

No. 95

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4th Session, 14th Legislature, Alberta  
10 Elizabeth II

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## **BILL 95**

A Bill respecting Mines and Minerals

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HON. MR. MANNING

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Edmonton, Alberta, 1962

## **Explanatory Note**

This Bill repeals and replaces The Mines and Minerals Act, being chapter 204 of the Revised Statutes. In these notes the section references are to the equivalent sections in the present Mines and Minerals Act.

**2.** (1) Interpretation.

(a) Section 2 (b) revised.

(b) Section 2(c).

(c) New.

(d) Section 2(e).

(e) Section 2(f).

(f) New. See note to clause 10.(1).

(g) Section 2(i) revised to include reference to The Mines and Minerals Act.

# BILL

No. 95 of 1962

An Act respecting Mines and Minerals

(Assented to \_\_\_\_\_, 1962)

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

1. This Act may be cited as *The Mines and Minerals Act, 1962.*"

## Interpretation

2. (1) In this Act,

- (a) "agreement" means any lease, licence, reservation, permit or other agreement made or entered into under
  - (i) this Act or the former Act, or
  - (ii) *The Provincial Lands Act* or the *Dominion Lands Act* and relating to a mineral, but does not include a unit agreement under Part VIII;
- (b) "bituminous sands" means the oil sands and all other mineral substances in association therewith being within townships 84 to 104 inclusive in ranges 4 to 18 inclusive, west of the 4th meridian and occurring in the McMurray formation, being the stratigraphic formation lying above the upper Devonian carbonate sediments and below the Clearwater formation;
- (c) "certificate of record" means a certificate of record within the meaning of the quartz mining regulations or the placer mining regulations under this Act;
- (d) "certificate of title" means a certificate granted pursuant to *The Land Titles Act*;
- (e) "Department" means the Department of Mines and Minerals;
- (f) "Director" means the Director of Minerals appointed under this Act or any officer appointed to perform his duties for the time being;
- (g) "disposition" means an instrument executed pursuant to this Act, the former Act, *The Provincial Lands Act* or the *Dominion Lands Act* whereby any estate, right or interest in any mineral is or has been granted to any person or by which the Crown divests or has divested itself in favour of any person of any estate, right or interest in any

(h) Former Act defined.

(i) Section 2(1) revised to include reference to **The Mines and Minerals Act**.

(j) Section 2(o).

(k) Section 2(p).

(l) Section 2(s) revised.

(m) Section 2(u) revised.

(n) Section 2(v) revised.

(o) Section 2(x).

mineral and, without restricting the generality of the foregoing, includes a grant, agreement, certificate of record, transfer, deed, conveyance, notification, assurance, sale, or contract made, entered into or issued pursuant to any of the said Acts and relating to a mineral;

- (h) "former Act" means *The Mines and Minerals Act*, being chapter 204 of the Revised Statutes;
- (i) "grant" means letters patent under the Great Seal of Canada or a notification issued pursuant to *The Provincial Lands Act*, the former Act or this Act;
- (j) "lessee" means the holder according to the records of the Department of an agreement;
- (k) "location" means the tract described in an agreement;
- (l) "mine" means any opening or excavation in, or working of, the surface or subsurface for the purpose of working, recovering, opening up or proving any mineral or mineral-bearing substance, and includes works and machinery, at or below the surface belonging to or used in connection with the mine;
- (m) "minerals" means all naturally occurring minerals, and without restricting the generality of the foregoing, includes
  - (i) gold, silver, uranium, platinum, pitchblende, radium, precious stones, copper, iron, tin, zinc, asbestos, salts, sulphur, petroleum, oil, asphalt, bituminous sands, oil sands, natural gas, coal, anhydrite, barite, bauxite, bentonite, diatomite, dolomite, epsomite, granite, gypsum, limestone, marble, mica, mirabilite, potash, quartz rock, rock phosphate, sandstone, serpentine, shale, slate, talc, thenardite, trona, volcanic ash, sand, gravel, clay and marl, but
  - (ii) does not include
    - (A) sand and gravel that belong to the owner of the surface of land under *The Sand and Gravel Act*,
    - (B) clay and marl that belong to the owner of the surface of land under *The Clay and Marl Act*, or
    - (C) peat on the surface of land and peat obtained by stripping off the overburden, excavating from the surface, or otherwise recovered by surface operations;
- (n) "mineral claim" means the tract described in a certificate of record;
- (o) "Mining Recorder" means a mining recorder appointed under this Act, or an officer appointed to perform any of his duties for the time being;

(p) Section 2(y).

(q) Section 2(z).

(r) Section 2(aa) revised.

(s) Section 2(bb) revised.

(t) Section 2(cc) revised.

(u) Section 2(ee).

(v) Section 2(gg) revised with subclause (ii) added.

(w) New.

(x) New.

(2) Section 2(2) revised.

**3.** Section 3 revised.

**4.** Section 5 revised.

- (p) "Minister" means the Minister of Mines and Minerals;
  - (q) "notification" means a notification in Form A in the Schedule;
  - (r) "officer" means any person appointed under this Act or *The Department of Mines and Minerals Act* in connection with the administration of this Act;
  - (s) "owner" when used in connection with a mineral claim means the holder according to the records of the Department of a certificate of record;
  - (t) "quarry" means a pit or excavation in the ground for the purpose of removing, opening up or proving any mineral other than coal, and includes works and machinery belonging to or used in connection with the quarry;
  - (u) "Registrar" means a Registrar within the meaning of *The Land Titles Act*;
  - (v) "spacing unit" means
    - (i) in Alberta, a spacing unit within the meaning of *The Oil and Gas Conservation Act*, and
    - (ii) outside Alberta, the area allocated to a well for the purpose of drilling for or producing petroleum or natural gas;
  - (w) "Transfer Agreement" means the agreement in the Schedule to *The Alberta Natural Resources Act*, being chapter 21 of the Statutes of Alberta, 1930, and all amendments thereof;
  - (x) "well" means a well within the meaning of *The Oil and Gas Conservation Act*.
- (2) Whenever the singular or masculine or neuter is used in an agreement or certificate of record, the same shall be construed as meaning the plural or feminine or a corporation where the context or the parties thereto so require.

#### Application of Act

3. This Act applies to
- (a) all mines and minerals and related natural resources vested in or belonging to the Crown in right of Alberta, and
  - (b) where the context so permits or requires, to all wells, mines, quarries, and minerals in the Province.
4. (1) Except as otherwise provided, this Act does not apply
- (a) to a quarry,
  - (b) to a coal mine, or
  - (c) to any drilling, production or abandonment operation of a well.
- (2) If any question arises, otherwise than in legal proceedings, whether a quarry, coal mine or well is a quarry, coal mine or well to which this Act, *The Quarries Regulation*

**5.** Section 7 revised.

**6.** Section 10(1) revised to refer to the Director of Minerals instead of the Director of Minerals Rights.

**7.** Section 11.

**8.** Section 12.

**9.** Section 13.

**10.** Section 14 revised.



*Act, The Coal Mines Regulation Act or The Oil and Gas Conservation Act* applies, the question shall be referred to the Minister, whose decision thereon is final.

**5.** Notwithstanding anything in any agreement or certificate of record made or entered into

- (a) under the former Act or the regulations thereunder, or
- (b) under *The Provincial Lands Act* or the *Dominion Lands Act* or the regulations under those Acts and relating to a mineral,

every such agreement or certificate of record and any renewal or re-issue thereof is in every respect subject to this Act and the regulations made under this Act.

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## PART I

### ADMINISTRATION OF MINERALS

#### Officers

**6.** Subject to *The Public Service Act*, the Lieutenant Governor in Council may appoint a Director of Minerals, a Provincial Geologist, a Provincial Assayer, inspectors, mining recorders and such other officers as he may deem necessary, who shall perform the duties required of them under this Act and such other duties as may be assigned to them.

**7.** Notwithstanding anything in *The Public Service Act*, the Minister may employ any person for any specialized service or to investigate the mineral resources of Alberta or for any work in connection with this Act and may, out of the General Revenue Fund, pay him for such services at such rate as may be determined by the Lieutenant Governor in Council.

#### Powers and Duties of Minister

**8.** The Minister may from time to time prescribe such forms to be used under this Act as he deems necessary in connection with its administration, or he may adopt or cause to be adopted any other form that he considers applicable to any special case.

**9.** Agreements made or entered into pursuant to this Act may be executed on behalf of the Crown by the Minister or the Deputy Minister, or by any other officer of the Department authorized in writing for the purpose by the Minister.

**10.** The Minister shall lay before the Legislative Assembly, within fifteen days after the opening of the first session in each year, a general report summarizing the transactions and affairs of the Department in connection with the administration of this Act during the fiscal year next preceding.

**11.** Section 15.

**12.** (1) Section 16 revised to include withdrawals from disposition of minerals.

(2) Section 19(2) revised.

**13.** Section 17.

**14.**(a) Section 19(1) (a).

(b) Section 19(1) (b).

(c) Section 19(1) (c) revised. Subclauses (i) and (ii) are new as regulations will be made to deal with the contents of Parts II and III of the present Act.

(d) Section 19(1) (e).

(e) Section 19(1) (f) revised.

(f) Section 19(1) (g) revised and with subclause (iv) added.

**11.** The Minister may refuse or withhold the granting of an agreement and may cancel an agreement granted in error and, in his discretion, may refund moneys paid in connection therewith.

**12.** (1) The Minister may restrict the disposition of or withdraw from disposition any mineral in any specified area in any manner he may consider warranted.

(2) During the period that a mineral is withdrawn from disposition pursuant to subsection (1), no person has the right to acquire that mineral in all or any part of the area specified.

**13.** Any decision of an officer of the Department made under this Act is subject to an appeal to the Minister.

#### **Powers of Lieutenant Governor in Council**

**14.** The Lieutenant Governor in Council may from time to time

- (a) exchange any minerals for other minerals in the Province with any person, if the reason for the exchange is set forth in the order,
- (b) authorize the Minister to make or enter into an agreement applicable to any special case for which no provision is made by this Act,
- (c) make regulations,
  - (i) governing quartz mining,
  - (ii) governing placer mining,
  - (iii) governing the conduct of exploration for any minerals in the Province,
  - (iv) governing the working and development of any minerals,
  - (v) governing the operation of mines, including working conditions and any other matter incidental to mining, and
  - (vi) for the leasing or other disposal of any minerals for which no provision is made by this Act,
- (d) provide that any statement or return required by this Act or the regulations be verified on oath,
- (e) divide the Province into districts for each Mining Recorder,
- (f) establish a tariff of fees
  - (i) pertaining to applications, agreements, certificates of record, renewals or reinstatements,
  - (ii) for the filing of any documents that may be filed with the Minister under *The Mechanics' Lien Act* or *The Mechanics Lien Act, 1960*,
  - (iii) for copies of maps, plans, field notes, documents, papers or other records of the Department, and

(g) Section 19(1) (h).

(h) Section 19(1) (i).

(i) Section 19(1) (j).

**15.** Section 20 revised.

**16.** Section 21 revised.

**17.** Section 22 revised.

**18.** Section 23 revised.

**19.** New. The clause expresses the common law rule regarding the Crown's prerogative as to gold and silver.

**20.** Section 24(1) revised.

- (iv) for any other service provided by the Department,
- (g) reinstate upon such terms and conditions as may be prescribed, any lease or any part of the location described in any lease, that has been surrendered, cancelled or forfeited, if application for reinstatement is made within three months of the date of surrender, cancellation or forfeiture,
- (h) make such regulations and orders as may be necessary to carry out the provisions of this Act according to their intent or to carry out the Transfer Agreement, or to meet cases that may arise and for which no provision is made by this Act, and
- (i) authorize the Minister to enter into an agreement with the Crown in right of Canada transferring to Canada for National Park purposes the right, title and interest of the Crown in right of Alberta to any mines and minerals.

**15.** (1) Orders made by the Lieutenant Governor in Council pursuant to this Act, not being regulations within the meaning of *The Regulations Act*, shall be published in the *Gazette*.

(2) Regulations and orders made by the Lieutenant Governor in Council have, upon publication in the *Gazette*, the same force and effect as if they had been enacted by this Act.

#### **Duties of Mining Recorder**

**16.** Every Mining Recorder shall keep the books and records prescribed by the Minister to be used for the recording of applications, certificates of record and agreements and documents pertaining to any of them.

**17.** Such books and records of a Mining Recorder as the Minister may specify shall, during office hours, be open to public inspection upon payment of a fee in connection with each search.

