Tables Summarizing Mining Rights Legislation in the Provinces and Territories

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

Figures 1 to 4 are tables of data that summarize selected elements of mining rights legislation in the ten provinces and three territories. Elements selected deal with obtaining and maintaining a mining right. Figure 1, lists the data for claims and Figure 2, for leases. Most exploration work is accomplished during the claim years while production or exploitation is confined to the lease stage. Most jurisdictions require a lease to demonstrate that an economic mineral deposit has been outlined and a definite commitment to production has been made. In some jurisdictions the performance of a minimum level of exploration and development work sufficient to qualify the applicant for a lease is required.

Figures 1, 2 and 3A contain the raw data as specified in each provincial and territorial piece of legislation. In Figures 3B and 4, the data for required work and fees have been mathematically averaged to allow for direct comparison.

The data is current as of January 2017; however, because of the on-going process of amendments to legislation, some data may be out dated at 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.

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FIGURE 1

MINERAL TENURE ADMINISTRATION IN CANADA
(Revised: 2017)

Comparison of selected features of Mineral Tenure systems in Canada for Exploration and Development.

	YUKON	N.W.T.	NUNAVUT	B.C.	ALTA.	S.K	MANITOBA	ONTARIO	QUEBEC	N.B.	N.S.	P.E.I.	NFLD/LABRADOR
Enacted (Last amended)	1924 (1977)	2014	1977 (1999)	1988 (2012)	1993 (2005)	2012	1992 (2005)	1991 (1996)	2000 (Dec. 10th 2013)	1986 (2012)	1990 (1994)	1978 (1988)	1976 (2014)
Ground/Map Staking	ground	ground	ground	online map selection	map	Map staking	a) ground in north b) map in surveyed areas	a) ground b) map staking - surveys Southern Ontario	a) staking park b) rest of the Province	map	online	map	online
Title Type	mineral claim	claim	claim	mineral claim comprised of adjoining cells according to map grid	metallic and industrial mineral permit	claim	claim	mining claim	claim	claim	claim, exploration licence for 1 to 80 claims	claim, exploration licence for 1 to 80 claims	mineral claim, licence for max. 256 claims
Method of Staking	2 post, line between marked	4 corner posts; boundary posts at 500 m intervals between corners	Posts at all 4 corners & at 500 m. intervals on external boundary, boundary marked	map selection	map selection	On- line map selection on grid	a) posts at all 4 corners & at 400 m on external boundary, boundary marked b) map selection	a) claim posts at all 4 corners & line post at 400 m on external boundary, b. map staking	a) posts at all 4 corners, boundary marked b) map designation	map selection	On- line map selection on grid	map selection	map selection
Size	Length 1500 ft. (max.) Width 1500 ft (max.) 51.65 ac. (20.90 ha)	Max 1250 Hectares, sides are multiples of 500 m, length not greater than 5 times the width	Max 1250 Hectares, sides are multiples of 500 m, length not greater than 5 times the width	cells vary from 16.1 ha (north) to 20.16 ha (south); new claims 1-100 adjoining cell max, no size limit to amalgamation of cell claims	16 to 9216 hectares	Not to exceed 6000 ha. length not to exceed 6 times the width	16 to 256 ha length not greater than 4 times the width	1-16 units (16-256 ha), length not greater than 4 times the width, length not greater than 3200 m surveyed. Area: part of a subdivided lot or combinations thereof, to 256 ha maximum	a) 16 ha (400m) only in unsurveyed area b) variable	22 ha on average	16.19 ha	22.2 ha	500 m x 500 m (25 ha)
Bearing of Boundaries	any	Astronomic N-S E-W	Astronomic N-S E-W	according to map on grid	astronomic N-S E-W	According to grid	any	astrononomic N-S E-W in unsurveyed area, conform to survey framework in surveyed areas	astronomic in unsurveyed area	astronomic N-S E-W	astronomic N-S E-W	astronomic N-S E-W	UTM grid (NAD 27)
Time Marked on No. 1 Post (ground staking)	date only	time of completion when requirements in s. 23-29 Mining Reg's are met (date, hour & minute)	placing of post and completion (date, hour and minute)	N/A	N/A	Not applicable	completion	a) completion time under 24 hours b) over 24 hours any corner post	commencement	N/A	N/A	N/A	N/A
Maximum Time to Affix Tags	Tags are affixed at time of staking	Tags are affixed at time of staking	60 days	N/A	N/A	Not applicable	at staking if pre-purchased, 1 yr. If purchased at recording	6 months from recording	when staking (write on tags)	N/A	N/A	N/A	N/A
Maximum Days to Record	30	60	60	acquisition immediate upon online registration & payment	N/A	Not applicable	a) 30	30	20 days	N/A	N/A	N/A	N/A
