

# JUSTICE UPDATE

## Saskatchewan Justice

### December 1999

#### **The Administration of Estates Amendment Act, 1999/Loi de 1999 modifiant la Loi sur l'administration des successions**

##### **(Bill 28) Chapter 2**

This bill puts the amount payable on an application for letters probate or letters of administration into the Act. This is the same change as that outlined in *The Queen's Bench Amendment Act, 1999*. In 1998, a new Act was passed which divided

*The Queen's Bench Act* into *The Queen's Bench Act, 1998* and *The Administration of Estates Act*. This bill was passed to ensure that, on proclamation of those Acts, the amount payable on an application for letters probate or letters of administration will continue to be in the statute.

This Act came into force on July 1, 1999, the day on which *The Administration of Estates Act* came into force.

#### **The Animal Protection Act, 1999**

##### **(Bill 36) Chapter A-21.1**

This Act:

- updates the definition of animals in distress;
- authorizes the Minister of Agriculture and Food to appoint animal protection officers to enforce the Act;
- provides animal protection officers with updated investigation and enforcement powers;
- provides humane societies with a lien on animals taken into their custody for the expenses they reasonably incur in caring for the animal;
- increases penalties for non-compliance with the Act;
- replaces *The Animal Protection Act*.

This Act came into force on November 1, 2000.

#### **The Apprenticeship and Trade Certification Act, 1999**

##### **(Bill 26) Chapter A-22.2**

This Act replaces the Director of Apprenticeship and Trade Certification in the Department of

Post-Secondary Education and Skills Training with the Saskatchewan Apprenticeship and Trade Certification Commission. The Commission is an agent of the Crown. It is a corporation, with a majority of members appointed by the Lieutenant Governor in Council from employers and employees in designated trades.

The Commission and the Lieutenant Governor in Council are given extensive powers to make regulations. The Commission designates trades to which the Act applies and regulates the training and certification of apprentices, tradespersons and journeypersons. Compulsory apprenticeship trades (trades in which only apprentices and journeypersons may work) are prescribed by the Lieutenant Governor in Council.

This Act came into force on October 1, 1999.

#### **The Assessment Management Agency Amendment Act, 1999**

##### **(Bill 8) Chapter 3**

This amendment Act:

- provides that the "base date" for determining the value of land and improvements for assessment purposes is to be established by the Saskatchewan Assessment Management Agency (SAMA) in accordance with the regulations;
- substitutes a four-year revaluation cycle, commencing January 1, 1997, in place of the current three-year cycle;
- removes provision for a nominee of the Saskatchewan Municipal Board to sit on SAMA's technical advisory committee;
- requires SAMA to make information, such as projected shifts in assessment, available to and to consult with the public, municipal councils, boards of education and the provincial government;
- requires SAMA to provide preliminary property and business assessments to the provincial government by a date specified in the regulations;
- requires that land and improvements be physically re-inspected at least once within the number of years specified in the regulations.

This Act came into force on April 21, 1999. However, the provision setting a four-year revaluation cycle is retroactive in effect to January 1, 1997.

### **The Boiler and Pressure Vessel Act, 1999**

#### **(Bill 10) Chapter B-5.1**

This Act, which regulates the boiler and pressure vessel industry, replaces *The Boiler and Pressure Vessel Act*. The new Act:

- establishes the Boiler and Pressure Vessel Safety Board, consisting of up to 11 Saskatchewan residents appointed by the Lieutenant Governor in Council, to hear appeals of decisions of the Chief Inspector;
- abolishes the Power Engineer's Board;
- clarifies licensing requirements with respect to certain activities such as constructing, repairing or operating boilers and pressure vessels;
- regulates standards of design, construction and operation of boilers and pressure vessels;
- requires regular inspections of boilers and pressure vessels;
- provides for the issuance of certificates of qualification to carry on certain activities to be specified in the regulations;
- moves detailed technical requirements into regulations;
- updates the fines associated with violation of the Act.

This Act will come into force on proclamation.

