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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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CHAPTER C-2.111 REG 1*The Cannabis Control (Saskatchewan) Act*

Section 6-4

Order in Council 514/2018, dated October 11, 2018

(Filed October 11, 2018)

PART 1

Preliminary Matters**Title**

1-1 These regulations may be cited as *The Cannabis Control (Saskatchewan) Regulations*.

Definitions and interpretation

1-2(1) In these regulations, “**Act**” means *The Cannabis Control (Saskatchewan) Act*.

(2) For the purposes of the Act, “**cannabis accessory**” has the same meaning as in section 2 of the *Cannabis Act* (Canada) and the regulations made pursuant to that Act.

(3) For the purposes of the Act and these regulations, “**commission**” means the commission as prescribed in Part 4.

(4) For the purposes of the Act, “**organization**” has the same meaning as in section 2 of the *Criminal Code*, but does not include:

- (a) a permittee; or
- (b) a person who is licensed, permitted or otherwise authorized to manufacture, distribute, sell or transport cannabis pursuant to an Act of Parliament or an Act of any other province or territory of Canada.

(5) For the purposes of the Act, “**consume**” includes smoking, vaping, ingesting, applying or inhaling cannabis.

Officers who are considered police officers

1-3 The following persons are prescribed as police officers for the purposes of the Act:

- (a) enforcement officers employed by the Ministry of Finance who are appointed as special constables pursuant to *The Police Act, 1990*;
- (b) conservation officers employed by the Ministry of Environment who are appointed as special constables pursuant to *The Police Act, 1990*;
- (c) community safety officers who are appointed as special constables pursuant to *The Police Act, 1990*;
- (d) a person or class of persons designated by the Lieutenant Governor in Council as traffic officers pursuant to *The Traffic Safety Act*.

Application to cannabis for medical purposes

1-4 For the purposes of section 1-4 of the Act, no person shall:

- (a) consume cannabis for medical purposes in a vehicle in contravention of subsection 2-10(1) of the Act; or
- (b) sell or distribute cannabis to a minor for medical purposes in contravention of clause 3-14(b) of the Act.

PART 2**Possession, Distribution and Consumption of Cannabis****Non-application of certain provisions**

2-1 For the purposes of subsection 3-19(2) of the Act:

- (a) a person who is licensed, permitted or otherwise authorized to produce, distribute, sell or transport cannabis pursuant to an Act of Parliament or an Act of any other province or territory may do anything that is prohibited in the provisions mentioned in subsection 3-19(1) of the Act if the person does so as part of the activities authorized by the permit or licence and in accordance with the applicable licence or permit.
- (b) the holder of a home delivery special use permit issued pursuant to *The Alcohol Control Regulations, 2016* may do anything that is prohibited by the following provisions of the Act if the holder of the permit does so as part of the activities authorized by these regulations:
 - (i) subclauses 2-8(a)(i) and (iv);
 - (ii) clause 2-8(b);
 - (iii) section 2-10; and
 - (iv) clause 2-11(b); and
- (c) a receiver, custodian, receiver manager, trustee or liquidator appointed pursuant to section 3-15(5) may do anything that is prohibited in the provisions mentioned in subsection 3-19(1) of the Act if the person does so as part of that person's authorization to act as a receiver, custodian, receiver manager, trustee or liquidator.

Production

2-2(1) For the purposes of clause 6-4(1)(l) of the Act, unless authorized by the Act, it is prohibited for a person who is 19 years of age or older to cultivate, propagate or harvest, or to offer to cultivate, propagate or harvest:

- (a) a cannabis plant that is from a seed or plant material that the person knows is illicit cannabis; or
- (b) more than 4 cannabis plants at any one time in a dwelling house.

(2) For the purposes of subsection (1), if 2 or more persons who are 19 years of age or older are ordinarily resident in the same dwelling house, it is prohibited for any of those persons to cultivate, propagate or harvest any cannabis plants if doing so results in there being more than 4 cannabis plants being cultivated, propagated or harvested at any one time in that dwelling house.

PART 3
Sale of Cannabis and Other Permitted and Registered Activities

DIVISION 1
Types of Cannabis Permits

Cannabis Permits

3-1 The following classes of cannabis permits are established:

- (a) cannabis retail store permit;
- (b) cannabis wholesale permit.

DIVISION 2
Cannabis Retail Store Permits

Cannabis retail store permits

3-2(1) The Cannabis Authority may issue a cannabis retail store permit respecting any premises from which cannabis is to be sold for consumption off the premises.

(2) No cannabis retail store shall be integrated within another business.

(3) If a cannabis retail store permittee wishes to relocate a cannabis retail store, the permittee must apply to the Cannabis Authority, in accordance with the policies established by the Cannabis Authority, and be granted authorization to do so.

