

# 2006

## CHAPTER 29

### An Act to amend *The Parks Act*

(Assented to May 19, 2006)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

#### Short title

1 This Act may be cited as *The Parks Amendment Act, 2006*.

#### S.S. 1986, c.P-1.1 amended

2 *The Parks Act* is amended in the manner set forth in this Act.

#### Section 2 amended

3 **Subsection 2(1) is amended:**

(a) **by adding the following clause after clause (c):**

“(c.1) **‘direct service costs’** means the direct cost of services provided by the department to a holder of a recreational lease, as those costs are determined by the minister in accordance with the regulations”;

(b) **by adding the following clauses after clause (e):**

“(e.1) **‘fiscal year’** means the period commencing on April 1 of one year and ending on March 31 of the following year;

“(e.2) **‘holder of a recreational lease’** means the person to whom the minister has issued a lease pursuant to section 15 for the use and occupation of park land for recreational purposes”; **and**

(c) **by adding the following clause after clause (g):**

“(g.1) **‘prescribed’** means prescribed in the regulations”.

#### New section 19.01

4 **The following section is added after section 19:**

##### **“Annual fees payable by holders of recreational leases**

**19.01(1)** Commencing in the 2006-07 fiscal year, every holder of a recreational lease shall pay to the minister an annual fee in accordance with this section and the regulations, whether or not the holder’s recreational lease contains a term or condition respecting the payment of an annual fee.

(2) The annual fee required pursuant to this section is to be composed of:

(a) a service fee determined by the minister in accordance with the regulations and based on direct service costs; and

(b) a land lease fee determined by the minister in accordance with the regulations.

- (3) The holder of a recreational lease shall pay the annual fee within the time set by the minister.
- (4) The annual fee required by this section is in addition to any other fees payable pursuant to the recreational lease.
- (5) The holder of a recreational lease may appeal, in the prescribed manner, the land lease fee determined by the minister.
- (6) The minister's determination of direct service costs and of an annual fee may be made retroactive to a date not earlier than April 1 of the fiscal year in which the determination is made".

**Section 27 amended**

**5(1) Subsection 27(1) is amended:**

**(a) by adding the following clauses after clause (o):**

“(o.1) for the purposes of clause 2(1)(c.1), respecting the manner in which the minister is to determine direct service costs;

“(o.2) for the purposes of determining the annual fee set out in section 19.01:

(i) respecting the manner in which the minister is to determine service fees for the purposes of clause 19.01(2)(a); and

(ii) respecting the manner in which the minister is to determine land lease fees for the purposes of clause 19.01(2)(b);

“(o.3) for the purposes of subsection 19.01(5), respecting appeals of land lease fees, including:

(i) prescribing the time within which and the manner in which appeals may be made;

(ii) determining to whom appeals are to be made; and

(iii) respecting any rules governing the hearing and determining of appeals”; **and**

**(b) by adding the following clause after clause (p):**

“(q) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act”.

**(2) The following subsections are added after subsection 27(3):**

“(4) Any person who, before April 1, 2004, paid money to the Crown pursuant to this Act or pursuant to any regulations made pursuant to this Act as fees for leasing a cottage or operating a commercial lease on provincial park lands based on assessed building values or gross revenues is not entitled to a refund of any of the money paid, and no action or other proceeding shall be brought or continued to recover that money.

“(5) A regulation made pursuant to this Act may be made retroactive to a date not earlier than April 1 of the fiscal year in which the regulation is filed with the Registrar of Regulations”.

**Schedule 1, Part C amended**

**6(1)** Part C of Schedule 1 is amended in the manner set forth in this section.

**(2) Subclause (c)(i) of the description of Makwa Lake Provincial Park is repealed and the following substituted:**

“(i) those portions of Sections 2 and 3, of the north-west quarter of Section 4, and of Sections 9, 10, 11 and 15 lying south and west of Highway No. 26 and not covered by the water of Makwa Lake, except in Sections 10 and 15, the Makwa North Subdivision, as shown on Plan Nos. 61 B 02007 and 82 B 04362”.

**(3) The description of Meadow Lake Provincial Park is amended:**

**(a) by repealing clause (g.1) and substituting the following:**

“(g.1) in projected Township 66, in Ranges 17 and 18; commencing at the point where the west limit of Highway No. 904 meets the south boundary of projected Township 66, thence north-west along the west limit of Highway No. 904 to the north boundary of projected Township 66, thence west along the north boundary of projected Township 66 to a point 1 000 metres west of Young Creek, thence south-east along a line parallel to and 1 000 metres west and south of Young Creek until it meets the south boundary of projected Township 66, thence east along the south boundary of projected Township 66 until it meets the west limit of Highway No. 904”;

**(b) by repealing subclause (i)(iii) and substituting the following:**

“(iii) Sections 17 to 36, except Greig Lake Resort out of the south-west quarter of Section 17 as shown on Plan No. 64B01263 in the Land Surveys Directory and Lots 2, 3, 6, 7, 9, 10, 22, 23 and 24 in Block 1 and Lots 4 and 7 in Block 3 as shown on Plan No. BQ 8006 in the Land Surveys Directory”; **and**

**(c) by repealing subclause (l)(i) and substituting the following:**

“(i) the west half of Section 17 and all of Section 18, except those portions taken for a roadway as shown on Plan No. 90B13375 in the Land Surveys Directory and those portions taken for the southern road allowance”.

**Coming into force**

**7** This Act comes into force on assent.

