The Railway Act

being

Chapter R-1.2 of the *Statutes of Saskatchewan, 1989-90* (effective October 16, 1989) as amended by the *Statutes of Saskatchewan*, 1993, c 17; 1996, c E-9.3; 2001, c 36; 2004, c T-18.1; 2005, c M-36.1; 2009, c 5; 2010, c N-5.2; 2013, c 28; 2018, c 42; and 2024, c 4.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER R-1.2

An Act respecting Railways in Saskatchewan

PART I
Short Title, Interpretation and Application

Short title

1 This Act may be cited as *The Railway Act*.

Interpretation

2 In this Act:

(a) **"authorization certificate"** means an authorization certificate issued pursuant to section 6;

(b) **"board"** means the Highway Traffic Board continued pursuant to *The Traffic Safety Act*;

(c) **"department"** means the department over which the minister presides;

(d) **"inspector"** means a person employed or retained by the minister pursuant to section 23;

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

(f) **"operating authority certificate"** means an operating authority certificate issued pursuant to section 15;

(g) **"professional engineer"** means a professional engineer, as defined in *The Engineering and Geoscience Professions Act*, and includes the holder of a certificate of authorization granted pursuant to section 22 of that Act;

(h) **"provincial highway"** means a provincial highway as defined in *The Highways and Transportation Act, 1997*;

(i) **"public highway"** means a public highway as defined in *The Highways and Transportation Act, 1997*;

(j) **"railway"** means a railway that is subject to the legislative authority of Saskatchewan and includes:

(i) all depots, wharfs, trains, equipment, stores, real or personal property and works connected with the railway;

(ii) the railway line of the railway;

(k) **"railway company"** means a railway owner or railway operator;

(l) **"railway line"** means the land, track and structure:

(i) on which a train may be operated; and

(ii) that is subject to the legislative authority of Saskatchewan;

(m) **"railway operator"** means the holder or proposed holder of a valid and subsisting operating authority certificate;

(n) **"railway owner"** means the owner or proposed owner of a railway;

(o) **"temporary operating authority certificate"** means a temporary operating authority certificate issued pursuant to section 16;

(o.1) **"track"** includes all track that is suitable to receive and load traffic;

(p) **"train"** means any engine, locomotive and vehicle designed for movement on its wheels on the rails of a railway line.

1989-90, c R-1.2, s 2; 1996, c E-9.3, s 64; 2001, c 36, s 3; 2004, c T-18.1, s 297.

Compliance with Act

3(1) Subject to subsection (2), no person shall construct, acquire, alter, operate, discontinue service on or dismantle all or any part of a railway, except in accordance with this Act.

(2) This Act does not apply to any construction of, alteration to, dismantling of, maintenance of or repair to all or a part of a railway line if service on the railway line or part of the railway line being constructed, altered, dismantled, maintained or repaired will be offered at the same level and in substantially the same way as it was offered before the construction, alteration, dismantling, maintenance or repair.

2001, c 36, s 4.

Power of minister to exempt

3.1(1) The minister may exempt all or any part of any railway or class of railways from all or any provision of this Act on any terms and conditions that the minister may impose.

(2) The minister shall cause a notice of every exemption made pursuant to this section to be published in the Gazette.

2001, c 36, s 4.

PART II
Authority to Construct, Etc.

Minister's approval required

4 No person shall:

(a) construct or cause to be constructed;

(b) alter or cause to be altered; or

(c) acquire or cause to be acquired;

a railway line without the prior written approval of the minister.

1989-90, c R-1.2, s 4.

Application for approval to construct, acquire or alter

5(1) Any railway company who wishes to construct, acquire or alter a railway line shall apply to the minister in accordance with this section.

(2) An application pursuant to subsection (1) shall:

(a) include any information and details; and

(b) be in the form;

that the minister may require.

(3) At the time it applies pursuant to subsection (1) to construct, acquire or alter a railway line, the minister may require a railway company to submit to the minister all or any of the following:

(a) an operating authority certificate with respect to that railway line;

(b) an order of the board confirming that, in the board's opinion and taking into consideration the public interest:

(i) the railway owner is a fit owner for the railway line;

(ii) the railway operator is a fit operator for the railway line;

(iii) the railway owner and railway operator are adequately insured against claims arising from the operation of the railway line;

(c) a railway safety management plan in a form and with contents acceptable to the minister; and

(d) any additional information that the minister may require.

(4) A person who makes an application pursuant to subsection (1) shall give written notice of the application, in the form and manner specified by the minister, to:

(a) those municipalities in which the railway line is situated; and

(b) any other persons that the minister directs.

1989-90, c R-1.2, s 5; 2001, c 36, s 5.

Further requests for information

5.1(1) The minister may at any time request a railway company to which an authorization certificate, operating authority certificate or temporary operating authority certificate has at any time been issued pursuant to this Act to provide the minister with all or any of the following:

(a) a railway safety management plan in a form and with contents acceptable to the minister;

(b) any additional information that the minister may require.

(2) No railway company to which a request is made pursuant to subsection (1) shall fail to comply with the request within the time and in the manner that the minister may direct.

2001, c 36, s 6.

Approval

6(1) Subject to subsection (1.1), on receipt of an application pursuant to section 5, the minister may:

(a) reject the application; or

(b) where the minister is satisfied that the application is in the public interest:

(i) issue an authorization certificate authorizing the person to proceed, in whole or in part, with the construction, acquisition or alteration of the railway line; and

(ii) make any order that the minister considers necessary.

(1.1) The minister shall make a decision pursuant to subsection (1) within 90 days after the date the minister receives an application that, in the minister's opinion, is complete and accurate.

(2) An authorization certificate may contain authority, for any period that the minister considers appropriate, to transport over the railway line materials required for construction of the railway line.

(3) Where an application pursuant to section 5 is to construct or alter a railway line the minister may make orders doing all or any of the following:

(a) requiring any person to do any thing necessary to permit the desired construction or alteration;

(b) subject to section 13, apportioning the costs of the construction or alteration, or the maintenance of the construction or alteration, between those persons that the minister decides.

1989-90, c R-1.2, s 6; 2001, c 36, s 7.

Deviations, changes and alterations

7(1) A railway owner shall ensure that the centre line of the railway line does not deviate from the approved centre line by more than five metres.

(2) Where a railway owner proposes to deviate from, change or alter the plan for the proposed railway line in a manner that goes beyond five metres from the approved centre line, the railway owner shall apply to the minister in accordance with section 5 for approval of the change, and this Act applies, with any necessary modification, to the proposed change and to the change once approved.