(4) Nothing in the Act or these regulations compels the Cannabis Authority to issue a permit for the establishment of a cannabis retail store in any place other than a place determined by the Cannabis Authority pursuant to clause 3-1(1)(h) of the Act.

Cannabis retail permit application selection process

3-3(1) Without limiting the generality of subsection 3-1(4) of the Act, the Cannabis Authority may use a multi-stage process for determining cannabis permit eligibility and may charge fees in accordance with section 5-1 for participating in different stages of the process.

(2) The Cannabis Authority shall cause the process it uses to be made public in any manner the Cannabis Authority considers appropriate.

Sale of retail store permits

3-4(1) The holder of a cannabis retail store permit may sell the holder's interest in the cannabis retail store permit.

(2) For the purposes of subsection (1):

- (a) in accordance with section 3-21 of the Act, the cannabis retail store permit remains the property of the Cannabis Authority; and
- (b) the purchaser of the interest in the cannabis retail store permit must apply to the Cannabis Authority in accordance with the Act and these regulations for the issuance of a new cannabis retail store permit.

Minors prohibited

3-5 No cannabis retail store permittee shall allow a minor to enter or remain on the premises for which the cannabis retail store permit was issued.

Hours of operation

3-6(1) Subject to subsection (2) and any further restrictions of the municipality or First Nation in which the retail store is located, every cannabis retail store permittee may open the retail store and sell cannabis in the retail store:

- (a) between 8:00 a.m. on any day and 3:00 a.m. of the following day; and
- (b) notwithstanding clause (a), between 8:00 a.m. on December 31 and 3:30 a.m. on January 1.

(2) A cannabis retail store permittee must open the retail store and allow for the sale of cannabis in the retail store for a minimum of 6 hours a day for 5 days a week.

Delivery and shipment of cannabis to retail customers

3-7(1) Subject to subsections (2), (3) and (4) and any terms and conditions set by the Cannabis Authority, a cannabis retail store permittee may take orders for cannabis, cannabis accessories or cannabis ancillary items directly from any retail customer who is not a minor and deliver the cannabis, cannabis accessories or cannabis ancillary items to a location in Saskatchewan through:

- (a) a delivery service operated by the permittee;
- (b) the use of a common carrier; or
- (c) the use of a delivery service operated by the holder of a home delivery special use permit issued pursuant to *The Alcohol Control Regulations, 2016*.

(2) A cannabis retail store permittee operating a delivery service shall ensure that:

- (a) deliveries pursuant to clause (1)(a) occur during the hours that cannabis may be lawfully sold pursuant to section 3-6;
- (b) on delivery, the retail customer is required to:
 - (i) show proper identification proving the purchaser's age; and
 - (ii) sign a receipt for the sale and to confirm the delivery;
- (c) customers pay all applicable charges associated with the sale at the time of placing the order;
- (d) no delivery is made to:
 - (i) a minor or any person who does not provide ID proving the person's age; or
 - (ii) any person who appears to be intoxicated at the time of delivery;
- (e) the amount of cannabis delivered to a retail customer does not exceed the limits set out in section 2-8 of the Act; and
- (f) cannabis and cannabis accessories are delivered in packaging in which the cannabis and cannabis accessories are not visible.

(3) A cannabis retail store permittee causing orders to be delivered by either a common carrier or through the use of a delivery service operated by the holder of a home delivery special use permit issued pursuant to *The Alcohol Control Regulations, 2016* shall ensure that customers pay all applicable charges associated with the sale at the time of placing the order and take all reasonable steps to ensure that:

- (a) deliveries pursuant to clauses (1)(b) and (c) occur during the hours that cannabis may be lawfully sold pursuant to section 3-6;
- (b) on delivery, the retail customer is required to:
 - (i) show proper identification proving the purchaser's age; and
 - (ii) sign a receipt for the sale and to confirm the delivery;
- (c) no deliveries are made to:
 - (i) a minor or any person who does not provide ID proving the person's age; or
 - (ii) any person who appears to be intoxicated at the time of delivery;
- (d) the amount of cannabis delivered to a retail customer does not exceed the limits set out in section 2-8 of the Act; and
- (e) cannabis and cannabis accessories are delivered in packaging through which the cannabis or cannabis accessories are not visible.

(4) A cannabis retail store permittee that becomes aware that deliveries conducted by a common carrier or through the use of a delivery service operated by the holder of a home delivery special use permit issued pursuant to *The Alcohol Control Regulations, 2016* are not being delivered according to standards outlined subsection (3) must immediately notify the Cannabis Authority and cease using that entity to conduct deliveries until necessary changes have been made to ensure compliance.

