# Mining in Argentina

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September 2024

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# Introduction

- Argentina is politically organized under a constitution drafted following the US constitution model.
- It is a federal country divided into 23 provinces, plus a federal district the City of Buenos Aires.
- The population is approximately 45 million a third in the Greater Buenos Aires area.
- Gross Domestic Product (GDP) 2023 of more than US\$ 640 billion.
- All along Argentine history, agricultural richness has operated as a deterrent to minerals related investment and activities. Except for a few exceptions such as Mina Aguilar (lead, zinc, silver) that has operated for 9 decades, Argentina developed a small world class mining activity only in the early 1990s.
- Argentina is strongly committed to promoting sustainable and transparent practices in mining: Argentina joined the Extractive Industries Transparency Initiative (EITI) in February 2019 and since 2022 operates an online system with economic, environmental, social and mining cadastral information (SIACAM).
- Social levels of acceptance of mining are at their peak.



# **Introduction (2)**

- There are no restrictions concerning foreign investment or ownership of companies engaged in the exploration and extraction of mineral resources.
- Foreign individuals and entities can therefore acquire and hold mineral rights in Argentina without limitations.
- A Mining Investment Law that includes a 30-year fiscal and foreign exchange stability guarantee period, plus other benefits at each stage of project development, has been in place for more than 30 years.
- On April 30<sup>th</sup>, 2024, Argentina introduced the "Régimen de Incentivo para Grandes Inversiones" (RIGI) as part of the broader framework known as the "Ley Bases". This regime provides significant incentives for large-scale investments, including benefits related to VAT and income tax, as well as exemptions from import and export duties. The RIGI targets projects with minimum investment amounts ranging between US\$200 million and US\$900 million. Additionally, it grants fiscal stability and free availability of foreign currency.
- Argentina has entered into various Bilateral Investment Treaties with several countries, including the United States, Australia, Canada, China and South Africa, for the promotion and protection of investment.
- Argentina has one of the strongest portfolio of critical minerals resources in the world.



# **Economic Facts**

- Contribution of mining to Argentina's gross value added: 0.82% of the total (year 2023 INDEC).
- 6th export complex (USD 4,060 million exported by mining, 6.1% of the total).
- Almost all of the metals production comes from a few provincies, Santa Cruz, San Juan, Catamarca, Jujuy y Salta.
- Third largest net foreign exchange contributor to the economy in 2023 with a surplus of USD 3,264 million.
- Tax contribution of almost USD 320 MM (EITI company estimates 2021 + update to 2023).
- Employment generator: 41,170 direct jobs (Nov-23); x2 indirect multiplier.
- Mining wages 1.8 times higher than the National average. Metalliferous wages 2.6 times higher than the National average.
- 80% of the turnover of large mining companies remained within Argentina's borders.

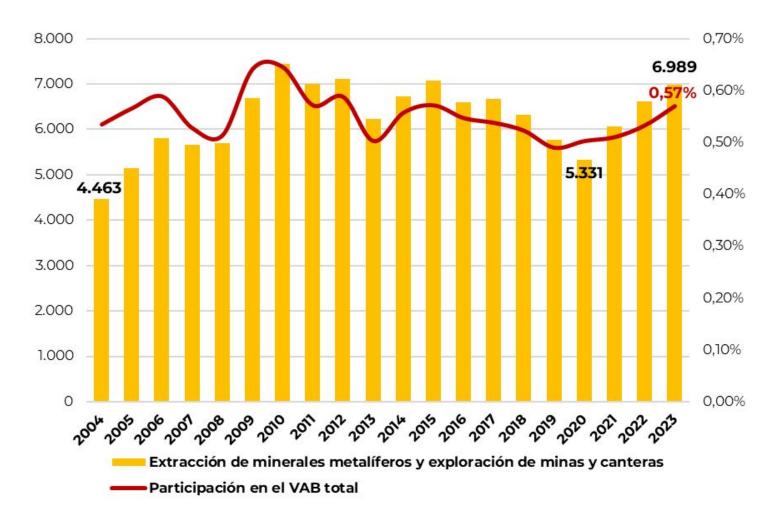


Gross value added at 2004 basic prices.

In millions of pesos and share of mining in the total.

## Extraction of metalliferous minerals. Exploitation of mines and quarries

Source: National Directorate of Mining Promotion and Economy based on INDEC.

