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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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September 1, 2017

<i>The School Division Administration Regulations</i>	E-0.2 Reg 26*
<i>The Passenger and Freight Elevator Regulations, 2017</i>	P-4 Reg 3
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REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER E-0.2 REG 26

The Education Act, 1995

Section 370

Order in Council 395/2017, dated August 24, 2017

(Filed August 25, 2017)

PART 1

Preliminary Matters

Title

1 These regulations may be cited as *The School Division Administration Regulations*.

Definitions

2 In these regulations:

“**Act**” means *The Education Act, 1995*;

“**business day**” means a day other than a Saturday, Sunday or holiday;

“**Form**” means a Form set out in the Appendix.

Application

3(1) Parts 1 to 10 of these regulations apply to boards of education and school divisions.

(2) Parts 1, 3, 4, 5, 7, 8 and 9 of these regulations also apply to the conseil scolaire and the division scolaire francophone.

PART 2

Establishment of School Divisions and Subdivisions

School divisions and subdivisions

4(1) If a school division comprises an area greater than 1 295 square kilometres, the minister shall divide the school division into any number of subdivisions that may be required for the purposes of the election of the members of the board of education.

(2) If a school division comprises an area of 1 295 square kilometres or less, the board of education shall apply to the minister to have a school division divided into subdivisions if a majority of electors in the school division who cast a ballot in a vote indicate that they wish to have the school division divided into subdivisions.

(3) On receipt of an application pursuant to subsection (2), the minister may divide the school division into subdivisions in accordance with this section.

(4) The minister shall determine the boundaries of each subdivision created pursuant to this section.

- (5) If a school division includes a city or town and there is to be more than one member of the board of education representing the city or town, the minister may:
- (a) divide the entire school division into subdivisions;
 - (b) divide only that portion of the school division located outside the city or town into subdivisions;
 - (c) divide only that portion of the school division located inside the city or town into subdivisions; or
 - (d) decide not to divide the school division into subdivisions.

Election of subdivision representatives

- 5(1) If a school division is divided into subdivisions pursuant to clause 4(5)(b):
- (a) subject to subsection (3), one person is to be elected as a member of the board of education from each subdivision; and
 - (b) the other members of the board of education are to be elected at large from the area of the school division located inside the city or town.
- (2) If a school division is divided into subdivisions pursuant to clause 4(5)(c):
- (a) subject to subsection (3), the electors of each subdivision of the city or town shall elect one member as the member of the board of education for that subdivision; and
 - (b) the members of the board of education to be elected from the area of the school division located outside the city or town are to be elected at large by the electors resident in the area located outside the city or town.
- (3) Notwithstanding subsection (1) or (2), if a school division is divided into subdivisions pursuant to clause 4(5)(b) or (c), the minister may approve a request from the board of education to allow for the election of more than one representative from each subdivision to serve as members of the board of education if:
- (a) the board of education submits the request to the minister in writing;
 - (b) the request is received by the minister on or before January 1 of the year in which an election of members of the board of education is to be held; and
 - (c) based on the evidence submitted by the board of education in support of its request, the minister is satisfied that:
 - (i) the board of education has passed a resolution in support of the election of more than one representative from the subdivision of the school division;
 - (ii) the total number of members of the board of education to be elected will not exceed the maximum number of members permitted by order made pursuant to clause 6(1)(a); and

(iii) the proposed number of representatives to be elected from the subdivision is reasonable based on:

- (A) the population distribution within the school division and its subdivisions;
- (B) the geographic layout of the school division; and
- (C) the transportation patterns within the school division.

Order establishing school division - first election

6(1) Every minister's order made pursuant to section 42 of the Act establishing a school division must:

- (a) subject to subsection 7(7), state the number of members that constitutes the board of education, which shall be not less than 5 nor more than 10; and
 - (b) provide for the holding of an election of the members of the board of education and for all matters necessary and incidental to the holding of that election, including:
 - (i) the designation of the date on which the newly elected members assume office; and
 - (ii) the designation of the last date for the receipt of nominations.
- (2) The term of office of members elected in accordance with subsection (1) expires at the first meeting of the board of education elected at the next general election held after the day on which those members assumed office.
- (3) By order made pursuant to section 42 of the Act, the minister may:
- (a) establish a school division as at a future date specified in the order; and
 - (b) provide for the holding of the election of the first members of the board of education of the new school division on a date earlier than the date specified for the establishment of the school division.
- (4) If the minister makes an order in accordance with subsection (3), the first members of the board of education of the new school division:
- (a) constitute a corporation in accordance with subsection 61(3) of the Act as at the date on which they assume office; and
 - (b) until the new school division is established, shall:
 - (i) have only those purposes, powers, duties and authority mentioned in the Act and these regulations that the minister may specify in the order establishing the school division, or in any subsequent order;
 - (ii) be absolved from carrying out those duties and functions mentioned in the Act and these regulations that the minister may specify in the order establishing the school division, or in any subsequent order; and
 - (iii) be entitled only to those grants and other benefits mentioned in the Act and these regulations that the minister may specify in the order establishing the school division, or in any subsequent order.

Alteration of boundaries of school division or subdivision

7(1) Subject to subsection 54(2) of the Act, the minister may, by order, alter the boundaries of a school division or a subdivision:

- (a) on the petition of one or more electors with respect to parcels of land owned or leased by the elector or electors;
 - (b) on the request, separately or jointly, of two or more boards of education with respect to land that is within, or contiguous to, the school divisions concerned;
 - (c) on the request of a board of education; or
 - (d) if the minister considers it to be in the interests of education to do so.
- (2) If a school division includes most or all of a city or town and the limits of that city or town are altered to include lands that are not within the school division, the boundaries of the school division are deemed to be similarly altered to include those lands.

(3) The minister may, by order:

- (a) create a subdivision and provide for the election and term of office of a member to represent the subdivision on the board of education;
- (b) create a subdivision consisting of one or more Indian reserves or parts of Indian reserves if the board of education has entered into an agreement with an Indian band or with the Government of Canada;
- (c) transfer any subdivision created pursuant to clause (b) from one school division to another school division if the council of one of the Indian bands or the councils of the Indian bands in the subdivision and the school divisions to be affected by the transfer agree to the transfer;
- (d) disestablish a subdivision; or
- (e) renumber subdivisions.

(4) The minister may, by order, alter the boundaries of a school division to incorporate one or more Indian reserves or parts of Indian reserves into the school division, without creating a subdivision, if:

- (a) the board of education and the Indian band have entered into an agreement; and
- (b) the board of education and the Indian band apply to the minister to alter the boundaries of the school division to incorporate one or more Indian reserves or parts of Indian reserves into the school division without creating a subdivision.

(5) The minister may, by order, transfer any area incorporated into a school division pursuant to subsection (4) from one school division to another school division if the Indian band or Indian bands, as the case may be, and the school divisions affected by the transfer agree to the transfer.

(6) The minister may exercise the authority vested in him or her pursuant to clause (3)(b) if the school division in which the subdivision is to be created is not divided into subdivisions.

(7) If a subdivision is created pursuant to clause (3)(b), the number of members of the board of education is to be increased by one member for that subdivision notwithstanding the maximum number of members permitted pursuant to clause 6(1)(a).

(8) In accordance with the procedures set out in *The Local Government Election Act, 2015*, the electors:

(a) in each subdivision created pursuant to subsection (6) shall elect one member of the board of education; and

(b) in that portion of a school division that is not divided into subdivisions in which a subdivision is newly created pursuant to subsection (6) shall elect the remaining members of the board of education at large.

(9) In accordance with subsection 54(3) of the Act, every minister's order made pursuant to this section must be published in the Gazette.

(10) The minister shall cause a copy of an order made pursuant to clause (3)(b) or (c) to be forwarded to:

(a) the council of the Indian band or councils of the Indian bands in the subdivision mentioned in the order; and

(b) each board of education affected by the order.

Continued use of corporate seal

8 If, in accordance with section 57 of the Act, the minister, by order, changes the name or the number of a school division, the seal previously used by the board of education continues to be the seal of the school division until it is changed by the board of education.

PART 3

Members of Boards of Education and the Conseil Scolaire

Declaration of office

9(1) Form A is the form to be used for a declaration of office pursuant to subsection 71(1) of the Act.

(2) Form B is the form to be used for a certificate by a commissioner for oaths pursuant to subsection 71(2) of the Act.

(3) For the purposes of the conseil scolaire, Forms A and B apply, with any necessary modification.

Disqualification of member

10(1) A member of a board of education or the conseil scolaire must vacate his or her office if any one of the following applies to him or her:

(a) the member is convicted of an indictable offence;

(b) the member is absent from 3 or more consecutive meetings of the board of education or the conseil scolaire without the authorization of the board of education or the conseil scolaire to do so;

- (c) the member ceases to be eligible for election as a member:
 - (i) pursuant to *The Local Government Election Act, 2015*, in the case of a member of a board of education; or
 - (ii) pursuant to the Act, in the case of a member of the conseil scolaire;
 - (d) in the case of a member of the conseil scolaire, the member no longer meets the criteria to be a candidate as set out in subsection 65(1) or (2) of the Act;
 - (e) the member was employed by the board of education or the conseil scolaire within the 2 years preceding the member's nomination for election to the board of education or the conseil scolaire.
- (2) If a member of a board of education or the conseil scolaire is charged with or convicted of a criminal offence, the member must immediately notify the board of education or the conseil scolaire, as the case may be.
- (3) If a member is required to vacate his or her office pursuant to subsection (1), the remaining members must:
- (a) declare that office to be vacant; and
 - (b) immediately notify the minister of the vacancy.

Conflict of interest

- 11(1) No member of a board of education or of the conseil scolaire shall:
- (a) be or become directly interested in any contract entered into by or on behalf of the board of education or the conseil scolaire of which he or she is a member;
 - (b) participate directly in the profit or in any benefit or emolument arising from a contract entered into by or on behalf of the board of education or the conseil scolaire of which he or she is a member;
 - (c) accept any office or place of emolument under the board of education or the conseil scolaire of which he or she is a member; or
 - (d) perform any duty, transact any business or do anything whatever in any character or capacity for or in expectation of any fee, gain or reward for or on behalf of the board of education or the conseil scolaire of which he or she is a member.
- (2) A member of a board of education or the conseil scolaire who contravenes subsection (1) must vacate his or her office as a member of the board of education or the conseil scolaire.
- (3) If a member of a board of education or the conseil scolaire vacates his or her office pursuant to subsection (2), the remaining members of the board of education or the conseil scolaire must immediately notify the minister of the vacancy.
- (4) Nothing in this section extends to or disqualifies as a member of a board of education or the conseil scolaire any person who:
- (a) enters into a contract with the board of education or the conseil scolaire, as the case may be, for the sale to the board of education or the conseil scolaire of a school site;

- (b) has received an amount not exceeding \$200 in any one year for labour authorized by and supplied to the board of education or the conseil scolaire;
 - (c) enters into a contract with the board of education or the conseil scolaire for the sale of utilities, services or merchandise in an amount or amounts that in total do not exceed \$500 in any one year;
 - (d) receives payment on account of or in lieu of the cost of transportation or other allowances payable to him or her as the parent or guardian of a pupil; or
 - (e) is a shareholder in or is employed by a company that has dealings or contracts with the board of education or the conseil scolaire for the supply of utilities, goods or services, but that person shall not vote as a member of the board of education or the conseil scolaire on any matter affecting that company.
- (5) Notwithstanding subsection (1), a member of a board of education or the conseil scolaire may have an interest in a contract with the board of education or the conseil scolaire, as the case may be, for goods and services if:
- (a) the goods and services are not readily obtainable from some other person in the school division or the francophone education area;
 - (b) the price of goods and services to be obtained is reasonable; and
 - (c) every member of the board of education or the conseil scolaire present and eligible to vote at a meeting of the board of education or the conseil scolaire votes in favour of the contract.
- (6) Notwithstanding subsection (1) but subject to any terms and conditions that the board of education or the conseil scolaire considers proper, a board of education or the conseil scolaire may include any or all members of the board of education or the conseil scolaire in a benefit fund maintained for the benefit of its employees.

Ouster of member

12(1) Five or more electors in a school division may apply, without notice, to a judge of the Court of Queen's Bench for an order described in subsection (4) respecting a member of a board of education of that school division if the electors submit in their affidavits that the member:

- (a) is guilty of contravening section 11;
- (b) is guilty of gross neglect of duty;
- (c) has wilfully or negligently contravened the Act or the regulations; or
- (d) is unfit for any reason to act as a member of the board of education.

(2) Five or more voters in the division scolaire francophone may apply, without notice, to a judge of the Court of Queen's Bench for an order described in subsection (4) respecting a member of the conseil scolaire if the voters submit in their affidavits that the member:

- (a) is guilty of contravening section 11;
- (b) is guilty of gross neglect of duty;
- (c) has wilfully or negligently contravened the Act or the regulations; or
- (d) is unfit for any reason to act as a member of the conseil scolaire.

- (3) The electors or voters must pay the required amount into court as security for costs when making their application.
- (4) The electors or voters may apply for an order that:
 - (a) grants leave to serve a notice of application directed to the member of the board of education or the conseil scolaire; and
 - (b) requires that member to show cause why the member should not be removed from office.
- (5) The judge may:
 - (a) direct the manner in which a notice of application is to be served; and
 - (b) fix the time when and place where the notice of application is returnable.
- (6) If, on the return of the notice of application mentioned in subsection (5), the judge on affidavit or oral evidence finds that the member is unfit to act as a member of the board of education or conseil scolaire for any reason set out in subsection (1) or (2), the judge shall make an order ousting the member from office.
- (7) The judge may make any order as to costs that is appropriate in the circumstances.
- (8) No person is eligible for election as a member of any board of education or the conseil scolaire for a period of 4 years after the date of his or her ouster from office pursuant to this section.

Removal of member

- 13(1)** Subject to subsection (2), on the recommendation of the minister, the Lieutenant Governor in Council may, at any time, by order, remove a member of a board of education or the conseil scolaire from office if the Lieutenant Governor in Council considers it in the public interest to do so.
- (2) Before the Lieutenant Governor in Council exercises the power conferred on it pursuant to subsection (1):
 - (a) the minister must, in accordance with clause 4(1.1)(j) of the Act, appoint an official trustee to examine the conduct of the member whom the Lieutenant Governor in Council is considering removing; and
 - (b) the Lieutenant Governor in Council must consider the report prepared by the official trustee respecting the member's conduct.
- (3) A person who is removed from office pursuant to this section immediately ceases to hold office on the making of the order.
- (4) No person is eligible for election as a member of any board of education or the conseil scolaire for a period of 4 years after the date of his or her removal from office pursuant to this section.
- (5) As part of the order issued pursuant to this section, the Lieutenant Governor in Council may direct the board of education or the conseil scolaire, as the case may be, to take any action that the Lieutenant Governor in Council considers appropriate.

PART 4
Meetings of Boards of Education and the Conseil Scolaire

Organizational meeting

- 14(1)** A board of education must hold an organizational meeting:
- (a) within 30 days after the election of the board of education; and
 - (b) in every following year before November 30.
- (2) At each organizational meeting, the board of education must select:
- (a) a chairperson; and
 - (b) a vice-chairperson to act in the absence of the chairperson.
- (3) The conseil scolaire must hold an organizational meeting every year before November 30.
- (4) At each organizational meeting, the conseil scolaire must select:
- (a) a président; and
 - (b) a vice-président to act in the absence of the président.

Other meetings

- 15(1)** A board of education must meet:
- (a) at least 6 times in each year at the times fixed by a resolution of the board of education; and
 - (b) at any other time at the call of the chairperson or any 3 members of the board of education.
- (2) The conseil scolaire must meet:
- (a) at least 6 times in each year at the times fixed by resolution of the conseil scolaire; and
 - (b) at any other time at the call of the président or any 3 members of the conseil scolaire.

Notice of meetings

- 16(1)** If a board of education or the conseil scolaire at any meeting at which all the members are present decides by resolution to hold regular meetings on or at predetermined dates, times and places, no further or other notice of those meetings is necessary.
- (2) All other meetings of the board of education or the conseil scolaire shall be called by giving members:
- (a) at least 6 business days' notice by registered mail;
 - (b) written notice delivered in person at least 3 business days before the meeting;

- (c) written notice left with an adult person at a member's place of residence at least 3 business days before the meeting; or
 - (d) written notice in an electronic form that complies with section 9 of *The Electronic Information and Documents Act, 2000* at least 3 business days before the meeting.
- (3) Notwithstanding subsections (1) and (2), a board of education or the conseil scolaire may, by unanimous consent, waive notice and hold a meeting at any time.
- (4) The consent mentioned in subsection (3) must:
- (a) be subscribed to in writing by each member of the board of education or the conseil scolaire before the commencement of the meeting; and
 - (b) be recorded in the minutes of the meeting.

Quorum

- 17(1)** A majority of the members of a board of education constitute a quorum for the purposes of conducting a meeting of the board of education.
- (2) A majority of the members of the conseil scolaire constitute a quorum for the purposes of conducting a meeting of the conseil scolaire.

Exercise of powers, validity of proceedings

- 18(1)** Except as otherwise provided in the Act and the regulations, every board of education and the conseil scolaire may, by resolution or bylaw, perform the duties imposed and exercise the powers conferred on it by the Act and the regulations, but no act or proceeding of a board of education or the conseil scolaire that is adopted at a meeting at which a quorum of the board of education or the conseil scolaire is not present is valid or binding.
- (2) If the number of members of a board of education has been reduced to less than a quorum, no business of the school division shall be transacted by the remaining members until the vacancies have been filled pursuant to *The Local Government Election Act, 2015*.
- (3) If the number of members of the conseil scolaire has been reduced to less than a quorum, no business of the conseil scolaire shall be transacted by the remaining members until the vacancies have been filled pursuant to the Act and the regulations.

Motions

- 19(1)** All questions must be submitted to a board of education on the motion of the chairperson or any other member.
- (2) All questions must be submitted to the conseil scolaire on the motion of the président or any other member.
- (3) No seconder is required for the questions mentioned in subsections (1) and (2).

Voting

- 20(1)** At all meetings of a board of education:
- (a) questions are to be decided by a majority of votes;
 - (b) the chairperson has the right to vote; and
 - (c) in the case of an equality of votes, the question is deemed to be decided in the negative.

- (2) At all meetings of the conseil scolaire:
 - (a) questions are to be decided by a majority of votes;
 - (b) the président has the right to vote; and
 - (c) in the case of an equality of votes, the question is deemed to be decided in the negative.

Acting chairperson or président

21(1) In the absence of the chairperson and the vice-chairperson from a meeting of a board of education, the members present shall elect one of their number to act as chairperson of the meeting.

(2) In the absence of the président and the vice-président from the meeting of the conseil scolaire, the members present shall elect one of their number to act as président of the meeting.

Payment for attendance at meetings

22(1) Subject to subsection (5), each member of a board of education is to be paid any remuneration that may be fixed by the board of education for attendance at meetings of the board of education.

(2) Subject to subsection (5), each member of a joint board is to be paid any remuneration that may be fixed by the joint board for attendance at meetings of the joint board.

(3) Subject to subsection (5), each member of the conseil scolaire is to be paid any remuneration that may be fixed by the conseil scolaire for attendance at meetings of the conseil scolaire.

(4) Each board of education, joint board or conseil scolaire shall fix an amount by which the remuneration of a member is to be reduced in cases where the member is absent from a meeting without the prior consent of the board of education, joint board or conseil scolaire.

(5) All payments to a member of a board of education, a joint board or the conseil scolaire pursuant to this section and section 23 or 24 must be made in accordance with the bylaws of the board of education, joint board or conseil scolaire concerning the conditions pursuant to which allowances are authorized and the amounts of those allowances.

Payment for performance of authorized business of board of education

23(1) A board of education or a joint board may pay to any of its members for attending to any business of the board entrusted to a member by the board of education or the joint board:

- (a) a reasonable daily remuneration; and
- (b) a reasonable daily allowance or reimbursement for travel, food, lodging and any other out-of-pocket expenses incurred by the member while necessarily absent from his or her place of residence on any business of the school division.

(2) The board of education or joint board shall fix the amounts mentioned in subsection (1).

(3) A member of a board of education or joint board claiming payment pursuant to this section must file with the board of education or joint board an itemized account listing the services performed and the distance travelled.

(4) The board of education or joint board must pass a resolution authorizing a payment pursuant to this section before payment may be made.

Payment for performance of authorized business of conseil scolaire

24(1) The conseil scolaire may pay to any of its members for attending to any business of the conseil scolaire entrusted to that member by the conseil scolaire:

(a) a reasonable daily remuneration; and

(b) a reasonable daily allowance or reimbursement for travel, food, lodging and any other out-of-pocket expenses incurred by the member while necessarily absent from his or her place of residence on any business of the conseil scolaire.

(2) The conseil scolaire shall fix the amounts mentioned in subsection (1).

(3) A member of the conseil scolaire claiming payment pursuant to this section must file with the conseil scolaire an itemized account listing the services performed and the distance travelled.

(4) The conseil scolaire must pass a resolution authorizing a payment pursuant to this section before payment may be made.

Power to designate portion of remuneration as expenses

25(1) A board of education or joint board may, by resolution, provide that a specified proportion, not exceeding one-third, of the total amount paid by the board of education pursuant to these regulations to each member of the board in any year for his or her services is to be designated as having been paid with respect to general expenses incurred by the member that were necessary and incidental to the discharge of his or her duties as a member.

(2) The conseil scolaire may, by resolution, provide that a specified proportion, not exceeding one-third, of the total amount paid by the conseil scolaire pursuant to these regulations to each member of the conseil scolaire in any year for his or her services is to be designated as having been paid with respect to general expenses incurred by the member that were necessary and incidental to the discharge of his or her duties as a member.

PART 5

Responsibility and Liability of Members

Responsibility of members for fulfilment of contracts

26 If a board of education or the conseil scolaire wilfully neglects or refuses to exercise the powers vested in it by the Act for the fulfilment of any contract made by it, each member of the board of education or the conseil scolaire is individually responsible for the fulfilment of the contract unless the member shows to the satisfaction of a court of competent jurisdiction that the member has made reasonable efforts to have the board of education or the conseil scolaire carry out its contract.

Liability of members

27(1) Members of a board of education who wilfully vote for or sanction any illegal action are jointly or severally liable for:

- (a) any amount of money over the amount permitted pursuant to the Act for which the school division has been made liable through that action; and
- (b) the total amount of money that is misappropriated.

(2) Any two electors of a school division may bring an action in a court of competent jurisdiction for the recovery of the amounts mentioned in subsection (1) as a debt to the school division from members of the board of education mentioned in subsection (1).

(3) Members of the conseil scolaire who wilfully vote for or sanction any illegal action are jointly or severally liable for:

- (a) any amount of money over the amount permitted pursuant to the Act for which the conseil scolaire has been made liable through that action; and
- (b) the total amount of money that is misappropriated.

(4) Any two voters of a francophone education area may bring an action in a court of competent jurisdiction for the recovery of the amounts mentioned in subsection (3) as a debt to the division scolaire francophone from members of the conseil scolaire mentioned in subsection (3).

PART 6
Joint Boards

Agreement to provide services jointly

28(1) A board of education may enter into an agreement with any other board of education or boards of education, a municipal authority, an Indian band, the Government of Saskatchewan, a local school authority in another province or the Government of Canada for the purpose of providing pupils with any instruction, courses or special services that are permitted or required pursuant to the Act.

(2) An agreement entered into pursuant to subsection (1) may include:

- (a) acquiring, extending or improving a school site;
- (b) acquiring, erecting, repairing, furnishing and equipping school buildings or dormitories;
- (c) employing teachers to give instruction;
- (d) employing any supervisors and other employees that may be required for the management, supervision and maintenance of those buildings and dormitories.

(3) The services to be provided pursuant to an agreement entered into pursuant to this section may, in accordance with the terms of the agreement, be provided inside or outside of the school division.

Joint board

29(1) For the purposes of administering the affairs of a school, program or service under the terms of an agreement mentioned in section 28, a board of education may establish a joint board with the other party or parties to the agreement.

