



ENERGY AND MINERALS DIVISION

EMD99-09

**SUBJECT: DEFINITION OF OWNER UNDER THE PETROLEUM AND NATURAL GAS ACT**

Section 6(2) of the *Petroleum and Natural Gas Act* provides that the holder of a disposition of surface rights under the *Land Act* is deemed an "owner" for the purposes of the *Petroleum and Natural Gas Act*. "Owners" are subject to the entry, mediation and arbitration provisions of the *Petroleum and Natural Gas Act*.

Recent changes to the Ministry of Environment, Lands and Parks Commercial Recreation policy provides for the issuance of Crown land tenure to commercial back country recreation operators for their extensive "operating areas" and as a result, would be deemed owners under the *Petroleum and Natural Gas Act*.

As it is not the intention of the Ministry of Energy and Mines and the Ministry of Environment, Lands and Parks to have the entry, mediation and arbitration provisions of the *Petroleum and Natural Gas Act* apply in these cases, Section 6 of the *Petroleum and Natural Gas Act* has been amended (Section 54 of Bill 97-1999, *Miscellaneous Statutes Amendment Act*) to exclude these Crown land tenures from the definition of owner under the *Petroleum and Natural Gas Act*.

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August 5, 1999

MPCAA/B/C

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