BILL

No. 84

An Act to Protect and Keep Safe Economic Infrastructure in Saskatchewan

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(Assented to)

HIS 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 Protection of Economic Infrastructure Act*.

Definitions and interpretation

2(1) In this Act:

"court" means the Court of King's Bench;

"economic infrastructure" means any of the following, whether in existence, under construction, in development or proposed to be developed:

(a) an agricultural operation as defined in *The Agricultural Operations Act*;

(b) an industrial waste works, sewage works or waterworks as defined in *The Environmental Management and Protection Act, 2010*;

(c) a provincial highway, public highway, public improvement, right of way or utility as defined in *The Highways and Transportation Act, 1997*;

(d) a mine as defined in *The Mineral Resources Act, 1985*;

(e) a battery, facility, flowline, processing equipment, public facility, surface improvement or well as defined in *The Oil and Gas Conservation Regulations, 2012*;

(f) a flowline or pipeline as defined in *The Pipelines Act, 1998*, not including a pipeline mentioned in clause 3(2)(a) of that Act but including a pipeline mentioned in clause 3(2)(b) or (c) of that Act;

(g) a facility as defined in *The Provincial Health Authority Act*;

(h) a railway as defined in *The Railway Act*;

(i) an undertaking as defined in *The Water Power Act*;

(j) a works as defined in *The Water Security Agency Act*;

(k) a facility, plant, works or equipment owned, operated or used in connection with any of the following:

(i) the distribution, sale, manufacturing, production, transportation, gathering, compression, processing or storage of gas, including by SaskEnergy or any of its subsidiaries;

(ii) the generation, distribution or transmission of electrical energy, including by SaskPower or any of its subsidiaries;

(iii) the provision of telecommunication services, including telecommunication lines as defined in *The Saskatchewan Telecommunications Act*, including by SaskTel or any of its subsidiaries; or

(iv) the supply, treatment, storage, transmission or distribution of water, the collection or treatment of sewage or the disposal of sewage effluent, including by the Saskatchewan Water Corporation or any of its subsidiaries;

(l) a radio apparatus as defined in the *Radiocommunication Act* (Canada), including its antenna systems;

(m) a prescribed building, structure, device or other thing that is critical to the Saskatchewan economy or to public safety;

"minister" means the member of the Executive Council to whom for the time being the administration of this Act is assigned;

"owner" means the owner of economic infrastructure, including the Crown in right of Saskatchewan, and includes any of the following:

(a) the lawful occupier of the economic infrastructure;

(b) the person who is in lawful possession or control of the economic infrastructure;

"prescribed" means prescribed in the regulations.

(2) The land on which economic infrastructure is located, and any land used in connection with the economic infrastructure, is deemed to be part of the economic infrastructure.

Act binds the Crown

3 This Act binds the Government of Canada.

Prohibitions

4(1) Without the consent of the owner, no person who is not acting under a right or authority conferred by law shall:

(a) wilfully enter in or on any economic infrastructure;

(b) wilfully damage or destroy any economic infrastructure;

(c) wilfully obstruct, interrupt or interfere with the development, construction, maintenance, use or operation of any economic infrastructure;

(d) wilfully interfere with access to economic infrastructure; or

(e) after being requested either orally or in writing by the owner or the authorized representative of the owner to leave the economic infrastructure, fail to leave the economic infrastructure as soon as is practicable.

(2) No person shall aid, counsel or direct another person to commit an offence pursuant to subsection (1) whether or not the other person actually commits the offence.

(3) A person who enters in or on any economic infrastructure, having obtained by false pretences permission to enter in or on the economic infrastructure from the owner or an authorized representative of the owner, is deemed to have contravened subsection (1) unless the person had a right or authority conferred by law to enter in or on the economic infrastructure.

Offence and penalties

5(1) In this section:

"administrator" means the administrator designated pursuant to section 3 of *The Traffic Safety Act*;

"licence" means driver's licence within the meaning of *The Traffic Safety Act*.

(2) Every person who contravenes a provision of this Act is guilty of an offence and liable on summary conviction to:

(a) for a first offence:

(i) in the case of an individual, a fine of not more than $10,000; and

(ii) in the case of a corporation, a fine of not more than $25,000; and

(b) for a second or subsequent offence:

(i) in the case of an individual, a fine of not more than $25,000; and

(ii) in the case of a corporation, a fine of not more than $200,000.

(3) If a corporation commits an offence pursuant to this Act, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.

(4) If an offence is committed or continued on more than one day, it is considered a separate offence for each day on which the contravention is committed or continued.

