



Republika e Kosovës – Republika Kosova – Republic of Kosova

Komisioni i Pavarur për Miniera dhe Minerale  
Nezavisna Komisija za Rudnike i Minerale  
Independent Commission for Mines and Minerals



Pursuant to paragraphs 1.1, 1.2 and 1.3 of the article 17 of the Law No. 04/L-088 on State Archives and articles 3, 4, 5, 6, 7, 8, 9 and 10 of the Law No 04/L-184 on Office Work Administration, the Law on General Administrative Procedure and articles 59 paragraph 1 and 62 of the Law No. 03/L-163 on Mines and Minerals, the Board of the Independent Commission for Mines and Minerals in the meeting held on 15.12.2017 issues this:

## ADMINISTRATIVE INSTRUCTION

(ICMM NO. 001/2018)

### PROCEDURE OF DOCUMENTS CIRCULATION, THEIR SCANNING AND STORAGE – ELECTRONIC ARCHIVING

#### Article 1 Purpose

Purpose of this Instruction is to regulate the procedures of documents circulation from their acceptance to their physical archiving. This Instruction also shall strengthen particularly the electronic archiving of documents, creation of their files, regulation of electronic files. By this Instruction is also determined the staff/offices where they are points that the document/documents are accepted, their scanning, saving in server, notifying the adequate staff for path by Outlook, the time of scanning is determined and their sending in physical files into the Archive store. The duties and responsibilities of IT are as well determined particularly as a very important supporter of electronic archive.

#### Article 2 Scope

This Administrative Instruction shall regulate the procedures of documents circulation from their acceptance to their physical archiving and there are determined which obligations have Departments within the Independent Commission for Mines and Minerals.

#### Article 3 Definitions

1. Terms used in this Administrative Instruction have the following meanings:

- 1.1. **ICMM** - means the Independent Commission for Mines and Minerals;
- 1.2. **Board** - means the Board of the Independent Commission for Mines and Minerals

1.3. **LMM-** means the Law No.03/L-163 on Mines and Minerals

1.4. Other terms used in this Administrative Instruction have the definitions set by the Law No.03/L-163 on Mines and Minerals (amended by Law No.04/L-158) or the Law No.02/L-28 on Administrative Procedure.

#### **Article 4**

##### **Offices/Staff dealing with the acceptance and circulation of documents**

The ICMM distinguishes these offices dealing with acceptance - circulation of documents:

- 4.1 Legal Office shall accept the files of applications for licences and special permits;
- 4.2 Registration Office shall accept incoming documents, shall proceed with outgoing documents and shall accept the request for blasting permits;
- 4.3 Archive Office shall accept all documents according to paragraphs 4.1, 4.2 and 4.3;

#### **Article 5**

##### **Legal Office**

- 5.1 Legal Office shall accept all applications for licences, including applications for explorations and exploitations, as well applications for special permits, including application for separation, concrete base and asphalt base.
- 5.2 Legal Office shall manage protocols of accepting these applications according to paragraph 5.1, by registering each application with a unique non-repeatable number.
- 5.3 After Legal Office accepts and verifies carefully that the application is done according to applicable Law, it shall submit the physical file to the Archive Office. The submission of the application file to the Archive shall be done at latest at 16:00 h of the working schedule.
- 5.4 The Officer of Legal Office when submitting the file to the Archive has the duty, in cooperation with the receiving staff of these files to the Archive, to identify the documentation of the file submitted, the identification should be supported by signature, the Officer of Legal Office shall sign in the Archive protocol, and the Archive Officer shall sign in the protocol of the Legal Office, also the date and time of acceptance-hand over of the file of application shall be written down.
- 5.5 The Legal Office must adhere to the order of submitting files of applications to the Archive Office according to the protocol numbers.

#### **Article 6**

##### **Requests for Blasting Permit**

- 6.1 The Registration Office shall accept the request for blasting permit, and it shall register according to acceptance procedures.

- 6.2 One file of the request for blasting permit shall contain documentation according to the form of request prepared by the ICMM.
- 6.3 The Registration Office shall submit electronically and physically the whole file to the responsible officer.
- 6.4 After the blasting is completed and the file is completed, the officer of blasting office shall submit the complete file to the Archive Office. At the end of acceptance-hand over of the file, it shall be done the signing of two officers in the protocol of Archive Office.
- 6.5 The Archive Office shall scan the accepted documentation, completed upon initial application.

