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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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CHAPTER M-2.01 REG 3

The Management and Reduction of Greenhouse Gases Act

Section 84

Order in Council 609/2018, dated December 5, 2018

(Filed December 5, 2018)

PART 1
Preliminary Matters

Title

1 These regulations may be cited as *The Management and Reduction of Greenhouse Gases (Standards and Compliance) Regulations*.

Definitions

2(1) In these regulations:

"Act" means *The Management and Reduction of Greenhouse Gases Act*;

"baseline emissions intensity" means the result obtained by dividing the baseline emissions level for a product in commercial production at a regulated facility by the baseline production level for the product;

"baseline emissions level" means the regulated emissions by a regulated facility resulting from the commercial production of a product averaged over the baseline years for the regulated facility;

"baseline production level" means the total annual quantity of a product commercially produced at a regulated facility averaged over the baseline years for the regulated facility;

"baseline years" means the baseline years that are established by the regulated emitter for a regulated facility and that are approved by the minister in accordance with the standard;

"business day" means a day other than a Saturday, Sunday or holiday;

"commercial production" means the act of producing a product for eventual sale, transfer or distribution;

"compliance return" means a return prepared in accordance with section 22 and the standard by a regulated emitter for a regulated facility for the purpose of demonstrating how the regulated emitter has fulfilled a compliance obligation in a compliance year in which a compliance obligation is incurred respecting the regulated facility;

"compliance year" means a year in which a regulated facility is subject to these regulations and for which a regulated emitter is required to reduce the emissions intensity of products produced at that regulated facility in accordance with these regulations and the standard;

"emission" means the emission of a greenhouse gas as measured in terms of tonnes of CO_2e;

"emissions return" means a return prepared in accordance with section 21 and the standard by a regulated emitter for a regulated facility for the purpose of demonstrating:

(a) whether the total regulated emissions by the regulated facility are below, meet or exceed its permitted emissions in each compliance year; and

(b) whether the regulated facility has earned performance credits or has incurred a compliance obligation;

"existing facility" means any regulated facility that has been in commercial production for at least 3 years;

"facility" means:

(a) any buildings, equipment, structures, on-site transportation machinery and stationary items that:

(i) are located on a single site, on multiple sites or between multiple sites that are owned or operated by the same person or persons; and

(ii) function as a single integrated site;

but does not include public roads; or

(b) subject to subsection (2), any other site, plant or establishment that is approved by the minister based on any unique or special circumstances respecting an emitter or class of emitters;

"new facility" means any regulated facility that has been in commercial production for less than 3 years, but does not include a facility that is in standby;

"performance standard allocation" means the percentages, established in Table 1 of the Appendix and the standard, that are assigned to each regulated sector and that are used to determine the reduction requirement for the regulated emissions from a facility that are subject to reduction;

"permitted emissions" means, for a compliance year of a regulated facility, the emissions the regulated facility is permitted to emit without incurring a compliance obligation, as determined in accordance with the standard, for all products in commercial production at the regulated facility;

"qualified person" means, for the purposes of these regulations, a person who meets the qualifications and eligibility requirements to be a qualified person established in these regulations and the standard;

"regulated emissions" means emissions from a regulated source category, as defined in the standard;

"reduction period" means the period determined pursuant to section 11 and the standard;

"regulated facility" means a facility owned and operated by a regulated emitter that is described in subsection 3(1);

"regulated sector" means a sector listed in column 1 of Table 1 of the Appendix;

"regulated source categories" means the categories of the sources of emissions from which greenhouse gas emissions may originate and that are established in the standard;

"standard" means a standard adopted by the minister pursuant to section 4;

"standby" means a period during which the regulated emitter satisfies the minister that no commercial production at a facility has occurred for a reason that was not provided in the information reported pursuant to section 13 to establish the baseline information for the facility;

"stationary fuel combustion" means the releases from stationary fuel combustion sources at a facility in which fuel is burned for the purpose of producing heat or work to be used at the facility;

"stationary fuel combustion sources" means devices that combust solid, liquid, gaseous, or waste fuel for the purpose of producing useful heat or work, including boilers, electricity generation units, co-generation units, combustion turbines, engines, incinerators, process heaters, and other stationary combustion devices, but does not include emergency flares;

"total regulated emissions" means the sum of all emissions from regulated source categories for a regulated facility in a calendar year or compliance year.

(2) For the purposes of the definition of "facility" in subsection (1), the minister may approve a site, plant or establishment, or a group of sites, plants or establishments, for an emitter or class of emitters based on:

(a) a request by the emitter or class of emitters: or

(b) the minister's own initiative after notifying the emitter or class of emitters of the reasons for the approval.

(3) For the purposes of these regulations, a regulated facility is considered to commence commercial production in the year in which a product is first produced at the regulated facility for eventual sale, transfer or distribution.

Application of regulations

3(1) For the purposes of the Act and these regulations, every person is a regulated emitter who owns or operates a facility with total regulated emissions of 25,000 tonnes or more of CO_2e in 2017.

(2) The owner or operator of a facility that did not have commercial production in 2017 and had total regulated emissions of 25,000 tonnes of CO_2e or more in its most recent full year of commercial production may apply to the minister to become regulated emitter.

(3) The owner or operator of a facility that had total regulated emission of 10,000 tonnes of CO_2e or more but 25,000 tonnes of CO_2e or less in 2017 or in its most recent full year of commercial production may apply to the minister to become a regulated emitter.

(4) On receiving an application pursuant to subsection (2) or (3):

(a) the minister may approve the owner or operator as a regulated emitter if the minister is satisfied that it is in the public interest to do; and

(b) if the minister acts pursuant to clause (a), the owner or operator is a regulated emitter and the facility is a regulated facility and the other provisions of these regulations and the standard that govern regulated emitters and regulated facilities apply to that owner or operator and the facility.

(5) These regulations do not apply to facilities in any sectors that are excluded in the standard.

(6) For the purposes of this section, the determination of total regulated emissions is to be based on information that the person who owns or operates the facility provides to the minister and that the minister considers satisfactory.

(7) The minister may determine the regulated sector to which a regulated facility belongs in accordance with Table 1 of the Appendix and the standard.

(8) If a facility in a regulated sector has total regulated emissions of 25,000 tonnes or more of CO_2e beginning in the year these regulations come into force or in a subsequent year:

(a) these regulations apply to the facility in the year after the first year in which the total regulated emissions are 25,000 tonnes or more of CO_2e; and

(b) the owner or operator of the facility mentioned in clause (a) is a regulated emitter.

Standard

4(1) The minister may adopt a standard respecting any matters dealt with by these regulations including the following:

(a) registrations;

(b) establishing and calculating baseline emissions levels, baseline production levels, baseline emissions intensities and performance standard allocations;

(c) emissions returns and baseline submissions;

(d) compliance obligations and compliance returns;

(e) performance credits and offset credits;

(f) verification of baseline information, emissions returns and other reports and submissions;

(g) determining global warming potential for greenhouse gases;

(h) calculating performance standards, permitted emissions, and total regulated emissions;

(i) determining reduction periods.

(2) In accordance with subsection 7(4) of the Act, the minister must cause the standard to be made public in any manner the minister considers appropriate, including publishing it on the ministry's website.

(3) The minister must undertake any consultations with regulated emitters that the minister considers appropriate before amending the standard.

(4) No regulated emitter shall fail to comply with the standard.

PART 2
Registrations

Required registration

5(1) For the purposes of complying with the Act and these regulations, every regulated emitter must register with the minister, in accordance with the standard, each regulated facility that it either owns or operates.

(2) A registration must be made:

(a) for an existing facility before baseline information is submitted in accordance with the standard; or

(b) for a new facility by June 1 of the year after the year in which the facility first has total regulated emissions of 25,000 tonnes or more of CO_2e.

(3) If the owner and operator of a regulated facility are different persons, only one registration is required for the regulated facility.

(4) A regulated emitter must immediately send written notice to the minister of any change in the information it submitted for the purposes of registration and provide the minister with the updated information as soon as is practicable after the change.

(5) If a regulated facility described in subsection 3(1) has, in 2018, total regulated emissions of less than 25,000 tonnes of CO_2e, the regulated emitter may apply to the minister for an order exempting the regulated facility from registration and specifying that the regulated facility is no longer subject to these regulations.

(6) An application for the purposes of subsection (5) must:

(a) include the total regulated emissions for the regulated facility for the year on which the application for the exemption is based; and

(b) be made by June 1 of the year in which these regulations come into force.

(7) The minister shall provide written confirmation of registration status to the regulated emitter.

Voluntary registration

6(1) A person who owns or operates a facility may voluntarily register the facility with the minister in accordance with the standard if the person provides evidence satisfactory to the minister to establish that:

(a) the facility has total regulated emissions of greater than 10,000 tonnes of CO_2e in 2017; or

(b) in the case of a facility that did not have commercial production in 2017, the facility had total regulated emissions of 10,000 tonnes of CO2e or more in its most recent full year of commercial production.

(2) The owner or operator of a facility who wishes to voluntarily register the facility must register at the time approved by the minister on the request of the person.

(3) The owner or operator of a facility that is registered pursuant to this section is deemed to be a regulated emitter.

(4) A person who owns or operates a facility described in subsection 3(2) may:

(a) apply to the minister to register the facility; and

(b) if the requirements of subsection 7(4) are met, for an order declaring that the facility is in standby.

(5) If the facility mentioned in subsection (4) is in standby, the regulated emitter must establish the baseline information required by section 13 when the facility exits standby.

Removal from registration and requesting standby and decommissioning status

7(1) A regulated emitter may apply to the minister for an order removing a regulated facility from registration and specifying that the regulated facility is no longer subject to these regulations if the total regulated emissions by the regulated facility are less than 25,000 tonnes CO_2e in each of the 3 consecutive compliance years before the date of the application.

(2) An application for the purposes of this section must be made as part of the emissions return for the third or any subsequent consecutive year after the compliance year in which the total regulated emissions by the regulated facility are less than 25,000 tonnes CO_2e.

(3) Notwithstanding subsection (2), if an emissions return is not scheduled for the compliance year in which a regulated emitter satisfies the requirements of subsection (1), a regulated emitter may submit an emissions return and make an application for the purposes of this section by June 1 of the year following the compliance year in which the regulated emitter meets the requirements of subsection (1).