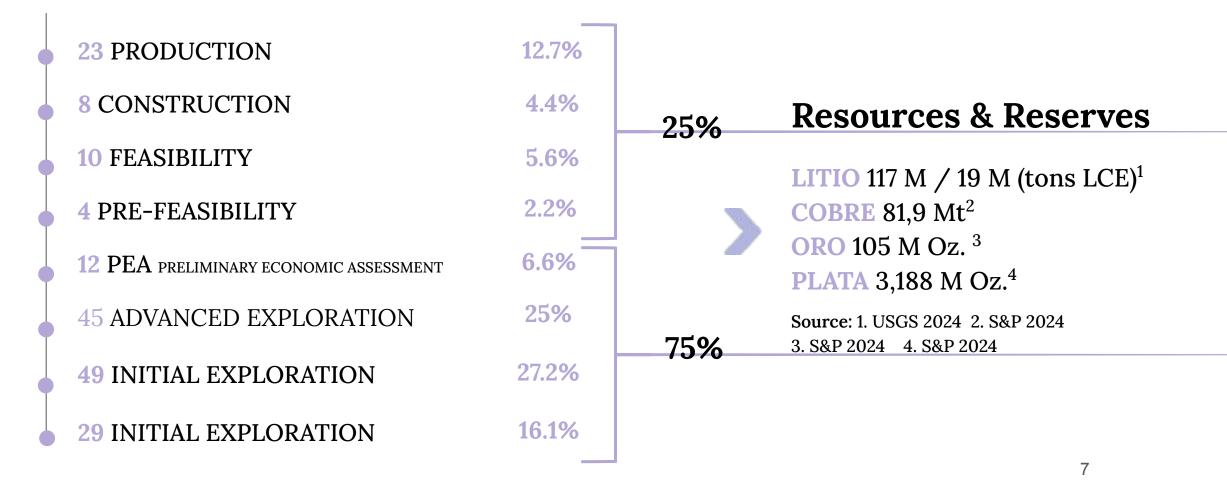


Growth 2023 vs 2022: +5.6% / 2023 vs 2020: +31.1%.



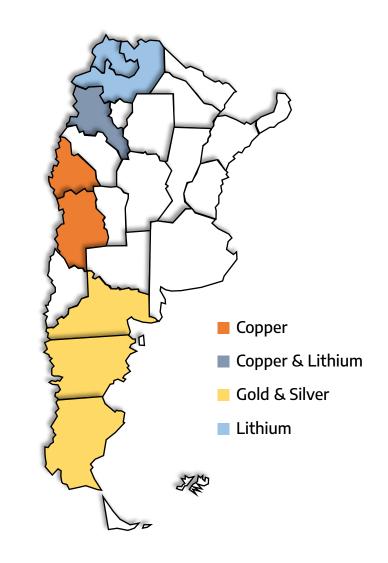
# **Current Status**

# 180 Operations and Projects



# **Project Portfolio**

- Most of the mineral exports value comes from gold and silver.
- Lithium related exports are growing fast, with 4 operations as at September 2024.
- Seven world class copper projects.
- Large number of lithium projects.
- An estimated 70% of mineral rich territory unexplored





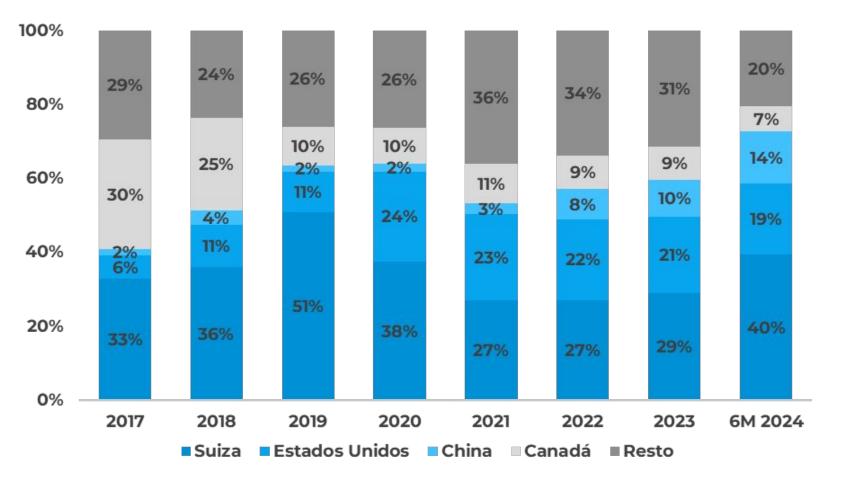
# Destination of Argentina's mineral exports. 2017 - 6M 2024

For the year 2023, the top five destination countries for mining exports had the following product groups with the highest magnitude in their amounts.

**Switzerland:** 92.1% gold, 7.9% silver.

United States: Gold 87.3%, silver 11.5%.
China: Lithium 91.2%, silver 4.0%, lead 3.1%.
Canada: Silver 54.5%, gold 45.4%.

**India:** Gold 98.1%, lithium 1.5%.



Source: National Directorate of Mining Promotion and Economy based on S&P.

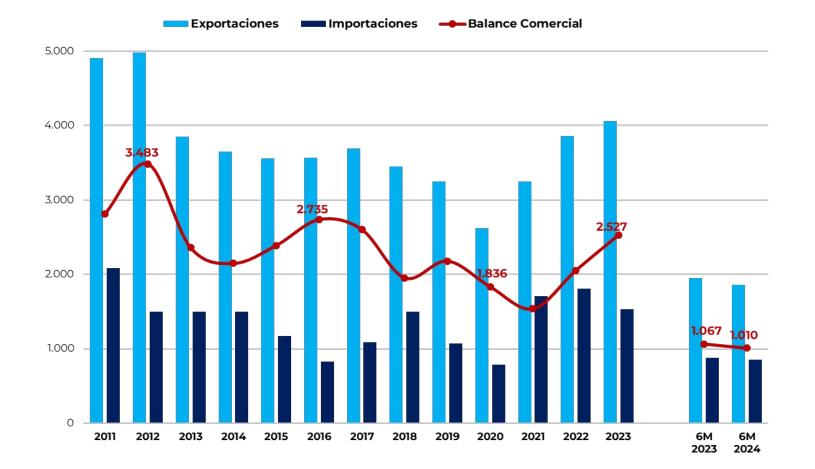


# Mineral trade balance of Argentina | 2011 - 2023

In the first 6 months of 2024, Argentina's mineral trade balance fell by 5.3% compared to the same period of 2023.

