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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 392

**An Act respecting the suspension of  
the issuing of new mining claims and  
ending the precedence of mining and  
gas rights over other land uses**

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**Introduction**

**Introduced by  
Madam Alejandra Zaga Mendez  
Member for Verdun**

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## **EXPLANATORY NOTES**

*The purpose of this bill is to amend Québec's mining system to suspend the issuing of new mining claims for a two-year period after the date of introduction of this bill.*

*The Government may, by regulation, extend the suspension for successive periods of up to two years.*

*Furthermore, the bill amends the Act respecting land use planning and development to repeal the provision that gives precedence to the Mining Act and the Act respecting natural gas storage and natural gas and oil pipelines. Thus, a provision of the Act respecting land use planning and development, or of a metropolitan plan, a regional county municipality plan, an interim control by-law or resolution or a zoning, subdivision or building by-law could have the effect of preventing the staking or designation on a map of a claim, or exploration or search for or the development of mineral substances carried on in accordance with the Mining Act and gas storage in accordance with the Act respecting natural gas storage and natural gas and oil pipelines.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Act respecting land use planning and development (chapter A-19.1).

## Bill 392

### AN ACT RESPECTING THE SUSPENSION OF THE ISSUING OF NEW MINING CLAIMS AND ENDING THE PRECEDENCE OF MINING AND GAS RIGHTS OVER OTHER LAND USES

AS a substantial increase in the granting of claims does not receive the social acceptability necessary for its legitimacy and endangers sustainable and harmonious land use in Québec, in addition to being destructive to the climate and biodiversity;

AS it is important to temporarily suspend the issuing of new mining claims;

AS land use planning is the responsibility of elected officials and not simply a technical process;

AS it is a duty shared among various levels of decision making;

AS that duty calls for concerted, consistent choices and actions by various levels of government;

AS land use planning must encourage active citizen participation in decision making and take sustainable development and community concerns into account;

AS giving precedence to mining and gas rights contravenes the above and, more specifically, the concept of sustainable development, which involves long-term planning and the harmonious coexistence of land use and various economic sectors;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Despite any provision of the Mining Act (chapter M-13.1), the issuing of mining claims under that Act is suspended for a period of two years from (*insert the date of introduction of this bill*).

The Government may, by regulation, extend the suspension for other successive periods of up to two years.

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

**2.** Section 246 of the Act respecting land use planning and development (chapter A-19.1) is repealed.

## FINAL PROVISIONS

**3.** The Government may, by regulation, prescribe any measure necessary for carrying out this Act.

**4.** This Act comes into force on (*insert the date of assent to this Act*), except section 1, which comes into force on (*insert the date of introduction of this bill*).