

Notice of Coming Into Force

Regulation to amend the Regulation respecting mineral substances other than petroleum, natural gas and brine

This notice follows the [Notice of Enactment](#) released on February 7, 2024, on the website of the Ministère des Ressources naturelles et des Forêts (MNRFF).

On May 6, 2024, the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2), as well as sections 69, 69.1 and 69.2 of the Mining Act (chapter M-13.1), as amended on April 12, 2022, by the Act mainly to enforce the reinforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles (2022, chapter 8), will formally come into force and have the force of law.

As of that date, the title of the regulation under the Mining Act is changed to “Mining Regulation”.

In addition, as of May 6, 2024, all so-called impact-causing exploration work under section 11 of the new Mining Regulation must be subject to an authorization for impact-causing work (ATI) before being carried out.

The exploration work that is subject to an ATI application is as follows:

- work carried out using hydraulic machinery or explosives, in particular:
 - a) excavating in overburden;
 - b) rock stripping;
 - c) bulk sampling;
 - d) drill-holes in overburden or in rock;
 - e) seismic refraction geophysical surveys;
- work carried out using a hydraulic pump for gold mining purposes.

As a result, as of May 6, 2024, a claim holder who performs the above type of work without an ATI may have their title suspended or revoked.

The Minister of Natural Resources and Forests will issue the authorization when the claim holder applying for it has met the following conditions:

1. The claim holder has gathered the questions, requests and comments of the local municipalities and the Indigenous communities concerned, where applicable, and has provided answers;
2. The claim holder has filed an application on the form supplied by the Minister for that purpose, and has included a report on the exchanges with the local municipalities and the Indigenous communities, where applicable, that indicates the questions, requests and comments received and the answers of the claim holder.

The ATI may be renewed if the applicant meets the following conditions:

1. The work under the authorization has not been completed;
2. No failure to comply with the conditions imposed, pursuant to section 69.1 of the Mining Act, was found by the Minister;
3. The claim holder has gathered the questions, requests and comments of the local municipalities and the Indigenous communities concerned, where applicable, and has provided answers;
4. The claim holder presented the renewal application before the authorization's expiry date on the form supplied by the Minister for that purpose and included a report on the exchanges with the local municipalities and the Indigenous communities, where applicable, that indicates the questions, requests, and comments received and the claim holder's answers.

The [ATI application](#) form has been available on the MRNF website since February 6, 2024 and that it is possible to submit a ATI application since February 7, 2024.

For additional information, please contact the MRNF at ati@mrnf.gouv.qc.ca.