**18.** A Mining Recorder shall obtain the moneys directed to be paid to him before he makes any entry in any book or record.

#### **Disposition of Minerals**

**19.** It is hereby declared that no grant from the Crown, whether relating to land, minerals in land or otherwise, has operated or will operate as a conveyance of gold and silver unless gold and silver are expressly named and conveyed in the grant.

**20.** No minerals belonging to the Crown in right of Alberta shall be sold unless the sale is specifically authorized under an Act of the Province.

**21.** New. Transfer where Crown holds a certificate of title for minerals.

**22.** Section 24(2) to (9) revised. Notifications are used where there is no existing certificate of title for Crown minerals.

**21.** (1) Where any person is entitled to receive a title in fee simple to any minerals to which this Act applies and for which a certificate of title is registered in the land titles office, a transfer shall be issued by the Minister or Deputy Minister.

(2) Before the issue of the transfer the registration fee payable under *The Land Titles Act* shall be paid to the Minister.

(3) The Minister shall forward the fee paid and the transfer to the Registrar and upon receipt of the transfer the Registrar shall issue a new certificate of title.

**22.** (1) When any person is entitled to receive a title in fee simple to any minerals to which this Act applies and for which no certificate of title is registered in the land titles office, a notification in Form A in the Schedule shall be issued, which shall be

(a) signed by the Minister or Deputy Minister, and

(b) signed by the Director.

(2) Before issue of the notification the fee payable under *The Land Titles Act* shall be paid to the Minister.

(3) The Minister shall forward the fee paid and the notification to the Registrar.

(4) When a notification issues to or in the name of a person who is dead, the notification is not void for that reason but the title to the minerals thereby granted or intended to be granted vests in the personal representative of the deceased person as if the notification had issued to or in the name of the deceased person during his lifetime.

(5) When a notification or other grant has issued to or in the name of a wrong person or contains any clerical error, misnomer, or wrong or defective description of the minerals thereby intended to be granted, or when any of the conditions of the notification or grant have been omitted, the Minister, if there is no adverse claim, may direct the defective notification or grant to be cancelled and a correct notification to be issued in its stead.

(6) The correct notification shall relate back to the date of the notification or grant cancelled and has the same force and effect as if issued at the date of the cancelled notification or grant.

(7) Where a certificate of title has not been issued by the Registrar for any minerals vested in or belonging to the Crown in right of Alberta, the Minister may issue a notification in Form A in the Schedule in favour of Her Majesty in right of Alberta as represented by the Minister.

(8) When a notification is issued under subsection (7) it shall be forwarded to the Registrar who shall, without fee, forthwith issue a certificate of title.

**23.** Section 25 revised as to subsection (2).

**24.** Section 26 revised.

**25.** Section 28.

**26.** Section 29.



**23. (1) Where by letters patent**

- (a) the surface of land and any mineral in the land were granted, and
- (b) an area or strip of land was excepted or reserved for a road, roadway or trail,

the letters patent shall be deemed for all purposes to have conveyed such mineral underlying the road, roadway or trail.

**(2) Subsection (1) does not apply to any mineral granted**

- (a) by other letters patent before the first day of October, 1930, or
- (b) by notification pursuant to an Ordinance of the North-West Territories or an Act of the Province of Alberta before the first day of May, 1951,

whether before or after the letters patent referred to in subsection (1).

(3) Where, under subsection (1), doubt arises as to whether an exception or reservation of an area or strip of land was for a road, roadway or trail, the Minister shall rule thereon and his ruling when delivered in writing to the Registrar is final.

**24. (1)** Where land that included any minerals was transferred to or expropriated by the Crown and the land was used or intended to be used for a road diversion or roadway or for the purposes of obtaining gravel or any other road material, the Minister, upon application to him for the acquisition of the minerals or any of them, may in his discretion grant the application on payment of such sum as he may determine.

(2) When an application is granted pursuant to subsection (1), the applicant becomes entitled to receive a title in fee simple to the mineral or minerals that the application is granted for.

**25.** Notwithstanding section 4, any person who has the right to any mineral or the right to work the same may work through any other mineral in the same tract to the extent necessary to obtain his mineral, without permission from or compensation to any other person for the right to work through the other mineral, subject, however, to the provisions of this Act, *The Coal Mines Regulation Act*, *The Oil and Gas Conservation Act* and *The Quarries Regulation Act*.

**26.** Notwithstanding section 4, any person who has the right to any mineral or the right to work the same in a tract and who has obtained a licence from the Minister, under *The Oil and Gas Conservation Act*, to drill a well for the removal of the mineral may, if the orifice of the well will be located outside of the tract, work through all minerals outside of the tract to the extent necessary to obtain

**27.** Section 30.

**28.** Section 31.

**29.** Section 32 revised.

**30.** Section 33.

**31.** Section 34 revised as to subsections (5) and (6).

his mineral for the removal of which the licence was granted, without permission from or compensation to any other person for the right to work through the minerals outside of the tract, subject, however, to the provisions of this Act and *The Oil and Gas Conservation Act*.

**27.** An applicant for an agreement has no right to conduct operations on the tract applied for until an agreement in his favour has been issued or until otherwise notified in writing by the Director.

**28.** If an agreement is found to cover any mineral included in any disposition of prior date, the agreement is void in so far as it interferes with the previous disposition.

**29.** (1) Upon the registration of a transfer of a part of a location there shall be issued to the transferee a new agreement or agreements with respect to the part of the location transferred and the description of the location of the agreement from which the part of the location has been transferred shall be amended by the Director.

(2) The new agreement or agreements shall be issued with a term similar to that of the original agreement.

**30.** There shall be implied in every disposition of minerals pursuant to this Act any and all reservations that are required to be made upon the disposition of any minerals belonging to the Crown in right of Alberta.

#### **Royalty**

**31.** (1) A royalty is reserved to the Crown in right of Alberta on the mineral that may be won, worked, recovered or obtained pursuant to any agreement or certificate of record made or entered into under this Act.

(2) The royalty to be computed, levied and collected on the mineral won, worked, recovered or obtained pursuant to any agreement or certificate of record made or entered into under this Act, the former Act or *The Provincial Lands Act* shall be the royalty prescribed from time to time by the Lieutenant Governor in Council.

(3) Where the payment of a royalty has been reserved to the Crown in right of Canada in any patent, agreement for sale, lease or other agreement that conveys a mineral or the right to win, work, recover or obtain the same, there is payable to the Crown in right of Alberta, and there shall be computed, levied and collected,

(a) the royalty prescribed from time to time by the Lieutenant Governor in Council in accordance with the Transfer Agreement, or

(b) the royalty at the rate in effect immediately prior to the coming into force of the Transfer Agreement.

(4) The royalty is payable on any mineral when and where obtained, recovered or produced.

**32.** Section 36 revised.

**33.** Section 37 revised.

(5) The deductions that may be allowed when computing the royalty on petroleum and natural gas, other than crude oil, for the costs, charges and expenses incurred in gathering or processing shall be the deductions specified by the Minister.

(6) For the purpose of this section "mineral", in addition to the meaning set out in clause (m) of subsection (1) of section 2, includes any substance obtained from or by processing natural gas.

### **Lien for Royalty**

**32.** (1) The Crown in right of Alberta has a lien for any royalty payable under a disposition from the time when the royalty is due and owing for a period in excess of sixty days.

(2) The lien attaches to all goods and chattels at or below the surface of the land described in the disposition and used in connection with the winning, working, recovery or production of any minerals, irrespective of who may be the owner of the goods or chattels.

(3) The lien is a first lien upon all the property described in subsection (2) and has priority over any mortgage, bill of sale, charge or any other lien arising by statute or otherwise irrespective of whether such mortgage, bill of sale, charge or lien was created before or after the lien arose or before or after the commencement of this Act and notwithstanding the provisions of any other Act passed before or after the commencement of this Act.

(4) So long as the lien continues, no person shall remove or authorize or assist in the removal of any goods or chattels to which the lien attaches from the land in which it is located until there is paid to the Crown the royalty in respect of which the lien arose and accrued interest thereon.

(5) The Minister may in writing authorize the removal of any goods or chattels to which the lien attaches from the land in which it is located and thereupon the lien upon the goods or chattels ceases.

(6) The amount of the lien may be recovered by an action in debt brought by the Crown against the person liable for payment of the royalty or by proceedings under section 33 or by both.

(7) The surrender, cancellation or forfeiture of a disposition occurring before or after the commencement of an action or proceedings referred to in subsection (6) does not bar or nullify the commencement or continuation of the action or proceedings.

**33.** (1) The Minister or a person authorized by the Minister may seize, take possession of and remove any goods and chattels to which the lien referred to in section 32 attaches.

**34.** Sections 38 and 42 revised.

**35.** Subsection (1) is the present 2(1)(hh) revised. (2) is new.

(2) Upon seizure, the goods or chattels are forfeited to and vest in the Crown in right of Alberta free and clear of all claims, charges or liens whatsoever irrespective of

- (a) whether or not the goods or chattels were the property of the person liable for payment of the royalty, or
- (b) whether or not any notice has been given or sent to any person owning or having any interest in the goods or chattels.

(3) The Minister may cause goods or chattels seized under subsection (1) to be sold in such manner and subject to such terms and conditions as he may prescribe and may remit the proceeds of the sale in excess of the amount required to satisfy the lien to the person or persons who in the opinion of the Minister are entitled thereto.

(4) Where at any time before the goods or chattels are removed, the amount of the royalty with accrued interest and the expenses incurred in the seizure are paid, the goods or chattels revert in the person having the property in them at the time of seizure.

#### **Summary Proceedings Respecting Trespass and Forfeiture**

**34.** (1) Where any person, not being the holder of a disposition wins, works, recovers or obtains any mineral that is the property of the Crown in right of Alberta, the mineral so recovered or obtained and any tools, machinery and fixtures used in connection with winning, working, recovering or obtaining the mineral are forfeited to the Crown in right of Alberta free and clear of all claims, charges or liens whatsoever.

(2) The Minister or any person authorized to do so by the Minister may seize, take possession of and remove the mineral, tools, machinery and fixtures.

(3) The Minister may cause the mineral, tools, machinery and fixtures to be sold in such manner and subject to such terms and conditions as he may prescribe or he may order them to be returned to the person in whose possession they were at the time of seizure.

#### **General**

**35.** (1) A reference in this Act to a "township", "section", "half section", "quarter section" and "legal subdivision" means a township, section, half-section, quarter-section and legal subdivision, respectively, within the meaning of *The Alberta Surveys Act*.

(2) For the purposes of this Act, a reference to a township, section, quarter section or legal subdivision shall, in respect of land in unsurveyed territory, be deemed to refer to what would be a township, section, quarter section or legal subdivision if the land were surveyed in accordance with *The Alberta Surveys Act*.

**36.** New.

**37.** Sections 210 and 247. The clause will now apply to all leases instead of only to coal leases and petroleum and natural gas leases.

**38.** Sections 212 and 249 revised. The clause will now apply to all leases instead of only to coal leases and petroleum and natural gas leases.

**39.** Section 48(1) and (2).

**40.** Section 43 revised and with the rate of interest increased from five to six per cent.

**41.** Section 45 revised.



**36.** For the purposes of any agreement made or entered into under this Act, a section, quarter section or legal subdivision of land shall be deemed to contain six hundred and forty acres, one hundred and sixty acres or forty acres respectively.

**37.** (1) If for any reason the Minister considers it necessary or advisable to have a survey or re-survey made of any location to determine the exact position of the location, or in order to settle any dispute that may arise respecting the same, he may direct that such a survey or re-survey be made by an Alberta land surveyor.

(2) The Minister may require payment in advance of the costs of the survey or re-survey to be made by the lessee of the location to be surveyed in whole or in part, or the Minister may require such portion of the payment of the costs as seems to him just.

(3) If the lessee fails to make such payment in advance when informed to do so by the Minister, the Minister in his discretion may cancel the lease.

(4) The surveyor shall file with the Department plans, notes and any other information that may be required to determine the exact position of the location and the Department shall forward a copy of such information to the lessee.

**38.** (1) As soon as any area of land that includes a location, or any part thereof, becomes surveyed, the Minister after consultation with the lessee may amend the description by describing the area as surveyed lands.

(2) The decision of the Minister as to the surveyed lands to be included in the lease is conclusive and final and there is no appeal therefrom.

**39.** (1) In determining the size of a location or a mineral claim all measurements shall be taken horizontally, irrespective of the inequalities of the surface of the ground and the boundaries beneath the surface shall be the vertical planes or lines in which the surface boundaries lie.

