

Saskatchewan Critical Minerals Innovation Incentive Program

Program Overview and Application Instructions

The Saskatchewan Critical Minerals Innovation Incentive (SCMII) is a transferable oil and gas royalty/freehold production tax credit program available to qualifying companies that demonstrate eligible innovations in Saskatchewan of a qualifying material. (aluminum, cobalt, copper, gallium, helium, lithium, magnesium, natural graphite, nickel, rare earth elements, or zinc)

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Program Overview

Launched in August 2024, SCMII is open to innovative projects at both the pilot/demonstration level and at the commercial scaling level, with an additional requirement that projects must be related to one of the eligible activities defined in *The Saskatchewan Critical Minerals Innovation Incentive Regulations* and *The Saskatchewan Critical Minerals Innovation Incentive Policy Guidelines*. Applicants may either directly own the innovation or have a recognized licence for the innovation. Furthermore, an innovation's research and development does not need to occur within Saskatchewan in order to be eligible for SCMII.

Applications to the program will be accepted from August 1, 2024, until March 31, 2029.

Applicants that successfully meet all SCMII requirements will receive transferable crown royalty and freehold production tax credits equal to 25 per cent of approved eligible costs, as outlined in an agreement between the applicant and the Ministry of Energy and Resources. To be considered as an eligible project, a minimum of CAD\$1 million in eligible costs must be incurred. Once an applicant has successfully completed the application process, has entered into an agreement with the Ministry of Energy and Resources, and has incurred a minimum of CAD\$1 million in eligible costs, the SCMII-eligible corporation will be eligible for the following:

- Earn credits by providing the Ministry of Energy and Resources with documentation showing that eligible costs have been incurred, as well as an expert third party verification of the incurred costs; then
- Transfer earned credits to other corporate entities with an Integrated Resource Information System (IRIS) Business Associate Identification (BA ID); and/or
- In the case of a helium producer, the Ministry of Energy and Resources will automatically apply the earned credits toward the remission of oil, gas, and helium crown royalties and freehold production taxes owed in Saskatchewan.

Qualifying Criteria

Before making an application to SCMII, the applicant must thoroughly review the following:

- [The Financial Administration Act, 1993](#) – section 24
- *The Saskatchewan Critical Minerals Innovation Incentive Regulations*

Note: All information and forms pertaining to SCMII can be accessed on the program's webpage.

To qualify for SCMII, an applicant must submit a complete application form demonstrating that the company's proposed project meets all of the following eligibility requirements. Additional details regarding each of the eligibility requirements can be found in the *SCMII Policy Guidelines (August 2024)*.

a) Is an eligible innovation that:

- i. is new to Saskatchewan’s industry for a qualifying material* and does not have an equivalent in the Saskatchewan market; or,
- ii. has an equivalent in Saskatchewan’s industry for a qualifying material*, but is being demonstrated on a significantly different scale or under significantly different conditions that add a degree of novelty or new technical challenges.

Additionally, in order for an innovation to be considered as eligible, it must be confirmed to be at a minimum “SCMII Technology Readiness Level” of Level 7, with respect to the following chart:

Level of Readiness	Description of Level of Readiness
Level 1: Basic principles of concept observed and reported	Scientific research begins to be translated into applied research and development. Activities might include paper studies of a technology’s basic properties
Level 2: Technology concept and/or application formulated	Invention begins. Once basic principles are observed, practical applications can be invented. Activities are limited to analytic studies.
Level 3: Analytical and experimental critical function and/or proof of concept	Active research and development is initiated. This includes analytical studies and/or laboratory studies. Activities might include components that are not yet integrated or representative.
Level 4: Component and/or validation in a laboratory environment	Basic technological components are integrated to establish that they will work together. Activities include integration of “ad hoc” hardware in the laboratory.
Level 5: Component and/or validation in a simulated environment	The basic technological components are integrated for testing in a simulated environment. Activities include laboratory integration of components.
Level 6: System/subsystem model or prototype demonstration in a simulated environment	A model or prototype that represents a near desired configuration. Activities include testing in a simulated operational environment or laboratory.
Level 7: Prototype ready for demonstration in an appropriate operational environment	A prototype at the planned operational level that is ready for demonstration in an operational environment. Activities include prototype field testing.
Level 8: Actual technology completed and qualified through tests and demonstrations	Technology has been proven to work in its final form and under expected conditions. Activities include developmental testing and evaluation of whether it will meet operational requirements.
Level 9: Actual technology proven through successful deployment in an operational setting	Actual application of the technology in its final form and under real-life conditions, such as those encountered in operational tests and evaluations. Activities include using the innovation under operational conditions.

b) Concerns an activity the aim of which is:

- i. to improve recovery of a qualifying material*;
- ii. to manage adverse environmental impacts;
- iii. to increase value-added processing capacity; or
- iv. to commercialize production byproducts or waste for a qualifying material*.

c) Involves a minimum investment of CAD\$1 million in eligible costs; and,

d) Has not become operational, as determined by the minister, before the eligible project application is submitted.

