

# *The Municipal Grants Act*

*being*

Chapter M-28.1\* of *The Statutes of Saskatchewan, 2009* (effective April 1, 2009) as amended by the *Statutes of Saskatchewan, 2010, c.N-5.2*; and *2013, c.20*.

**\*NOTE:** Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

## **NOTE:**

This consolidation is not official and is subject to House amendments and Law Clerk and Parliamentary Counsel changes to Separate Chapters that may be incorporated up until the publication of the annual bound volume. Amendments have been incorporated for convenience of reference and the official Statutes and Regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the official Statutes and Regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER M-28.1

### An Act respecting Grants to Municipalities, making consequential amendments to other Acts and repealing *The Municipal Revenue Sharing Act*

#### Short title

1 This Act may be cited as *The Municipal Grants Act*.

#### Interpretation

2 In this Act:

- (a) “**fiscal year**” means the period commencing on April 1 in one year and ending on March 31 in the following year;
- (b) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (c) “**ministry**” means the ministry over which the minister presides;
- (d) “**municipality**” means a municipality as defined in *The Municipalities Act*, a city as defined in *The Cities Act* or a municipality as defined in *The Northern Municipalities Act, 2010* and includes the City of Lloydminster and the City of Flin Flon, Manitoba with respect to the boundary area as defined in *The Flin Flon Extension of Boundaries Act, 1952*;
- (e) “**prescribed**” means prescribed in the regulations;
- (f) “**recipient**” means a municipality, a person, an agency, an organization, an association, an institution or a body within or outside Saskatchewan that receives a grant pursuant to section 3 or 4.

2009, c.M-28.1, s.2; 2010, c.N-5.2, s.449; 2013, c.20, s.58.

#### Grants to municipalities

3 The minister may make grants to a municipality in accordance with the regulations for any prescribed program or prescribed purpose.

2009, c.M-28.1, s.3.

#### Grants for municipal purposes or municipal programs

4 The minister may make grants in accordance with the regulations to any person, agency, organization, association, institution or body within or outside Saskatchewan for any prescribed municipal purpose or prescribed municipal program.

2009, c.M-28.1, s.4.

**Payment of grants**

- 5** Any grant paid pursuant to this Act is subject to any or all of the following:
- (a) any terms and conditions imposed by the minister;
  - (b) any terms and conditions contained in an agreement pertaining to the grant between the minister and the recipient;
  - (c) any prescribed terms and conditions.

2009, c.M-28.1, s.5.

**Hold back of grants**

- 6(1)** The minister may refuse to pay a grant, or may suspend or adjust a grant, if the minister is satisfied that:
- (a) the recipient has failed to comply with this Act, the regulations, any other Act or regulations to which the recipient is subject or the terms and conditions of a grant; or
  - (b) it is in the public interest to do so.

- (2) If the minister refuses to pay a grant, or suspends or adjusts a grant, pursuant to this section, the minister may establish conditions that the recipient must meet in order for the minister to pay the grant or remove the suspension or adjustment of the grant.

2009, c.M-28.1, s.6.

**Overpayment of grants**

- 7(1)** The minister may declare any or all grant payments made to a recipient pursuant to this Act to be an overpayment if the minister is satisfied that:
- (a) the recipient has failed to comply with this Act, the regulations or any other Act or regulations to which the recipient is subject or the terms and conditions of a grant; or
  - (b) it is in the public interest to do so.

- (2) Before declaring a payment to be an overpayment pursuant to this section, the minister shall:

- (a) provide the recipient with written notice of the minister's intention to act pursuant to this section together with reasons; and
- (b) provide the recipient with an opportunity to make written representations to the minister as to why the declaration should not be made.

- (3) If the minister declares a payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Crown in right of Saskatchewan and may be recovered from the recipient in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

2009, c.M-28.1, s.7.

**Regulations**

- 8(1) The Lieutenant Governor in Council may make regulations:
- (a) defining any word or expression used in this Act but not defined in this Act;
  - (b) prescribing programs or purposes for the purposes of section 3;
  - (c) prescribing municipal programs or municipal purposes for the purposes of section 4;
  - (d) for the purposes of sections 3 and 4:
    - (i) prescribing a formula for the calculation of a grant and how the formula is to be applied;
    - (ii) respecting how a grant is to be paid; or
    - (iii) prescribing the minimum or maximum amount of any grant payable pursuant to this Act;
  - (e) respecting terms and conditions that are to govern or to be included in a grant made pursuant to this Act;
  - (f) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
  - (g) respecting any matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.
- (2) Any regulation made pursuant to this Act may be made retroactive to a day not earlier than April 1, 2009.

2009, c.M-28.1, s.8.

**R.S.S. 1978 (Supp.), c.M-32.1 repealed**

- 9 *The Municipal Revenue Sharing Act* is repealed.

2009, c.M-28.1, s.9.

**10 and 11 Dispensed.** This/these section(s) makes consequential amendments to another/other Act(s). Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the amendments have been incorporated into the corresponding Act(s). Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

**Coming into force**

- 12(1) Subject to subsection (2), this Act comes into force on April 1, 2009.
- (2) If this Act is assented to after April 1, 2009, this Act comes into force on assent but is retroactive and is deemed to have been in force on and from April 1, 2009.

2009, c.M-28.1, s.12.