The minerals trade balance for 2023 was 38% higher than in 2020

Source: National Directorate of Mining Promotion and Economy based on ADUANA.





# Production 2023 and top operations by production value

<sup>2</sup> The country-level summary of top projects by production value includes the following key commodities: cobalt, copper, gold, iron ore, lead, lithium, manganese, molybdenum, nickel, palladium, platinum, rhodium, silver, U3O8, and zinc.

Commodity	Production	Unit	Global Production Share (%)	Variation 2023/22
G <mark>old</mark>	1,258,112	OZ	1.2%	-0.5%
Lead	20,230	tonnes	0.5%	8.8%
Lithium	54,303	tonnes	5.4%	54.9%
Silver	25,900,000	oz	3.0%	-12.5%
Zinc	3,835	tonnes	0.0%	-1.5%

Source: National Directorate of Mining Promotion and Economy based on S&P.



# Production 2023 and top operations by production value (2)

<sup>2</sup> The country-level summary of top projects by production value includes the following key commodities: cobalt, copper, gold, iron ore, lead, lithium, manganese, molybdenum, nickel, palladium, platinum, rhodium, silver, U3O8, and zinc.

PROPERTY	COMMODITY(S)	PRODUCTION VALUE (AR\$M)
Salar del Hombre Muerto	Li, Ps	317,004.23
Salar de Olaroz	Li, Ps	235,944.75
Cerro Negro	Au, Ag	167,190.54
Veladero	Au, Ag, Cu	123,489.96
Cerro Vanguardia	Au, Ag	116,501.41
Pastos Grandes	Li, Ps	113,240.48
Cerro Moro	Au, Ag	98,832.14
Pirquitas	Ag, Pb, Zn, Sn	82,583.62
San Jose	Ag, Au, Pb, Zn	77,036.49
Cauchari-Olaroz	Li, Ps	67,944.88

#### Top Projects by Production Value for Key Commodities - 2023

Source: National Directorate of Mining Promotion and Economy based on S&P.



# Mines in operation

Mine	Province	Mineral	Principal Owner
Aguilar	Jujuy	Lead	Grupo Integra
Ajedrez	Jujuy	Gold	Espíritu de Los Andes S.A
Cap-Oeste	Santa Cruz	Gold	Patagonia Gold
Cauchari-Olaroz	Jujuy	Lithium	Ganfeng Lithium Co. Ltd.
Centenario-Ratones	Salta	Lithium	Eramet
Cerro Moro	Santa Cruz	Gold	Pan American Silver Corp
Cerro Negro	Santa Cruz	Gold	Newmont Goldcorp
Cerro Vanguardia	Santa Cruz	Gold	AngloGold Ashanti Ltd
Córdoba	Jujuy	Gold	
Don Nicolás	Santa Cruz	Gold	Cerrado Gold Inc.
Farallón Negro	Catamarca	Gold	YMAD
Fenix	Catamarca	Lithium	Arcadium Lithium plc
Gualcamayo	San Juan	Gold	Eris LLC
La Providencia	Jujuy	Silver	HANAQ GROUP
Las Calandrias	Santa Cruz	Gold	Cerrado Gold Inc.
Lindero	Salta	Gold	Fortuna Silver Mines
Martín Bronce	Jujuy	Copper	MOM Mining SRL
Mina Catalina II	Jujuy	Gold	Espíritu de los Andes S.A.
Olaroz	Jujuy	Lithium	Arcadium Lithium plc
Puna Operation	Jujuy	Silver	SSR Mining Inc.
Río Turbio	Santa Cruz	Carbón	Yacimientos Carboníferos Rio Turbio
San José	Santa Cruz	Silver	Hochschild Mining Plc
Veladero	San Juan	Gold	Barrick Gold Corporation



# **Exploration Budgets**

## Argentina's participation in global exploration budgets in Perspective - 2023

Argentina has established itself as the third-largest destination for lithium exploration budgets, ranking behind Australia and Canada, which hold the first and second positions, respectively.

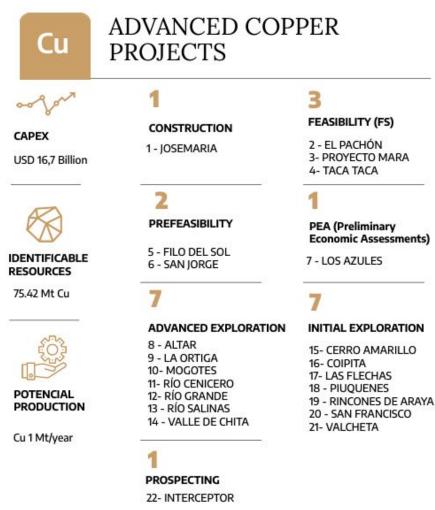
In terms of copper exploration budgets, Argentina ranks as the fifth-largest destination globally, accounting for 3% of the total copper exploration budget.