Additional rules for cannabis retail store permittees

3-8(1) No cannabis retail store permittee shall:

- (a) sell or distribute to a person cannabis in an amount that exceeds the limits set out in section 2-8 of the Act;
- (b) provide free cannabis or free cannabis accessories, including samples of cannabis or cannabis accessories;
- (c) allow the consumption of cannabis on the cannabis retail store premises; or
- (d) sell or distribute cannabis or cannabis accessories to a minor.

(2) Clauses (1)(a) and (b) do not apply if the sale or distribution of cannabis is to the holder of another cannabis retail store permit for the purposes of that permit.

Mandatory training

3-9(1) Every person employed in the sale of cannabis in a cannabis retail store must successfully complete a responsible service training program approved by the Cannabis Authority.

(2) No permittee may employ a person in the sale of cannabis in a cannabis retail store unless the person has successfully completed a responsible service training program approved by the Cannabis Authority.

DIVISION 3**Cannabis Wholesale Permits****Cannabis wholesale permits**

3-10(1) The Cannabis Authority may issue a cannabis wholesale permit respecting any premises from which cannabis is to be sold and delivered to the holder of a cannabis permit for the purposes of that permit.

(2) If a cannabis wholesale permittee wishes to relocate the cannabis wholesale facility, the cannabis wholesale permittee must apply to the Cannabis Authority, in accordance with the policies established by the Cannabis Authority, and be granted authorization to do so.

(3) Nothing in the Act or these regulations compels the Cannabis Authority to issue a permit for the establishment of a cannabis wholesale facility in any place other than a place determined by the Cannabis Authority pursuant to clause 3-1(1) (h) of the Act.

Minors prohibited

3-11 No cannabis wholesale permittee shall allow a minor to enter or remain on the premises for which the cannabis wholesale permit was issued.

DIVISION 4**Cannabis Permits General****Duration of permits**

3-12(1) Subject to subsection (2), every permit expires on the expiration date indicated on the permit.

(2) If the applicable annual permit fee mentioned in section 5-1 is not paid on or before the day it is due, the permit expires the following day.

Renewal of permits

3-13 An application to renew a cannabis permit must be made to the Cannabis Authority at least 30 days before the date on which the cannabis permit that is the subject of the renewal application will expire.

Transfer of permit – when allowed

3-14(1) Notwithstanding section 3-20 of the Act, but subject to subsection (3), the Cannabis Authority may authorize the transfer of a cannabis permit in any of the following circumstances:

(a) if a partner withdraws from a partnership that was a permittee and the remaining partners apply for a transfer of the cannabis permit;

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- (b) if the permittee is a sole proprietor who:
 - (i) establishes a corporation in which he or she is the sole officer, director and shareholder; and
 - (ii) applies to the Cannabis Authority for a transfer of the cannabis permit to the corporation;
 - (c) if the permittee is composed of persons in a partnership who:
 - (i) establish a corporation in which they are the sole officers, directors and shareholders; and
 - (ii) apply to the Cannabis Authority for a transfer of the cannabis permit to the corporation;
 - (d) if the permittee is a corporation, the officers, directors and shareholders of which:
 - (i) establish a new corporation in which they are the sole officers, directors and shareholders; and
 - (ii) apply to the Cannabis Authority for a transfer of the cannabis permit to the new corporation;
 - (e) if the permittee is a corporation, the sole officer, director and shareholder of which:
 - (i) becomes a sole proprietor; and
 - (ii) applies to the Cannabis Authority for a transfer of the cannabis permit from the corporation;
 - (f) if the permittee is a corporation, the officers, directors and shareholders of which:
 - (i) form a partnership; and
 - (ii) apply to the Cannabis Authority for a transfer of the cannabis permit to the partnership;
 - (g) if a trustee in bankruptcy or a court-appointed receiver:
 - (i) acquires the business of a permittee as a trustee in bankruptcy or as a court-appointed receiver; and
 - (ii) in that capacity, applies to the Cannabis Authority for a transfer of the cannabis permit from the permittee;
 - (h) if a mortgagee, franchisor or lessor:
 - (i) takes lawful possession of the premises for which the cannabis permit has been issued; and
 - (ii) applies to the Cannabis Authority for a transfer of the cannabis permit from the mortgagor or lessee, as the case may be.