(2) A joint board established pursuant to subsection (1) is to consist of members of the boards of education or governing bodies of the school divisions or other agencies that are parties to the agreement pursuant to the terms of the agreement.

(3) With the approval of the minister, the parties to the agreement may delegate to the joint board any authority and duties set out in the agreement.

(4) The agreement may include provisions respecting appointments and the terms of office of joint board members.

(5) A joint board established pursuant to this section is a corporation under any name approved by the minister.

Powers and duties of joint board

30(1) The powers, duties and procedures of a joint board are to be set out in the agreement mentioned in section 28 or in a memorandum of understanding between the parties to the agreement.

(2) Every joint board shall function in accordance with this Part and in accordance with the provisions of the Act respecting the powers and duties of members of boards of education.

Procedures applicable to joint board

31 Part 4 of these regulations and section 80 of the Act apply, with any necessary modification, to the organizational meeting and other meetings of a joint board, to notices of meetings and to rules of procedure with respect to the conduct of meetings.

Minutes of joint board

32(1) A joint board shall:

(a) submit, immediately after each meeting, an accurate record of the proceedings of that meeting to the parties to the agreement mentioned in section 28;

(b) make available for inspection by any party to the agreement mentioned in section 28, during regular office hours of the joint board, the record of its proceedings, including:

(i) the minutes of the joint board in closed session;

(ii) the transactions of the joint board; and

(iii) the financial affairs of the joint board;

(c) make available for inspection by any person, during regular office hours of the joint board, the minutes of the joint board after they have been adopted by the joint board;

- (d) by resolution:
 - (i) define those matters, in addition to the minutes of the joint board mentioned in clause (c), that may be inspected by any person; and
 - (ii) authorize the manner and the form in which the matters mentioned in subclause (i) may be made available for inspection;
 - (e) subject to subsection (2), within a reasonable period after a request by any person, provide to that person copies of the whole or any part of any document made available pursuant to clause (b), (c) or (d) at any rate that the joint board may fix.
- (2) The maximum rate that the joint board may fix for the purposes of clause (1)(e) is not to exceed the costs incurred by the joint board in providing the copies.

PART 7 Electors and Voters

Special meetings of electors

- 33(1)** A special meeting of the electors of a school division may be held at any time for any necessary purpose not provided for by the Act.
- (2) The board of education:
 - (a) may call a special meeting, on its own initiative; and
 - (b) must call a special meeting:
 - (i) if requested to do so by the minister; or
 - (ii) on receipt of a written request signed by not fewer than 25 electors of the school division.
 - (3) The notice calling a special meeting must set out the place, date, time and purpose of the special meeting, and section 9 of *The Local Government Election Act, 2015* applies, with any necessary modification, to that notice.
 - (4) The electors in attendance at a special meeting shall elect a chairperson and secretary for the special meeting.
 - (5) Only business that is set out in the notice mentioned in subsection (3) is to be considered at the special meeting.
 - (6) The secretary of the special meeting shall:
 - (a) prepare a statement of the proceedings of the special meeting; and
 - (b) forward a copy of that statement to:
 - (i) the board of education; and
 - (ii) each school community council in the school division.

Meetings of electors to review services

34(1) At a special meeting of electors convened for the purpose, a board of education shall conduct a review and evaluation of educational services available to the pupils of the school division if:

- (a) there is no school in operation in the school division;
- (b) the board of education considers it inadvisable to continue the operation of at least one school in the school division; or
- (c) the maintenance of a satisfactory standard of educational services appears to be in doubt because of declining enrolment or other circumstances of the school division.

(2) The board of education shall advise the minister of any decisions or recommendations that result from the consultation mentioned in subsection (1) to the extent that they may apply to the operation and future development of the school division.

Annual meeting of voters in francophone education area

35(1) Subject to subsection (2), the conseil scolaire shall convene an annual meeting of the voters of the division scolaire francophone after the receipt of the audited financial statement of the conseil scolaire.

(2) In a year in which a general election of members of the conseil scolaire is held, the annual meeting must be held before the general election.

(3) The conseil scolaire shall give notice in accordance with *The Conseil scolaire fransaskois Election Regulations* of every annual meeting of voters to be held pursuant to this section.

(4) The order of business of each annual meeting shall be determined by the conseil scolaire.

(5) At the start of the annual meeting, the voters present at the annual meeting shall elect one of their number to preside as président and one other to act as secretary for the annual meeting.

(6) The président shall:

- (a) conduct the meeting in accordance with the order of business mentioned in subsection (4); and
- (b) entertain any discussion of the order of business, including resolutions and exchanges of information and views on educational plans and policies.

(7) The secretary of the meeting shall:

- (a) prepare a statement of the proceedings of the annual meeting; and
- (b) forward a copy of that statement to the conseil scolaire and to each conseil d'école.

Special meetings of voters

36(1) A special meeting of the voters of the division scolaire francophone may be held at any time for any necessary purpose not provided for by the Act.

- (2) The conseil scolaire:
 - (a) may call a special meeting, on its own initiative; and
 - (b) must call a special meeting:
 - (i) if requested to do so by the minister; or
 - (ii) on receipt of a written request signed by not fewer than 25 voters of the division scolaire francophone.
- (3) The notice calling a special meeting must set out the place, date, time and purpose of the meeting, and *The Conseil scolaire francophone Election Regulations* apply, with any necessary modification, to that notice.
- (4) The voters in attendance at a special meeting shall elect a président and a secretary for the meeting.
- (5) A special meeting is to be called and conducted in accordance with the procedures set out in section 35.
- (6) Only business that is set out in the notice mentioned in subsection (3) is to be considered at the special meeting.

PART 8

Administration in School Divisions and in the Division Scolaire Francophone

Notice of collective bargaining

37(1) Before entering into collective bargaining pursuant to the Act with respect to negotiating a local agreement affecting teachers, a board of education or the conseil scolaire, as the case may be, must provide written notice to the minister specifying:

- (a) the parties to the negotiations;
- (b) when the negotiations are to commence; and
- (c) the process selected pursuant to section 239 of the Act for the resolution of disputes.

(2) Before entering into collective bargaining with respect to any employee group other than teachers, a board of education or the conseil scolaire, as the case may be, must provide written notice to the minister specifying:

- (a) the parties to the negotiations; and
- (b) when the negotiations are to commence.

Administrative manuals

38(1) Subject to subsection (2), every board of education must prepare an administrative manual in the form and with the content it considers appropriate to its purposes and jurisdiction pursuant to the Act with respect to program policies, administrative organization and general management for the school division.

- (2) The administrative manual of a board of education must include:
- (a) a statement of the policies adopted, approved or authorized by the board of education with respect to:
 - (i) the educational objectives, program development and provision of educational services in the school division; and
 - (ii) the general supervision and efficient management of the educational affairs of the school division; and
 - (b) a definition of the administrative organization adopted by the board of education for the purposes of the administration and supervision of its educational and financial policies.
- (3) Subject to subsections (4) and (5), the conseil scolaire must prepare an administrative manual in the form and with the content it considers appropriate to its purposes and jurisdiction pursuant to the Act with respect to program policies, administrative organization and general management for the division scolaire francophone and francophone education areas.
- (4) The administrative manual of the conseil scolaire must include:
- (a) a statement of the policies adopted, approved or authorized by the conseil scolaire with respect to:
 - (i) the educational objectives, program development and provision of educational services in each attendance area; and
 - (ii) the general supervision and efficient management of the educational affairs of the division scolaire francophone; and
 - (b) a definition of the administrative organization adopted by the conseil scolaire for the purposes of the administration and supervision of its educational and financial policies.
- (5) The conseil scolaire shall develop the administrative manual in consultation with the conseils d'écoles.

Duties of chairperson of board of education

39(1) The chairperson of a board of education shall exercise general supervision over the affairs of the board of education.

(2) In the absence of the chairperson, the duties mentioned in subsection (1) are performed by the vice-chairperson of the board of education or, if the vice-chairperson is also absent, by a person appointed by the remaining members of the board of education from among their number to act as chairperson during the absence of the chairperson and the vice-chairperson.

Duties of président of conseil scolaire

40(1) The président of the conseil scolaire shall exercise general supervision over the affairs of the conseil scolaire.

(2) In the absence of the président, the vice-président of the conseil scolaire may perform the duties mentioned in subsection (1) or, if the vice-président is also absent, by a person appointed by the remaining members of the conseil scolaire from among their number to act as président during the absence of the président and the vice-président.

Committees

41(1) A board of education or the conseil scolaire may appoint, by resolution, any standing committees or special committees consisting of 1 or more members of the board of education or the conseil scolaire.

(2) A board of education may delegate to any committee appointed by it pursuant to subsection (1):

(a) the inquiry into or consideration, management or regulation of any administrative matters that the board of education considers appropriate, including:

- (i) certifying all accounts against the school division passed by the board of education for payment;
- (ii) countersigning all cheques issued on behalf of the board of education, other than cheques on which signatures are imprinted;
- (iii) executing agreements authorized by and on behalf of the board of education; and

(b) any of the duties and powers conferred or imposed by the Act on the board of education, other than the power to:

- (i) borrow money; or
- (ii) pass a bylaw.

(3) The conseil scolaire may delegate to any committee appointed by it pursuant to subsection (1):

(a) the inquiry into or consideration, management or regulation of any administrative matters that the conseil scolaire considers appropriate, including:

- (i) certifying all accounts against the conseil scolaire passed by the conseil scolaire for payment;
- (ii) countersigning all cheques issued on behalf of the conseil scolaire, other than cheques on which signatures are imprinted;
- (iii) executing agreements authorized by and on behalf of the conseil scolaire; and

(b) any of the duties and powers conferred or imposed by the Act on the conseil scolaire, other than the power to:

- (i) borrow money; or
- (ii) pass a bylaw.

(4) Subject to subsection (6), if a board of education or the conseil scolaire has delegated any matter to a committee appointed pursuant to subsection (1), the committee, in the same manner and to the same extent as the board of education or the conseil scolaire:

- (a) may exercise the powers that are conferred by the Act on the board of education or the conseil scolaire that delegated the matter; and
- (b) shall perform the duties that are imposed by the Act on the board of education or the conseil scolaire that delegated the matter.

(5) The exercise of powers and the performance of duties by the committee pursuant to subsection (4) is deemed to be the exercise of powers and the performance of duties by the board of education or the conseil scolaire.

(6) Every committee appointed pursuant to subsection (1) must give a report respecting its proceedings and decisions to the board of education or the conseil scolaire that appointed the committee in the time, in the manner and containing the information required by the board of education or the conseil scolaire.

(7) No report, order or decision of a committee appointed pursuant to subsection (1), other than a report, order or decision dealing with a matter described in subclauses (2)(a)(i) to (iii) respecting a board of education or subclauses (3)(a)(i) to (iii) respecting the conseil scolaire, comes into force until it is adopted by the board of education or the conseil scolaire that appointed the committee at a regular or special meeting of the board of education or the conseil scolaire.

(8) Every board of education that has passed a resolution pursuant to subsection (1) appointing a committee must renew the resolution annually at its organizational meeting held pursuant to section 14.

(9) If the conseil scolaire has passed a resolution pursuant to subsection (1) appointing a committee, the conseil scolaire must renew the resolution annually at its organizational meeting held pursuant to section 14.

Staff of school division and conseil scolaire

42(1) Subject to subsection (3), every board of education and the conseil scolaire must appoint a director who meets the qualifications set out in section 43.

(2) Every board of education and the conseil scolaire must appoint a person to perform the functions of chief financial officer for the board of education or the conseil scolaire, as the case may be.

(3) If a board of education, by reason of the small size or limited capacity of the school division, considers it impracticable to appoint a full-time director, the board of education may enter into an agreement with one or more other boards of education or the conseil scolaire to effect a joint appointment of a director.

(4) A board of education may appoint any other officials, assistants and support personnel that the board of education considers necessary for the proper and efficient administration of the school division.

(5) The conseil scolaire may appoint any other officials, assistants and support personnel that the conseil scolaire considers necessary for the proper and efficient administration of the division scolaire francophone or a francophone education area.

Qualifications of director

43 A person is eligible to be appointed by a board of education or the conseil scolaire as director if he or she:

- (a) holds or meets the requirements to hold a Professional A Teacher's Certificate issued pursuant to *The Registered Teachers Act*;
- (b) has completed a master's degree at a university recognized by the minister in a field that relates to the major duties of a director of education; and
- (c) submits evidence to the board of education or the conseil scolaire, acceptable to the board of education or the conseil scolaire, as the case may be, of:
 - (i) a minimum of 2 years of teaching experience in Canada at the elementary or secondary school level; and
 - (ii) a minimum of 2 years of experience in Canada as an educational administrator.

Appointment of director

44(1) If a board of education or the conseil scolaire wishes to appoint a director, the board of education or the conseil scolaire, as the case may be, must:

- (a) notify the minister in writing of its intention;
 - (b) subject to subsection (2), advertise the position in at least the 2 daily newspapers having the largest circulation in Saskatchewan;
 - (c) consider all applications; and
 - (d) on making an appointment, notify the minister of the full name, address and qualifications of the person appointed.
- (2) The minister may exempt a board of education or the conseil scolaire from complying with clause (1)(b) if:
- (a) the board of education or the conseil scolaire wishes to appoint a director as a result of a restructuring of school divisions; and
 - (b) the minister considers it appropriate to make the exemption.
- (3) A board of education or the conseil scolaire, as the case may be, shall engage its director under a written contract specifying:
- (a) salary and other allowances;
 - (b) vacation entitlement;
 - (c) the procedure for review of the terms of the contract by either party;
 - (d) the procedure for termination of the contract by either party; and
 - (e) any other terms and conditions of employment.

Duties of director

45(1) The powers and duties of a director shall be determined by the board of education or the conseil scolaire that appointed the director.

(2) In addition to any powers and duties determined pursuant to subsection (1), every director must:

- (a) prepare and transmit to the ministry any reports and returns that may from time to time be required by the minister;
- (b) ensure that the schools of the board of education or the conseil scolaire are conducted in accordance with the Act, the regulations and the policies of the board of education or the conseil scolaire in all matters within its jurisdiction;
- (c) exercise general supervision of the schools and the work of principals, teachers and other personnel employed by the board of education or the conseil scolaire;
- (d) provide leadership with respect to educational policies and practices; and
- (e) act as a liaison between the board of education or the conseil scolaire and the professional staff and the public with respect to the efficiency and advancement of education in the school division or the division scolaire francophone.

Superintendent, etc.

46 If a board of education or the conseil scolaire employs a person as a superintendent, assistant superintendent, consultant or supervisor of services related to the instruction or the health and welfare of pupils or to school attendance, the board of education or the conseil scolaire shall engage that person under a written contract specifying:

- (a) salary and other allowances;
- (b) vacation entitlement;
- (c) the procedure for review of the terms of the contract by either party;
- (d) the procedure for termination of the contract by either party; and
- (e) any other terms and conditions of employment.

Filing of contracts

47 If a board of education or the conseil scolaire enters into a contract in accordance with section 44 or 46 with a person mentioned in subsection 25(1) or (3) of *The League of Educational Administrators, Directors and Superintendents Act, 1991*, that person must file a copy of the contract, and every subsequent amendment or revision to the contract, with, as the case requires:

- (a) the Teachers' Superannuation Commission within 30 days after the effective date of the contract, amendment or revision; or
- (b) the Saskatchewan Teachers' Retirement Plan within 30 days after the effective date of the contract, amendment or revision.

Production of documents

48(1) Every board of education and the conseil scolaire must:

- (a) make available for inspection by any person, during regular office hours of the board of education or the conseil scolaire, the minutes of the board of education or the conseil scolaire after the minutes have been adopted by the board of education or the conseil scolaire;

- (b) subject to subsection (3) and within a reasonable period after a request by any person, provide to that person copies of the whole or any part of any minutes made available pursuant to clause (a) at any rate that the board of education or the conseil scolaire may fix;
 - (c) prepare and transmit to the minister, at the times and in the form that the minister may require, a statement approved by the board of education or the conseil scolaire of the estimated revenues and expenditures of the board of education or the conseil scolaire for the year; and
 - (d) make any other reports and statements required to be made by the board of education or the conseil scolaire pursuant to the Act.
- (2) The conseil scolaire shall deliver or transmit by mail to each conseil d'école a copy of the minutes of any meeting of the conseil scolaire not later than 10 days after the day on which those minutes were approved by the conseil scolaire.
- (3) The maximum rate that a board of education or the conseil scolaire may fix for the purpose of clause (1)(b) is not to exceed the costs incurred by the board of education or the conseil scolaire in providing the copies.

Duties of other employees

49 Except where otherwise expressly set out by the Act, the duties and requirements of persons in positions authorized by the board of education or the conseil scolaire are to be those determined by the board of education or the conseil scolaire.

PART 9 Financial Matters

Interpretation of Part

50 In this Part, “**fiscal year**” means the period commencing on September 1 in one year and ending on August 31 of the following year.

Estimates of annual revenue and expenditures

51(1) Not later than the day specified by the minister in each fiscal year, every board of education and the conseil scolaire must prepare and submit to the minister for the minister’s approval:

- (a) estimates of revenues and expenditures required for the purposes of the school division or the division scolaire francophone, as the case may be, for the following fiscal year; and
 - (b) any statistical data with respect to school enrolment and personnel requirements that the minister may require for the following fiscal year.
- (2) The estimates of revenues and expenditures mentioned in subsection (1) must:
- (a) be in any form that the minister may direct;
 - (b) include revenues and expenditures as outlined in the chart of accounts manual designated by the minister; and
 - (c) in the case of a board of education, include the taxable assessment of the school division for the following fiscal year.

Estimates of capital expenditures

52(1) Every board of education and the conseil scolaire must prepare and maintain a 3-year forecast of expenditures anticipated for:

- (a) new school buildings;
- (b) major renovation of existing buildings; and
- (c) other major capital expenditures.

(2) The forecast of expenditures mentioned in subsection (1) is subject to annual review by the board of education or the conseil scolaire, as the case may be, for the purposes of:

- (a) updating the forecast of expenditures; and
- (b) determining requirements and action to be taken with respect to the fiscal year in which the expenditures will be incurred.

(3) At the times directed by the minister, a board of education or the conseil scolaire must provide the minister with:

- (a) a copy of its forecast of expenditures mentioned in subsection (1);
- (b) a report of a review conducted pursuant to subsection (2);
- (c) its capital plans as requested by the minister; and
- (d) any other information that the minister may request respecting the capital expenditures of the board of education or conseil scolaire.

Final estimates

53 Not later than the date specified by the minister in each fiscal year, every board of education and the conseil scolaire must, by resolution, adopt a final statement for the following fiscal year setting forth in as much detail as is practicable:

- (a) the items and amounts of expenditures for the following fiscal year based on the estimates that are approved by the minister pursuant to section 280 of the Act; and
- (b) estimates of revenue from taxes, grants, fees and receipts from other sources that are anticipated for the following fiscal year.

PART 10
School Districts

DIVISION 1
School Closures or Discontinuance of Grades

Consent of school community council to school closure or discontinuance of grades

54(1) With respect to any school situated in a school district, the board of education may close the school or discontinue one or more grades taught in the school if, before the effective date of the closure or the discontinuance of grades, the school community council consents to the closure or the discontinuance, as the case may be.

(2) The effective date of the school changes mentioned in subsection (1) must be set in accordance with section 64.

School review

55(1) Notwithstanding section 54, the board of education may close any school situated in a school district or discontinue one or more grades taught in the school if:

- (a) on or before October 15 of the year before the year in which the potential closure of the school or discontinuance of grades taught in the school is to come into effect, the board of education:
 - (i) passes a motion to review the school;
 - (ii) adopts the criteria for the review in accordance with this Division, any policies that may be established by the minister, and any policies that may be established by the board of education; and
 - (iii) notifies the public of its intention to review the school and of the review criteria adopted pursuant to subclause (ii);
 - (b) on or before November 1 of the year before the year in which the potential closure of the school or discontinuance of grades taught in the school is to come into effect, the board of education establishes a school review committee in accordance with section 59; and
 - (c) in accordance with this Division, the board of education completes a review of the school and passes a motion to close the school or to discontinue one or more grades taught in the school, as the case may be.
- (2) Any policy established by a board of education respecting the carrying out of a school review pursuant to this section:
- (a) must not be inconsistent with this Division or any policies that may be established by the minister; and
 - (b) must be posted on the website of the board of education.
- (3) Any amendment made to a policy mentioned in subsection (2) must be posted on the website of the board of education within 30 days after the date on which the amendment is made, together with notice of the amendment.

Terms and conditions

56(1) In this section, “**nearest school**” means the closest school to the school under review that:

- (a) is operated by the same board of education as the school under review; and
 - (b) has the capacity to accommodate the pupils attending the school under review.
- (2) A board of education may only carry out a review of a school pursuant to section 55 if:
- (a) for pupils in kindergarten to Grade 8 who are enrolled in the school:
 - (i) the nearest school is not more than 40 kilometres from the school under review, based on the shortest route by regularly maintained roads;
 - (ii) at least 90% of those pupils live within 75 minutes of the nearest school if travelling by motor vehicle under normal driving conditions; and

(iii) the board of education arranges for alternative transportation that minimizes the transportation time for those pupils who live more than 75 minutes from the nearest school; and

(b) projected enrolment for the school under review for the following school year is less than:

(i) for a school offering kindergarten to Grade 4 only, 25 pupils;

(ii) for a school offering kindergarten to Grade 5 only, 30 pupils;

(iii) for a school offering kindergarten to Grade 6 only, 37 pupils;

(iv) for a school offering kindergarten to Grade 7 only, 44 pupils;

(v) for a school offering kindergarten to Grade 8 only, 51 pupils;

(vi) for a school offering kindergarten to Grade 9 only, 58 pupils;

(vii) for a school offering kindergarten to Grade 12, 88 pupils.

(3) The board of education shall bear the cost of the alternative transportation mentioned in subclause (2)(a)(iii).

Notice re school review

57 With respect to any notice to be given by a board of education pursuant to this Division, the board of education must:

(a) publish the notice in at least 1 issue of a newspaper having general circulation in the school district, attendance area, town or village in which the school under review is situated; and

(b) post the notice:

(i) in at least 5 widely-separated, conspicuous locations in the school district or attendance area in which the school under review is situated;

(ii) in the building in which the headquarters of the school division are located; and

(iii) on the website of the board of education.

Review criteria

58 In carrying out a review of a school pursuant to section 55, the board of education must consider all of the following:

(a) the physical condition of the school;

(b) the operational cost per pupil;

(c) the number of grades combined in each classroom;

(d) any additional criteria that the board of education considers relevant to the review.

School review committee

59(1) In this section, “**hamlet**” and “**hamlet board**” have the meanings ascribed to them in *The Municipalities Act*.

(2) For the purposes of clause 55(1)(b), the board of education shall establish a school review committee consisting of:

(a) 4 members of the school community council representing the school under review, appointed by the school community council, but not including a principal or teacher appointed to the school community council pursuant to subclause 7(3)(a)(ii) or (iii) or 7(3)(b)(ii) or (iii) of *The Education Regulations, 2015*;

(b) 2 individuals appointed by the council of the town or village, or by the hamlet board of the hamlet, in which the school under review is situated:

(i) 1 of whom is an elected member of the council of the town or village, or of the hamlet board of the hamlet, in which the school under review is situated; and

(ii) 1 of whom is not an elected member of the council or hamlet board mentioned in subclause (i) but is a resident of the town, village or hamlet in which the school under review is situated;

(c) excluding the municipalities mentioned in clause (b), 2 individuals appointed jointly by the councils of the municipalities located within the electoral area of the school community council of the school under review:

(i) 1 of whom is an elected member of the council of one of those municipalities; and

(ii) 1 of whom is a resident of one of those municipalities but not an elected member of the council of any municipality; and

(d) if a pupil at the school resides on an Indian reserve, 1 individual appointed by the Indian band for whose use and benefit the Indian reserve where the pupil resides has been set aside, if the Indian band elects to be represented on the school review committee.

(3) The names of the individuals appointed in accordance with subsection (2) must be submitted to the board of education not later than October 31 of the year in which the review was announced in accordance with section 55.

