

# *The Business Names Registration Act*

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Chapter B-11 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan*, 1980-81, c.3 and 21; 1986-87-88, c.40; 2006, c.14; 2010, c.B-12; 2012, c.21; 2013, c.O-4.2, 2015, c.21; 2018, c.42; 2021, c.6; and 2022, c.26.

**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 B-11

### An Act respecting the Registration of Business Names

#### PART I

#### Short Title, Interpretation and Administration

##### Short title

- 1 This Act may be cited as *The Business Names Registration Act*.

#### INTERPRETATION

##### Interpretation

- 2 In this Act:

- (a) **“application”** means an application for registration of a business name and includes an application for renewal of registration;
- (b) **“business”** includes every trade, occupation, profession or venture carried on by one or more persons with the object of acquiring gain or profit;
- (c) **“business name”** means:
  - (i) in the case of a sole proprietor who is an individual, a name or style, including his own family name or surname or a name or style comprising his own family name or surname with the addition of some other word or phrase indicating a plurality of persons, under which he carries on or intends to carry on business;
  - (ii) in the case of a sole proprietor that is a corporation, a name or style other than its corporate name under which it carries on or intends to carry on business;
  - (ii.1) in the case of a sole proprietor that is an Indian band, a name or style, other than the name of the Indian band, under which the Indian band carries on or intends to carry on business;
  - (iii) in the case of two or more persons associated in a partnership, joint venture or syndicate, the name or style under which the partnership, joint venture or syndicate carries on or intends to carry on business;

and includes a declaration, in a form that complies with the requirements of this Act, of the use of a name or style;

- (d) **“firm”** means:
- (i) a person who is sole proprietor of a business carried on under a registered business name; or
  - (ii) the persons who are associated in a business carried on as a partnership, joint venture or syndicate under a registered business name; and includes:
  - (iii) a sole proprietor who has declared the sole proprietor’s intention to carry on business under a registered business name; and
  - (iv) the persons described in subclause (ii) who have declared their intention to carry on business under a registered business name;
- (d.1) **“Indian band”** means an Indian band within the meaning of the *Indian Act* (Canada) and includes the council of a band;
- (d.2) **“person”** includes an individual, a limited partnership, a body corporate or an Indian band;
- (e) **“registrar”** means the Registrar of Corporations;
- (f) **“registration”** means registration of a business name under this Act and includes renewal of registration, and the verb **“register”** has a corresponding meaning.

1976-77, c.11, s.2; R.S.S. 1978, c.B-11, s.2; 1980-81, c.3, s.3, 1986-87-88, c.40, s.3; 2006, c.14, s.4; 2010, c.B-12, s.15; 2021, c6, s.23-6.

## ADMINISTRATION

### Administration

**3** This Act shall be administered by the member of the Executive Council to whom the administration of this Act is assigned.

1976-77, c.11, s.3; R.S.S. 1978, c.B-11, s.3; 1980-81, c.21, s.7.

## PART II Registration

### Business name to be registered

4(1) Subject to subsection (3), every person who carries on business under a business name shall cause the business name to be registered under this Act.

(2) Every person who intends to carry on business under a business name may cause the business name to be registered under this Act.

(2.1) The business names registered pursuant to subsections (1) and (2) form a public registry of the people of Saskatchewan.

(2.2) All information in the registry is the property of the Government of Saskatchewan.

(3) Subsection (1) does not apply to:

(a) a person practising a profession if the right to practise the profession is regulated by the governing body of that profession pursuant to an Act; or

(b) a person or class of persons exempted from the provisions of this Act in the regulations.

(4) Notwithstanding clause (3)(a), subsection (1) applies to a business that is a profession regulated by the governing body of that profession if the firm name of that business does not include:

(a) the person's own family name or surname or the family name or surname of a person who is associated or was formerly associated with that person in that business; or

(b) a name or style comprising the person's own family name or surname, or the family name or surname of a person who is associated or was formerly associated with that person in that business, with the addition of some other word or phrase indicating a plurality of persons.

1976-77, c.11, s.4; R.S.S. 1978, c.B-11, s.4; 1986-87-88, c.40, s.4; 2006, c.14, s.6; 2013, c.O-4.2, s.39.

