



Energy, Mines and Resources
Oil and Gas Resources

Additional Information Regarding the Regulation of Oil and Gas Activity and the Issuance of Oil and Gas Rights in Yukon

Updated November 29, 2012

Oil and Gas companies are advised to make themselves aware of legislation and other documents that will affect how oil and gas activity (as defined in the *Oil and Gas Act*) are conducted in Yukon. The list in this document is not exhaustive. It is the responsibility of proponents to meet the requirements of the laws of Yukon in relation to oil and gas activity and operations.

Proponents of oil and gas activity in Yukon must comply with two mandatory application processes.

Licences related to oil and gas activity are issued through the authority of the Chief Operations Officer of Oil and Gas Resources (OGR). Proponents must satisfy requirements established by the *Oil and Gas Act* (Act).

In tandem with the OGR application process, proponents must also prepare and submit a separate application according to the *Yukon Environmental and Socio-Economic Assessment Act* (YESAA). On November 28th 2005, YESAA replaced Yukon's *Environmental Assessment Act* (EAA) and the *Canadian Environmental Assessment Act* (CEAA). More information about YESAA can be found at www.yesab.ca.

1. *Oil and Gas Act*: Licensing of oil and gas activities

Section 64 of the Act prohibits the carrying out of any oil and gas activity except under the authority of a licence issued by the Chief Operations Officer under the Act. Currently, oil and gas activities are governed by the following Yukon legislation:

- *Oil and Gas Act*: Part 3 (Oil and Gas Operations) and relevant provisions in Parts 1 and 4.
- *Oil and Gas Geoscience Exploration Regulations* governing Geoscience Exploration Licences and geophysical, geological, and test hole operations.
- *Oil and Gas Drilling and Production Regulations* governing Well Licences and drilling, production and well-related operations, and Field Facility Licences and operations related to field facilities (as defined).
- *Oil and Gas Licence Administration Regulations* which contain provisions applicable to all licences and oil and gas activities.

2. Oil and Gas Act: Opportunities for Business Benefit Agreements Respecting Employment and Training

Section 68 of Yukon's *Oil and Gas Act* states that no oil and gas activity shall be carried out under the authority of a licence unless a benefit opportunities agreement is in effect in accordance with this section. A benefit opportunities agreement is required to contain undertakings by the licensee to provide to the Yukon First Nation and its citizens, residents of communities affected by the activity, and other Yukon residents, opportunities for employment and training, and opportunities to supply goods and services to the licensee and its contractors, through any means or structures that are appropriate in the circumstances.

3. Other legislation affecting oil and gas activities, including environmental and socio-economic impacts, surface access and resource management

In addition to the OGR application process, the following is a list federal and Yukon legislation that may affect oil and gas activities and/or require further approvals or permits from the licensee. More Yukon legislation is posted online at <http://www.gov.yk.ca/legislation/index.html>.

Yukon Legislation

- *Environment Act*
- *Forest Protection Act*
- *Highways Act*
- *Historic Resources Act*
- *Lands Act*
- *Motor Vehicles Act*
- *Occupational Health and Safety Act (Yukon)*
- *Parks and Land Certainty Act*
- *Public Health and Safety Act*
- *Territorial Lands (Yukon) Act*
- *Waters Act*
- *Wilderness Tourism Licensing Act*
- *Wildlife Act*
- *Workers' Compensation Act*

Federal Legislation

- *Canada National Parks Act*
- *Explosives Act (Canada)*
- *Fisheries Act (Canada)*
- *International Boundary Waters Treaty Act (Canada)*
- *Migratory Birds Convention Act, 1994 (Canada)*
- *Navigable Waters Protection Act*
- *Transportation of Dangerous Goods Act, 1992 (Canada)*
- *Yukon Environmental and Socio-economic Assessment Act (Canada)*
- *Yukon Surface Rights Board Act (Canada)*

This is not an exhaustive list.

4. Yukon First Nation Final Agreements

Eleven of the fourteen Yukon First Nations have concluded “Yukon First Nation Final Agreements”, that is, final land claim agreements with the Governments of Canada and Yukon. These Final Agreements may apply in addition to federal and Yukon laws. For more information see:

- the *First Nations (Yukon) Self-Government Act*,
- the *Yukon First Nations Land Claims Settlement Act*, and
- online at <http://www.gov.yk.ca/legislation/index.html>.

5. Yukon Oil and Gas Best Management Practices

Yukon has developed and is continuing to develop best management practices for oil and gas exploration and development activities. Yukon Oil and Gas Best Management Practices are found on the Oil and Gas Resources website at www.yukonoilandgas.com. While the Oil and Gas Best Management Practices are not legislation, they are considered by officials at Oil and Gas Resources in the course of administering the Act and its regulations.