(4) If, by the date mentioned in subsection (3):

(a) a school community council fails to appoint any of the 4 members to be appointed in accordance with clause (2)(a), the board of education shall appoint the number of members from the school community council to the school review committee that the school community council failed to appoint;

(b) a party mentioned in clause (2)(b), (c) or (d) fails to appoint an individual to a school review committee in accordance with that clause, the school review committee shall be constituted without that position on the school review committee being filled;

(c) none of the parties mentioned in clauses (2)(b), (c) and (d) appoint an individual to be a member of the school review committee, the board of education is not required to establish a school review committee.

- (5) The purposes of the school review committee are:
- (a) to gain an understanding of the board of education's review process and to share information with the board of education to facilitate the development of viable options for the school under review;
 - (b) to bring forward information and additional considerations to the board of education, in the form of written submissions, in the context of the school review; and
 - (c) to share information respecting the review process with the public and to provide the board of education with written feedback from the public as the review progresses.

Review process

60(1) By November 1 of the year in which the school review committee is established, the board of education must provide the following information to the school review committee and to the school community council:

- (a) the enrolment history of the school since January 1, 2006;
 - (b) the projected enrolment for the school for the following 5 school years, and the source of this data;
 - (c) the current number of teaching and non-teaching staff at the school;
 - (d) the projected number of teaching staff based on:
 - (i) the projected enrolment mentioned in clause (b); and
 - (ii) the policies of the board of education;
 - (e) information respecting the physical condition of the school;
 - (f) any other information that the board of education plans to consider in reviewing the school.
- (2) The school review committee may provide advice and recommendations to the board of education with respect to the school review process, including a recommendation to consider the discontinuance of one or more grades taught in the school as an alternative to closing the school.
- (3) The school review committee shall:
- (a) acquaint itself with the school review process adopted by the board of education, including the review criteria and the data sources to be used to evaluate the school against the review criteria;
 - (b) for each potential outcome of the school review, describe the impact that the outcome will have on the pupils and the community;
 - (c) share the information obtained pursuant to subsection (1) with the community, and request written feedback from the community in light of that information; and
 - (d) share with the board of education the feedback received pursuant to clause (c), and the recommendations of the committee in light of that feedback.

- (4) The school review committee shall appoint a chairperson, a vice-chairperson and a secretary from among its members.
- (5) Members of the school review committee are not entitled to remuneration for their services on the committee.
- (6) All meetings between the board of education and the school review committee shall take place in the attendance area in which the school under review is located, unless the board of education and the school review committee agree on another meeting location.
- (7) Following the review of the school, the school review committee is dissolved on the earlier of:
- (a) the day on which the board of education decides not to further consider the closure of the school or the discontinuance of one or more grades taught in the school; and
 - (b) the day after the day on which the board of education holds a meeting of the electors of the school community council pursuant to subsection 61(2).

Meeting of electors re consideration of school closure or discontinuance of grades

61(1) If the board of education decides to consider the closure of any school that has been the subject of a review pursuant to section 55 or the discontinuance of one or more grades taught in the school, the board of education must, not later than February 1 of the year in which the potential closure of the school or discontinuance of grades taught in the school is to come into effect:

- (a) pass a motion:
 - (i) to consider the potential closure of the school or discontinuance of one or more grades taught in the school, as the case may be; and
 - (ii) stating the effective date of the potential closure or discontinuance, determined in accordance with section 64; and
 - (b) in accordance with section 57, notify the public of the motion passed pursuant to clause (a).
- (2) The board of education, not later than March 31 of the year in which the potential closure of the school or discontinuance of grades taught in the school is to come into effect, must hold a meeting of the electors of the school community council to advise the electors of the motion passed by the board of education pursuant to subsection (1).
- (3) In accordance with section 57, the board of education must notify the public of the meeting to be held pursuant to subsection (2) at least 14 days before the date fixed for the meeting.

Provision of information

62(1) If a board of education passes a motion in accordance with subclause 61(1)(a)(i) to consider the potential closure of a school or discontinuance of one or more grades taught in the school, the board of education, within 7 days after passing the motion, must send the following information, by ordinary mail, to the school community council and to the parents of all pupils registered with the school:

- (a) a list identifying all potential receiving schools;
- (b) the options for the transportation of pupils to and from the potential receiving schools.

(2) The board of education must post the information provided pursuant to subsection (1) on the website of the board of education within the 7-day period mentioned in subsection (1).

Final motion and implementation plan re school closure or discontinuance of grades

63(1) If, having followed the procedures required by this Division, the board of education decides to close a school or to discontinue one or more grades taught in the school, the board of education must pass a motion to that effect:

- (a) by not later than April 30 of the year in which the closure of the school or the discontinuance of grades taught in the school is to come into effect; and
- (b) stating the effective date of the closure or discontinuance, determined in accordance with section 64.

(2) In accordance with section 57, the board of education must notify the public of the motion passed pursuant to subsection (1).

(3) After passing a motion pursuant to subsection (1), the board of education, in consultation with the school community councils of the affected schools, must develop and adopt an implementation plan respecting the closure of the school or the discontinuance of one or more grades taught in the school, by not later than June 15 of the year in which these changes are to come into effect.

(4) By not later than June 30 of the year in which the closure of the school or the discontinuance of one or more grades taught in the school is to come into effect, the board of education, in accordance with section 57, must notify the public of where to view the implementation plan adopted pursuant to subsection (3).

Effective date of school closure or discontinuance of grades

64(1) For the purposes of this Division, the effective date of the closure of a school or the discontinuance of one or more grades taught in the school shall not be:

- (a) earlier than the end of the last school day of the school year; nor
- (b) later than the day before the first school day of the following school year.

(2) For the purpose of subsection (1), the school year is as determined in accordance with section 163 of the Act and *The Education Regulations, 2015*.

DIVISION 2
Schools of Opportunity

Definition - school of opportunity

65 In this Division, “**school of opportunity**” means a school designated by the minister in accordance with this Division as a school of opportunity.

Designation

66(1) Notwithstanding the decision of a board of education to close a school in accordance with section 63, the school shall remain open in accordance with this section if the minister, by order, designates the school as a school of opportunity.

- (2) The minister may only designate a school as a school of opportunity if:
- (a) the school to be closed is the only school operated by the board of education within that school district;
 - (b) by March 1 of the year in which the closure of the school is to come into effect, representatives of the community in which the school is located apply to the minister to designate the school as a school of opportunity and submit to the minister a proposal for the school prepared in accordance with subsection (3); and
 - (c) in the minister’s opinion, the proposal received pursuant to clause (b) demonstrates an economic plan that could result in increased enrolment at the school by the end of the third school year following the year of designation, such that the minimum enrolment requirement for the school as set out in section 70 could be achieved.
- (3) Any proposal submitted to the minister pursuant to clause (2)(b) must be in writing and must contain the following information:
- (a) the proposed grade configuration for the school;
 - (b) a school profile containing:
 - (i) the information provided by the board of education to the school review committee and to the school community council in accordance with subsection 60(1); and
 - (ii) the following information obtained from the school:
 - (A) peer group size for the school, by grade and gender;
 - (B) average classroom size;
 - (C) cultural and recreational activities at the school;
 - (D) course offering, by grade;
 - (c) a list of businesses and employers in the community, including their addresses, a description of the primary business of each and a profile of the workforce of each;

- (d) future plans and opportunities for businesses and employers in the community, including:
 - (i) the identification of actual business expansion plans;
 - (ii) the identification of the forces driving business expansion;
 - (iii) the identification of the risks associated with business expansion;
 - (iv) the projected expansion of the workforce and any projected change in the profile of the workforce;
 - (v) the projected timeline for the expansion of the workforce; and
 - (vi) the projected impact of workforce expansion on the number of pupils enrolled in the school;
 - (e) a summary of the strategic plan for the municipalities in the school district, including:
 - (i) a description of business and community partnerships that will enhance and sustain growth in the community and that will maintain a healthy community;
 - (ii) municipal infrastructure plans and initiatives to support and enhance growth in the community; and
 - (iii) financing arrangements to support full implementation of the plans and initiatives mentioned in subclause (ii);
 - (f) benefits to the school, including:
 - (i) the expected increase in the number of preschool and school-aged children in the community;
 - (ii) a rationale as to why the increased economic development will result in an increase in the number of pupils enrolled in the school by the end of the third school year following the year of designation, and beyond; and
 - (iii) the expected increase in the value of the school, including a description of the enhanced community and business partnerships with the school;
 - (g) the data sources and methodology used, if applicable, for all quantitative information provided pursuant to this subsection;
 - (h) the data sources and methodology to be used in any report prepared pursuant to subsection 68(2).
- (4) By May 15 of the year in which the closure of the school is to come into effect, the minister shall advise the applicants and the board of education:
- (a) whether or not the school is being designated as a school of opportunity; and
 - (b) if the school is being designated as a school of opportunity, the grade configuration and the period for which the school is being designated.

(5) Subject to the other provisions of this Division, a school of opportunity must remain open for the period specified by the minister in the order designating the school as a school of opportunity, which period shall not exceed 3 school years.

(6) While a school is designated as a school of opportunity, the board of education responsible for the school shall neither:

- (a) conduct a review of the school pursuant to Division 1 of this Part; nor
- (b) close the school.

(7) The minister may make grants to a board of education that is responsible for a school of opportunity, in addition to any grant that the minister may make to the board of education pursuant to sections 310 and 311 of the Act.

Request to remove designation

67(1) At any time during the period in which a school is designated as a school of opportunity, the applicants who applied in the first instance to have the school designated as a school of opportunity may apply to the minister, in writing, to have the designation removed.

(2) On receipt of a request pursuant to subsection (1), the minister may remove the designation of the school as a school of opportunity, and the removal of the designation is effective on the first school day of the following school year.

Review of designation

68(1) If the minister considers it appropriate to do so, the minister may:

- (a) review the designation of a school of opportunity before the expiry date of the designation; and
- (b) based on a review carried out pursuant to clause (a):
 - (i) continue the designation of the school as a school of opportunity until the original expiry date of the designation or until any new date set by the minister that is earlier than the original expiry date of the designation; or
 - (ii) remove the designation of the school as a school of opportunity.

(2) Within the period commencing with the twentieth month and ending with the thirty-second month after the month in which the school is designated as a school of opportunity, the applicants who applied in the first instance to have the school designated as a school of opportunity must submit a written report to the minister that provides an update with respect to:

- (a) the business expansion plans and municipal initiatives described in the proposal submitted to the minister pursuant to section 66; and
- (b) the number of preschool and school-aged children residing in the school district.

(3) If either one of the reports mentioned in subsection (2) is not received by the minister within the period specified in subsection (2) for that report, the minister may remove the designation of the school as a school of opportunity if the minister considers it appropriate to do so.

Expiration or removal of designation

69(1) If, on the expiration or removal of the designation of the school as a school of opportunity, the school meets the minimum enrolment requirement as set out in section 70 to remain open, the board of education shall not close the school until it conducts a new review of the school in accordance with Division 1 of this Part.

(2) If, on the expiration or removal of the designation of the school as a school of opportunity, the school fails to meet the minimum enrolment requirement as set out in section 70 to remain open, the board of education may:

- (a) set a new effective date in accordance with section 64 to close the school; and
- (b) proceed in accordance with subsections 63(3) and (4) with an implementation plan to close the school.

(3) Any school that has been designated as a school of opportunity shall not be designated again as a school of opportunity after its designation has expired or been removed by the minister.

Minimum enrolment requirements

70 For a school to remain open on the expiration or removal of the designation of the school as a school of opportunity, the school must meet the following minimum enrolment requirement:

- (a) for a school offering kindergarten to Grade 4 only, 25 pupils;
- (b) for a school offering kindergarten to Grade 5 only, 30 pupils;
- (c) for a school offering kindergarten to Grade 6 only, 37 pupils;
- (d) for a school offering kindergarten to Grade 7 only, 44 pupils;
- (e) for a school offering kindergarten to Grade 8 only, 51 pupils;
- (f) for a school offering kindergarten to Grade 9 only, 58 pupils;
- (g) for a school offering kindergarten to Grade 12, 88 pupils.

PART 11**Coming into Force****Coming into force**

71(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Education Amendment Act, 2017* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Education Amendment Act, 2017* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

FORM A

[Subsection 71(1) of the Act]

[Subsection 9(1) of the Regulations]

Declaration of Office

I, _____, do hereby accept the office of member of the Board of Education of the _____ School Division No. _____ of Saskatchewan, to which I have been elected (in Subdivision No. _____ (if applicable)), and I will, to the best of my ability, honestly and faithfully discharge the duties devolving on me as a member.

Dated at _____, Saskatchewan, this ____ day of _____, 20 ____.

Member, Board of Education

FORM B

[*Subsection 71(2) of the Act*]
[*Subsection 9(2) of the Regulations*]

Endorsement Certificate by Commissioner for Oaths

I, _____, of _____, Saskatchewan, do hereby certify that _____, a person elected as a member of the Board of Education of the _____ School Division No. _____ (for Subdivision No. _____ (*if applicable*)), has this day made before me the required declaration of office.

Dated at _____, Saskatchewan, this ____ day of _____, 20 ____.

Commissioner for Oaths for Saskatchewan

CHAPTER P-4 REG 3*The Passenger and Freight Elevator Act*

Section 18

Order in Council 396/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Passenger and Freight Elevator Regulations, 2017*.

Definitions

2 In these regulations:

“**acceptance inspection**” means an inspection required by subsection 20(1);

“**Act**” means *The Passenger and Freight Elevator Act*;

“**alteration**” means a change to equipment including any or all of its parts, components and subsystems, but does not include the maintenance, repair or replacement of equipment as originally designed;

“**applicable code**” means the applicable code adopted pursuant to section 4;

“**applicable fee**” means the fee payable with respect to the activity as established by bylaw, pursuant to sections 7 and 30 of *The Technical Safety Authority of Saskatchewan Act* and published by the Technical Safety Authority of Saskatchewan;

“**approved**” means approved by the chief inspector;

“**ASME**” means the American Society of Mechanical Engineers, a standard developing organization;

“**ASME 17.1/B44 code**” means the code adopted pursuant to clause 4(1)(a), as amended by Part 1 of the Appendix;

“**CAN/CSA**” means a national standard of Canada published by the Canadian Standards Association and approved by the Standards Council of Canada;

“**dumbwaiter**” means a dumbwaiter as defined in the applicable code;

“**elevating device**” means any equipment within the scope of the codes adopted pursuant to section 4;

“**escalator**” means an escalator as defined in the applicable code;

“**freight elevator**” means a freight elevator as defined in the applicable code;

“**inclined elevator**” means an inclined elevator as defined in the applicable code;

“lift for persons with physical disabilities” means a lift for persons with physical disabilities as defined by the applicable code;

“maintenance control program” means a documented set of maintenance tasks, maintenance procedures, examinations and tests to ensure that equipment is maintained in compliance with the requirements of the A17.1/B44 code;

“major alteration” means a change from the original design of an existing elevator or to the exterior or interior car space of an existing elevator that, if performed on the elevator:

- (a) would affect the inherent safety or operational characteristics of the elevator; and
- (b) would be required by the applicable code to be subjected to specific code acceptance inspection and testing following that alteration;

“manlift” means a manlift as defined in the applicable code;

“material lift” means a material lift as defined in the applicable code;

“passenger elevator” means an elevator that is designed and constructed for the purpose of carrying persons;

“passenger ropeway” means a passenger ropeway as defined in the applicable code;

“periodic inspections and tests” means a grouping of inspections and tests required by the elevator maintenance control program or by these regulations on existing elevators, with the common time intervals determined by the authority having jurisdiction;

“personnel hoist” means a personnel hoist as defined in the applicable code;

“private residence elevator” means a passenger elevator that is limited in size, capacity, rise and speed and is installed in a single-family dwelling or in a multiple dwelling to provide access to a dwelling unit ordinarily occupied by the members of a single family unit and includes:

- (a) a porch lift installed;
 - (i) in the case of a single-family dwelling, adjacent to the entrance; or
 - (ii) in the case of a multiple dwelling, adjacent to a point of access to a dwelling unit ordinarily occupied by the members of a single family unit; and
- (b) a floor-to-floor elevator including an inclined elevator, installed within the dwelling unit;

“professional engineer” means a professional engineer as defined in *The Engineering and Geoscience Professions Act*;

“reinstallation” means the relocation of an existing elevator from one location or premises to another;

“special inspection” means:

- (a) an inspection made by an inspector pursuant to section 15 of the Act; or
- (b) any other inspection made by an inspector on request, the cost of which is not included in any other applicable fee charged;

“training and experience” means qualifications of contractors and their employees, established by bylaw pursuant to sections 7 and 30 of *The Technical Safety Authority of Saskatchewan Act* and published by the Technical Safety Authority of Saskatchewan with respect to the installation, operation, repair or maintenance of an elevating device.

Exemptions

3 The Act and these regulations do not apply to the following:

- (a) belt, bucket or scoop roller conveyors or conveyors of a similar type;
- (b) portable tiering or piling machines used to move materials to and from storage that do not operate from one floor to another;
- (c) equipment for feeding or positioning materials at machine tools, printing presses, furnaces and other similar equipment;
- (d) hoists provided with unguided hooks, slings or other similar means for attaching to the materials conveyed;
- (e) automotive or industrial lubrication hoists or similar mechanisms;
- (f) wharf ramps;
- (g) devices within the scope of *The Amusement Ride Safety Act*;
- (h) stage and orchestra lifts;
- (i) lift bridges;
- (j) railroad car lifts or dumpers;
- (k) material hoists used to raise and lower building material in buildings under construction;
- (l) devices used only for the transfer of material or equipment that travel a distance not exceeding 2 vertical metres;

- (m) hoists in mine shafts and underground workings;
- (n) private residence elevators;
- (o) lifting devices that are an integral part of a fully automatic conveyor or material handling system;
- (p) portable lifts for persons with physical disabilities;
- (q) freight ramps that incorporate a means for adjusting the slope of the ramp;
- (r) powered platforms that are designed to provide access to the exterior or interior of a building or structure and that consist of a suspended working platform, a roof car, or other suspension means and track or guidance systems;
- (s) window cleaning platform hoists;
- (t) winches and jacks attached to or carried as part of the normal equipment of vehicles or as accessories to vehicles;
- (u) Type A and Type B freight platform lifts that:
 - (i) have a rise of 2 metres or less; and
 - (ii) operate between a loading dock and the bed of a vehicle used to transport goods.

Codes and standards

- 4(1) The following codes are adopted for the purposes of these regulations:
- (a) with respect to passenger elevators, freight elevators, dumbwaiters, dumbwaiters with automatic transfer devices, escalators, material lifts and moving walks, ASME A17.1-2013/CSA B44-2013 *Safety Code for Elevators and Escalators* published by the American Society of Mechanical Engineers, as amended by Part 1 of the Appendix;
 - (b) with respect to personnel hoists, CAN/CSA-Z185-M87 (R2016) *Safety Code for Personnel Hoists*;
 - (c) with respect to manlifts, CAN/CSA-B311-02 (R2012) *Safety Code for Manlifts*;
 - (d) with respect to passenger ropeways, CSA Z98-14 *Passenger ropeways and passenger conveyors* published by the Canadian Standards Association;
 - (e) with respect to lifts for persons with physical disabilities, CSA B355-15 *Lifts for persons with physical disabilities* published by the Canadian Standards Association; and
 - (f) with respect to electrical wiring, apparatus and devices associated with the construction or operation of an elevator, C22.1-15 the *Canadian Electrical Code*, 23rd edition, published by the Canadian Standards Association.
- (2) Except as otherwise provided in these regulations, each elevator, its parts, components and subsystems are subject to the applicable code.

(3) Compliance by a contractor or owner with a more recent code or standard than the version adopted pursuant to this section does not constitute non-compliance with these regulations.

(4) Subsection (3) does not apply if:

- (a) there is a conflict between the more recent version of the code and the version adopted pursuant to this section; or
- (b) the chief inspector determines the newer version of the code or standard does not apply.

Classes of contractors' licences

5 The following classes of contractors' licences are established:

- (a) Class A, which authorizes the holder to construct, rebuild, alter, repair, service or conduct periodic inspections and tests on elevators or parts of elevators;
- (b) Class B, which authorizes the holder to alter, repair, maintain, service, inspect, examine and test all categories of elevating devices that are designated on the contractors' licence;
- (c) Class B - Owner, which authorizes the holder to conduct general elevator maintenance, service, and minor or emergency repairs of an elevator;
- (d) Class C, which authorizes the holder to construct, install, rebuild, alter, repair, service or test lifts for persons with physical disabilities;
- (e) Class D, which authorizes the holder to:
 - (i) provide elevator safety training programs and instruction to elevator emergency personnel, including those persons licensed as a Class B - Owner; or
 - (ii) access the elevator equipment areas such as the hoistway, top of car, pit areas, machine rooms and control rooms for the purpose of conducting a survey, audit, or developing elevator specifications on behalf of the elevator owner;
- (f) Class E, which authorizes the holder to conduct alterations to the interior of elevator cars for the purpose of refurbishing, restoring or replacing interior cab panels or ceiling materials and lighting fixtures.

Application and fee for contractor's licence

6 On or before January 1 in each year, a contractor shall apply to the ministry for a contractor's licence and pay the applicable fee.

Issuance of contractor's licence

7(1) The chief inspector may issue a contractor's licence of the appropriate class to a contractor if the chief inspector is satisfied that the contractor or the employees of the contractor who will carry out the work authorized by the licence have training and experience in the construction of elevators.

(2) The chief inspector may impose any terms and conditions that the chief inspector considers advisable on contractor's licence issued pursuant to subsection (1):

- (a) at the time of issue; or
- (b) at any time during the period of validity of the licence.

Subcontracting not authorized by contractor's licence

8 A contractor's licence held by a person, firm or corporation that directly employs other persons for the purpose of constructing, installing, rebuilding, altering, repairing, servicing or testing elevators covers only the work of any employees so employed and does not authorize the contractor to subcontract that work to persons not directly employed by the contractor.

Contractor's licence to certain owners

9(1) The chief inspector may issue a contractor's licence of the appropriate class to an owner who applies to the ministry if:

- (a) the chief inspector is satisfied that the owner has engineering facilities and employees who have training and experience in the construction of elevators; and
- (b) this application is endorsed by the professional engineer employed by the owner for that specific site.

(2) A contractor's licence issued pursuant to subsection (1) authorizes the owner to perform general elevator maintenance, including minor repairs, or entrapment rescue only on an elevator owned by the owner that is specified in the licence.

Application and fee for elevator licence

10(1) Every owner who is responsible for the operation of an elevator shall annually apply to the ministry for an elevator licence and shall remit the applicable fee.

(2) An application for an elevator licence must be made on or before January 1 of the year for which the licence is required.

Duration of elevator licence

11 Unless it is sooner cancelled or suspended, an elevator licence to which section 10 applies is valid until December 31 of the year for which it is issued.

Application of licence

12 An elevator licence applies only to the particular elevator for which it is issued and is not transferable.

Posting requirements

13 The holder of an elevator licence shall cause the licence to be posted:

- (a) in the car of a passenger elevator;
- (b) in the car of, or in some conspicuous place near, a freight elevator; or
- (c) adjacent to the machine or in the machine room or as otherwise instructed by an inspector, in the case of a dumbwaiter, escalator, manlift, inclined elevator, lift for persons with physical disabilities or personnel hoist.

Unlicensed elevator

14 Any unlicensed elevator may be sealed by the chief inspector, without notice, to prevent its unauthorized use.

Application of codes re design, installation and major alteration

15 The requirements set out the in the applicable code respecting the design, construction, installation and testing of elevators apply to:

- (a) a new elevator;
- (b) a reinstallation;
- (c) an elevator installed to replace an obsolete or condemned elevator; and
- (d) a major alteration.

Submissions for review and registration

16(1) Before commencing construction or installation of an elevator, a contractor must submit 3 copies of the drawings and specifications containing the information set out in Part 2 of the Appendix to the ministry for review and registration.

(2) Before reinstalling an existing elevator and before any major alteration on an existing elevator, a contractor must submit 3 copies of any drawings, specifications and other information that is required by the chief inspector to the ministry for review and registration.