**5 Repealed.** 2006, c.14, s.7.

**Application for registration of business name**

**6(1)** Every application for registration of a business name must be made to the registrar by:

(a) in the case of a sole proprietorship, the sole proprietor; or

(b) in the case of two or more persons associated in a partnership, joint venture or syndicate, those persons.

(2) An application shall consist of a declaration in a form prescribed in the regulations or, in the case of a limited partnership, in a form containing the information mentioned in section 16.

(3) Notwithstanding subsection (2), the registrar may accept an application in any form that, in his opinion, complies substantially with the requirements of this Act.

1976-77, c.11, s.6; R.S.S. 1978, c.B-11, s.6; 2006, c.14, s.8.

**Registration**

7 Subject to sections 8 and 8.1, the registrar shall, upon receipt of an application duly completed, register the business name.

1976-77, c.11, s.7; R.S.S. 1978, c.B-11, s.7; 1986-87-88, c.40, s.5; 2013, c.O-4.2, 40.

**Business name**

8(1) No business name shall be registered if it:

- (a) in the opinion of the registrar:
  - (i) is the same as or similar to the name of any other corporation, or to the name of any association, partnership or firm, if the use of that name would be likely to confuse or mislead, unless the corporation, association, partnership or firm consents in writing to the use of the name in whole or in part and, if required by the registrar:
    - (A) in the case of a corporation, undertakes to dissolve or change its name to a dissimilar name within six months after the filing of the articles by which the name is acquired;
    - (B) in the case of an association, partnership or firm, undertakes to cease to carry on its business or activities, or to change its name to a dissimilar name, within six months after the filing of the articles by which the name is acquired;
  - (ii) suggests or implies a connection with the Crown or the Government of Canada or of any province or territory of Canada or any department, branch, bureau, service, agency or activity of any such government or municipality, unless the concerned authority consents in writing to the proposed name;
  - (iii) suggests or implies a connection with a political party or a leader of a political party; or
  - (iv) suggests or implies a connection with a university or a professional association recognized by the laws of Canada or of a province of Canada, unless the university or professional association concerned consents in writing to the use of the proposed name;
- (b) is identical to the name of a corporation if the corporation is incorporated under the laws of Saskatchewan or the name of the corporation is reserved pursuant to *The Business Corporations Act, 2021*;
- (c) is identical to a business name reserved pursuant to this Act; or
- (d) is a name that is prohibited by the regulations.

(1.1) The registrar may refuse to register a business name if it:

- (a) is not distinctive because the name is:
  - (i) too general;

(ii) descriptive only of the quality, function or other characteristic of the goods or services in which the applicant deals or intends to deal; or

(iii) primarily or only a geographic name used alone;

unless the applicant establishes that the name has through use acquired and continues to have secondary meaning;

(b) is deceptively inaccurate in describing:

(i) the business, goods or services in association with which it is proposed to be used;

(ii) the conditions under which the goods or services will be produced or supplied;

(iii) the persons to be employed in the production or supply of those goods or services; or

(iv) the place or origin of those goods or services;

(c) is likely to be confused with that of a corporation that is dissolved;

(d) contains the word or words “credit union”, “co-operative”, “co-op” or “pool” when it connotes a co-operative venture; or

(e) is, in the opinion of the registrar, for any reason objectionable.

(2) Where:

(a) through inadvertence or otherwise, a business name is registered contrary to subsection (1); or

(b) the undertaking mentioned in clause (a) of subsection (1) is not carried out within the time specified;

the registrar may, after he has given the firm an opportunity to be heard:

(c) allow the registration to stand until the expiry thereof;

(d) issue, with the consent of the firm, a certificate of amendment to the registration changing the name of the firm to the name specified in the certificate of amendment and, upon the issuance of the certificate, the business name is changed accordingly; or

(e) cancel the registration by written notice to the firm.

1976-77, c.11, s.8; R.S.S. 1978, c.B-11, s.8;  
1980-81, c.3, s.4; 1986-87-88, c.40, s.6; 2021, c 6,  
s.23-6.

#### **Reservation of name**

**8.1(1)** Before a name is registered, an applicant shall, if requested by the registrar:

(a) conduct any name search that the registrar considers appropriate; and

(b) provide the registrar with the results of the name search and any other documentation that the registrar may require with respect to a name search conducted pursuant to clause (a).

