

**PART II**

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**REVISED REGULATIONS OF SASKATCHEWAN**

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**CHAPTER D-17.1 REG 3**

*The Department of Highways and Transportation Act*

Section 16

Order in Council 477/95, dated May 19, 1995

(Filed May 19, 1995)

**Title**

**1** These regulations may be cited as *The Rural Municipal Road Relief Assistance Program Regulations*.

**Interpretation**

**2** In these regulations:

- (a) “**claim**” means a claim for relief assistance to restore a municipal road damaged by, or as a result of, a disaster;
- (b) “**disaster**” means an occurrence of nature that results in substantial damage to the municipal roads of a rural municipality to the extent that the cost of the restoration is an amount that exceeds a one-mill levy on the taxable assessments of the rural municipality according to its rateable assessment;
- (c) “**municipal road**” means a municipal road within the meaning of *The Rural Municipality Act, 1989*;
- (d) “**rateable assessment**” means the most recent revised taxable assessment as equalized by the Saskatchewan Assessment Management Agency and confirmed by a certificate issued by that agency;
- (e) “**relief assistance**” means a payment that is approved pursuant to section 7;
- (f) “**restore**” means to restore to the condition that would have existed had the disaster not occurred.

**Assistance to rural municipalities**

**3(1)** A rural municipality may make a claim in the amount required to enable the rural municipality:

- (a) to restore its municipal roads; and
  - (b) to recover the costs of any immediate actions performed because of or during a disaster that are necessary to prevent damage.
- (2)** Notwithstanding subsection (1), no claim of a rural municipality is to include:
- (a) any cost or expense that may be incurred to raise the profile of, or to improve in any other way beyond pre-disaster condition, any of its municipal roads; or
  - (b) any amount received by a rural municipality for any of its municipal roads pursuant to *The Rural Municipalities Revenue Sharing Regulations, 1993*.

**Criteria for assistance**

**4(1)** No relief assistance is payable unless:

- (a) the rural municipality:
  - (i) files a notice of the claim with the minister on or before June 30, 1995;
  - (ii) files a claim with the minister on or before December 31, 1995; and
  - (iii) provides proof satisfactory to the minister to substantiate the claim and does all the things required pursuant to these regulations; and
- (b) the minister approves the claim.

(2) The notice mentioned in subclause (1)(a)(i) is to be in the form and contain any information that the minister may reasonably require.

**Claim**

**5** A claim is to be in a form acceptable to the minister, is to contain any information the minister may require and is to be made in accordance with any procedures that the minister may determine.

**Minister may require proof**

**6** The minister, either before or after relief assistance is paid, may require a rural municipality to provide proof satisfactory to the minister:

- (a) that the costs of restoring the municipal roads have been paid by the rural municipality submitting the claim; and
- (b) that the costs of restoring the municipal roads are reasonable.

**Approval of payment**

**7** Where the minister has received a claim from a rural municipality and is satisfied that the rural municipality has complied with these regulations and that the rural municipality is eligible for relief assistance, the minister may approve payment of relief assistance to the rural municipality.

**Amount of assistance to rural municipalities**

**8(1)** In this section:

- (a) **“levy”** means a levy by a rural municipality on its taxable assessments according to the rateable assessment for the rural municipality;
- (b) **“loss”** means the cost to a rural municipality to restore its municipal roads, but does not include any costs that the rural municipality would have incurred in the normal course of maintaining its municipal roads.

(2) The amount of relief assistance payable to a rural municipality is equal to:

- (a) 50% of the portion of the total loss suffered by a rural municipality that is greater than a one-mill levy, but less than a three-mill levy;
- (b) 75% of the portion of the total loss suffered by a rural municipality that is equal to or greater than a three-mill levy, but less than a six-mill levy; and
- (c) 90% of the portion of the total loss suffered by a rural municipality that is equal to or greater than a six-mill levy.

**No relief assistance for reducing risk of future damage, etc.**

**9(1)** No relief assistance is payable for any loss of or damage to, or cost or expense of, a project or activity that is designed, undertaken or performed primarily for the purpose of:

- (a) abating or reducing the risk of loss or damage from any future disaster; or
  - (b) providing financial, material or other economic assistance to any rural municipality, other than any assistance for which a claim may be made.
- (2) No relief assistance is payable where:
- (a) any damages sustained by a rural municipality are recoverable at law; or
  - (b) a rural municipality is eligible for other compensation provided by the Government of Canada or the Government of Saskatchewan.

