



## 采矿

矿井对经济状况的变化反应，通常远远早于资产负债表或董事会会议桌的反应。随着客户适应全球商品市场的周期性变动，我们灵活响应，提供创新方案，协助他们有效应对挑战，迎接机遇。

从新成立公司到撤资或开采点关闭，我们的采矿团队都能提供完整的法律解决方案，涵盖从日常经营事务到大型国际交易和仲裁的各个方面。

我们的律师对当地的监管环境、项目的关键驱动因素和市场有深入的认识。我们了解一个项目的不同组成部分之间的相互关联。我们的团队采用全方位的项目推进战略，作出合乎整个项目最佳利益的均衡评估。我们能协助客户发掘、分析、协商和记录项目架构，并在项目运作过程中确保效率。

我们为当今采矿业所面临的一些最复杂和最重要的问题制定创新的解决方案。这些项目不仅在经济上至关重要，而且为处理法律上的难题（例如第三方获取基础设施以及国家协议和特许权）开辟了新的天地。

采矿业是一个真正的全球化产业。我们能提供本地协助，以及业内客户需要的经验和专长。

我们在全球所有主要矿区提供采矿及矿物领域的专业支持，这些区域包括非洲、拉丁美洲、亚洲及中东的新兴市场，以及澳大利亚、北美以及欧洲的成熟市场。

我们的业务遍布全球，实力雄厚，对当地情况了如指掌，能在任何地方就特定的法律、文化和政治问题向客户提供建议。

对于运作跨国或跨洲项目的客户，我们可以设立统一的单一联系人，帮助向您的所有项目及人员提供法律服务。

我们在多个领域执业，对客户灵活响应，能够以富于成本效益的方式提供帮助。无论您的法律规定和业务需要属于何种性质，您都可以依靠我们的深厚的知识和经验与及对行业的熟悉了解。

我们的部分客户名单：

### 矿商

- Anglo American

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### 相关服务

- Mergers and Acquisitions
- 项目、能源和基础设施
- 房地产
- Environment, Health and Safety

- BC Iron
- 中煤能源
- Coeur Mining
- Ferrous Resources
- Fortescue 金属集团
- 纽蒙特矿业公司
- 诺里尔斯克镍公司
- 力拓
- Xstrata

## 相关行业

- 能源

## 融资商 / 投资者

- 瑞士信贷集团
- 麦格理

## 运营商 / 采购商

- 宝钢集团
- 中国中钢集团公司
- Lafarge
- 三菱公司
- Sibelco/Unimin
- Arcelor Mittal
- 塔塔钢铁
- 浦项钢铁公司
- Marabani
- 中国石化

## 供应商

- 浦项工程建设公司
- STX
- 布里斯托直升机

## 政府

- 几内亚政府
- 西澳大利亚州政府
- 乌干达政府
- 哈萨克斯坦政府

## Case studies

- 当印度政府的撤资部 (Department of Disinvestment ) 和 Coal India Limited (全球最大的煤矿商) 计划首次公开发行(IPO)股票时, 我们在超过六家国际律师事务所参与的正式政府顾问遴选过程中脱颖而出。这笔交易募集了34.3亿美元资金, 是印度资本市场史上最大规模的IPO和2010年世界第三大IPO。
- 我们正在协助Australian Premium Iron合资企业完成西皮尔巴拉铁矿石项目开发各个方面的事务, 其中涉及三座新铁矿石矿的开采、350公里长的重载铁路, 以及Anketell Point的一个新深水港。
- 在美国铁矿石选矿设施的开发、施工和运营的融资中, 我们为一家主要银行做代理, 充分发挥我们在矿业融资方面的广泛经验。该项目采用完全有抵押的项目融资结构, 商品对冲是该交易结构的重要组成部分。借款人需要对冲铁精矿多年的价格波动, 确保采购收入足以还清债务。
- 来自巴黎、珀斯、纽约和布鲁塞尔的跨境团队目前正在协助几内亚政府审查前任政府授予的采矿权和惯例, 并根据新的采矿法规重新磋商特许权和协定。
- 我们就UK Coal plc (现更名为Coalfield Resources plc) 债务和股权重组向劳埃德银行集团提供建议。如果债务和股权重组方案失败, 就会导致公司管理问题, 矿场关闭, 2500人失业以及需要以税金注资。通过与劳埃德团队的密切合作, 我们帮助其达成预期的成果, 从集团中分离出业务, 组建为新部门, 并隔离现有的4亿英镑养老金负债。
- 在印尼的一次矿业破产事件后, 再保险公司聘请我们处理价值5亿美元的索赔。该案最终以对再保险公司非常有利的方式解决。

## 著作发表

### COVID-19: Nine practical steps for employers, right now (Australia)

7 April 2020

Employers and employees are facing extraordinary challenges because of the COVID-19 pandemic and the measures imposed to ameliorate its spread and its impact on the economy.

In this article we discuss practical steps that employers should be aware of in respect of the COVID-19 pandemic. This article discusses some of the most recent policy initiatives released by the Government including the new JobKeeper regime.

