

*The  
Pipelines  
Administration and  
Licensing  
Regulations*

*being*

[Chapter P-12.1 Reg 2](#) (effective January 20, 2020).

**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 of Contents

	<b>PART 1</b>		<b>DIVISION 2</b>
	<b>Preliminary Matters</b>		<b>Limited Licensing Exemption</b>
1-1	Title	4-2	Definitions for Division
1-2	Definitions	4-3	Limited exemption – designated pipelines
1-3	Licence holder and operator must comply	4-4	Application for licence
1-4	<i>The Boiler and Pressure Vessel Act, 1999</i> prevails – pipelines transporting steam	4-5	Recording of licence – orphaned pipelines
1-5	Prescribed date for the purposes of section 30.31 of the Act	4-6	Records – pipelines of undetermined ownership
1-6	Prescribed date for the purposes of subsection 5(3) of the Act	4-7	Owner’s obligations re unlicensed designated pipelines – after transitional period
	<b>PART 2</b>	4-8	Operator’s obligation to notify minister – after transitional period
	<b>Electronic Licence Registry</b>		<b>PART 5</b>
2-1	Registration to use registry		<b>Administrative Levies</b>
2-3	Change related to registered user	5-1	Administrative levy
2-4	Agents		<b>PART 6</b>
2-5	Searches		<b>Administrative Penalties</b>
2-6	Deletion from registry or correction of entry in registry	6-1	Administrative penalties
	<b>PART 3</b>		<b>PART 7</b>
	<b>Licences</b>		<b>Taking and Using Land</b>
3-1	Eligibility requirements – licences	7-1	Surface access limitations
3-2	Applications for approval	7-2	Consent re entry on lands
3-3	General licensing provisions		<b>PART 8</b>
	<b>PART 4</b>		<b>Repeal</b>
	<b>Exemptions from Licensing Requirements</b>	8-1	RRS c P-12.1 Reg 1 repealed
	<b>DIVISION 1</b>		<b>PART 9</b>
	<b>Full Licensing Exemption</b>		<b>Coming into Force</b>
4-1	Prescribed pipelines for the purposes of clause 3(2)(d) of the Act	9-1	Coming into force
			<b>Appendix</b>
		Table 1	Provisions For Which Administrative Penalty May Be Imposed
		Table 2	Provisions for which Administrative Penalty May be Imposed

## CHAPTER P-12.1 REG 2

### *The Pipelines Act, 1998*

#### PART 1

#### Preliminary Matters

##### Title

**1-1** These regulations may be cited as *The Pipelines Administration and Licensing Regulations*.

##### Definitions

**1-2** In these regulations:

“**Act**” means *The Pipelines Act, 1998*;

“**Directive PNG014**” means *Directive PNG014: Incident Reporting Requirements*, approved pursuant to section 25.2 of the Act and adopted, as amended from time to time, by order of the minister pursuant to section 17 of *The Oil and Gas Conservation Act*;

“**Directive PNG034**” means *Directive PNG034: Saskatchewan Pipelines Code*, as amended from time to time, approved pursuant to section 25.2 of the Act;

“**discontinuation**” means a discontinuation as defined in Directive PNG034;

“**operator**” means any person who owns, is in charge of or has control of any pipeline, whether or not a licence has been issued respecting that pipeline;

“**registered user**” means a person who meets the requirements of section 2-1;

“**rules**” means any regulations, directives or minister’s orders made pursuant to the Act.

24 Jan 2020 cP-12.1 Reg 2 s1-2.

##### Licence holder and operator must comply

**1-3** Subject to section 1-4 and the provisions of Part 4, every licence holder and every operator of a pipeline shall comply with the Act and the rules.

24 Jan 2020 cP-12.1 Reg 2 s1-3.

##### *The Boiler and Pressure Vessel Act, 1999* prevails – pipelines transporting steam

**1-4** In the case of a pipeline transporting steam, the provisions of *The Boiler and Pressure Vessel Act, 1999* prevail if there is a conflict between:

- (a) the provisions of the Act and the rules; and
- (b) the provisions of *The Boiler and Pressure Vessel Act, 1999*.

24 Jan 2020 cP-12.1 Reg 2 s1-4.

**P-12.1 REG 1 PIPELINES ADMINISTRATION AND LICENSING****Prescribed date for the purposes of section 30.31 of the Act**

**1-5** For the purposes of section 30.31 of the Act, the date prescribed as the implementation date is January 20, 2020.

