

mining law

Mining transactions require more than excellent technical legal skills; in-depth knowledge of the industry and the underlying drivers of success or failure are critical components in ensuring that the optimal results are achieved.

Our Mining Group has extensive hands-on experience in mineral industry issues, in Canada and internationally. Members of the Mining Group have been actively involved in issues and transactions through all stages of exploration, development and production (including the purchase and sale of mines and mineral product) and related environmental issues (including mine closure). We advise on negotiations with First Nations, production financing, securities issues, bank financing, takeover bids, foreign investment, government relations and corporate social and responsibility issues. In addition, the Mining Group provides mineral policy and strategy advice to governments and industry participants globally.

Our diverse mining client base includes governments, financial institutions, investment dealers, banks and investment funds of all types and companies engaged in all segments of the mineral industry from exploration through development and production, smelting, refining and metal marketing. Members of the Mining Group have worked in-house for major international mining companies and understand the need for cost-effective practical advice and assistance in getting deals done.

To complement our mining and minerals practice, we have a group of environmental practitioners with mining industry environmental experience. Our environmental lawyers are knowledgeable in all aspects of permitting, reclamation, as well as sustainable development. From our offices in Toronto, Montreal and Calgary and through an international network of law firms and mineral industry contacts, our lawyers have helped clients complete mining transactions in more than 75 countries in recent years.

A number of members of the Mining Group have direct ties to or are from active mining regions around the world such as Russia, China and South America. Their in-depth familiarity with these jurisdictions enables them to provide on-the-ground experience and language capabilities to assist in the smooth execution of transactions in these areas of the world.

Our mining expertise is supported by other practice areas in the firm such as international dispute resolution, debt products and project financing, tax, employment law, litigation, securities and general corporate law as well as a number of other practice areas.

corporate client services

McMillan provides ongoing legal assistance to corporate clients as their worldwide activities evolve from the exploration to the production stage. Examples of agreements which we regularly prepare include: the purchase and sale of mining properties, options, earn-ins, royalty and joint venture agreements, bullion loans, sales agreements, project loan documentation and smelting and refinery contracts. In addition, we assist our clients in matters such as corporate governance and regulatory compliance with all Canadian stock exchanges and regulatory agencies.

Drawing on the experience and expertise of other groups within the firm, we have acted for corporations, commercial banks, investment banks, hedge funds and a variety of private equity and other investment funds in numerous debt and equity offerings. We are regularly engaged in initial public and secondary equity offerings, private placements, flow-through equity offerings, prospectus debt offerings and other forms of innovative financing. We also provide advice in connection with takeover bids, mergers and acquisitions and have assisted clients in obtaining and maintaining listings on many stock exchanges throughout the world.

commercial and investment bank client services

We are one of the few firms in Canada with in-house mining expertise and the capability to review the most complex mining agreements and related documentations. We are often selected to conduct due diligence of mineral industry assets, mineral exploration and development companies and company personnel in major international mining transactions. In addition, our international experience and our network of foreign legal professionals has enabled us to confirm title to mineral and material resource properties located in both common law and civil code jurisdictions around the world.

governmental and regulatory client services

Members of our Mining Group monitor legislation and policies affecting the worldwide resource industry and have played a role in the formulation of mineral legislation in a number of countries. We have also assisted clients and industry groups in making submissions to governments and regulatory authorities regarding issues of concern to the Canadian and international mineral and natural resource industries.

For more information, contact any of the lawyers listed below:

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