



PROPOSED POLICY INTENTIONS TO FULFILL THE
NORTHWEST TERRITORIES *MINERAL RESOURCES ACT*

ONLINE MAP STAKING, BLACKOUT PERIOD, AND TEMPORARY RESTRICTED AREAS

OBJECTIFS STRATÉGIQUES PROPOSÉS POUR METTRE EN ŒUVRE *LA LOI SUR
LES RESSOURCES MINÉRALES* DES TERRITOIRES DU NORD-OUEST

JALONNEMENT SUR CARTE EN LIGNE, PÉRIODE DE RESTRICTION ET AIRES RESTREINTES TEMPORAIREMENT

Le présent document contient la traduction française de l'introduction.

Government of Northwest Territories
Gouvernement des Territoires du Nord-Ouest

K'áhshó got'ine xədə k'é hederi Ɂedjhtl'é yeriniwə ní dé dúle.
Dene Kədə

Ɂerihł'ís Dēne Sų́iné yatı t'a huts'elkēr xa beyáyatı theɁą Ɂat'e, nuwe ts'ēn yóttı.
Dēne Sų́iné

Edı gondı dehgáh got'ıe zhatié k'éé edat'éh enahddhę nıde naxets'é edahłı.
Dene Zhatié

Jii gwandak izhii ginjik vat'atr'ijahch'uu zhit yinothhan jı', diits'at ginohkhıi.
Dinjii Zhuh Ginjik

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqluta.
Inuvialuktun

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Inuktitut

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.
Inuinnaqtun

kıspin ki nitawihtın ē nıhıyawihk ōma ācimōwin, tipwāsinān.
nēhiyawēwin

Tıjchq yatı k'èè. Dı wegodı newq dè, gots'o gonede.
Tıjchq

Indigenous Languages
request_indigenous_languages@gov.nt.ca

Introduction

In 2014, the Government of the Northwest Territories (GNWT) inherited the responsibilities for mineral resource administration from the federal government through the enactment of the *Northwest Territories Devolution Act*. While this transfer of responsibilities marked a significant shift, the administration of mineral tenure—spanning from exploration and discovery through mine development construction, operation, and eventual closure and remediation—has remained largely unchanged for decades.

Upon devolution, the existing federal *Northwest Territories Mining Regulations* were mirrored and adopted under GNWT jurisdiction. These regulations are now administered by the GNWT, who works in collaboration with Indigenous governments on any proposed changes to land and resource management, as set out in the 2014 Intergovernmental Agreement on Lands and Resources Management. This agreement established a framework for cooperation and coordination on matters related to land and resource management, while fully respecting the autonomy and decision-making authority of each government involved.

Since then, a collaborative process has been underway to modernize the regulatory regime. The *Mineral Resources Act* (MRA), passed in 2019 by the Legislative Assembly of the Northwest Territories (NWT), provides the foundation for this transformation. The accompanying summary of proposed Mineral Resources Regulations, developed through extensive collaboration, are designed to implement the goals of the MRA and reflect the values and priorities of NWT residents, communities, and Indigenous governments.

As the NWT moves forward to implement the MRA, the exploration and mining environment will undergo significant change. The new regulatory approach aims to reflect global best practices, while aligning with the unique environmental, social, and economic context of the territory. The modernized regime seeks to support responsible development, promote sustainable land use, and ensure that the benefits of mineral resources are shared among all people in the Northwest Territories.

The mutually shared MRA goals, as outlined in the purpose section of the MRA, are to:

1. regulate mineral interests efficiently, effectively and in a transparent manner;
2. support the economy of the Northwest Territories;

3. realize benefits from mineral development for Indigenous governments and organizations, communities and the people of the Northwest Territories;
4. ensure that wealth generated by mineral resources will be used for the benefit of present and future generations of the people of the Northwest Territories;
5. encourage positive relationships between proponents, Indigenous governments and organizations, communities and the Government of the Northwest Territories;
6. respect Aboriginal and treaty rights;
7. complement the systems for collaborative management of land and natural resources in the Northwest Territories;
8. improve geological knowledge in the territory; and
9. recognize sustainable land use.

In response to extensive feedback from public stakeholders calling for an accelerated modernization of staking—consistent with practices in other Canadian jurisdictions— the GNWT has revised its initial approach to staking.

