

## Notice to landowners and municipalities concerning mine exploration work

### Requirement

Section 65 of the Mining Act requires a claim holder to inform the local municipality and the owner of the land to which the title applies of the work that will be carried out.

In addition, the claim holder must obtain written authorization from the landowner at least 30 days in advance in order to access the site, and must reach an agreement with the landowner before beginning exploration work, in accordance with section 235 of the Mining Act. In the case of public land, the claim holder must obtain written authorization at least 30 days in advance from the State lessee and from the holder of an exclusive lease to mine surface mineral substances, where applicable, and must also reach an agreement with them before beginning exploration work.

A claim cannot be exercised unless these written authorizations are obtained and information on the exploration work is provided. The mining title of a claim holder who does not comply with these conditions may be suspended or revoked.

### What to do

It is up to the claim holder to determine the ownership of the land to which the mining title applies, and to identify the landowner in the case of private land, or the lessee in the case of public land.

Where the land is privately owned, or is publicly owned and is subject to a lease, the claim holder must:

- at least 30 days before accessing the land, obtain written authorization from the landowner in the case of private land, or the State lessee in the case of public land;
- before carrying out mine exploration work, reach an agreement with the landowner in the case of private land, or the State lessee in the case of public land, or acquire, by agreement, any real right or property required to access the site or conduct work;
- at least 30 days before carrying out mine exploration work, inform the municipality and private landowner of the work to be conducted, including the start and end dates. Because this is a condition for exercising the claim, it is suggested that this should be done by means of a written notice, that the notice be sent by mail or by courier, or the original be delivered in person, to the last known address of each landowner, and that a copy of both the notice and the proof of delivery be kept. The *Ministère de l'Énergie et des Ressources naturelles* may require proof that the

landowner and municipality were informed of the work within the period provided by the Mining Act.

- A sample notice concerning mine exploration work can be found on the website of the *Ministère de l'Énergie et des Ressources naturelles*.

### **Identification of landowners and lessees**

Claim holders may identify the owners of private land by searching the municipality's property assessment roll, or by conducting a search at the registry office. If the landowner is an individual, the address shown in these registers is the last known address. If the landowner is a company or partnership, the last known address is the one that appears in the Québec Enterprise Register.

In the case of a lease granted by the State for the land to which the claim applies, the claim holder may contact the regional county municipality, if it is responsible for land management in its territory (and vacation management in particular) through a delegation agreement, or the Land Sector of the *Ministère de l'Énergie et des Ressources naturelles* in all other cases.

Exclusive leases to mine surface mineral substances are listed in GESTIM on the website of the *Ministère de l'Énergie et des Ressources naturelles*. The names of the lease holders, along with their last known address, are also shown in GESTIM.