24 Jan 2020 cP-12.1 Reg 2 s1-5.

**Prescribed date for the purposes of subsection 5(3) of the Act**

**1-6** For the purposes of subsection 5(3) of the Act, the prescribed date is the day that is 3 years after January 20, 2021.

24 Jan 2020 cP-12.1 Reg 2 s1-6.

**PART 2  
Electronic Licence Registry**

**Registration to use registry**

**2-1(1)** A person must be registered to search the registry, acquire or transfer a licence or make any application or submission pursuant to these regulations and any other applicable rules.

(2) A person who intends to register to use the registry shall:

(a) submit to the registry the person's:

- (i) name;
- (ii) telephone number;
- (iii) address for service; and
- (iv) email address for service; and

(b) if the person is a corporation, submit to the registry the corporation's entity number in the register of corporations maintained pursuant to section 282 of *The Business Corporations Act*.

24 Jan 2020 cP-12.1 Reg 2 s2-1.

**Change related to registered user**

**2-2(1)** Subject to subsections (2) to (4), if any of the information the registered user is required to submit to the registry pursuant to subsection 2-1(2) changes, the registered user shall submit the revised information to the registry.

(2) If a registered user that is a corporation changes its name or amalgamates with another corporation, it shall submit to the minister:

- (a) a copy of the appropriate certificate of amendment or certificate of amalgamation; and
- (b) the entity number of the amalgamated corporation in the register of corporations maintained pursuant to section 282 of *The Business Corporations Act*.

(3) If a registered user that is not a corporation has a change of name, the registered user shall submit to the minister evidence satisfactory to the minister of the change of name.

- (4) Revised information submitted pursuant to this section must be provided:
  - (a) in the case of an email address, immediately after the change; and
  - (b) in the case of any other information, within 30 days after the change.
- (5) After receiving information pursuant to subsection (2) or (3), the minister shall register the change of name or the amalgamation of the corporation with another corporation, as the case may be.

24 Jan 2020 cP-12.1 Reg 2 s2-2.

#### **Agents**

- 2-3(1)** A registered user may designate another person to act as an agent to conduct specified transactions within the registry on the registered user's behalf.
- (2) On acceptance of the designation of the agent in the registry, the agent is authorized to conduct the transactions with respect to which the registered user has designated the agent.
- (3) The designation of an agent does not relieve the registered user of any responsibility to comply with the Act or the rules.
- (4) The designation as an agent may be terminated by the registered user or the agent effective as of the registration of the termination of the agency.

24 Jan 2020 cP-12.1 Reg 2 s2-3.

#### **Searches**

- 2-4(1)** Subject to subsection (2), a registered user may search the registry for any information recorded in the registry using the search functions available to any registered user.
- (2) Information in the registry is searchable, except with respect to information that in the opinion of the minister deals with:
  - (a) the security of a pipeline;
  - (b) intellectual property including trade secrets;
  - (c) personal information; or
  - (d) any other information the minister considers it to be in the public interest to exclude.

24 Jan 2020 cP-12.1 Reg 2 s2-4.

#### **Deletion from registry or correction of entry in registry**

- 2-5(1)** On application by a licence holder or on the initiative of the minister, the minister may:
  - (a) correct an entry in the registry; or
  - (b) delete an entry made in error in the registry.
- (2) The minister shall record the reason for any correction or deletion made in the registry pursuant to this section.

**P-12.1 REG 1** PIPELINES ADMINISTRATION AND LICENSING

- (3) Subject to subsection (5), if the correction or deletion is on the initiative of the minister, the minister shall notify the licence holder affected by the correction or deletion in writing before the correction or deletion is made.
- (4) If a licence holder mentioned in subsection (3) objects to the proposed correction or deletion, the licence holder shall:
- (a) reply to the minister in writing within 30 days after receiving the notice; and
  - (b) state the reasons the licence holder objects to the correction or deletion proposed to be made on the initiative of the minister.
- (5) After considering the response made by the licence holder, the minister may:
- (a) make the correction or deletion; or
  - (b) decide not to make the correction or deletion.
- (6) If no response is received by the minister after the expiry of the 30-day period mentioned in subsection (4), the minister may make the correction or deletion.
- (7) If the minister is of the opinion that a delay in making the correction or deletion would have a deleterious effect on the registry, the minister:
- (a) may make the correction or deletion; and
  - (b) if the correction or deletion is made, shall notify the licence holder affected by the correction or deletion in writing as soon as is reasonably possible after making the correction or deletion and the reasons for the correction or deletion and give the licence holder an opportunity to make written representations.

