

1. Mineral Resources Act Regulations Targeted Engagement with Mining Industry Presentations

Date Range 2021 07 08 to 2022 01 26

1. 2021 07 08 Mineral Resources Act Regulations Introduction 77 pages [to Chamber of Mines]
2. 2021 12 15 Mineral Resources Act Regulations Brief 2 pages [to Chamber of Mines]
3. 2022 01 24 Mineral Resources Act Implementation 12 pages [to Chamber of Mines]
4. 2022 01 25 Online Map Staking Systems 15 pages [to Chamber of Mines]
5. 2022 01 26 Data Standards 9 pages [to Chamber of Mines]
6. 2022 01 26 Drillcore Regulations 14 pages [to Chamber of Mines]
7. 2022 01 24 Evidence of Deposit 15 pages [to Chamber of Mines]
8. 2022 01 25 Claim Issuance and Notification of Application to Record 30 pages [to Chamber of Mines]
9. 2022 01 25 Notice of Intended Work 16 pages [to Chamber of Mines]
10. 2022 01 24 Tenure System System Changes 11 pages [to Chamber of Mines, producing mines]
11. 2022 01 26 Legacy Treatment Introduction 10 pages [to Chamber of Mines, producing mines]

Explanatory Note:

These documents were provided by Dept. of Industry, Tourism and Investment pursuant to ATIPP request ITI-22-23-G-129.

Presentation materials (PowerPoint presentation slides and any handout documents) on the development of the Mineral Resources Act regulations as given by the Department of Industry, Tourism and Investment to the NWT and Nunavut Chamber of Mines and other mining industry organizations (including individual companies) for meetings held between January 1, 2021 and December 13, 2022.

Documents previously made public have been removed and the meeting dates and recipients of the presentations have been identified as best as possible using [Tabled Document \(TD 817-192\)](#) Mineral Resources Act Implementation Engagement Tracking Log, November 25, 2022.



Mineral Resources Act Regulations Introduction to Chamber of Mines

Government of
Northwest Territories
July 8, 2021

Presentation Outline

- ***Mineral Resources Act (MRA)***
 - Background
 - Current Regulatory Regime
 - Development of MRA and Regulations
- **Engagement**
 - Engagement
 - Timelines and Milestones
- **MRA Regulations (MRARs)**
 - By Working Group: Land Access, Tenure Issuance and Dispute Resolution, Benefits (Benefits Agreements and NWT Resident Benefits), and Royalties
- **Next Steps**



Background

- The federal government regulated mineral rights until 2014 when the *Northwest Territories Devolution Act* came into force
- The current *Mining Regulations* are a mirror of those federal regulations and are enabled by the *Northwest Territories Lands Act*
- The *Mining Regulations* apply only to Public (GNWT-managed) subsurface lands



Northwest Territories *Mining Regulations*

- Prospector's Licence
 - Mandatory for exploration and tenure
 - 18 years of age or older
 - Incorporated or registered under the *Business Corporations Act* or *Canada Business Corporations Act*
 - Expires March 31st every year
 - Not transferable

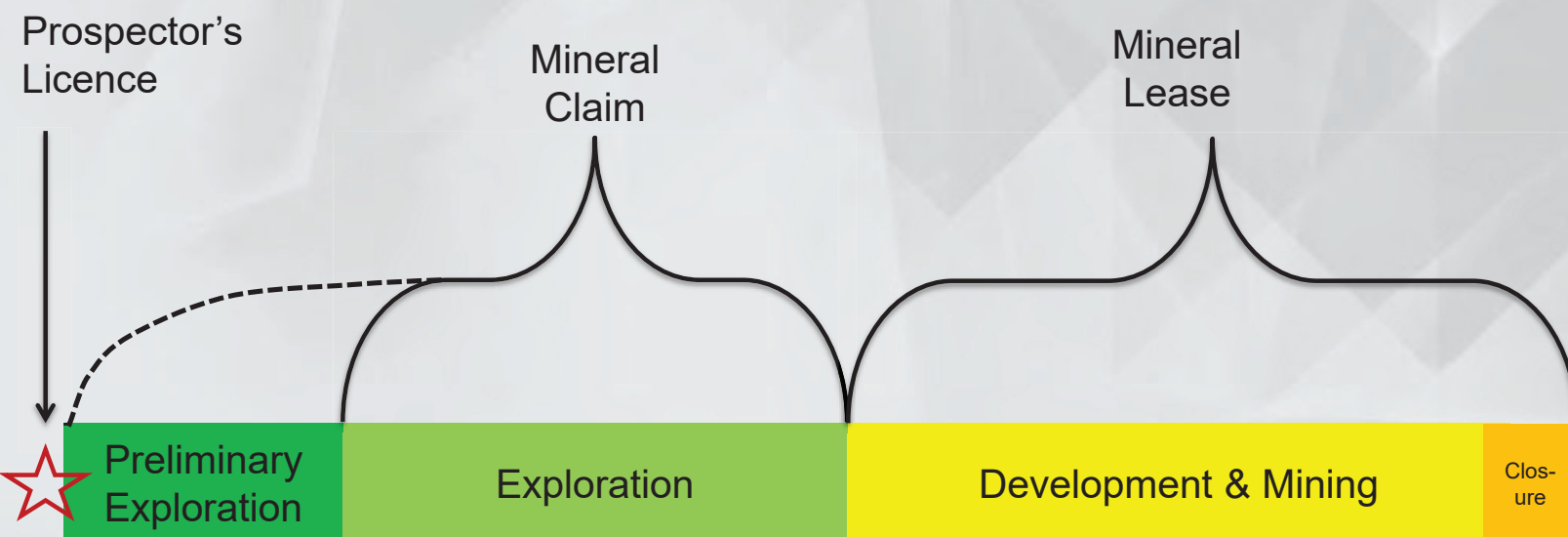


Northwest Territories *Mining Regulations*

- Three types of tenure:
 - Prospecting Permits
 - 3 or 5 years, large area, exclusive right to prospect
 - *Optional*
 - Mineral Claim
 - 10 years, up to 1250 ha
 - Requires \$5/ha representation work per year
 - Mineral Lease
 - Requires Plan of Survey, annual rent payment
 - 21 years, can be renewed
 - Required for producing mines



Basic Overview of Tenure Requirements Under the *Mining Regulations*



Current Regulatory Regime

- Why are we changing the *Mining Regulations*? We want to:
 - Encourage engagement opportunities
 - Improve socioeconomic benefits for residents of the NWT, especially Indigenous communities
 - Modernize practices
 - Fill the geological knowledge gap



Bill 34 – Mineral Resource Act (MRA)

THIRD SESSION,
EIGHTEENTH LEGISLATIVE ASSEMBLY
OF THE NORTHWEST TERRITORIES

TROISIÈME SESSION,
DIX-HUITIÈME ASSEMBLÉE LÉGISLATIVE
DES TERRITOIRES DU NORD-OUEST

BILL 34

PROJET DE LOI 34

MINERAL RESOURCES ACT

LOI SUR LES RESSOURCES MINÉRALES

DISPOSITION

Date of Notice Date de l'avis	1st Reading 1 ^{re} lecture	2nd Reading 2 ^e lecture	To Committee Au Comité	Chairperson Président	Reported Rapport	3rd Reading 3 ^e lecture	Date of Assent Date de sanction
February 7, 2019	February 11, 2019	February 12, 2019	August 20, 2019	R.J. Simpson	August 20, 2019	August 21, 2019	August 23, 2019

Margaret Thom
Commissioner of the Northwest Territories
Commissaire des Territoires du Nord-Ouest



Northwest Territories
Industry, Tourism and
Investment

MRA Regulations Goals

Consistent with the goals of the MRA, goals of MRARs development are:

1. To regulate mineral interests efficiently, effectively and in a transparent manner,
2. To support the economy of the Northwest Territories,
3. To realize benefits from mineral development for Indigenous governments and organizations, communities and the people of the Northwest Territories,
4. To ensure that wealth generated by mineral resources will be used for the benefit of present and future generations of the people of the Northwest Territories,
5. To encourage positive relationships between proponents, Indigenous governments and organizations, communities and the Government of the Northwest Territories,
6. To respect Aboriginal and treaty rights,
7. To complement the systems for collaborative management of land and natural resources in the Northwest Territories,
8. To improve geological knowledge in the territory, and
9. To recognize sustainable land use.



Development of MRARs

- MRA will require changes to existing regulations and development of new regulations
- Iterative process to ensure consistent and comprehensive regulations
- Implement commitments made to IGOs, industry, and the public during MRA development



Development of MRARs

- MRARs development is organized under subject specific working groups:
 - Land Access
 - Tenure Issuance
 - Dispute Resolution
 - Benefit Agreements
 - NWT Benefits
 - Royalties



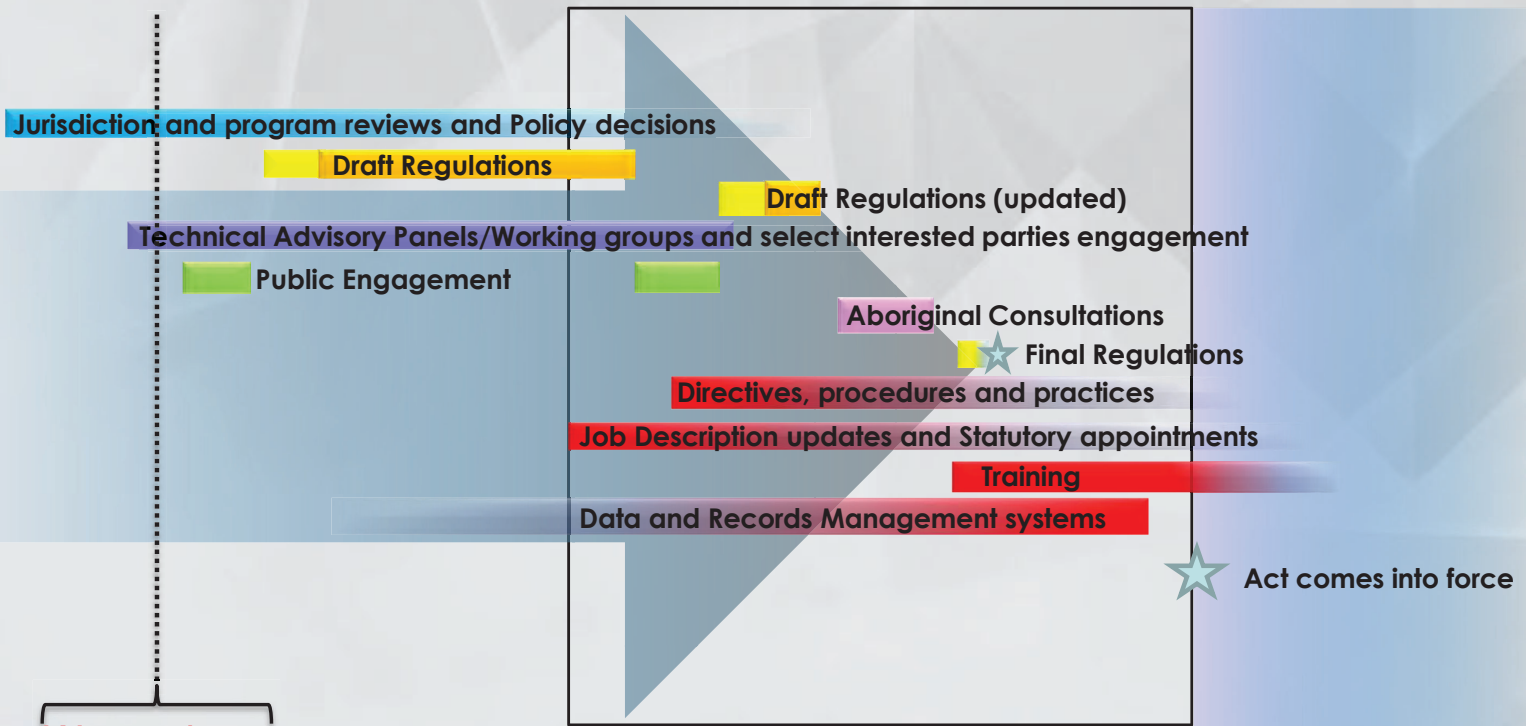
Engagement

- ITI will seek feedback from stakeholders who will have direct rights/obligations under the MRARs
- Collaborative method between the GNWT and Indigenous Governments will be used for MRARs
- Section 35 Aboriginal Consultation will also occur after drafting, before the regulations are finalized



General Timeline for MRA (Development to Implementation)

Planning & Regulation Development Implementation Adjustment Period



We are here



Comments and Questions





Land Access

Northwest Territories

Industry, Tourism and
Investment

Objectives

1. Prospector's Awareness Course
2. Notice of Application to Record
3. Notice of Intended Work
4. Indigenous Engagement Credits
5. Temporary Restricted Areas
6. Zones



1. Prospector's Awareness Course



Enabling Authority

- *Mineral Resources Act (MRA) S.16:*
- “An applicant for or holder of an instrument under this Act shall satisfy the requirements of a training program developed by the Minister, if the regulations provide that such training is a prerequisite for obtaining or maintaining the instrument, as the case may be.”



Prospector's Awareness Course

- Understand the unique context of mineral resources within the NWT
- Acquisition and maintenance requirements



2. Notice of Application to Record



Enabling Authority

- *MRA S.29(5)*:
- “The Minister shall, in accordance with the regulations, give notice that a Mining Recorder has received an application to record a claim to an Indigenous government or organization where the area in respect of the application to record the claim
 - a) is within or overlaps with a settlement area of that Indigenous government or organization; or
 - b) is within or overlaps with the asserted traditional territory of that Indigenous government or organization.”



Notice of Application to Record

- Provided to Indigenous governments or organizations with lands overlapping the staked area
- Provided to the public (S.29(4) *MRA*)
- Implemented Phase 1 through policy
 - Notify the IGO(s) of applications to record within their settlement lands or asserted traditional territory



3. Notice of Intended Work



Enabling Authority

- *MRA S.43(1)-(5):*
- “(1) Subject to subsection (3), the holder of a recorded claim or mineral lease shall, at any times that the regulations may require, file with the office of the Mining Recorder a notice of intended work in the approved form in accordance with the regulations.
- (2) A notice of intended work may be amended in accordance with the regulations and within the period set out in the regulations.”



Enabling Authority

- *MRA S.43(1)-(5):*
- “(3) A notice of intended work is not required under this section in prescribed circumstances.
- (4) The Minister may, in prescribed circumstances, waive any time requirements set out in respect to providing or amending a notice of intended work.”



Enabling Authority

- *MRA S.43(1)-(5)*:
- “(5) The Minister shall, in accordance with the regulations, provide a notice of intended work and any amended notices filed under this section to an Indigenous government or organization where the area of the recorded claim or mineral lease
 - (a) is within or overlaps with a settlement area of that Indigenous government or organization; or
 - (b) is within or overlaps with the asserted traditional territory of that Indigenous government or organization.”



Notice of Intended Work

- Provide plan of intended work to keep IGOs informed about work that may be happening in their territory
 - Information sharing for IGO awareness
 - Confidentiality requirements



4. Indigenous Engagement Credits



Enabling Authority

- *MRA* S.1(c)(iii)
- “Work” means... any of the following undertakings that are performed in respect of a recorded claim:
 - (iii) Indigenous engagement that meets prescribed requirements”



Indigenous Engagement Credits

- Engagement with Indigenous communities accepted as an approved form of work



5. Temporary Restricted Areas



Enabling Authority

- *MRA S.23(2)*
- “Subject to this section and the regulations, the Minister may, on the Minister’s own initiative or as requested in accordance with this section, designate in writing an area of the Northwest Territories as a restricted area within which interests in minerals may not be issued for a period of up to one year, if ...



