

# HERITAGE CONSERVATION ACT

## SUMMARY

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- ☐ The Province maintains the official registry of Heritage Sites
- ☐ The Province may delegate authority and management of these sites to First Nations
- ☐ The Act applies to all lands except Treaty Settlement Lands and Federal Crown land (i.e. reserves)
- ☐ If new site designation devalues a property, the property owner may apply for compensation within one year of the designation
- ☐ The Minister may issue a permit to a property owner to impact an Archaeological Site (**Section 12** permit)
- ☐ No one can damage, desecrate, excavate, dig in, alter, cover, or move an archaeological site (unless they have a permit under **Section 12** or **14**)
- ☐ Protected archaeological sites include:
  - Burial places of an archaeological nature
  - Aboriginal rock paintings or carvings
  - Objects, features, materials or other physical evidence of human habitation that pre-date 1846
  - Shipwrecks
- ☐ Archaeological research which involves ground disturbance requires a permit (**Section 14**)
- ☐ The province may require work under a **Section 14** Permit in the following circumstances, and costs related to the work are the responsibility of the person purchasing, subdividing, developing or using the property:
  - Alienation of property by government ownership
  - Public works
  - Excavation or harvesting of resources from the land
  - Subdivision of land
  - Changes in use or development of land
- ☐ The Province may issue a Stop Work order for up to 120 days as a temporary protection measure
- ☐ Unless you are designated as a museum, you cannot maintain possession of objects protected under the Act, except in special circumstances outlined in Section 19
- ☐ The Minister has a number of options available to facilitate management and protection of Archaeological Sites including acquiring and dispossessing properties, entering into trust agreements, grants, public engagement, etc. (Section 20)
- ☐ The Minister may compel a property owner to preserve an archaeological site, at their own expense, if that site is subject to damage as a result of neglect by the property owner
- ☐ The Minister must register new Heritage Site designations on land title

- ☐ Penalties for individuals and corporations contravening the Act are laid out in Section 36, which includes maximum fines and imprisonment
- ☐ The statute of limitations on reporting offenses under the Act is 2 years