

Mining agreements

Mining agreements help ensure that project benefits are shared and risks are mitigated. They can be struck either between proponents and public or Indigenous governments, or between different governments. In jurisdictions like the Northwest Territories, mining agreements are required by law in certain situations.

Yukoners are probably most familiar with one type of mining agreement: impact benefit agreements (IBAs), which are often struck between a mining company and an Indigenous government to provide benefits like resource revenue sharing, Indigenous employment targets and business development opportunities. Currently, IBAs are not required by legislation and their terms are typically confidential.

Other types of agreements, such as agreements between mining companies and governments, ensure community preparedness by helping to provide social services and infrastructure to communities near mines.

We are considering some approaches that would leave agreements up to the parties to a project, and others that would put requirements for certain types of agreements into legislation. We also recognize that different approaches may be required for the quartz and placer sectors.

Potential approaches

Requirements

Agreements could be required for certain types of projects (e.g., over a certain impact or value threshold) and could be linked to specific regulatory requirements (e.g., obtaining a licence). The decision to enter into agreements could also be left to the discretion of the parties, without any legal requirement.

Components of mining agreements

Agreements could address matters such as:

- Capacity funding for Indigenous governments
- Consultation, engagement, and communication protocols
- Economic measures like training, employment, and business development
- Socio-economic measures like programs, services, and infrastructure that support community well-being and preparedness



- Financial benefits like resource revenue sharing or equity participation

Questions

12.1 Do you think the approaches we're considering will help provide additional avenues to address impacts and provide benefits related to projects? Please explain.

12.2 Do you have any thoughts or concerns about the approaches we're considering, or additional things that you think we should consider?

12.3 How important are the following to you:

- making agreements mandatory in some situations
- publicly disclosing the contents of agreements in some situations
- community preparedness for mining projects

Please explain.

12.4 What components do you think are important to include in mining agreements?

