

The Natural Resources Act

being

Chapter N-3.1 of the *Statutes of Saskatchewan, 1993* (effective July 21, 1993) as amended by the *Statutes of Saskatchewan, 1994, c.42; 1996, c.F-19.1, c.28 and c.33; 1997, c.W-13.11; 1998, c.W-13.12; 2003, c.29; 2007, c.29; 2008, c.18; 2010, c.36; 2011, c.10; and 2014, c.E-13.1.*

NOTE:

This consolidation is not official and is subject to House amendments and Law Clerk and Parliamentary Counsel changes to Separate Chapters that may be incorporated up until the publication of the annual bound volume. Amendments have been incorporated for convenience of reference and the official Statutes and Regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the official Statutes and Regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER N-3.1

An Act respecting Natural Resources

SHORT TITLE AND INTERPRETATION

Short title

1 This Act may be cited as *The Natural Resources Act*.

Interpretation

2 In this Act:

(a) “**commercial activity**” means any activity involving the provision of any labour, machinery, equipment, materials and supplies and any technical, supervisory and administrative services that the Lieutenant Governor in Council, by regulation, determines is necessary or incidental to or used for any commercial undertaking of the ministry;

(a.1) “**council**” means the Fish and Wildlife Development Advisory Council established pursuant to section 20.1;

(b) **Repealed.** 2011, c.10, s.3.

(c) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;

(c.1) “**ministry**” means the ministry over which the minister presides;

(d) “**natural resources**” means the renewable resources of Saskatchewan and includes:

(i) fish within the meaning of *The Fisheries Act*;

(ii) wildlife within the meaning of *The Wildlife Act, 1998*;

(ii.1) wild species within the meaning of *The Wildlife Act, 1998*;

(iii) forest products within the meaning of *The Forest Resources Management Act*;

(iv) resource lands and provincial forest lands within the meaning of *The Resource Lands Regulations, 1989*;

(v) ecological reserves within the meaning of *The Ecological Reserves Act*; and

(vi) other living components of ecosystems within resource lands, provincial forest lands and other lands managed by the ministry;

(e) “**officer**” means an enforcement officer designated pursuant to section 5 and includes a member of the Royal Canadian Mounted Police;

- (f) **“park”** means:
- (i) park land within the meaning of *The Parks Act*;
 - (ii) regional parks established or constituted pursuant to *The Regional Parks Act, 1979*;
 - (iii) any other land that, in the opinion of the minister, is of interest for its recreational, environmental, natural or historical value;
- (g) **“resource protection and development service”** means any activity involving the provision of any labour, housing, machinery, equipment, materials and supplies and any technical, supervisory and administrative services that the Lieutenant Governor in Council, by regulation:
- (i) determines is necessary or incidental to or used for the protection, administration and management of Saskatchewan’s natural resources; or
 - (ii) determines may be provided to persons, governments or agencies, including ministries or agencies of the Government of Saskatchewan;
- (h) **“vehicle”** includes a motorized conveyance, trailer, tractor, aircraft or any other conveyance, other than a boat, that is drawn, propelled or driven by any mechanical means and includes any accessory attached to the vehicle.

1993, c.N-3.1, s.2; 1994, c.42, s.3; 1996,
c.F-19.1, s.101; 1997, c.W-13.11, s.90; 1998,
c.W-13.12, s.88; 2011, c.10, s.3.

RESPONSIBILITIES AND POWERS OF MINISTER

Responsibilities of minister

3 The minister is responsible for all matters not by law assigned to any other minister, ministry, branch or agency of the Government of Saskatchewan relating to the acquisition, promotion, development, maintenance and management of parks and natural resources.

1993, c.N-3.1, s.3; 2011, c.10, s.4.

Powers of the minister

4(1) The minister may:

- (a) undertake, support or sponsor planning, research and investigations respecting parks and natural resources;
- (b) design and carry out programs respecting the management and development of parks and natural resources;
- (c) design and carry out programs designed to educate, provide interpretation and inform the public respecting things done in relation to parks and natural resources;
- (d) plan, develop, construct, acquire, operate and maintain any park, recreation site, fish hatchery, public hunting or fishing area, research laboratory, forest nursery or any other facility related to parks and natural resources;