*A qualifying material is described as any of the following: aluminum, cobalt, copper, gallium, helium, lithium, magnesium, natural graphite, nickel, rare earth elements, or zinc.

Application Steps

1. The applicant downloads the *SCMII Application Form* from the SCMII [website](#).
2. Once the applicant is prepared to submit the application form, they e-mail the completed form and any supporting documents to the Ministry of Energy and Resources at scmii@gov.sk.ca.
3. The Ministry of Energy and Resources will confirm receipt of the completed application form or indicate the form as being incomplete by e-mailing the address provided in the Application Form's Section 1: Contact Person Information.
4. The Ministry of Energy and Resources will process the completed application form and assess the proposed project against the eligibility requirements established in *The Saskatchewan Critical Minerals Innovation Incentive Regulations*.
5. Once the application assessment has concluded, successful applicants will receive a *Letter of Conditional Approval* to the SCMII program via e-mail to the address provided in the Application Form's Section 1: Contact Person Information.
6. Following conditional approval, the applicant and the Ministry of Energy and Resources will enter into a formal agreement. The agreement will detail the proposed project's description and operational plan, an itemized listing of eligible costs, construction/operational timelines, other relevant parties participating in the project, and other similar information. For the purposes of improving a third party's ability to audit eligible costs, it is recommended that the applicant's auditor be engaged during the agreement drafting phase.
7. After an agreement is finalized, the applicant will execute the proposed project in accordance with the parameters outlined in the agreement.

For the SCMII process overview flow chart, see page 7.

Application Review

An applicant may submit an application form to the SCMII program any time between August 1, 2024, and March 31, 2029. Applications may be submitted prior to an applicant's final decision to construct/execute the proposed project. Upon receiving a *Letter of Conditional Approval* and entering into a formal agreement with the Ministry of Energy and Resources, the applicant may begin executing the eligible project knowing that the project, as proposed, meets the SCMII requirements, and is eligible to earn credits (assuming that the conditions outlined within the agreement accurately reflect the initial proposal and comply with *The Saskatchewan Critical Minerals Innovation Incentive Regulations*).

The Ministry of Energy and Resources will assess the application to ensure that the proposed project meets all eligibility requirements.

- a. If it is found that the applicant's proposed investment project does not meet the eligibility requirements, the applicant will be advised via e-mail, detailing which criteria was not met.
- b. Where an applicant's proposed project does meet the eligibility requirements, they will be issued a *Letter of Conditional Approval* via e-mail.

Upon receiving a *Letter of Conditional Approval*, the applicant will be advised of the steps required to enter into a formal agreement and be fully admitted into the SCMII program; the *Letter of Conditional Approval* will also outline steps necessary to earn credits.

Final Eligibility Review

Once the proponent has entered into an agreement with the Minister of Energy and Resources and reaches a minimum of CAD\$1 million in eligible costs, the proponent may submit a Royalty Credit Application via IRIS with an attached *Eligible Cost Submission Form*, along with all required supporting documentation (including an Assurance Report issued by a third party licensed Chartered Professional Accountant), to verify that eligible costs were incurred in accordance with the agreement.

- a. This form and the supporting documentation will be assessed to ensure that the project and eligible costs meet the conditions of approval (eligibility requirements). If ineligible, in whole or in part, the applicant will receive a letter detailing the Ministry of Energy and Resource's rationale.
- b. If eligible, the applicant will receive a *Certificate of Approval*, and the earned credits will be automatically applied against oil, gas, and helium crown royalties and freehold production taxes owed in Saskatchewan. Successful participants will be given an opportunity to transfer their royalty credits at any point in time after receiving a *Certificate of Approval*.

