General Regulations

#	Topic	Comments	Proposed changes if applicable	Suggestions for the implementation of proposed changes (If applicable)
1.0	**Relief from Deadlines**	We are not opposed to this in principle. However, a notice of extension should be made public and not just provided to the applicant, in keeping with the MRA's express goal of regulating mineral interests in a transparent manner, set out under s. 2(a). Additionally, decisions on an application for relief from deadlines must be subject to appeal under s. 64 of the MRA by anyone with an established interest, including IGOs. As such, reasons for decision should be required on the disposition of an application for relief from deadlines.	Notices of extension must be made public and included it as a prescribed item for the public registry (MRA s. 7(3)(y)). Reasons for decision for all applications must also be provided where a decision is rendered and within a reasonable and specified time period, such as 30 days.	Use MAARS as the system for public notice of decisions, with reasons, on applications for relief from deadlines. There will be a need to monitor and evaluate MAARS and/or the public registry to ensure it is effective, user-friendly and its management is responsive to user feedback.
1.1	**Notifications**	Although the MRA s. 29(5) is about notification to IGOs, this same information must be made available to the public. In the past ITI has stated that the public will be able to sign up for notifications using MAARS, but no information has been released setting out the process for how this will occur. To improve transparency and foster public confidence in this system, this public notification system must have the functionality to be tailored based on area of interest (e.g., within municipal boundaries, by type of mining or mineral or some other parameters). This will require that the MAARS be up and running to allow for these notifications. *What is the current status of MAARS, and will it be ready when these regs are brought into force? How will the public notification system be coordinated with the public registry under s. 7 of the MRA?*	Specify that all notifications to Indigenous governments and organizations must also be made publicly available through MAARS or the public registry.	Ensure that MAARS and/or the public registry is capable of allowing users to set their preferences for notices in meaningful ways. There will be a need to monitor and evaluate MAARS and/or the public registry to ensure it is effective, user-friendly and its management is responsive to user feedback.
1.2	**Production**	See comments under Removal of Minerals or Processed Minerals below.		

#	Topic	Comments	Proposed changes if applicable	Suggestions for the implementation of proposed changes (If applicable)
1.3	**Prospector's Awareness Course (PAC)**	*Who develops the PAC and who gets an opportunity to comment on the PAC content?* The PAC must cover environmental protection and clean-up, along with the co-management system of resource management. *What is the rationale for having only two representatives pass the PAC from a company that applies for a prospector's licence?* Anyone conducting field work or in contact with the public should have completed the PAC, to effectively accord with the shared goal set out under s. 2(e) of the MRA of "encourage[ing] positive relationships between proponents, Indigenous governments and organizations, communities and the Government of the Northwest Territories." Additionally, MRA s. 16 sets out a broad requirement for a training program for an "applicant for or holder of an instrument under this Act". *Should there be other training required for other types of instruments? For example, a production licence.*	All company staff (including contractors) who are to be in the field or in contact with the public, should be required to have completed the PAC. There should be training requirements necessary for other instruments under the MRA. For example, a mineral lease and a production licence (e.g., accounting experience).	Mandate that the PAC curriculum be subject to public and Indigenous-partner review prior to approval, and allow for region-specific modules that reflect local conditions and Indigenous perspectives.
1.4	**Prospector's Licence**	No comments but see 1.3 above for training.		
1.5	**Prospector's Licence Eligibility**	If an applicant has a bad track record of compliance with the Mining Regulations and/or the MRA, the Mining Recorder must have discretion to refuse to issue a prospector's licence for material violations of the MRA, including failure to remit funds to GNWT, carry out work requirements, or file reports. Such infractions may be serious enough that an individual or corporation should not be enabled to carry out further prospecting. The new regulations should also specifically set out the	Specify in regulation: (a) the grounds on which a licence may be refused, suspended, or cancelled; (b) notice and opportunity for response; and (c) requirement to publish reasons in the public registry. This should include setting out the circumstances in which the Minister will suspend or cancel a	Make sure that the prescribed application form includes a section where an applicant discloses any previous and known non-compliance with the MRA or Mining Regs.