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- (e) purchase, lease or otherwise acquire any land or interest, right or estate with respect to land and assets, artifacts and movable property associated with the land for the purpose of making them available for parks and natural resources;
 - (f) carry out programs to promote public safety in the use of firearms and other equipment connected with recreation;
 - (g) establish programs to encourage and promote the commercial development of natural resources;
 - (h) do anything that the minister considers necessary to conserve, develop, manage and utilize parks and natural resources in a sustainable manner;
 - (i) carry out commercial activities and resource protection and development services;
 - (j) enter into agreements with the Government of Canada, the government of any other province or territory of Canada or a minister, agent, or official of that government, or any person, agency, board, commission, organization, association, institution or body for the purposes of furthering the activities of the ministry.
- (2) Subject to subsection (3), the minister shall obtain the approval of the Lieutenant Governor in Council before entering into an agreement pursuant to clause (1)(j) whereby the Government of Saskatchewan is liable to make expenditures in excess of \$50,000 in any fiscal year.
- (3) The Lieutenant Governor in Council may prescribe, by regulation, the agreements or classes of agreements to which subsection (2) does not apply.

1993, c.N-3.1, s.4; 1996, c.28, s.15; 2011, c.10, s.5.

Designation of officers

5 The minister may designate any employee or category of employees of the ministry as an enforcement officer or as enforcement officers for the purpose of enforcing this Act and the regulations.

1993, c.N-3.1, s.5; 2011, c.10, s.6.

ENFORCEMENT

Interpretation of sections 6.1 to 13

6 In sections 6.1 to 13:

- (a) **“Act”** includes the regulations;
- (b) **“record”** includes any books, papers, documents, information or electronic books, papers, documents or information;
- (c) **“vehicle”**, notwithstanding section 2, also includes a boat or other watercraft and any accessory attached to a boat or watercraft.

2007, c.29, s.4.

General powers of officers

6.1 All officers have the power of peace officers to enforce this Act and are entitled, while performing their duties, to all the protection that peace officers are entitled to pursuant to the *Criminal Code*.

2007, c.29, s.4.

Officer may be accompanied

6.2 If an officer is conducting an inspection or investigation pursuant to this Act, the officer may be accompanied by any person who, in the opinion of the officer, by virtue of his or her expertise in a particular field or his or her knowledge of facts relevant to the matter being inspected or investigated, may assist the officer in carrying out the officer's duties.

2007, c.29, s.4.

Arrest without warrant

7 An officer may arrest, without a warrant, any person found committing an offence against this Act.

2007, c.29, s.4.

Search of person

7.1 An officer may search any person if the officer has reasonable grounds to believe that the person has concealed on his or her person any evidence of an offence against this Act.

2007, c.29, s.4.

Inspections

8(1) Subject to subsection 10(4), for any purpose relating to the administration or enforcement of this Act, an officer may do all or any of the following:

- (a) enter at any reasonable time and inspect:
 - (i) any premises required to be licensed pursuant to this Act; or
 - (ii) any commercial premises used by a person required to be licensed pursuant to this Act;
- (b) enter at any reasonable time and inspect any place, including any premises or vehicle, in which the officer has reasonable grounds to believe that:
 - (i) there is anything to which this Act applies;
 - (ii) any activity to which this Act applies has been carried on, is being carried on or is likely to be carried on; or
 - (iii) there are records that are required to be kept pursuant to this Act or that relate to the administration of this Act;

- (c) require the owner or any person in possession of a place, including any premises or vehicle, being inspected pursuant to this section and any agent, representative, partner, director, officer or employee of the owner or person, to:
- (i) answer any questions that may be relevant to the administration or enforcement of this Act; and
 - (ii) provide the officer with all reasonable assistance;
- (d) for the purposes of clause (c), require any of the persons mentioned in that clause to attend at a place and time set by the officer;
- (e) require any of the persons mentioned in clause (c) to produce:
- (i) anything to which this Act applies; or
 - (ii) any records that:
 - (A) are required to be kept pursuant to this Act or that relate to the administration of this Act; and
 - (B) the officer reasonably requires;
- (f) inspect anything to which this Act applies or any record that is required to be kept pursuant to this Act or that relates to the administration of this Act.
- (2) If the officer requires any records to be produced pursuant to this section, the officer may examine the records and make copies of the records in accordance with section 11.
- (3) For the purposes of producing a readable record from a computer system or other data storage, processing or retrieval device belonging to or used by a person who is required to produce any records pursuant to this section, the officer may use that computer system, including the computer hardware or software, or other data storage, processing or retrieval device.
- (4) If an officer is unable to produce a readable record from a computer system or other data storage, processing or retrieval device belonging to or used by a person who is required to produce any records pursuant to this section, the officer may, after giving a receipt:
- (a) remove any computer hardware and software and any other data storage, processing or retrieval device required to produce a readable record;
 - (b) produce that record with reasonable dispatch; and
 - (c) promptly return the computer hardware and software and any other data storage, processing or retrieval device to:
 - (i) the place from which they were removed; or
 - (ii) any other place that may be agreed to by the officer and the person from whom they were taken.

