

2018

CHAPTER 26

An Act to amend *The Parks Act*

(Assented to May 30, 2018)

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

Short title

1 This Act may be cited as *The Parks Amendment Act, 2018*.

SS 1986, c P-1.1 amended

2 *The Parks Act* is amended in the manner set forth in this Act.

Section 2 amended

3(1) Subsection 2(1) is amended:

(a) in clause (a) by striking out “Her Majesty the Queen” and substituting “the Crown”;

(b) by repealing clause (c);

(c) in clause (c.1) by striking out “department” and substituting “ministry”;

(d) by adding the following clause after clause (f):

“(f.1) ‘ministry’ means the ministry over which the minister presides”;
and

(e) by adding the following clause after clause (i):

“(i.1) ‘timber’ means any trees or parts of trees on or from park land, whether standing, fallen, cut, alive or dead”.

(2) Subsection 2(2) is amended in the portion preceding clause (a) by striking out “sections 25, 26 and 27” and substituting “sections 25, 25.1, 26 and 27”.

Section 6 amended

4 Section 6 is amended by striking out “he” and substituting “the Lieutenant Governor in Council”.

Section 7 amended

5 Section 7 is amended by striking out “he” and substituting “the Lieutenant Governor in Council”.

New section 8

6 Section 8 is repealed and the following substituted:**“Provincial markers**

8 The minister may, with the consent of the owner of land, install and maintain, or authorize the installation of, provincial markers on that land if the minister considers it appropriate to interpret any significant prehistoric or historic theme or event, historic personage or feature of scientific or natural interest”.

Section 11 amended

7 Subsection 11(3) is amended by striking out “terms and conditions prescribed in the regulations” **and substituting** “prescribed terms and conditions”.

Section 15 amended

8 Subsection 15(2) is amended:

(a) by striking out the portion preceding clause (a) and substituting the following:

“Subject to the other provisions of this Act and the prescribed terms and conditions, the minister may, on the terms and conditions the minister determines that are not inconsistent with the prescribed terms and conditions.”;

(b) in clause (b) by striking out “where” and substituting “if”; and

(c) in clause (c) by striking out “where” and substituting “if”.

Section 17 amended

9 Section 17 is amended:

(a) in clause (c) by striking out “such” and substituting “that”; and

(b) in clause (f) by striking out “such” and substituting “those”.

Section 19 amended

10 Section 19 is amended:

(a) in clause (a):

(i) in the portion preceding subclause (i) by striking out “unless otherwise prescribed in the regulations or” and substituting “unless otherwise prescribed or otherwise”; and

(ii) in subclause (iii) by striking out “where” and substituting “if”; and

(b) in clause (b) by striking out “he” and substituting “the minister”.

Section 19.01 amended

11 Subsection 19.01(3) is amended by striking out “time” and substituting “period”.

Section 19.1 amended

12(1) Clause 19.1(1)(a) is amended by repealing “Her Majesty’s Court of Queen’s Bench for Saskatchewan” and substituting “the Court of Queen’s Bench”.

(2) Subsection 19.1(2) is amended by striking out “Where” and substituting “If”.

(3) Subsection 19.1(3) is amended by striking out “Where” and substituting “If”.

(4) Subsection 19.1(5) is amended by striking out “Where” and substituting “If”.

(5) Subsection 19.1(6) is amended by striking out “Where” and substituting “If”.

Section 20 amended

13(1) Subsection 20(1) is amended:

(a) by striking out the portion preceding clause (a) and substituting the following:

“Unless otherwise prescribed or otherwise set out in a disposition, if the holder of a disposition does not, within 90 days after the expiration, termination or cancellation of a disposition, remove any fixtures constructed or affixed by him or her, or any chattels owned or placed by him or her, on the park land that was the subject of the disposition.”; **and**

(b) in clause (a) by striking out “he” and substituting “the holder”.

(2) Subsection 20(3) is amended by striking out “Where” and substituting “If”.

New sections 25 and 25.1

14 Section 25 is repealed and the following substituted:

“Entering and using park land

25 No person shall enter, use or occupy park land except in accordance with this Act and the regulations.

“Cutting, harvesting or removing timber

25.1 No person shall cut, harvest or remove timber on park land unless the person holds one of the following:

(a) a disposition issued pursuant to this Act and the regulations authorizing the holder to cut, harvest or remove timber;

(b) a term supply licence or forest product permit issued pursuant to *The Forest Resources Management Act*”.

