

# 2011

## CHAPTER 10

### An Act to amend *The Natural Resources Act*

(Assented to May 18, 2011)

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 Natural Resources Amendment Act, 2011*.

#### S.S. 1993, c.N-3.1 amended

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

#### Section 2 amended

**3** **Section 2 is amended:**

**(a) in clause (a) by striking out “department” and substituting “ministry”;**

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

“(a.1) ‘**council**’ means the Fish and Wildlife Development Advisory Council established pursuant to section 20.1”;

**(c) by repealing clause (b);**

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

“(c.1) ‘**ministry**’ means the ministry over which the minister presides”;

**(e) in subclause (d)(vi) by striking out “department” and substituting “ministry”; and**

**(f) in subclause (g)(ii) by striking out “departments” and substituting “ministries”.**

#### Section 3 amended

**4** **Section 3 is amended by striking out “department” and substituting “ministry”.**

#### Section 4 amended

**5** **Clause 4(1)(j) is amended by striking out “department” and substituting “ministry”.**

#### Section 5 amended

**6** **Section 5 is amended by striking out “department” and substituting “ministry”.**

**Section 9 amended**

**7 Subsection 9(3) is amended by striking out “department” and substituting “ministry”.**

**Section 12 amended**

**8 Subsection 12(5) is amended by striking out “department” and substituting “ministry”.**

**Section 17 amended**

**9 Section 17 is amended by striking out “department” wherever it appears and in each case substituting “ministry”.**

**Section 18 amended**

**10(1) Subsection 18(2) is amended by striking out “department” and substituting “ministry”.**

**(2) Subsection 18(11) is amended by striking out “department” and substituting “ministry”.**

**Section 20 amended**

**11(1) Subsection 20(1) is amended by adding “and in sections 20.1 and 20.2,” after “section”.**

**(2) Subsection 20(6) is amended:**

**(a) in the portion preceding clause (a) by adding “all or any of the following” after “for”;**

**(b) by repealing clause (b) and substituting the following:**

“(b) the acquisition, by purchase, lease or otherwise, of any equipment or materials or the retention of any services that the minister considers necessary to restore degraded fish or wildlife populations for fish or wildlife habitat, to create new fishing, hunting or trapping opportunities or to manage fish, fish habitat, wildlife or wildlife habitat”;

**(c) in clause (d) by striking out “fish habitat and fishing opportunities” and substituting “fish or wildlife habitat and hunting, fishing or trapping opportunities”;**

**(d) in clause (e) by striking out “for fish stocking projects” and substituting “or wildlife for stocking projects”;**

**(e) by repealing clause (h) and substituting the following:**

“(h) the assessment, evaluation, or management of any waters in Saskatchewan with respect to their fish or fish habitat potential or any land for its wildlife or wildlife habitat potential”; **and**

**(f) by adding the following clauses after clause (i):**

“(j) the engagement of any services that the minister considers necessary to manage the fund;

“(k) the payment of the expenses of the council”.

New sections 20.1 and 20.2

**12 The following sections are added after section 20:**

**“Fish and Wildlife Development Advisory Council**

**20.1(1)** The Fish and Wildlife Development Advisory Council is established.

(2) The council consists of not more than seven members appointed by the Lieutenant Governor in Council in accordance with subsections (3) to (5).

(3) The minister may request organizations that represent hunting, fishing and trapping interests to provide the minister with a list of nominees for appointment.

(4) No member of the public service is eligible to be appointed as a member.

(5) A majority of the members appointed by the Lieutenant Governor in Council must be members of organizations that represent hunting, fishing and trapping interests.

(6) A person appointed in accordance with subsection (2):

(a) holds office at pleasure for a period not exceeding three years and, notwithstanding the expiry of his or her term, continues to hold office until his or her successor is appointed; and

(b) is eligible for reappointment.

(7) If a member appointed pursuant to subsection (2) dies or resigns, the person ceases to be a member on the date of death or on the day on which the resignation is received by the council, as the case may be.

(8) If a member appointed pursuant to subsection (2) ceases to be a member of the organization that he or she represents, the person ceases to be a member of the council on the day on which he or she ceases to be a member of that organization.

(9) If the office of a person appointed pursuant to subsection (2) becomes vacant, the Lieutenant Governor in Council 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 (6).

(10) No member of the council shall hold office for more than two consecutive terms.

(11) The council shall meet at the request of the minister.

(12) The Lieutenant Governor in Council shall designate one member of the council as chairperson.

- (13) Members of the council are entitled to the following:
- (a) remuneration for their services at the rates approved by the Lieutenant Governor in Council;
  - (b) reimbursement for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan.
- (14) The minister shall provide any technical, clerical and other assistance that the council may require and that the minister considers reasonable.

**“Duties of council**

- 20.2(1)** The council shall advise the minister on:
- (a) the allocations and expenditures of the fund;
  - (b) the acquisition of lands pursuant to clause 20(6)(a);
  - (c) the administration of lands acquired pursuant to clause 20(6)(a);
  - (d) the disposition of lands acquired pursuant to clause 20(6)(a);
  - (e) proposed changes to this Act or the regulations with respect to the fund;
  - (f) the annual budget and the financial statement of the fund; and
  - (g) any other matter determined by the minister.
- (2) For the purposes of advising the minister pursuant to clause (1)(e), the council may carry out any review of this Act and the regulations that the council considers necessary.
- (3) Before advising the minister pursuant to subsection (1), the council shall consider any information and advice provided by the minister with respect to the fund and the administration of lands acquired pursuant to clause 20(6)(a).
- (4) When making allocations or expenditures from the fund or administering lands acquired pursuant to clause 20(6)(a), the minister shall consider:
- (a) the advice of the council provided pursuant to this section; and
  - (b) any other matter that the minister considers to be in the public interest”.

**Section 22 amended**

**13 Subsection 22(1) is amended in the portion preceding clause (a) by striking out “department” and substituting “ministry”.**

**Coming into force**

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