COUNTRY	EXPLORATION BUDGET (AR\$M)	GLOBAL BUDGET SHARE (%)	COMPANIES COUNT (ACTUAL)
Argentina	126.006,5	3,34	81
Canada	721.628,2	19,14	678
Australia	650.029,5	17,24	599
USA	478.062,8	12,68	350
Chile	245.957,9	6,52	83
Mexico	185.288,1	4,91	115
Peru	144.880,9	3,84	91
Brazil	113.630,4	3,01	56
China	113.157,8	3,00	55
Russia	84.506,5	2,24	20
Ecuador	71.007,9	1,88	25
Global	3.770.242,3	100,00	2.235

Source: National Directorate ofMiningPromotionAndEconomy based on S&P.



# Advanced projects



\* Mt: millions of tons- Moz: million of ounces kt: thousands of tons- koz: thousand of ounces - M USD: Million of dollars - e: Estimated \*This CAPEX estimated number includes projects in different stages of progress that are not described in this portfolio.



#### Secretaría de Minería Ministerio de Economía

	6
000	CONSTRUCTION
CAPEX 8,125 M USD*	1 - MARIANA 2 - RINCÓN 3 - SAL DE LOS ÁNGELES 4- SAL DE ORO
1.200	5 - SAL DE VIDA 6- TRES QUEBRADAS

Li

RESOURCES

POTENCIAL

PRODUCTION

117,1 Mt

# З

#### PREFEASIBILITY

PROJECTS

12- ARIZARO 13- CAUCHARI 14- CAUCHARI JV



#### PEA (Preliminary Economic Assessments)

15- CANDELAS 16- HOMBRE MUERTO NORTE 17- SALAR TOLILLAR

464,420 tn/year. LCE

#### INITIAL EXPLORATION

37- ANTOFALLA NORTE 38- LAGUNA VERDE 39- LOS SAPITOS 40- SAN JORGE

\* Mt: millions of tons - mit cubic meters - Mmit million cubic meters - Moz: million of ources kt: thousands of tons- koz: thousand of ources M USD: Million of dollars - s: Extended

\* This CAPEX estimated number includes projects in different stages of progress that are not described in this portfolio.

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ADVANCED LITHIUM

#### FEASIBILITY

7- HOMBRE MUERTO OESTE 8- KACHI 9- PASTOS GRANDES 10- POZUELOS (PPG) 11- SALAR DEL RINCÓN

19

#### ADVANCED EXPLORATION

18- ALBA X 19- ALCALINA 20- ARIZARO NORTE 21- ARIZARO SUR 22- CANGREJILLOS 23- CENTENARIO 24- DONCELLAS 25- INCAHUASI 26- INCAHUASI MONCHO 27- MINA SISIFO - MINA PATILLA 28- REINA SOFIA IV 29- RÍO GRANDE 30- SAL DE LA PUNA 31- SALAR DE ARIZARO 32- SALARI 33- SALARI 22 34- SINCERA 35- TACA SAL IV 36- VEGA DE ARIZARO

# Advanced projects

Au	ADVANCED GO PROJECTS	LD
CAPEX 2,872.8e M USD-	2 FEASIBILITY 1 - CALCATREU 2 - SUYAI	1 PEA (Preliminary Economic Assessments) 3 - TAGUAS
	13	14
$\bigotimes$	ADVANCED EXPLORATION 4 - CLAUDIA 5 - CONSERRAT	INITIAL EXPLORATION 17 - ALTOS DEL CURA 18 - CACHI
RESERVES 56.4 M oz Au	6 - DEL CARMEN 7 - DON JULIO 8 - DON SIXTO 9 - EL DORADO MONSERRAT 10 - HUALILÁN	23 - LIBANESA
	11 - LA JOSEFINA 12 - LA MANCHURIA 13 - LAMA 14 - SAN ROQUE 15 - TEBENQUICHE CHICO 16 - VALLE ANCHO	24 - MANANTIALES 25 - MICHELLE 26 - MOSQUITO 27 - PUZZLE 28 - SASCHA 29 - TORNADO-HURACÁN
2023 PRODUCTION		30 - ZANCARRON
1.26 Moz	3 PROSPECTING 31 - ADAMO 32 - CERRO PEÑÓN 33 - EL MAGO	

\* Mt: millions of tons- Mor: million of ounces kt: thousands of tons- kor: thousand of ounces - M USD: Million of dollars. \*This CAPEX estimated number includes projects in different stages of progress that are not described in this portfolio.



\* Mit: millions of tons- Mut: million of ourses let: thousands of tons- kex: thousand of sunces - M USD: Million of dollars, \* This CAPEX estimated number includes projects in different stages of progress that are not described in this particle. \*\*SAP 2005



# Josemaría

LOCATION (28° 27' 13'' Lat S; 69° 35' 39'' Long W.)

