

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 989, Approved and Ordered JUN. 28. 1990

Lieutenant Governor

Executive Council Chambers, Victoria 27. JUN. 1990

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Mineral Tenure Act Regulation, B.C. <sup>Reg.</sup> 297/88, is amended as set out in the attached schedule.

DEPOSITED  
JUN 29 1990  
B.C. REG. 210/90

MINISTRY OF ENERGY, MINES  
AND PETROLEUM RESOURCES

JUL 5 1990

MINERAL TITLES FILE ROOM

Minister of Energy, Mines and Petroleum Resources

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.) File - 13990-00

135-20-MTEN

Authority under which Order is made:

Act and section: Mineral Tenure Act, sections 40(3) and (5) and 60(1)(a)

Other (specify): o.c. 1430/88

January 2, 1990

JUL 04 '90 15:48 PM/13/06/87

## SCHEDULE

1. The Mineral Tenure Act Regulation, B.C. Reg. 297/88, is amended by adding the following section:

### Plan of survey

14.1 (1) In the notice of intention to apply for a placer lease, the applicant shall submit a plan of a survey of the area intended for lease prepared by a British Columbia land surveyor, which plan has been approved by the Surveyor General, or a plan which shall include

- (a) a close up photograph that legibly shows the detail of each legal post metal tag, as located in the field, of all placer titles to be included in the lease,
- (b) a long range photograph of each legal post, as located in the field, of sufficient scope as to allow recognition of physical features of the landscape,
- (c) a statutory declaration setting out the particulars of the post or tag, in the absence of the post or tag, and
- (d) a map or maps, satisfactory to the gold commissioner, that show features as the gold commissioner may require.

(2) The applicant shall

- (a) post a copy of the notice of intention to apply for a placer lease in a prominent place on the area intended to be taken as a lease, and
- (b) publish a copy of the notice of intention to apply for a placer lease in 2 consecutive issues, not more than 14 days apart, of a newspaper circulating in the area.

(3) Where there is a challenge to the issuance of the placer lease, the person making the challenge shall submit the details of the challenge to the gold commissioner of the mining division in which the proposed placer lease is located.

(4) The gold commissioner shall test the validity of the challenge and endeavour to resolve the challenge to the issuance of the placer lease.

(5) Where the gold commissioner is unable to resolve the challenge, the applicant shall have the intended lease area, or that part of the area under challenge, surveyed by a British Columbia land surveyor.

(6) Upon confirmation of the survey plan by the Surveyor General, the applicant shall submit a copy of the confirmed survey plan to the gold commissioner.

(7) Where a placer lease is issued under section 40 (1) of the Act and no legal survey of the area of the placer lease was performed by a British Columbia land surveyor, the lessee shall indemnify and save harmless the Province against any loss or damage sustained by the Province arising out of the issuance of the placer lease.