

# MINERAL TENURE ACT REFORM

Pre-engagement Information Sessions



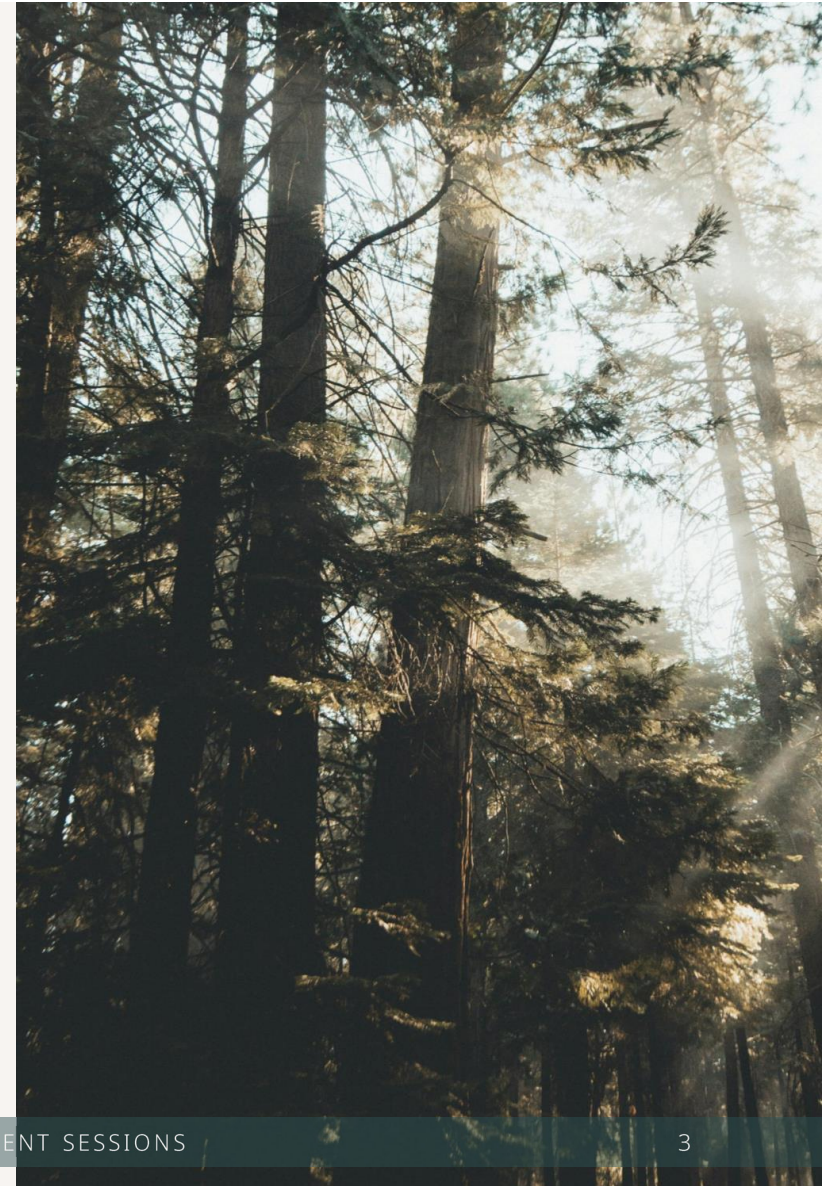
# WELCOME, OPENING AND INTRODUCTIONS

- Land acknowledgement
- Introductions



# HOUSEKEEPING

- Q&A
- How to submit your questions
  - via Zoom Chat
  - by email to [MTA@gov.bc.ca](mailto:MTA@gov.bc.ca)





## Guidelines for Respectful Engagement

We all share the responsibility for a constructive session. May we all agree to:

- share comments to be understood;
- listen to understand;
- value the contribution of others
- exercise consideration in our language

# MEETING OBJECTIVES TODAY

Today's session will provide:

A background  
on MTA  
reform

The path to  
legislation

An outline of  
future  
opportunities to  
collaborate,  
engage and  
provide input on  
MTA reform.