Rather than implementing ground staking upon the coming into force of the new regulations and transitioning to online map staking in a later phase, the GNWT now proposes to introduce Online Map Staking (OMS) directly when the MRA comes into force. This change is expected to better support the MRA’s goals of regulating mineral interests efficiently, effectively, and transparently. It also supports the MRA goals of developing the economy of the Northwest Territories and helping to create benefits from mineral development for Indigenous governments and organizations, communities, and residents.

This shift to OMS affects several policy elements outlined in Engagement Document #1, particularly Sections 2.0 (Claim Identification Tags) and 2.1 (Interference with Claim Posts). Updates to the original engagement document are clearly identified in this document in order to help readers understand the new system that will be implemented. Principally, the changes surround how a claim will be staked in the Northwest Territories. Instead of being required to physically stake a claim by hand, prospectors will now be able to stake their claim and file their application through the GNWT’s OMS system. Requests to change the area of a claim or a lease may also be submitted through the Online Map Staking system. The rest of the claim application and approval process will follow the policy intentions outlined in the first engagement document.

Introduction

En 2014, le gouvernement des Territoires du Nord-Ouest (GTNO) a hérité des responsabilités du gouvernement fédéral en ce qui a trait à l'administration des ressources minérales lors de l'entrée en vigueur de la *Loi sur le transfert de responsabilités* aux Territoires du Nord-Ouest (TNO). Bien que ce transfert des responsabilités ait marqué un changement important dans la supervision gouvernementale, l'administration des titres miniers – qui va de l'exploration et la découverte à l'établissement, la construction et l'exploitation de mines, puis, finalement, à leur fermeture et à la remise en état du site – reste quant à elle largement inchangée depuis des décennies.

Lors du transfert des responsabilités, le *Règlement sur l'exploitation minière dans les Territoires du Nord-Ouest* alors en vigueur sous le régime du gouvernement fédéral a été repris et adopté par le GTNO. Ce règlement est désormais appliqué par le GTNO, qui collabore avec les gouvernements autochtones sur toute proposition de changement de la gestion des terres et des ressources, comme décrit dans l'Entente intergouvernementale sur la gestion des terres et des ressources de 2014. Cette entente a permis d'établir un cadre de coopération et de coordination sur les questions liées à la gestion des terres et des ressources, tout en respectant pleinement l'autonomie et le pouvoir décisionnel de chaque gouvernement concerné.

La mise en place d'un processus collaboratif est en cours depuis lors, afin de moderniser le régime réglementaire. La *Loi sur les ressources minérales* (LRM), adoptée en 2019 par l'Assemblée législative des Territoires du Nord-Ouest, jette les bases de cette transformation. Le résumé du projet de règlement sur les ressources minérales, élaboré grâce à une étroite collaboration, est conçu pour concrétiser les objectifs de la LRM et refléter les valeurs et priorités de la population, des collectivités et des gouvernements autochtones.

À mesure que les travaux de mise en œuvre de la LRM progressent aux TNO, le secteur de l'exploration et de l'exploitation minières connaîtra d'importants changements. La nouvelle approche réglementaire vise à tenir compte des pratiques exemplaires à l'échelle mondiale, tout en s'alignant sur le contexte environnemental, social et économique unique du territoire. Le régime modernisé cherche à soutenir une mise en valeur responsable, à promouvoir une utilisation durable des terres et à garantir que les avantages des ressources minérales soient répartis équitablement parmi l'ensemble de la population des Territoires du Nord-Ouest.

Les objectifs communs de la LRM, tels que décrits dans l'article sur l'objet de la LRM, sont les suivants :

1. Régir les intérêts miniers avec efficacité, efficience et transparence;
2. Soutenir l'économie des Territoires du Nord-Ouest;

3. Tirer parti des retombées de l'exploitation minière au profit des gouvernements et organisations autochtones, des collectivités et de la population des Territoires du Nord-Ouest;
4. Veiller à ce que la richesse générée par les ressources minérales profitera aux générations actuelles et futures de la population des Territoires du Nord-Ouest;
5. Encourager des relations positives entre les promoteurs, les gouvernements et organisations autochtones, les collectivités et le gouvernement des Territoires du Nord-Ouest;
6. Respecter les droits ancestraux ou issus de traités des peuples autochtones;
7. Compléter les systèmes de gestion collaborative des terres et des ressources naturelles aux Territoires du Nord-Ouest;
8. Améliorer la connaissance de la géologie du territoire;
9. Reconnaître l'utilisation durable des terres.