#	Topic	Comments	Proposed changes if applicable	Suggestions for the implementation of proposed changes (If applicable)
		circumstances in which the Minister may suspend or cancel a prospector's licence under s. 109 of the MRA. The circumstances leading to such a course of action should also be made clear (e.g., major offence under the Act or regs., repeated violations, failure to remit funds to GNWT).	prospector's licence, and to prohibit someone or a corporation from obtaining further authorizations.	
1.6	**Applying for Prospector's Licence**			Make sure that the prescribed application form includes a section where an applicant discloses any previous known non-compliance with the MRA or Mining Regs.
1.7	**Renewal**	As noted in 1.5 above, the Mining Recorder must have discretion to refuse to renew a prospector's licence in the event of material violations to the MRA, including failure to remit funds to GNWT, carry out work requirements or file reports. Such infractions may be serious enough that an individual or corporation should not be enabled to carry out further prospecting. The new regulations should also specifically set out the process through which the Minister will prohibit a renewal of a prospector's licence under s. 109 of the MRA. The circumstances leading to such a course of action should be made clear (e.g., major offence under the Act or regs., repeated violations, failure to remit funds to GNWT).	Amend the eligibility list to allow the Mining Recorder discretion to refuse to issue a prospector's licence renewal. Set out the specific circumstances in which the Minister will prohibit a prospector's licence renewal.	Make sure that the prescribed application form for renewal includes a section where an applicant discloses any previous and known non-compliance with the MRA or Mining Regs.
1.7.1	**Change of Name**	As there are some administrative costs involved in a name change on mining claims or other authorizations, there should be an appropriate fee charged that recovers these costs.	Establish cost-recovery fees for name-change processing.	Ensure that the principle of cost recovery is reflected in the administrative fees associated with the MRA and as set out in the regulations.

Mineral Claims

Section #	Topic	Comments	Proposed changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
2.0	**Claim Identification Tags**	We remain concerned about how on-line map staking will take place and how this may impact various businesses (e.g., those that supply claim posts, transportation services used to get to claim locations) and the environment. There has been very little if any public discussion of these issues. Additionally, ITI must set administrative fees high enough to capture enough funds to run the system for mineral tenure—basically the principle of revenue neutral or cost recovery. The fees must also be set high enough to discourage prospectors from tying up large amounts of land without a real commitment to explore and develop, simply to speculate, in accordance with the MRA's goal of ensuring mineral develop takes place efficiently and effectively. (MRA s. 2(a)). We must avoid the staking rush that took place when BC transitioned to map staking (see "How digital prospectors are staking First Nations land and private property in B.C." https://thenarwhal.ca/bc-online-mineral-staking/)	The fees set in the regulations should be set in a way that ensures the system is revenue neutral in its administration (i.e., administrative costs are recovered through appropriate fees).	ITI needs to begin a public dialogue on the impacts and implementation of on-line claim staking and the principles that should drive this change. Examples of some potential principles and actions are provided below: • Balancing of setting fees low to encourage mineral development but high enough to discourage speculation and tying up land without carrying out actual work; • Analysis of the impacts to various businesses and economic sectors that are supported by ground staking and release of this information publicly and engagement with those impacted businesses; • development of various fee scenarios to better understand environmental impacts and how access to land for exploration is affected; and • Prepare forecasts of the anticipated exploration activities under scenarios for rolling out on-line map staking.
2.0.0	**Staking a Claim**	See 2.0 above.		
2.0.1	**Legal Posts**	See 2.0 above.		
2.1	**Interference**	The technical engagement document states that "The	Add decision documents (i.e., orders, tickets, authorizations) on	Use MAARS as the platform for publication to ensure consistency

