

MINISTRY OF ECONOMY

1707

Pursuant to Article 61, Paragraph 3 of the Law on Mineral Raw Materials (“Official Gazette of the Republic of Macedonia, no. 24/07, 88/08, 52/09, 6/10 and 158/10), the Minister of Economy has adopted the following:

**RULEBOOK FOR THE MANNER OF PERFORMING AN EXPERT EVALUATION
(AUDIT) OF THE GEOLOGICAL DOCUMENTATION**

Article 1

This rulebook shall prescribe the manner of performing an expert evaluation (audit) of the geological documentation.

Article 2

An expert evaluation (audit) of the geological documentation (the study for detailed geological explorations, shall be made on basis of an application.

The expert evaluation (audit) shall not be performed for more studies of performed detailed geological explorations, except if it is a matter of studies for classification and re-categorization of the ore reserved which are related to the same site.

The application made in Paragraph 1 of this Article shall be submitted by the concession’s holder of the detailed geological explorations (further in the text: the applicant).

Along with the application of this Article, the applicant shall submit:

1. A study for the performed detailed geological explorations (three original copies);
2. An agreement on concession for detailed geological explorations (a copy verified before a Notary Public);
3. A project for detailed geological explorations on the area under concession for detailed geological explorations (a copy verified before the Notary Public);
4. An evidence for payment for performance of professional assessment (audit);

5. The application for performance (audit) of the geological documentation shall be submitted to the authority of the state administration competent for performing the works in the area of mineral raw materials.

Article 3

The Committee appointed for performing an expert evaluation (audit) of the geological documentation (further in the text: the Committee) shall perform the expert evaluation (audit) of the geological documentation in the time period of 60 days, as counted from the day when the Decision on establishing a Committee is received.

Article 4

When the Decision on establishing Committee is received, the President of the Committee in a period of seven days appoints a preparative session.

The preparative session of Paragraph 1 of this Article shall establish if the application for performing an expert evaluation (audit) for the geological documentation is in accordance with Article 2 of this Rulebook.

At the preparative session shall be submitted a copy of the geological documentation to the President of the members of the Committee

The Decision from Paragraph 3 of this Article shall determine the date and place of holding the session which shall not be longer than 30 days as counted from the day of documentation's submission.

Article 6

The Committee shall make an audit's report for the performed expert evaluation (audit).

The audit's report shall particularly contain:

- An opinion whether the person who made the geological documentation meets the requirements according to law;
- An opinion for the geological documentation's content;
- An opinion for the text and graphic documentation of the geological documentation;
- Eventual remarks and a deadline for their elimination and
- A recommendation for issuing an audit's clause.

Article 7

The submitted written reports shall be considered during the session by the President and the Committee’s members. Moreover, the applicant and maker of the geological documentation shall be introduced with the same reports.

Before the session to be held, the President and the Committee’s members shall submit a written report for the expert evaluation (audit) of the geological documentation.

During the session a minute shall be composed. This minute shall contain:

- Date and place of holding the session;
- Name and surname of the President, the members and the Secretary of the Commission, the members and the Secretary of the Committee, the maker of the geological documentation and the authorized representative of the applicant;
- A short description during the session;
- Audit’s report of the Committee. The minute shall be signed by the President, the members and the Committee’s secretary, the maker of the geological documentation and the authorized representative of the applicant.

Article 8

If during the session when the geological documentation is considered, and in accordance with the submitted written reports by the President and the members of the Committee, is established that the geological documentation is being made in accordance with the law, the Committee shall prepare the Audit’s report with a positive opinion.

If during the session when the geological documentation is being considered, and in accordance with the already submitted written reports by the President and the Committee’s members, shall establish that the geological documentation is made in accordance with the law. However, if it contains some disadvantages which shall be eliminated in a defined time period, the Committee shall prepare an Audit’s report with appropriate recommendations and obligations that shall be eliminated by the maker of the geological documentation in a defined time period.

If the Committee establishes that the geological documentation is not made in accordance with the law, the Committee makes an Audit’s report with a negative opinion.

The deadline of Paragraph 2 of this Article shall be sufficient and the same shall not be longer than 30 days.

Based on the Audit’s report of Paragraph 2 of this Article, the Committee shall adopt a Decision on ending the procedure for making an expert evaluation (audit).

The procedure’s ending shall last until the applicant’s acting according to the recommendations and obligations contained in the Audit’s report of Paragraph 2 of this Article.

If the applicant acts according to recommendation and obligations contained in the Audit’s report in the defined time-period, the President of the Committee is obliged to appoint a follow –up of the session during which the geological documentation was considered, and which is subject to expert evaluation (audit). During the session’s follow- up the, both the applicant and the maker of the geological documentation shall be present.

At the session’s follow-up of Article 7 of this Article, The committee shall consider the geological documentation from the aspect whether is being acted according to the recommendations and obligations.

If the Committee establishes that it is being acted according to previously given recommendations and obligations, as well as that the geological documentation is not made according to law, the Committee shall prepare Audit’s report with a positive opinion.

If the Committee establishes that it is not being acted according to the previously given recommendations and obligations, as well as that the geological documentation is not being made in accordance with law, the Committee shall prepare Audit’s report with a negative opinion.

In the case when the Audit’s report is with negative opinion, the Committee shall adopt a Decision on rejection of the application for an expert evaluation (audit) performance.

Article 9

On basis of the prepared Audi’s report with a positive opinion for the concerned geological documentation on which an expert evaluation (audit) is performed, the Committee shall issue an Audit’s clause.

The Audit’s clause says:

“The geological documentation is prepared according to law”

Apart from the Audit’s clause of Paragraph 2 of this Article, the same shall contain data for the applicant, site’s name for which the geological documentation is prepared, the maker of the geological documentation, place and date of issue.

The audit’s clause shall be signed by the President and the members of the Committee and the same shall be verified by the authority of the state’s administration competent for performing the works in the area of mineral raw material.

The audit’s clause shall be issued in five copies, three of them are for the applicant, and the other two for the authority of the state’s administration competent for performing the works in the area of the mineral raw materials.

Article 10

This rulebook shall enter into force the day after its publishing in the “Official Gazette of the Republic of Macedonia”.

No. 24-1819/6

28 April 2011

Skopje

Minister of Economy,

Fatmir Besimi

Own handwritten signature