

Backgrounder

Transition to *The Provincial Lands Act, 2016* and *The Crown Resource Land Regulations, 2017* and associated regulations

The Government of Saskatchewan, as represented by the ministries of Agriculture and Environment, have updated *The Provincial Lands Act* and a number of the associated regulations to address deficiencies, as well as to improve provincial Crown land administration and client services. The Act was outdated and did not provide for efficient and effective administration of Crown lands to meet client needs and expectations.

Saskatchewan's land base is 161.1 million acres (65.2 million hectares). The Ministry of Agriculture administers approximately 8.5 million acres (3.44 million hectares) of agricultural Crown land in southern Saskatchewan. The Ministry of Environment administers 93.2 million acres (37.7 million hectares) of Crown resource land in central and northern Saskatchewan, with some small holdings in the south.

The legal authority for Crown land management by the two ministries is provided primarily by *The Provincial Lands Act* and the associated regulations. This Act had been largely unchanged since 1978, with clauses and language dating back to the 1930s. Portions of that Act were no longer used and, in some cases, inconsistent with other legislation. By adopting the new Act, the Government will improve public and client service through:

- improved clarity and increasing understanding of how provincial Crown lands are administered;
- consistent land management approaches between the two administering ministries;
- consolidation and streamlining to eliminate duplication;
- land management tools that provide flexibility and allow ministries to better respond to emerging issues; and
- modern enforcement methods to protect Crown lands.

The Provincial Lands Act, 2016 was introduced as Bill 34 in the Legislative Assembly of Saskatchewan in June 2016 and received Royal Assent in November 2016. On March 13, 2017 the Act was proclaimed and came into force.

In conjunction with the new Act, the Ministry of Environment made minor updates to *The Crown Resource Land Regulations* by adopting *The Crown Resource Land Regulations, 2017* that also came into force March 13, 2017. The revisions:

- Change the language for service provision from “30 days” to “21 business days” and “7 days” to “5 business days”. These revisions reflect the new legislative drafting style from the Act but do not change the amount of time required to be provided.

- Change reference from “department” to “ministry” to reflect modern naming.
- Align the regulations with the Act to clarify the rights of a disposition holder to remove property from a site end when a lease, easement, permit, or licence expires. The ministry will continue to work with clients to ensure personal property is removed from cancelled or expired dispositions.
- Remove duplicate provisions that require a lessee to comply with inspections of officers. These provisions are set out within the new Act which allows removal of the provisions from the regulations.

All existing, valid dispositions on Crown resource lands carry forward. There have been no changes to rates or fees, and applications for new dispositions will still be accepted.

The Ecological Reserves Act has been incorporated into *The Provincial Lands Act, 2016*. All existing ecological reserves continue to be designated, and new ecological reserves can be established going forward. A future review of these regulations will consider moving the various pieces into one set of regulations. The existing regulations under *The Ecological Reserves Act* carry forward unchanged:

- *The Assiniboine Slopes Provincial Ecological Reserve Regulations*
- *The Qu’Appelle Coulee Provincial Ecological Reserve Regulations*
- *The Buffalograss Provincial Ecological Reserve Designation Regulations*
- *The Provincial Ecological Reserves Regulations*
- *The Representative Area Ecological Reserves Regulations*

The Grasslands Park Surface Rights Regulations will remain in force to be available for use should the Ministry of Parks, Cultural and Sport require. These regulations authorize the Minister to enter into an agreement with Canada to grant surface rights to provincial Crown lands as part of Grasslands National Park.

The ministry plans to undertake a thorough review of *The Crown Resource Land Regulations, 2017* and *The Wild Rice Regulations, 2005* in the upcoming year. Additional information will be available when this review process gets underway. This review will focus on:

- disposition and service fees;
- further consideration to combine *The Crown Resource Land Regulations, 2017* with *The Wild Rice Regulations, 2005*;
- considerations to streamline administrative processes; and
- further enabling provisions within *The Provincial Lands Act, 2016*.

Please contact the Ministry of Environment’s Inquiry Centre if you have any questions regarding the transition to the new Provincial Lands Act or the associated regulations. You can contact the Inquiry Centre by phone at (800) 567-4224 or by email to centre.inquiry@gov.sk.ca.