Mineral leases

#	Topic	Comments	Proposed Changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
3.0	**Lease Application**	The engagement table states: "Thirty (30) days after this, the Mining Recorder *may* make a decision with regards to the lease application." (Emphasis added). This creates ambiguity. The regulations should require a decision within 30 days of receipt of a complete application, subject to a limited extension where necessary and supported by written reasons. There should be a public record of the lease application, even if it is simply a notice, and this should be placed on the public registry.	Require the Mining Recorder to make a decision on a lease application within 30 days. Place a notice of a mineral lease application on the public registry.	Ensure that the MAARS and/or public registry has the capability for members of the public to pre-set notification preferences.
3.1	**Lease Issuance**	The engagement table is silent on the matter of whether a mineral lease is a public document that will be placed on the public registry, even though this is a legal requirement of the MRA s. 7(3)(r). Separately, the engagement table recognizes the authority of the Mining Recorder to set terms and conditions on applicants or reject an application for a mineral lease due to potential infringement of Aboriginal or treaty right. It is not clear what terms and conditions are being proposed to "mitigate or address the identified impact". *Can ITI provide examples of the type of terms and conditions that might be applied?* Such conditions could include seasonal restrictions on exploration activities, areas that must be avoided or surrounded by buffer-areas (gravesites or cultural use areas), chance-find	The Mining Recorder should have similar discretion and authority to set terms and conditions if concerns are raised by nearby stakeholders (e.g., cabin owners, outfitters or municipal governments) in the interest of avoiding land use conflicts and impacts on stakeholders. ITI should change its communications to indicate that mineral leases will be place on the public registry.	The engagement table states: "Proponents may file a complaint with the Mineral Rights Review Board if they feel there was procedural unfairness in a decision made over lease application. The board will review the decision and determine if there was a procedural error or not." The complaint or appeal process is open to a "person with a legal or beneficial interest in the subject matter of a decision made or an action taken or omitted" (MRA s. 64), not just a proponent or applicant. This ability for others to file a complaint or request an appeal, pre-supposes that interested stakeholders will have enough time and adequate notice of an application to issue a mineral lease. Once again, clarifying information should be provided regarding the content and nature of such notices, the MAARS or public registry must allow users to tailor notifications to their specific needs and concerns, and the public must be provided with reasonable time to review and respond to such notices.

#	Topic	Comments	Proposed Changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
		protocols, wildlife interaction plans, and/or noise and light restrictions. Clear articulation of such potential conditions would also improve procedural fairness and assist the Mineral Rights Review Board in reviewing related decisions.		
3.2	**Lease Renewal**	The engagement table is silent on the matter of whether an application for a mineral lease renewal is a public document that will be placed on the public registry, even though there is a legal requirement to place the actual renewal document on the public registry (MRA s. 7(3)(r)). If the Mining Recorder decides not to issue a lease renewal, presumably reasons will be provided to the applicant and so must be placed on the public registry, in accordance with MRA s. 7(3)(r). Both the application for renewal and the decision of the Mining Recorder should be placed on the public registry. The engagement table states: "The GNWT is committed to establishing a mineral administration system that ensures clear communication and transparency for Indigenous Governments and Organizations (IGOs) and industry stakeholders." ITI has failed to include the public as part of its rationale for establishing a mineral administration system. This oversight must be corrected.	If a mineral lease renewal is denied, reasons should be provided in accordance with the principles of procedural fairness, and these should be placed on the public registry. ITI should change its communications to indicate that lease renewals will be placed on the public registry.	This ability for others to file a complaint or request an appeal with the Mineral Rights Review Board presupposes that interested stakeholders will have enough time and adequate notice of an application to issue a mineral lease renewal. Once again, clarifying information should be provided regarding the content and nature of such notices, the MAARS or public registry must allow users to tailor notifications to their specific needs and concerns, and the public must be provided with reasonable time to review and respond to such notices. .

#	Topic	Comments	Proposed Changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
3.3	**Lease Rent**	*How do the proposed lease rental rates compare to other Canadian jurisdictions?* Low rental rates will allow lease holders to unnecessarily tie up large areas from further prospecting and development. Lease rentals should go into the Consolidated Revenue Fund. *Are these funds considered resource revenues and thus subject to revenue sharing arrangements and investment by GNWT into the Heritage Fund?* The wording in the engagement table seems to indicate that rentals for renewals will actually drop from $10 per hectare to $5 per hectare. *What is the rationale for this drop after 21 years?* Progressive lease rental rates that increase over time will incentivize active development and reduce speculative holding.	Lease rental rates should increase over time, not decrease. This creates more of an incentive to bring a property into production or let it go. Lease rent revenues should be placed in the Heritage Fund, subject to any revenue-sharing arrangements.	Lease rental fees should be placed in the Heritage Fund and should be coordinated with the review of the *Heritage Fund Act*
3.4	**Change to Area of Mineral Lease**	All applications and decisions regarding changes to the area of a recorded lease should be placed on the public registry.	Applications to change the area of a recorded lease and any decisions from the Mining Recorder on such applications, should be placed on the public registry.	
3.5	**Transfers**	The engagement table says: "The person acquiring the lease must have a valid prospector's licence along with security for any amount of unpaid royalties on the lease due to the Minister." The rationale for allowing security in lieu of payment should be clarified; however, royalties and other payments must	Any mineral lease transfer should not be permitted if there are any unpaid royalties associated with the lease holder, unless the new lease holder pays	Ensure that the MAARS and/or public registry has the capability for members of the public to pre-set notification preferences.

