

Mining Compliance and Enforcement Board

Terms of Reference

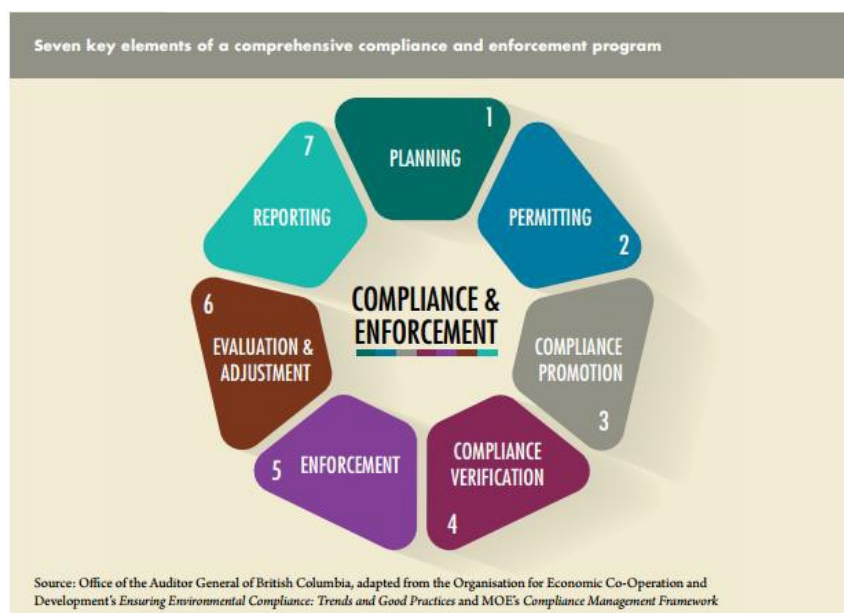
Purpose

The Mining Compliance and Enforcement Board (the Board) oversees compliance and enforcement planning across British Columbia in all aspects of mineral exploration and development with a key focus on environmental protection. This includes:

- Overseeing strategic improvements that enhance compliance and enforcement (C&E) effectiveness through integration and coordination of planning, training, policies, procedures, tools, evaluation and public reporting for mines in British Columbia.
- Mapping out proactive annual activities that:
 - support continuous learning, evaluation and improvement,
 - are centered on a risk-based approach, and
 - are informed by key developments in other jurisdictions to ensure BC is a leader in the regulatory oversight of mining.

Scope

- The Board will provide focus, direction and accountability to ensure necessary improvements are made. The goal will be to regularize the changes and integrate into normal operations within 2 years or at the direction of the Board.
- The Board provides guidance and oversight to all compliance and enforcement activity for mines in British Columbia (including but not limited to the *Mines Act*, the *Environmental Management Act* and the *Environmental Assessment Act*).
- The Secretariat will utilize other structures and committees to the extent possible to enhance coordination and integration across sectors and agencies (e.g., the Natural Resource ADMs C&E Committee).
- The Board ensures that mining compliance and enforcement activities across the sector are measured against seven key elements:



Deliverables

Responding to all OAG recommendations:

- Reporting to Public Accounts Committee on implementation.

Strategic Plan for Mining Compliance and Enforcement:

- Rolling two year plan detailing the activities of an integrated and coordinated regulatory approach. Identifies the necessary capacity, tools, training and expertise required to achieve goals and objectives. This may include opportunities for First Nations and industry input.

Annual Operational Plan for Mining Compliance and Enforcement:

- Annual work plan highlighting operational objectives, deployment of resources, budget and key milestones.

Reporting:

- Ongoing tracking and public reporting of C&E activities and initiatives.

