Title:	Development of Exploration Directives
Number:	ED2006-01
Program Name:	Operations
Effective Date:	Nov 8, 2006
This document was updated on:	Dec 1, 2013

Background

Pursuant to Section 108.1 of the *Mines and Minerals Act* and Section 2(3) of the *Exploration Regulation* (AR 284/2006), incorporation of an exploration directive and changes to them must be made in accordance with the procedure set out in this exploration directive.

Requirements

The following procedures will be followed for the development of exploration directives that are not already identified in Schedule 1 of the *Exploration Regulation*, amendments to the exploration directives that are not of a continuous nature, and amendments to the exploration directives that are of a continuous nature. Where the procedure requires consultation prior to the adoption or incorporation of the amendment to the exploration directive, the Minister or his designate shall make a reasonable attempt (as determined by the Minister or designate) to consult with persons, or Associations that represent such persons, who will be directly affected by the proposed directives.

Procedure

Dec 1, 2013

A. Incorporation of a New Exploration Directive in Schedule 1 of the Exploration Regulation

• Incorporation of a new exploration directive within Schedule 1 of the *Exploration Regulation* requires an amendment to the *Exploration Regulation*. The process of developing and incorporating an exploration directive will be the same as for amending an existing exploration directive.

B. Amending an Existing Exploration Directive

- The Relevant Department Authority as defined in section 1(jj) of the *Exploration Regulation* (AR284/2006) and listed under "Relevant Department Authority Contact Information", will draft the amendment to an exploration directive:
 - o On the Relevant Department authority initiative;

- Through the Relevant Department Authority's consultation with persons, or with Associations that represent such persons, who are directly affected by the exploration directive, as determined by the Minister or his designate; or
- As directed by the Minister or his designate.
- The Relevant Department Authority will conduct a consultation process with persons, or with Associations that represent such persons, who are directly affected by the exploration directive, as determined by the Minister or his designate.
- If consensus is reached among the persons or Associations whom the Minister or his designate determines to be directly affected by the drafting or amending of an exploration directive, the proposed amendment to the exploration directive will be submitted by the Relevant Department Authority with supporting documentation to the Minister or his designate for approval.
- If consensus cannot be reached among the persons or Associations whom the Minister or his
 designate determines to be directly affected by the drafting or amending of an exploration
 directive, the proposed amendment to the exploration directive with supporting
 documentation will be submitted by the Relevant Department Authority to the Minister or his
 designate for a decision.
- Upon receipt of the proposed amendment to an exploration directive, the Minister or his designate may:
 - o Approve the proposed amendment and direct that it be implemented
 - o Request further clarification or documentation.
 - o Request further consultation between all persons and resubmit.
 - o Make changes to the proposed amendment:
 - o Reject the proposed amendment.

C. Amendments of a Continuous Nature

- Amendments to an exploration directive that are of a continuous nature will be done by the Relevant Department Authority without prior consultation with persons or Associations who are directly affected by the directives, but with the approval of the Minister or his designate. Amendments of a continuous nature include:
 - o Updating the enforcement and compliance section of an exploration directive.
 - O Updating exploration restricted areas as per Section 11 of the *Exploration Regulation* and Exploration Directive 2006-02.

- Testing and approval of products as per Section 42 of the Exploration Regulation and Exploration Directive 2006-14.
- o Updating contact information of an exploration directive.
- o Updating web addresses of an exploration directive.
- Persons or Associations that represent such persons who will be directly affected by amendments of a continuous nature as determined by the Minister or designate will be notified directly or indirectly by the Relevant Department Authority of the changes.

Other

Removal or addition of an exploration directive from or to Schedule 1 of the *Exploration Regulation* requires an amendment to Regulation.

Enforcement/Compliance

Enforcement policy and procedures are currently under review and this directive will be updated accordingly.

Contact Information

Alberta Energy Regulator Twin Atria Bldg., 4th Floor 4999 – 98 Avenue Edmonton, Alberta T6B 2X3

Phone: 1-855-297-8311 E-mail: <u>inquiries@aer.ca</u>

Authorities *Mines and Minerals Act* (Part 8) and *Exploration Regulation (AR 284/2006).*

Approved Original signed by

Kem Singh, Executive Director Land and Forestry Policy Branch

Environment and Sustainable Resource Development