



Province of Alberta

WILDERNESS AREAS, ECOLOGICAL RESERVES, NATURAL AREAS AND HERITAGE RANGELANDS ACT

Revised Statutes of Alberta 2000
Chapter W-9

Current as of December 17, 2014

Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer
7th Floor, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Amendments not in Force

This consolidation incorporates only those amendments in force on the consolidation date shown on the cover. It does not include the following amendments:

RSA 2000 c34 (Supp) s8 adds s8.1(3).

RSA 2000 c18 (Supp) s8 amends Schedule.

2004 cB-2.5 s10 adds s1(f.1).

WILDERNESS AREAS, ECOLOGICAL RESERVES, NATURAL AREAS AND HERITAGE RANGELANDS ACT

Chapter W-9

Table of Contents

1	Interpretation
3	Wilderness areas
4	Ecological reserves
4.01	Natural areas
4.1	Heritage rangelands
4.2	Public notice for ecological reserves and heritage rangelands
5	Programs and measures
6	Termination of dispositions
7	Prohibitions against dispositions, permissions, etc.
7.1	Dispositions in natural areas
7.2	Dispositions in heritage rangelands
7.3	ALSA regional plans
8	Prohibited activities
8.1	Other prohibitions and restrictions respecting heritage rangelands only
8.2	Aircraft
8.3	Roads, rights of way and undeveloped allowances
9	Exceptions to certain earlier provisions
10	Destruction and damage to land, etc.
10.1	Contravention of dispositions, permissions and orders
10.2	False or misleading information
11	Access and travel restrictions
12	Regulations
13	Penalties
14	Limitation of time for prosecution
14.1	Vicarious liability
14.2	Additional fine representing value of financial benefits
14.3	Additional powers of court to make directions

- 14.4 Variation of order
- 14.5 Contravention following conviction and order
- 14.6 Compensation in civil case
- 15 Enforcement

Schedule

Preamble

WHEREAS the continuing expansion of industrial development and settlement in Alberta will leave progressively fewer areas in their natural state;

WHEREAS it is in the public interest that certain areas of Alberta be protected and managed for the purposes of preserving their natural beauty and safeguarding them from impairment and industrial development;

WHEREAS to carry out these purposes for the benefit and enjoyment of present and future generations it is desirable to establish certain kinds of areas and reserves and to provide varying degrees of protection to those areas and reserves; and

WHEREAS it is also desirable to establish certain lands as heritage rangelands in order to protect their grassland ecology;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Interpretation

1(1) In this Act,

- (a) “aircraft” means a device that is designed to carry one or more persons or objects through the air in powered or powerless flight;
- (a.1) “conservation officer” means an individual who is a conservation officer by virtue of Schedule 3.1 to the *Government Organization Act*;
- (b) “Crown” means the Crown in right of Alberta;
- (b.1) “cycle” means a device that runs on one or more wheels, that is propelled only by human power and on which an individual can ride, and includes a power bicycle but does not include a wheelchair;

- (b.2) “disposition” means an instrument by which an estate or interest or any other substantial right in or to Crown land, including access to any land or rights relating to land, is or was conveyed by or on behalf of the Crown, with conditions attached, to a person other than the Crown;
- (c) “ecological reserve” means land designated or continued as an ecological reserve under or by section 4;
- (d) repealed 2006 c32 s2;
- (d.1) “heritage rangeland” means land designated as a heritage rangeland under section 4.1;
- (e) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (e.1) “motor vehicle” means a motor vehicle within the meaning of section 1(1) of the *Traffic Safety Act*;
- (f) “natural area” means land designated or continued as a natural area under or by section 4.01;
- (f.01) “offence” means an offence against this statute;
- (f.2) “pack animal” means a mule, donkey, llama, alpaca, goat or any other prescribed animal, but does not include a horse;
- (f.21) “permission” means any form of permission, including a permit, licence, approval, authorization, consent or other form of concurrence that is or may be issued or otherwise given pursuant to this Act, but does not include a disposition;
- (f.3) “prescribed” means prescribed or otherwise provided for by regulations made by the Lieutenant Governor in Council;
- (g) “public land” means land of the Crown in right of Alberta;
- (h) “wilderness area” means an area of land described in the Schedule.

(2) A reference in this Act to “this Act” or to any other statute is to be treated as including a reference to regulations made under it.