### **The Business Corporations Amendment Act, 1999**

#### **(Bill 20) Chapter 13**

The major provisions in the amendments:

- exempt financial assistance given to employees for living accommodations, and for purchase of shares held by a trustee, from disclosure requirements;
- provide that for the election or appointment of a director to be effective, that individual must consent, in writing, on or within 10 days after the date of the election or appointment, act as a director or, if in attendance at the meeting where the election took place, refuse to act;
- require the filing of a change of address of a director;
- allow the articles or bylaws of a corporation or regulations to provide for electronic meetings of shareholders;

- provide that regulations can set out new methods of sending notices to shareholders and documents to directors and shareholders;
- reduce the number of times a corporation must send notices to its shareholders from three to two times, when notices are returned undelivered;
- delete the provisions that deem companies who are licenced under either

*The Vehicle Administration Act* or the *Motor Vehicle Transport Act (Canada)* as carrying on business in Saskatchewan;

- remove the requirement for extra-provincial corporations to file a power of attorney provided there is a director or officer resident in Saskatchewan;
- allow the Director to issue a certificate that fees as well as documents have been received by the Director.

This Act came into force on December 1, 1999.

### **The Cemeteries Act, 1999**

#### **(Bill 30) Chapter C-4.01**

*The Cemeteries Act, 1999* will replace the existing *Cemeteries Act*. The new Act:

- continues to require approval by the registrar for the establishment or modification of cemeteries, mausolea and columbaria;
- requires owners to maintain cemeteries in a manner that ensures public safety and is compatible with community standards, rather than setting out specific requirements;
- continues to require an owner of a commercial cemetery to establish trust funds for ongoing care and maintenance of the cemetery and use only the interest to pay for maintenance, and requires new cemeteries other than municipal cemeteries to create care and maintenance funds;
- allows for municipalities to assume responsibility for abandoned cemeteries and, in the case of neglected cemeteries, to require the owner to maintain it. If an owner fails to maintain the cemetery, the Act provides that the municipality may undertake maintenance and recover the cost from the owner;
- requires cemetery owners to make itemized price lists available to the public;
- continues to require licensing of commercial cemeteries, trusting of consumer funds and provides new prepaid contract cancellation rights for buyers;

- prohibits certain sales practices, such as solicitations in nursing homes and hospitals, solicitations that appear to be harassment and false representations that goods or services are required by law when they are not.

This Act will come into force on proclamation.

**The Child and Family Services Amendment Act, 1999**

**(Bill 1) Chapter 14**

The Act includes the following provisions to address issues relating to sexual abuse of children:

- clarifies that a child involved in prostitution is considered to be a child in need of protection pursuant to the Act;
- allows for the admission of hearsay evidence at a protection hearing if, in the opinion of the court, the evidence is credible and trustworthy;
- includes 16 and 17 year olds as young people on behalf of whom a protective intervention order may be requested where they are receiving services from the Department of Social Services under a residential care agreement or are on apprehended status;
- clarifies that the offence of abuse includes allowing or encouraging a child to engage in prostitution;
- increases the penalties for those found guilty of abusing children and youth, including those guilty of sexual abuse.

Changes are made to the provisions for investigation where there are reasonable grounds to believe that a child is in need of protection. The warrant issued pursuant to these provisions can authorize a child protection worker or a peace officer to visually examine or interview the child and to take the child away from the premises for a medical examination by a health care provider.

A few other amendments of a housekeeping nature are also included in this Act.

This Act will come into force on proclamation.

**The Constitutional Questions Amendment Act, 1999**

**(Bill 18) Chapter 4**

This amending legislation provides for an express definition of the term “law” which includes a broad range of federal and provincial instruments such as acts, regulations and bylaws.

The purpose of this amendment is to ensure the Attorney General of Saskatchewan has notice of all constitutionally based matters before the courts in Saskatchewan. The previous interaction between the reference to *The Regulations Act, 1989* and

*The Interpretation Act, 1995* may have unintentionally removed certain types of constitutional challenges, such as challenges to bylaws, from the scope of this notice provision. By providing for the broader definition of “law”, this problem is avoided.

This Act came into force on April 21, 1999.

