

BILL

No. 125

An Act to amend *The Crown Minerals Act*

(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 Crown Minerals Amendment Act, 2009*.

S.S. 1984-85-86, c.C-50.2 amended

2 *The Crown Minerals Act* is amended in the manner set forth in this Act.

New heading

3 **The heading before section 1 is struck out and the following substituted:**

“PART I
Preliminary Matters”.

Section 2 amended

4 **Subsection 2(1) is amended:**

- (a) **by repealing clause (f);**
- (b) **in clause (g) by striking out “department” and substituting “ministry”; and**
- (c) **by adding the following clause after clause (j):**

“(j.1) ‘**ministry**’ means the ministry over which the minister presides”.

Heading struck out

5 **The heading before section 3 is struck out.**

New heading

6 **The heading before section 4 is struck out and the following substituted:**

“PART II
Crown Dispositions”.

Section 4 amended

7 **Clause 4(b) is repealed and the following substituted:**

“(b) with respect to any Crown minerals or Crown mineral lands that are withdrawn pursuant to section 21 and where the minister determines it to be in the public interest, by agreement or lease entered into with any person on terms and conditions approved by the Lieutenant Governor in Council”.

Section 10.1 amended

8(1) Clause 10.1(3)(c) is amended by adding “Crown minerals or” before “Crown mineral lands”.

(2) Subsection 10.1(5) is amended by striking out “department” wherever it appears and in each case substituting “ministry”.

Heading struck out

9 The heading before section 11 is struck out.

Heading struck out

10 The heading before section 13 is struck out.

Heading struck out

11 The heading before section 14 is struck out.

Section 16.01 amended

12 Subsection 16.01(1) is amended in the portion preceding clause (a) by striking out “department” and substituting “ministry”.

Heading struck out

13 The heading before section 17 is struck out.

Section 17 amended

14 The following clause is added after clause 17(e):

“(e.1) prescribing the circumstances in which the registration of a security interest or the registration of, or notice of, any other document, instrument or order may be lapsed, and prescribing the manner in which the registrations or notices may be lapsed”.

New sections 17.1 and 17.2

15 The following sections are added after section 17:

“Registry as information service

17.1 Subject to *The Builders’ Lien Act*, to the other provisions of this Act and to the regulations, every registration of, or notice of, a security interest or any other prescribed document, instrument or order is provided as an information service only, with no guarantee or liability with respect to that information on the part of the Crown, the minister, the ministry or any officer, employee or agent of the ministry.

“Power of minister to require evidence re information, etc.

17.2(1) For the purposes of determining the accuracy of any information provided to the minister pursuant to this Act or the regulations, the minister may direct the person providing the information to provide supporting evidence satisfactory to the minister that the information is correct and reliable.

(2) A person to whom a direction is issued pursuant to subsection (1) shall comply with the direction within the period specified by the minister in the direction”.

New heading

16 The heading before section 18 is struck out and the following substituted:

**“PART III
General”.**

New sections 21 to 21.3

17 Section 21 is repealed and the following substituted:

“Withdrawal of Crown minerals and Crown mineral lands

21(1) The minister may withdraw any Crown minerals or Crown mineral lands from the Crown minerals or Crown mineral lands available for Crown disposition and, as long as those minerals or lands remain withdrawn, a Crown disposition respecting those minerals or lands shall not be issued except pursuant to subsection 3(4) or clause 4(b).

(2) The minister shall:

(a) publish a notice of the withdrawal of Crown minerals or Crown mineral lands in any manner that the minister considers appropriate to bring the withdrawal to the public’s attention, including publishing the notice on the ministry’s Internet website; and

(b) keep a record of the withdrawal of Crown minerals or Crown mineral lands.

(3) The withdrawal is effective on the date that the notice respecting the withdrawal mentioned in subsection (2) is published.

“Reopening of Crown minerals or Crown mineral lands

21.1(1) The minister may reopen for Crown disposition any Crown minerals or Crown mineral lands withdrawn pursuant to section 21.

