

The Community Tourism Assistance Program Regulations

Repealed

by Saskatchewan Regulations 40/98 (effective May 13, 1998).

Formerly

Chapter G-5.1 Reg 20 (effective November 15, 1988).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER G-5.1 REG 20
The Government Organization Act

Title

1 These regulations may be cited as *The Community Tourism Assistance Program Regulations*.

Interpretation

2 In these regulations:

- (a) **“community”** means an urban municipality as defined in *The Urban Municipality Act, 1984*;
- (b) **“development project”** means a project in a community that involves the construction or enhancement of a public building, structure, facility or other permanent fixture for the purpose of assisting the community to attract, hold and satisfy tourists;
- (c) **“eligible applicant”** means a non-profit corporation that is approved by the resolution of the council of the community in which it is located as the community’s sole, authorized representative entitled to apply for enrolment in the program;
- (d) **“fiscal year”** means the period commencing on April 1 in one year and ending on March 31 in the following year;
- (e) **“marketing activity”** means an activity in a community designed to attract tourists to the community and includes:
 - (i) direct mail programs;
 - (ii) media advertising;
 - (iii) direct selling programs; and
 - (iv) the development of sales aids, including brochures, displays, posters and other means of communicating information;
- (f) **“minister”** means the member of the Executive Council to whom for the time being the administration of these regulations is assigned;
- (g) **“non-profit corporation”** means a corporation that:
 - (i) is incorporated or continued pursuant to *The Non-profit Corporations Act*;
 - (ii) includes amongst its members persons who are engaged in the hospitality business in the community where it is located;
 - (iii) does not have any members or directors who are or who are employees of:
 - (A) the Government of Canada;
 - (B) the Government of Saskatchewan; or

- (C) any agent, board, department, commission, corporation or representative of a government mentioned in paragraph (A) or (B); and
- (iv) has persons who are employees of the community in which the corporation is located constituting less than 25% of its members and directors;
- (h) **“population”** means the population as determined according to the most recent census conducted pursuant to the *Census Act* (Canada), as amended from time to time;
- (i) **“program”** means the Community Tourism Assistance Program established pursuant to section 3;
- (j) **“tourism strategy”** means the tourism strategy required pursuant to section 4;
- (k) **“tourist”** means an individual who travels at least 80 kilometres from his normal place of residence or business to a place that is the subject of a marketing or development activity.

25 Nov 88 cG-5.1 Reg 20 s2.

Program established

- 3** The Community Tourism Assistance Program is established.

25 Nov 88 cG-5.1 Reg 20 s3.

Enrolment

- 4(1)** An eligible applicant who wishes to be enrolled in the program shall:
- (a) supply the minister with a tourism strategy that:
 - (i) covers a period of at least four years;
 - (ii) outlines the tourism goals and objectives of the community in which the eligible applicant is located; and
 - (iii) is approved by resolution of the council of the community; and
 - (b) provide the minister with any additional information that the minister may require.
- (2)** Subject to section 5, the minister may enroll the eligible applicant in the program where the minister is satisfied that the eligible applicant has complied with these regulations.

25 Nov 88 cG-5.1 Reg 20 s4.

Additional enrolment

- 5(1)** A non-profit corporation that is not an eligible applicant may apply to the minister to be enrolled in the program.

- (2) A non-profit corporation that applies to be enrolled in the program shall:
- (a) supply the minister with a tourism strategy that:
 - (i) covers a period of at least four years; and
 - (ii) outlines the tourism goals and objectives of the community in which the eligible applicant is located; and
 - (b) provide the minister with any additional information that the minister may require.
- (3) The minister may enroll a non-profit corporation that applies to be enrolled in the program pursuant to subsection (1) where:
- (a) the minister has not already enrolled an eligible applicant in the program from the same community as the non-profit corporation; and
 - (b) the minister is satisfied that:
 - (i) the non-profit corporation mentioned in subsection (1) has complied with this section; and
 - (ii) the tourism strategy of the non-profit corporation is more appropriate for the community than other tourism strategies.
- (4) The minister shall not enroll more than one person from a community in the program.

25 Nov 88 cG-5.1 Reg 20 s5.

Tourism strategy

- 6(1)** A tourism strategy may contain a marketing activity or development project that involves co-operation between two or more communities.
- (2) No person who is enrolled in the program shall change its tourism strategy without the prior approval of:
- (a) the council of the community in which the person is located; and
 - (b) the minister.