En réaction aux nombreux commentaires reçus de la part des parties concernées qui ont exprimé le souhait d'une rapide modernisation du jalonnement (conforme aux pratiques dans les autres administrations canadiennes), le GTNO a modifié sa façon d'effectuer le jalonnement. Plutôt que de procéder au jalonnement au sol lors de l'entrée en vigueur de la nouvelle loi, puis de passer au jalonnement en ligne plus tard, le GTNO propose d'introduire directement le jalonnement sur carte en ligne à l'entrée en vigueur de la LRM. Cette proposition devrait permettre de mieux appuyer les objectifs visés par la LRM, à savoir, la réglementation efficace, efficiente et transparente des intérêts miniers, ainsi que le développement de l'économie des Territoires du Nord-Ouest en faisant en sorte que les gouvernements et organisations autochtones, les collectivités et les résidents tirent profit des projets miniers.

Ce passage au jalonnement sur carte en ligne touche plusieurs éléments de la politique soulignés dans le premier document d'échanges, en particulier les sections 2.0 (Plaques d'identification des claims) et 2.1 (Déplacement de bornes). Les mises à jour du document d'échanges original sont clairement identifiées dans ce document pour aider les lecteurs à comprendre le nouveau système qui sera mis en place. Les modifications traitent principalement de la façon dont un claim sera jalonné aux Territoires du Nord-Ouest. Au lieu d'avoir à jalonner physiquement un claim à la main, les prospecteurs pourront dorénavant jalonner leur claim et soumettre leur demande en ligne à l'aide du système de jalonnement sur carte en ligne du GTNO. Ce système permettra également de soumettre en ligne les demandes de modification des limites d'un claim ou d'un bail. Quant au reste de la demande liée au claim et au processus d'approbation, ils devront respecter les objectifs stratégiques définis dans le premier document d'échanges.

Section 1: Online Map Staking

Item	Relevant clause from the <i>Mineral Resources Act</i> (MRA)	Topic	Proposed policy intent for regulations to fulfill the <i>Mineral Resources Act</i> (MRA) clause	Changes from current state	Why the new or updated regulation is being proposed and how it is proposed to be implemented
14.0	S.29; Staking a claim	How claims will be recorded	<p>Upon the implementation of the <i>Mineral Resources Act</i> (MRA), all mineral claims will be required to be staked electronically through the Online Map Staking (OMS) system. To stake a claim, one must still be the holder of a prospector’s licence, and have completed the Prospector’s Awareness Course described in Engagement Document #1 (sections 1.3 and 1.4).</p> <p>Ground staking will no longer be used to record a mineral claim.</p> <p>Claim areas may be selected by digitally drawing boundaries in the system. The OMS system will clearly identify any areas that are off-limits for staking, so that they are not accidentally selected by a prospector.</p> <p>Once a claim has been staked in the OMS system, the application will automatically be submitted to the Mining Recorder for review, and the application will follow the process recorded in section 2.2 of Engagement Document #1.</p> <p>A claim is officially recorded only when the Mining Recorder approves and records it, which will occur after a dialogue period with Indigenous governments described in section 2.3 of Engagement document #1. OMS will not cause any changes to this dialogue period, or to the claim application processing process.</p> <p>The GPS coordinates recorded in the system will form the legal boundaries of the claim.</p>	Currently, staking a claim requires physically placing corner and boundary posts at the site. Underneath the new system, claim applications will be submitted through the OMS software online.	<p>The transition from ground staking to Online Map Staking (OMS) modernizes how mineral claims are acquired in the Northwest Territories and has the potential to encourage increased mineral exploration across the region. Instead of physically travelling to a site to place posts, claim areas can now be staked online digitally. This change allows money that would have been spent on physically marking boundaries to be spent on exploration instead, increasing geological knowledge in the Northwest Territories, while reducing the potential for staking disputes.</p> <p>OMS also increases certainty by clearly identifying areas that are off-limits, as they are not available for selection in the online staking viewer. As a result, prospectors will be provided a clear understanding of which lands are available for staking and to which lands are not. OMS enables engagement with Indigenous Governments and Organizations to happen after the claim area is secured by the prospector but before there has been significant financial investment at the site.</p>
14.1	S.29; Staking a claim	Claim Shape and Size	<p>Claim Shape</p> <ul style="list-style-type: none"> Claims must form a closed polygon shape defined by straight lines connecting GPS coordinates (vertices). A minimum of four straight boundary lines is required. The shape is built from 500 m × 500 m “cells” (like tiles on a grid). 	The current maximum claim size is 1,250 hectares. Boundary lengths are measured in multiples of 500 meters, and claims must be rectangular in shape. Under the MRA, the maximum claim size will be increasing to a size of 6250	<p>The claim shape requirements were designed to make mineral claims easier to create and to manage. There will be more flexibility with claim shape, which can help prospectors to better target desired areas.</p> <p>The maximum claim size has been increased from 1,250 hectares to 6,250 hectares as:</p> <ul style="list-style-type: none"> Larger claims reduce administrative requirements for the GNWT, Indigenous Governments and industry. This size is consistent with the maximum claim grouping size allowed

