



## Mining

Changing economic conditions are often felt at the mine mouth long before they appear on the balance sheet or the boardroom table. DLA Piper is responsive to our clients' needs as they adapt to the cyclical shifts in the global commodities markets. Our innovative solutions assist them to efficiently address these challenges and opportunities.

From startup to divestment or site closure, our mining legal team can provide a complete legal solution, covering everything from day-to-day operational issues to large scale international transactions and arbitrations.

Our commodities lawyers have detailed knowledge of local regulatory environments, key project drivers and the market. We understand how the many components of a project interact with one another. Our mining team takes a holistic approach to project development, which enables us to offer a balanced assessment in the best interests of the project as a whole. We can assist you to identify, analyze, negotiate and document project structures and to maintain efficiency when the project is operational.

DLA Piper is developing innovative solutions to some of the most complex and important issues facing the mining community today. These projects, while not only important in financial terms, are also breaking new legal ground in their treatment of difficult issues such as third party access to infrastructure and state agreements and concessions.

Mining is a truly global industry and we can provide the location-based assistance as well as the experience and skills that clients in this sector require.

We offer mining and minerals support in all of the major mining regions of the world, including emerging markets in Africa, Latin America, Asia and the Middle East, as well as the more established markets in Australia, North America and Europe.

Our international reach means we have the local strength and knowledge to advise our clients on specific legal, cultural and political issues wherever they arise.

For those with projects across countries or continents, we can provide a single point of contact to help manage the delivery of legal services to all of your projects and your personnel.

Our multidisciplinary industry focus offers our clients responsive, cost-effective help. Whatever the nature of your legal requirement or business need, you can rely on our detailed

### KEY CONTACTS

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### RELATED SERVICES

- Mergers and Acquisitions
- Projects, Energy and Infrastructure
- Real Estate
- Environment, Health and Safety

knowledge, experience and understanding.

A selection of our clients:

## Miners

- Anglo American
- BC Iron
- China Coal
- Coeur Mining
- Ferrous Resources
- Fortescue Metals Group
- Newmont Mining Corporation
- Norilsk Nickel
- Rio Tinto
- Xstrata

## Financiers / Investors

- Credit Suisse
- Macquarie

## Operators / Buyers

- Baosteel
- Sinosteel
- Lafarge
- Mitsubishi
- Sibelco/Unimin
- Arcelor Mittal
- Tata Steel
- POSCO
- Marabani
- Sinopec

## Suppliers

- POSCO E&C
- STX
- Bristow Helicopters

## Government

- Government of Guinea
- State of Western Australia
- Government of Uganda
- Government of Kazakhstan

## Case studies

- When the Indian Government's Department of Disinvestment and Coal India Limited (the world's largest coal miner) planned an initial public offering of shares, we were chosen following a formal government counsel selection process involving more than six international law firms. The deal raised US\$3.43 billion, making it the largest IPO in the history of Indian capital markets and the third largest IPO in the world during 2010.
- We are assisting the Australian Premium Iron Joint Venture in all aspects of the development of the West Pilbara Iron Ore Project, which involves the development of three new iron ore mines, 350km of heavy-haul railway and a new deep water port at Anketell Point.
- Our broad experience in the financing of mining operations came into play when we represented a major bank in the financing of the development, construction and operation of an iron ore concentrator facility in the USA. It was structured as a fully secured project financing and commodity hedges were an important part of the deal structure, the borrower being required to

## RELATED SECTORS

- Energy and Natural Resources

hedge against iron ore concentrate price fluctuations over a multiyear period to ensure that offtake revenues would be sufficient to cover debt service.

- A cross-border team from Paris, Perth, New York and Brussels are assisting the Government of Guinea in the review of mining rights and conventions granted by the prior governments and on the renegotiation of concessions and conventions in accordance with the new Mining Code.
- We advised Lloyds Banking Group on the debt and equity restructuring of UK Coal plc (now renamed Coalfield Resources plc). An unsuccessful rescue bid would have resulted in company administration, closure of mines, the loss of 2,500 jobs and a tax payer bailout. Working closely with the Lloyds team, we helped achieve the desired outcome; the separation of the businesses of the Group into new divisions and the isolation of existing pension liabilities of £400 million.
- Following a mining failure in Indonesia, the reinsurers hired us to handle a US\$500 million claim. The case was eventually settled on very beneficial terms for the reinsurers.
- Representing the Republic of Guinea in consolidated, multi-billion dollar ICSID arbitrations brought by BSG Resources ("BSGR"), claiming expropriation of a mining concession and related rights in Guinea, in what is one of the most important and high-value mining disputes in the world.
- Acting for the Republic of Kenya in respect of an ICSID claim brought by the mining investor, Cortec. This claim is thought to be the highest value and most strategically important investment treaty claim Kenya has ever faced.