Recording Fee	$10 per claim	$0.25 per Hectare	$0.25 per Hectare	$1.75 per ha (mineral); $5.00 per ha (placer)	$625 per permit	$0.60 per ha. min $300.00	a) $16 per claim b) $67 per claim (non refundable)	1 unit (16 ha) $20.40 2 to 6 units $40.80 7 to 16 units $61.20	Staked Claim: $32.77 per Map designated claim (1) 52nd degree of latitude: Area of land subject to a claim: Less than 25 ha $323.77 per claim 25 to 45 ha $118.32 per claim 46 to 50 ha $132.24 per (2) South of 52 degree of latitude: Area of land subject to a claim: Less than 25 ha $323.77 per claim 25 to 100 ha $64.09 per claim. More than 100 ha $97.15 per claim	$10.00 per claim with a $50.00 per claim refundable work deposit	$10.00 per claim	$5.00 per claim	$10.00 per claim $50.00 per claim (Security Deposit)
Term Length X Number	1 yr. X unlimited	2 years, plus 1 X 8 years	2 years, plus 1 X 8 years	1 year X unlimited	14 years X 1	1 year renewable year after year	2 years, plus 1 yr X unlimited	1 year X unlimited	2 years X unlimited	1 year X unlimited	1 year X unlimited	1 year X 5	5 years X 4, then 1 year X 10
Renewal Fee/yr. (*Filing Work)	$5 per claim*	$0.25 per Hectare	$0.25* per Hectare	none	none	Nil	$13 per claim	None	Same as recording. Double the fees if pesented during the 60th day preceding its expiry date.	yrs. 1-5 $10 yrs. 6-10 $20 yrs. 11-15 $30 yrs. 16+ $50	yrs. 2-10- $40.00/claim $160.00/claim $320.00/claim	$5 per claim	Year 5 - $25 Year 10 - $50 Year 15 - $100 Year 20-30 - $200/year
Annual Work (Assessment Work) $/Claim unless othewise specified	$100	Years 1 & 2 - $10 per Hectare 3+yrs $5 per Hectare	Years 1 & 2 - $10 per Hectare 3+yrs $5 per Hectare	Mineral: yrs 1-2: $5 per ha yrs. 3-4: $10 per ha yrs. 5-6: $15 per ha yrs. 7+: $20 per ha Placer: $20 per ha	1 - 2 yrs.= $5 per ha 3 - 4 yrs. =$10 per ha 5 - 6 yrs =$10 per ha 7 - 8 yrs. =$15 per ha 9 - 10 yrs. =$15 per ha 11 - 12	year 1 = Nil per ha. per year $25.00 per ha per year	yrs. 2 to 10 $12.50 per ha yrs. 11+ $25 per ha	$400 per year except 1st year free	$ per 2-year term (South of 52) >100 $1800 $2700 7+ $1000 $2500 $3600	yr.1 $100 yrs. 5-10 $300 yr.2 $150 yrs.11-15 $500 yr.3 $200 yrs.16-25 $600 yr.4 $250 yrs. 25+ $800	yrs. 1-10 $200 yrs. 11-15 $400 yrs. 16+ $800	$5 per acre	yr. 1 $200 yr.5 yr. 2 $250 yr. 6- yr. 3 $300 yr.11- yr. 4 $350 yr.16-20 $1200
Cash for Work - Refund if Work Done	yes-no	yes	yes-yes	yes-no (amount is double the work requirement)	no	yes-yes	yes-yes	yes (payment in place as prescribed)	yes, before the renewal date	year 1 $20 - no	once per 5 year period - yes	yes-yes	yes-yes
Limit for Grouping Work	750 adjoining claims	5000 contiguous Hectares per year	5000 Hectares per year	unlimited	1 claim per term	18,000 ha	Once per calendar year. 3,200 ha if all claims. 1,600 ha if lease included in group	$24,000 per 16 ha unit up to a maximum of $96,000 per claim in any assessment year	within a 4.5 km radius circle	Limited by size of claim (256 units)	an exploration licence (80 claims)	an exploration licence (80 claims)	256 contiguous claims (yrs. 1-20) 100 contiguous claims (yrs. 21-30)
Limit of Excess Work	$400 per claim per year	unlimited	unlimited	10 years beyond current anniversary year	unlimited	21 years	unlimited	unlimited	6 renewals = 12 years	10 years	unlimited	unlimited	9 years (yrs 1-20) 5 years (yrs. 21-30)
Time After Anniversary to File Work Reports	14 days	90 days if work required	30 days + 60 day notice period for required work and 1 year + 30 days for excess work	technical work 90 days, physical 30 days, after online registration of work	60 days after end of 2-year period	90 days	60 days	by anniversary	60 days before anniversary; by anniversary $25.00 per claim maximum $250.00 per report	30 days	by anniversary	15 days	60 days
Confidential Period for Work Reports	5 years or 6 months after claim lapse	Upon cancellation of all tenure or 3 years from receipt date	upon lapse or 3 years	1 year (technical only)	1 year	3 years, unless lapse before	3 years, less by consent or lapse	none	none	2 years, less by consent or lapse	2 years, possible extension of 1 year	2 years, plus 1 year on request	upon lapse or 3 years from date of receipt
Bulk Sampling Permitted - Conditions	yes	yes	yes	permit, reclamation program, 1 sample per 5 years, not more than 10000 t	approval required	yes	yes	subject to permitting - Part 7 Reg - permission to sample, treat and sell products. Exploration permit	authorization for more than 50 t	permission and possible reclamation program	permit for less than 100 t, authorization for more than 100 t	yes	yes
Production Permitted	yes	not more than $100,000 per year	not more than $100,000 per year	Mineral: up to 1,000 t per year per unit (legacy claim) or cell; Placer: 20,000 cm3 pay dirt per year per claim	no	no	with consent	no	no	no	no	no	no
Other Exploration Rights	N/A	Prospecting Permit	permit to prospect	none	none	Permit	Mineral Exploration Licence	Exploratory Licence of Occupation (Ministerial discretion) Order in Council		agreement	special licence	agreements	None
Prospector's Licence	no	yes	yes	yes	no	no	yes	yes	yes	yes	ID card, registration	no	no