(4) A regulated emitter may apply to the minister for an order declaring a regulated facility to be in standby or that a facility has been decommissioned by providing evidence, to the satisfaction of the minister, that:

(a) commercial production at the facility has halted for a period of 3 months for a reason that was not provided in the information reported pursuant to section 13 to establish the baseline information for the facility; or

(b) the facility has been decommissioned.

(5) A regulated facility is exempt from requirements to have an emissions return verified and from accruing compliance obligations for the period in which it is in standby.

(6) Any regulated facility that enters standby during a compliance year is subject to requirements for the verification of its emissions return and accrues compliance obligations for any part of the compliance year before which it is in standby.

(7) At the times required by the minister, a regulated emitter must submit a signed declaration to the minister to attest that its regulated facility or facilities are still in standby in the manner established in the standard.

(8) A regulated emitter must immediately send written notice to the minister as soon as is practicable after a decision has occurred for the regulated facility to resume commercial production.

(9) A regulated facility that is exiting standby continues to be exempt from accruing compliance obligations for a period of 3 months after the date on which commercial production resumes at the facility.

(10) After the expiry of the 3-month period mentioned in subsection (9), the regulated emitter:

(a) is subject to the accrual of compliance obligations; and

(b) must submit a verified emissions return to the minister in the next compliance year, in the manner established in the standard.

(11) A regulated emitter that has provided evidence, to the satisfaction of the minister, that the facility it own or operates is decommissioned is no longer subject to these regulations, other than those terms and conditions that the minister may impose.

(12) If total regulated emissions from a regulated facility remain less than 10,000 tonnes CO_2e for 3 or more consecutive years:

(a) the minister may remove the regulated facility from registration; and

(b) if the minister acts pursuant to clause (a), the minister shall provide the regulated emitter who owns or operates the facility with written notice of the minister's action.

Terms and conditions registrations

8(1) The minister may impose terms and conditions on the regulated emitter who owns or operates the regulated facility if the regulated emitter:

(a) has failed to comply with the Act, these regulations or the standard;

(b) has made a false statement or provided false information to the minister, an environment officer, the ministry or any person acting on behalf of the minister;

(c) has omitted to state a fact that is required to be stated or that is necessary to make a statement not misleading in light of the circumstances in which it was made to the minister, an environment officer, the ministry or any person acting on behalf of the minister;

(d) has failed to comply with an order of the minister issued pursuant to this Act, the regulations or the standard; or

(e) has done something that the minister is satisfied is contrary to the public interest.

(2) Before the minister acts pursuant to subsection (1), the minister must:

(a) provide written notice of and written reasons for the proposed action to the regulated emitter; and

(b) provide the regulated emitter with an opportunity to make written representations respecting the proposed action within 30 business days after being served with the notice mentioned in clause (a).

(3) No regulated emitter shall fail to comply with any terms and conditions imposed on it pursuant to this section.

PART 3
Performance Standards re Emissions

Requirement to reduce emission intensities

9 Every regulated emitter must reduce, in accordance with these regulations and the standard, the emissions intensity at every regulated facility it owns and operates.

Compliance years

10(1) The first compliance year for a regulated facility is the first year in which that regulated facility is subject to these regulations.

(2) Notwithstanding subsection (1), the first compliance year for a new facility is the third year after the year in which:

(a) the new facility commences commercial production of a product; and

(b) there are at least 25,000 tonnes of total regulated emissions by that facility.

Reduction periods

11 Every regulated emitter must determine reduction periods in accordance with the standard for the purposes of determining the performance standard allocation for a product in commercial production at a regulated facility.

Performance standard allocations – products

12 For the purpose of calculating permitted emissions for a product in accordance with the standard, the performance standard allocation for a product in a given reduction period at a regulated facility within a particular sector is determined using Table 1 of the Appendix.

Determining certain baseline information

13(1) Every regulated emitter must:

(a) establish the baseline emissions level, baseline production level and baseline emissions intensity for each product commercially produced at a regulated facility it owns or operates in accordance with the standard;

(b) report the baseline information mentioned in clause (a) to the minister in accordance with the standard; and

(c) include verification, to the satisfaction of the minister and in the manner required in the standard, by a qualified person to establish the accuracy of the information.

(2) If the qualified person provides, in the qualified person's statement of verification, an assessment that is adverse to the regulated emitter, or qualifies any information of the regulated emitter, in accordance with the types of verification established in the standard:

(a) the minister may direct, in writing, that the regulated emitter undertake corrective actions specified in the direction and within the period specified in the direction; and

(b) the regulated emitter must comply with the direction within the period specified.

(3) Subject to subsection (4), the minister may review baseline emissions intensities as submitted by the regulated emitter and either establish an adjusted baseline emissions intensity or require a regulated emitter to establish a new adjusted baseline emissions intensity satisfactory to the minister:

(a) when a regulated facility commences commercial production of a new product at the regulated facility;

(b) when a regulated facility ceases commercial production of an existing product at the regulated facility;

(c) when production at a regulated facility has decreased, but not yet ceased, due to decommissioning of the facility;

(d) on the minister's own initiative if the minister is satisfied that the established baseline emissions intensity is inaccurate;

(e) if a reduction in emissions intensity occurs for a regulated facility that is equal to or greater than 10% in a compliance year;

(f) when changes have been made to quantification methodologies that result in deviations from calculated emissions or to products;

(g) when changes have been made to operational boundaries, ownership or control of greenhouse gas sources or sinks; or

(h) on the application of a regulated emitter pursuant to section 14.

(4) Before the minister establishes an adjusted baseline emissions intensity or requires the regulated emitter to establish a new baseline emissions intensity pursuant to subsection (3), the minister shall, in accordance with the standard:

(a) provide the regulated emitter who owns or operates the regulated facility with written notice of the minister's decision along with reasons for it; and

(b) give the regulated emitter an opportunity to make written representations within 30 business days after receiving the written notice respecting the minister's decision.

Application to re-establish baseline emission intensity

14(1) In accordance with the standard, a regulated emitter may apply to the minister for approval to re-establish a baseline emissions intensity on or before June 1 of the compliance year in which the re-established baseline emissions intensity is to apply.

(2) An application pursuant to subsection (1) must:

(a) be submitted in the form and manner satisfactory to the minister;

(b) provide evidence satisfactory to the minister that one or more of the circumstances mentioned in clauses 13(3)(a) to (h) are met; and

(c) include the information reasonably required by the minister.

Determination of permitted emissions and total regulated emissions

15(1) In accordance with the standard, for every compliance year, every regulated emitter must determine:

(a) the permitted emissions of the regulated facility; and

(b) the total regulated emissions by the regulated facility.

(2) If the minister is satisfied that a regulated emitter has not complied with the standard when making the determinations mentioned in subsection (1), the minister must:

(a) provide the regulated emitter with a written explanation for the minister's decision and directions for how to make the determinations; and

(b) require the regulated emitter to make new determinations in accordance with the directions.

PART 4
Limits on Emissions and Compliance Obligations

Total regulated emissions

16 The total regulated emissions by a regulated facility must not exceed the permitted emissions at the regulated facility during a compliance year.

Compliance obligations

17(1) If the total regulated emissions by a regulated facility exceed the permitted emissions for that regulated facility during a compliance year, the regulated emitter incurs a compliance obligation.

(2) The compliance obligation for a regulated facility for a given compliance year is the positive amount CO determined in accordance with the following formula:

$$CO = TE - PE$$

where:

CO is the compliance obligation for the regulated facility measured in tonnes of CO_2e;

TE is the total regulated emissions measured in tonnes of CO_2e by the regulated facility during the compliance year; and

PE is the permitted emissions for the regulated facility during the compliance year measured in tonnes of CO_2e.

Fulfilling compliance obligations

18(1) Every regulated emitter must fulfil a compliance obligation that it has incurred on or before:

(a) October 31 of the year in which the emissions return for that compliance year is submitted; or

(b) another date that is requested by the regulated emitter and that the minister is satisfied is appropriate.

(2) Subject to any order made pursuant to section 20, a compliance obligation may be fulfilled by doing either or both of the following:

(a) paying to the minister for deposit in the technology fund the dollar amount of the compliance obligation;

(b) undertaking any other compliance option approved by the minister that, in the opinion of the minister, is related to reducing, sequestering or limiting the emission of greenhouse gases or that is consistent with the purposes of the Act.

(3) For the purposes of clause (2)(a), the dollar amount of the compliance obligation is the amount DCO calculated in accordance with the following formula:

$$DCO = CO \times A$$

where:

DCO is the dollar amount of the compliance obligation;

CO is the compliance obligation as determined in accordance with section 17 measured in tonnes of CO_2e ; and

A is the dollar amount per tonne of CO_2e set by order of the Lieutenant Governor in Council.

(4) The minister must cause every order of the Lieutenant Governor in Council made for the purposes of this section to be made public in any manner that the minister considers appropriate, including posting it on the ministry's website.

(5) A payment pursuant to clause (2)(a) must be made in cash or in any other manner approved by the Minister of Finance.

Failure to fulfil a compliance obligation

19(1) If a regulated emitter fails to fulfil a compliance obligation as required by section 18, the dollar amount of the compliance obligation is a debt owing to the Government of Saskatchewan and may be recovered by the minister in any manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

(2) An unfulfilled compliance obligation bears interest at the rate equal to the sum of:

(a) the prime lending rate of the bank holding Saskatchewan's general revenue fund as determined and adjusted in accordance with this section; and

(b) 3 percentage points.

(3) The interest rate set out in this section must be determined on June 15 and December 15 in each year and:

(a) the interest rate as determined on June 15 applies to unpaid compliance obligations that are owing on or after July 1; and

(b) the interest rate as determined on December 15 applies to unpaid compliance obligations that are owing on or after January 1 of the following year.

Credits and compliance options

20(1) The Lieutenant Governor in Council may make an order respecting performance credits, offset credits and compliance options, including:

(a) how the credits may be awarded;

(b) the threshold of emissions below an emissions level set out in the order at which point performance credits will be awarded;

(c) the activities that may qualify as generating offset credits;

(d) the manner in which credits may be used;

(e) any terms, conditions and restrictions that must be complied with in the use of credits or compliance options; and

(f) any other matter or thing related to credits or compliance options that the Lieutenant Governor in Council considers necessary or appropriate.

