

# *The Wanuskewin Heritage Park Act, 1997*

*being*

Chapter W-1.3 of the *Statutes of Saskatchewan, 1997* (effective May 21, 1997) as amended by the *Statutes of Saskatchewan*, 2014, c.E-13.1; 2018, c.42; 2020, c.13; and 2021, c.35.

**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 W-1.3

### An Act respecting the Wanuskewin Heritage Park

#### Short title

1 This Act may be cited as *The Wanuskewin Heritage Park Act, 1997*.

#### Interpretation

2 In this Act:

- (a) “**authority**” means the Wanuskewin Heritage Park Authority continued pursuant to section 3;
- (b) “**board**” means the board of the authority;
- (c) “**member**” means a member of the authority;
- (d) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (e) “**park**” means the Wanuskewin Heritage Park mentioned in section 9.

1997, c.W-1.3, s.2.

#### Authority continued

3(1) The Wanuskewin Heritage Park Corporation established pursuant to *The Wanuskewin Heritage Park Act* is continued as a corporation under the name of the Wanuskewin Heritage Park Authority.

(2) The authority consists of the following members:

- (a) one member appointed by the Lieutenant Governor in Council;
- (b) one member appointed by the Government of Canada;
- (c) one member appointed by resolution of the council of the City of Saskatoon;
- (d) one member appointed by resolution of the Board of Governors of the University of Saskatchewan;
- (e) one member appointed by resolution of the Meewasin Valley Authority;
- (f) one member appointed by the Federation of Sovereign Indigenous Nations;
- (g) not more than seven members appointed as members at large by the authority;
- (h) **Repealed.** 2021, c35, s.3.

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- (3) Subject to subsections (4) and (5), a member appointed pursuant to subsection (2):
- (a) holds office for a term not exceeding three years and until a successor is appointed; and
  - (b) is eligible for re-appointment.
- (4) No member shall hold office for more than three consecutive terms.
- (5) If a member dies or resigns, the person ceases to be a member on the date of death or on the date the resignation is received by the board, as the case may be.
- (6) If the office of a member appointed pursuant to subsection (2) becomes vacant, the person who, or the body or organization that, appointed the member 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 (3).
- (7) If the office of a member appointed pursuant to clauses (2)(a) to (f) becomes vacant and if the person who, or the body or organization that, appointed the member does not appoint a person to fill the vacancy within six months after the office becomes vacant, the authority may temporarily appoint a member at large mentioned in clause (2)(g) to fill the vacancy until the person, body or organization appoints a person pursuant to subsection (6).

1997, c.W-1.3, s.3; 2020, c13, s.16; 2021, c35,  
s.3.

**Authority not an agent of the Crown**

- 4 The authority is not an agent of the Crown in right of Saskatchewan.

1997, c.W-1.3, s.4; 2018, c42, s.65.

**Board**

- 5(1) The board consists of those persons who are appointed as members.
- (2) The board shall manage the affairs and business of the authority.
- (3) A quorum of the board is a majority of the members then in office.
- (4) The board shall, from amongst its members, designate:
- (a) a chairperson; and
  - (b) a vice-chairperson.
- (5) Where the chairperson is absent or unable to act or the office of chairperson is vacant, the vice-chairperson may exercise all the powers and shall perform all the duties of the chairperson.
- (6) The board may make bylaws respecting its own procedures.

(7) A vacancy in the membership of the board does not impair the power of the remaining members of the board to act.

(8) The authority may pay the members, other than members who are employees of the Government of Saskatchewan, an allowance for their services and reimbursement for their expenses incurred in the performance of their duties, at the rates established in the regulations.

1997, c.W-1.3, s.5.

**Head office**

**6** The head office of the authority is to be situated at any place within Saskatchewan that the board may designate.

1997, c.W-1.3, s.6.

**Staff**

**7(1)** The authority may:

- (a) employ any officers and other employees that it considers necessary for the conduct of its operation; and
- (b) determine the officers' and employees':
  - (i) respective duties and powers;
  - (ii) conditions of employment; and
  - (iii) remuneration.

(2) The authority has control over and shall supervise its officers and employees.

(3) For the benefit of the officers and employees of the authority and the dependants of those officers and employees, the authority may establish and support any of the following:

- (a) a superannuation plan;
- (b) a group insurance plan; and
- (c) any other pension, superannuation or employee benefit program.

1997, c.W-1.3, s.7.

**Public employees superannuation or pension plan**

**8** The provisions of *The Public Service Superannuation Act*, *The Superannuation (Supplementary Provisions) Act* and *The Public Employees Pension Plan Act* apply to the authority, its officers and employees.

1997, c.W-1.3, s.8.