FIGURE 2

MINERAL TENURE ADMINISTRATION IN CANADA
(Revised: 2017)

Comparison of Lease tenures in Canada.

	Yukon	NWT	NUNAVUT	B.C.	ALTA.	S.K.	MANITOBA	ONTARIO	QUEBEC	N.B.	N.S.	P.E.I.	NFLD/LAB.
Name	lease (of claim)	lease (of claim)	lease (of claim)	mining lease and placer lease	metallic & industrial minerals lease		mineral lease	mining lease, mining and surface lease	mining lease	mining lease	mining lease	mining lease	mining lease
Boundary survey	yes	yes	yes	yes	no	not necessay, defined by grid	within 2 years of date of issue of lease	yes - unsurveyed area maybe - surveyed area	yes	yes	yes	yes	yes
Other conditions for obtaining	certificate of improvements ($500 spent, mineral deposit found, post notice)	$25 per hectare spent. Apply at least 1 year prior to the end of duration of claim	$10 per ac spent or undertaken to commence production	post and publish notice of intent	lease warranted, exploration permit complied with	"good standing" = compliance with the Act and Regulations	$625 per ha spent (less if more work unwarranted or orebody outlined and production to start)	1) Surface rights compensation settled 2) $4400/16 ha unit expended	Workable deposit, production within 4 years Rehabilitation and restoration plan before performing; Deposit of 50 % of the amount of the financial guarantee within 90 days after approval of the restoration and rehabilitation plan.	orebody outlined, production decision made, submit feasibility study and reclamation program	"economic mineral deposit, production commitment within 2 years"	production plans for mining and reclamation	$30 per ha in accepted exploration work
size limits	1 claim	1250 hectares	lease (of claim)	none	maximum 2304 ha	not to exceed 6000 ha length not to exceed 6 times width	maximum 800 ha, length not greater than 6 times the width	ranges from 16ha to variable	maximum 100 ha, more if conditions warrant	as required for operations and ore extension	minimum 1 claim	1 to 80 claims	none
term, renewal conditions	21 years renewable if conditions of lease complied with, further renewals per prescribed conditions	Yes. Must apply at least 6 months in advance	yes	maximum 30 year term for mining leases and maximim 10 year term for placer leases. Lease terms are renewable subject to requirement the lease is required for a mining activity.	15 years, renewable if production 1st term or; if mineral development plan approved	10 years renewable	21 years renewable indefinite if a) in production, or b) $1250 per ha spent previous term and lease fully explored and production not warranted	21 years renewable, or reasonable, effort towards production (Minister's approval required)	20 years, 3 renewals to 10 years each if mining 2/10 previous term3 renewals of 10 years each. After the third renewal, possibility of five-year extensions.	20 years renewable to 80 years	20 years renewable so long as mine is operational	20 years renewable so long as mine is operational	Production within 5 years, tm 1 to 25 years, renewable for terms to 10 years each
Rent (annual, unless otherwise specified)	tm 1: $50 per 51.65ac; plus $5 per additional ac tms 2+: $200 per 51.65 ac, plus $20 per additional ac	$2.50 for the first term and $5.00 for any renewal terms	$10 per ac spent or undertaken to commence production	$20 per ha	$3.50 per ha	nil for non -producing lease, $10.00 per ha. per year for producing lease, $10.00 per ha. per year during relief of exploaration	Mineral Lease rental on a producing lease is $10.50 per ha but not less than $193.00. Non-producing lease is $12.00 per ha but not less that $257.00 if in first term of lease or not less than $200.00 if in renewal. Surface lease rental is $6.50 per ha but not less than $129.00.	mining rights only; $3.00 per ha per year, mining and surface rights: $3.00 per ha per year	Public land: $46.75 per ha Private land: $22.30 per ha Tailings: $99.00 per ha	$6 per ha	$120.90 per claim per year	$1 per ac	$105 per ha
Annual work (assessment work)	none	none	max 1250 staked Hectares	none	none	year 1 to 10: $25 per ha per year; year 11 to 20; $50.00 per ha per year; year 21 and after: $75.00 per ha. per year	None required for current term but can assign credits to contiguous claims. $1250/ha required for renewal	None but can assign credits to contiguous claims	none	$60 per ha per year not in production	none - maintain production	development work or mining	none

