

Atelier régional RENFORESAP 12 février 2020

Le cadre réglementaire français French regulatory framework



PRÉFET DE LA
RÉGION GUYANE
SERVICES DE L'ÉTAT

Direction Générale des Territoires et de la Mer
Stéphanie Mahé

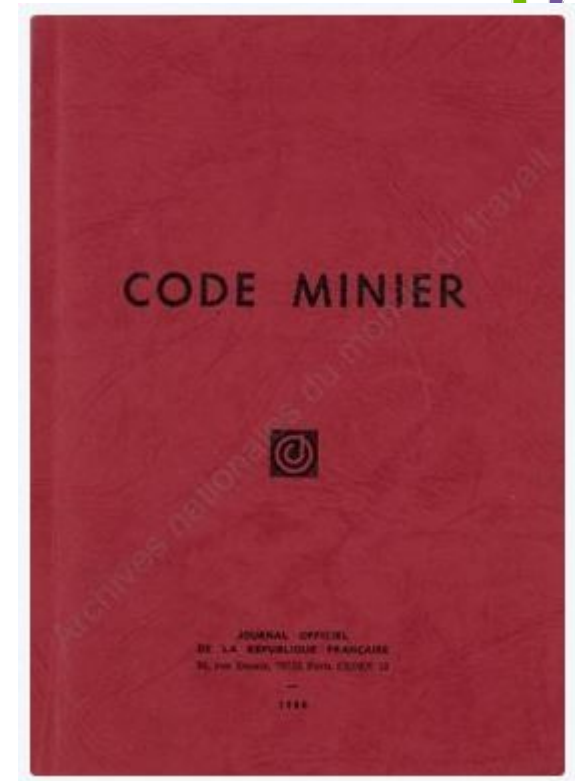
Mines in France

Mine = exploitation of a leasable mineral (open cast or underground exploitation)

Leasables minerals are defined in french mining code (article L.111-1): fossile fuel (liquide, solide ou gazeux), sodium or potassium salts, des metals, radioactive elements, sulfur, selenium, tellurium, arsenic, bismuth...,

Then, exploitation of another substance (non leasable mineral) is a quarry (different administrative regulations)

Mining rights: In France, the owner of an area owns the subsoil too, except leasable minerals. If there is a leasable mineral in the soil, **the ownership falls to the State.**



Mining rights

Mining works according to french law :

- 1** Obtain a mining title ;
- 2** Statement of commencement of work (mining project).

French mining Code = all the rules for obtaining these authorizations.

Main criteria for obtaining a mining title :

- *Technical capacity*
- *Financial capacity*

Main french standards in mine works :

- Code minier (mining code)
- Code de l'environnement (environment code)
- Décret n°2006-648 du 2 juin 2006 relatif aux titres miniers et aux titres de stockage souterrain.
- Décret n°2006-649 du 2 juin 2006 relatif aux travaux miniers, aux travaux de stockage souterrain et à la police des mines et des stockages souterrains.
- Décret n°2001-204 du 6 mars 2001 relatif aux autorisations d'exploitation de mines dans les départements d'outre-mer

Titles and authorizations (1)

| | TITLE | MINING WORKS |
|--------------|--|--|
| Exploration | | ARM* (autorisation de recherche minière) |
| | PER (permis exclusif de recherches – exploration permit) | + DOTM / AOTM |
| Exploitation | | AEX* (autorisation d'exploitation) |
| | PEX* (permis d'exploitation – mining permit) | + DOTM / AOTM |
| | Concession | + DOTM / AOTM |

DOTM : déclaration d'ouverture de travaux miniers
 AOTM : autorisation d'ouverture de travaux miniers
 → **statement of commencement of work**

