

# 2016

## CHAPTER 18

### An Act to amend *The Forest Resources Management Act*

(Assented to November 30, 2016)

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 Forest Resources Management Amendment Act, 2016*.

#### S.S. 1996, c.F-19.1 amended

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

#### Section 7 amended

**3** **Clause 7(1)(i) is repealed and the following substituted:**

“(i) the location, development, improvement, maintenance, closure, management and reclamation of roads, road allowances and rights of way within the provincial forest”.

#### New section 21

**4** **Section 21 is repealed and the following substituted:**

##### “Licensees liable for dues

**21(1)** A licensee who holds a licence respecting the harvesting of forest products shall pay the dues in the prescribed amount and in the prescribed manner.

(2) Dues payable on all forest products harvested under a licence are a debt due to and recoverable by the Crown from the licensee.

(3) Property in forest products that may be harvested under a licence remains in the Crown until all dues on those forest products have been paid.

(4) A person in possession of forest products on which dues are owing holds those forest products in trust for the Crown”.

#### Section 22 amended

**5** **Subsection 22(6) is repealed and the following substituted:**

“(6) Unless otherwise specified in a licensee’s licence, a licensee who holds a licence respecting the harvesting of forest products, other than a licensee mentioned in subsection (1) or (3), shall pay the fees in the prescribed amount and in the prescribed manner”.

**Section 38 amended****6 Subsection 38(1) is repealed and the following substituted:**

“(1) Subject to subsection (1.1), before commencing any activity authorized by a forest management agreement, the licensee shall submit to the minister for approval:

- (a) a forest management plan for the full term of the agreement; and
- (b) a five-year operating plan.

“(1.1) If specified in a forest management agreement, a licensee shall submit a forest management plan mentioned in clause (1)(a) in the manner and time set out in the agreement”.

**Section 45 amended****7 Subsection 45(1) is repealed and the following substituted:**

“(1) Subject to the regulations, before commencing any activity authorized by a term supply licence, a licensee shall submit to the minister for approval:

- (a) a forest management plan for the full term of the licence to be revised at times specified in the term supply licence; and
- (b) an operating plan.

“(1.1) Following the second renewal of a term supply licence, if, in the opinion of the minister, the level of harvest activities has the potential to significantly impact the sustainability of the forest resources in the licence area, a licensee shall, before commencing any activity authorized by the term supply licence, submit to the minister for approval a forest management plan for the full renewal term of the licence to be revised at times specified in the term supply licence”.

**New section 79.1****8 The following section is added after section 79:****“On conviction, person prohibited from obtaining a licence for a specific time**

**79.1(1)** A person who is convicted of a contravention of subsection 79(1) may be prohibited by the minister from applying for or obtaining a licence for the longer of:

- (a) any period to a maximum of three years from the date of conviction; and
- (b) any period that the convicting judge may order to a maximum period of five years from the date of conviction.

(2) The minister shall give written notice of the prohibition as soon as possible to the person mentioned in subsection (1).

(3) If a person is convicted of a contravention of a provision of this Act or the regulations, in addition to any other penalty imposed, the convicting judge, having regard to the nature of the offence and the circumstances surrounding its commission, may prohibit the person from doing any act or engaging in any activity that could, in the opinion of the convicting judge, result in the continuation or repetition of the offence.

(4) If a licence is issued to a person who is prohibited from applying for or obtaining a licence, the licence is deemed to be void”.

**Section 82 amended**

**9 Section 82 is amended by adding “, contractor” after “helper” wherever it appears.**

**Section 93 amended**

**10 Subclause 93(1)(a)(v) is amended by striking out “department” and substituting “ministry”.**

**Coming into force**

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

