

Notice of coming into force

Act to amend various legislative provisions mainly for the purpose of reducing red tape

The ministère des Ressources naturelles et des Forêts has collaborated with the ministère de l'Économie, de l'Innovation et de l'Énergie on the development of the Act to amend various legislative provisions mainly for the purpose of reducing red tape (L. Q. 2023, c. 24), making amendments, among others, to the Mining Act (chapter M-13.1) and to the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r.2). This Act was adopted to the National Assembly of Québec on October 25, 2023, and assented on October 27, 2023, date of entry into force of the amendments, with exceptions.

The new measures regarding the Mining Act, introduced by this act, are as follows:

1. **Validity period for a non-exclusive lease for surface mineral substances (BNE):** One, two or three years.

As of October 27, 2023, the validity period of a BNE may be one, two or three years at the option of the lessee. The same is true for the renewal periods of the BNE, which may be one, two or three years, at the applicant's option, for a total term of up to 10 years starting on March 31 of the year following the issuance of the certificate of registration of the lease. Thereafter, the lease could be extended for one year.

Consequently, the application for a BNE must be accompanied by the payment of rent for the entire term of the lease, which corresponds to an amount of \$327 for the period ending on March 31 following the year in which the certificate of registration is issued to which, if applicable, an amount of \$327 for each subsequent year of the lease is added. The same is true for the payment on the renewal application.

2. **Possibility of payment of the financial guarantee by bank transfer**

As of October 27, 2023, the financial guarantee referred to in s. 232.1 of the Mining Act that the holder of mining rights must provide following the approval of his rehabilitation and restoration plan may be transmitted by bank transfer to the Minister of Finance of Québec.

For more information, you may contact the Centre de services des mines at services.mines@mrf.gouv.qc.ca.