Of Prospectuses and Prospectors: Some Legal Gems for Mining Companies

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Among the many challenges facing mining companies, be they privately owned start-ups or more mature publicly traded entities, is the need to make sense of the legal requirements applicable to them. The purpose of this presentation is to provide some background on two aspects of the law as it pertains to mining companies: first, the requirements of National Instrument 43-101 – Standards of Disclosure for Mineral Projects (NI 43-101); and second, the private placement transaction.

In the first half of the presentation, Laurie Jones will discuss the framework of NI 43-101, including its purpose, key principles and recent changes. This portion of the presentation will also discuss at a high level the form of technical report required under NI 43-101, including guidance on how to determine if a qualified person is independent.

In the second half of the presentation, Chris MacIntyre will provide an introduction to the private placement, touching on what it is, why companies might consider undertaking one, and distinguishing between the non-brokered and brokered forms. This part of the presentation will also include an overview of the key documents used in private placements as well as a discussion of the most commonly used exemptions from the prospectus requirement of securities law.

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