1989-90, c R-1.2, s 7.

Filing requirements on completion

8(1) Subject to subsection (2), within six months after the completion of the construction or alteration of the railway line, the railway company shall file with the minister detailed plans of the railway line as constructed, certified by a land surveyor registered in Saskatchewan to be correct.

(2) Where the minister considers it to be appropriate, the minister may waive the requirements of subsection (1) with respect to any railway company.

1989-90, c R-1.2, s 8.

Crossings

9(1) No person shall construct a crossing:

(a) of a railway line for the purposes of access to and from land adjacent to the railway line; or

(b) for pipelines, water courses, telecommunications, electrical power or any other utilities;

without the prior written approval of the minister.

(2) No public highway authority shall construct any crossing of a railway line without the prior written approval of the minister.

(3) An application for approval pursuant to this section shall include the description of the place and mode of the crossing that the minister may require.

(4) Notice of an application pursuant to this section shall be given to the railway owner whose railway line is to be crossed and to all railway operators using the railway line that is to be crossed.

(5) No person shall alter any crossing approved pursuant to this section without the prior approval in writing of the minister.

1989-90, c R-1.2, s 9.

Minister's orders re crossings

10(1) Where a person who has an interest in land adjacent to a railway line and the railway company owning or operating the railway line are unable to agree with respect to the:

(a) location of; or

(b) apportionment of costs to construct and maintain;

a crossing that will provide access to the land, the person or the railway company may apply in writing to the minister for an order respecting the crossing.

(2) Where the minister receives an application pursuant to subsection (1) and is satisfied that it is appropriate to do so, the minister may make an order:

(a) directing the railway owner to provide a crossing;

(b) fixing the location of a crossing;

(c) apportioning the costs of constructing and maintaining the crossing between the person having the interest in the land, the railway owner and the railway operator; or

(d) doing all or any combination of the matters mentioned in clauses (a) to (c).

1989-90, c R-1.2, s 10.

Minister's approval

11(1) Where the minister is satisfied that the information provided pursuant to section 9 with respect to a proposed crossing is complete and accurate and that the proposal includes reasonable steps to ensure that the railway is safe, the minister may:

(a) approve the application; and

(b) make any order that the minister considers necessary to ensure the safety of the public, including an order requiring the installation of a crossing protection, signal system or other apparatus at the crossing.

(2) Subject to section 13, where the parties affected by an order made pursuant to subsection (1) fail to agree on the proportion of the costs to be paid by each with respect to the construction and maintenance of the crossing, the minister shall, by order, determine the proportion of the costs to be borne by each party.

1989-90, c R-1.2, s 11.

Bridges, tunnels, etc. not owned by railway

12(1) Subject to section 13, where construction of or alteration to a bridge, tunnel or other structure not owned by a railway owner is necessary, the minister may:

(a) on the application of the railway company or other interested party; and

(b) after receiving the information that the minister may require;

make any order that the minister considers appropriate with respect to the construction or alteration of the bridge, tunnel or other structure and with respect to the apportionment of the costs associated with that construction or alteration between the affected parties.

(2) A person who makes an application pursuant to subsection (1) shall give written notice of the application, in the form and manner specified by the minister, to those persons that the minister directs.

1989-90, c R-1.2, s 12.

Order as to costs

13(1) Where:

(a) the minister is the authority responsible for a public highway for the purposes of section 6 or 11; or

(b) the bridge, tunnel or other structure mentioned in section 12 is part of a public highway for which the minister has responsibility;

the minister shall not make any order pursuant to section 6, 11 or 12 with respect to apportioning costs.

(2) In the circumstances described in subsection (1), any of the parties mentioned in section 6, 11 or 12, as the case may be, may apply to a judge of the Court of King's Bench for an order to apportion costs and the judge shall, on the application, make any order that the judge considers appropriate.

1989-90, c R-1.2, s 13; 2018, c 42, s 65; 2024, c 4, s 32.

PART III
Operating Authority

Certificate required

14(1) Subject to subsection 6(2), no person shall operate a railway unless:

(a) the minister has approved the opening of the railway pursuant to section 24;

(b) the person has obtained an operating authority certificate or temporary operating authority certificate; and

(c) the person complies with the terms and conditions of the operating authority certificate or temporary operating authority certificate.

(2) In accordance with any criteria that may be prescribed in the regulations, the board may issue operating authority certificates authorizing the transportation of goods and passengers by railway.

(3) If the railway owner does not agree to terms and conditions:

(a) pursuant to which a person may operate on a railway line owned by the railway owner; or

(b) on which a railway operator may renew an agreement to operate on a railway line owned by the railway owner;

the railway owner or the person who has obtained an operating authority certificate or temporary operating authority certificate may apply to the board for a review of the terms and conditions.

(4) The board may make orders, on an application pursuant to subsection (3), fixing the terms and conditions mentioned in subsection (3) if it is satisfied that it is in the public interest:

(a) to grant the person an operating authority certificate pursuant to this Act with respect to that railway line; or

(b) to ensure that the railway operator is able to continue to operate pursuant to the operating authority certificate.

(5) Where an application has been made pursuant to subsection (3), the railway owner may notify in writing the person or railway operator seeking an operating authority certificate and the board that the railway owner wishes to sell the railway line for the net salvage value of the railway line.

(6) If the railway owner and the applicant pursuant to subsection (3) are unable to agree on the net salvage value, either party may apply to the board to determine the net salvage value of the railway line, and the board shall determine that net salvage value within 45 days of receiving the application.

(7) The board shall not grant an operating authority certificate without the consent of the railway owner where the board has been notified pursuant to subsection (5).

(8) Where the applicant pursuant to subsection (3) is willing to purchase the railway line for the net salvage value as determined by the board, the railway owner shall sell the railway line to the applicant at that net salvage value.

1989-90, c R-1.2, s 14; 1993, c 17, s 22.

Application and issuance

15(1) An application for an operating authority certificate, an amendment to an operating authority certificate or an order for the purposes of subsection 5(3) is to be made to the board in any form and manner that the board may require and is to be accompanied by any fees that may be prescribed in the regulations by the Lieutenant Governor in Council.

(2) In considering an application for an operating authority certificate or an amendment to an operating authority certificate, the board may consider, among other things, the fitness of the applicant.

(3) Where an application for an operating authority certificate or an amendment to an operating authority certificate is made to the board, the board may:

(a) approve the application in whole or in part; or

(b) deny the application.