Attachments that must be submitted with the Royalty Credit Application and *Eligible Cost Submission Form* include:

- An Assurance Report, issued by a third party licensed Chartered Professional Accountant, providing reasonable assurance in accordance with the Canadian Auditing Standards (CAS) 805, Special Considerations – Audits of Single Financial Statements and Specific Elements, Accounts, or Items of a Financial Statement.
- Detailed Cost Breakdown – itemized breakdown of the eligible cost made with respect to the eligible project. It must be demonstrated that all eligible costs were incurred in accordance with the agreement established between the participant and the Ministry of Energy and Resources and were made for the purpose of carrying out the approved eligible project.

Attachments that may be required to be submitted with the Royalty Credit Application and *Eligible Cost Submission Form* include:

- If requested, an Efficiency/Productivity Analysis Summary, issued by a licensed engineer; and,
- If requested, an Appraisal, issued by a licensed real estate appraiser.

Earning Credits

SCMII is a transferable crown royalty and freehold production tax credit program, where credits will be automatically applied against the participant's oil, gas, and helium crown royalty and freehold production taxes in Saskatchewan or, if requested, will be transferred to any other corporate entity with an IRIS BA ID in Saskatchewan. All unused credits will expire on March 31, 2040. Once a *Certificate of Approval* is issued, the applicant will have earned credits in association with the eligible costs recognized.

Following the receipt of a *Certificate of Approval*, the applicant may submit a Royalty Credit Transfer Application(s) to the Ministry of Energy and Resources in order to transfer their credits via the online IRIS platform.

Definitions

Applicant – The corporate entity that submits an application to the SCMII program.

Application Form – An applicant submits this form as the first step of the SCMII qualification process. This contains contact person information, company information, details of the planned project and the applicant's declaration. If eligible, an applicant will receive a *Letter of Conditional Approval* for their project.

Certificate of Approval – A participant may receive this certificate once they have incurred a minimum of CAD\$1 million in eligible costs associated with the eligible project, and once they have submitted a complete *Eligible Cost Submission Form* to the Ministry of Energy and Resources. This certificate will identify the amount of eligible costs recognized by the Ministry of Energy and Resources and entitles the participant to transferable royalty credits valued at 25 per cent of eligible costs.

Eligible Costs – Please refer to the *SCMII Policy Guidelines (August 2024)* on the SCMII website.

Eligible Cost Submission Form – A participant submits this form to earn credits. This form contains information that will confirm that the applicant incurred costs in compliance with the agreement, and has incurred at least CAD\$1 million in eligible costs associated with the eligible project. At this point in time, the Ministry of Energy and Resources will review the submissions and, if confirmed, provide the applicant with a Certificate of Approval that allows them to claim their royalty credits.

Letter of Conditional Approval - This letter will be issued if a *SCMII Application Form* is considered successful. After an applicant receives a *Letter of Conditional Approval*, they must enter into a formal agreement with the Ministry of Energy and Resources to confirm their approval into the SCMII program.

Participant – The corporate entity that has entered into a SCMII agreement with the Ministry of Energy and Resources.

Qualified Third Party - An auditor, engineer, or real estate appraiser who is a member in good standing of a professional association recognized by the Ministry of Energy and Resources. The qualified person must be arm's-length from the applicant/participant. Details regarding this can be found in the *SCMII Policy Guidelines (August 2024)*.

Real Estate Appraisal – A common report issued by an Accredited Appraiser Canadian Institute (AACI™), which for the purpose of this program, will assess and document the land purchased, if any, and confirm that the entire lot of land purchased – or portion thereof – that is being used for the purpose of the new or expanded value-added agriculture facility. This report will also verify the fair market value of the purchased land.

Frequently Asked Questions

Can our company apply for this program, even if we are receiving royalty credits or tax rebates from other provincial programs?

Yes. SCMII eligibility is not affected by eligibility for any other existing provincial programs.

What are some examples of Improving Qualifying Material Recovery activities?

Improving qualifying material recovery means that the project is intended to increase qualifying material production or recovery rates. This can be achieved by generating production efficiencies, optimizing recovery processes, reducing downtime, executing new secondary and tertiary recovery techniques, or by conducting other activities of this nature.

What are some examples of Managing Environmental Impact activities?

Examples would include activities that reduce adverse environmental impacts. This includes, but is not limited to, activities that directly and incrementally lower an applicant's greenhouse gas (GHG) emissions or provide businesses with the tools to exceed regulatory requirements in efforts to lower emissions, manage land reclamation, protect and manage water, and better manage chemicals or hazardous waste.

What are some examples of increasing value-added processing activities?

