

The Community Justice Programs Regulations

being

[Chapter G-5.1 Reg 96](#) (effective July 12, 2002) as amended by
Saskatchewan Regulations [39/2014](#).

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 96
The Government Organization Act
and
The Department of Justice Act

Title

1 These regulations may be cited as *The Community Justice Programs Regulations*.

Interpretation

2(1) In these regulations:

- (a) **“applicant”** means a person who or an association that applies for financial assistance pursuant to these regulations;
- (b) **“community justice program”** means a program that fits into one or more of the categories mentioned in subsection (2) and that is designed to achieve one or more of the following objectives:
 - (i) assisting with the delivery of the administration of justice;
 - (ii) facilitating an understanding of the justice system;
 - (iii) preserving public order and personal safety;
 - (iv) promoting safe communities;
 - (v) supporting community involvement in crime prevention and the promotion of public safety;
 - (vi) responding to the needs of victims at any stage of the criminal justice process;
 - (vii) promoting services and benefits for vulnerable individuals and families affected by interpersonal violence and abuse;
 - (viii) responding to the needs of missing persons and their families;
 - (ix) preventing and responding to criminal behaviour;
 - (x) improving access to justice;
 - (xi) responding to the needs and respecting the values of Aboriginal people;
 - (xii) contributing to a more inclusive society;
- (c) **“minister”** means the member of the Executive Council to whom for the time being *The Department of Justice Act* is assigned;

- (d) “**participant**” means an applicant whose application has been approved by the minister pursuant to section 4;
- (e) “**record**” includes any document or information that is recorded or stored in any medium or by means of any device, including a computer and its hard drive or any electronic media.
- (2) For the purposes of these regulations, a community justice program must fit into one or more of the following categories:
- (a) adult alternative measures, being a program that, in the minister’s opinion, is consistent with section 717 of the *Criminal Code*;
 - (b) extrajudicial sanctions, being a program that, in the minister’s opinion, is consistent with section 10 of the *Youth Criminal Justice Act (Canada)*;
 - (c) community capacity building, being a program that, in the minister’s opinion, assists in developing initiatives within a community to address, prevent or respond to crime and community issues;
 - (d) crime prevention, being a program that, in the minister’s opinion, is designed to do one or more of the following:
 - (i) reduce the occurrence of crime;
 - (ii) prevent persons from entering the criminal justice system;
 - (iii) facilitate the development of an integrated approach to community crime prevention and crime reduction;
 - (e) education, programming and services respecting family violence and interpersonal violence and abuse;
 - (f) restorative justice;
 - (g) Aboriginal community liaison;
 - (h) the Aboriginal court worker program;
 - (i) sentencing options;
 - (j) custody, supervision, release and rehabilitation services for youth and adults;
 - (k) operational police programs and initiatives;
 - (l) a program respecting victims;
 - (m) missing persons and their families;
 - (n) support for research, policy advice and evaluation with respect to any of the categories mentioned in clauses (a) to (m).

Application

3(1) An applicant for financial assistance pursuant to these regulations must apply to the minister:

- (a) on a form provided by the minister; and
 - (b) within the time set by the minister.
- (2) An application pursuant to subsection (1) must include:
- (a) evidence satisfactory to the minister that the program that is the subject of the application is a community justice program and is in the public interest;
 - (b) with respect to the community justice program mentioned in clause (a):
 - (i) a description of the program;
 - (ii) the objectives and services of the program; and
 - (iii) a proposed budget for the program;
 - (c) if required by the minister:
 - (i) a work plan for the program;
 - (ii) a list of the program managers and staff carrying out the program;
 - (iii) a list of the members of the applicant's board of directors and an outline of the applicant's organizational structure; and
 - (iv) details of:
 - (A) how data respecting the program will be collected;
 - (B) how records for the program will be kept; and
 - (C) measures of achievement for the program;
 - (d) any permission to release to the minister any information or record mentioned in clause (b) or (c) respecting the community justice program that the minister may require; and
 - (e) any other information or record that the minister may require to determine whether to approve the application.

Approval

- 4(1) If the minister receives an application pursuant to section 3 and is satisfied that the application is complete and meets the criteria set out in these regulations and that it is appropriate to do so, the minister may approve the application.
- (2) If the minister approves an application pursuant to subsection (1), the minister may:
- (a) enter into an agreement with the participant to provide financial assistance to the participant in accordance with the terms and conditions of the agreement; or
 - (b) provide financial assistance in the form of a grant to the participant.
- (3) The minister shall obtain the approval of the Lieutenant Governor in Council before providing financial assistance to a participant in excess of \$50,000 in any fiscal year.

19 Jly 2002 cG-5.1 Reg 96 s4.

Financial assistance – agreements

- 5 Any agreement entered into pursuant to clause 4(2)(a) must include the following terms and conditions:
- (a) the participant shall report regularly to the minister, and at any other time on the request of the minister, with respect to the administration and financial affairs of the community justice program;
 - (b) all reports made pursuant to clause (a) must be in the form and contain the information that the minister may require and be submitted to the minister within the time required by the minister;
 - (c) the participant shall submit to the minister regularly, and at any other time on the request of the minister, a financial statement respecting the community justice program that has been audited or reviewed by an auditor acceptable to the minister;
 - (d) the results of any audit or financial review conducted pursuant to clause (c) must be submitted to the minister within the time required by the minister;
 - (e) the community justice program must be conducted in accordance with all applicable laws;
 - (f) the participant shall grant the minister access to any record associated with the community justice program that the minister may request;
 - (g) the participant shall keep all records respecting the community justice program in accordance with a record-keeping policy approved by the minister;
 - (h) the participant shall allow the minister to evaluate the community justice program at the times determined by the minister without hindering or obstructing the minister;

