The Civil Defence Act

being

Chapter C-12 of The Revised Statutes of Saskatchewan, 1978
(effective February 26, 1979).

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>
<thead>
<tr>
<th></th>
<th>Table of Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Short title</td>
</tr>
<tr>
<td>2</td>
<td>Interpretation</td>
</tr>
<tr>
<td>3</td>
<td>Appointment, etc., of provincial co-ordinator and other employees</td>
</tr>
<tr>
<td>4</td>
<td>Defence committee</td>
</tr>
<tr>
<td>5</td>
<td>Sub-committees</td>
</tr>
<tr>
<td>6</td>
<td>Meetings of defence committee and sub-committees</td>
</tr>
<tr>
<td>7</td>
<td>Advisory Council</td>
</tr>
<tr>
<td>8</td>
<td>Powers of minister</td>
</tr>
<tr>
<td>9</td>
<td>Municipalities</td>
</tr>
<tr>
<td>10</td>
<td>Protection of authorized persons acting in emergency</td>
</tr>
<tr>
<td>11</td>
<td>Proclamation declaring disaster</td>
</tr>
<tr>
<td>12</td>
<td>Disaster fund</td>
</tr>
<tr>
<td>13</td>
<td>Regulations</td>
</tr>
<tr>
<td>14</td>
<td>Remuneration of certain persons</td>
</tr>
<tr>
<td>15</td>
<td>Act governs in case of conflict</td>
</tr>
<tr>
<td>16</td>
<td>Interference with person acting pursuant to Act or regulations</td>
</tr>
<tr>
<td>17</td>
<td>Penalty</td>
</tr>
</tbody>
</table>
CHAPTER C-12

An Act respecting Civil Defence and Disaster

Short title
1 This Act may be cited as The Civil Defence Act.

R.S.S. 1978, c.C-12, s.1.

Interpretation
2 In this Act:

“advisory council”
(a) “advisory council” means the advisory council constituted under section 7;

“civil defence”
(b) “civil defence” means preparation for emergency and the carrying out of emergency functions, other than those for which military forces or other federal agencies are primarily responsible, in case of enemy attack, sabotage or other hostile action, and, without derogating from the foregoing generality, includes:

(i) prevention, minimizing and repair of damage;
(ii) fire fighting, police, medical, nursing, health, welfare, engineering, air raid warning and other services;
(iii) institution and maintenance of communications and other means of defence, evacuation of persons and property from stricken areas, transportation, and temporary restoration of damaged public utilities;
(iv) all other incidental matters;

“defence committee”
(c) “defence committee” means the Civil Defence Executive Committee constituted under section 4;

“provincial co-ordinator”
(d) “provincial co-ordinator” means the person appointed under section 3 as Provincial Co-ordinator of Civil Defence;

“disaster”
(e) “disaster” means an emergency in any community caused by fire, flood, tempest or other calamity not resulting from enemy attack, sabotage or other hostile action;

“minister”
(f) “minister” means the Minister of Social Services;

“municipal council”
(g) “municipal council” means the council of a city, town, village or rural municipality, the Minister of Municipal Affairs in the case of a local improvement district or the Minister of Northern Saskatchewan in the case of the Northern Saskatchewan Administration District;

“municipality”
(h) “municipality” includes a city, town, village, rural municipality, local improvement district and the Northern Saskatchewan Administration District;
municipal director”

(i) “municipal director” means a person appointed by a municipal council to organize civil defence in the municipality.

R.S.S. 1965, c.417, s.2; R.S.S. 1978, c.C-12, s.2.

Appointment, etc., of provincial co-ordinator and other employees

3(1) The Lieutenant Governor in Council may appoint a person to be known as the Provincial Co-ordinator of Civil Defence, who shall, under the direction of the minister, be responsible for the administration of this Act and the regulations and perform such other duties as may be assigned to him by the Lieutenant Governor in Council.

(2) There may also be appointed such other officers, technicians and employees as are necessary for the proper conduct of the office of the provincial co-ordinator.