Additional powers on inspection

8.1 In addition to the powers mentioned in section 8, in carrying out an inspection pursuant to this Act, an officer may do all or any of the following:

- (a) open or cause to be opened any container found in the place that the officer believes on reasonable grounds contains anything to which this Act applies;
- (b) take samples of anything to which this Act applies;
- (c) conduct any tests or analyses and take any measurements.

2007, c.29, s.4.

Duty to assist

9(1) No person shall fail to answer questions or to provide reasonable assistance in accordance with section 8 or 8.1 in the manner and within the period specified by the officer.

(2) No person shall fail to produce any records or thing to which this Act applies in accordance with section 8 or 8.1 within the period reasonably required by the officer.

(3) No person shall refuse to produce the person's licence to an officer or the ministry when requested to do so.

2007, c.29, s.4; 2011, c.10, s.7.

Stopping and detaining a vehicle

9.1(1) For any purpose relating to the administration or enforcement of this Act, including conducting an inspection pursuant to section 8 or 8.1 or carrying out an investigation pursuant to section 10, an officer may:

- (a) require any vehicle to be stopped;
- (b) require the vehicle to be moved to a place where the inspection pursuant to section 8 or 8.1 or the investigation pursuant to section 10 can be carried out; and
- (c) detain the vehicle for a reasonable time.

(2) Every operator or person in charge of the vehicle shall comply with the requirements of an officer made pursuant to this section.

2007, c.29, s.4.

Investigations

10(1) If a justice or provincial court judge is satisfied by information on the oath of an officer that there are reasonable grounds to believe that an offence against this Act has occurred and that evidence of that offence is likely to be found, the justice or provincial court judge may issue a warrant to do all or any of the following:

- (a) enter and search any place, including any premises or vehicle, named or described in the warrant;
- (b) seize and remove anything that may be evidence of an offence against this Act.

- (2) With a warrant issued pursuant to subsection (1), an officer may:
- (a) enter at any time and search any place, including any premises or vehicle, named or described in the warrant;
 - (b) open and examine anything that the officer finds in the place, premises or vehicle;
 - (c) require the production of and examine any records or other things to which this Act applies that the officer has reasonable grounds to believe may contain information related to an offence against this Act;
 - (d) remove, for the purpose of making copies, any records examined pursuant to this section and any computer hardware and software and other data storage, processing or retrieval device required to produce a readable record;
 - (e) do any of the things mentioned in clauses 8.1(b) and (c);
 - (f) do any of the things mentioned in section 9.1;
 - (g) do any of the things mentioned in section 12.
- (3) Subject to subsection (4), an officer may exercise all or any of the powers mentioned in subsection (2) without a warrant issued pursuant to this section if:
- (a) the conditions for obtaining a warrant exist; and
 - (b) the officer has reasonable grounds to believe that the delay necessary to obtain a warrant would result:
 - (i) in danger to human life or safety; or
 - (ii) in the loss, removal or destruction of evidence.
- (4) No officer shall enter premises that are ordinarily occupied as a private residence without a warrant issued pursuant to this section unless the occupant of those premises consents to the entry.
- (5) If, pursuant to this section, an officer removes any computer hardware and software and any other data storage, processing or retrieval device required to produce a readable record, the officer shall:
- (a) produce that record with reasonable dispatch; and
 - (b) promptly return the computer hardware and software and any other data storage, processing or retrieval device to:
 - (i) the place from which they were removed; or
 - (ii) any other place that may be agreed to by the officer and the person from whom they were taken.

Copies of records

11(1) If any records are inspected, examined, removed, produced or provided pursuant to section 8 or 10, an officer may make copies of those records.

(2) An officer shall:

- (a) make those copies with reasonable dispatch; and
- (b) promptly return the originals of the records to:
 - (i) the place from which they were removed; or
 - (ii) any other place that may be agreed to by the officer and the person who furnished them or from whom they were taken.

(3) If the originals of any record are to be removed from a place, the officer shall take all reasonable steps to ensure that a copy of the record is left at the place to allow business to be carried on.

(4) A document certified by the minister, an officer or any person authorized by the minister to be a copy of a record made pursuant to this section:

- (a) is admissible in evidence without proof of the office or signature of that person; and
- (b) has the same probative force as the original record.

2007, c.29, s.4.

