

## TABLES SUMMARIZING MINING RIGHT LEGISLATION IN THE PROVINCES AND TERRITORIES

Mining rights (dispositions) are the legal vehicles through which the owners of the minerals, the Provinces and Canada, grant to the public exclusive rights to search for, develop and mine those minerals.

Figures 1 to 5 are tables of data that summarize selected elements of mining right legislation in the ten provinces and two territories. Elements selected are those that deal with obtaining and maintaining a mining right.

Figures 1, 2 and 3 contain the raw data as specified in each provincial and territorial piece of legislation. The data is organized under the three stages of progression of a mineral showing to a producing mine, i.e. exploration, development and production, with some overlap. These three stages are correlated with the advancing levels of mining rights, as follows:

STAGE	MINING RIGHT
1. exploration and development	claim
2. development and pre-production	early lease (licence in eastern provinces) — production not a condition of the lease
3. production	late lease (lease in eastern provinces) — production generally a condition of the lease

Because of varying claim sizes and use of both Imperial and metric measure, Figures 1 to 3 have limitations in their usefulness for comparisons between jurisdictions, especially with respect to required work and fees. Thus, Figures 4 and 5 have been constructed to provide for direct comparison of these two elements. Part A of Figure 4 repeats the raw data for required work while Part B shows the same data mathematically averaged, based on a 40 acre (16 ha) claim. In Figure 5, the fees for recording and renewing claims are also converted to a 40 acre (16 ha) claim size and licence and lease rentals are expressed as \$ per ha per year.

The reader is advised that, because of the on-going process of amendment to legislation, some data may be obsolete by the time of publication of these tables. The reader is also cautioned that these tables are not a substitute for actual legislation nor should they be used as such.

In order to accomplish completeness of data in a convenient size, it is necessary to make considerable use of the following abbreviations and symbols:

ft	feet	L	length
m	metres	W	width
ac	acres	≧	not greater than
ha	hectares	max	maximum
t	tonnes	min	minimum
mos	months	ug	underground
yr(s)	year(s)		

Figure 1 – Exploration and development

	YUKON	N.W.T.	B.C.	ALBERTA	SASKATCHEWAN	
Enacted (last amend)	1952 (1967)	1977 (1979)	1977 (1982)	1981 draft	1961	
Ground/map staking	ground	ground	ground	map	ground	
Basic claim	Name	mineral claim	claim	(a) mineral claim of 1 to 20 units (b) 2-post claim (by indiv. only)	metallic mineral exploration permit	mineral claim
	How staked	2 posts, line between marked, max 8 claims/yr within 8 mi. rad.	4 corner posts and at 1500 ft on ext bndry, bndry marked before recording	(a) legal corner post & at 500 m on ext bndry, bndry marked (b) 2 posts, line between marked	public tender or application (map selection)	(a) surv. area: legal subd'n (b) un surv. area: 4 corner posts, bndry marked
	Size	L > 1500 ft W > 1500 ft 51.65 ac (20.9 ha)	> 2582.5 ac (= 50 @ 1500 ft), sides are mult. of 1500 ft, L > 5W	(a) unit: 500 m (25 ha) (b) 2-post claim: 457.2 m (1500 ft) 20.9 ha (51.65 ac)	16 to 18,500 ha W > 400 m L > 5W	(a) 40 ac (b) > 40 ac side > 1980 ft
Block	Size	—	25 to 500 ha > 8 units in one direction	—	L > 6W (a) 1 1/2 to 24 sect. (b) 960 to 15,360 ac	
Bearing of boundaries	any	astronomic	(a) astronomic (b) any	astronomic	astronomic	
Time marked on no. 1 post	date only	placing of post & compl'n of claim	(a) commencement & completion (b) date only	—	claim: commenc't block: completion	
Max. time to affix tags	as soon as reas. poss. after recording	when staking (write on tags)	when staking (write on tags)	—	1 yr from recording	
Max days to record	15 + extra dep. on distance	60	30	—	(a) — (b) 30	
Recording fee (\$)	10/claim	0.10/ac	5/unit	25/permit	5/claim 0.15/ac for block	
Term length x number	1 yr x unlim.	2 yrs plus 1 yr x 8	1 yr x unlim.	2 yrs plus 1 yr x 3	1 yr x 10	
Renewal fee (\$) *Filing work	• 5/claim	* 0.10/ac	* 5/100 work	0	0	
Annual work \$/claim unless otherwise specif.	100	yrs(1+2) \$4/ac 3+ \$2/ac	yrs 1-3 100/unit 4+ 200/unit	yrs (1+2) \$10/ha 3-5 \$5/ha	claim: yrs 2-10 100 block: yrs 2-10 \$2.50/ac	
Cash for work – Refund if work done	yes - no	yes - yes	yes - no	yes - no	yes - no	
Limit for grouping work	16 claims/yr	5165 ac/yr (= 100 @ 1500 ft)	100 claims/yr	18,500 ha/term	36 contiguous claims/yr	
Limit for excess work credit	\$400/cl/yr	unlim.	10 yrs.	unlim.	unlim.	
Time after anniv. To file work rpts	6 mos (fee after 14 days)	30 days	30 days (fee)	none	90 days	
Confidential period for work reports	lapse + 6 mos	upon lapse or 3 yrs	1 yr	1 yr after permit expires, 5 yrs after if leased	none with consent or upon lapse or 6 yrs	
Prod'n permitted	yes	> \$100,000/yr	if surveyed or > 1000 t/yr	no	no	
Other exploration rights	—	permit to prospect	reverted Crown-granted claim	agreement	permit, agreement	