(3) A reference in this Act generally to the performing of any act is to be treated as including a reference to an omission so to act.

(4) The Lieutenant Governor in Council may, for the purposes of this statute or specified provisions of this statute, by regulation define any expression used but not defined in this statute, in which case the expression has the meaning so defined.

(5) Subject to this Act, a reference in this Act to any permission is to be treated as referring to such a permission in writing.

RSA 2000 cW-9 s1;RSA 2000 c34(Supp) s4;
2006 c32 s2

2 Repealed 2006 c32 s3.

Wilderness areas

3 The areas of land described in the Schedule are established as wilderness areas.

RSA 2000 cW-9 s3;2006 c32 s4

Ecological reserves

4(1) Subject to section 4.2, the Lieutenant Governor in Council, in order to preserve public land for ecological purposes, may designate as an ecological reserve any area of public land that, in the opinion of the Lieutenant Governor in Council,

- (a) is suitable for scientific research associated with the studies of natural ecosystems,
- (b) is a representative example of a natural ecosystem in Alberta,
- (c) serves as an example of an ecosystem that has been modified by humans and that offers an opportunity to study the recovery of the ecosystem from that modification,
- (d) contains rare or endangered native plants or animals that should be preserved, or
- (e) contains unique or rare examples of natural biological or physical features.

(2) Subject to this statute, land that was an ecological reserve immediately before the commencement of section 5(a) of the *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Amendment Act, 2006* continues to be an ecological reserve after that commencement.

(3) Repealed 2006 c32 s5.

RSA 2000 cW-9 s4;2006 c32 s5

Natural areas

4.01(1) The Lieutenant Governor in Council, in order

- (a) to protect sensitive or scenic public land or natural features on public land from disturbance, and
- (b) to maintain that land or those features in a natural state for use by the public for conservation, nature appreciation, low intensity outdoor recreation or education, or for any combination of those purposes,

may designate any area of public land as a natural area.

(2) Subject to this statute, land that was a natural area immediately before the commencement of section 20 of the *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Amendment Act, 2006* continues to be a natural area after that commencement.

2006 c32 s6

Heritage rangelands

4.1 Subject to section 4.2, the Lieutenant Governor in Council may designate as a heritage rangeland any area of public land, or land in respect of which the Minister has entered into an agreement that gives the Crown the right to designate it as a heritage rangeland, in order to ensure its preservation and protection using grazing to maintain the grassland ecology.

RSA 2000 c34(Supp) s5;2006 c32 s7

Public notice for ecological reserves and heritage rangelands

4.2(1) The Lieutenant Governor in Council shall not designate any land as an ecological reserve or heritage rangeland or remove any land from such a designation or alter the boundaries of an ecological reserve or heritage rangeland (which designation, removal or alteration is in this section referred to as the “proposed action”) unless public notice of the proposed action has been given.

(2) A public notice under subsection (1) must

- (a) state the name of the ecological reserve or heritage rangeland and the general location of the land affected by the proposed action,
- (b) state where and how to obtain the legal description of the land and any additional information relating to the proposed action,

- (c) state whether the proposed action involves the designation, removal of land from the designation or alteration of the boundaries of an ecological reserve or heritage rangeland,
- (d) state the proposed effective date of the proposed action,
- (e) if a public meeting on the proposed action is to be held, give the place, date and time of that meeting,
- (f) give the name and address of a person to whom representations about the proposed action may be made, and
- (g) be published at least 60 days before the proposed effective date of the proposed action in
 - (i) The Alberta Gazette,
 - (ii) at least one issue of a daily newspaper or daily newspapers that have a circulation covering Calgary and Edmonton, and
 - (iii) at least one issue of another newspaper that has a regular circulation in the vicinity of the land affected by the proposed action.

2006 c32 s8

Programs and measures

5 The Minister may carry out or allow the carrying out by other persons of programs or measures, with respect to a wilderness area, ecological reserve, heritage rangeland or natural area,

- (a) for the management and preservation of its animal and plant life and environment,
- (b) for environmental research and reclamation,
- (c) for the furtherance of public education and interpretation in respect of it, and
- (d) generally, for its preservation and protection.