- (2) Section 3-9 of the Act applies, with any necessary modification, to an application to transfer a cannabis permit.
- (3) The Cannabis Authority shall not grant a transfer of a cannabis permit if, at the time of the application:
- (a) the Cannabis Authority is of the opinion that it would not issue a cannabis permit to the applicant if the applicant were applying for a cannabis permit at that time;
 - (b) the Cannabis Authority proposes to:
 - (i) suspend or cancel the cannabis permit;
 - (ii) impose any new terms and conditions on the cannabis permit;
 - (iii) assess a penalty against the existing permittee pursuant to section 5-6 of the Act; or
 - (c) the Cannabis Authority or the commission:
 - (i) suspends or cancels the cannabis permit;
 - (ii) imposes new terms and conditions on the cannabis permit; or
 - (iii) assesses a penalty against the existing permittee pursuant to section 5-6 of the Act.
- (4) Notwithstanding clause (3)(c), the Cannabis Authority may grant a transfer of a cannabis permit if:
- (a) the existing permittee complies with the notice issued pursuant to subsection 5-6(11) or (12) of the Act, as the case may be;
 - (b) the cannabis permit, having been suspended, is reinstated; and
 - (c) in the Cannabis Authority's opinion, the existing permittee has complied with the terms and conditions imposed on the cannabis permit.
- (5) If the Cannabis Authority grants the transfer of a cannabis permit, the Cannabis Authority may:
- (a) amend or repeal any term or condition imposed by the Cannabis Authority on the cannabis permit; or
 - (b) impose any new term or condition on the cannabis permit.
- (6) The Cannabis Authority shall notify the new permittee of any decision by the Cannabis Authority pursuant to subsection (5).
- (7) Subject to any term or condition imposed by the Cannabis Authority, if the Cannabis Authority grants a transfer of a permit, the new permittee enjoys the same rights and privileges and is subject to the same duties, responsibilities and liabilities respecting the possession, sale, distribution and transportation of cannabis and operation of the premises for which the cannabis permit has been issued that the previous permittee enjoyed and was subject to before the cannabis permit was transferred to the new permittee.

Sale and forfeiture of cannabis if permit cancelled or expired

3-15(1) Subject to subsections (2) to (9), before the cancellation or expiry of a cannabis permit, the Cannabis Authority may provide the permittee approval to sell any cannabis the permittee owns as of the date of the cancellation or expiration of the permit.

(2) The sale of cannabis pursuant to subsection (1) must occur within the period set by the Cannabis Authority in the approval.

(3) Once the cannabis permit is cancelled or expired, the previous holder of that cannabis permit mentioned in subsection (1) is deemed to be a permittee for the purposes of section 3-19 of the Act while carrying out the sale of cannabis in accordance with this section.

(4) Cannabis is forfeited to the Cannabis Authority and may be dealt with in accordance with subsections (5) to (9) if:

(a) the previous holder of a cannabis permit:

(i) did not seek and obtain approval to sell any cannabis pursuant to subsection (1) before the cancellation or expiry of the permit;

(ii) failed to sell that cannabis within the period set by the Cannabis Authority pursuant to subsection (2); or

(iii) was denied approval by the Cannabis Authority to sell any cannabis pursuant to subsection (1); or

(b) that cannabis is located in a premises that has been abandoned by the previous holder of a cannabis permit.

(5) If cannabis is forfeited to the Cannabis Authority, the Cannabis Authority may apply to the Court of Queen's Bench to appoint a receiver, custodian, receiver manager, trustee or liquidator to manage the forfeited cannabis.

(6) On an application pursuant to subsection (5), the court:

(a) shall appoint a receiver, custodian, receiver manager, trustee or liquidator of the forfeited cannabis; and

(b) may appoint the Cannabis Authority as a receiver, custodian, receiver manager, trustee or liquidator of the forfeited cannabis.

(7) A receiver, custodian, receiver manager, trustee or liquidator appointed pursuant to this section:

(a) is the receiver, custodian, receiver manager, trustee or liquidator of all of the forfeited cannabis; and

(b) when directed by the court, has authority to:

(i) sell, dispose of or otherwise deal with the cannabis; and

(ii) distribute any proceeds from the cannabis in any manner directed by the court.

(8) An order made by the court pursuant to this section may be varied or discharged on an application to the court made on notice to all parties the court considers interested in the matter.

(9) The court may order the previous holder of the cannabis permit against whom an order is made pursuant to this section to pay any costs associated with carrying out or administering the order.

Prohibited activities within a municipality

3-16(1) For the purposes of section 3-3 of the Act, the council of a municipality may prohibit the establishment of a retail premises pursuant to a cannabis retail store permit or a wholesale facility pursuant to a wholesale permit in all or some locations within the municipality.

(2) The Cannabis Authority shall not issue any type of cannabis permit for a reserve if the operation of a premises pursuant to that permit is prohibited by the Indian band.

Prohibited substances

3-17 For the purposes of section 3-15 of the Act, a permittee shall not possess, sell, transport or distribute cannabis that contains any of the following substances:

- (a) nicotine;
- (b) caffeine;
- (c) ethyl alcohol.

Storage and handling of open cannabis

3-18(1) If a permittee opens a cannabis package, the permittee must immediately seal the cannabis package with a method that would indicate if the cannabis package is opened subsequently.

