



INFORMATION ON THE RENEWAL AND QUARTERLY DECLARATION FOR LEASES TO EXTRACT SURFACE MINERAL SUBSTANCES

FREQUENTLY ASKED QUESTIONS

1. Postponement of the renewal period for leases to extract surface mineral substances

1.1. The renewal period for leases to extract surface mineral substances was postponed. Why?

In the exceptional context surrounding the COVID-19 pandemic, the ministère de l'Énergie et des Ressources naturelles (MERN) allows flexibility for holders of leases to extract surface mineral substances (SMS) for all of Québec.

For non-exclusive leases to extract SMS (BNE): Renewal applications for BNE that were received by the MERN or by the delegated regional county municipalities (RCM) offices before July 31, 2020, will be processed as received prior to March 31.

For exclusive leases to extract SMS (BEX): Renewal applications for BEX that were received by the MERN or by the delegated RCM offices before July 31, 2020, will be processed as received prior to the sixtieth day before the BEX's expiry date.

Thus, holders of leases to extract surface mineral substances that were to expire during the period from March 31, 2020, to July 31, 2020, will be able to apply for a renewal until July 31, 2020.

This administrative flexibility also applies to rights for the exploitation of sand and gravel on lands in the domain of the State, which are managed by RCMs and municipalities outside of RCMs.

This is a positive response to the problems experienced by leaseholders who were unable to fulfill their obligations regarding their rights' renewal since their activities have been interrupted this spring because of the pandemic. The goal is to facilitate the resumption of operations and maintain active mining rights.

1.2. Why is the status of my lease “active” when the expiry date has passed?

It is a temporary measure put in place by the ministère de l'Énergie et des Ressources naturelles. Since March 19, 2020, it has been decided that the “active” status on leases to extract surface mineral substances should be maintained despite their scheduled expiry date in the title management system (GESTIM). This was the best solution to ensure that the various applications regarding mining title management would be processed amidst the exceptional context surrounding the COVID-19 pandemic.

1.3. The status of my lease is “active”, and its expiry date has passed. May I carry out extraction activities?

No. Extraction activities are only allowed during the lease's period of validity. To continue your activities, you must apply for a lease renewal or a new lease, depending on the case.

1.4. I could not send the renewal application for my lease, and its expiry date has now passed. What do I do?

You may submit your renewal application until July 31, 2020, for a lease whose expiry date is between March 31, 2020, and July 31, 2020. Otherwise, you must apply for a new mining lease to continue your mining activities.

1.5. Do I need to pay an additional fee to submit a renewal application for an exclusive lease targeted by the exceptional measure?

No. Any renewal application for a lease that has an expiry date between March 31, 2020, and July 31, 2020, will be exempted from the additional fee for a submission sent in the last 60 days before expiration that is normally charged under section 148 of the Mining Act.

1.6. What will happen once the exceptional measure allowing the renewal of leases expiring between March 31, 2020, and July 31, 2020, is over?

Any mining lease for which there is no renewal application will expire in GESTIM.

2. Postponement of the 2020-A quarterly mining declaration

2.1. The period to provide the quarterly declaration for April, May and June in Québec was postponed. Why?

In the exceptional context 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 the implementation of exceptional measures regarding leases to mine surface mineral substances for all of Québec.

Thus, the deadline set on July 15, 2020, to submit the quarterly mining declaration as well as the royalties for the period from April 1, 2020, to June 30, 2020, which must be filed by holders of leases to extract surface mineral substances was postponed to October 15, 2020.

This measure also applies to rights for the exploitation of sand and gravel on lands in the domain of the State, which are managed by RCMs and municipalities outside of RCMs. This exceptional measure to support leaseholders is applied as a result of the adoption of a special regulation to that effect.

This measure is a positive response to the problems experienced by leaseholders who were required to interrupt their activities because of the COVID-19 pandemic. It allows leaseholders to postpone their obligations and thus facilitate the resumption of their operations.

2.2. Will additional fees be charged for my 2020-A mining declaration (April-May-June)?

Additional fees will be charged only if the declaration is submitted after October 15, 2020.

2.3. I will not be able to submit my mining declaration, which should have been sent before July 15, 2020. What do I do?

Exceptionally, you have until October 15, 2020, to submit your 2020-A quarterly mining declaration (April-May-June). The 2020-A declaration must be sent with the royalty, if applicable. Additional fees are charged only if the declaration is not submitted before October 15, 2020.

2.4. Is the deadline to submit the 2020-B mining declaration (July-August-September), as well as the following deadlines, also postponed?

No. The exceptional measure does not apply to the 2020-B mining declaration (July-August-September) and the following declarations; their submission deadline remains unchanged.

For more information:

For leaseholders who have dealt with RCMs, please contact your designated RCM.

For other leaseholders, please contact the [Centre de services des mines](#).