## **Article 7 Registration Office**

7. The Registration Office shall process with all incoming and outgoing documents according to protocols:

- 7.1 Protocol of incoming documents
- 7.2 Protocol of outgoing documents, and
- 7.3 Protocol of illegal operations

- 7.2.1 Protocol of incoming documents shall be open on 01.01 of each calendar year by starting from number 01 and it shall finish on 31.12 of each calendar year with the last number of this date.
- 7.2.2 The number of protocol, date, sign of classification and number of document's pages shall be figured in handwriting in the protocol stamp;
- 7.2.3 After acceptance of incoming document by the staff of Registration Office, the type of document shall be identified, it shall be stamped and the first page of document shall be given to the party. The party shall sign in the protocol book.
- 7.2.4 The Registration Office shall accept all original documents or documents which are verified copies – notarized one. Whereas as copy can be accepted when it is ordered in writing (email) by managerial staff to accept any document as copy.
- 7.2.5 After acceptance, the Officer who manages the protocol of incoming documents shall scan and save them to the adequate electronic files. Then he shall send the notification by path in Outlook to the adequate staff where the document is saved.
- 7.2.6 Officer shall save an order according to acceptance of documents and shall process with them. Exception is/are the case/cases when it is required from management to give a priority to a document or group of documents which are immediately indispensable for a certain circumstance, which it is in the interest for ICMM. Priority shall be given by email by respecting hierarchic line of institution.

7.2.7 After finishing scanning, documents shall be submitted to the Archive Office. All documents shall be submitted in original, except invoices that shall be submitted in copies. Original invoices shall be submitted to Finance or Procurement Department.

7.2.8 Invoices shall be submitted within the day to Finance, whereas the Registration Office shall scan the copy within two working days.

### 7.3 Protocol of outgoing documents

7.3.1 Protocol of outgoing documents shall be open on 01.01 of each calendar year by starting from number 01 and it shall finish on 31.12 of each calendar year with the last number of this date.

7.3.2 The number of protocol, date, sign of classification and number of document's pages shall be figured in handwriting in the protocol stamp;

7.3.3 After protocolling, every outgoing document shall be done in two originals, one shall be sent to party, the other shall remain in Archive.

7.3.4 The manner of sending the acts shall be recorded in the protocol of outgoing documents. If the act is taken in the Registration Office, the signature of the receiver and date shall be figured in it. If it sent by the field staff of the ICMM- it shall be recorded in the remark of protocol as "field staff" and the date of reception, it shall also be recorded even when sent by mail, the post office and the date of return receipt or return by post office of the entire envelope shall be recorded in remark. The Registration Office also keeps records in Excel or any other database for the circulation of these documents.

7.3.5 As the primary route to send acts to enterprises, the Registration Office shall consider the way through ordinary or certified mail.

7.3.6 Sending by mail shall be done according to order of submission in office. In special cases, priority is determined by management by respecting the institutional hierarchy.

7.3.7 In the mail book shall be clearly written: the name of the Institution - the enterprise and its representative or the name of the physical person, the address, and also the type of act and the protocol number shall be written in it;

7.3.8 In cases when return receipt is returned from the post office, the office staffs immediately scans the act together with the return receipt, save them at the relevant location/file and shall inform the competent staff about the nature of the act and submit the copy with a return receipt to the Archive Office.

7.3.9 If the entire envelope with document is returned from the post office with justification that the address is incorrect then the staff of the Registration Office

shall receive additional information for address from the compiler of the act. If it is preferred a new address, the Registry Officer resends it by mail.

- 7.3.10 If it is returned again, together with other acts that have been returned by mail, the acts shall be prepared to send by field staff or courier before appointed by ICMM.
- 7.3.11 If the act cannot be sent even by field staff, then upon return, it shall be acted according to the applicable Law on General Administrative Procedure with the envelope and the return receipt, through public announcement or official publication and then it can be archived.
- 7.3.12 The Registration Office shall inform the Legal Office about the administrative act that it is impossible to identify it in any form.
- 7.3.13 The Legal Office makes the public announcement of the letter, the act in the ICMM facility at a special notification corner, as well as in the ICMM's official website, if needed also in the print media.
- 7.3.14 Public announcement is assessed to be finished after 10 (ten) days from the date of announcement under subparagraph 7.3.13 of this article, except the justified reasons for postponement of this deadline.
- 7.3.15 After expiration of the deadline determined under subparagraph 7.3.14 of this procedural action, all this is scanned and archived by the ICMM Archive and about this are notified: Legal Office, Director, Heads of Departments and any other staff that the Archive Office considers that the subject has to do with him and the announcement is finished.
- 7.3.16 When the document is determined that the party received it or when it is fulfilled the subparagraph 7.3.11, the document processing, respectively its scanning, storing and submitting to the Archive Office shall be done no more than two working days.