MANITOBA	ONTARIO	QUEBEC	N.B.	N.S.	P.E.I.	NFLD.
1975 (1981)	1960	1965 (1982)	1962 (1981)	1975	1978	1977 (1983)
ground	ground	ground	ground	map	map	(a) ground (b) map
mining claim	mining claim	claim development licence after yr 1 (yr 2 N of 52°)	mining claim	claim exploration licence for 1 to 80 claims	claim exploration licence for 1 to 80 claims	mineral claim
(a) surv. area: 1+ leg. subd'ns (b) unsurv. area: 4 corner posts and at 400 m on bndry, bndry marked	4 corner posts, bndry marked	4 corner posts, bndry marked, special rules in surv. area	4 corner posts in clockwise order, bndry marked	map selection	map selection	(a) 4 corner posts, bndry marked (b) map selection
16 to 256 ha L > 4W side > 400 m	(a) 1320 ft (40 ac) (b) aliquot part of subdivided lot	400 m (16 ha) in unsurv. area, other sizes in surv. area	400 m (16 ha)	40 to 3200 ac	40 to 3200 ac	(a) 400 m (16 ha) (b) 500 m (25 ha)  (a) 16 to 64 claims (256 to 1024 ha) L > 4W
astronomic	astronomic	astronomic	magnetic	astronomic	astronomic	astronomic
completion	commencement (compl'n proposed)	commencement	commencement	—	—	completion
at staking if pre-purch., 1 yr from rec'ding if purch. at rec'ding	6 mos. from recording	when staking	3 mos. from recording	—	—	during staking
30	31	15 + max 30 extra dep. on distance	30	—	—	30
5/claim	10/claim	0	4/claim	2/claim	5/claim	5/claim
2 yrs plus 1 yr x unlim.	1 yr x 5	cl. - 1 yr, 2 N of 52 lic. - 1 yr x unlim.	1 yr x 4	1 yr x 5	1 yr x 5	1 yr x 5
* 2/claim	0	.60/ha	2/claim	2/claim	5/claim	—
yrs 2-10 \$12.50/ha 11+ \$25.00/ha	yrs 1 20 days 2-4 40 days 5 60 days	yr 1 \$5/ha 2+ \$10/ha N of 52° yrs (1+2) \$15/ha	25 days/yr (day = \$5)	10 days/yr (day = \$20)	\$5/ac	yr 1 (a)200 (b)300 2 250 375 3 300 450 4 350 525 5 400 600
yes - yes	no	yes - no	any yr: yes - Yes yr 1: \$10 - no	any yr: yes - yes yr 1: \$40 - no	yes - yes	no but ext'n up to 1 yr with deposit
1600 ha/yr	4000 days/appl'n (more for drilling)	480 ha	contiguous claims	an expl. licence (80 claims)	an expl. licence (80 claims)	contiguous claims
unlim.	unlim.	unlim.	10 yrs.	unlim.	unlim.	unlim.
60 days	10 days	30 days	10 days	15 days	15 days	60 days
none with consent or upon lapse	none	discretionary on request	none (2 yrs for reg'l work on request)	2 yrs	2 yrs plus 1 yr on request	upon lapse or 3 yrs
no (without consent)	no	no	no	no	no	no
permit agreement	agreement	exploration permit in New Quebec	agreement	agreement	agreement	reserved area licence