**The Coroners Act, 1999**

**(Bill 21) Chapter C-38.01**

The Act updates the legislation governing coroners. Provisions in the Act expand the instances where a death must be reported to a coroner. Under the previous legislation, unnatural and unexplained deaths and all deaths of inmates in correctional facilities were required to be reported. The new Act also requires deaths to be reported where: the death occurred in the course of the deceased’s employment; the deceased was a child under care pursuant to *The Child and Family Services Act*; the deceased was an involuntary resident of a mental health facility; or the death resulted from the actions of a police officer.

The coroners’ powers of investigation are clarified and include authority: to cordon off, for 48 hours, the area where the death occurred; to take charge of objects that are the personal property of the deceased and are found near the body; and to order a post-mortem examination.

The Act establishes the criteria the coroner shall apply to determine whether an inquest is necessary, provides for the selection process for juries at inquests and sets out procedural provisions respecting inquests.

This Act will come into force on proclamation.

**The Corporation Capital Tax Amendment Act, 1999**

**(Bill 32) Chapter 15**

This amending legislation provides for the reduction of the corporation capital tax rate for small financial institutions from 3.25% to .7%. The Act also allows a deduction from corporation capital tax for research and development.

This Act came into force on assent but is retroactive and deemed to have been in force as of March 31, 1999.

## **The Education Amendment Act, 1999/Loi de 1999 modifiant la Loi de 1995 sur l'éducation**

### **(Bill 25) Chapter 16**

This Act includes amendments in three different categories. Some amendments deal with First Nations representation on school boards where students from a reserve attend the public school pursuant to a tuition fee agreement between the First Nations and the neighbouring school division. They authorize the Minister of Education to incorporate the reserve within the boundaries of the school division so that reserve residents can vote in the school board election on the same basis as other residents of the school division. The minister is authorized to implement this option only where the First Nations and the board of education wish to use it.

Another amendment changes the annual provincial school grant entitlement period and payment schedule from the calendar year to that of the government fiscal year.

The third amendment authorizes the creation of a tax allocation form to be used by all municipalities that have both a public and a separate school division. These forms would require the property owner to declare either that the owner is of the minority faith in which case the taxes will be paid to the separate school division or that the owner is not of the minority faith and is to pay taxes to the public school division.

Sections 1 to 4 and 6 to 11 came into force on May 6, 1999. Sections 12 to 15 came into force on April 1, 2000. Section 5 came into force on April 16, 2001.

## **The Education and Health Taxation Amendment Act, 1999**

### **(Bill 34) Chapter 17**

This amending legislation reduces the education and health tax from 7% to 6%.

This Act came into force on assent but is retroactive and deemed to have been in force as of March 27, 1999.

## **The Funeral and Cremation Services Act**

### **(Bill 31) Chapter F-23.3**

*The Funeral and Cremation Services Act* incorporates provisions in *The Saskatchewan Embalmers Act* and *The Prepaid Funeral Services Act* and add provisions governing funeral homes and crematoria. This Act:

- establishes a funeral and cremation services council with elected industry and publicly appointed members to administer the Act, under

the general supervision of a superintendent appointed by the Lieutenant Governor in Council;

- provides bylaw-making powers for the council to set standards of practice, with review of the bylaws by the superintendent;
- requires licensing of persons providing services under the Act, including embalmers, funeral directors and salespersons selling prepaid contracts, as well as owners of funeral homes, crematoria and transfer services;
- prohibits disposition of human remains at any place other than a cemetery, by cremation or as otherwise provided in the regulations;
- sets out, in order of priority, which person is the authorized decision-maker with respect to disposition of the remains of a deceased person;
- prohibits licensees from making representations that goods or services are needed if they are not or from charging a fee for goods or services not authorized by the purchaser unless they are required by law;
- requires licensees to make itemized price lists available to the public;
- continues the prepaid services assurance fund established under *The Prepaid Funeral Services Act* and provides for payment from the fund for claims arising out of a contract;
- continues the 10 day cooling off period for prepaid funeral services contracts, and other cancellation rights, and applies these rules also to prepaid cremation services contracts.