#### 7.4 Protocol of illegal operations

- 7.4.1 The protocol of illegal operations shall be done with a five digit number, starting from the number 10000 and it shall continue progressively, with unique unrepeatable number. Such a protocol includes the five digit number, day, month, and year of protocol.
- 7.4.2 Staff that submits the report for illegal operation is obliged to sign in the protocol book, while the staff of Registration Office shall open a new electronic file to the 'Illegal' files and shall inform the relevant staff. After its scanning, the report shall be submitted to the Archive Office.
- 7.4.3 Reports of illegal operations shall be treated with priority and their processing shall be done within 2 working days.

## **Article 8 Archive Office**

The Archive Office shall accept all documentation, including applications for licenses and special permits, files for blasting permits, incoming and outgoing documents, internal acts, it shall prepare all of them for physical archiving in certain physical files.

The Archive Office shall manage these registration/protocol books:

- 8.1 Registration book of incoming documents;
- 8.2 Registration book of outgoing documents,
- 8.3 Registration book of applications for licenses and special permits;
- 8.4 Registration book of requests for blasting permits, and
- 8.5 Registration book for the evidence of licenses and permits.

### 8.1 Registration book of incoming documents

8.1.1 All incoming documents that are accepted by the Registration Office shall be recorded in registration book of incoming documents. Except the protocol number, the location of saving the physical file is also recorded. The statement of this book is also kept as the database in Excel, or on any other database.

8.1.2 The Archive Office, after physically accepting these documents, shall control the path it has received as scanned documents. If it concludes that the document is not saved in the electronic file, it shall notify the relevant officer of the Registration Office, and in cooperation with them the document shall be saved in the respective file by informing the competent staff for changing the path with justification through email. The final processing of these documents is their storage in physical files.

### 8.2 Registration book of outgoing documents

8.2.1 All outgoing documents that are accepted by the Registration Office shall be recorded in registration book of incoming documents. Except the protocol number, the location of saving the physical file is also recorded. The statement of this book is also kept as the database in Excel, or on any other database

8.2.2 The Archive Office, after physically accepting these documents, shall control the path it has received as scanned documents. If it concludes that the document is not saved in the electronic file, it shall notify the relevant officer of the Registration Office, and in cooperation with him the document shall be saved in the respective file by informing the competent staff for changing the path with justification through email. The final processing of these documents is their storage in physical files.

### 8.3 Registration book of applications for licenses and special permits

- 8.3.1 These files are physically accepted by the Legal Office. Acceptance of these files shall be done in the presence of two Officers: the Legal Office and the Archive Office. During the acceptance, the identification shall be done to all documents that the file contains and in the end two officials shall sign in the respective each other protocols/books. Signature must be accompanied by the time and date of acceptance-hand over.
- 8.3.2 If it is concluded that the file was not submitted by order of the protocol number, or the documents of file have not been protocollod with an adequate number, then the Head of Legal Department shall be informed.
- 8.3.3 The Archive reserves the right to refuse any file if it is concluded that the file: has not been submitted by the order of the protocol number; the documents of file have not been protocollod with an adequate number and that the file does not contain the basic documents in its composition that the file shall have.
- 8.3.4 After accepting this file, it is scanned and saved at the appropriate location on the server. The relevant staff shall be also informed through path for this electronic file.
- 8.3.5 The time obliged for scanning these files is three working days from the time of acceptance of the file.
- 8.3.6. For the contents of the book, for proceeding of accepting the file, records are kept in Excel or on any other database.

