

Crown minerals. Included are a minerals subdivision, earth sciences branch, interdepartmental affairs office and senior technical advisers in oil, gas and coal.

British Columbia. The British Columbia mines and petroleum resources department assists the mining industry through two established branches, mineral resources and petroleum resources.

Inspectors of the mineral branch are stationed throughout the province. They inspect coal mines, metal mines and quarries, examine prospects, mining properties, roads and trails, and carry out special investigations under the Mineral Act. Environmental control inspectors conduct surveys on dust, ventilation and noise and recommend improvements in environmental conditions. Other inspectors administer roads and trails and prospectors grub-stake programs, and reclamation sections of provincial mining statutes.

A geological division carries out a variety of geological studies and publishes data. It assesses the mineral potential of land; collects, stores and disseminates geological statistical data; and records the exploration and mining activities of the industry. An inventory of mineral deposits is under way to establish a quantitative appraisal. The division offers a number of free assays for prospectors, identifies rocks and minerals, and conducts lectures in prospecting. The mining titles division administers laws concerning acquisition of rights to minerals and coal. It provides information, including maps, on mineral claims and placer leases and their ownership and also data on the ownership, location and status of coal licences and leases.

A 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 for 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.

There was a change of government in the province in December 1975 and many laws affecting the mining industry were under review in 1976. Mineral tax and royalty acts were amended and new legislation introduced. Amendments were also made to the Mineral Act.

Mining legislation

12.8

Federal and departmental jurisdictions

12.8.1

Mineral rights vested in the Crown in right of Canada include those in the Yukon Territory and Northwest Territories and offshore within the limits of Canada's continental margins, as well as those underlying certain federal lands in 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 said 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. . . ."