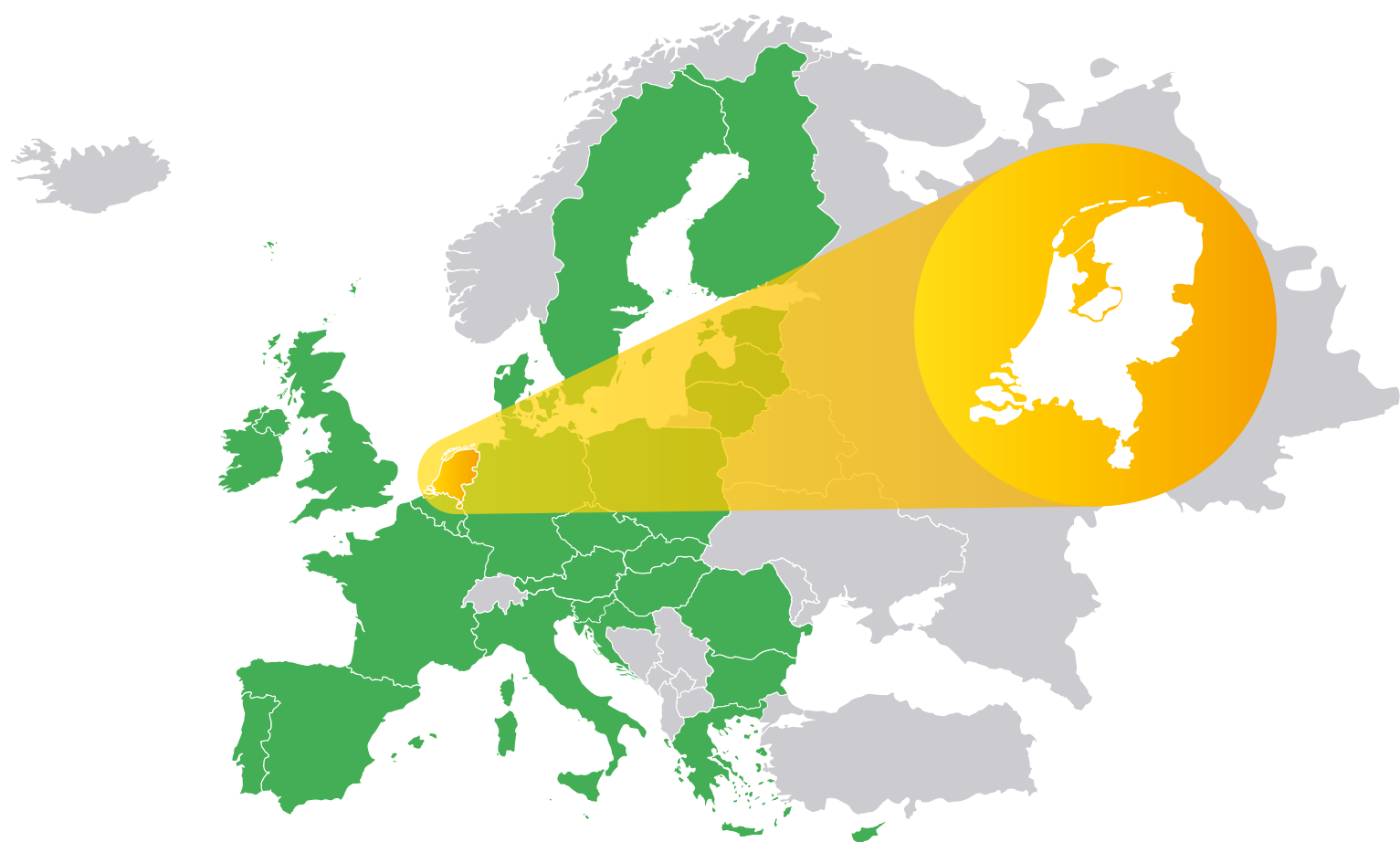


# Minerals Policy Country Profile

## **THE NETHERLANDS**



Minerals Policy Country Profile – THE NETHERLANDS

<b>POLICY 1</b>	<b>Mining Act</b>
<b>POLICY 2</b>	<b>Mining Decree</b>
<b>POLICY 3</b>	<b>Mining Regulations</b>
<b>POLICY 4</b>	<b>Decree on rules relative to the environment in relation with mobile installations and marine underwater installations</b>
<b>POLICY 1</b>	<b>The Environmental Protection Act</b>
<b>POLICY 2</b>	<b>Spatial Planning Act</b>
<b>POLICY 3</b>	<b>Water Act</b>
<b>POLICY 4</b>	<b>Air Pollution Act</b>
<b>POLICY 5</b>	<b>Noise Abatement Act</b>
<b>POLICY 6</b>	<b>Building Material Decree</b>
<b>POLICY 7</b>	<b>Soil Protection Act</b>
<b>POLICY 8</b>	<b>Dutch Raw Materials Strategy</b>
<b>POLICY 9</b>	<b>Environment &amp; Planning Act</b>

