortissaagut.

## 7. Sianiinaagasimavugut.

Nunatut Greenland Mineralsimiiit ukapaatitaasimavugut. Tamanna tamatta nassuerutigisariaqarparput. Ilisimaatsunerput siunissami aamma aatsitassarsiornianik, Greenland Mineralsit ittunit, atornerlunneqartarumaarpoq. Taamaattumik mianersortariaqarpugut. Ilisimaatsuunerput siunissami aatsitassarsiornianiit atornerlunneqarumaarmat. Tamakku iluanaarnissaq kisiat



## Urani? Naamik Peqatigiiffik Narsaq

isigisarpaat inuit peqqissusaat, avatangiisittalu sunnertiaqisup, ajoqusernissaat isumakuluutigi-vallaassanagu.

### 8. Naggasiut

Siullermik ajuusaarpugut DCE-kkut naalackersuisoqarfinnilu assigiinngitsuni sulisut sulias-saagaluat suliarigatsigu. Kisianni neriuppugut maannamiit taakkunani sulisut eqqumanerulissasut. USEPA AP-42 pujoralatsitsinissamut siulittuinermi naatsorsueriaasia Nunarsuarmi aatsitassar-siorniat iluualugu atortarpaat. "Pujoralatsitsinnginnermimmi" takutitsisarmat. London Miningip Tanbreez-illu aamma atorpaat.

USEPA AP-42 uuttortaatit maakkartagaagallarmatali ineriartortitaavoq. Tunngaviusumik naatsor-sueriaasia, sulii aallaavigineqartarpoq. Silaannarissuunissamut piumasaqaatit PM10 aamma PM2,5 takkummata, tulluarsaannarnikuuvaat.

Takussutissiani maluginiarpisiuk, qaarsoq 35 000 tons qaartinneqartoq putuniit 59-niit, pujorammi mingutsitsinikinnerusutut naatsorsorneqarsimanera?

Taamaattumik aasartinnagu saqqummiusseqqissaagut misissuinerit nutaat saqqummeraannaavissut aallaavigalugit, Kuannersuarni suliniummut tutsillugit.

Suliarinnittoq Urani? Naamik Narsaq sinnerlugu

Jan Rehtmar-Petersen

18.april 2022



## Urani? Naamik Peqatigiiffik Narsaq

Najoqqutarisat:

ERM Worldwide Group, 2020: Air Quality Assessment – Kvanefjeld

Greenland Minerals A/S, 2020: Kvanefjeld Project Environmental Impact Assessment

SRK Consulting Pty Ltd, 2017: Kvanefjeld Project Mining Study – Report Prepared for Greenland Minerals and Energy Ltd

Greenland Minerals and Energy Ltd, MAY 2020: Kvanefjeld Project - Dust Control Plan

<https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors> 2022

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<https://hotcopper.com.au/threads/ann-update-on-kvanefjeld-public-meetings.6239453/> 2021

Pacific Environment Operations Pty Ltd, 2014: Final report, Coal Mine Pollution Reduction Program Condition U3 Assessment

Nunap assingitut: Allunaasaaraq titartaallu



## Urani? Naamik Peqatigiiffik Narsaq

Urani? Naamik Narsaq aallarnerneqarpoq

		<b>Qillerineq</b>		Ukiumut
<b>Drilling:</b>	holes	Qaartitsinerit	Putut	
		59	168	9912

		<b>Qaartitsineq</b>	(potens)	
<b>Blasting:</b>	Qaartitsinerit	Annertussuseq m <sup>2</sup>	-qqiut	PM30-mut tangeq
	168	2200	1,5	0,00022

Silaannarmiilertut  
Silaannarmiilertut

Ukiumut
<b>Pujoralaaqqat</b>
<b>Silaannarmiilertut</b>

**Urani? Naamik Narsaq**

	PM30 kg 0,59	PM10 kg 0,31	PM2,5 kg 0,0465
Ukiumut			
<b>Pujoralaaqqat</b>	<b>5848,08</b>	<b>3072,72</b>	<b>460,908</b>
<b>Silaannarmiilertut</b>	0,26 <b>1520,501</b>	<b>798,9072</b>	<b>119,8361</b>

Ukiumut

PM30

3813,870863

Tangit

0,52

0,03

	PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>3813,871</b>	<b>1983,213</b>	<b>114,4161</b>
2 aasaq/ukioq	1906,935	991,6064	57,20806
0,28 aasaq	533,9419	277,6498	16,01826
1 ukioq	1906,935	991,6064	57,20806

	PM30 kg	PM10 kg	PM2,5 kg
	<b>3813,871</b>	<b>1983,213</b>	<b>114,4161</b>
	<b>2440,877</b>	<b>1269,256</b>	<b>73,22632</b>



## Greenland Minerals

### Qillerineq

Ukiumut	PM30 kg	PM10 kg
Pujoralaaqqat	5848,08	3072,72
Silaannarmiilertut	0,26 1520,501	798,9072

### Qaartitsineq

Ukiumut	PM30 kg	PM10 kg
Pujoralaaqqat	3813,871	1983,213
0,28 Silaannarmiilertut	1067,884	555,2996

PM2,5 kg

**460,908**

**119,8361**

PM2,5 kg

**114,4161**

**32,03652**

Itersaliarsuarni Bulldozererneq:	
Oqimaassusaa	74 tons
Sukkassusaa	10 km/h
Sulinera	6000 tiimit
Ingerlaarnera	60000 km ukiumut
Itersaliarsuarmit itersaliarsuarmut	200 km ukiumut
Ingerlaarnera	

Sulinerani tangit

PM30	2,6	1
PM10	0,45	0,75
PM2,5	2,6	0,105

Traveling emissionfactors for 6000

Traveling emissionfactors for 200 k

**Bulldozererneq itersaliarsuarni tamani**

Ukiumut	PM30 kg	PM10 kg
Pujoralaaqqat	<b>199790,9</b>	<b>46826,86</b>
Silaannarmiilertut	<b>129708,4</b>	<b>30399,4</b>

**Urani? Naamik Narsaq**

			Tangit	5,406446
			PM30 kg	
5,120089	2,462289		<b>Pujoralaaqqat</b>	<b>32438,68</b>
			2 aasaq/ukioq	16219,34
7,701883	2,639016	Silaannarmiilertut	0,3 aasaq	4865,802
		Silaannarmiilertut	1 ukioq	16219,34
5,120089	2,462289			
		Ukiumut		
		Silaannarmiilertut		<b>21085,14</b>
0 km see	<b>Haul Road factors</b>		Tangit	2,779938
			PM30 kg	
			<b>Pujoralaaqqat</b>	<b>166796,3</b>
			2 aasaq/ukioq	83398,14
		Silaannarmiilertut	0,3 aasaq	25019,44
		Silaannarmiilertut	1 ukioq	83398,14
		Ukiumut		
		Silaannarmiilertut		<b>108417,6</b>
km see	<b>Haul Road factors</b>		Tangit	2,779938
			PM30 kg	
			<b>Pujoralaaqqat</b>	<b>555,9876</b>
			2 aasaq/ukioq	277,9938
		Silaannarmiilertut	0,58 aasaq	161,2364
		Silaannarmiilertut	0,16 ukioq	44,47901
		Ukiumut		
		Silaannarmiilertut		<b>205,7154</b>

PM2,5 kg

**18709,01**

**12146,62**

Greenland Minerals

Itersaliarsuarni  
Bulldozererreq:

Tangit
Ukiumut
Pujoralaaqqat
<b>0,3 Silaannarmiilertut</b>

0,984983	0,567677
PM10 kg	PM2,5 kg
<b>5909,897</b>	<b>3406,061</b>
2954,949	1703,031
886,4846	510,9092
2954,949	1703,031
<b>3841,433</b>	<b>2213,94</b>
0,679684	0,254202
PM10 kg	PM2,5 kg
<b>40781,03</b>	<b>15252,11</b>
20390,52	7626,053
6117,155	2287,816
20390,52	7626,053
<b>26507,67</b>	<b>9913,868</b>
0,679684	0,254202
PM10 kg	PM2,5 kg
<b>135,9368</b>	<b>50,84035</b>
67,96838	25,42018
39,42166	14,7437
10,87494	4,067228
<b>50,2966</b>	<b>18,81093</b>

5,406446	0,984983	0,567677
PM30 kg	PM10 kg	PM2,5 kg
<b>32438,68</b>	<b>5909,897</b>	<b>3406,061</b>
<b>9731,603</b>	<b>1772,969</b>	<b>1021,818</b>

**Urani? Naamik Narsaq**

				Aatsitassat 3000000 tons	Igitassat 2880000
	<b>Itersaliarsuarni usilersorneq</b>				
Anorip sukkassusaa		Tangit		0,0032204	0,001523
4,75 m/s				PM30	PM10
		Pujoralaqqat		18935,694	8956,072
siltimik akua %		2 aasaq/ukioq		9467,8472	4478,036
3,9	<b>Silaannarmiilertut</b>	<b>0,3 aasaq</b>		<b>2840,3542</b>	<b>1343,411</b>
	<b>Silaannarmiilertut</b>	<b>1 ukioq</b>		<b>9467,8472</b>	<b>4478,036</b>