			<ul style="list-style-type: none"> Each boundary segment must be at least 500m long <p>Claim Size:</p> <ul style="list-style-type: none"> Minimum size: 25 hectares → equivalent to one cell (500 m × 500 m) (can be smaller only if constrained by restricted/prohibited land). Maximum size: 6,250 hectares → equal to 250 cells 	<p>hectares, and the claim shape will have more flexibility, as long as it is formed by a minimum of four straight boundary lines, and forms a closed polygon shape. Boundaries will still be measured in multiples of 500m.</p>	<ul style="list-style-type: none"> This maximum is very similar to the maximum size allowed for three other Canadian jurisdictions; Claim work requirements are calculated on a per-hectare basis. As a result, prospectors are incentivized to stake only the amount of land they intend to actively explore, since holding larger claims increases the annual work/financial requirements associated with the claim. <p>This size is an exact multiple (five times larger) of the current maximum claim size of 1250 ha. Overall, these requirements support a modern, map-based system that is simpler to use, more precise, and easier to administer.</p>
14.2	S.29; Staking a claim	Transitional Provisions	<p>Existing claims will continue to be defined by their legal ground posts, not digital coordinates, until/unless the claims have been surveyed. These claims will be included as shapes on the OMS selection map, but any coordinates taken from the map will not have legal validity, until the claim is surveyed and those surveyed boundaries have been entered into the system.</p> <p>Because ground-staked claims will have been staked before any adjoining OMS claim, in the event of an overlap, the ground-staked claim will retain the overlapping area. It remains an offense to interfere with claim posts.</p> <p>In the future, any change of area to ground-staked claims or to leases will be able to be made online using OMS. Change of area to leases will require a new plan of survey.</p> <p>Staking disputes may still be filed, as outlined in Section 2.10 of Engagement Document #1. However, under online map staking, disputes are expected to be extremely rare. Once a claim application is submitted in OMS, the area is immediately unavailable for others to select and stake.</p>	<p>Not applicable; this relates to how existing interests will transition into the new system.</p>	<p>These policies are intended to support a smooth and predictable transition from ground staking to the new Online Map Staking system, while minimizing disruption to existing mineral interests. This approach helps maintain industry stability, provides greater certainty for rights holders, and allows proponents time to adapt to the new system without negatively affecting ongoing operations.</p>

