

The Wild Rice Regulations

Repealed

by Chapter F-19.1 Reg 6 (effective February 3, 2005).

Formerly

Chapter F-19 Reg 5 (effective April 18, 1986).

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 F-19 REG 5
The Forest Act
and
The Provincial Lands Act

Title

1 These regulations may be cited as *The Wild Rice Regulations*.

Interpretation

2 In this regulations:

- (a) **“licence”** means a licence issued pursuant to section 5;
- (b) **“minister”** means the Minister of Parks and Renewable Resources;
- (c) **“N.S.A.D.”** means the Northern Saskatchewan Administration District continued pursuant to *The Northern Municipalities Act*;
- (d) **“permit”** means a permit issued pursuant to section 4;
- (e) **“person”** means an individual, corporation, partnership, co-operative or other organized body;
- (f) **“resident”** means a person who has resided in Saskatchewan for at least three months immediately preceding the date of his application for a licence or permit, as the case may be, and who holds a valid Saskatchewan Health Services Card;
- (g) **“Saskatchewan Health Services Card”** means a Saskatchewan Health Services Card issued for the current year for the purposes of *The Saskatchewan Hospitalization Act* or *The Saskatchewan Medical Care Insurance Act*.

18 Apr 86 cF-19 Reg 5 s2.

Permit or licence required

3 No person shall seed, grow or harvest any wild rice on provincial lands unless he holds a permit or licence issued by the minister pursuant to these regulations.

18 Apr 86 cF-19 Reg 5 s3.

Eligibility for permit

4(1) Subject to the other provisions of this section, any person who is:

- (a) 18 years of age; and
- (b) a resident of Saskatchewan;

may apply for a permit to seed, grow and harvest wild rice.

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(2) Where an applicant pursuant to subsection (1) is a corporation, co-operative, partnership or other organized body, every shareholder, member or partner, as the case may be, of the corporation, co-operative, partnership or other body shall meet the requirements of subsection (1).

(3) No person is entitled to apply for a permit with respect to provincial lands that are within the N.S.A.D. unless, subject to subsections (4) and (5), he has lived in the N.S.A.D. for a total of:

- (a) 15 years; or
- (b) half his lifetime;

whichever is less.

(4) Any person who has a trap-line in the N.S.A.D. under the authority of a licence issued pursuant to *The Wildlife Act* may apply for a permit or licence with respect to provincial lands on which his trap-line is located.

(5) Any person who, on the day on which this section comes into force, holds a permit issued before June 1, 1981 to harvest wild rice on provincial lands in the N.S.A.D. may apply for a permit or licence with respect to provincial lands in the N.S.A.D..

18 Apr 86 cF-19 Reg 5 s4.

Permits

5(1) The minister may issue a permit to seed, grow and harvest wild rice to any person who meets the requirements of these regulations.

(2) A permit entitles its holder to seed, grow and harvest wild rice on the provincial lands described in the permit.

(3) A permit is to be issued for the term commencing on November 1 in one year and ending on October 31 in the next year, and is renewable at the discretion of the minister.

(4) A permit is not transferable or assignable except in exceptional circumstances at the discretion and with the approval of the minister.

(5) After the first year of a permit, the permittee may apply to the minister for a licence with respect to provincial lands covered by his permit.

(6) After the first four years of a permit, the permittee is required to pay licensee rates whether or not he applies for a licence.

18 Apr 86 cF-19 Reg 5 s5.

Eligibility for licence

6(1) The minister may issue a licence for a term that does not exceed 10 years.

(2) Any person who holds a permit issued pursuant to these regulations may apply to the minister for a licence to seed, grow and harvest wild rice on the provincial lands covered by his permit.

(3) Subject to the approval of the minister, a licence is transferable or assignable.

