

PART II

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REVISED REGULATIONS OF SASKATCHEWAN

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CHAPTER L-9.001 REG 1

*The Leafcutting Beekeepers Registration Act*

Section 11

Order in Council 406/92, dated April 15, 1992.

(Filed April 16, 1992)

**1** These regulations may be cited as *The Leafcutting Beekeepers Registration Regulations*. Title

**2** In these regulations, “**Act**” means *The Leafcutting Beekeepers Registration Act*. Interpretation

**3(1)** Any application for a certificate of registration pursuant to subsection 3(2) of the Act must be made not more than 30 days after the day on which any bees are, or beekeeping equipment is, acquired from within Saskatchewan. Time periods for applications

(2) Any application for a certificate of registration pursuant to subsection 3(3) of the Act must be made not more than 60 days after the first day on which:

- (a) subsection 3(3); and
- (b) clauses 11 (b) and (d);

of the Act are in force.

(3) Any application for a certificate of registration pursuant to section 4 of the Act must be made at least 30 days before the day on which any bees are, or beekeeping equipment is, brought into Saskatchewan.

**4(1)** Subject to subsection (2), these regulations come into force on the first day on which clauses 11(b) and (d) of the Act are in force. Coming into force

(2) If these regulations are filed with the Registrar of Regulations after the first day on which clauses 11(b) and (d) of the Act are in force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**CHAPTER P-7 REG 3**

*The Pest Control Act*

Sections 9 and 32

Order in Council 405/92, dated April 15, 1992.

(Filed April 16, 1992)

Title **1** These regulations may be cited as *The Dutch Elm Disease Control Regulations*.

Interpretation **2** For the purposes of these regulations:

- (a) **“designated disposal site”** means a disposal site designated pursuant to section 7;
- (b) **“Dutch elm disease”** means the plant disease caused by the existence in an elm tree of the fungus *Ophiostoma ulmi* which is also known as *Ceratocystis ulmi*;
- (c) **“elm tree”** means any tree, either living or dead, of the *Ulmus* genus;
- (d) **“hazard tree”** means any elm tree that:
  - (i) in the opinion of an officer, has deteriorated to the point that it is capable of supporting elm bark beetle habitation and breeding making that elm tree a hazard that may promote the spread of Dutch elm disease; and
  - (ii) has been identified to the owner as a hazard tree, by:
    - (A) written notice sent by regular mail to the owner by an officer; and
    - (B) a clear marking placed on the elm tree by an officer that distinguishes the elm tree from other elm trees that are not hazard trees or infected trees;
- (e) **“infected tree”** means any elm tree that:
  - (i) has been determined by an officer to be infected with Dutch elm disease; and
  - (ii) has been identified to the owner as an infected elm tree by:
    - (A) written notice sent by regular mail to the owner by an officer; and
    - (B) a clear marking placed on the elm tree by an officer that distinguishes the elm tree from other elm trees that are not infected trees or hazard trees;
- (f) **“municipality”** means an urban municipality, a rural municipality or a northern municipality;
- (g) **“northern municipality”** means a northern municipality within the meaning of *The Northern Municipalities Act*;

- (h) **“owner”** includes any person who owns, occupies or controls land on which one or more elm trees are located;
- (i) **“pruning”** means removal, from an elm tree, of branch material that is living, diseased other than by Dutch elm disease, or dead, to enhance the elm tree’s growth, vigour or form;
- (j) **“rural municipality”** means a rural municipality within the meaning of *The Rural Municipality Act, 1989*;
- (k) **“urban municipality”** means an urban municipality as defined in *The Urban Municipality Act, 1984*.

3(1) Where an elm tree is an infected tree or is a hazard tree, the owner of the elm tree shall, in accordance with subsection (2), immediately: Infected trees and hazard trees

- (a) burn:
  - (i) all bark material from all parts of the elm tree; or
  - (ii) the elm tree until all bark material has been burned from all parts of the elm tree; or
- (b) bury all parts of the elm tree:
  - (i) to a minimum depth of 25 centimetres; and
  - (ii) so that no part of the elm tree is exposed or subject to exposure by natural means;

so as to render the elm tree useless for elm bark beetle habitation or breeding.

(2) Every owner of an elm tree who is required by subsection (1) or 4(6) to burn or bury all or any part of an elm tree shall:

- (a) where the elm tree is located in an urban municipality, remove the elm tree and burn or bury the elm tree at a designated disposal site in the manner specified in subsection (1) or 4(6);
- (b) where the elm tree is located in a rural municipality or a northern municipality:
  - (i) remove the elm tree and burn or bury the elm tree at a designated disposal site; or
  - (ii) burn or bury the elm tree on the owner’s property where the elm tree is located;

in the manner specified in subsection (1) or 4(6).

- (3) Every person who removes an elm tree shall:
  - (a) remove the stump of the elm tree to a minimum depth of 10 centimetres below the soil line; or
  - (b) treat the elm tree stump in a manner satisfactory to an officer.