RSA 2000 cW-9 s5;RSA 2000 c34(Supp) s6;
2006 c32 s9

Termination of dispositions

6(1) Subject to subsections (2), (2.1) and (3), if at the time any public land is established as part of a wilderness area or ecological reserve or is added to a wilderness area or ecological reserve a person other than the Crown holds, in respect of that land, an interest under

- (a) a disposition granted under the *Public Lands Act*,
- (b) a lease, permit, easement or other disposition under the *Special Areas Act*,
- (c) a timber disposition within the meaning of the *Forests Act*,
- (d) a surface disposition granted under any other Act, or
- (e) a disposition within the meaning of the *Mines and Minerals Act*,

the Minister of the Crown who is charged with the administration of the relevant Act referred to in clauses (a) to (e) shall ensure as far as practicable that the interest is withdrawn, cancelled or otherwise terminated as soon as possible.

(2) Subsection (1) does not apply so as to require the Minister responsible for the *Mines and Minerals Act* to withdraw, cancel or otherwise terminate an interest under a petroleum or natural gas disposition made under the *Mines and Minerals Act* in an ecological reserve.

(2.1) Subsection (1) does not apply with respect to an interest in privately owned minerals in an ecological reserve.

(3) The Minister may, when an ecological reserve is established or added to, allow interests under

- (a) dispositions granted under the *Public Lands Act* or the *Special Areas Act* in connection with a petroleum or natural gas disposition made under the *Mines and Minerals Act*,
- (b) other dispositions granted under the *Public Lands Act*,
- (c) leases, permits, easements and other dispositions under the *Special Areas Act*,
- (d) timber licences and timber permits under the *Forests Act*, and
- (e) permits to graze livestock granted under the *Forest Reserves Act* and the regulations under that Act

that exist on or relate to the ecological reserve or the land added to the ecological reserve at the time the ecological reserve is established or added to, as the case may be, to continue until their expiry and to be renewed, but no interest referred to in clauses (a) to (e) may be continued or renewed unless the Minister consents in writing to the continuation or renewal.

RSA 2000 cW-9 s6;2002 c30 s32;2006 c32 s10

Prohibitions against dispositions, permissions, etc.

7(1) Subject to section 6, the Crown

- (a) shall not, on land that has been established as a wilderness area, dispose or allow the disposition on its behalf of any of the interests referred to in section 6(1), and
- (b) shall not, on land that has been established as an ecological reserve, dispose or allow the disposition on its behalf of any of the interests referred to in section 6(1)(a) to (d).

(2) Notwithstanding any other law, a Minister of the Crown or a Provincial agency within the meaning of the *Financial Administration Act*, or any other person purportedly authorized by an Act to do so, shall not give any permission that would in the absence of this subsection empower the person to whom it is given to expropriate or acquire any estate or interest in land in a wilderness area or ecological reserve.

(3) No Minister of the Crown, Provincial agency within the meaning of the *Financial Administration Act* or other person on behalf of the Crown shall

- (a) construct, maintain, repair or operate any public work, road, railway, aircraft landing strip, helicopter base, structure or installation in a wilderness area or ecological reserve, or
- (b) expend or authorize expenditure of any money for any of those purposes.

RSA 2000 cW-9 s7;2006 c32 s11

Dispositions in natural areas

7.1 The Crown shall not grant or allow the grant of a disposition in respect of any land in a natural area except

- (a) a disposition that allows access to privately owned land or minerals in or surrounded by a natural area, or
- (b) a disposition under and within the meaning of the *Public Lands Act* or the *Forests Act*, where the activity to be allowed by the disposition is not prescribed to be prohibited,

and in any case without the Minister's permission.

2006 c32 s12

Dispositions in heritage rangelands

7.2(1) Subject to this section, where, at the time when land is designated as or becomes part of a heritage rangeland, a person holds, in respect of that land or any portion of it,

- (a) a disposition under and within the meaning of the *Public Lands Act*,
- (b) a disposition under the *Special Areas Act*,
- (c) a timber disposition under and within the meaning of the *Forests Act*, or
- (d) a disposition under any Act not referred to in clause (a), (b) or (c),

the Minister responsible for that Act shall ensure, as far as practicable, that that instrument is withdrawn, cancelled or otherwise terminated as soon as possible.

(2) Subsection (1) does not apply with respect to

- (a) any disposition providing livestock grazing rights,
- (b) a minerals disposition under the *Mines and Minerals Act*,
- (c) a disposition of an interest in privately owned minerals, or
- (d) a surface disposition that gives access to land covered by a disposition referred to in clause (a), (b) or (c).