(4) Where an application is approved for:

(a) an operating authority certificate, the board shall issue an operating authority certificate;

(b) an amendment to an operating authority certificate, the board shall issue an amendment to the operating authority certificate or may cancel the existing operating authority certificate and issue a new certificate;

(c) an order for the purposes of subsection 5(3), the board shall issue the order.

(5) Any financial information provided to the board by an applicant for an order pursuant to this section is deemed to be a report for the purposes of section 12 of *The Traffic Safety Act* and shall not be made public except in accordance with that Act.

1989-90, c R-1.2, s 15; 2004, c T-18.1, s 303.

Temporary certificates

16(1) An application for a temporary operating authority certificate is to be made to the board or a person authorized by the board in any form and manner that the board may require.

(2) The board or a person authorized by the board may, after inquiring into the circumstances, issue a temporary operating authority certificate authorizing the transportation of any goods or passengers.

1989-90, c R-1.2, s 16.

Exclusive rights not granted

17 No operating authority certificate or temporary operating authority certificate confers exclusive rights on the holder or precludes the board in any way from issuing any other operating authority certificates or temporary operating authority certificates that the board considers appropriate.

1989-90, c R-1.2, s 17.

Insurance

18(1) No applicant for an operating authority certificate or temporary operating authority certificate is entitled to have the certificate issued until the applicant files with the board any insurance policies or bonds and certificates of insurance that may be required by the board with respect to:

(a) the railway owner;

(b) the railway operator; or

(c) both the railway owner and railway operator.

(2) A certificate of insurance filed with the board is deemed to be a conclusive admission by the insurer that the policy has been issued in accordance with the terms of the certificate.

(3) Every insurer shall notify the board in writing of the cancellation or expiration of any policy with respect to which a certificate of insurance has been filed with the board at least 30 days before the effective date of the cancellation or expiration.

(4) In the absence of notice pursuant to subsection (3), the policy remains in full force and effect.

(5) The board may review the insurance policies, bonds and certificates of insurance filed by a railway company pursuant to subsection (1).

1989-90, c R-1.2, s 18.

Suspension, etc.

19(1) For cause, the board may do all or any of the following:

(a) suspend an operating authority certificate or temporary operating authority certificate;

(b) alter an operating authority certificate or temporary operating authority certificate;

(c) amend an operating authority certificate or temporary operating authority certificate;

(d) cancel an operating authority certificate or temporary operating authority certificate.

(2) The board shall give the holder of the operating authority certificate or temporary operating authority certificate an opportunity to be heard before making an order pursuant to this section unless it is, in the opinion of the board, in the public interest to suspend, alter, amend or revoke the certificate immediately, in which case it shall notify in writing the holder of the certificate of that fact and shall give the holder an opportunity to be heard within 15 days of the date of the suspension, alteration, amendment or revocation, as the case may be.

(3) Notwithstanding subsection (2), where an insurance policy or bond mentioned in section 18:

(a) is filed with or accepted by the board; and

(b) expires or is cancelled or suspended;

and another policy or bond has not been filed with the board in its place, the board or any person designated by the board may, without giving the holder an opportunity to be heard, suspend or revoke the operating authority certificate with respect to which the expired, cancelled or suspended policy or bond was filed or accepted.

(4) Without limiting the generality of subsection (1), the board may refuse to issue or may suspend, alter, amend or cancel an operating authority certificate or temporary operating authority certificate if:

(a) the holder of the certificate has been convicted of contravening all or any provision of any Act, any Act of another jurisdiction or any regulations made pursuant to an Act or an Act of another jurisdiction dealing with the transport of goods or passengers and the time for an appeal has expired or, if an appeal has been taken, the appeal is dismissed;

(b) the certificate was issued in error;

(c) the board is satisfied that the holder has not paid a fee or charge imposed pursuant to this Act or the regulations;

(d) if a misrepresentation of a material fact has been made in the application for the certificate or in any information, report or document required by this Act to be furnished by the applicant or the holder of an operating authority certificate or temporary operating authority certificate; or

(e) the holder of the operating authority certificate or temporary operating authority certificate contravenes any terms and conditions of the certificate or any order or direction of the minister, the board or an inspector issued pursuant to this Act.

(5) A person designated by the board may:

(a) exercise the power of the board pursuant to subsection (4) to suspend an operating authority certificate for a period not exceeding 30 days; and

(b) when the person exercises the power to suspend mentioned in clause (a), shall immediately notify the board of the suspension.

(6) If the holder of an operating authority certificate or temporary operating authority certificate that has been suspended pursuant to this section does not resume operating the railway line within 30 days after the suspension is ended or any additional period that the board may allow, the holder is deemed to have given notice to the board pursuant to section 22 requesting authorization to discontinue service on the railway.

(7) In the circumstances mentioned in subsection (6), the board may:

(a) issue a temporary operating authority certificate to another person; and

(b) make any orders that it considers necessary respecting the temporary operating authority certificate issued pursuant to clause (a).

(8) Unless the board orders otherwise, the other provisions of this Act respecting the application for and issuance of temporary operating authority certificates apply to a temporary operating authority certificate issued pursuant to subsection (7)

1989-90, c R-1.2, s 19; 2001, c 36, s 8.

Suspension, etc., of order

20(1) Where the board suspends or cancels an operating authority certificate, it shall immediately give the minister notice of the suspension or cancellation.

(2) On receipt of a notice pursuant to subsection (1), the minister may:

(a) refuse to issue;

(b) suspend for any period that he considers appropriate; or

(c) cancel;

an authorization certificate.

1989-90, c R-1.2, s 20.

Prohibitions re certificate

21 No person shall wilfully deface or alter any authorization certificate, operating authority certificate or temporary operating authority certificate.

1989-90, c R-1.2, s 21.

Discontinuance of service

22(1) No holder of an operating authority certificate shall discontinue in whole or in part the service authorized by that certificate except in accordance with this section.

(2) The holder of an operating authority certificate who intends to discontinue in whole or in part the service authorized by the certificate shall give the board written notice of that intention of not less than:

(a) 180 days before the day it intends to discontinue the service; or

(b) any shorter period that the board may allow.

(3) In addition to notifying the board pursuant to subsection (2), the holder of an operating authority certificate shall give notice of its intention to any other person directed by the minister in the form directed by the minister.

2001, c 36, s 9.

Dismantling of railway line

22.1(1) In this section, **"interested person"** means a person who, pursuant to subsection (4), makes known his or her interest in buying, leasing or acquiring a railway line or a part of a railway line.