*** = specific to French Guiana**

Titles and authorizations (2)

| Titre/autorisation | ARM* | AEX* | PER | PEX* | Concession |
|---------------------------|---------------------------|---------------------------|-----------------------------|---------------------------------------|-----------------------------|
| Nature | Owner authorization | Prefect authorization | Mining title | Mining title | Mining title |
| Nature of works | Exploration | Exploitation | Exploration | Exploitation | Exploration Exploitation |
| Surface | 1 km ² x 3 max | 1 km ² x 3 max | - | - | - |
| Forme | Square or rectangle | Square or rectangle | free | free | free |
| Duration | 4 months | 4 years | 5 years | 5 years | 50 years |
| Delivered by | ONF | Prefect | Minister in charge of mines | Minister in charge of mines | Conseil d'État |
| Enquête publique | No | No | No | Yes | Yes |
| Environmental survey (EI) | cas par cas → EI ? | cas par cas → EI ? | No | Etude d'impact dans la demande d'AOTM | |

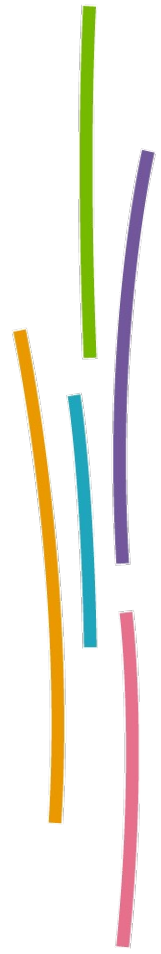
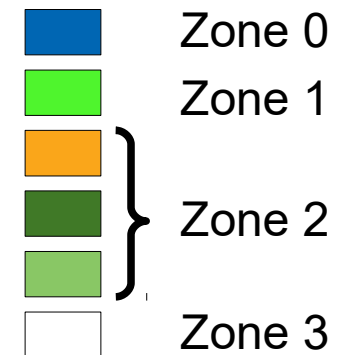
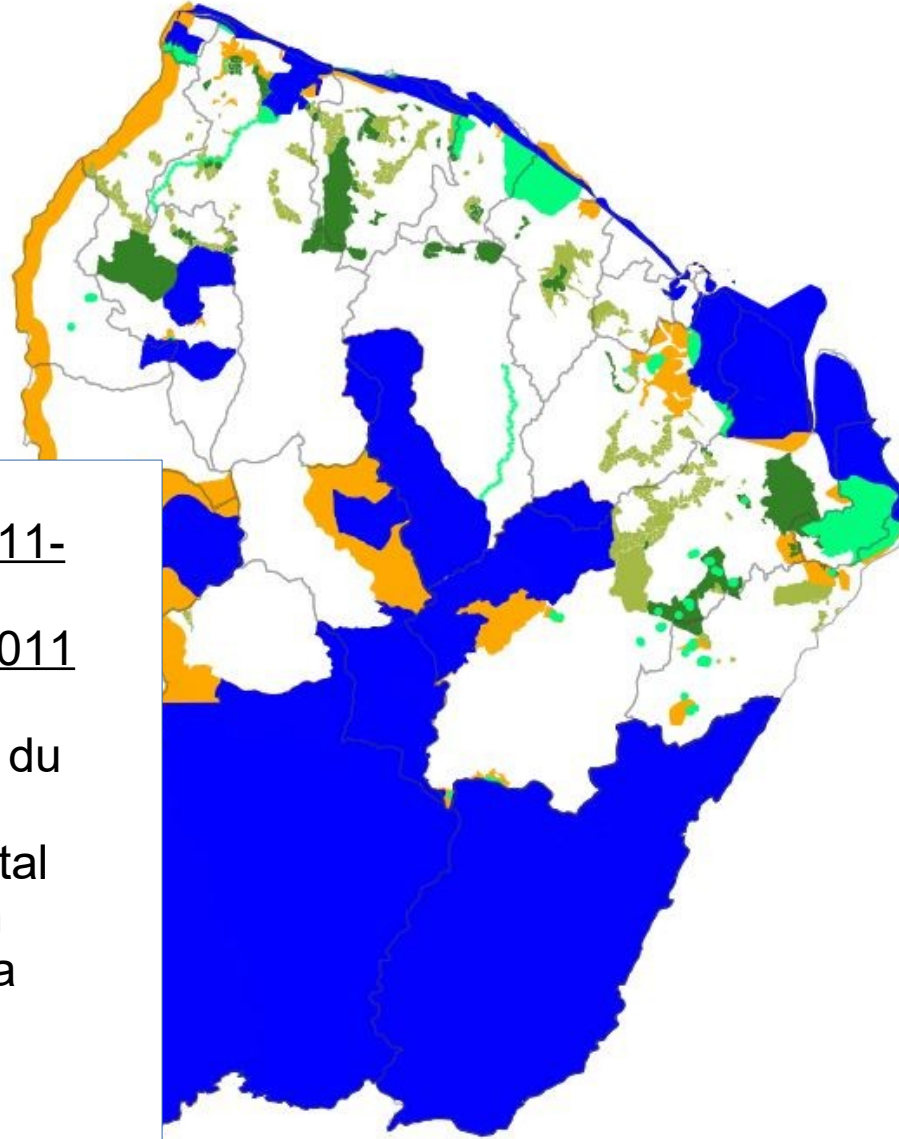
Instruction au niveau local