Enabling Authority

- *MRA S.23(2)*
- (a) the Minister considers that the designation is required urgently and for a temporary period; and
- (b) the area
 - (i) has been identified as potentially having unique archaeological, cultural, ecological, geological or historical significance that reasonably justifies the restriction,
 - (ii) covers the minimal area necessary to preserve the unique archaeological, cultural, ecological, geological or historical attributes, and
 - (iii) is no larger than the prescribed size.”



Temporary Restricted Areas

- Areas of significance within which interests in minerals may not be issued for a temporary period of up to one year, with potential to extend for up to one additional year
- Must cover the minimum size required to include the significant area



6. Zones



Enabling Authority

- *MRA S.25(2)*
- “Subject to this section, the Commissioner in Executive Council, on the initiative of the Minister or as proposed in accordance with this section, may by regulation establish zones
 - (a) within which exclusive rights to prospect may be issued in accordance with the regulations; or
 - (b) within which staking and acquiring an interest in minerals are subject to requirements that are more favourable than the requirements that generally apply under this Act and the regulations.”



Zones

- Areas identified as open for prospecting that may provide more favourable requirements or incentives to prospectors
- May be identified by IGOs
- 15 year review



Comments and Questions





Tenure Issuance and Dispute Resolution

Northwest Territories
Industry, Tourism and
Investment

Tenure Issuance Regulation Development

Largest set of regulations to be developed under the MRA

Regulations are interrelated and technically complex

Introducing and implementing new concepts and new instruments

Introducing new reporting requirements

New Regulation will see the tenure system shift to a system that is integrated with milestones in the mining cycle



Development and Process



Regulations will be evidence and researched backed



The research will be presented to the co-development team to vet options and present to focus groups for feedback from technical experts



Due to the interrelated nature of regulations, development process will be iterative



Engagement with Industry



Due to the technical nature of tenure regulations and the impact these rules will have on Industry. We intend to engage early and often



Topics will be presented as complete work packages.



Engagement will be targeted to subject matter experts to ensure that regulations align with the realities of the mineral industry



Broad Regulation Topics included in Tenure Issuance

Prospectors
Licence

Administrative
Provisions

Zones
(shared with
Land Access)

Staking

Online Map
Staking

Claims

Leases

Production
Licence

Statistical
Returns

Drill Cores

Work



Prospectors Licence – Maintenance and Acquisition

Key Areas of Research

- Current process review
- Review duration (annual of other frequency)
- Review activities and requirements for a prospectors licence
- Review suggested improvements and what regulations are required to support those changes



Administrative Provisions

Key Areas of Research

- Fees
- Deposits
- Rents
- Penalties
- Annual Report



Zones

Tenure Issuance will be working and coordinating with Land Access team to ensure that functionality, transactions and issuance requirements developed within tenure regulations would address and compliment the Zones regulations developed.



Staking – Ground Staking

Key Areas of Research and Review

- Review current *Mining Regulations* for substantive improvements around technical requirements of staking.
- Additional desired staking requirements



Staking – Online Map Staking

Key Areas of Research

- Grid-no-Grid Scenario Study
- Ground staking transition
- Online staking rules



Claims

Key Areas of Research

- Removal of Minerals (Bulk Sampling)
- Claim Life (structure and length)
- Maintenance Requirements
- Grouping and Allocation
- Transfers/Suspensions and Cancellation
- Increased Administrative Functions
- Reduced Area Claims



Leases

Key Areas of Research

- Length of Lease Life
- Surveys
- Ability to waive/extend survey requirements
- Acquisition Requirements
- Evidence of Deposit



Leases

- Form of lease
- Renewal
- Fees/Rents
- Maintenance
- Work Requirements
- Transfers
- Suspensions/Cancellation
- Amalgamate, Merge, Subdivide, Reduce and Enlarge



Production Licence

Key Areas of Research

- When required
- Acquisition Requirements
- Maintenance
- Required Reporting
- Linkages to BA
- Transfers
- Suspensions/Cancellation



Statistical Returns

Key Areas of Research and Review

- Required information to report
- Mine plans that include reporting resource calculation and other reporting to assist royalties forecasting
- Other data for royalties forecasting



Drill Core

Key Areas of Research

- Tampering or damaging drill cores, cuttings, and samples
- Transport of drill cores, cuttings and samples
- Disposal of drill cores, cuttings or samples
- Abandonment of drill cores, cuttings or samples
- Reporting drill core locations



Work Assessment

Key Areas of Research

- Work (Claims or Claims and Leases)
- Work Deposits (Extension deposit formula 1:1 or >)
- Report Requirements – Schedule 2 reviewed and updated
- Simplified Reporting
- Data Standards – proposal for PDAC data standards



Dispute Resolution

- General dispute resolution (not benefit agreements) replaces the Ministerial Review in the current Mining Regulations
- Members must have expert knowledge in mineral resources, royalties, law, or mineral interests
- Panels of 3 members to hear decisions



Comments and Questions





Benefit Regulations

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Benefits Regulations

Two sets of regulations on benefits:

1 Benefit Agreement Regulations

(Indigenous Governments and Organizations)

2 NWT Resident Benefit Regulations

(All NWT citizens)



NWT Resident Benefit Regulations

Mineral Resources Act

Section 53:

“The holder of a mineral lease shall enter into an agreement for benefits in accordance with the regulations with each Indigenous government or organization that the Minister considers appropriate in the circumstances”



Benefit Agreement Regulations

Focuses on benefits not impacts

Does not overstep into federal jurisdiction

Timing linked to the production licence

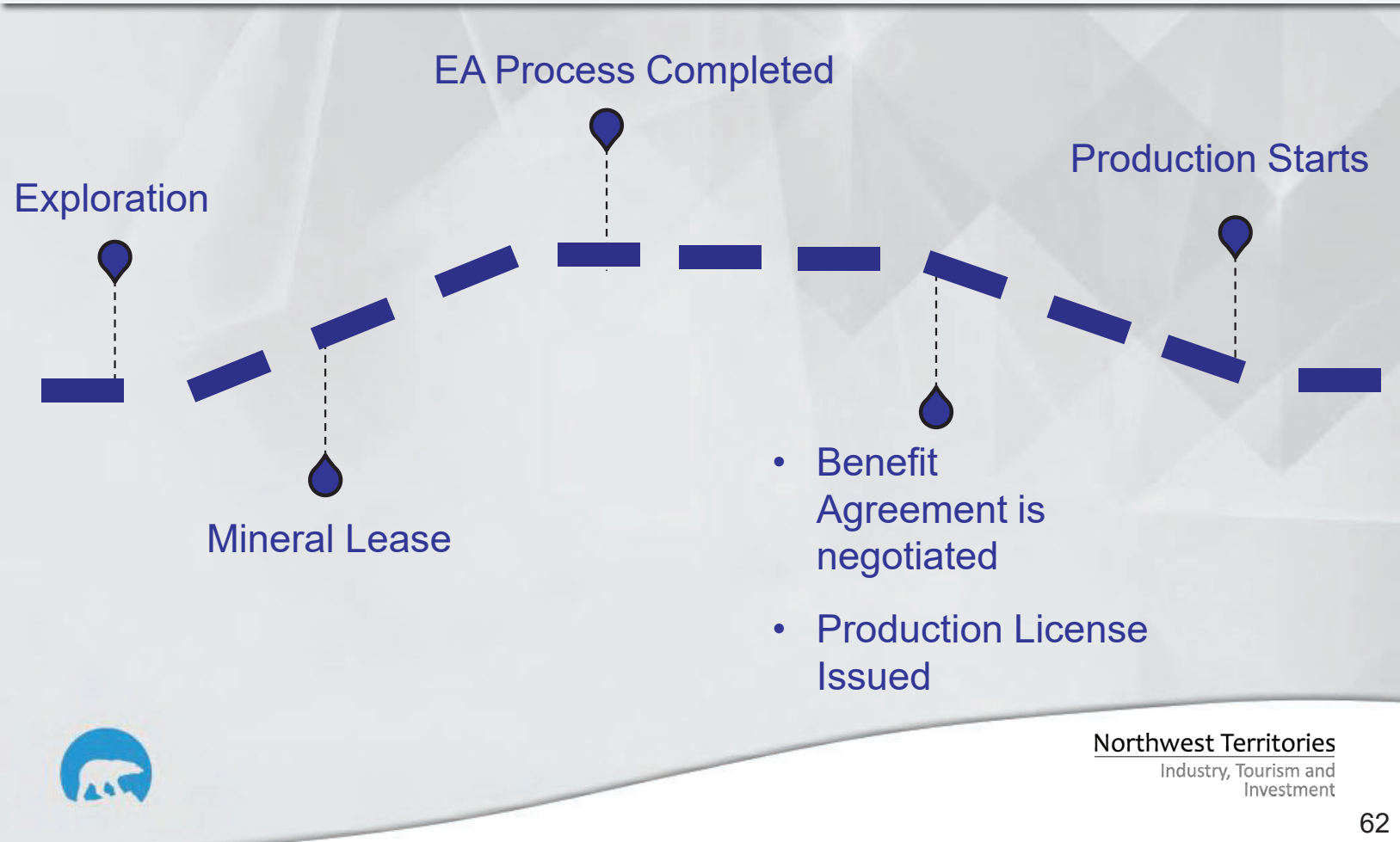
Covers details of Benefit Agreements

Certainty on which Indigenous groups should benefit

Maintains positive status quo where agreements are the norm



Timing



Benefit Agreement Regulations: Development



Dispute Resolution
will focus on
forming an
agreement



Industry can rely
on the GNWT to
identify IGOs



Improved
collaboration and
synergy will
support industry
to achieve
commitments



Increased
recognition of
benefits of the
mineral industry



NWT Resident Benefit Regulations

Mineral Resources Act

Section 52:

“The Commissioner on the recommendation of the Minister may prescribe requirements in respect of measures that provide benefits to the people of the Northwest Territories.”

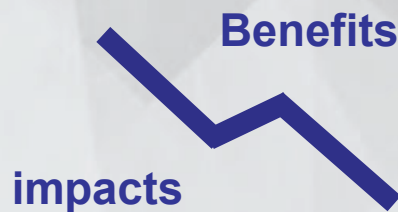


NWT Resident Benefit Regulations

Key elements of the proposal:



Linked to Socio-Economic Agreements,



Benefits separated from impacts.



Industry Engagement

- Producing Mines
- Related Projects
 - SEA Program Review
 - NWT Environmental Audit
 - Diavik Measure 6
- Chamber of Mines Updates



Comments and Questions





Mineral Royalty Regime

Northwest Territories
Industry, Tourism and
Investment

Outline

1. Definition and Basics
2. Royalty Fiscal Regime
3. Review Research
4. The Path Forward



Why Royalties

- Royalties are paid by the owner or the operator of a mine to compensate for natural resources that are extracted.
- The company is 'renting' the land from the owner in order to generate profits for its organization.
- Mineral and oil and gas are non-renewable (depletable) and vary in quality; once a mine or oil and gas pool is depleted, there is no more.



NWT Mining Royalties

- Governed by the *Northwest Territories Lands Act* and the associated *Mining Regulations*.
- Calculated on the value of the output of the mine during a particular fiscal year.
- Value of output:
 - Revenue/market value (inventory)
 - Less operating costs, allowances
- Returns are submitted annually



Royalties: Fiscal Regime

- Royalties are one component of resource revenues.
 - Other components include: federal/territorial income tax, payroll tax, property tax, fuel tax etc.
- Be competitive or companies will go elsewhere
- Balance benefits to grantor with benefits to the operator (Fair Return)
- As the amount of royalties collected is directly tied to the profitability of the mine there will be several profitable periods in the commodity cycle where a mine pays high royalties but there will also be highs and lows in the amount collected based on where a mine is in its life cycle.



Royalties: Fiscal Regime

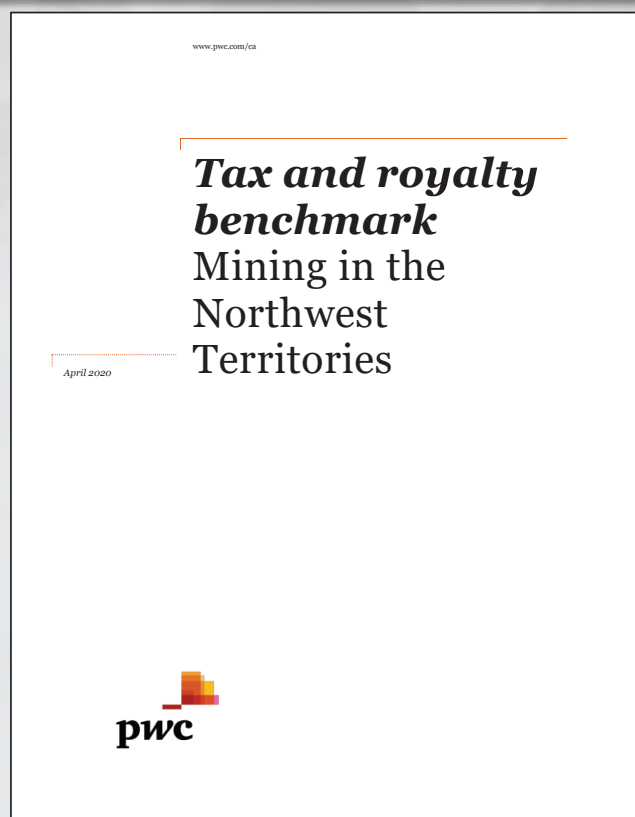
The assessment was conducted in phases to address four questions:

Phase 1: Compare the direct taxes (corporate income tax and royalties) of the NWT to 21 other jurisdictions, while holding revenue and costs constant.

Phase 2: Indirect taxes (payroll, property, fuel and carbon taxes) are added to Phase 1.

Phase 3: Six of the comparison jurisdictions are further studied by using regional costs.

Fair Return: Is the NWT receiving a fair return on its non-renewable mineral resources?