(3) Drawings submitted for design registration pursuant to subsection (1) or (2) must be stamped and endorsed by a professional engineer.

Registration

17(1) If, after a review by an inspector, the chief inspector is satisfied that the drawings, specifications and other information submitted pursuant to section 16 are appropriate for registration:

- (a) the chief inspector may accept the drawings, specifications and other information for registration; and
- (b) the ministry shall allot a registration number to drawings, specifications and other information accepted for registration and return a copy bearing the registration number to the person who submitted them.

(2) The acceptance for registration of drawings, specifications and other information pertaining to any proposed elevator, reinstallation or major alteration does not relieve the owner or contractor from compliance with the applicable code.

Registration fee

18(1) No later than 30 days after the date of the invoice sent by the ministry, a contractor for an application to register drawings and specifications for a new or reinstalled elevator or an elevator to which major alterations are to be made must pay the applicable fee.

(2) The chief inspector may cancel a registration granted pursuant to section 17 if the contractor fails to pay the applicable fee within the period specified in subsection (1).

Requirements if existing elevator requires extensive repairs or alterations

19(1) This section applies to existing elevators that were constructed or installed in accordance with a code that is a predecessor to the applicable code for the type of elevator in question.

(2) If an accident occurs involving an existing elevator, or if an existing elevator is in a condition that requires extensive repairs or alterations in order to comply with these regulations or an instruction or requirement of an inspector, the chief inspector may, by written notice, require the owner to have the elevator repaired or altered to comply with the requirements of the applicable code.

(3) If the owner fails to comply with the requirements set out in a notice given pursuant to subsection (2) within the time specified in the notice, the owner shall:

- (a) ensure that use of the elevator is discontinued; or
- (b) replace the elevator.

Acceptance or special inspection

20(1) Subject to subsections (5) and (6), no person shall put into operation any new elevator, any reinstallation or any existing elevator that is undergoing a major alteration until the elevator has passed an acceptance inspection conducted by an inspector.

(2) No acceptance inspection will be carried out unless there is a valid registration pursuant to section 17 of the drawings and specifications for the new elevator, reinstallation or major alteration, as the case may be.

(3) At a reasonable time before the completion of an installation of a new elevator, a reinstallation or a major alteration to an existing elevator, the contractor shall notify the ministry as to when the elevator will be ready for an acceptance inspection and specify the date on which the elevator is intended to be placed in service.

(4) A special inspection and subsequent temporary construction licence may be requested in accordance with subsection (3) to authorize the temporary use of an elevator for carrying workmen and materials.

(5) If, in the opinion of the chief inspector, it is appropriate to do so, the chief inspector may authorize the operation of an elevator before an acceptance inspection has been carried out if:

- (a) a test of all safety apparatus is carried out by the contractor; and
- (b) the chief inspector is satisfied, by means of an affidavit or other approved certification, with the performance and results of any tests carried out pursuant to clause (a).

(6) If, in the inspection report prepared by an inspector who has conducted an acceptance inspection, the inspector has required that corrections or other changes be made, and those corrections or changes are outside the scope of the contractor's work, the chief inspector may grant an interim or conditional approval to operate the elevator pending remedial action by the owner to meet the requirements set out in the inspection report.

Acceptance inspection fees

21 A contractor is required to pay the applicable fees for an acceptance inspection or special inspection conducted pursuant to section 20.

Provision of materials necessary for inspection

22 The contractor who installs or reinstalls an elevator or carries out major alterations on an elevator shall provide the necessary materials for the performance of the acceptance inspection or special inspection required by section 20.

General duty re safe condition

23(1) The owner of an elevator shall ensure that the elevator is maintained in a condition that is safe for its use and operation.

(2) For the purposes of subsection (1), the owner of an elevator shall determine the frequency of maintenance and methods of maintenance to be used on the basis of:

- (a) the age, condition and accumulated wear of the equipment;
- (b) the design and inherent quality of the equipment;
- (c) the frequency and method of usage of the equipment;
- (d) the environment in which the elevator is being operated; and
- (e) the maintenance control program of the original installation.

Standards for certain new elevators

24(1) This section applies to elevators for which the A17.1/B44 code is the applicable code.

(2) Without limiting the generality of section 23, the owner of an elevator installed after the coming into force of these regulations shall ensure that the maintenance, repair and replacement requirements of the applicable code are complied with in relation to that elevator.

Standards for certain existing elevators

25(1) This section applies to elevators constructed or installed in accordance with a code that is a predecessor to the applicable code.

(2) Without limiting the generality of section 23, the owner of an elevator installed before the coming into force of these regulations shall ensure that:

- (a) the maintenance requirements of the code that applied to the elevator at the time of its installation are complied with;
- (b) the repair and replacement requirements of the ASME 17.1/B44 code are complied with, excluding Rules 8.6.5.8 and 8.6.8.3; and
- (c) any of the periodic inspection and testing requirements set out in sections 26 to 28 that apply to the elevator are complied with.

Periodic inspections and tests for existing electric elevators

26(1) For electric elevators installed before January 1, 2018:

- (a) the periodic inspections and tests of the safety components shall be conducted in accordance with the procedures set out in Rule 8.6.4.19 of the ASME 17.1/B44 code;
 - (b) the periodic inspections and tests for governors shall be conducted in accordance with the procedures set out in Rules 8.6.4.19.3 and 8.6.4.20.2 of the ASME 17.1/B44 code.
- (2) The periodic inspections and tests required pursuant to subsection (1) must be carried out at intervals not exceeding 5 years.

Periodic inspections testing of existing hydraulic and roped hydraulic elevators

27(1) For hydraulic and roped elevators installed before January 1, 2018:

- (a) the periodic inspections and tests of the safety components shall be conducted in accordance with the procedures set out in Rule 8.6.5.14 of the ASME 17.1/B44 code;
 - (b) the periodic inspections and tests for governors shall be conducted in accordance with the procedures set out in Rules 8.6.4.19.3 and 8.6.4.20.2 of the ASME 17.1/B44 code;
 - (c) the periodic inspections and tests of safeties shall be conducted in accordance with the procedures set out in Rule 8.6.4.19.2 of the ASME 17.1/B44 code.
- (2) The periodic inspections and tests required pursuant to subsection (1) must be carried out at intervals not exceeding 5 years.

Periodic inspections and testing of escalators

28(1) The periodic inspections and tests requirements that apply to existing escalators shall be conducted in accordance with Rule 8.6.8.15 of the ASME 17.1/B44 code.

- (2) The inspections and tests required pursuant to subsection (1) must be carried out at intervals not exceeding 1 year.

Reporting periodic inspection and testing requirement data

29(1) A Class A or Class B licensed elevator contractor shall conduct and document the required periodic inspection and tests in accordance with sections 24 to 28 and shall forward the test records to the ministry for verification that the applicable safety devices are functional and operate in conformance with the applicable code at the time of installation.

- (2) Any alternative test methods used to conduct periodic inspections and tests in accordance with sections 24 to 28 shall comply with the requirements of the applicable code.

Maintenance and inspection records

30 The owner of an elevator shall:

- (a) ensure that:
 - (i) the contractor who performs any work of maintenance or carries out any inspections or tests on the elevator in accordance with the maintenance control program, makes an entry setting all relevant information respecting that work or those inspections or tests in a record or log; and
 - (ii) the record or log is posted in the elevator machine room; and
- (b) keep a copy of the record or log on file for a period of 5 years from the date of the last entry.

Use or operation of unmarked elevator prohibited

31 No person shall use or operate, or permit to be used or operated, any elevator unless every plate, label and notice mentioned in the applicable code is in a location and condition so that it is clearly legible.

Operation in accordance with code required

32 The owner of an elevator shall ensure that no person operates the elevator in a manner contrary to any requirements of the applicable code governing the operation of elevators of that type.

Unsafe conduct prohibited

33 No person shall conduct himself or herself in or about an elevator in any manner that:

- (a) impairs the safe operation of the elevator; or
- (b) endangers the safety of any person or freight.

Safety devices

34(1) No person shall remove, displace, interfere with or damage any device installed in or about an elevator for its safe operation unless the person is:

- (a) a person who makes an inspection pursuant to the Act;
- (b) a contractor; or
- (c) a competent mechanic who performs a test or repair.

(2) If a safety device installed in or about an elevator has been removed, displaced, interfered with or damaged, the elevator is not to be used or operated for any purpose other than inspection, testing or repair until the safety device has been restored to working order.

Restriction of access in certain cases

35(1) The owner of an enclosed vertical platform lift, stair platform lift or stair chair lift shall ensure that the public is not able to gain access to the area where the lift is installed while the lift is in operation.

(2) The owner of a stair platform lift shall ensure that the public is not able to gain access to the inside of the runway while the lift is in operation.

Use of lift for persons with physical disabilities

36(1) The owner of a lift for persons with physical disabilities shall ensure that:

- (a) the lift is used primarily for the transportation of persons with physical disabilities;
 - (b) the operation of the lift is restricted to persons with physical disabilities designated by the owner as capable and trained to use and operate the lift unaided or to attendants designated by the owner; and
 - (c) the load-carrying unit of the lift is operated by means of a keyed control for the lift.
- (2) The owner of a lift for persons with physical disabilities shall post a notice stating that the use of a lift for persons with physical disabilities is restricted to persons with physical disabilities and their attendants:
- (a) at each landing or runway entrance of the lift; and
 - (b) at the load carrying unit of the lift.
- (3) If a lift for persons with physical disabilities is located in a building used by the public and the lift is not readily accessible, the owner of the lift shall post a notice at each entrance to the building indicating the location of the lift.

Special inspection fee

37 An owner or other person that makes a request for a special inspection is required to pay the applicable fees for the special inspection.

Availability of inspection report

38 Subject to any laws governing the privacy of personal information and on payment of the applicable fee, any person may obtain a copy of an inspector's report pertaining to the condition of any elevator that has been inspected by an inspector.

Transitional

39(1) In this section:

“existing licence” means a licence issued pursuant to the former regulations that is in existence on the day before the coming into force of these regulations;

“former regulations” means *The Passenger and Freight Elevator Regulations, 2003*.

(2) Every existing licence is continued pursuant to these regulations and may be dealt with pursuant to these regulations as if it were issued pursuant to these regulations.

RRS c P-4 Reg 2 repealed

40 *The Passenger and Freight Elevator Regulations, 2003* are repealed.

Coming into force

41(1) Subject to subsection (2), these regulations come into force on January 1, 2018.

(2) If these regulations are filed after January 1, 2018, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

PART 1

Amendments to ASME A17.1-2013/CSA B44-13 *Safety Code for Elevators and Escalators*

[Section 2 and Clause 4(1)(a)]

Code amended

1 The ASME A17.1-2013/CSA B44-13 *Safety Code for Elevators and Escalators* is amended in the manner set forth in this Part.

Rule 2.27 amended

2 Rule 2.27.3.2.2(a) is amended by striking out “lobby” and substituting “floor”.

Rule 2.27.11 repealed

3 Rule 2.27.11 is repealed.

Rule 5.3 repealed

4 Rule 5.3 is repealed.

Rule 5.4 repealed

5 Rule 5.4 is repealed.

Rule 5.7 repealed

6 Rule 5.7 is repealed.

Rule 5.9 repealed

7 Rule 5.9 is repealed.

Rule 5.11 repealed

8 Rule 5.11 is repealed.

PART 2

Details for Drawings and Specifications

[Section 16]

Drawings and specifications submitted for review on registration must contain:

- (a) the details specifically mentioned in the applicable code;
- (b) the name and address of the building and the owner;
- (c) the name and address of the architect and general contractor;
- (d) the name of the elevator contractor and manufacturer;
- (e) the elevator contractor's sales or code numbers for each machine;
- (f) the class of service - passenger or freight;
- (g) the class of loading - A, B or C;
- (h) the type of machine - traction, drum or hydraulic;

- (i) the type of operation;
- (j) the type of control;
- (k) the rated load;
- (l) the contract speed;
- (m) the roping - 1:1, 2:1, etc;
- (n) the number, size and length of ropes;
- (o) the diameter of sheaves and drums;
- (p) the distance of travel;
- (q) the number of stops and openings;
- (r) the motor output and voltage rating;
- (s) the clearance in and dimensions of the machine room;
- (t) the location of disconnect and light switches in the machine room;
- (u) the detail of access to the machine room and pit;
- (v) the type of hoistway enclosures and specific arrangement for ventilation, if required by the applicable code;
- (w) the hoistway dimensions - plan and elevation showing projections, ledges, etc;
- (x) all horizontal and vertical clearances - final top and bottom car and counterweight clearances;
- (y) the type of hoistway doors - manual or power;
- (z) the distance between hoistway and car doors, showing sight guards, if required;
- (aa) the type of door locks - mechanical locks and contacts or interlocks;
- (bb) all weights and reactions;
- (cc) the effective platform area;
- (dd) electric and hydraulic schematic diagrams indicating safety-related circuitry and components and identifying the sequence of operation of the safety-related equipment;
- (ee) the manufacturer's test procedures for safety-related equipment or components, as identified under the testing procedures in the applicable code;
- (ff) the maximum bracket spacing;
- (gg) the estimated maximum vertical forces on the guide rails on application of the safety or other retarding device;

-
- (hh) in the case of freight elevators for Class B or C loading the horizontal forces on the guide rail faces during loading and unloading, and the estimated maximum horizontal forces in a post-wise direction on the guide rail faces on the application of the safety device;
 - (ii) the size and linear weight kg/m (lb/ft) of any rail reinforcement, where provided;
 - (jj) the total static and impact loads imposed on machinery and sheave beams, supports, and floors or foundations;
 - (kk) the impact load on buffer supports due to buffer engagement at the maximum permissible speed and load;
 - (ll) where compensation tie-down is applied, the load on the compensation tie-down supports the total static and dynamic loads from the governor, ropes, and tension system;
 - (mm) the horizontal forces on the building structure;
 - (nn) the maximum upward movement;
 - (oo) the net vertical load from the elevator system, which includes the total car weight and rated load, plunger, cylinder, and oil and structural supports;
 - (pp) the outside diameter and wall thickness of the cylinder, plunger, and piping, and the working pressure;
 - (qq) rated speed and operating speed in the down direction;
 - (rr) the minimum “grade” of pipe (ASTM or recognized standard) required to fulfil the installation requirements for pressure piping, or in lieu of a specific “grade” of pipe, the minimum tensile strength of pipe to be used for the installation;
 - (ss) the length of the plunger and cylinder;
 - (tt) the clearance between the bottom of the plunger and the bottom head of the cylinder.

CHAPTER S-50.12 REG 1*The Small Claims Act, 2016*

Section 56

Order in Council 411/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Small Claims Regulations, 2017*.

Definitions

2 In these regulations:

“**Act**” means *The Small Claims Act, 2016*; (« *Loi* »)

“**claim**” means a claim to which the Act applies, and includes a counterclaim and a third party claim, where applicable; (« *demande* »)

“**Form**” means the form set out in the Appendix. (« *formule* »)

Monetary limit

3(1) For the purposes of subsection 4(1) of the Act, the monetary limit is \$30,000.

(2) A party may apply to the court to amend his or her claim to increase the amount claimed, or the value of the personal property or services with respect to which relief is sought, up to the amount set out in subsection (1) if:

(a) at the time the claim was commenced, the monetary limit was below the amount set out in subsection (1); and

(b) the court has not issued a judgment in the matter or otherwise resolved or disposed of the claim.

(3) A judge may take into account any factors that the judge considers appropriate when determining whether to allow a claim to be amended on an application made pursuant to subsection (2).

Fees

4(1) The fee payable for the issuance of a summons or a notice of third party claim is:

(a) in the case of a claim for an amount equal to or less than \$2,000, \$20;

(b) in the case of a claim for an amount greater than \$2,000 but equal to or less than \$30,000, 1% of the claim rounded to the nearest whole dollar, to a maximum of \$100; and

(c) in the case of a claim for unliquidated damages, \$30.

(2) The fee payable pursuant to subsection 15(2) of the Act is \$75, less the amount paid pursuant to subsection (1) for the issuance of the summons.

CHAPITRE S-50.12 RÈGL. 1*Loi de 2016 sur les petites créances*

Article 56

Décret 411/2017, en date du 24 août 2017

(Déposé le 25 août 2017)

Titre**1** *Règlement de 2017 sur les petites créances.***Définitions****2** Les définitions qui suivent s'appliquent au présent règlement.

« **demande** » Demande à laquelle la Loi s'applique, y compris, le cas échéant, la demande reconventionnelle et la mise en cause. ("*claim*")

« **formule** » Formule figurant à l'appendice. ("*Form*")

« **Loi** » La *Loi de 2016 sur les petites créances*. ("*Act*")

Limite pécuniaire**3(1)** Pour l'application du paragraphe 4(1) de la Loi, la limite pécuniaire est fixée à 30 000 \$.

(2) Une partie peut s'adresser au tribunal pour modifier sa demande en vue d'augmenter, jusqu'à concurrence du montant indiqué au paragraphe (1), la somme réclamée ou la valeur des biens personnels ou des services objets d'une réparation, si les conditions suivantes sont réunies :

a) au moment de l'introduction de la demande, la limite pécuniaire était inférieure au montant indiqué au paragraphe (1);

b) le tribunal n'a pas encore rendu son jugement dans l'affaire, et il n'y a pas eu quelque autre résolution ou aboutissement de la demande.

(3) Saisi d'une demande de modification visée au paragraphe (2), le juge peut tenir compte de tout facteur qu'il estime pertinent.

Droits à payer**4(1)** Voici les droits à payer pour l'émission d'une assignation ou d'un avis de mise en cause :

a) dans le cas d'une demande de 2 000 \$ ou moins : 20 \$;

b) dans le cas d'une demande de plus de 2 000 \$, mais de 30 000 \$ ou moins : 1 % de la valeur de la demande, arrondi au dollar près, jusqu'à concurrence de 100 \$;

c) dans le cas d'une demande en dommages-intérêts judiciaires : 30 \$.

(2) Le droit à payer en application du paragraphe 15(2) de la Loi est de 75 \$, moins le montant payé conformément au paragraphe (1) pour l'émission de l'assignation.

Witness fees

- 5(1) The fee payable to a witness on being served with a subpoena is:
- (a) for a professional witness or a consultant within the meaning of Schedule IV of the Tariff of Costs to *The Queen's Bench Rules*, \$40;
 - (b) for a witness other than a witness mentioned in clause (a), \$15.
- (2) A witness who resides more than 20 kilometres from the location where the witness is attending in court is entitled to be paid his or her expenses for necessary travel, accommodation and meals at the rate approved for similar expenses incurred by members of the public service of Saskatchewan.

Costs

- 6(1) Except in exceptional circumstances, costs awarded pursuant to clause 36(2)(a) of the Act shall not exceed \$200 for each instance in which a party, without reasonable excuse, fails to attend or prepare for any stage of a proceeding before the court.
- (2) Costs awarded pursuant to clause 36(2)(b) of the Act shall not exceed \$500 for each instance in which a party takes any step for the purpose of delaying a proceeding or increasing costs of another party.
- (3) The total costs awarded in favour of a party pursuant to subsection 36(3) of the Act shall not exceed the greater of the following amounts:
- (a) \$200;
 - (b) 10% of the amount of the claim.
- (4) If a matter involves a counterclaim or a third party claim, the judge may choose the claim of the highest amount or value to determine the maximum costs that may be awarded pursuant to subsection (3).

Costs on appeal

7 On an appeal, a judge of the Court of Queen's Bench may grant the successful party the costs of the appeal in accordance with the Tariff of Costs to *The Queen's Bench Rules*.

Forms

- 8(1) A summons issued pursuant to section 7 or 12 of the Act must be in Form A.
- (2) A reply served and filed by a defendant pursuant to section 9 of the Act must be in Form B.
- (3) A notice of third party claim issued pursuant to section 10 of the Act must be in Form C.
- (4) A reply served and filed by a third party pursuant to sections 9 and 10 of the Act must be in Form D.
- (5) If a document is served by personal service, an affidavit of service prepared pursuant to clause 19(1)(a) of the Act must be in Form E.
- (6) If a document is served by registered mail, the post office acknowledgment of receipt filed pursuant to clause 19(1)(b) of the Act may be accompanied by an affidavit of service in Form F.

Indemnité de témoin

5(1) Voici l'indemnité à payer à un témoin assigné à témoigner :

- a) s'il s'agit d'un témoin professionnel ou d'un expert-conseil au sens de l'annexe IV du Tarif des dépens rattaché aux *Règles de la Cour du Banc de la Reine* : 40 \$;
- b) s'il s'agit d'un témoin autre que ceux visés à l'alinéa a) : 15 \$.

(2) Le témoin qui réside à plus de 20 kilomètres du lieu où il doit comparaître en justice a droit au remboursement de ses frais nécessaires de déplacement, de logement et de repas au taux approuvé pour des dépenses semblables engagées par les fonctionnaires de la Saskatchewan.

Dépens

6(1) Sauf dans des cas exceptionnels, pour chacune des occasions où une partie, sans excuse raisonnable, omet de comparaître devant le tribunal ou de se préparer pour une étape de l'instance, les dépens qui peuvent être accordés en vertu de l'alinéa 36(2)a) de la Loi sont limités à 200 \$.

(2) Pour chacune des occasions où une partie prend des dispositions en vue de retarder l'instance ou d'augmenter les frais supportés par une autre partie, les dépens qui peuvent être accordés en vertu de l'alinéa 36(2)b) de la Loi sont limités à 500 \$.

(3) Les dépens accordés à une partie en vertu du paragraphe 36(3) de la Loi sont limités, au total, au plus élevé des coûts suivants :

- a) 200 \$;
- b) 10 % du montant de la demande.

(4) Dans une affaire comportant une demande reconventionnelle ou une mise en cause, le juge peut, pour déterminer le montant maximal des dépens pouvant être accordés en vertu du paragraphe (3), choisir la réclamation dont le montant ou la valeur est le plus élevé.

Dépens afférents à l'appel

7 En cas d'appel, un juge de la Cour du Banc de la Reine peut accorder à la partie gagnante les dépens afférents à l'appel calculés en fonction du Tarif des dépens rattaché aux *Règles de la Cour du Banc de la Reine*.

Formules

8(1) L'assignation émise sous le régime des articles 7 ou 12 de la Loi est établie à l'aide de la formule A.

(2) La réponse déposée et signifiée par un défendeur sous le régime de l'article 9 de la Loi est établie à l'aide de la formule B.

(3) L'avis de mise en cause émis sous le régime de l'article 10 de la Loi est établi à l'aide de la formule C.

(4) La réponse déposée et signifiée par un mis en cause sous le régime des articles 9 et 10 de la Loi est établie à l'aide de la formule D.

(5) Dans le cas de la signification à personne, l'affidavit de signification prévu à l'alinéa 19(1)a) de la Loi est établi à l'aide de la formule E.

(7) If a document is served by regular mail, an affidavit of service prepared pursuant to clause 19(1)(d) of the Act must be in Form G.

(8) If a document is served by email, the copy of the email filed pursuant to clause 19(1)(e) of the Act may be accompanied by an affidavit of service in Form H.

(9) If a document is served by fax, the transmission record or journal filed pursuant to clause 19(1)(f) of the Act may be accompanied by an affidavit of service in Form I.

(10) A certificate of service by a sheriff, deputy sheriff or sheriff's bailiff prepared pursuant to clause 19(1)(g) of the Act must be in Form J.

(11) A subpoena issued pursuant to section 23 of the Act must be in Form K.

(12) A certificate of judgment prepared pursuant to section 38 of the Act must be in Form L.

(13) A notice of appeal served and filed pursuant to section 44 of the Act must be in Form M.

RRS c S-50.11 Reg 1 repealed

9 *The Small Claims Regulations, 1998* are repealed.