## **The Health Information Protection Act**

### **(Bill 29) Chapter H-0.021**

This new Act establishes the rights of individuals and the obligations of the "trustees" in the provincial health system with respect to personal health information. The Act applies to "personal health information" held in any form including paper records and electronic records such as those in the Saskatchewan Health Information Network (SHIN). The purpose of the Act is to ensure that personal health information remains private and accurate and that trustees are accountable for their policies and practices with respect to such personal health information.

This Act will come into force on proclamation.

## **The Income Tax Amendment Act, 1999**

### **(Bill 40) Chapter 18**

This amending legislation incorporates the Saskatchewan manufacturing and processing profits

tax reduction program into the overall corporate income tax system as administered by the province on behalf of the federal government. The Act also introduces a series of technical amendments as a consequence of the reduction of the education and health tax rate from 7% to 6%.

This Act came into force on assent, however, certain provisions of the Act are retroactive in effect and deemed to have been in force on and from March 20, 1998, with respect to section 6 or on and from March 27, 1999, with respect to sections 3 and 4 of the Act.

### **The Intestate Succession Amendment Act, 1999/ Loi de 1999 modifiant la Loi de 1996 sur les successions non testamentaires**

#### **(Bill 3) Chapter 5**

In 1960, *The Intestate Succession Act* introduced, for the first time, a preferential share for the surviving spouse. When the Act was amended in 1978 to increase that preferential share, it did not clearly reflect the entitlement to the preferential share. The Act stated that, where a person died without a will prior to 1978, the preferential share was \$10,000. In fact, that preferential share only applied if the person died after July 1, 1960 and before 1978. This amendment eliminates confusion by ensuring that the law is accurately reflected in the Act.

This Act came into force on April 21, 1999.

### **The Labour-sponsored Venture Capital Corporations Amendment Act, 1999**

#### **(Bill 11) Chapter 19**

The amendments:

- remove the section that prevents individuals who redeem their Labour-sponsored Venture Capital Corporation (LSVCC) shares in a year from claiming tax credits for the purchase of new LSVCC shares in the year of redemption and the following two years;
- remove the maximum annual limit of investment in a Type A fund from the legislation in order to move this provision to the regulations;
- allow registered retirement income funds to hold and redeem eligible equity shares of an LSVCC;
- clarify how remaining property of an LSVCC is distributed between different classes of shares to remove an inconsistency between *The Business Corporations Act* and *The Labour-sponsored Venture Capital Corporations Act*;

- allow for the de-registration of a LSVCC to be at the discretion of the Minister; and
- clarify that ownership of incentive-based shares in an LSVCC fund can be by an eligible investor or individuals who were eligible at the time they acquired the shares.

This Act came into force on July 19, 1999.

### **The Land Information Services Facilitation Act**

#### **(Bill 35) Chapter L-3.01**

This new legislation provides for the removal of existing statutory impediments to the creation of a Crown corporation under *The Crown Corporations Act, 1993* to facilitate the timely development of the LAND project. The Act provides for amendments to

*The Land Titles Act* and *The Land Surveys Act* to do the following three things:

- transfer employees from Saskatchewan Justice and the Saskatchewan Geomatics Division of Saskatchewan Property Management Corporation to the proposed new corporation;
- authorize the payment of revenue from Land Titles and Saskatchewan Geomatics to the new corporation;
- confirm that the pension and the rights of the transferred employees will not be diminished.

The Act also addresses the transitional requirements necessary to ensure that all rights and liabilities of the Government of Saskatchewan are transferred to and continued under the new Crown corporation.

Sections 1 to 12, 14 and 18 to 34 came into force on January 1, 2000. The balance of the Act will come into force on proclamation.

### **The Litter Control Amendment Act, 1999**

#### **(Bill 38) Chapter 20**

This Act prohibits the claiming of a refund of deposits on containers where a refundable deposit has not been paid. It requires persons importing containers into Saskatchewan to report the importation and pay all applicable deposits. Depot operators (*i.e.* SARCAN) may refuse to pay a refund for containers on which they have reasonable grounds to believe no deposit has been paid. New enforcement provisions, including authority to stop vehicles transporting designated containers across the border and search and seizure powers, are added.

This Act came into force on May 6, 1999.