Royalties: Research

Five aspects of the NWT Royalties were examined:

1. History of NWT Mineral Royalty Regime
2. Workings and Tax Context of Regime
3. Competitive Position of Regime
4. Comparison with Ideal Royalty Regime and other Royalty systems used
5. Recommended changes for consideration and testing



Royalties: The Path Forward

1. Competitive Analysis and Peer Review
(PwC Report, Peer reviewed by Michael Doggett)
2. Research Paper Development
3. Discussion on Research Paper
4. Financial Modeling of Recommendations
5. Independent 3rd Party Review
6. Review of 3rd Party Recommendations
7. Finalize the Recommendations
8. Develop Drafting Instructions for Royalty Regulations
9. Engagement on outcome of modeling and independent review
10. Drafting of Royalty Regulations
11. Aboriginal Consultation of drafted regulations
12. Commissioner Approval of amendments to the Royalty Regulations



Comments and Questions



NEXT STEPS

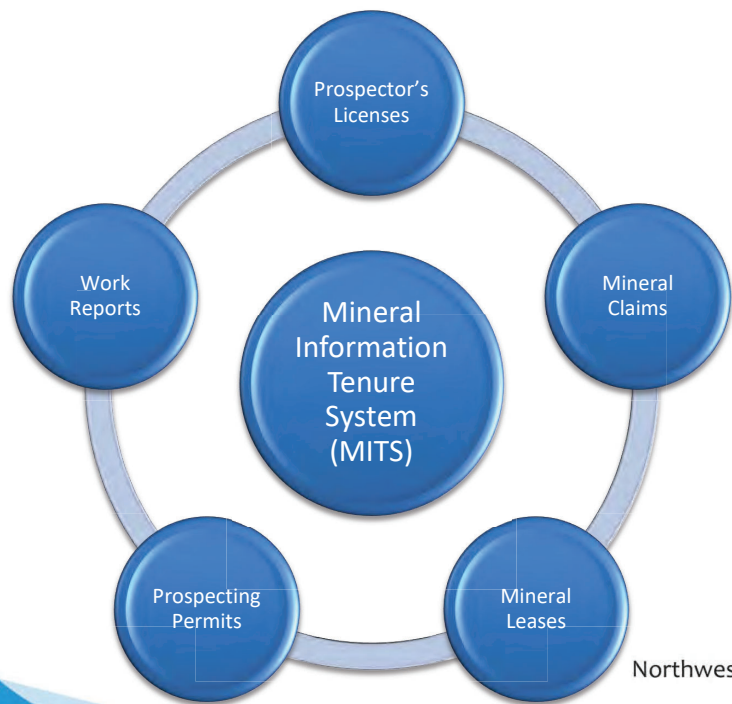


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Mineral Rights Administration - Current State

The application recording, processing, issuance, and maintenance for Mineral Licenses, Permits and Leases provided by MITS as per **current regulations**

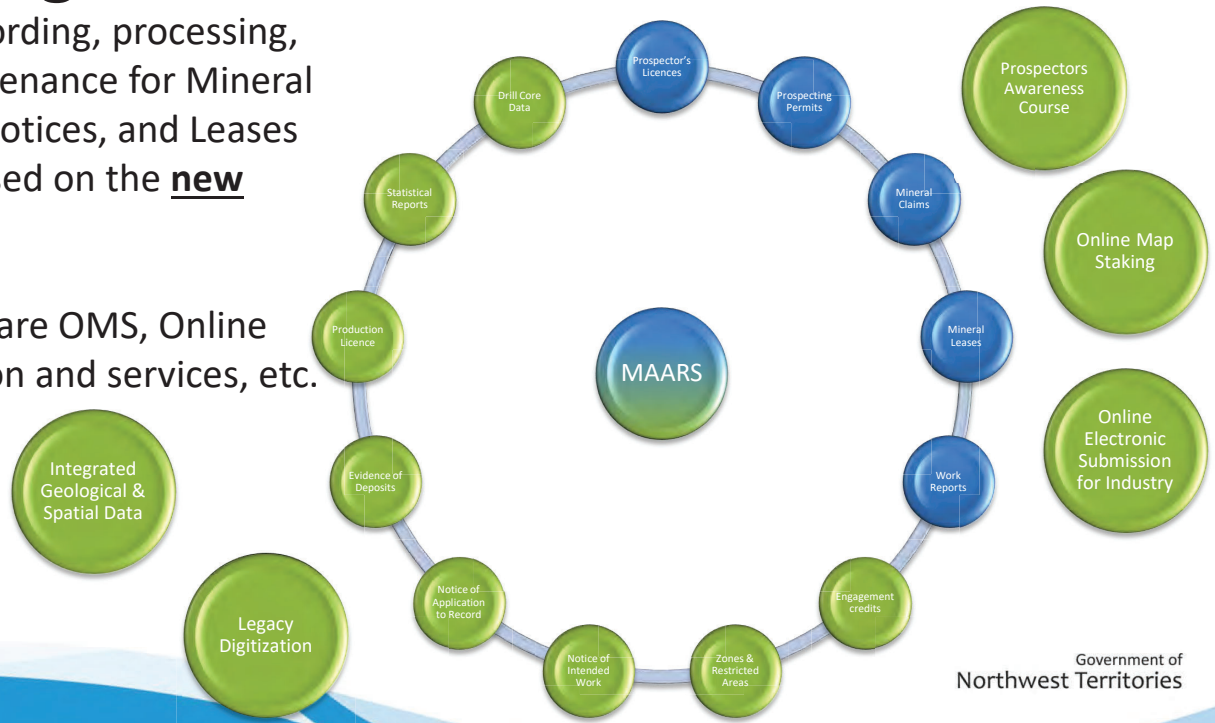
Manual process and geo-referencing



Mineral Rights Administration – Future State

The application recording, processing, issuance, and maintenance for Mineral Licenses, Permits, Notices, and Leases will be provided based on the **new Regulations.**

Additional features are OMS, Online access to information and services, etc.





MINERAL RESOURCES ACT(MRA) IMPLEMENTATION

January 24th 2022

Julie Ward, Director Mineral Resources Act Implementation

Industry Tourism and Investment

Government of
Northwest Territories

GNWT Mandate

- Increase resource exploration and development
- Adopt a benefit retention approach to economic development



MRA goals

- Modernization and support economy
- Benefits for northerners (now and long term)
- Positive and collaborative relationships
- Respect for Aboriginal and treaty rights
- Collaborative management
- Improve geological knowledge
- Sustainable land use



Scope of Regulations

- Modernized mining regulations
- New notifications processes to encourage relationships
- New benefits regulations
- Dispute resolution, audit/inspection and enforcement regulations
- Revised staking regulations to allow for transition to online map staking
- Potential updates to the royalty regime



Policy work is occurring through working groups:

- Tenure
- Land Access
- Benefits
- Royalties
- Dispute Resolution

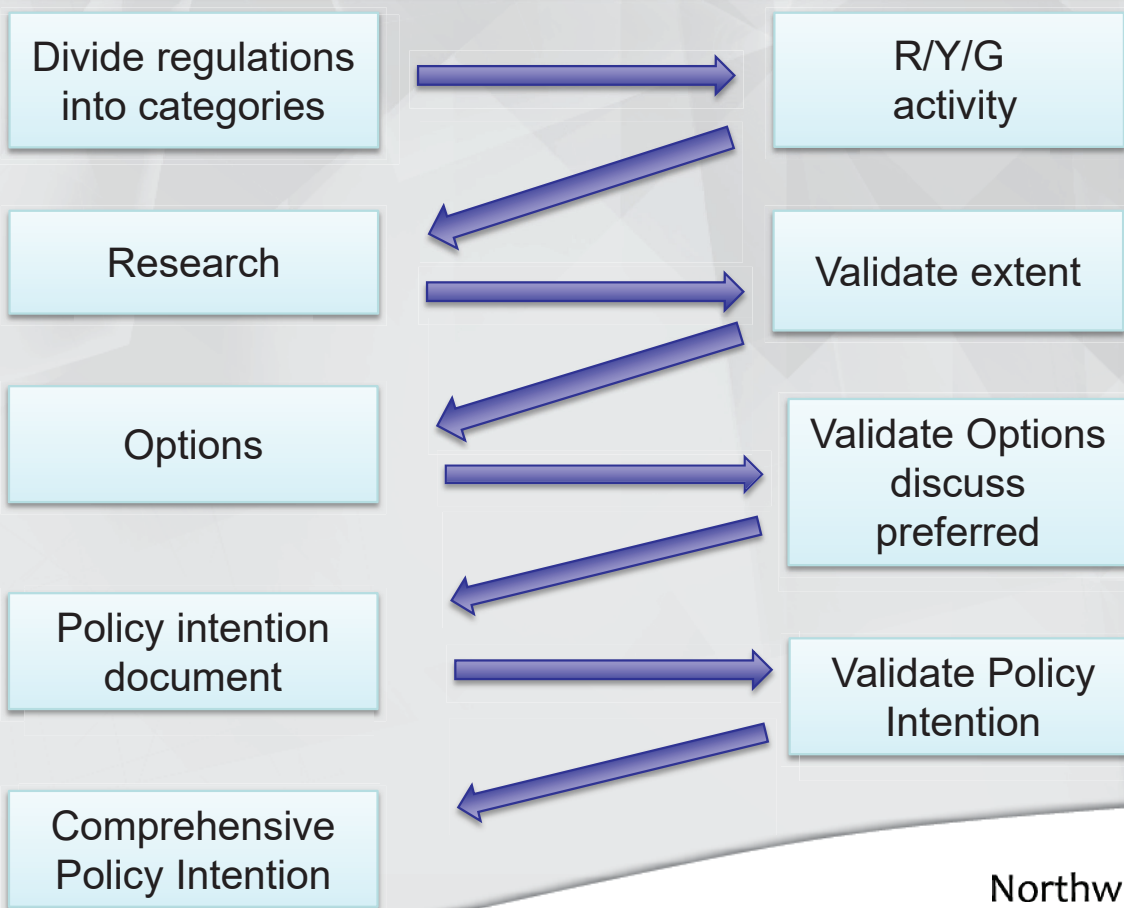


Collaborative Development of Regulations

- Intergovernmental Council on Land and Resource Management: Legislative Development Protocol (Dec 2020)
- Work with the Intergovernmental Council to collaboratively develop regulations
- Setup a technical working group with IGCS (~March 2021) to work on MRA Regulations
- December 2021 other Indigenous Governments started participating in technical working group



Collaborative Development Process

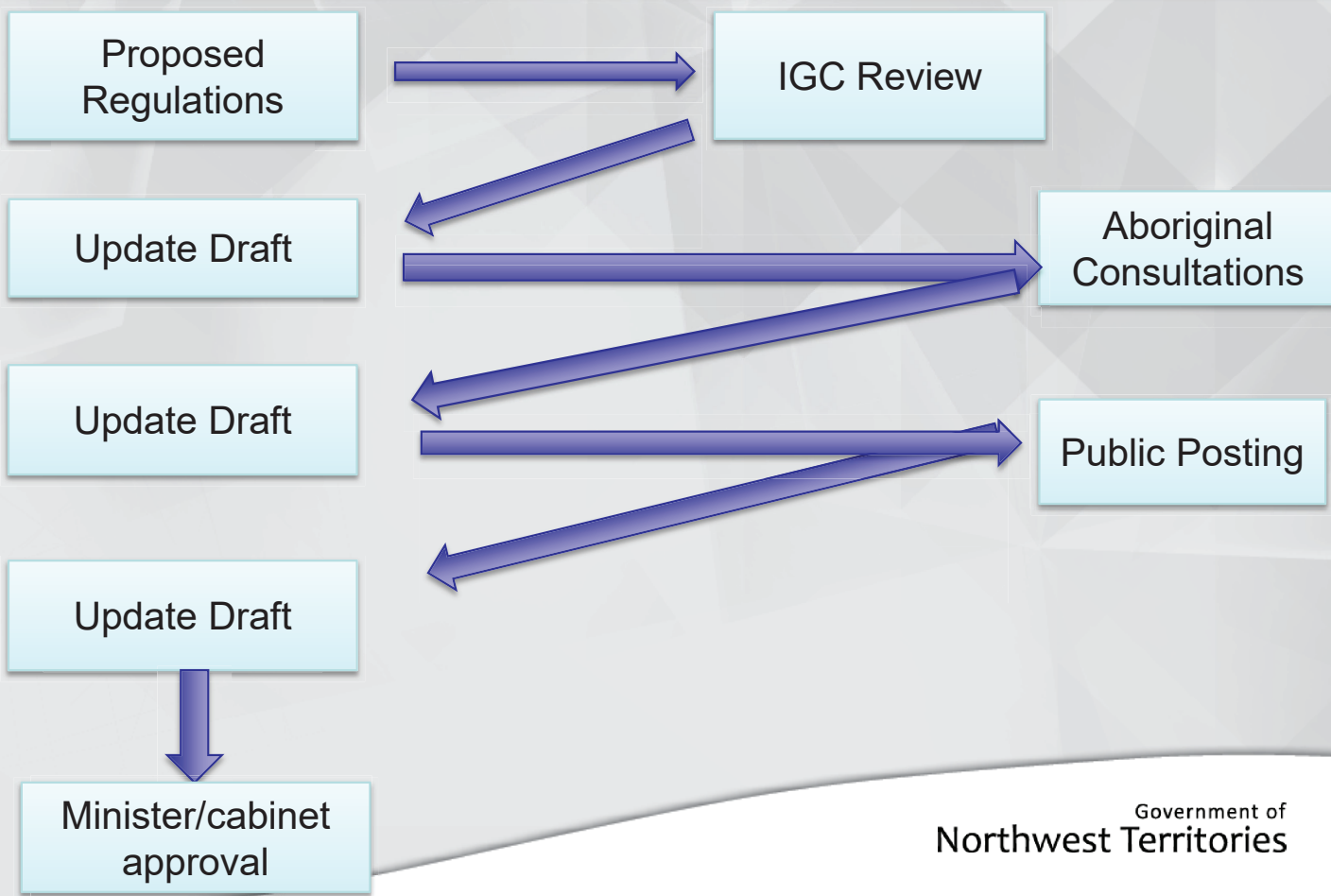


Engagement

- Coordinate policy approaches with GNWT departments
- Engagement with Indigenous governments (not represented at the Technical working group)
- Engagement with industry (Chamber, producing mines and other companies)
- Public engagement
- Engagement with boards, agencies and federal government



Collaborative Development Process con't

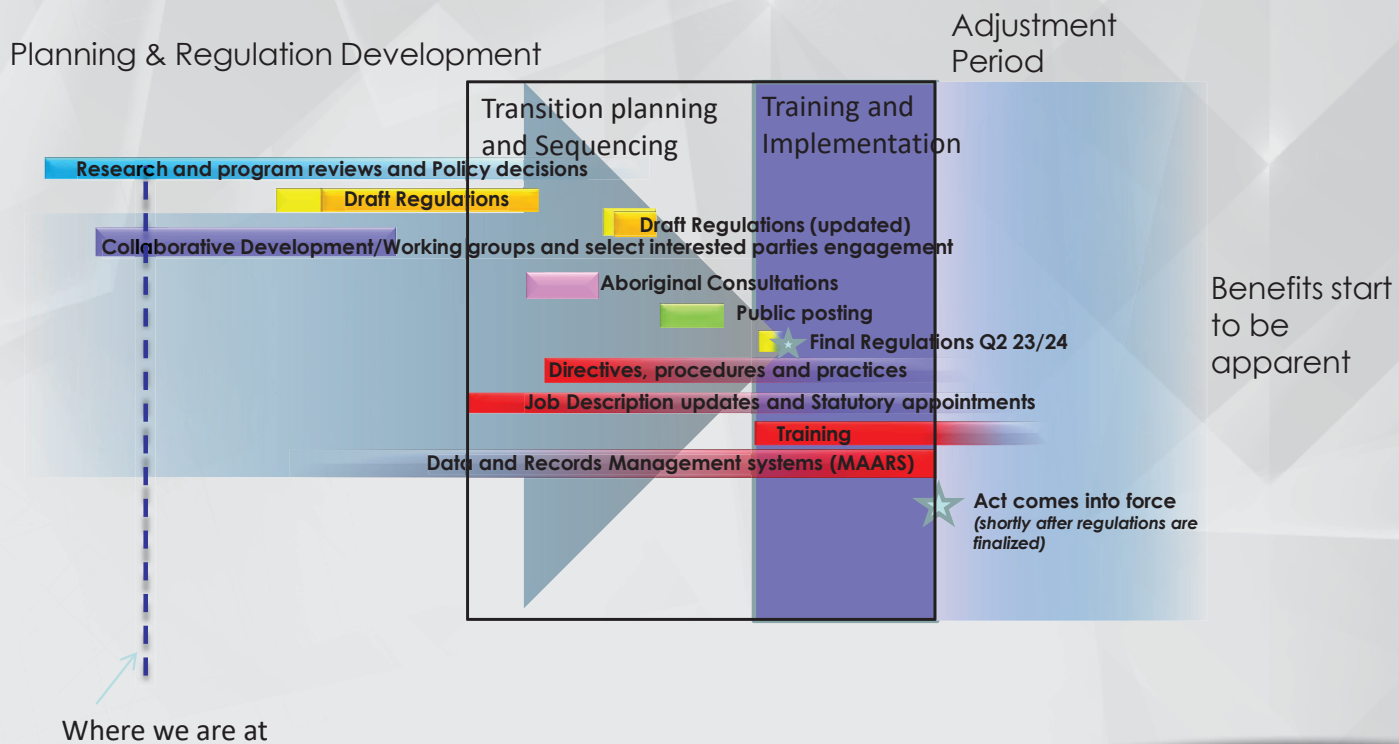


Implementation work

- New policies, directives, procedures
- New electronic registry: MAARS
- New job descriptions and staff training
- New guidance documents for our clients and publications



Proposed Timeline





Questions or Comments?