(2) In calculating distances, the widths of road allowances are not to be considered unless expressly included in the agreement.

**40.** When any money payable under any disposition is not paid within one month or thirty days, whichever is the greater, from the date on which it became due, interest shall be charged at the rate of six per cent per annum from the due date.

**41.** Notwithstanding the provisions of any agreement, a demand or acceptance of rent or royalty payable under an agreement shall not be deemed a waiver of the right of the Minister to enforce the observance of any covenant or condition therein or of any regulation or of the right

**42** (1) Section 55.  
(2) Section 56.

**43.** Section 50.

**44.** (1) Section 49(1).  
(2) Section 49(2) revised.

**45.** Section 44.

**46.** Section 60 revised.

to cancel the agreement for breach of any covenant, condition or regulation.

**42.** (1) The interest of any person other than the Crown in any mineral that is the property of the Crown is liable to assessment and taxation but it is not subject to the provisions of any statute relating to the recovery of taxes.

(2) The lessee of a location or the owner of a mineral claim shall pay and discharge all rates, assessments and taxes now charged or hereafter to be charged upon the location or mineral claim.

**43.** No person under the age of twenty-one years shall acquire an agreement by application or transfer.

**44.** (1) A corporation shall not acquire an agreement in whole or in part by application or transfer unless the corporation is

- (a) registered under *The Companies Act* of the Province,
- (b) incorporated by an Act of the Province and approved by the Minister as a corporation that may acquire an agreement,
- (c) incorporated under the *Bank Act* (Canada),
- (d) a railway company incorporated under an Act of Canada,
- (e) a trust company registered under *The Trust Companies Act, 1960*, or
- (f) an insurance company licensed under *The Alberta Insurance Act*.

(2) No syndicate or other association of persons shall acquire an agreement in whole or in part by application or transfer in the name of the association unless it has been incorporated by or under an Act of the Province and approved by the Minister as an association that may hold an agreement.

**45.** For the purposes of this Act, any agreement entered into pursuant to this Act with a body corporate shall be deemed to be sufficiently executed by that body corporate if it is sealed with its corporate seal and countersigned by one officer or two directors of the corporation, notwithstanding anything to the contrary contained in any statute, charter of incorporation, memorandum of association or articles of association.

**46.** If, before or at the time of a sale of the right to an agreement, any person, who by intimidation, combination, unfair management or otherwise, hinders or prevents, or attempts to hinder or prevent, any other person from bidding upon or purchasing the right offered for sale, is guilty of an offence.

**47.** New.

**48.** New.

**49.** Cancellation of agreement.

**50.** Section 51.

**51.** Section 52 revised.

**52.** New. Forfeiture of well and installations following cancellation of agreement.

**53.** New. Forfeiture of mine or quarry following cancellation of agreement.

**47.** Any notice that may be given by the Minister pursuant to this Act, the regulations or an agreement may be given by the Deputy Minister or the Director or any other person authorized in writing by the Minister.

**48.** Any notice that may be given by the Minister or an officer pursuant to this Act or an agreement may be given by mail and shall be deemed to be given at the time of mailing.

**49.** Where a lessee fails to comply with a provision of this Act, of the regulations or of his agreement, or fails to comply with a notice given under this Act, the regulations or the agreement, the Minister may cancel the agreement.

**50.** In the absence of the Deputy Minister of Mines and Minerals or the Director, all the powers, duties, rights and capacities that are by this Act vested in or conferred or imposed upon such officials are vested in, conferred and imposed upon any other person appointed or authorized by the Minister to carry on or exercise such powers, duties, rights and capacities as if such person had been named herein.

**51.** All maps, books, papers, correspondence, records or other matters or things in the Department of Lands and Forests shall be open to and may be examined by the Minister or the officers and clerks of the Department of Mines and Minerals in the discharge of their departmental duties.

**52.** (1) Upon the expiration of six months following the date that an agreement is cancelled, forfeited or surrendered, any well in the location and the installations and fixtures, including casing, incidental to the well, vest in the Crown in right of Alberta free and clear of all claims, charges or liens whatsoever, irrespective of

(a) whether or not the well, installations, fixtures or casing were the property of the lessee, and

(b) whether or not any notice has been given or sent to any person owning or having any interest in the well, installations, fixtures or casing.

(2) Subsection (1) does not apply where the spacing unit for the well or the part of the spacing unit containing the well continues under another agreement.

(3) Upon application, the Minister may extend from time to time the six months' period referred to in subsection (1).

**53.** (1) Upon the expiration of six months following the date that an agreement is cancelled, forfeited or surrendered, any mine or quarry in the location vests in the Crown in right of Alberta free and clear of all claims, charges or liens whatsoever, irrespective of

**54.** Section 46.

**55.** Section 57 revised.

**56.** Section 47(1) and (2) revised.

**57.** Section 18 revised.

- (a) whether or not the mine or quarry was the property of the lessee, and
- (b) whether or not any notice has been given or sent to any person owning or having any interest in the mine or quarry.

(2) Upon application, the Minister may extend from time to time the six months' period referred to in subsection (1).

**54.** (1) The Minister or any person authorized by him may, at any time enter upon any location or mineral claim and have access to any mine, quarry, works, well, record, plant, building and equipment, and the lessee of the location or owner of the mineral claim, his representative or operator shall render the Minister or person authorized such assistance as may be necessary or essential.

(2) In the performance of any investigation or inspection, the Minister or a person authorized by the Minister may at any time enter upon any lands in the Province, irrespective of who may own or occupy the lands or into any plant for the recovery, processing or treating of any mineral and the person at the time in charge of the plant or any process carried on at the plant shall render the person authorized such assistance and supply him with such information regarding the plant, its products or the mineral recovered, processed or treated as may be requested.

**55.** (1) The Minister may summarily order any mining or quarrying in the Province to be carried on so as not to interfere with or endanger the safety of any person or property.

(2) The Minister may order any person either to fill up or to guard any mine or quarry or any part thereof in such manner as the Minister deems proper.

**56.** (1) Notwithstanding section 4, if the Minister has reason to believe that operations on any location or mineral claim are being so conducted as to expose others to the risk of damage or loss, the Minister may authorize an inspector or other person to enter the mine, quarry, works, plant, buildings and structures and to remain for such period or periods as the Minister may deem necessary, for the purpose of enforcing compliance with such provisions and remedying existing defaults.

(2) The Minister may charge and collect from the lessee or owner the expenses incurred in connection with the supervision so authorized by the Minister under subsection (1).

**57.** Whenever it is deemed necessary in the opinion of the Minister for the proper carrying out of any of the provisions of this Act relating to the commencement of work, operating and working or abandonment of any mineral claim or location, he may at any time by notice in writing require the owner or lessee to furnish cash security in such amount as he may prescribe, and

**58.** Section 59 revised.

**Part II** is a revision of Part IV of the present Act. **Parts II and III** of the present Act regarding quartz mining and placer mining are removed. See note to clause 14(c).

**59.** (1) Section 201(1).  
(2) Section 201(2) revised as to clause (a).

**60.** (1) Section 202(1) revised.  
(2) New.

**61.** Section 203 revised with the addition of clause (b).

**62.** Section 204(1) revised.



- (a) the security shall be retained until the work is completed to the satisfaction of the Minister, or
- (b) the Minister may use the security or such portion thereof as may be necessary to carry out such requirements.

**58.** (1) Every person who is guilty of an offence against this Act for which no penalty is prescribed is liable on summary conviction to a fine of not more than five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

(2) A contravention of a provision of the regulations shall be deemed to be a contravention of a provision of this Act.

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## PART II

### COAL

#### Leases

**59.** (1) The coal rights that are the property of the Crown may be leased at an annual rental of one dollar an acre payable yearly in advance.

(2) The term of the lease shall be for twenty-one years and the lease

- (a) is renewable for one further term of twenty-one years subject to the provisions of this Act and the regulations, and
- (b) is renewable for further terms of twenty-one years each upon such terms and conditions as may be prescribed by the Lieutenant Governor in Council.

**60.** (1) The maximum area of a location shall be four sections or parts of sections which in the aggregate do not exceed four sections.

(2) In unsurveyed territory the maximum area of a location may be increased to include what would be road allowances if the lands were surveyed under *The Alberta Surveys Act*.

**61.** An application for a lease shall be filed by the applicant in person

- (a) at the office of the Mining Recorder for the district, or
- (b) at the office of the Director.

**62.** (1) The tract applied for shall consist of sections, quarter sections or legal subdivisions or in the discretion of the Minister may comprise any part of a legal subdivision, but the parcels in the tract shall adjoin or corner.

**63.** New. Information to be indicated in application for lease.

**64.** New. Review of application by Minister.

**65.** (1) Section 216(1).

(2) Section 216(2) revised.

**66.** New.

**67.** Section 202(3).

**68.** New. Rights granted by lease.

**69.** New.

**70.** Section 215 revised but with no change as to the price of the coal.

**71.** New. Form of lease.

**72.** Section 218(1) and (2).

(2) Except in the case of a part of a legal subdivision, the length of the tract applied for shall not exceed four times the breadth.

**63.** When making application for a lease the applicant shall indicate whether the lease is required

- (a) for the continuation of an existing mine,
- (b) to provide coal in an area in the Province where the supply of coal from existing mines is inadequate,
- (c) for the mining of coal to be used for the generation of power or for any other industrial purpose, or
- (d) to provide coal for some other use.

**64.** Every application for lease is subject to review by the Minister who may refuse or confirm the application.

**65.** (1) The prescribed fee and the rental for the first year shall accompany an application for a lease.

(2) The fee and rental shall be refunded if the granting of the lease is refused.

**66.** Where the boundaries of a tract applied for in unsurveyed territory may be difficult to determine on the ground because of terrain or distance from a survey monument, the Minister before the granting of the lease may require the applicant to define the location on the ground in accordance with instructions given by the Minister.

**67.** No lease shall be granted to an applicant who is indebted to the Crown for royalty on coal.

**68.** A lease grants the right to the coal that is the property of the Crown in the location subject to any exceptions expressed in the lease.

**69.** A lease shall bear the date of issue which shall also be the commencement of the term unless the Minister otherwise directs.

**70.** A lessee shall make available at his mine to local residents the coal that they require for their own domestic use, but not for barter or sale, at a price not exceeding three dollars and seventy-five cents a ton.

**71.** A lease shall be in such form as may be determined by the Minister and may include such terms and conditions as the Minister may prescribe.

#### **Royalty on Leases**

**72.** (1) The coal mined from a location acquired under this Part is subject to the payment to the Crown of the royalty provided for by section 78.

(2) The royalty shall be collected in such manner as may be prescribed by the Minister.

**73.** Section 219(1) and (2).

**74.** Section 213(1) to (3) revised.

**75.** New. Surrender of lease.

**76.** New. Transfer of part of location of lease.

**77.** New. Division of lease.

**73.** (1) A lessee or his agent authorized in writing shall, not later than the twenty-fifth day of the month, file with the Department, on forms prescribed by the Minister, a report accounting for the full quantity of coal mined during the preceding month.

(2) The lessee of coal rights that are not being mined shall furnish the Department with a report to that effect at least once every three months.

#### **Work Required to be Done**

**74.** (1) The lessee shall commence mining operations on the location within one year from the date upon which he is notified by the Minister to do so and shall produce from such operations the quantity of coal specified in the notice.

(2) A notice under subsection (1) shall not be given until the expiration of at least one year from the date of the lease and it shall set out the quantity of coal that the lessee is required to mine.

(3) The quantity may be increased from time to time upon one year's notice to that effect being given to the lessee and the quantity may be decreased at any time by the Minister.

#### **Surrenders**

**75.** (1) A lessee may surrender his lease at any time and, with the consent of the Minister, may surrender any part of the location.

(2) Where a part of a location is surrendered, the lessee shall forward his copy of the lease to the Director and the Director shall amend the description of the location accordingly.

#### **Transfers**

**76.** A lessee, with the consent of the Minister, may transfer any part of a location if the part transferred

- (a) conforms to section 62, or
- (b) conforms as nearly as possible to section 62 as the original location will permit.

#### **Divisions**

**77.** (1) A lessee, with the consent of the Minister, may divide his lease into two or more leases if each of the new locations

- (a) conforms to section 62, or
- (b) conforms as nearly as possible to section 62 as the original location will permit.

(2) Where a lease is to be divided the lessee shall forward his copy of the lease to the Director and the Director shall amend the description of the location in the original

- 78.** (1) Section 220(1) with the addition of reference to The Mines and Minerals Act.  
(2) Section 220(2).