Ukiumut:	PM30 kg	PM10 kg
Pujoralaqqat	<b>18935,694</b>	<b>8956,072</b>
Silaannarmiilertut	<b>12308,201</b>	<b>5821,447</b>

**Greenland Minerals**

tons      Katillugit  
            5880000 tons

0,000231

PM2,5

1356,205

678,1026

**203,4308**

678,1026

PM2,5 kg

**1356,205**

**881,5333**

Itersaliarsuarni

**usilersorneq**

Tangit                      0,00322

Ukiumut:                  PM30 kg

Pujoralaaqqat            **18935,69**

0,3 Silaannarmiilertut   **5680,708**



0,001523	0,000231
PM10 kg	PM2,5 kg
<b>8956,072</b>	<b>1356,205</b>
<b>2686,822</b>	<b>406,8615</b>

## Ujaqqani qaleriissarsuarni sulineq

Igitat

2880000 tons

### Usigiarneq

**Usigiarneq:** Tangii takukkit:  
"Itersaliarsuarmi usilersorneq"

Silaannarmiilertut  
Silaannarmiilertut

Tangit

Pujoralaaqqat  
2 aasaq/ukioq  
0,3 aasaq  
1 ukioq

**Pujoralaaqqat**

**Silaannarmiilertut**

**Bulldozererneq:** Tangii takukkit:  
"Itersaliarsuarmi bulldozererneq"

Oqimaassusaa 74 tons  
Sukkassusaa 10 km/h  
Sulinera 2000 hours  
Ingerlaarnera 20000 km

Silaannarmiilertut  
Silaannarmiilertut

Tangit

**Pujoralaaqqat**  
2 aasaq/ukioq  
0,3 aasaq  
1 ukioq

**Pujoralaaqqat**

**Silaannarmiilertut**

Bulldozerip ingerlaarnera: Tangii takukkit uani:  
"Aqqusernit tangiinut naatsorsui"-ffik

Silaannarmiilertut  
Silaannarmiilertut

Tangit

**Pujoralaaqqat**  
2 aasaq/ukioq  
0,3 aasaq  
1 ukioq

**Pujoralaaqqat**

**Silaannarmiilertut**

**Ujaqqani qaleriissar**  
Ukiumut

**Pujoralaaqqat**

**Silaannarmiilertut**

Urani? Naamik Narsaq

0,00322	0,001523	0,000231
PM30 kg	PM10 kg	PM2,5 kg
9274,626	4386,647	664,2637
4637,313	2193,324	332,1319
1391,194	657,9971	99,63956
4637,313	2193,324	332,1319
<b>9274,626</b>	<b>4386,647</b>	<b>664,2637</b>
<b>6028,507</b>	<b>2851,321</b>	<b>431,7714</b>

5,406446	0,984983	0,567677
PM30 kg	PM10 kg	PM2,5 kg
<b>10812,89</b>	<b>1969,966</b>	<b>1135,354</b>
5406,446	984,9829	567,6768
1621,934	295,4949	170,3031
5406,446	984,9829	567,6768
<b>10812,89</b>	<b>1969,966</b>	<b>1135,354</b>
<b>7028,38</b>	<b>1280,478</b>	<b>737,9799</b>

2,779938	0,679684	0,254202
PM30 kg	PM10 kg	PM2,5 kg
<b>55598,76</b>	<b>13593,68</b>	<b>5084,035</b>
27799,38	6796,838	2542,018
8339,814	2039,052	762,6053
27799,38	6796,838	2542,018
<b>55598,76</b>	<b>13593,68</b>	<b>5084,035</b>
<b>36139,19</b>	<b>8835,89</b>	<b>3304,623</b>

suarni sulineq		
PM30 kg	PM10 kg	PM2,5 kg
<b>75686,28</b>	<b>19950,29</b>	<b>6883,653</b>
<b>49196,08</b>	<b>12967,69</b>	<b>4474,374</b>

Usigiar

Usigiar  
"Itersal

0,3

Bulldo:  
"Itersa

0,3

## Greenland Minerals

neq

neq: Tangii takukkit:  
liarsuarmi usilersorneq"

Tangit	0,00322	0,001523	0,000231
	PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>9274,626</b>	<b>4386,647</b>	<b>664,2637</b>
<b>Silaannarmiilertut</b>	<b>2782,388</b>	<b>1315,994</b>	<b>199,2791</b>

zernerneq: Tangii takukkit:  
liarsuarmi buuldozernerneq"

Tangit	5,406446	0,984983	0,567677
	PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>10812,89</b>	<b>1969,966</b>	<b>1135,354</b>
<b>Silaannarmiilertut</b>	<b>3243,868</b>	<b>590,9897</b>	<b>340,6061</b>

<b>Ujaqqani qaleriissarsuarni sulineq</b>			
<b>Ukiumut</b>			
	PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>20087,52</b>	<b>6356,613</b>	<b>1799,617</b>
<b>Silaannarmiilertut</b>	<b>6026,255</b>	<b>1906,984</b>	<b>539,8852</b>

**Urani? Naamik Narsaq**

**Ujaqqanik aserorterivimmi usigiarneq**

Aatsitassat 3000000 tons

**Usigiarneq: Tangii takukkit:  
"Itersaliarsuarmi usilersorneq"**

	Tangit	0,00322	0,001523
		PM30 kg	PM10 kg
	Pujoralaaqqat	9661,069	4569,424
	2 aasaq/ukioq	4830,534	2284,712
Silaannarmiilertut	0,3 aasaq	1449,16	685,4136
Silaannarmiilertut	1 ukioq	4830,534	2284,712

<b>Ukiumut</b>	<b>PM30 kg</b>	<b>PM10 kg</b>
<b>Pujoralaaqqat</b>	<b>9661,069</b>	<b>4569,424</b>
<b>Silaannarmiilertut</b>	<b>6279,695</b>	<b>2970,126</b>

**Greenland Minerals**

0,000231  
PM2,5 kg  
691,9414  
345,9707  
**103,7912**  
345,9707

<b>PM2,5 kg</b>
<b>691,9414</b>
<b>449,7619</b>

**Ujaqqanik aserorterivimmi usigiarneq**

**Usigiarneq: Tangii takukkit:**

**"Itersaliarsuarmi usilersorneq"**

Tangit	0,00322	0,001523
Ukiumut	PM30 kg	PM10 kg
<b>Pujoralaaqqat</b>	<b>9661,069</b>	<b>4569,424</b>
<b>0,3 Silaannarmiilertut</b>	<b>2898,321</b>	<b>1370,827</b>

---

0,000231

PM2,5 kg

**691,9414**

**207,5824**

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	k	PM30-k	silt %		-qqiut		-qqiut	
PM30	0,4536	4,9	3,9	12	0,7	1,1023	3	0,45
	1,6093		0,455322			0,6373		
PM10	0,4536	1,5	0,36366		0,9	0,6373		
	1,6093							



**Oqimaassuseq**

Tons

164

-qqiut

0,45

0,400757

9,923839 PM30

3,97704539

PM30/PM10 PM10/PM30  
4,09004559 0,24449605

0,097983

9,923839 PM10

0,972371898

164 PM10/PM2,5 PM2,5/PM10  
PM10 \* 0,374 2,67379679 0,374

PM2,5

0,36366709

**Aatsitassarsiorfimmi  
aqqusinerni angallanneq**

**Lastbilersuit**

32608,7  
Aatsitassat siumut utimut  
3000000 tons 32609 32609

31304,35  
Igitassat siumut utimut  
2880000 tons 31305 31305

Truck weights:

Empty 72 tons  
load 92 tons  
Full load 164 tons

Bulldozer  
weight 74 tons

**Lastbilersuit i**

Ulikkaarlutik

Useqaratik  
utimut

**Katillugit**

2  
Silaannarmiilertut 0,58  
Silaannarmiilertut 0,16

**Lastbilersuit i  
aqqusernit na  
Ulikkaarlutik**

Useqaratik  
utimut

**Katillugit**

2  
Silaannarmiilertut 0,58  
Silaannarmiilertut 0,16

**Lastbilersuit a  
ujaqqanik ase**

Ulikkaarlutik

Useqaratik  
utimut

Total

	2
Silaannarmiilertut	0,58
Silaannarmiilertut	0,16

**Lastbilersuit a**  
**ujaqqanut qal**  
Ulikkaarlutik

0  
Useqaratik  
utimut

Total

	2
Silaannarmiilertut	0,58
Silaannarmiilertut	0,16

**Lastbilersuit a**

## Urani? Naamik Narsaq

**Angallattut tangii: Takukkit "Aqqusernit tangiinut naatsorsui"-ffik.**

tersaliarsuarmi	siumut	utimut	takissusaa
	63914	63914	1 km
164 tons			
	Tangit 3,977045		0,9723719
	PM30 kg		PM10 kg
<b>Pujoralaaqqat</b>	<b>254188,9</b>		<b>62148,177</b>
			0,363667
			PM2,5 kg
72 tons			
	Tangit 2,745873		0,6713551
	PM30 kg		PM10 kg
<b>Pujoralaaqqat</b>	<b>175499,7</b>		<b>42908,99</b>
			0,251087
			PM2,5 kg
Pujoralaaqqat	PM30 kg	PM10 kg	PM2,5 kg
aasaq/ukioq	429688,6	105057,17	39291,38
aasaq	214844,3	52528,584	19645,69
ukioq	124609,7	30466,578	11394,5
	34375,09	8404,5734	3143,31
<b>Emissions</b>	<b>429688,6</b>	<b>94551,45</b>	<b>35362,24</b>
<b>Silaannarmiilertut</b>	<b>158984,8</b>	<b>38871,152</b>	<b>14537,81</b>

