

Bill No. 98 of 1952.

A BILL TO AMEND THE MINES AND MINERALS ACT.

NOTE.

This Bill amends *The Mines and Minerals Act*, being chapter 66 of the Statutes of Alberta, 1949.

The Lieutenant Governor in Council is authorized to make certain regulations by section 19, clause (c). A subclause dealing with regulations for the leasing or other disposal of sand and gravel is deleted.

Section 58 of the Act sets out the minerals to which the Part of the Act dealing with quartz mining claims applies. Sulphur is added to the minerals which are exempt from the provisions in that Part. The amendment is made because sulphur in some instances is produced with petroleum and natural gas.

Section 230 provides that the lessee of a road allowance lease shall comply with certain orders and directions. Because the administration of the roads in the Province is now under a new Department, the reference to the Minister of Public Works is changed to the Minister of Highways. Also the nature of the orders and directions that may be given is more fully set out than was previously done.

Section 237 concerns the description of the tract in an application for a petroleum and natural gas lease in unsurveyed territory. Subsection (1) is amended so that the description of the tract will show its relation to a survey monument. A new subsection (3) is added to permit a description by what would be the section, township and range, if the applicant is selecting a lease out of a reservation.

By amendment to section 256, the lessee of a petroleum and natural gas lease is required to obtain the consent of the Minister where he wishes to relinquish only a part of the land described in the lease.

Sections 279 and 280 concern applicants for licenses to conduct different types of geophysical or geological exploration and provide for reports to be made by the licensee after the completion of his exploration. The original sections are replaced by two new ones. The new section 279 sets out the particulars that must accompany the application for a license and has the effect of simplifying the provisions of subsection (1) of each of the old sections. The new section 280 replaces subsection (2) of each of the old sections and sets out the reports that must be made by the licensee upon the completion of his exploration.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 98 of 1952.

An Act to amend The Mines and Minerals Act.

(Assented to _____, 1952.)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Mines and Minerals Act*, being chapter 66 of the Statutes of Alberta, 1949, is hereby amended.

Section 19
amended

2. Section 19 is amended by striking out subclause (v) of clause (c).

Section 58
amended

3. Section 58, subsection (1) is amended by adding immediately after the word "salt," the word "sulphur,".

Section 230
amended

4. Section 230 is struck out and the following is substituted:

Orders of
Minister of
Highways

"230. (1) The lessee without compensation of any nature whatsoever at all times during the term of the road allowance lease and any renewal thereof, shall perform, observe and comply with the orders or directions of any nature whatsoever of the Minister of Highways or such person as he may appoint, and without derogating from the generality of the foregoing, such orders or directions may require the construction and maintenance of a temporary road, and such reconstruction and surfacing, including gravelling, of the road allowance as the Minister of Highways may deem necessary.

Orders of
Director of
Mines

"(2) The lessee without compensation of any nature whatsoever at all times during the term of the road allowance lease and any renewal thereof, shall perform, observe and comply with the orders and directions of the Director of Mines affecting underground operations, and without derogating from the generality of the foregoing, such orders or directions may require such measures as the Director of Mines may consider necessary to prevent any subsidence."

Section 237
amended

5. Section 237 is amended,—

- (a) by striking out the words "prominent topographical feature of the district or some other known point" where they occur in subsection (1) and by substituting the words "survey monument";
- (b) by adding immediately after subsection (2) the following new subsection:

“(3) Notwithstanding the provisions of subsection (1), the Minister may exempt the applicant for a lease of unsurveyed territory included in a reservation from the requirement of defining the tract on the ground before the issue of the lease where the applicant describes the tract included in the application as though the lands were surveyed pursuant to *The Alberta Surveys Act*.”.

6. Section 256, subsection (1) is amended by striking out the words “at any time or from time to time the whole or any portion of the location described in his lease” and by substituting the words “his lease at any time, or with the consent of the Minister may relinquish at any time or from time to time any portion of the location described in the lease”.

Section 256
amended

7. Sections 279 and 280 are struck out and the following are substituted:

Sections 279
and 280
amended
Application
for license

“**279.** Where the applicant desires to conduct preliminary or detailed geophysical or subsurface geological exploration, an application for a license shall be made in writing to the Director of Mineral Rights indicating the type of the exploration to be undertaken.

“**280.** (1) The licensee shall supply to The Petroleum and Natural Gas Conservation Board, not later than three months following the termination of the license, a complete copy of every electrolog and every other log or survey taken of each hole logged or surveyed, together with all pertinent data.

Reports to
The
Petroleum
and Natural
Gas Con-
servation
Board

“(2) The licensee shall supply to the Director of Mineral Rights, at the time specified by regulations established pursuant to section 286, any plans, reports or other data required by the regulations.

Reports to
the Director
of Mineral
Rights

“(3) Where any underground water or gas occurrences are observed in drilling, the licensee shall supply to the Director of Mineral Rights, not later than three months following the termination of the license, a report of the water occurrences and a report of the gas occurrences, setting out in each report the location including co-ordinates of each hole, the ground elevation at the hole and the depth to each aquiferous or gas horizon as the case may be.

Water or
gas
occurrences

“(4) Where any form of exploration not entailing the drilling of holes is conducted, the licensee, not later than three months following the termination of the license, shall supply to the Director of Mineral Rights a map or maps showing the area covered by such exploration.”.

8. This Act shall come into force on the day upon which it is assented to.

Coming
into force

No. 98.

FIFTH SESSION
ELEVENTH LEGISLATURE

1 Elizabeth II

1952

BILL

An Act to amend The Mines and
Minerals Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. TANNER.
