



Abstract

Indian Mining Regulations: A Study to Advance Mining on First Nation Title Lands

Indian Mining Regulations¹ were adopted in 1954, first revised in 1961 and amended in 1968 as a means to promote mineral resource development on First Nation Reserves where the First Nation held title to mineral resources. Discussed are the Indian Mining Regulations in light administrative law, and second their deficiencies in relationship to Saskatchewan² and Ontario³ mining law and administration. Lastly it is recommended that a critical review of mineral resource potentials, exploration, mine permitting and environmental monitoring be established prior to a revision process of the existing Indian Mining Regulations, or creation of new regulations that can be developed under the First Nations Commercial and Industrial Development Act⁴ for mineral resource development on First Nation Reserve and Treaty Land Entitlement Lands.

Keywords

Indian Mining Regulations, Mineral Title, Oversight, Administrative Law

¹ C.R.C., c. 956.

² Crown Minerals Act, 1985, C-50.2, & Mineral Resources Act, 1985 M16-1

³ Mining Act, R.O.S. 1990, M.14 & Mining Tax Act, R.O.S. 1990, M.15

⁴ S.C. 2005, c. 53.