(2) The minister shall:

(a) publish a notice of the reopening of Crown minerals or Crown mineral lands in any manner that the minister considers appropriate to bring the reopening to the public’s attention, including publishing the notice on the ministry’s Internet website; and

(b) keep a record of the reopening of Crown minerals or Crown mineral lands.

(3) The reopening is effective on the date set out in the notice.

“Transition for existing withdrawn Crown minerals or Crown mineral lands

21.2 Any Crown minerals or Crown mineral lands that remain withdrawn from the Crown minerals or Crown mineral lands available for Crown disposition on the day before this section comes into force continue to be withdrawn as if they were withdrawn pursuant to section 21 and may be reopened for Crown disposition in accordance with section 21.1.

“Immunity

21.3 No action or other proceeding lies or shall be commenced against the minister, the ministry, the Crown, or officers, employees or agents of the Crown for any loss or damage suffered by a person by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done by any one or more of them, pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any function or duty imposed by this Act or the regulations”.

Section 22 amended

18 The following clause is added after clause 22(1)(i.6):

“(i.61) for the purposes of section 17.1, prescribing documents, instruments or orders”.

New heading

19 The heading before section 23 is struck out and the following substituted:

“PART IV
Crown-Acquired Lands”.

Section 23.2 amended

20 Clause 23.2(1)(a) is amended by striking out “department” and substituting “ministry”.

New heading

21 The heading before section 24 is struck out and the following substituted:

“PART V
Offences and Penalties”.

New sections 25 and 25.1

22 Section 25 is repealed and the following substituted:

“Offences

25(1) No person shall:

- (a) contrary to this Act or the regulations, explore or prospect for or extract, recover or produce any Crown mineral, or operate any mine or well;
- (b) make a false statement or provide false information to the minister, the ministry or any person acting on behalf of the minister;
- (c) omit to state a fact that is required to be stated or that is necessary to make a statement not misleading in light of the circumstances in which it was made to the minister, the ministry or any person acting on behalf of the minister;
- (d) contrary to this Act or the regulations, alter or deface, remove or destroy any post, stake, boundary line, figure, writing or other mark lawfully placed, standing or made pursuant to this Act or the regulations;
- (e) fraudulently mark or stake out in whole or in part a Crown disposition area;
- (f) fail to comply with an order of the minister issued pursuant to this Act or the regulations;
- (g) obstruct or interfere with an officer of the ministry carrying out the officer’s duties pursuant to this Act; or
- (h) fail to comply with any provision of this Act or the regulations.

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

- (a) in the case of an individual:
 - (i) a fine not exceeding \$5,000; and
 - (ii) in the case of a continuing offence, a further fine of \$200 for each day or part of a day during which the offence continues;
- (b) in the case of a body corporate:
 - (i) a fine not exceeding \$25,000; and
 - (ii) in the case of a continuing offence, a further fine of \$1,000 for each day or part of a day during which the offence continues.

(3) Every director, officer or agent of a corporation who directed, authorized, assented to, acquiesced in or participated in an act or omission of the corporation that would constitute an offence by the corporation is guilty of that offence and is liable on summary conviction to the penalties provided for that offence whether or not the corporation has been prosecuted or convicted.

“Minister may apply for order enjoining non-compliance

25.1(1) The minister may apply to a judge of the Court of Queen’s Bench for an order enjoining any person from proceeding contrary to this Act, the regulations or an order issued pursuant to this Act or the regulations.

(2) On an application pursuant to this section, the judge of the Court of Queen’s Bench may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate”.

Heading struck out

23 The heading before section 27.1 is struck out.

New heading

24 The heading before section 27.2 is struck out and the following substituted:

**“PART VI
Lease of Spaces”.**

New Part VII

25 The following Part is added after section 27.2:

**“PART VII
Crown Minerals Electronic Registry**

“Interpretation

27.3 In this Part:

- (a) **‘certificate of boundary confirmation’** means the certificate issued by the minister pursuant to clause 27.39(2)(b);
- (b) **‘Controller of Surveys’** means the Controller of Surveys appointed pursuant to *The Land Surveys Act, 2000*;
- (c) **‘Crown disposition’** includes a legacy disposition;
- (d) **‘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;