(2) The minister must cause every order of the Lieutenant Governor in Council made for the purposes of this section to be made public in any manner that the minister considers appropriate, including posting it on the ministry's website.

PART 5
Returns and Qualified Persons

Emissions returns required

21(1) Every regulated emitter must submit to the minister an emissions return for each compliance year for each regulated facility it owns or operates in accordance with the return schedule set out in the standard.

(2) Every emissions return must contain all of the following:

(a) the information required by the standard;

(b) verification to the satisfaction of the minister of the information by a qualified person to establish the accuracy of the information, in the manner required by the standard;

(c) confirmation of whether the total regulated emissions produced at the regulated facility are equal to or less than the permitted emissions for the regulated facility during the compliance year;

(d) a signed declaration from the regulated emitter, in the manner required by the standard.

(3) If the minister is satisfied that the emissions return contains any errors, omissions or other concerns that are identified within the period for the retention of records established in section 29:

(a) the minister may direct, in writing, that the regulated emitter make any corrections specified in the direction and resubmit the emissions return within the period specified in the direction; and

(b) the regulated emitter must comply with the direction within the period specified.

(4) If the qualified person provides, in the qualified person's verification of the emissions return, a report that is adverse to the regulated emitter:

(a) the minister may direct, in writing, that the regulated emitter make any corrections specified in the direction and resubmit the emissions return within the period specified in the direction; and

(b) the regulated emitter must comply with the direction within the period specified.

Compliance returns

22(1) In accordance with the standard, a regulated emitter must submit a compliance return to the minister for any compliance year in which the total regulated emissions produced by a regulated facility owned or operated by the regulated emitter are greater than the permitted emissions for the regulated facility during the compliance year.

(2) A compliance return must be submitted on or before:

(a) October 31 of the year in which the emissions return for that compliance year is submitted; or

(b) another date as requested by the regulated emitter and that the minister is satisfied is appropriate.

(3) Every compliance return must contain all of the following:

(a) confirmation satisfactory to the minister that the regulated emitter met any compliance obligation owed by the regulated emitter for the compliance year;

(b) any other information required by the standard.

Qualified persons

23(1) Subject to subsection (2), for the purposes of the Act and these regulations, a qualified person is a person who meets the qualifications set out in the standard.

(2) A person is not eligible to be a qualified person for a regulated facility if any of the following apply:

(a) the person is an employee, agent or officer of the owner or operator of the regulated facility or the manager, owner or operator of the regulated facility;

(b) the person is an employee, agent or officer of an affiliate of the owner or operator of the regulated facility;

(c) the person is an employee, agent or officer of the Government of Saskatchewan.

(3) For the purposes of this section, a person who is engaged as an external consultant to the owner or operator of a regulated facility is deemed not to be an agent of the owner or operator.

(4) The minister may request that a qualified person produce evidence to the minister of the person's qualifications and eligibility to be a qualified person.

(5) In verifying information, every qualified person must comply with the requirements established in the standard.

PART 6
Technology Fund

Applications for money in the technology fund

24(1) A regulated emitter may apply to the minister to obtain a payment of moneys from the technology fund.

(2) An application must be made in accordance with the standard and contain the information required by the standard.

Payments from the fund

25(1) If the minister is satisfied that an application by a regulated emitter is made for a purpose of the fund as set out in section 23.1 of the Act and that it is in the public interest to do so, the minister may approve the application and pay moneys from the technology fund to the regulated emitter.

(2) Moneys from the technology fund may be paid in the form of a grant, loan or other form of financial assistance, other than an equity investment, that the minister considers appropriate.

(3) If the minister does not approve an application, the minister shall provide a written notice of the minister's decision along with reasons for the decision to the regulated emitter who submitted the application.

(4) The minister may impose any terms and conditions on the use of moneys paid pursuant to this section, and every regulated emitter on whom terms and conditions are imposed shall comply with those terms and condition.

Reports

26(1) Every regulated emitter to whom moneys are paid from the technology fund shall submit a report to the minister respecting the use of those moneys.

(2) A report required pursuant to this section must:

(a) contain the information required by the minister; and

(b) be submitted in the manner and on or before the date required by the minister.

Overpayments

27(1) The minister may declare all or any portion of a payment made to a regulated emitter pursuant to this Part to be an overpayment if the minister is satisfied that:

(a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;

(b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or

(c) the regulated emitter has failed to comply with the Act, these regulations or the standard.

(2) If the minister declares all or any portion of a payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the regulated emitter in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

PART 7
General

Administrative penalties

28(1) For the purposes of section 78 of the Act, the minister may assess a penalty for a contravention of a provision of the Act or these regulations set out in Table 2 of the Appendix.

(2) An administrative penalty may be imposed only on a regulated emitter.

(3) The maximum penalty the minister may assess with respect to each contravention is $10,000.

Record keeping

29 Every person who submits a report or return to the minister pursuant to these regulations must retain all documents and information used to prepare the report or return, including a record of any methodologies, procedures or instruments that are used, for a minimum of 7 years after the date on which the report or return was submitted.

Confidentiality requests

30(1) For the purposes of subsection 61(4) of the Act, requests to keep confidential all or any part of a return or other submission to the minister must be made in writing in conjunction with the submission of the return or submission.

(2) The minister shall provide a written response within 30 days after receiving a request for confidentiality to indicate if the request has or has not been accepted and provide reasons for the minister's decision.

(3) If the minister proposes to not accept the request for confidentiality, the minister shall provide written notice along with written reasons to the person making the request and give that person 7 business days from the date of receipt to make written representations.

(4) After reviewing any written representations made pursuant to subsection (3) or, if no written representations are made, after the expiry of the 7-day period mentioned in subsection (3), the minister:

(a) may make a final decision to accept or not accept the request for confidentiality; and

(b) shall provide a written notice to the person of the minister's decision.

PART 8
Coming into Force

Coming into force

31(1) Subject to subsections (2) and (3), these regulations come into force on January 1, 2019.

(2) Subject to subsection (3), if these regulations are filed with the Registrar of Regulations after January 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(3) Subsections 6(1) and (2) come into force on a date to be set by order of the Lieutenant Governor in Council.

APPENDIX

Table 1
Performance Standard Allocation

Sector *Column 1*	**Reduction Period** *Column 2*											
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**
Potash, coal and uranium mining	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Iron and steel mills	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Fertilizer manufacturing	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Pulp mills	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Ethanol manufacturing	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Oilseed processing	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Char production	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Activated carbon production	.9958	.9917	.9875	.9833	.9792	.9750	.9708	.9667	.9625	.9583	.9542	.9500
Refining and upgrading of petroleum	.9917	.9833	.9750	.9667	.9583	.9500	.9417	.9333	.9250	.9167	.9083	.9000
Upstream oil and gas stationary fuel combustion[1]	.9875	.9750	.9625	.9500	.9375	.9250	.9125	.9000	.8875	.8750	.8625	.8500
Other sectors[2]	As determined by the minister in accordance with the standard											

[1]Upstrream oil and gas sector includes straddle and gas processing plants
[2] Other sectors include any other sector as identified in the standard.

Table 2
Provisions for which Administrative Penalty May be Imposed
[*Subsection 28(1)*]

Item *Column 1*	**Description of Contravention** *Column 2*	**Provision of Act or regulations** *Column 3*
1	Failure to provide reports to the minister	21 of the Act
2	Failure to comply with the standard	4(4) of the regulations
3	Failure to register a regulated facility	5(1) of the regulations
4	Failure to provide information to the minister as required	5(4) of the regulations
5	Failure to comply with a direction	13(2) of the regulations
6	Failure to fulfil a compliance obligation as required	18 of the regulations
7	Failure to submit emissions return	21(1) of the regulations
8	Failure to comply with a direction	21(3) of the regulations
9	Failure to comply with a direction	21(4) of the regulations
10	Failure to submit compliance return	22 of the regulations
11	Failure to submit report respecting use of moneys	26 of the regulations
12	Failure to retain documents and information used to prepare a report for the minimum period required	29 of the regulations

CHAPTER O-2 REG 7

The Oil and Gas Conservation Act

Sections 16 and 18

Order in Council 610/2018, dated December 5, 2018

(Filed December 5, 2018)

PART 1
Preliminary Matters

Title

1 These regulations may be cited as *The Oil and Gas Emissions Management Regulations*.

Definitions

2(1) In these regulations:

"Act" means *The Oil and Gas Conservation Act*;

"approved" means approved by the minister;

"assessment notice" means a notice issue in accordance with the Act as a result of emissions exceeding the emissions limit;

"associated gas" means gas produced from an oil well;

"ATE" or **"actual total emissions"** means, with respect to all oil facilities in a production class that are licensed by a business associate, the mass of greenhouse gas that:

(a) is actually emitted in a year at the oil facilities; and

(b) is calculated in accordance with the formula set out in subsection 7(1);

"business associate", subject to section 5, means the person recorded in the registry as the licensee of an oil facility;

"CE" or **"combined emissions"** means ATE in all production classes at all oil facilities that are licensed by a business associate;

"CEL" or **"combined emissions limit"** means EL in all production classes at all oil facilities that are licensed by a business associate;

"CO_2e" or **"carbon dioxide equivalent"** means the mass of carbon dioxide that would produce the same global warming potential as a given mass of another greenhouse gas;

"combined potential emissions" means PTE, as determined in accordance with Part 3, in all production classes at all oil facilities that are licensed by a business associate;

"control person" means any person, including a corporation, or combination of persons that hold or control more than 20% of the outstanding voting securities of the business associate;

"EE" or **"excess emissions"** , other than in section 14, means the amount by which the combined emissions exceed the combined emissions limit, calculated in accordance with subsection 9(2);

"EFf" or **"emissions factor for flared gas"** means the emissions factor for associated gas that is reported as flared, as specified by the minister for the production class of the oil facility at which the gas was flared;

"EFv" or **"emissions factor for vented gas"** means the emissions factor for associated gas that is reported as vented, as specified by the minister for the production class of the oil facility at which the gas was vented;

