

**PART II**

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**REVISED REGULATIONS OF SASKATCHEWAN**

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**SASKATCHEWAN REGULATIONS 36/95**

*The Summary Offences Procedure Act, 1990*

Section 55

Order in Council 413/95, dated May 10, 1995

(Filed May 10, 1995)

**Title**

**1** These regulations may be cited as *The Summary Offences Procedure Amendment Regulations, 1995*.

**R.R.S. c.S-63.1 Reg 2 amended**

**2** *The Summary Offences Procedure Regulations, 1991* are amended in the manner set forth in these regulations.

**Section 4 amended**

**3 Clause 4(f) is repealed and the following substituted:**

“(f) persons appointed as officers pursuant to *The Fisheries Act (Saskatchewan), 1994* while enforcing the provisions of that Act”.

**Section 5 amended**

**4 Clause 5(n) is repealed and the following substituted:**

“(n) *The Fisheries Act (Saskatchewan), 1994* and *The Fisheries Regulations*”.

**Section 8 amended**

**5 Subclauses 8(a)(xvii) and (xviii) are repealed and the following substituted:**

“(xvii) the offences pursuant to *The Fisheries Act (Saskatchewan), 1994* set out in Table 17;

“(xviii) the offences pursuant to *The Fisheries Regulations* set out in Table 18”.

**Appendix amended**

**6(1) Table 17 of Part 2 of the Appendix is repealed and the following substituted:**

“TABLE 17  
*The Fisheries Act (Saskatchewan), 1994*

The provisions set out in Column 3 are the provisions of *The Fisheries Act (Saskatchewan), 1994* that impose the prohibitions or requirements described in Column 2. Section 29 of that Act provides that a contravention of those provisions is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Providing false information or falsifying records or return	16	\$100

**(2) Table 18 of Part 2 of the Appendix is repealed and the following substituted:**

“TABLE 18  
*The Fisheries Regulations*

The provisions set out in Column 3 are the provisions of *The Fisheries Regulations* made pursuant to *The Fisheries Act (Saskatchewan), 1994* that impose the prohibitions or requirements described in Column 2. Section 29 of that Act provides that a contravention of those regulations is an offence.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Unlawfully obtaining a licence	9	\$100
2	Failing to produce a licence	10(3)	30
3	Angling without a licence	11(1)	30 plus \$10 per fish in possession
4	Failing to carry angling licence	11(3)	20
5	Allowing other person to use angling licence	12	30
6	Angling during closed times	13(1)	50 plus \$10 per fish in possession
7	(a) Retaining more fish taken by angling than the maximum limit except: (i) lake sturgeon; or (ii) large fish of a species with an upper size limit	14(3),(4)	20 plus \$10 for each excess fish to a maximum of \$100

	(b) Retaining more lake sturgeon or large fish of a species with an upper size limit taken by angling than the maximum limit	14(3),(4)	20 plus \$10 for each excess fish to a maximum of \$100
8	(a) Possessing more fish taken by angling than the maximum limit except: (i) lake sturgeon; or (ii) large fish of a species with an upper size limit	14(3),(4)	20 plus \$10 for each excess fish to a maximum of \$100
	(b) Possessing more lake sturgeon or large fish of a species with an upper size limit taken by angling than the maximum limit	14(3),(4)	20 plus \$10 for each excess fish to a maximum of \$100
9	Transporting or possessing angled fish that cannot be identified	17(1)(a)	35
10	Transporting or possessing angled fish that cannot be counted	17(1)(b)	35
11	Possessing or using a live species for bait	19(1)	50
12	Angling with more than one line in open waters	20(a)	30
13	Angling with more than two lines in ice-covered water	20(b)	30
14	Using a line with more than four hooks attached when angling	20(e)	30
15	Being more than 25 metres from fishing line	20(g)	25
16	Being in place where fishing line is not visible	20(h)	25
17	Marketing fish caught by angling	21	100
18	Placing an unmarked ice fishing shelter	23(1)	20
19	Failing to remove ice fishing shelter by prescribed date or as directed by officer	23(2)	35

20	Spearfishing while neither swimming nor fully immersed	24(1)(a)	20
21	Spearfishing with an improper line	24(1)(b)	20
22	Spearfishing without displaying scuba diver's flag	24(1)(c)	20
23	Spearfishing within 300 metres of buoyed swimming area	24(1)(d)	20
24	Releasing fish taken by spearfishing	24(2)	35
25	Bow fishing with an improper arrow or line	25(a)	20
26	Releasing fish taken by bow fishing	25(c)	35
27	Failing to carry commercial fishing licence	27(1)	20
28	Failing to check nets within prescribed time	31(f)	100
29	Possessing a net of smaller mesh size than permitted within 500 metres of applicable waters	31(g)	100
30	Using improperly marked nets	32(1)	25
31	Failing to identify commercial nets	32(2)	25
32	Failing to comply with an officer's direction	33(4)	50
33	Failing to chill fresh fish	34(1)	50
34	Failing to carry subsistence fishing licence	35(2)	20
35	Subsistence fishing with unmarked gear	36(1)	25
36	Failing to identify subsistence fishing gear	36(2)	25
37	Failing to check nets	37(1)(a)	100
38	Allowing other person to use subsistence fishing licence	37(1)(i)	30
39	Marketing fish caught by subsistence fishing	38(1)	100
40	Illegal disposal of fish taken by subsistence fishing	38(2)	75