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- (2) The registrar may, on request:
- (a) conduct a name search;
  - (b) reserve a name proposed by an applicant for 90 days; or
  - (c) do both of the things mentioned in clauses (a) and (b).

1986-87-88, c.40, s.7; 2013, c.O-4.2, s.41.

**Duration of registration**

- 9(1) This section applies to registrations, whether the business name was registered before, on or after the coming into force of this section.
- (2) Subject to subsections (3) and (4), a registration remains in effect until the earlier of:
- (a) the last day of the month in which the third anniversary of the date that the registration was made or last renewed falls; and
  - (b) the date that it is cancelled by the registrar pursuant to section 11.
- (3) A registration may be renewed at any time within three months before the expiry date of the registration as set out in clause (2)(a).
- (4) In the case of a limited partnership, a registration expires on the last day of the term mentioned in clause 16(d).
- (5) In the case of an extraprovincial limited partnership, as defined in section 21.1, the registration of the extraprovincial limited partnership expires on the last day of the term for which the extraprovincial limited partnership is to subsist as stated in its documents registered or filed with the registrar pursuant to this Act.

2006, c.14, s.9.

**Publication of name**

9.1 Every person and firm that has registered a business name pursuant to this Act shall set out his or its business name in legible characters in all contracts, invoices, negotiable instruments and orders for goods or services issued or made by or on behalf of the person or firm.

1986-87-88, c.40, s.9.

**Signature**

9.2 Where this Act requires or authorizes the registrar to issue a certificate, certify a fact or place his signature on a document for the purposes of this Act, the registrar's signature may be printed or otherwise mechanically produced on the certificate, certification or document.

1986-87-88, c.40, s.9.

**Powers of attorney - non-Saskatchewan applicants**

**9.3(1)** In this section:

- (a) **“applicant”** means a person who or that:
  - (i) applies pursuant to section 6 to register a business name; and
  - (ii) either:
    - (A) in the case of a sole proprietorship, is not a resident of Saskatchewan; or
    - (B) in the case of a partnership, joint venture or syndicate, has no partner or member who is a resident of Saskatchewan;
- (b) **“resident of Saskatchewan”** means:
  - (i) in the case of a corporation, a corporation that is incorporated or continued pursuant to an Act or is registered pursuant to an Act to carry on business in Saskatchewan;
  - (ii) in the case of an Indian band, an Indian band that has reserve land in Saskatchewan;
  - (iii) in the case of an individual, an individual who is a resident of Saskatchewan as determined in accordance with the regulations.

(2) Every applicant must, before registration, file with the registrar a duly executed power of attorney in the form prescribed in the regulations appointing the person named in the power of attorney to be the attorney and representative in Saskatchewan of the applicant for the purpose of receiving all lawful notices.

2006, c.16, s.10.

**Appeal to judge of Court of Queen’s Bench**

**10(1)** A person who is dissatisfied with a decision of the registrar under this Act may, within one year from the date of the decision, appeal to a judge of the Court of Queen’s Bench who may, upon hearing the appeal, make any one or more of the following orders:

- (a) an order dismissing the appeal;
- (b) an order allowing the appeal;
- (c) an order allowing the appeal subject to terms and conditions;
- (d) an order varying the decision appealed against;
- (e) an order referring the matter back to the registrar for further consideration and decision;
- (f) an order awarding costs of the appeal;
- (g) such other order as to him seems just.

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- (2) The appeal shall be by notice of motion and a copy thereof shall be served on the registrar and any other person or firm that is interested in the matter not less than ten days before the day on which the motion is returnable.
- (3) There shall be no further appeal.

1976-77, c.11, s.10; R.S.S. 1978, c.B-11, s.10;  
1986-87-88, c.40, s.10.

**When registration may be cancelled**

**11(1)** If a firm ceases to carry on business and gives notice of that fact in writing to the registrar, the registrar may, on receipt of the written notice, cancel the registration.

