

The Targeted Mineral Exploration Incentive Regulations

being

Chapter E-9.10001 Reg 3 (effective September 27, 2018) as
amended by Saskatchewan Regulations 50/2023.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER E-9.10001 REG 3

The Energy and Mines Act

PART 1

Preliminary Matters

Title

- 1 These regulations may be cited as *The Targeted Mineral Exploration Incentive Regulations*.

Definitions

- 2 In these regulations:

“**applicant**” means an eligible holder or a designate who applies for financial assistance pursuant to these regulations;

“**approved**” means approved by the minister;

“**approved application**” means an application that is approved pursuant to section 7;

“**business day**” means a day other than a Saturday, Sunday or holiday;

“**designate**” means a person who is designated in writing by the eligible holder;

“**drill hole orientation**” means dip and azimuth;

“**drilling**” means to sink a borehole into the ground using one of the following methods:

- (a) core diamond drilling;
- (b) reverse circulation drilling;

“**eligible holder**” means a holder of a mineral disposition that is registered in accordance with section 12 of *The Mineral Tenure Registry Regulations*:

- (a) who is lawfully carrying on business in Saskatchewan; and
- (b) one of whose principal objectives is to explore for or mine minerals;

“**eligible mineral**” means any mineral for which a mineral disposition is issued and to which *The Mineral Tenure Registry Regulations* apply in accordance with subsection 3(1) of those regulations;

“**financial assistance**” means financial assistance by way of a grant paid pursuant to these regulations;

“**fiscal year**” means the period commencing on April 1 of one year and ending on March 31 of the following year;

“location” means a geographic location described using North American Datum 1983 (CSRS 98) and Universal Transverse Mercator (UTM) projection with the zone indicated;

“mineral disposition” means a Crown disposition as defined in *The Crown Minerals Act* registered pursuant to *The Mineral Tenure Registry Regulations* and for the purposes of these regulations does not include a mineral lease;

“mineral disposition number” means a mineral disposition number as defined in *The Mineral Tenure Registry Regulations*;

Repealed. 7 Jly 2023 SR 50/2023 s3.

“program” means the targeted mineral exploration incentive program established pursuant to section 3;

“project” means mineral exploration drilling that:

- (a) the applicant incurs the expenditures of;
- (b) is with respect to eligible minerals; and
- (c) is on 1 or more mineral dispositions from which minerals are not currently being produced.
- (d) **Repealed.** 7 Jly 2023 SR 50/2023 s3.

5 Oct 2018 cE-9.10001 Reg 3 s3; 7 Jly 2023 SR 50/2023 s3.

PART 2 Targeted Mineral Exploration Incentive Program

Program established

- 3(1) The targeted mineral exploration incentive program is established.
- (2) The minister shall administer the program in accordance with these regulations.
- (3) The purpose of the program is to provide financial assistance to an applicant with respect to projects.

5 Oct 2018 cE-9.10001 Reg 3 s2.

Requirements for financial assistance

- 4 To request financial assistance from the program, an applicant must:
 - (a) apply pursuant to section 5 for approval of an application; and
 - (b) if the application is approved, submit verification of the work carried out in accordance with section 12.

5 Oct 2018 cE-9.10001 Reg 3 s4.

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Application

- 5(1)** An applicant may apply to the minister for approval of a project.
- (2) If the application is with respect to a mineral disposition held by more than 1 eligible holder, any 1 of the eligible holders or a designate may apply on behalf of all of the eligible holders only if the applicant provides evidence satisfactory to the minister that all of the eligible holders have approved the application.
- (3) An application pursuant to this section must:
- (a) be in a form satisfactory to the minister; and
 - (b) provide the minister with the following information:
 - (i) details satisfactory to the minister of the proposed project, including but not limited to the following:
 - (A) the proposed dates for the work to be carried out;
 - (B) the mineral disposition number for each mineral disposition that is included in the application;
 - (C) the drilling method;
 - (D) the collar locations of planned drill holes;
 - (E) the planned end of hole depths;
 - (F) the planned drill hole orientation;
 - (G) the proposed expenditures directly related to drilling;
 - (H) the primary mineral that is the target of the project and any associated minerals; and
 - (ii) evidence satisfactory to the minister to establish that:
 - (A) all those on behalf of whom the application is made are eligible holders; and
 - (B) the application is with respect to a project and the applicant has otherwise complied with these regulations.
- (4) An applicant must provide the minister with any additional information that the minister may require.

