

MODERNIZING THE MINING ACT

1. Mineral Tenure System and Security of Investment

Questions to Consider

- What potential adjustments to the mineral tenure system, including free entry, could we consider to better address the concerns of First Nation and Métis communities?
- How could we ensure that the Mining Act continues to provide investment security?
- How could we reduce potential conflicts between the property owners who hold only surface rights and prospectors or mining companies who wish to acquire mineral exploration rights on those lands?

2. Aboriginal Rights and Interests Related to Mining Development

Questions to Consider

- How could First Nation and Métis communities be engaged, consulted and accommodated in the following stages of the mining sequence:
 - Prior to early exploration
 - Post claim staking exploration
 - Advanced exploration
 - Mine development?
- What are the necessary elements of an open and transparent process?

3. Introducing Regulatory Processes for Exploration Activities on Crown Land

Questions to Consider

- How could a regulatory process for exploration activities be designed to ensure that the rights of First Nation and Métis communities are respected?
- What elements could be included in a regulatory process for mineral exploration?
- How could a regulatory process work in a fair and timely fashion?

4. Land Use Planning in Ontario's Far North

Question to Consider

- How should community land use planning and local Aboriginal community support for new mine openings be reflected in the approvals system for mining in the Far North?

5. Private Rights and Interests (Surface Rights/Mining Rights Conflicts)

Questions to Consider

- How could a requirement to file an exploration work plan complement the proposed changes to the Mining Act that were discussed in the 2007 EBR posting?
- What other ways could we protect the interests of surface rights property owners while maintaining access to Crown mineral resources?