Membership

The Board is comprised of representatives from the:

- Ministry of Energy and Mines (Deputy Minister)
- Ministry of Environment (Deputy Minister)
- Environmental Assessment Office (Associate Deputy Minister)
- The Executive Lead C&E (Secretariat)

Chair

- Deputy Minister, Ministry of Energy and Mines

Meetings

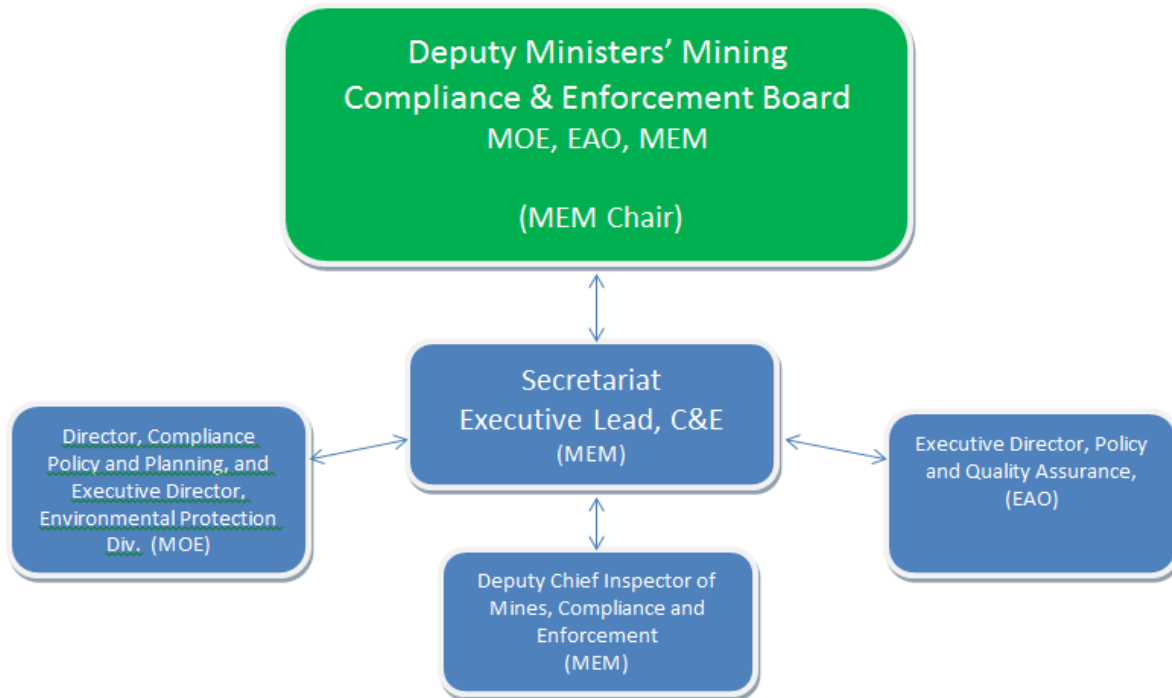
- The Mining C&E Board meets quarterly and more frequently as needed.
- Standing agenda will include ministry reporting, priority concerns, and items needing direction.
- There will be an annual cycle of planning and reporting with meetings:
 - February - *to approve strategic and operational plans*
 - October - *for an interim review*

Secretariat

- Where possible, agenda, and background documents will be provided by the Executive Lead to all Board members at least 48 hours prior to meeting.
- The Executive Lead C&E works with all the agencies to provide secretariat function for the Board. MOE Strategic Policy Branch and MOE Environmental Protection Division Regional Operations Branch, EAO Quality Assurance, and the Deputy Chief Inspector of Mines C&E are responsible for C&E within their respective agencies.

- Representatives supporting the secretariat will ensure ADM support and briefings where needed. The secretariat may also use an existing ADM committee (e.g. MMPO Project Board or Natural Resource ADMs) where cross agency information or direction is needed.

MINING COMPLIANCE AND ENFORCEMENT



Background

In May 2016, the Office of the Auditor General (OAG) released the report, [An Audit of Compliance and Enforcement of the Mining Sector](#).

In the published OAG report, Government committed to establish a Mining Compliance and Enforcement Board to oversee an integrated and co-ordinated regulatory approach to mining in the province of B.C. The Board does not impact the existing powers or duties of any individual or agency engaged in the regulation of mining in BC, including any individuals charged with making statutory decisions under any applicable enactment.