#### 8.4 Registration book of requests for blasting permits

- 8.4.1 These files are physically accepted by the Office for Blasting. Acceptance of these files shall be done in the presence of two Officers: the Office for Blasting and the Archive Office. During the acceptance, the identification shall be done to all documents that the file contains and in the end two officials shall sign in the protocol book. Signature must be accompanied by the time and date of acceptance-hand over.
- 8.4.2 After accepting this file, it is scanned and saved at the appropriate location on the server. The relevant staff shall be also informed through path for this electronic file.
- 8.4.3 The time obliged for scanning these files is three working days from the time of acceptance of the file.
- 8.4.4 The Archive reserves the right to refuse any file if it is concluded that the file: has not been submitted by the order of the protocol number; the documents of file have not been protocollod with an adequate number and that the file does not contain the basic documents in its composition that the file shall have.

8.4.5 For the contents of the book, for proceeding of accepting the file, records are kept in Excel or on any other database.

#### 8.5 Registration book for the evidence of licenses and permits

8.5.1 Acceptance of these licenses and permits shall be done by the Registration Office. The license/permit invoice shall be as well together with the license/permit.

8.5.2 After accepting it, it is scanned and saved at the appropriate electronic files of the enterprise and adequate staff shall be informed.

8.5.3 The original shall be saved in the SAFE, and the copy along with the invoice is physically saved in the appropriate physical file of the enterprise.

8.5.4 The data of the book are also saved in Excel or other database, its scanning time is three working days from the time of archive acceptance.

### **Article 9**

#### **Physical storage of files and search tools**

9.1 The Archive Office is obliged to archive all documentation accepted according to article 8 in the respective physical files. Based on the organization of files within the Archive store, it shall also create the search tools which will help to find the documents easier either physically in the files or their condition/search on the electronic files.

9.2. All documentation shall be saved in adequate physical files, while insurance policies and bank guarantees are saved in the SAFE. Licenses and special permits that are accepted in original are saved as well in special way.

### **Article 10**

#### **Archiving decisions of the Board-Director**

10.1 The Legal Office shall manage with short protocol, where it shall evidence all acts issued by the ICMM Board with No. 01 and internal acts issued by the Director with No. 02.

10.1.1. These protocols are electronic ones and they start on 1 January and end on 31 December.

10.2 The Legal Office shall draft the acts and sends them to the Registration Office from where they are scanned and sent to ICMM staff.

10.3 Sub-legal acts issued by the Board pursuant to article 62 paragraph 6 shall be prepared and shall be sent for publication in the Official Gazette.

10.4 Internal acts are all those acts, act-decisions, letters issued by Director dedicated to ICMM's internal staff, which means creation of various commissions, other acts related to the employment of the staff.



10.5 The acts issued by the ICMM Board are sub-legal acts issued by the Board pursuant to article 62 paragraph 6 of the LMM.

## **Article 11**

### **Electronic archiving**

The electronic archive classifies the following series:

- 11.1 Applications for licenses and permits for special operations
- 11.2 Blasting and activities related to blasting
- 11.3 Illegal activities
- 11.4 Incoming documents;
- 11.5 Outgoing documents;
- 11.6 Revenue-Finance
- 11.7 Older ones
- 11.8 Miscellaneous

#### **11.1 Applications for licenses and permits for special operations**

11.1.1 These applications are systematized by regions: Prishtina, Peja, Gjilan, Mitrovica, Prizren. Division according to the type of application is done within each region: Exploration, Exploitation and Special Operations.

11.1.2 Applications for exploration and exploitation are divided into two groups: metallic energy and industrial quarry.

11.1.3 Specific files for each enterprise are created within each group, within which the complete files are available for each enterprise separately according to the applications. The naming of the enterprise file must contain: name of enterprise, application number. Inside the electronic file, these sub-files are arranged: Application, Finance, Survey, Geology, Inspectorate, Correspondence with enterprise, Reports, Feasibility Study, Board Decisions.

11.1.4 Applications for permits for special operations are divided into groups according to activity: Separation, Asphalt base, Concrete base etc. (according to article 3, paragraph 1.49 of the LMM). The files and sub-files must be structured according to sub-articles 11.1.1 and 11.1.3 of article 9 of this Instruction.