## Minerals Policy Country Profile – THE NETHERLANDS

		POLICY 1
		<b>Mining Act</b>
<b>Title (original language)</b>		Mijnbouwwet
<b>Title (translation in english)</b>		Mining Act
<b>Year (and identification number if available)</b>		2003, amended 2006, 2008, 2009, 2010
<b>Short description</b>		<p>This Act regulates the exploration and exploitation of minerals and other substances of organic origin as defined in article 1, but not certain gasses, clay, sand, etc. The Act consists of 193 articles divided into 13 Chapters: definitions and general provisions (1); Permits for exploration and exploitation (2); Permits for the storage of mined substances (3); The care for good practice in execution of works (4); Financial provisions (5); Advisors (6); reporting (7); Supervision and enforcement (8); Guarantee Fund for Mining Damage (9); Judicial protection (10); Transitory provisions (11); Repeal and amendment of Laws (12); Final provisions (13). A permit shall be required for activities listed in article 6. The permit shall be obtained from the Minister of economic Affairs. Article 33 requires the holder of a permit to carry out activities in such a manner so as to minimize damage to the environment. Article 38 concerns a separate environment permit and a mining plan that shall be submitted by the applicant for a permit. Article 49 empowers the Minister to issue rules relative to the protection of the environment. (see <a href="http://faolex.fao.org/cgi-bin/faolex.exe?database=faolex&amp;search_type=query&amp;table=result&amp;query=ID:L EX-FAOC054775&amp;format_name=ERALL&amp;lang=engc">http://faolex.fao.org/cgi-bin/faolex.exe?database=faolex&amp;search_type=query&amp;table=result&amp;query=ID:L EX-FAOC054775&amp;format_name=ERALL&amp;lang=engc</a>)</p>
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>		<a href="http://faolex.fao.org/docs/pdf/net54775.pdf">http://faolex.fao.org/docs/pdf/net54775.pdf</a>
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>		<a href="http://www.nlog.nl/resources/Legislation/Mining%20Law%20translation%20March%202010.pdf">http://www.nlog.nl/resources/Legislation/Mining%20Law%20translation%20March%202010.pdf</a>
<b>Access to document (document name providing information on the policy)</b>		
<b>Responsible for the design of the policy</b>		-
<b>Responsible for the implementation of the policy</b>		-
<b>Responsible person / policy maker at the ministerial level</b>		-
<b>Policy instrument type</b>		Legislation
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>		-
<b>Value chain relevance (1=relevant; 0=not relevant)</b>	<b>EXPLORATION (including permitting)</b>	-
	<b>EXTRACTION (incl. Permitting)</b>	-
	<b>mineral and metallurgical PROCESSING (incl. Permitting)</b>	-
	<b>MINE CLOSURE / WASTE management (incl. Permitting)</b>	-
	<b>DEEP SEA MINING</b>	-
	<b>DATA and knowledge base</b>	-

Minerals Policy Country Profile – THE NETHERLANDS

		POLICY 2
		<b>Mining Decree</b>
<b>Title (original language)</b>		Mijnbouwbesluit
<b>Title (translation in english)</b>		Mining Decree
<b>Year (and identification number if available)</b>		2007
<b>Short description</b>		-
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>		<a href="http://wetten.overheid.nl/BWBR0014394/2016-01-01">http://wetten.overheid.nl/BWBR0014394/2016-01-01</a>
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>		<a href="http://www.nlog.nl/resources/Legislation/MBBvertaling19Feb08.pdf">http://www.nlog.nl/resources/Legislation/MBBvertaling19Feb08.pdf</a>
<b>Access to document (document name providing information on the policy)</b>		
<b>Responsible for the design of the policy</b>		-
<b>Responsible for the implementation of the policy</b>		-
<b>Responsible person / policy maker at the ministerial level</b>		-
<b>Policy instrument type</b>		Legislation
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>		-
<b>Value chain relevance (1=relevant; 0=not relevant)</b>	<b>EXPLORATION (including permitting)</b>	-
	<b>EXTRACTION (incl. Permitting)</b>	-
	<b>mineral and metallurgical PROCESSING (incl. Permitting)</b>	-
	<b>MINE CLOSURE / WASTE management (incl. Permitting)</b>	-
	<b>DEEP SEA MINING</b>	-
	<b>DATA and knowledge base</b>	-