Section 27 amended

15 Subsection 27(1) is amended:

- (a) in clause (g) by striking out “such” and substituting “those”;
- (b) in subclause (j.1)(ii) by striking out “time” and substituting “period”;
- (c) in subclause (o.3)(i) by striking out “time” and substituting “period”;
- and
- (d) by repealing clause (p) and substituting the following:
 - “(p) respecting terms or conditions governing applications for dispositions and the terms or conditions of dispositions”.

Section 28 amended

16 Clause 28(a) is amended by striking out “department” and substituting “ministry”.

New section 29

17 Section 29 is repealed and the following substituted:**“Protection of enforcement officers**

29 An enforcement officer has the powers of a peace officer to enforce this Act and the regulations and is entitled, while performing his or her duties, to all the protection to which peace officers are entitled pursuant to the *Criminal Code*”.

Section 30 amended

18(1) Subsection 30(1) is amended:

- (a) in the portion preceding clause (a) by striking out “he” and substituting “the enforcement officer”;
 - (b) in clause (a) by striking out “he” and substituting “the enforcement officer”; and
 - (c) in clause (b) by striking out “him” and substituting “the enforcement officer”.
- (2) Subsection 30(3) is amended:**
- (a) in the portion preceding clause (a) by striking out “Where” and substituting “If”; and
 - (b) in the portion preceding clause (c) by adding “or she” after “he”.

Section 31 amended

19(1) Subsection 31(1) is repealed and the following substituted:

“(1) If a person is convicted of a contravention of this Act or the regulations, the articles or documents seized with respect to the contravention are forfeited to the Crown and are to be disposed of in the manner specified by the minister”.

- (2) Subsection 31(2) is amended by striking out “in respect of” and substituting “with respect to”.**
- (3) Subsection 31(3) is amended by adding “or her” after “his”.**

Section 32 amended

20(1) Subsection 32(1) is repealed and the following substituted:

“(1) If an enforcement officer reasonably believes that a person is contravening a prescribed provision of this Act or the regulations, or an order issued pursuant to section 107.1 of *The Alcohol and Gaming Regulation Act, 1997*, the enforcement officer may order that person:

- (a) to cease the contravention; or
- (b) to leave park land and to remain out of park land for a period of 72 hours”.

(2) Subsection 32(2) is amended by striking out “Where” and substituting “If”.

Section 34 amended

21(1) Subsection 34(2) is amended:

- (a) by striking out “When” in the portion preceding clause (a) and substituting “If”;
- (b) in clause (a) by striking out “time” and substituting “period”; and
- (c) in clause (a.1) by striking out “time” and substituting “period”.

(2) Subsection 34(3) is repealed and the following substituted:

“(3) If an amount that is ordered to be paid pursuant to clause (2)(a) or (a.1) is not paid within the period fixed in the order, the minister may, by filing the order, enter the amount ordered to be paid as a judgment in the Court of Queen’s Bench and that judgment is enforceable against the person convicted in the same manner as if it were a judgment rendered against the person in that court in civil proceedings.

“(4) No prosecution for an alleged contravention of this Act or the regulations shall be commenced more than two years after the facts on which the alleged contravention is based first came to the knowledge of the minister”.

New section 35

22 Section 35 is repealed and the following substituted:**“Regulations**

35 The Lieutenant Governor in Council may make regulations:

- (a) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (b) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act”.

Schedule I, Part B, Recreation Parks amended

23 Part B of Schedule I is amended:

(a) by adding the following clause after clause (a) in the description of Candle Lake Provincial Park:

“(a.1) Parcel B as shown on plan No. 80PA18337, in Section 13, in Township 55, in Range 23”;

(b) by repealing the description of Crooked Lake Provincial Park and substituting the following:

“All those lands in Township 19, in Range 5, west of the Second Meridian, not covered by the waters of Crooked Lake, described as follows:

(a) the north-west quarter of Section 4, the north half of Section 5 and the west half of Section 8, excepting:

(i) that portion taken for Highway No. 247 as shown on Plan No. 71 R 27757 in the Land Surveys Directory;

(ii) that portion taken for the Organized Hamlet of Greenspot;

(iii) Parcel No. 131598388 in the cadastral parcel mapping system for Saskatchewan;

(iv) that portion taken for the Organized Hamlet of Moose Bay; and

(v) that portion of the west road allowance lying south of Highway No. 247, in the south-west quarter of Section 8”;

(c) in the description of Danielson Provincial Park:

(i) by repealing subclause (b)(ii) and substituting the following:

“(ii) that portion of Section 6 lying south, east and south-east of a line drawn 100 feet (30.48 metres) perpendicularly south, east and south-east from the centre line of Highway No. 44 as shown on Plan No. 73S10325, in the Land Surveys Directory, excepting:

(A) Parcel ‘A’ as shown on Plan No. 102190812; and

(B) those portions west of Parcel ‘A’”; and

(ii) by repealing subclause (c)(x) and substituting the following:

“(x) the south half of Section 34, except:

(A) the roadway for Highway No. 44 as shown on Plan No. 73 MJ 10635; and

(B) the access road from Highway No. 44 to Sandy Shores Resort subdivision”; and

(d) in the description of Great Blue Heron Provincial Park:

(i) in subclause (c)(ii):

(A) by striking out “and” after paragraph (A);

(B) by adding “and” after paragraph (C); and

(C) by adding the following paragraph after paragraph (C):

“(D) the road allowance west of Section 28”; and

(ii) by repealing subclause (c)(iii) and substituting the following:

“(iii) Sections 30 and 31;

“(iv) Section 32, excepting the lands falling within Fairy Island, and the lands and channel south of Cattle Island;

“(v) Section 33, excepting the lands, the portion of road allowance west of Legal Subdivision 4 and the channel, all south of Cattle Island, in Legal Subdivisions 3 and 4;

“(vi) Section 34, excepting the surveyed road shown on Plan No. 74PA18365 and the lands south of that road;

“(vii) Sections 35 and 36”.

Schedule I, Part C, Natural Environment Parks amended**24 Part C of Schedule I is amended:**

(a) in subclause (c)(x) of the description of Douglas Provincial Park by striking out “and excluding Highway No. 19 as shown on Plan No. 61MJ 05158, both plans”;

(b) by repealing subclause (e)(i) of the description of Greenwater Lake Provincial Park and substituting the following:

“(i) Sections 1 to 33, excepting:

(A) that portion of the south-east quarter of Section 3 lying within Parcel ‘E’ as shown on Plan No. 101151425 in the Land Surveys Directory;

(B) those portions of land in the north-west quarter of Section 6 within Plan No. 102076523;

(C) the land and portion of road allowance that lie in and west of Legal Subdivision 4 in Section 7;

(D) the land and portion of road allowance that lie in and west of Legal Subdivision 12 in Section 7; and

(E) that portion of section 7 as shown on Plan No. 102070022 in the Land Surveys Directory”;

(c) in clause (a) of the description of Lac La Ronge Provincial Park:

(i) by repealing subclauses (iv) and (v) and substituting the following:

“(iv) thence north along the east boundary of that section to the intersection with the south bank of McGibbon Bay of Lac La Ronge;

“(v) thence north-west, north, east, north and west along the bank of McGibbon Bay and Lac La Ronge to the intersection with the north boundary of projected Section 24, in Township 71, in Range 22”;

(ii) in paragraph (xxxii)(A) by striking out “Department” and substituting “Ministry”; and

(iii) by repealing paragraph (xxxii)(F) and substituting the following:

“(F) projected Section 9, that portion of projected Section 8 that is not covered by the waters of McCaffrey Lake, and those portions of projected Sections 16, 17, 20 and 21 described as lying south of Mountain Lake, Harvesting Bay, Churchill River Bay, Churchill River and the unnamed creek from Harvesting Bay to the southwest through Section 17, all in Township 74, in Range 17;

“(F.1) those portions of parcels identified with legal land descriptions ‘St/L 1-Plan CZ4364 Ext 0’, ‘St/L 1-Plan CY3604 Ext 0’, and ‘St/L 2-Plan CY3604 Ext 0’, all as shown in the cadastral parcel mapping system for Saskatchewan, and the bridge between those parcels”;

(d) by repealing subclause (i)(iii) of the description of Meadow Lake Provincial Park and substituting the following:

“(iii) Sections 17 to 36, except Greig Lake Resort out of the west half of Section 17 as shown on Plan Nos. 101568966, 101569046, and 64 B 01263, all plans in the Land Surveys Directory, and Lots 2, 3, 6, 7, 9, 10, 22, 23 and 24 in Block 1 and Lots 4 and 7 in Block 3 as shown on Plan Nos. BQ 8006, 101569035, 101569024 and 101569013 in the Land Surveys Directory”; **and**

(e) by adding the description of the following Provincial Park after the description of Narrow Hills Provincial Park:

“Porcupine Hills Provincial Park

West Block:

All those lands including all areas covered by waters and excepting unsurveyed Highway Nos. 982 and 983 throughout described as follows:

- (a) in Township 39, in Range 2, west of the Second Meridian:
 - (i) in Sections 10, 11 and 12, the north halves;
 - (ii) Sections 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36, including Parcel “A”, and Parcel “R1” and excepting the remainder of the Parr Hill Lake Subdivision, as shown on Plan No. CI 4653 in Sections 23 and 26; and excluding both Parcel “B” Plan No. 95Y03035 in Section 25 and in Section 36, all those portions of Plan Nos. 83YO1772, 83YO1050 and 102147612, all plans in the Land Surveys Directory;
- (b) in Township 40, in Range 2, west of the Second Meridian:
 - (i) Sections 1, 2 and 3;
 - (ii) the north-east quarter of Section 4;
 - (iii) the north-east quarter of Section 7;

- (iv) the north half of Section 8;
 - (v) Sections 9, 10, 11 and 12, excepting Parcel No. 161582081 in Section 10 as recorded in the cadastral parcel mapping system for Saskatchewan;
 - (vi) the south halves of Sections 13 and 14;
 - (vii) in Section 15, the south-east quarter and that portion of the south-west quarter lying to the west of Highway No. 982;
 - (viii) in Section 16, the west half and that portion of the east half lying to the west of Highway No. 982;
 - (ix) Sections 17 to 20, inclusive;
 - (x) those portions of Sections 21, 28, 33 and 34 lying to the west of Highway No. 982;
- (c) in Township 41, in Range 2, west of the Second Meridian:
- (i) those portions of Sections 3, 4, 9 and 16 lying to the west of Highway No. 982;
 - (ii) in Section 17, Legal Subdivisions 1 and 8, and that portion of the north-east quarter lying to the south-west of Highway No. 982;
- (d) in Township 40, in Range 3, west of the Second Meridian:
- (i) the east half of Section 8;
 - (ii) Sections 9 and 10;
 - (iii) Sections 13 to 24, inclusive, including Parcel "B" as shown on Plan No. CJ 413 in the Land Surveys Directory, and excluding:
 - (A) the remainder of the McBride Lake Subdivision as shown on Plan No. CJ 413 in the Land Surveys Directory;
 - (B) both the small portion of land in Legal Subdivisions 8 and 9 in Section 21 south-east of Plan No. CJ 413 and north of the north shore of McBride Lake as well as Parcel "A" as shown on Plan No. 101911980; and
 - (C) that portion of Parcel "B" lying east of a line drawn perpendicularly from the iron pin located 466 feet (142.02 metres) west of the eastern edge as shown on Plan No. CJ 413 in the Land Surveys Directory;
 - (iv) Sections 27 to 30, inclusive;
- (e) in Township 40, in Range 4, west of the Second Meridian:
- (i) Sections 13 to 17, inclusive;
 - (ii) Sections 20 to 29, inclusive.

East Block:

All those lands including all areas covered by waters and excepting the unsurveyed Highway No. 980 right-of-way throughout described as follows:

- (a) in Township 39, in Range 30, west of the First Meridian:
 - (i) in Section 25, Legal Subdivisions 13 to 16, inclusive;
 - (ii) in Section 26, Legal Subdivisions 13 to 16, inclusive;
 - (iii) Sections 35 and 36;
- (b) in Township 40, in Range 30, west of the First Meridian:
 - (i) Sections 1, 2, 11, 12, 13, 14, and 23 to 36, inclusive, excepting from Section 33 the following parcels:
 - (A) the Elbow Lake Subdivision, as shown on Plan No. 70Y03944 in the Land Surveys Directory; and
 - (B) from the south-west quarter, that land leased pursuant to instruments filed in the Resource Lands Branch of the Ministry of Environment at Regina and numbered 350078 and as shown on Plan No. 96Y01589 in the Land Surveys Directory;
 - (ii) the north half and the south-east quarter of Section 22, excepting Parcel No. 162087970;
- (c) Sections 1 to 24, inclusive, in Township 41, in Range 30, west of the First Meridian”.

Schedule II, Protected Areas amended

25 Schedule II is amended by repealing the description of Christopher Lake and substituting the following:

“Christopher Lake

That portion of the south-west quarter and south half of the north-west quarter of Section 6, Township 53, in Range 26, west of the Second Meridian, lying north and east of the northerly and easterly limits of both Highway No. 263 as shown on Plan No. 102124752 in the Lands Survey Directory and those lands taken for road widening as shown on Plan No. 102124752 in the Lands Survey Directory, and west of the westerly limits of Plan Nos. 63PA07588 as prepared May 22, 1963 and 73PA00893 in the Land Surveys Directory, excepting:

- (a) Parcel ‘B’ as shown on Plan No. 90PA17662 in the Land Surveys Directory”.

Coming into force

26 This Act comes into force on assent.