(2) A railway company that intends to dismantle all or any part of a railway line shall:

(a) provide at least 60 days' written notice of its intention to do so to the board; and

(b) advertise its intention to do so, in at least one newspaper having general circulation in Saskatchewan, at those times and in a form acceptable to the board.

(3) For the purposes of clause (2)(b), an advertisement must include:

(a) a description of the railway line or the part of the railway line to be dismantled and how it is to be sold;

(b) a statement that the advertisement is directed to persons interested in buying, leasing or acquiring the railway line or the part of the railway line to be dismantled for the purpose of continuing service on the railway line or the part of the railway line;

(c) the date by which persons mentioned in clause (b) must make their interest known in writing to the railway company; and

(d) the process the railway company intends to follow for receiving and evaluating the offer of each person who makes his or her interest known in accordance with the advertisement.

(4) For the purposes of clause (3)(c), the date by which persons must make their interest known in writing to the railway company must be at least 60 days after the date on which the advertisement is first published.

(5) A railway company has four months or any further or lesser period or periods that the board may authorize to reach an agreement with an interested person after the date stated in the advertisement by which persons must make their interest known.

(6) A railway company shall negotiate in good faith and in accordance with the process it discloses with an interested person.

(7) Subject to subsections (8) to (12), if an agreement is not reached within the period mentioned in subsection (5), the railway company shall:

(a) continue providing service on the railway line; or

(b) offer, in writing, to sell the railway line or the part of the railway line to the Government of Saskatchewan or a municipality for not more than its net salvage value in accordance with section 22.2.

(8) Before the end of the period mentioned in subsection (5), the railway company may apply to the board in writing for an order declaring that the interested person is not negotiating in good faith and that the railway company is no longer required to negotiate with that interested person.

(9) On an application pursuant to subsection (8), if the board is satisfied that the interested person is not negotiating in good faith, the board may make the order requested.

(10) Before the end of the period mentioned in subsection (5), an interested person may apply in writing to the board alleging that the railway company is not negotiating in good faith as required by subsection (6).

(11) On an application pursuant to subsection (10), the board may:

(a) order the railway company to enter into an agreement with the interested person to effect the transfer and to deal with matters respecting operating arrangements for the interchange of traffic if the board is satisfied that:

(i) the railway company is not negotiating in good faith; and

(ii) a sale, lease or other transfer of the railway line or the part of the railway line, or the company's operating interest in the railway line or the part of the railway line, to the interested person for continued operation would be commercially fair and reasonable to the parties; or

(b) dismiss the application and order that the railway company is no longer required to negotiate with the interested person if the board is satisfied that the interested person is not negotiating in good faith.

(12) In an order made pursuant to clause (11)(a), the board may:

(a) specify the terms and conditions to be included in an agreement, including consideration to be provided with respect to the transfer or operating arrangements; and

(b) set the period within which the parties must reach an agreement.

2013, c 28, s 2.

Sale of railway line to government

22.2(1) In this section, **"council"** means the council of a municipality in which the railway line or the part of the railway line to be dismantled is located.

(2) If a railway company decides to make a written offer pursuant to clause 22.1(7)(b), the railway company shall send the written offer to the minister and every council.

(3) Subject to subsection (5), the minister shall, within 30 days after the day on which the minister receives the written offer, accept or decline the written offer.

(4) If the railway company and the minister are unable to agree on the net salvage value, either party may apply to the Court of King's Bench to determine the net salvage value of the railway line or the part of the railway line.

(5) If an application is made pursuant to subsection (4), the minister shall, within 30 days after the day on which the minister and railway company are notified of the Court of King's Bench order determining the net salvage value, accept or decline the written offer.

(6) If the minister does not accept the written offer within the 30-day period mentioned in subsection (3) or (5):

(a) the minister shall advise in writing every council; and

(b) a council may accept the written offer.

(7) Subject to subsection (10), an acceptance mentioned in subsection (6) must be made within 30 days after the day on which the 30-day period mentioned in subsection (6) expires.

(8) If the railway company and a council are unable to agree on the net salvage value of the railway line or the part of the railway line and no determination of the net salvage value was made by the Court of King's Bench pursuant to subsection (4), either party may apply to the board to determine the net salvage value of the railway line or the part of the railway line.

(9) On an application pursuant to subsection (8), the board shall determine the net salvage value within 45 days after the day on which the board receives the application or within any further period that the board considers appropriate.

(10) If an application is made pursuant to subsection (8), the council shall, within 30 days after the day on which the council and railway company are notified of the board's determination of the net salvage value, accept or decline the written offer.

2013, c 28, s 2; 2024, c 4, s 32.

PART IV
Safety

Inspectors

23(1) The minister may cause to be employed or retained any persons, at least one of whom is a professional engineer, as inspectors for the purposes of this Act.

(2) Every railway company shall co-operate with an inspector in any manner that may reasonably be required to assist the inspector to carry out his duties pursuant to this Act.

(3) No person shall obstruct an inspector while the inspector is carrying out the inspector's duties pursuant to this Act.

1989-90, c R-1.2, s 23.

Orders of inspector

23.1(1) In this section, **"Act"** means this Act, the regulations, any order of the minister or the board issued pursuant to this Act or the terms or conditions of any authorization certificate, operating authority certificate or temporary operating authority certificate.

(2) If, in the opinion of an inspector, a railway owner or railway operator is not complying with this Act or there is an unsafe condition, the inspector may order the railway owner or railway operator to remedy that non-compliance or that unsafe condition.

(3) The inspector may, in the order, specify the time within which the order must be complied with.

2001, c 36, s 10.

Opening

24(1) No person shall open a railway without the prior approval of the minister.

(2) Every person who seeks the approval of the minister to open a railway shall submit to the minister a certificate of a professional engineer, in a form acceptable to the minister, certifying that the railway is safe and adequate for the railway operations as specified in the certificate.

(3) The minister may, before authorizing the opening of a railway, direct an inspector to:

(a) examine the railway; and

(b) provide a report to the minister regarding the safety of the railway.

(4) Where the report of the inspector indicates, with reasons, that a railway is unsafe, the minister shall, by order, refuse to authorize the opening of the railway until any changes that are, in the opinion of the minister, required to make the railway safe are made.

(5) Where the report of the inspector indicates that the railway is safe, the minister may, by order, authorize the opening of the railway.

1989-90, c R-1.2, s 24.

Safety

25(1) No railway company shall fail to maintain its railway in a safe condition.