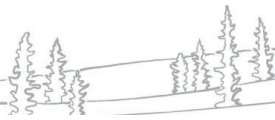
Government of
Northwest Territories



Online Map Staking Systems

Athar Ikram and Charlene Squibb

January 2022



Government of
Northwest Territories

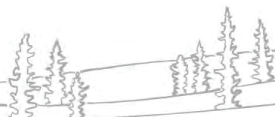
Overview

1. Online Map Staking system overviews
2. Regulation dependencies
3. NWT Factors for Consideration
4. Legacy Tenure Considerations
5. Research and Analysis
6. Recommendations
7. Next Steps



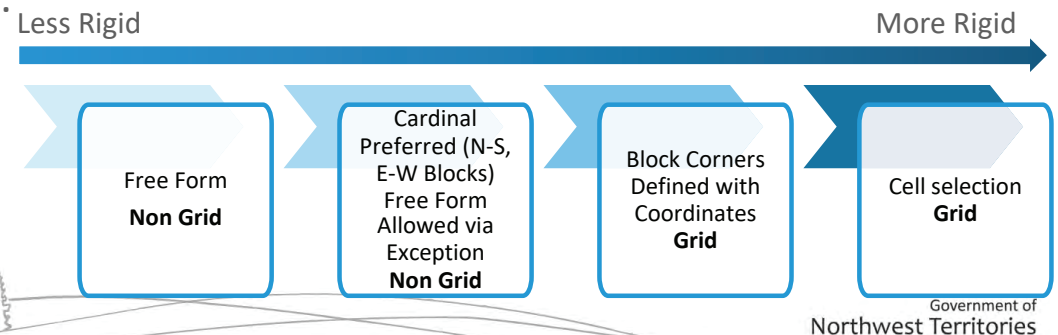
Online Map Staking Systems

- Variety of systems that can be evaluated
- Systems fall into 2 classifications
 - Grid
 - No Grid



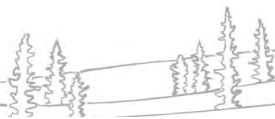
OMS Geospatial Systems

- There is a spectrum of choices between the grid approach which utilizes predefined cells for selection of mineral tenure as seen in all Canadian jurisdictions and a selection process that allows the proponent to create free form polygons to define tenure area
- Between these two end members are approaches taken by Tanzania and Greenland where mineral rights are selected by coordinates (based on minimum and maximum number of vertices) with some rules outlined in legislation or regulation.



NWT Factors for Consideration

- A large area of the NWT has some sort of restriction around the issuance of mineral rights, varying from a complete restriction to various requirements for notification.
- In some areas the Indigenous Governments own the mineral rights and as such, any system must be agile enough to ensure that the mineral tenure issued respects the defined boundaries
- The MRA includes regulation making authority for “zones” and “restricted areas” which are an additional layer of what would introduce dynamic and shifting areas on a variety of timescales.
- The OMS system adopted by the GNWT shall handle all these irregular features without mineral rights appearing to encroach on them.

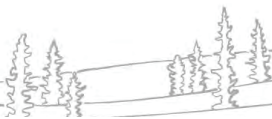


Legacy Tenure in OMS



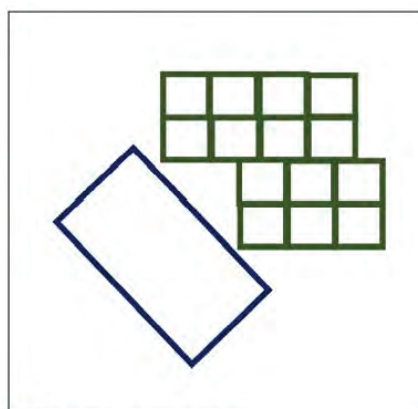
Conversion Analysis and Legacy Tenure

- Major challenge is to manage the mineral rights projecting into areas where Crown mineral rights issuance is prohibited; given the sensitivity around land management in the NWT.
- Moving to a grid- based OMS would require a substantial rewrite of the regulations.
- Current ground-staking rules are built on the concept of N-S, E-W oriented mineral claims; migrating to a No-Grid OMS may not require substantial regulation work.
- Technical geomatics approach of “clipping” irregular boundaries may minimize regulatory drafting and impact on clients.

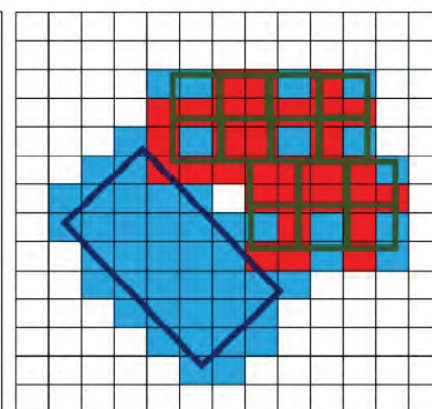


Conflicts From Conversion To Grid Cells

- Grid implementation requires mineral rights conform to a cell-based cadastre.
- Depending on the jurisdictions existing tenure, Grid may create more complexity than a free form or no-grid implementation.
- Added complexity in a grid implementation, is by a mix of large- and small-scale legacy tenure (Prospecting Permits vs. Claims/Leases).



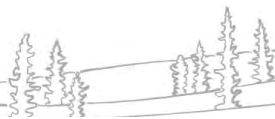
■ Old right (Large Scale)
■ Old right (Small Scale)



■ Old right (Large Scale)
■ Old right (Small Scale)
■ New right
■ Conflict



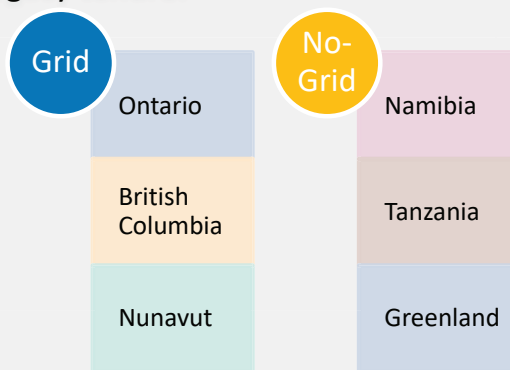
Research and Analysis



Grid Research - Scope

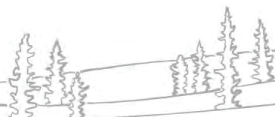
Jurisdictional Scan/Geomatics Analysis

- The objective of the study is to conduct cross-jurisdictional research and analyze the grid or no-grid methodologies to assist GNWT in deciding which of these two methodologies will be adopted.
- Jurisdictions in Canada and internationally were reviewed and a list of six was finalized.
- The three jurisdictions using a grid are all Canadian and were chosen to reflect different approaches to conversion of legacy tenure.



Cross Jurisdictional Analysis

Jurisdiction	Approach	Conversion	Comments
Ontario	Predefined Grid Cell	Mandatory	Five-year implementation (32,000 Claims)
Nunavut	Predefined Grid Cell based on NAD 27	Mandatory	Converted all claims prior to Go-Live. Allowed free one-year to claim owners to reduce their claims to prevent overlap; based on anniversary date.
British Columbia	Predefined Grid Cell, based on Oil and Gas Grid	Voluntary	Conversion still not completed after 15 years
Greenland	Coordinate selection based on Latitude and longitude	N/A	Continuation of their legacy manual processes; improved with technology
Namibia	Coordinate selection based on Latitude and longitude using Bessel 1841 projection	N/A	Still implementing but does not envision moving to Grid because of cost of conversion
Tanzania	Coordinate selection based on Latitude and longitude	N/A	Variance from N-S, E-W orientation is allowed.



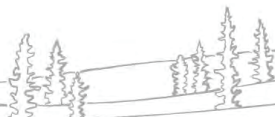
Grid Approach

Advantages

- Fixes absolutely the location of a claim.
- Cells remain fixed forever, so anything recorded against a cell is permanently preserved.
- Creates a very orderly arrangement of mineral title

Disadvantages

- Requires conversion of tenure, settlements and agreements when 2 or more clients convert and share a grid cell
- For the claims with grid cells that overlap a restricted zone, rules will be required to determine the portion of costs clients must pay.
- As boundaries of areas restricting mineral tenure issuance change, the visual overlay of grid has to be revised to avoid giving perception of the ability to select a tenure.
- Requires for large amounts of user training.



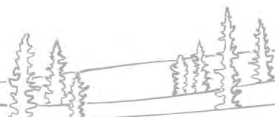
No Grid Approach

Advantages

- No cell conversion needed.
- Ease of use for clients especially if business rules for shape/size/orientation of claims are like existing ones for ground staking.
- Irregular boundaries are respected with no cell projection or requirement for sterile areas adjacent to borders, etc.
- Changes to boundaries of areas restricting mineral tenure issuance have no impact other than existing tenure has to be respected.
- Enables flexible staking compared to rigid Grid approach.

Disadvantages

- Appears to be going against consensus favouring grid approach in Canada and Internationally.
- Appearance of cluttered tenure depending on number of vertices allowed to define tenure.



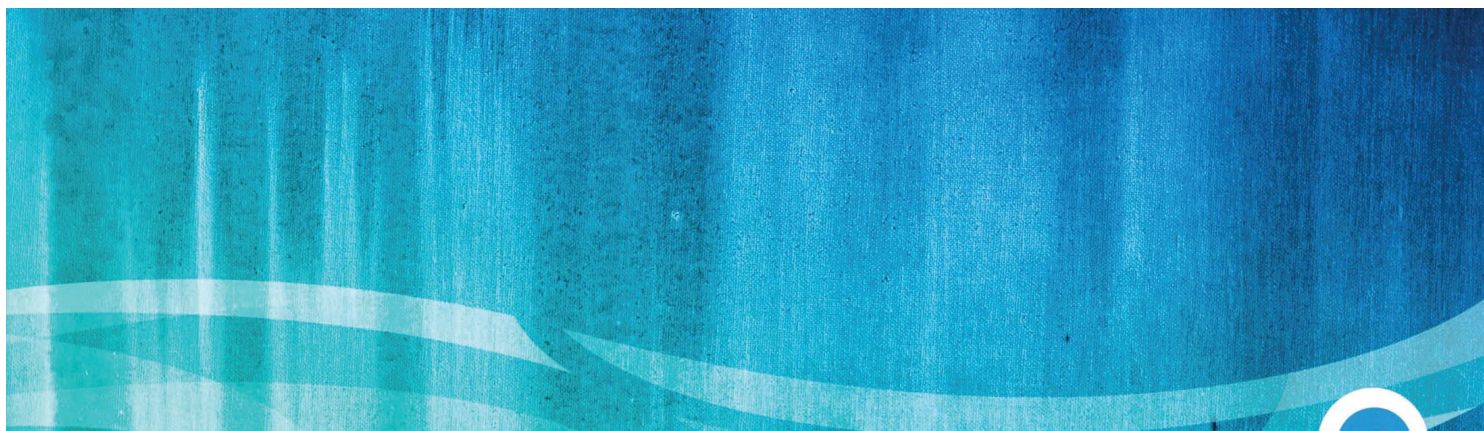
Recommendations

- A no-grid approach to OMS would simplify future “clipping” of new mineral rights to surveyed mineral leases.
- An allowance could be built-in allowing for non- N-S, E-W orientation shapes, allowing the client to follow geological structures, only claiming what client is interested in acquiring.
- The lack of the requirement for tenure conversion and simpler regulatory drafting should allow rapid OMS implementation to improve competitiveness of NWT mineral policy.
- The research leads that, given the available technology of a no-grid system, the complexity and ever evolving network of restricted areas, the time and resources required for conversion of existing tenure and the implementation of features of the Mineral Resources Act (MRA) such as “Zones” and “Restricted Areas”, **a No-Grid approach would be the best solution for the NWT.**
- It is strongly recommended that ITI consult with clients.



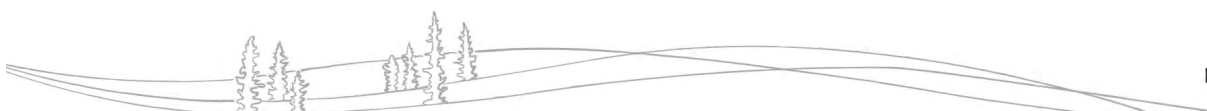
Next Steps

- Once we collect Industry feedback, we will revisit the recommendations and apply a NWT lens as part of the decision-making process.
- Industry feedback will be collected and analyzed as part of the decision-making process at the IGCS table.
 - Iterative conversation between all stakeholders
 - Further to allowance for non- N-S, E-W shapes, if there are any geometry shapes that are preferred to be available?
 - Availability of Geological metadata



Data Standards

January 26, 2022



Government of
Northwest Territories

Legislation

MRA enabled the development of regulations for the standardization of data collected through the work assessment process

Currently there two reporting formats outlined in the current framework (Mining Regulations): (1) **Standard Report** and (2) **Simplified Report**

New MRA Regulations will focus on the format (file extension, nomenclature, etc.) for geoscience information to be collected under the MRA

Regulations in this area overlap and link with :

- Work Assessment
- Drill Cores
- Removal of Minerals (Bulk Sampling)
- Evidence of Deposit



Goals

- Would optimize/maximize extraction of geoscientific data and processing of digital files more manageable
- Would streamline work assessment report submission for proponents
- Specific file format requirements will enhance management and/or performance of (relational) database ensuring data 'legacy' for future use
- Will optimize information transfer including sharing of information with stakeholders in file formats widely used in the industry
- Would minimize geoscience data loss



Research

Some jurisdictions in Canada require assessment standards for data to be in particular file formats. Jurisdictions have either adopted or are moving towards an online tenure registry/administrative support, and report filing is primarily done via online making report submission a 'one-stop shop'.

The GNWT will be in a similar position once new regulations (MRARs) are developed and will include provisions for high quality, reliable geoscientific data sharing with the industry.