## AGENDA OVERVIEW

- Part 1: Introduction to MTA Reform
- Part 2: MTA Engagement
- Part 3: Timeline
- Next Steps, Q&A and wrap up



# Introduction and Opening Comments

- BRYAN WILLIAMS,  
EXECUTIVE DIRECTOR,  
ENGAGEMENT &  
COMMUNICATIONS



# GITXAALA AND EHATTESAHT INTERIM MEASURES

- On March 7th, 2024, BC announced new, Environment and Land Use Act (ELUA) Orders that restrict the registration of new mineral and placer claims (OIC 110 & 111) and pause current mining activities (OIC 112 & 113) in Gitxaala Nation and Ehattesaht First Nation Territories while work on modernizing the Mineral Tenure Act proceeds.
- OICs 110 and 111 (Claim Registration) are expected to be in place until an updated Mineral Tenure Act is in place.
- OICs 112 & 113 (Mining Activities) expire on February 21, 2029.
- The Ministry and two Nations have agreed to support amendments to these orders if the Nations reach agreement with companies seeking to explore or mine in their territories.



# UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

UNDRIP was adopted by the United Nations in 2007, after almost 25 years of negotiations

UNDRIP is fundamentally a comprehensive human rights document

- Includes 46 Articles that speak to:
  - both individual and collective rights to; identify, education, health, employment, language, etc.; and the right to remain distinct and to pursue their priorities in economic, social, and cultural development
  - discrimination against indigenous peoples and promote their full and effective participation in all matters that concern them
  - encourages harmonious and cooperative relations between States and Indigenous Peoples

# DECLARATION ACT

The Declaration on the Rights of Indigenous Peoples Act (Declaration Act) was passed unanimously on November 26, 2019, by the BC legislature

It was developed jointly with Indigenous leaders and legal staff and was introduced through a historic ceremony

The Declaration Act established the UN Declaration as the Province's framework for reconciliation

The Declaration Act Action Plan was developed in consultation and cooperation with Indigenous Peoples to implement the Declaration Act and achieve the objectives of the UN Declaration



## Consultation & Cooperation

- The Consultation and cooperation effort is intended to ensure that First Nations perspectives, worldviews, title, rights, and interests, including as expressed in the UN Declaration, are integrated within policy concepts and options for MTA reform.
- Key priorities:
  - Transparency
  - Accessibility
  - Iterative, innovative and flexible
  - Undertaken in good faith and will uphold the honour of the Crown
  - [Distinctions-based approach](#)



# PART 1: INTRODUCTION TO MTA REFORM

# MINERAL TENURE ACT AND MINES ACT

## Mineral Tenure Act:

Authorizes the  
registration of mineral  
and placer claims

## Mines Act:

Authorizes mining  
activities, and  
addresses the  
health, safety, and  
environmental risks

# BC Mineral Tenure System Stages and Authorizations



## FREE MINER CERTIFICATE

- Registration required
- Age and residency requirements
- Individual and corporate application fees



## CLAIMS

- “Staked” on Mineral Titles Online (MTO)
- Exclusive 'right' to explore and develop a mineral resource
- Enables initial exploration activities to use, entry, and occupancy



## LEASES

- Increases production limits
- Interest in the land
- Longer term (up to 30 years)
- Consultation requirements

### Permitting for Exploration and Development

- Mechanized exploration and mining development require a permit under the Mines Act (based on definition of a “mine”)
- BC consults with First Nations during permitting

# STATUTORY POWER AND DECISION MAKERS

## CHIEF AND DEPUTY GOLD COMMISSIONER

ESTABLISHES AND  
MAINTAINS  
REGISTRY

ISSUES  
LEASES

COMPLIANCE  
AND  
ENFORCEMENT

COMPLAINT  
AND DISPUTE  
RESOLUTION

## MTA REFORM – FOCUS AND SCOPE



Commitment to “modernize the Mineral Tenure Act (MTA) in consultation and cooperation with First Nations and First Nations organizations”



Declaration Act Section 3 – in consultation and cooperation with Indigenous peoples, bring provincial laws in alignment with the UN Declaration on the Rights of Indigenous Peoples



Broader transformation - may include mining laws, policies, and practices



Support social, environmental, and economic priorities of First Nations and the Province



# PAST ENGAGEMENT WITH INTERESTED GROUPS

UBCM  
Resolutions

Informal  
engagement  
with industry,  
local  
government,  
and ENGOS

AMEBC  
Roundup  
2024 – pre-  
engagement

2018-2019  
MTA  
engagement

## LIVING THEMES

- Adopting UN Declaration Principles
- Protecting intellectual property
- Modernizing MTA brings clarity and certainty to the sector and improves permitting efficiencies
- Supporting a strong exploration and development sector – and maintaining BC's position within the global mining space
- Building discretion into mineral tenure system
- Supporting certainty in mineral exploration
- Enhancing public confidence in the regulation of BC's exploration and mining sector