"EIL" or **"emissions intensity limit"** means the emissions intensity limit for a production class for a year, as set out in Table 2 of the Appendix;

"EL" or **"emissions limit"** means an amount of emissions of greenhouse gases calculated in accordance with section 8;

"emissions" means the release of greenhouse gas to the atmosphere as a result of the venting or flaring of associated gas at an oil facility, expressed in carbon dioxide equivalent;

"emissions factor" means the factor specified by the minister in accordance with subsection 7(3) for converting reported flared gas volumes and vented gas volumes to a mass of carbon dioxide equivalent, expressed in tonnes of CO_2e per thousand cubic metres;

"FV" or **"flared gas volume"** means, with respect to all oil facilities in a production class that are licensed by a business associate, the volume of associated gas that is reported as flared at the oil facilities;

"greenhouse gas" means carbon dioxide (CO_2) and methane (CH_4);

"oil" means oil as defined in *The Oil and Gas Conservation Regulations, 2012*;

"oil facility" means a facility recorded in the registry that has as its primary product oil;

"production class" means a production class established in Table 1 of the Appendix to which an oil facility is assigned;

"PTE" or **"potential total emissions"** means, with respect to all oil facilities in a production class that are licensed by a business associate, the mass of greenhouse gas that:

(a) could potentially be emitted in a year at the oil facilities;

(b) is calculated in accordance with the formula set out in subsection 7(2);

"PV" or **"produced volume of associated gas"** means, with respect to all oil facilities in a production class that are licensed by a business associate, the volume of associated gas that is produced in a year at the oil facilities;

"VV" or **"vented gas volume"** means, with respect to all oil facilities in a production class that are licensed by a business associate, the volume of associated gas that is reported as vented at the oil facilities.

(2) For the purposes of these regulations, the global warming potential for a greenhouse gas is the 100-year time horizon global warming potential value as established in the Fourth Assessment Report (AR4) issued by the Intergovernmental Panel on Climate Change.

Application

3 These regulations apply to every business associate all of whose combined potential emissions are greater than 50,000 tonnes of CO_2e per year.

References to volume

4 Subject to subsection 15(3), a reference in these regulations to volume is deemed to be a reference to the volume reported by a business associate in accordance with section 6.

Associated persons

5(1) The minister may direct that any 2 or more separate business associates are deemed to be 1 business associate if:

(a) the minister is satisfied that one of the reasons for their separate existence is to reduce the amount of actual emissions they report;

(b) a business associate has in common with another business associate any directors, officers, partners or control persons;

(c) the minister is satisfied on reasonable grounds that it is appropriate to do so and in the public interest; or

(d) 2 or more business associates ask to be considered as 1 business associate.

(2) For the purposes of subsection (1), before making a direction the minister shall:

(a) give notice of the minister's intention to treat the business associates as 1 business associate; and

(b) give the business associates an opportunity to make written representations.

PART 2
Reporting Requirements and Carbon Dioxide Equivalence

Measurement and reporting requirements and carbon dioxide equivalent

6(1) Every business associate shall accurately measure and report volumes of associated gas at all oil facilities that are licensed by the business associate in accordance with all of the following:

(a) the requirements of Directive PNG017: *Measurement Requirements for Oil and Gas Operations*;

(b) the requirements of Directive PNG076: *Enhanced Production Audit Program (EPAP)*;

(c) the requirements of Directive PNG032: *Volumetric, Valuation and Infrastructure Reporting in Petrinex.*

(2) The minister shall cause the directives mentioned in subsection (1) to be made public in any manner the minister considers appropriate, including publishing them on the ministry's website.

(3) For the purposes of these regulations, all emissions are to be calculated and expressed in the form of carbon dioxide equivalent.

PART 3
Emissions

Calculations - actual and potential emissions

7(1) For the purpose of the definition of "ATE" as set out in section 2, ATE at oil facilities is to be calculated in accordance with the following formula:

$$ATE = (FV \times EFf) + (VV \times EFv)$$

where:

ATE is the actual total emissions at the oil facilities;

FV is the flared gas volume at the oil facilities;

EFf is the emissions factor for flared gas for the production class applicable to the oil facilities;

VV is the vented gas volume at the oil facilities;

EFv is the emissions factor for vented gas for the production class applicable to the oil facilities.

(2) For the purposes of the definition of "PTE" as set out in section 2, PTE at oil facilities is to be calculated in accordance with the following formula:

PTE = PV x EFv

where:

PTE is the potential total emissions at the oil facilities;

PV is the produced volume of associated gas at the oil facilities; and

EFv is the emissions factor for vented gas for the production class applicable to the oil facilities.

(3) For the purposes of these regulations, the minister shall issue an order specifying emissions factors.

(4) For the purposes of specifying an emissions factor, the minister may:

(a) determine a representative composition of associated gas for a production class based on:

(i) volumes measured in accordance with Directive PNG017: *Measurement Requirements for Oil and Gas Operations* and reported in accordance with Directive PNG032: *Volumetric, Valuation and Infrastructure Reporting in Petrinex*; and

(ii) composition analysis; and

(b) include in the emissions factor the representative composition of associated gas mentioned in clause (a).

(5) In the order specifying the emissions factor mentioned in subsection (3), the minister is to specify how the carbon dioxide equivalence of the greenhouse gases is to be quantified.

(6) The minister shall cause every order issued pursuant to subsection (3) to be made public in any manner the minister considers appropriate, including publishing it on the ministry's website.

Emissions limit, per production class

8 In any year, the emissions limit for all oil facilities that are in the same production class and that are licensed by a business associate is the amount EL for that year for its oil facilities, calculated in accordance with the following formula:

EL = PTE x EIL

where:

EL is the emissions limit for all oil facilities that are in the same production class and that are licensed by that business associate;

PTE is the potential total emissions for all oil facilities that are in the same production class and that are licensed by that business associate; and

EIL is the emissions intensity limit for that production class for that year as set out in Table 2 of the Appendix.

Calculation of excess emissions, per business associate

9(1) In each year, every business associate shall ensure that the combined emissions at its oil facilities do not exceed the combined emissions limit for those oil facilities.

(2) In any year, the combined emissions at the oil facilities that are licensed by a business associate exceed the combined emissions limit for those oil facilities if the amount EE for that year for those oil facilities, calculated in accordance with the following formula, is an amount greater than zero:

EE = CE – CEL

where:

EE is the excess emissions for that year;

CE is the combined emissions for that year;

CEL is the combined emissions limit for that year.

Administrative penalty – excess emissions

10(1) For the purposes of section 58.1 of the Act, the minister may assess an administrative penalty with respect to a contravention of subsection 9(1) against any business associate in accordance with subsection (2).

(2) Subject to Part 5, in any year, a business associate whose oil facilities produce combined emissions that exceed the combined emissions limit determined in accordance with subsection 9(2) shall pay to the minister within the period specified by the minister an administrative penalty for producing excess emissions calculated in accordance with the following formula:

AP = EE x D

where:

AP is the amount of the administrative penalty;

EE is the excess emissions for that year; and

D is the dollar amount per tonne of excess emissions set out in Table 3 of the Appendix.

(3) If the business associate who is recorded in the registry as the licensee of an oil facility changes during a year, the business associate on December 31 of that year is deemed to be the sole business associate for the purposes of this section and is responsible for paying any administrative penalty assessed pursuant to this section respecting excess emissions for that year.

PART 4
Emissions Reduction Plans

Submission of emissions reduction plan

11(1) Every person who is a business associate on the day on which these regulations come into force shall submit to the minister by September 1, 2019, in an approved form and manner, an emissions reduction plan setting out the measures that the business associate intends to take to bring its licensed facilities into compliance with these regulations and to meet the emissions limits set out in these regulations.

(2) Every person who becomes a business associate after the day on which these regulations come into force shall:

(a) in the case of a person who becomes a business associate on or before July 1, 2019, submit an emissions reduction plan described in subsection (1) to the minister by September 1, 2019;

(b) in the case of a person who becomes a business associate after July 1, 2019, submit an emissions reduction plan described in subsection (1) to the minister no later than 60 days after becoming a business associate.

(3) Notwithstanding any other provision of these regulations, the minister may extend the time to submit an emissions reduction plan, whether or not the time at or within which it must be submitted has expired, if:

(a) the person required to submit the emissions reduction plan satisfies the minister that the person has reasonable grounds for requesting an extension; and

(b) the minister is satisfied that it is appropriate and not contrary to the public interest to do so.

(4) A business associate shall submit a new emissions reduction plan described in subsection (1) or (2) if:

(a) there has been a substantial change to the emissions reduction plan;

(b) the minister issues an assessment notice requiring that the business associate pay an administrative penalty pursuant to subsection 10(1); or

(c) the minister requests a new emissions reduction plan.

Review of emissions reduction plan

12(1) On review of an emissions reduction plan, the minister may:

(a) approve the emissions reduction plan with any changes that the minister considers necessary to bring the business associate into compliance with these regulations; or

(b) refuse to approve the emissions reduction plan.

(2) If the minister refuses to approve the emissions reduction plan pursuant to clause (1)(b), the business associate shall prepare a new plan that complies with any requirements specified by the minister.

Approved emissions reduction plan

13(1) No business associate shall fail to comply with an emissions reduction plan that is approved in accordance with section 12.

(2) The minister may specify that any or all of the requirements of the plan mentioned in subsection (1) are terms and conditions of the licence held by the business associate that submitted the plan.

(3) Before the minister acts pursuant to subsection (2), the minister must provide the business associate that submitted the emissions reduction plan:

(a) written notice of the minister's intended action and the reasons for that intended action; and

(b) an opportunity to make written representations to the minister, within a period set by the minister, as to why the intended action should not be taken.

(4) The minister is not required to give an oral hearing to any business associate to whom notice has been provided pursuant to subsection (3).

(5) After considering the representations mentioned in subsection (3), the minister shall give written notice of the decision with reasons and shall serve a copy of the decision on the business associate that made the representations.