## **The Local Government Election Amendment Act, 1999**

### **(Bill 17) Chapter 6**

This amendment Act:

- waives the requirement for elections in school divisions that are being disestablished as part of a restructuring process and allows existing board members to remain in office until the restructuring process is completed;
- clarifies the advertising requirements for election notices, expanding the types of publications in which election notices may be advertised and providing for additional methods of notifying voters of an election;
- provides that local governments may arrange candidates' names on a ballot in random order, in addition to the other methods available;
- permits people with disabilities to vote at any polling place in the ward or municipality that has the most convenient access and permits persons in hospitals or nursing homes who are unable to go to a polling place to vote at their bedsides;
- allows temporarily displaced voters to vote at an advance poll established outside a municipality or school division;
- gives local governments the authority to postpone an election in a ward, municipality, or school division for up to 60 days, where a majority of electors is temporarily displaced on election day.

This Act came into force on April 21, 1999.

## **The Midwifery Act**

### **(Bill 44) Chapter M-14.1**

This new professions Act establishes a list of authorized practices which may be performed by midwives. Title protection is granted for the term "midwife". Standard bylaw and disciplinary procedures are established for the profession. The Act provides for public appointees to their council and for the filing of all regulatory bylaws of the council with the Minister of Health for approval prior to their coming into force. Regulations and bylaws will be developed to elaborate on the drugs that may be prescribed, dispensed or administered, diagnostic tests that may be ordered, performed or interpreted and invasive procedures that may be performed by midwives.

A transitional council will govern the profession until it has sufficient members and resources to manage its own affairs. A transitional assessment process will be used to evaluate whether applicants are qualified to practice midwifery.

This Act will come into force on proclamation.

## **The Mineral Taxation Amendment Act, 1999**

### **(Bill 16) Chapter 21**

The amendments provide as follows:

- allow potash producers to pay production taxes on a consolidated company basis beginning in 2002 rather than the current mine-by-mine basis;
- remove the form for waivers of the four-year assessment period from regulations and require instead that the form be acceptable to the minister;
- remove a deduction from the base potash production tax payable that was referred to in the Act but never applied in practice.

This Act came into force on May 6, 1999.

## **The Municipal Employees' Pension Amendment Act, 1999**

### **(Bill 2) Chapter 22**

The municipal employees pension plan provides retirement benefits to municipal workers, school board employees and designated police officers and firefighters.

Several changes are made to comply with the *Income Tax Act* (Canada):

- requires employer contributions to the plan in an amount determined by an actuary and maintains the responsibility of employers to share equally in the funding of their employees' pension benefits;
- sets the maximum amount of contributions an employee is required to make to the pension plan;
- adopts the definition of "spouse" used in the *Income Tax Act* (Canada).

An amendment allows members to continue to contribute to the plan during periods of parental leave pursuant to *The Labour Standards Act*. Members of the municipal employees' pension plan with money standing to their account under a former pension plan are given the option of transferring this money to the new plan.

The provisions respecting employer and employee contribution levels to the fund are deemed to be in force from January 1, 1991. The parental leave provision is deemed to have been in force from February 3, 1998. All the other provisions of the Act came into force on May 6, 1999.

## **The Municipal Hail Insurance Amendment Act, 1999**

### **(Bill 5) Chapter 23**

The amendments provide as follows:

- provide that the Municipal Hail Insurance Association may invest up to an amount to be prescribed in regulations in its wholly owned subsidiary Additional Municipal Hail Limited;
- delete the requirement that a representative of the person claiming must live within four miles of the damaged crop;
- extend the time period during which a person may provide notification of a claim from October 15 to October 31;
- provide that the maximum amount of basic coverage that the Municipal Hail Insurance Association may pay will be set out in regulations;
- provide that the maximum amount that the board of the Municipal Hail Insurance Association may decide to pay for the upcoming crop year will be set out in regulations.

This Act came into force on August 1, 1999.

