

The Energy and Mines Act

being

Chapter E-9.10001* of the *Statutes of Saskatchewan, 1982-83*) (effective August 18, 1982) as amended by the *Statutes of Saskatchewan, 1989-90, c.54; 1996, c.28; 2004, c.L-16.1* and *c.7*; and *2014, c.E-13.1*.

Formerly

The Department of Energy and Mines Act

being

Chapter D-13.1 of the *Statutes of Saskatchewan, 1982-83*.

*NOTE: The chapter number and title of this act were changed by S.S. 2004, c.7.

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.

Table of Contents

- 1 Short title
- 2 Interpretation
- 3 Repealed
- 4 Repealed
- 5 Staff
- 6 Repealed
- 7 Duties of minister
- 7.1 Claims re mineral revenues
- 8 Agreements
- 8.1 Notice of certain agreements
- 9 Repealed
- 10 Repealed
- 11 Regulations
- 12 References
- 13 R.S.S. 1978, c.D-20 repealed

CHAPTER E-9.10001

An Act respecting Energy and Mines

Short title

- 1 This Act may be cited as *The Energy and Mines Act*.

Interpretation

- 2 In this Act:

- (a) **Repealed.** 2014, c.E-13.1, s.46.
- (b) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (c) “**ministry**” means the ministry over which the minister presides.

2004, c.7, s.4; 2014, c.E-13.1, s.46.

- 3 **Repealed.** 2004, c.7, s.5.

- 4 **Repealed.** 2004, c.7, s.5.

Staff

- 5 Without the permission of the minister, no employee of the ministry shall:
- (a) disclose any information respecting the mineral worth of an area or location that is obtained by the employee through the employee’s employment with the ministry; or
- (b) make a statement or recommendation respecting the mineral worth of an area or location..

2014, c.E-13.1, s.46.

- 6 **Repealed.** 2004, c.7, s.7.

Duties of minister

- 7 The minister is responsible for matters over which the Legislature has jurisdiction, not by law assigned to any other ministry, branch or agency of the Government of Saskatchewan, relating to:

- (a) the exploration for, development, management and conservation of non-renewable resources; and
- (b) the development, management and conservation of energy.

1982-83, c.D-13.1, s.7.

Claims re mineral revenues

7.1(1) In this section:

- (a) **“mineral revenue”** means any royalties, taxes, rents, fees, dues or other charges payable pursuant to a mineral revenue Act or a mineral revenue regulation, and includes any interest or penalty payable with respect to any royalties, taxes, rents, fees, dues or other charges payable pursuant to a mineral revenue Act or a mineral revenue regulation;
 - (b) **“mineral revenue Act”** means:
 - (i) *The Crown Minerals Act*;
 - (ii) *The Freehold Oil and Gas Production Tax Act*;
 - (iii) *The Mineral Resources Act, 1985*;
 - (iv) *The Mineral Taxation Act, 1983*;
 - (v) *The Oil and Gas Conservation Act*; or
 - (vi) any other Act prescribed in the regulations;
 - (c) **“mineral revenue regulation”** means a regulation made pursuant to a mineral revenue Act.
- (2) Notwithstanding *The Limitations Act*, but subject to subsections (3) and (4), the minister may commence proceedings with respect to a claim for unpaid mineral revenues within six years from the day on which the mineral revenues became due and payable.
- (3) Notwithstanding *The Limitations Act*, if the minister makes an assessment or reassessment pursuant to a mineral revenue Act or a mineral revenue regulation, the minister may commence proceedings with respect to a claim for unpaid mineral revenues that are the subject of the assessment or reassessment within six years from the date of the assessment or reassessment.
- (4) Notwithstanding *The Limitations Act*, the minister may, at any time:
- (a) against a person who has waived the limitation period that would otherwise apply, commence proceedings with respect to a claim for any amount of mineral revenue that is found to be unpaid as a result of an assessment or reassessment; or
 - (b) commence proceedings with respect to a claim for any amount of mineral revenue that is found to be unpaid as a result of the discovery that the person who is liable to pay that amount pursuant to a mineral revenue Act or a mineral revenue regulation:
 - (i) has made any misrepresentation with respect to the calculation or payment of that mineral revenue that is attributable to neglect, carelessness or wilful default; or

(ii) has committed any fraud in connection with the calculation or payment of that mineral revenue.

(5) If there is a conflict between this section and any provision of a mineral revenue Act or a mineral revenue regulation, this section prevails.

2004, c.L-16.1, s.46.

Agreements

8 The minister may enter into agreements on behalf of the Government of Saskatchewan with:

- (a) the Government of Canada, the government of any other province or territory of Canada or the government of any foreign country or state, or a minister, agent or official of any such government; or
- (b) any person, agency, organization, association, institution or body within or outside the province;

for any purpose related to the exercise of the powers or the carrying out of any of the duties imposed upon him by this Act or for any purpose that may be prescribed in the regulations.

1982-83, c.D-13.1, s.8; 1989-90, c.34, s.3.

Notice of certain agreements

8.1(1) Before entering into an agreement with any government, minister, agent or official pursuant to section 8 or with any person, agency, organization, association, institution or body outside Canada, the minister shall give notice to the member of the Executive Council assigned responsibility for intergovernmental affairs of the minister's intention to enter into that agreement.

(2) The failure by the minister to give the notice required by subsection (1) to the member of the Executive Council assigned responsibility for intergovernmental affairs does not invalidate the agreement.

2014, c.E-13.1, s.46.

9 Repealed. 2014, c.E-13.1, s.46.

10 Repealed. 2004, c.7, s.9.

Regulations

11 For the purpose of carrying out this Act according to its intent, the Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) respecting any matter or thing required or authorized by this Act to be prescribed in the regulations.

1982-83, c.D-13.1, s.11.

References

12 If a reference is made in any other Act, regulation, rule, order, bylaw, resolution, agreement, instrument or document to:

- (a) the Department of Mineral Resources or the Department of Energy and Mines, the reference is deemed to be a reference to the ministry; or
- (b) the Minister of Mineral Resources or the Minister of Energy and Mines, the reference is deemed to be a reference to the minister.

2004, c.7, s.10; 2014, c.E-13.1, s.46.

R.S.S. 1978, c.D-20 repealed

13 *The Department of Mineral Resources Act* is repealed.

1982-83, c.D-13.1, s.13.