- (i) the participant shall establish a confidentiality policy that is acceptable to the minister and shall keep all records and matters associated with the community justice program confidential in accordance with that policy;
- (j) the participant shall establish and adhere to a conflict of interest policy acceptable to the minister;
- (k) the participant shall undertake appropriate criminal record checks of its directors, management, staff and program volunteers and make the results of those checks available to the minister when requested to do so by the minister;
- (l) the participant shall indemnify the minister and the Crown in right of Saskatchewan for any loss or damage arising out of the agreement or the community justice program;
- (m) the liability of the minister and the Crown in right of Saskatchewan pursuant to or arising out of the agreement shall be limited to the extent specified in the agreement;
- (n) the participant shall not assign the agreement, in whole or in part, without the prior written consent of the minister;
- (o) the participant must be properly constituted as a legal entity for the term of the agreement;
- (p) any other terms and conditions that the minister may require.

19 Jly 2002 cG-5.1 Reg 96 s5; 6 Jne 2014 SR
39/2014 s5.

Financial assistance – grants

6(1) Any grant made by the minister pursuant to clause 4(2)(b) with respect to a community justice program is subject to the following terms and conditions:

- (a) the participant shall report regularly to the minister, and at any other time on the request of the minister, with respect to the administration and financial affairs of the community justice program;
- (b) all reports made pursuant to clause (a) must be in the form and contain the information that the minister may require and be submitted to the minister within the time required by the minister;
- (c) the participant shall submit to the minister regularly, and at any other time on the request of the minister, a financial statement respecting the community justice program that has been audited or reviewed by an auditor acceptable to the minister;
- (d) the results of any audit or financial review conducted pursuant to clause (c) must be submitted to the minister within the time required by the minister;

- (e) the community justice program must be conducted in accordance with all applicable laws;
 - (f) the participant shall grant the minister access to any record associated with the community justice program that the minister may request;
 - (g) the participant shall keep all records respecting the community justice program in accordance with a record-keeping policy approved by the minister;
 - (h) the participant shall allow the minister to evaluate the community justice program at the times determined by the minister without hindering or obstructing the minister;
 - (i) the participant shall establish a confidentiality policy that is acceptable to the minister and shall keep all records and matters associated with the community justice program confidential in accordance with that policy;
 - (j) the participant shall establish and adhere to a conflict of interest policy acceptable to the minister;
 - (k) the participant shall undertake appropriate criminal record checks of its directors, management, staff and program volunteers and make the results of those checks available to the minister when requested to do so by the minister;
 - (l) the participant shall indemnify the minister and the Crown in right of Saskatchewan from any loss or damage relating to the program;
 - (m) no action or proceeding lies or shall be commenced against the minister or the Crown in right of Saskatchewan by the participant for anything in good faith done or caused, permitted, authorized, attempted or omitted to be done by the minister in relation to the program;
 - (n) the participant must be properly constituted as a legal entity while the participant is associated with the program;
 - (o) any other terms and conditions that the minister may set out in writing to the participant.
- (2) No participant who receives a grant pursuant to this section shall fail to comply with the terms and conditions mentioned in subsection (1).

19 Jly 2002 cG-5.1 Reg 96 s6.

Amount of financial assistance

7(1) The amount of financial assistance that the minister may provide to a participant who has entered into an agreement with the minister that meets the criteria set out in section 5, or to a participant whom the minister has approved for a grant pursuant to these regulations, is the amount that the minister considers necessary:

- (a) to pay for reasonable wages, salaries, benefits and mandatory employer costs associated with employing program staff;
- (b) to pay for the participant's reasonable costs of administering the community justice program;

- (c) to pay for the rental, operation and maintenance of facilities and equipment reasonably required for the community justice program;
 - (d) to cover any reasonable tuition or program-related training costs of directors, management, staff and program volunteers;
 - (e) to cover the reasonable program-related transportation, accommodation and meal costs incurred by directors, management, staff and program volunteers;
 - (f) to pay for the costs of developing record-keeping, data collection and evaluation criteria for the program;
 - (g) to pay for liability insurance for the participant's directors, management, program staff and program volunteers;
 - (h) to cover the costs of honoraria for Aboriginal Elders and volunteers to assist with program operations;
 - (i) to pay for the acquisition or production of learning materials, public information materials and other materials relating to the community justice program; and
 - (i.1) to cover the costs of conferences, strategic planning and program development;
 - (j) to pay for any other costs associated with the community justice program that the minister considers in the public interest.
- (2) **Repealed.** 6 Jne 2014 SR 39/2014 s6.

19 Jly 2002 cG-5.1 Reg 96 s7; 6 Jne 2014 SR
39/2014 s6.

Audit

8 Every participant who receives financial assistance pursuant to these regulations shall provide, at the minister's request, any information or record that the minister may require to audit the participant's financial affairs.

19 Jly 2002 cG-5.1 Reg 96 s8.

Overpayment

9(1) The minister may declare any or all payments made to a participant pursuant to these regulations to be an overpayment if, in the minister's opinion:

- (a) the participant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or record provided to the minister pursuant to these regulations;
- (b) the participant has omitted to make a statement or to provide any information or record, and that omission results in a statement with respect to a material fact being misleading; or

- (c) the participant has failed to comply with these regulations or the terms and conditions of:
- (i) an agreement between the participant and the minister; or
 - (ii) a grant as set out in these regulations or in any written direction of the minister.
- (2) 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 participant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

19 Jly 2002 cG-5.1 Reg 96 s9.

Coming into force

10 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

19 Jly 2002 cG-5.1 Reg 96 s10.