**79.** Section 221.

**80.** Section 222 revised.

lease to conform to one of the new locations and a new lease shall be issued with a term similar to that of the original lease for each of the other new locations.

#### **General Royalty Provision**

**78.** (1) Notwithstanding subsection (2) of section 31, the royalty to be computed, levied and collected on coal mined pursuant to a lease under this Act, the former Act or *The Provincial Lands Act* or pursuant to a lease comprising a road allowance, shall be ten cents a ton, or such other royalty as may be prescribed from time to time by the Lieutenant Governor in Council.

(2) Notwithstanding subsection (2) of section 31 and subsection (1) of this section, the royalty to be computed, levied and collected on coal mined pursuant to a lease issued by the Province as the first renewal of a lease granted under the *Dominion Lands Act* and containing a renewal provision, shall, while the location is held under such first renewal lease, be five cents a ton.

**79.** Where the payment of a royalty has been reserved to the Crown in the right of Canada in any patent or agreement for sale that conveys coal or the right to mine, win or work the same, the royalty to be computed, levied and collected and paid to the Crown in right of Alberta on the coal mined, shall be

- (a) seven cents a ton, or
- (b) such other royalty as may be prescribed from time to time by the Lieutenant Governor in Council in accordance with the terms of the Transfer Agreement.

#### **General Coal Barrier**

**80.** (1) Notwithstanding section 4 or the terms and provisions of any certificate of title, conveyance, agreement for sale, lease, licence, permit or other contract under which he has, before or after the commencement of this Act, acquired coal or the right to mine, win or work coal, no person shall, without the consent of the Minister

- (a) mine coal, or
- (b) make or cause or permit to be made any opening, within thirty feet of a boundary line of the tract or parcel of land described in the certificate of title, conveyance, agreement for sale, lease, licence, permit or other contract.

(2) In this section, "boundary line" means the vertical plane or line in which the surface boundary of the tract or parcel lies.

Part III. This is a new Part. Under the present Act quarrying leases are authorized by order in council.

**81.** Granting of quarrying leases.

**82.** Term of lease and renewals.

**83.** Area of location.

**84.** Where lease application is filed.

**85.** Information to be indicated in application.

**86.** (1) What tract is to comprise.  
(2) Length and breadth of tract.

**87.** Review of application by Minister.

**88.** (1) Fee and minimum royalty to accompany application.  
(2) Refund where granting of lease is refused.

**89.** Requirement to define location in unsurveyed territory.



**PART III**  
**QUARRIABLE MINERALS**

**Leases**

**81.** The right to any quarriable minerals, other than coal, bituminous sands or oil sands, that is the property of the Crown may be leased at an annual minimum royalty of fifty dollars or one dollar and twenty-five cents an acre, whichever is the larger.

**82.** The term of the lease shall be for twenty-one years and the lease

- (a) is renewable for one further term of twenty-one years subject to this Act and the regulations, and
- (b) is renewable for further terms of twenty-one years each upon such terms and conditions as may be prescribed by the Lieutenant Governor in Council.

**83.** The maximum area of a location shall not exceed one section, or parts of sections which in the aggregate are not greater than one section, and the location may include an adjoining road allowance.

**84.** An application for a lease shall be filed by the applicant in person

- (a) at the office of the Mining Recorder for the district,  
or
- (b) at the office of the Director.

**85.** When making application for a lease the applicant shall indicate the uses intended to be made of the quarriable mineral.

**86.** (1) The tract applied for shall consist of a section, quarter sections or legal subdivisions or in the discretion of the Minister may comprise any part of a legal subdivision, but the parcels included in the tract shall adjoin or corner.

(2) Except in the case of a part of a legal subdivision, the length of the tract applied for shall not exceed four times the breadth.

**87.** Every application for a lease is subject to review by the Minister who may refuse or confirm the application.

**88.** (1) The prescribed fee and the annual minimum royalty for the first year shall accompany an application for a lease.

(2) The fee and royalty shall be refunded if the granting of the lease is refused.

**89.** Where the boundaries of a tract applied for in unsurveyed territory may be difficult to determine on the ground because of terrain or distance from a survey monu-

**90.** Self-explanatory.

**91.** Rights granted by lease.

**92.** Date of issue and commencement of term.

**93.** Form of lease.

**94.** (1) Mineral subject to royalty.  
(2) Collection of royalty.

**95.** (1) Monthly report of minerals obtained.  
(2) Report where no quarrying is being conducted.

**96.** (1) Requirement to commence operations.  
(2) When notice to be given.  
(3) Increase or decrease in quantity to be quarried.

ment, the Minister before the granting of the lease may require the applicant to define the location on the ground in accordance with instructions given by the Minister.

**90.** No lease shall be granted to an applicant who is indebted to the Crown for royalty on any quarriable minerals.

**91.** A lease grants the right to quarry the mineral named therein that is the property of the Crown in the location subject to any exceptions expressed in the lease.

**92.** A lease shall bear the date of issue which shall also be the commencement of the term unless the Minister otherwise directs.

**93.** A lease shall be in such form as may be determined by the Minister and may include such terms and conditions as the Minister may prescribe.

#### **Royalty**

**94.** (1) Any mineral obtained from a location acquired under this Part is subject to the payment to the Crown of such royalty thereon as may from time to time be prescribed by the Lieutenant Governor in Council.

(2) The royalty shall be collected in such manner as may be prescribed by the Minister.

**95.** (1) A lessee or his agent authorized in writing shall, not later than the twenty-fifth day of the month, file with the Department, on forms prescribed by the Minister, a report accounting for the full quantity of the mineral obtained during the preceding month.

(2) Every lessee of rights that are not being quarried shall furnish the Department with a report to that effect at least once every three months.

#### **Work Required to be Done**

**96.** (1) A lessee shall commence quarrying operations on the location within one year from the date upon which he is notified by the Minister to do so and shall produce from such operations the quantity of the mineral specified in the notice.

(2) A notice under subsection (1) shall not be given until the expiration of at least one year from the date of the lease and it shall set out the quantity of the mineral that the lessee is required to quarry.

(3) The quantity may be increased from time to time upon one year's notice to that effect being given to the lessee and the quantity may be decreased at any time by the Minister.

**97.** Surrender of lease.

**98.** Transfer of part of location.

Part IV is a revision of Part V of the present Act.

**99.** Section 225.

**100.** (1) Section 226(1) revised to increase the annual rental from \$5.00 to \$10.00.  
(2) Section 226(2).

**101.** Section 227 revised.

**102.** Section 228.

**103.** Section 229 revised.

**104.** Section 230(1) revised.

### **Surrenders**

**97.** (1) A lessee may surrender his lease at any time and, with the consent of the Minister, may surrender any part of the location.

(2) Where a part of a location is surrendered, the lessee shall forward his copy of the lease to the Director and the Director shall amend the description of the location accordingly.

### **Transfers**

**98.** A lessee, with the consent of the Minister, may transfer any part of a location if the part transferred

- (a) conforms to section 86, or
- (b) conforms as nearly as possible to section 86 as the original location will permit.

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## **PART IV**

### **MINERALS IN ROAD ALLOWANCES**

#### **Coal Mining Leases**

**99.** Except as hereinafter provided, Part II relating to the leasing of coal rights applies as far as is practicable, to in land adjoining the road allowance.

**100.** (1) Coal rights in road allowances may be leased at an annual rental of ten dollars payable yearly in advance.

(2) The term of a lease or any renewal thereof shall not exceed twenty-one years and may be for such lesser period as the Minister may prescribe.

**101.** A lease shall not be issued unless the applicant satisfies the Minister that he has the right to mine coal in lands adjoining the road allowance.

**102.** No lease shall be issued for more than one mile of road allowance, but the block at the intersection of two road allowances may be included in a lease.

**103.** (1) Where the Minister has reason to believe that a lessee no longer has the right to mine coal from land adjoining his road allowance lease, the Minister may give thirty days' notice to the lessee to submit evidence as to his ownership.

(2) If the lessee fails to submit evidence satisfactory to the Minister within thirty days of the giving of the notice the Minister in his discretion may cancel the lease.

**104.** A lease shall be in such form as may be determined by the Minister and may include such terms and conditions as the Minister may prescribe.

**105.** Section 232 revised.

**106.** Section 233 revised.

**107.** Section 231 revised. The clause will now be of general application rather than applying only to coal leases of road allowances as at present.

**108.** Section 234.

**105.** (1) Where coal rights in a road allowance are held under lease and adjoin a location subject to royalty as prescribed by subsection (1) of section 78, the reports accounting for the full quantity of coal mined may be included in the reports for the adjoining location.

(2) Where coal rights in a road allowance are held under lease but do not adjoin a location subject to royalty as prescribed by subsection (1) of section 78,

- (a) the lessee shall, at least every twelve months, have the holder of a mine surveyor's certificate issued pursuant to *The Coal Mines Regulation Act*, survey the workings of the mine in so far as they relate to the area included in the road allowance lease, and
- (b) within thirty days thereafter the lessee or his agent authorized in writing shall supply to the Department, on forms prescribed by the Minister, a report accounting for the full quantity of coal mined during such period.

#### **Other Leases**

**106.** No lease shall be granted for the right to any mineral in a road allowance, other than coal, petroleum, natural gas, oil sands, bituminous sands or any quarriable minerals, unless with the approval of the Lieutenant Governor in Council.

#### **General**

**107.** (1) If in conducting operations the road allowance is damaged in any way, the lessee shall immediately remedy the damage and is responsible for the damage and any other loss arising therefrom.

(2) If the lessee fails to remedy the damage immediately, the Minister may have such repairs made as he may deem necessary and the cost of such repairs constitutes a debt payable by the lessee to the Crown in right of Alberta on demand by the Minister.

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

(2) Without compensation of any nature whatsoever the lessee shall, at all times during the term of a lease of a road allowance and any renewal thereof, perform, observe and comply with the orders and directions of the Director of Mines of the Department affecting underground operations

Part V is a revision of Part VI of the present Act. The new Part incorporates to a large extent the recommendations of the Oil and Gas Law Revision Committee, a committee composed of government and industry representatives established to review oil and gas legislation.

- 109.** (a) See note to clause 110.  
(b) "Producing well" defined.  
(c) "Unit operation" defined.

**110.** Section 277 revised. Crown reserves are discontinued in Block A.

- (a) Section 277(a) revised.  
(b) Section 227(b) revised to exclude Provincial Reserves within Block A.  
(c) Section 277(c).  
(d) Section 277(e) revised.  
(e) Section 277(f).



and, without restricting 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.

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## PART V

### PETROLEUM AND NATURAL GAS

#### General

**109.** In this Part,

- (a) "Block A" means that part of the Province in townships 1 to 64 inclusive, west of the 4th meridian,
- (b) "producing well" means a well that is, in the opinion of the Minister, capable of production of petroleum or natural gas in paying quantity,
- (c) "unit operation" means an operation authorized by
  - (i) an agreement entered into under Part VIII,
  - (ii) an order made under Part VIII of *The Oil and Gas Conservation Act*, or
  - (iii) an order made under *The Turner Valley Unit Operations Act*.

#### Crown Reserves

**110.** In all of the Province, other than Block A, the petroleum and natural gas rights that are the property of the Crown in areas hereinafter described are constituted Crown reserves:

- (a) fractional areas that cannot be acquired under lease by application,
- (b) the areas within the following provincial reserves:
  - (i) Alhambra area: townships 37 to 42 inclusive, ranges 5, 6 and 7, west of the 5th meridian;
  - (ii) Big Bend area: townships 65, 66, 67 and 68, ranges 24, 25 and 26, west of the 4th meridian;
  - (iii) Clear Hills area: townships 84 to 92 inclusive, ranges 7 to 10 inclusive and townships 83 to 92 inclusive, ranges 11, 12 and 13, west of the 6th meridian;
  - (iv) Cynthia area: townships 49 to 52 inclusive, ranges 10 to 14 inclusive, west of the 5th meridian;
  - (v) Kaybob area: townships 61 to 64 inclusive, ranges 18, 19 and 20, west of the 5th meridian;
  - (vi) Marten Hills area: townships 73, 74, 75 and 76, ranges 20 to 26 inclusive, west of the 4th meridian and townships 73, 74, 75 and 76, ranges 1 to 7 inclusive, west of the 5th meridian;

**111.** Section 278.

**112.** Section 280 revised as to section references. Clauses 142, 151 and 157 relate to maximum rates of royalty.

**113.** Section 235(1) revised.

**114.** (1) Section 236(2) and (4) revised.  
(2) New.  
(3) Section 236(3) revised.

- (vii) Sand River area: townships 67 to 72 inclusive, ranges 3 to 8 inclusive, west of the 4th meridian;
- (viii) Smoky River area: townships 56 to 61 inclusive, ranges 1 to 9 inclusive, west of the 6th meridian;
- (ix) Virginia Hills area: townships 61 to 68 inclusive, ranges 7 to 13 inclusive, west of the 5th meridian;
- (c) such area in surveyed land as the Mining Recorder in consultation with the applicant for a lease of a location selects as a Crown reserve, which area shall
  - (i) be of equal acreage to the location applied for,
  - (ii) be in the same township in which the location or part of the location applied for is situate and in close proximity to it, and
  - (iii) be agreed to by the applicant before his application for the location is taken;
- (d) such areas as may be determined by regulations made under this Part;
- (e) such other areas as may be designated Crown reserves by the Minister.