(2) The registrar may cancel the registration of a corporation in the following circumstances:

(a) in the case of a corporation incorporated or continued pursuant to *The Business Corporations Act, 2021*, if a certificate of dissolution has been issued to the corporation in accordance with that Act or the name of the corporation has been struck off the register kept pursuant to that Act;

(b) in the case of a corporation other than one described in clause (a), if the registrar has received notice that the corporation is dissolved or the name of the corporation has been struck off the register kept pursuant to *The Business Corporations Act, 2021*.

(3) The registrar may send to a firm at its last known business address a letter enquiring whether or not the firm is carrying on business under its registered name if the registrar has reasonable cause to believe that the firm:

- (a) has ceased to carry on business; or
- (b) is not carrying on business under that name.

(4) The registrar may cancel a registration of a firm mentioned in subsection (3) if, within one month after the date the letter mentioned in that subsection is received, the registrar:

- (a) does not receive a reply; or
- (b) receives a reply stating that the firm:
- (i) is not carrying on business; or
- (ii) is not carrying on business under that name.

(5) Every firm shall notify the registrar of any change in its business address.

2006, c.14, s.11; 2021, c.6, s.23-6.

**Sending and receipt of letters**

**11.1(1)** In this section, “**letter**” means a letter sent pursuant to section 11.

(2) The registrar may send a letter by ordinary mail, registered mail, certified mail, prepaid courier or similar method, as long as the registrar retains a record that the letter has been sent.

(3) Subject to subsection (6), if the registrar sends a letter by ordinary mail, registered mail, certified mail, prepaid courier or similar method to the intended recipient, it is deemed to have been received by the firm on the earlier of:

- (a) the day the firm actually receives it; and
- (b) the time and day or date set out in the regulations.

(4) The registrar may send a letter by fax or other method of electronic transmission as long as the registrar retains a record that the letter has been sent.

(5) Subject to subsection (6), if the registrar sends a letter by fax or other method of electronic transmission to the firm, it is deemed to have been received by the firm on the earlier of:

- (a) the day the firm actually receives it; and
- (b) the time and day or date set out in the regulations.

(6) Subsections (3) and (5) do not apply if the firm provides the registrar with evidence satisfactory to the registrar to establish that the firm did not receive the letter or received the letter at a later date.

2006, c.14, s.11; 2015, c.21, s7.

#### **Change in membership**

**12(1)** If there is a change in the membership of a firm, other than a sole proprietorship, and the business of the firm is being carried on under the same name, the firm shall, within 30 days after the date of the change, forward to the registrar a notice, signed by all members of the firm, to amend the registration that clearly states the nature of the change and the resulting membership of the firm.

(2) Where the registrar has reasonable cause to believe that there has been a change in the membership of a firm and where he has not received the notice and application mentioned in subsection (1) within the required time, he may cancel the registration.

1976-77, c.11, s.12; R.S.S. 1978, c.B-11, s.12;  
1986-87-88, c.40, s.12; 2013, c.O-4.2, s.42.

#### **Dissolution of partnership**

**13(1)** Where a partnership is dissolved, any of the members may apply for registration of a declaration to that effect.

(2) An application under subsection (1) shall be made in the form prescribed by the regulations.

(3) On receipt of the declaration, the registrar:

- (a) shall register the declaration;
- (b) shall cancel the registration; and
- (c) may publish notice of the declaration in the Gazette.

1976-77, c.11, s.13; R.S.S. 1978, c.B-11, s.13;  
2013, c.O-4.2, s.43; 2022, c26, s.3.

**Records**

**14(1)** The registrar shall keep a record of every business name that is registered or cancelled under this Act.

(2) The registrar shall cause the business names to be entered in the record in alphabetical order and he shall cause to be placed opposite each entry the name of the person or persons carrying on business or intending to carry on business under that name, the date of the registration and, if the registration has been cancelled, the date of the cancellation.

(3) The registrar may cause notice to be published in the Gazette of every declaration with respect to which a business name is registered and of the cancellation by the registrar of any such registration.

1976-77, c.11, s.14; R.S.S. 1978, c.B-11, s.14;  
2022, c.26, s.3.

### PART III Limited Partnerships

**Application of Act**

**15** In the case of limited partnerships and extraprovincial limited partnerships, the provisions of this Act shall be read subject to this Part.