5 Oct 2018 cE-9.10001 Reg 3 s5; 7 Jly 2023 SR
50/2023 s4.

Deadlines for applications

- 6(1)** Subject to subsection (2), an application pursuant to section 5 must be received by the minister:
- (a) with respect to a project to be completed in the 2018-2019 fiscal year, on or before December 31, 2018;
 - (b) with respect to a project to be completed in the 2019-2020 fiscal year or in a subsequent fiscal year, between April 1 and December 31 of the fiscal year in which the project is to be completed.

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(2) The minister may accept applications after the deadline mentioned in subsection (1) if the minister is satisfied that:

- (a) the applicant has provided a reasonable explanation for failing to apply by that date; and
- (b) it is not contrary to the public interest to do so.

5 Oct 2018 cE-9.10001 Reg 3 s6.

Approval of application

7(1) Subject to sections 8 to 10, the minister may approve an application submitted pursuant to section 5 if the minister is satisfied that:

- (a) all those on behalf of whom the application is made are eligible holders;
 - (b) there is no other approved application with respect to the mineral dispositions on which the proposed projects are to be carried out;
 - (c) the application is with respect to a project and the applicant has otherwise complied with these regulations;
 - (d) each holder of a mineral disposition that is included in the application has provided written authorization for the applicant to apply for financial assistance in accordance with these regulations; and
 - (e) it is not contrary to the public interest to approve the application.
- (2) The minister may refuse to approve an application.
- (3) If the minister proposes to refuse an application, the minister must give the applicant notice of the proposed decision along with reasons and give the applicant an opportunity to make written representations within 10 business days after receiving the notice.
- (4) On receipt of any written representations or, if no written representations are received within the period mentioned in subsection (3), the minister may make a final decision to refuse or approve the application and shall give written notice of the final decision to the applicant.

5 Oct 2018 cE-9.10001 Reg 3 s7.

Annual limit – applications per eligible holder

8 An applicant may have only 1 application pursuant to section 5 approved with respect to each fiscal year.

5 Oct 2018 cE-9.10001 Reg 3 s8.

Annual limit – applications per mineral disposition

9 A mineral disposition may be the subject of only 1 approved application with respect to each fiscal year.

5 Oct 2018 cE-9.10001 Reg 3 s9.

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Maximum amount of financial assistance

10 The maximum amount of financial assistance that an applicant may receive for an approved application with respect to a fiscal year is the lesser of:

- (a) 25% of the eligible expenditures mentioned in section 13 that were incurred and paid by the applicant in carrying out work with respect to the approved application; and
- (b) if the approved application:
 - (i) is with respect to uranium, \$50,000; or
 - (ii) is with respect to an eligible mineral other than uranium, \$150,000.

5 Oct 2018 cE-9.10001 Reg 3 s10; 7 Jly 2023
50/2023 s5.

Prorated amounts of financial assistance

11(1) Notwithstanding any other provision of these regulations, if the amount of financial assistance to be provided for approved applications in a fiscal year exceeds the amount of funding available for this program in that fiscal year, the minister may prorate the amounts of financial assistance to be provided in any manner that the minister is satisfied will treat all applicants equally.

(2) If the minister prorates the amount of financial assistance pursuant to this section, the minister shall provide written notice to each applicant of the manner used by the minister to prorate and the prorated amount that will be provided to the applicant.

5 Oct 2018 cE-9.10001 Reg 3 s11.

Verification of work submission

12(1) Before financial assistance is paid, the applicant must submit verification of the work that has been carried out with respect to the approved application as required by this section.

(2) A verification of work submission must:

- (a) be made to the minister in an approved electronic form;
- (b) be received by the minister on or before April 30 of the fiscal year following the fiscal year with respect to which the application was approved and the work completed; and
- (c) include the following:
 - (i) evidence satisfactory to the minister to establish:
 - (A) that the work with respect to which the application was approved has been carried out;
 - (B) the eligible expenditures for the work mentioned in paragraph (A) and the amount claimed;
 - (C) evidence in support of the amount claimed in accordance with the requirements set out in subsections (3) and (4); and
 - (ii) any additional information that the minister may require.

- (3) The verification of work submission must include:
 - (a) a receipt indicating payment by the applicant of any invoice directly related to drilling that is an eligible expenditure; and
 - (b) complete drill logs with pertinent header information and complete drill core photos of the entire length of the hole in accordance with the approved application.
- (4) Evidence respecting the work carried out must include the following:
 - (a) mineral disposition numbers and details of mineral dispositions on which drilling was done;
 - (b) collar locations of drill holes;
 - (c) type of drilling and hole or core size;
 - (d) total depth, dip, azimuth and elevation of all drill holes;
 - (e) start and end date of drilling for each drill hole;
 - (f) location of core storage;
 - (g) complete geological drill logs and the name of the person who logged the core;
 - (h) digital photographs of core with depths indicated.

