

References:

Miner's Lien Act

Quartz Mining Act
Section 3

Placer Mining Act
Section 7

Information Sheet

How to record a miner's lien

This information sheet provides clarity on the process of recording a miner's lien against placer claims or quartz claims. If you require further information please contact your district Mining Recorder's Office or visit the Mineral Resources Branch website (www.emr.gov.yk.ca/mining).

This interpretive bulletin is not legal advice, and should not be relied upon for legal purposes. It is intended to summarize certain aspects of the Quartz and Placer Mining Acts and the Miner's Lien Act related to mineral rights and, as such, does not attempt to present all aspects of the acts and regulation. This document may be amended from time to time. For complete information, the reader must refer to the Quartz and Placer Mining Acts and the Miner's Lien Act and Regulations. The information in this document is for your convenience and guidance and is not a replacement for the legislation.

Mining recorder staff are not legal counsel

As with any legal issue, it is advisable that claimants seek out legal advice regarding their situation. Mining Recorder's Offices cannot and will not give legal advice regarding the Miner's Lien Act. Mining Recorder's Offices only record (i.e. register or deposit) lien documents.

Recording a lien

Mining recorders do not administer the *Miner's Lien Act*. The Mining Recorder's Office will accept lien documents for registration under the *Placer Mining Act* (section 7) or *Quartz Mining Act* (section 3) but will not review lien documents for content, completeness, or compliance with the *Miner's Lien Act*. As such, acceptance of lien documents by the Mining Recorder's Office does not mean that the documents meet the requirements of the *Miner's Lien Act*.

To record a lien, claimants must deposit their documents at the district Mining Recorder's Office and pay the applicable fees. Specifically, claimants must complete and submit [Form 1 and Form 3](#) (note: these forms are not fillable online). The forms are available at all district Mining Recorder's Offices or can be printed from the website.

Claimants must:

1. submit [Form 1 and Form 3](#);
2. pay the applicable fees; and,
3. provide a list of the claims within 45 days of the last day the work or service was performed or the materials furnished.

In addition, within 60 days of recording the lien with the district mining recorder, claimants must:

1. make an application to the Yukon Supreme Court to realize the claim or the lien becomes invalid;
2. ask the Court to issue a Certificate of Pending Litigation (lis pendens) to the claimant;
3. file the certificate with the district Mining Recorder's Office; and,
4. record all other subsequent documents.

If the claimant does not file the Certificate of Pending Litigation within 60 days, the lien will no longer be valid, but it will remain on the record of the claim(s). Once recorded, a lien will always remain on the record of the claim(s).

To show that the lien has been satisfied on the record of the claim(s), the documents for a discharge or withdrawal of the lien must be filed with the Mining Recorder's Office ([Form 2 and Form 3](#)). As stated above, the lien will always show as a part of the record of the claim(s), as will a discharge or withdrawal, if applicable.

Fees for recording a document

The fees to record documents are \$2.00 for first placer claim and \$1.00 for each additional placer claim listed in the registered document. For quartz claims, the fee is \$2.50 for the first quartz claim and \$1.00 for each additional quartz claim listed in the document.

FOR MORE INFORMATION, PLEASE CONTACT:

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