**Duties of the authority**

**9** The authority shall:

- (a) maintain and operate the Wanuskewin Heritage Park established pursuant to *The Wanuskewin Heritage Park Act*;

- (b) contribute to the conservation and preservation of heritage sites, artifacts and knowledge on the park site;
- (c) contribute to the interpretation and preservation of Indigenous cultures through the heritage sites, artifacts and knowledge mentioned in clause (b);
- (d) contribute to the development and promotion of tourism in the park; and
- (e) dedicate itself to the social, cultural, educational and economic development of Indigenous peoples.

1997, c.W-1.3, s.9; 2021, c35, s.4.

**Powers of the authority**

**10** The authority may:

- (a) acquire by purchase, lease, gift or any other means any real or personal property that the authority requires for the purposes of this Act;
- (b) dispose of by lease, sale or any other means any of its real or personal property that the authority no longer requires for the purposes of this Act; and
- (c) have general control, management and supervision of the park and, for that purpose, may:
  - (i) charge fees to any person using the park or its facilities;
  - (ii) construct and maintain, or cause the construction and maintenance of:
    - (A) roads;
    - (B) trails;
    - (C) parking facilities;
    - (D) campgrounds;
    - (E) service facilities; or
    - (F) any other improvements that the authority considers necessary for the purposes of this Act;
  - (iii) enter into contracts or agreements that the authority considers expedient or desirable in the exercise of any of its powers or the discharge of any of its duties pursuant to this Act;
  - (iv) determine the hours and days of operation of the park;
  - (v) establish and operate, or grant concessions for the operation of, any places of entertainment, amusement, accommodation or public interest in the park; and
  - (vi) generally do and authorize the doing of any things that the authority considers incidental or conducive to the performance of its duties or the exercise of its powers pursuant to this Act.

1997, c.W-1.3, s.10.

**Taxation**

**11** No land or improvement on land owned, maintained, operated or managed by the authority is subject to taxation for provincial, municipal or school purposes.

1997, c.W-1.3, s.11.

**Borrowing powers**

**12(1)** Subject to the terms and conditions prescribed in the regulations and to the limits on borrowing prescribed in the regulations, the authority may, pursuant to a special resolution, borrow any sums of money that it requires for its purposes.

(2) Subject to the regulations but without limiting the generality of subsection (1), the authority may, pursuant to a special resolution, borrow sums of money for the purposes of:

- (a) repaying, renewing or refunding from time to time the whole or any part of any loan obtained or securities issued by the authority;
- (b) repaying the whole or any part of any loan guaranteed or assumed by the authority;
- (c) paying the whole or any part of any indebtedness or liability of the authority;
- (d) carrying out any of the powers of the authority pursuant to this Act;
- (e) providing in whole or in part for expenditures of the authority made or to be made in accordance with the carrying out of any of its powers pursuant to this Act.

(3) For the purpose of borrowing pursuant to this section, the authority may issue any bonds, debentures or other securities, bearing any rate of interest and being payable as to principal and interest at any time, in any manner, in any place in Canada or elsewhere and in the currency of any country that the authority may determine.

(4) The bonds, debentures and other securities mentioned in subsection (3) may be issued in any amounts that will realize the net sums required for the purposes of the authority, and a recital or declaration in the resolution or minute of the authority authorizing the issue of the securities, to the effect that the amount of those securities authorized is necessary to realize the net sum required for the purposes of the authority, is conclusive evidence of that fact.

(5) Subject to the approval of the Lieutenant Governor in Council, the authority may:

- (a) sell or otherwise dispose of any bonds, debentures or other securities mentioned in subsection (3) on any terms and conditions that it considers advisable; or
- (b) charge, pledge, hypothecate, deposit or otherwise deal with them as collateral security.

- (6) The authority may:
- (a) treat any securities dealt with as collateral security pursuant to subsection (5) as unissued when:
    - (i) the securities are redelivered to the authority or its nominees on or after payment, satisfaction, release or discharge in whole or in part of any indebtedness or obligation for which they may have been given as collateral; or
    - (ii) the authority again becomes entitled to the securities; and
  - (b) subject to the approval of the Lieutenant Governor in Council, issue, reissue, charge, pledge, hypothecate, deposit, deal with as collateral security, sell or otherwise dispose of the securities mentioned in clause (a) on any terms and conditions that the authority considers advisable or, at its option, may cancel and issue fresh securities in the like amount and in like form in lieu of those securities with the like consequences.
- (7) On the issue or reissue of securities pursuant to subsection (6), a person entitled to those securities has the same rights and remedies as if the securities had not been previously issued.
- (8) Subject to the approval of the Lieutenant Governor in Council, the Minister of Finance shall determine the form and manner of execution of any bonds, debentures or other securities issued pursuant to this section.
- (9) The authority may, by resolution or minute, provide that:
- (a) the seal of the authority may be engraved, lithographed, printed or otherwise mechanically reproduced on any bonds, debentures or other securities to which it is to be affixed; and
  - (b) any signature on any bonds, debentures or other securities and on the coupons, if any, attached to them, may be engraved, lithographed, printed or otherwise mechanically reproduced on them.
- (10) The seal of the authority, when mechanically reproduced as provided by subsection (9), is of the same force and effect as if manually affixed, and any member's signature, when mechanically reproduced as provided by subsection (9), is for all purposes valid and binding on the authority, notwithstanding that any person whose signature is reproduced has ceased to hold office before the date of issue of the security.
- (11) Subject to the regulations, the authority may borrow, by way of temporary loans from any chartered bank or credit union or from any person or corporation, any sum of money, on any terms, for any purposes and on any conditions that the authority may determine:
- (a) by way of a bank overdraft or line of credit;
  - (b) by the pledging, as security for those temporary loans, of notes, bonds, debentures or other securities of the authority pending their sale or in lieu of the selling of them; or
  - (c) in any other manner that the authority may determine.