(3) The salaries of the provincial co-ordinator and other officers and employees and all other expenses incurred in administering this Act may be paid out of moneys appropriated by the Legislature for the purpose or, upon the direction of the minister, from any other funds available for the purpose of civil defence or aid in case of disaster.

R.S.S. 1965, c.417, s.3; R.S.S. 1978, c.C-12, s.3.

Defence committee

4(1) There shall be a committee to be known as the Civil Defence Executive Committee consisting of such persons as may be appointed by the Lieutenant Governor in Council.

(2) The provincial co-ordinator shall be chairman of the defence committee.

(3) The defence committee shall direct and co-ordinate the activities of all organizations for civil defence and disaster within the province and maintain liaison and co-operate with all civil defence and disaster agencies and organizations in the other provinces and with the Government of Canada.

(4) The defence committee may do all things that it considers advisable for the protection of persons and property in any part of the province when disaster occurs therein.

R.S.S. 1965, c.417, s.4; R.S.S. 1978, c.C-12, s.4.

Sub-committees

5(1) The defence committee may appoint such sub-committees as are required and define their powers and duties.

(2) The chairman of each sub-committee shall be a member of the defence committee.

R.S.S. 1965, c.417, s.5; R.S.S. 1978, c.C-12, s.5.

Meetings of defence committee and sub-committees

6 The defence committee and sub-committees shall meet upon the request of the minister.

R.S.S. 1965, c.417, s.6; R.S.S. 1978, c.C-12, s.6.
Advisory Council
7(1) The minister may, with the approval of the Lieutenant Governor in Council, constitute a council to be known as the Advisory Council, to advise the minister with respect to plans for civil defence or to meet disaster.

(2) The members of the advisory council shall be representative of the Government of Saskatchewan, municipalities and such provincial and national organizations as the minister deems advisable.

(3) Upon the recommendation of the minister, the Lieutenant Governor in Council shall appoint the members of the Advisory Council and shall designate one of its members as chairman.

(4) The Advisory Council shall meet upon the request minister.

Powers of minister
8 The minister may, with the approval of the Lieutenant Governor in Council, do all things considered advisable for the purpose of civil defence or of meeting any disaster beyond the capacity of a municipality to cope with effectively and, without limiting the generality of the foregoing, may:

(a) enter into agreements with the Government of Canada or any province, municipality, person, firm or corporal with any two or more of them;

(b) acquire real and personal property;

(c) take any measures that he may deem proper to comply with any request of the Government of Canada for any action concerning civil defence or disaster;

(d) enforce all laws, rules and regulations relating to civil defence, prepare a comprehensive plan and program for civil defence of the province, such plan and program to be integrated into and co-ordinated with the civil defence the Government of Canada and other provinces to the fullest possible extent, co-ordinate the preparations of municipal plans and programs for civil defence, such plans to be integrated into and co-ordinated with the civil defence plan and program of the province to the fullest possible extent;

(e) ascertain the requirements of the province or any municipality for food, clothing or other necessities of life in the event of hostile action or disaster, plan for and procure supplies, medicines, equipment and use and employ any of the property, services and resources within the province for the purposes of this Act;

(f) make surveys of the resources and facilities within the province necessary to carry out the purposes of this Act;

(g) institute training programs and public information programs, and take all other preparatory steps, including partial or full mobilization of civil defence organizations in advance of actual necessity therefor, to ensure the furnishing of adequately trained and equipped forces for defence or in case of disaster;

(h) take any measures that he may deem proper to carry into effect any request of the Government of Canada or the Director General Emergency Planning Canada or an civil defence or disaster organization.

R.S.S. 1965, c.417, s.8; R.S.S. 1978, c.C-12, s.8.
Municipalities

The council of any municipality may establish a local civil defence and disaster organization and may appoint a director to organize, administer and operate such organization under the direction and control of the council.