PART 5
Qualifying Conservation Projects

Qualifying conservation projects

14(1) In this section:

"AP" or **"assessed penalty"** means the administrative penalty assessed on a business associate in accordance with subsection 10(1) for that assessment year;

"assessment year" means the year with respect to which the excess emissions were assessed;

"DP" or **"deferred penalty"** means the amount calculated in accordance with subsection (5);

"EE" or **"excess emissions"** means the excess emissions for the assessment year as set out in the assessment notice issued to the business associate;

"PER" or **"projected emissions reductions"** means the annual projected emissions reductions for a qualifying conservation project undertaken by a business associate, as approved by the minister, expressed in tonnes of CO_2e;

"qualifying conservation project" means any of the following:

(a) a gas plant and associated infrastructure capable of receiving and processing associated gas for commercial sale;

(b) a transmission pipeline capable of:

(i) delivering gas to an existing gas plant; or

(ii) connecting to an existing transmission pipeline;

(c) an electrical generation facility and associated infrastructure capable of using gas to generate electricity for commercial sale or own use;

(d) any other project that uses gas for purposes other than flaring or incineration and that is a productive use of gas.

(2) Subject to subsection (8), a business associate who is assessed an administrative penalty pursuant to subsection 10(1) may apply to the minister in an approved form and manner within 30 days after receipt of the assessment notice to defer payment of all or part of the assessed penalty.

(3) On receipt of an application, the minister may:

(a) approve the application in the amount specified in subsection (5) if the minister is satisfied that:

(i) the business associate is undertaking a qualifying conservation project;

(ii) the qualifying conservation project mentioned in subclause (i) could not have been completed within the assessment year;

(iii) the qualifying conservation project mentioned in subclause (i) will achieve a reduction of emissions that is capable of offsetting all or part of the excess emissions; and

(iv) the qualifying conservation project mentioned in subclause (i) will be completed and capable of operating no later than 12 months after the assessment year; or

(b) may refuse the application.

(4) The minister shall notify the applicant of the minister's decision and, in the case of a decision pursuant to clause (3)(b), provide written reasons for the decision.

(5) The deferred penalty is an amount equal to the following:

(a) if the PER is greater than or equal to the EE, the AP;

(b) if the PER is less than the EE, the amount DP calculated in accordance with the following formula:

$$DP = AP \times \frac{PER}{EE}$$

where:

DP is the deferred penalty;

AP is the assessed penalty;

PER is the projected emissions reductions;

EE is the excess emissions.

(6) If the business associate completes the qualifying conservation project and it is capable of operating by the end of the year following the assessment year, the business associate is not required to pay the deferred penalty.

(7) If the business associate does not complete the qualifying conservation project or if the qualifying conservation project is not capable of operating by the end of the year following the assessment year, the business associate shall pay to the minister:

(a) the deferred penalty; and

(b) interest on the deferred penalty from the date the deferred penalty would have been due if it had not been deferred to the date of payment.

(8) No application may be made pursuant to this section after April 1, 2024 and all qualifying conservation projects must be completed and capable of operating by January 1, 2025.

PART 6
General

Emissions audit

15(1) The minister may, at any time, audit the measurement and reporting of volumes of associated gas at oil facilities that are licensed by a business associate in order to determine if the measurement and reporting have been carried out in accordance with the Act, these regulations and any applicable directives.

(2) Every business associate shall comply with all requests of the minister made for the purpose of carrying out the audit.

(3) If the minister determines by means of an audit conducted pursuant to subsection (1) that a business associate has incorrectly reported volumes of associated gas at oil facilities that are licensed by the business associate, the minister may direct that the information recorded in the registry be changed to reflect the actual volumes of associated gas in any year.

Correction to registry – administrative penalty

16 If a correction made in accordance with section 15 results in a change in the combined emissions for a business associate for a year, the business associate on December 31 of the year with respect to which the combined emissions are calculated shall pay to the minister within the period specified by the minister:

(a) an administrative penalty on any amount by which the combined emissions at the oil facilities that are licensed by the business associate exceed the combined emissions limit calculated in accordance with subsection 9(2) in addition to any administrative penalty already paid for that year; and

(b) interest calculated at a rate of 10% per year.

Limitation

17 No audit of the measurement or reporting of volumes of associated gas with respect to a year may be conducted by the minister more than 3 years after the end of the year with respect to which the emissions were reported.

Exception

18 Notwithstanding sections 10 and 16, if the total amount of the administrative penalty assessed for a year pursuant to these regulations is less than $5,000, no administrative penalty is due and payable.

When administrative penalty assessed

19 An administrative penalty is to be assessed pursuant to these regulations only after 60 days after the end of the year in which the emissions were produced.

Annual report

20(1) The minister shall publish an annual report setting out the following:

(a) the total of combined emissions at all oil facilities in Saskatchewan;

(b) the total of combined potential emissions at all oil facilities in Saskatchewan;

(c) the emissions for all oil facilities that are licensed by each business associate for the year.

(2) The minister shall make the report mentioned in subsection (1) available on the ministry's website and in any other manner that the minister considers appropriate.

PART 7
Coming into Force

Coming into force

21(1) Subject to subsection (2), these regulations come into force on January 1, 2019.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

TABLE 1
[*Subsection 2(1)*]

Production Classes

Class	Description
1	Lloydminster Heavy and Non-Heavy
2a	Kindersley Heavy
2b	Kindersley Non-Heavy
3	Swift Current Heavy and Non-Heavy
4	Estevan Heavy and Non-Heavy

TABLE 2
[*Sections 2 and 8*]

Emissions Intensity Limit

Year	**Production Class**				
	1	2a	2b	3	4
2020	0.359	0.064	0.238	0.086	0.149
2021	0.359	0.064	0.238	0.086	0.149
2022	0.359	0.064	0.238	0.086	0.149
2023	0.251	0.046	0.167	0.072	0.127
2024	0.230	0.043	0.154	0.070	0.124
2025	0.209	0.039	0.141	0.068	0.120
2026	0.209	0.039	0.141	0.068	0.120
2027	0.209	0.039	0.141	0.068	0.120
2028	0.209	0.039	0.141	0.068	0.120
2029	0.209	0.039	0.141	0.068	0.120
2030	0.209	0.039	0.141	0.068	0.120

TABLE 3
[*Subsection 10(2)*]

Dollar amounts

Year	**Administrative penalty ($/tonne of excess emissions)**
2020	$10
2021	$20
2022	$30
2023	$40
2024	$50
2025	$50
2026	$50
2027	$50
2028	$50
2029	$50
2030	$50

CHAPTER V-3.2 REG 1

The Vehicles for Hire Act

Section 11

Order in Council 613/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Vehicles for Hire Regulations*.

Definitions

2 In these regulations:

"Act" means *The Vehicles for Hire Act*;

"affiliated driver" means a driver who provides vehicle-for-hire services and is affiliated with a transportation network company;

"certificate of insurance" means a certificate of insurance issued to a transportation network company pursuant to *The Automobile Accident Insurance Act*;

"insurance deposit" means a deposit provided to the insurer pursuant to section 6.

Driver requirements

3(1) Subject to subsections (2) to (6), no person shall provide, and no transportation network company or taxi or limousine service shall authorize any person to provide, vehicle-for-hire, taxi or limousine services unless that person holds a valid class 1, 2, 3, 4 or 5 driver's licence issued by the administrator.

(2) Notwithstanding subsection (1), a person who holds a class 5 driver's licence shall not provide vehicle-for-hire, taxi or limousine services if that person:

(a) holds a class 5 driver's licence with a novice 1 or novice 2 restriction;

(b) subject to subsection (3), has less than 2 years of driving experience while holding a class 5 driver's licence without a novice 1 or novice 2 restriction;

(c) in the previous 10 years, has been suspended or disqualified from driving pursuant to Division 3 of Part XIII of *The Traffic Safety Act*; or

(d) in the previous 2 years, has accumulated 12 or more demerit points pursuant to Part II of the Appendix to *The Driver Licensing and Suspension Regulations, 2006* arising from:

(i) convictions pursuant to *The Traffic Safety Act*; or

(ii) a motor vehicle accident for which the driver was found to be 50% or more at fault.

(3) For the purpose of clause (2)(b), the driving experience must be in Canada or in a jurisdiction with equivalent licensing requirements that are recognized by the administrator through a reciprocity agreement entered into pursuant to section 13 of *The Traffic Safety Act*.

(4) A driver's licence mentioned in subsection (1) is subject to *The Traffic Safety Act* and the regulations made pursuant to that Act, including any restrictions imposed by the administrator.

(5) No person shall authorize or enable a driver to provide vehicle-for-hire, limousine or taxi services if that driver has been convicted of an offence set out in Appendix A.

(6) No driver shall operate a vehicle as part of a vehicle-for-hire, taxi or limousine service if that driver has been convicted of an offence set out in Appendix A.

Vehicle requirements

4(1) A vehicle used to provide vehicle-for-hire services must be a Class LV vehicle, as determined in accordance with *The Vehicle Classification and Registration Regulations*, that is registered with the administrator to provide vehicle-for-hire services.

(2) Every affiliated driver must identify the transportation network company that the driver is affiliated with by displaying a decal issued by the transportation network company that:

(a) is located on at least 2 sides of the vehicle used to provide vehicle-for-hire services;

(b) measures at least 8 centimetres by 8 centimetres; and

(c) is visible to the public.

Insurance requirements

5(1) A driver who provides or who purports to provide vehicle-for-hire services is deemed not to be qualified or authorized as a driver of a motor vehicle pursuant to a certificate as defined in *The Automobile Accident Insurance Act* unless that driver:

(a) is an affiliated driver; and

(b) meets the requirements of section 3.

(2) Any claim arising under a transportation network company's certificate of insurance is rendered invalid unless the transportation network company's affiliated driver meets the requirements of section 3.

(3) The certificate of insurance required pursuant to section 8 of the Act is valid respecting only those motor vehicle accidents that occur:

(a) while the vehicle is being used as part of a vehicle-for-hire service; and

(b) after an affiliated driver has accepted a passenger fare through a transportation network and up until the moment that the trip is either completed or cancelled.

(4) For the purpose of subsection 7(3) of the Act, the prescribed amount is $1,000,000.00.

(5) A vehicle must not be used to provide vehicle-for-hire services if it has a registration permit issued pursuant to section 73 of *The Traffic Safety Act*.

(6) Subject to theses regulations, the safety rating assessment set out in Part VIII of *The Automobile Accident Insurance (General) Regulations, 2002* applies to affiliated drivers but not to transportation network companies.

