

1989

CHAPTER 59

An Act to amend The Saskatchewan Telecommunications Act

(Assented to August 25, 1989)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title¹ This Act may be cited as The Saskatchewan Telecommunications Amendment Act, 1989.

R.S.S. 1978, c.S-34 amended

2 The Saskatchewan Telecommunications Act is amended in the manner set forth in this Act.

Section 9 amended³ Subsections 9(2) and (3) are repealed and the following substituted:

"(2) The telecommunication services provided by the corporation and the acceptance or use of them by any person are subject to:

- (a) the terms and conditions set forth in the regulations; and
- (b) the charges, rates, terms and conditions that are:
 - (i) established and revised from time to time by the corporation; and
 - (ii) set out or described in a schedule.

"(3) The corporation shall make the schedule mentioned in subsection (2) available for public inspection at the business offices of the corporation during the corporation's normal business hours.

"(4) Notwithstanding subsection (2), where in the opinion of the corporation the schedule of charges, rates, terms and conditions mentioned in that subsection does not adequately accommodate the provision of a particular telecommunication service requested by a person, the corporation:

- (a) by itself; or
 - (b) jointly with the owners or operators of other telecommunication systems;
- may enter into a special agreement with that person to provide the service in accordance with charges, rates, terms or conditions at variance with or in addition to those set out or described in the schedule.

"(5) An agreement mentioned in subsection (4) shall have precedence over the schedule, mentioned in subsection (2) to the extent necessary to give effect to the agreement.

"(6) Notwithstanding subsection (2), where the corporation provides any telecommunication service that is similar to or the same as a telecommunication service provided in Saskatchewan by any other person, the corporation is not required to set out or describe:

- (a) in a schedule; or
- (b) in any other manner;

the charges, rates, terms and conditions to which the acceptance and use of the service is subject".

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Section 43 amended

4 Clause 43(1)(a) is amended by striking out "enter" and substituting "subject to section 43.1, enter".

New section 43.15 The following section is added after section 43:

Agreements for connection, approval required

"43.1 The corporation shall not enter into any agreement pursuant to clause 43(1)(a):

- (a) with any person who provides any telecommunication service in Saskatchewan that is the same as or similar to any telecommunication service provided by the corporation; and
- (b) for the purpose of connecting any part of the telecommunication system of the person with the telecommunication system of the corporation;

without the prior approval of the Lieutenant Governor in Council".

Coming into force⁶ This Act comes into force on the day of assent.