#	Topic	Comments	Proposed Changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
		be made in full before transfer approval. Additionally, the regulations should make clear that the person acquiring the mineral lease must meet all requirements set under the MRA for holding a mineral lease. A summary of transfer approvals should be included on the public registry within a reasonable period (e.g., 30 days).	them fully. It should be made clear that the person acquiring the mineral lease must meet all requirements set under the MRA for holding a mineral lease. Notice of a transfer should be placed on the public registry.	
3.7	**Suspension**	We support these new requirements. However, the engagement table does not recognize that this will be a public document and placed on the public registry, pursuant to MRA s. 7(3)(r). *What is the rationale for "Annual mineral lease reporting is not required during the suspension."?* Even during suspension, a reduced annual report should be required to confirm site stabilization, maintenance, and caretaking measures. Given ITI's dual role as both promoter and regulator, clear criteria and a transparent process for suspension decisions will strengthen public confidence and administrative defensibility.	Reporting requirements should stay in place during any suspension. This should ensure adequate caretaking is taking place and that ITI remains able to make informed and evidence-based decisions with respect to all mineral leases. ITI should change its communications to indicate that this information will be place on the public registry.	Ensure that the MAARS and/or public registry has the capability for members of the public to pre-set notification preferences.
3.8	**Cancellation**	We support the addition of new grounds for a cancellation of mineral leases and posting of notice to the public registry. Cancellation decisions and reasons should be placed on the public registry within 30 days.	The engagement table does not recognize that a mineral lease cancellation will be a public document	Ensure that the MAARS and/or public registry has the capability for members of the public to pre-set notification preferences.

#	Topic	Comments	Proposed Changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
			and placed on the public registry, pursuant to MRA s. 7(3)(r). ITI should change its communications to indicate that this information will be placed on the public registry.	
3.9	**Annual Mineral Lease Report**	We support a new requirement for annual reporting for mineral lease holders. However, making the submission of geoscience data voluntary with an incentive of royalty reductions, is not an approach we support. Geoscience data reporting for mineral leases must be mandatory. Such work would presumably be much more detailed than that carried out on mineral claims and would thus have greater value in building the geoscience knowledge base, in furtherance of MRA s. 2(h).	Geoscience data reporting should be mandatory and should not be subsidized by royalty reductions. Some other method of crediting the value of exploration work to offset higher lease rental rates would be a more effective approach to meet the MRA's goal of building the geoscience knowledge base.	

Production licence

#	Topic	Comments	Proposed changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
4.0	**Updated Evidence of Deposit Technical Report (EDTR)**	We support the requirement for an updated EDTR for a production licence. However, it is not clear whether this will be a public document and placed on the public registry. The regulations should explicitly confirm that EDTRs and decisions regarding their acceptance are prescribed items under the MRA s. 7(3).	Notice of acceptance or not of an updated EDTR to support a production licence application should be provided to the	ITI will need to develop and maintain the internal expertise to review EDTRs and be willing to defend those decisions before the Mineral Rights Review Board.