(2) The minister may make orders requiring any railway company to file a certificate of a professional engineer, in a form acceptable to the minister, certifying that the railway is safe and adequate for specified railway operations at those intervals that the minister considers appropriate for each railway or part of the railway.

1989-90, c R-1.2, s 25.

Minister may order inspection

26 The minister may direct an inspector to inspect all or any part of a railway and provide the minister with a written report where the minister:

(a) receives a complaint about the state of repair of any part of a railway; or

(b) for any reason considers an inspection of a railway to be necessary.

2001, c 36, s 11.

27 Repealed. 2001, c 36, s 12.

Minister's orders re safety

28(1) The minister may make any orders that the minister considers necessary to ensure the safe operation of a specific railway.

(2) An order made pursuant to subsection (1) is valid for the period that is stated in the order.

(3) The minister may renew an order made pursuant to subsection (1) for an additional period stated in the renewal of the order and may amend, vary, rescind or repeal an order or renewal of an order.

(4) If there is a conflict between the provisions of an order made pursuant to this section and the regulations, the provisions of the order prevail.

1989-90, c R-1.2, s 28; 2001, c 36, s 13.

Standing and shunting

29 Where any railway line crosses any public highway at rail level, neither the railway company nor its officers, agents or employees shall wilfully permit any train to unnecessarily interfere with public traffic.

1989-90, c R-1.2, s 29.

Obstruction of view

30(1) The minister may, for the purpose of diminishing the danger at any railway crossing with a public highway or another railway line, order:

(a) any trees, buildings, earth or other obstruction to the view that may be on the railway or the highway or any trees on any adjoining lands to be removed; and

(b) that nothing obstructing the view shall be placed at the crossing or nearer to the crossing than the minister may direct in the order.

(2) For the purposes of an order made pursuant to subsection (1), the minister has power to authorize or direct:

(a) the expropriation of any land in accordance with *The Expropriation Procedure Act*;

(b) the acquisition of any interest in land;

(c) the apportionment of costs associated with the carrying out of the order between parties who are affected by the order; and

(d) the doing of anything that the minister considers necessary for the purposes of subsection (1).

1989-90, c R-1.2, s 30.

Accidents

31(1) The minister may make orders:

(a) prescribing the classes of accidents that shall be reported by a railway company immediately to the minister and requiring them to be reported;

(b) prescribing the contents of accident reports and the manner and form in which those accident reports are to be provided to the minister.

(1.1) The minister shall cause all orders made pursuant to subsection (1) to be printed in the Gazette.

(2) Every railway company shall file with the board once in each year at a time specified by the board a statutory declaration setting out details regarding accidents and injury to persons or property that have occurred on the railway owned or operated by that railway company during the preceding 12 months.

(3) The statutory declaration filed pursuant to subsection (2) shall include:

(a) a description of each accident and the causes of it;

(b) an indication of where and when the accident occurred; and

(c) all particulars relating to the accident.

(4) No information filed pursuant to this section is available for public inspection but the information filed pursuant to subsection (1) is the property of the minister and the information filed pursuant to subsection (2) is the property of the board.

(5) Information filed pursuant to this section is admissible in evidence only for the purpose of proving compliance with this section and for no other purpose.

1989-90, c R-1.2, s 31; 2001, c 36, s 14.

Investigation

32(1) The minister may investigate or cause to be investigated by any person or the board any accident that takes place on a railway.

(2) The railway company and its agents and servants shall co-operate fully with and comply with any reasonable request of any person conducting an investigation pursuant to this section or the board, as the case may be.

(3) The minister may make any order that the minister considers appropriate during an investigation of an accident, including prohibiting any person from operating a train during the period of that investigation.

1989-90, c R-1.2, s 32.

Fire prevention

33 Every railway company shall at all times:

(a) maintain and keep its right of way free from dead or dry grass, weeds and other combustible matter; and

(b) take any other measures necessary to prevent fire and the spread of fire.

1989-90, c R-1.2, s 33.

Defective railway

34 No railway company or officer or employee of a railway company shall knowingly use or operate a railway that is defective in any way.

1989-90, c R-1.2, s 34.

Trains have right of way

35(1) Subject to subsection (2), every train operating on a railway line is deemed to have the right of way at every public highway crossing.

(2) This section does not apply to those classes of trains that may be exempted in the regulations.

1989-90, c R-1.2, s 35.

PART V
Rates, Service and Obligations as a Carrier

DIVISION 1
Rates

Rates

36 Subject to the other provisions of this Act, each railway company may determine the rates to be charged for the carriage of traffic on its railway and the manner in which those rates are to be paid.

2001, c 36, s 15.

Joint tariff

37(1) Where traffic is to move over any continuous railway line, portions of which are operated by two or more railway companies, those companies shall, at the request of the shipper intending to move the traffic, agree on:

(a) a joint tariff for the continuous route; and

(b) the apportionment of the rate set out in the joint tariff.

(2) Where the railway companies operating a continuous route fail to agree on a joint tariff or the apportionment of a rate set out in a joint tariff pursuant to subsection (1), any shipper intending to move traffic over that continuous route or portion of that route may apply to the board for an order:

(a) determining the route;

(b) fixing the rate for the route;

(c) apportioning that rate among those companies; and

(d) determining the dates, no earlier than the date the application was received by the board, when the rate fixed pursuant to clause (b) shall come into effect.

(3) Subject to subsection (4), where the board receives an application pursuant to subsection (2), it may make the order requested.

(4) Where the board makes an order pursuant to subsection (3), it shall do so within 90 days of the date the application was received by the board.

2001, c 36, s 15.

DIVISION 2
Service and Obligations as Carrier

Contracts limiting liability

38(1) A railway company shall not limit or restrict its liability to a shipper with respect to the transportation of traffic of the shipper otherwise than by means of a written agreement signed by the shipper or by an association or other body representative of shippers.

(2) In the absence of an agreement mentioned in subsection (1), a railway company may limit or restrict its liability with respect to any traffic, and specify the terms and conditions of the limitation or restriction, only to the extent:

(a) that the board, by order, on the application of the railway company, may specify with respect to that traffic; or

(b) where no order pursuant to clause (a) has been made with respect to that traffic, that is generally applicable to a common carrier.

2001, c 36, s 15.

Obligations as carrier

39(1) In this section, **"other railway company"** includes a railway company that:

(a) is under the legislative jurisdiction of the Parliament of Canada; and

(b) desires to receive, move, deliver or interchange goods and return rolling stock with a railway company within the meaning of this Act.

