

The Department of Tourism and Renewable Resources Act

being

Chapter D-24 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.

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CHAPTER D-24

An Act respecting the Department of Tourism and Renewable Resources

Short title

1 This Act may be cited as *The Department of Tourism and Renewable Resources Act*.

R.S.S. 1978, c.D-24, s.1.

Department continued

2(1) The department of the Government of Saskatchewan called the Department of Tourism and Renewable Resources is continued.

(2) The Minister of Tourism and Renewable Resources shall preside over the department.

1974, c.31, s.2; R.S.S. 1978, c.D-24, s.2.

Staff

3 The staff of the department shall consist of a deputy minister, to be called the Deputy Minister of Tourism and Renewable Resources, and such other employees as are required for the proper conduct of the business of the department.

1974, c.31, s.3; R.S.S. 1978, c.D-24, s.3.

Deputy minister under direction of minister

4 The deputy minister shall, under the direction of the minister, manage the affairs of the department and generally do and perform all acts and things necessary for carrying out this Act.

1974, c.31, s.4; R.S.S. 1978, c.D-24, s.4.

Seal

5 The Lieutenant Governor in Council may create a seal for the department, which shall be known as the Seal of the Department of Tourism and Renewable Resources, and may at his discretion alter or modify the seal.

1974, c.31, s.5; R.S.S. 1978, c.D-24, s.5.

Acts administered

6 The department shall administer the following Acts:

- (a) *The Provincial Lands Act*, to the extent that provision is made therein for administration by the department;
- (b) *The Forest Act*;
- (c) *The Fisheries Act*;
- (d) *The Fur Act*;
- (e) *The Game Act*;
- (f) *The Provincial Parks, Protected Areas, Recreation Sites and Antiquities Act*;
- (g) *The Regional Parks Act*;

- (h) *The Parks Advisory Council Act*;
- (i) *The Prairie and Forest Fires Act*;
- (j) such other Acts as may be designated by the Lieutenant Governor in Council.

1974, c.31, s.6; R.S.S. 1978, c.D-24, s.6.

Powers and duties of minister

7 Unless specifically dealt with under some other Act of the Legislature the minister may, pursuant to this Act or an Act mentioned in section 6, do such things as he deems necessary to conserve, develop, manage and utilize the renewable resources of the province in fish, fur, game and other wildlife, forests, lands and water, to promote and develop tourism within the province, and to develop provincial parks, recreation sites and historic sites, and without limiting the generality of the foregoing, the minister may, where he considers it necessary for any of those purposes:

- (a) undertake planning, research and investigation respecting those resources;
- (b) undertake planning, research and investigation respecting tourism, parks, recreation sites and historic sites;
- (c) carry out programs designed to inform the public respecting things done in relation to any of those resources;
- (d) carry out programs designed to stimulate, co-ordinate and promote tourism in Saskatchewan;
- (e) carry out programs to preserve, develop and maintain the historic sites of the province;
- (f) carry out programs respecting the management of any of those resources;
- (g) plan, develop, construct, acquire, operate and maintain any park, recreation site, campground, tourist information facility, fish hatchery, game farm, wild animal or bird farm, zoo, public hunting or fishing area, research laboratory, forest nursery or museum;
- (h) publicize the tourist industry and the resources and attractions of Saskatchewan;
- (i) encourage and promote improvement in the standards of accommodation, facilities and services offered to the travelling and vacationing public;
- (j) carry out programs to promote public safety in the use of firearms and recreational related equipment;
- (k) carry out forest protection and development services as hereinafter mentioned;
- (l) carry out commercial activities as hereinafter mentioned.

1974, c.31, s.7; R.S.S. 1978, c.D-24, s.7.