-
- (e) **‘electronic parcel mapping system’** means an electronic parcel mapping system established pursuant to the regulations;
- (f) **‘electronic signature’** means information in electronic form that a person has created or adopted in order to sign an instrument and that is incorporated in, attached to or associated with the instrument;
- (g) **‘implementation date’** means, with respect to a Crown mineral or class of Crown minerals, the prescribed date on which this Part or any provision of this Part applies to that Crown mineral or class of Crown minerals;
- (h) **‘instrument’** means any information, document, notice or other matter that may be registered pursuant to this Part;
- (i) **‘legacy disposition’** means a Crown disposition issued:
- (i) before the implementation date; or
 - (ii) after the implementation date if an application for the Crown disposition that is satisfactory to the minister was received by the minister before the implementation date;
- (j) **‘mineral disposition parcel’** means a parcel of Crown mineral lands that has a boundary that meets the prescribed requirements;
- (k) **‘mineral disposition survey’** means a survey of a mineral disposition parcel conducted in accordance with *The Land Surveys Act, 2000*;
- (l) **‘registered’** means registered in the registry;
- (m) **‘registry’** means the Crown minerals electronic registry established pursuant to subsection 27.33(1).

“Implementation date and application

27.31 The Lieutenant Governor in Council may, in the regulations, prescribe an implementation date for Crown minerals or classes of Crown minerals on and after which this Part, or any prescribed provision of this Part, applies to the Crown minerals or the classes of Crown minerals.

“Electronic instrument

27.32(1) Subject to section 27.54, any instrument to which this Part applies shall not be denied legal effect or enforceability solely by reason that it is in an electronic form.

(2) A requirement pursuant to this Act or the regulations that any application or instrument be in writing is satisfied if the application or instrument:

- (a) is in an electronic form or format approved by the minister;
- (b) if required by the minister or the regulations, includes an electronic signature; and
- (c) is accessible so as to be retained and used for subsequent reference.

“Crown minerals electronic registry

27.33(1) The Crown minerals electronic registry is established.

(2) The minister shall maintain the registry for the purposes of administering Crown minerals and Crown mineral lands in accordance with this Part.

(3) The registry consists of all instruments that are registered or are deemed to be registered.

-
- (4) The registry is to be used in the manner set out in this Act.
 - (5) The registry is a public registry of the people of Saskatchewan.
 - (6) All information in the registry is the property of the Government of Saskatchewan.
 - (7) Access to and disclosure of information in the registry is to be provided only in accordance with this Act.

“Requirements, rules and procedures re registry

27.34(1) Subject to the regulations, the minister may:

- (a) establish requirements for supporting evidence that must be supplied to submit an application or register an instrument and the form and format in which the supporting evidence must be supplied;
- (b) establish requirements, rules and procedures:
 - (i) to verify the identity of the person who created or submitted an application or an instrument;
 - (ii) to verify the authority of that person to create or submit an application or an instrument; and
 - (iii) respecting the electronic signature on an application or an instrument, including the verification of the signature and the method of making the signature;
- (c) establish any requirement in order to ensure proper functioning of the registry; and
- (d) require a registration to be made electronically in accordance with the regulations.

(2) Every person who submits an application or submits an instrument for registration shall comply with:

- (a) the prescribed requirements; and
- (b) the requirements established by the minister pursuant to this section.

(3) Subject to subsection (4), an electronic application or electronic instrument is deemed to be submitted to the minister for the purposes of this Part when the application or instrument is entered electronically into the registry using the technology determined by the minister.

(4) An electronic application or electronic instrument is deemed to be submitted to the minister pursuant to subsection (3) only if the prescribed requirements and the requirements established by the minister pursuant to this section are complied with.

“Registration of Crown dispositions

27.35(1) The minister shall register a Crown disposition granting rights to or interests in Crown minerals for which an implementation date has been prescribed:

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

(2) In the case of a legacy disposition with a boundary that, on the date of its registration, does not meet the prescribed requirements for a mineral disposition parcel, the minister shall:

- (a) create an electronic representation of the area described in the legacy disposition that shows the spatial extent of the disposition; and
- (b) record the electronic coordinates of the area described in the legacy disposition into the registry.