(7) The commercial rate assessment set out in Part VIII.1 of *The Automobile Accident Insurance (General) Regulations, 2002* applies to transportation network companies but not to affiliated drivers.

Premium payment

6(1) In this section:

"billing period" means the period used by the insurer to calculate the premium payable by a transportation network company;

"vehicle-for-hire kilometres" means the number of kilometres travelled by a vehicle that is providing vehicle-for-hire services starting from the moment an affiliated driver accepts a passenger fare through a transportation network up until the moment that trip is either completed or cancelled.

(2) For the purposes of section 8 of the Act, the transportation network company may apply for and obtain a certificate of insurance only for those vehicles that meet the requirements of *The Traffic Safety Act* and these regulations.

(3) For the purposes of section 8 of the Act, the premium payable by a transportation network company for a billing period is to be calculated based on:

(a) the total monthly vehicle-for-hire kilometres travelled by all vehicles that are used by affiliated drivers to provide vehicle-for-hire services through the transportation network company; and

(b) a rate of $0.11 per vehicle-for-hire kilometre.

(4) A transportation network company insured pursuant to section 8 of the Act shall, on or before the 15th day of each month, in the format required by the insurer, report to the insurer the total vehicle-for-hire kilometres travelled during the previous month by all vehicles that are used by affiliated drivers to provide vehicle-for-hire services through the transportation network company.

(5) A transportation network company that applies for a certificate of insurance pursuant to section 8 of the Act shall provide the insurer with and maintain an insurance deposit in accordance with this section.

(6) The insurance deposit mentioned in subsection (5) must:

(a) be calculated as 20% of the estimated cost of insurance for a 12-month period;

(b) be forfeited to the insurer in the event that the transportation network company fails to:

(i) report its vehicle-for-hire kilometres; or

(ii) pay insurance premiums to the insurer;

(c) be refunded to the transportation network company within 30 business days following the end of the policy period if:

(i) the transportation network company ceases operations in Saskatchewan;

(ii) all insurance premiums and fees due to the insurer have been paid in full; and

(iii) the transportation network company has not contravened any provision of the Act or these regulations; and

(d) be reviewed periodically and adjusted by the insurer based on the actual vehicle-for-hire kilometres logged by the transportation network company.

(7) On or before the 15th day of each month, a transportation network company shall pay to the insurer the insurance premium for the previous month.

(8) If a transportation network company fails to comply with the requirements of this section, the administrator may charge a late payment fee to the transportation network company calculated in accordance with section 12.1 of *The Automobile Accident Insurance (General) Regulations, 2002*, and that section applies, with any necessary modification, for the purposes of this section.

(9) For the purpose of the report required pursuant to subsection (4), if no vehicle-for-hire kilometres are travelled during a one-month period, the transportation network company shall provide the insurer with a nil report.

Information to be provided to the insurer

7(1) Every transportation network company and every taxi service and limousine service shall provide the insurer with:

(a) a criminal record check that encompasses the offences listed in Appendix A that is completed by an agency approved by the administrator for each driver or affiliated driver and that is dated not more than 90 days before a driver or affiliated driver is authorized to start operating for a taxi, limousine or vehicle-for-hire service;

(b) on or before the first anniversary of the date that a criminal record check was completed pursuant to clause (a) and on or before every subsequent yearly anniversary, a criminal record check that encompasses the offences listed in Appendix A for each driver or affiliated driver that is completed by an agency approved by the administrator;

(c) written notification of any change to its list of affiliated drivers or taxi and limousine drivers;

(d) written notification of any change to the vehicles used to provide vehicle-for-hire services through a transportation network company;

(e) written notification of any facts or circumstances that:

(i) may invalidate a certificate of registration or a certificate of insurance required pursuant to section 8 of the Act; or

(ii) may otherwise be in contravention of the Act or these regulations.

(2) Pursuant to section 9 of the Act, a transportation network company shall, on the request of the insurer, provide the following information to the insurer within the period specified by the insurer:

(a) any information reasonably required by the insurer for the purpose of validating the insurance premiums paid or payable by the transportation network company; and

(b) any other information reasonably required by the insurer for the purpose of fulfilling its duties and obligations pursuant to the Act and these regulations, including:

(i) a list of affiliated drivers and the vehicles that provide or have provided vehicle-for-hire services for the transportation network company;

(ii) the number of vehicle-for-hire kilometres logged by each affiliated driver and by each vehicle that provides or has provided vehicle-for-hire services for the transportation network company, broken down by trip;

(iii) the details of each trip logged by each affiliated driver and each vehicle that provides or has provided vehicle-for-hire services for the transportation network company, including the date, start and end time of the trip and pick-up and drop-off locations; and

(iv) documentation establishing that each vehicle that provides or has provided vehicle-for-hire services for the transportation network company meets the requirements of *The Vehicle Inspection Regulations, 2013*.

Powers of administrator

8 If the administrator or the insurer suspends, cancels or refuses to issue a certificate of registration or a certificate of insurance, neither the administrator nor the insurer shall issue a certificate of registration or a certificate of insurance to a transportation network company or an affiliated driver whose certificate was suspended, cancelled or refused for a period of 6 months calculated from the end of the period of the suspension or cancellation or date of the refusal.

Appeal – certificate of insurance

9(1) In this section:

"board" means the Highway Traffic Board continued pursuant to *The Traffic Safety Act*;

"notice of dispute" means a notice filed with the board by a transportation network company.

(2) A transportation network company may appeal to the board only if the administrator suspends, cancels or refuses to issue a certificate of insurance.

(3) A transportation network company that wishes to appeal shall:

(a) file a notice of dispute at the office of the insurer within 90 days after receiving written notice of a suspension, cancellation or refusal to issue;

(b) pay an appeal fee of $100; and

(c) contact the board to schedule a hearing.

(4) On the application of a transportation network company making an appeal pursuant to this section, the board may grant leave to file a notice of dispute after the expiration of the 90-day period mentioned in clause (3)(a) if the board considers it appropriate to do so.

(5) On receipt of a notice of dispute pursuant to this section, the insurer shall deliver to the board:

(a) the notice of dispute; and

(b) copies of all documents in the insurer's or administrator's possession or control that, in the opinion of the insurer or administrator, are relevant to the appeal, other than any report provided pursuant to section 68, 69 or 70 of *The Automobile Accident Insurance Act*.

(6) At the hearing of an appeal, the board shall consider:

(a) the documents delivered pursuant to subsection (5);

(b) any evidence put forward by the insurer or administrator; and

(c) any evidence put forward by the transportation network company that made the appeal.

(7) The insurer shall refund the fee paid pursuant subsection (3) if the transportation network company is successful on appeal.

(8) If a representative of the transportation network company who made the appeal fails to attend the hearing on the date scheduled, the board may, on evidence acceptable to the board that the transportation network company received notice of the hearing, proceed with the hearing in the absence of the transportation network company.

(9) On appeal the board may confirm or set aside the insurer's decision to suspend, cancel or refuse to issue a certificate of insurance.

(10) On an appeal pursuant to this section, any document that the insurer or administrator is required to deliver to the board is admissible as proof, in the absence of evidence to the contrary, of the facts contained in the document.

(11) An appeal to the board pursuant to this section does not stay the insurer's decision or affect the validity of the insurer's decision respecting the suspension, cancellation or refusal to issue a certificate of insurance.

(12) A decision of the board pursuant to this section is final and is not subject to appeal.

General bylaw making authority

10 In addition to the matters set out in section 4 of the Act, a municipality may make bylaws requiring transportation network companies to establish a complaints process for accepting, recording, reviewing and responding to complaints from the public.

Coming into force

11(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Vehicles for Hire Act* comes into force.

(2) If section 1 of *The Vehicles for Hire 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.

APPENDIX A
Offences pursuant to the *Criminal Code* (Canada) and the *Controlled Drugs and Substances Act* (Canada)

[*Section 3*]

1 Any sexual offence pursuant to the *Criminal Code* (Canada), including sections 151 to 153.1, 163.1, 286.1 to 286.4, 271 to 273, 273.3 and 279 to 281.

2 Offences pursuant to the *Criminal Code* (Canada):

(a) against the person pursuant to sections 219 to 248, 267 to 269.1 and 270.01 to 270.02;

(b) pursuant to sections 76 to 78.1 (Hijacking; Endangering safety of aircraft or airport; Offensive weapons and explosive substances; Seizing control of ship or fixed platform), 79 to 82.6 (Dangerous Materials and Devices), 85 (Using firearm in commission of offence); 88 (Possession of weapon for dangerous purpose), 98.1 (Robbery to steal firearm), 318 to 319 (Hate Propaganda), 343 to 346 (Robbery and Extortion), 348 to 351 (Breaking and entering offences), 430(2) (mischief – danger to life) and 433 (Arson - disregard for human life); and

(c) related to terrorism pursuant to Part II.1.

3 In the preceding 10 years, offences pursuant to the *Criminal Code* (Canada):

(a) pursuant to Part III (Firearms and Other Weapons), other than those offences mentioned in item 2(b) of this Appendix;

(b) involving a motor vehicle pursuant to sections 249 to 255;

(c) against the person pursuant to sections 264, 264.1, 266, 270, 270.1, 282 and 283;

(d) pursuant to Part IX (Offences Against Rights of Property), other than those offences mentioned in item 2(b) of this Appendix;

(e) involving fraudulent transactions pursuant to sections 380 to 405;

(f) involving mischief in relation to property pursuant to subsections 430(3), (4) and (4.1); and

(g) involving arson pursuant to sections 434 to 435.

4 In the preceding 10 years, any offence pursuant to the *Controlled Drugs and Substances Act* (Canada).

5 Any offence pursuant to any law of any state of the United States of America that is substantially similar to an offence mentioned in items 1 to 4 of this Appendix.