tersaliarsuarmiit	siumut	utimut	takissusaa
iaipiffiannut	63914	63914	0,8
164 tons			
	Tangit 3,977045		0,9723719
	PM30 kg		PM10 kg
Pujoralaaqqat	203351,1		49718,542
			18594,73
72 tons			
	2,745873		0,6713551
	PM30 kg		PM10 kg
Pujoralaaqqat	140399,8		34327,192
			12838,37
	PM30 kg	PM10 kg	PM2,5 kg
Pujoralaaqqat	343750,9	84045,734	31433,1
aasaq/ukioq	171875,4	42022,867	15716,55
aasaq	99687,76	24373,263	9115,6
ukioq	27500,07	6723,6587	2514,648
<b>Pujoralaaqqat ukiumut</b>	<b>343750,9</b>	<b>84045,734</b>	<b>31433,1</b>
<b>Silaannarmiilertut</b>	<b>127187,8</b>	<b>31096,921</b>	<b>11630,25</b>

iqqusernit naapiffianniit	siumut	utimut	takissusaa
rorterivimmut	32609	32609	3,3 km

164 tons	Tangit	3,977045	0,9723719	0,363667
	PM30 kg		PM10 kg	PM2,5 kg
Pujoralaaqqat		427968,7	104636,65	39134,11
72 tons	Tangit	2,745873	0,6713551	0,251087
	PM30 kg		PM10 kg	PM2,5 kg
Pujoralaaqqat		295482,6	72244,321	27019,38
	PM30 kg		PM10 kg	PM2,5 kg
Pujoralaaqqat		723451,2	176880,97	66153,48
aasaq/ukioq		361725,6	88440,484	33076,74
aasaq		209800,9	51295,481	19184,51
ukioq		57876,1	14150,478	5292,279
Pujoralaaqqat		<b>723451,2</b>	<b>176880,97</b>	<b>66153,48</b>
Silaannarmiilertut		<b>267677</b>	<b>65445,958</b>	<b>24476,79</b>

<b>iqqusernit naapiffianniit</b>	siunut	utimut	takissusaa	
<b>leriissarsuarnut</b>	31305	31305	0,8 km	
164 tons	Tangit	3,977045	0,9723719	0,363667
	PM30 kg		PM10 kg	PM2,5 kg
Pujoralaaqqat		99601,12	24352,082	9107,679
72 tons	Tangit	2,745873	0,6713551	0,251087
	PM30 kg		PM10 kg	PM2,5 kg
Pujoralaaqqat		68767,64	16813,417	6288,218
	PM30 kg		PM10 kg	PM2,5 kg
Pujoralaaqqat		168368,8	41165,499	15395,9
aasaq/ukioq		84184,38	20582,749	7697,948
aasaq		48826,94	11937,995	4464,81
ukioq		13469,5	3293,2399	1231,672
Pujoralaaqqat		<b>168368,8</b>	<b>41165,499</b>	<b>15395,9</b>
Silaannarmiilertut		<b>62296,44</b>	<b>15231,235</b>	<b>5696,482</b>

<b>atsitassarsiorfimmi angallannerat</b>	PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>1665259</b>	<b>396643,65</b>	<b>148344,7</b>
<b>Silaannarmiilertut</b>	<b>616146</b>	<b>150645,27</b>	<b>56341,33</b>



**Bulldozeri itersaliarsuarmiit ujaqqanut qaleriissarsuarnut**

<b>Bulldozeri itersaliarsuarmi</b>	siumut	utimut	takissusaa	2
	168	168	1 km	
74 tons				
Tangit	2,779938		0,679684	0,254202
	PM30 kg		PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>934,0591</b>		<b>228,3738</b>	<b>85,41179</b>

**Bulldozeri itersaliarsuup killinganiit aqqusernit naapiffiannut**

	siumut	utimut	takissusaa	2
	168	168	0,8 km	
74 tons				
Tangit	2,779938		0,679684	0,254202
	PM30 kg		PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>747,2473</b>		<b>182,699</b>	<b>68,32943</b>

**Bulldozeri aqqusernit naapiffianniit ujaqqanik qaleriissarsuarnut**

	siumut	utimut	takissusaa	2
	168	168	0,8 km	
74 tons				
Tangit	2,779938		0,679684	0,254202
	PM30 kg		PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>747,2473</b>		<b>182,699</b>	<b>68,32943</b>

**Bulldozeri itersaliarsuit akornanni ingerlaarnera**

	siumut	utimut	takissusaa	2
	168	168	1 km	
74 tons				
Tangit	2,779938		0,679684	0,254202
	PM30 kg		PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>934,0591</b>		<b>228,3738</b>	<b>85,41179</b>

**Qillerussuit itersaliarsuit akornanni ingerlaarnerat**

22 tons	siumut	utimut	takissusaa	2	2
	168	168	1 km		
Tangit	1,610538		0,39377		0,14727
	PM30 kg		PM10 kg		PM2,5 kg
<b>Pujoralaaqqat</b>	<b>1082,282</b>		<b>264,6136</b>		<b>98,96548</b>

**Qalutaatersuup itersaliarsuit akornanni ingerlaarnera**

200 tons	siumut	utimut	takissusaa	2
	168	168	1 km	
Tangit	4,348548		1,063203	0,397638
	PM30 kg		PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>1461,112</b>		<b>357,2362</b>	<b>133,6063</b>

<b>Bulldozerip, qalutaassuup qillerussuillu ingerlaarnerisa katinnerat</b>				
		PM30 kg	PM10 kg	PM2,5 kg
	<b>Pujoralaaqqat</b>	<b>5906,007</b>	<b>1443,995</b>	<b>540,0543</b>
	2 aasaq/ukioq	2953,003	721,9977	270,0271
Silaannarmiilertut	0,58 aasaq	1712,742	418,7586	156,6157
Silaannarmiilertut	0,16 ukioq	472,4805	115,5196	43,20434
	<b>Pujoralaaqqat</b>	<b>5906,007</b>	<b>1443,995</b>	<b>540,0543</b>
	<b>Silaannarmiilertut</b>	<b>2185,223</b>	<b>534,2783</b>	<b>199,8201</b>

<b>Aatsitassarsiorfimmi angallannerit katinneri</b>			
Ukiumut	PM30 kg	PM10 kg	PM2,5 kg
<b>Emissions</b>	<b>1671165</b>	<b>398087,6</b>	<b>148884,8</b>
<b>After control</b>	<b>618331,2</b>	<b>151179,5</b>	<b>56541,15</b>

**Greenland Minerals**

**Aatsitassarsiorfiup eqqaani  
aqqusinerni angallanneq**

	nikingassut	
PM30 kg	0,244496	PM10 kg
102256		25001,19
102256		25001,19
102256		25001,19
102256		25001,19
102256		25001,19
102256		25001,19

	Ukiumut	PM30 kg	PM10 kg
	Pujoralaaqqat	613536	150007,1
	2 aasaq/ukioq	306768	75003,56
Silaannarmiilertut	0,58 aasaq	177925,4	43502,07
Silaannarmiilertut	0,16 ukioq	49082,88	12000,57
	<b>Silaannarmiilertut</b>	<b>227008,3</b>	<b>130506,2</b>



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nikingassut

0,374 PM2,5 kg

9350,444

9350,444

9350,444

9350,444

9350,444

9350,444

**PM2,5 kg**

56102,67

28051,33

16269,77

4488,213

**104912**



**Sissiuarsuarmut  
aqqussineq**

**Urani? Naamik Narsaq**

				netto	
				max tons	20 ft
		Tons	32	containers	
Oqimaassutsit:		Metal RE Oxide	9941,246	310,66392	311
Lastbileq	15 tons	Lanthanum Oxide	5851,939	182,87309	183
Kalitaa	4 tons	Cerium Hydroxide	9553,467	298,54583	299
Containeri	3 tons	LaCe Oxide	4653,349	145,41716	146
	<input type="text" value="22"/>	Zinc Concentrate	15000	468,75	469
40 ft kalittagaq containerinut imaqanngitsunut	7 tons	Fluorspar	8700	271,875	272
marlunnut	<input type="text" value="25"/>	katillugit	53700		1680
		Containerip ataatsip angallannerani aallaavik			<input type="text" value="54"/>
Takissusaa	11,5 km	Yellow Cake Uranium	500		40
Yellow cake-mut TRUPACT III		Containerip ataatsip angallannerani aallaavik			<input type="text" value="43"/>
30 ft Containeri: oqimaassusaa	8,5 tons	Sodium Hypochlorite	11212	23,31	481
		Containerip ataatsip angallannerani aallaavik			<input type="text" value="45,31"/>
60 ft kalittakkap oqimaassusaa	13 tons			2	
		containerit imaqanngitsut	2162	1081	<input type="text" value="28"/>
		TRUPACT III imaqanngitsut	40	20	<input type="text" value="45"/>