**111.** Crown reserves, other than those constituted by clause (b) of section 110, may be reselected or cancelled by the Minister in any township, if the acreage that would then remain as Crown reserves in the township is not less than the other acreage held under lease from the Crown.

**112.** A Crown reserve may be disposed of at such time and in such manner and upon such terms and conditions as may be prescribed by the Lieutenant Governor in Council and, notwithstanding sections 142, 151 and 157, a disposition under this section may provide for payment to the Crown of a share of the products, or of an overriding royalty or of any other consideration in addition to the royalty on petroleum and natural gas prescribed from time to time by the Lieutenant Governor in Council.

#### **Petroleum and Natural Gas Leases**

**113.** The petroleum and natural gas rights that are the property of the Crown and are available for disposition according to the records of the Department may be leased at an annual rental of one dollar an acre, payable yearly in advance.

**114.** (1) The maximum area of a location in the form of a square shall be nine sections and of a location in the form of a rectangle shall be eight sections and shall not exceed four sections in length.

- 115.** (1) Section 237(1) revised.  
(2) Section 237(2) revised.  
(3) Section 237(3) revised.

**116.** New. The provisions of the present Act regarding staking in unsurveyed territory are removed.

**117.** New.

**118.** Section 240 revised to include reference to a permit in subsection (2).

- 119.** (1) Section 258(1).  
(2) Revised.

**120.** Section 239.

- 121.** (1) Section 262(1) revised.  
(2) Section 262(2).

(2) Where the tract applied for consists of adjoining or cornering parcels, the outer boundaries of the square or rectangle that would encompass the parcels that may be included in one lease, shall not exceed the boundaries of the maximum areas prescribed by subsection (1).

(3) Except as otherwise provided in this Part, the minimum area of a location shall be a quarter section.

**115.** (1) An application for a tract shall be for one or more quarter sections.

(2) Notwithstanding subsection (1) an application for a lease out of a reservation or permit may comprise a legal subdivision or adjoining or cornering legal subdivision or any part of a legal subdivision if the holder of the reservation or permit submits evidence satisfactory to the Minister that he has the right to the petroleum or natural gas in the remainder of the legal subdivision.

(3) If at any time the lessee fails to satisfy the Minister that he has the right to the petroleum or natural gas in the remainder of the legal subdivision referred to in subsection (2), the Minister may cancel the lease as to the part of the legal subdivision in the location.

**116.** In unsurveyed territory, a lease may only be acquired pursuant to the regulations or an order of the Lieutenant Governor in Council.

**117.** In surveyed land, fractional areas that cannot be acquired under lease by application may be acquired pursuant to an order of the Lieutenant Governor in Council.

**118.** (1) An application for a lease of petroleum and natural gas rights in surveyed land shall be filed by the applicant in person at the office of the Mining Recorder for the district in which the tract applied for is situated.

(2) Notwithstanding subsection (1), an application for a lease out of a reservation or permit shall be filed by the applicant with the Director.

(3) An application for a lease is subject to review by the Director who may refuse or confirm the application.

**119.** (1) The prescribed fee and the rental for the first year shall accompany an application for a lease.

(2) The fee and rental shall be refunded if the granting of the lease is refused.

**120.** No lease shall be granted to any applicant who is indebted to the Crown for royalty on petroleum or natural gas.

**121.** (1) A lease grants the right to the petroleum and natural gas that are the property of the Crown in the location subject to any exceptions expressed in the lease.

**122.** Section 263 revised.

**123.** Section 259(1) revised to include reference to a permit.

**124.** (1) New. Reduction of rental for the spacing unit for a gas well.

(2) Section 256(1) revised.

(3) Section 256(2) revised.

(4) New. Drilling required by order in council during period of rental reduction.

(5) Section 256(3) revised to include reference to subsection (1).

(6) Section 256(5) revised.

**125.** New. The initial lease term is ten years rather than twenty-one years.

**126.** (1) New. The lease term continues under clause (a) whether the producing well is on a freehold or Crown lease. The continuation under clause (b) only applies if the well is on the Crown lease.

(2) New.

(2) Notwithstanding subsection (1), a lease does not grant the right to bituminous sands or to the petroleum and natural gas that may be recovered therefrom.

**122.** A lease shall be in such form as may be determined by the Minister and may include a condition providing that the natural gas produced shall be used within the Province, and such other terms and conditions as the Minister may prescribe.

**123.** A lease shall bear the date of issue, which shall also be the commencement of the term but, where the application follows a reservation or permit, the term of the lease shall commence on the day the application was made.

**124.** (1) Where a well is drilled the Minister may, so long as he is of the opinion that the well is capable of producing natural gas in commercial quantity, reduce the annual rental to fifty cents an acre with respect to that part of the location within the spacing unit for the well.

(2) When a lessee through the drilling of a well or wells proves to the satisfaction of the Minister that his location or locations are within a natural gas field, the Minister may reduce the annual rental to fifty cents an acre for so long as he is of the opinion that the location or locations are capable of producing natural gas in commercial quantity.

(3) Before the reduction in rental becomes effective or at any time thereafter, the Minister may require the lessee to drill a well to search for petroleum at a point and to the strata prescribed by the Minister.

(4) While the rental of any lease is reduced, the lessee shall drill a well or wells for natural gas as may be required by order of the Lieutenant Governor in Council.

(5) So long as an adequate market or a market in which the lessee may participate is not available, the Minister, upon being satisfied of such facts, may further reduce the rental reduced under subsection (1) or (2) to an annual rental of twenty-five cents an acre.

(6) If a discovery of petroleum is made in any well, the reduction in rental ceases for the lease on which the well is located.

#### **Duration of Petroleum and Natural Gas Leases**

**125.** The term of a lease shall be ten years.

**126.** (1) Upon the expiration of the ten year term the lease continues

(a) as to that part of the location that is within the spacing unit for each producing well, and

**127.** New. Continuation of lease term where the rental is reduced under clause 124 by reason of discovery of natural gas only.

**128.** New. Continuation of term where the lease or part thereof is subject to a unit operation.

**129.** (1) New. Continuation of lease term during the period of drilling where drilling is commenced before the time the lease would otherwise expire under clauses 125, 127 or 128.

(2) Continuation of lease term where the well being drilled is completed as a producing well.

**130.** New. Continuation of lease term where a well is abandoned after the ten year term expires and the drilling of another well is commenced within ninety days.



(b) in respect of each producing well in the location as to any remaining part of the location which added to the area continued in respect of that well under clause (a) does not exceed one section, but any part continued under clause (b) must be acceptable to the Director.

(2) In subsection (1) "section" means a section of land or parts of sections which in the aggregate do not exceed the area of a section.

**127.** (1) Upon the termination of the ten year term of any lease where the rental is reduced under section 124, the lease continues as to the whole of the location or that part of the location within the spacing unit for the well, as the case may be, until six months after the reduction in rental ceases.

(2) Where subsection (1) applies, the lease further continues as to that part of the location that would continue under section 126 as though the expiration of the period of six months referred to in subsection (1) were the expiration of the ten year term.

**128.** (1) Upon the expiration of the ten year term, the lease continues as to any part of the location that is subject to a unit operation until six months after it is no longer subject to a unit operation.

(2) Where subsection (1) applies, the lease further continues as to that part of the location that would continue under section 126 as though the expiration of the period of six months referred to in subsection (1) were the expiration of the ten year term.

**129.** (1) Where the drilling of a well is commenced on a spacing unit comprising the whole or a part of a location

- (a) before the expiration of the ten year term, or
- (b) before the expiration of the period of six months referred to in subsection (1) of section 127 or subsection (1) of section 128,

the lease continues during the period that drilling is being conducted diligently and continuously to the satisfaction of the Minister, as to that part of the location that would continue under section 126 as though the well being drilled were a producing well.

(2) Where the well referred to in subsection (1) is completed as a producing well, the lease continues as to that part of the location that would continue under section 126 as though the well were completed before the expiration of the ten year term.

**130.** Where during the period that a lease is continued a well is abandoned, the lease continues as to that part of the location continued with respect to the abandoned well

**131.** (1) New. The drilling of a well under clauses 129 or 130 is deemed to be continued if the well cannot be completed and the drilling of another well is commenced within thirty days of cessation of operations.

(2) Extension of thirty day period.

**132.** New. Self-explanatory.

**133.** (1) "freehold well" defined.

(2) Section 257(1) revised.

(3) New. Deferment of offset drilling requirement where the freehold well produces heavy crude oil.

(4) Section 257(3) revised to confine the time for commencement of drilling to ninety days.

for a period of ninety days, and if the drilling of another well in the location is commenced before the expiration of the ninety day period the lease is further continued as to that part

- (a) during the period that drilling is being conducted diligently and continuously to the satisfaction of the Minister, and
- (b) if the well is completed, during the period that it is a producing well.

**131.** (1) Where due to mechanical or other difficulties encountered in the drilling of a well referred to in section 129 or 130, the well cannot be completed but within thirty days from the cessation of such drilling operations the drilling of another well is commenced in the location the drilling of that well shall be deemed to be a continuation of the drilling of the uncompleted well.

(2) The Minister may upon application increase the period of thirty days referred to in subsection (1) because of access or weather conditions.

**132.** (1) For the purpose of section 126, 127, 128 or 129, the lessee shall before the expiration of the ten year term or the six month period, as the case may be, inform the Director in writing of the part or parts of the location to be continued under the lease.

(2) Where the lessee fails to comply with subsection (1), the Minister shall decide the part or parts of the location to be continued under the lease and his decision is effective as of the date of the expiration of the ten year term or the six month period, as the case may be.

(3) When any part of the location of the lease is no longer continued under section 126, 127, 128, 129 or 130, the Director shall amend the description of the location and thereupon the lease terminates as to any part of the location deleted by the amended description.

(4) Upon the amendment of the description of the location referred to in subsection (3), the Director shall forward a copy of the amended description to the lessee for inclusion in his copy of the lease.

#### **Offset Wells**

**133.** (1) In this section and section 134, "freehold well" means a well that produces petroleum or natural gas from a spacing unit, the petroleum or natural gas in which is not owned by the Crown in right of Alberta.

(2) In the event of petroleum being produced from a freehold well in a spacing unit directly offsetting a location, the lessee shall, within a period of ninety days of the date of such well coming into production commence the drilling of a well on the location to offset the freehold well and shall drill the same continuously and diligently to the strata from which the petroleum is produced.

**134.** (1) New. Election by lessee to extend the ninety day period and to pay compensatory royalty.

(2) Amount of compensatory royalty.

(3) Manner of payment.

(4) Termination of requirement to pay compensatory royalty.

**135.** New. This clause applies where the time for commencement of drilling an offset well has been extended when the Bill comes into force.

**136.** Section 261(3) revised.

(3) Where a freehold well referred to in subsection (2) produces heavy crude oil, the Minister may defer from time to time the requirement of the drilling of the offset well.

(4) In the event of natural gas being produced from a freehold well in a spacing unit directly offsetting a location, the Minister, having due regard to market requirements and after consultation with the lessee, may by a notice require the lessee to commence the drilling of a well within a period of ninety days on the location to offset the freehold well and the lessee shall drill the same continuously and diligently to the strata from which the natural gas is produced.

**134.** (1) Before the expiry of the period of ninety days for the commencement of the drilling of an offset well, the lessee in writing to the Director may elect to extend the period and pay compensatory royalty.

(2) The compensatory royalty shall

- (a) for the first two years commencing the first day of the month in which the period of ninety days expires, be an amount equal to one-half of the royalty that would be payable to the Crown if the production obtained from the freehold well were obtained from a well on the location, and
- (b) thereafter, be an amount equal to the royalty that would be payable to the Crown if the production obtained from the freehold well were obtained from a well on the location.

