

The Members' Conflict of Interest Regulations

being

Chapter M-11.11 Reg 1 (effective July 15, 1994) as amended
by Saskatchewan Regulations 12/98 and 90/2002.

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.

Table of Contents

- 1 Title
- 2 Interpretation
- 3 Exemption from section 15 of Act
- 4 Private disclosure statement
- 5 Forms

Appendix

CHAPTER M-11.11 REG 1
The Members' Conflict of Interest Act

Title

1 These regulations may be cited as *The Members' Conflict of Interest Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Members' Conflict of Interest Act*;
- (b) “**government contract**” means a government contract as defined in subsection 15(1) of the Act.

22 Jly 94 cM-11.11 Reg 1 s2.

Exemption from section 15 of Act

3 The following government contracts are exempted from the application of section 15 of the Act:

- (a) remuneration or payments to a member pursuant to the terms of *The Legislative Assembly and Executive Council Act*;
- (b) a contract for which a certificate was granted pursuant to section 12 of *The Members of the Legislative Assembly Conflict of Interests Act*;
- (c) a contract for services or equipment from SaskTel which is provided on standard terms and conditions that are made available to the public;
- (d) a contract for the provision of services from SaskPower or SaskEnergy that is provided on standard terms and conditions that are made available to the public;
- (e) a contract of insurance, or a settlement of a claim, with Saskatchewan Government Insurance;
- (f) a contract of insurance, or a settlement of a claim, with the Saskatchewan Crop Insurance Corporation;
- (g) contributions or payments pursuant to a gross revenue insurance program or a net income stabilization account program pursuant to *The Agricultural Safety Net Act*;
- (h) contributions or payments pursuant to *The Feeder Associations Loan Guarantee Regulations, 1989* or *The Breeder Associations Loan Guarantee Regulations, 1991*;
- (i) a licence or permit that is issued on standard terms and conditions that are made available to the public;
- (j) a contract entered into pursuant to any legislation to collect tax whereby a member receives remuneration for that service in the same manner as other persons who are required to collect that tax;

(k) where a member is a municipal official, a contract for services under an arrangement relating to the adjustment of the assets and liabilities of municipalities or the distribution of social assistance;

(l) contributions or payments pursuant to *The Teachers' Superannuation Act* or a group insurance scheme, or the receipt of an allowance, refund or other benefit under that Act or scheme;

(m) where a member is a practising member of the Law Society of Saskatchewan, fees for services performed pursuant to *The Legal Aid Act*;

(n) where a member is a qualified member of the medical profession, fees for services performed pursuant to *The Mental Health Services Act*, *The Saskatchewan Medical Care Insurance Act* or the regulations made pursuant to *The Public Health Act*, or fees as an expert witness for the Crown in any proceeding or for performing a post-mortem examination at the request of a coroner or any other person made under statutory authority;

(o) where a member is a member of the dental profession, fees for services under an arrangement respecting dental services to persons unable to pay for dental services from their own resources, or pursuant to regulations under any Act providing for dental services to children;

(p) where a member is lawfully entitled to practise veterinary medicine and makes inspections of animals in stockyards on behalf of the Minister of Agriculture or pursuant to *The Diseases of Animals Act*, fees received for those services;

(q) where a member is a recognized member of a profession, fees for services that are paid for or partly paid for by an established government plan pursuant to a tariff of general application or that are incidental to services provided to a client other than the government;

(r) the settlement of a claim for compensation pursuant to *The Livestock Compensation Regulations, 1982*;

(s) a lease or permit under which the member has the right to use and occupy, for private purposes only, a lot or other area to which *The Parks Act* applies;

(t) a permit, timber sale or permission for any of the purposes mentioned in section 7 of *The Forest Act*, under which any Crown timber to be cut and removed under the permit or timber sale will be cut for the member's own use and not for sale.

22 Jly 94 cM-11.11 Reg 1 s3.

Private disclosure statement

4 Debts and liabilities to any one person of less than \$1,000 in any 12-month period are not required to be provided in the disclosure statement made pursuant to section 11 of the Act.

