

Wild Rice Harvesting Act

R.S.O. 1990, CHAPTER W.7

Consolidation Period: From December 31, 1990 to the e-Laws currency date.

No amendments.

Definitions

1. In this Act,

“Crown lands” means lands owned by Her Majesty in right of Ontario, and includes lands covered with water; (“terres de la Couronne”)

“Deputy Minister” means the Deputy Minister of Natural Resources; (“sous-ministre”)

“licence” means a licence issued under this Act; (“permis”)

“Minister” means the Minister of Natural Resources; (“ministre”)

“resident” means any person who has actually resided in Ontario for a period of twelve consecutive months immediately preceding the time that the person’s residence becomes material under this Act. (“résident”) R.S.O. 1990, c. W.7, s. 1.

Administration of Act

2. The administration of this Act is under the control and direction of the Minister. R.S.O. 1990, c. W.7, s. 2.

Licences

3. (1) Except under the authority of a licence, no person shall harvest or attempt to harvest wild rice on Crown lands. R.S.O. 1990, c. W.7, s. 3 (1).

No licence to non-residents

(2) No person who is not a resident shall have a licence. R.S.O. 1990, c. W.7, s. 3 (2).

Issue, etc., of licences

(3) The Minister shall control the issue of licences and may give directions relating thereto and to the cancellation thereof and may prescribe terms and conditions of licences. R.S.O. 1990, c. W.7, s. 3 (3).

Deputy Minister may issue, etc.

(4) Subject to any directions given by the Minister, the Deputy Minister may issue, refuse to issue or cancel licences. R.S.O. 1990, c. W.7, s. 3 (4).

Hearing

(5) Before refusing to issue a licence or cancelling a licence, the Deputy Minister shall cause an officer in the Ministry of Natural Resources to hold a hearing to which the applicant or licensee shall be a party. R.S.O. 1990, c. W.7, s. 3 (5).

Report

(6) An officer holding a hearing under subsection (5) shall make a report to the Deputy Minister of the findings of fact and law at the hearing. R.S.O. 1990, c. W.7, s. 3 (6).

Application of S.P.P.A.

(7) Sections 6 to 16 and 21 to 23 of the Statutory Powers Procedure Act apply with respect to a hearing under this section. R.S.O. 1990, c. W.7, s. 3 (7).

Decision after hearing

(8) After considering the report of an officer holding a hearing under this section, the Deputy Minister may issue, refuse to issue or cancel the licence to which the hearing related and shall give reasons for the decision to the applicant or licensee. R.S.O. 1990, c. W.7, s. 3 (8).

Appeal

(9) An applicant or licensee who has been refused a licence or whose licence has been cancelled by the Deputy Minister may appeal to the Minister from the decision of the Deputy Minister and the Minister shall consider the report of the officer holding the hearing and of the Deputy Minister and may issue, refuse to issue or cancel the licence to which the appeal relates. R.S.O. 1990, c. W.7, s. 3 (9).

Regulations

4. (1) The Lieutenant Governor in Council may make regulations,
- (a) governing the issue, form, renewal or transfer of licences and prescribing fees therefor;
 - (b) dividing Ontario or any part thereof into wild rice harvesting areas and designating such areas by identifying numbers and initials;
 - (c) prescribing royalties payable on wild rice harvested. R.S.O. 1990, c. W.7, s. 4 (1).

Idem

(2) Any regulation made under subsection (1) may be general or particular in its application territorially or as to time or otherwise. R.S.O. 1990, c. W.7, s. 4 (2).

Offence

5. Every person who contravenes any of the provisions of this Act or the regulations or any term or condition of his or her licence is guilty of an offence and on conviction is liable to a fine of not more than \$500. R.S.O. 1990, c. W.7, s. 5.