

with a view to establishing a quantitative appraisal. The division offers a restricted number of free assays for prospectors, identifies rocks and minerals, and conducts lectures in prospecting. The Mining Titles Division administers laws concerning the acquisition of rights to minerals and coal. It provides information, including approximate-site maps, on mineral claims and placer leases and their ownership and also data on the ownership, location and status of coal licences and leases.

The Petroleum Resources Branch administers the Petroleum and Natural Gas Act and related regulations. Every well location must be approved by the branch before drilling begins. All drilling and production operations are inspected frequently to ensure full compliance with regulations governing facilities and practices, plugging of abandoned wells, surface restoration of well sites, procedures for well-testing and measurement, disposal of produced water, fire protection and general conservation. Complaints of property damage are investigated. Comprehensive records of all drilling and producing operations are published or made available for study. Samples of bit cuttings as well as all core from every well drilled are retained for study, and detailed reservoir engineering and geological studies are carried out. Estimates of reserves of oil and natural gas are made annually. Crown owned oil and natural gas rights are evaluated prior to disposition by public tender.

British Columbia has made provision for Crown participation in future mineral development and was the first Canadian province to adopt the use of the metric system for staking, effective March 1, 1975. A committee to study all aspects of mining regulations and taxation in the province was established in 1975. The committee includes representatives of industry and labour.

12.3 Mining legislation

12.3.1 Federal and departmental jurisdictions

Mineral rights vested in the Crown in right of Canada include those situated in the Yukon and Northwest Territories and offshore within the limits of Canada's continental margins, as well as those underlying certain federally owned lands within the provinces.

The Supreme Court of Canada in its Opinion of November 1967 stated that, as between Canada and the province of British Columbia, Canada has proprietary rights in and legislative jurisdiction over "lands, including the mineral and other natural resources, of the seabed and subsoil seaward from the ordinary low-water mark on the coast of the mainland and the several islands of British Columbia, outside the harbours, bays, estuaries and other similar inland waters, to the outer limit of the territorial sea of Canada, as defined in the Territorial Sea and Fishing Zones Act. . .". The court also stated that the federal government has legislative jurisdiction "in respect of the mineral and other natural resources of the seabed and subsoil beyond that part of the territorial sea of Canada. . . to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the mineral and other natural resources of the said areas. . .".

The Department of Energy, Mines and Resources, through its Resource Management and Conservation Branch, is responsible for administration and enforcement of legislation and regulations relating to mineral resources off Canada's east and west coasts and in the Hudson Bay and Hudson Strait regions, as well as with respect to federally owned mineral rights that become available for development in the provinces. The Department of Indian Affairs and Northern Development, through the Northern Natural Resources and Environment Branch, is similarly responsible for mineral rights in the Yukon Territory and Northwest Territories and in Canada's high-Arctic offshore regions.

Mineral rights of Indian reserves in the provinces are also vested in the Crown in right of Canada and are administered by the Indian-Eskimo Economic