**THE LAW
OF THE REPUBLIC OF ARMENIA**

Adopted on the 21st of March 2018

**ON MAKING AMENDMENTS TO THE MINING CODE OF THE REPUBLIC OF ARMENIA**

 **Article 1.**Supplement Article 3/1 of the “Mining Code of the Republic of Armenia” dated 28 November 2011 (hereinafter referred to as “Code”) with Clause 48 with the following content:

 “48) **public report:**a report submitted by the mining companies and government agencies specified by Article 9/3 and Article 9/4 of this Code to the Authorized Body which is open for publication.”

 **Article 2.** State Article 9 of the Code in the following wording:

**”Article 9. Publicity of Mining-Related Activities**

1. Regarding the mining-related activities, the Authorized Body shall publish on their official website at least the following information on the activities related to extraction of minerals and geological exploration of the mineral resources for the purpose of extracting minerals:

1) the name of the legal entity which has been granted a permit;

2) the year, month and date of the application filed for obtaining the permit;

3) the sequential number, year, month, date of issue and term of the permit;

4) in the event of permit extension, the number, year, month, date of issue of the respective document and the term of extension of validity of the permit;

5) the coordinates of the endpoints and total area of the mining area;

6) the name of the mine site;

7) the name of the mineral;

8) the number, year, month and date of conclusion of the mining contract: in the event of amending the mining contract, the number, year, month and date of conclusion of the respective document;

9) Regarding the activities related to extraction of minerals, also:

a. the amount of the provided exhausted supplies of the mineral by the main and accompanying components; and

b. the annual productivity of the mine; and

10) regarding the geological exploration of the mineral resources for the purpose of extracting minerals, also the name of the ore occurrence or the facility.

2. The Authorized Body shall also publish on their official website the mining contracts entered into with the metallic mineral extractive entities and the changes made thereto, excluding the publication of information (data) not subject to publication provided by the Law of the Republic of Armenia “On Freedom of Information”.

3. The mining companies which have been issued a permit for metallic mineral extraction shall, in accordance with the procedure and the time frame established by a Government Decree, submit an electronic or paper based public annual report to the Authorized Body and the Government Staff on mining-related activities. Such report shall contain information at least on the following:

1) annual extraction volumes;

2) annual export volumes;

3) all types of state and local taxes and fees (including royalty) paid by the mining company to the national and community budgets of the Republic of Armenia, separately;

4) the fees paid by the mining company to the extra-budgetary funds, land lease payments, charitable contributions, donations or any other permanent alienations done in a different manner to the community;

5) donations, endowments or permanent alienations done in a different manner to non-commercial legal entities within the framework of mining-related activities;

6) donations, endowments or permanent alienations done in a different manner to natural entities within the framework of mining-related activities, specifying the total amount and the total number of natural entities;

7) allocations to the fund for environmental protection in the amount established by the legislation;

8) fees for monitoring the mineral extraction site, location of the industrial stockpiles resulting from extraction and for ensuring the safety and health of the population of the neighbouring communities;

9) financial proposals for the purpose of extracting minerals; and

10) obligations in the socio-economic development of the community established by the documents certifying the right to mining.

4. The mining company shall submit the information specified by Section 3 of this Article on each mining site exploited by itself separately.

5. The mining company can publish its public report also on its official website (upon availability).

6. The mining company which has been recognized as bankrupt shall be exempt from the liability to submit the information specified by Section 3 of this Article.

7. The government agencies possessing appropriate information shall submit public reports to the Authorized Body and the Staff of the Government on the activities of the mining companies which have been issued a permit for metallic mineral extraction. The list of such government agencies shall be established by the Government.

8. The head of community shall, in the manner established by the Government, submit to the respective authorized body in the area of territorial administration, as well as shall publish, on the official website of the community (upon availability), or through posting in the seat of the Council of Elders of the community, the following information on each mining company which has been issued a permit for metallic mineral extraction:

1) information on the local taxes and fees paid by the mining company to the community budget, separately for each tax and fee; and

2) information on the fees paid by the mining company to the extra-budgetary funds of the community, allocations for the development of the community as established by the contract on the right to mining, land lease payments, charitable contributions, donations or any other permanent alienations done in a different manner to the community.

9. The procedures, time frames and forms for publishing the information specified by Section 1 of this Article and for submission of the public report specified by Section 3 and Section 6 shall be established by the Government.

10. The procedure for submission and publication of information specified by Section 7 of this Article shall be established by the Government.

11. For the purposes of this Article, the following information shall be subject to publication, excepted the information not subject to publication provided by the Law of the Republic of Armenia “On Freedom of Information”:

1) financial proposals by the mining company for the purpose of extracting minerals;

2) information on the state duty and mining fees; and

3) information on the obligations in the socio-economic development of the community established by the legislation and the mining contract.”.

**Article 3.**Supplement Article 13/4 of the Code with Clause 5 with the following content:

“5) within the framework of publicity of mining-related activities established by Article 9 of this Code.”.

 **Article 4.**Supplement Article 69 with Section 6 with the following content:

”6. The state authorized body in the area of environmental protection related to mining activities shall, on an annual basis, before the 30th of the month following the end of the reporting year, publish information on its official website on the amounts paid to the fund for environmental protection and the amounts returned to the mining companies.”.

**Article 5.** **Transitional and Final Provisions**

1. This Law shall enter into force on the tenth day following the official promulgation.

2. Upon entry into force of this Law, the mining companies shall submit the first report specified in Article 9/3 to the Authorized Body and the Government Staff in accordance with the procedure established by a Government Decree not later than 1 August 2018.

3. Information specified by Article 9/3 of the Code for the year preceding the first reporting year can be submitted to the Authorized Body and the Staff of the Government in the manner and time frames agreed upon with the mining company and the Authorized Body.

4. Publication of the reports specified by Section 2 of this Article shall not constitute a basis for conducting inspections by the tax authority in the companies and putting forward an extra tax liability.

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| **President of the Republic of Armenia** | **S. Sargsyan** |
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