(3) All information, documents, notices or other matters that are recorded by the ministry against a legacy disposition, that are on the files of the ministry on the implementation date and that would have been an instrument if they had been registered on or after the implementation date are continued as instruments and may be dealt with as instruments as if they had been registered in accordance with this Part.

(4) Notwithstanding any other Act or law or anything contained in the information, documents, notices or other matters that are recorded by the ministry against a legacy disposition, all information, documents, notices or other matters that are recorded by the ministry against a legacy disposition, that are on the files of the ministry on the implementation date and that would not have been an instrument if they had been submitted on or after the implementation date are deemed not to be registered against the legacy disposition.

“Continuation of legacy dispositions

27.36 Subject to section 27.38, a legacy disposition continues as a legacy disposition, including all rights of conversion, until it expires or is cancelled, surrendered or otherwise terminated.

“Issuance of Crown dispositions

27.37(1) Subject to subsection (2), a Crown disposition may only be issued with respect to a mineral disposition parcel.

(2) Subsection (1) does not apply to a legacy disposition that is issued after the implementation date.

“Alteration of boundary

27.38 A Crown disposition shall not be amended to allow any alteration of a boundary, unless the boundary as altered meets the prescribed requirements for a mineral disposition parcel.

“Adoption of electronic mapping for legacy dispositions

27.39(1) In this section:

- (a) **‘confirmation date’** means, with respect to a Crown mineral or class of Crown minerals, the prescribed date on which this section applies to the Crown minerals or class of Crown minerals;
- (b) **‘non-conforming legacy disposition’** means a legacy disposition the boundary of which does not, as of the date of its registration, meet the prescribed requirements for a mineral disposition parcel.

(2) At any time before the confirmation date for the Crown mineral or class of Crown minerals that is the subject of a non-conforming legacy disposition, the boundary of the non-conforming legacy disposition may be confirmed by:

- (a) a mineral disposition survey satisfactory to the Controller of Surveys; or
- (b) a certificate of boundary confirmation issued by the minister.

(3) A certificate of boundary confirmation may not be revoked.

(4) On the confirmation date for the Crown mineral or class of Crown minerals that is the subject of a non-conforming legacy disposition, if the boundary of the non-conforming legacy disposition has not been previously confirmed pursuant to subsection (2), the legacy disposition is deemed to have its boundary confirmed as shown in the registry on that date.

(5) After the date the boundary of a non-conforming legacy disposition is confirmed, if there is a difference between the electronic coordinates of a non-conforming legacy disposition as registered and the boundary of the non-conforming legacy disposition as determined by the regulations in force before the implementation date, the electronic coordinates in the registry prevail.

“Priority

27.4 Subject to the regulations, if, as a result of the boundary confirmation process in section 27.39, there is an overlap between the descriptions contained in Crown dispositions, the description contained in the Crown disposition that was issued first prevails to the extent of that overlap.

“Release

27.41 Notwithstanding any other term of a Crown disposition or any other Act or law, every Crown disposition is deemed to include a term that the holder releases the Crown from any claims resulting from any loss or damage respecting the Crown disposition arising out of:

- (a) the boundary confirmation process conducted pursuant to section 27.39; or
- (b) the application of section 27.4.

“Mineral disposition survey

27.42(1) At any time after the implementation date, the minister may order the holder of a Crown disposition to conduct a mineral disposition survey, or any other type of survey that the minister determines appropriate, to establish the boundary of a Crown disposition where the boundary of the Crown disposition is not defined by a plan of survey approved by the Controller of Surveys.

(2) If the boundary of a Crown disposition that is to be surveyed pursuant to subsection (1) is shared by two or more disposition holders, the cost of the mineral disposition survey shall be borne equally by the parties sharing the common boundary.

“Instructions

27.43(1) The Controller of Surveys may issue instructions respecting the requirements for the conduct of mineral disposition surveys.

- (2) For the purposes of this section, the Controller of Surveys may:
 - (a) create different classes of Crown dispositions; and
 - (b) issue different instructions for different classes of Crown dispositions.
- (3) Every person conducting a mineral disposition survey for the purposes of this Part shall comply with the instructions of the Controller of Surveys pursuant to this section.