(12) The authority may execute in any manner that it may determine any cheques, promissory notes or other instruments that may be necessary or desirable in connection with the borrowing of money and the obtaining of advances by way of temporary loans.

1997, c.W-1.3, s.12.

**Guarantee by Saskatchewan**

**13(1)** The Lieutenant Governor in Council may, on any terms that may be stated in the Order in Council passed for the purpose, guarantee the payment of:

- (a) the principal, interest and premium, if any, of any bonds, debentures or other securities issued by the authority;
- (b) any loans, temporary or otherwise, raised by the authority; and
- (c) any indebtedness or liability for the payment of money incurred by the authority or to which the authority may be or become subject.

(2) Any guarantee made pursuant to subsection (1) is to be in the form and manner that the Lieutenant Governor in Council may approve.

(3) The Minister of Finance, or any other officer of the Department of Finance that may be designated by the Lieutenant Governor in Council, shall sign a guarantee made pursuant to subsection (1) and, on the guarantee being so signed, the Government of Saskatchewan is liable, according to the tenor of the guarantee, for the payment of:

- (a) the principal, interest and premium, if any, of the bonds, debentures or other securities;
- (b) the loans, temporary or otherwise; and
- (c) the indebtedness or liability for the payment of money.

(4) Any guarantee signed in accordance with subsection (3) is conclusive evidence of compliance with the terms of this section.

(5) The Lieutenant Governor in Council may make any arrangements that may be necessary for supplying the money required to implement any guarantee made pursuant to this section and to advance the amount necessary for that purpose out of the general revenue fund.

1997, c.W-1.3, s.13.

**Investment**

**14** The authority may, from time to time:

- (a) invest any part of the capital or operating moneys of the authority in any security or class of securities authorized for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
- (b) dispose of the investments in any manner, on any terms and in any amount that the authority considers appropriate.

1997, c.W-1.3, s.14.

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**Fiscal year**

**15** The fiscal year of the authority is the period prescribed in the regulations.

1997, c.W-1.3, s.15.

**Audit**

**16** The authority shall appoint an auditor who shall audit the records, accounts and financial statements of the authority:

- (a) annually; and
- (b) at any other time the authority may direct.

1997, c.W-1.3, s.16.

**Annual report**

**17(1)** The authority shall, in each fiscal year, in accordance with section 13 of *The Executive Government Administration Act*, submit to the minister:

- (a) a report of the authority on its business for its preceding fiscal year; and
- (b) a financial statement showing the business of the authority for its preceding fiscal year.

(2) The minister shall, in accordance with section 13 of *The Executive Government Administration Act*, lay before the Legislative Assembly each report and statement received by the minister pursuant to subsection (1).

1997, c.W-1.3, s.17; 2014, c.E-13.1, s.62.

**Regulations**

**18** The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act or the regulations but not defined in this Act;
- (b) for the purposes of subsection 5(7), establishing the rates for allowances and reimbursement of expenses;
- (c) prescribing the terms and conditions on which the authority may borrow money pursuant to section 12;
- (d) prescribing the limits on borrowing money pursuant to section 12;
- (e) for the purposes of section 15:
  - (i) prescribing the fiscal year of the authority; and
  - (ii) where there is a change in the fiscal year, prescribing the manner in which the audit and annual reporting requirements of the authority pursuant to sections 16 and 17, and any other matter affected by the change in the fiscal year, are to be handled;
- (f) prescribing any other matter or thing that is authorized or required by this Act to be prescribed in the regulations;
- (g) respecting any matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

1997, c.W-1.3, s.18.

**S.S. 1989-90, c.W-1.2 repealed**

**19** *The Wanuskewin Heritage Park Act* is repealed.

1997, c.W-1.3, s.19.

**Transitional**

**20** The members of the Wanuskewin Heritage Park Corporation appointed pursuant to *The Wanuskewin Heritage Park Act* and the regulations made pursuant to that Act and who hold office on the day on which this Act comes into force continue to hold office until members of the Wanuskewin Heritage Park Authority are appointed pursuant to this Act.

1997, c.W-1.3, s.20.

