

Clarification of the concept of mining operation and the content of the mining operation report as part of an application to renew a mining lease or the application of section 118 of the *Mining Act*

This directive enters into force on July 25, 2025. It renders null and void any previous directives on the same subject. The directive is adopted pursuant to sections [104](#) and [118](#) of the Mining Act (CQLR, chapter M-13.1).

104. The term of a mining lease is 20 years, except for a lease granted for the mining of tailings, whose term, determined by the Minister, is up to 10 years.

The Minister shall renew the lease, by mere notice, for a period of 10 years, not more than three times, provided the lessee

[...]

(2) has submitted a report establishing that he has conducted mining operations for at least 2 years during the lease's period of validity, where it has been granted for the mining of tailings, or in the last 10 years in other cases;

[...]

118. From 29 November 2024, the grantee shall, for each 10-year period following that date, perform mining operation work for at least two years.

The mining operation criterion may be met by one of the following:

- Extract mineral substances to supply a processing plant, a refinery or a smelter whether the plant is owned by the licensee or not;
- Operate an ore processing plant, a refinery or a smelter on the site under its mining lease or concession;
- Transport previously stored surface mineral substances to a processing plant, a refinery or a smelter in support of circular economy projects by:
 - exploiting a low-grade ore heap,
 - mining tailings from the critical and strategic minerals sector.

A feasibility study or an update to it, with a report date within three years of the expiry date of the mining lease or the deadline of the mineral concession obligation, may be considered to satisfy the mining operation criterion.

Mined substance

The mining of surface mineral substances does not constitute a mining operation in the sense of sections [104](#) and [118](#) of the *Mining Act*.

Term

To accumulate two years, the holder must submit a report establishing that they have been mining for at least two years during the last 10 years of the lease. However, in the case of mining of tailings applied to critical and strategic mineral sectors, short periods of sporadic mining operations may satisfy the above mining operation requirement.

Report content

The report demonstrating the mining operation shall contain the following information:

- The operating history since the issuance of the mining lease/concession or last renewal;
- The holder's intentions regarding their mining activities on the relevant title for the next few years.

For the last 10 years

- The annual tonnage of ore mined and its grade;
- The source of ore for each of these years (mined areas) and include a geo-location plan showing these areas as well as the perimeter of the mining lease to be renewed (monthly breakdown may be required, as applicable);
- The quantity of ore processed annually and its processing location;
- The development carried out and the access roads on the surface.

FOR MORE INFORMATION

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