Section 2: Blackout Period

#	Topic	Proposed policy intent	Why the new or updated regulation is being proposed and how it is suggested to be implemented
15.0	<p>What is the purpose of the Blackout Period?</p>	<p>There will be a blackout period in order to facilitate the transition of the coming into force of the MRA and Online Map Staking (OMS).</p> <p>The blackout period is intended to ensure a smooth and orderly transition from the current regulatory framework to the new system. During this time, certain activities will be paused or limited to allow for system changes, administrative updates, and regulatory alignment. Extensions will be provided to industry for all required submissions (such as work reports, etc.) that have submission dates that occur during the blackout period.</p> <p>During this period, the GNWT will:</p> <ul style="list-style-type: none"> • Transition to a new digital system (Mineral Administration and Registry System, or MAARS) for mineral tenure management; • Close off ground staking and launch OMS; • Close and finalize existing files under the current Mining Regulations; and • Implement the new regulatory framework under the MRA. 	<p>The blackout period will be used to ease the transition from the current mining regulations to the MRA. The benefits of the blackout period will be two-fold in that it will support system administrators and ensure errors/delays are minimized for industry.</p> <p>For system administrators (i.e., Industry, Tourism and Investment staff), the transition to a new system for administration of mineral interests requires significant effort. The blackout period will help to ensure that staff are able to transition from the old to the new system, have time to complete outstanding administrative tasks, and convert files over to the new system.</p> <p>The blackout period is also essential to reduce the risk of errors not only throughout the transition but also in the future ensuring functionality is maximized for industry users.</p> <p>The 90-day blackout period allows time for the final ground staked claims that were staked before the beginning of the blackout period to be processed appropriately before the transition to OMS, as under the current system, prospectors have up to 60 days to apply to record a claim after staking.</p> <p>The blackout period will allow for a well-defined transition between regulatory regimes and reduce errors.</p>
15.1	<p>What activities are authorized or prohibited during the blackout period?</p>	<p><u>Activities That Will be Authorized/Prohibited During the Blackout Period.</u></p> <p>Prospector’s Licences</p> <ul style="list-style-type: none"> • Applications for new Prospector’s Licences will be accepted and processed under the MRA and its regulations. • Applications for renewals will continue under the current regulations to allow for the completion of ongoing transactions. <p>Prospecting Permits</p> <ul style="list-style-type: none"> • New applications for Prospecting Permits will not be accepted. • Pending applications will be rejected and deposits returned. <p>Processing of Claim Applications</p> <ul style="list-style-type: none"> • Applications for claims staked before the blackout period will be accepted and processed during the blackout period. • Applications to record a claim that are received during the blackout period will not be accepted. • Following the blackout period, the transition to OMS will take effect. As a result, all new applications will be required to be submitted through the OMS system. 	<p>Prospector’s Licences</p> <p>Renewals and applications for new Prospector’s Licences will be accepted in advance to ensure prospectors are prepared for the coming into force of the MRA and allow them to stake claims through the OMS system, supporting a smooth transition.</p> <p>Prospecting Permits</p> <p>New applications will not be accepted and pending applications will be rejected, as prospecting permits are being phased out under the MRA.</p> <p>Processing of Claim Applications</p> <p>Applications for claims staked before the blackout period will be processed, as they were staked during a normally functioning period for the Mining Recorder’s Office (MRO). New applications to record a claim will not be accepted or processed during the blackout period, as GNWT staff work on the transition from ground staking to OMS. A new application will need to be submitted through OMS after the end of the blackout period to be processed by the MRO.</p>