Coming into force

10(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Small Claims Act, 2016* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Small Claims Act, 2016* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

- (6) Dans le cas de la signification par courrier recommandé, l'accusé de réception du service des postes déposé sous le régime de l'alinéa 19(1)b) de la Loi peut être accompagné d'un affidavit de signification établi à l'aide de la formule F.
- (7) Dans le cas de la signification par courrier ordinaire, l'affidavit de signification prévu à l'alinéa 19(1)d) de la Loi est établi à l'aide de la formule G.
- (8) Dans le cas de la signification par courriel, la copie du courriel déposée sous le régime de l'alinéa 19(1)e) de la Loi peut être accompagnée d'un affidavit de signification établi à l'aide de la formule H.
- (9) Dans le cas de la signification par télécopieur, la fiche ou le relevé de transmission déposé sous le régime de l'alinéa 19(1)f) de la Loi peut être accompagné d'un affidavit de signification établi à l'aide de la formule I.
- (10) Le certificat de signification d'un shérif, d'un shérif adjoint ou d'un huissier prévu à l'alinéa 19(1)g) de la Loi est établi à l'aide de la formule J.
- (11) L'assignation de témoin émise sous le régime de l'article 23 de la Loi est établie à l'aide de la formule K.
- (12) Le certificat de jugement prévu à l'article 38 de la Loi est établi à l'aide de la formule L.
- (13) L'avis d'appel signifié et déposé sous le régime de l'article 44 de la Loi est établi à l'aide de la formule M.

Abrogation de RRS c S-50.11 Règl 1

9 Le *Règlement de 1998 sur les petites créances* est abrogé.

Entrée en vigueur

10(1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 1 de la *Loi de 2016 sur les petites créances*.

(2) Le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements, si ce dépôt intervient après la date d'entrée en vigueur de l'article 1 de la *Loi de 2016 sur les petites créances*.

Appendix
FORM A

[Sections 7 and 12 of the Act]
[Subsection 8(1) of the Regulations]

Summons

Province of Saskatchewan

To _____ of _____, defendant.

A claim has been made against you by the plaintiff, _____ .

(See attached claim.)

You must appear before the presiding Provincial Court Judge at _____

on the _____ day of _____, 20 _____, at _____ o'clock _____ .m.

(state whether a.m. or p.m.)

The purpose of your court attendance is _____ .

At least 10 days before your court appearance, you must file a Reply with a clerk at the Provincial Court location set out above, and serve a copy of the Reply on the other parties to this claim. Please review the attached material regarding how to proceed with your Reply.

If you do not file and serve a Reply and appear at the time and place stated above, judgment with costs may be made against you in your absence.

If you are required to attend court for a first appearance or a case management conference, please review the attached material regarding how to proceed and what options are available to you.

If you are required to attend court for a trial, please review the attached material regarding preparation for a trial.

If you and the plaintiff settle this claim on your own terms before the court date AND if the plaintiff has advised the court clerk of the settlement, you are not required to attend court.

Dated at _____, Saskatchewan, this _____ day of _____, 20 _____ .

(Signature of Judge)

(print name of Judge and judicial centre)

Appendice
FORMULE A

[Articles 7 et 12 de la Loi]
[Paragraphe 8(1) du Règlement]

Assignation

Province de la Saskatchewan

Destinataire : _____, de _____,
défendeur/défenderesse.

Une action est intentée contre vous par le demandeur / la demanderesse
_____.

(Voir la déclaration ci-jointe.)

Vous devrez comparaître le _____ 20 _____, à _____ h _____, devant
le juge de la Cour provinciale siégeant à _____.

Votre comparution en cour aura pour objet _____.

Au moins 10 jours avant votre comparution en cour, vous devrez déposer une RÉPONSE auprès d'un greffier de la Cour provinciale rattaché au siège du tribunal mentionné plus haut et en signifier copie aux autres parties à l'action. Veuillez consulter la documentation ci-jointe qui explique la manière de présenter la RÉPONSE.

Si vous omettez de déposer et de signifier une RÉPONSE ainsi que de comparaître aux jour, heure et lieu indiqués plus haut, jugement avec dépens pourra être rendu contre vous en votre absence.

Si vous devez comparaître en cour pour une première comparution ou pour une conférence de gestion d'instance, veuillez consulter la documentation ci-jointe qui explique la procédure à suivre et les choix qui s'offrent à vous.

Si vous devez comparaître pour un procès, veuillez consulter la documentation ci-jointe concernant la préparation à un procès.

Si vous et le demandeur réglez à l'amiable avant la date prévue pour l'audience ET que le demandeur a avisé le greffier du règlement, vous n'aurez pas à comparaître en cour.

Fait à _____, en Saskatchewan, le _____ 20 _____.

(signature du juge)

*(nom du juge et du centre judiciaire,
en lettres moulées)*

Statement of Plaintiff's Claim

- 1.
- 2.
- 3.

(Signature of Plaintiff)

(Plaintiff's address for service) (please print)

Déclaration du demandeur

- 1.
- 2.
- 3.

(signature du demandeur)

*(son adresse aux fins de signification,
en lettres moulées)*

FORM B
 [Section 9 of the Act]
 [Subsection 8(2) of the Regulations]

Reply by Defendant

Province of Saskatchewan

To _____ of _____, plaintiff.

1. Agreement with the Claim

I admit all or part of the Statement of Claim: Yes _____ No (If yes, describe below the parts of the plaintiff's claim with which you agree.)

- 1.
- 2.
- 3.

I agree to pay \$_____ to the plaintiff to settle all of the claim/
the portion of the claim admitted above [please select one]. (Fill out this portion if you agree to settle all or part of the plaintiff's claim.)

2. Dispute

I dispute all or part of the Statement of Claim: Yes _____ No (If yes, describe below the parts of the plaintiff's claim that you dispute.)

- 1.
- 2.
- 3.

FORMULE B
[Article 9 de la Loi]
[Paragraphe 8(2) du Règlement]

Réponse du défendeur

Province de la Saskatchewan

Destinataire : _____, de _____,
défendeur/défenderesse.

1. Reconnaissance de la validité des prétentions

Je reconnais la validité de tout ou partie des prétentions contenues dans la DÉCLARATION : Oui _____ Non. (*Si oui, indiquez ci-après les prétentions que vous acceptez.*)

- 1.
- 2.
- 3.

J'accepte de payer _____ \$ au demandeur en règlement des prétentions au complet / des prétentions énumérées ci-dessus [supprimer la mention inutile]. (*Remplissez cette section si vous acceptez de régler tout ou partie de la demande du demandeur.*)

2. Contestation

Je conteste tout ou partie de la DÉCLARATION : Oui _____ Non. (*Si oui, indiquez ci-après les prétentions que vous contestez.*)

- 1.
- 2.
- 3.

3. Counterclaim (*Fill out this section if you are making a counterclaim against the plaintiff.*)

You are hereby notified that on the _____ day of _____, 20____, at _____ o'clock _____ .m. (*state whether a.m. or p.m.; date and time are the same as date and time appearing in the summons*) you will be required to answer to the counterclaim of _____ of _____, defendant, as set out below.

At that time and place you will be given the opportunity to present any defence or set-off to the counterclaim to which you are entitled by law.

If you do not appear at that time and place, judgment with costs may be made against you in your absence.

Statement of Defendant's Counterclaim

- 1.
- 2.
- 3.

Dated at _____, Saskatchewan, this ___ day of _____, 20____.

(*Signature of Defendant*)

(*Defendant's address for service*) (*please print*)

3. Demande reconventionnelle (*Remplissez cette section si vous présentez une demande reconventionnelle contre le demandeur.*)

Sachez que le _____, à _____ h _____ (*reprendre les date et heure de l'assignation*), vous devrez répondre à la demande reconventionnelle énoncée ci-après de _____, de _____, défendeur/défenderesse.

À cette occasion, vous aurez la chance d'opposer à la demande reconventionnelle toute défense ou demande en compensation plaidable en droit.

Si vous omettez de comparaître aux jour, heure et lieu indiqués plus haut, jugement avec dépens pourra être rendu contre vous en votre absence.

Exposé de la demande reconventionnelle

- 1.
- 2.
- 3.

Fait à _____, en Saskatchewan, le _____ 20 _____.

(signature du défendeur)

(son adresse aux fins de signification,
en lettres moulées)

FORM C
 [Section 10 of the Act]
 [Subsection 8(3) of the Regulations]

Notice of Third Party Claim

Province of Saskatchewan

To _____ of _____, third party.

A third party claim has been made against you by _____ (*plaintiff or defendant*), as set out below.

You must appear before the presiding Provincial Court Judge at _____ on the _____ day of _____, 20____, at _____ o'clock ____m. (*state whether a.m. or p.m.*)

The purpose of your court attendance is _____.

At least 10 days before your court appearance, you must file a Reply with a clerk at the Provincial Court location set out above, and serve a copy of the Reply on the other parties to this matter. Please review the attached material regarding how to proceed with your Reply.

If you do not file and serve a Reply and appear at the time and place stated above, judgment with costs may be made against you in your absence.

If you are required to attend court for a first appearance or a case management conference, please review the attached material regarding how to proceed and what options are available to you.

If you are required to attend court for a trial, please review the attached material regarding preparation for a trial.

If you and the third party claimant settle this claim on your own terms before the court date AND if the third party claimant has advised the court clerk of the settlement, you are not required to attend court.

Dated at _____, Saskatchewan, this ____ day of _____, 20____.

 (*Signature of Judge*)

 (*print name of Judge and judicial centre*)

FORMULE C
[Article 10 de la Loi]
[Paragraphe 8(3) du Règlement]

Avis de mise en cause

Province de la Saskatchewan

Destinataire : _____, de _____, mis(e) en cause.

La mise en cause énoncée ci-après a été formée contre vous par _____
(demandeur ou défendeur).

Vous devrez comparaître le _____ 20 _____, à _____ h _____,
devant le juge de la Cour provinciale

siégeant à _____.

Votre comparution en cour aura pour objet _____.

Au moins 10 jours avant votre comparution en cour, vous devrez déposer une RÉPONSE auprès d'un greffier de la Cour provinciale rattaché au siège du tribunal mentionné plus haut et en signifier copie aux autres parties à l'action. Veuillez consulter la documentation ci-jointe qui explique la manière de présenter la RÉPONSE.

Si vous omettez de déposer et de signifier une RÉPONSE ainsi que de comparaître aux jour, heure et lieu indiqués plus haut, jugement avec dépens pourra être rendu contre vous en votre absence.

Si vous devez comparaître en cour pour une première comparution ou pour une conférence de gestion d'instance, veuillez consulter la documentation ci-jointe qui explique la procédure à suivre et les choix qui s'offrent à vous.

Si vous devez comparaître pour un procès, veuillez consulter la documentation ci-jointe concernant la préparation à un procès.

Si vous et l'auteur de la mise en cause réglez à l'amiable avant la date prévue pour l'audience ET que l'auteur de la mise en cause a avisé le greffier du règlement, vous n'aurez pas à comparaître en cour.

Fait à _____, en Saskatchewan, le _____ 20 _____.

(signature du juge)

(nom du juge et du centre judiciaire,
en lettres moulées)

Statement of Third Party Claim

- 1.
- 2.
- 3.

(Signature of Plaintiff/Defendant)

(Plaintiff's/Defendant's address for service)
(please print)

Exposé de la mise en cause

- 1.
- 2.
- 3.

*(signature du demandeur ou du
défendeur, selon le cas)*

*(son adresse aux fins de signification,
en lettres moulées)*

FORM D
 [Sections 9 and 10 of the Act]
 [Subsection 8(4) of the Regulations]

Reply by Third Party

Province of Saskatchewan

To _____ of _____, third party claimant.

1. Agreement with the Claim

I admit all or part of the Statement of Third Party Claim: Yes ____ No (If yes, describe below the parts of the third party claim with which you agree.)

- 1.
- 2.
- 3.

I agree to pay \$ _____ to the third party claimant to settle all of the claim / the portion of the claim admitted above [please select one]. (Fill this portion out if you agree to settle all or part of the third party claim).

2. Dispute

I dispute all or part of the Statement of Third Party Claim: Yes ____ No (If yes, describe below the parts of the third party claim that you dispute.)

- 1.
- 2.
- 3.

Dated at _____, Saskatchewan, this ____ day of _____, 20____.

 (Signature of Third Party)

 (Third Party's address for service)
 (please print)

FORMULE D
[Articles 9 et 10 de la Loi]
[Paragraphe 8(4) du Règlement]

Réponse du mis en cause

Province de la Saskatchewan

Destinataire : _____, de _____, auteur de la mise en cause.

1. Reconnaissance de la validité des prétentions

Je reconnais la validité de tout ou partie des prétentions contenues dans l'EXPOSÉ DE LA MISE EN CAUSE : _____ Oui _____ Non. *(Si oui, indiquez ci-après les prétentions que vous acceptez.)*

- 1.
- 2.
- 3.

J'accepte de payer _____ \$ à l'auteur de la mise en cause en règlement des prétentions au complet / des prétentions énumérées ci-dessus [supprimer la mention inutile]. *(Remplissez cette section si vous acceptez de régler tout ou partie de la mise en cause.)*

2. Contestation

Je conteste tout ou partie de l'EXPOSÉ DE LA MISE EN CAUSE : _____ Oui _____ Non. *(Si oui, indiquez ci-après les prétentions que vous contestez.)*

- 1.
- 2.
- 3.

Fait à _____, en Saskatchewan, le _____ 20 _____.

(signature du mis en cause)

*(son adresse aux fins de signification,
en lettres moulées)*

FORM E
[Clause 19(1)(a) of the Act]
[Subsection 8(5) of the Regulations]

Affidavit of Personal Service

I, _____ of _____,
(name) *(address)*

Make Oath and Say/Affirm as follows:

1. On the _____ day of _____, 20 _____, I personally served
_____ with a true copy of the
(name of person served)
_____ attached to this affidavit by
(name of document served)
leaving a true copy with (him/her) at _____.
(address)

2. My knowledge as to the identity of _____
(name of person served)
is as follows: _____

3. To effect service, I travelled _____ kilometres.

SWORN (OR AFFIRMED) BEFORE ME

at _____, Saskatchewan,
this _____ day of _____, 20 ____.

A Commissioner for Oaths for Saskatchewan
being a solicitor, or
My appointment expires _____

} _____
(Signature)

FORMULE E
[Alinéa 19(1a) de la Loi]
[Paragraphe 8(5) du Règlement]

Affidavit de signification à personne

Je soussigné(e), _____, de _____,
(nom) (adresse)

déclare sous serment / affirme solennellement ce qui suit :

1. Le _____ 20 _____, j'ai signifié à personne à _____
(nom du destinataire de la signification)

une copie conforme de _____ ci-annexé(e)
(titre du document signifié)

en lui remettant une copie conforme à _____.
(adresse)

2. L'identité de _____ m'est connue pour la raison suivante :
(nom du destinataire de la signification)

3. Pour effectuer la signification, j'ai parcouru _____ kilomètres.

FAIT SOUS SERMENT (OU AFFIRMÉ
SOLENNELLEMENT) DEVANT MOI

à _____, en Saskatchewan,
le _____ 20 _____.

Commissaire aux serments pour la
Saskatchewan en ma qualité d'avocat, ou
Ma commission expire le _____

} _____
(signature)

FORM F
[Clause 19(1)(b) of the Act]
[Subsection 8(6) of the Regulations]

Affidavit of Service by Registered Mail

I, _____ of _____,
(name) (address)

Make Oath and Say/Affirm as follows:

1. I served _____ with a true copy
(name of person served)

of _____ attached to this affidavit
(name of document served)

by mailing it by registered mail addressed as follows:

2. Attached to this affidavit is the post office acknowledgment of receipt for it, claiming to be signed by or on behalf of the addressee on the _____ day of _____, 20 _____ (or, if the receipt is undated: which was returned on the _____ day of _____, 20 _____).

3. The basis of my information and belief as to the postal address of the addressee is:

SWORN (OR AFFIRMED) BEFORE ME

at _____, Saskatchewan,
this ____ day of _____, 20 ____.

A Commissioner for Oaths for Saskatchewan
being a solicitor, or
My appointment expires _____

} _____
(Signature)

FORM G
[Clause 19(1)(d) of the Act]
[Subsection 8(7) of the Regulations]

Affidavit of Service by Regular Mail

I, _____ of _____,
(name) (address)

Make Oath and Say/Affirm as follows:

1. I served _____ with a true copy
(name of person served)

of _____ attached to this affidavit
(name of document served)

by mailing it by regular mail addressed as follows:

2. The basis of my information and belief as to the postal address of the addressee is:

SWORN (OR AFFIRMED) BEFORE ME

at _____, Saskatchewan,
this ____ day of _____, 20 ____.

A Commissioner for Oaths for Saskatchewan
being a solicitor, or
My appointment expires _____

} _____
(Signature)

FORMULE G
[Alinéa 19(1d) de la Loi]
[Paragraphe 8(7) du Règlement]

Affidavit de signification par courrier ordinaire

Je soussigné(e), _____, de _____,
(nom) (adresse)

déclare sous serment / affirme solennellement ce qui suit :

1. J'ai signifié à _____
(nom du destinataire de la signification)

une copie conforme de _____ ci-annexé(e)
(titre du document signifié)

en l'envoyant par courrier recommandé adressé comme suit :

_____,
_____,

2. Je crois que cette adresse postale du destinataire est exacte, pour les raisons suivantes :

FAIT SOUS SERMENT (OU AFFIRMÉ
SOLENNELLEMENT) DEVANT MOI

à _____, en Saskatchewan,

le _____ 20 _____.

Commissaire aux serments pour la
Saskatchewan en ma qualité d'avocat, ou
Ma commission expire le _____

} _____
(signature)

FORM H
[Clause 19(1)(e) of the Act]
[Subsection 8(8) of the Regulations]

Affidavit of Service by Email

I, _____ of _____,
(name) *(address)*

Make Oath and Say/Affirm as follows:

1. I served _____ with a true copy
(name of person served)
of _____ attached to this affidavit
(name of document served)

by sending it by email to the following email address: _____ .

2. Attached to this affidavit is a copy of the email, dated the _____ day
of _____, 20 _____, that was sent to the addressee.

3. The basis of my information and belief as to the email address of the addressee is:

SWORN (OR AFFIRMED) BEFORE ME

at _____, Saskatchewan,
this ____ day of _____, 20 ____.

A Commissioner for Oaths for Saskatchewan
being a solicitor, or
My appointment expires _____

} _____
(Signature)

FORMULE I
[Alinéa 19(1)f) de la Loi]
[Paragraphe 8(9) du Règlement]

Affidavit de signification par télécopieur

Je soussigné(e), _____, de _____,
(nom) (adresse)

déclare sous serment / affirme solennellement ce qui suit :

1. J'ai signifié à _____
(nom du destinataire de la signification)

une copie conforme de _____ ci-annexé(e)
(titre du document signifié)

en l'envoyant par télécopieur au numéro de télécopieur suivant : _____.

2. Ci-joint la fiche ou le relevé de transmission produit par le télécopieur, qui :

- a) indique que la date de la transmission était le _____ 20 ____;
- b) valide la transmission.

3. Je crois que ce numéro de télécopieur du destinataire est exact, pour les raisons suivantes :

FAIT SOUS SERMENT (OU AFFIRMÉ
SOLENNELLEMENT) DEVANT MOI

à _____, en Saskatchewan,
le _____ 20 ____ .

Commissaire aux serments pour la
Saskatchewan en ma qualité d'avocat, ou
Ma commission expire le _____

} _____
(signature)

FORM J
[Clause 19(1)(g) of the Act]
[Subsection 8(10) of the Regulations]

Certificate of Service

I, _____, certify that on the ____ day of _____, 20____,

I served _____ at _____ with a copy of this document.

Dated at _____, Saskatchewan, this ____ day of _____, 20____.

(Signature of Sheriff, Deputy Sheriff or
Sheriff's Bailiff)

Judicial Centre of _____

FORMULE J
[Alinéa 19(1)g) de la Loi]
[Paragraphe 8(10) du Règlement]

Certificat de signification

Je soussigné(e), _____, certifie que le _____ 20 _____
j'ai signifié

à _____ au _____ une copie du présent
document.

Fait à _____, en Saskatchewan, le _____ 20 _____

(signature du shérif, du shérif adjoint ou de l'huissier)

Centre judiciaire de _____

FORM K
 [Section 23 of the Act]
 [Subsection 8(11) of the Regulations]

Subpoena

Province of Saskatchewan

To:

You must appear before a judge at _____ (*state urban centre at which trial is to be held and the location or description of the building in which the trial is to be held*)

on the _____ day of _____, 20____, at _____ o'clock ____ .m. (*state whether a.m. or p.m.*) and, if the trial is adjourned, to appear on the date to which it is adjourned, to give evidence on behalf of _____ (*plaintiff, defendant or third party*).

Optional: And you must bring with you and produce at the trial (specify books, papers, documents or other thing to be produced): _____

If you fail to appear and testify, a judge may issue a warrant for your arrest.

Dated at _____, Saskatchewan, this ____ day of _____, 20____.

(Signature of Judge or Clerk)

FORMULE K
[Article 23 de la Loi]
[Paragraphe 8(11) du Règlement]

Assignment de témoin

Province de la Saskatchewan

Destinataire : _____

Vous devrez comparaître le _____ 20 _____, à _____ h _____,
et, en cas d'ajournement, à la date

de reprise, devant un juge à _____ (*indiquer le centre urbain où
le procès aura lieu, ainsi que l'emplacement ou la description du bâtiment dans lequel
le procès aura lieu*) pour témoigner pour le compte de _____
(demandeur, défendeur ou mis en cause).

Facultatif : Et vous devrez apporter avec vous et produire au procès (*nommer les
livres, pièces, documents ou autres choses à produire*) :

_____.

Si vous omettez de comparaître et de témoigner, un juge pourra décerner contre
vous un mandat d'arrêt.

Fait à _____, en Saskatchewan, le _____ 20 _____

(signature du juge ou du greffier)

FORM L
 [Section 38 of the Act]
 [Subsection 8(12) of the Regulations]

BETWEEN:

_____, Plaintiff

- and -

_____, Defendant

Certificate of Judgment

(judgment following a trial)

In an action brought under *The Small Claims Act, 2016* and tried before the Honourable Judge _____ on the ____ day of _____, 20 _____, judgment was given on the ____ day of _____, 20 ____ in favour of _____ for the sum of:

Claim \$ _____

Interest _____

Costs _____

TOTAL \$ _____

This amount is to be paid (*immediately or in accordance with the following payment schedule:*)

_____.

OR

(default judgment)

In an action brought under *The Small Claims Act, 2016*, the [plaintiff/defendant/third party] having failed to appear [or file a Reply, if applicable] and proof of service of the summons having been filed, judgment was given by the

Honourable Judge _____ on the ____ day of _____, 20 _____,

in favour of _____ for the sum of:

Claim \$ _____

Interest _____

Costs _____

TOTAL \$ _____

This amount is to be paid (*immediately or in accordance with the following payment schedule:*)

_____.

FORMULE L
[Article 38 de la Loi]
[Paragraphe 8(12) du Règlement]

ENTRE :

_____ , demandeur/demanderesse

- et -

_____ , défendeur/défenderesse

Certificat de jugement

(jugement prononcé à l'issue d'un procès)

Dans une action intentée sous le régime de la *Loi de 2016 sur les petites créances* et instruite

le _____ 20 ____ devant l'honorable juge _____,

jugement a été rendu le _____ 20 ____ en faveur

du _____ pour la somme suivante :

Demande _____ \$

Intérêt _____

Dépens _____

TOTAL _____ \$

Cette somme doit être payée (*immédiatement* ou *conformément à l'échéancier suivant* :)

OU

(jugement par défaut)

Dans une action intentée sous le régime de la *Loi de 2016 sur les petites créances*,

le [demandeur/ défendeur/mis en cause] ayant omis de comparaître [ou de déposer une RÉPONSE, selon le cas], l'honorable juge _____, sur dépôt

d'une preuve de signification de l'assignation, a, le _____ 20 ____ ,

rendu jugement en faveur du _____ pour la somme suivante :

Demande _____ \$

Intérêt _____

Dépens _____

TOTAL _____ \$

Cette somme doit être payée (*immédiatement* ou *conformément à l'échéancier suivant* :)

OR

(Judgment for specific property)

In an action brought under *The Small Claims Act, 2016* and tried before the Honourable Judge _____

on the _____ day of _____, 20 _____,

it is ordered that the [successful party] recover from the [other party's] possession:

(describe goods or chattels)

Dated at _____, Saskatchewan, this ___ day of _____, 20____.

