

R.S.Q., chapter M-13.1

MINING ACT

DIVISION I

SPECIAL POWERS

[...]

Powers of Minister.

304. The Minister may, by order,

1) reserve to the State or withdraw from staking, map designation, mining exploration or mining operations any land containing mineral substances that are part of the domain of the State and necessary for any purpose that he considers to be in the public interest, particularly the performance of the following work:

- mining inventory and exploration work;
- mining, industrial, port, airport or communications facilities;
- underground conduits;
- development and utilization of waterpower, power transmission lines, storage tanks or underground reservoirs;
- creation of parks or ecological reserves;
- classification as an exceptional forest ecosystem under section 24.4 of the Forest Act;

1.1) delimit territories for non-exclusive purposes of recreation, tourism, plant-life or wildlife conservation or the preservation of an exceptional forest ecosystem classified by the Minister;

not in force

1.2) delimit the zones in a marine environment in which a mining right relating to petroleum, natural gas or underground reservoirs shall be subject to sections 166.1 and 213.3;

2) order the construction and maintenance of common walls or common roads between mining properties;

2.1) define, for lands of the domain of the State, the types of construction that may be erected or maintained by the holder of a claim of the land subject to the claim without being required to obtain authorization from the Minister;

3) declare a drift an underground reservoir and render this Act applicable to it;

4) designate a regional office.

Consultation.

Where the land on which mining inventory and mining exploration work is to be performed is in a reserved area or an agricultural zone within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), the Minister shall consult the Commission de protection du territoire agricole du Québec before withdrawing the land from staking, map designation, mining exploration or mining operations.

Exploration and mining.

The Minister may allow, by order, on land reserved to the State, mining exploration or mining operations in accordance with this Act for such mineral substances as are determined by the Minister.

Order.

The order comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date specified therein.

1987, c. 64, s. 304; 1988, c. 9, s. 50; 1991, c. 23, s. 8; 1996, c. 26, s. 85; 1998, c. 24, s. 127; 1999, c. 40, s. 178; 1998, c. 24, s. 127; 2001, c. 6, s. 149.