

1995 BILL 220

Third Session, 23rd Legislature, 44 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 220

CROWN MINERAL DISPOSITION
REVIEW COMMITTEE ACT

MR. COLLINGWOOD

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 220
Mr. Collingwood

BILL 220

1995

CROWN MINERAL DISPOSITION REVIEW COMMITTEE ACT

(Assented to _____, 1995)

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

Definitions

1 In this Act,

- (a) "Committee" means the Crown Mineral Disposition Review Committee established by this Act;
- (b) "disposition" means a disposition as defined in the *Mines and Minerals Act*;
- (c) "Minister" means the Minister of Energy;
- (d) "protected area" includes
 - (i) land designated as a wilderness area, natural area or ecological reserve under the *Wilderness Areas, Ecological Reserves and Natural Areas Act*,
 - (ii) a forest recreation area as defined in the *Forests Act*,
 - (iii) a provincial park, or recreation area as defined in the *Provincial Parks Act*,
 - (iv) any land subject to a Ministerial regulation under section 7.1 of the *Provincial Parks Act*,

- (v) the Willmore Wilderness Park,
- (vi) a wildlife sanctuary as defined in the *Wildlife Act*,
- (vii) any land that may be designated by order of the Minister of Environmental Protection as a prime protection zone or a critical wildlife zone, and
- (viii) any other land that may be designated as a protected area by the Lieutenant Governor in Council.

Committee

2(1) There is hereby established a committee called the Crown Mineral Disposition Review Committee.

(2) The Committee shall have representatives from the Departments of Agriculture, Food and Rural Development, Energy, Environmental Protection, Community Development, Municipal Affairs, Transportation and Utilities, the Alberta Energy and Utilities Board and 2 members from the public at large appointed by the Minister.

(3) The Committee shall be chaired by a representative of the Department of Environmental Protection.

(4) The Committee may make rules governing its conduct, procedures and meetings that are not inconsistent with this or any Act.

Procedure for dispositions

3(1) Whenever any dispositions of any mineral rights that are the property of the Crown

(a) are proposed to be advertised for offers to acquire the disposition, or

(b) are applied for

the Minister, before advertising for offers or granting the dispositions, shall cause a description of the lands therein included, together with a description of the mineral rights and of the nature of the disposition proposed to be granted, to be submitted to the chairman of the Committee.

(2) Where any of the dispositions referred to in subsection (1) are on or under land in a protected area, then, before referring the proposed disposition to the Committee, the Minister shall publish notice of the proposed disposition in at least one newspaper in general circulation in the City of Edmonton and one in the City of Calgary.

(3) A notice published under subsection (2) shall contain the following:

- (a) the address or addresses at which detailed lists of the proposed dispositions can be viewed;
- (b) a list of each proposed disposition; and
- (c) a statement that any person who has a legitimate concern may submit a statement of concern to the chairman of the Committee within 30 days of the publication of the notice prescribed in subsection (2) or within any longer period prescribed in the notice.

(4) A statement of concern submitted under subsection 3(c) may include a request that the disposition be refused.

Review by the
Committee

4(1) Upon receipt of the information prescribed in section 3(1), the Committee shall review the surface of the lands described and the surface of any lands immediately adjacent thereto having regard to the nature of the proposed disposition and its effect or possible effect on the environment and shall, within 14 days of receiving the complete information unless subsection (2) applies, report its findings and make recommendations in respect thereof as prescribed in section 5.

(2) Where the information received by the Committee relates to a proposed disposition for which notices have been published under section 3(2) then, in addition to the matters in subsection (1), the Committee shall consider any statements of concern it receives and report its findings and make recommendations in respect thereof as prescribed in section 5 within 14 days after the date for receipt of statements of concern stipulated by section 3(3)(c) has passed.

Committee

5(1) Upon having reviewed a mineral disposition referred to it

recommendations under this Act, the Committee may recommend to the Minister that the proposed disposition

(a) be granted with or without any special terms or conditions, or

(b) be refused and the minerals involved be withdrawn from disposition during such period as the Committee may recommend.

(2) The Committee shall notify any person who has submitted a written statement of concern and the Minister of Environmental Protection of any recommendation it makes under this section.

(3) Upon receiving a recommendation from the Committee, either the Minister or the Minister of Environmental Protection may direct that the recommendation be reviewed by the Sustainable Development Co-ordinating Council established under the *Environmental Enhancement and Protection Act*.

Regulations 6 The Lieutenant Governor in Council may make regulations designating land as a protected area.

Commencement 7 This Act comes into force on Proclamation.