SASKATCHEWAN REGULATIONS 81/2018

The Mineral Taxation Act, 1983

Section 46

Order in Council 582/2018, dated November 22, 2018

(Filed November 22, 2018)

Title

1 These regulations may be cited as *The Potash Production Tax Amendment Regulations, 2018*.

RRS c M-17.1 Reg 6, section 2 amended

2 *The Potash Production Tax Regulations* are amended by repealing clause 2(1)(j.1) and substituting the following:

"(j.1) **'base tonnes'** means, subject to clause 26(1)(c):

(i) in the case of a producer that had production and sales in 2001 and 2002, the average quantity of potash sold or otherwise disposed of from the mines of the producer in 2001 and 2002, expressed in K_2O tonnes; or

(ii) in the case of a producer that did not have production and sales in 2001 and 2002 and that has an interest or a beneficial interest in any mines that began commercial production after 2002, the lesser of:

(A) 1 000 000 K_2O tonnes; and

(B) the number of tonnes, BT, calculated in accordance with the following formula:

$$BT = \sum_{i=1}^{n} V_i$$

where:

i is a mine in which the producer has an interest or a beneficial interest that began commercial production after 2002;

n is the number of mines that began commercial production after 2002 in which the producer has an interest or a beneficial interest; and

V is, with respect to the i^{th} mine, either:

(I) if the total annual quantity of potash sold or otherwise disposed of from the mine in the current year or in any previous year by all producers with an interest or a beneficial interest in the mine exceeds 1 333 333 K_2O tonnes, that producer's percentage interest in the total quantity of potash sold or otherwise disposed of in the current year from that mine multiplied by 1 000 000 K_2O tonnes; or

(II) in all other cases, 75% of the quantity of potash sold or otherwise disposed of by that producer in the current year from that mine, expressed in K_2O tonnes**".**

Coming into force

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 January 1, 2018.

SASKATCHEWAN REGULATIONS 85/2018

The Provincial Sales Tax Act

Section 44

Order in Council 608/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Provincial Sales Tax (Miscellaneous) Amendment Regulations, 2018.*

RRS c E-3 Reg 1 amended

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

Section 5 amended

3 Subsection 5(1) is amended:

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

"(g.1) **'drugs and medicines'** do not include the classes of cannabis as set out in Schedule 4 of *The Cannabis Control (Saskatchewan) Act*, as amended by *The Cannabis Control (Saskatchewan) Regulations***"; and**

(b) by adding the following subclause after subclause (i)(ii):

"(iii) with respect to cannabis as defined in *The Cannabis Control (Saskatchewan) Act,* an area of land or a greenhouse owned or leased by a person who:

(A) uses the land for growing cannabis under a valid licence or permit issued pursuant to that Act, the *Cannabis Act* (Canada), the *Excise Act, 2001* (Canada) or the *Access to Cannabis for Medical Purposes Regulations* (Canada), as applicable; and

(B) is in compliance with any other Act, any regulation or bylaw made pursuant to any Act, any other Act of the Parliament of Canada and any other regulation made pursuant to an Act of the Parliament of Canada**".**

New section 18.61

4 The following section is added after section 18.6:

"Exemption re oil and gas drilling rigs and service rigs

18.61(1) In this section:

(a) **'drilling rig'** means tangible personal property used for oil and gas exploration drilling or oil and gas production drilling that is one or both of the following:

(i) a machine manufactured for the purpose of penetrating the surface of the earth and creating well bores in the earth's subsurface;

(ii) subject to subsection (2), equipment that is permanently installed, attached or affixed to the machine mentioned in subclause (i) such that it is not intended to be removed and is essential for the function of the drilling rig as a drilling rig;

(b) **'related equipment'** means tangible personal property, as set out in Table 1 of the Appendix;

(c) **'service rig'** means tangible personal property, other than a drilling rig, that is used to support a variety of oil and gas well servicing functions, and that is one or both of the following:

(i) a machine consisting of a hoist and engine mounted on a wheeled chassis with a self-erecting mast or derrick;

(ii) subject to subsection (2), equipment that is permanently installed, attached or affixed to the machine mentioned in subclause (i) such that it is not intended to be removed and is essential for the function of the service rig as a service rig;

(d) **'substantially'** means more than 90%.

(2) The equipment described in subclauses (1)(a)(ii) and (c)(ii) may be temporarily removed from the machine to which it is installed, attached or affixed for the purposes of:

(a) transporting that machine; or

(b) the repair, maintenance or servicing of that equipment or of that machine.

(3) Subject to subsection (5), persons who consume, use or lease a drilling rig, a service rig or related equipment are exempt from paying tax on the consumption, use or lease of that tangible personal property.

(4) Subject to subsection (6), persons described in subsection (3) who purchase repairs to a drilling rig, a service rig or related equipment are exempt from paying tax on the purchase of those repairs.

(5) For a person to be eligible for an exemption mentioned in subsection (3), the drilling rig, service rig or related equipment, as the case may be, must:

(a) be used substantially in oil and gas exploration, oil and gas production drilling or oil and gas well servicing; and

(b) be recorded as an asset capitalized in the records of that person or recorded as a long-term lease receivable in the records of that person.

(6) For a person to be eligible for an exemption mentioned in subsection (4), the repairs must be capitalized to the drilling rig, service rig or related equipment, as the case may be, in the records of that person**".**

New Appendix

5 The Appendix is repealed and the following substituted:

"Appendix

Table 1
Related Equipment
[*Clause 18.61(1)(b)*]

Equipment related to Drilling Rigs or Service Rigs

iron roughnecks
outriggers
circulating systems (mud pump, mixer and tank)
centrifuges
blowout prevention systems (blowout preventer and manifold)
boilers
drill pipe and collars
drive systems (top, rotary and pump)
shale shakers and shaker tanks
flare lines and flare tanks
engine and generator sets that power drilling rigs or service rigs
coring rigs

Equipment related to Well Servicing

coiled tubing units and the following, when associated with the coiled tubing unit:
- tubing reels
- injectors
- air compressors

blowout prevention systems (blowout preventer and manifold)
control cabins (permanently attached)
cement pumper trucks
service rig contractor pump trucks
frac pumping units
high volume blenders
acid pumping units
nitrogen pumping units
carbon dioxide pumping units
wireline trucks
slickline units
hot oil units
continuous rod units and endless rod units
swabbing units
snubbing units
flushby units

Equipment related to Geophysical Exploration

bolt land air guns

electro-logging units

recording trucks

vibrator trucks

shooting trucks

GPS survey equipment and associated computer software**".**

Coming into force

6(1) Subject to subsection (2), 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 October 17, 2018.

SASKATCHEWAN REGULATIONS 86/2018

The Traffic Safety Act

Section 287

Order in Council 611/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Traffic Safety Act Fees (IRP Fees) Amendment Regulations, 2018*.

RRS c T-18.1 Reg 3 amended

2 *The Traffic Safety Act Fees Regulations* are amended in the manner set forth in these regulations.

Section 23 amended

3 Clause 23(2)(d) is amended by striking out "$15**" and substituting "**$10**".**

New section 36

4 Section 36 is repealed and the following substituted:

"IRP fees

36(1) The fee payable for:

(a) each registration and issue of an IRP cab card pursuant to the IRP is $35;

(b) each replacement IRP cab card is $15;

(c) each change of vehicle information that results in a change in the registration fee payable is $35;

(d) each change of vehicle information that does not result in a change in the registration fee payable is $15;

(e) each addition to a fleet on any one occasion is $35;

(f) each replacement of a vehicle in a fleet is $35; and

(g) each replacement plate is $15.

(2) The following provisions apply to any fees payable pursuant to the IRP:

(a) fees owing will be based on the currency of the jurisdiction to which the fees are due and owing;

(b) the fees must be paid to the administrator in Canadian funds; and

(c) the conversion rate used to determine the amount of Canadian funds due and owing is to be the daily exchange rate determined by the administrator's financial institution**".**

Coming into force

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

SASKATCHEWAN REGULATIONS 87/2018

The Traffic Safety Act

Section 287

Order in Council 612/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Traffic Safety (Speed Monitoring) Amendment Regulations, 2018.*

RRS c T-18.1 Reg 10, new section 5.1

2 Section 5.1 of *The Traffic Safety (Speed Monitoring) Regulations* is repealed and the following substituted:

"Revenue

5.1 For the purposes of section 259.3 of the Act:

(a) all fees and moneys collected as a result of the prosecution of an offence pursuant to any of sections 199, 200, 201 and 203 of the Act with the use of a photograph of a vehicle in a speed monitored zone mentioned in subclause 2(b)(i), (viii) or (x) are to be paid to the administrator, less any deductions made pursuant to subsections 19(2) and (3) of *The Summary Offences Procedure Regulations, 1991*; and

(b) all fees and moneys collected as a result of the prosecution of an offence pursuant to any of sections 199, 200, 201 and 203 of the Act with the use of a photograph of a vehicle in a speed monitored zone mentioned in subclause 2(b)(ii), (iii), (iv), (v), (vi), (vii) or (ix) are to be paid to the administrator, less any deductions made pursuant to subsections 19(2) and (3) of *The Summary Offences Procedure Regulations, 1991*and less the amount payable to a municipality pursuant to subsection 19(3.1) of *The Summary Offences Procedure Regulations, 1991***".**

Coming into force

3(1) Subject to subsection (2), these regulations come into force on January 1, 2019.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 88/2018

The Traffic Safety Act

Section 287

Order in Council 614/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Vehicle Inspection (Vehicles for Hire) Amendment Regulations, 2018*.

RRS c T-18.1 Reg 12, section 4 amended

2 Section 4 of *The Vehicle Inspection Regulations, 2013* is amended:

(a) by adding the following clause after clause (a):

"(a.1) a vehicle that is used to provide a vehicle-for-hire service as defined in *The Vehicles for Hire Act* and that:

(i) is registered in Class LV; or

(ii) would be classified as a Class LV vehicle if it were registered in Saskatchewan**"; and**

(b) in clause (b):

(i) in subclause (i) by striking out "or PS**" and substituting "**, PS or PT**"; and**

(ii) in subclause (ii) by striking out "or PS**" and substituting "**, PS or PT**".**

Coming into force

3(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Vehicles for Hire Act* comes into force.

(2) If section 1 of *The Vehicles for Hire Act* comes into force before 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.

SASKATCHEWAN REGULATIONS 89/2018

The Traffic Safety Act

Section 287

Order in Council 615/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Vehicle Classification and Registration (Vehicles for Hire) Amendment Regulations, 2018*.

RRS c H-3.1 Reg 3 amended

2 *The Vehicle Classification and Registration Regulations* are amended in the manner set forth in these regulations.