Silaannarmiilertut  
Silaannarmiilertut



Tangit	2,412448	0,589834	0,220598
	PM30	PM10	PM2,5
<b>Pujoralaaqqat</b>	<b>46608,5</b>	<b>11395,59</b>	<b>4261,952</b>

containerit

tons

	Tangit	2,177417	0,53237	0,199106
		PM30	PM10	PM2,5
tons	<b>Pujoralaaqqat</b>	<b>1001,612</b>	<b>244,8901</b>	<b>91,58891</b>

	Tangit	2,229298	0,545055	0,20385
		PM30	PM10	PM2,5
tons	<b>Pujoralaaqqat</b>	<b>12331,36</b>	<b>3014,969</b>	<b>1127,599</b>

tons	Tangit	1,795155	0,438908	0,164152
		PM30	PM10	PM2,5
	<b>Pujoralaaqqat</b>	<b>22316,47</b>	<b>5456,288</b>	<b>2040,652</b>

tons	Tangit	2,222422	0,543373	0,203222
		PM30	PM10	PM2,5
	<b>Pujoralaaqqat</b>	<b>511,157</b>	<b>124,9759</b>	<b>46,74097</b>

		PM30	PM10	PM2,5
	<b>Pujoralaaqqat</b>	<b>82769,1</b>	<b>20236,72</b>	<b>7568,533</b>
	2 aasaq/ukioq	41384,55	10118,36	3784,266
	0,58 aasaq	24003,04	5868,648	2194,874
	0,16 ukioq	6621,528	1618,937	605,4826

<b>Sissiugarsuarmut aqqussuineq tamakkerlugu</b>			
Ukiumut	PM30	PM10	PM2,5
<b>Pujoralaaqqat</b>	<b>82769,1</b>	<b>20236,72</b>	<b>7568,533</b>
<b>Silaannarmiilertut</b>	<b>30624,57</b>	<b>7487,586</b>	<b>2800,357</b>

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**Eqqussat  
timmukaanneri**

**Urani? Naamik Narsaq**

				netto
				max tons
		<b>Akuutissat kemikiallu</b>	tons	25
Oqimaassutsit:		Sodium Carbonate	31300	1252
Lastbileq	15 tons	Svovli	32400	1296
Kalitaa	4 tons	Sodium Chloride- tarajoq	45000	1800
Containeri	3 tons	Kalki	60800	2432
	<input type="text" value="22"/>	Calcium Chloride- tarajoq	15375	615
40 ft kalittagaq containerinut		Kemikaliat imerpalasut	1850	74
imaqanngitsunut	7 tons	Kemikaliat imerpalasut	3600	144
marlunnut	<input type="text" value="25"/>	Kemikaliat imerpalasut	12825	513
		Atortussiat	5275	211
		Naliginnaat	46650	1866
Takissusaa	11,5 km			
		Containerit 25 tons imaarsinnaasut		<input type="text" value="10203"/>
Orsussat:		Containerip ataatsip angallannerani aallaavik		47
Tankbiileq				
Oqimaassusaa	11 tons			
usisinnaasaa	30 m <sup>3</sup>			
Tangeq				
diesel	0,85 ton/m <sup>3</sup>			
	5607 tons = 6596,471 m <sup>3</sup>			
Tankbiileq ulikkaarluni:	219,8824	220 timmut utimullu		
Tankbiileq ulikkaarluni				
oqimaassusaa	36,5 tons			
tamarmiusoq				
Tangeq				
Heavy fuel oil	1 ton/m <sup>3</sup>			
	36990 tons			
Tankbiileq ulikkaarluni:	1233 timmut	utimullu		
Tankbiileq ulikkaarluni				
oqimaassusaa	41 tons			
tamarmiusoq				
Lastbilit imaqaratik	1453 utimut			
		Containerit imaqanngitsut	10203	5101,5 5100
	ullut			
	365 Siumut utimullu			
Bussi 12 tons	40	14600		
	ullormut			



Takissusaa

11,5 km

	Tangit	2,266339	0,554111	0,207237
		PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>		<b>265919,7</b>	<b>65016,33</b>	<b>24316,11</b>

tons

	Tangit	2,022612	0,494521	0,184951
		PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>		<b>5117,209</b>	<b>1251,137</b>	<b>467,9254</b>

	Tangit	2,131246	0,521081	0,194884
		PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>		<b>30220</b>	<b>7388,671</b>	<b>2763,363</b>

	Tangit	1,178983	0,288257	0,107808
		PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>		<b>19700,22</b>	<b>4816,625</b>	<b>1801,418</b>

28 tons	Tangit	1,795155	0,438908	0,164152
		PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>		<b>105285,8</b>	<b>25741,97</b>	<b>9627,497</b>

11,5 tons	Tangit	1,202804	0,294081	0,109986
		PM30 kg	PM10 kg	PM2,5 kg

<b>Pujoralaaqqat</b>	<b>201950,8</b>	<b>49376,17</b>	<b>18466,69</b>
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Import total

		PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>		<b>628193,8</b>	<b>153590,9</b>	<b>57443</b>
2 aasaq/ukioq		314096,9	76795,45	28721,5
Silaannarmiilertut	0,58 aasaq	182176,2	44541,36	16658,47
Silaannarmiilertut	0,16 ukioq	50255,5	12287,27	4595,44

<b>Timmukaassat tamakkerlutik</b>			
Ukiumut	PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>628193,8</b>	<b>153590,9</b>	<b>57443</b>
<b>Silaannarmiilertut</b>	<b>232431,7</b>	<b>56828,63</b>	<b>21253,91</b>

<b>Timmukaassat aqussallu tamakkerlutik (Aqqusineq: Sissiu.-aatsitass.)</b>			
Ukiumut	PM30 kg	PM10 kg	PM2,5 kg
<b>Pujoralaaqqat</b>	<b>710962,9</b>	<b>173827,6</b>	<b>65011,53</b>
<b>Silaannarmiilertut</b>	<b>263056,3</b>	<b>64316,22</b>	<b>24054,27</b>

**Greenland Minerals**

**IMPORT & EXPORT TOTAL (ROAD HARBOR-MINING AREA)**

		PM10/PM30	
		PM30 kg	PM10 kg
		0,24449605	
		108175	26448,36
		108175	26448,36
		108175	26448,36
		108175	26448,36
	<b>Pujoralaaqqat</b>	<b>432700</b>	<b>105793,4</b>
	2 aasaq/ukioq	216350	52896,72
Silaannarmiilertut	0,58 aasaq	125483	30680,1
Silaannarmiilertut	0,16 ukioq	34616	8463,475

**Timmukaassat aqqussallu tamakkerlutik (Aqqusineq: Si**

	PM30 kg	PM10 kg
Ukiumut		
<b>Pujoralaaqqat</b>	<b>432700</b>	<b>105793,4</b>
<b>Silaannarmiilertut</b>	<b>160099</b>	<b>39143,57</b>

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EA)

PM2,50/PM10

0,374 PM2,5 kg

9891,687

9891,687

9891,687

9891,687

**39566,75**

19783,37

11474,36

3165,34

ssiu.-aatsitass.)

PM2,5 kg

**39566,75**

**14639,7**



Aqqusinernik aserfallatsaaliuineq		Urani? Naa
Ujaraaqqat:		
100000 tons		
40		
2500 trips		
	<b>Umiarsuarmit usigiarnaq</b>	
		Tangit 0,00322 PM30 kg
Oqimaassuseq	Ukiukkut      Silaannarmiilertut	<b>322,0356</b>
Lastbiileq	15 tons	
Usisinnaasa	40 tons	
	55	
	<b>Lastbiiliinut usilersorneq</b>	
		Tangit 0,00322 PM30 kg
	Ukiukkut      Silaannarmiilertut	<b>322,0356</b>
	<b>Ujaraaqqanut qaleriissanut usigiarnaq</b>	
		Tangit 0,00322 PM30 kg
	Ukiukkut      Silaannarmiilertut	<b>322,0356</b>
Ujaraaqqanut qaleriissat tungaannut ukiumi:		Tangit 2,432451
Takissutsit:		PM30 kg
11,5 km		<b>82095,21</b>
2 km		
13,5 km		
	<b>Lastbiilit useqaratik</b>	
Aqqusinermi	26,4 tons	Tangit 1,35557 PM30 kg
manissaat		<b>45750,48</b>
	<b>Lastbiilernerit katillugit</b>	
	Ukiukkut	
	0,16 Silaannarmiilertut	<b>20455,31</b>
Aasami Ujaraaqqanik qaliissaniit aqqusinernut takissusaa:	<b>Lastbiilerneq</b>	Tangit 2,432451 PM30 kg
1 km		<b>Pujoralaaqqat 6081,126</b>
2500 siumut utimullu	<b>Lastbiilit useqaratik</b>	Tangit 1,35557 PM30 kg
		<b>Pujoralaaqqat 3388,924</b>
	<b>Lastbiilerneq tamarmiusoq</b>	
		<b>Pujoralaaqqat 9470,051</b>
	<b>Silaannarmiilertut</b>	<b>0,58 aasakut</b>
		<b>5492,63</b>



