



TERM SUSPENSION OF CLAIMS

QUESTIONS AND ANSWERS

1. Why is there a term suspension of claims?

Due to the exceptional circumstances surrounding the COVID-19 pandemic, the Minister of Energy and Natural Resources and Minister Responsible for the Côte-Nord Region, Mr. Jonatan Julien, has announced on April 9 a term suspension of all claims currently in force in Québec for 12 months.

This measure was put into place to solve problems resulting from the impossibility of claim holders to carry out their work due to limitations linked to the COVID-19 pandemic. It intends to help companies working in the mining exploration sector by allowing them to shift in time the regulatory obligation to fill the work declaration form and keep their active mining titles.

This extraordinary measure taken to support claim holders is applied pursuant to section 63 of the Mining Act and under the discretionary power of the Minister of Energy and Natural Resources. The current expiry date for each claim is thus extended by 12 months. It should be noted that this suspension does not apply to already suspended claims and is not retroactive.

2. What are the consequences of the term suspension of claims on exploration work?

The term suspension of claims suspends all of the claim holder's obligations and extends the claim's expiry date for the duration of the suspension. The claim holder can still carry out work, declare it and apply to renew claims despite the term suspension. This will apply, of course, once fieldwork is permitted.

3. Do I have to submit a renewal application for my claims during the term suspension?

Since the term suspension of claims suspends all of the claim holder's obligations and extends the claim's expiry date for the duration of the suspension, it is not mandatory to submit a renewal application during the suspension period.

However, it is still possible to submit a renewal application to renew a suspended claim.

4. Why is the claim status "active" while the term is suspended?

It is simply a matter of administrative operations. It has been decided that the "active" status would remain on the claim and that its expiry date would be immediately extended by 12 months; this was the best solution for the mining title management system. The following note has been added to the affected claims: «Term suspension from April 9, 2020, to April 9, 2021, ministerial decision 2020-04-09, File 32-22283».

5. What will happen once the term suspension is over?

Once the term suspension is over, you will again be required to meet all obligations under the Mining Act to keep and renew your claim. Also, your claim will have the same number of remaining days to its term as before the suspension.

For example, a claim that had a term from 2018-05-05 to 2020-05-04 before the suspension would get a new expiry date, which would be 2021-05-04. The expiry date has thus been extended by 12 months.

6. May I carry out exploration work during the term suspension?

Yes. The suspension of claims does not prevent exploration work. Once the government lifts the ban currently in force for sanitary reasons, it will be possible to carry out fieldwork.

7. May I transfer my claims during the term suspension?

Yes. You may transfer your real and immovable mining rights that are registered on the Register of real and immovable mining rights.

8. I do not agree with the suspension. What can I do?

The term suspension of claims is applied to all claims that were in force (active status in GESTIM) at the time of its implementation.

If you do not agree with the decision taken by the Ministry of Energy and Natural Resources (MERN), you may send an email requesting a suspension lift for any or all of your claims to the Centre de services des mines at service.mines@mern.gouv.qc.ca.

9. The term suspension will be lifted on April 9, 2021, and my claims will expire two weeks later. Since I will not have done any work, what can I do to ensure that I will not lose my claims?

As soon as the Gouvernement du Québec lifts the ban on fieldwork, depending on sanitary measures, you should take advantage of the term suspension of claims to carry out your exploration work, to report it and apply for a renewal of your claims. To renew your claims, it is also possible to use any surplus from another claim held close (located within a 4.5 km radius) or pay an amount equal to the double of the required work cost.

10. Does the suspension affect all claims that were going through the renewal process as the government banned all fieldwork?

No. The Minister's decision to suspend the term of all claims has been effective ever since it was announced and is not retroactive. It does not apply to claims that have already expired but are protected by a renewal application that is still being processed. In addition, under the Mining Act, claim holders must submit their work declaration 60 days prior to their claims' renewal date. As a result, for most claims going through the renewal process, the claim holders were given sufficient time to meet their obligations.

11. I intend to apply for a claim in the coming weeks. Will the term suspension and the extended expiry date apply to my new claims?

No. The decision to suspend the term, and the related one-year extension to the claims' expiry date, will not apply to claims that were registered after the suspension came into force. Requests for such an application on new claims will be denied given that claim holders have full knowledge of the pandemic's exceptional circumstances.