

Table of Contents

(all references are to paragraph numbers.)

Table of Cases

Table of Statutes

Table of Regulations

I. Definitions	§1
1. Principles of Construction	§1
2. Statutory Definitions	§10
II. Ownership and Reservation	§16
1. Private Ownership	§16
(a) General	§16
(b) Registration	§24
2. Crown Ownership	§27
(a) Ontario and Atlantic Provinces	§27
(b) Prairie Provinces	§28
(c) British Columbia	§32
(d) Territories	§35
3. Indigenous Interests	§36
III. Free Entry System	§41
1. Introduction	§41
2. Right to Enter Lands	§42
(a) Prospector's Licence	§42
(i) General	§42
(ii) Issuance and Renewal of Licence	§46
(iii) Cancellation of Licence	§53
(b) Lands Open for Prospecting and Staking	§56
(3) Right to Stake Claims	§65
(a) Ground Staking Requirements	§65
(i) General	§65
(ii) Recording of Ground Staked Claims	§76

MINES AND MINERALS LAW IN CANADA

(iii) Substantial Compliance	§86
(b) Map Staking and Registration of Claims	§100
(c) Priority of Claims	§120
(d) Nature of Interest under Claim	§126
(e) Working of Claim	§136
(f) Abandonment or Surrender of Claim	§160
(g) Forfeiture or Cancellation of a Claim	§165
4. Right to Obtain Lease	§181
(a) Acquisition	§181
(b) Rights and Duties of Lessee	§190
(c) Nature of Interest	§199
(d) Renewal of Lease	§200
(e) Surrender of Lease	§205
(f) Forfeiture or Cancellation of Lease	§207
5. Mining Patents	§219
IV. Discretionary System	§223
1. Alberta	§223
2. Nova Scotia and Prince Edward Island	§233
V. Exploration Permits or Plans	§252
VI. Resolution of Disputes	§272
1. General	§272
2. Indigenous Consultation — Disputes	§305
VII. Transfer of Mineral Interests Under Legislation	§307
1. General	§307
2. Consent of Minister or Registrar	§314
3. Recording a Transfer	§323
4. Effect of Recording	§333
VIII. Surface Rights	§340
1. General	§340
(a) Instrument of Severance	§340
(b) Right of Working	§343

TABLE OF CONTENTS

2. Statutory Provisions	§352
(a) Acquisition of Surface Rights	§352
(i) British Columbia	§352
(ii) Alberta	§360
(iii) Saskatchewan	§364
(iv) Manitoba	§366
(v) Ontario	§371
(vi) Atlantic Provinces	§376
(vii) The Territories	§385
(b) Compensation	§390
(i) Right to Compensation	§390
(ii) Measure of Compensation	§402
IX. Liability of Mining Operators	§426
1. Health and Safety	§426
(a) British Columbia	§426
(b) Alberta	§429
(c) Saskatchewan	§431
(d) Manitoba	§433
(e) Ontario	§436
(f) Atlantic Provinces	§438
(g) Territories	§442
2. Mining Offences	§445
3. Conservation and Reclamation	§453
(a) General	§453
(b) British Columbia	§455
(c) Alberta	§464
(d) Saskatchewan	§471
(e) Manitoba	§474
(f) Ontario	§478
(g) New Brunswick	§492
(h) Nova Scotia	§499
(h) Prince Edward Island	§505
(i) Newfoundland	§506
(j) Yukon	§512

MINES AND MINERALS LAW IN CANADA

X. Royalties	§516
XI. Mining Taxation	§536
1. Constitutional Validity	§536
2. Liability to Taxation	§539
(a) British Columbia	§539
(i) Mineral Production	§539
(ii) Mineral Land	§544
(b) Alberta	§546
(c) Saskatchewan	§549
(i) Mineral Production	§549
(ii) Mineral Rights	§551
(d) Manitoba	§553
(i) Mineral Production	§553
(ii) Mining Claims	§554
(e) Ontario	§555
(i) Mineral Production	§555
(ii) Land and Mining Rights	§558
(f) New Brunswick	§566
(g) Nova Scotia	§569
(h) Newfoundland	§571
XII. Mining Agreements	§572
1. General	§572
2. Agreements Made Before Registration of Claim	§574
3. Agreements for Sale	§575
4. Private Leases	§596
5. Option Agreements	§602
6. Partnerships	§612
7. Co-ownership	§620
8. Prospecting or Grubstaking Agreements	§622
9. Joint Ventures	§624
10. Royalty Agreements (Private)	§631
XIII. Lien Claims	§640
1. Registration of Lien	§640

TABLE OF CONTENTS

2. Liable Interests and Claimants	§646
XIV. Aggregates, Pits and Quarries	§658
1. British Columbia	§658
2. Alberta	§660
3. Saskatchewan	§664
4. Manitoba	§671
5. Ontario	§680
6. New Brunswick	§701
7. Nova Scotia	§709
8. Prince Edward Island	§710
9. Newfoundland	§713
10. Territories	§721
XV. Miscellaneous	§734
1. Coal	§734
2. Water Rights	§760
3. Uranium	§772
4. Tailings	§774
5. Trespass	§778
6. General	§780
Index	