		<b>Aqqusinernut usigiarneq</b>			
			Tangit	0,00322	
			PM30 kg	322,0356	
		<b>Silaannarmiilertut</b>	<b>0,3</b>	<b>96,61069</b>	
Aqqusinernut					
manissaat	26,4 tons	<b>Manissaaneq</b>			
sulinerata			Tangit	1,075174	
sivissussusaa			PM30 kg		
2015 tiimit		<b>Silaannarmiilertut</b>	<b>2166,476</b>		
sukkassusaa		<b>Silaannarmiilertut</b>	<b>0,3</b>	<b>aasakkut</b>	<b>649,9429</b>
10 km/h					
ingerlaarfia		<b>Manissaat</b>			
20150 km			Tangit	1,748246	
			PM30 kg		
		<b>Silaannarmiilertut</b>	<b>35227,16</b>		
		<b>0,58</b>	<b>aasakkut</b>	<b>20431,75</b>	

<b>Aqqusinernik aserfatsaaliuineq tamakkerlugu</b>	
Ukiumut	PM30 kg
<b>Pujoralaaqqat</b>	<b>175997,5</b>
<b>Silaannarmiilertut</b>	<b>48092,35</b>

mik Narsaq

0,001523  
PM10 kg  
**152,3141**

0,000231  
PM2,5 kg  
**23,06471**

0,001523  
PM10 kg  
**152,3141**

0,000231  
PM2,5 kg  
**23,06471**

0,001523  
PM10 kg  
**152,3141**

0,000231  
PM2,5 kg  
**23,06471**

0,594725  
PM10 kg  
**20071,95**

0,222427  
PM2,5 kg  
**7506,911**

0,331431  
PM10 kg  
**11185,81**

0,123955  
PM2,5 kg  
**4183,494**

**31257,77**

**11690,4**

**5001,243**

**1870,465**

0,594725  
PM10 kg  
**1486,811**

0,222427  
PM2,5 kg  
**556,0675**

0,331431  
PM10 kg  
**828,5787**

0,123955  
PM2,5 kg  
**309,8884**

**2315,39**

**865,9559**

**1342,926**

**502,2544**

**Aqqusinerr**

Sukkassusaa  
10 km/h

Sulinerata  
sivisussusaa  
2015 tiimit

0,001523	0,000231
PM10 kg	PM2,5 kg
152,3141	23,06471

<b>45,69424</b>	<b>6,919414</b>
-----------------	-----------------

0,336	0,031
PM10 kg	PM2,5 kg
0,03333	
<b>677,04</b>	<b>67,16077</b>

<b>203,112</b>	<b>20,14823</b>
----------------	-----------------

0,427439	0,159862
PM10 kg	PM2,5 kg
<b>8612,902</b>	<b>3221,225</b>

<b>4995,483</b>	<b>1868,311</b>
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PM10 kg	PM2,5 kg
<b>43472,35</b>	<b>15937,01</b>
<b>12045,4</b>	<b>4337,292</b>

## Greenland Minerals

<b>ni manissaat</b>				
Ukiumut	Tangit	1,075174	0,336	0,03333
		PM30 kg	PM10 kg	PM2,5 kg
	<b>Pujoralaaqqat</b>	<b>2166,476</b>	<b>677,04</b>	<b>67,16077</b>
	<b>0,3 Aasakkut</b>	<b>649,9429</b>	<b>203,112</b>	<b>20,14823</b>



**Urani? Naamik Narsaq**

	Pujoralaaqqat		
	PM30 kg	PM10 kg	PM2,5 kg
Qillerineq	5848,08	3072,72	460,908
Qaartitsineq	3813,871	1983,213	114,4161
Itersaliarsuarni bulldozererneq	199790,9	46826,86	18709,01
Itersaliarsuarni usilersorneq	18935,69	8956,072	1356,205
Ujaqqani qaleriissarsuarni sulineq	75686,28	19950,29	6883,653
Ujaqqanik aserorterivimmut usigiarniq	9661,069	4569,424	691,9414
Aatsitassarsiorfiup eqqaani aqqusinikkut angalanneq	1671165	398087,6	148884,8
Aqqusineq: Sissiug.- aatsitass.	710962,9	173827,6	65011,53
Aqqus. Aserfallataaliorneri	175997,5	43472,35	15937,01
<b>Katillugit</b>	<b>2871862</b>	<b>700746,2</b>	<b>258049,4</b>
Sanilliunneri	2,525777	2,444618	2,493266

Silaannarmiilertut

PM30 kg	PM10 kg	PM2,5 kg	
1520,501	798,9072	119,8361	drilling
2440,877	1269,256	73,22632	blasting
129708,4	30399,4	12146,62	Bulldozing i
12308,2	5821,447	881,5333	Loading in j
49196,08	12967,69	4474,374	Operations
6279,695	2970,126	449,7619	Unloading f
618331,2	151179,5	56541,15	Haul roads
263056,3	64316,22	24054,27	ROAD HARI
48092,35	12045,4	4337,292	Maintenan
<b>1130934</b>	<b>281768</b>	<b>103078,1</b>	Total
2,731509	2,71615	2,732303	

## Greenland Minerals

Pujoralaaqqat			Silaannarmiilertut
PM30 kg	PM10 kg	PM2,5 kg	PM30 kg
5848,08	3072,72	460,908	1520,501
3813,871	1983,213	114,4161	1067,884
32438,68	5909,897	3406,061	9731,603
18935,69	8956,072	1356,205	5680,708
20087,52	6356,613	1799,617	6026,255
9661,069	4569,424	691,9414	2898,321
613536	150007,1	56102,67	227008,3
432700	105793,4	39566,75	160099
2166,476	677,04	67,16077	649,9429
<b>1137021</b>	<b>286648,5</b>	<b>103498,6</b>	<b>414032,6</b>
1	1	1	1



PM10 kg	PM2,5 kg
798,9072	119,8361
555,2996	32,03652
1772,969	1021,818
2686,822	406,8615
1906,984	539,8852
1370,827	207,5824
55502,64	20757,99
39143,57	14639,7
203,112	20,14823
<b>103738</b>	<b>37725,7</b>
1	1

<b>Drilling</b>			
			Annum
<b>Drilling:</b>	holes	blastings	holes
	59	168	9912

<b>Emissions</b>
<b>In the air</b>

<b>Blasting</b>				
	blastings	Area m <sup>2</sup>	power	k for PM30
<b>Blasting:</b>	168	2200	1,5	0,00022

	2
In the air	0,28
In the air	1

Annum
<b>Emissions</b>
<b>In the air</b>

**Urani? Naamik Narsaq**

	PM30	PM10	PM2,5
	0,59	0,31	0,0465
	<b>5848,08</b>	<b>3072,72</b>	<b>460,908</b>
0,26	<b>1520,501</b>	<b>798,9072</b>	<b>119,8361</b>

Annum

PM30

3813,870863

	PM30 kg	PM10 kg	PM2,5 kg
		0,52	0,03
<b>Emissions</b>	<b>3813,871</b>	<b>1983,213</b>	<b>114,4161</b>
summer/winter	1906,935	991,6064	57,20806
summer	533,9419	277,6498	16,01826
winter	1906,935	991,6064	57,20806

	PM30 kg	PM10 kg	PM2,5 kg
	<b>3813,871</b>	<b>1983,213</b>	<b>114,4161</b>
	<b>2440,877</b>	<b>1269,256</b>	<b>73,22632</b>

## Greenland Minerals

### Drilling

Annum	PM30 kg	PM10 kg	PM2,5 kg
<b>Emissions</b>	<b>5848,08</b>	<b>3072,72</b>	<b>460,908</b>
<b>In the air</b>	<b>0,26 1520,501</b>	<b>798,9072</b>	<b>119,8361</b>

### Blasting

Annum	PM30 kg	PM10 kg	PM2,5 kg
<b>Emissioons</b>	<b>3813,871</b>	<b>1983,213</b>	<b>114,4161</b>
<b>0,28 In the air</b>	<b>1067,884</b>	<b>555,2996</b>	<b>32,03652</b>

Open pit  
**Bulldozing:**

Weight 74 tons  
 Speed 10 km/h  
 Working time 8000 hours  
 traveled 80000 km  
 moving to pit  
 to pit anuum 334 km

Working emissionfactors:

PM30	2,6	1	5,120089
PM10	0,45	0,75	7,701883
PM2,5	2,6	0,105	5,120089

Traveling emissionfactors for 80000 km see **H**

Traveling emissionfactors for 200 km see **Haul**

**Bulldozing in pits total**

Annum	PM30 kg	PM10 kg
Emissions	<b>266575,1</b>	<b>62481,58</b>
In the air	<b>173013,8</b>	<b>40549,47</b>



**Greenland Minerals**

**Open pit  
Bulldozing:**

0,567677

PM2,5

**4541,415**

2270,707

**681,2122**

2270,707

**2951,92**

0,254202

PM2,5

**20336,14**

10168,07

**3050,421**

10168,07

**13218,49**

0,254202

PM2,5

**84,90339**

42,45169

**24,62198**

6,792271

**31,41425**

	5,406446	0,984983
Annum	PM30 kg	PM10 kg
<b>emissions</b>	<b>32438,68</b>	<b>5909,897</b>
<b>0,3 After control</b>	<b>9731,603</b>	<b>1772,969</b>