In 2014, Prospectors and Developers Association of Canada (PDAC) formed an ***Exploration Assessment Digital Data Formats (EADDF)*** working group tasked to formulate a standardized data format for exploration work assessment reports

The main drivers of this work was to create standards using the following principles:

- Simplicity
- Durability
- Extensibility
- Originality



Proposal

Adopt PDAC's **Exploration Assessment Digital Data Formats (EADDF)** with Modifications

How it solves the problem:

- Will minimize data loss and maximize extraction of information

Potential advantages:

- The EADDF was drafted in 2017 so it is a bit dated, however, any revisions to the data format or file format requirements by PDAC will likely be properly vetted and thus can be trusted to be of high quality, readily adoptable if minimal review or amendments
- Quality of data shared with Industry will enhance exploration, attract investment, help innovate mineral resources industry

Potential disadvantages:

- Some proponents (mainly prospectors) may face difficulty submitting digital assessment data until such time as the system is established and they are familiar enough to make the change to digital assessment data



EADDF Modifications

Require assessment report submission in electronic or digital formats only (no paper-based reporting)

- Once MAARS is implemented, electronic submission will make submission process an easy, one step process

The PDAC document proposes standardized submission report templates, file formats/extensions for numerical data, standards for geological mapping data, standard formats for tables, headers with alpha numeric codes and any embedded information as metadata that contains:

- Location of any geological observation in a world coordinate system (UTM NAD83)
- Identify owners of the property on which the work is done
- Record date of work done
- Identify laboratory and/or methods and codes used for geochemical work
- Identify the drilling company and record the orientation, length of hole, any geological data obtained from the drill holes
- Allow collection and reporting of all geophysical data including raw field data

In addition, the following additions/modifications are proposed:

- Minor additions to the file extension requirements and some data 'optionality' restrictions will have to be added to the PDAC document as requested by the NTGS subject matter expert, but for all practical purposes the EADDF can be adopted as Data Submission Standard - a stand alone policy for work assessment submission requirement



Proposed Data Standards will mean

No More/Minimized:

- Searching for and/or re-creating original geoscience data
- Lost geoscience data

More/Increased:

- Streamlined System/Workflow Efficiency
- Extraction of geoscientific data
- Manageability/processing of digital files
- Standards format will make technical assessment much more efficient
- Specific file format requirements
- Transparency of what work has been completed
- Functionality will enhance management/performance of (relational) databases
- Ensures data 'legacy' for future use



Benefits to Industry

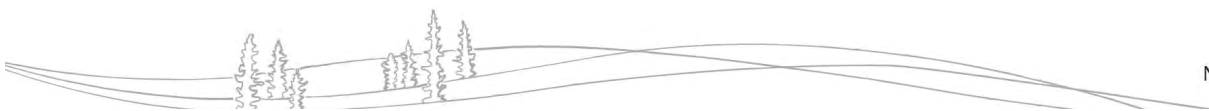
- Ensuring clear standards/guidelines for proponents when filing geoscience data from their projects, for work assessments
 - 'Template' for each Industry approved data type
- Streamlining work assessment report submission for proponents
 - Data (almost) always already in necessary file formats
- Making geoscience data easier to acquire, compile and use on new projects
 - Known expectation of what data will be available and in what file format when exploring in new areas
- Optimizing information transfers (including sharing of information with stakeholders) in widely used, industry file formats
 - Less time spent transferring data from an undesirable file format into an Industry approved type



The Path Forward

Big Question:

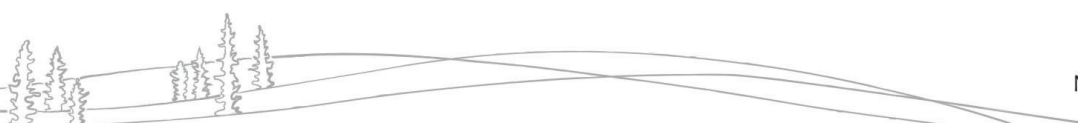
How to bridge gap between current requirements and proposed data standards with respect to Industry roll out...?





Drillcore Regulations

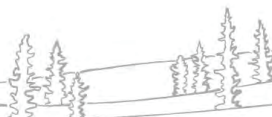
January 25, 2022

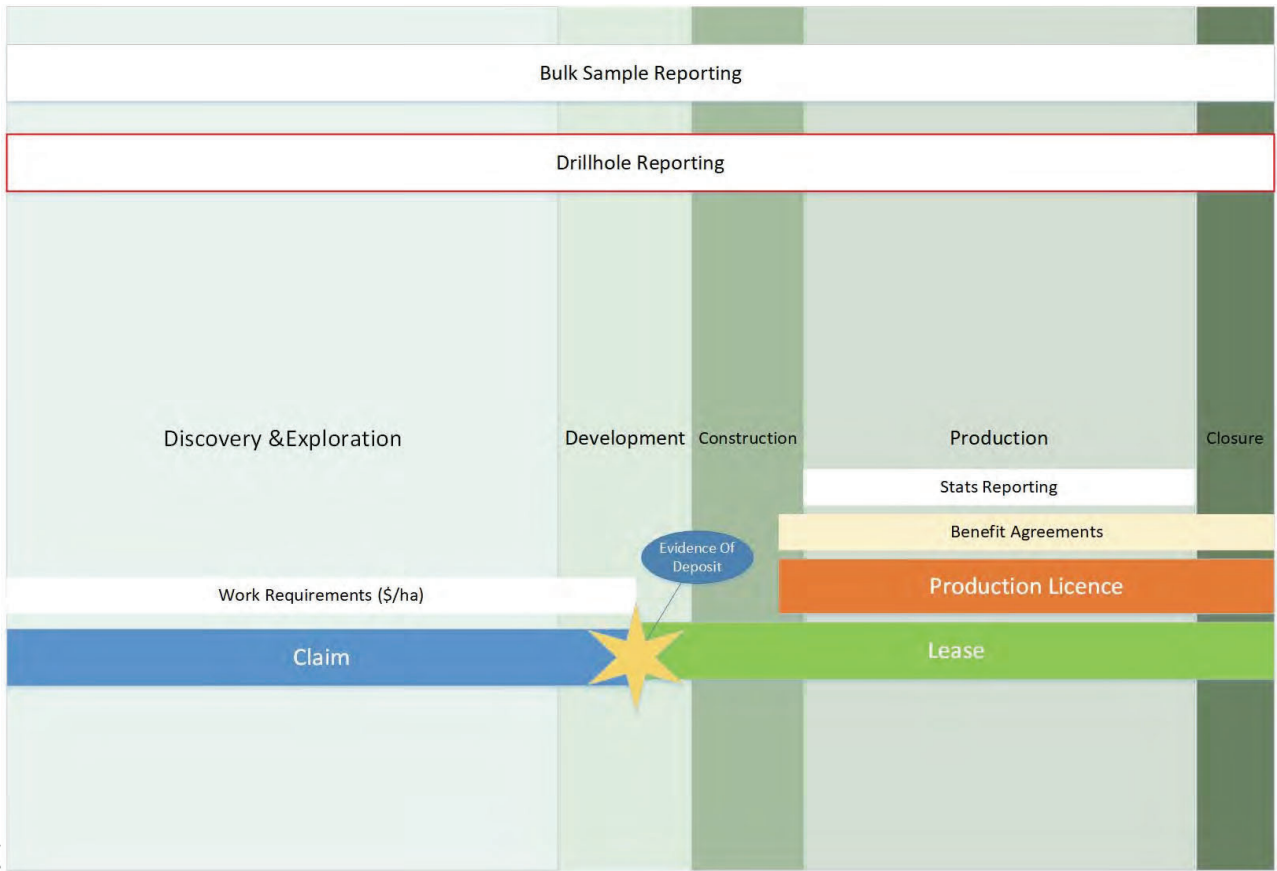


Government of
Northwest Territories

Overview

- Drill Core in the Tenure System
- Goals of Drill Core Regulation
- Proposed Regulations
- Saskatchewan Regulations to Adopt
- Saskatchewan Regulations to Modify
- Implementation and Forward





Goals of Drill Core Regulations

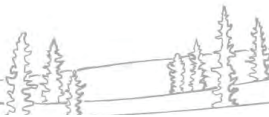
- Preserve core in the field
- Provide clarity in defining the mechanism for Minister to take possession of core (triggers and data source)
- Create a reporting requirement that is complimentary to the work assessment data that maximizes future use of core by subsequent proponent (focus on functional and spatial data)
- Create clear regulations and process for transportation and disposal of core
- Create regulations that meet the needs and goals listed above but do not create undue burden on industry or duplication of efforts



Reporting Requirements

Required Reporting for all exploration Drill Cores of:

- Location,
- Hole ID, Campaign (where appropriate)
- Azimuth, dip and downhill survey data (method and all relevant readings)
- Depth of holes
- Guidelines requesting Core Logs with Litho Unit guide as best-practice reporting



Storage and Preservation

Preservation of Core through setting requirements for:

- Core storage
- Labelling
- Compliance to GNWT best practise document
- Sampling requirements for secondary owners and public use (lab certificates submitted to GNWT)



Proposal for Minister Taking Possession

Items to consider for further regulation and policy development:

- Monitoring/ Triggers
- Paperwork, Notice and Communication
- Possession and regulations for subsequent proponents working with the core
- Work Assessment credits for donated core



Transportation and Disposal

Transportation of Core off claim

- Notification
- Prescribed Form
- Mining Recorder Notification for leaving NWT
- Disposal
- Application for the disposal of core
- NTGS to approve or notify the minister of core that will need to be taken into possession by GNWT



Public Access to Drill Cores

NTGS will manage the drill core database and public access for cores stored both in field and in core library

For drill cores of interest collected under s.50, NTGS will incorporate select drill cores collected into the Core Library at the Geological Materials Storage Facility where warranted



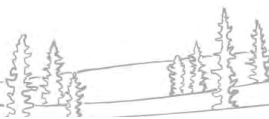
Saskatchewan Drill Core Requirements to Adopt

- Retain all drill cores obtained for the purpose of mineral exploration and development on mineral disposition lands in standard core boxes at the drill site or at a centralized core storage facility.
- Identify each box with weatherproof labels, securely attached, indicating the hole number and core interval represented;
- Store the core boxes in racks provided with a roof, in ventilated stacks with the upper layer covered, or in any other manner that meets the requirements of the core storage guidelines



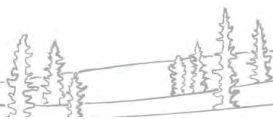
Saskatchewan Drill Core Requirements to Adopt

- Make all reasonable efforts to protect the drill cores from adverse effects from the weather; and
- Store all drill cores from a single drill hole, except for those portions used for scientific testing in a single location
- Reasonable expenditures associated with the shipping of drill cores to a designated provincial storage facility may be submitted for registration as assessment work expenditures.



Saskatchewan Drill Core Requirements to Modify

“No person, whether or not a holder pursuant to these regulations, shall intentionally remove from Saskatchewan, or intentionally discard, dump, destroy or otherwise reduce the scientific value of drill cores obtained from any mineral disposition lands except for those portions used for assaying, testing and metallurgical, mineralogical or other scientific studies, without the written permission of the minister.”



Modify Regulations from SK Model

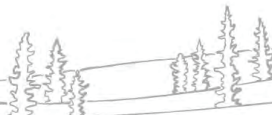
- The storage location of all drill cores must be noted in the assessment work report submitted for registration pursuant to section 61 and any subsequent change in location must be reported to the minister.
- Every person who intends to dispose of any drill core in his or her possession or entrusted to his or her safekeeping shall submit an application in writing to the minister.



Questions for Feedback

Thoughts on mandatory data requests

- Timelines after drill program (annual or ad-hoc)
- Data collection and distribution
 - Long term use
 - Reporting completeness
- Confidentiality period
- Considerations for practises specific to commodity





Evidence of Deposit

January 24, 2020



Government of
Northwest Territories

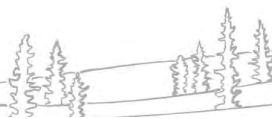
Issue

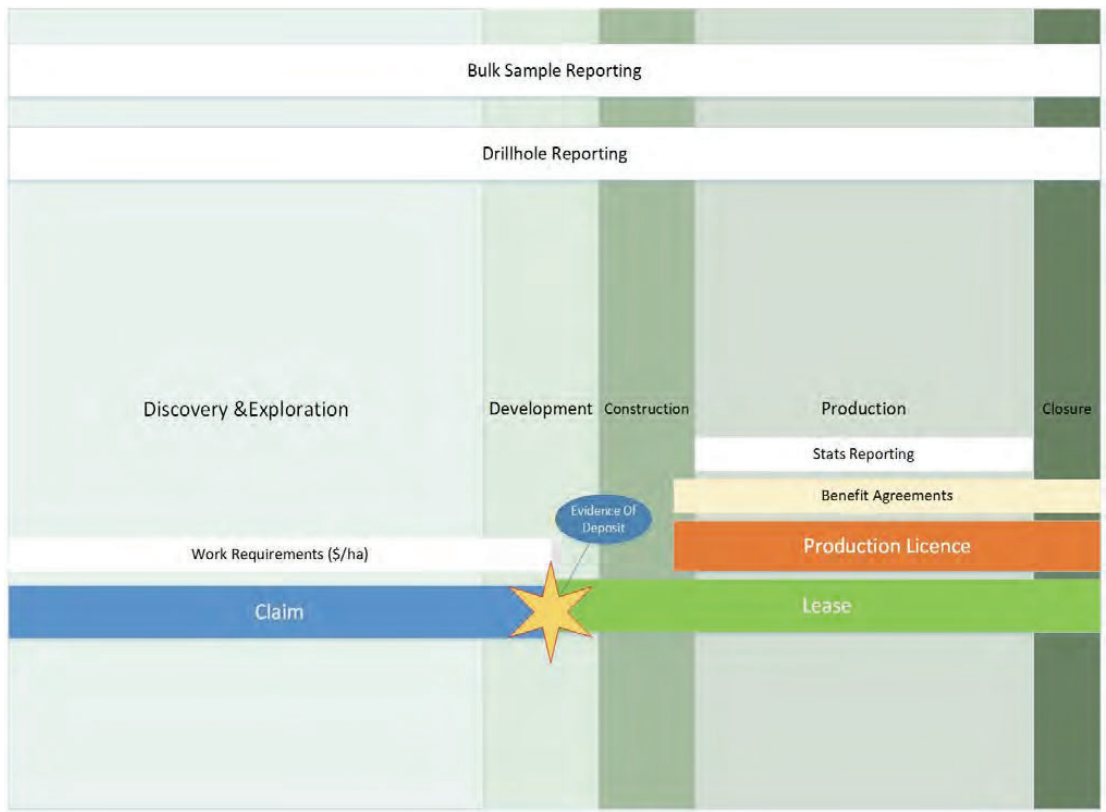
- A merit-based tenure system will require a threshold be defined to ensure that claims that are converted to mineral leases have defined economic potential and will continue to be developed
- The mineral leases issuance process should take into account Indigenous interest when the “right to extract” is transferred to the mineral lease holder.



Considerations

- Mineral resource development cycle
- De-risking the lease issuance process
- Method for determination of mine footprint and lease eligibility requirements
- Holistic regulatory system approval process
- Financing and production timings
- Artisanal mining and privately held company equivalents
- Relationship and timing between mineral lease issuance and production licence.





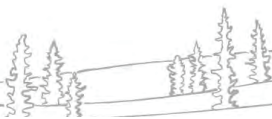
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CROSS JURISDICTIONAL REVIEW



Evidence of Deposit – Summary

- Evidence of metallic and industrial mineral deposit (AB),
- Extent and value of an ore body has been determined (MB),
- Ore body has been delineated and the applicant has made a decision to commence production (NB),
- Extent and value of an ore body has been determined (NS),
- Demonstrate that a mineral resource exists under the area that is of significance size and quality to be potentially economic. (NL),
- Lease in production within 5 years (QC).