#	Topic	Comments	Proposed changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
		If the Mining Recorder does not accept an EDTR, the regulations should require the Mining Recorder to notify the applicant and provide reasons, in accordance with the principles of procedural fairness. The notice of acceptance (or not) and reasons for the decision should be placed on the public registry within a defined timeframe (e.g., 30 days). Any confidentiality provisions should be narrowly defined and consistent with disclosure obligations under securities law.	applicant with reasons and placed on the public registry. See points raised above under 2.21 on confidentiality.	See the points raised above under 2.21 on confidentiality and the need to submit an updated EDTR that includes disclosure of whether the same information has been released publicly.
4.1	**Production Licence Application**	We support the requirement for a production licence. However, the engagement table does not recognize that this will be a public document and is placed on the public registry, pursuant to MRA s. 7(3)(s). If the Mining Recorder does not accept a production licence application, the regulations should require the Mining Recorder to notify the applicant and provide reasons. The notice of acceptance (or not) and reasons for the decision should be placed on the public registry. ITI needs to provide some rationale for the selection of the threshold limits set out in the engagement table: "These agreements are mandatory if the proposed mine is expected to require more than 250 person-years of labour in total, or if projected expenditures exceed $75 million (in 2021 dollars)." The basis for these thresholds should be transparent and supported by socio-economic data.	Notice of acceptance or non-acceptance of a production licence application should be provided to the applicant with reasons and placed on the public registry.	The engagement table states: "Because Benefit Agreements and Socio-Economic Agreements are prerequisites for applying for a production licence, this step ensures that Indigenous Governments and residents of the Northwest Territories are benefitting from the sale of natural resources in the territory." This is not necessarily true and will depend on how the Minister and Cabinet implement the s. 52 and 53 of the MRA, including the exercise of exemptions. ITI will require resources to compile production information and ensure compliance with the benefit requirement. This information will need to be reported publicly so there can be an independent assessment of any benefits.
4.2	**Transfer**	The engagement table says: "the person acquiring the production licence must have a valid prospector's licence, along with security for any amount of unpaid royalties on the mining property due to the Minister." The rationale for permitting security in lieu of full payment should be clarified; however, royalties and other debts should be settled in full prior to transfer approval to prevent deferred liabilities. A summary of transfer	Any production licence transfer should not be permitted if there are any unpaid royalties or other unpaid taxes or fees to GNWT (e.g. unpaid	Any transfer application will require self-disclosure of any known non-compliance with the MRA and regulations.

#	Topic	Comments	Proposed changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
		approvals and denials should be placed on the public registry within 30 days for transparency.	property taxes) associated with the lease holder.	
4.3	**Duration of Production Licence**	We are aware of several mines in the NWT where sporadic production has taken place over several or even many years. There needs to be a clear definition of "life of mine" in terms of a period of dormancy or no production (e.g., two years) where a production licence is automatically terminated. This would necessarily trigger the need for an updated EDTR as well.	A clear definition is required for "life of mine," such as a two-year dormancy period.	There should be a public notice placed on the public registry when a Production Licence ends as a result of the "life of mine", whether planned or not.
4.4	**Suspension**	We support these new requirements. However, the engagement table does not recognize that this will be a public document and is placed on the public registry, pursuant to MRA s. 7(3)(s).	ITI should change its communications to indicate that this information will be placed on the public registry.	
4.5	**Cancellation**	We support these new requirements. However, the engagement table does not recognize that this will be a public document and is placed on the public registry, pursuant to MRA s. 7(3)(s).	ITI should change its communications to indicate that this information will be placed on the public registry.	
4.6	**Reporting (Statistical Return)**	We support the requirement for reporting under a production licence. However, the engagement table claims: "They [statistical returns] will allow the GNWT and the public of the Northwest Territories to have a more accurate understanding of the producing mines in the NWT. Statistical Returns will be submitted once a year to the GNWT" and "The GNWT will use this report to publish a calendar year mining report based on statistical returns." These statements, due to the strict confidentiality requirements of the MRA s. 61(3) and 61(4), rely on the GNWT making clear that disclosure of the statistical returns is authorized in accordance with the regulations, as	Make clear that disclosure of the statistical returns is authorized in accordance with the regulations, as set out under s. 61(4)(d).	Specify in policy or guidance how aggregated information will be made public annually, ensuring protection of commercially confidential data.

#	Topic	Comments	Proposed changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
		set out under s. 61(4)(d). *Can ITI explain how the information in statistical returns will be made public or aggregated and made public?*		
4.7	**Royalties**	The people of the NWT are not getting a fair share of the value of the mineral resources that are extracted. GNWT and IGOs continue to lose potential revenues because of our unnecessarily low mining royalties. Royalty reform should ensure that resource revenues align with MRA s. 2(d) and 2(e), balancing investor certainty with equitable public return. We expect the new royalty regime will be developed in a more open and transparent fashion and will be in keeping with the MRA goal of "regulat[ing] mineral interests efficiently, effectively and in a transparent manner," or allow for meaningful analysis of at least two other goals: • To realize benefits from mineral development for Indigenous governments and organizations, communities and the people of the Northwest Territories (MRA s. 2(e)); • To ensure that wealth generated by mineral resources will be used for the benefit of present and future generations of the people of the Northwest Territories. (MRA s. 2(d)) [highlighting added] Through its lack of transparency surrounding mining royalties, GNWT continues to fail to meet international best practices or even its own Open Government Policy (e.g., the Santiago Principles for Sovereign Wealth Funds (GAPP 4 and 5).		