0,567677

PM2,5 kg

**3406,061**

**1021,818**



**Urani? Naamik Narsaq**

	<b>Loading in pits</b>	Ore 3000000 tons	waste 2880000 tons
wind speed		0,00322	0,001523
4,75 m/s		PM30	PM10
	emissions	18935,69	8956,072
moisture content	2 summer/winter	9467,847	4478,036
3,9	<b>In the air</b>	<b>0,3 summer control</b>	<b>2840,354</b>
	<b>In the air</b>	<b>1 winter control</b>	<b>9467,847</b>
			<b>1343,411</b>
			<b>4478,036</b>

Annum:	PM30 kg	PM10 kg
Emissions	<b>18935,69</b>	<b>8956,072</b>
In the air	<b>12308,2</b>	<b>5821,447</b>

## Greenland Minerals

Total  
5880000 tons

0,000231  
PM2,5  
1356,205  
678,1026  
**203,4308**  
678,1026

PM2,5 kg
<b>1356,205</b>
<b>881,5333</b>

### Loading in pits

	0,00322	0,001523
Annum emissions	PM30 kg	PM10 kg
	<b>18935,69</b>	<b>8956,072</b>
0,3 In the air	<b>5680,708</b>	<b>2686,822</b>

0,000231

PM2,5 kg

**1356,205**

**406,8615**

**Urani? Naa**

**Waste Operations in wastedump**

2880000 tons

0,00322

Unloading: See emissionfactors in "Loading in pit"

PM30

emissions 9274,626

2 summer/winter 4637,313

In the air 0,3 summer control 1391,194

In the air 1 winter control 4637,313

<b>emissions</b>	<b>9274,626</b>
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<b>After control</b>	<b>6028,507</b>
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Bulldozing: See emissionfactors in "Bulldozing in pit"

5,406446

PM30

emissions 10812,89

2 summer/winter 5406,446

In the air 0,3 summer control 1621,934

In the air 1 winter control 5406,446

<b>emissions</b>	<b>10812,89</b>
------------------	-----------------

<b>In the air</b>	<b>7028,38</b>
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Weight 74 tons

Speed 10 km/h

Working time 2000 hours

traveled 20000 km

Traveling emissionfactors for 20000 km see Haul Road factors

2,779938

PM30

emissions 55598,76

2 summer/winter 27799,38

In the air 0,3 summer control 8339,814

In the air 1 winter control 27799,38

<b>emissions</b>	<b>55598,76</b>
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<b>In the air</b>	<b>36139,19</b>
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<b>Activities in wastedump tota</b>	
-------------------------------------	--

Annum	PM30 kg
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<b>Emissions</b>	<b>75686,28</b>
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<b>In the air</b>	<b>49196,08</b>
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**mik Narsaq**

0,001523	0,000231
PM10	PM2,5
4386,647	664,2637
2193,324	332,1319
657,9971	99,63956
2193,324	332,1319

<b>4386,647</b>	<b>664,2637</b>
<b>2851,321</b>	<b>431,7714</b>

0,984983	0,567677
PM10	PM2,5
1969,966	1135,354
984,9829	567,6768
295,4949	170,3031
984,9829	567,6768

<b>1969,966</b>	<b>1135,354</b>
<b>1280,478</b>	<b>737,9799</b>

0,679684	0,254202
PM10	PM2,5
13593,68	5084,035
6796,838	2542,018
2039,052	762,6053
6796,838	2542,018

<b>13593,68</b>	<b>5084,035</b>
<b>8835,89</b>	<b>3304,623</b>

<b>l:</b>	
PM10 kg	PM2,5 kg
<b>19950,29</b>	<b>6883,653</b>
<b>12967,69</b>	<b>4474,374</b>

**Greenland Mir**

**Unloading i wastedun**

<b>emissions</b>
<b>0,3 After control</b>

**Bulldozing: See emiss**

<b>emissions</b>
<b>0,3 In the air</b>

<b>Activities in w:</b>
<b>Annum</b>
<b>Emissions</b>
<b>In the air</b>

erals

np

0,00322	0,001523	0,000231
PM30	PM10	PM2,5
<b>9274,626</b>	<b>4386,647</b>	<b>664,2637</b>
<b>2782,388</b>	<b>1315,994</b>	<b>199,2791</b>

ionfactors in "Buuldozing in pit"

5,406446	0,984983	0,567677
PM30	PM10	PM2,5
<b>10812,89</b>	<b>1969,966</b>	<b>1135,354</b>
<b>3243,868</b>	<b>590,9897</b>	<b>340,6061</b>

<b>astedump total:</b>		
PM30 kg	PM10 kg	PM2,5 kg
<b>20087,52</b>	<b>6356,613</b>	<b>1799,617</b>
<b>6026,255</b>	<b>1906,984</b>	<b>539,8852</b>

**Urani? Naamik Narsaq**

**Unloading to the crusher**

Ore 3000000 tons

**Unloading: See emissionfactors in "Loading in pit"**

		0,00322	0,001523	0,000231
		PM30	PM10	PM2,5
	emissions	9661,069	4569,424	691,9414
	2 summer/winter	4830,534	2284,712	345,9707
In the air	0,3 summer control	1449,16	685,4136	103,7912
In the air	1 winter control	4830,534	2284,712	345,9707

<b>Annum:</b>	<b>PM30 kg</b>	<b>PM10 kg</b>	<b>PM2,5 kg</b>
<b>Emissions</b>	<b>9661,069</b>	<b>4569,424</b>	<b>691,9414</b>
<b>In the air</b>	<b>6279,695</b>	<b>2970,126</b>	<b>449,7619</b>

## Greenland Minerals

### Unloading to the crusher

Unloading: See emissionfactors in "Loading in pit"

	0,00322	0,001523	0,000231
Annum:	PM30 kg	PM10 kg	PM2,5 kg
<b>emissions</b>	<b>9661,069</b>	<b>4569,424</b>	<b>691,9414</b>
0,3 In the air	<b>2898,321</b>	<b>1370,827</b>	<b>207,5824</b>



	k	PM30-k	silt %		power		power	
PM30	0,4536	4,9	3,9	12	0,7	1,1023	3	0,45
	1,6093		0,455322			0,6373		
		PM10						
PM10	0,4536	1,5	0,36366		0,9	0,6373		
	1,6093							

	Weight	power		
	Tons		0,45	
	<b>164</b>			PM30
0,400757		9,923839	<b>3,97704539</b>	
				PM30/PM10 PM10/PM30
				4,09004559 0,24449605
				PM10
0,097983		9,923839	<b>0,972371898</b>	
				164 PM10/PM2,5 PM2,5/PM10
				PM10 * 0,374 2,67379679 0,374
				PM2,5
			<b>0,36366709</b>	

**Haul roads**

**Truck**

Ore 3000000 tons  
32608,7 runs return  
32609 32609

Waste 2880000 tons  
31304,35 runs return  
31305 31305

Truck weights:

Empty 72 tons  
load 92 tons  
Full load 164 tons

Bulldozer weight 74 tons

**Trucking in**

Full load

Empty  
return

Total

2  
0,58  
0,16

**Trucking fr**

Full load

Empty  
return

Total

2  
0,58  
0,16

**Trucking fr**

Full load

Empty  
return

Total

2  
0,58  
0,16

**Trucking fr**

Full load

0  
return

Total

2  
0,58  
0,16

Trucking to

**in mining area**

**Urani? Naamik Narsaq**

<b>pit</b>	runs	return	distance
	63914	63914	1 km
164 tons			
factor	3,977045		0,972372
	PM30		PM10
<b>Emissions</b>	<b>254188,9</b>		<b>62148,18</b>
			<b>23243,42</b>
72 tons			
	2,745873		0,671355
	PM30		PM10
<b>Emissions</b>	<b>175499,7</b>		<b>42908,99</b>
			<b>16047,96</b>
	PM30		PM10
Emissions	429688,6		105057,2
summer/winther	214844,3		52528,58
summer in the air	124609,7		30466,58
winther in the air	34375,09		8404,573
			PM2,5
			39291,38
			19645,69
			11394,5
			3143,31
<b>Emissions</b>	<b>429688,6</b>		<b>94551,45</b>
<b>In the air</b>	<b>158984,8</b>		<b>38871,15</b>
			<b>14537,81</b>

**om pit to crossroad**

	runs	return	distance
	63914	63914	0,8
164 tons			
factor	3,977045		0,972372
	PM30		PM10
Emissions	203351,1		49718,54
			18594,73
72 tons			
	2,745873		0,671355
	PM30		PM10
Emissions	140399,8		34327,19
			12838,37
	PM30		PM10
Emissions	343750,9		84045,73
summer/winther	171875,4		42022,87
summer in the air	99687,76		24373,26
winther in the air	27500,07		6723,659
			PM2,5
			31433,1
			15716,55
			9115,6
			2514,648
<b>Emissions</b>	<b>343750,9</b>		<b>84045,73</b>
<b>In the air</b>	<b>127187,8</b>		<b>31096,92</b>
			<b>11630,25</b>