## INSIGHTS

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### Publications

#### EU Policy & Regulatory Alert - EU Publishes Artificial Intelligence Ethics Guidelines

12 APR 2019

On 8 April 2019, the EU's High-Level Expert Group ("AI HLEG") on Artificial Intelligence ("AI") published the much-anticipated "Ethics Guidelines for Trustworthy AI", setting out a horizontal framework for the development and deployment of ethical and robust AI systems across the EU

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#### Supply chain human rights risk management: Blockchain and emerging technology

8 NOV 2018

Global businesses, financiers and investors are faced with an increasingly complex and interconnected legal, financial and reputation risk agenda related to human rights and other responsible business conduct issues.

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#### OECD releases new guidance on the application of the transactional profit split method under BEPS Actions 10

3 JUL 2018

The Guidance will likely continue the uncertainty for taxpayers as they develop and maintain their transfer pricing policies.

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#### Minerals Matters

20 NOV 2017

Welcome to the Autumn 2017 edition of Minerals Matters, DLA Piper's bi-annual publication which showcases the breadth and depth of our experience in the mining and minerals sector.

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## How viable is hybrid energy in remote mining locations?

14 NOV 2017

Providing remote mining locations with a reliable and cost-effective energy source is an ongoing challenge, but technology may be on hand to provide an alternative solution.

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## Conflict mineral reporting rules impact many public companies: *new supply chain requirements and new Form SD*

19 Sep 2012

Understanding the new reporting requirements.

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## EVENTS

### Previous

#### TopCo liability panel

25 JUN 2019

London

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## NEWS

#### DLA Piper grows Corporate/M&A practice in London with leading partner hire

30 APR 2019

DLA Piper today announces the appointment of Tracey Renshaw as a partner in its Corporate practice, based in London.

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#### DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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#### DLA piper advises Geophysical Sub-Strata on its US\$400m medium-term note program

24 JAN 2019

DLA Piper has advised Geophysical Sub-Strata Ltd. on the establishment of a US\$400 million medium-term note program and US\$151.5 million drawdown of 8.0% guaranteed notes due in 2023. The program dealer was Phillip Securities.

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## **DLA Piper releases Mining in Africa Guide**

28 AUG 2018

DLA Piper has today released its comprehensive guide to the mining sector in Africa. The guide provides a high-level snapshot of the mining industry and regulatory framework across 32 African jurisdictions.

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## **DLA Piper advises Nickel Mines Limited on AU\$200 million initial public offering**

20 AUG 2018

Global law firm DLA Piper advised Nickel Mines Limited (**NIC**) on its AU\$200 million initial public offering (**IPO**). NIC shares began trading on the Australian Securities Exchange (**ASX**) today and its market capitalisation at the offer price is AU\$486 million.

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## **DLA Piper advising Atlas on combination with Mineral Resources**

10 APR 2018

DLA Piper is advising Atlas Iron Limited (ASX: AGO) on its agreement with Mineral Resources Limited (ASX: MIN) to combine by way of scheme of arrangement in a deal that values the iron ore miner at AU\$297.6 million.

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## **DLA Piper advising Alliance Minerals on AU\$446M merger with Tawana Resources**

10 APR 2018

DLA Piper is advising SGX-listed Alliance Mineral Assets Limited (Alliance) on its announced merger with ASX-listed Tawana Resources NL (Tawana), positioning the company as a sizeable producer of high-demand lithium concentrate.

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## **DLA Piper advises Deutsche Bank on Paladin Restructuring**

28 FEB 2018

DLA Piper has advised Deutsche Bank on its special situations investment in Australian listed Paladin Energy Limited (PEL), which holds substantial uranium and mining assets in Namibia, Malawi, Canada and certain Australian states.

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## **DLA Piper appoints dispute resolution lawyer Natalie Caton to partnership**

29 JAN 2018

Global law firm DLA Piper has appointed senior dispute resolution lawyer, Natalie Caton, as a partner of the firm effective 29 January 2018. She joins DLA Piper's Litigation and Regulatory practice from King & Wood Mallesons.

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