It is located near the limit of the Iglesia Department in the north of the province of San Juan, approximately 10 km from the border with Chile, in the middle of the Andes mountain range. It covers elevations from 4,000 to 4,900 meters above sea level. The closest city is Guandacol, in the province of La Rioja, located 200 km SE on a gravel road.



#### MINERALIZATION TYPE

Copper, Gold and Silver Porphyry



#### PROPERTY DATA OWNER / CONTROLLER

Lundin Mining Corp. BHP Group Limited

OPERATOR DEPROMINSA S.A.



Project Status: Construction Installed capacity Copper: 131 kt Gold: 224 koz Silver: 1.048 Moz CAPEX: 4,061 M USD Estimated LOM: 19 years Mining Method: Open pit

RESOURCES			GRADE		6	Metal Conten	t
RESOURCES	Tonnage (000's Tonnes)	Cu (%)	Au (g/t)	Ag (g/t)	Cu (kT)	Au (kOz)	Ag (kOz)
Measured & Indicated	1,158,841	0.29	0.21	0.9	3,348	7,806	35,104
Inferred	704,158	0.19	0.10	0.82	1,338	2,309	18,609

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# Pachón



LOCATION (31° 45' 39" Lat. S; 70° 43' 50" Long. W)

It is located in the province of San Juan, in the department of Calingasta; approximately 300 km west of the city of San Juan, Argentina, and 5 km from the border with Chile. At an altitude of 3,600 m.a.s.l. The community closest to the project area on the Argentine side is Barreal, which is approximately 150 km away.



MINERALIZATION TYPE Cu Porphyry



**PROPERTY DATA OWNER / CONTROLLER** Glencore Plc.



OPERATOR **GLENCORE PACHON S.A** 



1.004 ha

Project Status: Feasibility **Installed capacity** Copper: 280 kt Silver: 3.0 Moz **CAPEX:** 4,500 M USD Estimated LOM: 23 years Mining Method: Open pit

**Resources:** 

	M&I	Inferred
Ore (Mt)	1,580	1,800
Copper (%)	0.55	0.4
Silver (g/t)	2.2	1.8
Mo (%)	0.01	0.01

# Los Azules



sterio de Economía

# LOCATION (31° 13' 30'' Lat. S; 70° 13' Long. W)

Los Azules Project is located in the Central West of the Province of San Juan, Calingasta Department, 129 km from the homonymous town. The area is located in the Cordillera de Los Azules and at the northern end of the Cordillera de La Totora. Approximately 250 km west of the city of San Juan and 3 km from the border with Chile.



#### MINERALIZATION TYPE Copper and gold porphyry



#### PROPERTY DATA OWNER / CONTROLLER

McEwen Mining. 47,7% Stellantis. 19,4% Others. 32,9%



#### **OPERATOR** Minera Andes Inc.

# Ý ÁREA



Project Status: Preliminary Economic Assessment (PEA) Installed capacity Copper: 188 kt Gold: 35 koz Silver: 1.2 Moz CAPEX: 2,363 M USD Estimated LOM: 36 years

## Mining Method: Open pit

RESOURCES	Tonnage (Mt)		Metal 0	Content	
RESOURCES	ronnage (Mr)	Cu (BLbs)	Au (MOz)	Mo (Mlbs)	Ag (MOz)
Indicated	962	10.2 (4.6 Mt)	1.7	57.3	55.7
Inferred	2,666	19.3 (8.7 Mt <mark>)</mark>	3.8	194.0	135.4

 $\bigcirc$ 

# Filo del Sol

LOCATION (28° 29' 30'' Lat. S; 69° 39' 46'' Long. W)

The Filo del Sol Project is located in the Atacama Region, in northern Chile and in the adjacent province of San Juan, Argentina, 140 kilometers southeast of the city of Copiapó, Chile, and extends to both sides of the border between Argentina and Chile. The center of the main deposit area is 28.49 ° S latitude and 69.66 ° W longitude. The average altitudes are from 4,000 to 4,900 m.a.s.l.



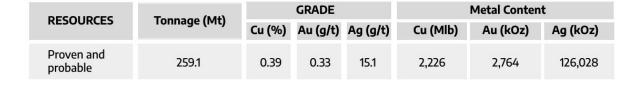
MINERALIZATION TYPE High Sulphidation Epithermal



PROPERTY DATA OWNER / CONTROLLER Filo Corp.



**OPERATOR** Filo del Sol Exploración S.A.







**Secretaría de Minería** Ministerio de Economía

**Source:** National Directorate of Mining Promotion and Economy based on public access websites of the operating/controlling companies and from technical reports.

Project Status: Prefeasibility Installed capacity Copper: 67 kt Gold: 159 koz Silver: 8.65 Moz CAPEX: 1,266 M USD Estimated LOM: 14 years Mining Method: Open pit

# MARA



# 

(27° 22' 41" Lat. S; 66° 16' 13" Long. W)

It is located in the province of Catamarca, department of Andalgalá, 35 km east of the Bajo de la Alumbrera deposit. It is an area of difficult access, with heights of up to 3,300 m.a.s.l. The closest city of influence is Andalgalá. It is accessed from Andalgalá, passing through the city of Piscoyuyo, along a dirt road suitable for double-traction vehicle.