11.1.5 The files of these applications are saved according to the path:

*Z:Archive/Applications/Region/Exploration, Exploitation/Industrial Quarry or Metallic Energy/ Name of Enterprise / Name of Enterprise by application and application number, and for Special Operation Permits is the path:*

*Z: Archive/Applications/Region/Asphalt base, Concrete base, Separation, etc. /Name of Enterprise/ name of enterprise by application and application number*

#### **11.2 Blasting and activities related to blasting**

11.2.1 Files of the requests for blasting are divided by years, according to the blasting enterprise within which the file is saved with the name of the request No. and its date.

11.2.3 The files of these requests are saved according to the path: *Z: Blasting/Requests for blasting permit /years/Name of the blasting enterprise/request number /Date*

### **11.3 Illegal activities**

11.3.1 Documentations for illegal activities are systematized by regions: Prishtina, Peja, Prizren, Gjilan, Mitrovica. The file with the name of the enterprise or physical person is saved in these sub-series and every case of illegal operation will be saved within it. The files separately will be named according to the name of the enterprise respectively the physical person by accompanying the five digit number of the report for the illegal operation and the date of the protocol.

11.3.2 Illegal folders are saved according to the path: *Z: Archive/Illegals /Region/ Name of the enterprise or the Physical person/Five digit number/date.*

### **11.4 Incoming document**

11.4.1 The series of incoming documents will consist of sub-series named by year, each year shall be divided by departments: Administration, Auditor, Board, Directorate, Finances, Survey, Geology, Inspectorate, Archive, Legal Office and Miscellaneous files.

11.4.2 The path of these files will be: *Z:Archive/Incoming/year/Addressing/File naming with protocol No.*

11.4.3 All acts/letters that are not related to the applications for licenses, requests for blasting permit and illegal operations shall be saved in these files.

### **11.5 Outgoing document**

11.5.1 The series of incoming documents will consist of sub-series named by years (outgoing (year) consisting of files named by month of the year.

11.5.2 All acts/letters that are not related to the applications for licenses, requests for blasting permit and illegal operations shall be saved in these files.

11.5.3 The path of these files will be: *Z:Archive/Outgoing(year)/months of the year*

### **11.6 Revenue-Finance**

11.6.1 The Revenue-Finance series will consist of sub-series divided by years. These files will be created within each year: mandatory penalties, administrative penalties, different invoices, invoice of received material, administrative fines, requests for agreements, reminder letter, agreement on debt payment, annual financial reports and annual taxes

## **11.7 Old ones**

11.7.1 Scanned archive documentation that is not adequate with other series is placed under the old paragraph. The following files will be saved in this series: archival geological documentation, illegal operations, Miscellaneous, RESTORED-KEK, others, Air Survey Project.

11.7.2 The documentation according to subparagraph 11.7 is in the path;  
*Z: Archive/Old /relevant files according to subparagraph 11.7.1*

## **11.8. Miscellaneous scanning**

11.8.1 The files will be saved by the names in the “Miscellaneous” file: Appeals and requests by companies, Notifications of Appeal Commission, Quality Management, Internal Acts - ICMM, Audit Committee.

11.8.2 The documentation according to subparagraph 11.8.1 is in the path; *Z: Archive /Miscellaneous/Files according to paragraph 11.8.1*

11.8.3 Historical geological archive files, physical files that have been submitted to GSK will be saved in the path: *W:\Geological Archive*

## **Article 12 Arranging access**

12.1 The staff of the Registration Office and the Archive Office shall have full access to all files of series presented according to article 11 subparagraphs 11.1 – 11.8.

12.2 Only the Head of the Archive Sector shall have full access to documentation placed according to article 11 subparagraphs 11.7 – 11.8, all other staff of the ICMM shall have access only in reading (without the possibility of copying it).

12.3 The Director, the Board Members, and the Internal Auditor shall have limited access to “read with the possibility of copying it” in all series/files presented according to article 11 subparagraphs 11.1 – 11.6.

12.4 In special cases, if the ICMM staff requires any documentation or study that is placed according to article 11 subparagraphs 11.7 and 11.8 and which it is required for ICMM interests or studies then it is required the access to the document-study by email through the Head of Department with a justification.

12.5 In cases of a request according to subparagraph 12.3, the Head of the Department from which the request is, shall require from the Head of the Archive Sector to give him the access.

12.6 In cases of a request according to article 12.4, the Head of the Archive Sector with prior approval by email by the Director, shall prepare the document in physical copy or scanned ones depending on the request.