5 Oct 2018 cE-9.10001 Reg 3 s12.

Eligible expenditures

13(1) For the purposes of section 12 and subject to subsections (2) and (3), eligible expenditures with respect to which financial assistance may be paid are direct drill costs associated with surface drilling, including but not limited to the following:

- (a) drilling, including but not limited to casing, cementing, testing, reaming, wedging and orientation;
 - (b) labour, including but not limited to site preparation, skid work, cat work, sump maintenance and foreman;
 - (c) travel and transportation costs of personnel, equipment and supplies used in the work with respect to the approved application to a maximum of 40% of the total cost of the approved application;
 - (d) equipment and consumables, including but not limited to rentals, drill steel, muds, lubricants, fuel and helicopters;
 - (e) other items, such as moves between drill sites and standby;
 - (f) any other approved direct drilling expenditure.
- (2) Financial assistance may be paid only with respect to expenditures incurred by the applicant on or after April 1 in the fiscal year with respect to which the application was made.
 - (3) Financial assistance is payable only for eligible expenditures that are, in the minister's opinion, reasonable.
 - (4) Payment of financial assistance for the fiscal year with respect to which the application was made is to be made after April 30 of the following fiscal year.

5 Oct 2018 cE-9.10001 Reg 3 s13.

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Payment of financial assistance

14(1) Subject to subsection (1.1) and sections 10, 11 and 12, the minister may:

- (a) pay financial assistance to the applicant in accordance with these regulations in the amount determined by the minister; or
- (b) refuse to pay financial assistance to the applicant.

(1.1) The minister may determine, for the purposes of applying the maximum amount of financial assistance set out in subclause 10(b)(i) or (ii), the specific eligible mineral for which the applicant has carried out work.

(2) If the minister proposes to refuse to pay financial assistance or to pay financial assistance based on the maximum amount set out in subclause 10(b)(i), the minister must give the applicant notice of the proposed decision along with reasons and give the applicant an opportunity to make written representations within 10 business days after receiving the notice.

(3) On receipt of any written representations or, if no written representations are received within the period mentioned in subsection (2), the minister may make a final decision to pay or refuse to pay financial assistance.

5 Oct 2018 cE-9.10001 Reg 3 s14; 7 Jly 2023
50/2023 s6.

**PART 3
General**

Confidentiality of information

15(1) In this section, “**confidential information**” means:

- (a) any technical information that is submitted to the minister pursuant to these regulations; and
- (b) any information about expenditures that is submitted to the minister pursuant to section 5 or 12.

(2) The minister and any officer or employee of the ministry to which confidential information is communicated shall preserve confidentiality with respect to that confidential information for 3 years from the date that the confidential information was submitted to the minister.

(3) No officer or employee of the ministry shall release any confidential information until the earliest of the following dates:

- (a) the date on which the applicant who submitted the confidential information consents to its release;
- (b) the date on which the 3-year period mentioned in subsection (2) expires;
- (c) the date on which the mineral disposition lapses or is terminated.

5 Oct 2018 cE-9.10001 Reg 3 s15.

E-9.10001 REG 3**TARGETED MINERAL
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16 For 6 years after receiving financial assistance pursuant to these regulations, every applicant and every eligible holder of a mineral disposition that is included in an approved application shall, for the purpose of providing to the minister information necessary to audit the eligible expenditures:

- (a) provide to the minister any information that the minister may request; and
- (b) permit the minister to have access to any records or documents in the possession or control of the applicant or eligible holder.

5 Oct 2018 cE-9.10001 Reg 3 s16.

Overpayment

17(1) The minister may declare any or all payments made to an applicant pursuant to these regulations to be an overpayment if, in the minister's opinion:

- (a) the applicant has made a false or misleading statement with respect to a material fact in any information provided to the minister pursuant to these regulations;
- (b) the applicant has omitted to provide any information and that omission results in a statement with respect to a material fact being misleading; or
- (c) the applicant has failed to comply with these regulations.

(2) If the minister declares a payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Crown in right of Saskatchewan and may be recovered from the applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

5 Oct 2018 cE-9.10001 Reg 3 s17.

**PART 4
Repeal and Coming into Force****RRS c E-9.10001 Reg 1 repealed**

18 *The Mineral Exploration Incentive Regulations* are repealed.

5 Oct 2018 cE-9.10001 Reg 3 s18.

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Coming into force

19 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

5 Oct 2018 cE-9.10001 Reg 3 s19.

Appendix

Repealed. 7 Jly 2023 SR 50/2023 s7.