Figure 1. Stage 1 — Exploration and Development

**Figure 2 — Development and pre-production (production not a condition)**

	YUKON	N.W.T.	B.C.	ALBERTA	SASKATCHEWAN
<b>NAME</b>	lease (of claim)	—	mining lease	lease (1st & 2nd terms)	(a) lease (b) developed area (by expenditures)
<b>Boundary survey</b>	yes	—	yes	no	(a) marked or surveyed
<b>Other conditions for obtaining</b>	certif. of improvements (\$500 spent, min. dep. found, post notice)	—	post & publish notice of intent	economic mineral deposit	(b) \$100/ac spent, min \$50,000 ug
<b>Size limits</b>	1 claim	—	max 40 units or 2-post claims	min 16 ha	(a) none (b) max 1440 ac
<b>Term, renewal cond'ns</b>	21 yrs, renewable if satisfy Min. that cond'ns of lease complied with	—	max 21 yrs, renewable indef.	15 yrs, renewable once without prod'n	(a) max 21 yrs renewable indef. (b) as per dis'p'n
<b>Rent (ann. unless otherwise spec.)</b>	\$50/1st term \$200/2nd term	—	0	\$2.50/ha less 50% of am't spent on work	(a) 0 (b) \$1/ac, min \$200
<b>Annual work</b>	none	—	\$400/unit or 2-post claim		(a) \$5/ac (b) none

MANITOBA	ONTARIO	QUEBEC	N.B.	N.S.	P.E.I.	NFLD.
lease (1st & 2nd terms)	lease (of mining rights)	development licence (continued)	mining licence	development licence	development licence	extended licence
yes — unsurv. area ? — surv. area	yes — unsurv. area ? — surv. area	no	yes	no	no	no
\$625/ha spent, lesser am't subj. to geol. & econ.		see Stage 1		suff. work to prove up a min'l deposit	suff. work to prove up a min'l deposit	compliance with terms of initial licence
max 800 ha L > 6W	none	max 90 ha	none	max 80 claims	max 80 claims	none
21 yrs, renew without prod'n if \$1250 spent or prod'n on adj. lease or fully explored or prod'n unwarr.	21 yrs renewable indef.	1 yr renewable indef.	1 yr renewable indef.	1yr renewable indef.	1 yr renewable indef.	one term max 5 yrs
\$7.50/ha, min \$80	term 1, yr 1 \$1/ac yrs 2+ .25/ac terms 2+ .50/ac	\$.60/ha	\$.62/ha	\$1/ac	\$1/ac	\$3/ha
none, unless needed for renewal	none	\$10/ha	25 days/16 ha (day — \$5)	as prescribed by Minister	as prescribed by Minister	\$600/claim

Figure 3 — Production (production generally a condition)

