

Section 1.—Mining Laws and Government Controls

Subsection 1.—Mining Legislation

The mineral lands of Canada, like other Crown lands, are administered by either the Federal or the Provincial Governments. The Federal Government administers the mineral lands of Yukon and the Northwest Territories as well as those within Indian Reserves and in National Parks; all other mineral lands lying within the boundaries of the several provinces are administered by the respective Provincial Governments.

Mining Laws and Regulations on Federal Lands.*—Federal lands to which these regulations apply are those administered by the Lands and Development Services Branch, Department of Mines and Resources, and lie within Yukon and the Northwest Territories. Titles issued for federal lands, the property of the Federal Government, in these Territories reserve to the Crown the mines and minerals that may be found on or under such lands, together with the right of operation.

The Acts and regulations governing mining and quarrying on Federal lands are: *Yukon and Northwest Territories*—Coal Mining Regulations (Commercial), Coal Mining Regulations (Domestic), Petroleum and Natural Gas Regulations and Dredging Regulations; *Yukon*—Placer Mining Act (R.S.C., 1927, c. 216), Quartz Mining Act (R.S.C., 1927, c. 217); *Northwest Territories*—Quartz Mining Regulations, Placer Mining Regulations, Quarrying Regulations and regulations governing the removal of sand, stone and gravel from the beds of rivers.

Most of the regulations above mentioned have been amended recently and copies thereof and also copies of the Acts are available from the Lands and Development Services Branch of the Department of Mines and Resources, Ottawa.

Provincial Mining Laws and Regulations.†—The granting of land in any province, except Ontario, no longer carries with it mining rights upon or under such land. In Ontario, mineral rights are expressly reserved if they are not to be included. Some early grants in British Columbia, Manitoba, New Brunswick and Quebec also included certain mineral rights. Otherwise, mining rights must be separately obtained by lease or grant from the provincial authority administering the mining laws and regulations. Mining activities may be classified as placer, general minerals (or veined minerals and bedded minerals), fuel (coal, petroleum, gas) and quarrying. Under these divisions of the provincial mining industry, regulations may be summarized as follows:—

Placer.—In those provinces in which placer deposits occur there are regulations defining the size of placer holdings, the terms under which they may be acquired and held and the royalties to be paid.

General Minerals.—These are sometimes described as quartz, lode minerals or minerals in place. The most elaborate laws and regulations apply in this division. In all provinces, except Alberta, a prospector's or miner's licence, valid for one year, must be obtained to search for mineral deposits, the licence being general in some cases but limited in others. A claim of promising ground of a specified size may then be staked. This claim must be recorded within a time limit, with the payment of recording fees. Work to a specified value per annum must be performed upon the claim for a period up to ten years when a grant or lease of the mining rights

* Revised by the Lands and Development Services Branch, Department of Mines and Resources, Ottawa.

† Compiled from material supplied by the Provincial Governments.