(2) If a permittee seals a cannabis package pursuant to subsection (1), the seal must include the following information:

- (a) the date on which the cannabis package was sealed;
- (b) the quantity of cannabis or total package weight;
- (c) the name of the employee who opened the cannabis package.

(3) If a cannabis package is opened a second time or more, each subsequent seal must contain the information mentioned in subsection (2) as well as that information from all previous openings of the cannabis package.

Destruction of cannabis

3-19(1) Subject to subsections (2) and (3), cannabis is considered to be destroyed when it is altered or denatured to such an extent that its consumption and propagation is rendered impossible or improbable.

(2) A permittee may destroy cannabis only if the permittee does so:

- (a) in accordance with a method that:
 - (i) conforms with all federal, provincial and municipal environmental legislation applicable to the location at which it is to be destroyed; and
 - (ii) does not result in any person consuming cannabis or otherwise being exposed to cannabis smoke; and

- (b) in the presence of:
 - (i) a cannabis enforcement officer; and
 - (ii) a person who is employed by or provides services to the permittee and acts in a senior position.
- (3) A police officer or the Cannabis Authority may destroy cannabis only if the police officer or the Cannabis Authority does so in accordance with a method that:
 - (a) conforms with all federal, provincial and municipal environmental legislation applicable to the location at which it is to be destroyed; and
 - (b) does not result in any person consuming cannabis or otherwise being exposed to cannabis smoke.

DIVISION 5 Registered Suppliers

Registered suppliers

3-20(1) For the purposes of section 3-27 of the Act, a person who holds a licence or permit issued pursuant to an Act of Parliament that allows the person to supply cannabis to a cannabis permittee, may apply to register with the Cannabis Authority by:

- (a) submitting an application in a form acceptable to the Cannabis Authority; and
 - (b) paying the applicable fees.
- (2) On receiving an application and the applicable fees from a person in accordance with subsection (1), the Cannabis Authority may register the person pursuant to section 3-27 of the Act.
- (3) A person who is registered with the Cannabis Authority may supply cannabis to a cannabis permittee, and shall comply with any terms and conditions set by the Cannabis Authority, including:
- (a) transportation standards;
 - (b) packaging and labelling standards;
 - (c) record-keeping and reporting requirements; and
 - (d) cannabis recalls.

Duration of registration

3-21(1) Subject to subsection (2), every registration expires on the expiration date indicated on the registration.

(2) If the applicable annual registration fee mentioned in section 5-1 is not paid on or before the day it is due, the registration expires the following day.

Renewal of registration

3-22 An application to renew a registration must be made to the Cannabis Authority at least 30 days before the date on which the registration that is the subject of the renewal application will expire.

Transfer of registration

3-23 Section 3-14 applies, with any necessary modification, to the transfer of a registration.

DIVISION 6
Taxation Matters

Cancellation of permits or registrations re taxes

3-24(1) In this section, “**minister**” means the minister responsible for the administration of *The Revenue and Financial Services Act*.

(2) The minister may send a notice to the Cannabis Authority requesting that the Cannabis Authority suspend a cannabis permit or registration if the holder of the cannabis permit or registration neglects or refuses:

(a) to collect any required tax from a consumer pursuant to any Act or an Act of the Parliament of Canada;

(b) to account for any tax collected from a consumer pursuant to any Act or an Act of the Parliament of Canada; or

(c) to pay to the minister any tax that the holder of the cannabis permit or registration is required to pay to the minister pursuant to any Act or an Act of the Parliament of Canada.

(3) On receiving a notice pursuant to subsection (2), the Cannabis Authority shall suspend the cannabis permit or registration mentioned in the notice for the period requested by the minister.

(4) The holder of the suspended cannabis permit or registration is not eligible to request a review pursuant to section 4-1 of the Act.

(5) If a cannabis permit or registration has been suspended in accordance with this section, the Cannabis Authority may cancel the permit or registration if, after 120 days from the day the permit or registration is first suspended, the holder of the suspended cannabis permit or registration fails to collect, account for or pay any tax described in clauses (2)(a) to (c) that resulted in the suspension of the permit or registration.

(6) Before the Cannabis Authority cancels a cannabis permit or registration pursuant to subsection (5), the Cannabis Authority must give notice to the permit holder in accordance with section 4-3.

(7) If the holder of a cannabis permit or registration has received a notice pursuant to subsection (6), that holder may request a review pursuant to section 4-1 of the Act and section 4-5 and the minister may give any information or make any representations at an oral hearing held with respect to the review.

PART 4
Administration and Enforcement

DIVISION 1
Commission

Commission prescribed

4-1 The Liquor and Gaming Licensing Commission continued pursuant to *The Alcohol and Gaming Regulation Act, 1997* is prescribed as the commission for the purposes of the Act.

