



No. 91
LAND EXTRACTION DECREE
February 5, 1982

Section 1

The permit or plan referred to in section 2, paragraph 1, subparagraph 2, of the Land Extraction Act shall be considered to be:

- 1) a building permit;
- 2) a road plan as referred to in the Public Roads Act (243/54);
- 3) a decision issued in the road construction plan proceedings referred to in the Private Roads Act (358/62);
- 4) the redemption permit referred to in the Act on the Redemption of Immoveable Property and Special Rights (603/77);
- 5) the permit to build and maintain a public or private airfield as referred to in the Aviation Act (595/64);
- 6) the permit to build in a watercourse referred to in the Water Act (264/61); and
- 7) any other comparable permit or plan.

Section 2

A permit to extract land resources must be applied for in writing. The application must give the necessary information on the applicant, on land ownership and on the measure to be undertaken, and any other information needed to process the application.

The following shall be appended to an application:

- 1) evidence of the holder's proprietary right to the extraction site or the written consent of the landowner to the application for a permit;
- 2) a map showing the location and boundaries of the extraction area; and
- 3) an extraction plan, if required under section 5 of the Land Extraction Act, in four copies.

The permit authority may also ask the applicant for any other explanatory material needed for consideration of the matter.

(Paragraph 4 repealed December 13, 1991.)

Section 3

The extraction plan shall comprise a map of the extraction area, the necessary sectional drawings and any other material needed to explain the plan, together with a commentary.

The extraction plan shall indicate the matters referred to in section 11, paragraph 2 of the Land Extraction Act and if necessary also those referred to in paragraph 3 of said section.

The Ministry of the Environment shall issue more detailed guidelines on the compilation and content of an extraction plan.

Section 4

If the extraction of resources may result in the consequences to another local authority referred to in section 3 of the Land Extraction Act, or if considered necessary for some other reason, an opinion on the matter shall be obtained from said local authority.

Section 5 (23.5.1997/465)

If the extraction of resources is subject to permission from a water rights court, or an application concerning water rights is pending in a water rights court, the processing of an application stipulated by the Land Extraction Act can be postponed until a final ruling is reached on the water rights matter.

If the area affected by the permit application is of major importance for regional planning, an opinion shall be requested from the joint municipal board in charge of regional planning and, as necessary, also from other authorities.

Section 6

If no opinion has been given within two months of making the request, the matter can be settled without the opinion concerned.

Section 7 (23.5.1997/465)

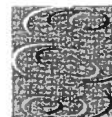
When a permit is granted, an entry to this effect shall be made in the extraction plan.

Section 8

A notice on decisions issued after the public notice referred to in section 19, paragraph 1, of the Land Extraction Act shall be placed on the notice board of the authority making the decision.

Section 9

If a decision on extraction has to be submitted to the provincial government for ratification, the local board shall deliver the application documents and its decision to the provincial government without delay. An account of the hearings of neighbours and their comments, and any opinions obtained on the matter, shall be appended to the documents.



Section 10

Before any action is taken to extract land resources, the extractor shall mark the extraction area in the terrain according to the permit and if necessary set up any equipment necessary for supervision. (23.5.1997/465) When the extraction of resources is concluded, or when the permit expires, a final inspection shall be made on the site in the manner instructed by the supervisory authority, unless provided otherwise in the permit. The holder of the land extraction permit shall request the final inspection referred to in this section.

Section 10a (23.5.1997/465)

The holder of the extraction permit shall submit the annual notification referred to in section 23 a of the Land Extraction Act by January 31 each year. The permit authority shall notify the regional environment centre annually by April 30.

Section 11

This Decree comes into force on February 15, 1982.