Drill Cores and Removal of Minerals

#	Topic	Comments	Proposed changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
5.0	**Interpretation**	We support the specific regulation of drill core storage, disposal and reporting. However, the language and descriptions proposed by ITI are	We support a more robust and comprehensive	It is not clear how this new but necessary requirement will be coordinated with any land

		largely devoid of environmental considerations. This does not meet at least two of the stated MRA goals, notably: • to complement the systems for collaborative management of land and natural resources in the Northwest Territories (MRA s. 2(g)); and • to recognize sustainable land use (MRA s. 2(i)). The only other regulatory guidance we could locate with regard to drill core is s. 16(5) of the *Mackenzie Valley Land Use Regulations*: "A permittee may, with the approval of the landowner, leave diamond drill cores at a drill site." This has limited application as only a land use permit holder can legally leave drill core on land, once permission is granted. Any drilling operation that does not hold a land use permit is not covered. This creates a regulatory gap. We would like to know from ITI what proportion of drilling operations hold land use permits. It appears that the new MRA regulations may be the only place where drill core is to be specifically managed. It is not clear how this new, but necessary, requirement will be coordinated with any land-use permitting or other environmental approvals. Management of drill core is important for several environmental perspectives. There is a potential that drill core may contain rock that becomes acidic and leaches other contaminants that could affect wildlife and aquatic systems. Drill core may contain other contaminants of potential concern, including salt, which could also attract wildlife. Radioactive materials may be present. Of interest is the proposed definition that includes "cuttings or samples obtained by drilling". Cuttings may present additional environmental management challenges due to their smaller size and additional surface area. Many northerners have seen unsightly piles of drill core around old exploration sites. In some cases, these may present a public safety hazard	management regime for core management. This should include a number of measures as follows: • An inventory of drill core that has been left on lands within the NWT and any known ownership and liabilities associated with such sites. • Wherever known owner or operators exist, they must retain the liability for core management, which may require financial security being posted; • Operators and owners should pay into a system for the management of core sample storage for building the geoscience knowledge base and the prevention of environmental damage; • Full disclosure of any potential environmental contaminants in drill core as part of the regular reporting following drilling programs, including the potential for acid rock	use permitting or other environmental approvals. ITI must have the necessary capacity and resources for a robust core management system, including inspections, core storage, prevention of environmental damage and incorporation into the geoscience knowledge base. This should be covered by the administrative fees collected through the mineral tenure system. The engagement table states: "If core can be preserved and catalogued in a publicly accessible system, industry can use this catalogue as a cost-effective means of re-exploring the same area. This will reduce industry costs and facilitate mineral exploration in the Northwest Territories." While all of this may be true, another reason to properly manage core is to avoid duplication of drilling programs and unnecessary environmental disturbance. This rationale should be explicitly reflected in the regulations.

		due to improper storage.	drainage, radioactive materials, and other hazards from core samples; • Special consideration and potential management measures for any drill cuttings; • Long-term plans for core storage and/or disposal; and • Careful selection of any disposal location that should be away from water sources and may require excavation and backfilling, depending on the chemical composition of any core, and may also require subsequent monitoring.	
5.1	**Prohibitions**	Depending on how strictly this proposed section is drafted and enforced, this could preclude anyone from seeking to obtain a small sample from a core, or picking up abandoned core on the land and taking it home as a souvenir.	The proposed section must be drafted carefully to avoid unintended enforcement against individuals seeking to obtain a small sample from a core for reasons unrelated to the value of a deposit, or picking up abandoned core on the land and taking it home as a souvenir.	Draft proposed section to require wrongful intent to constitute an offense, such that it is not enforced against individuals picking up abandoned core inadvertently or those seeking to obtain small samples from core for reasons not relating to the value of the deposit.
5.2	**Possession of Holder**	We support the concept of mandatory reporting following a drill program. The engagement table states: “In addition, the Canadian Institute of	We advocate for the inclusion of some additional items to be included into	ITI must have the necessary capacity and resources for a robust core management system, including inspections, core storage, prevention