#### MINERALIZATION TYPE

Copper-Gold-Silver-Molybdenum porphyry system



#### PROPERTY DATA OWNER / CONTROLLER

Glencore Plc.

is.	OPI
3	MIN

OPERATOR MINERA AGUA RICA LLC (SUC ARGENTINA)



Project Status: Feasibility
Installed capacity
Copper: 155 kt
Gold: 102 koz
Silver: 1.4 Moz
CAPEX: 3,019 M USD
Estimated LOM: 28 years
Mining Method: Open pit

	M & I Contained oz (000´s)	Inferred Contained oz (000 's)	Reserves Contained oz (000 ´s)
Gold	1,245	1,222	4,152
Silver	8,442	21,765	56,689
	M & I Contained lbs (mm)	Inferred Contained Ibs (mm)	Reserves Contained lbs (mm)
Copper	1,383	2,125	6,654
Molybdenum	107	277	411

# Taca Taca





It is located in the Puna de Salta, at the central-western end of the Salar de Arizaro, department of Los Andes, 240 km west of the city of Salta and 55 km east of the border with Chile, at 3,600 m.a.s.l. The nearest town is Tolar Grande, 34 km away. The access to the project is by the RN 51 to Cauchari and from there by the RN 27.



MINERALIZATION TYPE Copper and gold porphyry Project Status: Feasibility Installed capacity Copper: 227 kt Gold: 106 koz CAPEX: 3,582 M USD Estimated LOM: 32 years Mining Method: Open pit

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-	_		п

PROPERTY DATA OWNER / CONTROLLER First Quantum Minerals LTD



**OPERATOR** Corriente Argentina S.A.



RESOURCES	Tonnage (Mt)	Metal Content		
		Cu (kt)	Au (kOz)	Mo (kt)
Measured & Indicated	2,203	9,450.7	6,052.1	264.5
Proven & Probable	1,758	7,734.7	5,086.7	213.5

# San Jorge





(32° 14' 41" Lat. S; 69° 26' 16" Long. W)

It is located in the department of Las Heras, province of Mendoza, 110 km. to the northwest of the city of Mendoza, by National Route No. 7, and whose access door is 37 km from the district of Uspallata, by National Route No. 149. The Project is located at 2.600 meters above sea level in the so-called Cordillera del Tigre.



## MINERALIZATION TYPE

Copper and gold porphyry

 -	_	-
	14	

#### PROPERTY DATA OWNER / CONTROLLER

Solway Investment Ltd. 50% Aterra Capital. 50%



**OPERATOR** Minera San Jorge S.A.

**ÁREA** 9,987 ha Project Status: Prefeasibility Installed capacity Copper: 40 kt Gold: 40 koz CAPEX: 184.5 M USD Estimated LOM: 16 years Mining Method: Open pit

DECOUDEEC	Metal Content		
RESOURCES	Cu (t)	Au (KOz)	
Measured	452,247	584	
Indicated	436,603	626	
Inferred	43,172	59	



Copper



#### Uses in the energy transition

Energy Storage
 Vehicles
 Solar energy

#### Annual production in Argentina

None

**Resources in Argentina** 

75 Mt LCE

#### Provinces

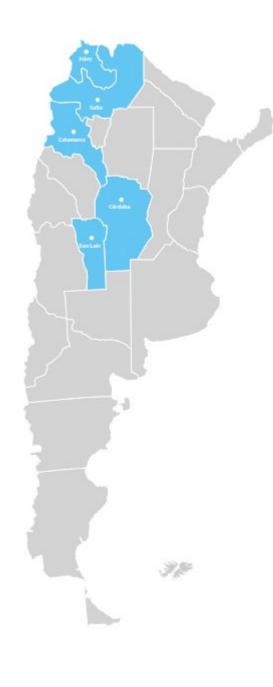
San Juan, Catamarca, Salta, Mendoza, La Rioja, Neuquén, Chubut

#### Main deposits

MARA Project, Taca Taca, Josemaría, Pachón, Los Azules, San Jorge, Campana Mahuida, Lindero, Arizaro, Paramillos Juramento, Tordillos

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Lithium



#### Uses in the energy transition

- Batteries

Annual production in Argentina

112,5 kt LCE

**Resources in Argentina** 

20,000,000 Tn of Metallic Lithium

#### Provinces

Jujuy, Salta, Catamarca, Córdoba, San Luis

#### Main deposits

Cuenca Olaroz-Cauchari, Cuenca Hombre Muerto, Cuenca Centenario, Pastos Grandes, Distritos Ancasti, Altautina, Conlara, La Estanzuela

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Graphite



#### Uses in the energy transition

- Rechargeable batteries
- Polymer electrolyte membrane (PEM) fuel cells

### Annual production in Argentina

None

### **Resources in Argentina**

37,500 Tonnes

#### Provinces

La Rioja, San Juan, Mendoza

## Main deposits

Los Dos, La Paraguaya, Pie de Palo

Graphite



#### Uses in the energy transition

- Ferroalloys (pipes)
- Ferroalloys (automotive industry)
- Batteries (cathodes)