Instruction locale puis nationale

Le SDOM

Schéma Départemental d'Orientation Minière

Décret n°2011-2105 du 30 décembre 2011
portant
approbation du
schéma
départemental
d'orientation
minière de la
Guyane



Mining exploitation in french Guiana

Alluvial gold mines:

- Traditional mines in french Guiana
- Nearly 80 active sites
- ~10 workers in 1 site
- Gold nuggets or powder

→ *Recover gold contained in the alluvial desposits of rivers*



Vein gold mines:

- « industrial » exploitation of the gold in the bedrock
- open cast mines or underground exploitation

Nota: only open cast mines in French Guiana

→ *recover gold in quartz veins of the bedrocks*

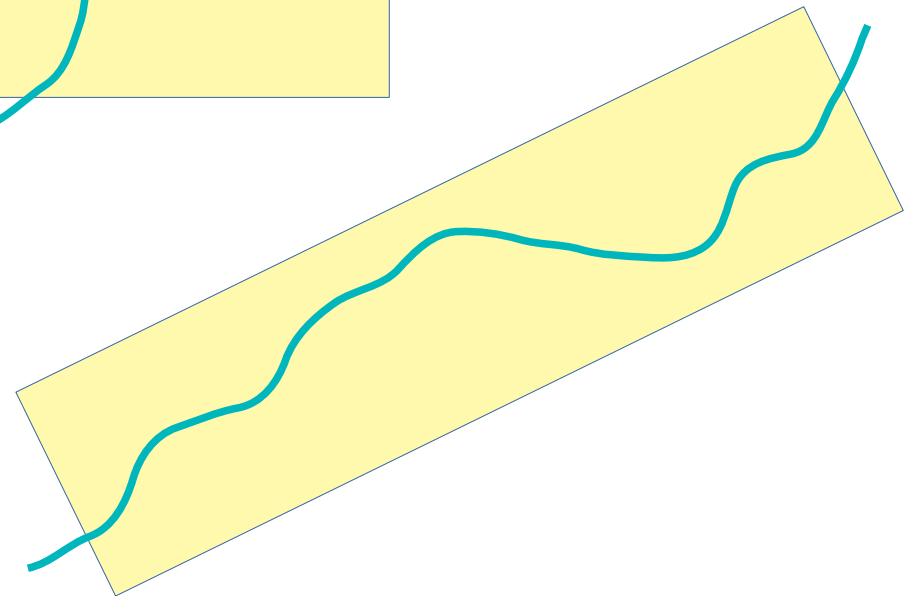
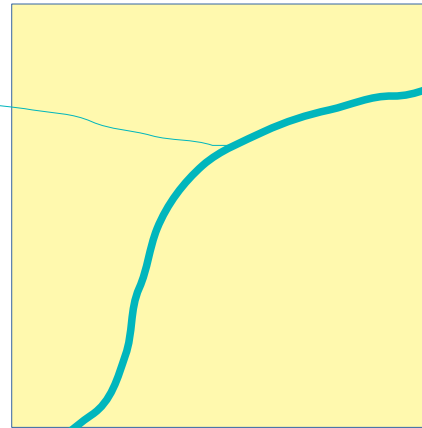
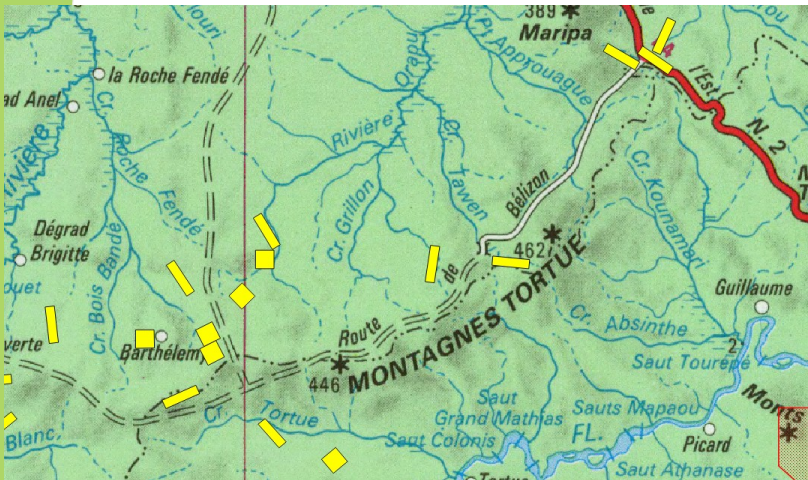


Mining works « AEX type » (1)

Forme: square or rectangle

Surface: 1km² max

Gold in alluvial deposits