41	Failing to carry bait fishing licence	40(1)	20
42	Failing to immediately kill and preserve bait fish	41(a)	50
43	Failing to release unauthorized fish unharmed	41(b)	75
44	Failing to properly mark bait fishing gear	41(c)	25
45	Bait fishing for or possession of unauthorized fish species	42(b)	50
46	Allowing use of bait fishing licence by other persons	42(g)	30
47	Dip net fishing without a licence	43(1)	90
48	Failing to carry dip net fishing licence	43(2)	20
49	Allowing other person to use dip net fishing licence	44(f)	30
50	Marketing prohibited fish	61(1)	150
51	Marketing fish for human consumption without a fish processing licence	62(1)	250
52	Buying fish without a fish processing licence	62(3)	150
53	Operating a processing plant without a fish processing licence	64(1)	250
54	Failing to meet fish processing plant requirements	64(2)	100
55	Peddling fish without written permission	66(1)	250
56	Failing to display licence	68(1)(a)	50
57	Falsifying or failing to issue a complete sales slip or invoice	68(1)(b)	50
58	Failing to keep a copy of an invoice or sales slip	68(1)(c)	50
59	Failing to verify licence	68(2)(a)	50
60	Falsifying or failing to issue a complete purchase record	68(2)(b)	50

61	Failing to obtain manifest	68(2)(c)	50
62	Failing to provide a copy of a purchase record or shipping manifest to an officer	68(2)(d)	50
63	Failing to keep a copy of a purchase record	68(2)(e)	50
64	Misrepresentation of fish	74	100
65	Storing, packaging, processing or transporting fish unfit for human consumption	75(1)	150
66	Failing to protect fish from insects, dust, contamination or decomposition	75(2)	150
67	Failing to transport or market fish in prescribed containers	76(1)	100
68	Failing to wash and disinfect fish container, vessel or vehicle	77	100
69	Failing to chill fresh fish	78	100
70	Transporting fish without a shipping manifest	80(1)	50
71	Operating a plant before a suspension is lifted	81(2)	250
72	Altering, moving or removing a tag, tagged fish, or tagged fish container	83(2)	150
73	Importing or transporting live fish without authorization	88(1)	100
74	Using a firearm or explosive material to kill or catch fish	90(1)(a)	90
75	Using a chemical or electric shocker to kill or catch fish	90(1)(b)	90
76	Grappling fish	90(1)(c)	50
77	Fishing by snagging or snaring	90(1)(d)	90
78	Unlawful use of a gaff	90(1)(e)	90
79	Unlawful use of a spear	90(1)(f)	90
80	Unlawful use of a dip net	90(1)(g)	90
81	Unlawful use of a light to attract fish	90(1)(h)	90

82	Unlawful fishing in stocked waters	90(1)(l)	100	
83	Damaging fishery notice	92(b)	50	
84	Wasting fish	92(c)	50	
85	Counterfeiting, backdating, altering or changing a licence	92(d)	50	
86	Transferring or assigning a licence without authorization	92(e)	30	
87	Fishing for or removing fish from government fish holding facility or collection structure without authorization	92(f)	100	
88	Removing fish from a holding device without owner's permission	92(g)	100	”.

**(3) Table 11 of Part 4 is repealed and the following substituted:**

“TABLE 11  
*The Fisheries Act (Saskatchewan), 1994*

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Providing false information or falsifying records or returns	16	\$100

“TABLE 11.1  
*The Fisheries Regulations*

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Marketing fish for human consumption without a fish processing licence	62(1)	250
2	Misrepresentation of fish	74	100
3	Failing to protect fish from insects, dust, contamination or decomposition	75(2)	150

**Coming into force**

7(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Fisheries Act (Saskatchewan), 1994* comes into force.

(2) If these regulations are filed after section 1 of *The Fisheries Act (Saskatchewan), 1994* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 37/95**

*The Summary Offences Procedure Act, 1990*

Section 55

Order in Council 414/95, dated May 10, 1995

(Filed May 10, 1995)

**Title**

**1** These regulations may be cited as *The Summary Offences Procedure (Forms) Amendment Regulations, 1995*.

**R.R.S. c.S-63.1 Reg 2 amended**

**2** *The Summary Offences Procedure Regulations, 1991* are amended in the manner set forth in these regulations.

**Section 12 amended**

**3 Subsection 12(3) is amended:**

(a) **by striking out “and” after clause (b);**

(b) **in clause (c):**

(i) **in the portion preceding subclause (i) by adding “BUT IS PROVIDED FOR INFORMATION ONLY” after “CHARGE”; and**

(ii) **by repealing subclause (i);**

(c) **by adding “and” after clause (c); and**

(d) **by adding the following clause after clause (c):**

“(d) shall sign the ticket before serving the summons or offence notice on the person charged”.