Technical Considerations

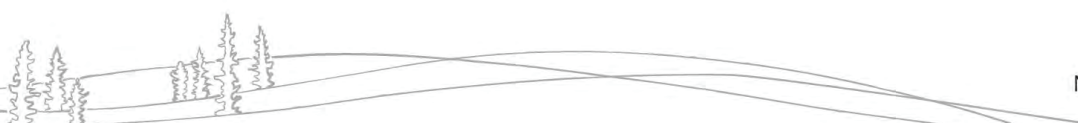
- Review potential milestones and triggers
- Overview of CIM - CSA role
- Scenario Modelling from historic data



Potential Milestones and Triggers

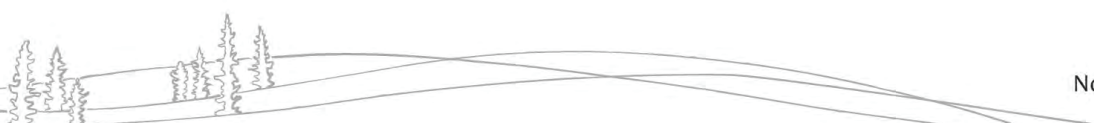
There are two authorities in Canada for defining standards and publishing “Best Practice Guidelines” for the resources industry:

- Canadian Institute of Mining, Metallurgy and Petroleum (CIM)
- Canadian Securities Administrators (CSA) administered Disclosure Document, National Instrument 43-101 (*NI 43-101*)



CIM – Advanced Property

Advanced property - means a property that has (a) mineral reserves, or (b) mineral resources the potential economic viability of which is supported by a preliminary economic assessment, a pre-feasibility study or a feasibility study;



Potential Thresholds/ Technical Milestones

3 defined reports under CIM for advanced property

- Preliminary Economic Assessment
- Prefeasibility Study
- Feasibility Study



Criteria	Technical and Economic Studies		
Study	Preliminary Economic Assessment (PEA)	Pre-Feasibility Study (PFS)	Feasibility Study (FS)
Concept	"What it could be"	"What it should be"	"What it will be"
Objective	Early stage conceptual assessment of the potential economic viability of mineral resources	Realistic economic and engineering studies sufficient enough to demonstrate economic viability	Detailed Study of how the mine will be built. Report that is typically used to make a decision with respect to production
Type of Estimate	Order of magnitude	Preliminary	Definitive
Cost Accuracy	"+/- 50%"	"+/- 25%"	"+/- 15%"
Engineering	<1%	1-5%	5-25%
Key Aspects	<ul style="list-style-type: none"> · Major Equipment List · Material Volume Estimates from factors · No detailed engineering drawings · Approximate implementation schedule 	<ul style="list-style-type: none"> · Preliminary equipment list · Material Volume Estimates from offtakes · <2% detailed engineering drawings · Level 1 Implementation schedule 	<ul style="list-style-type: none"> · Equipment specifications and vendor quotations · Material Volume Estimates from drawing offtakes and site surveys · 10% detailed engineering drawings complete · Level 3 implementation
Mineral Estimates Inputs	Inferred/Indicated/Measured Resource	Indicated and Measured	
Mineral Estimates Outputs	Inferred/Indicated/Measured Resource	Probable and Proven Reserves	

Scenario Modeling

Comprehensive dataset built of existing Mineral Projects on active NWT leases

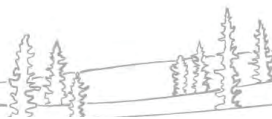
Evaluated across 4 key areas

- Tenure
- Regulatory (Approvals)
- Technical Report Filings
- Benefits (SEA and BA agreements)

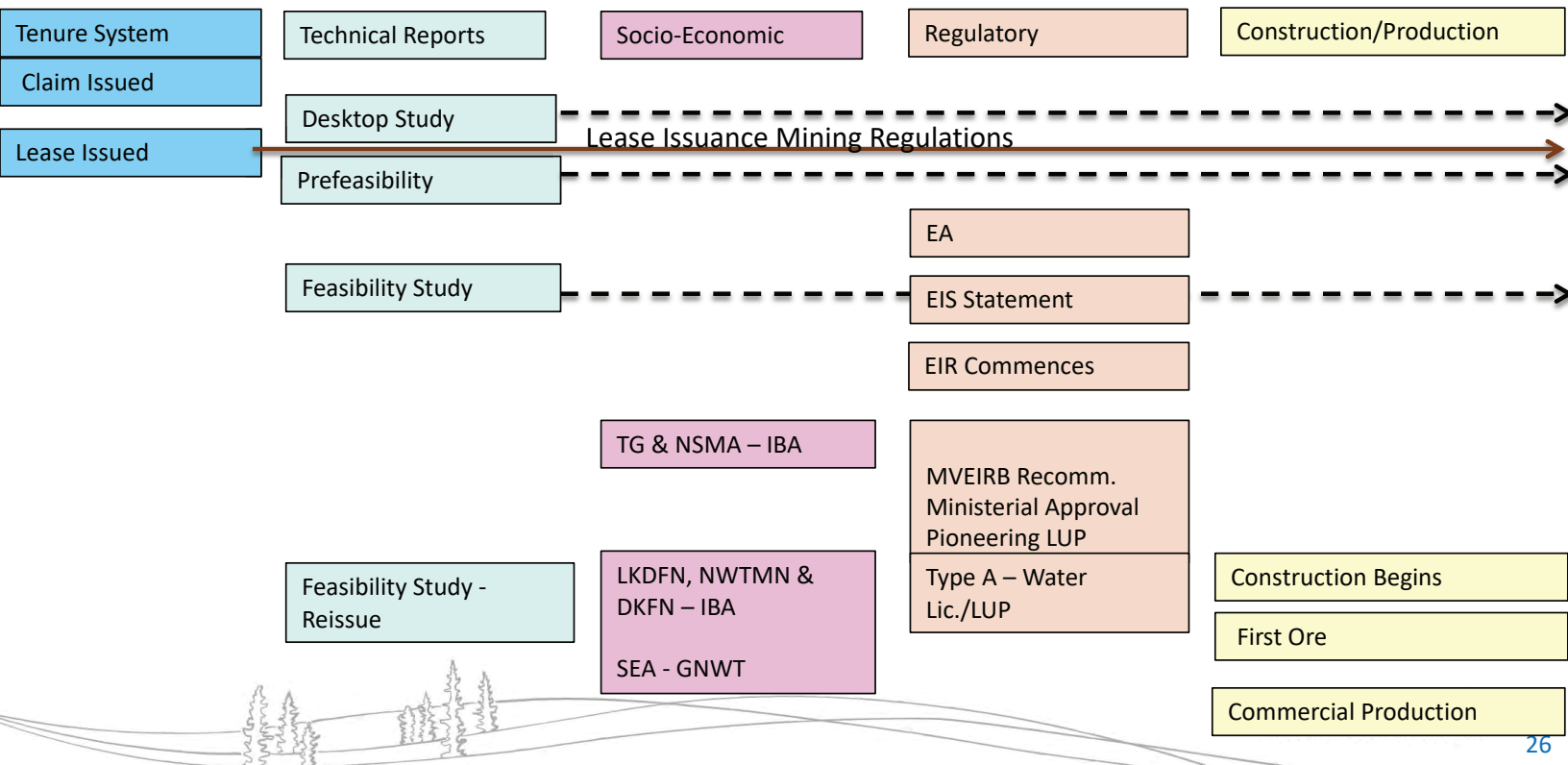


Scenario Modeling Observations

- PEA is the first indication of potential economic viability of a project but does not translate to further development if not followed by a PFS or FS
- Feasibility report as a threshold is too late in the process for the issuance of the “right to extract” minerals when timelines take into account production licence, regulatory process and industry certainty requirements
- PEA/PFS both pass the timeline test

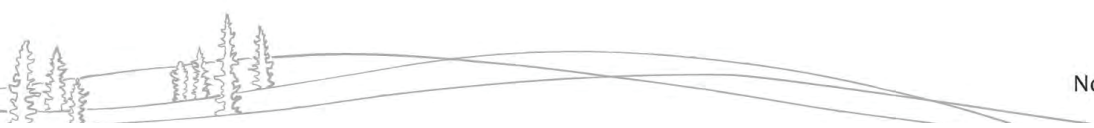


Example of Analysis



Path Forward

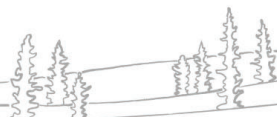
- EoD should utilize the CIM definition of an “Advanced Project” to issue a lease
- PFS reports and equivalents will be used
- Determine interest in considering the development of technical requirements signed by a QP with additional regulatory triggers that can be scaled up or down based on the proponent and project size. Similar to the regulations of New Brunswick and Newfoundland





Claim Issuance and Notification of Application to Record

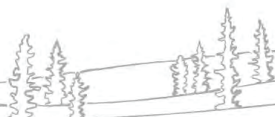
January 25, 2022



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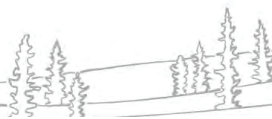
Overview

1. Introduction and Background
2. Ground Staking Transition
3. Application to Record
4. Notification of Application to Record
5. Process & Timelines



Enabling Authorities – Quick Reference

- S. 22 – Surface Rights
- S. 21 – Staking Prohibitions
- S. 29 (1-3) – Staking a Claim
- S. 29 (4-5) – Notification of Application to Record
- S. 19 – Recording of Claims



Enabling Authority – Surface Rights

Mineral Resource Act (MRA) S. 22

22. If the surface rights to lands have been granted or leased by the Crown or the Commissioner, no person shall go on the surface of those lands to prospect or stake a claim, unless

(a) the holder of the surface rights has consented to entry for the prospecting or staking; or

(b) the Surface Rights Board has, under the Surface Rights Board Act, made an access order that authorizes entry on those lands and that sets the compensation, if any, payable to the holder of the surface rights.



Enabling Authority – Staking Prohibitions

Mineral Resource Act (MRA) S. 21

s. 21 No person shall be issued an interest in minerals in respect of, or may prospect, explore or stake a claim on, any of the following:

- (a) lands that are withdrawn from disposal under the authority of an Act of the Northwest Territories or an Act of Canada, unless the instrument that withdraws the lands from disposal does not apply to interests in minerals, as specified in the instrument;
- (b) a protected area established under the authority of an Act, if the applicable Act and regulations prohibit the issuance of an interest in minerals in the protected area;
- (c) lands used as a cemetery;
- (d) with respect to prospecting and staking,
 - (i) any area within a zone established under section 25 for which exclusive rights to prospect and stake have been issued to another person,
 - (ii) lands covered by a recorded claim or a mineral lease, except by the holder of the recorded claim or the mineral lease,
 - (iii) lands that under this Act or the regulations are closed for prospecting and staking for a specified period, or
 - (iv) lands that are closed for prospecting and staking for the purposes of a review under Part 9, when provided by the regulations;



Enabling Authority – Staking Prohibitions (cont'd)

- (e) lands for which the underlying interest in minerals has been granted or transferred by the Crown or the Commissioner;
- (f) lands subject to a prohibition on prospecting, staking a claim or the issuance of an interest in minerals under a land use plan that has been approved under an Act of the Northwest Territories or an Act of Canada or under a land, resources and self-government agreement;
- (g) lands that have been designated by the Minister as restricted under section 23, except for those interests described as unaffected by a designation in subsection 23(16);
- (h) any other prescribed lands.



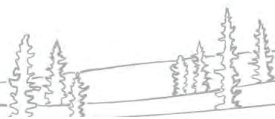
Enabling Authority – Staking a Claim

Mineral Resource Act (MRA) S. 29

29. (1) The holder of a prospector's licence shall comply with prescribed requirements when staking a claim.

(2) No person shall, except in accordance with the regulations, interfere with a post or other item lawfully placed under this Act or the regulations in respect of the staking of a claim.

(3) The holder of a prospector's licence may apply to a Mining Recorder, in accordance with the regulations, to record a claim staked in accordance with subsection (1).



Enabling Authority - Notification of Application to Record

Mineral Resource Act (MRA)

Section 29(4) “A Mining Recorder shall ensure public notice is given within a reasonable time after receiving an application to record a claim, in accordance with the regulations.”

Section 29(5) “The Minister shall, in accordance with the regulations, give notice that a Mining Recorder has received an application to record a claim to an Indigenous government or organization where the area in respect of the application to record the claim (a) is within or overlaps with a settlement area of that Indigenous government or organization; or (b) is within or overlaps with the asserted traditional territory of that Indigenous government or organization.



Enabling Authority – Recording of Claims

Mineral Resource Act (MRA) S. 19

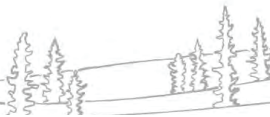
19. (1) The Minister may issue interests in minerals in accordance with this Act and the regulations.

(2) The recording of a claim under this Act does not confer upon the holder

(a) any right, title, interest or claim other than the exclusive right to recognition of the performance of work required in order to obtain a mineral lease and until obtaining such a lease the holder is merely a licensee of the Government of the Northwest Territories;

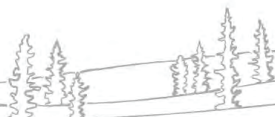
(b) any right, title or claim to the surface rights of the claim other than the right, subject to the requirements of this Act, to enter upon, use and occupy such part or parts thereof as are necessary for the purpose of prospecting and the efficient exploration, development and operation of the mines, minerals and mining rights therein; or

(c) any right to remove minerals found in, upon or under the claim, except in accordance with this Act.