(3) Compensatory royalty shall be paid in the manner prescribed by the Minister.

(4) The requirement for the payment of compensatory royalty terminates on the first day of the month in which drilling of the offset well is commenced.

**135.** Where at the date of the commencement of this Act the period for the commencement of the drilling of an offset well has been extended, the lessee in writing to the Director may elect to extend the period and pay compensatory royalty as though the expiry of the period first mentioned were the expiry of the period of ninety days referred to in section 134.

#### **Surrenders**

**136.** Before the expiry of the period for drilling an offset well, the lessee may surrender

- (a) the part of the location that would be the spacing unit for the well if it were drilled, or
- (b) where any portion of the spacing unit for the offset well overlies or underlies any portion of the spacing unit for a producing well, the strata to which the offset well requirement relates within its spacing unit.

**137.** (1) Section 261(1) revised to refer only to the surrender of the lease or spacing unit.

(2) Section 261(2) revised.

(3) New.

**138.** Section 265 revised.

**139.** New. Division of lease.

**140.** New. Consolidation of two or more leases,

**137.** (1) A lessee may surrender his lease or the spacing unit of a drilled well at any time.

(2) The lessee, with the consent of the Minister, may surrender any part of the location if the part retained

- (a) conforms to section 114,
- (b) conforms as nearly as possible to section 114 as the original location will permit, or
- (c) is the part of the location contained in the spacing unit for a producing well.

(3) Where a part of the location is surrendered the lessee shall forward his copy of the lease to the Director and the Director shall amend the description of the location accordingly.

#### **Transfers**

**138.** A lessee, with the consent of the Minister, may transfer any part of the location if the part transferred

- (a) conforms to section 114,
- (b) conforms as nearly as possible to section 114 as the original location will permit, or
- (c) is the part of the location contained in the spacing unit for a drilled well.

#### **Divisions**

**139.** (1) A lessee, with the consent of the Minister, may divide his lease into two or more leases if each of the new locations

- (a) conforms to section 114, or
- (b) conforms as nearly as possible to section 114 as the original location will permit.

(2) Subsection (1) does not preclude the division of a lease where one of the new locations will contain the spacing unit for a producing well.

(3) Where a lease is to be divided, the lessee shall forward his copy of the lease to the Director and the Director shall amend the description of the location in the original lease to conform to one of the new locations and a new lease shall be issued with a term similar to that of the original lease for each of the other new locations.

#### **Consolidations**

**140.** (1) A lessee, with the consent of the Minister, may consolidate two or more leases into one lease if the new location conforms to section 114.

**141.** (1) Section 268(1).  
(2) Section 268(2).

**142.** Section 269 revised to refer to the ten year term rather than the twenty-one year term.

**143.** Section 270.

**144.** Section 267.

**145.** Section 271(1) revised to include reference to disposition and sales.



(2) Where leases are consolidated, the description of the location of the lease on which the existing term will first expire shall be amended to include the location of the other lease or leases.

(3) Where leases are to be consolidated, the lessee shall forward his copy of each lease to the Director and the Director shall amend the description of the location as required in subsection (2) and the Minister shall cancel the other lease or leases.

### **Royalty**

**141.** (1) The petroleum and natural gas obtained from any location acquired under this Part is subject to the payment to the Crown of such royalty thereon as may from time to time be prescribed by the Lieutenant Governor in Council.

(2) The royalty shall be collected in such manner as may be prescribed by the Minister.

**142.** The maximum royalty payable on the petroleum and natural gas during the initial ten year term of a lease granted pursuant to this Part shall not exceed one-sixth of the production obtained from the location.

**143.** Where the whole or part of a location forms a part only of a spacing unit for a well, the royalty to be paid to the Crown shall be

- (a) in the proportion that the acreage of the part of the spacing unit contained in the location bears to the whole acreage of the spacing unit, or
- (b) where an order under section 73 or 74 of *The Oil and Gas Conservation Act* is in effect with respect to the spacing unit, in the proportion that the share of production allocated to the part of the spacing unit contained in the location bears to the whole of the production from the spacing unit,

and if the well is not on the location, it shall be deemed to be on the location.

**144.** Where Crown petroleum or natural gas is subject to a unit operation, the area of the unit shall be deemed a location for the purpose of determining the rate of royalty applicable to the portion of the production allocated to any tract contained in an agreement.

**145.** When petroleum or natural gas is obtained from any well, the lessee or his agent authorized in writing shall, not later than the twenty-fifth day of the month, file with the Department, on forms prescribed by the Minister, a full report of the production, disposition and sales during the preceding month.

**146.** Section 281 revised. The reservation regulations will not apply in Block A.

**147.** New. Regulations governing permits will apply only in Block A.

**148.** (1) Section 282(1).  
(2) Section 282(2).  
(3) Section 282(3).

**149.** New. Natural gas lease term and renewals.

**150.** (1) New. Rental for natural gas lease.  
(2) Reduction of rental.

### Reservations

**146.** The Lieutenant Governor in Council may make regulations governing reservations of petroleum and natural gas rights that are the property of the Crown in all of the Province, other than Block A, and the regulations may prescribe the manner in which locations for leases may be selected and may provide for the establishment of Crown reserves.

### Permits

**147.** The Lieutenant Governor in Council may make regulations governing permits of petroleum and natural gas rights that are the property of the Crown and within Block A and the regulations may prescribe the manner in which locations for leases may be selected.

### Natural Gas

**148.** (1) The Lieutenant Governor in Council may make regulations governing licences of natural gas rights that are the property of the Crown, and such regulations may prescribe the manner in which locations for leases may be selected out of rights included in a licence.

(2) The Lieutenant Governor in Council may authorize the Minister to grant, upon such terms and conditions as may be prescribed, a lease of natural gas rights that are the property of the Crown in lands or zones within lands, if,

- (a) the natural gas that may be obtained is required in the operation of a natural gas utility,
- (b) the location is required to complete a spacing unit for a productive natural gas well, or
- (c) the location is required for a unit operation.

(3) In a disposition made under this section "natural gas" for purposes other than those dealing with the computation, levy and collection of royalties,

- (a) means the production from any well that, in the opinion of the Oil and Gas Conservation Board, initially produces gas either alone or with oil at a gas-oil ratio of ten thousand cubic feet to the barrel or higher, but
- (b) does not include any production that may be obtained from any well that, in the opinion of the Board, initially produces gas with oil at a lower gas-oil ratio.

**149.** The term of a natural gas lease shall be twenty-one years renewable for further terms each of twenty-one years so long as the location is capable of producing natural gas in paying quantity.

**150.** (1) The annual rental under a natural gas lease shall be thirty-three and one-third cents an acre payable yearly in advance.

**151.** New. Maximum royalty during first term of natural gas lease.

**152.** New. Form of natural gas lease.

**153.** New. Drilling requirement under natural gas lease.

**154.** New. Self-explanatory.

**155.** Clauses 155 to 159 are new. In the past, petroleum leases have been authorized by order in council.

(1) Petroleum leases may be granted to persons having the right to the natural gas in the same zone.

(2) "petroleum" defined.

(2) Notwithstanding subsection (1), when in the opinion of the Minister an adequate market or a market in which the lessee may participate is not available the Minister, in his sole discretion, may reduce the rental payable in any year to ten cents an acre.

**151.** The maximum royalty payable on natural gas during the first term of a natural gas lease granted pursuant to this Part shall not exceed one-sixth of the production obtained from the location.

**152.** A natural gas lease shall be in such form as may be determined by the Minister and may include a condition providing that the natural gas produced shall be used within the Province and such other terms and conditions as the Minister may prescribe.

**153.** (1) The lessee under a natural gas lease shall commence the drilling of a well for the purpose of obtaining natural gas from the location within six months of being notified by the Minister to do so and shall continue the drilling of the well diligently and continuously to the satisfaction of the Minister.

(2) The lessee under a natural gas lease shall

(a) within six months of the completion or abandonment of a well in the location, or

(b) within such longer period as the Minister may prescribe,

commence the drilling of another well for the purpose of obtaining natural gas from the location and shall continue the drilling of the well diligently and continuously to the satisfaction of the Minister.

(3) The lessee shall conduct such additional drilling as may be required by order of the Lieutenant Governor in Council.

(4) Subsections (1) to (3) do not apply during any period when all of the location is comprised in spacing units allocated to wells for the purpose of producing natural gas and all of the wells are satisfactory in the opinion of the Oil and Gas Conservation Board for the purpose of producing natural gas.

**154.** The provisions of this Part, other than those relating to the size of a location, applicable to petroleum and natural gas leases, as far as practicable, apply to natural gas leases.

#### **Petroleum**

**155.** (1) The Lieutenant Governor in Council may authorize the Minister to grant upon such terms and conditions as may be prescribed, a lease of petroleum rights that are the property of the Crown in a zone within any land if the applicant for the lease has the right to the natural gas in the same zone.

**156.** (1) Term of petroleum lease.  
(2) Rental of petroleum lease.

**157.** Maximum royalty during first term of petroleum lease.

**158.** Form of petroleum lease.

**159.** Self-explanatory.

**160.** Section 275 revised to include reference to a permit.

**161.** New. This clause applies to reservations subsisting when the Bill comes into force. See note to clause 199.

**162.** New. This clause applies to natural gas licences subsisting when the Bill comes into force.

(2) In a disposition made under this section "petroleum" for purposes other than those dealing with the computation, levy and collection of royalties,

- (a) means the production from any well that, in the opinion of the Oil and Gas Conservation Board, initially produces oil either alone or with gas at a gas-oil ratio of less than ten thousand cubic feet to the barrel, but
- (b) does not include any production that may be obtained from any well that, in the opinion of the Board, initially produces oil with gas at a higher gas-oil ratio.

**156.** (1) The term of a petroleum lease shall not exceed twenty-one years renewable for further terms each not to exceed twenty-one years so long as the location is capable of producing petroleum in paying quantity.

(2) The annual rental under a petroleum lease shall be thirty-three and one-third cents an acre, payable yearly in advance.

**157.** The maximum royalty payable on petroleum during the first term of a petroleum lease granted pursuant to this Part shall not exceed one-sixth of the production obtained from the location.

**158.** A petroleum lease shall be in such form as may be determined by the Minister and may include such terms and conditions as the Minister may prescribe.

**159.** The provisions of this Part, other than those relating to the size of a location, applicable to petroleum and natural gas leases, as far as practicable, apply to petroleum leases.

#### **Miscellaneous**

**160.** When an application, reservation, permit or lease is surrendered, cancelled or forfeited in the records of the Department, the rights shall not be made available for disposition until notice has been given in such form as the Minister may direct.

#### **Agreements Under Previous Acts**

**161.** Each reservation of petroleum and natural gas rights subsisting at the commencement of this Act shall continue until the termination of the reservation as if this Act has not come into force and any lease that the holder of the reservation is entitled to acquire by application shall be granted under the former Act.

**162.** Each natural gas licence subsisting at the commencement of this Act shall continue until the termination of the licence as if this Act had not come into force but any lease to which the holder of the licence is entitled to acquire by application shall be granted subject to this Act.

**163.** New. Clauses 164 to 169 are new and references to “existing leases” are to petroleum and natural gas leases granted under The Provincial Lands Act or The Mines and Minerals Act including those leases referred to in clause 161.

- 164.** (1) A drilling requirement for existing leases.  
(2) Cases where notice to commence drilling shall not be given.  
(3) When notice may be given.

- 165.** (1) Grouping of leases or parts of leases.  
(2) Area that may be included in a group.  
(3) Termination of group.  
(4) Suspension of drilling.  
(5) Lessee to inform Director of group.



**163.** Sections 164 to 169 apply only to leases of petroleum and natural gas rights granted under *The Provincial Lands Act* or the former Act.

**164.** (1) Subject to subsections (2) and (3), a lessee shall commence drilling operations on the location within one year from the date the Minister gives notice requiring him to do so and the lessee shall continue such drilling operations with reasonable diligence to the satisfaction of the Minister with a view to the discovery of petroleum or natural gas.

(2) The notice referred to in subsection (1) shall not be given in respect of any lease

- (a) that has in the location a producing well,
- (b) during the period that the rental for the lease is reduced,
- (c) during the period the lease is subject to a unit operation,
- (d) while the lease is included in a group under section 165, or
- (e) referred to in section 170.