Mining works « AEX type » (2)

Opening of basins (closed circuit with settling basins)

Gravimetric sorting (without mercury)

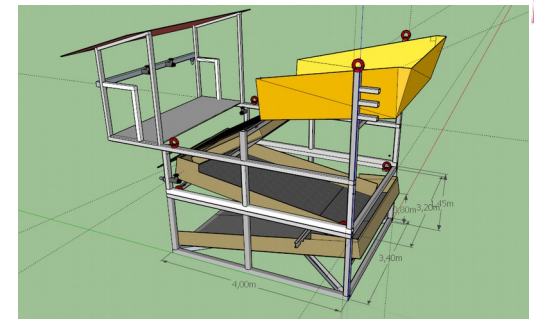
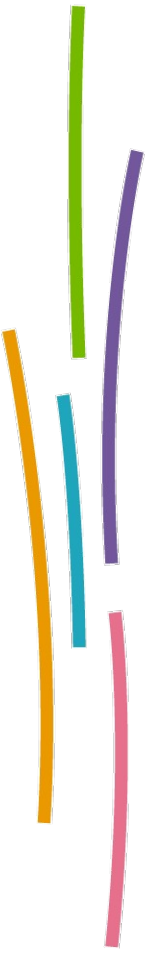


Table gravimétrique

Mining works « AEX type » (3)

Site restoration :

- civil engineering work



Mining works « AEX type » (3)

Site restoration :

- civil engineering work
- vegetation



News

Fench mining code reform

Main ideas:

- best consideration of the environmental, economical and social subjects, before mining project (production d'analyse envir, économique et sociale, soumise à l'avis de 2 autorités indépendantes et à une participation du public)
- best framing of mining works (public consultation for site restoration)
- more means to fight illegal gold panning
- simplification of AEX procédure

→ **simplification**

→ **transparency**