Registrants

4-2 In this Part, a reference to a permittee includes a person who is registered pursuant to section 3-27 of the Act.

Cannabis Authority notice requirements

4-3 A notice sent by the Cannabis Authority pursuant to subsection 3-1(3) of the Act must:

- (a) if applicable, propose the period of suspension;
- (b) advise the permittee that it may make representations to the commission respecting the decision of the Cannabis Authority;
- (c) inform the permittee that, if it does not notify the commission within 15 days after receiving the notice that it intends to make representations to the commission:
 - (i) if the notice relates to the Cannabis Authority's decision to refuse to issue or renew a cannabis permit, that decision is final;
 - (ii) if the notice relates to the Cannabis Authority's decision to suspend a cannabis permit, the Cannabis Authority may suspend the cannabis permit for a period not exceeding the period proposed in clause (a); or
 - (iii) if the notice relates to the Cannabis Authority's decision to cancel a cannabis permit, the Cannabis Authority may cancel the cannabis permit; and
- (d) inform the permittee that, if it notifies the commission within 15 days after receiving the notice that it intends to make representations to the commission, the commission may, either following a review conducted pursuant to section 4-1 of the Act, or if the permittee fails, without the prior approval of the commission, to take part in a review:
 - (i) if the review relates to the Cannabis Authority's decision to refuse to issue or renew a cannabis permit, confirm that decision;
 - (ii) if the review relates to the Cannabis Authority's decision to suspend a cannabis permit, suspend the cannabis permit for a period not exceeding the period proposed in clause (a); or
 - (iii) if the review relates to the Cannabis Authority's decision to cancel a cannabis permit, cancel the cannabis permit.

Application for review – general

4-4(1) An application for review pursuant to subclause 4-1(1)(a)(i), (ii) or (iii) of the Act or subclause 4-1(a)(iv) of the Act with respect to an amendment is to be commenced by filing an application for review with the commission in Form A of the Appendix.

(2) An application for review mentioned in subsection (1) may be accompanied by any other information the applicant wishes the commission to consider.

- (3) On an application for review mentioned in subsection (1), the commission is not required to hold an oral hearing unless the applicant, at the time of filing the application for review, requests an oral hearing.
- (4) At a review conducted with respect to a matter mentioned in subsection (1), the commission may consider:
- (a) any information submitted by the applicant;
 - (b) any information considered by the Cannabis Authority in making its decision; and
 - (c) if an oral hearing is held, any information given or representations made at the oral hearing.
- (5) If an applicant who requests an oral hearing fails to appear at the oral hearing without the prior approval of the commission, the commission may:
- (a) adjourn the hearing to a later date, in which case the commission shall provide notice of the new hearing date in accordance with section 4-6;
 - (b) consider the application on the basis of the material mentioned in clauses (4)(a) and (b); or
 - (c) dismiss the application.
- (6) If the commission proceeds pursuant to clause (5)(b) or (c), the applicant is deemed to have waived the right to an oral hearing.

Application for review – suspension, cancellation

- 4-5(1)** An application for review pursuant to subclause 4-1(1)(a)(iv) of the Act with respect to a suspension or cancellation or subsection 3-24(7) is to be commenced by filing an application for review with the commission in Form A of the Appendix.
- (2) An application for review mentioned in subsection (1) may be accompanied by any other information the applicant wishes the commission to consider.
- (3) At an oral hearing conducted pursuant to this section, the commission may consider:
- (a) any information submitted by the applicant;
 - (b) any information considered by the Cannabis Authority in making its decision; and
 - (c) any information given or representations made at the oral hearing.
- (4) If an applicant, without the prior approval of the commission, fails to appear at an oral hearing conducted pursuant to this section, the commission may:
- (a) adjourn the hearing to a later date, in which case the commission shall provide notice of the new hearing date in accordance with section 4-6;
 - (b) consider the application on the basis of material mentioned in clauses (3)(a) or (b); or
 - (c) dismiss the application.
- (5) If the commission proceeds pursuant to clause (4)(b) or (c), the applicant is deemed to have waived the right to an oral hearing.

Notice of hearings

4-6(1) If an oral hearing is to be held pursuant to the Act and these regulations, the commission shall give the person respecting whom the oral hearing is to be held written notice of the oral hearing, indicating the time and place of the oral hearing.

(2) If an oral hearing is being held for a matter mentioned in subsection 4-4(1), the notice may be sent by ordinary mail or email.