1976-77, c.11, s.15; R.S.S. 1978, c.B-11, s.15;  
1986-87-88, c.40, s.13.

**Form of declaration**

**16** In the case of a limited partnership, every application for registration of a business name shall consist of a declaration signed by all the partners, containing the following information:

- (a) the business name under which the limited partnership is to be conducted;
- (b) the general nature of the business intended to be transacted;
- (c) the names and places of residence of the general and limited partners, designating those who are general partners and those who are limited partners;
- (d) the term for which the limited partnership is to subsist;
- (e) the amount of money and the nature and fair value of other property, if any, contributed by each limited partner;
- (f) the amount of additional contributions, if any, agreed to be made by each limited partner and the times at which or events on the happening of which an additional contribution is to be made;
- (g) the time, if agreed upon, when the contribution of each limited partner is to be returned;

- (h) the share of the profits or other compensation by way of income that each limited partner is entitled to by reason of his contribution;
- (i) the right, if given, of a limited partner to substitute an assignee as contributor in his place, and the terms and conditions of the substitution;
- (j) the right, if given, of the partners to admit additional limited partners;
- (k) the right, if given, of one or more of the limited partners to priority over other limited partners to a return of contributions or to compensation by way of income, and the nature of the priority;
- (l) the right, if given, of the remaining general partner or partners to continue the business in the event of the death, retirement or lack of capacity of a general partner; and
- (m) the right, if given, of a limited partner to demand and receive property other than money in return for his contribution.

1976-77, c.11, s.16; R.S.S. 1978, c.B-11, s.16;  
2015, c.21, s7.

**Cancellation of registration**

**17(1)** A registration shall be cancelled when:

- (a) the limited partnership is dissolved or
  - (b) all the limited partners cease to be limited partners.
- (2) The notice to cancel a declaration shall be signed by all the partners.

1976-77, c.11, s.17; R.S.S. 1978, c.B-11, s.17.

**Amendment of declaration**

**18(1)** A declaration shall be amended when:

- (a) there is a change in the name of the limited partnership or in the amount or character of the contribution of any limited partner not provided for in the certificate;
- (b) a person is substituted as a limited partner;
- (c) a person is added as a limited partner;
- (d) a person is added as a general partner;
- (e) a general partner retires, dies or lacks capacity and the business is continued;
- (f) there is a change in the character of the business of the limited partnership;
- (g) a false or erroneous statement is discovered in the declaration;

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- (h) there is a change in the time stated in the declaration for the dissolution of the limited partnership or for the return of a contribution;
  - (i) a time is fixed for the dissolution of the limited partnership or for the return of a contribution and no such times have been specified in the declaration; or
  - (j) the partners desire to make a change in any other statement in the declaration in order to make the declaration accurately represent their agreement.
- (2) The notice to amend a declaration shall:
- (a) clearly state the change in or addition to the declaration that is desired; and
  - (b) be signed by all the partners.
- (3) A notice to amend a declaration by substituting a limited partner or adding a limited or general partner shall also be signed by the person to be substituted or added and, where a limited partner is substituted, the amendment shall also be signed by the assigning limited partner.

1976-77, c.11, s.18; R.S.S. 1978, c.B-11, s.18;  
2015, c.21, s7.

**Application where person refuses to sign notice**

- 19(1)** Where a person whose signature upon a notice is required under section 17 or 18 refuses to sign the notice, a person desiring the cancellation or amendment under section 17 or 18 may apply to a judge of the Court of Queen's Bench for an order directing the registrar to cancel or amend the declaration, as the case may require.
- (2) Upon hearing an application made under subsection (1) the judge, if he finds that the applicant is entitled to have the notice in question signed, shall by order direct the registrar to cancel or amend the declaration.

1976-77, c.11, s.19; R.S.S. 1978, c.B-11, s.19.

**Cancellation or amendment of declaration**

- 20** A declaration is cancelled or amended, as the case may require, when there is registered in the office of the registrar:
- (a) a notice signed as required by this Part; or
  - (b) a certified copy of an order made under subsection (2) of section 19.

1976-77, c.11, s.20; R.S.S. 1978, c.B-11, s.20.