“Searching the registry

27.44 A person may search the registry in accordance with the regulations.

“Crown disposition registrations

27.45(1) A person shall submit an application or instrument relating to a Crown disposition to the registry in accordance with the regulations.

- (2) The minister may register against a Crown disposition any prescribed instrument.
- (3) Unless otherwise provided in this Act or the regulations or required by law, no change to a Crown disposition that is required to be registered is effective until it is registered.

“Refusal to register transfer or prescribed instrument

27.46(1) This section applies only to transfers and other prescribed instruments.

- (2) The minister may refuse to register a transfer of a Crown disposition or any instrument against a Crown disposition if:
 - (a) in the case of a transfer, the transfer is not unconditional;
 - (b) in the case of a transfer, the transfer is made with respect to:
 - (i) an interest that is greater than the interest that the holder possesses;
 - (ii) an interest that is not a registered interest; or
 - (iii) a person who has no registered interest in the Crown disposition with respect to which the transfer is made;
 - (c) the transfer or instrument is not:
 - (i) executed in a manner that is satisfactory to the minister; or
 - (ii) accompanied by evidence of execution that is satisfactory to the minister;
 - (d) the prescribed fee is not paid;
 - (e) the holder, or the person who would become the holder on registration of the transfer or instrument, has not otherwise complied with this Act, the regulations or the terms or conditions of any Crown disposition affected by the transfer or instrument;

-
- (f) it appears necessary to the minister to prevent:
 - (i) improper dealing; or
 - (ii) threatened or apprehended fraud;
 - (g) the minister considers it necessary to protect the proper operation of the registry; or
 - (h) the transfer or instrument is prohibited from registration for any other reason set out in this Act or that is prescribed.
- (3) If a transfer or instrument is submitted for registration or executed by or on behalf of a trustee, receiver, receiver-manager, liquidator, executor, administrator, property guardian or other person acting in a similar capacity, the minister may refuse to register the transfer or instrument unless it is accompanied by one or more of the following:
- (a) one or more orders of a court that:
 - (i) appoint or confirm the appointment of the trustee, receiver, receiver-manager, liquidator, executor, administrator, property guardian or other person acting in a similar capacity; and
 - (ii) authorize the transaction evidenced by the transfer or instrument;
 - (b) an indemnification in favour of the minister, the ministry and the employees, officers and agents of the ministry that is:
 - (i) in a form that is satisfactory to the minister; and
 - (ii) provided by a person who is satisfactory to the minister;
 - (c) in the case of a transfer, an order of the court vesting in the transferee the interest evidenced by the transfer.
- (4) Notwithstanding any order of the court mentioned in subsection (3), in any case to which subsection (3) applies, the minister may refuse to register a transfer or instrument respecting a Crown disposition if the minister is not satisfied that a person affected by the transfer or instrument has complied with:
- (a) this Act;
 - (b) the regulations; and
 - (c) the terms or conditions of the Crown disposition.

“Restriction on or prohibition of access

27.47 If the minister is satisfied that a person has contravened a provision of this Act or the regulations, 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 registry or correction of entry

27.48(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, the minister shall give notice to the holder of the Crown disposition 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

27.49 Subject to section 27.48, 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.

“Suspending functions of registry

27.5(1) Notwithstanding any other provision of this Act or any other Act or law, if, in the opinion of the minister, it is not practical to provide one or more registry functions, the minister may, by order, suspend all or any registry functions for the period during which, in the opinion of the minister, those circumstances prevail.

(2) An order of the minister made pursuant to subsection (1):

(a) is to identify the registry functions that are being suspended and the time that the registry functions are suspended;

(b) 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 Internet website; and

(c) may suspend registry functions as at a date not more than 30 days before the day on which the order is made.

(3) The minister may, by order, recommence all or any suspended registry functions, effective as at any time the minister considers appropriate.

(4) An order of the minister made pursuant to subsection (3):

(a) is to identify the registry functions that are being recommenced and the time that the registry functions are recommenced; and

(b) 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 Internet website.

(5) Subject to subsection (6), an order made pursuant to this section comes into force on the day on which it is made.