(Signature of Judge or Clerk)

Take notice that any party may appeal from this judgment within 30 days after the date of the judgment.

FILING OF JUDGMENT IN COURT OF QUEEN'S BENCH

This judgment was entered as a judgment of the Court of Queen's Bench this ___ day of _____, 20 _____ in the amount of:

Judgment	\$ _____
Queen's Bench filing fee	+ _____
TOTAL	\$ _____

(Local Registrar)

OU

(jugement visant des biens déterminés)

Dans une action intentée sous le régime de la Loi de 2016 sur les petites créances et instruite

le _____ 20 _____ devant l'honorable juge _____, il est ordonné que le [la partie gagnante] recouvre de [l'autre partie] la possession des biens suivants :

(décrire les objets ou chatels)

Fait à _____, en Saskatchewan, le _____ 20 _____

(signature du juge ou du greffier)

Veillez noter qu'une des parties peut appeler de ce jugement dans les 30 jours suivant la date du jugement.

DÉPÔT DU JUGEMENT À LA COUR DU BANC DE LA REINE

Le présent jugement a été inscrit comme jugement de la Cour du Banc de la Reine en ce _____ 20 _____ pour la somme suivante :

Jugement	_____	\$
Droit de dépôt à la Cour du Banc de la Reine +	_____	
TOTAL	_____	\$

(registraire local)

FORM M
 [Section 44 of the Act]
 [Subsection 8(13) of the Regulations]

COURT FILE NUMBER _____

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE _____

APPELLANT _____

RESPONDENT _____

NOTICE OF APPEAL

Take notice that _____, the appellant, is appealing to the Court of Queen's Bench from the judgment of the Honourable Judge _____

dated the _____ day of _____, 20_____.

The grounds of the appeal are:

- 1.
- 2.
- 3.

(continue on another page if necessary)

Dated at _____, Saskatchewan, this _____ day of _____, 20_____.

(Signature of Appellant)

(Appellant's address for service) (please print)

FORMULE M
[Article 44 de la Loi]
[Paragraphe 8(13) du Règlement]

NUMÉRO DE DOSSIER _____

COUR DU BANC DE LA REINE DE LA SASKATCHEWAN

CENTRE JUDICIAIRE _____

APPELANT _____

INTIMÉ _____

AVIS D'APPEL

Sachez que _____, l'appelant(e), interjette appel à la Cour du Banc de la Reine

du jugement de l'honorable juge _____ rendu le _____ 20 _____ .

Les moyens d'appel sont les suivants :

- 1.
- 2.
- 3.

(continuer sur une autre page, au besoin)

Fait à _____, en Saskatchewan, le _____ 20 _____

(signature de l'appelant)

(son adresse aux fins de signification, en lettres moulées)

SASKATCHEWAN REGULATIONS 86/2017*The Education Act, 1995*

Section 370

Order in Council 394/2017, dated August 24, 2017

(Filed August 25, 2017)

Title**1** These regulations may be cited as *The Education Amendment Regulations, 2017*.**RRS c E-0.2 Reg 24 amended****2** *The Education Regulations, 2015* are amended in the manner set forth in these regulations.**Part IV repealed****3 Part IV is repealed.****Part VI repealed****4 Part VI is repealed.****Sections 69 to 72 repealed****5 Sections 69 to 72 are repealed.****Parts XIX to XXI repealed****6 Parts XIX to XXI are repealed.****Appendix, Part 2 amended****7 Forms I and J of Part 2 of the Appendix are repealed.****Coming into force****8(1)** Subject to subsections (2) and (3), these regulations come into force on the day on which section 1 of *The Education Amendment Act, 2017* comes into force.**(2)** Subject to subsection (3), if these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Education Amendment Act, 2017* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.**(3)** Section 5 comes into force on January 1, 2018.

SASKATCHEWAN REGULATIONS 87/2017*The Financial Administration Act, 1993*

Section 71

Order in Council 397/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Aviation Fuel Tax Exemption and Remission Repeal Regulations*.

RRS c F-13.4 Reg 11 repealed

2 *The Aviation Fuel Tax Exemption and Remission Regulations, 1996* are repealed.

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 88/2017*The Income Tax Act, 2000*

Section 124

Order in Council 398/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Employee's Tools Credit Amendment Regulations, 2017*.

RRS c I-2.01 Reg 4 amended

2 *The Employee's Tools Credit Regulations* are amended in the manner set forth in these regulations.

Section 3 amended

3 **Subsection 3(2) is amended in the portion preceding clause (a) by adding "before the 2017 taxation year" after "taxation year".**

Section 10 amended

4(1) **Subsection 10(1) is amended in the portion preceding the formula by striking out "subsections 3(3) and (5)" and substituting "subsections 3(2), (3) and (5)".**

(2) **Subsection 10(2) is amended in the portion preceding the formula by striking out "subsections 3(3) and (5)" and substituting "subsections 3(2), (3) and (5)".**

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from January 1, 2017.

SASKATCHEWAN REGULATIONS 89/2017*The Fuel Tax Act, 2000*

Section 51

Order in Council 399/2017, dated August 24, 2017

(Filed August 25, 2017)

Title**1** These regulations may be cited as *The Fuel Tax Amendment Regulations, 2017*.**RRS c F-23.21 Reg 1 amended****2** *The Fuel Tax Regulations, 2000* are amended in the manner set forth in these regulations.**Section 15.1 repealed****3 Section 15.1 is repealed.****Section 18 amended****4(1) Subsection 18(2) is repealed.****(2) Subsection 18(3) is repealed.****Section 24 repealed****5 Section 24 is repealed.****Section 25 amended****6(1) Subsection 25(1) is amended in the portion preceding clause (a) by striking out “gasoline, ethanol-blended gasoline or”.****(2) The following subsection is added after subsection 25(3):**

“(3.1) Subject to clause 56(4)(b) of *The Revenue and Financial Services Act*, if an application mentioned in subsection (2) is received after December 31 in the year following the year or period for which a rebate is claimed, the applicant is eligible to receive 80% of the annual rebate of tax that would otherwise be payable”.

(3) Subsection 25(4) is repealed.**(4) Subsection 25(5) is repealed.****Section 26.1 repealed****7 Section 26.1 is repealed.****New section 34.1****8 The following section is added after section 34:****“Transitional – authorizations re heating**

34.1 Any authorization that was issued pursuant to section 15.1, as that section existed on the day before the coming into force of *The Fuel Tax Amendment Regulations, 2017*, and that was in force on the day on which *The Fuel Tax Amendment Regulations, 2017* come into force continues and may be dealt with pursuant to the Act as if it were issued pursuant to the Act”.

Coming into force**9** These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from April 1, 2017.

SASKATCHEWAN REGULATIONS 90/2017*The Financial Administration Act, 1993*

Section 71

Order in Council 400/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Lloydminster Provincial Sales Tax Exemption Amendment Regulations, 2017*.

RRS c F-13.4 Reg 23, section 7 amended

2 *The Lloydminster Provincial Sales Tax Exemption Regulations* are amended by adding the following clause after clause 7(d):

“(e) insurance premiums that are subject to the tax imposed by the Act”.

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 91/2017*The Provincial Sales Tax Act*

Section 44

Order in Council 401/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Provincial Sales Tax Amendment Regulations, 2017*.

RRS c E-3 Reg 1 amended

2 *The Provincial Sales Tax Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Section 2 is amended:**

- (a) by renumbering it as subsection 2(1);
- (b) in subsection (1) by repealing clause (f); and
- (c) by adding the following subsection after subsection (1):

“(2) In the Act and in these regulations, ‘**person**’ includes a partnership, association, firm, body corporate, unincorporated body, joint stock company or Indian band”.

Section 3 amended**4(1) Subsection 3(0.1) is repealed and the following substituted:**

“(0.1) For the purposes of the Act and these regulations, ‘**computer services**’ includes:

- (a) prewritten computer programs, software or applications;
- (b) customizing, modifying, designing or developing computer programs, software or applications to meet the specific needs of one or more consumers or users;
- (c) in relation to a computer program, software or application, or a computer system, or a network of computers, labour charges and fees for any of the following:
 - (i) coding or programming;
 - (ii) design and development;
 - (iii) installation or re-installation;
 - (iv) configuration;
 - (v) testing;
 - (vi) maintenance;
 - (vii) restoring, updating or upgrading;
 - (viii) diagnostics and troubleshooting;
 - (ix) repair and cleaning;
 - (x) eradicating viruses, spyware or malware;
 - (xi) backing up, retrieving, reconstructing or restoring computer data or software;
 - (xii) modification or customization;
- (d) any licence fee, access fee or other charge for the right to use or access a computer program, software, or application, or a computer system or a network of computers;
- (e) any licence fee, access fee or other charge for the electronic storage of information or the right to access, search or use electronically stored information;
- (f) any charges for the input, processing, transformation or other manipulation of data by a computer;
- (g) training and support services provided in relation to software, computer equipment, a computer system or a network of computers, including telephone support;
- (h) services provided by an internet services provider, including internet access, email, texting, RSS feeds, web hosting and storage services;

(i) website preparation, design or development services, website maintenance services, website content management, website statistics capture and summarization, testing services, macromedia flash design services, website animation, graphic design services or web hosting services;

(j) consulting, management or on-site supervision services provided in relation to the services mentioned in clauses (a) to (i);

but does not include anything mentioned in clauses (a) to (j) that is provided by a person to his or her employer in the course his or her employment”.

(2) Subsection 3(4.1) is amended in the portion preceding clause (a) by adding “, by a vendor whose primary business and source of revenue is the provision of those services,” after “provided”.

(3) Subsection 3(4.2) is repealed and the following substituted:

“(4.2) For the purposes of the Act and these regulations, ‘**engineering services**’ means the services described in clauses (a) to (e) when provided by a professional engineer or a professional geoscientist as defined in *The Engineering and Geoscience Professions Act* or a person under the general supervision of a professional engineer or professional geoscientist, and includes:

(a) design services, consisting of the preparation of engineering designs, drawings and specifications, as well as contract documents, including:

(i) preparation of preliminary sketches and development of specification notes;

(ii) preparation of calculations, equipment selection, working drawings, and specifications;

(iii) preparation of cost estimates and completion schedules; and

(iv) assisting or advising clients in preparing tender packages, calling for tenders, analyzing tender responses or advising clients regarding tender acceptance;

(b) services in the nature of construction management services;

(c) services in the nature of designing software or systems, or any other computer service described in subsection 3(0.1); and

(d) those services mentioned in this subsection that are provided by a person who resides in a jurisdiction other than Saskatchewan and who is licensed, registered or regulated pursuant to a statute or law of that jurisdiction that is similar to *The Engineering and Geoscience Professions Act*;

but does not include:

(e) services that are related to the exploration for oil, natural gas, potash or other minerals; and

(f) any of the services identified or mentioned in this subsection when those services are provided by a person to his or her employer in the course of employment”.

(4) Subsection 3(4.4) is amended in the portion preceding clause (a) by striking out “ ‘personal property that can be seen or touched’ ” and substituting “ ‘personal property that can be seen, weighed or measured or that is in any way perceptible to the senses’ ”.

(5) The following subsections are added after subsection 3(7):

“(7.1) For the purposes of subclause 3(1)(k)(xix) of the Act, ‘services performed by one person for another person for consideration’, in addition to those services identified in the Act, includes:

- (a) any service to inspect, examine, test, install, assemble, dismantle, adjust, restore, recondition, refinish or maintain real property or tangible personal property installed into real property, and includes maintenance and repair services;
- (b) land clearing, land levelling, land reclamation or other services to land that are not related to primary farming activity;
- (c) landscaping services; and
- (d) all related charges and fees in providing the services described in clauses (a) to (c);

but does not include:

- (e) inspection services or examination services, when conducted or completed:
 - (i) for the purpose of providing a quote with respect to evaluating damages and estimating the cost of repairs;
 - (ii) as part of a general preventative maintenance schedule for the purpose of detecting or identifying potential repairs, and the repair or maintenance is completed separately from the inspection, not forming part of that inspection service;
 - (iii) for the purpose of ensuring that safety standards as required by law are met;
 - (iv) for the purpose of determining the remaining useful life of a component of tangible personal property that has been installed into real property;
 - (v) to monitor the operations of a plant or facility, or a processing activity, or to collect data for further analysis;
- (f) services in the nature of the collection, clearing and removal of garbage or debris from land that are not otherwise a taxable service and that do not alter the land when performed;
- (g) services that are a primary farming activity;

- (h) lawn care or yard care services, including cutting, pruning, fertilizer or chemical application, aeration, thatching or mulching or mowing;
- (i) pest control services;
- (j) septic services consisting of emptying or pumping out sewage or effluent storage tanks;
- (k) setup and teardown of cranes;
- (l) snow clearing and snow removal services;
- (m) surveying or mapping activities; and
- (n) safety consulting services performed by a third party.

“(7.2) Notwithstanding subsection (7.1), the services described in clauses (e) to (n) of that subsection must be included in determining the total amount to be paid under a contract for the purposes of calculating the security to be provided by a contractor pursuant to subsection 29(1) of the Act”.

Section 4 amended

5(1) Subsections 4(0.1) and (0.2) are repealed.

(2) The following subsection is added before subsection 4(1):

“(0.3) In subsections 5(1) to (3) of the Act, ‘**at the time of making his purchase**’ includes any of the following, as the circumstances require:

- (a) the date on which the consumer or user makes payment, whether partial or complete;
- (b) the date on which the payment for the purchase becomes due;
- (c) in the case of a contract related to real property:
 - (i) the date of substantial completion of the work under the contract, if that substantial completion date is earlier than the date on which payment becomes due pursuant to clause (b);
 - (ii) the date on which a holdback related to the contract expires, if that expiration date is earlier than the date on which the payment becomes due pursuant to clause (b)”.

(3) Subsection 4(1) is amended:

(a) in the portion preceding clause (a) by striking out “subsection 5(6)” and substituting “subsections 5(6), (6.1) and (6.2)”;

(b) by repealing clause (a) and substituting the following:

“(a) ‘**contractor**’ includes a person who engages in the business of constructing, altering, repairing, erecting, demolishing, remodelling, improving or doing any other thing in relation to real property or a building or other structure on real property for others and includes:

- (i) general contractors and subcontractors; and

(ii) any other persons who install tangible personal property on, or incorporate it into, real property or a building or other structure on real property for a person other than themselves;

but, while a contractor manufactures tangible personal property for sale, he or she is deemed to be a manufacturer”;

(c) by repealing clause (b); and

(d) by repealing clause (d).

(4) The following subsection is added after subsection 4(1):

“(1.1) For the purposes of subsection 5(6.1) of the Act, in relation to a taxable service, **‘tangible personal property sold as tangible personal property’** includes tangible personal property incorporated or inserted into the real property or the premises, but does not include tangible personal property that is leased, consumed or used by the contractor in the course of providing the taxable service”.

New section 4.1

6 The following section is added after section 4:

“Exemptions re contracts of insurance for specified period

4.1 Persons who purchase contracts of insurance during the period commencing on July 1, 2017 and ending on July 31, 2017 are exempt from paying tax on their purchases of those contracts of insurance”.

New sections 4.2 to 4.6

7 The following sections are added after section 4.1:

“Used in section 5.9 of the Act

4.2 For the purposes of section 5.9 of the Act, in subclause 3(1)(c)(i) of the Act:

(a) **‘on behalf of, or as the agent for, a principal who desires to acquire the property for consumption by the principal or other persons at the expense of the principal’** includes the purchase of a contract of insurance by a person under which the principal is named as a beneficiary and the expense of the contract of insurance is to be passed on by that person to the principal;

(b) **‘consumption’** includes receiving or having the potential to receive a benefit associated with being named as a beneficiary under a contract of insurance.

“Contracts etc. not included re section 5.9 of the Act

4.3 For the purposes of section 5.9 of the Act and in these regulations, **‘contract of insurance’** does not include:

(a) an insurer’s agreement to undertake or reinsure an insurance contract made by another insurer or group of insurers;

(b) an annuity contract; and

(c) contributions or premiums paid pursuant to the *Canada Pension Plan*, the *Employment Insurance Act* (Canada) or *The Workers’ Compensation Act, 2013*.

“Exemptions re contracts of insurance - permanent life

4.4(1) In this section, **‘permanent life insurance’** means a contract of life insurance, other than term insurance, that:

- (a) pays a benefit on the death of the insured; and
- (b) accumulates a cash value.

(2) Persons who purchase contracts of insurance providing coverage for permanent life insurance with an effective date before August 1, 2017 are exempt from paying tax on those purchases, including all premiums payable on or after that date, whether or not those contracts of insurance have future endorsements.

“Contracts of insurance subject to *The Municipal Hail Insurance Act*

4.5(1) For the purposes of clause 5.9(1)(e) of the Act, **‘agent of an insurer’** means a municipality as defined in *The Municipal Hail Insurance Act*.

(2) In the case of a contract of insurance that is subject to *The Municipal Hail Insurance Act*, for the purposes of subsection 5.9(2) of the Act, the tax on the premium for that contract is due on the date on which the vendor receives payment of a rate pursuant to that Act.

“Contracts of insurance subject to *The Saskatchewan Crop Insurance Corporation Act*

4.6 In the case of a contract of insurance that is subject to *The Saskatchewan Crop Insurance Corporation Act*, other than a contract of livestock price insurance as defined in *The Western Livestock Price Insurance Program Regulations*, for the purposes of subsection 5.9(2) of the Act, the tax on the premium for that contract is due on the date on which the vendor receives payment of the premium”.

Section 5 amended**8 Subsection 5(1) is amended:**

- (a) **by repealing clause (d);**
- (b) **by repealing clause (k);**
- (c) **in clause (r) by adding “, but does not include bottled water” after “public health”;**
- (d) **in clause (u):**

(i) in subclause (i) by striking out “lands” and substituting “farm land”; and

(ii) by adding the following subclause after subclause (v.1):

“(v.2) the clearing or levelling of land, the draining of water from land or any other activity performed for the purposes of allowing any of the activities mentioned in subclauses (i) to (v.1) to be carried out, if the expenses for those services are incurred by the farmer or primary producer for the purposes of preparing the land for at least one of the following uses:

- (A) expanding cultivated acreage to grow crops;
 - (B) expanding the land available to animals for forage or grazing”;
- and**

(e) in clause (v):

(i) by repealing paragraph (ii)(G) and substituting the following:

“(G) farm land levellers and scrapers that are not self-propelled”;
and

(ii) by adding the following paragraph after paragraph (xi)(G):

“(G.1) agricultural fans for use in the ventilation of livestock buildings, barns and bins”.

New sections 7.28 and 7.29

9 Section 7.28 is repealed and the following substituted:

“Taxable services - engineering services

7.28(1) Subject to subsection (2), the tax payable on an engineering service pursuant to section 5 of the Act is payable on that service and includes all amounts invoiced as disbursements that relate to the engineering service.

(2) The amount of tax payable with respect to an engineering service described in clause 3(4.2)(a) is the amount T calculated in accordance with the following formula:

$$T = R \times A \times C$$

where:

R is the rate of tax payable pursuant to the Act on an engineering service;

A is 0.30; and

C is the total amount charged for the engineering service, including the disbursements related to that service.

(3) In the case of an engineering service that relates to Saskatchewan pursuant to section 7.25 and that is obtained from a person who is lawfully entitled to practise engineering or geoscience outside of Saskatchewan, the amount of tax payable with respect to that engineering service shall be determined in accordance with subsection (1) or (2), as the case may be, as if that service had been obtained in Saskatchewan.

(4) If a vendor, with respect to its invoice, fails to differentiate the engineering services mentioned in subsection (2) from other engineering services, construction services, computer services, charges or fees, the tax pursuant to section 5 of the Act applies to the total amount shown on the invoice.

“Taxable services - petroleum drilling and well servicing

7.29(1) Without limiting the generality of subsection 3(7.1), for the purposes of subclause 3(1)(k)(xix) of the Act and this section, ‘**services performed by one person for another person for consideration**’ includes:

(a) cementing and casing services, whether related to construction, production or abandonment activities;

(b) above-ground construction, servicing and repair;

(c) pipeline construction, servicing and repair;

- (d) construction of buildings and roads;
- (e) repairs to compressor stations and pumpjacks;
- (f) well site preparation services;
- (g) work required for well completions;
- (h) welding services;
- (i) hydro-vac services;
- (j) instrumentation services; and
- (k) well abandonment services;

but does not include:

- (l) the drilling of oil and natural gas wells; and
- (m) downhole servicing and downhole repairs directly related to production activity.

(2) Notwithstanding subsection (1), the services described in clauses (l) and (m) must be included in determining the total amount to be paid under a contract for the purposes of calculating the security to be provided by a contractor pursuant to subsection 29(1) of the Act”.

Section 18.3 amended

10(1) Subsection 18.3(1) is amended in the portion preceding clause (a) by striking out “For” and substituting “Subject to subsection (4), for the purposes”.

(2) Subsection 18.3(2) is amended in the portion preceding clause (a) by striking out “If” and substituting “Subject to subsection (4), if”.

(3) The following subsections are added after subsection 18.3(3):

“(4) This section does not apply with respect to the purchase on or after April 1, 2017 of:

- (a) a new light vehicle; or
- (b) a used light vehicle on which the tax has not been previously paid.

“(5) In subsection (4), ‘**light vehicle**’ means a vehicle that is:

- (a) a car that is designed and used primarily for the movement of people and their belongings on a highway;
- (b) a sport utility vehicle;
- (c) a truck that the minister is satisfied is rated at one ton or less; or
- (d) a van that the minister is satisfied is rated at one ton or less”.

New section 18.31**11 The following section is added after section 18.3:****“Calculation of tax paid in error**

18.31(1) For the purposes of subsection 8.1(6) of the Act, the minister shall determine the amount of tax paid in error in the manner set forth in this section.

(2) The person as a customer under a contract claiming to have paid an amount as tax in error shall provide evidence satisfactory to the minister to establish the amount of tax that would have been paid by the contractor on the tangible personal property consumed, used, manufactured or supplied under the contract if the contractor had self-assessed that tax in accordance with the Act.

(3) If the person mentioned in subsection (2) fails or is unable to provide evidence satisfactory to the minister pursuant to that subsection, the minister may carry out an audit or inspection, or cause an audit or inspection to be carried out, of the contractor’s books or records to determine the amount of tax that would have been paid by the contractor on the tangible personal property consumed, used, manufactured or supplied under the contract if the contractor had self-assessed that tax in accordance with the Act.

(4) In the event that the minister determines that an audit or inspection of the contractor’s books or records mentioned in subsection (3) cannot be reasonably carried out, the amount of tax that the contractor would have paid on the tangible personal property consumed, used, manufactured or supplied under the contract is deemed to be 88% of the amount of the tax paid in error”.

Coming into force

12(1) Subject to subsections (2) to (5), these regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from April 1, 2017.

(2) Section 3 comes into force on the day on which these regulations are filed with the Registrar of Regulations, but is retroactive and is deemed to have been in force on and from January 1, 2013.

(3) Section 6 comes into force on the day on which these regulations are filed with the Registrar of Regulations, but is retroactive and is deemed to have been in force on and from July 1, 2017.

(4) Section 7 comes into force on the day on which these regulations are filed with the Registrar of Regulations, but is retroactive and is deemed to have been in force on and from on August 1, 2017.

(5) Section 11 comes into force on the day on which these regulations are filed with the Registrar of Regulations, but is retroactive and is deemed to have been in force on and from January 1, 1995.

SASKATCHEWAN REGULATIONS 92/2017*The Revenue and Financial Services Act*

Section 85

Order in Council 402/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Revenue Collection Administration Amendment Regulations, 2017*.

RRS c R-22.01 Reg 1 amended

2 *The Revenue Collection Administration Regulations* are amended in the manner set forth in these regulations.

Section 14 amended

3(1) Subsection 14(1) is amended by striking out “The minister” and substituting “Subject to subsection (8), the minister”.

(2) The following subsection is added after subsection 14(7):

“(8) Notwithstanding any other provision in this section, no allowance is payable with respect to a return for a period ending after March 31, 2017”.