Seizure of certain objects

12(1) In addition to the powers mentioned in sections 8, 8.1 and 10, in conducting an inspection pursuant to section 8 or 8.1 or in carrying out an investigation pursuant to section 10, an officer may seize anything to which this Act applies, including a vehicle, that the officer has reasonable grounds to believe:

- (a) was used in the commission of an offence or is something in relation to which an offence against this Act has been committed;
- (b) will provide evidence with respect to the commission of an offence against this Act; or
- (c) was taken or obtained by the commission of an offence against this Act.

(2) Anything to which this Act applies that is seized pursuant to subsection (1) may be removed to any place that the officer considers appropriate for the preservation and containment of the thing to which this Act applies.

(3) If a vehicle is being used to transport anything to which this Act applies and the thing has been seized by the officer pursuant to subsection (1), any person in charge of or operating the vehicle shall convey the seized thing to which this Act applies to any place that the officer may direct.

(4) If anything to which this Act applies is liable to seizure by an officer and has been mixed with other similar products so as to render it impractical or difficult to distinguish or separate the thing from the other products or materials with which it is mixed, all of those products or materials so mixed may be seized.

(5) If an officer has custody of anything to which this Act applies that is seized pursuant to this Act and is perishable or susceptible to deterioration, the minister, the ministry or the officer may dispose of it, in whole or in part, in any manner approved by the minister, and any proceeds realized from the disposition are to be dealt with in the manner set out in the regulations.

2007, c.29, s.4; 2011, c.10, s.8.

Obstruction

13 No person shall resist, obstruct, hinder, delay or interfere with an officer, or a person aiding an officer, in the performance of the officer's duties.

2007, c.29, s.4.

Entry on land

14(1) An officer and any person lawfully accompanying the officer may, for the purposes of carrying out his or her duties, enter on or pass over any land, whether enclosed or not.

(2) Notwithstanding anything in *The Expropriation Procedure Act*, the minister or any person designated by the minister may enter on any land for the purposes of:

- (a) securing data and obtaining information respecting parks or natural resources; and
- (b) inspecting any works related to parks or natural resources.

1993, c.N-3.1, s.14.

Powers re terrorist activity

14.1(1) In this section:

- (a) **“minister’s designate”** means a person designated by the minister for the purposes of this section;
- (b) **“regulated area”** means all or any part of:
 - (i) an ecological reserve as defined in *The Ecological Reserves Act*;
 - (ii) park land as defined in *The Parks Act*;
 - (iii) a provincial forest as defined in *The Forest Resources Management Act*;
 - (iv) provincial lands as defined in *The Provincial Lands Act* and administered by the minister;
 - (v) a regional park as defined in *The Regional Parks Act, 1979*;
- (c) **“terrorist activity”** means a terrorist activity as defined in the *Criminal Code*.

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(2) Notwithstanding any other provision of this Act or any provision of the regulations, any other Act or law or any licence, permit, approval, authorization, lease or grant of any right or benefit granted pursuant to any Act or law, if the minister has reasonable grounds to believe that terrorist activity is occurring or might occur, and that the terrorist activity constitutes an existing or potential threat of serious harm to parks or natural resources or to the health or safety of the public:

- (a) the minister may, by order:
 - (i) close, or prohibit or restrict access to or travel in, any regulated area that the minister may specify;
 - (ii) evacuate any regulated area or any premises within a regulated area that the minister may specify; and
 - (iii) require any person to take any other action that the minister considers necessary:
 - (A) to prevent serious damage to parks or natural resources caused or that may be caused by that threat; or
 - (B) to protect the health or safety of the public against that threat; and
 - (b) the minister may take any action that the minister considers necessary:
 - (i) to protect the health or safety of the public against that threat; or
 - (ii) to prevent serious damage to parks or natural resources caused or that may be caused by that threat.
- (3) Subject to subsection (4), a minister's designate may make any order described in clause (2)(a) if:
- (a) the minister's designate believes, on reasonable grounds, that:
 - (i) a terrorist activity constitutes a serious threat to parks or natural resources or to the health or safety of the public; and
 - (ii) the requirements set out in the order are necessary to decrease or eliminate that serious threat; and
 - (b) in the opinion of the minister's designate, there will be insufficient time for the minister to make an order pursuant to this section because of the nature of the serious threat.
- (4) An order made by a minister's designate pursuant to subsection (3):
- (a) must specify the time at which it is made; and
 - (b) terminates 72 hours after it is made unless the minister makes an order extending its effect.