- 12.7 Depending on the ICMM staff responsibilities, access will be given to some of the documentation of paragraph 11, only reading-copying according to the files will have:
- 12.7.1. Applications for licenses and special permits and illegal activities  
Inspectorate, Survey, Geology, Finance, Legal Office, GIS
  - 12.7.2. Requests for blasting - Inspectorate and Legal Office;
  - 12.7.3. Incoming documents - Heads of all Departments;
  - 12.7.4. Outgoing documents - Heads of all Departments;
  - 12.7.5. Revenues-Finance -The whole staff of the Finance Department
- 12.8 Other access, other than the ones described above, shall be given with the requests by email through the Head of the relevant Department addressed to the Head of the Archive Sector with approval of the Director.
- 12.9 Depending on the request and the nature of the work, the Head of the Archive Sector may give temporary or permanent access according to the approval of the Director.

### **Article 13** **Creating series/new electronic files**

New files are created by initiation from the Archive, or by other ICMM staff. The initiator for the creation of the new file shall make a justification, and after the written approval (email) of the Director with the help of IT creates a new file and the relevant staff is informed to save the nature of the documents for which the file is created.

### **Article 14** **Sending the path after saving the file/document**

- 14.1. Sending the path for all the documentation that is accepted by the Registration Office and the Archive depends on the nature of the documentation:
- 14.1.1. The path for applications for licenses and special operation permits shall be sent to: Director, Head of Legal Department, GIS, Head of Geology Department, Head of Inspectorate Department, Head of Survey Department, Head of Finance Department
  - 14.1.2. The path for request for blasting permits shall be sent to: Director, Chief Inspector, office of blasting, GIS
  - 14.1.3. The path for illegal activities shall be sent to: Director, Head of Legal Department, GIS, Head of Geology Department, Chief Inspector of Mines, Head of Survey Department, Head of Finance Department
  - 14.1.4. The path for incoming documents, depending on the nature of the documentation, shall be sent to the Director, one of the Departments, or particular ones when it is known exactly to whom the document is addressed to.

- 14.1.5. The path for outgoing documents, depending on the nature of the documentation, shall be sent to the Director, one of the Departments, or particular ones when it is known exactly to whom the document is addressed to.
- 14.1.6. Old and Miscellaneous, upon requests
- 14.2 The path will also be sent based on the list of standard name of documents, a list that is issued by a special decision by the Director, which also contains staff initials to any standard name of document, which also means sending the path.
- 14.3 The list of staff for sending the path may be increased by written approval (email) by the Director respectively by the Head of Department.
- 14.4 When a document is not in the list of standardizations of names, then the path shall be sent to the Director who will delegate the path to the appropriate staff after determining the nature of the document.

**Article 15**  
**Format of storing documents electronically**

- 15.1 Documents in the electronic file are stored in PDF format.
- 15.2 All staff (Archive Office and Registration Office) appointed for electronic archiving are obliged, when the material in CD is accepted with file/document, after the CD is downloaded, if the CD contains materials of other formats, not PDFs, shall convert it to PDF and save it as original formats (other formats).

**Article 16**  
**Duties of Informative Technology Department**

- 16.1 IT is obliged to open an email with the name "Registration" and "Archive" from which emails the Registration Office respectively the Archive Office shall send the path of scanned documents.
- 16.2 IT shall create groups based on which Registration and Archive can forward information. These groups shall be created based on the ICMM organogram.
- 16.3. IT shall create a special folder in Outlook to each staff employees where all emails that come from "Registration" respectively "Archive" shall go to this special email.
- 16.4 IT shall do a training of the staff concerning the manipulation with computer for the storage, sending, and manipulation with these documents/ paths.
- 16.5 IT shall prepare a Standard form/template of email with details that each email sent from "Registration" respectively "Archive" must contain.
- 16.6 IT shall apply article 11 of this Instruction on creation of new files.

16.7 IT shall backup the electronic archive and shall save copies in a safe place, out of the ICMM's facility.

**Article 17**  
**Transitional Provisions**

17.1. Upon the entry into force of this Instruction, it is abrogated the Administrative Instruction ICMM No. 09/2007.

17.2. This Instruction shall enter into force 8 days after its publication in the Official Gazette.

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Musa Shabani  
Chairman of the Board  
Independent Commission for Mines and Minerals