Section 20.1 amended

4(1) Subsection 20.1(2) is amended:

(a) by striking out “and” after clause (f);

(b) in clause (g) by adding “but before March 23, 2017,” after “October 28, 2006,”;

(c) by adding “and” after clause (g); and

(d) by adding the following clause after clause (g):

“(h) with respect to a sale made on or after March 23, 2017, 5.66%”.

(2) Subsection 20.1(5) is amended by adding “as that subsection existed before April 1, 2017,” after “*The Provincial Sales Tax Act*,”.

Section 46 amended

5(1) Subsection 46(1) is amended by striking out “The minister” and substituting “Subject to subsection (10), the minister”.

(2) The following subsection is added after subsection 46(9):

“(10) Notwithstanding any other provision in this section, no allowance is payable with respect to a return for a period ending after March 31, 2017”.

Section 58.09 amended

6(1) Subsection 58.09(1) is amended in the portion preceding clause (a) by striking out “subsection (2)” and substituting “subsections (2) and (7)”.

(2) The following subsection is added after subsection 58.09(6):

“(7) Notwithstanding any other provision in this section, no commission is payable with respect to a return for a period ending after March 31, 2017”.

New Part VIII.2

7 The following Part is added after section 58.8:

“PART VIII.2
The Education Property Tax Act”

“Definition for Part

58.81 In this Part, ‘**education property tax**’ means education property tax as defined in *The Education Property Tax Act*.

“Application of Part

58.82 This Part applies only to the education property tax to be collected and remitted pursuant to *The Education Property Tax Act*.

“Record keeping requirements

58.83(1) Every collector that is required to collect the education property tax shall maintain books, accounts, records and other documents in a form satisfactory to the minister containing the particulars of all collections and payments of the education property tax pursuant to section 10 of *The Education Property Tax Act*.

(2) Subject to subsection (3), every collector mentioned in subsection (1) shall retain all books, accounts, records and other documents required to be kept pursuant to the Act and these regulations for a period of not less than six years after the date on which those records were created.

(3) On the application of a collector, the minister may authorize the destruction of any books, accounts, records or other documents mentioned in this section on a date that falls earlier than the end of the period mentioned in subsection (2).

“Receipt of return, remittance

58.84 A return or remittance is deemed to be received by the minister on the date shown in the ministry’s records”.

New heading - Part IX

8 The heading “Coming into Force” preceding section 59 is struck out and the heading “General” is substituted.

New section 58.9

9 The following section is added before section 59:

“Interest

58.9(1) For the purposes of clauses 57(1)(b) and 58(1.1)(b) of the Act, the prescribed rate of interest per annum is the rate equal to the sum of:

- (a) the prime lending rate of the bank holding the general revenue fund; and
- (b) 3%;

determined on June 15 and December 15 in each year and applied in accordance with subsections (2) and (3).

(2) The interest rate as determined on June 15 of any year applies to the period commencing on July 1 and ending on December 31 of that year.

(3) The interest rate as determined on December 15 of any year applies to the period commencing on January 1 and ending on June 30 of the following year”.

New section 58.91

10 The following section is added after section 58.9:

“Penalty

58.91 For the purposes of subsection 57(1.1) of the Act, a collector who fails to file a return within the time required is liable to the following:

- (a) in the case of an individual, a penalty not exceeding \$50;
- (b) in the case of a corporation or municipality, a penalty not exceeding \$75”.

Coming into force

11(1) Subject to subsections (2) and (3), these regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from April 1, 2017.

(2) Subject to subsection (3), sections 7 and 10 come into force on January 1, 2018.

(3) If these regulations are filed with the Registrar of Regulations after January 1, 2018, sections 7 and 10 come into force on the day on which these regulations are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 93/2017

The Tobacco Tax Act, 1998

Section 34

Order in Council 403/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Tobacco Tax Amendment Regulations, 2017*.

RRS c T-15.001 Reg 1 amended

2 *The Tobacco Tax Regulations, 1998* are amended in the manner set forth in these regulations.

Section 2 amended

3 Clause 2(2)(h) is amended:

(a) **by striking out “or” after subclause (iv);**

(b) **by adding the following after subclause (iv):**

“(iv.1) smokeless tobacco products, one gram of the smokeless tobacco product; or”; **and**

(c) **in subclause (v) by striking out “subclauses (i) to (iv)” and substituting “subclauses (i) to (iv.1)”.**

Section 4 amended

4 Section 4 is amended by striking out “, snuff or chewing tobacco” and substituting “or smokeless tobacco products”.

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 94/2017*The Financial Administration Act, 1993*

Section 71

Order in Council 404/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Used Light Vehicles (Provincial Sales Tax) Exemption and Remission Amendment Regulations, 2017*.

RRS c F-13.4 Reg 36 amended

2 *The Used Light Vehicles (Provincial Sales Tax) Exemption and Remission Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 Clause 2(a) is amended by adding “and before April 1, 2017” after “November 8, 2007”.

Section 3 amended

4 Section 3 is amended by adding “and before April 1, 2017” after “November 8, 2007”.

New section 3.1

5 Section 3.1 is repealed and the following substituted:

“Trade-in exemption

3.1(1) Subject to subsection (2), a person is exempt from paying the tax that would otherwise be payable as a result of the application of clause 5(21.6)(a) of *The Provincial Sales Tax Act* with respect to an eligible used light vehicle that is accepted in trade before April 1, 2017, if the person trading in the eligible used light vehicle has owned the vehicle at the time the vehicle is accepted in trade:

- (a) in the period commencing on November 8, 2007 and ending on December 31, 2008, for at least six months; or
- (b) in the period commencing on January 1, 2009, for at least 90 days.

(2) On or after April 1, 2017, the exemption mentioned in subsection (1) does not apply with respect to a person who is trading in an eligible used light vehicle on the purchase of:

- (a) a new light vehicle; or
- (b) a used light vehicle on which the tax has not been previously paid”.

Section 4 amended

6 Subsection 4(1) is amended by adding “and before April 1, 2017” after “November 8, 2007”.

Coming into force

7 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 95/2017

The Police Act, 1990

Section 12

Order in Council 405/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Municipal Police Clothing and Rank (Miscellaneous) Amendment Regulations, 2017*.

RRS c P-15.01 Reg 1 amended

2 *The Municipal Police Clothing and Rank Regulations, 1991* are amended in the manner set forth in these regulations.

New section 2

3 Section 2 is repealed and the following substituted:

“Definitions

2 In these regulations:

‘**Act**’ means *The Police Act, 1990*;

‘**clothing**’ includes all articles of uniform and accessories worn with a uniform;

‘**commissioned officer**’ means a rank of a police service from inspector to chief, inclusive;

‘**rank**’ means an appointment or position held in a police service from constable to chief, inclusive;

‘**uniform**’ means a basic working uniform worn during a normal tour of duty”.

Section 3 amended

4 Section 3 is amended by striking out “under *The Police Act, 1990*” and substituting “pursuant to the Act”.

New section 4**5 Section 4 is repealed and the following substituted:****“For all ranks**

4(1) Uniforms for all ranks are to include the following items:

- (a) tunic;
- (b) trousers;
- (c) shirt, long or short sleeve;
- (d) tie, clip-on style;
- (e) tie-clip;
- (f) boots, Oxfords or Wellingtons;
- (g) forage cap;
- (h) fur cap;
- (i) gloves;
- (j) storm jacket;
- (k) coats and rainwear that are:
 - (i) nylon;
 - (ii) reversible; and
 - (iii) with respect to commissioned officers:
 - (A) Burberry style; and
 - (B) knee length;
- (l) socks.

(2) Accessories for all ranks are to include the following:

- (a) cap badge;
- (b) breast badge;
- (c) gloves, white nylon or cotton and black leather unlined gloves for commissioned officers;
- (d) belt, waist;
- (e) lanyard, nylon;
- (f) service and rank insignias;
- (g) plastic cap cover;
- (h) equipment belt;
- (i) holster;
- (j) handcuff pouch;

- (k) if the member has been issued a pistol:
 - (i) double-magazine carrier, vertical or horizontal mount, of black leather, basket weave finish, except in the case of a plain clothes member; and
 - (ii) single-magazine carrier, in the case of a plain clothes member;
 - (l) badge and identification card holder;
 - (m) shoulder flash may be included in accessories for commissioned officers and may be of a distinctive design for commissioned officers of police services with more than five sworn personnel.
- (3) The following items of clothing and accessories are optional and are to be supplied if required by a member in the performance of duty:
 - (a) parka;
 - (b) task appropriate gloves;
 - (c) flashlight;
 - (d) sweater;
 - (e) flashlight holder;
 - (f) mini-mag holder;
 - (g) knife holder;
 - (h) breeches and boots or leggings to be used by members assigned to motorcycle duty;
 - (i) reflective attire”.

New section 6

6 Section 6 is repealed and the following substituted:

“Commissioned officers

6 The uniform for commissioned officers is to be as follows:

- (a) cloth - good quality, dark navy blue;
- (b) tunic design - tailored, form fitting, single-breasted front closing with four buttons, notched lapel, two patch-type breast pockets with flap and button, two pouch-type pockets below the waistline with flap and button, epaulets, belt loops or metal belt holder on either side, cloth belt with a military style buckle;
- (c) trouser design - full cut slack design, two side pockets, two rear pockets with tabs to button, waistband with belt loops, special pockets as required, a red stripe with a minimum width of 2.54 centimetres extending from the waist to the bottom of the trouser leg, no cuffs”.

New section 7**7 Section 7 is repealed and the following substituted:****“Members other than commissioned officers**

7 The uniform for members other than commissioned officers is to be as follows:

- (a) cloth - good quality, dark navy blue;
- (b) tunic design - tailored, form fitting, single-breasted front closing with four buttons, notched lapel, two patch-type breast pockets with flap and button, epaulets, belt loop or metal belt holder on either side, cloth belt with military style buckle;
- (c) trouser design - full cut slack design, two side pockets, two rear pockets, special pockets as required, waistband with belt loops, a red stripe with a minimum width of 2.54 centimetres extending from the waist to the bottom of the trouser leg, no cuffs”.

Section 8 repealed**8 Section 8 is repealed.****Section 9 amended****9 Subsection 9(1) is amended:**

- (a) **in clause (c) by striking out “officers and executive officers” and substituting “commissioned officers”; and**
- (b) **by repealing clause (f) and substituting the following:**
 - “(f) reflective attire - high visibility with reflective bands and ‘POLICE’ graphics;
 - “(g) wind pants - for winter wear, as authorized by the chief”.

Section 10 amended**10(1) Subsection 10(1) is amended:**

- (a) **in the portion preceding clause (a) by striking out “officers and executive officers” and substituting “commissioned officers”; and**
 - (b) **in subclause (a)(iii) by striking out “officers” and substituting “commissioned officers, other than the chief and the Deputy Chief of Police.”**
- (2) Subsection 10(2) is amended in the portion preceding clause (a) by striking out “The” and substituting “Subject to subsection (2.1), the”.**
- (3) The following subsection is added after subsection 10(2):**
- “(2.1) Members assigned to specialized duties may wear task appropriate headgear as authorized by the chief”.

New section 11**11 Section 11 is repealed and the following substituted:****“Shirts**

11 Shirts for members are to be as follows:

- (a) commissioned officers - top quality white or midnight blue dress shirt with epaulets and two breast pockets with button-down flap and pen slot;

- (b) other ranks - top quality midnight blue dress shirt with epaulets and two breast pockets with button-down flap and pen slot, in either long sleeves or short sleeves”.

New section 12

12 Section 12 is repealed and the following substituted:

“Hosiery

12 All ranks are to wear navy blue or black socks”.

New section 13

13 Section 13 is repealed and the following substituted:

“Footwear

13(1) Subject to subsection (2), all ranks are to wear a plain black Oxford or laced up ankle style boot or a Wellington style boot.

(2) Members assigned to specialized duties may wear task appropriate footwear as authorized by the chief”.

New section 14

14 Section 14 is repealed and the following substituted:

“Accessories

14 Unless otherwise authorized by the commission, all accessories are to be black in colour and of good quality with no tooling, consisting of:

- (a) gloves for all ranks of good quality black leather with a good quality lining for winter wear;
- (b) mitts of plain black leather of good quality, with a good quality lining for winter wear;
- (c) a waist belt for all ranks of smooth black leather 3.81 centimetres in width, with an eye buckle;
- (d) equipment belts of plain black leather 5.72 centimetres wide, fully lined with fasteners and buckle;
- (e) level three security holsters, basket weave finish, approved by the commission, except in the case of plain clothes members;
- (f) in the case of plain clothes members, holsters:
 - (i) that are pistol specific if worn inside the pants;
 - (ii) that are custom form if they are shoulder holsters; and
 - (iii) that have a paddle with a thumb break, custom form;
- (g) handcuff pouches which are attached to the equipment belt;
- (h) magazine pouches to be attached to the equipment belt;
- (i) baton holders with a belt loop;
- (j) mini-flashlight holders;
- (k) folding black knife holders”.

New section 14.1**15 Section 14.1 is repealed and the following substituted:****“Alternative items of uniform**

14.1(1) The chief, subject to any terms and conditions he or she considers appropriate, may authorize the following alternative items of uniform for members or commissioned officers:

- (a) midnight blue mock turtleneck;
- (b) midnight blue t-shirt;
- (c) midnight blue military style toque;
- (d) midnight blue sweater;
- (e) maternity uniform;
- (f) fleece wear or other undergarments.

(2) The chief, subject to any terms and conditions he or she considers appropriate, may authorize a member or commissioned officer to wear a symbol of the member’s or commissioned officer’s heritage on his or her dress uniform.

(3) The chief, subject to any terms and conditions he or she considers appropriate, may authorize members or commissioned officers to wear one or both of the following on their uniforms:

- (a) the flag of Saskatchewan;
- (b) the flag of Canada.

(4) Notwithstanding anything else in this Part or Part III, the commission, subject to any terms and conditions it considers appropriate, may approve alternative items of uniform or waive the requirement to wear particular items of uniform for an individual member or commissioned officer”.

Section 15 amended

16 Section 15 is amended by striking out “articles of clothing on issue” and substituting “items of uniform and accessories issued”.

Section 16 amended

17 Section 16 is amended:

- (a) in subclause (a)(i) by striking out “executive officers and officers” and substituting “commissioned officers”; and**
- (b) in subclause (b)(i) by striking out “executive officers and officers” and substituting “commissioned officers”.**

Section 17 amended

18 Clause 17(1)(b) is repealed and the following substituted:

- “(b) recruit graduation at the Saskatchewan Police College”.**

Section 19 amended

19 Section 19 is amended by striking out “A member wearing a forage cap is to wear the cap” and substituting “A forage cap is to be worn”.

Section 22 amended

20 Subsection 22(1) is repealed and the following substituted:

“(1) Subject to subsections (2) and (3), the following insignia must be worn on the upper part of the right sleeve of the shirt, between the elbow and shoulder seam:

- (a) in the case of a Sergeant, three chevrons and a crown;
- (b) in the case of a Corporal, two chevrons;
- (c) in the case of a senior constable of more than 10 years’ service, a single chevron”.

New section 25

21 Section 25 is repealed and the following substituted:

“Shoulder flashes

25 Every member other than a commissioned officer is to wear, and every commissioned officer may wear, shoulder flashes:

- (a) on the uppermost portion of both sleeves of all garments with sleeves except rain wear; and
- (b) identifying the police service of which he or she is a member”.

Section 26 amended

22 Section 26 is amended by striking out “as shown in Appendix A or as designed by the board” and substituting “approved by the board”.

Section 27 amended

23 Subsection 27(2) is amended by adding “federal or provincial” after “has been awarded”.

Section 27.1 amended

24 Section 27.1 is amended by striking out “20 years” and substituting “10 years”.

Section 28 amended

25 Subsection 28(1) is amended in the portion preceding clause (a) by striking out “constable or non-commissioned officer” and substituting “member, other than a commissioned officer,”.

New section 28.1

26 The following section is added after section 28:

“Recognition insignia

28.1 The chief may authorize a member to wear an insignia that recognizes:

- (a) any special duty of the member; or
- (b) any award provided to the member by his or her police service”.

Section 31 amended

27 Section 31 is amended by striking out “leather”.

Section 33 amended

28 Subsection 33(1) is amended by adding “, or other authority authorized to establish a police service pursuant to the Act, that is” after “municipality”.

Section 34 amended

29 Section 34 is amended by striking out “where” and substituting “if”.

Appendix A repealed

30 Appendix A is repealed.

Coming into force

31 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 96/2017

The Police Act, 1990

Section 12

Order in Council 406/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Municipal Police Equipment (Miscellaneous) Amendment Regulations, 2017*.

RRS c P-15.01 Reg 3 amended

2 *The Municipal Police Equipment Regulations, 1991* are amended in the manner set forth in these regulations.

Section 2 amended

3 Section 2 is amended:

(a) in clause (c) by striking out “revolver,”;

(b) by repealing clause (d) and substituting the following:

“(d) ‘**major police service**’ means:

(i) a police service of a municipality having a population of 5,000 or more; or

(ii) if a police service is established by an authority other than a municipality pursuant to the Act, a police service serving a population of 5,000 or more”; **and**

(c) by repealing subclause (g)(v) and substituting the following:

“(v) body protectors appropriate for specialized duties that are issued in addition to body protectors for general duties described in clause 11(g)”.

Section 3 amended

4 Subsection 3(1) is amended by striking out “municipal”.

New section 4**5 Section 4 is repealed and the following substituted:****“Firearms training and testing**

4(1) Subject to section 5, if a member is not required to take recruit training at the Saskatchewan Police College, no chief of police shall issue a firearm to or permit use of a firearm by that member during the course of duty of the member unless that member has attended and successfully completed a course of training established or approved by the commission in the handling and use of a firearm.

(2) The chief of police of a police service other than a major police service, or the board or council responsible for that police service, shall make arrangements for the testing of its police personnel by the chief of police of a major police service.

(3) The chief of police of a major police service shall prepare a report on the results of any testing performed by him or her pursuant to this section and forward the report to:

- (a) the board, council or chief of police, as the case may be, who required the testing; and
- (b) the commission.

(4) The chief of police of a police service is to annually ensure that all the members of that police service who are issued firearms are qualified to the standards approved by the commission for passing the recruit training course at the Saskatchewan Police College”.

Section 5.1 repealed**6 Section 5.1 is repealed.****New section 6****7 Section 6 is repealed and the following substituted:****“Semi-automatic pistol**

6 A municipality for which a police service is established, or other authority that establishes a police service pursuant to the Act, is to provide semi-automatic pistols, for use by members who have been authorized by the chief of police to carry and use semi-automatic pistols in the course of duty, that:

- (a) are .40 S&W calibre;
- (b) are double action only with no conventional externally located safety or de-cocking levers or devices;
- (c) have a non-corrosive finish that is not blued;
- (d) have barrels that are:
 - (i) between 10.5 centimetres and 12.5 centimetres long for fullsize models; and
 - (ii) between 8.5 centimetres and 11.0 centimetres long for compact models, to be provided to plain clothes officers only;

- (e) have self-luminous sights, three-dot configuration;
- (f) have three magazines per pistol with a 10-round minimum capacity for full-size models;
- (g) have two magazines per pistol with an eight-round minimum capacity for compact models; and
- (h) have a trigger pressure of not less than 2.49 kilograms and not more than 5.45 kilograms”.

New section 7

8 Section 7 is repealed and the following substituted:

“Ammunition

7 A municipality for which a police service is established, or other authority that establishes a police service pursuant to the Act, is to provide ammunition for use in semi-automatic pistols described in section 6 that is:

- (a) in a quantity that is sufficient for the requirements of the police service;
- (b) factory loaded; and
- (c) .40 S&W calibre, controlled expansion jacketed hollow point”.

Section 9 amended

9 Subsection 9(1) is amended by adding “, or other authority that establishes a police service pursuant to the Act,” after “municipality”.

New section 10

10 Section 10 is repealed and the following substituted:

“Special equipment for emergency situations

10 A municipality for which a police service is established, or other authority that establishes a police service pursuant to the Act, is to provide the special equipment that the chief of police has determined is required for use by members to enable the members to deal with situations determined by the chief of police to be emergency situations”.

Section 11 amended

11 Section 11 is amended:

- (a) in the portion preceding clause (a) by adding “, or other authority that establishes a police service pursuant to the Act,” after “established”;
- (b) in clause (a) by striking out “*The Highway Traffic Act*” and substituting “*The Traffic Safety Act*”; and
- (c) by repealing clause (b) and substituting the following:
 - “(b) one baton as approved by the commission for each uniformed member”.

New section 11.1**12 Section 11.1 is repealed and the following substituted:****“Oleoresin Capsicum spray**

11.1(1) A municipality for which a police service is established, or other authority that establishes a police service pursuant to the Act, may provide an Oleoresin Capsicum spray and carrier for use by members who have been authorized by the chief of police to carry and use Oleoresin Capsicum spray.

(2) A chief of police may authorize special constables who have successfully completed a program of training approved by the commission to carry and use Oleoresin Capsicum spray on such terms and conditions as are approved by the chief”.

New section 11.2**13 Section 11.2 is repealed and the following substituted:****“Tire deflation devices**

11.2(1) In this section, ‘**approved tire deflation device**’ means a tire deflation device that is:

- (a) manufactured for police purposes; and
- (b) approved by the chief of police for use in accordance with this section.

(2) A municipality for which a police service is established, or other authority that establishes a police service pursuant to the Act, may provide approved tire deflation devices for use by members who are authorized by the chief of police to use the device.

(3) A chief of police may authorize members who have successfully completed a program of training to carry and use approved tire deflation devices on any terms and conditions that the chief considers appropriate”.

Section 11.3 amended

14 Subsection 11.3(2) is amended by adding “, or other authority that establishes a police service pursuant to the Act,” after “established”.

Section 12 amended

15(1) Subsection 12(1) is amended by adding “, or other authority that establishes a police service pursuant to the Act,” after “established”.

(2) Subsection 12(2) is amended:**(a) by repealing clause (a) and substituting the following:**

“(a) computer equipment”;

(b) by repealing clause (e) and substituting the following:

“(e) file storage systems”; and

(c) by repealing clause (h) and substituting the following:

“(h) communication equipment”.

New section 13**16 Section 13 is repealed and the following substituted:****“Space**

13 A municipality for which a police service is established, or other authority that establishes a police service pursuant to the Act, is to provide the police service with office facilities, private interview rooms, washrooms and lock-up facilities that are adequate to enable the members to perform their duties”.

Section 14 amended**17 Subsection 14(1) is amended:**

- (a) in the portion preceding clause (a) by adding “, or other authority that establishes a police service pursuant to the Act,” after “established”; and
- (b) in clause (d) by adding “, or other authority, as the case may be,” after “municipality”.

Section 14.1 amended**18 Subsection 14.1(1) is repealed and the following substituted:**

- “(1) Motor vehicles provided pursuant to subsection 14(1) are to be equipped with:
- (a) emergency lights that meet the standards prescribed in *The Vehicle Equipment Regulations, 1987*;
 - (b) a loudhailer;
 - (c) an electronic siren;
 - (d) spotlights as approved by the chief of police;
 - (e) emergency flares;
 - (f) a fire extinguisher;
 - (g) a blanket in good condition;
 - (h) a reflective safety vest;
 - (i) an instrument suitable for cutting seat-belts;
 - (j) a manufacturer’s police package; and
 - (k) a first aid kit containing items that are prescribed in Table 10 of the Appendix to *The Occupational Health and Safety Regulations, 1996*”.

Appendix amended**19 Item 6 of Form A of the Appendix is repealed and the following substituted:**

- “6. Number of shots fired during the course of duty by police with:
- (a) Shotgun _____
 - (b) Rifle _____
 - (c) Semi-automatic pistol _____
 - (d) Carbine _____”.

Coming into force

20 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 97/2017*The Police Act, 1990*

Section 12

Order in Council 407/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Municipal Police Recruiting (Miscellaneous) Amendment Regulations, 2017*.

RRS c P-15.01 Reg 5 amended

2 *The Municipal Police Recruiting Regulations, 1991* are amended in the manner set forth in these regulations.

