

# BILL

No. 148

## An Act to amend *The Pipelines Act, 1998*

(Assented to \_\_\_\_\_)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

### Short title

1 This Act may be cited as *The Pipelines Amendment Act, 2018*.

### SS 1998, c P-12.1 amended

2 *The Pipelines Act, 1998* is amended in the manner set forth in this Act.

### Section 22 amended

3 **The following subsections are added after subsection 22(2):**

“(3) Notwithstanding any agreement or law to the contrary:

(a) the minister may direct that survey information respecting a pipeline or flowline be provided by any person, if, in the minister’s opinion, the survey is required for the administration of this Act, the regulations or a directive; and

(b) the person providing the survey information is not liable for providing the information.

“(4) The minister may pay to the person submitting the survey mentioned in subsection (3) a reasonable cost for obtaining the survey”.

### Section 25 amended

4 **The following clause is added after clause 25(1)(t):**

“(t.1) for the purposes of section 30.1, respecting administrative penalties, including:

(i) prescribing the amount of an administrative penalty and, for that purpose, prescribing different amounts for different contraventions; and

(ii) prescribing the contraventions of this Act, the regulations, a directive or an order made pursuant to this Act for which a penalty may be assessed”.

### Section 25.2 amended

5(1) **Subsection 25.2(1) is repealed and the following substituted:**

“(1) Subject to the approval of the Lieutenant Governor in Council, the minister may approve directives with respect to any of the matters mentioned in:

(a) clauses 25(1)(e), (g), (h), (h.1), (j) to (p), (r), (t) and (v); or

(b) clauses 30.4(b), (d) and (f)”.

**(2) Clause 25.2(3)(a) is repealed and the following substituted:**

“(a) must be published on the ministry’s website and be made public in any other manner the minister considers appropriate to bring the directive to the attention of the public”.

**(3) Subsection 25.2(4) is amended by adding “or 30.4” after “section 25”.**

**New Part VI**

**6 The following Part and Heading are added after section 30.2:**

“PART VI

**Electronic Licence Registry**

**“Interpretation for Part**

**30.3** In this Part:

- (a) **‘electronic’** means created, recorded, transmitted or stored in digital or other intangible form by electronic, magnetic or optical means or by any other similar means;
- (b) **‘implementation date’** means, with respect to a licence, the prescribed date on which this Part applies to that licence;
- (c) **‘legacy licence’** means a licence issued:
  - (i) before the implementation date; or
  - (ii) after the implementation date if an application for the licence that is satisfactory to the minister was received by the minister before the implementation date;
- (d) **‘registered’** means registered in the registry;
- (e) **‘registry’** means the electronic licence registry established pursuant to subsection 30.32(1).

**“Application**

**30.31** This Part applies to all licences and legacy licences on and after the implementation date.

**“Registry established**

**30.32(1)** The electronic licence registry is established.

- (2) The minister shall maintain the registry for the purposes of administering licences in accordance with this Part, the regulations and applicable directives.
- (3) The registry is to be used in the manner set out in this Act, the regulations and applicable directives.

**“Requirements, rules and procedures re registry**

**30.33(1)** Subject to the regulations and applicable directives, the minister may, by order:

- (a) establish any requirements to ensure proper functioning of the registry; and
- (b) require a registration be made electronically in accordance with the regulations and applicable directives.

(2) An electronic application is deemed to be submitted to the minister only if the prescribed requirements and the requirements established by the minister pursuant to this section are complied with.

(3) A requirement established pursuant to clause (1)(a) is to be published, as soon as is reasonably possible after it is made, in any manner that the minister considers appropriate to bring the order to the public's attention, including publishing the order on the ministry's website.

**“Registry of legacy licence**

**30.34(1)** The minister shall register a licence for which an implementation date has been prescribed:

- (a) subject to clause (b), on the date on which it is issued; or
- (b) in the case of a legacy licence that is issued before the implementation date, on the implementation date.

(2) A legacy licence continues as a legacy licence, including all rights of conversion, until it expires or is cancelled, surrendered or otherwise terminated.

**“Registration of licences**

**30.35(1)** A person shall submit an application relating to a licence to the registry in accordance with the regulations and applicable directives.

(2) Unless otherwise provided in this Act, the regulations or any applicable directives, no change to a licence that is required to be registered is effective until the change is registered.

**“Restriction on or prohibition of access to registry**

**30.36** If the minister is satisfied that a person has contravened a provision of this Act, the regulations or any applicable directive, the minister may:

- (a) restrict that person's access to the registry on any terms and conditions that the minister considers appropriate; or
- (b) prohibit that person from accessing the registry.

**“Deletion from or correction of entry**

**30.37(1)** The minister may:

- (a) delete or correct an entry in the registry in accordance with the regulations; or
- (b) delete or correct an entry in the registry if the registration does not comply with this Act or the regulations.

(2) If the minister deletes or corrects an entry in the registry, the minister shall give notice to the holder of the licence affected by the deletion or correction in accordance with the regulations.

(3) Every deletion or correction made pursuant to this section has the same validity and effect as if the defect, inconsistency, error or omission had not occurred.

**“Information in registry prevails**

**30.38** Subject to section 30.37, but notwithstanding any other provision of this Act or any other Act or law, if there is a difference between electronic information in the registry and other information, the information in the registry prevails, whether or not the other information is contained in a document that contains an original signature or seal.

**“If registry functions not available**

**30.39** If the minister determines that one or more registry functions are not available, the minister may, by order, authorize the registration of a licence or changes to a licence by methods determined by the minister.

**“Regulations for Part**

**30.4** The Lieutenant Governor in Council may make regulations:

- (a) for the purposes of section 30.31, respecting the application of this Part including:
  - (i) prescribing an implementation date for licences or classes of licences, including prescribing different implementation dates for different licences or different classes of licences; and
  - (ii) prescribing the date on which this Part applies to a licence or a class of licences, as the case may be, on or after the implementation date for the licence or class of licences;
- (b) respecting the registry, including:
  - (i) prescribing terms and conditions governing access to and use of the registry, including prescribing persons who are eligible to use the registry to apply for a licence, to submit a transfer or to search the registry; and
  - (ii) prescribing the class or classes of applications that must be submitted or registered electronically;
- (c) prescribing fees respecting any matter or service respecting the registry;
- (d) for the purposes of section 30.35, respecting applications for registration;
- (e) for the purposes of section 30.37:
  - (i) governing the deletion or correction of an entry in the registry; and
  - (ii) governing the giving of notice to a holder of a licence affected by a deletion or correction of an entry in the registry;
- (f) prescribing the terms and conditions pursuant to which a holder of a licence may authorize an agent to act on the holder’s behalf with respect to the matters related to the administration of the licence;
- (g) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to facilitate the conversion process and transfer of legacy licences to the registry pursuant to this Part;
- (h) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Part”.

**New Heading**

**7 The following Heading is added before section 31:**

**“PART VII**

**Repeal, Transitional, Consequential  
and Coming into Force”.**

**Coming into force**

**8 This Act comes into force on proclamation.**

THIRD SESSION  
**Twenty-eighth Legislature**  
SASKATCHEWAN

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**B I L L**

No. 148

An Act to amend *The Pipelines Act, 1998*

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Received and read the

First time

Second time

Third time

And passed

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Honourable Bronwyn Eyre

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