(3) The Minister may, when land is designated as or becomes part of a heritage rangeland, give permission for

- (a) dispositions under and within the meaning of the *Public Lands Act*,
- (b) dispositions under the *Special Areas Act*, and
- (c) dispositions in the form of permits to graze livestock under the *Forest Reserves Act*,

that are then subsisting and that relate to the affected land to continue until their expiry or to be renewed, or both.

- (4) Subject to subsection (3), the Crown shall not grant or allow the grant of a disposition in respect of any land in a heritage rangeland other than
- (a) a disposition providing livestock grazing rights or a disposition to provide access to land held under such a grazing disposition or that is otherwise related to such a grazing disposition, under the *Public Lands Act*, the *Special Areas Act* or the *Forest Reserves Act*,
 - (b) a disposition for the working, extraction or removal of subsurface minerals from land that is in or is surrounded by a heritage rangeland, if the right to access the subsurface minerals existed at the time when the land became part of the heritage rangeland,
 - (c) a disposition that allows access to privately owned land or minerals that are in or surrounded by a heritage rangeland, or
 - (d) a disposition or permission to enable the maintenance of range or forest health

and in any case without the Minister's permission.

2006 c32 s12

ALSA regional plans

7.3 When the Minister exercises discretion under section 6(3) or 7.2(3), the Minister shall act in accordance with any applicable ALSA regional plan.

2009 cA-26.8 s93

Prohibited activities

8(1) No person shall

- (a) travel in a wilderness area except on foot,
- (b) hunt or trap animals in a wilderness area or ecological reserve,
- (c) fish in a wilderness area or ecological reserve,
- (d) repealed 2006 c32 s13,
- (e) deposit any litter, garbage or refuse in a wilderness area, ecological reserve, natural area or heritage rangeland except in places provided and designated for that purpose,
- (f) without the permission of the Minister, collect, destroy or remove any plant life or animal life (or bird eggs) or

excavate or remove fossils or other objects of geological, ethnological, historical or scientific interest in a wilderness area, ecological reserve or heritage rangeland,

- (g) take into or use in a wilderness area a horse, pack animal, cycle or any motor vehicle,

(g.1) take into or use in an ecological reserve

- (i) a motor boat or off-highway vehicle,

- (ii) a motor vehicle designed primarily for travel on highways other than on a road (excluding, however, its right of way or undeveloped road allowance),

- (iii) a cycle except on a road or prescribed route, or

- (iv) without the Minister's permission or except as prescribed, a horse or pack animal,

- (h) introduce into, deposit in or add to a wilderness area or ecological reserve a material, substance or organism that is or may be harmful to plant or animal life,

- (i) camp overnight in an ecological reserve,

- (j) light or maintain an open fire in a wilderness area or an ecological reserve, or

- (k) except to the extent allowed by a disposition in a heritage rangeland or without the Minister's permission,

- (i) construct, reconstruct, maintain or add to an improvement on, or

- (ii) do anything that will or might alter or disturb the surface of,

any land in a wilderness area, ecological reserve or heritage rangeland.

(2) Repealed 2006 c32 s13.

RSA 2000 cW-9 s8;RSA 2000 c34(Supp) s7;
2006 c32 s13

Other prohibitions and restrictions respecting heritage rangelands only

8.1(1) Repealed 2006 c32 s14.

(2) The Minister may, by order, for the period or until the time specified in the order or indefinitely, prohibit or restrict fires in a

heritage rangeland or any part of a heritage rangeland and, in the case of any such restrictions, shall specify in the order what the restrictions are.

(3) *A person shall not operate*

- (a) an off-highway vehicle in a heritage rangeland, or*
- (b) a motor vehicle designed primarily for travel on highways in a heritage rangeland other than on a road (excluding, however, its right of way or undeveloped road allowance).*

(NOTE: Section 8.1(3) comes into force on Proclamation.)

(4) and **(5)** Repealed 2006 c32 s14.

(5) A person who contravenes an order of the Minister under subsection (2), or contravenes subsection (3) or (4), is guilty of an offence.

RSA 2000 c34(Supp) s8;2006 c32 s14

Aircraft

8.2 A person shall not land or bring about take-off of an aircraft

- (a) in a wilderness area or an ecological reserve, or
- (b) in a natural area or a heritage rangeland without the Minister's permission.