**Section 16 amended**

**4 The following subsection is added after subsection 16(6):**

“(7) For the purposes of section 49.1 of the Act, the form of release on recognizance is to be in Form H of Part 1 of the Appendix”.

**Appendix, Form A of Part 1 amended**

**5 Part 1 of the Appendix is amended:**

(a) **in Part 1 of Form A by striking out** “the Province of Saskatchewan, DO CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ issue this ticket and that I served the part of this ticket constituting the summons/offence notice upon the within named \_\_\_\_\_ Date \_\_\_\_\_ Signature of Peace Officer \_\_\_\_\_ ” **and substituting** “Saskatchewan, CERTIFY that I did, on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, issue this ticket

Signature of Peace Officer \_\_\_\_\_ ”;

(b) **in Part 2 of Form A by adding the following before the words “ENDORSEMENTS....ADJOURNMENTS....PARTICULARS”:**



“CERTIFICATE OF SERVICE

I, \_\_\_\_\_, a Peace Officer in Saskatchewan, DO CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ at \_\_\_\_\_ serve the part of this ticket constituting the offence notice/summons on the within named \_\_\_\_\_  
Date \_\_\_\_\_

Signature of Peace Officer \_\_\_\_\_”;

**(c) in Part 3 of Form A by striking out** “the Province of Saskatchewan, DO CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ issue this ticket and that I served the part of this ticket constituting the summons/offence notice upon the within named \_\_\_\_\_  
Date \_\_\_\_\_ Signature of Peace Officer \_\_\_\_\_”

**and substituting** “Saskatchewan, CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, issue this ticket  
Signature of Peace Officer \_\_\_\_\_”;

**(d) in Part 5 of Form A by striking out** “the Province of Saskatchewan, DO CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ issue this ticket and that I served the part of this ticket constituting the summons/offence notice upon the within named \_\_\_\_\_  
Date \_\_\_\_\_ Signature of Peace Officer \_\_\_\_\_”

**and substituting** “Saskatchewan, CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, issue this ticket  
Signature of Peace Officer \_\_\_\_\_”;

**(e) in Part 7 of Form A by striking out** “the Province of Saskatchewan, DO CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ issue this ticket and that I served the part of this ticket constituting the summons/offence notice upon the within named \_\_\_\_\_  
Date \_\_\_\_\_ Signature of Peace Officer \_\_\_\_\_”

**and substituting** “Saskatchewan, CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, issue this ticket  
Signature of Peace Officer \_\_\_\_\_”;

**(f) in Part 9 of Form A by striking out** “the Province of Saskatchewan, DO CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ issue this ticket and that I served the part of this ticket constituting the summons/offence notice upon the within named \_\_\_\_\_ Date \_\_\_\_\_ Signature of Peace Officer \_\_\_\_\_” **and substituting** “Saskatchewan, CERTIFY that I did, on the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, issue this ticket Signature of Peace Officer \_\_\_\_\_”;

**New Form H, Part 1, Appendix**

**6 The following form is added after Form G:**

**“FORM H**

*[Section 49.1 of The Summary Offences Procedure Act, 1990]*

**Recognizance**

I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_, understand that  
*(name) (occupation)*

it is alleged that I have committed \_\_\_\_\_.  
*(set out substance of offence).*

In order that I may be released from custody, I acknowledge that I owe \$ \_\_\_\_\_  
*(not exceeding \$500)* to the Crown in right of Saskatchewan to be levied on my real and personal property if I fail to attend court as required in this recognizance.

*(or, where the person is not ordinarily resident in Saskatchewan and the officer believes that the person will not obey a summons)*

In order that I may be released from custody, I acknowledge that I owe \$ \_\_\_\_\_  
*(not exceeding \$500)* to the Crown in right of Saskatchewan and deposit *(money or other valuable security not exceeding in amount or value \$500)* to be forfeited if I fail to attend court as required in this recognizance.

I acknowledge that I am required to attend court on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, in courtroom No. \_\_\_\_\_, at \_\_\_\_\_ court, in the municipality of \_\_\_\_\_, and to attend after that as required by the court, in order to be dealt with according to law.

I understand that failure without lawful excuse to attend court in accordance with this recognizance is an offence pursuant to subsection 24(2) of *The Summary Offences Procedure Act, 1990*.

Subsection 24(2) of *The Summary Offences Procedure Act, 1990* provides as follows:

(2) A defendant is guilty of an offence and liable on summary conviction to a fine of not more than \$500 if:

(a) the defendant has been arrested under a warrant as a result of failing to appear pursuant to a summons or a summons issued pursuant to the *Criminal Code* (Canada);

(b) in connection with the arrest under warrant mentioned in clause (a), the defendant has given a promise to appear to an officer in charge, has given an undertaking to appear to a justice or has entered a recognizance before an officer in charge or justice; and

(c) the defendant has failed to appear at the time and in the court indicated in the promise to appear, undertaking or recognizance mentioned in clause (b).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_.

\_\_\_\_\_  
(signature of accused)

”.

**Coming into force**

7(1) Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Sections 3 and 5 come into force on July 1, 1995.

REGINA, SASKATCHEWAN  
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