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# UPDATE ON ONLINE ACTIONS AND PROCEDURES IN MINING MATTERS DUE TO COVID-19 PANDEMIC

In addition to those actions taken that benefit all industries, especially regarding labor and tax matters, the mining industry has been subject to some specific permits and proceedings.

**Collective Safe-Passage Permits.**

According to Section II of the Instructions on Safe-Passage Permits issued by the Ministry of Internal Affairs and Public Security on March 23rd, 2020, lists those exceptional cases in which workers and service providers can request collective safe-passage permits to mobilize to fulfill their duties (including transfers between their places of residence and their places of work) **during curfew periods (from 22.00hrs to 5.00hrs)** , expressly incorporating mining companies and their related industries in letter T of the said section.

**This permit shall be applicable for all the national territory, valid for 15 days and limited to that staff of the entity necessary for carrying out those duties, tasks, processes or managerial and service areas that cannot be interrupted as they are essential to ensure the supply of public utility services or to cover the basic needs of the population.**

The representative of the company may apply for the permit visiting the website www.comisariavirtual.cl , entering his/her personal password (Clave Única) or ID card number; or attending to a police station.

In addition, an email can be sent to comisaria.virtual@carabineros.cl , to request an especial password for this purpose.

The e-mail shall identify the individual or individuals representing the company (a maximum of four) in charge of processing the collective safe-passages, with their full name, personal ID card number, post and institutional e-mail. In addition, the company's Chilean taxpayer ID (e-RUT) shall be attached to the e-mail. The username and password shall be sent upon receipt of this information.

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Given the high demand for this proceeding, legal representatives of the companies can designate four users, for each of them to process the respective safe-passage with their personal password (Clave Única).

Upon obtaining the certificate, it must be sent to each of the above-mentioned staff members so that they may show, either in hardcopy or digital form, the document1.

**Travel Permits: Instructions for their requesting in the Mining Industry.**

Together with safe conducts, granted to circulate during curfew periods, and that are applicable for all the national territory, **only for those boroughs subject to total quarantine by the Government** , the Ministry of Internal Affairs and Public Security issued Instructions for Travel Permits, which last update was published on April 3rd, 2020. These instructions establish which industries are those whose employees and collaborators can continue circulating in those boroughs, **out of curfew periods (that is, between 5.00hrs and 22.00hrs)** .

Number 10.b of the said instructions include people that work in activities that given their nature cannot be stopped and their interruption implies an alteration of the operation of the country, which shall be duly determined by the relevant authority.

Consequently, being mining companies and their contractors considered as part of those basic services, of public utility or with a high degree of social worth, which cannot be interrupted without causing a great alteration of the operation of the country, on March 30th, 2020, the Ministry of Mining published a protocol for detailing the application within the mining industry of the mentioned number 10.b.

Given the restrictive nature of the indicated exception and the discretionary powers of the relevant authority, in order to enable workers and services providers of the mining industry to fulfill their duties (including transfers between their places of residence and their places of work) in areas under territorial quarantine and cordon sanitaires out of curfew periods, the request of this permit additionally requires the issuance of a resolution by the Undersecretary of Internal Affairs.

The validity of this permit is indefinite. In order to obtain it, mining companies are required to report to the Undersecretary of Mining, together with the travel application:

**A.- Staffing, and how much this will be reduced (%) for a minimum operation continuity:**

1. The mining company; and
2. The contractors (for each one of them).

**B.- How will the mining companies reduce travels, both of its own staff and of its contractors (shifts, prioritization of local workers or other measures).**

Through this information, the authority seeks that mining companies justify that the functions performed by these workers and contractors are essential for the continuity of their operation.

Each mining company must send its application to the email address of the Undersecretary of Mining, Mr. Ricardo Irarrázabal ( rirarrazabal@minmineria.cl ) with copy to his Chief of Cabinet, Mr. Jaime Flores ( jflores@minmineria.cl ) and to the Head of Legal Division of the Ministry of Mining, Mrs. María Luisa Baltra ( mlbaltra@minmineria.cl ), **also including and when appropriate, the applications of the respective contractors** , under the same standards of the mining company. In the body of the said email, the two questions of the protocol must be answered, attaching an Excel spreadsheet with the following data:

1. Name of the mining company;
2. Tax ID number of the mining company;
3. Name of the contractor and description of its services;
4. Tax ID number of the contractor;
5. Address of the facilities where the authorized staff will work; and
6. Information on the workers for whom the permit application is being submitted (name, position, ID card number and domicile).

Upon obtaining the resolution, it must be sent to each of the above-mentioned staff members **so that they may show the document, either in hardcopy or digital form, together with their ID card and company ID card** .

