

## **The new procedure for issuing special permits for subsoil use has been introduced in Ukraine**

Since February 25, 2020 the new procedure for issuing special permits for subsoil use has been in effect. The procedure for issuing special permits for subsoil use previously approved by the Resolution of the Cabinet of Ministers of Ukraine No. 615 as of May 30, 2011 is in effect now in the new version approved by the Resolution of the Cabinet of Ministers of Ukraine No. 124 as of February 19, 2020.

According to the authors, the proposed changes to the existing procedure for issuing special permits for subsoil use aimed at creating more transparent conditions for granting special permits and reduction of administrative pressure on investors.

Among others, the new procedure for issuing special permits has introduced the following developments:

- the requirement of approval by the appropriate oblast, Kyiv and Sevastopol city councils the granting of subsoil for geological survey, development of deposits of national minerals as well as for the purposes unrelated to the extraction of minerals has been cancelled;
- the list of types of subsoil use for which special permit may be obtained has been expanded and the applicants have been given the possibility to obtain special permit for geological survey of amber deposits including research and industrial development with subsequent extraction of amber (commercial field development);

- the list of grounds for obtaining special permit without an auction has been reduced, namely: a possibility to obtain a special permit for extraction of minerals (except oil and gas) or geological survey including research and industrial development with subsequent extraction of oil and gas (commercial field development) on the basis of information about approbation of reserves conducted at the expense of the applicant has been cancelled;
- the requirement of submission of the environmental impact assessment results within the set of documents which should be attached to the application for obtaining the special permit for geological survey, geological survey including research and industrial development, geological survey of oil and gas minerals including research and industrial development, with subsequent extraction of oil and gas (commercial field development) as well as in case of extension of the special permit for such types of subsoil use has been cancelled;
- the possibility to submit the application and the documents for obtaining the special permit without an auction in electronic form through the online account of subsoil user after the approval of the relevant procedure by the Ministry of energy and environment protection of Ukraine has been introduced.

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This Legal Alert is intended as a general overview of latest changes in legislation of Ukraine and does not constitute a legal advice.

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