(3) The notice referred to in subsection (1) may be given to the lessee

- (a) after the commencement of this Act, as to any lease that has reached the end of the fifteenth year of its term before or during 1961,
- (b) after January 1st, 1963, as to any lease that has reached the end of the fourteenth year of its term before or during 1962,
- (c) after January 1st, 1964, as to any lease that has reached the end of the thirteenth year of its term before or during 1963,
- (d) after January 1st, 1965, as to any lease that has reached the end of the twelfth year of its term before or during 1964,
- (e) after January 1st, 1966, as to any lease that has reached the end of the eleventh year of its term before or during 1965, and
- (f) after January 1st, 1967, as to any lease that has reached the end of the tenth year of its term.

**165.** (1) Where a notice has been given pursuant to section 164, the lessee may group the whole or part of the location and the whole or part of the location of any other lease or leases held by him

- (a) not subject to an offset drilling requirement,
- (b) not subject to a unit operation, or
- (c) that does not contain a producing well,

and the lessee may fulfil the requirements under the notice by the drilling of the well on any location or part thereof in the group.

**166.** (1) Continuation of drilling of abandoned well by commencement of another well in thirty days.

(2) Extension of thirty day period.

**167.** Deferment of drilling requirement by payment of penalty.

**168.** Cancellation of lease.

(2) The area that may be included in a group under subsection (1) shall not exceed

- (a) six sections in acreage where the intended depth of the well is less than three thousand feet,
- (b) eight sections in acreage where the intended depth of the well is three thousand feet or more but less than six thousand feet, or
- (c) twelve sections in acreage where the intended depth of the well is not less than six thousand feet, plus an additional two sections in acreage for each thousand feet of intended depth in excess of eight thousand feet.

(3) Where the drilling of the well is discontinued before the intended depth is reached, the group terminates unless the well is completed as a producing well.

(4) The lessee shall not suspend the drilling of a well in a location or in a group without the consent of the Minister.

(5) Upon the formation of a group, the lessee shall inform the Director in writing and the Director may divide any lease where only a part of the location is included in the group.

**166. (1) Where**

- (a) a well being drilled pursuant to a notice under section 164 is prematurely abandoned, or
- (b) a well in a group is abandoned before reaching the depth intended under section 165,

but within thirty days of the abandonment the drilling of another well is commenced in the location or in the group, the drilling of that well shall be deemed to be a continuation of the drilling of the abandoned well.

(2) The Minister may upon application increase the period of thirty days referred to in subsection (1) because of access or weather conditions.

**167.** The Minister may, during the term of a lease, extend the time for the commencement of drilling of a well pursuant to a notice under section 164 from year to year for four years upon payment to the Crown of a penalty of

- (a) one dollar per acre for the first year,
- (b) three dollars per acre for the second year,
- (c) five dollars per acre for the third year, and
- (d) nine dollars per acre for the fourth year,

for each acre contained in the location.

**168.** The Minister may cancel a lease in respect of which a notice under section 164 was given where

- (a) the well is not drilled in the location or in the group in accordance with the notice,
- (b) the lessee fails to comply with subsection (4) of section 165, or

**169.** Renewal of existing leases. The parts of the location that may be included in the renewal leases are equivalent to the parts that may be continued beyond the ten year term of leases granted under the Bill. (See clauses 126 to 128.)

**170.** Renewal of existing leases granted before August 19, 1947.

Part VI is a revision of Part X but with the inclusion of oil sands.

**171.** (1) Section 304(1).

(2) (a) Section 304(2).

(b) New. "Oil Sands" defined.

(c) New. "Oil Sands Rights" defined.

- (c) the lessee fails to pay a penalty prescribed by section 167.

**169.** (1) Upon the expiry of the term of the lease, the lessee is entitled, upon application, to a new lease under this Part for a term of ten years with respect to all or part of the location consisting of

- (a) that part of the location that is within the spacing unit for each producing well,
- (b) in respect of each producing well in the location, any remaining part of the location which added to the area continued in respect of that well under clause (a) does not exceed one section,
- (c) that part of the location for which the rental is reduced, and
- (d) that part of the location that is subject to a unit operation,

but any part to be included in the new lease under clause (b) must be acceptable to the Director.

(2) In subsection (1) "section" means a section of land or parts of sections which in the aggregate do not exceed the area of a section.

**170.** Notwithstanding section 169, upon the expiry of the term of a lease of petroleum and natural gas rights granted before the nineteenth day of August, 1947, the lessee is, upon application, entitled to a new lease for a term of ten years granted under this Part with respect to all of the location.

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## PART VI

### BITUMINOUS SANDS AND OIL SANDS

**171.** (1) If any question arises as to the meaning of bituminous sands given in clause (b) of subsection (1) of section 2, the question shall be referred to the Minister whose decision thereon is final.

(2) In this Part,

- (a) "bituminous sands rights" means
  - (i) the right to mine, quarry, work, remove, treat or process bituminous sands including the recovery of any products therefrom whether above or below the surface, and
  - (ii) the right to dispose of bituminous sands and any products recovered therefrom;
- (b) "oil sands" means the sands
  - (i) that contain a highly viscous crude hydrocarbon material,
  - (ii) that occur in a zone designated by the Oil and Gas Conservation Board, and

- 172.** (a) Section 305.  
(b) New.

- 173.** Section 306 revised to include reference to oil sands.

- 174.** (1) Conforms to maximum royalty in existing leases.  
(2) This subclause will permit the prescribing of royalty rates related to the nature of the products recovered.

- (iii) that in the opinion of the Minister are the correlative or equivalent of bituminous sands;
- (c) "oil sands rights" means
  - (i) the right to mine, quarry, work, remove, treat or process oil sands, including the recovery of any products therefrom whether above or below the surface, and
  - (ii) the right to dispose of oil sands and any products recovered therefrom.

**172.** The Lieutenant Governor in Council may make regulations

- (a) governing leases, licences or permits of bituminous sands rights,
- (b) governing leases, licences or permits of oil sands rights.

**173.** (1) The Minister may prohibit the conduct of any operation to recover bituminous sands or oil sands that would, in his opinion, preclude or render more difficult the recovery of the other bituminous sands or oil sands recoverable by practical and reasonable operations.

(2) The Minister may grant, on such terms as he may prescribe, a deferment of any obligation to conduct operations under a lease of bituminous sands rights or oil sands rights to a lessee who has entered into an agreement satisfactory to the Minister with the holder of other bituminous sands rights or oil sands rights to contribute to or assist in the performance of similar operations of such other holder.

**174.** (1) Each lease of bituminous sands rights or oil sands rights whether granted before or after the commencement of this Act is subject to the payment to the Crown of such royalty as may from time to time be prescribed by the Lieutenant Governor in Council

- (a) on each of the products derived from bituminous sands or oil sands provided that the royalty shall not exceed
  - (i) one-sixth of the products, during the first term of any lease granted after the thirty-first day of August, 1956,
  - (ii) one-tenth of the products, during the first term of any lease granted before the thirty-first day of August, 1956,
 and
- (b) on bituminous sands or oil sands sold or otherwise disposed of without processing or treatment.

(2) The rate or rates of royalty prescribed under subsection (1) may be of general application or with respect to any specified operation or operations.

(3) In this section "products" includes any products recovered from hydrocarbons obtained from bituminous sands or oil sands.

Part VII is a revision of the present Part VIII.

- 175.** (a) Section 295(a).  
(b) Section 295(b).  
(c) Section 295(c).

- 176.** (1) Section 296(1).  
(2) Section 296(2).  
(3) Section 296(3) revised, so that the **Power of Attorney is to** be submitted to the Department rather than the Minister.  
(4) Section 296(4) revised so that the reference to the Minister is now to the Department.  
(5) Section 296(5) revised.  
(6) Section 296(6).  
(7) Section 296(7).



**PART VII****REGISTRATION OF TRANSFERS AND DOCUMENTS**

**175.** In this Part,

- (a) "document" means an instrument, other than a transfer, pertaining to any right granted under an agreement;
- (b) "registration" or "register" means
  - (i) the entering in a book authorized by the Minister for that purpose of a transfer or document, and
  - (ii) the endorsing on or the attaching to the agreement affected of a memorandum evidencing an entry under subclause (i) ;
- (c) "transfer" means an instrument in Form B, C or D in the Schedule or to a like effect and capable of registration under section 176.

**176.** (1) A transfer with respect to an agreement that the lessee is not prohibited from transferring or agreeing to transfer by any provision of this Act or any regulation or by the terms of the agreement, may be registered by the Minister if the transfer conveys

- (a) the whole of the agreement,
- (b) a specified undivided interest in the agreement, or
- (c) a part of the location contained in the agreement.

(2) The Minister may in his discretion refuse to register a transfer submitted for registration if

- (a) it is not executed by the transferor and the transferee in such manner and accompanied by such proof of execution as is satisfactory to the Minister,
- (b) registration thereof would result in more than five persons being the holder of the agreement,
- (c) an undivided interest conveyed is less than a ten per cent undivided interest in the agreement, or
- (d) the prescribed fee is not paid.

(3) Where a transfer is executed by an attorney or agent, proof of the authority of the attorney or agent, in a form satisfactory to the Minister, shall be submitted to the Department.

(4) Before a transfer may be registered the lessee's copy of the agreement shall be submitted to the Department.

(5) Upon the registration of a transfer, the transferee becomes the lessee with respect to the agreement, the undivided interest in the agreement or the part of the location so transferred.

(6) A transfer registered under this Part is valid against and prior to any unregistered transfer.

(7) In so far as a transfer affects the Crown, the transfer shall be deemed to take effect from the time of its registration.

**177.** New. Transfer of deposit.

**178.** Section 297.

**179.** Section 298.

**180.** Section 298a revised by the addition of clauses (d) and (e).

**181.** Section 298b.

**177.** Where it is a condition

- (a) of an application for an agreement that a deposit be furnished with or accompany the application, or
- (b) of an agreement that a deposit be placed with the Minister or the Provincial Treasurer,

upon the registration of a transfer of the agreement or of a specified undivided interest in the agreement, the transferee becomes entitled to the lessee's right to the deposit or the undivided interest in the deposit, as the case may be.

**178.** (1) A lessee may transfer an agreement to himself and another person or persons, and upon registration of the transfer is entitled to the interest that the transfer purports to convey to him to the same extent as if he were not the transferor.

(2) Two or more persons, being the lessee of an agreement, may transfer the agreement to one or more of them, who upon registration of the transfer are entitled to the interest that the transfer purports to convey to him or them to the same extent as if he or they were not the transferor.

**179.** The Lieutenant Governor in Council may make regulations

- (a) providing for the registration of documents,
- (b) prescribing the nature of the documents that may be registered, and
- (c) prescribing the conditions under which documents may be registered.

**180.** Where, by a document made pursuant to section 82 of the *Bank Act* (Canada), an agreement from the Crown with respect to petroleum or natural gas, or both, or any interest therein is assigned, transferred or set over as security to a bank by the holder of the agreement or by a person having an interest therein, there may be registered by the Minister upon payment of the prescribed fee

- (a) an original of the document,
- (b) a copy of the document certified by an officer or employee of the bank to be a true copy thereof,
- (c) a caveat in respect of the rights of the bank,
- (d) a discharge or partial discharge of the rights of the bank under the document, or
- (e) a withdrawal or partial withdrawal of a caveat registered under clause (c).

**181.** The Lieutenant Governor in Council may from time to time establish a tariff of fees pertaining to

- (a) the registration of transfers,
- (b) the registration of documents, and
- (c) any services supplied by the Department in connection with transfers and documents.

Part VIII is a revision of the present Part IX.

- 182.** (a) Section 299(a).  
(b) Section 299(b).  
(c) New.

- 183.** (1) Section 300(1).  
(2) Section 300(2) revised to include reference to The Mines and Minerals Act.  
(3) Section 300(3) revised.

## PART VIII

## UNIT OPERATION OF MINERALS

**182.** In this Part,

- (a) "tract" means
  - (i) the whole or part of a location or mineral claim, or
  - (ii) a parcel or part thereof containing any minerals owned by a person other than the Crown in right of Alberta;
- (b) "unit operation" means an operation in which a number of tracts are merged, pooled, consolidated or integrated as a unit, without regard to the boundaries of the separate tracts, for operation for
  - (i) the development or production of a mineral within, upon or under the tracts, or any specified stratum or strata or portion thereof within the tracts, or
  - (ii) the implementing of a program for the conservation of the mineral or the co-ordinated management of interests in the mineral;
- (c) "unit agreement" means an agreement for a unit operation.

