



Mineral Titles

Information Update

No. 29a – Notice Requirements for Exploration and Development or Production of Coal

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COAL ACT AND COAL ACT REGULATION

The holder of a coal license or lease under the *Coal Act* may enter, occupy and use land where the coal rights are vested in or reserved to the province. This right of entry does not extend to land occupied by a building, area around a dwelling, protected heritage property, orchard land or land under cultivation.

New regulations governing notification requirements for exploration and development or production of coal came into force on June 2, 2008. Before starting work, a recorded holder must first give notice to every owner of surface area where work will take place or where access is required. The Coal Act Regulation contains the prescribed manner and the time in which notice must be given.

The Regulation specifies that a recorded holder must not begin exploration and development or production work until eight days after giving notice. The notice must state:

- Name, address, and contact information of the recorded holder;
- Name, address, and contact information of the person responsible for on-site operations;
- Map, or written description, indicating where the planned work is going to occur;
- Dates on which the work will occur;
- Description of the work that will occur; and
- Number of people expected to be working on site.

If there are substantial changes to the planned work described in the notice, or if the dates in which the work will occur changes by more than seven days, the recorded holder must give an amended notice. Work related to the amended notice may not begin until eight days after the amended notice has been given.

Notices may be mailed, e-mailed, sent by facsimile transmission or hand delivered to the owner. If the owner is the government, notice may be given to the chief inspector as defined in the *Mines Act*. Be aware that provision of notice does not obviate the need to obtain any permits that may be required under the *Mines Act* or other statutes.

A copy of the amendments to the Coal Act Regulation is available on the [Mineral Titles website](#). For further information, please contact Mineral Titles.

This document is for information purposes only and does not constitute legal advice. In the event of any conflict between this document and the Coal Act and regulation or other applicable legislation, the provisions of the legislation will always prevail.