**om crossroad to crusher**

	runs	return	distance
	32609	32609	3,3 km
164 tons			
factor	3,977045		0,972372
	PM30		PM10
			PM2,5
			0,363667

Emissions	427968,7	104636,6	39134,11
72 tons			
	2,745873	0,671355	0,251087
	PM30	PM10	PM2,5
Emissions	295482,6	72244,32	27019,38
	PM30	PM10	PM2,5
Emissions	723451,2	176881	66153,48
summer/winter	361725,6	88440,48	33076,74
summer in the air	209800,9	51295,48	19184,51
winter in the air	57876,1	14150,48	5292,279

Emissions	<b>723451,2</b>	<b>176881</b>	<b>66153,48</b>
In the air	<b>267677</b>	<b>65445,96</b>	<b>24476,79</b>

**om crossroad to wastedump**

runs return distance  
31305 31305 0,8 km

164 tons			
factor	3,977045	0,972372	0,363667
	PM30	PM10	PM2,5
Emissions	99601,12	24352,08	9107,679
72 tons			
	2,745873	0,671355	0,251087
	PM30	PM10	PM2,5
Emissions	68767,64	16813,42	6288,218
	PM30	PM10	PM2,5
Emissions	168368,8	41165,5	15395,9
summer/winter	84184,38	20582,75	7697,948
summer in the air	48826,94	11937,99	4464,81
winter in the air	13469,5	3293,24	1231,672

Emissions	<b>168368,8</b>	<b>41165,5</b>	<b>15395,9</b>
In the air	<b>62296,44</b>	<b>15231,23</b>	<b>5696,482</b>

**tal in mining area**

	PM30	PM10	PM2,5
<b>Emissions</b>	<b>1665259</b>	<b>396643,7</b>	<b>148344,7</b>
<b>In the air</b>	<b>616146</b>	<b>150645,3</b>	<b>56341,33</b>

Greenland Minerals 

**Bulldozer from pit to wastedump**

<b>Bulldozer in pit</b>	runs	return	distance	2
	168	168	1 km	
74 tons				
factor	2,779938		0,679684	0,254202
	PM30		PM10	PM2,5
<b>Emissions</b>	<b>934,0591</b>		<b>228,3738</b>	<b>85,41179</b>

**Bulldozer from pit to crossroad**

	runs	return	distance	2
	168	168	0,8 km	
74 tons				
factor	2,779938		0,679684	0,254202
	PM30		PM10	PM2,5
<b>Emissions</b>	<b>747,2473</b>		<b>182,699</b>	<b>68,32943</b>

**Bulldozer from crossroad to wastedump**

	runs	return	distance	2
	168	168	0,8 km	
74 tons				
factor	2,779938		0,679684	0,254202
	PM30		PM10	PM2,5
<b>Emissions</b>	<b>747,2473</b>		<b>182,699</b>	<b>68,32943</b>

**Bulldozer from pit to pit**

	runs	return	distance	2
	168	168	1 km	
74 tons				
factor	2,779938		0,679684	0,254202
	PM30		PM10	PM2,5
<b>Emissions</b>	<b>934,0591</b>		<b>228,3738</b>	<b>85,41179</b>

**Drillers form pit to pit**

22 tons	runs	return	distance	2	2
	168	168	1 km		
factor	1,610538		0,39377	0,14727	
	PM30		PM10	PM2,5	
<b>Emissions</b>	<b>1082,282</b>		<b>264,6136</b>	<b>98,96548</b>	

**Excavator from pit to pit**

200 tons	runs	return	distance	2
	168	168	1 km	
factor	4,348548		1,063203	0,397638
	PM30		PM10	PM2,5
<b>Emissions</b>	<b>1461,112</b>		<b>357,2362</b>	<b>133,6063</b>

**Total movements for bulldozer,drillers and excavator**

	PM30	PM10	PM2,5
<b>Emissions</b>	<b>5906,007</b>	<b>1443,995</b>	<b>540,0543</b>
2 summer/winter	2953,003	721,9977	270,0271
0,58 summer in the air	1712,742	418,7586	156,6157
0,16 winter in the air	472,4805	115,5196	43,20434
<b>Emission</b>	<b>5906,007</b>	<b>1443,995</b>	<b>540,0543</b>
<b>In the air</b>	<b>2185,223</b>	<b>534,2783</b>	<b>199,8201</b>

<b>Total traffic in mining area</b>			
Annum	PM30 kg	PM10 kg	PM2,5 kg
<b>Emissions</b>	<b>1671165</b>	<b>398087,6</b>	<b>148884,8</b>
<b>In the air</b>	<b>618331,2</b>	<b>151179,5</b>	<b>56541,15</b>



**Greenland Minerals**

PM30	0,244496	PM10	0,374	PM2,5
102256		25001,19		9350,444
102256		25001,19		9350,444
102256		25001,19		9350,444
102256		25001,19		9350,444
102256		25001,19		9350,444
102256		25001,19		9350,444

<b>Annum</b>	<b>PM30 kg</b>	<b>PM10 kg</b>	<b>PM2,5 kg</b>
Emissions	<b>613536</b>	<b>150007,1</b>	<b>56102,67</b>
2 summer/winter	306768	75003,56	28051,33
0,58 summer in the air	177925,4	43502,07	16269,77
0,16 winter in the air	49082,88	12000,57	4488,213
<b>In the air</b>	<b>227008,3</b>	<b>55502,64</b>	<b>20757,99</b>



**Export**

**Urani? Naamik Narsaq**

			netto	20 ft
		Tons	max tons	containers
			32	
Weights:		Metal RE Oxide	9941,246	311
Truck	15 tons	Lanthanum Oxide	5851,939	183
Trailer	4 tons	Cerium Hydroxide	9553,467	299
Container	3 tons	LaCe Oxide	4653,349	146
	22	Zinc Concentrate	15000	469
40 ft Trailer to empty		Fluorspar	8700	272
2 containers	7 tons	Sum	53700	1680
	25	To every container weight with vehicle		54 tons
Distance	11,5 km	Yellow Cake Uranium	500	40
To yellow cake: TRUPACT III		To every container weight with vehicle		43 tons
30 ft Container weight	8,5 tons	Sodium Hypochlorite	11212	481
		To every container weight with vehicle		45,31 tons
60 ft trailer weight	13 tons		2	
		Empty containers	2162	28
		Empty TRUPACT III	40	45

2  
0,58  
0,16



factors	2,412448	0,589834	0,220598
	PM30	PM10	PM2,5
<b>emissions</b>	<b>46608,5</b>	<b>11395,59</b>	<b>4261,952</b>

**Import**

Weights:  
Truck  
Trailer  
Container  
40 ft Trailer to empty  
2 containers

factors	2,177417	0,53237	0,199106
	PM30	PM10	PM2,5
<b>emissions</b>	<b>1001,612</b>	<b>244,8901</b>	<b>91,58891</b>

Distance

factors	2,229298	0,545055	0,20385
	PM30	PM10	PM2,5
<b>emissions</b>	<b>12331,36</b>	<b>3014,969</b>	<b>1127,599</b>

Fuel:  
Fueltruck weight  
capacity

factors	1,795155	0,438908	0,164152
	PM30	PM10	PM2,5
<b>emissions</b>	<b>22316,47</b>	<b>5456,288</b>	<b>2040,652</b>

density:  
diesel 5607

factors	2,222422	0,543373	0,203222
	PM30	PM10	PM2,5
<b>emissions</b>	<b>511,157</b>	<b>124,9759</b>	<b>46,74097</b>

Full trucks  
1 full truck  
weight brutto

Export total

	PM30	PM10	PM2,5
<b>emissions</b>	<b>82769,1</b>	<b>20236,72</b>	<b>7568,533</b>
summer/winter	41384,55	10118,36	3784,266
summer in the air	24003,04	5868,648	2194,874
winter in the air	6621,528	1618,937	605,4826

Density  
Heavy fuel oil 36990  
Full trucks  
1 full truck  
weight brutto  
Empty trucks

EXPORT TOTAL			
	PM30	PM10	PM2,5
<b>emissions</b>	<b>82769,1</b>	<b>20236,72</b>	<b>7568,533</b>
<b>In the air</b>	<b>30624,57</b>	<b>7487,586</b>	<b>2800,357</b>

Buses 12 tons

distance

11,5

**Urani? Naamik Narsaq**

		tons	netto max tons 25
	Sodium Carbonate	31300	1252
15 tons	Sulphur	32400	1296
4 tons	Sodium Chloride	45000	1800
3 tons	Limestone	60800	2432
22	Calcium Chloride	15375	615
	Miscellaneous Liquid Reagents	1850	74
	Miscellaneous Liquid Reagents	3600	144
7 tons	Miscellaneous Liquid Reagents	12825	513
25	Equipment Consumables	5275	211
	General Freight	46650	1866
11,5 km	Containers 25 tons netto sum		10203
	To every container weight with vehicle		47 tons

11 tons  
30 m<sup>3</sup>

$$\text{tons} = \frac{0,85 \text{ ton/m}^3 \times 6596,471 \text{ m}^3}{219,8824} = 220$$