	YUKON	N.W.T.	B.C.	ALBERTA	SASKATCHEWAN	MANITOBA
<b>NAME</b>	lease (3rd term +)	lease (of claim)	certified mining lease	lease (3rd term +)	developed area (by production)	lease (3rd term +)
<b>Boundary Survey</b>	yes (done in stage 2)	yes	yes (done in stage 2)	no	no	yes (done in stage 2)
<b>Other conditions for obtaining</b>	as prescr. by Gov. in Council	\$10/ac spent (\$4 tren, strip, drill, ug); undertake to commence prod'n	in production	prod'n for 7 yrs in 1st & 2nd terms	mandatory if in commerc'l prod'n	mining or on standby
<b>Size limits</b>	1 claim (per stage 2)	1 claim (max. 2582.5 ac)	max 40 units or 2-post claims (per stage 2)	min 16 ha	max 1440 ac	max 800 ha L ≥ 6W (per stage 2)
<b>Term, renewal cond'ns</b>	21 yrs, renewable indef. per cond'ns prescr. by Gov. in Council	21 yrs, renewable indef. subj. to prescr. cond'ns	to 21 yrs, renew. indef., decert'd upon appl'n by lessee if prod'n ceases	15 yrs, renewable if in prod'n for 7 yrs prev. term	to 21 yrs, renew. indef. as long as in prod'n treat ore in Sask.	21 yrs, renewable indef. if in prod'n or on standby, treat ore in Canada
<b>Rent (ann. unless otherwise spec.)</b>	\$200/term	\$1/ac less red'n to 50% for tren, strip, drill, ug	\$10/ha	\$2.50/ha less 50% of am't spent on work	\$1/ac, min \$200	\$5/ha, min \$80
<b>Annual work</b>	none		none		none	none

	ONTARIO	QUEBEC	N.B.	N.S.	P.E.I.	NFLD.
	patent (= grant)	mining lease	mining lease	mining lease	mining lease	mining lease
	yes — unsurv. area ? — surv. area	yes — unsurv. area ? — surv. area	yes	yes	yes	yes if ground- staked
	1 yr continuous prod'n	reas. indic'n of economic min. dep., prod'n within 2 yrs	plans for mining & reclam'n	prod'n, plans for mining & reclam'n	prod'n, plans for mining & reclam'n	prod'n within 5 yrs
	none	max 90 ha/yr granted (to 400/yr with gov. appr'l)	min — 1 claim max — none	min — 1 claim max — 16 claims	max 12 claims	none
	grant in fee simple, treat ore in Canada	1st - 5 to 20 yrs; 3 ren'ls to 10 yrs each if mining 1/10 prev. term; extension possible	21 yrs, renewable to 84 yrs	20 yrs, renewable so long as mine operated	20 yrs, renewable so long as mine operated	1st - to 25 yrs, renewable for terms to 10 yrs each if shutdown ≥ 5 yrs prev. term
	—	\$2.50/ha	\$2.47/ha	\$1/ac	\$1/ac	\$40/ha
	—	none	25 days/16 ha (day = \$5)	work or mining or both	work or mining or both	none

Figure 4. Summary of required work, years 1 to 10

	YUKON	N.W.T.	B.C.	ALBERTA	SASK.	MANITOBA	ONTARIO	QUEBEC	N.B.	N.S.	P.E.I.	NFLD.
Max. claim life	unlim.	10 yrs	unlim.	5 yrs	10 yrs	unlim.	5 yrs	unlim.	4 yrs	5 yrs	5 yrs	10 yrs
Basic claim size	51.65 ac	var'ble	25 ha	var'ble	40 ac	var'ble	40 ac	16 ha	16 ha	40 ac	40 ac	16 ha <sup>4</sup>