**Special authority to sign**

- 21(1)** An actual or proposed general or limited partner may give authority to any other person to execute on his behalf any document required under this Part.
- (2) A special authority referred to in subsection (1) shall be filed in the office of the registrar and recorded with the document or one of the documents executed in the exercise of the special authority.

1976-77, c.11, s.21; R.S.S. 1978, c.B-11, s.21.

**Registration of extraprovincial limited partnership**

**21.1(1)** In this section and in sections 21.2 to 21.4, “**extraprovincial limited partnership**” means a limited partnership formed pursuant to the laws of a jurisdiction other than Saskatchewan.

(2) Subject to section 8, the registrar may register pursuant to section 16 an extraprovincial limited partnership if its formation, in the opinion of the registrar, is substantially similar to the requirements of section 16 and he has received:

- (a) from the jurisdiction in which it was formed a copy of all its documents of registration as a limited partnership filed with that jurisdiction and verified by the proper authority of that jurisdiction; and
- (b) a duly executed power of attorney pursuant to section 21.2;
- (c) **Repealed.** 2013, c.O-4.2, s.44.

1986-87-88, c.40, s.14; 2013, c.O-4.2, s.44.

**Power of attorney**

**21.2(1)** Every extraprovincial limited partnership shall, before registration, file with the registrar a duly executed power of attorney in the form prescribed in the regulations appointing the person named in the power of attorney to be the attorney and representative in Saskatchewan of the extraprovincial limited partnership:

- (a) for the purpose of receiving service of process in all suits and proceedings by or against the extraprovincial limited partnership within Saskatchewan and for the purpose of receiving all lawful notices; and
- (b) declaring that services of process with respect to suits and proceedings and all notices mentioned in clause (a) on the attorney are legal and binding.

(2) Every attorney shall be a resident of Saskatchewan and shall sign the power of attorney form in which he is appointed declaring that he has consented to act as attorney.

(3) Where:

- (a) the attorney named in the power of attorney filed pursuant to this section ceases to reside in Saskatchewan, dies or resigns;
- (b) there is a change in the name or address of the attorney;
- (c) there is a change in the business name of an extraprovincial limited partnership; or
- (d) the power of attorney filed becomes invalid or ineffectual for any reason;

the extraprovincial limited partnership shall, within 15 days after the date of the occurrence described in clause (a), (b) (c) or (d), file another power of attorney with the registrar.

(4) An attorney who wishes to resign shall file with the registrar a written resignation and shall send a copy of the written resignation to the extraprovincial limited partnership.

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- (5) A resignation of an attorney is effective at the later of:
- (a) the time the written resignation is filed with the registrar pursuant to subsection (4);
  - (b) the time the written resignation is sent to the extraprovincial limited partnership; or
  - (c) the time specified in the written resignation.

1986-87-88, c.40, s.14.

**Notice of change**

**21.3** An extraprovincial limited partnership shall file with the registrar a copy of every change or additional information to the information filed pursuant to section 21.1 that is:

- (a) filed in the jurisdiction it was formed; and
- (b) verified by the proper authority of that jurisdiction;

within 15 days after the date of the filing of that change or additional information with that jurisdiction.

1986-87-88, c.40, s.14.

**Cancellation**

**21.4(1)** The registrar may cancel a registration of an extraprovincial limited partnership:

- (a) on the last day of the term for which the limited partnership is to subsist as stated in its documents registered under this Act;
- (b) if the extraprovincial limited partnership gives notice to cancel the registration signed by at least one of the general partners;
- (c) subject to subsection (2), if the registrar does not receive any document, information or fee required by this Act or the regulations;
- (d) if the extraprovincial limited partnership is not entitled to carry on business under the jurisdiction it was formed;
- (e) if all the limited partners cease to be limited partners;
- (f) if the extraprovincial limited partnership is dissolved; or
- (g) if the extraprovincial limited partnership is bankrupt within the meaning of the *Bankruptcy and Insolvency Act* (Canada).

(2) Where the registrar is of the opinion that an extraprovincial limited partnership is in default under clause (1)(c), he shall send a notice advising the extraprovincial limited partnership of the default and stating that, unless the default is remedied within 30 days after the date of the notice, the name of the extraprovincial limited partnership shall be struck off the register.