2006 c32 s15

Roads, rights of way and undeveloped allowances

8.3 If a road, including the road's right of way or undeveloped road allowance, passes through but does not form part of an ecological reserve, natural area or heritage rangeland and is bordered, either continuously or discontinuously, on both sides by land that forms part of an ecological reserve, natural area or heritage rangeland, sections 8 and 8.1 nevertheless apply to that road, including that right of way or allowance.

2006 c32 s15

Exceptions to certain earlier provisions

9(1) Sections 7(3), 8, 8.1, 8.2 and 8.3 do not apply to any of the following actions by the Minister or by persons authorized by the Minister:

- (a) the carrying out of measures or programs referred to in section 5;
- (b) the use of any equipment or means of transportation for the purpose of, or the doing of any act in connection with,

- (i) the prevention or extinguishing of wildfires,
- (ii) the prevention of damage to natural resources or property, or
- (iii) emergencies involving the health or safety of persons.

(2) Without limiting subsection (1), sections 8, 8.1, 8.2 and 8.3 do not apply

- (a) to the use or keeping of any equipment or means of transportation with respect to a heritage rangeland
 - (i) by or on behalf of the Crown,
 - (ii) by or on behalf of the holder of a disposition, where the use or keeping is specifically allowed by a permission given by the Minister or by that disposition, or
 - (iii) by or on behalf of the holder of a registered fur management licence under the *Wildlife Act*, where the use or keeping is specifically allowed by a permission given by the Minister for the purposes of trapping under that licence,
- provided that the Crown or other person ensures that any impact on the environment is minimized when it is so used, or
- (b) to an organization that provides emergency services, or any person working for such an organization, while engaged in any activity referred to in this section.

RSA 2000 cW-9 s9;RSA 2000 c34(Supp) s9;
2006 c32 s16

Destruction and damage to land, etc.

10(1) A person shall not destroy or damage any land, water, plant life or animal life in a wilderness area, ecological reserve, natural area or heritage rangeland.

(2) Subsection (1) does not apply to a person who is destroying or damaging plant life or animal life

- (a) in the course of removing it
 - (i) under a permission given under section 8(1)(f), or
 - (ii) from a natural area under a prescribed permission or in circumstances prescribed as requiring no permission,

- (b) while carrying out an activity allowed by the Minister under section 8(1)(k),
- (c) in the course of carrying out any activity allowed by a disposition or permission in a natural area or heritage rangeland, or
- (d) while carrying on in a natural area or heritage rangeland an activity that is specifically allowed by or under the *Wildlife Act* or the *Fisheries (Alberta) Act* and that is not in contravention of any other provision of this Act.

RSA 2000 cW-9 s10;RSA 2000 c34(Supp) s10;
2006 c32 s17

Contravention of dispositions, permissions and orders

10.1 A person shall not contravene any term or condition

- (a) of a disposition or permission given, or
- (b) of an order made

pursuant to this Act.

2006 c32 s18

False or misleading information

10.2 A person shall not wilfully give false or misleading information to any person acting in the exercise or execution of that person's powers or duties relating to this Act.

2006 c32 s18

Access and travel restrictions

11(1) The Minister may by order close, or prohibit or restrict access to or travel in, a wilderness area, natural area, ecological reserve or heritage rangeland indicated in the order for the period or until the time specified in the order.

(2) In the case of restrictions under subsection (1), the Minister shall specify in the order what the restrictions are.

(3) and (4) Repealed 2006 c32 s19.

RSA 2000 cW-9 s11;RSA 2000 c34(Supp) s11;
2002 c32 s17;2006 c32 s19

Regulations

12(1) The Lieutenant Governor in Council may make regulations

- (a) respecting the management, operation, use and protection of wilderness areas, ecological reserves, natural areas and heritage rangelands and the administration of this Act;

- (b) respecting dispositions in natural areas;
- (c) prescribing any matter or thing that by this statute may or is to be prescribed.

(2) Regulations under subsection (1) may be general or particular and may apply in respect of all wilderness areas, ecological reserves, natural areas and heritage rangelands or in respect of any of them in general, to particular wilderness areas, ecological reserves, natural areas or heritage rangelands or categories of them or to particular portions of identified wilderness areas, ecological reserves, natural areas or heritage rangelands or categories of them.