**Online proceedings before the National Geology and Mining Service.**

The National Geology and Mining Service (" **SNGM** ") has enabled new links in the National Mining Subdirectorate's website2 to allow the completion of several proceedings, in addition to those already available through online presentations. The accessible online proceedings, divided according to the correspondent department, are the following:

**A.- Project Evaluation, Environmental Management and Mining Closure Department**

1. Submission, review and pronouncement of projects with higher and lower capacity than 5,000 TPM.
2. Submission, review and pronouncement of tailing dams.
3. Submission, review and pronouncement of mining closure plans.
4. Traceability of review of exploitation method projects.
5. Traceability of review of mining closure plan projects.
6. Review and pronouncement of the Environmental Impact Statement.
7. Review and pronouncement of the Environmental Impact Study.

**B.- Audit Department.**

1. Respond to corrective measures requested by SNGM in previously executed audits.
2. Report E-100, E-200 and E-300 forms.
3. Update company data (for instance, update address or legal representative).
4. File business activities (Principal and Contractors).
5. Regulations (pursuant to the Mining Safety Regulation).
6. Request reopening of accident and/or production statistics.
7. Change of risk prevention expert.
8. Hygiene and Safety Joint Committee.
9. Creation of manifold book.
10. Authorization of vehicles to transport explosives.
11. Risk management plan.
12. Inventory of critical items.
13. Request for joint inspection.
14. Completion of activities.
15. Submit and/or amend mining company contracts.
16. Report accident notice.
17. File emergency plan.

Furthermore, there is a special website with additional information and links to each of the available online proceedings:

1. Authorization of vehicle to transport explosives in mining operations.
2. Authorization to build tailing dams.
3. Request for approval of mining exploitation methods under 5,000 TPM.
4. Authorization to initiate a principal's mining operation.
5. Reception of monthly accident reports.
6. Request of national ID number for exploitation mining concessions.
7. Request of approval of mining exploitation methods above 5,000 TPM.
8. Presentation of general application closure plan projects of mining sites and facilities (over 10,000 TPM).
9. Presentation of general application closure plan projects of mining sites and facilities (between 5,000 and 10,000 TPM).
10. Presentation of general application closure plan projects of mining sites and facilities (under 5,000 TPM).
11. Receipt of monthly mining production reports.
12. Application for mining measuring expert.
13. Delivery of general information obtained from basic geological exploration works.
14. Information, claims and suggestions offices (OIRS).

Depending on the proceeding, the website will require the username and personal password (Clave Única) provided by the National Civil Register and Identification Service; or other special username and password obtained for that specific procedure.

A.- Mining Property Department

1. Assignment of national ID number for exploration mining concessions.
2. Assignment of national ID number for exploitation mining concessions.
3. Inquiry of national ID number for exploration and exploitation mining concessions.
4. Inquiry of mining licenses payment.

Finally, the SNGM has enabled an online procedure for the certification of already constituted/granted explorations and

exploitation mining concessions. Applicants of certificates on final awards, measurement minutes and maps, can send their antecedents digitally, legibly and in PDF format (with the name of the respective mining concession) to the email: constancias@sernageomin.cl 3.

For those proceedings that cannot be materialized online, all SNGM reception offices will be open from Monday to Friday, from 09:00 am to 1:00 pm. In Santiago and Punta Arenas, SNGM offices will be open only on Tuesdays and Thursdays, on the same time schedule4.

**Proceedings before the Chilean Copper Commission.**

The Chilean Copper Commission (" **Cochilco** ") office is currently closed. Therefore, origin certificates for exportations will not be issued until April 23rd, 2020. However, email addresses have been established to serve urgent cases5.

Since April 2nd, Cochilco is receiving documents (antecedents and certificates) by email to issue origin certificates for exportations with destination to MERCOSUR, Colombia, Ecuador and Peru.

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1 For further information please visit https://wp.carey.cl/en/safe-passage-permits-and-autorizations/

2 Available on https://www.sernageomin.cl/mineria/

3 The email must contain the name of the mining concession or group of mining concessions in its "Subject". The name and type of concession, judicial docket number and Court must also be included. The applicant of the respective certification must also be individualized. In addition, the constitutive judicial award, the plan and/or the measurement or survey minute must be attached, all obtained from the judicial file. In cases in which more than one certification is requested, the interested party must attach, independently, each set of documents (final award, plan and measurement or survey minute, as appropriate), together with a spreadsheet with the previously required information. Notwithstanding the foregoing, no more than 10 certifications can be requested in each e-mail (to the extent allowed by the size of the attached files). The certificate will be sent to the applicant's email

address.

4 Email addresses of all SNGM offices available on https://www.sernageomin.cl/informacion-oficina-de-partes/

5 Available on https://www.cochilco.cl/Paginas/Inicio.aspx

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