FIGURE 3 **MINERAL TENURE ADMINISTRATION IN CANADA**
(Revised: 2017)

Comparison of work requirements in years 1 to 10 in Canada. Part A is raw data from each jurisdiction and Part B is converted to dollars per hectare.

		Yukon	NWT	NUNAVUT	B.C.	ALTA.	S.K.	MANITOBA	ONTARIO	QUEBEC(1)	N.B.	N.S.	P.E.I.	NFLD/LAB.
Maximum claim life		unlimited	10 years	10 years	unlimited	14 years	unlimited	unlimited	unlimited	unlimited	unlimited	unlimited	5 years	20 years
Base claim size		51.65 ac	25 hectares to 1250 hectares	from 51.65 to 2582.50	16 20 ha per cell, max. 100 cells per claim	variable	variable	variable	16 ha	variable	22 ha	16.19 ha	22.2 ha	25 ha
PART A	YR 1	100	$10 per hectare	free	$5 per ha	$5 per ha	nil	0	0	1200	100	200	$5 per ac	200
	YR 2	100		$10 per Hectare during the first two years	$5 per ha		$15.00 per ha.	$12.5 per ha	400	1200	150	200	$5 per ac	250
	YR 3	100	$5 per Hectare		$10 per ha	$10 per ha	$15.00 per ha.	$12.5 per ha	400	1200	200	200	$5 per ac	300
Required work as prescribed	YR 4	100	$5 per Hectare	$5 per Hectare	$10 per ha		$15.00 per ha.	$12.5 per ha	400	1800	250	200	$5 per ac	350
	YR 5	100	$5 per Hectare	$5 per Hectare	$15 per ha	$10 per ha	$15.00 per ha.	$12.5 per ha	400	1800	300	200	$5 per ac	400
	YR 6	100	$5 per Hectare	$5 per Hectare	$15 per ha		$15.00 per ha.	$12.5 per ha	400	1800	300	200	$5 per ac	600
per claim unles	YR 7	100	$5 per Hectare	$5 per Hectare	$20 per ha	$15 per ha	$15.00 per ha.	$12.5 per ha	400	2500	300	200	$5 per ac	600
otherwise specified	YR 8	100	$5 per Hectare	$5 per Hectare	$20 per ha		$15.00 per ha.	$12.5 per ha	400	2500	300	200	$5 per ac	600
	YR 9	100	$5 per Hectare	$5 per Hectare	$20 per ha	$15 per ha	$15.00 per ha.	$12.5 per ha	400	2500	300	200	$5 per ac	600
	YR 10	100	N/A	$5 per Hectare	$20 per ha		$15.00 per ha	$12.5 per ha	400	2500	300	200	$5 per ac	600
PART B	YR 1	4.78	$10 per hectare	0.00	5.00	5.00	nil	0.00	0.00	23.08	4.54	12.35	12.35	8.00
	YR 2	4.78		9.89	5.00		$15.00 per ha.	12.50	25.00	23.08	6.82	12.35	12.35	10.00
	YR 3	4.78	$5 per Hectare		10.00	10.00	$15.00 per ha.	12.50	25.00	23.08	9.09	12.35	12.35	12.00
	YR 4	4.78	$5 per Hectare	4.94	10.00		$15.00 per ha.	12.50	25.00	34.62	13.64	12.35	12.35	14.00
	YR 5	4.78	$5 per Hectare	4.94	15.00	10.00	$15.00 per ha.	12.50	25.00	34.62	13.64	12.35	12.35	16.00
Required work converted	YR 6	4.78	$5 per Hectare	4.94	15.00		$15.00 per ha.	12.50	25.00	34.62	13.64	12.35	12.35	24.00
	YR 7	4.78	$5 per Hectare	4.94	20.00	15.00	$15.00 per ha.	12.50	25.00	48.08	13.64	12.35	12.35	24.00
to $ per ha	YR 8	4.78	$5 per Hectare	4.94	20.00		$15.00 per ha.	12.50	25.00	48.08	13.64	12.35	12.35	24.00
	YR 9	4.78	$5 per Hectare	4.94	20.00	15.00	$15.00 per ha.	12.50	25.00	48.08	13.64	12.35	12.35	24.00
	YR 10	4.78	N/A	4.94	20.00		$15.00 per ha.	12.50	25.00	48.08	13.64	12.35	12.35	24.00
AVERAGE YRS 1 to 10		4.78	$4.50	4.45	12.50	5.50	$13.50 per ha. per year	11.25	22.50	36.54	11.59	12.35	12.35	18.00
SUM YRS 1 to 10		47.80	$45.00	44.46	140.00	55.00	$135.50 per ha.	112.50	225.00	365.42	115.93	123.50	123.50	180.00