(3) The *Regulations Act* does not apply to an order made under section 8.1(2) or 11.

RSA 2000 cW-9 s12;2006 c32 s20

Penalties

13(1) A person who contravenes a provision of this Act is guilty of an offence and liable

- (a) in the case of an individual, to a fine of not more than \$100 000 or to imprisonment for a term of not more than 12 months, or to both the fine and imprisonment, and
- (b) in the case of a corporation, to a fine of not more than \$500 000.

(2) Where an offence of a continuing nature continued beyond a single calendar day, the person who committed the offence is additionally liable to the applicable penalty under subsection (1) for each calendar day after the first one on which the offence is held to have continued.

(3) A person is not liable to any additional term of imprisonment solely as a result of the application of subsection (2) or to any term of imprisonment as a result of the application of section 14.1.

RSA 2000 cW-9 s13;2006 c32 s20

Limitation of time for prosecution

14 A prosecution for an offence may not be commenced later than 2 years after

- (a) the date when the act allegedly constituting the offence was committed, or
- (b) the date when evidence of the alleged offence first came to the attention of the Minister or a conservation officer,

whichever is the later.

Vicarious liability

14.1(1) In this section,

- (a) “owner” means the person who is the registered owner of the vehicle under the applicable registration system;
- (b) “registration system” means any official system that is maintained for registering a motor vehicle, cycle, aircraft, boat or trailer;
- (c) “vehicle” means a motor vehicle, cycle, aircraft, boat or trailer that is subject to a registration system.

(2) Where a vehicle is involved in any act or situation (in this section referred to as the “activity”) on the part of an individual that either constitutes an offence or would, in the opinion of the court trying the case, have constituted an offence if that individual had been prosecuted for the activity, the owner is guilty of an offence.

(3) Subsection (2) does not apply if the owner establishes to the satisfaction of the court, on the balance of probabilities, that the activity was not actually performed by the owner or by any other person who had the owner’s expressed or implied consent to have the use of the vehicle at the time of the activity.

(4) Any one person may not be charged both as the owner and as the individual personally involved in the activity.

2006 c32 s20

Additional fine representing value of financial benefits

14.2 Where a person is convicted of an offence and the court trying the case is satisfied that as a result of the act constituting the offence financial benefits accrued directly or indirectly to the person, the court may order the person to pay an additional fine in an amount that does not exceed the amount that the court finds to be the value of those benefits.

2006 c32 s20

Additional powers of court to make directions

14.3(1) Where a person is convicted of an offence, the court may, having regard to the nature of the offence and the circumstances surrounding its commission, make an order against the person containing any one or more of the following directions, which may contain any substance or conditions that the court considers appropriate:

- (a) to refrain from doing anything that may result in the continuation or a repetition of the offence;

- (b) to take action to remedy any harm that resulted, or to avoid any harm or prevent any further harm that may result, from the act that constituted the offence;
- (c) to pay money as compensation for the whole or part of the cost of any remedial or preventive action taken by or on behalf of the Minister (whether the action was one directed under clause (b) or not) in respect of that act;
- (d) to compensate the Crown for any damage to land or other property;
- (e) to post a bond or pay money into court for the purpose of ensuring compliance with any direction under this section;
- (f) to comply with any other conditions that the court considers appropriate for securing the person's good conduct and for preventing the person from repeating or continuing the offence or committing other offences.

(2) Where the court makes an order under subsection (1) directing a person to pay money, the amount due and any interest payable by law on it constitute a debt due to the Crown and may be recovered as such.

2006 c32 s20

Variation of order

14.4(1) A court that has made an order under section 14.3(1) may, on application to the court by the Crown or by the person to whom the order is directed, require the person to appear before it and, after hearing the person and the Minister of Justice and Solicitor General, may vary the order in any of the following ways that the court considers appropriate having regard to a change in the person's circumstances since the order was made:

- (a) by changing any direction contained in it;
- (b) by relieving the person, either absolutely or partially or for any period that the court considers appropriate, from compliance with any such direction;
- (c) by extending or decreasing the period during which the order is to remain in force.

(2) Where an application has been heard by the court under subsection (1), no other application may be made in respect of the same order except with the permission of the court.

2006 c32 s20;2013 c10 s34;2014 c13 s49

Contravention following conviction and order

14.5 Where a person is convicted of an offence, is made subject to an order under section 14.3(1) and subsequently contravenes that order, that person is guilty of an offence against this section and is liable, with respect to that offence, to an additional penalty not exceeding the maximum penalty to which the person was liable for the original offence.