4(1) Subject to subsection (2), every owner of an elm tree shall keep the elm tree pruned so that the elm tree is free of wood that is dead or dying. Pruning of an elm tree

- (2) No person shall prune an elm tree:
- (a) that is an infected tree or is a hazard tree; or
  - (b) between April 13 and July 31 inclusive in any year;
- unless the pruning is authorized in writing by an officer pursuant to subsection (3).
- (3) Where an officer is satisfied that it is safe to prune an elm tree, having regard to the control of Dutch elm disease, the officer may give written authorization to a person to prune an elm tree:
- (a) that is a hazard tree; or
  - (b) between April 13 and July 31 inclusive in any year.
- (4) Every written authorization given by an officer pursuant to subsection (3) may be cancelled by an officer by written notice to the person who obtained the written authorization.
- (5) Notwithstanding clause (2)(b), every owner of an elm tree that has been damaged shall prune the elm tree within a reasonable time after the damage occurs so that the elm tree is free of wood that is dead or dying.
- (6) Every owner of an elm tree that has been damaged or pruned shall, within a reasonable time after the damage or pruning and in accordance with subsection 3(2):
- (a) burn all bark material from all pieces:
    - (i) broken from the elm tree; or
    - (ii) cut from the elm tree during pruning; or
  - (b) bury all of the pieces:
    - (i) broken from the elm tree; or
    - (ii) cut from the elm tree during pruning;
- to a minimum depth of 25 centimetres and so that none of the pieces broken or cut from the elm tree are exposed or subject to exposure by natural means;
- so as to render all of the pieces that were broken or cut from the elm tree useless for elm bark beetle habitation or breeding.

Transportation of infected and hazard trees prohibited

- 5(1)** No person shall transport an elm tree that is an infected tree or a hazard tree or any part of an elm tree that is an infected tree or a hazard tree:
- (a) within Saskatchewan; or
  - (b) into Saskatchewan from any:
    - (i) province or territory of Canada;
    - (ii) state or territory of the United States of America; or
    - (iii) country.
- (2) Subsection (1) does not apply to any person who is transporting an elm tree or part of an elm tree to a designated disposal site.

**6(1) No person shall:**

- (a) store;
- (b) use;
- (c) exchange;
- (d) sell; or
- (e) transport:
  - (i) within Saskatchewan; or
  - (ii) into Saskatchewan from any:
    - (A) province or territory of Canada;
    - (B) state or territory of the United States of America;
    - or
    - (C) country;

Storage, use,  
exchange,  
sale and  
transporta-  
tion of elm  
trees

any elm tree or part of an elm tree that is not an infected tree or a hazard tree for use as fuel wood or for any other purpose unless the person has obtained the written authorization of an officer pursuant to subsection (2) to store, use, exchange, sell or transport the elm tree or part of an elm tree.

(2) An officer may give written authorization to a person to store, use, exchange, sell or transport one or more elm trees or parts of elm trees where the officer is satisfied that:

- (a) it is safe to do so;
- (b) the storage, use, exchange, sale or transportation will not spread Dutch elm disease or dangerously increase the risk of spreading Dutch elm disease; and
- (c) the elm tree or part of an elm tree to be stored, used, exchanged, sold or transported is not or is not from an infected tree or a hazard tree and:
  - (i) is live elm tree nursery stock; or
  - (ii) has:
    - (A) no bark remaining on it; or
    - (B) been mechanically dried to a moisture content of 18% or less.

(3) In every written authorization given by an officer pursuant to subsection (2), the officer must:

- (a) describe the quantity, condition and type of elm trees or parts of elm trees the storage, use, exchange, sale or transportation of which is being authorized;
- (b) indicate which of:
  - (i) storage;
  - (ii) use;
  - (iii) exchange;
  - (iv) sale;
  - (v) transportation; or

(vi) any combination of the activities listed in sub-clauses (i) to (v);

is being authorized for every elm tree or part of an elm tree described pursuant to clause (a);

(c) indicate the time period over which the authorization will be effective; and

(d) where:

(i) storage is authorized, indicate the storage location authorized;

(ii) use is authorized, indicate the use authorized;

(iii) exchange is authorized, indicate the location and other relevant details of the exchange authorized;

(iv) sale is authorized, indicate the location and other relevant details of the sale authorized;

(v) transportation is authorized, indicate the mode of transportation authorized and the purpose, the route, a description or other relevant details of the transportation authorized.

(4) Every written authorization given by an officer pursuant to subsection (2) may be cancelled by an officer by written notice to the person who obtained the written authorization.

Disposal sites  
for elm trees

**7** Every municipality shall designate a disposal site where elm trees may be taken to be burned or buried as required by sections 3 and 4.

Coming into  
force

**8(1)** Subject to subsection (2), these regulations come into force on the day on which *The Pests Declaration Amendment Regulations, 1992* come into force.

(2) If these regulations are filed with the Registrar of Regulations after *The Pests Declaration Amendment Regulations, 1992* come into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

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