# Past Engagement Sessions with First Nations

2019

TWO REGIONAL ENGAGEMENT FORUMS

2019

ONE PROVINCIAL ENGAGEMENT FORUM

## LIVING THEMES FROM PAST ENGAGEMENT SESSIONS WITH FIRST NATIONS

Ability for First Nations to establish 'no-go' zones

Early engagement needed between First Nations and proponents

Need to increase capacity for First Nations

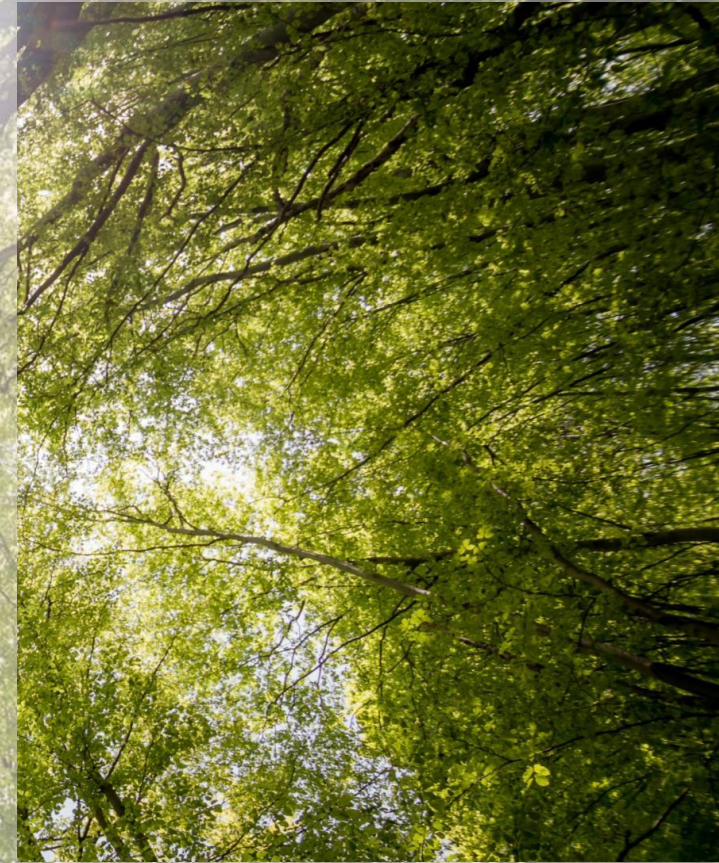
Education and training for proponents

Early engagement is needed between First Nations and the Ministry of Energy Mines and Petroleum Resources (now Ministry of Energy, Mines and Low Carbon Innovation)

Concerns about the current Mineral Titles Online system



PART 2:  
MOVING FORWARD  
TOGETHER -  
MTA ENGAGEMENT



# PROVINCIAL POLICY AND LEGISLATION PROCESS

## ONE

### POLICY / LEGISLATION INITIATION

- Policy research and analysis
- Policy drafting
- Engagement with Indigenous Peoples
- Interested Groups

## TWO

### REQUEST FOR DECISION (RFD)

- Policy approach and outline
- Mandate from Cabinet
- Continued engagement with Indigenous Peoples
- Continued engagement with Interested Groups

## THREE

### REQUEST FOR LEGISLATION (RFL)

- Drafting instructions for legislation
- Cabinet approval
- Expanded direction
- Continued engagement with Indigenous Peoples
- Continued engagement with Interested Groups

## FOUR

### LEGISLATIVE DRAFTING

- Draft legislation
- Inclusion in Bill
- Continued engagement with Indigenous Peoples
- Continued engagement with Interested Groups

## FIVE

### LEGISLATIVE ASSEMBLY

- Bill introduced into the Legislative Assembly

Alignment with the Declaration on the Rights of Indigenous Peoples


# WHO'S INVOLVED

## BC First Nations

- All BC First Nations
- BC & First Nations Leadership Council (BC-FNLC Working Group)
- First Nations Technical Advisory Group (FNTAG)

## Interested Groups

- Association of Mineral Explorers (AME)
- Mining Association of BC (MABC)
- Conferences and events (e.g. Kamloops Exploration Group, Minerals North)
- ENGOS
- Local government
- General public