22 Jly 94 cM-11.11 Reg 1 s4.

Forms

- 5(1) The disclosure statement to be filed by a member with the commissioner pursuant to section 11 of the Act is to be in Form 1 of the Appendix to these regulations.
- (2) The public disclosure statement to be filed by the commissioner with the Clerk of the Assembly pursuant to section 12 of the Act is to be in Form 2 of the Appendix to these regulations.
- (3) The gift or personal benefit disclosure statement to be filed by a member with the commissioner pursuant to section 7 of the Act is to be in Form 3 of the Appendix to these regulations.
- (4) The declaration that may be submitted by a member pursuant to subsection 11(6) of the Act is to be in Form 4 of the Appendix to these regulations.
- (5) If the commissioner authorizes the member to submit a declaration pursuant to subsection 11(6) of the Act, the commissioner shall complete the authorization section of the declaration.

22 Jly 94 cM-11.11 Reg 1 s5; 4 Oct 2002 SR 90/
2002 s3.

Appendix
FORM 1
[Subsection 5(1)]

FORM 1

CONFIDENTIAL

SASKATCHEWAN

MEMBER'S PRIVATE DISCLOSURE STATEMENT

Member's Name: _____

Home Address and Telephone Number: _____

Legislature Address and Telephone Number: _____

Constituency Address and Telephone Number: _____

Spouse's Name: _____

Dependent Children: **Name** **Date of Birth**

DECLARATION:

I am familiar with the requirements of *The Members' Conflict of Interest Act*, Chapter M-11.11, of the *Statutes of Saskatchewan, 1993*.

My private disclosure statement, to the best of my knowledge, accurately discloses all assets, liabilities, financial interests, and income of myself, my spouse, my dependent children, and private companies controlled by any of us, or a combination of us, as required by section 11 of the Act to enable the Commissioner to prepare the public disclosure statement pursuant to sections 12 and 13.

Conflict of Interest Commissioner

Member

Date

Date of Meeting

NOTE: Unless disclosure is directed by the Commissioner pursuant to subsection 13(3), the value or amounts of any items required to be in this disclosure statement will not be disclosed in the public disclosure statement.

DEFINITIONS:

"Spouse" is defined in *The Family Maintenance Act, 1997* as follows:

"spouse" means:

- (a) the legally married spouse of a person;
- (b) a party to a marriage that is voidable and has not been voided by a judgment of nullity or dissolution of marriage;
- (c) for the purpose of proceedings to enforce or vary an order, a party to a marriage with respect to which an order for divorce, dissolution of marriage or decree of nullity has been made; or
- (d) a person who has cohabited with another person as spouses:
 - (i) continuously for a period of not less than two years; or
 - (ii) in a relationship of some permanence, if they are the parents of a child.

"Private Company" is defined in *The Securities Act, 1988* as follows:

- (j) **"private company"** means a company in whose articles of incorporation or other instrument legally constituting that company:
 - (i) the right to transfer its shares is restricted;
 - (ii) the number of its shareholders, other than:
 - (A) individuals who are in its employment or the employment of an affiliate; and
 - (B) individuals who, having been formerly in the employment of the issuer or of an affiliate, were, while in that employment, and have continued after termination of that employment to be, shareholders of the issuer;

is limited to not more than 50, two or more individuals who are the joint registered owners of one or more shares being counted as one shareholder, as the case may be; and

- (iii) any invitation to the public to subscribe for its securities is prohibited.

"Dependent Child" is not defined in the Act but has been interpreted by the Conflict of Interest Commissioner to mean a child who is dependent on the Member and is ordinarily a member of his or her household.

"Self Directed RRSP" is an RRSP where you have appointed a trustee with whom you deposit your contributions and who invests this money in securities which you select or as you direct.

"Non-Self Directed RRSP" is an RRSP where contributions are made to a financial agent, bank or broker who invests the money in securities selected by the agent.

M-11.11 REG 1

MEMBERS' CONFLICT OF INTEREST

1. CORPORATIONS INCLUDING PRIVATE COMPANIES in which Member or family holds shares, share warrants or options.

	Name	Address	Extent of Interest
Member:	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Spouse:	_____	_____	_____
	_____	_____	_____
Dependent Children:	_____	_____	_____

2. EACH BUSINESS from which remuneration as an employee, officer, director, trustee, partner or owner is received.

	Business	Nature of Position	Amount Paid
Member:	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Spouse:	_____	_____	_____
Dependent Children:	_____	_____	_____