- (5) Immediately after making an order pursuant to subsection (2) or (3), the minister or the minister's designate, as the case may be, shall:
- (a) serve a copy on any person named in the order; and
 - (b) cause the order to be published by any means of communication that the minister or minister's designate reasonably considers will make the order known to the majority of the population in the area affected by the order.
- (6) No person shall fail to comply with an order made pursuant to subsection (2) or (3).

2003, c.29, s.36.

Offence and penalty

15 Any person who contravenes any provision of this Act or the regulations is guilty of an offence and liable on summary conviction to a fine of not more than \$250,000.

2007, c.29, s.4.

Limitation of prosecutions

16 No prosecution for the violation of any provision of the regulations shall be commenced after two years from the date of the violation.

1993, c.N-3.1, s.16.

Immunity

17 No action or proceeding lies or shall be commenced against the Crown in right of Saskatchewan, the minister, any person authorized or designated by the minister to do any thing or exercise any power pursuant to this Act, the ministry, an officer, any person lawfully accompanying an officer or any employee or agent of the ministry for any loss or damage suffered by a person by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done by any one or more of them, pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any function or duty imposed by this Act or the regulations.

2003, c.29, s.38; 2011, c.10, s.9.

FUNDS

Commercial Revolving Fund

18(1) The revolving fund called the Commercial Revolving Fund is continued and the minister shall administer the revolving fund.

(2) The minister may use the revolving fund to conduct any commercial activity that the minister considers appropriate to achieve the objectives of the ministry.

(3) Subject to subsection (10), the Minister of Finance shall pay out of the consolidated fund on behalf of the revolving fund any sum of money the minister may require:

- (a) to conduct and promote commercial activities;
- (b) to provide any services, accommodation, materials and supplies required to conduct or promote commercial activities;
- (c) to pay for labour, supervisory and administrative costs associated with the administration of the revolving fund.

(4) The minister shall pay to the consolidated fund all or any part of any surplus in the revolving fund that Treasury Board may direct.

(5) Where the minister provides a service through the revolving fund, the minister may charge a fee to recover amounts incurred by the revolving fund to provide that service.

(6) A fee charged pursuant to subsection (5) with respect to park land or park land reserve within the meaning of *The Parks Act* is the fee determined in accordance with *The Parks Act*.

(7) Where the minister charges a fee pursuant to subsection (5), the minister shall include any additional amounts that Treasury Board directs and those additional amounts are to be paid to the Minister of Finance and credited to the consolidated fund.

(8) Subject to any terms and conditions that Treasury Board may impose, the minister may sell, rent, lease or otherwise dispose of property and assets administered by the minister through the revolving fund.

(9) There shall be paid to the Minister of Finance and credited to the revolving fund:

- (a) all fees charged pursuant to subsection (5);
- (b) all rents and fees from the disposition of park land or park land reserve pursuant to *The Parks Act*;
- (c) subject to Treasury Board approval, any moneys acquired through gift, donation, grant, bequest, agreement or contribution for research, planning, development, interpretation or promotion activities related to park land or park land reserve.

(10) The sum of all liabilities due to the Minister of Finance from the revolving fund on the day this section comes into force and any payments made by the Minister of Finance on behalf of the revolving fund less any amounts credited to the revolving fund is not to exceed an amount that may be set by order of the Lieutenant Governor in Council.

(11) In each fiscal year, the ministry, in accordance with section 13 of *The Executive Government Administration Act*, shall prepare and submit to the minister a financial statement showing the business of the revolving fund for the preceding fiscal year.

(12) The financial statement mentioned in subsection (11) is to be in the form required by Treasury Board.

(13) In accordance with section 13 of *The Executive Government Administration Act*, the minister shall lay before the Assembly each financial statement received by the minister pursuant to subsection (11).

(14) The fiscal year of the revolving fund is the period commencing on April 1 in one year and ending on March 31 in the following year.

1993, c.N-3.1, s.18; 2011, c.10, s.10; 2014,
c.E-13.1, s.62.

19 Repealed. 2008, c.18, s.3.

Fish and Wildlife Development Fund

20(1) In this section and in sections 20.1 and 20.2, “**fund**” means the Fish and Wildlife Development Fund continued pursuant to subsection (2).

(2) The Fish and Wildlife Development Fund is continued, and the minister shall hold and administer the fund in accordance with this section.

(3) The fiscal year of the fund is the period commencing on April 1 in one year and ending on March 31 in the following year.