2006 c32 s20

Compensation in civil case

14.6 The Crown may, in an action in debt against a person convicted of an offence or an offence committed in a wilderness area, ecological reserve, natural area or heritage rangeland against any other Act, recover any costs incurred by the Crown in carrying out remedial or preventive action relating to the act respecting which the person was convicted.

2006 c32 s20

Enforcement

15(1) Conservation officers, without limiting their other powers, have all powers that are required for, that are incidental to or that form part of

- (a) the performance of their duties, whether or not those duties are specifically referred to in this Act, or
- (b) any enforcement, investigation, administration or process under or relating to this Act or any directions, requirements, orders or prosecution or other legal proceeding under or relating to this Act.

(2) Sections 8, 8.1, 8.2 and 8.3 do not apply to a conservation officer engaged in the execution of duties under this Act.

(3) Repealed 2006 c32 s21.

RSA 2000 cW-9 s15;RSA 2000 c34(Supp) s12;
2002 c30 s32;2006 c32 s21

16 Repealed 2006 c32 s22.

Schedule

Wilderness Areas

Ghost River Wilderness Area

All those parcels or tracts of land, situated, lying, and being in the Province of Alberta, Canada, and being composed of:

All those portions of what would be if surveyed under the system of surveys under the *Surveys Act*, townships twenty-seven (27) and twenty-eight (28), ranges ten (10) and eleven (11), west of the fifth (5) meridian, which are shown outlined in red on a plan of Ghost River Wilderness area of record in the Minister's Department at Edmonton as Number 1431 Temporary.

The land herein described containing fifty-nine and fourteen hundredths (59.14) square miles, more or less.

Siffleur Wilderness Area

All those parcels or tracts of land, situated, lying, and being in unsurveyed territory in the Province of Alberta, Canada, and being composed of:

All those portions of unsurveyed townships thirty-three (33) to thirty-five (35) inclusive, range sixteen (16), townships thirty-two (32) to thirty-five (35) inclusive, range seventeen (17) and townships thirty-three (33) and thirty-four (34), ranges eighteen (18) and nineteen (19), all west of the fifth (5) meridian,

as shown outlined in red on a map or plan of the said portions of record in the Minister's Department at Edmonton as No. 1370 Temporary.

The land herein described containing one hundred and fifty-nine and thirteen hundredths (159.13) square miles, more or less.

White Goat Wilderness Area

All that parcel or tract of land, situated, lying, and being in the Province of Alberta, Canada, and being more particularly described as follows:

Commencing at a point on the east boundary of Banff National Park, distant three hundred (300) yards northwesterly measured along the said boundary from its intersection with the Norman Creek-Pinto Lake Trail in unsurveyed township thirty-six (36), range twenty-one (21), west of the fifth (5) meridian; thence in a northeasterly direction parallel to the said trail to a point on the left bank of the Cline River, which point is approximately four hundred (400) yards downstream from where the said trail first crosses the Cline River; thence downstream following the sinuosities of the said bank to a point on the said bank opposite the mouth of a small unnamed creek; which point

is approximately one (1) mile upstream from the confluence of the said Cline River with Coral Creek in unsurveyed township thirty-seven (37), range eighteen (18), west of the fifth (5) meridian; thence northwesterly following the height of land forming the west boundary of the watershed of Coral Creek and continuing along the height of land forming the easterly and northerly boundary of the watershed of McDonald Creek to Mount McDonald in unsurveyed township thirty-nine (39), range twenty-one (21), west of the fifth (5) meridian; thence southerly approximately one (1) mile to an unnamed peak; thence westerly down the slope of this latter peak to the source of the easterly fork of an unnamed creek; thence westerly and northerly following the unnamed creek to its intersection with the east boundary of Jasper National Park in unsurveyed township thirty-nine (39), range twenty-one (21), west of the fifth (5) meridian; thence southerly, southwesterly and southeasterly following the east boundary of Jasper and Banff National Parks to the point of commencement.

The land herein described containing one hundred and seventy-one and sixty-five hundredths (171.65) square miles, more or less.

RSA 2000 cW-9 Schedule;2002 c30 s32;
2006 c32 s23



Printed on Recycled Paper 