36,5 tons

$$\text{tons} = \frac{1 \text{ ton/m}^3 \times 1233}{1233}$$

41 tons

1453

Empty containers	10203	5101,5 5100	28 tons
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365 trips  
40 14600

11,5 tons

km

2

0,58

0,16



factors	2,266339	0,554111	0,207237
	PM30	PM10	PM2,5
<b>emissions</b>	<b>265919,7</b>	<b>65016,33</b>	<b>24316,11</b>

2  
0,58  
0,16

factors	2,022612	0,494521	0,184951
	PM30	PM10	PM2,5
<b>emissions</b>	<b>5117,209</b>	<b>1251,137</b>	<b>467,9254</b>

factors	2,131246	0,521081	0,194884
	PM30	PM10	PM2,5
<b>emissions</b>	<b>30220</b>	<b>7388,671</b>	<b>2763,363</b>

factors	1,178983	0,288257	0,107808
	PM30	PM10	PM2,5
<b>emissions</b>	<b>19700,22</b>	<b>4816,625</b>	<b>1801,418</b>

factors	1,795155	0,438908	0,164152
	PM30	PM10	PM2,5
<b>emissions</b>	<b>105285,8</b>	<b>25741,97</b>	<b>9627,497</b>

factors	1,202804	0,294081	0,109986
	PM30	PM10	PM2,5

<b>emissions</b>	<b>201950,8</b>	<b>49376,17</b>	<b>18466,69</b>
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Import total

	PM30	PM10	PM2,5
<b>emissions</b>	<b>628193,8</b>	<b>153590,9</b>	<b>57443</b>
summer/winter	314096,9	76795,45	28721,5
summer in the air	182176,2	44541,36	16658,47
winter in the air	50255,5	12287,27	4595,44

IMPORT TOTAL			
	PM30	PM10	PM2,5
<b>emissions</b>	<b>628193,8</b>	<b>153590,9</b>	<b>57443</b>
<b>In the air</b>	<b>232431,7</b>	<b>56828,63</b>	<b>21253,91</b>

IMPORT & EXPORT TOTAL (ROAD HARBOR-MINING AREA)			
Annum	PM30 kg	PM10 kg	PM2,5 kg
<b>Emissions</b>	<b>710962,9</b>	<b>173827,6</b>	<b>65011,53</b>
<b>In the air</b>	<b>263056,3</b>	<b>64316,22</b>	<b>24054,27</b>

**Greenland Minerals**

**IMPORT & EXPORT TOTAL (ROAD HARBOR-MINING AREA)**

	PM30	PM10/PM30 0,24449605	PM10	PM2,50/PM10 0,374	PM2,5
	108175		26448,36		9891,687
	108175		26448,36		9891,687
	108175		26448,36		9891,687
	108175		26448,36		9891,687
<b>Emissions</b>	<b>432700</b>		<b>105793,4</b>		<b>39566,75</b>
summer/winter	216350		52896,72		19783,37
summer in the air	125483		30680,1		11474,36
winter in the air	34616		8463,475		3165,34

**IMPORT & EXPORT TOTAL (ROAD HARBOR-MINING AREA)**

Annum	PM30 kg	PM10 kg	PM2,5 kg
<b>Emissions</b>	<b>432700</b>	<b>105793,4</b>	<b>39566,75</b>
<b>In the air</b>	<b>160099</b>	<b>39143,57</b>	<b>14639,7</b>



Maintenance of haul roads			Urani? Naamik Narsaq
gravel:			
100000 tons			
40		<b>Unloading from ship</b>	
2500 trips			0,00322
			PM30
Weight		winther in the air	<b>322,0356</b>
Truck capacity	15 tons	<b>Loading to trucks</b>	
	40 tons		0,00322
	55		PM30
		winther in the air	<b>322,0356</b>
		<b>Unloading storage</b>	
			0,00322
			PM30
		winther in the air	<b>322,0356</b>
Harbor-storage for gravel winther distance			2,432451
11,5 km			PM30
2 km			<b>82095,21</b>
13,5 km		<b>Empty trucks</b>	
			1,35557
Grader	26,4 tons		PM30
			<b>45750,48</b>
		Trucks total	<b>127845,7</b>
		0,16 winther in the air	<b>20455,31</b>
Storage- roads summer distance		<b>Trucks</b>	2,432451
1 km			PM30
			<b>6081,126</b>
2500 trips		<b>Empty trucks</b>	
			1,35557
			PM30
			<b>3388,924</b>
		<b>Trucks total</b>	9470,051
		<b>0,58 summer in the air</b>	<b>5492,63</b>
		<b>Loading in roads</b>	

0,00322  
PM30  
322,0356

summer in the air **0,3 96,61069**

Grader 26,4 tons  
working  
time  
2015 hours

**Grading**

1,075174  
PM30  
**2166,476**

emissions

speed:

10 km/h

**0,3 summer in the air 649,9429**

VKT

20150 km

**Grader**

1,748246  
PM30  
**35227,16**

emissions

**0,58 summer in the air 20431,75**

Maintenance of haul roads total

Annum

PM30 kg

**Emissions**

**175997,5**

**In the air**

**48092,35**

Greenland

Grading

Annum

Speed

10 km/h

Working time

2015

**0,3**

0,001523  
PM10  
**152,3141**

0,000231  
PM2,5  
**23,06471**

0,001523  
PM10  
**152,3141**

0,000231  
PM2,5  
**23,06471**

0,001523  
PM10  
**152,3141**

0,000231  
PM2,5  
**23,06471**

0,594725  
PM10  
**20071,95**

0,222427  
PM2,5  
**7506,911**

0,331431  
PM10  
**11185,81**

0,123955  
PM2,5  
**4183,494**

**31257,77**

**11690,4**

**5001,243**

**1870,465**

0,594725  
PM10  
**1486,811**

0,222427  
PM2,5  
**556,0675**

0,331431  
PM10  
**828,5787**

0,123955  
PM2,5  
**309,8884**

2315,39

865,9559

**1342,926**

**502,2544**

0,001523	0,000231
PM10	PM2,5
152,3141	23,06471
<b>45,69424</b>	<b>6,919414</b>

0,336	0,031
PM10	PM2,5
677,04	67,16077
<b>203,112</b>	<b>20,14823</b>

0,427439	0,159862
PM10	PM2,5
8612,902	3221,225
<b>4995,483</b>	<b>1868,311</b>

PM10 kg	PM2,5 kg
43472,35	15937,01
<b>12045,4</b>	<b>4337,292</b>



**Minerals**

	1,075174	0,336	0,03333
	PM30 kg	PM10 kg	PM2,5 kg
<b>emissions</b>	<b>2166,476</b>	<b>677,04</b>	<b>67,16077</b>
<b>summer in the air</b>	<b>649,9429</b>	<b>203,112</b>	<b>20,14823</b>



Urani? Naamik Narsaq

	<b>Emissions</b>		
	PM30 kg	PM10 kg	PM2,5 kg
drilling	5848,08	3072,72	460,908
blasting	3813,871	1983,213	114,4161
Bulldozing in pits	199790,9	46826,86	18709,01
Loading in pits	18935,69	8956,072	1356,205
Operations in wastedump	75686,28	19950,29	6883,653
Unloading to the crusher	9661,069	4569,424	691,9414
Haul roads in mining area	1671165	398087,6	148884,8
ROAD HARBOR-MINING AREA	710962,9	173827,6	65011,53
Maintenance of haul roads	175997,5	43472,35	15937,01
<b>Total</b>	<b>2871862</b>	<b>700746,2</b>	<b>258049,4</b>
<b>The proportion</b>	<b>2,525777</b>	<b>2,444618</b>	<b>2,493266</b>

**In the air**

PM30 kg	PM10 kg	PM2,5 kg
1520,501	798,9072	119,8361
2440,877	1269,256	73,22632
129708,4	30399,4	12146,62
12308,2	5821,447	881,5333
49196,08	12967,69	4474,374
6279,695	2970,126	449,7619
618331,2	151179,5	56541,15
263056,3	64316,22	24054,27
48092,35	12045,4	4337,292
1130934	281768	103078,1
2,731509	2,71615	2,732303

	Emissions		
	PM30 kg	PM10 kg	PM2,5 kg
drilling	5848,08	3072,72	460,908
blasting	3813,871	1983,213	114,4161
Bulldozing in pits	32438,68	5909,897	3406,061
Loading in pits	18935,69	8956,072	1356,205
Operations in wastedump	20087,52	6356,613	1799,617
Unloading to the crusher	9661,069	4569,424	691,9414
Haul roads in mining area	613536	150007,1	56102,67
ROAD HARBOR-MINING AREA	432700	105793,4	39566,75
Maintenance of haul roads	2166,476	677,04	67,16077
<b>Total</b>	<b>1137021</b>	<b>286648,5</b>	<b>103498,6</b>

In the air	PM10 kg	PM2,5 kg
PM30 kg		
1520,501	798,9072	119,8361
1067,884	555,2996	32,03652
9731,603	1772,969	1021,818
5680,708	2686,822	406,8615
6026,255	1906,984	539,8852
2898,321	1370,827	207,5824
227008,3	55502,64	20757,99
160099	39143,57	14639,7
649,9429	203,112	20,14823
414032,6	103738	37725,7