(4) Notwithstanding any other Act, the following are to be credited to the fund:

(a) an amount of money equivalent to the portion of the fees, designated by the Lieutenant Governor in Council, for hunting licences and certificates and fishing licences;

(b) all revenue from the use and disposition of lands acquired pursuant to clause (6)(a);

(c) all revenue from the sale, lease or other disposition of any lands pursuant to subsection (8);

(c.1) all moneys recovered pursuant to subsection (10);

(d) moneys acquired through gift, donation, grant, bequest, agreement or contribution related to the conservation or enhancement of fish, fish habitat, wildlife or wildlife habitat;

- (e) all or any portion of moneys designated by the Lieutenant Governor in Council that are accepted by the Government of Saskatchewan in mitigation of or as compensation for any loss or potential loss of fish, fish habitat, wildlife or wildlife habitat;
 - (f) all interest and dividends received on investments of the fund;
 - (g) any gains on disposal of investments;
 - (h) moneys acquired from the sale to the public of promotional literature financed by the fund relating to fish and wildlife;
 - (i) any portion designated by the Lieutenant Governor in Council of moneys received from the sale of Crown lands:
 - (i) that were designated as wildlife habitat lands in the Schedule to *The Wildlife Habitat Protection Act* as it existed on the day before the day on which *The Wildlife Habitat Protection (Land Designation) Amendment Act, 2010* came into force, other than lands withdrawn by regulations made pursuant to clause 9(1)(b) of that Act; or
 - (ii) that are designated as wildlife habitat and ecological lands in the regulations made pursuant to *The Wildlife Habitat Protection Act* on or after the day on which *The Wildlife Habitat Protection (Land Designation) Amendment Act, 2010* came into force.
- (5) The minister may:
- (a) invest any part of the moneys in the fund, not presently required for expenditure, in any security or class of securities authorized for investment of moneys in the consolidated fund pursuant to *The Financial Administration Act*; and
 - (b) dispose of any securities in which any part of the fund has been invested pursuant to clause (a), subject to the terms of the investment, in any manner and on any terms that the minister considers advisable.
- (6) The minister may use the assets of the fund for all or any of the following:
- (a) the acquisition, by purchase, lease or otherwise, of any area of land or any rights with respect to land that the minister considers to be suitable for fish or wildlife related purposes;
 - (b) the acquisition, by purchase, lease or otherwise, of any equipment or materials or the retention of any services that the minister considers necessary to restore degraded fish or wildlife populations for fish or wildlife habitat, to create new fishing, hunting or trapping opportunities or to manage fish, fish habitat, wildlife or wildlife habitat;
 - (c) the development and management for fish or wildlife related purposes of any land mentioned in clause (a) or any other land controlled by the Crown in right of Saskatchewan, in any manner that the minister considers advisable;
 - (d) the design, development and operation of facilities to enhance fish or wildlife habitat and hunting, fishing or trapping opportunities;
 - (e) the acquisition of fish or wildlife for stocking projects;

- (f) the provision of assistance, on any terms and conditions that the minister considers advisable, to conservation groups for the development, operation or maintenance of locally sponsored fish enhancement or wildlife enhancement projects;
 - (g) the provision of information, by way of promotional, educational or other activities, related to stimulating and encouraging public knowledge and awareness of fish and wildlife and of projects financed by the fund related to fish and wildlife;
 - (h) the assessment, evaluation, or management of any waters in Saskatchewan with respect to their fish or fish habitat potential or any land for its wildlife or wildlife habitat potential;
 - (i) the payment to a rural municipality of a sum of money in lieu of taxes respecting provincial lands within the municipality that were acquired through the fund;
 - (j) the engagement of any services that the minister considers necessary to manage the fund;
 - (k) the payment of the expenses of the council.
- (7) The minister shall administer lands acquired pursuant to clause (6)(a) in accordance with *The Provincial Lands Act*.
- (8) Notwithstanding subsection (7), section 8 of *The Provincial Lands Act* and the regulations made pursuant to that Act, or subsection 12(2) of *The Forest Resources Management Act*, if all or any portion of any lands acquired pursuant to clause (6)(a) are not required for fish or wildlife related purposes, the minister may dispose of the lands or any interest in the lands by sale, lease or otherwise on any terms and conditions that the minister considers appropriate.
- (9) The accounts and transactions of the fund are to be audited annually by the Provincial Auditor or by any other auditor appointed by the Lieutenant Governor in Council for the purpose.
- (10) Notwithstanding *The Provincial Lands Act*, the minister may recover the payment made pursuant to clause (6)(i), in whole or in part, by increasing fees or charging additional fees for haying and grazing permits during the year in which that payment is made.

1993, c.N-3.1, s.20; 1996, c.F-19.1, s.101 and
c.33, s.2; 2010, c.36, s.13; 2011, c.10, s.11.