24 Jan 2020 cP-12.1 Reg 2 s2-5.

**PART 3**  
**Licences**

**Eligibility requirements – licences**

**3-1** Unless otherwise approved by the minister, no licence shall be issued to, or transferred to or from, a person if:

- (a) that person owes any money to the Crown in right of Saskatchewan; or
- (b) that person's business is not registered to lawfully carry on business in Saskatchewan.

24 Jan 2020 cP-12.1 Reg 2 s3-1.

**Applications for approval**

**3-2(1)** Every application that requires the approval of the minister pursuant to the Act or the rules for which an application process is not otherwise provided:

- (a) must be made in an approved form and manner; and
- (b) must be accompanied by any information that the minister may reasonably require.

- (2) On receipt of an application mentioned in subsection (1), the minister may:
- (a) approve the application subject to any terms and conditions that the minister considers appropriate if the minister is satisfied that:
    - (i) the applicant has complied with the Act and the rules;
    - (ii) the applicant meets the eligibility requirements set out in section 3-1; and
    - (iii) it is in the public interest to do so; or
  - (b) refuse to approve the application.
- (3) If the minister refuses to approve an application pursuant to clause (2)(b), the minister shall provide the applicant with written reasons for the refusal.

24 Jan 2020 cP-12.1 Reg 2 s3-2.

#### General licensing provisions

- 3-3(1)** The minister may suspend or cancel a licence:
- (a) if a construction notification has not been received by the minister within 2 years after the date on which the licence was issued; or
  - (b) if the licence holder ceases to meet the eligibility requirements set out in section 3-1.
- (2) If a licence is suspended or cancelled pursuant to subsection (1) or section 12 of the Act:
- (a) all rights and privileges conveyed by the licence are suspended or cancelled, as the case may be; and
  - (b) the responsibility of the licence holder for the pipeline continues after the suspension or cancellation of the licence with respect to any obligations of the licence holder pursuant to the Act and the rules as if the licence were not suspended or cancelled.

24 Jan 2020 cP-12.1 Reg 2 s3-3.

## PART 4 Exemptions from Licensing Requirements

### DIVISION 1 Full Licensing Exemption

#### Prescribed pipelines for the purposes of clause 3(2)(d) of the Act

- 4-1(1)** In this section:

**“surface lease”** means the area leased by an owner of a well, installation or facility for a well, installation or facility connected to a pipeline, but does not include an access road to the well, installation or facility;

**“temporary pipeline”** means a pipeline:

- (a) that is above ground;
- (b) that is not located wholly within the boundaries governed by a surface lease or by contiguous surface leases; and
- (c) that will be in use for a period of no more than 180 days.

**P-12.1 REG 1 PIPELINES ADMINISTRATION AND LICENSING**

(2) Subject to subsection (3), for the purposes of clause 3(2)(d) of the Act, the following classes of pipelines are prescribed as being exempt:

- (a) pipelines that are located wholly within the boundaries governed by a surface lease;
- (b) pipelines that are located wholly within contiguous surface leases;
- (c) any piping situated between designated control point A and designated control point B as set out in Appendix 3 of Directive PNG034;
- (d) any temporary pipeline.

(3) Notwithstanding any provision of this Part:

- (a) a pipeline mentioned in clause (2)(a), (b) or (c):
  - (i) is not required to be licensed;
  - (ii) is not required to obtain any approval mentioned in subsection 3-2(1); and
  - (iii) is required to comply with all other provisions of the Act and the rules; and
- (b) a pipeline mentioned in clause (2)(d):
  - (i) is not required to be licensed;
  - (ii) is not required to obtain any approval mentioned in subsection 3-2(1) other than the approval required by Appendix 4 of Directive PNG034; and
  - (iii) is required to comply with all other provisions of the Act and the rules.