PART 3:  
MTA REFORM  
TIMELINE



MTA REFORM TIMELINE



ALL FIRST NATIONS

**ONGOING BI-LATERAL MEETINGS**  
Duration of Engagement

**PRE-ENGAGEMENT**  
Mar 2024

**VIRTUAL & IN-PERSON ENGAGEMENTS**  
Mar - Jul 2024

BC-FNLC MTA WORKING GROUP

**ONGOING MEETINGS**  
Duration of Engagement

FIRST NATIONS TECHNICAL ADVISORY GROUP

**INTENSIVE SESSIONS**  
Duration of Engagement

**GROUP MEETINGS**  
Duration of Engagement

**ESTABLISH FIRST NATIONS ADVISORY GROUP**  
Mar 2024

**ELECTION**  
October 19, 2024

**INTERREGNUM PERIOD**  
Sep - Nov 2024

**VIRTUAL & IN-PERSON ENGAGEMENTS**  
Jan 2025

**VIRTUAL & IN-PERSON ENGAGEMENTS**  
Jan 2025

**VIRTUAL & IN-PERSON ENGAGEMENTS**  
Jan 2025

**INTERESTED GROUPS**  
(Industry, ENGOs, Local Government, Public)

**PRE-ENGAGEMENT**  
Mar 2024

**VIRTUAL & IN-PERSON ENGAGEMENTS**  
Mar - Jun 2024

MILESTONE - REQUEST FOR DECISION (RFD) DEVELOPED

MILESTONE - REQUEST FOR LEGISLATION (REL) DEVELOPED

MILESTONE - LEGISLATION

Nov 2023    Dec    Jan 2024    Feb    Mar    Apr    May    Jun

Aug    Sep    Oct    Nov

Jan 2025    Feb

# NEXT STEPS

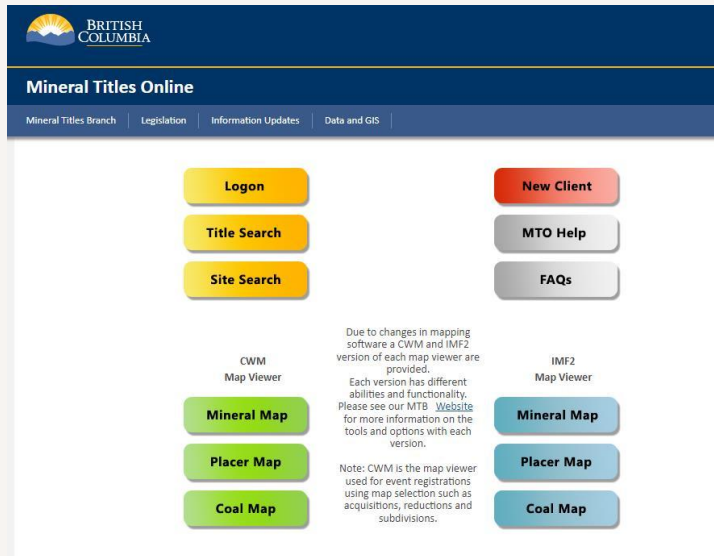
## SCHEDULE AND UPCOMING SESSIONS

Pre-engagement information sessions for all Interested Groups (virtual)	March 12 - 13, 2024
Conferences and other mining related events (e.g. KEG, Minerals North)	Ongoing
Virtual and In-person Sessions for all Interested Groups	Ongoing
Dialogue sessions for Interested Groups	As requested
Self-serve information through website	Ongoing



# RELATED INITIATIVES

- Mineral Titles Online



- Developing new system
- Where to go for more info:  
[Mineral Titles News, Notices and Announcements - Province of British Columbia \(gov.bc.ca\)](http://gov.bc.ca)

## Q&A Wrap Up

DETAILS ON THE ENGAGEMENT PLAN AND  
WAYS TO PARTICIPATE COMING SOON

WEBSITE: [ENGAGE.GOV.BC.CA/MTAREFORM](https://engage.gov.bc.ca/mtareform)

EMAIL US AT: [MTA@GOV.BC.CA](mailto:MTA@GOV.BC.CA)

## Takeaway Question

HOW CAN WE FURTHER SUPPORT A  
MEANINGFUL AND PRODUCTIVE  
ENGAGEMENT EXPERIENCE?

SHARE YOUR THOUGHTS BY COMPLETING A  
SHORT SURVEY AT:

[HTTPS://WWW.SURVEYMONKEY.COM/R/HRGXS5K](https://www.surveymonkey.com/r/hrgxs5k)  
OR SCAN THE QR CODE