Fish and Wildlife Development Advisory Council

- 20.1(1)** The Fish and Wildlife Development Advisory Council is established.
- (2) The council consists of not more than seven members appointed by the Lieutenant Governor in Council in accordance with subsections (3) to (5).

c. N-3.1

NATURAL RESOURCES

- (3) The minister may request organizations that represent hunting, fishing and trapping interests to provide the minister with a list of nominees for appointment.
- (4) No member of the public service is eligible to be appointed as a member.
- (5) A majority of the members appointed by the Lieutenant Governor in Council must be members of organizations that represent hunting, fishing and trapping interests.
- (6) A person appointed in accordance with subsection (2):
- (a) holds office at pleasure for a period not exceeding three years and, notwithstanding the expiry of his or her term, continues to hold office until his or her successor is appointed; and
 - (b) is eligible for reappointment.
- (7) If a member appointed pursuant to subsection (2) dies or resigns, the person ceases to be a member on the date of death or on the day on which the resignation is received by the council, as the case may be.
- (8) If a member appointed pursuant to subsection (2) ceases to be a member of the organization that he or she represents, the person ceases to be a member of the council on the day on which he or she ceases to be a member of that organization.
- (9) If the office of a person appointed pursuant to subsection (2) becomes vacant, the Lieutenant Governor in Council may:
- (a) appoint a person for the remainder of the term of the person who vacated the office; or
 - (b) appoint a person for the term mentioned in subsection (6).
- (10) No member of the council shall hold office for more than two consecutive terms.
- (11) The council shall meet at the request of the minister.
- (12) The Lieutenant Governor in Council shall designate one member of the council as chairperson.
- (13) Members of the council are entitled to the following:
- (a) remuneration for their services at the rates approved by the Lieutenant Governor in Council;
 - (b) reimbursement for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan.
- (14) The minister shall provide any technical, clerical and other assistance that the council may require and that the minister considers reasonable. 2011, c.10, s.12.

2011, c.10, s.12.

Duties of council

20.2(1) The council shall advise the minister on:

- (a) the allocations and expenditures of the fund;
- (b) the acquisition of lands pursuant to clause 20(6)(a);
- (c) the administration of lands acquired pursuant to clause 20(6)(a);

- (d) the disposition of lands acquired pursuant to clause 20(6)(a);
 - (e) proposed changes to this Act or the regulations with respect to the fund;
 - (f) the annual budget and the financial statement of the fund; and
 - (g) any other matter determined by the minister.
- (2) For the purposes of advising the minister pursuant to clause (1)(e), the council may carry out any review of this Act and the regulations that the council considers necessary.
- (3) Before advising the minister pursuant to subsection (1), the council shall consider any information and advice provided by the minister with respect to the fund and the administration of lands acquired pursuant to clause 20(6)(a).
- (4) When making allocations or expenditures from the fund or administering lands acquired pursuant to clause 20(6)(a), the minister shall consider:
- (a) the advice of the council provided pursuant to this section; and
 - (b) any other matter that the minister considers to be in the public interest.

2011, c.10, s.12.

21 Repealed. 1994, c.42, s.4.

Annual report

22(1) In each fiscal year, the ministry, in accordance with section 13 of *The Executive Government Administration Act*, shall prepare and submit to the minister:

- (a) a report respecting the business of the Fish and Wildlife Development Fund for the preceding fiscal year;
 - (b) a financial statement showing the business of the Fish and Wildlife Development Fund for the preceding fiscal year in any form that may be required by Treasury Board;
 - (c) **Repealed.** 1994, c.42, s.5.
 - (d) **Repealed.** 1994, c.42, s.5.
- (2) The minister, in accordance with section 13 of *The Executive Government Administration Act*, shall lay before the Assembly each report and each financial statement prepared pursuant to subsection (1).

1993, c.N-3.1, s.22; 1994, c.42, s.5; 2011, c.10, s.13; 2014, c.E-13.1, s.62.