(6) In the case of an order made pursuant to clause (2)(c), the order is deemed to have been in force on and from the date stated in the order.

(7) If there is any conflict between an order of the minister pursuant to this section and a provision of this Act, the regulations, other than regulations made pursuant to clause 27.56(q), or any other Act or law, the order of the minister prevails.

“Minister may extend time limits

27.51(1) If the minister suspends all or any registry functions pursuant to section 27.5 on a day that a report or payment is due under the terms or conditions of a Crown disposition, the minister may extend a time or time limit mentioned in this Act or the disposition, whether or not the time or time limit has expired, for any period the minister considers reasonable to allow a further period for compliance.

(2) If a Crown disposition would have lapsed but for the extension of time granted pursuant to subsection (1), the minister may set aside the lapsing during the further period granted for compliance.

“Limitation of liability

27.52(1) Notwithstanding any other Act or law, and without restricting the generality of section 21.3, no action or other proceeding lies or shall be commenced against the Crown, the minister, the ministry or any officer or any person appointed, retained or employed by the minister or the ministry for loss or damage suffered by a person because of:

- (a) advice or any other assistance given by an agent or employee of the Government of Saskatchewan with respect to the operation of the registry, unless the person who brings the action proves that the agent or employee was not acting in good faith;
- (b) processing time, during which an application or instrument has been submitted to the minister for registration but has not yet been registered; or
- (c) any action taken or decision made respecting:
 - (i) the suspension or recommencement of registry functions pursuant to section 27.5;
 - (ii) a restriction or prohibition imposed pursuant to section 27.47; or
 - (iii) deleting or correcting an entry in the registry pursuant to section 27.48.

(2) Notwithstanding any other Act or law or any term in any Crown disposition, no person has a claim for compensation for any reason for any loss or damage suffered by a person as a result of the enactment or operation of section 27.39, 27.4 or 27.42.

“Notice from minister

27.53(1) In this section, ‘**business day**’ means a day other than a Saturday, Sunday or holiday.

(2) Any notice or information that the minister is required to give or serve pursuant to this Part or the regulations may be given or served:

- (a) in paper form;
- (b) on a person described in subsection (4), by being transmitted by electronic means; or
- (c) in any prescribed manner.

(3) Unless otherwise provided in this Part or the regulations, any notice or information that the minister is required to give or serve pursuant to this Part or the regulations is deemed to have been received:

- (a) five business days after it is sent if transmitted by electronic means; or
- (b) 10 business days after it is sent if provided in paper form.

(4) Every person who submits an application or submits an instrument for registration:

- (a) is deemed to have consented to receive any notice or information from the minister pursuant to this Part or the regulations by electronic means established by the minister; and
- (b) shall provide the minister with the prescribed information to permit the minister to serve that person by electronic means.

“Requirements for paper filing in certain circumstances

27.54(1) The minister may require specific information or types of information to be provided to the ministry in paper form.

(2) If the minister requires information to be provided in paper form pursuant to subsection (1), the minister shall give notice of the requirement in any manner that the minister considers appropriate to bring the requirement to the public’s attention, including posting the requirement on the ministry’s Internet website.

“Certified copies

27.55(1) A copy of a printed instrument in the registry that is certified by the minister in the prescribed manner is admissible in evidence as a true copy of the instrument without proof of the signature of the minister.

(2) A printout of an instrument kept in the registry is admissible in evidence as a true copy of the instrument without proof of the signature of the minister if the printout is:

- (a) printed in accordance with the regulations; and
- (b) certified by the minister in the prescribed manner.

(3) Every instrument certified by the minister in accordance with subsection (1) or (2) is admissible in evidence in all cases and for all purposes for which the instrument would have been admissible and with the same effect as if the instrument were produced.