25 Nov 88 cG-5.1 Reg 20 s6.

Operations plan

- 7(1)** A person who has been enrolled in the program shall supply the minister with:
- (a) an annual operations plan that identifies, to the satisfaction of the minister:
 - (i) if the person is not submitting his first annual operations plan after enrolment, the marketing activities and development projects undertaken by the person in the fiscal year preceding the fiscal year to which the operations plan relates and the actual expenditures by the person in that fiscal year;

- (ii) the marketing activities and development projects that the person proposes to undertake in that fiscal year; and
 - (iii) a forecast of results to be obtained in the fiscal year and an outline of how the results are to be measured; and
 - (b) any additional information that the minister may require.
- (2) The person shall submit the annual operations plan:
- (a) if the person has been enrolled in the program on or after April 1 in the fiscal year to which the plan relates, within three months of the date on which the person was enrolled;
 - (b) if the person was enrolled in a fiscal year preceding the fiscal year to which the plan relates, on or before April 1 of the fiscal year to which the plan relates.
- (3) Where the minister:
- (a) receives an annual operations plan pursuant to this section; and
 - (b) is satisfied that:
 - (i) the person enrolled in the program has substantially complied with this section;
 - (ii) the marketing activities and development projects in the plan are:
 - (A) consistent with the community's tourism strategy and the objectives of Saskatchewan's tourism strategy as determined by the minister; and
 - (B) designed to attract, hold and satisfy tourists; and
 - (iii) the marketing activities and development projects in the plan will be initiated by the person only after any ministerial approval is given;
- the minister may approve the annual operations plan and approve the cost of the marketing activities and development projects.
- (4) No person enrolled in the program is entitled to obtain financial assistance pursuant to section 8 in a fiscal year unless the minister has approved the annual operations plan of the person for that fiscal year.

25 Nov 88 cG-5.1 Reg 20 s7.

Financial assistance

- 8(1)** Subject to section 9, the minister may provide financial assistance by way of a grant to a person enrolled in the program where:
- (a) the annual operations plan of that person has been approved pursuant to section 7;
 - (b) with respect to the activities and projects contained in the annual operations plan, the minister is satisfied that:
 - (i) the marketing activities are new or incremental activities for the community;

- (ii) the development projects deal with permanent fixtures that:
 - (A) will enhance Saskatchewan's competitive advantage to attract tourists, as determined by the minister;
 - (B) relate to a particular event or feature that is unique to the community;
 - (C) consist of:
 - (I) the acquisition of machinery and equipment for the purposes of implementing the tourism strategy;
 - (II) the construction or alteration of public facilities, buildings or other permanent fixtures that are operated by the eligible applicant or a non-profit organization for the purposes of achieving the objectives of the community's tourism strategy; or
 - (III) the improvement to real property associated with the objectives of the community's tourism strategy; and
 - (D) do not consist of the purchase, lease or acquisition of real property; and
 - (iii) if the annual operations plan includes a bid to secure the rights to host an event that, in the opinion of the minister, is a Western Canadian, Canadian or international event, the minister is satisfied that:
 - (A) bidding for the event is competitive;
 - (B) the eligible applicant or the community is the sole bidder from Saskatchewan; and
 - (C) the event is not normally held in Saskatchewan on a regular basis; and
 - (c) the minister is satisfied that the eligible applicant can meet the ongoing operational costs associated with the community's tourism strategy.
- (2) The minister may provide financial assistance to a person enrolled in the program in each fiscal year in which the person is enrolled.

25 Nov 88 cG-5.1 Reg 20 s8.

Maximum amount of financial assistance

- 9(1)** The maximum amount of financial assistance that the minister may provide is:
- (a) with respect to marketing activities, two-thirds of the costs of the marketing activities approved by the minister to a maximum of \$24,000 for each fiscal year and to a maximum of four fiscal years;
 - (b) with respect to development projects:
 - (i) in the case of communities with a population equal to or less than 20,000, 75% of the costs of development projects;

- (ii) in the case of communities with a population of more than 20,000, 60% of the costs of development projects;
- to a maximum of \$75,000.
- (2) For the purposes of calculating the amount of financial assistance for marketing activities and development projects, the minister shall:
 - (a) when determining the cost of a marketing activity or development project, deduct:
 - (i) the amount of any voluntary labour; and
 - (ii) any costs for which the person enrolled in the program has applied for or obtained assistance under any other program offered by the Government of Saskatchewan or the Government of Canada; and
 - (b) provide financial assistance in accordance with subsection (1) based on the lesser of:
 - (i) the cost approved by the minister; or
 - (ii) the actual cost;
- of the marketing activity or development project.
- (3) Subject to subsection (4), the minister shall not provide financial assistance to a person enrolled in the program unless:
 - (a) the person supplies the minister with:
 - (i) evidence satisfactory to the minister that costs associated with each marketing activity and development project identified in the person's annual operations plan have been paid;
 - (ii) an evaluation report related to the marketing activities and development projects identified in the person's annual operations plan and reflecting the information provided in subclause 7(1)(a)(iii); and
 - (iii) any additional information that the minister may require;
 - (b) the marketing activities and development projects identified in the person's annual operations plan have been completed, or, in the opinion of the minister, substantially completed in the fiscal year that the operations plan identified; and
 - (c) an audit of the marketing activities and development projects that is satisfactory to the minister has been completed.
- (4) The minister may provide up to 50% of the maximum amount of financial assistance for which a person enrolled in the program is eligible in a fiscal year at any time during the fiscal year.

Overpayment

10 Where a person has provided the minister with any false or misleading statement, any financial assistance provided pursuant to these regulations that the person has obtained is deemed to be an overpayment and may be recovered:

- (a) in any manner authorized by law; or
- (b) by deducting the amount of financial assistance so obtained from any other amounts that the person is entitled to under the program.

25 Nov 88 cG-5.1 Reg 20 s10.