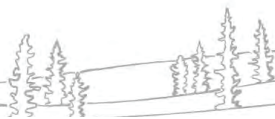


Introduction

- Online Map Staking is enabled under the MRA
- Goal is to implement on short notice
- Transition to OMS will potentially require a ground staking phase once MRA is Implemented
- Optimize this transition phase for OMS Implementation

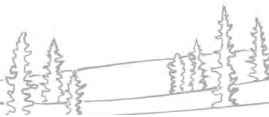


GROUND STAKING

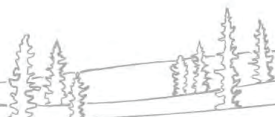


Ground Staking – Transition

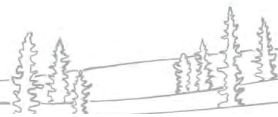
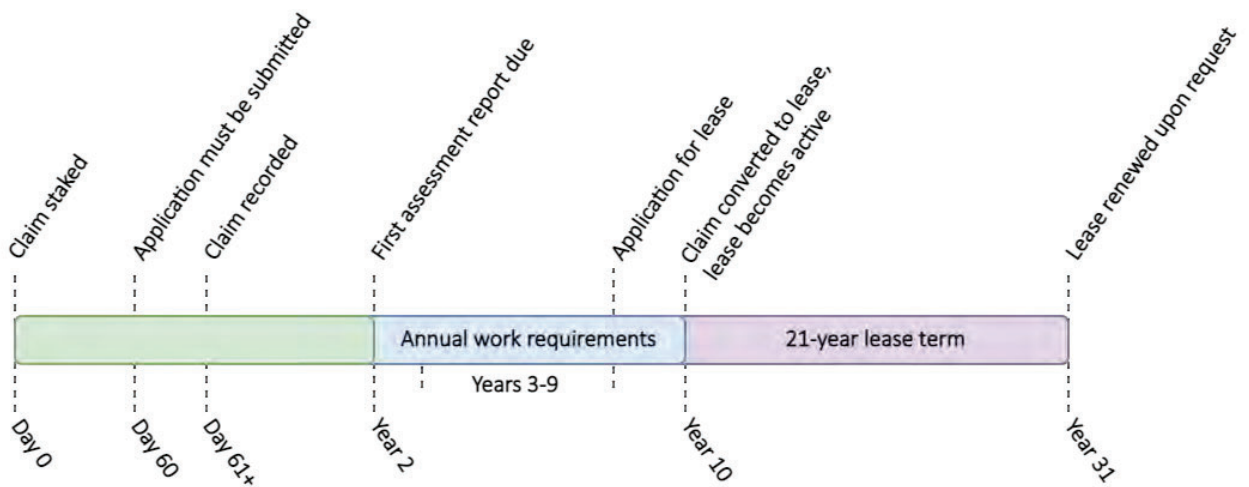
- The ground staking is well tested with several rounds of staking rushes the NWT experienced from the 1990s to early 2000s.
- The current ground staking regulations allowed for scalability and had very few issues arise related to the claim staking process
- For this reason there are no substantive changes requested to the ground staking regulations as they are transitional and should remain status quo during the transition phase.
- Focus will be on online map staking (OMS) regulations content
- Necessary changes will be focused on Application to Record process



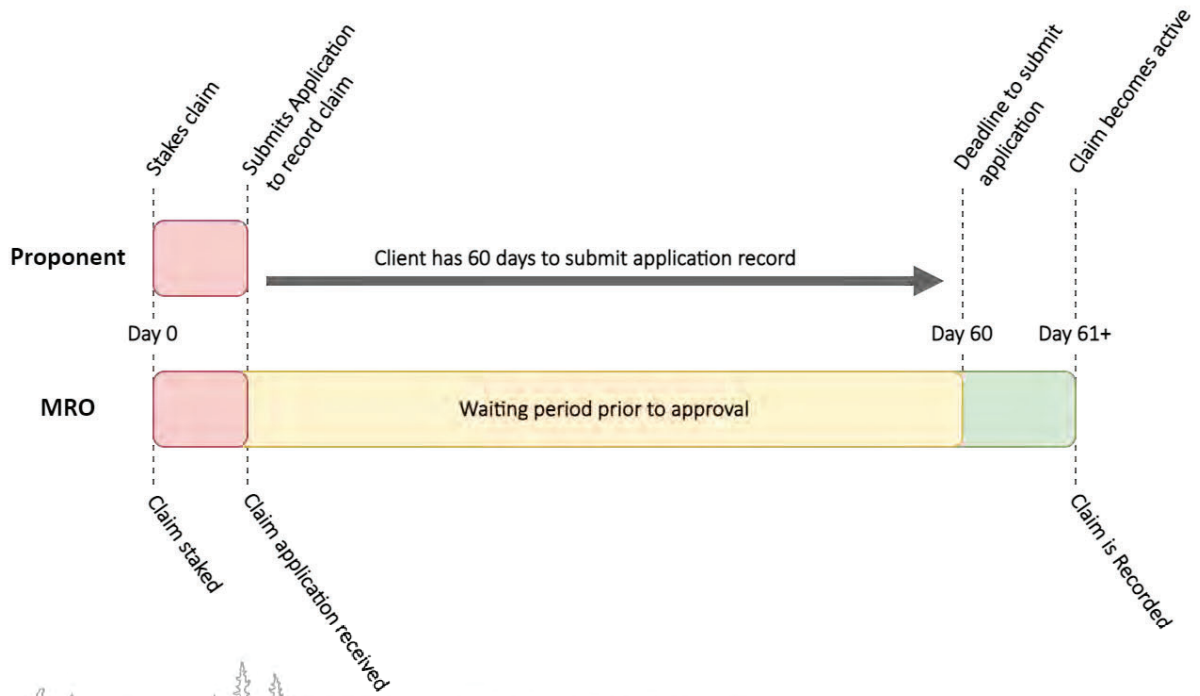
Application to Record



Current Timeline



Current Timeline



Application to Record – Current State

- An original claim sketch on a 1:50,000 scale claim map
- Application fee of \$0.25/hectare per claim (e.g. 1,250 ha x \$0.25/ha = \$312.50)
- Completed Application Form
- If applicable, permission for staking on surface titled Inuvialuit lands or proof of seven days' written notification for staking on surface titled Gwich'in and Sahtu lands
- Valid Licence to Prospect of Claim Holder

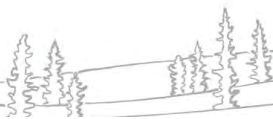


Application to Record – Current State

Data Collected from Current Application to Record Process:

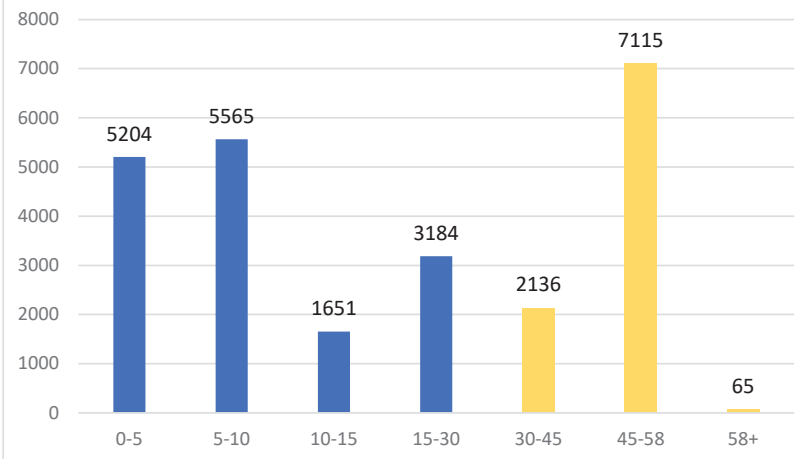
Required Fields:

- Staker and/or Claim Holder Name and Prospector Licence
- Contact information (address, email and telephone)
- Date and time of all corner posts
- Claim area
- Claim NTS mapsheet
- Certification from applicant that all ground staking regulations were followed in the staking process
- Sketch map at a 1:50,000 scale

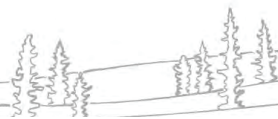


Application to Record - Data

Days AR received after Staking Date



Days After Staking AR received	# of Application To Record	% of Application to Record
0-5	5204	21%
5-10	5565	22%
10-15	1651	7%
15-30	3184	13%
30-45	2136	9%
45-58	7115	29%
58+	65	0%
Total	24920	100%



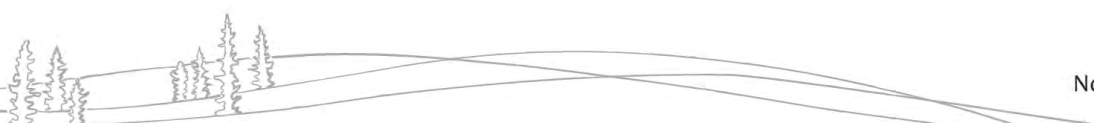
Application to Record - Transition

NAR timelines should set the triggers for when a claim can be recorded:

- Flexible to proponents and creates an incentive to submit application early
- Ensures that NAR dialogue process is prioritized in the Application to Record process

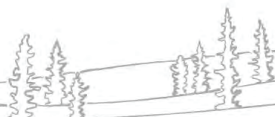
Proposed Modifications – 30 days to submit application to MRO

- Scalability – different sizes of claim blocks
- Remote nature of field work accounted for in process
- Weather
- Proponent has administrative tasks to complete after staking and prior to submission



Application to Record - Transition

- Adopt policies ahead of implementation
 - GPS Coordinates for all corner posts (to optimize transition to OMS)



Notification of Application to Record



About NAR

- Notification of Application to Record (NAR) was jointly developed during the *MRA* development process to ensure Indigenous governments and organizations are informed about when mineral claims are staked in their traditional territory
- The general public and other governments also have an interest in where new claims are being staked
- Mineral explorers have a desire to start building relationships with Indigenous governments and organizations early and on a positive note. Developing a relationship following NAR is mutually beneficial to all parties
- MRA requires notification – implementation can be done through policy



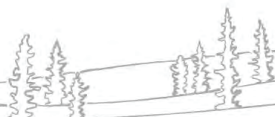
Other Jurisdictions

- Common themes:
 - Notice to public not required by other jurisdictions
 - Notice provided to surface rights holder by claimholder after staking/recording (MB, ON, QC, NB)
 - Notice to Indigenous governments not required by other jurisdictions
 - Ontario opts to provide
 - Manitoba provides reports every 3 months
 - Quebec will provide information on request



Phased Approach

- Phase 1 – Expiring Interim Land Withdrawals
 - April 1, 2020
- Phase 2 – All lands within the NWT where the GNWT administers mineral tenure
 - April 1, 2022
- MRA Implementation
 - Upon coming-into-force



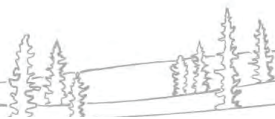
Current State vs. Future State

Current

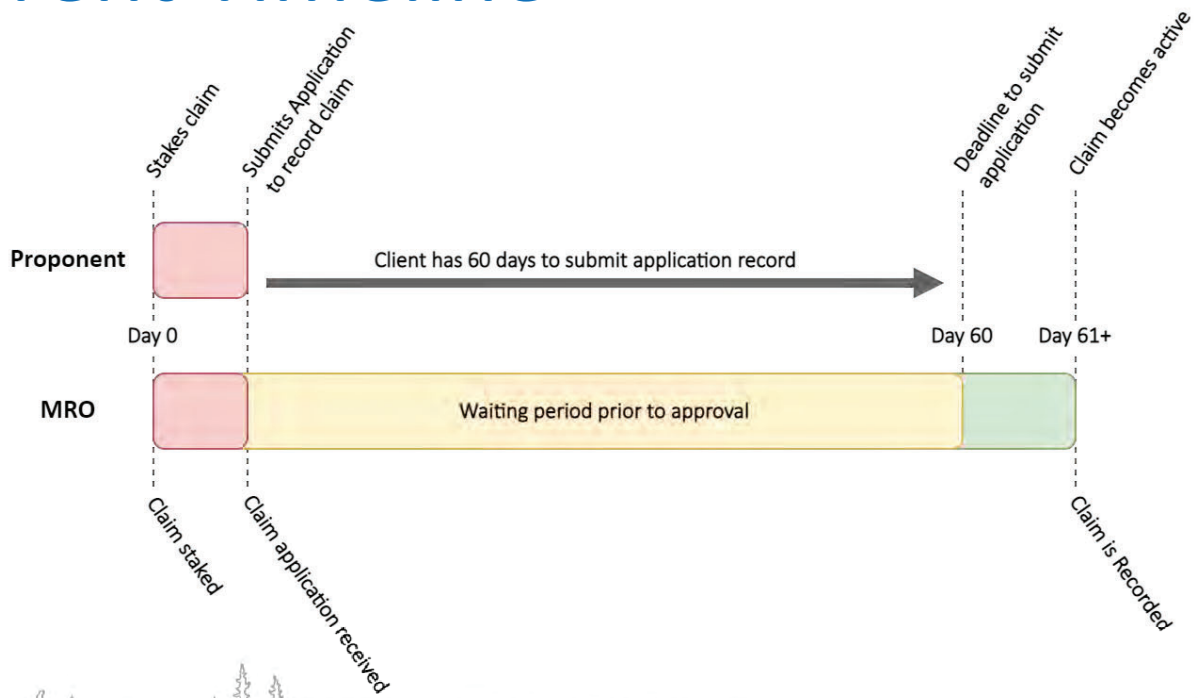
- Current regulations do not *require* notification
- NAR Phase 1
- NAR Phase 2 (April 1st)
- Public notice: Mineral Tenure Viewer (MTV) allows anyone to view pending and active mineral tenure

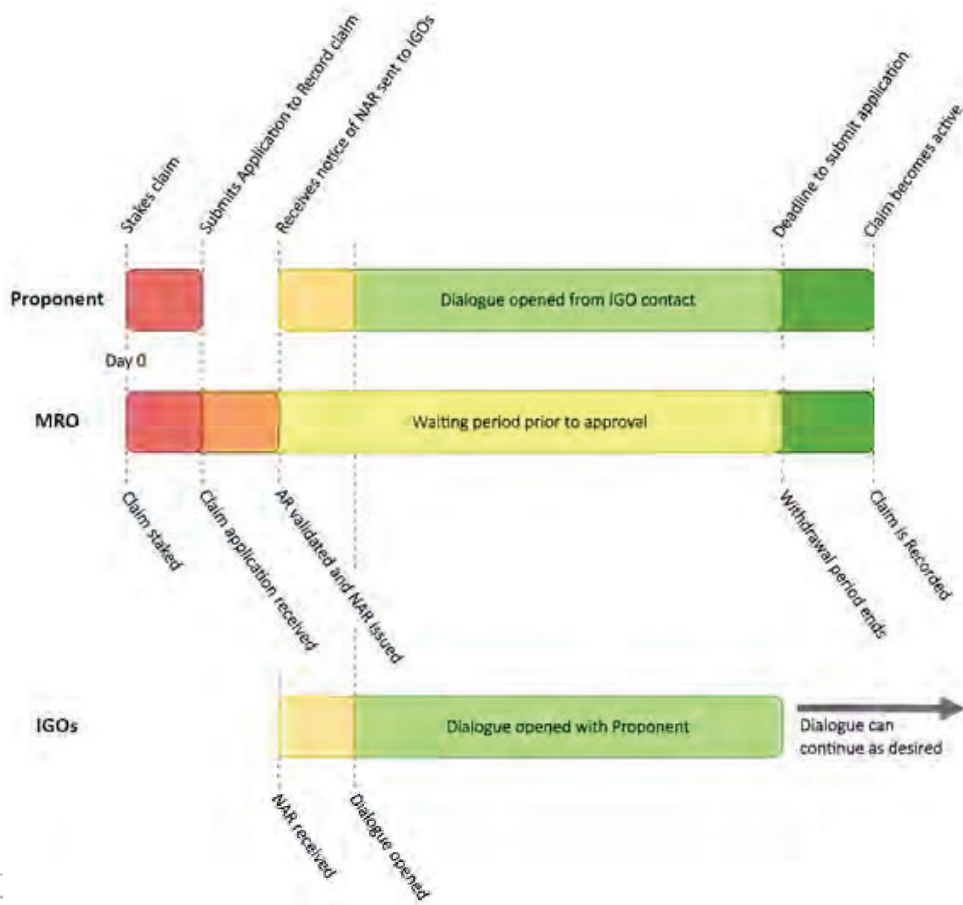
Future

- Will not affect land claim agreements
- Will apply to all lands in the NWT where the GNWT administers mineral tenure
- Send automatic electronic notifications where new claims are staked
- Allow IGs and public to subscribe to receive NAR for additional areas of interest
- Continue to show pending tenure on MTV



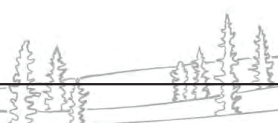
Current Timeline





Timelines to Consider

Timeline	Current	Proposed (subject to change)
Claim staking to submission of the application to record	60 days after staking was completed	30 days
Receipt of application to record to NAR being sent	N/A (Not including Phase 1 or Phase 2 NAR)	Automatic notification* Up to 5 days for written letter
NAR received / Timing for dialogue /Proponent to withdraw	N/A	30 days from date NAR is sent
MRO to record claim	Claim can be approved on 61 st day +	1 day after dialogue period closes (31 st day after NAR is sent)



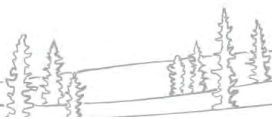
Example

- July 1: Staking of a mineral claim is completed using ground staking method
 - AR form completed, with sketch and GPS coordinates
 - Applicant has 30 DAYS to submit the AR – Until July 31
 - Applicant chooses to submit AR to MRO on July 15 (before deadline)
- July 15: MRO receives AR. MRO has until July 20 (5 DAYS) to issue NAR
 - MRO issues NAR on July 16 to IGOs and applicant
- July 16: Dialogue period of 30 DAYS begins on date of NAR issuance (and closes August 15)
 - IGO chooses whether to open conversation with applicant
 - MRO takes no action during this time
- August 15: Dialogue period closes
- August 16: 31st day after NAR was issued.
 - MRO approves the claim. Recorded date becomes July 1 (staking end date) and claim is active
- Dialogue between IGO and applicant can continue as desired



Example continued

- Total time allocated = 65 days (30 days + 5 days + 30 days NAR dialogue period)
- Total time taken = 46 days (15 days + 1 day + 30 days NAR)
- **Dialogue period for NAR will always remain 30 days and is the priority step in the claim issuance process.**
- There is flexibility based on when the applicant submits their AR and how quickly the MRO can issue NAR

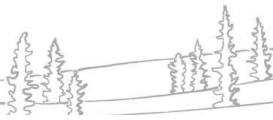




Notice of Intended Work

January 25, 2022

Government of
Northwest Territories



Overview

1. Enabling Authority
2. About NOIW
3. Other Jurisdictions
4. Details of NOIW

Note: Any proposals made during this presentation are subject to change during the regulatory development process. Ideas are presented for transparency and feedback.



