

## CHAPTER 114

**An Act Respecting Crown Lands****Short title**

1 This Act may be cited as the *Crown Lands Act*. 1987, c. 5, s. 1.

**Object and purpose**

2 The object and purpose of this Act is to provide for the most effective utilization of Crown lands by

(a) the application of proven forest management techniques to enhance productivity on Crown lands and to provide for an increasing harvest of better quality forest products;

(b) requiring that leasing and licensing arrangements on Crown lands are providing for equitable stumpage rates, adequate investments in forest improvements and improved market access for privately produced wood;

(c) the integration of wildlife and outdoor recreation considerations in the forest management planning process on Crown lands; and

(d) the more effective administration and management of all Crown lands. 1987, c. 5, s. 2.

**Interpretation**

3 In this Act,

(a) "conservation officer" means a conservation officer appointed pursuant to this Act, the *Forests Act* or the *Wildlife Act*;

(b) "Crown" means Her Majesty in right of the Province;

other resources or product into which it may have been processed is forfeited to and becomes the property of the Crown and may be sold or disposed of in any manner which the Minister deems expedient.

### Surplus proceeds

(8) The balance of the proceeds of any sale pursuant to subsection (7), after retaining all amounts due to the Crown shall be paid to the person entitled thereto or, in the case of a dispute as to whom the money is to be paid, it shall be paid into a court of competent jurisdiction and the court's decision with respect to payment shall be final. 1987, c. 5, s. 35.

### Scaling standards

36 Where forest products harvested on Crown lands are required to be scaled, they shall be scaled in accordance with the *Scalers Act* and regulations made pursuant to that Act. 1987, c. 5, s. 36.

### Certificate

37 (1) Where it appears to the Minister that a person, known or unknown, has acquired rights or claim by possession in or to Crown lands and the Minister so reports to the Executive Council, the Governor in Council may authorize and direct the Minister to issue a certificate to the effect that the Crown asserts no interest or claim to the land and upon the issuance of the certificate all interest or claim of the Crown to the land described therein ceases.

### Registration of certificate

(2) A certificate pursuant to this Section purporting to bear the signature and seal of the Minister shall be registered in the registry of deeds for the registration district in which the land therein described is situate without proof of the signature. 1987, c. 5, s. 37.

### Offences

38 (1) A person who without legal justification or without the permission of the Minister or a person authorized by the Minister, the proof of which rests upon the person asserting justification or permission,

(a) enters upon Crown lands where entry is prohibited by notice;

(b) engages in an activity which is prohibited on the Crown lands by notice; or

(c) dumps or deposits materials on or over Crown lands or causes, suffers or permits material to be dumped or deposited on or over Crown lands,

is guilty of an offence.

### **Form of notice**

(2) A notice pursuant to this Section may be given orally, in writing or by sign.

### **Manner of posting sign**

(3) Where the notice is by means of a sign, the sign shall be posted so that it is clearly visible in daylight under normal conditions from the approach to each usual point of access to the Crown lands to which it applies.

### **Notice respecting part of lands**

(4) A notice pursuant to this Section may be given in respect of part of the Crown lands.

### **Offence**

(5) A person who, without legal justification, removes a sign or notice posted on Crown lands is guilty of an offence.

### **Additional penalty**

(6) In addition to a penalty imposed pursuant to subsection (1), the court may order a person convicted of an offence pursuant to this Section to restore the land to a condition as nearly as practicable as it was before the offence was committed. 1987, c. 5, s. 38.

### **Removal of structure**

39 (1) Where a structure is on Crown lands in respect of which there is not in effect a lease or permit issued pursuant to this Act or a structure is placed on Crown lands by a person who is not the holder of a lease or permit issued