## **The Municipal Revenue Sharing Amendment Act, 1999**

### **(Bill 41) Chapter 24**

This amendment Act establishes the level of provincial assistance to be allocated to urban and rural municipalities. It provides a method of calculating the funds available to the urban revenue-sharing pool and the rural revenue-sharing pool in the 1999-2000 fiscal year. There is an increase of \$7.5 million to the urban revenue-sharing pool (\$5 million for cities and \$2.5 million for town, villages and resort villages) and a \$2 million increase to the rural revenue-sharing pool. The Act also provides that the minister may make grants to any municipality in accordance with any conditional grant programs that may be provided for in the regulations.

This Act came into force on May 6, 1999, but is retroactive in effect to April 1, 1999.

## **The New Generation Co-operatives Act**

### **(Bill 42) Chapter N-4.001**

The major provisions in the Act:

- provide for the establishment of a new co-operative entity engaged in the production, processing or marketing of agricultural products and the provision of services to those engaged in those endeavours;

- provide for additional types of permitted businesses to be added by regulation;
- set out co-operative principles to guide the establishment and governance of these entities including the key principle of one member one vote;
- allow other bodies corporate to amalgamate, continue or register under this legislation provided that they engage in permitted businesses;
- require that participation in the co-operative be based on membership, and a capital structure composed of common shares, preferred shares or a special class of preferred shares issued only to members as specified in the articles;
- provide that the maximum that can be paid out on common shares or member loans will be set out in the articles;
- provide that only members vote to enact or change bylaws;
- provide for par value common shares issued only to members that are entitled to receive dividends, and may share in any surplus on winding up;
- provide for classes of non-par value preferred shares which have the following features:
  - entitled to receive dividends and fully transferable;
  - elect a maximum of 20% of the board of directors where the articles provide;
  - vote with regard to changes to preferred shares;
  - vote separately from members;
  - dissent rights;
  - allow individuals to hold a maximum of 10% of the issued preferred shares that elect directors;
- provide for a class of non-voting preferred shares issued to members associated with the obligation to supply key inputs to the co-operative and a corresponding obligation on the co-operative to accept the inputs;
- include other provisions to support preferred share issues;
- provide members and preferred shareholders with voting rights and remedies in the event of changes to the articles (capital structure) or other fundamental changes;
- provide for the manner and method of payment of membership interests on withdrawal or termination;

- provide that the members may set out in the articles the manner in which any surplus may be distributed on winding up of the co-operative;
- authorize the Co-operative Securities Board to review a proposed issue of securities to members or the public unless the Board elects to refer the matter to the Saskatchewan Securities Commission;
- allow a co-operative to elect to proceed directly to Saskatchewan Securities Commission when issuing securities;
- allow the co-operative to act as agent for its members.

This Act will come into force on January 26, 2000.

**The New Generation Co-operatives Consequential Amendment Act, 1999/Loi de 1999 apportant des modifications corrélatives à la loi intitulée The New Generation Co-operatives Act**

**(Bill 43) Chapter 25**

This legislation introduces amendments to bilingual legislation that are a consequence of the introduction of *The New Generation Co-operatives Act*. The acts amended are *The Co-operatives Act, 1996* and *The Interpretation Act, 1995*.

Co-operatives incorporated, continued or amalgamated under *The New Generation*

*Co-operatives Act* will be treated like co-operatives in other Saskatchewan legislation.

This Act will come into force on January 26, 2000.

**The Northern Municipalities Amendment Act, 1999**

**(Bill 12) Chapter 7**

This amendment Act:

- with leave, allows assessment appeals on like properties in various jurisdictions to be consolidated and heard directly by the Saskatchewan Municipal Board, rather than requiring local appeals in every case;
- allows commercial or industrial appeals to be heard directly by the Saskatchewan Municipal Board when the appellant, the board of revision and the municipality agree, rather than being heard first by the board of revision;
- provides alternative methods for delivery of notices of appeal to boards of revision and the Saskatchewan Municipal Board;
- provides that municipal council or school board members may not serve as members of boards of revision;

- provides the Saskatchewan Municipal Board with discretionary power to proceed with an appeal where there has been substantive but imperfect compliance with procedure;
- clarifies that all parties to an appeal, including the Saskatchewan Assessment Management Agency, have an equal duty to file written materials ten days prior to a board of revision hearing;
- requires equity among assessments within school divisions in the northern municipality as well as within the northern municipality.