We will provide further guidance as the measures imposed to address the COVID-19 pandemic continue to evolve. To ensure that you do not miss any updates or if you require support globally, please email us at [CoronavirusEmployment@dlapiper.com](mailto:CoronavirusEmployment@dlapiper.com).

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### Coronavirus COVID-19 and a FIFO Workforce in Australia - A Further Update

27 March 2020

As the Australian Government and State and Territory Governments continue to implement further restrictions to respond to the threat of COVID-19, the Western Australian resources sector continues to focus on continuing operations while managing risks.

In Western Australia, the Minister for Emergency Services, pursuant to the *Emergency Management Act 2005 (WA)*, declared a state of emergency with effect from 12 am on 16 March 2020. This allows for certain powers to be exercised including directions to be issued by the Commissioner for Police as the State Emergency Coordinator. Various directions have been issued to date, including directions issued on 24 March 2020 providing for restrictions on interstate travel.

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### High Court rules BHP entities were associates

23 March 2020

On 11 March 2020, in an unanimous and landmark decision, the High Court of Australia handed down its decision on the technical meaning of “sufficiently influenced” which is used to determine who is an “associate” under Australia’s foreign income attribution rules. The decision has significant impact for large listed groups especially with a dual-listed company (**DLC**) structure and concerns the application of the Australian Controlled Foreign Company (**CFC**) rules.

Whilst the facts and future application of this case may principally be limited to the DLC type structures, the legal analysis of the definition of “associate” impacts on wider applications as this definition is used outside of the CFC provisions including the thin capitalisation rules, the debt/equity tests and the withholding tax rules.

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### Coronavirus COVID-19 and a FIFO Workforce

17 March 2020

Media reports have emphasised that the Western Australian resources sector considers itself well-prepared for the threat of coronavirus COVID-19, and have measures in place to ensure any disruption to production levels is minimised. But it’s important to consider what obligations employers in the mining sector have to their employees and what steps they may take to

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appropriately respond to the current threat.

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### **Coronavirus COVID-19 and corporate governance (Australia)**

18 February 2020

The coronavirus COVID-19 outbreak and ensuing government restrictions raise corporate governance concerns and create areas of risk across the ESG spectrum that should be considered by companies and their directors and officers.

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### **Coronavirus COVID-19: The legal impact on force majeure events (Australia)**

12 February 2020

Key considerations for parties that may wish to declare a force majeure event or dispute the declaration of a force majeure event by a counterparty in relation to coronavirus COVID-19.

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### **Hong Kong Government introduces mandatory quarantine measures**

11 February 2020

On 9 February 2020, the number of deaths due to the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Numerous governments have been implementing restrictions barring entry to those with recent travel history through Mainland China, including Singapore, Japan, Australia and the United States. Following pressure from public health workers, the Hong Kong Government has now followed suit and has begun a mandatory two-week quarantine for anyone arriving from Mainland China.

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### **How to resume business amid the coronavirus outbreak (China)**

11 February 2020

As reported in our previous article, China has extended its Chinese New Year holiday and work suspension period as a result of the novel coronavirus outbreak which has now infected more than 40,000 people around the world.

This is a summary of the Back to Work Day and compensation for working before Back to Work Day in key cities and provinces across China.

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### **APAC employment issues arising out of the Coronavirus (AsiaPac)**

31 January 2020

On 29 January 2020, the number of confirmed cases of the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Multinationals with local operations around the APAC region have been significantly affected. As staff return to the office

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following the Chinese New Year holiday period, businesses are now considering what they can do to minimise any risk to health and safety and support staff through this challenging period where anxiety and uncertainty is rife, whilst at the same time complying with their employment obligations and maintaining business continuity. Putting in place detailed business and contingency plans and ensuring careful communications with staff to address key topics and concerns is key, as is keeping such plans and communications under frequent review given the fluidity of the current situation.

This alert considers some of the key issues that HR and business leaders should be considering across the APAC region.

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## **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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## **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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## **会议与演讲**

### **近期举行**

#### **TechLaw**

5 March 2020

### **TECHLAW EVENT SERIES**

Sydney

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## **TechLaw**

3 March 2020

[TECHLAW EVENT SERIES](#)

Melbourne

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## **TopCo liability panel**

25 JUN 2019

London

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## **TechLaw Event - "M&A for the New Digital Economy"**

7 MAR 2019

[TECHLAW EVENT SERIES](#)

Amsterdam

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## **TechLaw Event - Online platforms - beyond playing innocence?**

17 JAN 2019

[TECHLAW EVENT SERIES](#)

Amsterdam

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## **TechLaw London 2018**

5 DEC 2018

[TECHLAW EVENT SERIES](#)

London

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## **TechLaw Event - Virtual Competition**

22 NOV 2018

[TECHLAW EVENT SERIES](#)

Amsterdam

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## **Middle East Tech Summit 2018: The Digital Imperative**

5 NOV 2018

[TECHLAW EVENT SERIES](#)

Dubai

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## TechLaw in Germany

14 JUN 2018

### TECHLAW EVENT SERIES

Munich

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## 新闻

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### DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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### 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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