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		<b>POLICY 3</b>
		<b>Mining Regulations</b>
<b>Title (original language)</b>		Mijnbouwregeling
<b>Title (translation in english)</b>		Mining Regulations
<b>Year (and identification number if available)</b>		2003
<b>Short description</b>		-
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>		<a href="http://wetten.overheid.nl/BWBR0014468/2014-02-22">http://wetten.overheid.nl/BWBR0014468/2014-02-22</a>
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>		<a href="http://www.nlog.nl/resources/Legislation/MBREnglishAug%2009.pdf">http://www.nlog.nl/resources/Legislation/MBREnglishAug%2009.pdf</a>
<b>Access to document (document name providing information on the policy)</b>		
<b>Responsible for the design of the policy</b>		-
<b>Responsible for the implementation of the policy</b>		-
<b>Responsible person / policy maker at the ministerial level</b>		-
<b>Policy instrument type</b>		Legislation
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>		-
<b>Value chain relevance (1=relevant; 0=not relevant)</b>	<b>EXPLORATION (including permitting)</b>	-
	<b>EXTRACTION (incl. Permitting)</b>	-
	<b>mineral and metallurgical PROCESSING (incl. Permitting)</b>	-
	<b>MINE CLOSURE / WASTE management (incl. Permitting)</b>	-
	<b>DEEP SEA MINING</b>	-
	<b>DATA and knowledge base</b>	-

## Minerals Policy Country Profile – THE NETHERLANDS

		<b>POLICY 4</b>
		<b>Decree on rules relative to the environment in relation with mobile installations and marine underwater installations</b>
<b>Title (original language)</b>		Besluit houdende regels betreffende het milieu met betrekking tot mobiele installaties en onderzeese installaties (Besluit algemene regels milieu mijnbouw).
<b>Title (translation in english)</b>		Decree on rules relative to the environment in relation with mobile installations and marine underwater installations
<b>Year (and identification number if available)</b>		2008
<b>Short description</b>		Implementation of the Mining Act. This Decree provides rules for categories of mining installations as designated in comma 2 of article 40 of the Mining Act. These rules concern the protection of soil, water and air. Some rules concern (use of) hazardous substances.
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>		-
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>		<a href="http://faolex.fao.org/cgi-bin/faolex.exe?database=faolex&amp;search_type=query&amp;table=result&amp;query=ID:LEX-FAOC098962&amp;format_name=ERALL&amp;lang=eng">English translation available at http://faolex.fao.org/cgi-bin/faolex.exe?database=faolex&amp;search_type=query&amp;table=result&amp;query=ID:LEX-FAOC098962&amp;format_name=ERALL&amp;lang=eng</a>
<b>Access to document (document name providing information on the policy)</b>		
<b>Responsible for the design of the policy</b>		-
<b>Responsible for the implementation of the policy</b>		-
<b>Responsible person / policy maker at the ministerial level</b>		-
<b>Policy instrument type</b>		Legislation
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>		-
<b>Value chain relevance (1=relevant; 0=not relevant)</b>	<b>EXPLORATION (including permitting)</b>	-
	<b>EXTRACTION (incl. Permitting)</b>	-
	<b>mineral and metallurgical PROCESSING (incl. Permitting)</b>	-
	<b>MINE CLOSURE / WASTE management (incl. Permitting)</b>	-
	<b>DEEP SEA MINING</b>	-
	<b>DATA and knowledge base</b>	-

Minerals Policy Country Profile – THE NETHERLANDS

		POLICY 1	POLICY 2	POLICY 3	POLICY 4	POLICY 5
		The Environmental Protection Act	Spatial Planning Act	Water Act	Air Pollution Act	Noise Abatement Act
Title (original language)		-	-	-	-	-
Title (translation in english)		The Environmental Protection Act	Spatial Planning Act	Water Act	Air Pollution Act	Noise Abatement Act
Year (and identification number if available)		1994	-	-	-	-
Short description		-	-	-	-	-
Access to document (hyperlink IN NATIONAL LANGUAGES)		-	-	-	-	-
Access to document (hyperlink IN ENGLISH LANGUAGE)		-	-	-	-	-
Access to document (document name providing information on the policy)		-	-	-	-	-
Responsible for the design of the policy		-	-	-	-	-
Responsible for the implementation of the policy		-	-	-	-	-
Responsible person / policy maker at the ministerial level		-	-	-	-	-
Policy instrument type		Legislation	Legislation	Legislation	Legislation	Legislation
Stand-alone policy (or to which policy it is subordinate or ancillary)		-	-	-	-	-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-	-	-
	DEEP SEA MINING	-	-	-	-	-
	DATA and knowledge base	-	-	-	-	-