(3) If an oral hearing is being held for a matter mentioned in subsection 4-5(1), the notice must be served:

- (a) by personal service, by leaving a copy of the notice:
 - (i) with the individual to be served;
 - (ii) in the case of a partnership, with any one of the partners;
 - (iii) in the case of a corporation, with any officer or director of the corporation; or
 - (iv) in the case of an Indian band, with any member of the council of the Indian band;
- (b) by courier, by leaving a copy of the notice:
 - (i) with the individual to be served; or
 - (ii) in the case of service on a partnership, corporation or Indian band, with any manager or other adult person who, at the time of service, is in charge of the office or other business premises of the partnership, corporation or Indian band; or
- (c) by registered mail addressed to the address for service indicated by the applicant in the application for the review or hearing.

(4) A notice sent by ordinary or registered mail is deemed to have been delivered on the 7th day after the date of its mailing unless the person to whom the notice is sent establishes to the satisfaction of the commission that, through no fault of that person, that person did not receive the notice or received it at a later date.

(5) A notice sent by email is deemed to have been delivered the day after the date on which it was sent.

Conduct of hearings

4-7(1) Subject to subsections (2) and (3), the commission may regulate its own practice and procedures for the conduct of hearings.

(2) Subject to subsection (3), oral hearings conducted pursuant to the Act and these regulations are to be open to the public.

(3) The commission may exclude the public from any part of an oral hearing if the commission is of the opinion that admitting the public would unduly violate the privacy of, result in financial loss or gain to or prejudice the competitive position of any person.

- (4) Every person:
- (a) who is the subject of an oral hearing shall be given an opportunity to be heard and may be represented by counsel at that person's expense; and
 - (b) who, in the opinion of the commission, is an interested party may appear at an oral hearing but only with the permission of the commission.

DIVISION 2 General

Administrative penalties

- 4-8(1)** The provisions listed in Table 1 are the prescribed provisions for the purposes of subsection 5-6(1) of the Act.
- (2) The maximum penalty that may be assessed by the Cannabis Authority or the commission pursuant to section 5-6 of the Act is \$25,000.
- (3) An application for review pursuant to subsection 5-6(4) of the Act is to be in Form A of the Appendix.

Seizure of cannabis from minors

- 4-9** Subsection 2-1(2) of the Act applies if a person reasonably appears to be a minor and fails or refuses to provide satisfactory proof of age when requested to do so by a police officer.

PART 5 Fees

Fees – permits and registrants

- 5-1(1)** In this section, “city” means a city as defined by *The Cities Act*.
- (2) The following fees are payable to the Cannabis Authority respecting a cannabis retail store permit:
- (a) an initial selection process fee of \$1,000 for participating in any process established by the Cannabis Authority in accordance with section 3-3, whether or not a person is selected to apply for a cannabis retail store permit;
 - (b) a permit application fee of \$2,000;
 - (c) an annual permit fee, initially payable at the time of application, of:
 - (i) \$3,000 if the cannabis retail store is located within a city; and
 - (ii) \$1,500 for all other cannabis retail stores.
- (3) The following fees are payable to the Cannabis Authority respecting a wholesale permit:
- (a) a permit application fee of \$2,000; and
 - (b) an annual permit fee of \$3,000, initially payable at the time of application.

(4) The following fees are payable to the Cannabis Authority respecting a registration mentioned in section 3-27 of the Act and in section 3-20:

- (a) a registration application fee of \$500;
- (b) an annual registration fee of \$1,500, initially payable at the time of application.

(5) If an applicant for a permit, registration or renewal of a permit or registration is refused or rejected by the Cannabis Authority, the Cannabis Authority may return to the applicant any fee mentioned in clause (2)(c), (3)(b) or (4)(b).

(6) The Cannabis Authority may refund to a permit holder or registration holder any portion of a fee with respect to a permit or registration that is cancelled before its expiration.

PART 6

Return of seized cannabis

Return of seized cannabis

6-1(1) A person from whom cannabis is seized pursuant to the Act may apply, within 30 days after the seizure, to a provincial court judge for an order to restore the seized cannabis to the person.

(2) A person who applies to a provincial court judge for the return of seized cannabis pursuant to subsection (1) shall serve the minister with written notice of the application at least 3 days before the application is to be heard by the provincial court judge.

(3) The notice mentioned in subsection (2) must include:

- (a) the date, location and time of the filing of the application;
- (b) a summary of the reasons being advanced by the applicant for the return of the seized cannabis; and
- (c) the date and time when, and the location where, the application is to be heard.

(4) On the expiry of 30 days after the seizure of cannabis, if no application has been made to a provincial court judge for an order to restore the seized cannabis, a police officer or the Cannabis Authority may destroy the seized cannabis in accordance with section 3-19.

(5) A police officer or the Cannabis Authority may retain a sample of seized cannabis for evidentiary purposes.

PART 7

Coming into Force

Coming into force

7-1(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Cannabis Control (Saskatchewan) Act* comes into force.

(2) If section 1 of *The Cannabis Control Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, 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 the day on which section 1 of *The Cannabis Control (Saskatchewan) Act* comes into force.

