

# BC MINERAL TENURE SYSTEM

## Mineral Tenure Act Functions

### WHERE mineral titles can be registered

All land in BC is available for claim staking with some exceptions:

“Alienated land” is not available for claim staking - this includes:

- Parks
- Conservancy land
- Ecological reserves
- Land where mining activity is prohibited under statute
- Indian reserve land

Mineral and placer claim staking is subject to mineral reserves under the MTA.

Placer claims can only be registered in [designated placer claim areas](#)

Placer leases can only be issued in [designated placer claim and lease areas](#)

### WHO can register titles

Free Miner Certificate

Free miner certificate required to register mineral titles. Available if:

- 18 years+
- Resident in Canada for at least 183 days/year
- Canadian corporations
- Payments of annual fee (\$25 for individuals; \$500 for corporations)

DECISIONS

Decisions made by provincial or federal decision-makers, or are predetermined in legislation.

Decisions made by CGC.

No decision. FMC granted automatically if criteria met.

### HOW titles are registered and maintained & WHAT mineral and access rights are granted

Claim registration

Claim maintenance

Leases

C&E and dispute resolutions

Mineral Titles Online (MTO)

CGC responsible for establishing/maintaining MTO, including requirements and processes for registering claims

Suspend/cancel Free Miner Certificate (e.g. for contravention of MTA and/or other legislation)

**Free miners register claims automatically online through MTO.**

Claims give:

- exclusive rights to minerals granted under statute
- right to “use, enter and occupy” land for the “exploration and development or production of minerals” (may require permit under the Mines Act, depending on nature of activity)
- limited right to remove ore for exploration purposes
  - » for mineral claims: up to 1,000 tonnes/year; 10,000 tonne bulk sample every five years
  - » for placer claims: 20 000 m3 of pay dirt/year

Claim holder can hold claim year to year by registering exploration and development work or making payments in lieu. If conditions are not met, claims are automatically forfeit.

Technical or physical work can be registered on a claim. Types of allowable work are defined in the [Mineral Tenure Act Regulation](#).

To convert a claim to a lease, a claim holder must fulfill the technical requirements:

- fee payment
- claim area surveyed (if required)
- post notice
- published in one issue of the Gazette, and in a local newspaper

Leases give:

- an interest in the land (unlike claims)
- right to extract ore

Suspend operations and cancel a claim or lease (e.g. for contravention of MTA and/or other legislation)

Investigate disputes (e.g. between multiple title holders)

DECISIONS

No decisions on individual claims. Claims granted automatically if criteria in MTAR are met.

CGC can cancel all or a portion of the work registration or extend the time limits for registering work or paying cash to maintain a claim.

Decisions made by CGC on length of lease and conditions. No other discretion.

Decisions made by CGC.

### 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