Minerals Policy Country Profile – THE NETHERLANDS

		POLICY 6	POLICY 7	POLICY 8
		Building Material Decree	Soil Protection Act	Dutch Raw Materials Strategy
Title (original language)		-	-	-
Title (translation in english)		Building Material Decree	Soil Protection Act	Dutch Raw Materials Strategy
Year (and identification number if available)		-	1996	-
Short description		-	-	see 3.4 <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69526/pb13722-national-resource-strategies-review.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69526/pb13722-national-resource-strategies-review.pdf</a>
Access to document (hyperlink IN NATIONAL LANGUAGES)				
Access to document (hyperlink IN ENGLISH LANGUAGE)		-	-	-
Access to document (document name providing information on the policy)				
Responsible for the design of the policy		-	-	-
Responsible for the implementation of the policy		-	-	-
Responsible person / policy maker at the ministerial level		-	-	-
Policy instrument type		Legislation	Legislation	Policy Strategy
Stand-alone policy (or to which policy it is subordinate or ancillary)		-	-	-
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-
	DEEP SEA MINING	-	-	-
	DATA and knowledge base	-	-	-



## Minerals Policy Country Profile – THE NETHERLANDS

	<b>POLICY 9</b>
	<b>Environment &amp; Planning Act</b>
<b>Title (original language)</b>	Omgevingswet
<b>Title (translation in english)</b>	Environment & Planning Act
<b>Year (and identification number if available)</b>	currently under discussion ; The expectation is that the bill will be presented to the House of Representatives for consideration at the end of 2013. If successful, the Senate will be presented with the opportunity to approve the bill. The final step in the process will be to draw-up the finally agreed legislation. It has been suggested that the Act will take effect in 2018.
<b>Short description</b>	<p>The main aim of the Act is to combine and simplify EU and national land and environmental land planning regulations with a view to streamlining the entire land planning process including for projects proposed by the mining industry (in the Netherlands the vast majority of the industry relates to surface mining mainly sand and gravel extraction).</p> <p>By integrating a wide range of EU and national planning and environmental legislation, it is anticipated that the overall regulatory framework will be simplified for industry, other stakeholders and government bodies. The result for end users will be a more transparent, coherent, efficient and effective land planning process. Given the broad legal scope of the Act, the benefits of the legislation will be shared across multiple industries including the (surface) mining industry.</p> <p>Moreover, the Act aims to simplify the process for citizens and businesses through the introduction of single environmental permits and one-stop-shops. This means that applicants will be in a position to submit planning applications to just one local government office with a view to receiving a single planning permit that covers all aspects of the land planning regulatory framework. In addition, data collected for environmental impact assessments will be made available for reuse within certain timeframes. This has the aim of reducing the number of studies and simplifying and speeding-up the application process.</p> <p>In terms of the legal scope of the Act, the legislation to be integrated stems from 7 policy areas - water, environment, nature, infrastructure, spatial planning, housing and culture. The Act aims to replace 17 existing laws, including the Water Act, the Crisis &amp; Recovery Act and the Spatial Planning Act. The provisions of eight other laws will be transferred to the Act. In addition, (parts of) 37 EU environmental directives will be re-transposed. This includes the law on surface mineral extraction (Ontgrondingenwet) and the environmental aspects of the mining law (Mijnbouwwet).</p> <p>(SEE file:///C:/Users/user/Downloads/Report-CSES-Raw%20materials-Best%20practice-cases-20140314.pdf)</p>
<b>Access to document (hyperlink IN NATIONAL LANGUAGES)</b>	
<b>Access to document (hyperlink IN ENGLISH LANGUAGE)</b>	<a href="https://www.government.nl/topics/spatial-planning-and-infrastructure/contents/revision-of-environment-planning-laws">https://www.government.nl/topics/spatial-planning-and-infrastructure/contents/revision-of-environment-planning-laws</a>
<b>Access to document (document name providing information on the policy)</b>	
<b>Responsible for the design of the policy</b>	Ministry of Infrastructure and Environment
<b>Responsible for the implementation of the policy</b>	Ministry of Infrastructure and Environment
<b>Responsible person / policy maker at the ministerial level</b>	-
<b>Policy instrument type</b>	Legislation
<b>Stand-alone policy (or to which policy it is subordinate or ancillary)</b>	-

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		POLICY 9	
		Environment & Planning Act	
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	
	EXTRACTION (incl. Permitting)	-	
	mineral and metallurgical PROCESSING (incl. Permitting)	-	
	MINE CLOSURE / WASTE management (incl. Permitting)	-	
	DEEP SEA MINING	-	
	DATA and knowledge base	-	