

Yukon Surface Rights Board

Chapter 150

General Information

Background

The *Yukon Surface Rights Board Act* c.43 (the “Act”) was assented on December 15, 1994. The Act called for the establishment of a quasi-judicial tribunal, the Yukon Surface Rights Board (the “Board”). The Board resolves disputes regarding surface rights issues falling within its jurisdiction.

The Act was drafted to reflect the principles established in Chapter 8 of the Umbrella Final Agreement (the “UFA”), the framework comprehensive land claim agreement made between the Government of Canada, the Council for Yukon Indians (now the Council of Yukon First Nations – “CYFN”) and the Government of the Yukon. The Act and the Board’s Rules of Procedure guide the functions of the Board.

Responsibilities

The Board’s jurisdiction is derived from several federal and territorial (Yukon) statutes. The prime authority for the Board’s jurisdiction is the *Yukon Surface Rights Board Act (Canada)*. Pursuant to this Act and as its primary mandate, the Board may hear and render decisions on access disputes between surface and subsurface rights holders in the Yukon. The Board may also hear matters relating to disputes concerning specified substances (e.g. earth, clay, shale, gypsum, gravel, and marl), quarries, and the expropriation of Settlement Land. In addition, matters relating to security and compensation for activities occurring on quartz and placer claims may be heard by the Board, as provided for in the *Quartz Mining Act (Yukon)* and the *Placer Mining Act (Yukon)*.

Legislation

- Yukon Surface Rights Board Act (Canada)
- Quartz Mining Act (Yukon)
- Placer Mining Act (Yukon)

Organization

The UFA and the Act provides that up to 10 persons may sit on the Board, half of which are nominated by CYFN and the other half by the federal government. The federal government nominations are made in consultation with the Government of the Yukon. The Chair of the Board, upon the recommendation of the Board members, is appointed by the Minister of Indian and Northern Affairs Canada. The Board is presently comprised of 4 members and a Chair.

Information Holdings

Program Records

Dispute Application File
Description: Application forms describing the issue(s) in the dispute(s) and any subsequent Board orders, decisions, and reasons for decisions.

Program Record Number: YSR DAF 005

Additional Information

Please see the INTRODUCTION to this publication for information on access procedures under the provisions of the Access to Information Act and the Privacy Act.

Requests for further information about the Board’s programs and functions may be directed to:

Executive Director
Yukon Surface Rights Board
Box 31201
Whitehorse, YT
Y1A 5P7

Tel.: (867) 667-7695
Fax: (866) 637-5091 Toll Free

Email: info@yukonsurfacerrights.ca
Web: www.yukonsurfacerrights.ca

Reading Room

The Board hosts an area within the Board’s office space as a reading room. The Board’s office physical address is:

Suite 206-100 Main Street
Whitehorse, Yukon