

The Border Areas Act

being

[Chapter B-6](#) of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan*, 1979-80, c.M-32.01; [1983, c.77](#); and [2005, c.M-36.1](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER B-6

An Act respecting Areas situated along the Borders of the Province

Short title

- 1 This Act may be cited as *The Border Areas Act*.

Interpretation

- 2 In this Act:

- (a) **“approved district”** means a district, the board or board of trustees of which is a body corporate under a statute of the province, and which is entitled, under the authority of an order of the Lieutenant Governor in Council, to take advantage of this Act;
- (b) **Repealed.** 1979-80, c.M-32.01, s.4.
- (c) **“institution”** means a hospital, school, library, show building or other building of any nature whatever that in the opinion of the Lieutenant Governor in Council is likely to be of general benefit to the inhabitants of a municipality or approved district;
- (d) **Repealed.** 2005, c.M-36.1, s.416.

R.S.S. 1965, c.174, s.2; R.S.S. 1978, c.B-6, s.2;
1979-80, c.M-32.01, s.4; 1983, c.77, s.6; 2005,
c.M-36.1, s.416.

Agreement with outside authority

- 3 When a municipality or an approved district adjoins the boundary line between Saskatchewan and another province, the council of the municipality or the board or board of trustees of the district may enter into an agreement with the authority governing the local affairs of any part of the last mentioned province or governing any institution therein situated for the extension by the authority to or to the inhabitants of the said municipality or district or any part thereof, of the benefits of any institution, works, construction, improvement or service, or for a like extension of benefits to the authority by the said municipality or district or any part thereof, or by the authority governing any institution therein.

R.S.S. 1965, c.174, s.3; R.S.S. 1978, c.B-6, s.3.

Acquisition of property

- 4 The council of the municipality or the board or board of trustees of the district may agree to unite with any such authority in acquiring, extending or improving a site, within or without the province, for an institution, or in acquiring, erecting, extending, repairing, furnishing or equipping buildings required for an institution, within or without the province, or in constructing, extending or repairing the works required by any institution, public utility, improvement or service within or without the province, and for any of these purposes may acquire title to land or an interest in land outside the province.

R.S.S. 1965, c.174, s.4; R.S.S. 1978, c.B-6, s.4.

Provisions in agreement

5 An agreement under either section 3 or section 4 may provide:

- (a) for the representation of the council, board or board of trustees of the municipality or approved district upon the council, board or board of trustees or other governing authority in the adjoining province, including the number or proportionate number of representatives to which the first mentioned council, board or board of trustees shall be entitled, and the manner in which the election or appointment of such representatives shall be certified to the co-operating authority;
- (b) in the like manner, for the representation of the co-operating authority upon the council, board or board of trustees of the municipality or approved district or the board or authority governing any institution therein situated;
- (c) for the apportionment of capital expenditures required for the joint purposes of co-operating authorities, and of the amounts required for current expenses and for interest and sinking fund or instalments of principal and interest of debentures;
- (d) without any apportionment of capital expenditures, for payment by the municipality or approved district to the co-operating authority in the adjoining province of annual sums sufficient to provide for a proportionate share of interest and sinking fund or of instalments of principal and interest required to meet the interest and repay the principal of debentures issued for any of the purposes for which the council or the board or board of trustees is authorized by this Act to unite with the co-operating authority;
- (e) for the readjustment from time to time of the proportionate shares of current expenditures or of interest and sinking fund or instalments of principal and interest, to be borne by the co-operating authorities;
- (f) for the readjustment from time to time, or at stated intervals, of the representation or proportionate representation mentioned in clauses (a) and (b) of this section;
- (g) for all or any of the above purposes, and for any other act, matter or thing that may be necessary or proper for the effectual carrying out of the intent of this Act.

R.S.S. 1965, c.174, s.5; R.S.S. 1978, c.B-6, s.5.

Scheme to be prepared and published

6(1) When an agreement has been entered into, the council or board entering into it shall prepare a scheme providing, by taxation, issue of debentures or otherwise, a method of raising any money stipulated for under the terms of the agreement and containing such other provisions as are necessary or proper to the effectual carrying out of the terms of the agreement and the intent of this Act:

Provided that no greater rate of taxation shall be imposed upon any of the inhabitants of Saskatchewan, or upon property within the province, than could be imposed if the said institution, works, construction, improvement or service had been provided under the law of the province, apart from this Act.

(2) The scheme shall be published once every week for four weeks in a newspaper in general circulation in the municipality or district concerned.

(3) The provisions of a scheme may be made to operate retroactively.

R.S.S. 1965, c.174, s.6; R.S.S. 1978, c.B-6, s.6.

Approval of scheme

7(1) On presentation of a scheme the Lieutenant Governor in Council may approve it with or without modification, and upon such approval being published in *The Saskatchewan Gazette* the scheme shall have effect, according to the terms thereof and of the order in council, as if it had been set forth in this Act.

(2) The Lieutenant Governor in Council may give approval notwithstanding that some of the provisions of the scheme exceed the authority granted by this Act or are unauthorized thereby, if satisfied that the scheme is honestly intended to meet the reasonable requirements of the parties to the agreement upon which the scheme is founded.

R.S.S. 1965, c.174, s.7; R.S.S. 1978, c.B-6, s.7.

Powers of Lieutenant Governor in Council

8(1) The Lieutenant Governor in Council may, with the object of effectuating the terms of an agreement entered into under this Act or of regularizing any scheme presented thereunder, declare by the order approving the scheme or by another order, that any Act respecting a municipality, approved district or institution of the kind to which the agreement relates, in force in the adjoining province, or any part of such Act, shall apply to the municipality, approved district or institution in this province affected by the agreement, either in substitution for a similar Act of this province or by way of addition thereto.

(2) The Lieutenant Governor in Council may, with the concurrence of the government of the adjoining province concerned, declare that any provision of a statute otherwise applicable shall not apply, or shall apply with modifications or alterations, to anything done or proposed to be done under a scheme, and may prescribe any procedure deemed necessary to render the scheme effective.

R.S.S. 1965, c.174, s.8; R.S.S. 1978, c.B-6, s.8.

Aiding extra-provincial institutions

9 Sums of money payable under any scheme in respect of residents of Saskatchewan may be paid to any board, board of trustees or other co-operating authority, in accordance with the terms of the scheme, notwithstanding that the institution in respect of which the payment is made is situated in an adjoining province.

R.S.S. 1965, c.174, s.9; R.S.S. 1978, c.B-6, s.9.

Delegation of powers

10 The council, board, board of trustees or other co-operating authority may delegate all or any of its powers to another body.

R.S.S. 1965, c.174, s.10; R.S.S. 1978, c.B-6, s.10.

Generality of provisions

11 The enumeration of particular powers herein shall not restrict the generality of section 7 and 8.

R.S.S. 1965, c.174, s.11; R.S.S. 1978, c.B-6, s.11.

Conflict with Acts

12 In the event of conflict between the provisions of this Act and those of any other Act, either direct or arising by implication, the provisions of this Act prevail.

R.S.S. 1965, c.174, s.12; R.S.S. 1978, c.B-6, s.12.