

2016

CHAPTER 30

An Act to amend *The Summary Offences Procedure Act, 1990*

(Assented to November 30, 2016)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Summary Offences Procedure Amendment Act, 2016*.

S.S. 1990-91, c.S-63.1 amended

2 *The Summary Offences Procedure Act, 1990* is amended in the manner set forth in this Act.

Section 4 amended

3 **Subsection 4(4) is amended in the portion preceding clause (a) by adding “, 508.1” after “484”.**

Section 21 amended

4 **Subsection 21(1) is amended in the portion preceding clause (a) by striking out “including the extension of time for payment,”.**

New section 26

5 **Section 26 is repealed and the following substituted:**

“Due dates for fines and extensions

26(1) In this section, **‘director’** means the director appointed pursuant to subsection (2) and includes any deputy director.

(2) The minister may appoint a person as director and may appoint one or more other persons as deputy directors for the purposes of this section.

(3) Subject to subsection (7), a fine is due and payable 15 days after its imposition.

(4) Until the time a fine is in default pursuant to section 27, an offender may file with the director an application in the form prescribed in the regulations requesting an extension or further extension of time for payment of the fine.

(5) An application filed pursuant to subsection (4) must include the information prescribed in the regulations and any other information requested by the director.

(6) No offender is to be compelled to answer any inquiries pursuant to subsection (5).

- (7) On receipt of an application pursuant to subsection (4), the director may:
- (a) if the director is satisfied that the application is in accordance with this Act and the regulations and that it is in the public interest to do so, extend the time for payment of the fine by ordering periodic payments or otherwise; or
 - (b) refuse to approve the application.
- (8) The director may impose any terms and conditions that the director considers appropriate on an extension granted pursuant to subsection (7)".

Section 32.62 amended

6(1) Subsection 32.62(1) is amended by striking out "including the extension of time for payment,".

(2) Subsection 32.62(3) is repealed and the following substituted:

"(3) After hearing any submission respecting the penalty, the justice shall impose a fine equal to the specified penalty sum or a lesser fine permitted by law".

Section 32.8 amended

7(1) Subsection 32.8(1) is amended by striking out "Unless a justice orders otherwise," **and substituting** "Subject to subsection 26(7),".

(2) Subsection 32.8(2) is amended by striking out "by the justice".

Section 32.83 amended

8 Subsection 32.83(1) is amended by striking out "subsections (2) to (8)" **and substituting** "subsections (2) to (6)".

Section 52 amended

9 Subsection 52(2) is amended in the portion following clause (b) by striking out "section 139" **and substituting** "section 149".

Section 53 amended

10 Section 53 is amended in the portion following clause (b) by striking out "section 139" **and substituting** "section 149".

Section 55 amended

11 Section 55 is amended:

(a) in clause (i) by adding ", including prescribing different specified penalty sums with respect to prescribed circumstances" **after** "clause (h)"; **and**

(b) by adding the following clause after clause (n):

"(n.1) for the purposes of section 26, prescribing information to be included in applications requesting an extension or further extension of time for payment of a fine".

Coming into force

12 This Act comes into force on proclamation.