Appendix**PART 1****Table****TABLE 1**

[Subsection 4-8(1)]

Administrative Penalties

Item	Summary of Contravention	Provision of Act or Regulations
1	Allowing minors in a premises in contravention of the Act or regulations	2-4 - Act
2	Failure to demand proof of age	2-6(4) - Act
3	Opening, breaking or allowing to be opened or broken, a container or package containing cannabis that is being transported or distributed	2-13(2)(a) - Act
4	Consuming or permitting to be consumed any cannabis that is being transported or distributed	2-13(2)(b) - Act
5	Selling or distributing cannabis to a person who appears to be intoxicated	3-8 - Act
6	Possessing, selling, transporting or distributing cannabis that is produced or supplied in contravention of the Act	3-14(a) - Act
7	Selling or distributing cannabis to a minor	3-14(b) - Act
8	Failure to keep appropriate records	3-14(c) - Act
9	Failure to take adequate measures to avoid the diversion of cannabis to an illicit market or activity	3-14(d) - Act
10	Failure to comply with any reporting requirements	3-14(e) - Act
11	Possessing, selling, transporting or distributing any class of cannabis not mentioned in Schedule 4 of the Act, as amended by these regulations	3-15(a) - Act
12	Possessing, selling, transporting or distributing cannabis that contains any substance that is prohibited	3-15(b) - Act and 3-17 - regulations
13	Selling or distributing cannabis targeted at minors	3-16 - Act
14	Unauthorized selling or distributing of cannabis by means of a self-service display or dispensing device	3-17 - Act
15	Failure to post a cannabis permit in a prominent position	3-22 - Act

Item	Summary of Contravention	Provision of Act or Regulations
16	Possessing, selling, transporting, distributing or delivering cannabis in contravention of the Act or regulations	3-26 - Act
17	Failure to comply with the Act or regulations	5-1(a) - Act
18	Failure to comply with any terms or conditions of a permit	5-1(b) - Act
19	Failure to comply with any other law regulating the permittee	5-1(c) - Act
20	Failure to comply with hours of operation	3-6 - regulations
21	Failure to comply with requirements for delivery and shipment of cannabis to retail customers	3-7 - regulations
22	Failure to comply with additional rules for cannabis retail store permittees	3-8 - regulations
23	Failure to comply with mandatory training requirements	3-9 - regulations
24	Failure to comply with storage and handling of open cannabis requirements	3-18 - regulations
25	Failure to comply with destruction of cannabis requirements	3-19 - regulations

PART 2

Form

FORM A

[Section 4-1 and subsection 5-6(4) of the Act]
[Subsection 4-4(1), 4-5(1) and 4-8(3)]

Application for Review

To: Saskatchewan Liquor and Gaming Licensing Commission

(name of organization or individual)

requests a review of the Cannabis Authority's decision for the following reason(s):

The applicant wishes to have an oral hearing before the commission. (An oral hearing is required in the case of a permit suspension or cancellation.)

OR

The applicant does not wish to have an oral hearing before the commission but will provide written submissions.

Contact Person: _____
Address: _____
Telephone No.: [Res.] _____ [Bus.] _____
Email: _____

Signature _____ Date _____

FOR OFFICE USE ONLY

Date: _____
Forwarded: _____
Denied: _____

SASKATCHEWAN REGULATIONS 73/2018*The Snowmobile Act*

Section 41

Order in Council 515/2018, dated October 11, 2018

(Filed October 11, 2018)

Title

1 These regulations may be cited as *The Snowmobile (Designated Trail) Amendment Regulations, 2018*.

RRS c S-52 Reg 1 amended

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

New section 6.52

3 The following section is added after section 6.51:

“Operation on designated trail

6.52 The following vehicles are prescribed for the purpose of section 20.01 of the Act:

- (a) a motor vehicle operated on behalf of the trail manager for the purpose of carrying out any duty or exercising any power of the trail manager;
- (b) a motor vehicle operated on private land by:
 - (i) the owner or lawful occupier of the private land; or
 - (ii) an immediate family member of the owner or lawful occupier of the private land;
- (c) an emergency vehicle that meets one of the requirements of clauses 238(1)(a) to (e) of *The Traffic Safety Act*;
- (d) a motor vehicle that must cross a designated trail if crossing the trail by the most direct and shortest route of travel available”.

New section 6.81

4 The following section is added after section 6.8:

“Fees from certificates of registration

6.81 For the purposes of section 42 of the Act, the administrator shall pay all fees it collects from certificates of registration to the fund unless it receives written notification from the minister to pay the fees to the general revenue fund”.

Section 6.9 amended

5 Clause 6.9(2)(a) is repealed and the following substituted:

- “(a) all moneys received pursuant to section 6.81”.

Coming into force

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

