

*Revised
May/86*

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY
SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Title: FORESTRY LAW

Code No.: FOR 211-2

Program: FORESTRY TECHNICIAN

Semester: 3

Date: JULY, 1985

Author: H. A. COOPER

New: _____ Revision: X

APPROVED:


Chairperson

_____ Date

FORESTRY LAW
FOR 211-2
FORESTRY TECHNICIAN

FORESTRY LAW

FOR 211-2

Course Name

Course Number

PHILOSOPHY/GOALS:

This course will acquaint students with the Canadian and Ontario justice systems and how forest related Acts and regulations are formulated and implemented.

The students will be required to have a working knowledge of the content of the major Acts that affect forest resource use, as well as the role and powers of officers under these acts.

METHOD OF ASSESSMENT (GRADING METHOD):

4 term tests based on case studies and theory @ 25% = 100%

A short report based on an optional field trip to the courthouse will be accepted for bonus marks.

Grading -

A = 80% +
B = 70 - 79%
C = 60 - 69%
I = less than 60%

TEXTBOOK(S):

Office compilations of the following Acts:

The Game and Fish Act
The Forest Fire Prevention Act
The Crown Timber Act
The Public Lands Act

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FORESTRY LAW - COMPETENCY-BASED OBJECTIVES

On completion of this course, the student will be able to:

	<u>ENABLING OBJECTIVES</u>
1. Differentiate between a "policy", a "regulation", "legislation", and "statutes" using appropriate examples.	2966.05 2969.01
2. Using a chart format, identify responsibilities (Federal or Provincial) for legislation/policy regarding resource management, as dictated by the B.N.A.	2969.01
3. State three types of legislation the Provincial government may delegate to municipalities for regulating natural resource use.	2969.01 2966.05
4. Identify sections of pertinent acts that designate the authority and powers of officers to enforce natural resource legislation/policies.	2969.01 2966.05
5. Explain difficulties in the enforcement of legislation/statutes/policy such as : interpretation of conflicting legislation and political interference.	2966.05
6. Draw a flow chart to summarize the steps and guidelines that officers must follow while enforcing forest regulations/policies.	2969.01 2966.05
7. List four situations whereby any private citizen is authorized to carry out an arrest, and compare the citizen's power to that of a peace officer.	2969.01
8. Match the following Acts and Regulations to their general objective in natural resource management:	2969.01 2970.01 2971.04 2966.05
<u>Federal Acts and Regulations</u>	
The Fisheries Act	
The Migratory Birds Convention Act	
Environmental Protection Act	
Navigable Waters Protection Act	
Criminal Code of Canada	
Canada Waters Act	

Provincial Acts and Regulations

The Crown Timber Act, The Forestry Act
The Game and Fish Act/Endangered Species Act
The Public Lands Act
The Forest Fire Prevention Act
The Public Lands Act/Beds of Navigable Waters Act
The Lakes and Rivers Improvement Act
The Pits and Quarries Control Act
The Woodlands Improvement Act
The Drainage Act
The Forest Tree Pest Control Act
The Trespass to Property Act/Occupier's Liability Act
The Ontario Water Resources Act
The Environmental Protection Act/Environmental Assessment Acts
The Wolf Damage to Livestock Control Act
The Dog Licensing and Livestock & Poultry Protection Act
The Pesticide Act

Municipal By-Laws and Regulations

Half loading, land use zone, and hunting regulations
The Trees Act
Noise by-laws

9. Match the following types of enforcement officer 2966.05
with the stated acts and regulations for which they 2969.01
are responsible: 2970.02
2971.04

Ontario M.N.R. Lands Technicians
Ontario M.N.R. Parks Superintendent, Technicians & Wardens
Ontario M.N.R. Timber Technicians
Ontario M.N.R. Fire Control Officers
Ontario M.N.R. Conservation Officers & Fish & Wildlife Technicians
R.C.M.P.
O.P.P.
C.W.S. Enforcement Officers
Federal Insect Rangers

10. Given office consolidations or summaries of the Crown 2966.05
Timber Act, Occupations Health & Safety Act, Criminal 2969.01
Code, Forest Fire Prevention Act, Provincial Parks 2970.02
Act and regulations Game and Fish Act, Migratory Birds 2971.04
Convention Act, The Fisheries Act, Ontario Fisheries
Regulations, the student will identify any violation from
pertinent case histories by indicating appropriate section
numbers.

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ENABLING OBJECTIVES

- | | | |
|-----|--|---------|
| 11. | Given summaries of important sections of | 2966.05 |
| | business-related legislations such as The Occupational | 2971.04 |
| | Health and Safety Act, Employee Standards Act, | |
| | Workmen's Compensation Act, Ontario Labour Relations | |
| | Act and Income Tax Act, identify violations from pertinent | |
| | case histories. | |

1 2

The History Of Law In Natural Resources

- Origin of Canadian and Ontario Laws
 - a) how laws are formulated
 - b) Provincial and Federal responsibilities
 - c) Levels of Courts

2 4

Laws and Their Application

- Statute Law vs. Common Law
 - a) crimes and torts
 - b) types of offences
 - c) officers to enforce regulations and their powers
 - d) general enforcement procedures and guidelines

3 2

Statutes to Protect our Forests and Forest-lands.

- Objectives and key sections of:
 - a) The Crown Timber Act, The Forestry Act, The Trees Act, and the Woodlands Improvement Act.
 - b) The Forest Fire Prevention Act
 - c) The Forest Tree Pest Control Act
 - d) The Public Lands Act

4 3

Statutes that Protect our Environment and Waters

- Objectives and Key Sections of:
 - a) The Provincial Parks Act and The Wilderness Act
 - b) The Environment Protection Act
 - c) The Environmental Assessment Act
 - d) The Water Resources Act
 - e) The Navigable Waters Act
 - f) The Public Lands Act
 - g) The Drainage Act
 - h) The Canada Waters Act
 - i) The Lakes and Rivers Improvement Act
 - j) The Pesticide Act

5 4

Statutes that Protect our Fish and Game

- Objectives and Key Sections of:
 - a) The Game and Fish Act
 - b) The Fisheries Act
 - c) The Endangered Species Act
 - d) The Dog Licensing and Livestock and Poultry Protection Act
 - e) The Criminal Code of Canada
 - f) The Migratory Birds Convention Act

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TOPIC	PERIODS	DESCRIPTION
6	2	Statutes to Protect People Related to Forest Resources a) Occupational Health and Safety Act b) The Public Health Act c) The Criminal Code of Canada d) The Trespass to Property Act and the Occupier's Liability Act e) Hunter's Damage Compensation Act f) Worker's Compensation Act

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NOTE: For all references, see the office consolidation of the individual acts.

Other Suggested Readings:

Estrin, D., and J. Swaigen, 1978. Environment on Trial - A Handbook of Ontario Environment Law. Can. Envir. Law Research Foundation. Toronto. 587 p.

Readers Digest Ltd., 1976. You and The Law. Publ. by Readers Digest for the Canadian Auto. Assoc. Montreal. 912 p.