

The Road Allowances Crown Oil Act

Repealed

by [Chapter 16 of the *Statutes of Saskatchewan, 2000*](#)
(effective June 21, 2000).

Formerly

[Chapter R-23 of *The Revised Statutes of Saskatchewan, 1978*](#)
(effective February 26, 1979) as amended by the
[Statutes of Saskatchewan, 1979, c.63; 1982-83, c.1 and 34;](#)
and [1983-84, c.16.](#)

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 R-23

An Act respecting Crown Oil within, upon or under Road Allowances

Short title

- 1 This Act may be cited as *The Road Allowances Crown Oil Act*.

Interpretation

- 2 In this Act:

- (a) “**Crown**” means Her Majesty the Queen in right of Saskatchewan;
- (b) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (c) “**oil**” means crude petroleum oil and all other hydrocarbons, regardless of density, that are produced at a well in liquid form by ordinary production methods;
- (d) “**owner**” means a person who has a right to drill into an underground reservoir and produce therefrom oil or gas or oil and gas and to appropriate the oil or gas he produces either to himself or others or to himself and others;
- (e) “**road allowance**” means a road allowance laid out under the authority of an Act of Canada or Saskatchewan.

R.S.S. 1978, c.R-23, s.2; 1979, c.63, s.3; 1982-83,
c.1, s.11.

Percentage of recoverable oil deemed to be within, upon or under road allowances

- 3 In every producing oil reservoir one and eighty-eight one-hundredths per cent of the recoverable oil shall be deemed to be within, upon or under road allowances and shall be the property of the Crown.

R.S.S. 1978, c.R-23, s.3.

Liability of owner for payment for Crown oil

4(1) Except as provided in section 5, every owner producing oil shall be liable to pay and shall on or before the last day of each month pay to the minister one per cent of the value, calculated on the average prevailing well-head price, of the oil produced, free and clear of any deductions, during the preceding month.

(2) For the purpose of subsection (1), “**average prevailing well-head price**” means the price of a cubic metre of the oil produced from a well, calculated by taking the total sale price of all cubic metres of oil from the well sold during the month in respect of which the average prevailing well-head price is to be calculated, and deducting therefrom the cost of transporting the oil from the well or battery to the point of sale, and dividing the difference so obtained by the number of cubic metres of oil sold at that point during the said month.

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(3) For the purposes of subsection (2), the price of any oil produced from a well shall include any amount received or receivable from the Government of Canada or the Government of Saskatchewan after 1981 as or on account of a price supplement in respect of that oil.

R.S.S. 1978, c.R-23, s.4; 1979, c.63, s.4; 1982-83, c.34, s.5.

Election by minister to receive payment in kind

5(1) Instead of payment as required by section 4, the minister may elect to receive payment in kind for all or any portion, as designated by him, of one per cent of the oil produced during the month in respect of which payment is to be made, by taking delivery of such oil or designated portion thereof; and where the minister so elects, the owner shall deliver such oil or such designated portion thereof at the time and place and in the manner specified by the minister.

(2) Where under subsection (1) the minister requires oil to be delivered at a place other than the place of production of the oil and is satisfied that the proceeds of the sale by the owner of eighty-eight one-hundredths of one per cent of the oil produced during the month in respect of which payment is to be made are not sufficient to cover the cost of production during that month of the oil declared by section 3 to be the property of the Crown and the cost of delivery as required by the minister, the minister may authorize the owner to make such deduction from the quantity of oil to be delivered as the minister deems just and reasonable.

(3) Where under subsection (1) the minister elects to take delivery of a portion only of one per cent of the oil produced during the month in respect of which payment is to be made, section 4 shall apply *mutatis mutandis* with respect to payment for the balance of the said one per cent of the oil of which the minister does not require delivery.

R.S.S. 1978, c.R-23, s.5.

Retention and disposal of Crown oil by owner

6 Subject to compliance with section 4 or 5, every owner producing oil may retain and dispose of oil declared by section 3 to be the property of the Crown to the extent of eighty-eight one-hundredths of one per cent of the oil produced, or the proceeds of the sale thereof, for his own use and benefit.

R.S.S. 1978, c.R-23, s.6.

Monthly production report

7 Every owner producing oil shall on or before the fifteenth day of each month submit to the minister, upon a form approved by him, a statement showing the oil produced during the preceding month.

R.S.S. 1978, c.R-23, s.7.

Certain sales, etc., prohibited

8 The sale, purchase, acquisition, transportation, processing or handling of oil in violation of this Act is prohibited.

R.S.S. 1978, c.R-23, s.8.

Penalties

9 Every person who contravenes any provision of this Act is guilty of an offence and liable on summary conviction to a fine of not less than \$10 nor more than \$10,000; but neither a prosecution nor the enforcement of a penalty under this Act shall suspend or affect any remedy for the recovery of any amount payable, or oil in lieu thereof, under this Act.

R.S.S. 1978, c.R-23, s.9; 1983-84, c.16, s.20.

Action for injunction

10 Notwithstanding any prosecution under this Act, the minister may commence and maintain an action to enjoin the violating of any provision of this Act.

R.S.S. 1978, c.R-23, s.10.

Oil produced after Dec. 31, 1982

11 This Act shall not apply to any oil produced after December 31, 1982.

1982-83, c.34, s.5.