Section 2 amended

3 Clause 2(e) is repealed and the following substituted:

“(e) **‘major police service’** means:

(i) a police service of a municipality having a population of 5,000 or more; or

(ii) if a police service is established by an authority other than a municipality pursuant to the Act, a police service serving a population of 5,000 or more”.

Section 5 amended

4 Subsection 5(2) is amended by striking out “The educational” and substituting “A copy of the educational”.

Section 6 amended

5 Section 6 is amended by striking out “pass”.

Section 10 amended

6(1) Subsection 10(1) is amended by striking out “city, town or village,” and substituting “municipality or other authority authorized to establish a police service pursuant to the Act,”.

(2) Subsection 10(4) is repealed and the following substituted:

“(4) The appointment of an experienced applicant is to be as a Probationary Constable and the member is to remain on probation until the later of:

(a) one year from the date of the member’s appointment; and

(b) the time the member is qualified to the standards approved by the commission for passing the Saskatchewan Police College Recruit Training Course respecting:

(i) the use of firearms;

(ii) the use of a baton;

(iii) the use of a neck restraint hold; and

(iv) the use of Oleoresin Capsicum spray”.

New section 12**7 Section 12 is repealed and the following substituted:****“Appointment of chief, etc.**

12(1) These regulations apply, with any necessary modification, to the appointment of:

- (a) a chief, unless otherwise authorized by the commission; and
- (b) any other commissioned officer, non-commissioned officer or Constable.

(2) The board, council or chief is to ensure that these regulations are administered either:

- (a) by administering them through:
 - (i) a member of the board;
 - (ii) a member of the council; or
 - (iii) the chief; or
- (b) by making arrangements to have them administered by a chief of a major police service or a person appointed by that chief.

(3) If an educational examination is required pursuant to section 5, it is to be administered by the chief of a major police service or a person appointed by that chief”.

Appendix amended

8 Form 4 of the Appendix is amended by striking out “Christian Names” and substituting “Given Names”.

Coming into force

9 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 98/2017*The Police Act, 1990*

Section 12

Order in Council 408/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Municipal Police Report Forms and Filing System (Miscellaneous) Amendment Regulations, 2017*.

RRS c P-15.01 Reg 6 amended

2 *The Municipal Police Report Forms and Filing System Regulations, 1991* are amended in the manner set forth in these regulations.

New section 2

3 Section 2 is repealed and the following substituted:

“Interpretation

2 In these regulations, ‘**major police service**’ means:

- (a) a police service of a municipality having a population of 5,000 or more; or
- (b) in the case of a police service established by an authority other than a municipality pursuant to the Act, a police service serving a population of 5,000 or more”.

New section 3

4 Section 3 is repealed and the following substituted:

“Application

3 These regulations apply to all police services established pursuant to *The Police Act, 1990*, and supersede any regulations or orders governing a police service in matters covered by these regulations that are inconsistent with them”.

Section 5 amended

5 Section 5 is amended in the portion preceding clause (a) by striking out “municipal” before “police services”.

Section 6 amended

6 Section 6 is amended in the portion preceding clause (a) by striking out “municipal”.

Section 7 repealed

7 Section 7 is repealed.

Section 12 repealed

8 Section 12 is repealed.

Section 13 amended

9 Subsection 13(3) is repealed and the following substituted:

“(3) A police service, other than a major police service, is to store all of its files in secure storage”.

Section 14 amended

10 Section 14 is amended by striking out “accidents” and substituting “collisions”.

New section 20

11 Section 20 is repealed and the following substituted:

“Exemption of computerized filing system

20 Any police service that utilizes a computerized filing system is exempt from the requirements of this Part”.

Appendix amended

12 Form A of the Appendix is amended by striking out “Part IV of *The Police Act, 1990*” and substituting “Part V of *The Police Act, 1990*”.

Coming into force

13 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 99/2017

The Police Act, 1990

Section 12

Order in Council 409/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Municipal Police Training (Miscellaneous) Amendment Regulations, 2017*.

RRS c P-15.01 Reg 2 amended

2 *The Municipal Police Training Regulations, 1991* are amended in the manner set forth in these regulations.

Section 7 amended

3 **Clause 7(b) is amended in the portion preceding subclause (i) by striking out “at the college” and substituting “provided by the college”.**

Section 8 amended

4 **Subsection 8(2) is repealed and the following substituted:**

“(2) The director may set any rules or guidelines respecting the size of recruit training classes”.

New section 15**5 Section 15 is repealed and the following substituted:****“List of members**

15 At the request of the director, the chief of each police service is to provide the director with an updated list of the members of the service, including the following information with respect to each member:

- (a) the member’s:
 - (i) rank;
 - (ii) name; and
 - (iii) years of service;
- (b) any training courses mentioned in these regulations that the member has successfully completed”.

Section 16 amended

6 Subsection 16(3) is amended by striking out “services” and substituting “service”.

Coming into force

7 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 100/2017*The Pension Benefits Act, 1992*

Section 69

Order in Council 410/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Pension Benefits Amendment Regulations, 2017*.

RRS c P-6.001 Reg 1 amended

2 *The Pension Benefits Regulations, 1993* are amended in the manner set forth in these regulations.

Section 2 amended

3 Subsection 2(1) is amended:

(a) by adding the following clause after clause (a):

“(a.1) **‘best estimate funded number’** means the best estimated funded number calculated in accordance with section 2.1”;

(b) by adding the following clauses after clause (i):

“(i.1) **‘limited liability plan’** means a plan that is mentioned in subsection 40(5) of the Act, but does not include a plan to which section 36.7 of these regulations applies;

“(i.2) **‘margin for adverse deviations’** means the difference between the assumption for a calculation and the corresponding best estimate assumption, as is determined in accordance with recommendations issued by the Canadian Institute of Actuaries, as amended from time to time”;

(c) by adding the following clauses after clause (j):

“(j.1) **‘PfAD’** or **‘Provision for Adverse Deviations’**, respecting a limited liability plan, means the percentage determined pursuant to subsection 36.99(3);

“(j.2) **‘PfAD liabilities’** means the amount determined by multiplying PfAD by the going concern liabilities calculated using the best estimate assumptions, as determined in accordance with recommendations issued by the Canadian Institute of Actuaries, and as amended from time to time”; **and**

(d) in clause (r) by striking out “or subsection 36.97(12)” and substituting “, subsection 36.97(12), clauses 36.98(2)(b) or (c) or (3)(c) or (d) or subsection 36.98(4)”.

New section 2.1**4 The following section is added after section 2:****“Best estimate funded number**

2.1 The best estimate funded number is the amount A calculated in accordance with the following formula and expressed as a decimal fraction of two digits after the decimal:

$$A = \frac{B}{C}$$

where:

B is the market value of assets, including any cash balances and accrued and receivable income, of the limited liability plan as set out in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan; and

C is the going concern liabilities of the limited liability plan as set out in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan, less any PfAD liabilities or margin for adverse deviations”.

Section 10 amended

5 Subsection 10(2) is amended:

- (a) **by striking out “and” after clause (i);**
- (b) **in clause (j) in the portion preceding subclause (i) by striking out “defined benefit specified multi-employer plan” and substituting “specified multi-employer plan that contains a defined benefit provision”; and**
- (c) **by adding the following after clause (j):**
 - “(k) with respect to a limited liability plan if employer contributions are based on a fixed rate of dollars and portions of dollars per hour of employment:
 - (i) the information mentioned in clause (j); and
 - (ii) the breakdown mentioned in subclause (j)(ii) as it relates to the normal actuarial cost multiplied by the applicable PfAD;
 - “(l) with respect to a limited liability plan:
 - (i) the equity allocation of the limited liability plan;
 - (ii) the PfAD liabilities, if any;
 - (iii) the PfAD, as it relates to the PfAD liabilities, if any;
 - (iv) the PfAD, as it relates to the normal actuarial cost of the limited liability plan; and
 - “(m) if the limited liability plan contains a defined benefit provision that is determined in accordance with section 24.1, the best estimate funded number and an explanation of the data used to calculate the best estimate funded number”.

Section 13 amended

6 Subsection 13(1) is amended:

- (a) **by striking out “and” after clause (g.1);**
- (b) **by adding the following after clause (g.1):**
 - “(g.2) in the case of a limited liability plan, a statement that benefits may be reduced pursuant to subsection 40(6) of the Act;
 - “(g.3) in the case of a limited liability plan that has a defined benefit provision that is determined in accordance with section 24.1:
 - (i) the best estimate funded number as set out in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan; and
 - (ii) an explanation of how the best estimate funded number is used in determining the commuted value of benefits if the commuted value is transferred out of the plan; and”;
- (c) **in subclause (h)(ii) by striking out “or 36.97(16)” and substituting “, 36.97(16) or 36.98(7)”.**

Section 14 amended**7 Subsection 14(1) is amended:**

(a) by striking out “and” after clause (g); and

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

“(g.1) in the case of a limited liability plan, if the plan provides that the benefit may or must remain in the plan, a statement that benefits may be reduced pursuant to subsection 40(6) of the Act;

“(g.2) in the case of a limited liability plan that has a defined benefit provision that is determined in accordance with section 24.1:

(i) the best estimate funded number as set out in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan; and

(ii) an explanation of how the best estimate funded number is used in determining the commuted value of benefits if the commuted value is transferred out of the plan; and”.

Section 15 amended**8 The following clause is added after clause 15(1)(g):**

“(g.1) in the case of a limited liability plan, if the plan provides that the benefit may or must remain in the plan, a statement that benefits may be reduced pursuant to subsection 40(6) of the Act”.

Section 16 amended**9 Subsection 16(1) is amended:**

(a) by striking out “and” after clause (c); and

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

“(e) in the case of a limited liability plan, if the plan provides that the benefit may or must remain in the plan, a statement that benefits may be reduced pursuant to subsection 40(6) of the Act; and

“(f) in the case of a limited liability plan that has a defined benefit provision that is determined in accordance with section 24.1:

(i) the best estimate funded number as set out in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan; and

(ii) an explanation of how the best estimate funded number is used in determining the commuted value of benefits if the commuted value is transferred out of the plan”.

New section 22.1**10 The following section is added after section 22:****“Certain amendments to limited liability plans**

22.1(1) This section applies to a limited liability plan if the administrator of the limited liability plan files an amendment pursuant to section 17 of the Act that provides that the commuted value of benefits or a portion of the commuted value of benefits shall be determined in accordance with section 24.1.

(2) Subsection 19(3) of the Act does not apply to the commuted value of benefits or portion of the commuted value of benefits mentioned in subsection (1).

(3) Notwithstanding subsection 19(2) of the Act, no amendment mentioned in subsection (1) is effective until at least 180 days after the amendment has been registered by the superintendent.

(4) The superintendent may refuse to register the amendment mentioned in subsection (1) if, in the opinion of the superintendent, the amendment, or any matter relating to it, including any actuarial valuation report or cost certificate filed with respect to it, is unsatisfactory.

(5) The superintendent may impose any conditions that the superintendent considers appropriate on the registration of an amendment mentioned in subsection (1)".

Section 23 amended

11 The following subsection is added after subsection 23(2):

“(2.1) If a limited liability plan provides that the commuted value of benefits or a portion of the commuted value of benefits shall be determined in accordance with the actuarial assumptions, without including any margin for adverse deviations, used to determine the going concern liabilities in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan, the method of determining the commuted value must be uniform for each member or former member of the limited liability plan, except to the extent that the superintendent approves variations in the method that the superintendent considers reasonable”.

Section 24 amended

12 Subclause 24(1)(a)(i) is amended by adding “subject to section 24.1,” before “the commuted value”.

New section 24.1

13 The following section is added after section 24:

“Exception to commuted value determination - certain limited liability plans

24.1 If a limited liability plan to which section 36.98 applies provides that the commuted value of benefits or a portion of the commuted value of benefits of a defined benefit provision is to be determined in accordance with the actuarial assumptions used to determine the going concern liabilities, without including any margin for adverse deviations, for the purposes of determining the commuted value of those benefits or portions of the commuted value of benefits:

- (a) subject to clause (b), if the best estimate funded number is equal to or greater than 1.00, the commuted value of benefits or a portion of the commuted value of benefits must be determined in accordance with the actuarial assumptions used to determine the going concern liabilities, without including any margin for adverse deviations, in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan; or

(b) if the best estimate funded number is less than 1.00, the commuted value of benefits or a portion of the commuted value of benefits is the amount A determined in accordance with the following formula:

$$A = B \times C$$

where:

B is the value determined in accordance with the actuarial assumptions used to determine the going concern liabilities, without including any margin for adverse deviations, in the actuarial valuation report or cost certificate most recently filed respecting the limited liability plan; and

C is the best estimate funded number of the limited liability plan”.

Section 27 amended

14 Clause 27(3)(b) is amended by striking out “published in the Bank of Canada Review as CANSIM Series B-14045” **and substituting** “determined by reference to the Canadian Socio-Economic Information Management System (CANSIM) Service V122515, compiled by Statistics Canada and available on the website maintained by the Bank of Canada”.

Section 28 amended

15 The following subsection is added after subsection 28(4):

“(5) This section does not apply to the commuted value of benefits or portion of the commuted value of benefits determined in accordance with section 24.1”.

Section 29 amended

16(1) Subsection 29(4) is amended:

(a) in clause (c.1) by striking out “from which the money was transferred elects to transfer the” **and substituting** “, or a member of the pooled registered pension plan, from which the money was transferred elects to transfer the”;

(b) in subclause (h)(i) by adding “, or a member of the pooled registered pension plan,” **after** “plan”; **and**

(c) by repealing clause (i) and substituting the following:

“(i) that on the death of the owner of a contract who was a member of the plan or a member of the pooled registered pension plan from which the money was transferred:

(i) the surviving spouse is entitled to the locked-in money in the contract;

(ii) if there is no surviving spouse, the designated beneficiary of the owner is entitled to the locked-in money in the contract;

(iii) if there is no surviving spouse or designated beneficiary of the owner, the estate of the owner is entitled to the locked-in money in the contract; and

(iv) the locked-in money in the contract will be transferred to the surviving spouse, the designated beneficiary or the estate of the owner, as the case may be, in accordance with subsections (4.1) to (4.5)”.

(2) Subsection 29(4.3) is amended in the portion preceding clause (a) by adding “or a member of the pooled registered pension plan” after “plan”.

Section 29.1 amended

17 Clause 29.1(4)(h) is amended in the portion preceding subclause (i) by adding “or a member of the pooled registered pension plan” after “plan”.

Section 36 amended

18(1) Subsection 36(1.1) is amended by striking out “or 36.97” and substituting “, 36.97 or 36.98”.

(2) Clause 36(2)(b) is repealed and the following substituted:

“(b) sections 36.7, 36.8, 36.92, 36.96, 36.97 and 36.98 to the extent, if any, that those sections apply”.

New sections 36.98 and 36.99

19 The following sections are added after section 36.97:

“Limited liability plans

36.98(1) In this section, **‘initial actuarial valuation report’** means the first actuarial valuation report filed respecting the limited liability plan that has a review date that is on or after December 31, 2016.

(2) Subject to subsection (4), with respect to the initial actuarial valuation report, an employer shall pay into the limited liability plan:

(a) with respect to current employment, an amount of employer contributions on at least a monthly basis equal to the normal actuarial cost allocated to the employer, as stated in the initial actuarial valuation report;

(b) subject to clause (c), if the plan has an unfunded liability, payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability; and

(c) if the plan has filed an amendment to which subsection (15) applies and if the plan has an unfunded liability, payments consisting of equal payments made at least monthly that are sufficient to amortize:

(i) any portion of the unfunded liability that relates to the amendment mentioned in subsection (15), without including PfAD liabilities, if any, over a period not exceeding five years from the review date relating to the establishment of that unfunded liability; and

(ii) any remaining portion of the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability.

(3) Subject to subsection (4), with respect to an actuarial valuation report or cost certificate that is filed subsequent to the filing of the initial actuarial valuation report, an employer shall pay into the limited liability plan:

(a) with respect to current employment, an amount of employer contributions on at least a monthly basis equal to the normal actuarial cost allocated to the employer, as stated in the most recent actuarial valuation report or cost certificate filed;

- (b) with respect to current employment, an amount of employer contributions on at least a monthly basis equal to the product of the PfAD multiplied by the amount in clause (a);
 - (c) subject to clause (d), if the plan has an unfunded liability, payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability; and
 - (d) if the plan has filed an amendment to which subsection (15) applies and if the plan has an unfunded liability, payments consisting of equal payments made at least monthly that are sufficient to amortize:
 - (i) any portion of the unfunded liability that relates to the amendment mentioned in subsection (15) over a period not exceeding five years from the review date relating to the establishment of that unfunded liability; and
 - (ii) any remaining portion of the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability.
- (4) The employer may elect to make, instead of the special payments mentioned in clauses (2)(b) and (c) or clauses (3)(c) and (d), at least monthly payments expressed in such a manner that:
- (a) each payment is a constant percentage of the future payroll of the members projected as of the date of the original establishment of the unfunded liability; and
 - (b) the actuarial present value of all of the payments over the period selected for the purposes of clauses (2)(b) and (c) or clauses (3)(c) and (d) is equal to that unfunded liability.
- (5) Notwithstanding subsection 36(1.1), the employer is required to pay any special payments required to be made pursuant to clause 36(3)(b) with respect to any unfunded liability of a limited liability plan established as of a review date before the initial actuarial valuation report.
- (6) Each unfunded liability must be funded separately and not combined with any other unfunded liability.
- (7) If an actuarial valuation report with a review date of December 31, 2016 or later is filed, or if a cost certificate with respect to an actuarial valuation report with a review date of December 31, 2016 or later is filed:
- (a) clause 36(3)(c) and section 36.91 no longer apply to the limited liability plan;
 - (b) any solvency deficiency established in that actuarial valuation report or cost certificate or in any previous actuarial valuation report or cost certificate does not need to be amortized; and
 - (c) any solvency deficiency payments relating to the solvency deficiency established in that actuarial valuation report or cost certificate or in any previous actuarial valuation report or cost certificate are not required to be paid.

(8) Notwithstanding subsection (7), if an actuarial valuation report with a review date of December 31, 2016 or later is filed, or if a cost certificate with respect to an actuarial valuation report with a review date of December 31, 2016 or later is filed, the administrator of the limited liability plan shall ensure that:

(a) any solvency deficiency and the solvency ratio of the limited liability plan continues to be determined and reported in an actuarial valuation report or cost certificate prepared in accordance with clauses 10(2)(d) and (e);

(b) except as otherwise provided in subsection 28(5), the plan continues to comply with section 28 and any solvency ratio reported in the actuarial valuation report mentioned in clause (a) is used for the purposes of determining any transfer deficiency pursuant to section 28; and

(c) the limited liability plan continues to comply with the other provisions of the Act and these regulations.

(9) Notwithstanding clause 10(2)(d), if an actuarial valuation report with a review date of December 31, 2016 or later is filed, or if a cost certificate with respect to an actuarial valuation report with a review date of December 31, 2016 or later is filed, the limited liability plan is not required to provide a schedule of the special payments that would have otherwise been required to amortize that deficiency had it not been for this section.

(10) If an actuarial valuation report with a review date of December 31, 2016 or later is filed, or if a cost certificate with respect to an actuarial valuation report with a review date of December 31, 2016 or later is filed, and if the actuarial valuation report or cost certificate reveals that the limited liability plan has surplus assets:

(a) the surplus assets shall be used to reduce the outstanding balance of any unfunded liability, with the oldest established unfunded liabilities being amortized or reduced before later ones; and

(b) further special payments may be reduced on a prorated basis over the remainder of the applicable period mentioned in subsection (2) or (3), notwithstanding subsection 36(1.1) or (3).

(11) Notwithstanding clause (10)(a), surplus assets in a limited liability plan that is administered for employees of two or more employers may be separately determined, allocated and used with respect to a particular participating employer or group of participating employers, but clause (10)(a) applies respecting the specific employer or group of employers with respect to whom the surplus assets are allocated.

(12) Notwithstanding subsection 36(1.1), the rate of amortization of an unfunded liability established pursuant to clause 36(3)(b), clauses (2)(b) or (c) or clauses (3)(c) or (d) may be increased at any time by:

(a) increasing the amount of special payments;

(b) making special payments in advance; or

(c) making additional payments of any kind.

(13) If, with respect to a fiscal year, the rate of amortization mentioned in subsection (12) is increased in accordance with that subsection or if any surplus assets are allocated to reduce or amortize an unfunded liability in accordance with subsection (12), the amount of special payments for a subsequent fiscal year may be reduced to take into account the reduction in the amortization of the unfunded liability.

(14) Notwithstanding subsection (2) or (3) or subsection 8(3), if a plan is reviewed or the latest review is revised pursuant to subsection 8(3), the amortization period mentioned in clause (2)(b) or (c) or clause (3)(c) or (d) shall be treated as commencing from the date on which the amendment is made.

(15) The administrator shall not file an amendment to the limited liability plan that improves the amount of pension being paid pursuant to a limited liability plan unless the going concern valuation reported in the actuarial valuation report or cost certificate most recently filed respecting the plan includes PfAD liabilities.

(16) A limited liability plan must be administered in accordance with the Act, these regulations and the plan documents, as amended from time to time, that are mentioned in section 16 of the Act.

“Determination of PfAD – limited liability plans

36.99(1) In this section:

- (a) **‘equity allocation’** means the percentage of the assets of the limited liability plan that is invested in equities; and
 - (b) **‘equity percentage’** means the equity allocation of the limited liability plan, rounded to the nearest 10%, as of the review date.
- (2) This section applies only to limited liability plans.
- (3) The PfAD is the percentage shown in Column 2 of Table 2 in Part II of the Appendix that is set out opposite the equity percentage shown in Column 1”.

Section 41 amended

20 Subsection 41(2) is amended in the portion preceding clause (a) by striking out “trade union that is a certified bargaining agent within the meaning of *The Trade Union Act*” and substituting “union that is certified as a bargaining agent for a bargaining unit within the meaning of *The Saskatchewan Employment Act*”.

Part I of Appendix amended

21(1) Form 0.1 in Part I of the Appendix is amended by striking out “(print or type full name of member or former member)” and substituting “(print or type full name of the contract owner)”.

(2) Form 3 in Part I of the Appendix is amended:

- (a) **by adding “or contract owner” after “full name of member or former member”;**
- (b) **by adding “or is an owner of a locked-in retirement account contract or a registered retirement income fund contract that is subject to *The Pension Benefits Regulations, 1993*” after “subject to the provisions of *The Pension Benefits Act, 1992*”;**

(c) in Item 4 by adding “, except in the event that this form is being signed for the purposes of subsection 32(2.1) of *The Pension Benefits Act, 1992* or clause 29(4)(c.1) of *The Pension Benefits Regulations, 1993*,” after “I understand that”; and

(d) in Item 5 by adding “or transfer” after “commencement”.

Part II of Appendix amended

22 The following Table is added after Table 1 in Part II of the Appendix:

“TABLE 2
Provision for Adverse Deviations (PfAD) – Limited Liability Plans
[Subsection 36.99(3)]

Column 1 Equity Percentage (%)	Column 2 PfAD (%)
0	0
10	5
20	5
30	5
40	7.5
50	7.5
60	7.5
70	10
80	10
90	10
100	10

”.

Coming into force

23 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 101/2017*The Credit Union Act, 1998*

Section 440

Order in Council 412/2017, dated August 24, 2017

(Filed August 25, 2017)

Title

1 These regulations may be cited as *The Credit Union (Voting Period) Amendment Regulations, 2017*.

RRS c C-45.2 Reg 1 amended

2 *The Credit Union Regulations, 1999* are amended in the manner set forth in these regulations.

Section 2 amended

3 **The following clause is added after clause 2(1)(a):**

“(a.1) **‘business day’** means a day other than a Saturday, Sunday or holiday”.

Section 53.5 amended

4(1) **Subsection 53.5(8) is amended by striking out** “on the next business day” **and substituting** “within 3 business days”.

(2) **Clause 53.5(10)(b) is amended by striking out** “seven days” **and substituting** “30 days”.

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