“Regulations

27.56 The Lieutenant Governor in Council may make regulations:

- (a) for the purposes of section 27.31, respecting the application of this Part including:
 - (i) prescribing Crown minerals and classes of Crown minerals to which this Part is to apply;
 - (ii) prescribing an implementation date for Crown minerals or classes of Crown minerals, including prescribing different implementation dates for different Crown minerals or classes of Crown minerals; and
 - (iii) prescribing the provision or provisions of this Part that apply to a Crown mineral or a class of Crown minerals, as the case may be, on or after the implementation date for the Crown mineral or class of Crown minerals;

- (b) for the purposes of section 27.32, prescribing requirements for instruments, including prescribing instruments for which an electronic signature is required;
- (c) respecting the registry, including:
 - (i) prescribing requirements for supporting evidence that must be supplied to register an instrument;
 - (ii) 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 disposition, to submit a transfer or instrument or to search the registry;
 - (iii) prescribing the class or classes of applications or instruments that must be submitted or registered electronically;
 - (iv) prescribing requirements for applications or for instruments submitted for registration;
 - (v) respecting the manner of assigning the time of filing or submission of applications or instruments when the application or instrument is filed in an electronic format or directly submitted to the registry, and respecting the priority between applications and instruments;
 - (vi) respecting the transition from the prior Crown minerals and Crown mineral lands administrative system to the registry established by this Part;
- (d) establishing one or more electronic parcel mapping systems, including adopting any electronic parcel mapping system;
- (e) establishing mineral disposition parcels for which a Crown disposition may be issued and prescribing the method of electronically identifying the Crown mineral lands that are the subject of a Crown disposition;
- (f) prescribing requirements for mineral disposition parcels;
- (g) prescribing the methods and standards for determining the boundaries of Crown dispositions;
- (h) respecting the issuance of boundary confirmation certificates;
- (i) for the purposes of section 27.39, prescribing the confirmation dates for Crown minerals or classes of Crown minerals, including prescribing different confirmation dates for different Crown minerals or classes of Crown minerals;
- (j) for the purposes of section 27.4, determining the priorities between overlapping descriptions in Crown dispositions;
- (k) for the purposes of section 27.44, prescribing all matters relating to searches of the registry and the method of disclosure of registered information, including the form of a search result;

-
- (l) for the purposes of section 27.45, prescribing all matters related to the registration of instruments in the registry, including:
- (i) prescribing instruments that may be registered against a Crown disposition and, for that purpose, prescribing different instruments for different Crown minerals or classes of Crown minerals; and
 - (ii) governing the submission of instruments to the registry;
- (m) for the purposes of section 27.46, prescribing instruments to which that section applies, including prescribing different instruments for different Crown minerals or classes of Crown minerals;
- (n) prescribing fees respecting any matter or service respecting the registry;
- (o) for the purposes of clause 27.46(2)(h), prescribing reasons for the prohibition of the registration of a transfer or instrument;
- (p) for the purposes of section 27.48:
- (i) governing the deletion or correction of an entry in the registry; and
 - (ii) governing the giving of notice to a holder of a Crown disposition affected by a deletion or correction of an entry in the registry;
- (q) respecting the suspension of registry functions and the recommencement of registry functions, including:
- (i) prescribing procedures, in addition to those set out in this Act, for suspending registry functions and recommencing registry functions; and
 - (ii) prescribing any other matter or thing the Lieutenant Governor in Council considers necessary respecting suspension of registry functions or recommencement of registry functions;
- (r) for the purposes of subsection 27.53(2), prescribing other means of service;
- (s) for the purposes of section 27.55, prescribing the manner of providing certified copies of instruments;
- (t) prescribing the terms and conditions pursuant to which a holder of a Crown disposition may authorize an agent to act on the holder's behalf with respect to the matters related to the administration of the Crown disposition;
- (u) respecting any other matter or requirement necessary or advisable to ensure the proper functioning of the registry;
- (v) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to facilitate the conversion process and transfer of legacy dispositions to the registry pursuant to this Part;
- (w) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Part".

New heading

26 The heading before section 28 is struck out and the following substituted:

“PART VIII

Repeal and Coming into Force”.

Heading struck out

27 The heading before section 30 is struck out.

Coming into force

28 This Act comes into force on proclamation.

THIRD SESSION

Twenty-sixth Legislature

SASKATCHEWAN

B I L L

No. 125

An Act to amend *The Crown Minerals Act*

Received and read the

First time

Second time

Third time

And passed

Honourable Bill Boyd