(2) Where reasonable, every railway company shall provide adequate and suitable accommodation for:

(a) the receiving, moving, transporting and delivering of traffic;

(b) the interchange of traffic without delay or disadvantage between its railway lines and the railway lines of other railway companies; and

(c) the return of rolling stock.

(3) For the purposes of subsection (2), adequate and suitable accommodation includes reasonable facilities for the receiving, carrying and delivering by the railway company:

(a) at the request of any other railway company, of through traffic and, in the case of goods shipped by carload, of the car with the goods shipped in it, to and from the railway of that other company, at a through rate; and

(b) at the request of any person interested in through traffic, of that traffic at through rates.

(4) Every railway company that has or operates a railway that forms part of a continuous line of transportation with or that intersects any other railway, or that has any terminus, station or wharf near to any terminus, station or wharf of any other railway, shall afford all reasonable facilities for delivering to that other railway, or for receiving from or carrying by its railway, all the traffic arriving by that other railway without any unreasonable delay, so that:

(a) no obstruction is offered to the public desiring to use those railways as a continuous line of transportation; and

(b) all reasonable accommodation, by means of the railways of those companies, is at all times afforded to the public for that purpose.

(5) Where subsections (2) to (4) have not been waived pursuant to subsection (6), any person who suffers damage as a result of a breach of this section by a railway company may bring an action against the railway company to recover damages.

(6) The board may, by order, waive any of the requirements of subsections (2) to (4) on the application of a railway company.

(7) Where the board considers it to be appropriate, the board may cancel in whole or in part, or may amend or vary, an order made pursuant to subsection (6) on the application of:

(a) a person seeking carriage of the person's traffic by a railway company that has received an order pursuant to subsection (6); or

(b) a person who is aggrieved by a decision of a railway company described in clause (a).

2001, c 36, s 15; 2009, c 5, s 16.

Confidential contracts

39.1(1) A railway company and a shipper may enter into a contract that the parties agree to keep confidential respecting all or any of the following:

(a) the rates to be charged by the railway company to the shipper;

(b) reductions or allowances of rates in tariffs that have been issued and published or rates in tariffs or confidential contracts that have previously been lawfully charged;

(c) any conditions relating to the transportation of goods to be moved by the railway company;

(d) the manner in which the railway company shall fulfil its obligations pursuant to section 39.

(2) No party to a confidential contract mentioned in subsection (1) is entitled to submit matters to the board for final offer arbitration pursuant to Division 3 without the consent of all parties to the confidential contract.

2001, c 36, s 15.

DIVISION 3
Final Offer Arbitration

Final offer arbitration

40(1) A shipper may submit the matter in writing to the board for a final offer arbitration where:

(a) the shipper is dissatisfied with:

(i) any rates charged or proposed to be charged by a railway company for the movement of traffic; or

(ii) any of the conditions associated with the movement of traffic; and

(b) the matters mentioned in clause (a) cannot be resolved between the shipper and the railway company.

(2) A submission pursuant to subsection (1) must be made in the manner prescribed in the regulations and contain those details that are prescribed in the regulations.

(3) On receipt of a submission pursuant to subsection (1), the board shall appoint an arbitrator who shall conduct the arbitration and decide the matter to be arbitrated in the manner prescribed in the regulations.

(4) In making a decision, the arbitrator shall select the final offer of either the shipper or the railway company.

(5) A decision of an arbitrator pursuant to this section:

(a) is final and binding on all parties to the arbitration;

(b) is enforceable as if it were an order of the board; and

(c) unless the parties agree otherwise, is applicable to the parties for a period of one year from the date the submission was received by the board or for any lesser period that the arbitrator considers appropriate having regard to the negotiations between the parties that took place before the submission was received.

(6) In the decision, the arbitrator shall determine if any moneys are owing to one of the parties as a result of the arbitration and the reasonable rate of interest on those moneys.

(7) If the arbitrator determines that moneys are owing to one of the parties, the party whom the arbitrator determines owes the money shall pay those moneys, together with interest determined pursuant to subsection (6), to the party to whom the moneys are owed.

(8) *The Arbitration Act, 1992* does not apply to an arbitration conducted pursuant to this Division.

2001, c 36, s 15.

PART V.1
Interjurisdictional Co-operation

Interjurisdicational co-operation

40.1 For the purposes of fulfilling its responsibilities or exercising its powers pursuant to this Act, the board may:

(a) enter into agreements with any other body empowered by a statute of Canada, of any province or territory of Canada or any state of the United States of America to administer or regulate railways;

(b) hold hearings, or participate in any other procedures, inside or outside Saskatchewan in conjunction with that other body; and

(c) consult with that other body in arriving at its decisions.

2001, c 36, s 15.

PART VI
Land Acquisition and Entry

Expropriation

41 No railway company shall take any land for the purposes of a railway line without the consent of the owner of the land unless it first complies with *The Expropriation Procedure Act*.

1989-90, c R-1.2, s 41.

Appropriation of land

42(1) Subject to the approval of the Lieutenant Governor in Council, a railway company may take as much of the lands or interest in the lands of:

(a) the Crown, other than a public highway; or

(b) other persons including railway companies;

as may be necessary for the building, constructing or operating of its railway.

(2) The Lieutenant Governor in Council may make any order that the Lieutenant Governor in Council considers appropriate regarding an expropriation made pursuant to subsection (1) with respect to land owned by another railway company and may impose any conditions or restrictions on either company that the Lieutenant Governor in Council considers to be just in the circumstances.

(3) Notwithstanding any provision of *The Cities Act*, *The Municipalities Act* or *The Northern Municipalities Act, 2010* but subject to having first obtained the written consent of the minister responsible for the administration of *The Highways and Transportation Act, 1997* and to any conditions prescribed by that minister, a railway company may construct, maintain and operate its railway on, across, over or under any public highway.

(4) The manner in which and the terms on which a railway company shall enter on and use any land, other than a public highway, shall be as set forth in any agreement between the company and the owner of the land.

(5) In the absence of an agreement, the railway company may, without the consent of the owner, enter on the land and survey and take levels of the land or take any samples and borings and sink any trial pits that it considers necessary with respect to the construction of a railway line.

1989-90, c R-1.2, s 42; 2005, c M-36.1, s 461; 2010, c N-5.2, s 449.

Snow fences, etc.

43(1) At any time during the period commencing on November 1 in one year and ending on April 30 in the next year, a railway company may by its agents or servants enter on land adjoining a railway line to:

(a) erect snow fences on that land and maintain and remove them;

(b) make snow ridges on that land.