24 Jan 2020 cP-12.1 Reg 2 s4-1.

DIVISION 2  
**Limited Licensing Exemption**

**Definitions for Division**

**4-2** In this Division:

**“designated pipeline”** means any of the following:

- (a) a flowline that:
  - (i) was not required to be licensed until the repeal of section 4 of the Act; and
  - (ii) is in existence before January 20, 2021; or
- (b) a previously exempt pipeline as defined in subsection 5(1) of the Act;

**“orphaned pipeline”** means a designated pipeline if the person responsible for the designated pipeline was known but no longer exists;



**“pipeline of undetermined ownership”** means a designated pipeline whose ownership the minister is unable to determine to the satisfaction of the minister, or any other designated pipeline with respect to which the minister determines that the owner is unknown, for the purposes of registration;

**“transitional period”** means the period commencing on January 20, 2021 and ending on the day that is 3 years after that date.

24 Jan 2020 cP-12.1 Reg 2 s4-2.

**Limited exemption – designated pipelines**

**4-3** Designated pipelines are exempt from the licensing requirements of the Act until the expiry of the transitional period on the terms and conditions and subject to the provisions set out in this Part.

24 Jan 2020 cP-12.1 Reg 2 s4-3.

**Application for licence**

**4-4(1)** Subject to subsections (2) and (3), every owner of a designated pipeline shall apply in an approved form and manner for a licence before the expiry of the transitional period.

(2) Within 12 months after January 20, 2020, every owner of a designated pipeline who does not hold a licence for the designated pipeline shall submit to the minister in an approved form and manner a plan that is satisfactory to the minister setting out:

(a) the estimated number of known designated pipelines of the owner remaining unlicensed that are required to be licensed by the owner before the end of the transitional period; and

(b) the actions the owner intends to undertake to ensure it meets its obligations to licence any designated pipelines remaining unlicensed before the expiry of the transitional period.

(3) After reviewing the plan, the minister may:

(a) approve the plan; or

(b) refuse to approve the plan.

(4) If the minister refuses to approve the plan pursuant to clause (3)(b), the minister:

(a) shall provide the owner with written reasons for the refusal; and

(b) may direct the owner to submit a revised plan containing the information requested by the minister.

**P-12.1 REG 1 PIPELINES ADMINISTRATION AND LICENSING**

(5) An owner of a designated pipeline who does not hold a licence for the designated pipeline may continue to operate that pipeline until the expiry of the transitional period if the owner complies with all provisions of the Act and the rules imposing requirements and obligations other than the requirement:

- (a) to hold a licence; and
- (b) to obtain any approval mentioned in subsection 3-2(1).

(6) The minister may direct an owner to apply for a licence for a designated pipeline at any time during the transitional period if the minister determines that a licence is necessary for the purposes of public safety or to protect the environment.

24 Jan 2020 cP-12.1 Reg 2 s4-4.

**Recording of licence – orphaned pipelines**

**4-5(1)** If, on or after January 20, 2020, an orphaned pipeline is identified, the minister may, without application, record a licence in the name of the owner of the pipeline.

(2) If the minister records a licence in the name of the owner of the pipeline pursuant to subsection (1), all provisions of the Act and the rules imposing requirements and obligations apply to the owner on and after January 20, 2020.

24 Jan 2020 cP-12.1 Reg 2 s4-5.

**Records – pipelines of undetermined ownership**

**4-6(1)** If, on or after January 20, 2021, a pipeline of undetermined ownership that is not licensed is identified, the minister may:

- (a) create a record in the registry for that pipeline that states that the licence holder is undetermined; and
- (b) record the address for service with respect to that pipeline as the address of the minister.

(2) If the ownership of a pipeline of undetermined ownership that is not licensed is subsequently established to the satisfaction of the minister or determined by a court of competent jurisdiction, on the application of the owner, the minister may register a licence for that pipeline in the name of the owner.

24 Jan 2020 cP-12.1 Reg 2 s4-6.

**Owner's obligations re unlicensed designated pipelines – after transitional period**

**4-7(1)** If the owner of an unlicensed designated pipeline discovers the existence of the pipeline after the expiry of the transitional period, the owner shall:

- (a) promptly notify the minister of the existence of the designated pipeline; and
- (b) apply for a licence for that pipeline within 90 days after the discovery.

(2) The owner of a designated pipeline mentioned in subsection (1) may continue to operate the designated pipeline in accordance with the Act and the rules until the minister determines if a licence will be issued for that pipeline, unless the minister notifies the owner that the owner is not authorized to continue to operate the pipeline.