3. INTERESTS IN SOLE PROPRIETORSHIPS OR PARTNERSHIPS.

	Name	Address	Nature of Interest
Member:	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Spouse:	_____	_____	_____
	_____	_____	_____
Dependent Children:	_____	_____	_____

4. CORPORATIONS, ORGANIZATIONS OR ASSOCIATIONS of which Member or family is an officer or director.

	Name	Address	Position Held
Member:	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Spouse:	_____	_____	_____
	_____	_____	_____
Dependent Children:	_____	_____	_____

M-11.11 REG 1 MEMBERS' CONFLICT OF INTEREST

7. TREASURY BILLS OR GOVERNMENT BONDS (federal, provincial or municipal) held by member or family.

	Issuer	Amount
Member:	_____	_____
	_____	_____
Spouse:	_____	_____
	_____	_____
Dependent Children:	_____	_____

8. INVESTMENT FUNDS, mutual funds, investment trusts or similar securities over \$2,000.00 held by member or family NOT INCLUDED IN a Registered Retirement Savings Plan (RRSP), Registered Home Ownership Plan (RHOP) or a Registered Education Savings Plan (RESP).

	Identity of Fund or Trust	Amount
Member:	_____	_____
	_____	_____
Spouse:	_____	_____
	_____	_____
Dependent Children:	_____	_____

9. INVESTMENTS IN RRSP's, RHOP's or RESP's.

	Issuer	Amount
Member:		
Self-Directed	_____	_____
	_____	_____
Not Self-Directed	_____	_____
Spouse:		
Self-Directed	_____	_____
	_____	_____
Not Self-Directed	_____	_____
Dependent Children:		
Self-Directed	_____	_____
	_____	_____
Not Self-Directed	_____	_____
	_____	_____

M-11.11 REG 1 MEMBERS' CONFLICT OF INTEREST

Spouse: _____

Dependent Children: _____

14. PARTICIPATION by Member or family in any GOVERNMENT CONTRACT as defined in Section 15 of the Act.

Member: _____

Spouse: _____

Dependent Children: _____

15. NATURE AND EXTENT OF ANY GIFT OR BENEFIT received by Member or family during the year ended December 31st.

Member: _____

Spouse: _____

Dependent Children: _____

16. GRANTS OR SUBSIDIES received by Member or family or by any business disclosed in paragraph 2 from the GOVERNMENT OF SASKATCHEWAN.

Business: _____

Member: _____

Spouse: _____

Dependent Children: _____

MEMBERS' CONFLICT OF INTEREST

M-11.11 REG 1

17. OTHER PERSONAL OR FAMILY ASSETS and estimated values.

Household goods and furnishings \$ _____
 Farm equipment and machinery \$ _____
 Vehicles \$ _____
 Miscellaneous \$ _____

18. INCOME for last calendar year or last fiscal year.

From Government of Saskatchewan

Member: \$ _____
 Spouse: \$ _____
 Dependent Children \$ _____

From all other sources

Member: \$ _____
 Spouse: \$ _____
 Dependent Children \$ _____

19. EXEMPTION FROM DISCLOSURE claimed because of possible serious harm to business [Section 13(4)] or justifiable departure from the general principle of public disclosure [Section 13(5)].

Member: _____

 Spouse: _____

STATEMENT OF LIABILITIES

1. MORTGAGES. List all mortgages in respect of which you owe money.

	Address of Mortgaged Property	Name and Address of Mortgagee	Approximate Amount Owing
Member:	_____	_____	_____
	_____	_____	_____
Spouse:	_____	_____	_____
	_____	_____	_____

2. TAX ARREARS. List any tax arrears owing.

		Authority to which tax is owing
Member:	\$ _____	_____
Spouse:	\$ _____	_____

FORM 2 — Schedule A

MEMBER'S PUBLIC DISCLOSURE STATEMENT

MEMBER'S SPOUSE

NAME OF MEMBER: _____

NAME OF SPOUSE: _____

I. INCOME:

Name and address of each business from which the member's spouse receives remuneration for services as an employee, officer, director, trustee, partner or owner (*see* clause 13(1)(b)):

Name	Address	Position Held
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

II. ASSETS:

1. Name and address of the registered office of each corporation in which the member's spouse holds any shares, share warrants or share purchase options:

Name	Address	Nature of Interest
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

MEMBERS' CONFLICT OF INTEREST

M-11.11 REG 1

- 2. Name and address of all sole proprietorships or partnerships in which the member's spouse has an interest:

Name	Address	Nature of Interest
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 3. Identity of bonds and debentures with a value of greater than \$2,000:*
- Bonds and Debentures

- 4. Identity of investment funds, mutual funds, investment trusts or similar securities:**
- Investment

M-11.11 REG 1 MEMBERS' CONFLICT OF INTEREST

- 5. Municipal address or legal description of any real property, inside or outside Saskatchewan, that the member's spouse has any interest in or title or right to:

Address or Legal Description	Nature of Interest

III. GOVERNMENT CONTRACTS:

Identity and extent of the member's spouse's participation in any Government contract as defined in section 15 of *The Members' Conflict of Interest Act*:

Description of Contract	Nature of Interest

IV. GIFTS AND BENEFITS:

Identity and the extent of any gift or personal benefit received by the member's spouse and mentioned in a disclosure statement filed pursuant to subsection 7(3) of *The Members' Conflict of Interest Act*:

Identity	Extent

V. OTHER:

1. The identity of any grant or subsidy from the Crown that was received by the member's spouse***.

Identity	Extent
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Name and address of each corporation, organization or association of which the member's spouse is an officer or director:

Name	Address	Position
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Other information as directed by the commissioner pursuant to clause 13(1)(l):

M-11.11 REG 1**MEMBERS' CONFLICT OF INTEREST**

*Clause 13(1)(f) of *The Member's Conflict of Interest Act* does not require public disclosure of Treasury Bills or bonds issued by the Government of Canada, the government of any province or territory of Canada or any municipal government in Canada.

**Clause 13(1)(g) of *The Members' Conflict of Interest Act* does not require public disclosure of registered retirement savings plans (rrsps), other than self-directed plans, registered home ownership savings plans (rhosps), registered education savings plans, accounts and term deposits held in banks listed in Schedule I or II to the *Bank Act* (Canada) or in any other financial institutions in Saskatchewan that are lawfully entitled to accept deposits, pension plans or insurance policies.

***Clause 13(1)(k) of *The Members' Conflict of Interest Act* does not require public disclosure of a grant or subsidy that is paid pursuant to a government contract or pursuant to an Act or regulation where the authority of the grant or subsidy is not subject to the discretion of any individual and the standard terms and conditions of eligibility are objective in nature and are prescribed in an Act or regulation.

NOTE: Unless disclosure is directed by the Commissioner pursuant to subsection 13(3), the value or amounts of any items required to be in this disclosure statement will not be disclosed in this public disclosure statement.



MEMBER'S PUBLIC DISCLOSURE STATEMENT
DEPENDENT CHILD(REN)
SHORT FORM

NAME OF MEMBER: _____

DEPENDENT CHILD(REN): _____

The above-named dependent child(ren) do not have any assets, liabilities, and/or financial interests having a value of more than \$1,000.

Prepared by Office of the Conflicts Commissioner

Date: _____



**MEMBER'S PUBLIC DISCLOSURE STATEMENT
DEPENDENT CHILD(REN)**

NAME OF MEMBER: _____

DEPENDENT CHILD(REN): _____

Prepared by Office of the Conflicts Commissioner

Date: _____

FORM 2 —Schedule B
MEMBER'S PUBLIC DISCLOSURE STATEMENT

NAME OF MEMBER: _____

DEPENDENT CHILD(REN): _____

I. INCOME:

Name and address of each business from which the child receives remuneration for services as an employee, officer, director, trustee, partner or owner (*see* clause 13(1)(b)):

Name	Address	Position Held
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

II. ASSETS:

1. Name and address of the registered office of each corporation in which the child holds any shares, share warrants or share purchase options:

Name	Address	Nature of Interest
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

M-11.11 REG 1 MEMBERS' CONFLICT OF INTEREST

2. Name and address of all sole proprietorships or partnerships in which the child has an interest:

Name	Address	Nature of Interest
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Identity of bonds and debentures with a value of greater than \$2,000:*

Bonds and Debentures

4. Identity of investment funds, mutual funds, investment trusts or similar securities:**

Investment

MEMBERS' CONFLICT OF INTEREST

M-11.11 REG 1

- 5. Municipal address or legal description of any real property, inside or outside Saskatchewan, that the child has any interest in or title or right to:

Address or Legal Description	Nature of Interest

III. GOVERNMENT CONTRACTS:

Identity and extent of the child's participation in any Government contract as defined in section 15 of *The Members' Conflict of Interest Act*:

Description of Contract	Nature of Interest

IV. GIFTS AND BENEFITS:

Identity and the extent of any gift or personal benefit received by the child and mentioned in a disclosure statement filed pursuant to subsection 7(3) of *The Members' Conflict of Interest Act*:

Identity	Extent

V. OTHER:

- 1.** The identity of any grant or subsidy from the Crown that was received by the child:***

Identity	Extent
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- 2.** Name and address of each corporation, organization or association of which the child is an officer or director:

Name	Address	Position
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 3.** Other information as directed by the commissioner pursuant to clause 13(1)(l):

MEMBERS' CONFLICT OF INTEREST

M-11.11 REG 1

*Clause 13(1)(f) of *The Member's Conflict of Interest Act* does not require public disclosure of Treasury Bills or bonds issued by the Government of Canada, the government of any province or territory of Canada or any municipal government in Canada.

**Clause 13(1)(g) of *The Members' Conflict of Interest Act* does not require public disclosure of registered retirement savings plans (rrsps), other than self-directed plans, registered home ownership savings plans (rhosps), registered education savings plans, accounts and term deposits held in banks listed in Schedule I or II to the *Bank Act* (Canada) or in any other financial institutions in Saskatchewan that are lawfully entitled to accept deposits, pension plans or insurance policies.

***Clause 13(1)(k) of *The Members' Conflict of Interest Act* does not require public disclosure of a grant or subsidy that is paid pursuant to a government contract or pursuant to an Act or regulation where the authority of the grant or subsidy is not subject to the discretion of any individual and the standard terms and conditions of eligibility are objective in nature and are prescribed in an Act or regulation.

NOTE: Unless disclosure is directed by the Commissioner pursuant to subsection 13(3), the value or amounts of any items required to be in this disclosure statement will not be disclosed in this public disclosure statement.

FORM 3
[Subsection 5(3)]

FORM 3 — MEMBER

CONFIDENTIAL



SASKATCHEWAN

MEMBER'S GIFT OR PERSONAL BENEFIT DISCLOSURE STATEMENT

MEMBER: _____

Section 7 of *The Members' Conflict of Interest Act* states, in part, that:

7(1) Neither a member nor any of the member's family shall accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of the member's duties of office.

(2) Subsection (1) does not apply to a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office.

(3) Where a gift or personal benefit mentioned in subsection (2) is greater than \$200 in value, or where the total value received directly or indirectly from one source in any 12-month period is greater than \$200, the member shall immediately file with the commissioner a disclosure statement.

(Please complete the attached form)

MEMBERS' CONFLICT OF INTEREST

M-11.11 REG 1

MEMBER

1. Single fee, gift or benefit received and valued in excess of \$200

Name and Address of Donor	Nature of Fee, Gift or Benefit	Date of Receipt	Value
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Describe the circumstances under which the fee, gift or other benefit was received.

If the fee, gift or benefit was received indirectly from a source other than the donor listed above, what is the name and address of the source?

Form 4

[Subsections 5(4) and (5)]

CONFIDENTIAL

SASKATCHEWAN

MEMBER'S DECLARATION

Member's Name: _____

Home Address and Telephone Number: _____

Legislature Address and Telephone Number: _____

Constituency Address and Telephone Number: _____

I am familiar with the requirements of *The Members' Conflict of Interest Act*.

I have reviewed my private disclosure statement dated _____ and declare that no material changes have occurred respecting my assets, liabilities and financial interests and those of my family and of any private companies, as defined in *The Securities Act, 1988*, that are controlled by all or any of us since that statement was filed.

– Or –

I have reviewed my private disclosure statement dated _____ and declare that the following details the material changes that have occurred respecting my assets, liabilities and financial interests and those of my family and of any private companies, as defined in *The Securities Act, 1988*, that are controlled by all or any of us since that statement was filed:

[Clearly identify each material change and number consecutively.]

I request the commissioner's permission to submit this declaration pursuant to subsection 11(6) of *The Members' Conflict of Interest Act*.

Date

Member

AUTHORIZATION

_____ is authorized to submit this declaration pursuant to subsection 11(6) of *The Members' Conflict of Interest Act*.

Date

Conflict of Interest Commissioner