#### Annual production in Argentina

None

**Resources in Argentina** 

440,000 Tonnes

#### Provinces

Mendoza, Neuquén, Salta, Córdoba

#### Main deposits

Ethel, La Casualidad, Cerro Remate, Tres Lomitas, Fátima

Nickel



#### Uses in the energy transition

- Batteries for electric vehicles
- Nickel alloys in power generation equipment
- Stainless steel pipes for CO2 capture and storage

### Annual production in Argentina

None

**Resources in Argentina** 

< 10,000 Tonnes

#### Provinces

San Luis, Catamarca, La Rioja, Salta, Mendoza

### Main deposits

Las Águilas, Fiambalá, Sierra del Espinal

Rare – earth element



#### Uses in the energy transition

- SOFC

- Wind turbines

#### Annual production in Argentina

None

**Resources in Argentina** 

< 500 Tonnes

#### Provinces

Salta, Jujuy, San Luis, Santiago del Estero, San Juan, Córdoba, Buenos Aires

#### Main deposits

Continental Shelf, Distrito Rangel, Isis-Osiris-, Ra, Rodeo de los Molles, Jasimampa, Valle Fértil

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The Platinum Group Elements (PGE)



#### Uses in the energy transition

- Catalysts
- Wind turbines
- Fuel cells

#### Annual production in Argentina

None

**Resources in Argentina** 

Undetermined

#### Provinces

La Rioja, Catamarca, Córdoba, San Luis, Mendoza, Chubut, Tierra del Fuego

## Main deposits

Fiambalá, Umango, Las Águilas - Virorco

# Cobalt



#### Uses in the energy transition

- Batteries SOFC
- Wind turbines Superalloys

#### Annual production in Argentina

None

#### **Resources in Argentina**

< 5,000 Tonnes

#### Provinces

La Rioja, Salta, San Luis, Catamarca, Mendoza

#### Main deposits

King Tut, La Niquelina, Las Águilas, Fiambalá, Salamanca

# Chromium



## Uses in the energy transition

- SOFC
- Wind turbines

#### Annual production in Argentina

#### None

#### **Resources in Argentina**

< 500 Tonnes

#### Provinces

Córdoba, San Luis, Catamarca, Mendoza

#### Main deposits

Cerro San Lorenzo, Los Permanentes, Los Guanacos, Distrito Salamanca

Zinc



## Uses in the energy transition

- Wind turbines

## Annual production in Argentina

14,876 Tonnes

**Resources in Argentina** 

7,000,000 Tonnes

Provinces

Jujuy, Salta, San Juan, Santa Cruz

## Main deposits

Pirquitas, Aguilar

# Legal Overview

# **Federal Level Legislation:**

# Constitution | 3 rules of great relevance:

- Ownership of natural resources (S. 124)
- Federal mining code (S. 75, §12)
- Federal legislation on environmental minimum standards, to be complemented by Provincial legislation (S. 41)



# Legal Overview | Federal

# **Mining Code**

- Explorations permits conditions
- Mining concessions conditions
- Limited rules on safety conditions in mining operations (out dated)
- Environmental rules
- Little on mining agreements
- Statute on limitations



# Legal Overview | Federal

# Mining Code on Mining Concessions (1):

There is no discretion on the mining authority to grant a concession:

If the legal conditions, mostly formalities, are met the concession must be granted.



#### Mining Code on Mining Concessions (2):

The steps to get a concession are:

- 1. A "discovery" is informed to the authority, indicating (y) the place where it occurred and the mineral involved and (z) the area that the concession should cover;
- 2. The statement of discovery is registered by the authority in the appropriate ledger;
- 3. Within a certain time limit works to expose the mineralization features must be performed and reported;
- 4. A survey is performed and registered;
- 5. A notarized copy of the survey and its registration is the concession title.

A mining concession is also called a "mine".



### Mining Code on Mining Concessions (3):

#### Key features

- •There is no legal linkage between the granting of the concession and the feasibility of the deposit. The concession may relate to a non-feasible deposit.
- •The size of the concessions is set on the basis of units. Units have a legal size which varies depending on mineral and mineralization (v.g.: a disseminated, copper unit is 100 hectares a gold-vein deposit unit is 6 hectares).
- •There is a maximum size for a mine. But there is no limit to the number of mines a person may own.
- •Rights are granted on a "first come first served" basis.



#### Mining Code on Mining Concessions (4): Key features

- The concessions are granted for an unlimited period.
- The concessions are in good standing as long as: (i) the mining fee (*canon*) is paid at the rate of USD 4 per unit; (ii) a five-year investment plan is filed within a certain time limit (a year as from the application to perform the survey, etc.); (iii) the five year investment plan is complied with or the non-performance is not cured where requested, (iv) the works are not stopped for a period longer than 4 years.
- The mines are deemed real estate property. They can be encumbered with mortgages or otherwise used as collateral to secure loans to develop the mine.



#### Federal Environmental Legislation

One piece of legislation is key, as it is part of the "minimum standards" legislation under S. 41 of the NC:

•The General Environment Act (Law No. 25,675), which includes principles that all environmental laws must follow; also includes the public consultation or public hearings as mandatory steps to reach the environmental approval in projects able to produce "significant adverse effects on the environment".

