

Mineral Rights Adjudication Board

Annual Report 2025-26

Message from the Chairperson

As Chairperson of the Mineral Rights Adjudication Board, I am pleased to present the annual report for the fiscal year ending March 31, 2026, in accordance with the requirements of a category three entity under the **Transparency and Accountability Act**. The report was prepared under the direction of the Board, which is accountable for the results reported herein.

The Mineral Rights Adjudication Board is committed to ensuring that mineral exploration and development companies who have been aggrieved by the application of the **Mineral Act** or the **Mining Act** have recourse to an appeal.

Sincerely,



Liam O'Brien
Chairperson

Table of Contents

Entity Overview	1
Mandate	1
Vision	2
Primary Clients.....	2
Budget and Expenditures	3
Highlights and Partnerships	3
Report on Performance	3
2025-26 Objective	4
Opportunities and Challenges	5

Entity Overview

Section 37 of the **Mineral Act** provides for the appointment of a Mineral Rights Adjudication Board (the Board). Board members are appointed by the Lieutenant-Governor in Council (LGIC) through a merit-based process in accordance with the **Public Service Commission Act**. Members serve for a three-year term and may be reappointed. The Board consists of three persons, including a chairperson who must be a barrister and at least one member with mining experience. Temporary members may be appointed for up to six months when a member is unable to perform the duties, such as in situations involving a conflict of interest related to a specific grievance.

As of March 31, 2026, the Board membership was:

- Liam O'Brien (temporary Chairperson), reappointed January 30, 2025
- George Jenner (temporary member), reappointed January 30, 2025

Following the expiry of the appointment terms of former chair Megan Reynolds and Board members Roderick Mercer and Michael Regular in December 2025, a process was initiated to appoint new members and reconstitute the Board. In June 2026, the LGIC appointed Nancy Normore and Micheal Regular as new members of the Board and confirmed Liam O'Brien as Chairperson.

Mandate

The Mining and Mineral Development Branch of the Department of Energy and Mines is responsible for overseeing matters related to the promotion, exploration, and development of the province's mineral resources and related industry activity. The Board supports this mandate by ensuring that the mineral tenure rights and requirements governing mineral exploration and mining activities are administered fairly, consistently, and in accordance with legislation.

The Board has exclusive jurisdiction to hear and decide questions, disputes or matters arising under the **Mineral Act**, the **Mining Act**, and applicable regulations, including matters related to:

- the right of a person to obtain licences, certificates and leases, including extensions of licences and leases;
- the suspension or reinstatement of a person's right to stake out claims;
- a decision by the Minister to withhold approval of a transfer, assignment, mortgage, pledge or conveyance of a licence;
- questions of priority respecting the right to obtain licences;
- matters respecting the cancellation of licences and leases, including allegations of non-compliance with licence or lease conditions, and whether a misrepresentation by applicants for licences or leases is material;
- the right of a person to obtain a certificate;
- security deposits required from licence applicants, including right to refunds, forfeitures to the Crown, and the amounts of any refund or forfeiture; and
- other matters related to the rights, privileges, obligations, and duties of persons claiming or holding licences or leases under the applicable legislation.

Vision

Adjudicating grievances under the **Mineral Act** and the **Mining Act** fairly and efficiently.

Primary Clients

The Board's primary clients are mineral exploration companies, prospectors, and licence holders that file grievances related to rights and obligations under the **Mineral Act** and **Mining Act**, and associated regulations.

For additional information about the Mineral Rights and Adjudication Board, please visit: <https://www.exec-abc.gov.nl.ca/public/agency/detail/?id=712&>

Budget and Expenditures

The Board receives operational and financial support from the Department of Energy and Mines. As the Board does not have a stand-alone budget, audited financial statements are not required.

In 2025-26, the Department of Energy and Mines incurred \$4055 in costs associated with the Board's operations, including member remuneration and transcription services.

Highlights and Partnerships

The Board collaborates closely with the Department of Energy and Mines, the Department of Justice and Public Safety, clients and legal counsel to hear and resolve disputes concerning the application of the **Mineral Act**, **Mining Act**, and regulations.

Report on Performance

Strategic Issue: Mineral Rights Adjudication

Individuals who are directly affected by a matter within the Board's mandate may apply to the Mineral Rights Adjudication Board to have the matter reviewed. Upon receiving notice of grievance, the Board must hear the matter, make a decision, and issue its written decision within 90 days, unless the Minister grants an extension. When an extension is required, the Board must request approval from the Minister. Grievances are heard by the full Board on a date determined by the Chairperson. The Board provides its decision in writing, indicating whether the decision was unanimous or by majority, and provides copies to the grievor, other affected persons, and the Minister.

Where necessary, the Board may refer a question of law arising during the hearing to a judge of the Supreme Court of Newfoundland and Labrador for an opinion. The Board may also award costs and determine the amount payable by a party to the grievance or the Crown.

The Board reports annually on its performance against the objectives and indicators set out in its 2023-26 Activity Plan.

2025-26 Objective

By March 31, 2026, the Mineral Rights Adjudication Board will have reviewed all notices of grievance filed under the **Mineral Act** or the **Mining Act**.

Indicators:

- **Adjudicated all grievances in a timely manner**
- **Issued decisions in a timely manner**

During 2025-26, the Board closed three grievances, carried forward one, and received four new grievances. The Donna Lewis grievance represents a continuingly complex matter involving historical mineral rights (21890M and 21891M). Decisions in two of the closed grievances were appealed to the Supreme Court by the Department of Justice and Public Safety on behalf of the Department of Energy and Mines. A summary of the grievances considered by the Board during the fiscal year is provided in Table 1.

Table 1. Grievances considered by the Board in 2025-26

Grievance	Submission Date	Decision Date	Current Status
Donna Lewis	June 17, 2020	n/a	Ongoing
Almar Consultants	November 29, 2024	September 22, 2025	Closed, JPS appealed to Supreme Court
Freeport	June 4, 2025	n/a	Ongoing
Chain Rock	July 7, 2025	September 23, 2025	Closed
Arlene Collins	July 18, 2025	September 22, 2025	Closed, JPS appealed to Supreme Court
Dean Fraser	February 19, 2026	n/a	Ongoing

Opportunities and Challenges

The Government of Newfoundland and Labrador continues to advance efforts to strengthen the Province's position as a leading jurisdiction for mineral exploration and development. The Province has consistently ranked among the top jurisdictions for investment attractiveness, reflecting its mineral potential, stable business environment, and regulatory framework.

As opportunities for mineral exploration, development, and value-added activity continue to grow, maintaining an efficient and effective regulatory system remains important to attracting investment and supporting responsible resource development. The Board contributes to this system by hearing and determining questions, disputes, and matters arising under the **Mineral Act**, **Mining Act**, and associated regulations.

Government, industry, and other stakeholders continue to support responsible mineral development while addressing emerging opportunities and challenges within the sector. Ongoing reviews of mineral legislation provide opportunities to further strengthen Newfoundland and Labrador's regulatory framework and support the continued effectiveness and responsiveness of the Board.