**PART A**

Required work- as prescribed  \$/claim unless otherwise spec.	YR 1	100	\$4/ac	100	\$10/ha	0	0	20 days	\$5/ha	125	200	\$5/ac	200
	2	100		100		100	\$12.50/ha	40 days	10/ha	125	200	5/ac	250
	3	100	2/ac	100	5/ha	100	12.50/ha	40 days	10/ha	125	200	5/ac	300
	4	100	2/ac	200	5/ha	100	12.50/ha	40 days	10/ha	125	200	5/ac	350
	5	100	2/ac	200	5/ha	100	12.50/ha	60 days	10/ha	125	200	5/ac	400
	6-10 per yr	100	2/ac	200	2.50/ha <sup>1</sup>	100	12.50/ha	0 <sup>1</sup>	10/ha	125 <sup>1</sup>	200 <sup>3</sup>	5/ac <sup>3</sup>	600

**PART B**

**AVERAGE**

Required work- converted to \$/40 ac or 16 ha	YR 1	77.5	80	64	80	0	0	200 <sup>2</sup>	80	125	200	200	200	108.9
	2	77.5	80	64	80	100	200	300 <sup>2</sup>	160	125	200	200	250	153.0
	3	77.5	80	64	80	100	200	400 <sup>2</sup>	160	125	200	200	300	165.5
	4	77.5	80	128	80	100	200	500 <sup>2</sup>	160	125	200	200	350	183.4
	5	77.5	80	128	80	100	200	600 <sup>2</sup>	160	125	200	200	400	195.9
	6-10 per yr	77.5	80	128	40	100	200	600 <sup>2</sup>	160	125	200 <sup>3</sup>	200 <sup>3</sup>	600	209.2
<b>AVERAGE, YRS 1-10</b>		77.5	80	108.8	60	100	180	500 <sup>2</sup>	152	125	200 <sup>3</sup>	200 <sup>3</sup>	450	186.1

1. Where maximum claim life exceeded, required work for next stage is used.
2. As proposed in Discussion Paper, Ontario Ministry of Natural Resources, 1982.
3. Estimated (not specified in legislation).
4. Ground staked claim.

Figure 5. SUMMARY OF FEES

		YUKON	N.W.T. <sup>1</sup>	B.C. <sup>1</sup>	ALTA. <sup>1</sup>	SASK.	MAN. <sup>1</sup>	ONT.	QUE.	N.B.	N.S.	P.E.I.	NFLD.	AVERAGE
Individual Prosp. Licence \$/yr		—	5.00	25.00	—	—	—	5.00	10.00	10.00	—	—	—	11.00
Corporate Prosp. Licence \$/yr		—	50.00	500.00	—	—	—	25,50, 100	—	25,50, 100	—	—	—	150 to 187.50
Set of claims tags \$/claim		0	1.00	2.00	—	1.00	2.00	0	0	1.00	—	—	2.00	1.00
\$ per 40 ac or 16 ha	Record grnd. claim (unit)	7.77	4.00	3.20	—	5.00	.625	10.00	0	4.00	—	—	5.00	4.40
	Grant map permit (lic.)	—	—	—	.48 min 50	—	—	—	—	—	2.00	5.00	4.80	3.89
	Renew grnd. claim (unit)	0	0	0	—	0	0	0	9.60	2.00	—	—	—	—
	Renew map permit (lic.)	—	—	—	0	—	—	—	—	—	2.00	5.00	0	2.65
	File work	3.87	4.00	4.48 5 yr av.	.64 7 yr av.	0	.25	0	0	0	0	0	0	0
Rent: licence or lease \$/ha/yr	non-prod.	.28 tms 1&2	—	0	2.50	(a) 0 (b) 2.47	7.50 tms 1&2	.97 tms 1&2	.60	.62	2.47	2.47	3.00	2.08
	prod.	.46 tms 3+	2.47	10.00	2.50	2.47	5.00 tms 3+	— (grant)	2.50	2.47	2.47	2.47	40.00	6.62

1. In these jurisdictions a claim (permit, licence) ranges in size. The middle of the range is used where appropriate.