- (3) The notice mentioned in subsection (2) may be sent by registered or certified mail to any general partner, within or outside Saskatchewan, or its attorney at the address last shown in the documents filed with the registrar.
- (4) After the expiry of the time mentioned in the notice, the registrar may:
- (a) strike the name of the extraprovincial limited partnership off the register; and
  - (b) publish notice of the striking off in the Gazette.

1986-87-88, c.40, s.14; 2018, c 42, s.9; 2022, c 26, s.3.

### PART III.1

#### Special Rules respecting Extraprovincial Matters

##### Interpretation of Part

##### 21.5 In this Part:

- (a) **“extraprovincial limited partnership”** means an extraprovincial limited partnership as defined in section 21.1;
- (b) **“extraprovincial matters”** means:
  - (i) matters pertaining to extraprovincial limited partnerships set out in Part III, this Part and in the regulations made pursuant to section 21.7; and
  - (ii) matters pursuant to the laws of another jurisdiction in Canada that are similar to the matters set out in Part III, this Part and the regulations made pursuant to section 21.7;
- (c) **“extraprovincial registrar”** means a person in a jurisdiction in Canada who performs a function in that jurisdiction similar to the function that the registrar performs pursuant to this Act.

2012, c.21, s.6.

##### Agreements

##### 21.6(1) The minister may enter into an agreement with an extraprovincial registrar to address the following matters:

- (a) the collection by the extraprovincial registrar of applications, information, forms, notices, documents, fees or other things relating to extraprovincial matters mentioned in subclause 21.5(b)(i) for the registrar and any matter relating to the collection of those things and their transmission to the registrar;
- (b) the collection by the registrar of applications, information, forms, notices, documents, fees or other things pursuant to the laws of another jurisdiction in Canada relating to extraprovincial matters mentioned in subclause 21.5(b)(ii) for the extraprovincial registrar of that jurisdiction and any matter relating to the collection of those things and their transmission to the extraprovincial registrar.

(2) An agreement mentioned in subsection (1) may provide for any matter the minister considers appropriate, including describing the powers and duties of the registrar and the extraprovincial registrar with respect to the matters addressed in the agreement.

2012, c.21, s.6.

**Regulations for Part**

**21.7** The Lieutenant Governor in Council may make regulations:

- (a) classifying or otherwise designating those extraprovincial registrars to which a regulation made pursuant to this section applies;
- (b) classifying or otherwise designating those extraprovincial limited partnerships to which a regulation made pursuant to this section applies;
- (c) respecting the collection by the registrar of applications, information, forms, notices, documents, fees or other things pursuant to the laws of another jurisdiction in Canada relating to extraprovincial matters mentioned in subclause 21.5(b)(ii) for the extraprovincial registrar and their transmission to the extraprovincial registrar;
- (d) respecting the registration of and other matters pertaining to extraprovincial limited partnerships, including regulations respecting:
  - (i) applications for, or amendments of, registration of extraprovincial limited partnerships;
  - (ii) periodic and other reports of extraprovincial limited partnerships;
  - (iii) changes to the documents relating to the registration of extraprovincial limited partnerships; and
  - (iv) the cancellation of registrations of extraprovincial limited partnerships;
- (e) respecting forms that may be required for the purposes of regulations made pursuant to this section;
- (f) respecting the documentation to be issued by the registrar;
- (g) **Repealed.** 2013, c.O-4.2, s.45.
- (h) respecting the furnishing of applications, information, forms, notices, documents, fees and other things to the registrar;
- (i) exempting an extraprovincial limited partnership from the operation of all or part of Part III or this Part;
- (j) providing that a provision of this Act or a provision of a regulation made pursuant to another section of this Act does not apply with respect to extraprovincial limited partnerships;

- (k) respecting the sending to or serving on extraprovincial limited partnerships of notices or documents;
- (l) defining, enlarging or restricting the meaning of any word or expression used in this Part but not defined in this Part.

2012, c.21, s.6; 2013, c.O-4.2, s.45.

**Regulations prevail**

**21.8** If there is a conflict or inconsistency between a regulation made pursuant to section 21.7 and another provision of this Act or a regulation made pursuant to another section of this Act, the regulation made pursuant to section 21.7 prevails to the extent of the conflict or inconsistency.