New section 9

3 Section 9 is repealed and the following substituted:

"Class PB

9(1) A class of vehicles to be called **'Class PB'** is hereby established consisting of vehicles to be used for the transportation of passengers or passengers and express.

(2) No person shall use a vehicle registered in Class PB for the transportation of passengers as part of a vehicle-for-hire service as defined in *The Vehicles for Hire Act* and the regulations made pursuant to that Act**".**

Section 16.1 amended

4 The following subclause is added after subclause 16.1(1)(b)(i):

"(i.01) passengers for compensation if the driver of the Class LV vehicle is an affiliated driver providing a vehicle-for-hire service as defined in *The Vehicles for Hire Act* and the regulations made pursuant to that Act**".**

Coming into force

5(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Vehicles for Hire Act* comes into force.

(2) If section 1 of *The Vehicles for Hire Act* comes into force before 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.

SASKATCHEWAN REGULATIONS 90/2018

The Traffic Safety Act

Section 287

Order in Council 616/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Vehicle Impoundment (General) (Fee Changes) Amendment Regulations, 2018*.

RRS c T-18.1 Reg 17, Appendix amended

2 Table 1 of Part 1 of the Appendix to *The Vehicle Impoundment (General) Regulations, 2014* is repealed and the following substituted:

"PART I
Tables

TABLE 1
[*Subsections 4(1), (2), 11(1), (2) and 25(1), (2)*]

Item	**Costs and charges regardless of location of seizure, impoundment and storage**
1. Towing fee for any car, van, SUV or any vehicle with a body style of a truck, with a gross weight not exceeding 15,000 kg - regardless of the time of day or towing location	$65 plus $2.75/loaded km
2. Winching costs when required for towing	$50 first ½ hour, thereafter $80 per hour to a maximum amount of $290
3. Dolly and flatbed costs when required to transport vehicles	$30 plus $0.50/loaded km
4. Storage fee per day for impounded vehicle with a body style of a truck, car, van or SUV with a gross vehicle weight not exceeding 15,000 kg	$17
5. Towing and transporting of vehicles regardless or time of day and towing location if registered vehicle weight exceeds 15,000 kg	$150 plus $3.00/loaded km
6. Storage fee per day for impounded vehicle - if vehicle weight exceeds 15,000 kg	$17
7. Administrative costs associated with impoundment	$55
8. Tire change when required to transport vehicle	$25
9. Cost for plate return to administrator	$10

".

Coming into force

3(1) Subject to subsection (2), these regulations come into force on January 1, 2019.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 91/2018

The Traffic Safety Act

Section 287

Order in Council 617/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Driver Licensing and Suspension (Vehicles for Hire) Amendment Regulations, 2018*.

RRS c T-18.1 Reg 2, section 7 amended

2 Subsection 7(1) of *The Driver Licensing and Suspension Regulations, 2006* is amended:

(a) by striking out "and" **after clause (b);**

(b) by adding "and" **after clause (c); and**

(c) by adding the following clause after clause (c):

"(d) a taxi, limousine or vehicle as part of a vehicle-for-hire service, as defined in *The Vehicles for Hire Act*, but only if the holder of the class 5 driver's licence meets the requirements of *The Vehicles for Hire Act* and the regulations made pursuant to that Act**".**

Coming into force

3(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Vehicles for Hire Act* comes into force.

(2) If section 1 of *The Vehicles for Hire Act* comes into force before 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.

SASKATCHEWAN REGULATIONS 92/2018

The Municipal Tax Sharing (Potash) Act

Section 13

Order in Council 618/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Municipal Tax Sharing (Potash) Amendment Regulations, 2018*.

RRS c M-34 Reg 1 amended

2 *The Municipal Tax Sharing (Potash) Regulations, 2017* are amended in the manner set forth in these regulations.

Section 2 amended

3 Section 2 is amended in the definition of "area of influence**":**

(a) by striking out "square miles**" and substituting "**square kilometres**"; and**

(b) by striking out "20 miles**" and substituting "**32.2 kilometres**".**

Section 3 amended

4(1) Subsection 3(1) is amended:

(a) in clause (a):

(i) by striking out "square miles**" and substituting "**square kilometres**"; and**

(ii) by striking out "10 miles**" and substituting "**16.1 kilometres**"; and**

(b) in clause (b):

(i) by striking out "square miles**" and substituting "**square kilometres**"; and**

(ii) by striking out "20 miles**" and substituting "**32.2 kilometres**".**

(2) Subsection 3(2) is amended by striking out "10 mile radius or within the 20 mile radius**" and substituting "**16.1 kilometre radius or within the 32.2 kilometre radius**".**

Section 5 amended

5 Subsection 5(3) is amended:

(a) in clause (a) by striking out "10 mile**" and substituting "**16.1 kilometre**"; and**

(b) in clause (b) by striking out "10 mile radius but within the 20 mile radius**" and substituting "**16.1 kilometre radius but within the 32.2 kilometre radius**".**

Section 6 amended

6 Subsection 6(3) is repealed and the following substituted:

"(3) The amounts received by the board pursuant to subsection (2) constitute the funds available for distribution for the year and for expenditures pursuant to section 11**".**

Section 7 amended

7(1) Subsection 7(2) is amended by striking out "Subject to subsection (3), for each year,**" and substituting "**For each year,**".**

(2) Subsection 7(3) is repealed.

Section 11 amended

8 The following subsection is added after subsection 11(10):

"(11) The board shall inform the Saskatchewan Potash Producers Association and individual potash mines of the mill rate set by the board for that year by May 1**".**

Coming into force

9(1) Subject to subsection (2), these regulations come into force on January 1, 2019.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 93/2018

The Uniform Building and Accessibility Standards Act

Sections 8 and 11

Order in Council 619/2018, dated December 5, 2018

(Filed December 5, 2018)

Title

1 These regulations may be cited as *The Uniform Building and Accessibility Standards Amendment Regulations, 2018.*

RRS c U-1.2 Reg 5 amended

2 *The Uniform Building and Accessibility Standards Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3(1) The following clause is added after clause 2(1)(c):

"(d) **'NECB'** means the edition and provisions of The National Energy Code of Canada for Buildings that is in force pursuant to section 3**".**

(2) Subsection 2(2) is amended by adding "and the NECB**" after "**Code**".**

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

"(3) For the purpose of interpreting the Code and the NECB for the purposes of these regulations:

(a) **'authority having jurisdiction'**, when used in the Code and the NECB, means the appropriate local authority or a building official appointed by the appropriate local authority;

(b) **'building'**, when used in the Code and the NECB, means a building as defined in the Act;

(c) **'farm building'**, when used in the Code and the NECB, means a farm building as defined in the Act;

(d) **'occupancy'**, when used in the Code and the NECB, means an occupancy as defined in the Act;

(e) **'owner'**, when used in the Code and the NECB, means an owner as defined in the Act**".**

(4) Subsection 2(3.1) is repealed and the following substituted:

"(3.1) For the purposes of clause 2(1)(i) of the Act and in these regulations, a building is associated with commercial operations and is not a farm building if:

(a) the building is classified for assessment purposes in one of the following classes established in the regulations pursuant to *The Cities Act*, *The Municipalities Act* or *The Northern Municipalities Act, 2010*:

(i) Commercial and Industrial;

(ii) Elevators;

(iii) Railway Rights of Way and Pipeline; or

(b) the building is used for the production, processing, wholesaling or distribution of cannabis as defined by the *Cannabis Act* (Canada) or *The Cannabis Control (Saskatchewan) Act***".**

(5) Subsection 2(4) is repealed and the following substituted:

"(4) Words or phrases used in the Code and the NECB that are not defined in the Act, these regulations, the Code, or the NECB have the meanings that are commonly assigned to them in the context in which they are used in the Code or the NECB, taking into account the specialized use of terms within the various trades and professions to which the words and phrases apply**".**

Section 3 amended

4(1) Subsection 3(3) is amended:

(a) in the portion preceding clause (a) by striking out "subsection (1)**" and substituting "**subsection (2)**"; and**

(b) in clause (a) by striking out "subsection (1)**" and substituting "**subsection (2)**".**

(2) Subsection 3(8) is repealed and the following substituted:

"(8) Subject to subsections (8.1), (8.2) and (9), The National Energy Code of Canada for Buildings, 2017, including the errata and revisions issued by the Canadian Commission on Building and Fire Codes from time to time, is declared to be in force on January 1, 2019.

"(8.1) Notwithstanding subsection (8), the edition of The National Energy Code of Canada for Buildings that was in force on the day on which a permit was issued is deemed to be in force with respect to work:

(a) for which the permit is issued before the day on which an edition of The National Energy Code of Canada for Buildings is declared to be in force or any amendment to subsection (8) comes into force; and

(b) that is not completed on the day on which that edition is declared to be in force**".**

(3) Subsection 3(9) is repealed and the following substituted:

"(9) No person who is required to comply with the Act and these regulations shall fail to comply with The National Energy Code of Canada for Buildings that is in force at the time the permit for the work to be undertaken was issued**".**

(4) Subsection 3(10) is amended:

(a) by adding "and The National Energy Code of Canada for Buildings**" after "**The National Building Code of Canada**"; and**

(b) by adding "and the NECB**" after "**the editions of the Code**".**

Section 4 amended

5 Section 4 is amended by adding ", or in accordance with both the Code and the NECB, as the case may be,**" after "**Code**".**

Section 8 amended

6(1) Subsection 8(1) is amended in the portion preceding clause (a) by striking out "Part 3 of the Code**" and substituting "**Parts 3 to 7 of the Code**".**

(2) The following subsection is added after subsection 8(3):

"(3.1) An owner who undertakes to construct or have constructed a building with a structure within the scope of the NECB shall have an architect or engineer complete:

(a) the design or design review of the structure;

(a) an inspection of construction of the structure to ensure compliance with the design; and

(b) the reviews required by the NECB**".**

Section 9 amended

7 Subsection 9(2) is amended by adding "and the NECB**" after "**Code**".**

Section 10 amended

8 Clause 10(b) is amended by adding ", or pursuant to both the Code and the NECB, as the case may be**" after "**Code**".**

Coming into force

9(1) Subject to subsection (2), these regulations come into force on January 1, 2019.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

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