This Act came into force on April 21, 1999, with the following exceptions. Provisions relating to appeals to the board of revision and the Saskatchewan Municipal Board will come into effect on January 1, 2000. Provisions requiring equity among assessments within school divisions and northern municipalities will come into effect on January 1, 2001.

**The Prairie Agricultural Machinery Institute Act, 1999**

**(Bill 7) Chapter P-21.1**

The major provisions in this Act include:

- continue the Prairie Agricultural Machinery Institute as a corporation;
- provide for the expanded powers and duties of the institute;
- provide for the establishment of the board of directors and appointment of officers;
- continue the Prairie Agricultural Machinery Institute fund and provide for investment of and disbursements from that fund;
- an annual report on business of the institute and its financial activities to be tabled in the Legislature;
- regulation making authority; and
- repeal *The Prairie Agricultural Machinery Institute Act*.

This Act came into force on April 21, 1999.

**The Queen's Bench Amendment Act, 1999**

**(Bill 27) Chapter 8**

The amount payable on an application for letters probate or letters of administration has, in the past, been set out in *The Queen's Bench Fees Regulations*. This bill puts those amounts into the Act itself.

This Act came into force on April 21, 1999.

**The Resumption of Services (Nurses - SUN) Act  
(Bill 23) Chapter R-22.001**

This Act provided for the immediate resumption of services by the Saskatchewan Union of Nurses and for the extension of all existing collective bargaining agreements. The Act also provides for specific salary increases for employees covered by the Act.

This Act came into force on April 8, 1999 and was repealed by regulation effective August 31, 1999.

**The Rural Municipality Amendment Act, 1999  
(Bill 13) Chapter 9**

This amendment Act:

- with leave, allows assessment appeals on like properties in various jurisdictions to be consolidated and heard directly by the Saskatchewan Municipal Board, rather than requiring local appeals in every case;
- allows commercial or industrial appeals to be heard directly by the Saskatchewan Municipal Board when the appellant, the board of revision, and the municipality agree, rather than being heard first by the board of revision;
- provides alternative methods for delivery of notices of appeal to boards of revision and the Saskatchewan Municipal Board;
- provides that municipal council or school board members may not serve as members of boards of revision;
- provides the Saskatchewan Municipal Board with discretionary power to proceed with an appeal where there has been substantive but imperfect compliance with procedure;
- clarifies that all parties to an appeal, including the Saskatchewan Assessment Management Agency, have an equal duty to file written materials ten days prior to a board of revision hearing;
- requires equity among assessments within school divisions in the rural municipality as well as within the rural municipality.

This Act came into force on April 21, 1999, with the following exceptions. Provisions relating to appeals to the board of revision and the Saskatchewan Municipal Board will come into effect on January 1, 2000. Provisions requiring equity among assessments within school divisions and rural municipalities will come into effect on January 1, 2001.

**The Securities Amendment Act, 1999  
(Bill 4) Chapter 10**

*The Securities Act, 1988* was changed to amend the rules governing take-over bids and issuer bids as follows:

- extend the time periods prescribed in the take-over bid rules from 21 days to 35 days;
- extend from 10 to 15 days the time period during which directors of the target company must send a circular to the shareholders;
- extend shareholders' right to withdraw their shares deposited under a bid;
- extend the time within which shares that are taken up under a bid must be paid for from three calendar days to three business days;
- remove the condition that an offeror must pay for shares before a bid is extended;
- allow offerors to begin a take-over bid by placing an advertisement in newspapers to be followed up by a general mailing of detailed information about the bid to shareholders; and
- amend the regulation-making provisions of the Act to give the Securities Commission power to make regulations changing the time periods in the Act and prescribing the manner of disseminating advertisements that begin a bid.

This Act came into force on March 31, 2001.

**The Snowmobile Amendment Act, 1999  
(Bill 37) Chapter 26**

This bill:

- establishes a fund to pay for the construction and maintenance of snowmobile trails on private land and highway rights of way;
- provides for the appointment of a trail manager who will designate the trails, administer the fund, and regulate the operation of snowmobiles on the trails;
- requires snowmobilers who use the trails to have a permit;
- requires the trail manager to carry liability insurance;
- clarifies the standard of care for landowners with respect to snowmobilers.