		Mining, Metallurgy and Petroleum (CIM) has Mineral Exploration Best Practice guidelines that give clear recommendations for the mineral industry to preserve core. As such, the mineral industry already has high standards regarding drilling practices, and most regulations will be minimum requirements that will typically be exceeded by proponents." We would like to see any evidence ITI can provide of how the CIM guidelines have been implemented in the NWT. As these guidelines are completely voluntary, AN does not agree or support a voluntary compliance approach as this statement seems to imply. We support a rigorous, comprehensive and inclusive core management system that incorporates environmental considerations. We could support incorporating the CIM guidelines by reference into the new regulations and/or as a term or condition of any mineral claim or mineral lease.	the reporting as follows: • Volumes of drill core and cuttings generated; • Any known or suspected environmental contaminant contained in the core samples and cuttings that could become a hazard (including potential for acid rock drainage); • Any plans for the proper storage and management of drill core and cuttings to prevent environmental impacts; • Any plans for the proper storage and management of drill core and cuttings to prevent public safety issues; and • Any plans for the long-term storage and management of drill core once the mineral claim or lease expires or is surrendered, including permission of the land owner for storage.	of environmental damage and incorporation into the geoscience knowledge base. ITI should also periodically report on compliance and enforcement outcomes related to core management to ensure accountability. This should be covered by the administrative fees collected through the mineral tenure system.
5.3	**Tampering**	We support this addition to properly manage drill core. The engagement table states: "The Supervising Mining Recorder may issue a Notice of Suspension to the claim or lease holder. This notice will outline any actions the holder may take to lift the suspension, if applicable." AN supports enforcement action that should include	Any instances of tampering should be reported and placed on the public registry.	The regulations should require automatic issuance of a suspension notice following verified evidence of tampering, subject to appeal under MRA s. 64.

		suspensions and cancellations of mineral claims and mineral leases and placement of timely notices on the public registry. However, the current proposed language is discretionary ("*may* take action"). To reduce ambiguity and administrative costs, the regulations should make clear that evidence of tampering will result in a notice of suspension.		
5.4	**Transporting**	We support this new requirement. However, there will need to be a clear definition of "Transporting" that distinguishes between transportation within a mining claim or lease boundary and transportation off a mining claim or lease, but still within the NWT. Off-site transportation would mean moving the drill core to a new testing or storage area. It is not clear why the engagement table states: "Note that this does not apply to portions of drill core used for production or geotechnical purposes, assaying, testing metallurgical, mineralogical, or other scientific studies." This exclusion is so broad that it is hard to contemplate any other possible drill core purpose or use. An explanation would be helpful, but we are concerned about the broad exclusion that would render the requirement for a Drill Core Transportation Report meaningless.	Develop a reasonable definition for "Transporting". There is a distinction between within a mining claim or lease boundary and off a mining claim or lease, but still within the NWT. Off-site transporting should mean transportation of the drill core to a new testing or storage area. Eliminate the exclusions for a Drill Core Transportation Report to increase transparency and create a comprehensive management system. Any Drill Core Transportation Reports should be filed on the public registry.	
5.5	**Disposal**	We note that a Request is only necessary if the "disposal does not occur within the 90-day period for disposals that occur after drilling". *Does this mean that a drilling program operator is free to dispose of drill core or cuttings during the program or within 90 days after the program?*	Any drilling operation should require core and cutting disposal approval in advance, which should include consideration of potential environmental impacts. All Drill Core	Disposal of drill core and cuttings will need to be coordinated with land and water regulators and inspectors. ITI should undertake a careful review and evaluation of any proposal to dispose of drill core and cuttings for potential environmental