#	Topic	Proposed policy intent	Why the new or updated regulation is being proposed and how it is suggested to be implemented
		<p>Existing Claims</p> <ul style="list-style-type: none"> • Except where consent has been withdrawn to transition claims to the MRA, existing claims will be cancelled and re-issued as recorded claims under MRA. (For additional information on this process, please view section 10.2 of Engagement Document #3). • Existing mineral claims with an anniversary date that falls during the blackout period will be granted a 3-month extension following the end of the blackout period to meet the claim requirements. However, after the blackout period, they will be administered under the MRA, unless consent to transition the claim was withdrawn. <p>Cash in Lieu</p> <ul style="list-style-type: none"> • No cash in lieu extensions will be accepted after the beginning of the blackout period. • Any eligible refunds of cash in lieu deposits will be processed during the blackout period, as applicable. • Cash in lieu deposits made prior to coming into force will continue to be held and refunded as applicable when eligible work is submitted under the MRA. <p>Work Reports</p> <ul style="list-style-type: none"> • Work can continue at sites • However, work report submissions will not be accepted during the blackout period. • Revisions for existing reports will be accepted to enable the completion of open files. • Work reports submitted under the <i>Mining Regulations</i> prior to the blackout period will be administered under the <i>Mining Regulations</i> instead of under the MRA (even if still open at the end of the blackout period). GNWT staff will aim to minimize this number. <p>Notice of Survey</p> <ul style="list-style-type: none"> • Notice of Survey applications will not be accepted. • Claims that do not have a completed survey or are under a survey extension where a survey has not been completed will become 30-year claims as long as claimholder does not withdraw their consent for cancel-and-replace. <p>Mineral Leases</p> <ul style="list-style-type: none"> • Lease applications for claims that were granted an extension to obtain a plan of survey prior to the blackout period will be processed during the blackout period based on whether there is a survey recorded. <ul style="list-style-type: none"> ○ If the claim does not have a survey, the claim will be eligible for cancel-and-replace and become a 30-year MRA claim (unless consent is withdrawn). ○ If the claim has a survey, the lease application will be processed and the lease issued. All legacy leases have a provision in their lease agreement that makes them subject to new or replacement regulations. The exception would be that leases issued prior to coming into force would not receive the MRA new lease rental rates until it comes time for lease renewal. ○ If consent is withdrawn to transition the claim to the MRA, the claim will only be valid for a duration of ten years, with the potential for an extension to 	<p>Existing Claims</p> <p>Claim holders will be issued extensions for claim maintenance requirements to compensate for any anniversary dates that are missed due to the blackout period. Maintenance requirements such as work reports will not be accepted during the blackout period as the focus will be on completing existing files and preparing for the new system.</p> <p>Cash in Lieu, Work Reports and Notice of Survey</p> <p>These submissions will not be accepted during the blackout period so that Mining Recorder's Office staff can focus on closing out and completing existing files and submissions.</p> <p>Mineral Leases</p> <p>Lease applications will not be accepted during the blackout period. Because original signatures are required on the paper documents, drafting and executing leases often takes two months or more.</p> <p>Lease applications with a completed plan of survey that are submitted before the blackout period and processed during the blackout period would be issued, and like all other existing leases, will be subject to the MRA and its regulations. This occurs because all legacy leases have a provision in their lease agreement that makes them subject to new or replacement regulations. The current exception would be that leases issued prior to coming into force would not receive the MRA new lease rental rates until it comes time for lease renewal. Additional exceptions may arise in the course of ongoing policy work.</p> <p>Lease applications for claims without a plan of survey will be eligible to be cancelled and replaced with a thirty-year claim under the MRA, in order to provide the holder with more time to conduct exploration work or to complete the required plan of survey.</p> <p>Transfers of Mineral Interests</p> <p>These will not be accepted during the blackout period so that all other outstanding files can be closed.</p> <p>Recorded Documents</p> <p>Documents under the court order section and the royalty section of the Mining Regulations will continue to be processed in order to not cause delay to these non-MRA related field functions.</p>

#	Topic	Proposed policy intent	Why the new or updated regulation is being proposed and how it is suggested to be implemented
		<p>obtain a plan of survey, but the lease application will be processed under the MRA.</p> <ul style="list-style-type: none"> • Unless there is a recorded plan of survey for a claim(s), a lease will not be issued for that claim under the <i>Mining Regulations</i>. Open lease applications that do not have an approved plan of survey will not be issued under the <i>Mining Regulations</i>. • Leases applications submitted before the blackout period that are processed during the blackout period would be issued under the <i>Mining Regulations</i> but would be subject to the provisions of the MRA once it comes into force, with the exception of the lease rental rates. Those will not be updated until it comes time for lease renewal. However, it is possible that additional exceptions may arise in the course of ongoing policy work. • Lease applications will not be accepted during the blackout period. • Lease rent payments will continue to be collected. Rental rates will not change until renewal of a lease. • Lease renewal applications will not be accepted. • Pending lease renewal applications will be issued under the <i>Mining Regulations</i>. <p>Transfers of Mineral Interests</p> <ul style="list-style-type: none"> • Transfers of mineral interests will not be accepted. <p>Recorded Documents</p> <ul style="list-style-type: none"> • The Mining Recorder shall continue to record documents under 82(1)(a) (court orders) and (b) (royalties) of the <i>Mining Regulations</i> but not documents under 82(1)(c) (every other type of document). <p>Royalties</p> <ul style="list-style-type: none"> • Royalties will continue business as usual. 	
15.2	How long will the blackout period be?	The blackout period will be 90 days long. The date of the blackout period is still to be determined.	<p>This duration has been selected to:</p> <ul style="list-style-type: none"> • Allow sufficient time for system migration and testing; • Enable completion of existing applications and administrative work; • Account for claims that may have been ground-staked just before the blackout period begins. <p>Under the current system, prospectors have up to 60 days to apply to record a claim after staking. The 90-day blackout period ensures these claims can still be processed appropriately before the transition to OMS.</p> <p>The dates for the blackout period have not yet been determined. Public engagement feedback has indicated a desire to accelerate the implementation of Online Map Staking (OMS). The blackout period will support this transition by enabling OMS to be implemented as quickly as possible.</p>

