

FORESTRY LAW
FOR 211-2
FORESTRY TECHNICIAN

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Title: FORESTRY LAW

Code No.: FOR 211-2

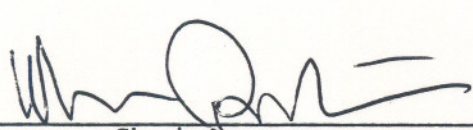
Program: FORESTRY TECHNICIAN

Semester: 3

Date: JUNE, 1988

Author: H. A. COOPER

New: _____ Revision: X

APPROVED: 
Chairperson

Date August 2/88

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Course Name

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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 - 80%

Two short reports based on an field trip to the courthouse and a reading assignment will be required - 10%

Impromptu quizzes - 10%

100%

Grading -

- A+ = 90%
- A = 80% - 89%
- B = 70 - 79%
- C = 60 - 69%
- I = less than 60%

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Rewrites: Students with an overall average of 55 - 59% may have an opportunity to rewrite the entire course in a final examination, providing that their attendance and demonstrated effort throughout the semester are satisfactory.

FORESTRY LAW - COMPETENCY-BASED OBJECTIVES

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

Office compilations of the following Acts:

- 1. Differentiate between a "statute", "legislation", and "regulation", and give examples.
- 2. Using a chart format, identify the authority and powers of officers to enforce natural resource legislation/policies.
- 3. State three types of legislation the provincial government may delegate to municipalities for regulating natural resource use.
- 4. Identify sections of pertinent acts that designate the authority and powers of officers to enforce natural resource legislation/policies.
- 5. Explain difficulties in the enforcement of legislation/statutes/policy such as: interpretation of conflicting legislation and political interference.
- 6. Draw a flow chart to summarize the steps and guidelines that officers must follow while enforcing forest regulations/policies.
- 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.
- 8. Match the following Acts and Regulations to their general objective in natural resource management:
 - Federal Acts and Regulations
 - The Fisheries Act
 - The Migratory Birds Convention Act
 - Navigable Waters Protection Act
 - Criminal Code of Canada
 - Canada Waters Act

FORESTRY LAW - COMPETENCY-BASED OBJECTIVES

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

ENABLING OBJECTIVES

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

Federal Acts and Regulations

The Fisheries Act
The Migratory Birds Convention Act
Navigable Waters Protection Act
Criminal Code of Canada
Canada Waters Act

ENABLING OBJECTIVES

Provincial Acts and Regulations

- The Provincial Offences Act
- 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
- The Provincial Parks Act and Regulations

Municipal By-Laws and Regulations

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

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

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| 10. | Given office consolidations or summaries of the Crown Timber Act, Occupations Health & Safety Act, Criminal Code, Forest Fire Prevention Act, Provincial Parks Act and regulations Game and Fish Act, Migratory Birds Convention Act, The Fisheries Act, Ontario Fisheries Regulations, the student will identify any violation from pertinent case histories by indicating appropriate section numbers. | 2966.05
2969.01
2970.02
2971.04 |
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TOPIC	PERIODS	DESCRIPTION
1	4	The History Natural Resources Law Origin of Canadian and Ontario Laws a) how laws are formulated b) Provincial and Federal responsibilities c) Levels of Courts
2	6	Laws and Their Application Sources of laws Torts vs Offences The Provincial Offences Act Federal vs Provincial procedures Law enforcement officers Powers of officers
3	4	Statutes to Protect our Forests 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	4	Statutes that Protect Parks and Public Lands a) The Provincial Parks Act b) The Wilderness Areas Act c) The Public Lands Act and The Beds of Navigable Waters Act d) The Navigable Waters Protection Act e) The Lakes and Rivers Improvement Act
5	3	Statutes that Protect the Environment a) The Environmental Protection Act b) The Environmental Assessment Act c) The Water Resources Act d) The Drainage Act e) The Canada Waters Act f) The Lakes and Rivers Improvement Act * g) The Public Lands Act * h) Other Acts Previously covered

TOPIC	PERIODS	DESCRIPTION
6	6	Statutes that Protect our Fish and Wildlife a) The Game and Fish Act b) The Endangered Species Act c) The Fisheries Act and Ont. Fishery Regs. d) The Dog Licensing and Livestock Act e) Poultry Protection Act f) The Criminal Code of Canada
6	3	Statutes to Protect People (Related to Natural Resources) a) The Trespass to Property Act b) The Occupiers Liability Act c) The Off-Road Vehicles Act d) The Motorized Snow Vehicles Act f) The Hunter Damage Compensation Act g) The Occupational Health and Safety Act h) The Public Health Act i) The Criminal Code of Canada

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.