			Disposal Requests and approvals should be placed on the public registry.	impacts. ITI must have the capacity to do this work before any disposal.
5.6	**Damage**		Any reports of drill core damage should be placed on the public registry.	Reports of damage should also trigger follow-up inspection or enforcement action where negligence or foul play is suspected.
5.7	**Abandonment**	We do not support ITI taking on unknown environmental liabilities associated with abandoned drill core and cuttings without careful evaluation of the cost and potential environmental impacts.	ITI should be required to carry out an assessment of the value of abandoned core and cuttings for their geological science, the costs for perpetual storage and any environmental liabilities associated with the core and cuttings. This assessment should be a public document and placed on the public registry to ensure transparency.	ITI will need to make sure it is not taking on any unnecessary environmental liabilities when it accepts responsibility for drill core. It must also have the resources to manage drill core over the long term and should establish fees appropriately so that there is a meaningful, revenue-neutral administrative system in place, as noted above.
5.8	**Drill Cores in Possession of Minister**	The engagement table states: "Other core that has been abandoned may remain on the land in neat orderly stacks but still be in the possession of the Minister. The core records will be maintained by the Northwest Territories Geological Survey."		ITI will need the resources and capacity to assume this responsibility and liability, supported by mineral industry fees collected through the MRA system.
5.9	**Transfer**	The engagement table states: "If a claim or lease is transferred to a new holder, the interest in drill core passes to the new holder." The regulations must make clear that the new owner will also assume liability for any drill core, including the need to properly manage it to avoid environmental disturbances and to ensure its long-term incorporation into the geoscience knowledge base.	A new owner of drill core and cuttings must knowingly accept all responsibility and liabilities, including long-term management.	Any form or process for a transfer of a mineral claim or lease must contain a written assignment of any drill core wherein the assignee accepts the interest in any core or cuttings and expressly includes the assignment of any associated liabilities and the responsibility for long-term management. The registry should publicly record such assignments to confirm the transfer of liabilities.

Removal of Minerals or Processed Minerals

#	Topic	Comments	Proposed changes (if applicable)	Suggestions for the implementation of proposed changes (if applicable)
6.0	**Application to Remove**	We support the concept of a separate approval for the removal of minerals. However, ITI should publish clear criteria and justification for the selected threshold amounts (e.g., >$100,000 in value, >100 kg of concentrate, or >10 kilotonnes), including a cross-jurisdictional comparison to ensure proportionality and consistency with best practices. Clarification is also needed on whether these thresholds will be adjusted for inflation or reviewed periodically.	All requests for the removal of minerals, reasons for any rejections, and final approvals should be placed on the public registry.	Decisions should be published on the registry within a defined period (e.g., 30 days) and should specify whether the removal constitutes exploration or production for the purposes of reporting and royalties.
6.1	**Amendment**	We support the amendment process proposed by ITI. We would also appreciate an explanation of the proposed criteria requiring an amendment (i.e., an increase of more than 10% in tonnage, a new sampling location, or an expansion to a mine with additional claims or leases added). We also request an explanation of the difference and justification for approvals made by the Supervising Mining Recorder (less than 10 kilotonnes) vs. the Minister (more than 10 kilotonnes).	Any amendments should be placed on the public registry. Any denials should have reasons provided, and be placed on the public registry.	
6.2	**Cancellation**	We support a process that could lead to the cancellation of a mineral claim, mineral lease, or production licence if materials are removed without authorization and required reporting.	A Notice of Cancellation should be placed on the public registry.	*Does ITI have the authority, resources, and capacity to properly inspect mineral exploration, including records on- and off-site, and to seize the same?*
6.3	**Reporting Removal**	It is not clear what the process for reporting removal will be. It is also not clear whether this is a separate authorization, whether notice to an applicant will be given if a report is rejected with reasons, or whether the report will be placed on the public registry. The regulations should outline reporting timelines and specify what information must be disclosed (e.g., quantity, value, destination, purpose).	We advocate for placing all information on the public registry.	A standardized reporting form should be prescribed in regulation.

6.4	**Sale**	We support the public reporting of sales related to mineral bulk sampling and production. GNWT should retain any excess revenues, which should be treated as resource royalties and thus subject to any revenue-sharing arrangements and to investment in the Heritage Fund. The reporting process should distinguish between bulk sample test sales and commercial production sales for accurate revenue classification.	A record or summary of sales of removed materials should be placed on the public registry.	
.5	**Confidentiality**	Confidentiality provisions should be narrowly limited in scope and duration, with a clear requirement for eventual public disclosure.	We are of the view that any confidentiality periods should be minimized with a clear commitment to public reporting through the public registry.	Any form for reporting on minerals removed must contain a provision for the holder of the claim or lease to self-declare whether the information has been publicly released elsewhere.