Grants by minister

8 Subject to the approval of the Lieutenant Governor in Council the minister may:

- (a) out of moneys appropriated by the Legislature for the purpose, make grants to any person, agency, organization, association, institution or other body;
 - (i) to encourage, assist and promote the conservation and development of the renewable resources of the province;
 - (ii) to encourage and assist in the preservation, restoration and maintenance of the historic sites of the province;
 - (iii) to encourage and assist in the promotion and development of tourism within the province;
- (b) on behalf of the Government of Saskatchewan, enter into agreements with the Government of Canada or the government of any other province, or any person, agency, organization, association, institution or other body respecting renewable resources, parks, recreation sites and historic sites;
- (c) establish in any other province or country tourist offices on behalf of the Government of Saskatchewan or in cooperation with the government of any other province or the Government of Canada.

1974, c.31, s.8; R.S.S. 1978, c.D-24, s.8.

Advisory committees

9(1) The minister may establish or appoint such committees as he considers necessary to advise him with respect to any programs or activities being conducted and relating to the renewable resources, the promotion and development of tourism, and the development of provincial parks, recreation sites and historic sites mentioned in section 7 and he may elect to act as chairman on any such committee.

(2) The members of a committee established or appointed under subsection (1) may:

- (a) where the minister does not elect to act as chairman, elect one of their members as chairman, and in any case elect one other of the members as vice-chairman;
- (b) receive such remuneration for their services and allowances for travelling and other expenses as may be determined by the Lieutenant Governor in Council;
- (c) subject to the approval of the minister, make bylaws governing the calling and conduct of meetings of the committee.

1974, c.31, s.9; R.S.S. 1978, c.D-24, s.9.

Appointment of tourist officers

10(1) The Lieutenant Governor in Council may appoint a person or persons for such period and subject to such conditions as considered advisable to be in charge of and direct the operation of any tourist office established under clause (c) of section 8, and the person or persons so appointed shall in that capacity do and perform such acts, matters and things as may be prescribed by the Lieutenant Governor in Council.

- (2) The person or persons so appointed may:
- (a) with the approval of the Lieutenant Governor in Council, acquire on behalf of the Government of Saskatchewan, by purchase, lease or otherwise, any real or personal property required for the proper operation of the tourist office, and sell, lease or otherwise dispose of property no longer required for that purpose;
 - (b) employ officers, agents and other employees required for the proper operation of the tourist office.
- (3) The person or persons so appointed may exercise such further and other powers and shall perform such further and other duties as may be conferred or imposed upon him or them by the Lieutenant Governor in Council.

1974, c.31, s.10; R.S.S. 1978, c.D-24, s.10.

Forest protection and development services defined

11 For the purposes of sections 12 to 16 inclusive, “**forest protection and development services**” means the provision of labour, machinery, equipment, materials and supplies, and technical, supervisory and administrative services requisite for the prevention, control and suppression of fires, or for the construction, maintenance, repair, alteration, extension or improvement of buildings, structures, recreation facilities, roads, dams, bridges, ditches, fireguards or other works of a similar nature.

1974, c.31, s.11; R.S.S. 1978, c.D-24, s.11.

Forest protection and development services provided to other agency or person

12 The department may provide forest protection and development services to any department of the Government of Canada or Saskatchewan or any other province of Canada, or to any Crown corporation, municipal authority, or to any person.

1974, c.31, s.12; R.S.S. 1978, c.D-24, s.12.

Forest Protection and Development Advance Account

13(1) The Minister of Finance may, upon the requisition of the minister, advance out of the consolidated fund such sums of money as are required:

- (a) to purchase and maintain such machinery, equipment, materials and supplies required in providing forest protection and development services; and
 - (b) to pay salaries and wages, technical, supervisory and administrative costs and to meet other necessary expenditures relating to the provision of forest protection and development services.
- (2) The net amount of such advances shall not at any time exceed the sum of \$2,500,000.
- (3) The advances made under this section shall be charged to an account to be known as the “Forest Protection and Development Advance Account”.

1974, c.31, s.13; 1976, c.14, s.2; R.S.S. 1978, c.D-24, s.1.

Supplies charged against job or placed in stock

14 Materials and supplies purchased with money advanced under clause (a) of subsection (1) of section 13 may be charged directly against the particular job for which they are required or may be placed in stock to be subsequently used in and charged against any job.

