

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 173, Approved and Ordered FEB. -1, 1990

  
 Lieutenant Governor  
 Administrator

Executive Council Chambers, Victoria 31. JAN. 1990

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

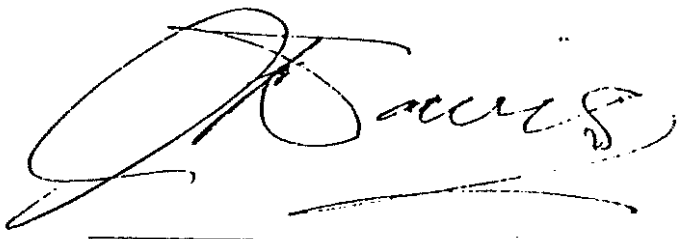
MINISTRY OF ENERGY, MINES  
 AND PETROLEUM RESOURCES

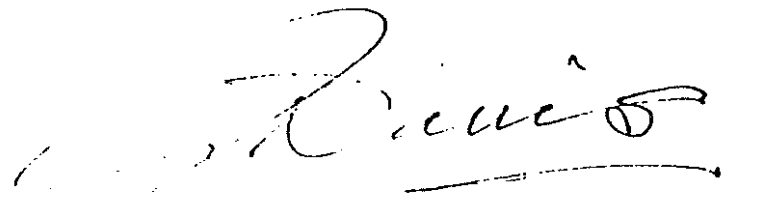
FEB 14 1990

MINERAL TITLES FILE ROOM

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DEPOSITED  
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 B.C. REG. 30/90

  
 Minister of Energy, Mines and Petroleum Resources

  
 Presiding Member of the Executive Council

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(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made: \_\_\_\_\_  
 Act and section: Mineral Tenure Act, ss. 22(1) and 60 \_\_\_\_\_  
 Other specify: B.C. Reg. 297/88, ARC 135:20 MTEN \_\_\_\_\_

## SCHEDULE

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

### **Disposition of Crown granted 2 post claim**

**8.1 (1)** Where a Crown granted 2 post claim has reverted, escheated or been surrendered to the Crown, or is otherwise acquired by the Crown, the minister may

(a) dispose of it as a Crown granted 2 post claim, on terms he considers appropriate, by public auction or public tender not earlier than 4 weeks after the intended disposal is advertised in the Gazette, or

(b) make the mineral land that was subject to the Crown granted 2 post claim available for the location and recording of a claim by advertising in the Gazette the date it becomes available.

(2) No free miner shall locate or record a claim on land that was subject to a Crown granted 2 post claim that has reverted, escheated or been surrendered to the Crown or otherwise been acquired by the Crown until

(a) the Crown granted 2 post claim has been disposed of under subsection (1) (a), or

(b) the mineral land has become available for location and recording under subsection (1) (b).

(3) A free miner who has acquired a claim under subsection (1) (a) may, without locating the claim, apply to the gold commissioner to have it recorded under section 23 and the gold commissioner shall record it as a 2 post claim.