(2) A person who:

(a) obstructs or interferes with an agent or servant of the railway company engaged in exercising on behalf of the railway company any of the powers conferred by subsection (1); or

(b) takes down, removes or otherwise interferes with a snow fence erected or snow ridge made pursuant to subsection (1);

is liable to the railway company for the amount of damage caused.

(3) Where a railway company causes damage to land pursuant to subsection (1), it is liable to the owner of the land for the amount of that damage.

(4) No railway company that has erected a snow fence on land pursuant to this section shall fail to remove that snow fence on or before April 30.

1989-90, c R-1.2, s 43.

Entry on land

44(1) A railway company may, by its agents or servants, enter on land that is within 200 metres of the railway line for the purpose of constructing or repairing the railway and maintaining the railway in safe condition.

(2) If an owner denies a railway company access to his or her land pursuant to this section, a judge of the Court of King's Bench may, on the application without notice of the railway company, order the land owner to grant access to the railway company in accordance with subsection (1).

(3) Where a railway company causes damage to land as a result of any action taken pursuant to subsection (1), it is liable to the owner of the land for the amount of those damages.

1989-90, c R-1.2, s 44.; 2018, c 42, s 45; 2024, c 4, s 32.

PART VII
General

45 Repealed. 2001, c 36, s 16.

Examination on oath

46 The board may:

(a) summon and examine under oath any officer or employee of a railway company or other person regarding a return mentioned in section 45; and

(b) require the production of any books or documents in the possession or under the control of the railway company or an officer or employee of the railway company for the purpose of verifying information provided to the board pursuant to regulations made under section 45.

1989-90, c R-1.2, s 46.

Transfer, etc., prohibited

47(1) No person shall capitalize, sell, assign, lease or transfer an operating authority certificate or an authorization certificate in whole or in part without the prior approval of the board.

(2) A person seeking to obtain the approval of the board pursuant to subsection (1) shall apply to the board for the approval.

(3) The board may require any corporation that owns a railway or that is the holder of an operating authority certificate or authorization certificate to report to the board any issue, cancellation, conversion, surrender or transfer of its securities.

(4) Where the board is of the opinion that an issue, cancellation, conversion, surrender or transfer of securities:

(a) has affected the control of a corporation described in subsection (2); and

(b) has not received the prior written approval of the board;

the board may issue an order deeming the issue, cancellation, conversion, surrender or transfer to be a transfer contrary to subsection (1) of all operating authority certificates and authorization certificates held by the corporation.

(5) Where the board makes an order pursuant to subsection (4), it may review the certificate and may suspend, alter or cancel it.

(6) The board may review any operating authority certificate or authorization certificate that has been capitalized, sold, assigned, leased or transferred contrary to this section and may suspend, alter or cancel the certificate.

1989-90, c R-1.2, s 47; 2001, c 36, s 17.

Obligations continue on transfer

48 Where there is a change in the ownership of a railway line, the new owner is deemed to assume all of the obligations of the previous owner with respect to owners of land adjacent to the railway line.

1989-90, c R-1.2, s 48.

Liability of railway company

49 No provision of this Act and no inspection conducted or action authorized pursuant to this Act in any way relieves a railway company of any responsibility it would otherwise have at law.

1989-90, c R-1.2, s 49.

Liability for contravention

50 Any:

(a) railway company that; or

(b) director, officer or employee of a railway company who;

contravenes any provision of this Act or the regulations is liable for any damage caused to person or property as a result of that contravention.

1989-90, c R-1.2, s 50.

Immunity

51 No action or proceeding lies against the minister, the department, any officer or employee of the department, the board or any officer or employee of the board for any matter or thing in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by any of them, pursuant to or in exercise of or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any duty imposed by this Act or the regulations.

1989-90, c R-1.2, s 51.

Offence and penalty

52(1) No person shall contravene:

(a) any provision of this Act or the regulations;

(b) an order of the board;

(c) an order of the minister; or

(d) any term or condition of an authorization certificate, operating authority certificate or temporary operating authority certificate that has been issued to that person.

(2) Every person who contravenes subsection (1) is guilty of an offence and is liable on summary conviction to a fine of not more than $100,000 and, where the offence is a continuing offence, a further fine of not more than $1,000 for each day or part of a day during which the offence continues.

2001, c 36, s 18.

Regulations

53(1) The Lieutenant Governor in Council may make regulations:

(a) prescribing the speeds at which trains may be operated;

(b) prescribing the use of warning devices in various aspects of a railway's operation;

(c) prescribing fire safety requirements along rights of way of railways;

(d) prescribing the qualifications required of persons who operate engines on railways, requiring those persons to be licensed and providing for the suspension and cancellation of those licences;

(e) prescribing hours of service of railway companies;

(f) respecting any utility passing over or under a railway line;

(g) respecting any matter that the Lieutenant Governor in Council considers necessary to govern the activities of railway companies during the construction of a railway line;

(h) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to ensure the safe operation of railways;

(i) respecting the returns required to be filed by railway companies with the board, including regulations:

(i) prescribing the classes of returns required;

(ii) prescribing the form and manner in which returns are to be made;

(iii) prescribing the financial information and detail regarding the financial transactions of the railway company required to be filed with the board;

(iv) declaring information provided to the board pursuant to this section to be confidential and inadmissible in evidence;

(j) prescribing matters respecting:

(i) the crossing of public highways and other roads by railway lines;

(ii) the operation of trains near, on or across public highways;

(k) prescribing the classes of crossings and safety features required by railway lines and requiring the maintenance of those crossings and safety features;

(l) prescribing matters respecting the provision of access to private property that is adjacent to a railway line;

(m) determining who shall pay any costs associated with the requirements of regulations made pursuant to clauses (j) to (l);

(n) prescribing requirements to be met with respect to bridges, tunnels or other structures over, through or under which railway lines pass;

(o) prescribing specifications for all equipment and devices to be used on railways;

(p) prescribing and requiring the payment of fees and charges that are payable to the minister or the board in connection with the carrying out of the minister's or the board's duties pursuant to this Act or the regulations;

(q) prescribing the extent of authority granted by authorization certificates, operating authority certificates or temporary operating authority certificates;

(r) prescribing the terms and conditions pursuant to which operating authority certificates and temporary operating authority certificates may be issued;

(s) prescribing any other matter respecting operating authority certificates or temporary operating authority certificates that the Lieutenant Governor in Council considers necessary;

(t) prescribing classes of trains that are exempt from section 35;

(u) respecting final offer arbitrations conducted pursuant to this Act;

(v) prescribing any other matter or thing that is required or authorized by this Act to be prescribed in the regulations;

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

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

(2) The board may make regulations:

(a) prescribing the amount of and terms and conditions that must be in any insurance policy, bond or certificate that is required to be filed with the board or maintained by a railway owner or railway operator pursuant to this Act;

(b) requiring the filing of rates with the board and prescribing the manner and contents of that filing;

(c) requiring the publication of rates and prescribing the manner of publication;

(d) requiring the filing with the board of any agreement between one or more railway companies and a shipper respecting the movement of traffic at rates other than published rates.

