

2007

CHAPTER 40

An Act to amend *The SaskEnergy Act*

(Assented to May 17, 2007)

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 SaskEnergy Amendment Act, 2007*.

S.S. 1992, c.S-35.1 amended

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

Section 5 amended

3(1) Subsection 5(1) is repealed and the following substituted:

“(1) The corporation consists of not more than 12 persons who may be appointed by the Lieutenant Governor in Council”.

(2) Subsections 5(4) and (5) are repealed.

Section 15 amended

4 The following clause is added after clause 15(b.1):

“(b.2) transport energy-related products and by-products other than gas by means of pipeline facilities, and construct and operate pipeline facilities for this purpose”.

New section 36

5 Section 36 is repealed and the following substituted:

“Buildings, structures over pipelines, etc.

36(1) No person shall construct or allow the construction of any building or other structure over any of the regulators, shut-off valves, meters, pipelines, gas mains or other facilities of the corporation or TransGas without the prior written consent of the corporation or TransGas.

(2) If, in the opinion of the corporation or TransGas, a building or structure over or near any of the regulators, shut-off valves, meters, pipelines, gas mains or other facilities of the corporation or TransGas constitutes a safety hazard, the corporation or TransGas may demand in writing that the owner of the land on which the building or structure is situated remove the building or structure at the owner's expense.

(3) If the owner of land fails to comply with a written demand made pursuant to subsection (2) within the time specified in the demand or any further time that the corporation or TransGas may allow, the corporation or TransGas may enter on the land and do any of the following that it considers necessary to remove a safety hazard:

- (a) remove the building or structure;
- (b) reroute a pipeline or gas main;
- (c) install a new pipeline or gas main;
- (d) move any regulator, shut-off valve, meter or other facility of the corporation or TransGas.

(4) The corporation or TransGas may charge the owner with the corporation's or TransGas' costs in carrying out any of the activities mentioned in subsection (3).

(5) If the owner and the corporation or TransGas are unable to agree with respect to any of the costs mentioned in subsection (4) or with respect to any compensation that the owner may claim as a result of the corporation or TransGas carrying out any of the activities mentioned in subsection (3), both parties shall submit the issue to arbitration in accordance with *The Arbitration Act, 1992*".

Section 50 amended

6 Subsection 50(1) is amended by striking out "that is used to distribute gas".

Section 54 amended

7 Subsection 54(1) is amended:

- (a) in clause (b) by adding "or other substance" after "gas" wherever it appears; and**
- (b) in clause (c) by adding "or other substance" after "gas".**

Coming into force

8 This Act comes into force on assent.