A council which establishes a local organization under subsection (1) may:

(a) levy, appropriate and expend funds, make contracts, obtain and distribute equipment, materials and supplies for the purpose of civil defence;

(b) provide for the health and safety of persons and property including emergency assistance to victims of any disaster;

(c) employ with or without compensation workers for civil defence or disaster;

(d) assign employees, property or equipment of the municipality for civil defence, or in case of disaster, within or without the municipality.

If the Governor in Council declares that an emergency exists and the emergency affects a municipality, or if a disaster occurs in a municipality, the municipality, members of the municipal council or persons acting under its authority with respect to the emergency or disaster shall not be liable for damage caused by interference with the rights of any person or be subject to any proceedings by way of injunction or mandamus.

Protection of authorized persons acting in emergency

If the Governor in Council or the Lieutenant Governor Council declares that an emergency exists, the minister or any official or other person acting under his authority with respect to the emergency shall not be liable in respect of any damage caused by interference with the rights of any person or be subject to any proceedings by way of injunction or mandamus.

Every person while absent from his accustomed employment on duty authorized by a municipal council or by the Government of Saskatchewan for the purposes of this Act shall, for all purposes relative to retention of employment, of seniority rights, and of superannuation benefits, be deemed to have been in his accustomed employment during the absence.

Proclamation declaring disaster

The Lieutenant Governor may by proclamation declare what institutes a disaster and may by the same or another proclamation declare any part or the whole of the province to be a disaster area.
Disaster fund

12(1) The Lieutenant Governor in Council may authorize the establishment of a fund to be known as the Disaster Trust Fund, for the relief of persons suffering loss from disaster, and all moneys received by way of donation, gift, grant or loan for that purpose shall be placed to the credit of the fund.

(2) For the purpose of administering the fund, there shall be a board of trustees, to be known as the Trustees of the Disaster Trust Fund and consisting of the Chief Justice of Saskatchewan, as chairman, the Deputy Minister of Finance, the president of the Saskatchewan Urban Municipalities Association, the president of the Saskatchewan Association of Rural Municipalities and the Commissioner of the Canadian Red Cross Society for the Province of Saskatchewan.

(3) The accounts of the fund shall be audited by the Provincial Auditor.

(4) Expenditures from the fund shall be under the control of the defence committee and the trustees shall make payments from the fund only upon the recommendation of the defence committee.

R.S.S. 1965, c.417, s.12; R.S.S. 1978, c.C-12, s.12.

Regulations

13(1) For the purpose of carrying out the provisions of this Act according to their true intent and of supplying any deficiency therein, the Lieutenant Governor in Council may make regulations not inconsistent with the spirit of this Act which shall have the same force and effect as if incorporated herein.

(2) All regulations made under subsection (1) shall be published in The Saskatchewan Gazette and shall take effect on the date of publication or such later date as may be specified in the regulations.

R.S.S. 1965, c.417, s.13; R.S.S. 1978, c.C-12, s.13.

Remuneration of certain persons

14 The members of the defence committee, sub-committees and the advisory council shall be paid such per diem allowance and travelling expenses as may be determined by the Lieutenant Governor in Council for attendance at any meeting or for doing any work in connection with civil defence or disaster.


Act governs in case of conflict

15 Where the provisions of this Act conflict with the provisions of any other Act, the provisions of this Act shall prevail.

R.S.S. 1965, c.417, s.15; R.S.S. 1978, c.C-12, s.15.

Interference with person acting pursuant to Act or regulations

16 No person shall interfere with or obstruct any person in the exercise of any power or the performance of any duty conferred or imposed by this Act or the regulations.

R.S.S. 1965, c.417, s.16; R.S.S. 1978, c. C-12, s.16.
Penalty

17 Every person contravening any of the provisions of this Act or the regulations, or any order made under the authority thereof, is guilty of an offence and liable on summary conviction to a fine of not less than $10 nor more than $500 and in default of payment to imprisonment for a term not exceeding three months.

R.S.S. 1965, c.417, s.17; R.S.S. 1978, c.C-12, s.17.