Examples would include activities that are intended to raise or operationally enhance capacity for processing of a qualifying material (i.e., mineral refining and upgrading, purifying, or any other value-added project approved by the Ministry of Energy and Resources) at new or existing facilities in the province. This would not include standalone infrastructure projects that are built with the sole purpose of critical mineral transportation or providing feedstock to processing operations.

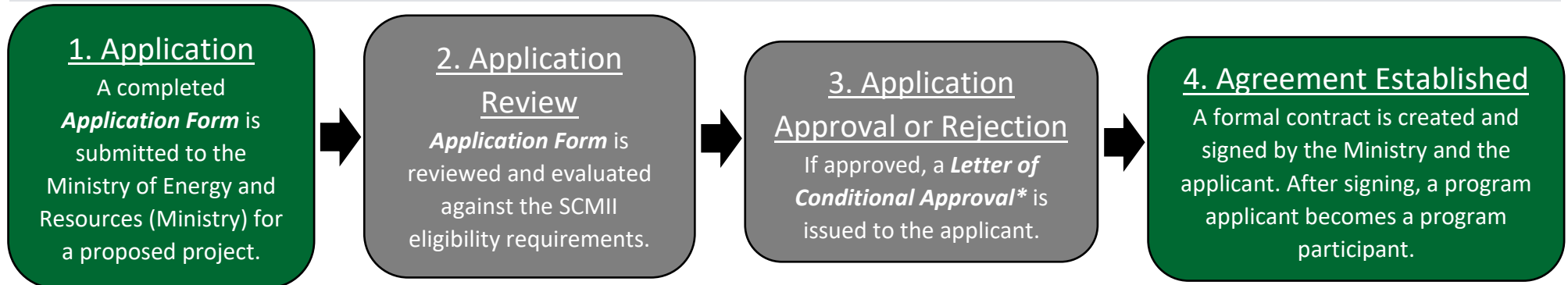
What are some examples of activities of commercializing production byproducts or waste products for a qualifying material?

Commercializing production byproducts or waste products means that the project is intended to monetize a substance or material that is currently unused, discarded, or treated as waste. This category applies to innovative commercialization projects and all other qualifying material production byproducts or waste products, such as: fluid tailings, produced/wastewater, sediments, or chemicals.

Who can I contact with questions in respect to this program?

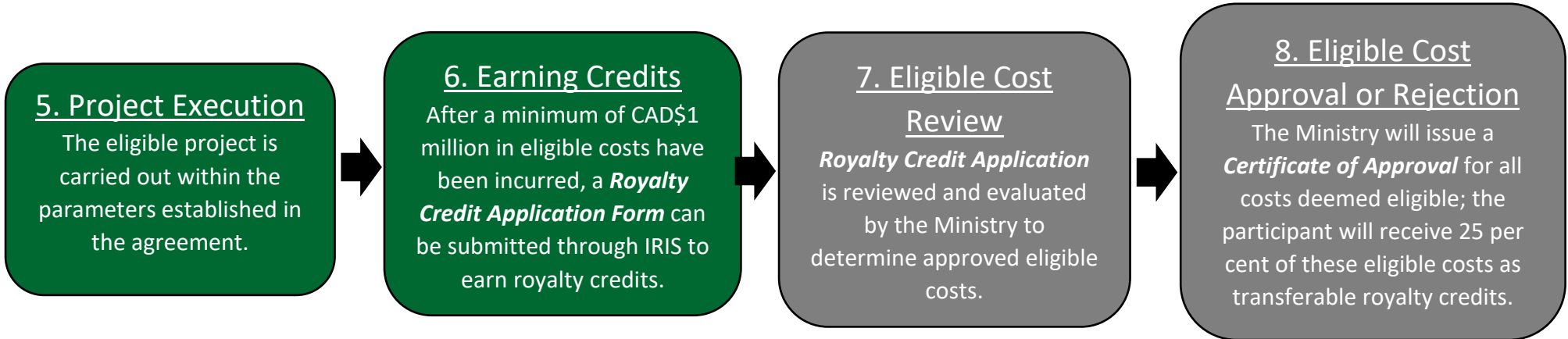
You may send any questions via email to scmii@gov.sk.ca. A program administrator will respond or call you to discuss your inquiry.

Stage 1: Application and Approval to the SCMI Program



*As a result of the program having a royalty credit cap, a Letter of Conditional Approval does not guarantee royalty credits will be available at the time contract drafting is initiated.

Stage 2: Executing the Project, Incurring Costs, and Earning Credits



Stage 3: Using Earned Credits