(5) In addition to or instead of any penalty imposed pursuant to this Act, the court, having regard to the nature of the offence and the circumstances surrounding its commission, may make an order doing one or more of the following:

(a) prohibiting the person found to have contravened this Act from doing any act or engaging in any activity that, in the opinion of the court, may result in the continuation of the offence;

(b) requiring the person found to have contravened this Act to do any other thing that, in the opinion of the court, is necessary in the circumstances;

(c) requiring the person found to have contravened this Act to pay restitution to any other person as compensation for all or any of the following:

(i) for property damaged, lost or destroyed as a result of the actions of the person found to have contravened this Act;

(ii) for a financial loss suffered by that other person as a result of the contravention;

(d) directing the administrator to suspend the licence of the person found to have contravened this Act until the person satisfies the court that the person is complying with this Act and any order issued by the court to that person pursuant to this Act.

(6) No person who is subject to an order made pursuant to subsection (5) shall fail to comply with the order.

Arrest without warrant

6 A peace officer may arrest without warrant any person found in or on economic infrastructure if the peace officer believes on reasonable grounds that the person is contravening a provision of this Act.

Non-liability of owner

7 An owner owes no duty of care to a person entering in or on the owner's economic infrastructure in contravention of this Act except the duty not to:

(a) create a danger with the deliberate intent of doing harm or damage to the person; and

(b) do a wilful act with reckless disregard of the presence of the person.

Obstructions

8(1) If the minister is of the opinion that a person is in any way obstructing or interfering with the use of economic infrastructure, or threatening to in any way obstruct or interfere with the access to or use of economic infrastructure, the minister may apply to a judge of the court for one or more of the following orders:

(a) an order directing the person or persons and all persons acting in aid or support of that person to do all or any of the following:

(i) to immediately refrain from obstructing or interfering with or threatening to obstruct or interfere with the access to or use of the economic infrastructure;

(ii) to immediately remove any object or materials from the economic infrastructure;

(iii) to do or refrain from doing any other thing that the minister considers necessary to protect the right to the safe, unimpeded and peaceful access to or use of any economic infrastructure;

(b) an order authorizing a peace officer to take any measures the peace officer considers necessary or advisable to enforce any order of the court pursuant to this Act, including arresting and detaining persons interfering with those measures.

(2) An application made pursuant to subsection (1) may be made:

(a) at any judicial centre;

(b) without notice or on any notice that the judge of the court may require; and

(c) on the basis of a certificate signed by the minister stating that:

(i) persons, named or unnamed in the certificate or both named and unnamed in the certificate, are obstructing, interfering with, or threatening to obstruct or interfere with the use of economic infrastructure;

(ii) the interference, obstruction or threat is unauthorized by the minister or other lawful authority; and

(iii) the persons responsible for the obstruction, interference or threat have been requested to cease and desist but have failed or refused to do so.

(3) A certificate mentioned in clause (2)(c) is admissible in evidence as proof, in the absence of evidence to the contrary, of the matters set out in the certificate without proof of the office or signature of the person purporting to have signed the certificate.

(4) On an application made pursuant to subsection (1), the judge of the court may make the order requested or any other order that the judge considers appropriate.

(5) With leave of a judge of the Court of Appeal, any person to whom an order made pursuant to subsection (4) is directed may appeal the order to the Court of Appeal on a question of law only.

(6) An appeal pursuant to subsection (5) does not stay the order unless a judge of the Court of Appeal rules otherwise.

(7) The reasonable costs and expenses incurred by the minister respecting any action taken pursuant to this section are a debt due to the Crown in right of Saskatchewan by the persons to whom an order made pursuant to this section is directed and may be recovered by the minister from those persons:

(a) in the manner authorized by *The Financial Administration Act, 1993*; or

(b) in any other manner authorized by law.

Regulations

9 The Lieutenant Governor in Council may make regulations:

(a) defining, enlarging or restricting the meaning of any word or expression that is used in this Act, but not defined in this Act;

(b) for the purposes of clause (m) of the definition of "economic infrastructure" in subsection 2(1), prescribing buildings, structures, devices or other things, or classes of buildings, structures, devices or other things;

(c) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;

(d) respecting any other matter or thing the Lieutenant Governor in Council considers necessary or expedient to carry out the intent of this Act.

Coming into force

10 This Act comes into force by order of the Lieutenant Governor in Council.

THIRD SESSION

Thirtieth Legislature

SASKATCHEWAN

BILL

No. 84

An Act to Protect and Keep Safe
Economic Infrastructure in Saskatchewan

Received and read the

First time

Second time

Third time

And passed

Honourable Tim McLeod

Printed under the authority of
The Speaker of the Legislative Assembly
of Saskatchewan
2026