18 Apr 86 cF-19 Reg 5 s6.

Maximum area

7 The maximum area of provincial lands that may be held pursuant to a permit or licence is:

- (a) in the case of an individual, 400 hectares; and
- (b) in the case of a corporation, co-operative, partnership or other organized body, 400 hectares for each shareholder, member or partner, as the case may be, who does not hold a permit or licence in his individual capacity, to a maximum of 2,000 hectares.

18 Apr 86 cF-19 Reg 5 s7.

Prohibitions

8 No permittee or licensee shall:

- (a) alter, other than in accordance with the terms and conditions of his permit, the provincial lands covered by his permit or licence without the prior approval of the minister or his designate;
- (b) place or construct any docks, sheds, buildings or other improvements on any provincial lands or on any adjacent lands without obtaining the prior approval of the minister or his designate and any necessary authorities;
- (c) use fertilizers, herbicides or pesticides on any provincial lands;
- (d) use provincial lands for any purpose that is not expressly provided for in his permit or licence;
- (e) fail to comply with any terms or conditions of his permit or licence or with any provision of these regulations.

18 Apr 86 cF-19 Reg 5 s8.

Terms and Conditions

9(1) Every holder of a permit or licence shall:

- (a) provide and maintain shoreline identification of the boundaries of the area covered by his licence or permit and between that area and the area of another licensee or permittee;
- (b) ensure that buffer zones of at least:
 - (i) 200 metres in width are maintained on each side of any cabins, docks, outfitters' camps, airstrips and other areas requiring public access that exist on the day on which he is granted his permit or licence; and
 - (ii) 400 metres in width are maintained on each side of communities or cottage subdivisions or similarly developed areas;
- (c) comply with any restrictions that are noted on his permit or licence;
- (d) remove beaver dams only as permitted by and in accordance with *The Wildlife Regulations*;

- (e) dispose of all garbage and waste materials in accordance with any regulations made pursuant to *The Public Health Act* or any other Act or regulations;
 - (f) on or before November 1 in each year, provide the minister or his designate with an annual report regarding his operations for the 12 month period ending on October 31 of that year providing any information that the minister may require;
 - (g) on termination for any reason or expiration of his permit or licence:
 - (i) take any steps to restore the area covered by the permit or licence that the minister or his designate may require to return the area as far as possible to the condition that it was in before the permit or licence was issued; and
 - (ii) remove from the area any chattels within 30 days of the termination or expiration, as the case may be.
- (2) Chattels that are not removed in accordance with subclause 9(1)(g)(ii) are deemed to be the property of Her Majesty in right of Saskatchewan.

18 Apr 86 cF-19 Reg 5 s9.

Rates

10(1) Subject to subsection (2), the rate payable by:

- (a) permittees is:
 - (i) \$0.25 per hectare per year in each of the first four years of a permit; and
 - (ii) \$2.50 per hectare per year in the fifth and subsequent years after the date of issuance of a permit;
 - (b) licensees is \$2.50 per hectare per year.
- (2) The minimum annual amount payable by:
- (a) permittees, is \$5;
 - (b) licensees, is \$25.

18 Apr 86 cF-19 Reg 5 s10.

Cancellation

11 The minister or his designate may at any time and with reasonable notice to the permittee or licensee cancel any permit or licence.

18 Apr 86 cF-19 Reg 5 s11.

Department not liable

12 Neither the minister nor any employee or officer of Her Majesty in right of Saskatchewan is liable for any damage to wild rice crops or operations caused by wildlife or waterfowl or other natural phenomena, including water fluctuation.

18 Apr 86 cF-19 Reg 5 s12.

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Transitional

13 Every person who holds a permit to harvest wild rice on the day on which these regulations come into force is entitled:

- (a) to pay rates in accordance with clause 10(a); or
- (b) to apply immediately for a licence and pay rates in accordance with clause 10(b).

18 Apr 86 cF-19 Reg 5 s13.

Repeal

14 Part VII of the Forest Regulations, being Saskatchewan Regulations 240/67, is repealed.

18 Apr 86 cF-19 Reg 5 s14.