1974, c.31, s.14; R.S.S. 1978, c.D-24, s.14.

Regulations

15 Subject to the approval of the Lieutenant Governor in Council and subject to section 16, the minister may make regulations governing forest protection and development services and the Forest Protection and Development Advance Account, and without limiting the generality of the foregoing may make regulations:

- (a) prescribing the manner in which rates are to be calculated and charged for the services provided;
- (b) prescribing the manner in which surcharges on materials and supplies are to be determined and applied to recover handling, administration and other costs;
- (c) prescribing the manner in which and the conditions under which machinery, equipment, materials and supplies shall be acquired or disposed of;
- (d) respecting any other matter or thing, not inconsistent with this Act or any other Act, which is necessary to the provision of forest protection and development services and to the management of the Forest Protection and Development Advance Account.

1974, c.31, s.15; R.S.S. 1978, c.D-24, s.15.

Same

16 The Treasury Board may make regulations governing the accounting for the Forest Protection and Development Advance Account and without limiting the generality of the foregoing may make regulations:

- (a) governing the accounting for expenditures made and revenues received;
- (b) governing the accounting records to be maintained by the department in the management of the Forest Protection and Development Advance Account;
- (c) governing the manner in which the financial statement for the Forest Protection and Development Advance Account shall be prepared;
- (d) governing the manner in which the revenues and expenditures of the Forest Protection and Development Advance Account shall be budgeted.

1974, c.31, s.16; R.S.S. 1978, c.D-24, s.16.

Recovery of costs of services

17 The department may charge any department, Crown corporation, municipal authority, or person to whom or to which forest protection or development services were provided under section 12, the total cost of such services and any money received in payment of such cost shall be paid into the consolidated fund and credited to the Forest Protection and Development Advance Account.

1974, c.31, s.17; R.S.S. 1978, c.D-24, s.17.

“Commercial activities” defined

18 For the purposes of sections 19, 20 and 21, **“commercial activities”** means the conduct and promotion of such activities and the provision of such services, accommodation, materials and supplies as may be necessary for the promotion and development of tourism within the province, and without limiting the generality of the foregoing, includes, for the general use of or for the entertainment, sport or aesthetic enjoyment of the public, the provision of maps, stationery, printing, books, pamphlets, postcards, souvenirs and other forms of promotion, sports equipment, supplies, labour, normal maintenance of buildings and structures, and normal maintenance and replacement of equipment, but excludes all activities relating to:

- (a) lands and development thereof;
- (b) renewable resources, other than those commercial activities relating to renewable resources and mentioned above;
- (c) original expenditures of a capital nature;
- (d) capital and maintenance expenditures in excess of normal.

1974, c.31, s.18; R.S.S. 1978, c.D-24, s.18.

Provision of commercial activities

19 The department may provide and conduct such commercial activities as may be required to achieve the objectives of the department.

1974, c.31, s.19; R.S.S. 1978, c.D-24, s.19.

Commercial Activities Advance Account

20(1) The Minister of Finance may, upon the requisition of the minister, advance out of the consolidated fund such sums of money as are required:

- (a) for the conduct and promotion of commercial activities; and
- (b) to provide services, accommodation, materials and supplies required for such commercial activities.

(2) The net amount of advances under this section shall not at any time exceed the sum of \$3,500,000.

(3) The advances made under this section shall be charged to an account to be known as the “Commercial Advance Account”.

1974, c.31, s.20; 1976, c.14, s.3; R.S.S. 1978, c.D-24, s.20.

Regulations

21 Subject to the approval of the Lieutenant Governor in Council and subject to section 22 the minister may make regulations governing commercial activities and the Commercial Advance Account, and without limiting the generality of the foregoing may make regulations:

- (a) prescribing the rates to be charged and the manner of payment for services and accommodation provided;
- (b) prescribing markups to be applied to the cost of materials and supplies purchased for resale;
- (c) prescribing the terms of sale and manner of payment for materials and supplies;

- (d) prescribing the manner in which and the conditions under which materials and supplies, shall be acquired or disposed of;
- (e) respecting any other matter or thing, not inconsistent with this Act or any other Act, which is necessary to the conduct, promotion or provision of commercial activities or to the management of the Commercial Advance Account.