Notice of Intended Work

- *MRA* Enabling Authority:

- S. 43(1) – (5)
- “(1) Subject to subsection (3), the holder of a recorded claim or mineral lease shall, at any times that the regulations may require, file with the office of the Mining Recorder a notice of intended work in the approved form in accordance with the regulations.
- (2) A notice of intended work may be amended in accordance with the regulations and within the period set out in the regulations.



Notice of Intended Work

- ***MRA* Enabling Authority:**
- S. 43(1) – (5)
- “(3) A notice of intended work is not required under this section in prescribed circumstances.
- (4) The Minister may, in prescribed circumstances, waive any time requirements set out in respect to providing or amending the notice of intended work.”



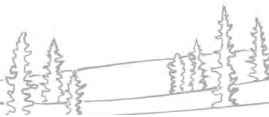
Notice of Intended Work

- *MRA* Enabling Authority:
- “(5) The Minister shall, in accordance with the regulations, provide a notice of intended work and any amended notices filed under this section to an Indigenous government or organization where the area of the recorded claim or mineral lease (a) is within or overlaps with a settlement area of that Indigenous government or organizations; or (b) is within or overlaps with the asserted traditional territory of that Indigenous government or organization.”



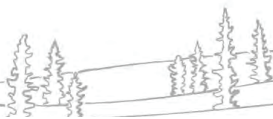
About NOIW

- Proponents must submit a plan for their intended work
- Bring awareness to IGOs about time and place of work activities
- Not an extensive process



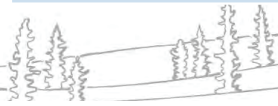
Other Jurisdictions - Requirement

- NOIW in mining legislation based on advanced exploration work or level of ground disturbance
 - AB, ON, QC, NB, NS, YK in legislation
 - BC, SK in policy
- Notification of start date for advanced exploration or mining operations (MB)
- Statement of proposed work within 30 days of applying for a licence (claim) (PEI)
- Notification for all exploration work once mineral tenure is acquired (NFLD)
- Notification prior to land being staked (on Crown Land open for staking) – none
- Prior to recording claim (South Africa)



Other Jurisdictions - Sharing

Jurisdiction	NOIW Shared		Confidentiality
	With Public	With IGOs	
British Columbia	Yes	Yes	
Alberta	Yes	No	After one year
Ontario	Yes	Yes	
Quebec	Recommended, not required	Recommended, not required	
Nova Scotia	No	Encouraged	
Yukon	Yes	For consultation purposes	After one year



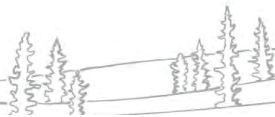
Details of NOIW

- NOIW is not intended to be an extensive process that creates significant administrative burden on industry
- Goal is to bring awareness to IGOs about timing and location of work activities
 - NO SURPRISES
- The intent is to allow for submission of NOIW to be an online submission with sections that allow for details or an explanation to be provided
- It is a “notice” and therefore does not require approval



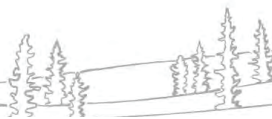
Which tenure will require NOIW?

- Claims
 - At a minimum
- Leases
 - A consideration



What work will trigger NOIW?

- **Consideration 1:** All exploration work (on *recorded* tenure)
- **Consideration 2:** “Below threshold” only
- **Consideration 3:** “Above threshold” only



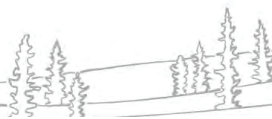
When should NOIW be submitted?

- **Consideration 1:** Within XX days before commencing work on claim(s)/lease(s)
 - Required before every work plan
 - Noted as the preferred option during the MRA development process as it allows for flexibility to adjust on short notice
- **Consideration 2:** Annual requirement
 - Excess credit can keep claims in good standing for multiple years
- **Consideration 3:** Within XX days after a claim is recorded
 - Detailed activities may not be known



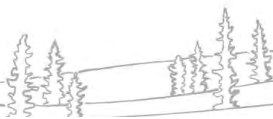
When is an amendment required?

- When there is 'significant' change to the planned work program (must define significant)
- When the dates of intended work change by XX number of days
 - There may be a grace period where no change would be required
- Other...



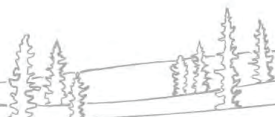
When is NOIW *not* required?

- Examples of possible cases:
 - If no work is planned
 - If exploration work is being done prior to the staking of a claim
 - For any activity that does not include use of motorized equipment
 - Other...



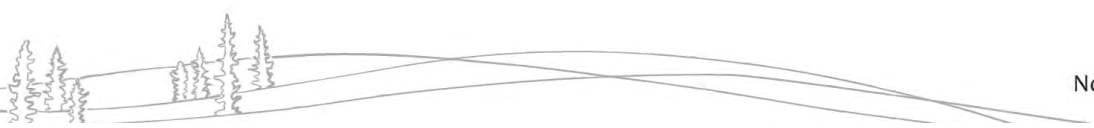
Waiver of time requirements

- In what circumstances should the Minister waive time requirements for providing or amending a NOIW?
- Possible examples include:
 - If, for reasons beyond the proponent's control, the proponent cannot submit the NOIW before the prescribed time requirements (proof required)
 - If the initial NOIW was submitted within the prescribed time requirements, but an amendment came up unexpectedly
 - Other



Confidentiality

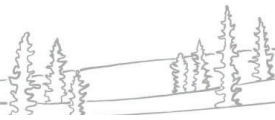
- NOIW will be shared with IGOs in confidence
- NOIW will be shared with other government departments in confidence, where necessary
- What is an ideal length of time for a NOIW to remain confidential?





Tenure System – System Changes

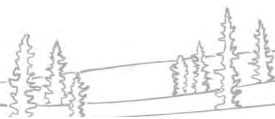
January 24, 2022



Government of
Northwest Territories

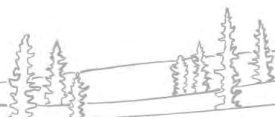
Overview

- *Mineral Resources Act* (MRA) enables tenure system reform
- Modern tenure systems tie stages and requirements to different phases of the mining cycle
- Regulation development needs to modernize existing and new tenure instruments in alignment with this philosophy



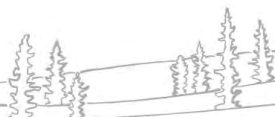
MRA Goals

- Tenure system development will be driven forward by the 9 MRA goals and finding balance within the system



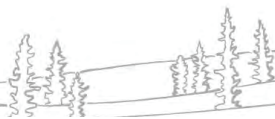
MRA Goals

1. to regulate mineral interests efficiently, effectively and in a transparent manner
2. to support the economy of the Northwest Territories;
3. to realize benefits from mineral development for Indigenous governments and organizations, communities and the people of the Northwest Territories;
4. to ensure that wealth generated by mineral resources will be used for the benefit of present and future generations of the people of the Northwest Territories;



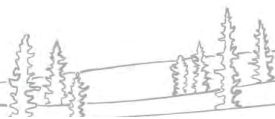
MRA Goals (cont'd)

5. to encourage positive relationships between proponents, Indigenous governments and organizations, communities and the Government of the Northwest Territories;
6. to respect Aboriginal and treaty rights;
7. to complement the systems for collaborative management of land and natural resources in the Northwest Territories;
8. to improve geological knowledge in the territory;
9. to recognize sustainable land use.



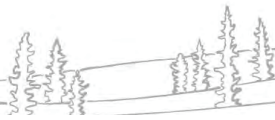
Current Tenure System

- Temporal-based
- Transitions between tenure instruments focused on timelines (ex. claim life = 10 years)
- Little to no discretion on tenure issuance process at any stage



Proposed Holistic Changes

- Making transition between tenure phases dependent on quality of “resource”
- Create appropriate thresholds for all levels of industry
 - Major
 - Juniors
 - Grassroots Explorers



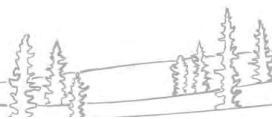
Building a Merit-Based System



Mining Cycle

6 Stages in Mining Cycle

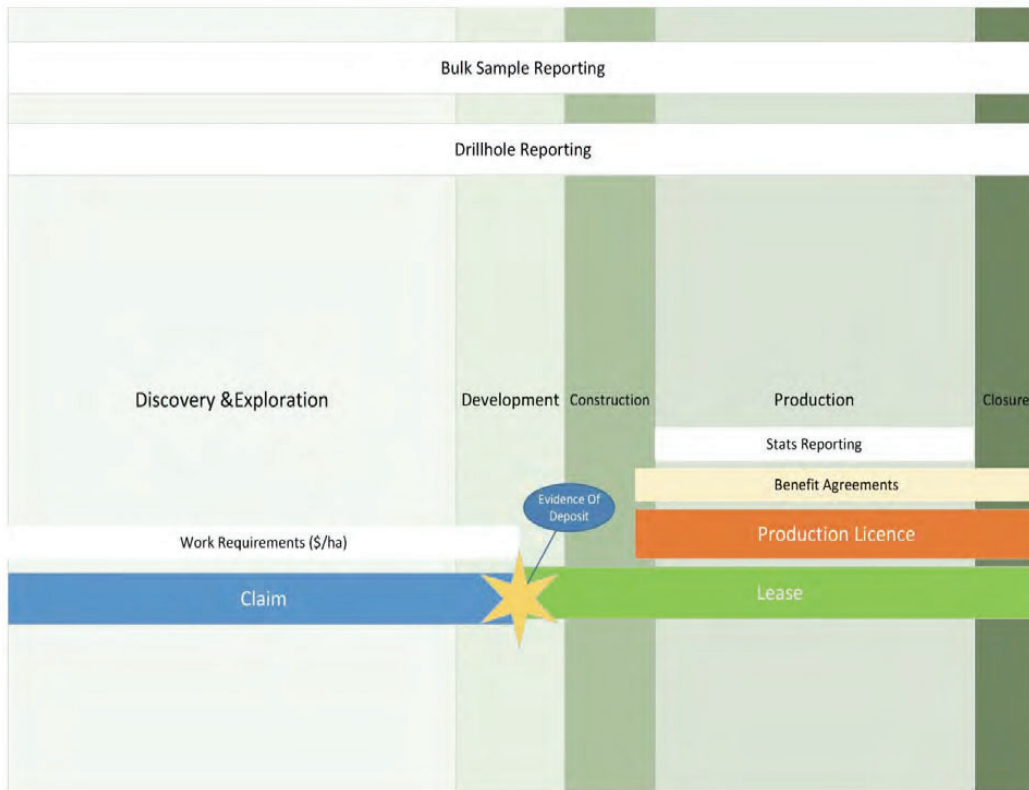
- Exploration
- Discovery
- Development
- Construction
- Production
- Closure



Tenure Activities and Mining Cycle

- Claim Issuance
- Claim Administration
- Evidence of Deposit
- Lease Issuance
- Lease Renewal and Administration
- Drill Cores
- Bulk Sampling
- Production Licence
 - Stats Reporting





Handwritten notes:
 Discovery & Exploration
 Development
 Construction
 Production
 Closure



Legacy Treatment Introduction

Laura Faryna

January 13, 2022



Government of
Northwest Territories

Overview

- Introduction
- Legislation
- Starting perspectives
- Development analysis considerations
- Process sequencing for regulations development
- Implementation considerations

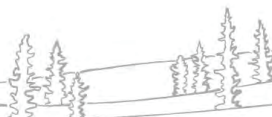


Introduction

- **The goal of today is to explain the depth of work and complexities that legacy issues will entail**
 - This analysis occurs at one of the final stages of development of policy intentions for regulations
- *No decisions can be finalized on legacy treatment until other regulations decisions are made*
- What do we mean? Generally, speaking when we say:
 - Legacy
 - Grandfathering

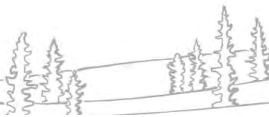
Legislation

- Regulations are needed to specify what rules apply to legacy holdings



Starting Perspectives

- **Balancing approach:**
 - Grandfathering largely goes against modernization and MRA purposes
 - But, many factors must be balanced to decide most effective outcomes
 - More on this in coming slides



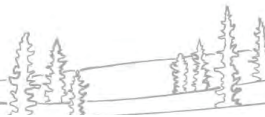
Legacy Analysis

- Each item/rule needs own analysis:
 - No one-size-fits-all floor or ceiling
 - Broad variation shown across jurisdictions
 - *Context differs*: timing, scale of changes, grid conversion applicability
- But, best viewed in big picture of all changes to that legacy holding



Analysis Factors

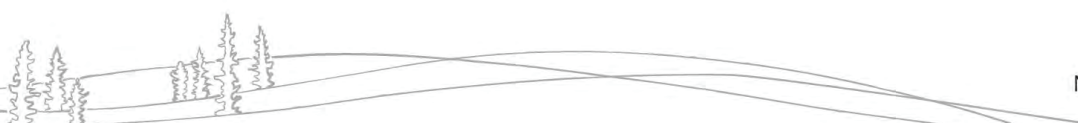
- Legal factors
- Loss: e.g. monetary, opportunity cost, relations, etc.
- Indigenous considerations
- Technical considerations
- Interdependences: ripple effects in regulations system
- Political or inter-jurisdictional considerations
- Investment influences
- Benchmarking to MRA purposes
- Etc.



Process Sequence

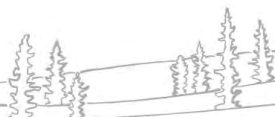
- IGC Protocol
1. Research and cross-jurisdictional analyses
 2. Engagements
 3. Decision on regulations – for each rule of every topic
 4. Case-by-case analysis on every rule that could apply to legacy holdings
- In progress

Process sequence requires time built-in for legacy analysis and decisions at the later stages of regulations development



Implementation Options

- Different routes but must be decided upon and reflected in regulations development
- Examples:
 - Transition period/period of time for compliance
 - Blackout period



Questions

Keeping in mind no decisions can be made yet:

- Do you have factors you want applied in the legacy considerations?
- Do you have any particular thoughts or concerns regarding legacy holdings under the MRA?