2012, c.21, s.6.

**PART IV  
General**

**Certificate of registrar *prima facie* proof**

**22(1)** A person is entitled to:

- (a) inspect any declaration or document registered and kept by the registrar;
- (b) require a copy of any declaration or document mentioned in clause (a) to be made;
- (c) require the copy made pursuant to clause (b) to be certified by the registrar as a true copy;
- (d) obtain from the registrar a certificate stating that:
  - (i) a business name was or was not registered under this Act at a particular time;
  - (ii) a registration was cancelled, expired or amended at a particular time.

(2) Where this Act requires or authorizes the registrar to issue a certificate or certify any fact, the certificate or the certification shall be signed by the registrar.

(3) A certificate or certification mentioned in subsection (2) is admissible in evidence as conclusive proof of the facts stated in the certificate or certification without proof of the office or signature of the registrar.

(4) A declaration or document certified in accordance with subsection (2) as a true copy is admissible in evidence as *prima facie* proof of its contents without proof of the office or signature of the registrar.

1980-81, c.3, s.5; 2013, c.O-4.2, s.46.

**Offences and penalties**

**23(1)** Every person who:

- (a) carries on business under a business name that is not registered; or
- (b) fails to comply with any provision of this Act;

is guilty of an offence and liable on summary conviction to a fine of not more than \$1,000.

(2) In addition to any fine imposed under subsection (1), the offender may be required to remedy the failure within a specified period, not exceeding seven days, and if the offender fails to do so he shall from time to time be liable on summary conviction to a further fine of not more than \$500 for every day during which the offence continues.

(3) **Repealed.** 2006, c.14, s.14.

1976-77, c.11, s.23; R.S.S. 1978, c.B-11, s.23;  
2006, c.14, s.14.

**Regulations**

**24** The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) prescribing or limiting the discretion of the registrar with respect to business names that may or may not be registered pursuant to this Act;
- (c) prescribing forms for the purposes of this Act;
- (d) **Repealed.** 2013, c.O-4.2, s.47.
- (e) respecting the determination of Saskatchewan residency for the purposes of section 9.3;
- (f) respecting the time and day or date for the purposes of section 11.1;
- (g) exempting any person or class of persons from all or any provision of this Act;
- (g.1) respecting common business identifiers for sole proprietorships, limited partnerships or classes of sole proprietorships and limited partnerships, including:
  - (i) respecting the establishment or adoption of a system of common business identifiers for sole proprietorships, limited partnerships or classes of sole proprietorships and limited partnerships;
  - (ii) prescribing the manner in which common business identifiers are assigned to sole proprietorships, limited partnerships or classes of sole proprietorships and limited partnerships;

(iii) requiring the use by sole proprietorships, limited partnerships or classes of sole proprietorships and limited partnerships of common business identifiers and prescribing the manner in which the common business identifiers are to be used;

(iv) authorizing the minister to enter into agreements with the Government of Canada, the government of any other province or territory of Canada or the government of any municipality to integrate or synchronize the system of common business identifiers with a system of common business identifiers used by that other government;

(v) authorizing the minister to disclose to the Government of Canada, the government of any other province or territory of Canada or the government of any municipality any information received by the registrar pursuant to this Act for any purpose that is related to the carrying out of any agreement entered into pursuant to subclause (iv) and that the minister considers appropriate and authorizing the minister to delegate the minister's powers pursuant to this subclause to the registrar;

(vi) providing that the regulations made pursuant to this clause prevail in the case of any inconsistency or conflict with any other Act or any regulations made pursuant to another Act;

(h) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;

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

2006, c.14, s.15; 2012, c.21, s.7; 2013, c.O-4.2,  
s.47.

**Fees and charges of registrar**

**25(1)** The minister may, by order, establish:

(a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and

(b) the method of payment of those fees, charges and taxes.

(2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

(3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.

(4) If the registrar considers it appropriate or necessary, the registrar may:

(a) waive any fees, charges or taxes, in whole or in part; or

(b) refund any fees, charges or taxes, in whole or in part.

(5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

(6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Crown, unless the Lieutenant Governor in Council directs otherwise.

2013, c.O-4.2, s.48.