**183.** (1) The Lieutenant Governor in Council may authorize the Minister to enter into a unit agreement.

(2) Notwithstanding the other provisions of this Act or the provisions and terms of any regulation, agreement or certificate of record made or entered into pursuant to this Act, the former Act or *The Provincial Lands Act*, the unit agreement may provide

- (a) for the designation of a person to conduct the unit operation,
- (b) for participation in the development of the mineral,
- (c) for compensation for interests adversely affected,
- (d) that any provision or condition of an agreement or certificate of record, whether statutory or otherwise, will be nullified, changed or varied to the extent necessary to give effect to the unit agreement,
- (e) that so long as operations are conducted in accordance with the unit agreement the operational requirements with respect to each location or mineral claim in so far as they relate to the location or mineral claim or part thereof within the unit operation will be deemed to have been met,
- (f) that the product allocated by the unit agreement to a tract will be deemed to have been produced from the tract,
- (g) that production of a mineral in accordance with the unit agreement will be deemed to be production in commercial quantity from any tract covered by the agreement when such production is necessary

**184.** Section 301.

**185.** Section 302.

**186.** (1) and (2) New. Self-explanatory.

to entitle the lessee of an agreement or owner of a mineral claim to an extension or renewal of his agreement or certificate of record, and

- (h) for such other matters as the Minister deems necessary or advisable.

(3) Notwithstanding the other provisions of this Act or the provisions of any regulation, agreement or certificate of record, the Lieutenant Governor in Council may authorize the Minister to enter into an agreement for calculation of the royalty payable on the mineral produced under a unit operation in respect of any tract that is subject to the payment of a royalty to the Crown.

**184.** Where a location or mineral claim is partly within and partly outside an area that is subject to a unit operation, the Minister may, notwithstanding the provisions of this Act or the regulations, require the location or mineral claim to be divided so that each location or mineral claim resulting from the division will be as nearly as possible either within or outside such area.

**185.** Where a unit agreement is entered into by the Minister, the minerals that are the property of the Crown and affected by the agreement, and any interest in the minerals, are subject to the terms and conditions of the agreement so long as the agreement is in effect.

**186.** (1) Subject to compliance with *The Oil and Gas Conservation Act* and *The Right of Entry Arbitration Act* any person has, as against the Crown in right of Alberta,

- (a) the right to use a well or drill a well for the injection of any substance in an underground formation, if he is required by or has the approval of the Oil and Gas Conservation Board to do so, and
- (b) the right to remove and withdraw any machinery, tools, plant, buildings, erections and fixtures used in or in connection with the operation of the well, if the removal or withdrawal is approved by the Board.

(2) A person who exercises any right referred to in clause (a) of subsection (1)

- (a) shall indemnify the Crown for loss or damage suffered by the Crown in respect of claims and demands made by reason of anything done by that person or any other person on his behalf in the exercise or purported exercise of that right, and
- (b) shall abandon the well when so directed or authorized by the Oil and Gas Conservation Board, in accordance with the directions of the Board.

Part IX is a revision of the present Part VII.

- 187.** (a) New. "Geophysical equipment" defined.  
(b) New. "Geophysical exploration" defined.  
(c) New. "Geophysical operations" defined.  
(d) New. "Permit" defined.

**188.** Section 284 revised.

- 189.** (1) Section 285(1) revised.  
(2) Section 286 revised.  
(3) Section 285(3) revised.  
(4) Section 285(2) revised.

**190.** New. Transfer of licence or permit.



## PART IX

## GEOPHYSICAL EXPLORATION

**187.** In this Part,

- (a) "geophysical equipment" means any equipment used or employed in geophysical operations;
- (b) "geophysical exploration" means the investigation of the subsurface by
  - (i) seismic operations,
  - (ii) gravimetric operations,
  - (iii) magnetic operations,
  - (iv) electrical operations,
  - (v) geochemical operations,
  - (vi) test drilling, or
  - (vii) any other operations or method employed to determine geologic or other conditions underlying the surface of land,
 but does not include a geological survey unless holes are drilled or to be drilled to a depth in excess of twenty feet;
- (c) "geophysical operations" means any work or acts done in connection with or incidental to geophysical exploration;
- (d) "permit" means a permit to operate geophysical equipment issued under the regulations.

**188.** This Part applies to all geophysical exploration conducted in the Province whether on land or water or by aircraft.

**189.** (1) No person shall, by himself or an agent, conduct geophysical exploration unless he is the holder of a licence to do so.

(2) An application for a licence shall be made in writing to the Director indicating the method of geophysical exploration to be employed.

(3) On receipt of an application, the Director may issue a licence upon payment of the fee prescribed under the regulations or he may refuse to issue a licence.

(4) A licence terminates one year from its date of issue unless

- (a) surrendered by the licensee, or
- (b) cancelled by the Minister,

but may be renewed from year to year by the Director upon payment of the fee prescribed in the regulations for each renewal.

**190.** With the consent of the Director, a licence or permit may be transferred and Part VII applies, as far as practicable, to the registration of the transfer.

**191.** (1) Section 291(1) revised.  
(2) Section 291(2) revised.  
(3) Section 291(3) revised.

**192.** Section 292 revised.

**193.** Section 287 revised.

**194.** Section 289 revised.

**191.** (1) Before the issue of a licence, an applicant shall furnish the Provincial Treasurer with a deposit in the sum of one thousand dollars as a guarantee that he will comply with this Act and the regulations.

(2) The deposit shall be refunded to the licensee upon evidence being furnished, satisfactory to the Minister, that the operations were conducted in accordance with this Act and the regulations.

(3) Where an applicant for a licence has a sum of one thousand dollars on deposit with the Provincial Treasurer the Minister in his discretion may exempt the applicant from the requirement of subsection (1).

**192.** (1) The Minister may cancel a licence for failure of the licensee to comply with any provision of this Act or the regulations.

(2) Except where a condition exists that in the opinion of the Minister is a danger to any person or to public or private property, the Minister shall not cancel a licence under subsection (1) until he has given the licensee thirty days' notice to rectify his default.

(3) Upon the cancellation of a licence the deposit is forfeited to the Crown.

**193.** (1) A licensee shall supply to the Oil and Gas Conservation Board, not later than three months following the termination of the licence, a report containing a complete copy of every log or survey taken of each hole logged or surveyed, together with all pertinent data.

(2) A licensee shall supply to the Director any plans, reports or other data required by the regulations within the time prescribed by the regulations.

(3) Where any underground water or gas occurrences are observed in drilling, the licensee shall supply to the Director, not later than three months following the termination of the licence, 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.

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

**194.** Where a licensee

(a) withdraws from the Province and discontinues carrying on business in the Province, or

**195.** Section 288.

**196.** Section 293 revised by the addition of clause (c).

**197.** Section 294.

**198.** Transitional.

**199.** Repeal.

- (b) being a corporation, has been dissolved or has been struck off the register pursuant to *The Companies Act*,

all reports, plans, data and maps supplied pursuant to section 193 become the property of the Crown in right of Alberta and may be made available to the public by the Minister after the expiration of one year of the termination of the licence.

**195.** Every licensee shall report monthly to the Department the location and progress of the field party conducting the exploration.

**196.** The Lieutenant Governor in Council may make regulations

- (a) governing geophysical operations in water covered areas,
- (b) governing the methods and manner in which geophysical exploration may be conducted,
- (c) prohibiting the operation of geophysical equipment without a permit, and
- (d) to facilitate the administration of this Part and to carry out its provisions according to their intent.

**197.** A person who contravenes any of the provisions of this Part is guilty of an offence and liable upon summary conviction to a fine, which

- (a) in the case of a corporation, shall not exceed one thousand dollars for a single offence, or one hundred dollars a day for a continuing offence, or
- (b) in the case of a natural person, shall not exceed one hundred dollars for a single offence, or twenty dollars a day for a continuing offence.

#### **Transitional**

**198.** (1) Wherever a reference is made to the former Act in any other Act, regulation, order or direction or any contract or other instrument in force in the Province, the reference shall be deemed to be to this Act.

(2) Wherever a reference is made to the Director of Mineral Rights in any regulation, order or notice under the former Act or in any other Act, regulation, order or direction or in any contract or other instrument in force in the Province, the reference shall be deemed to be to the Director of Minerals.

#### **Repeal**

**199.** *The Mines and Minerals Act*, being chapter 204 of the Revised Statutes, is repealed except for the purpose of section 161 and for the issuing of a new lease for a divided or transferred part of a petroleum and natural gas lease granted under the former Act or *The Provincial Lands Act*.

**200.** Commencement of Act.

Form A. Form A of the present Act.

Form B. Form E of the present Act.

**Coming Into Force**

**200.** This Act comes into force on the first day of June, 1962.

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**SCHEDULE**
**FORM A**

(Section 22)

**DEPARTMENT OF MINES AND MINERALS****NOTIFICATION FOR ISSUE OF CERTIFICATE OF TITLE**

The Registrar,

Land Titles Office,

....., Alberta.

The undernamed is entitled to the issue of Certificate of Title in his favour for the mineral hereinafter mentioned which may be found to exist within, upon or under the following land, and the right to work the same:

Description .....

Name .....

Address .....

Occupation .....

Mineral granted .....

Nature of grant .....

Remarks .....

.....

.....

Date .....

Notification No. ....

.....  
*Director of Minerals*      *Minister of Mines and Minerals*

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**FORM B**

(Section 175)

**TRANSFER OF AGREEMENT(S)****BETWEEN:**

*(full name, place of residence and occupation or  
 if a corporation, full corporate name and place of  
 incorporation)*

Form C. Form F of the present Act.



(hereinafter called "the transferor")

— and —

*(full name, place of residence and occupation or  
if a corporation, full corporate name and place of  
incorporation)*

(hereinafter called "the transferee")

The transferor, being the holder of .....  
No. .... dated ..... (*or* numbered  
and dated as follows: *or* as numbered and dated in the  
attached Schedule) in consideration of the sum of \$ .....  
and other valuable consideration, payment of which is  
hereby acknowledged by the transferor, hereby transfers  
unto the transferee the said .....

AND the transferee hereby accepts this transfer.

AND the post office address of the transferee is .....

Dated this ..... day of ..... 19.....

.....  
(*witness*)

.....  
(*transferor*)

.....  
(*witness*)

.....  
(*transferee*)

NOTE: Affidavits of execution are required unless exe-  
cuted under corporate seal.

## FORM C

(Section 175)

### TRANSFER OF A SPECIFIED UNDIVIDED INTEREST IN AGREEMENT(S)

BETWEEN:

*(full name, place of residence and occupation or  
if a corporation, full corporate name and place of  
incorporation)*

(hereinafter called "the transferor")

— and —

*(full name, place of residence and occupation or  
if a corporation, full corporate name and place of  
incorporation)*

(hereinafter called "the transferee")

The transferor, being the holder of (*or* the holder of a  
undivided interest in) .....

No. .... dated ..... (*or* numbered  
and dated as follows: *or* as numbered and dated in the  
attached Schedule) in consideration of the sum of \$ .....  
and other valuable consideration, payment of which is  
hereby acknowledged by the transferor, hereby transfers  
unto the transferee a ..... undivided interest in

Form D. Form G of the present Act.

the said ..... (if the transferee consists of more than one person each obtaining a specified undivided interest, so state).

AND the transferee hereby accepts this transfer.

AND the post office address of the transferee is .....

Dated this ..... day of ..... 19 .....

(*witness*)

(*transferor*)

(*witness*)

(*transferee*)

NOTE: Affidavits of execution are required unless executed under corporate seal.

### FORM D

(Section 175)

#### TRANSFER OF PART OF THE LOCATION CONTAINED IN AN AGREEMENT BETWEEN:

(*full name, place of residence and occupation or if a corporation, full corporate name and place of incorporation*)

(hereinafter called "the transferor")

— and —

(*full name, place of residence and occupation or if a corporation, full corporate name and place of incorporation*)

(hereinafter called "the transferee")

The transferor, being the holder of .....  
No. .... dated ..... in consideration  
of the sum of \$ ..... and other valuable consideration,  
payment of which is hereby acknowledged by the transferor,  
hereby transfers unto the transferee a part of the location  
contained in the said ....., the said part  
being described as follows:

AND the transferee hereby accepts this transfer.

AND the post office address of the transferee is .....

Dated this ..... day of ..... 19 .....

(*witness*)

(*transferor*)

(*witness*)

(*transferee*)

NOTE: Affidavits of execution are required unless executed under corporate seal.

No. 95

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FOURTH SESSION

FOURTEENTH LEGISLATURE

10 ELIZABETH II

1962

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**BILL**

An Act respecting Mines and  
Minerals

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Received and read the

First time .....

Second time .....

Third time .....

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HON. MR. MANNING

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