1974, c.31, s.21; R.S.S. 1978, c.D-24, s.21.

Same

22 The Treasury Board may make regulations governing the accounting for the Commercial Advance Account and without limiting the generality of the foregoing may make regulations:

- (a) governing the accounting for expenditures made and revenues received;
- (b) governing the accounting records to be maintained by the department in the management of the Commercial Advance Account;
- (c) governing the manner in which the financial statement for the Commercial Advance Account shall be prepared;
- (d) governing the manner in which the revenues and expenditures of the Commercial Advance Account shall be budgeted.

1974, c.31, s.22; R.S.S. 1978, c.D-24, s.22.

Surplus or deficit

23(1) Any budgeted surplus or deficit accruing to the Forest Protection and Development Advance Account or the Commercial Advance Account shall be included in the estimates of the province in the fiscal period to which the surplus or deficit relates.

(2) Any actual surplus or deficit accruing to such accounts shall be paid into or charged to the consolidated fund in the fiscal year in which the surplus or deficit resulted.

1974, c.31, s.23; R.S.S. 1978, c.D-24, s.23.

Audit by Provincial Auditor

24 The Provincial Auditor shall annually audit the Forest Protection and Development Advance Account and the Commercial Advance Account.

1974, c.31, s.24; R.S.S. 1978, c.D-24, s.24.

Regulations

25 Notwithstanding anything in any other Act, the Lieutenant Governor in Council may make regulations:

- (a) after consultation with representatives of the tourist industry, establishing standards for the classification of tourist camps, lodges, motels and other similar establishments; and
- (b) not inconsistent with the spirit and intent of this Act, for the purpose of carrying out the provisions of this Act;

and such regulations shall have the same force and effect as if enacted herein.

1974, c.31, s.25; R.S.S. 1978, c.D-24, s.25.

Offences and penalties

26 Every person who contravenes any provision of this Act or the regulations is guilty of an offence and liable on summary conviction to:

- (a) in the case of an individual, a fine not exceeding \$500 and to a further fine not exceeding \$50 for each day during which the offence continues;
- (b) in the case of a corporation, a fine not exceeding \$5,000 and to a further fine not exceeding \$500 for each day during which the offence continues.

1974, c.31, s.26; R.S.S. 1978, c.D-24, s.26.

Entry upon land

27 Notwithstanding anything in *The Expropriation Procedure Act*, the minister, or a person designated by him for the purposes of this Act or any Act referred to in section 6, may enter upon any land for the purposes of securing data and obtaining information respecting renewable resources and for inspection of any works related thereto.

1974, c.31, s.27; R.S.S. 1978, c.D-24, s.27.

Non-liability of Crown, etc.

28 Neither Her Majesty the Queen in the right of Saskatchewan nor any member of the Executive Council nor any person acting under the authority of this Act or any Act referred to in section 6, or the regulations or orders made under this Act or any of those Acts, is in any way liable, except in the case of negligence, for any loss or damage suffered by reason of anything in good faith done or omitted to be done under the authority or supposed authority of such Acts or regulations or orders.

1974, c.31, s.28; R.S.S. 1978, c.D-24, s.28.

Fiscal year

29 The fiscal year of the department shall be the period commencing on the first day of April in one calendar year and ending on the last day of March in the next calendar year, both dates inclusive.

1974, c.31, s.29; R.S.S. 1978, c.D-24, s.29.

Report

30(1) The department shall, in accordance with *The Tabling of Documents Act*, submit to the minister an annual report respecting the work performed by the department during the immediately preceding fiscal year.

(2) The minister shall, in accordance with *The Tabling of Documents Act*, lay before the Legislative Assembly each report received by him under subsection (1).

1974, c.31, s.30; 1974-75, c.49, s.11; R.S.S. 1978, c.D-24, s.30.