

2011

CHAPTER 13

An Act to amend *The Provincial Court Act, 1998*

(Assented to May 18, 2011)

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

Short title

1 This Act may be cited as *The Provincial Court Amendment Act, 2011*.

S.S. 1998, c.P-30.11 amended

2 *The Provincial Court Act, 1998* is amended in the manner set forth in this Act.

Section 8.1 repealed

3 Section 8.1 is repealed.

Section 17 amended

4(1) Subsection 17(1) is amended by striking out “The chief judge” and substituting “Subject to subsection (1.1), the chief judge”.

(2) The following subsection is added after subsection 17(1):

“(1.1) Before appointing a person mentioned in subclause 18(2)(b)(iii.1) as a temporary judge, the chief judge must obtain the consent of the chief judge of the province in which the judge is currently appointed”.

New section 17.1

5 The following section is added after section 17:

“Agreements re temporary judges

17.1 The minister, on behalf of the government, may enter into an agreement with the government of another province:

(a) providing that the Government of Saskatchewan will reimburse the government of the other province for the salary and expenses of a person mentioned in subclause 18(2)(b)(iii.1) who is appointed to sit in Saskatchewan as a temporary judge; and

(b) providing for reciprocal or other arrangements between the Government of Saskatchewan and the government of the other province with respect to:

(i) temporary judges; and

(ii) judges of the Provincial Court appointed on a temporary basis in that other province”.

Section 18 amended

6(1) Clause 18(2)(b) is amended by adding the following subclauses after subclause (iii):

“(iii.1) provincial court judges, as defined in the *Criminal Code*, from a province other than Saskatchewan;

“(iii.2) provincial court judges, as defined in the *Criminal Code*, from a province other than Saskatchewan who have retired;

“(iii.3) superior court judges from a province other than Saskatchewan who have retired or resigned”.

(2) Subsection 18(4) is amended by adding “subsection (4.1) or” after “removal pursuant to”.

(3) The following subsection is added after subsection 18(4):

“(4.1) The Lieutenant Governor in Council may remove a person mentioned in subclause (2)(b)(iii.1) from the list mentioned in subsection (1) if that person has been suspended or removed from office as a provincial court judge in a province other than Saskatchewan”.

Section 20 amended

7 Clause 20(1)(b) is amended by striking out “one year” and substituting “three months”.

Section 53 amended

8 Clause 53(2)(d) is amended by striking out “designated by the president” and substituting “appointed by a resolution of the benchers”.

Section 62 amended

9 Subsection 62(5) 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) shall make the order and any reasons public, except if:

(i) making the order and any reasons public would reveal:

(A) personal health information of the judge or the complainant; or

(B) the identity of the complainant, if the complaint was of the nature of sexual harassment or assault; or

(ii) in the opinion of the chairperson, there are other circumstances that render making the order and any reasons public contrary to the public interest”.

Coming into force

10 This Act comes into force on proclamation.