

**CIRCULAR LETTER NO. 435**

April 23, 2007

**TO ALL BRITISH COLUMBIA LAND SURVEYORS**

**Re: Bill 12, 2007 Amendments to the *Mineral Tenure Act***

On March 29, 2007, Bill 12 *Miscellaneous Statutes Amendment Act, 2007* received Royal Assent. Within this Bill, there are several amendments to the *Mineral Tenure Act*.

Of particular interest is section 50 of the Bill that amends section 42 of the *Mineral Tenure Act* as follows:

***50 Section 42 is amended***

***(a) by repealing subsection (1) and substituting the following:***

(1) A recorded holder of a mineral claim who wishes to replace the mineral claim with a lease must do all of the following:

(a) comply with section 6.32 and pay the prescribed fee;

(b) if required to do so by the chief gold commissioner, have the mineral claim over which the mining lease will be issued surveyed by a British Columbia land surveyor and have the survey approved by the Surveyor General;

(c) post a notice in the prescribed form in the office of the chief gold commissioner stating that the recorded holder intends to apply for a mining lease;

(d) publish promptly in one issue of the Gazette, and once each week for 4 consecutive weeks in a newspaper circulating in the area in which the mineral claim is situated, a copy of the notice referred to in paragraph (c).

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In accordance with section 42(1)(b) of the amended *Mineral Tenure Act*, the Chief Gold Commissioner now has the discretion as to whether or not a legal survey will be required when a mineral claim converts to a mining lease. The office of the Surveyor General is working with the Chief Gold Commissioner to develop implementation procedures for this new provision, including criteria that would assist the Chief Gold Commissioner in determining when a survey should be required. In the interim until these procedures are in place, to determine if a survey will be required, please provide details of the mineral claim and any other relevant issues to:

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OR

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Yours sincerely,



Rick Hargraves, B.C.L.S.  
Surveyor General

\* For current contact information for Mineral Titles, please consult the [BC Government Directory](#) (Updated October 2020)