This Act came into force on August 1, 1999.

## **The Special Payment (Dependent Spouses) Act**

### **(Bill 22) Chapter S-56.01**

This Act authorizes the Workers' Compensation Board to make a one-time, non-taxable payment of \$80,000, available upon application within two years, to certain spouses whose husbands or wives were killed on the job. These spouses were in receipt of workers' compensation benefits prior to September 1, 1985, but had their benefits terminated when they remarried or entered into common-law relationships. Spouses bringing actions against the government with respect to the termination of benefits are not eligible to apply for the \$80,000 payment.

This Act came into force on May 6, 1999.

## **The Superannuation (Supplementary Provisions) Amendment Act, 1999**

### **(Bill 19) Chapter 27**

This Act applies to the following defined benefit pension plans: Liquor Board Superannuation Plan, Power Corporation Superannuation Plan, Workers' Compensation Board Superannuation Plan and Public Service Superannuation Plan.

The Act includes several amendments to comply with the *Income Tax Act* (Canada):

- changes the definition of "spouse" to correspond with the definition in the federal *Income Tax Act*;
- provides that the refund of contributions to members in excess of Revenue Canada maximums will be paid without interest;
- includes a provision respecting early retirement due to ill health;
- eliminates the option to have dependants, other than spouses, as joint annuitants;
- removes the authority to pay refunds on an instalment basis.

The provision to deem past service in the municipal justice system as provincial service is repealed as all persons to whom this section applied have accessed the benefit. Another amendment clarifies provisions respecting restricted early retirement for the purpose of paying benefits.

The Act came into force on May 6, 1999.

## **The Tobacco Tax Amendment Act, 1999**

### **(Bill 33) Chapter 28**

This Act offsets the reduction of provincial sales tax from 7% to 6% by increasing the tax on a package of 25 cigarettes from \$2.10 to \$2.15, by increasing the tax on loose tobacco from 5.5 cents to 5.7 cents per gram, and by setting a maximum tax of \$2.50 per cigar.

This Act came into force on assent but is retroactive and deemed to have been in force from March 27, 1999.

## **The University of Regina Amendment Act, 1999**

### **(Bill 15) Chapter 29**

This Act clarifies the authority of the Board of Governors of the University of Regina to incur overdrafts for short-term borrowing. Another amendment provides the board with authority to make bylaws regarding parking control.

This Act came into force on November 15, 1999.

## **The Urban Municipality Amendment Act, 1999**

### **(Bill 14) Chapter 11**

This amendment Act:

- with leave, allows assessment appeals on like properties in various jurisdictions to be consolidated and heard directly by the Saskatchewan Municipal Board, rather than requiring local appeals in every case;
- allows commercial or industrial appeals to be heard directly by the Saskatchewan Municipal Board when the appellant, the board of revision, and the municipality agree, rather than being heard first by the board of revision;
- provides alternative methods for delivery of notices of appeal to boards of revision and the Saskatchewan Municipal Board;
- provides that municipal council or school board members may not serve as members of boards of revision;
- provides the Saskatchewan Municipal Board with discretionary power to proceed with an appeal where there has been substantive but imperfect compliance with procedure;
- clarifies that all parties to an appeal, including the Saskatchewan Assessment Management Agency, have an equal duty to file written materials ten days prior to a board of revision hearing;

- requires equity among assessments within school divisions in the urban municipality as well as within the urban municipality.

This Act came into force on April 21, 1999, with the following exceptions. Provisions relating to appeals to the board of revision and the Saskatchewan Municipal Board will come into effect on January 1, 2000. Provisions requiring equity among assessments within school divisions and urban municipalities will come into effect on January 1, 2001.

## **The Wildlife Habitat Protection Amendment Act, 1999**

### **(Bill 39) Chapter 30**

This Act amends the Schedule of land that is subject to this Act by adding vacant Crown land, removing land where sales agreements or other commitments to lessees have been entered into and correcting land descriptions.

This Act came into force on July 1, 1999.