

## **SUSPENSION OF THE VALIDITY PERIOD FOR CLAIMS DUE TO FOREST FIRES**

### **QUESTIONS AND ANSWERS**

#### **1. The validity period for claims was suspended. Why?**

Amidst the exceptional context surrounding the spread of forest fires, the Minister of Natural Resources and Forests and Minister Responsible for the Bas-Saint-Laurent Region and the Gaspésie-Îles-de-la-Madeleine Region, Ms. Maité Blanchette Vézina, announced on August 14 that the government is suspending the validity period for certain mining claims in effect in Québec as of August 14, 2023, for a period of 12 months.

This measure addresses the issue of claims holders not being able to carry out their exploration work given the restrictions on forest access resulting from the spread of forest fires in several parts of the territory, since the end of the month of May 2023. It is intended to assist companies active in the mineral exploration sector by allowing them to offset regulatory filing requirements over time and maintain their active mining rights.

This exceptional measure to support claim holders applies in accordance with section 63 of the Mining Act and under the discretionary powers of the Minister of Natural Resources and Forests. On the current expiry date of each claim affected by this measure, a period of 12 months will be added. This suspension does not apply to claims that have already been suspended or expired and is not retroactive.

#### **2. What will be the impacts of the suspension of the validity period for claims on exploration work?**

The suspension of the validity period for claims affected by the measure has the effect of putting all the obligations of the claim holder on hold and extending the expiry date of his or her claim for the entire period of its suspension. Despite the suspension of the validity period for the claim, the holder may still carry out field exploration work. This will apply when the access prohibitions issued by the SOPFEU are lifted and the work is permitted to be carried out.

#### **3. Do I have to file an application to renew my claims during the suspension period?**

The suspension of the validity period for the claim effectively puts all the obligations of the claim holder on hold and extends its expiry for the period it is suspended.

However, even if a claim is suspended, the holder may submit work reports. A renewal application may also be filed, but the file will be processed after the suspension is lifted.

#### **4. Do I have to file an application to suspend my claims in order to benefit from the suspension period?**

No. Holders of claims covered by this measure will receive a copy of the decision, including a list of all claims covered by the measure.

However, holders whose claims are not covered by the measure, but who have been affected by the fires, may apply for a suspension with supporting justification and evidence. In this case, each situation will be assessed on a case-by-case basis and a decision will be rendered for each file.

**5. What criteria are taken into account to determine which claims and which areas are affected by the decision to suspend their validity period?**

The criteria on which the decision to suspend the validity period for certain claims was based are the access to the land, the duration of the access prohibition and the date the claim was issued.

This measure targets the areas affected by the following restriction, which comes from the information provided by the [SOPFEU](#), i.e., the prohibition of access to and movement through forests.

The most affected areas are Chibougamau, Lebel-sur-Quévillon and virtually the entire Eeyou-Istchee James Bay territory.

Claims issued prior to January 1, 2022, that are affected by the extended prohibitions on access and movement in the forest for 28 days or more cumulative will therefore have their expiry date extended by one year.

Applications regarding claims that are outside the 28+ day prohibition zone will be denied unless the claim holders demonstrate additional specific justification.

**6. If a company applies for a particular situation outside of the 28-day criteria, are exceptions possible?**

Yes. For example, despite the 28-day criterion, in the event of a real and proven inability to carry out work due in particular to the requisition of helicopters by the SOPFEU, a claim holder may apply to suspend the validity period for claims for one year, but only for claims issued prior to January 1, 2022.

**7. Why does the claim remain “active” when its validity period is suspended?**

For administrative purposes, it was decided to maintain the status of the claim as "active" and to amend the Register of real and immovable mining rights on August 14, 2023, the date of expiry of the claims by adding 12 months. The claims holder can validate this change in expiry date by consulting the Register via GESTIM. In the claim description sheet, the following comment has been added under the **Description** tab “Decision 32-22376” for each claim covered by the measure.

**8. When the suspension of the validity period for claims is over, what will happen?**

Once the suspension of the validity period for claims has ended, you will again be required to meet all obligations under the Mining Act in order to retain your claim, including filing a renewal application before its new expiry date. Also, your claim will have the same number of days remaining in its validity period as before the suspension.

For example: a claim that had a validity period from 2021-09-11 to 2023-09-10 prior to the suspension will have its new expiry date extended to 2024-09-10. This means that the expiry date of his claim will have been extended by 12 months.

**9. Why is the claim validity period suspended for 12 months?**

This one-year targeted period will allow claims holders, who have been prevented from performing work due to forest fire prohibitions, to postpone work scheduled for this year (2023) to next year (2024).

**10. Can I carry out exploration work during the suspension of the validity period for claims?**

Yes. The suspension does not prevent exploration work from being carried out, so it is permissible to do so once the SOPFEU has lifted the existing prohibitions on the land that is the subject of the claim.

**11. Can I transfer my claims during the suspension of the validity period for claims?**

Yes, you can transfer your claims.

**12. If I do not agree with the suspension, what can I do?**

The claim validity period suspension applies to all claims located in the areas covered by the measure that were in effect (active status in GESTIM) at the time of the suspension.

If you disagree with the decision made by the ministère des Ressources naturelles et des Forêts (MRNF), you may, within 10 days of receiving the decision to suspend, send an email to the Centre de services des mines requesting that all or part of your claims be lifted.

[service.mines@mern.gouv.qc.ca](mailto:service.mines@mern.gouv.qc.ca).

**13. The suspension of the first validity period will be lifted on August 14, 2024, my claims will expire two weeks later. Since I have not done any work, what can I do to avoid losing my claims?**

Following the lifting of the prohibition of access to and movement through forests by the SOPFEU, the areas will once again be accessible for exploration work. During the suspension of the claim validity period, the holder may perform work and submit the work report and claim renewal form before the claims' expiry date.

To renew claims, it is also possible, if applicable, to use the surplus on your adjacent claims (included within a 4.5 km radius) or to pay the MRNF twice the amount of the work required.

**14. I have recently designated or intend to designate claims in the areas covered by the measure. Will new claims benefit from the 12-month suspension of the validity period?**

No. The ministerial decision from August 14, 2023, applies only to claims issued before January 1, 2022, in the areas covered by the measure.