•National and provincial laws need a harmonized interpretation.



# Legal Overview | Provincial

#### **Codes of Procedures**

The Federal Mining Code is enforced by the Provinces as owners of the resources (under the NC). Provinces adopted their Code of Mining Procedures and designated their own mining authorities who grant the exploration permits and mining concessions.

Likewise, the Provinces passed **environmental legislation** following the model of the Federal General Environment Act creating their own enforcing authorities.



#### **Incentive Regime for Large Investments – General aspects**

- Seeks the creation of conditions of predictability, stability and legal certainty for large projects; its special protection against possible non-compliance by the State; and the development of local production chains.
- Provides special incentives to projects in eight strategic sectors: forestry industry, tourism, infrastructure, mining, technology, steel, energy, oil and gas.
- Admits a variety of possible applicants, such as corporations, branches of foreign companies or temporary joint ventures (including holders of infrastructure and service concessions), as long as they meet the condition of having been established exclusively to present and develop a single investment project. long term that qualifies as a Large Investment, in one or more phases.



#### **Incentive Regime for Large Investments – Requirements and benefits**

- The period to join the RIGI will be 2 years, counted from the entry into force of the regime. The period can be extended by the Executive Branch only once, for a period of up to 1 year from the expiration of the previous period.
- Requires a minimum amount of USD 200M in general investment projects.
- Requires the presentation of a detailed and solid Investment Plan, which will be evaluated by the Executive Branch.
- Offers additional benefits for projects exceeding USD 1,000M, able to position Argentina as a new long-term supplier in global markets where the country does not yet have relevant participation ("Long-Term Strategic Export").



#### **Incentive Regime for Large Investments – Requirements and benefits (2)**

- Guarantees regulatory stability for THIRTY years of special benefits, such as:
  - 1. Tax
  - 2. Customs
  - 3. Exchange rates
  - 4. Regulatory
  - 5. Jurisdictional
- Provinces and municipalities can join the RIGI. In that case, they undertake to guarantee a regime of fiscal stability for the projects during the time established by the Law.



### Incentive Regime for Large Investments – Requirements and benefits (3)

The Long-Term Strategic Export projects (over USD 1,000M) will also be able to access the following benefits:

- An exemption from Income Tax for payments abroad for certain contracts (transportation, construction and engineering services).
- An exemption from export duties, starting after two years of joining the RIGI.
- The possibility of extending tax, customs, exchange and regulatory stability up to FORTY years.



### Mining Integration Treaty with Chile

- A Mining Integration Treaty was entered into by Argentina and Chile in December 29<sup>th</sup>, 1997.
- It provides a legal frame-work, to allow specific, on a project-by-project basis set of rules (or *protocolos*), that provide for the specific legal and regulatory needs of each particular project.
- It is administered by a bi National Comission
- The following advantages for the projects and mining companies with projects that qualify under the treaty are envisaged:
  - National treatment
  - Cross-border facilities
  - Cross-border easements
  - Taxation coordination by the 2 Governments
  - Customs, migration, labour and environmental matters



#### **Tax Overview**

### What does a mining company pay and to whom?

As a consequence of the taxing powers granted by the Federal constitution and by the various Provincial constitutions, in Argentina there are 3 levels of taxation: Federal, Provincial and Municipal.

Those apply to mining companies as follows:



# Summary of the mining tax scheme

### 1 | National

10.5% - 21% Value Added Tax (VAT)35% Income Tax7% Dividend withholding tax

4.5% Export Duties (Ag, Cu, Li)

1.2% Tax on debits and credits to bank accounts

### 2 | Provincial

3% Royalties, pit-head value (except Catamarca, which is on Gross Income)
2-4% Gross income tax depending on province
1-2% Stamp tax
1-3% Automobile tax





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# Political and industry overview

### Players in the Mining Political and Business Arena (Federal)

#### **Public Sector**

- o National State:
  - o Ministry of Economy
  - o Secretary of Mining
  - o Under-Secretaries of Mining Development, and Mining Policy
  - o Servicio Geológico Minero Argentino (Argentine Mining Geological Survey)
- **Provincial States:** Each province retained the power to organize its own chart of authorities. Usually there is a mining secretary of state at ministerial or secretarial level enforcing mining law. The authority who grants permits and concessions is either part of the executive branch or part of the judicial branch.
- Inter Federal-Provincial body: the COFEMIN (or Mining Federal Council): 1 representative per Provincial government plus the Federal Secretary of Mining.



# Political and industry overview

- The attribution of powers under the NC renders as a consequence that the NG can enhance mining though right macroeconomic policies, including taxation measures, as well as with strong leadership. (eg: RIGI).
- The power to promote more effectively remains with the provinces.

#### Most Relevant International Companies Present in the Argentine Mining Industry

- Barrick Gold
- AnglogoldAshanti
- Glencore
- Newmont
- Pan American Silver
- BHP
- Arcadium Lithium

- POSCO
- Eramet
- Shandong Gold
- Tsingshan
- Ganfeng Lithium



# Thank You

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