



recommended by the International Joint Commission in their final report of the 12th June, 1917, or between such elevations as may be agreed upon by the United States and Canada;

(d) regulate and control the outflow of the waters of Lac Seul so as to maintain the level of the lake between such elevations as the board may from time to time recommend and as are approved by the Governor-General-in-Council, the Lieutenant-Governor of Ontario in Council, and the Lieutenant-Governor of Manitoba in Council;

(e) regulate and control the flow into Lac Seul through the Lake St. Joseph diversion works at such times as the level on Lac Seul rises above

(i) elevation 1169 feet during the months of January and June;

(ii) elevation 1168 feet during the months of February, March, April, and May; and

(iii) elevation 1170 feet during the months of July, August, September, October, November, and December;

or above such higher elevations as are authorized by the board from time to time;

(f) regulate and control the flow of the waters of the Winnipeg River between its junction with the English River and the Lake of the Woods, and also the flow of the water in the English River between its junction with the Winnipeg River and Lac Seul;

(g) regulate and control the level and flow of such other waters of the watershed of the Winnipeg River as the Governor-General-in-Council and the respective Lieutenant-Governors-in-Council to whom subsection (1) of section 2 refers, may agree to place under the jurisdiction of the board.

**Elevations defined**

(2) The elevations to which reference is made in subsection (1) are, in each case, elevations above mean sea level (Geodetic Survey of Canada; adjustment previous to that of 1923). Referred to brass cap bench mark Number 988-A, elevation 1183.075.

**Saving provision**

(3) Subsection (1) does not authorize the control and operation of the dams and regulating works extending across the international boundary, and the dam and regulating works across the Canadian channel at Kettle Falls.

**Offence and penalty**

4. (1) Every person who violates or refuses to obey an order of the board, or obstructs, or prevents the carrying out and enforcement of any order made by the board, is guilty of an offence and liable, upon summary conviction, to a fine not exceeding one thousand dollars, or to imprisonment for a period not exceeding three months, or to both such a fine and such an imprisonment, and to a further penalty not exceeding five hundred dollars for each day on or during which any such offence continues or is repeated.

<b>Other remedies to continue available</b>	(2) Prosecution for an offence under subsection (1) does not limit or restrict the taking of any other proceedings to enforce an order of the board.
<b>Enforcement powers</b>	<b>5.</b> (1) The board has all the powers necessary for effectively carrying out the authority and control vested in it by this Act or by any Act passed by the Parliament of Canada or by the Legislature of Ontario.
<b>Filing in court</b>	(2) Any order made by the board may be filed in the office of the prothonotary of Her Majesty's Court of Queen's Bench for Manitoba in The City of Winnipeg, and on being so filed shall be deemed to be a judgment or order of that court and enforceable as such.
<b>Powers of board refusal to obey its order</b>	<b>6.</b> (1) Where any person neglects or refuses to obey or carry out any order of the board that, within one week of the making thereof, is filed as provided in subsection (2) of section 5, the board, in addition to any other remedy provided by this Act, may <p style="margin-left: 40px;">(a) enter upon and take complete or partial possession of any mill, dam, plant, works, machinery, land, waters, or premises owned or operated by that person;</p> <p style="margin-left: 40px;">(b) do all such acts and things as the board may deem necessary for the due enforcement and carrying out of the order; and</p> <p style="margin-left: 40px;">(c) retain possession and control of any such mill, dam, plant, works, machinery, land, waters, or premises for such period as the board may deem necessary for that purpose.</p>
<b>Recovery of expenses</b>	(2) All expenses incurred by the board under subsection (1) constitute a debt due to the board from the person neglecting or refusing to obey or carry out the order, and are recoverable by the board with costs in any court of competent jurisdiction.
<b>Appointment of staff</b>	<b>7.</b> (1) The board may appoint such inspectors and other officers and employees as it deems necessary for the purposes of this Act, or may assign to any person in the service of Her Majesty in right of Canada, of Her Majesty in right of Ontario, or of Her Majesty in right of Manitoba, with the approval of the minister of the Crown under whom the person is employed, such functions, powers, and duties as are necessary for the effective carrying out of this Act; but any person so appointed or to whom functions, powers, or duties are assigned is not a member of the civil service of the province solely by reason of that appointment or assignment.
<b>Powers of inspectors, etc.</b>	(2) Any inspector or other officer or employee of the board, when so authorized by the board, may enter upon any land adjoining, or works or plant constructed or installed upon, any of the waters over which the board has authority under section 3, or works or plant in or by which any such waters are used, controlled, or diverted, and may take all such measurements and do all such acts and things as may be necessary for the information of the board as to the use, control, or diversion of those waters by the person owning or controlling the land, works, or plant.

<b>Offence and penalty</b>	(3) Every person who hinders or obstructs an inspector, officer, or employee of the board in the performance of his duties under subsection (2) is guilty of an offence and liable, on summary conviction, to the penalties provided in section 4.
<b>Relief from liability</b>	<b>8.</b> The board and the members and alternate members thereof and its inspectors, officers, and employees are not personally liable to any action for acts done by it or them or any of them under the authority of this Act.
<b>Payment of expenses of board</b>	<b>9.</b> The expenses of the board, including the remuneration of the members and alternate members of the board, shall be paid out of such funds as may annually be appropriated by the Parliament of Canada, the Legislature of Ontario and the Legislature of Manitoba, respectively, for paying expenses incurred for the purposes of this Act, in such proportions as the Governor-General-in-Council and the respective Lieutenant-Governors-in-Council of Ontario and Manitoba may agree.
<b>Regulations</b>	<b>10.</b> For the purpose of carrying out the provisions of this Act according to their intent, the Governor-General-in-Council and the respective Lieutenant-Governors-in-Council to whom subsection (1) of section 2 refers, may make such regulations as they may agree to be necessary and as are ancillary thereto and are not inconsistent therewith, including regulations governing the procedure of the board, fixing a quorum of the board, and respecting the manner in which orders of the board are to be signed.
<b>Commencement of Act</b>	<b>11.</b> This Act comes into force on a day fixed by proclamation.

**NOTES:**

1) The format of this copy is similar to the version printed by: R.S. Evans, Printer to Her Most Excellent Majesty, Winnipeg, 1958.

2) This Act was re-enacted, with no substantive changes. See RSM 1987, Chapter L30.