

Ontario's Modernized Mining Act

An Informative Guide to New Regulations

January 2011

What's New?

As of January 1, 2011:

- Private surface rights owners can apply for withdrawal of Crown mineral rights for their properties in Northern Ontario, ensuring that no claim staking or exploration will take place on their land (unless there are already claims or leases in place).
- Certain private landowners across the province can apply for exemption from Mining Land Tax if their land is not being used for mining purposes.

What's Next?

Proposed changes for this year also include:

Spring 2011

- A map staking system in southern Ontario
- Notice to surface rights owners when a mining claim has been staked on their property

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As a key partner in the province's valuable mineral exploration industry, the Ontario government wants to ensure you receive up-to-date information about Ontario's Mining Act Modernization.

Modernizing the Mining Act will result in clearer rules and regulations that will help keep our mining industry competitive and responsive. It will streamline processes, strengthen the industry and bring a more balanced approach to mineral exploration and development.

The new act was passed in October 2009. Some provisions came into effect immediately, including the automatic withdrawal of Crown mineral rights under privately held surface rights in southern Ontario. Other changes will be phased in over time through new or amended regulations and policies.

This is the first in a series of updates to keep you informed as regulations are developed. You can also visit the **Ministry of Northern Development, Mines and Forestry (MNDMF)** website www.mndmf.gov.on.ca for regular updates.

How Did We Get Here?

Ontario has been working and meeting with industry and Aboriginal communities since 2007.

Between December 2009 and December 2010, we met with more than 700 participants at nearly 50 sessions across the province. They included representatives from the minerals sector, business groups, municipalities, non-governmental organizations, private landowners, and First Nations and Métis communities.

We also received valuable public feedback through postings on the environmental and regulatory registries. Information sheets and a workbook on the development of regulations are posted on www.mndmf.gov.on.ca in English, French, Cree, Oji-Cree and Ojibway.

Ongoing dialogue is encouraged, and we will continue to consult as new regulations, policies and processes are developed.

Your Feedback Counts!

Many industry stakeholders, First Nations and Métis, and prospectors provided input during the consultation process. Those insights have been very valuable as we continue to develop regulations and policies, and streamline procedures. The Minister's Mining Act Advisory Committee – a group of individuals representing a broad range of expertise and experience – has also provided ongoing support and advice.

Here are examples of what we have heard:

- Expand the reach of the proposed awareness program to make it available to everyone involved
- Clarity and certainty are needed in the plans and permits process about specified timelines and terms and conditions
- Expenses for undertaking Aboriginal consultation should qualify for assessment credit
- Use of payment-in-lieu of assessment work should be limited
- Timely decisions through a dispute resolution mechanism are important
- Aboriginal burial sites should be protected
- Re-opening of Crown mineral rights should be done by application process by surface rights owners to the Minister
- The permitting system should recognize that there are exploration activities which have no – or minimal – impact on the land

Stay Informed!

Ongoing communication and open dialogue are important to us. To update your contact information or to receive updates electronically or by mail, send your information to miningact@ontario.ca or to:

**Ministry of Northern Development, Mines and Forestry
Attn: Michelle Dey, Mining Act Modernization Secretariat
Willet Green Miller Centre
933 Ramsey Lake Road, 6th Floor
Sudbury, Ontario P3E 6B5**

We encourage you to send us your questions and comments. If you need advice or have questions about this guide, contact your nearest MNDMF office.



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The following are being considered for future implementation:

2012

- A graduated regulatory scheme setting rules for early exploration activities, including consultation with First Nations and Métis
- Measures protecting areas which meet criteria as sites of Aboriginal cultural significance from the impacts of mineral exploration (*updated as of April 2011*)

2013

- An online map staking system in Ontario

To learn more about Mining Act Modernization and Ontario's Mining Act, or to find your nearest MNDMF office, visit www.mndmf.gov.on.ca.