GENERAL, REPEAL AND COMING INTO FORCE

Regulations

23 The Lieutenant Governor in Council may make regulations:

- (a) respecting the management, utilization and conservation of natural resources;

- (b) respecting the provision of financial and other assistance in connection with commercial fishing;
- (c) authorizing the minister, by order, to designate in connection with commercial fishing assistance mentioned in clause (b):
 - (i) waters in respect of which assistance is payable;
 - (ii) species of fish in respect of which assistance is payable;
 - (iii) assistance rates; and
 - (iv) eligibility requirements for assistance;
- (d) respecting the recovery of commercial fishing assistance mentioned in clause (b), including the circumstances under which that assistance may be recovered;
- (e) respecting the provision, by rental, hire or otherwise, of boats, vehicles, other equipment, accommodation and other facilities, and services to hunters or fishermen;
- (f) respecting the guiding of hunters or fishermen;
- (g) respecting any matter that the Lieutenant Governor in Council considers necessary in connection with the licensing of persons engaged in the activities mentioned in clauses (e) and (f) including:
 - (i) eligibility for a licence or permit;
 - (ii) terms and conditions to which a licence or permit is subject;
 - (iii) classes of licences and permits and the fees to be paid for them;
 - (iv) the time and location in Saskatchewan to which a licence or permit relates or is limited;
 - (v) the species of wildlife or fish to which a licence or permit relates or is limited;
 - (vi) the duties and responsibilities of a person holding a licence or permit; and
 - (vii) the renewal, revocation and suspension of licences or permits;
- (h) respecting the activities, programs or services that the Commercial Revolving Fund may be used for;
- (i) respecting the activities, programs or services that the Resource Protection and Development Revolving Fund may be used for;
- (i.1) for the purposes of subsection 12(5), respecting the manner in which proceeds realized from the disposition of the thing to which this Act applies are to be dealt with;
- (j) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;

(k) respecting any matter or thing required or authorized by this Act to be prescribed in the regulations;

(l) respecting any other matter that the Lieutenant Governor in Council considers necessary to carry out this Act according to its intent.

1993, c.N-3.1, s.23; 1994, c.42, s.6; 2007, c.29, s.4.

S.S. 1983, c.R-19.01 repealed

24 *The Renewable Resources, Recreation and Culture Act* is repealed.

1993, c.N-3.1, s.24.

Editorial Appendix

Sections 7 to 9 of *The Natural Resources Amendment Act, 1994*, being chapter 42 of the *Statutes of Saskatchewan, 1994*, provide for the transitional application of this Act as follows:

Winding up of Forest Renewal and Development Fund

“7(1) In this section and in sections 8 and 9, **‘fund’** means the Forest Renewal and Development Fund continued pursuant to section 21 of *The Natural Resources Act* as that section existed prior to the coming into force of this Act.

“(2) All assets and liabilities of the fund are transferred at their book value to the general revenue fund.

“(3) The fund ceases to exist after March 31, 1994.

“(4) All assets and liabilities of the fund as of March 31, 1994 become the assets and liabilities of the general revenue fund as of April 1, 1994.

“(5) After March 31, 1994:

(a) all assets, revenues and liabilities accruing to the fund are deemed to have accrued to the general revenue fund;

(b) all deposits made to the fund are deemed to have been made to the general revenue fund; and

(c) all payments made from the fund are deemed to have been appropriated from and made from the general revenue fund.

Transitional – audit

“8 Notwithstanding the repeal of section 21 of *The Natural Resources Act*, the Provincial Auditor shall audit the accounts and transactions of the fund for the fiscal year ending on March 31, 1994.

Transitional – annual report

“9(1) Notwithstanding the repeal of clauses 22(1)(c) and (d) of *The Natural Resources Act*, the Department of Environment and Resource Management, in accordance with *The Tabling of Documents Act, 1991*, shall prepare and submit to the Minister of Environment and Resource Management:

- (a) a report respecting the business of the fund for the fiscal year ending March 31, 1994; and
- (b) a financial statement showing the business of the fund for the fiscal year ending March 31, 1994.

“(2) The financial statement is to be in a form required by Treasury Board.

“(3) In accordance with *The Tabling of Documents Act, 1991*, the Minister of Environment and Resource Management shall lay the report and financial statement before the Assembly.”

Section 4 of *The Natural Resources Amendment Act, 2008*, being chapter 18 of the *Statutes of Saskatchewan, 2008*, provide for the transitional application of this Act as follows:

“**Transitional - revolving fund**

4(1) In this section, ‘**revolving fund**’ means the Resource Protection and Development Revolving Fund continued pursuant to section 19, as that section existed before its repeal pursuant to this Act.

“(2) On the repeal of section 19:

- “(a) all rights and obligations of the revolving fund as at the date this section comes into force are transferred to and become the rights and obligations of the general revenue fund;
- “(b) the minister shall cause financial statements to be prepared and submitted showing the business of the revolving fund from April 1, 2007 to the date that this section comes into force; and
- “(c) notwithstanding the repeal of that section, that section remains in force for the purpose of preparing, submitting and laying before the Legislative Assembly the financial statements mentioned in clause (b)”.