Part 3: Temporary Restricted Areas (TRAs)

#	Relevant clause from the <i>Mineral Resources Act</i>	Topic	Proposed policy intent for regulations to fulfill the <i>Mineral Resources Act</i> clause	Why the new or updated regulation is being proposed and how it is suggested to be implemented
16	S. 23(2) Designation of restricted area by Minister	What are Temporary Restricted Areas (TRAs)?	<ul style="list-style-type: none"> • A Temporary Restricted Area (TRA) is an area of land in the Northwest Territories where new mineral interests cannot be issued for a limited period of time (up to one year, with a possible extension of up to one additional year). • TRAs may be applied for by an Indigenous Government or Organization or designated by the Minister. • TRAs will not be available to be staked on the Online Map Staking system. • Under section 23 of the <i>Mineral Resources Act</i>, a TRA may be designated by the Minister when an area is identified as having potential archaeological, cultural, ecological, geological, or historical significance that reasonably justifies the restriction. • TRAs provide a short-term way to protect critical areas quickly, while longer term protections may be sought under other acts and legislation. • TRAs will not overlap with existing claims, leases, and production licences, or where there are other restrictions already in place, such as withdrawn lands, protected areas or cemeteries. 	TRAs are intended to provide short-term protection to an area of land considered to have either archaeological, cultural, ecological, geological, or historical significance while more longer-term protections are considered and applied for by the TRA applicant.
16.1	S. 23(2) Designation of restricted area by Minister	How TRA Requests are Assessed	<p>The Minister will put a pause on the issuance of mineral tenure while considering a pending TRA application. Industry, Tourism and Investment (ITI) will develop a form for TRA applications which will require that certain criteria be met and identify which relevant long-term protective measure is being pursued by the applicant.</p> <p>TRA requests will be evaluated based on whether the area has potential significance, including:</p> <ul style="list-style-type: none"> • Archaeological • Cultural • Ecological • Geological • Historical <p>Additional Considerations</p> <ul style="list-style-type: none"> • Whether there are existing mineral claims, leases, or pending applications in the area; • Potential impacts on current rights and activities. <p>If the proposal meets those requirements and there is a plan towards seeking long-term protection mechanism for the area, the Minister shall put a pause on the issuance of any pending mineral claims in the area and will begin engagement with IGOs and other GNWT departments before making a decision. If a prospector is seeking to stake a claim encompassing the proposed TRA area, there is the possibility of perhaps negotiating with the proposing body to issue the claim subject to terms and conditions prohibiting development within the TRA area.</p> <p>It is up to the TRA applicant(s) to identify the relevant act to be used for pursuing longer-term protection measures.</p> <p>GNWT will engage with all applicable Indigenous Governments and Organizations (IGOs) that may have settlement areas or asserted traditional territories overlapping with the proposed TRA.</p>	<p>TRA application requests are assessed in a manner that:</p> <ul style="list-style-type: none"> • Ensures that TRAs are only issued when required criteria are met; • Supports evidence-based decisions; and • Balances protection of areas of potential significance with encouraging mineral exploration in the territory. <p>GNWT will engage with all applicable IGOs that may have settlement areas or asserted traditional territories overlapping with the TRA to ensure that Indigenous perspectives are considered.</p>