24 Jan 2020 cP-12.1 Reg 2 s4-7.

**Operator's obligation to notify minister – after transitional period**

**4-8** If, after the expiry of the transitional period, an operator discovers the existence of a designated pipeline owned by another person that is not registered, the operator shall notify the minister promptly of the existence of the designated pipeline.

24 Jan 2020 cP-12.1 Reg 2 s4-8.

**PART 5  
Administrative Levies**

**Administrative levy**

**5-1** It is a condition of every licence issued pursuant to the Act that the licence holder pay the administrative levy imposed in accordance with section 9.11 of *The Oil and Gas Conservation Act*.

24 Jan 2020 cP-12.1 Reg 2 s5-1.

**PART 6  
Administrative Penalties**

**Administrative penalties**

**6-1(1)** For the purposes of section 30.1 of the Act, the minister may assess a penalty for a contravention of a provision of the Act or the rules set out in Tables 1 and 2 of the Appendix.

(2) The administrative penalty the minister may assess with respect to each contravention set out in Table 1 of the Appendix is:

- (a) for an individual, a maximum of \$500 per day to a maximum of \$20,000;
- (b) for a corporation, a maximum of \$5,000 per day to a maximum of \$200,000.

(3) The administrative penalty the minister may assess with respect to each contravention set out in Table 2 of the Appendix is \$100 per day to a maximum of \$20,000.

24 Jan 2020 cP-12.1 Reg 2 s6-1.

**PART 7  
Taking and Using Land**

**Surface access limitations**

**7-1** A licence does not grant a right of entry onto the surface nor the use of surface lands.

24 Jan 2020 cP-12.1 Reg 2 s7-1.

**P-12.1 REG 1** PIPELINES ADMINISTRATION AND LICENSING

**Consent re entry on lands**

**7-2** Every applicant requesting consent from the minister pursuant to section 13 of the Act shall provide evidence satisfactory to the minister that the applicant:

- (a) contacted the owner, explained the purpose of the intended entry and discussed the route of the pipeline; or
- (b) was unable to contact the owner after taking all reasonable steps to do so.

24 Jan 2020 cP-12.1 Reg 2 s7-2.

**PART 8**  
**Repeal**

**RRS c P-12.1 Reg 1 repealed**

**8-1** *The Pipelines Regulations, 2000* are repealed.

24 Jan 2020 cP-12.1 Reg 2 s8-1.

**PART 9**  
**Coming into Force**

**Coming into force**

**9-1(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Pipelines Amendment Act, 2019* comes into force.

(2) If section 1 of *The Pipelines Amendment Act, 2019* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

24 Jan 2020 cP-12.1 Reg 2 s9-1.

**Appendix**

TABLE 1  
**Provisions for which Administrative Penalty May be Imposed**  
 [Subsection 6-1(2)]

<b>Item</b>	<b>Description of Contravention</b>	<b>Provisions of Act or Rules</b>
1	Failure to obtain a licence authorizing the construction, alteration, operation or abandonment of a pipeline or the discontinuation of the operation of a pipeline	subsection 5(2) of the Act
2	Failure to comply with a notice of contravention	section 11 of the Act
3	Failure to comply with a minister's order	subsection 12(1) of the Act; subsection 26(2) of the Act
4	Failure to notify the minister of an incident	Directive PNG014
5	Failure to activate Emergency Response Plan and take immediate steps to resolve the incident	Directive PNG014
6	Failure to provide reasonable assistance to an inspector carrying out an inspection or audit	subclause 24.1(3)(c)(ii) of the Act
7	Failure to provide prior notice to operator when undertaking a ground disturbance within 30 metres of a pipeline	subsection 20(1) of the Act

TABLE 2  
**Provisions for which Administrative Penalty May be Imposed**  
 [Subsection 6-1(3)]

<b>Item</b>	<b>Description of Contravention</b>	<b>Provisions of Act or Rules</b>
1	Failure to provide a detailed incident report, incident reclamation report or root cause analysis report	Directive PNG014
2	Failure to provide complete and accurate information to the minister as required	section 22 of the Act
3	Failure to locate a pipeline in accordance with the rules when required	Directive PNG034
4	Failure to apply for a licence for a designated pipeline as required	subsection 4-4(1) of <i>The Pipelines Administration and Licensing Regulations</i>
5	Failure to submit to the minister a required plan with respect to a designated pipeline	subsection 4-4(2) of <i>The Pipelines Administration and Licensing Regulations</i>