1. Data for a 16 ha ground staked or map designated claim located south of the 52nd degree of latitude.
2. For cash in lieu of work payments, requred amount is double the work requirement. (BC)
3. For placer claims, the value of assessment work credit is $20.00 per hectare per year, and the value of cash-in-lieu of work payment is $40 per hectare per year (BC)

FIGURE 4 **MINERAL TENURE ADMINISTRATION IN CANADA**

(Revised: 2017)

Comparison of fees charged in Canada for mineral rights. The second half of the chart compares fees according to dollars per hectare.

	Yukon	NWT	NUNAVUT	B.C.	ALTA.	S.K.	MANITOBA	ONTARIO	QUEBEC	N.B.	N.S.	P.E.I.	NFLD/LAB.	AVERAGE
Individuals Prospector's		5.00 per year	5.00 per year	25.00 per year		n/a	15.00 life	25.50 per 5 years	$36.99 5 years	100.00 life	12.10 (2)			-1
Corporate Prospector's		50.00 per year	50.00 per year	500.00 per year		n/a	287.00 lifetime	N/A	N/A	200, 500 life	12.10 (2)			-1
Set of corner Ta $ per claim	0.00	2.00	2.00	n/a		n/a	7.50 per set of 4	2.04		n/a			0.00	2.06
Record ground claim (unit)	0.48	0.25	0.25	n/a		$0.60 per ha	0.09 median	0.75 median	1.91 (16 ha claim)	n/a				0.46
Map staking								1.50 median						
Grant map claim				n/a	0.10 median	n/a	0.24 median	n/a	av $2.46 (north of 52 lat.), av $1.19 (south of 52 lat.)	0.4545	0.31	0.23	0.20	0.36
Renew ground claim (unit) per year	0.24	0.25	0.25	none		n/a	0.07 median	0.00	1.91 (16 ha claim)	n/a			0.00	0.29
Renew map claim per year				none	0.00	nil	0.07 median	n/a	av $2.46 (north of 52 lat.), av $1.19 (south of 52 lat.)	0.68(3)	0.62(3)	0.23	0.00	0.22
Lease rental $ per ha per year	tm 1 2.39 2+ 9.57 av 5.98	$2.50 1st term $5.00 for renewals	2.47 max 4.94 for renewals	20.00	3.50	nil generally	Trm 1 - 10.50 Trm 2 - 12.00	3.00	46.50 (4) 22.70 (5)	6.00	6.17	2.47	105.00	9.26

1. Data not amenable to averaging.
2. Fee for registration, ID card, copy of Act and Regulatior
3. Average of first 10 renewals.
4. Public lands.
5. Private land.

Abbreviations and symbols used in the table:

ft	feet	ac	acres	yr(s)	years
m	metres	t	tonnes	max	maximum
ha	hectares	tm(s)	terms	min	minimum