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			<p>The Minister shall consider the feedback provided by the IGOs and other GNWT departments before making a decision on whether to designate the TRA. The Minister may decide the length of time that the TRA will be designated, for up to one year, with a possible extension of up to one additional year.</p> <p>If a TRA is issued, IGOs will be notified, and the TRA will be posted on the mineral tenure viewer for the public to see.</p>	
16.2	S. 23(2) Designation of restricted area by Minister	TRA Size	<ul style="list-style-type: none"> The minimum TRA size will be 25 hectares (500 m × 500 m) As per section 23(2) of the MRA, the TRA must cover the minimal area necessary to preserve the unique archaeological, cultural, ecological, geological or historical attributes of the area. A maximum size is still being determined. 	<p>Why these size rules?</p> <ul style="list-style-type: none"> The minimum size aligns with the minimum claim size, ensuring consistency with the tenure system. It provides a practical minimum area to protect important features and include a buffer. Justifications must be provided for why each section of the area should be protected (explanations of the archaeological, cultural, ecological, geological or historical attributes).
16.3	S. 23(2) and S. 23 (14) Designation of restricted area by Minister	TRA Duration	<ul style="list-style-type: none"> A TRA may be in place for up to one year, with a possible extension of up to one additional year (see next topic also). 	<p>This duration ensures:</p> <ul style="list-style-type: none"> Restrictions remain temporary and purposeful (the intent is to allow for time to apply for longer term protections). TRAs provide time to look at longer term solutions, but do not serve a mechanism to reserve areas of land over the long term. <p>NWT has a range of protective legislation that can provide long-term protections for these significant areas under legislation administered by:</p> <ul style="list-style-type: none"> Environment and Climate Change Education, Culture and Employment Industry Tourism and Investment
16.4	S. 23(14) Designation of restricted area by Minister	TRA Extensions	<ul style="list-style-type: none"> A TRA may be extended from its one-year duration for up to an additional one year to last for a maximum total duration of two years. Extensions may be requested by either the Minister or IGOs. Before extending a TRA, the Minister will conduct a review of the TRA, including any actions taken and status updates on the intent for longer term protection, and reviewing any exploration in the 	<p>The option to extend a TRA provides additional time to apply for long-term protections if extenuating circumstances have occurred. A TRA cannot have a total duration of over two years.</p> <p>In some cases, more time may be required to complete studies, engage with Indigenous</p>

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			<p>surrounding area. The Minister will make a decision and provide the reasons for the decision on the extension of the TRA.</p> <ul style="list-style-type: none"> The submission of a TRA extension request shall occur no less than 1 month prior to the expiry date of the TRA. <p>How Decisions Are Made Before extending a TRA, the Minister will:</p> <ul style="list-style-type: none"> Review the purpose of the designation; Consider actions taken and current status; Assess surrounding exploration activity. 	<p>Governments and Organizations, or consider whether longer-term protection measures are appropriate. Allowing extensions ensures that decisions are based on adequate information and meaningful engagement, rather than being rushed due to time limits. At the same time, extensions are limited in duration to ensure that restrictions remain temporary and balanced with continued access to mineral exploration opportunities.</p>
16.5	S. 23(12) Designation may be revoked	Revoking a TRA	<p>A TRA may be revoked:</p> <ul style="list-style-type: none"> At the request of the Minister; or At the request of an affected Indigenous Government or Organization. <p>Reasons for Revocation</p> <ul style="list-style-type: none"> The original purpose no longer applies; New information becomes available; The area receives longer-term protection under other legislation. <p>The Minister will conduct a review of merit of the TRA to determine whether the TRA should be revoked. If the TRA is revoked, Indigenous Governments and Organizations will be notified, and the mineral tenure viewer will be updated for the public to see.</p>	<p>Why is it possible to revoke a TRA?</p> <ul style="list-style-type: none"> It provides flexibility to respond to new information Ensures decisions to issue a TRA remain relevant and appropriate.
16.6	S. 23(14) Designation may be extended	TRA Expiry	<p>Upon expiry of a TRA, the lands designated for the TRA will either:</p> <ul style="list-style-type: none"> Re-open for staking, or Resume the issuance of pending mineral tenure, if applicable. The processing of any pending applications will resume in accordance with existing regulatory frameworks, ensuring that no undue delays occur once the restriction is lifted. <p>There will be at least 3 months notification in advance of the expiry of a TRA to applicable IGOs and any proponents with pending mineral claims overlapping the area.</p> <p>The public registry will also indicate when a TRA is set to expire.</p>	<p>By providing clear communication, the GNWT can avoid confusion or disputes about when the lands are available for staking.</p>