(3) Any regulation made pursuant to subsection (1) or (2) may adopt by reference, in whole or in part, with any changes that the Lieutenant Governor in Council considers necessary, any code, standard or regulation, and may require compliance with any code, standard or regulation so adopted.

2001, c 36, s 18.

Minister's power to delegate

53.1(1) The minister may delegate to any board, commission, agency or person the exercise of any of the powers given to, or the fulfilment of any of the responsibilities imposed on, the minister pursuant to this Act and the regulations.

(2) The minister may impose any terms and conditions on a delegation pursuant to this section that the minister considers appropriate.

(3) A decision or action of a delegate in relation to the exercise or performance of any power or responsibility delegated to that delegate pursuant to subsection (1) is deemed to be a decision or action of the minister.

2001, c 36, s 18.

Board's power to delegate

53.2(1) The board may delegate to any other board, commission or person the exercise of any of the powers given to, or the fulfilment of any of the responsibilities imposed on, the board pursuant to this Act and the regulations.

(2) The board may impose any terms and conditions on a delegation pursuant to this section that the board considers appropriate.

(3) On the board's own motion or on the application of a person affected by a decision made or action taken by a delegate pursuant to subsection (1), the board may:

(a) review the decision or action; and

(b) if the board considers it appropriate, substitute any decision or action that the board considers suitable.

(4) A decision or action of a delegate in relation to the exercise or performance of any power or responsibility delegated to that delegate pursuant to subsection (1) is deemed to be a decision or action of the board.

2001, c 36, s 18.

Powers of board

54 In carrying out its duties and exercising its powers pursuant to this Act, the board has all of the powers, duties and functions set out in Part IV of *The Traffic Safety Act*.

1989-90, c R-1.2, s 54; 2004, c T-18.1, s 303.

Order re compliance

55 Where:

(a) a railway company is not complying with this Act;

(b) a person seeking to have a service required to be provided pursuant to this Act provided by the railway company mentioned in clause (a) applies to the board for an order; and

(c) the board considers it appropriate to issue an order;

the board may issue an order directing the railway company to comply with this Act.

1989-90, c R-1.2, s 55.

Board orders

56(1) A certified copy of any order of the board may be filed in the office of a local registrar of the Court of King's Bench and on that filing is enforceable in the same manner as a judgment or order of the court.

(2) Notwithstanding that an order has been filed pursuant to subsection (1), the board may rescind or vary that order.

(3) In an application to a court arising out of the failure of a holder of an operating authority certificate to comply with an order of the board, the court may refer any question concerning compliance to the board.

(4) An application to enforce an order of the board may be made to a court by and in the name of the board.

(5) On application pursuant to subsection (4), the court:

(a) is bound by the findings of the board; and

(b) shall make any order that may be necessary to cause every holder of an operating authority certificate with respect to whom the application is made to comply with the order of the board.

(6) The board may in its own name appeal any judgment, decision or order of any court affecting any of its orders or decisions.

1989-90, c R-1.2, s 56; 2001, c 36, s 19; 2018, c 42, s 65; 2024, c 4, s 32.

PART VIII
Repeal, Transitional and Coming into force

RSS 1978, c S-33 and certain private Acts repealed

57(1) *The Saskatchewan Railway Act* is repealed.

(2) The following private Acts are repealed:

(a) An Act to incorporate the Canadian Central Railway Company;

(b) An Act to incorporate the Canadian Northern Saskatchewan Railway Company;

(c) An Act to incorporate Central Canada Saskatchewan Railway Company;

(d) An Act to incorporate Central Provinces Railway Company;

(e) An Act to incorporate The Farmers' Railway Company;

(f) An Act to incorporate The Grand Trunk Pacific Saskatchewan Railway Company;

(g) An Act to incorporate The Moose Jaw and Suburban Rapid Transit Railway Company;

(h) An Act to incorporate the Moose Jaw Electric Railway Company;

(i) An Act to incorporate The Moose Jaw Transportation Company Limited and to confirm a certain Agreement between the City of Moose Jaw and The Moose Jaw Electric Railway Company limited;

(j) An Act to incorporate The Regina and Saskatchewan Railway Company;

(k) An Act to incorporate The Regina Inter-Urban Tramway Company;

(l) An Act to incorporate the Regina-Moose Jaw Interurban Railway;

(m) An Act to incorporate The Regina Southern Railway Company;

(n) An Act to incorporate The Saskatchewan and Alberta Railway Company;

(o) An Act to incorporate The Saskatchewan and Hudson Bay Railway Company;

(p) An Act to incorporate The Saskatchewan and Southern Railway Company;

(q) An Act to incorporate The Saskatchewan Central Railway Company;

(r) An Act to incorporate The Saskatchewan Midland Railway Company;

(s) An Act to incorporate The Saskatchewan North-Western Railway Company;

(t) An Act to incorporate The Saskatoon Electric Railway and Power Company;

(u) An Act to incorporate The Saskatoon Transfer Railway Company;

(v) An Act to incorporate The Shaw Lumber and Railway Company;

(w) An Act to incorporate The Watrous Radial Railway Company.

1989-90, c R-1.2, s 57.

Transitional

58(1) Every person who operates a railway on the day on which section 16 of this Act comes into force is deemed to have a temporary operating authority certificate for a period of six months after that date.

(2) Every railway which exists on the day section 24 comes into effect is deemed to have the approval of the minister pursuant to section 24.

(3) Where the minister considers it appropriate, the minister may require a person who owns a railway described in subsection (2) to file detailed plans of the railway line as constructed, certified by a land surveyor registered in Saskatchewan to be correct in accordance with section 8.

(4) Where the minister has required a person who owns a railway to file plans with the minister pursuant to subsection (3), that person shall comply with the requirement.

1989-90, c R-1.2, s 58.

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