**Loss in flood hazard area**

**10(1)** In this section, “**agreement**” means the “Agreement Respecting Flood Damage Reduction” made between the Government of Canada and the Government of Saskatchewan and dated April 13, 1977, as amended from time to time, or any successor agreement to that agreement.

(2) Where any loss or damage is sustained, or any cost or expense is incurred, in any area that has been designated as a flood hazard area pursuant to the agreement, the amount of relief assistance that is payable is any amount that is permitted by the agreement.

**Overpayment**

**11(1)** If a rural municipality contravenes any provision of these regulations, the minister may declare that any payments received by the rural municipality pursuant to these regulations are overpayments.

(2) Any overpayments made to a rural municipality, including payments declared overpayments pursuant to subsection (1), are debts due to the Crown in right of Saskatchewan and may be recovered in any manner authorized by law.

**Coming into force**

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

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**CHAPTER R-8.1 REG 2**

*The Regional Colleges Act*

Section 30

Order in Council 466/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Regional Colleges Program Designation Regulations*.

**Program designation**

**2(1)** Subject to subsection (2), educational activities that are prescribed educational activities for the purposes of clause 5(f) of the Act include the development and delivery of credit programs for post-secondary technical or vocational training.

- (2) A credit program mentioned in subsection (1) must:
- (a) respond to the educational and training needs of the region in which the college is located; and
  - (b) be approved by the department over which the minister presides.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 41/95**

*The Northern Municipalities Act*

Section 286

Order in Council 458/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Northern Municipalities Revenue Sharing Program Amendment Regulations, 1995*.

**R.R.S. c.N-5.1 Reg 8, section 7.1 amended**

**2 Subsection 7.1(1) of *The Northern Municipalities Revenue Sharing Program Regulations, 1988* is repealed and the following substituted:**

“(1) Notwithstanding any other provision of these regulations, the amount of the operating grant to be paid to a northern municipality for the 1995-96 fiscal year is an amount equal to the operating grant paid to that northern municipality for the 1994-95 fiscal year, except that:

- (a) in the case of the Town of Creighton, the amount of the operating grant for the 1995-96 fiscal year is \$123,709; and
- (b) in the case of the Northern Village of Air Ronge, the amount of the operating grant for the 1995-96 fiscal year is \$65,438.95”.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 42/95**

*The Cattle Marketing Deductions Act*

Section 13

Order in Council 461/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Cattle Marketing Deductions Amendment Regulations, 1995*.

**R.R.S. c.C-3 Reg 2, new section 6**

**2 Section 6 of *The Cattle Marketing Deductions Regulations* is repealed and the following substituted:**

**Out-of-province inspection points**

**“6(1)** For the purposes of section 5 of the Act, the approved inspection points for Manitoba are stockyards:

- (a) with respect to which the department has negotiated agreements for the collection of statutory deductions from Saskatchewan livestock owners; and
- (b) where cattle are inspected prior to sale.

(2) For the purposes of section 5 of the Act, the approved inspection points for Alberta are inspected auction markets licensed pursuant to *The Livestock and Livestock Products Act* (Alberta), and *The Licensing and Bonding of Livestock Dealers and Livestock Dealers' Agents Regulations* made pursuant to that Act”.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 43/95**

*The Horned Cattle Purchases Act*

Section 12

Order in Council 462/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Horned Cattle Purchases Amendment Regulations, 1995*.

**R.R.S. c.H-6 Reg 1, new section 6**

**2 Section 6 of *The Horned Cattle Purchases Regulations, 1983* is repealed and the following substituted:**

**Out-of-province inspection points**

**“6(1)** For the purposes of section 5 of the Act, the approved inspection points for Manitoba are stockyards:

- (a) with respect to which the department has negotiated agreements for the collection of statutory deductions from Saskatchewan livestock owners; and
- (b) where cattle are inspected prior to sale.

(2) For the purposes of section 5 of the Act, the approved inspection points for Alberta are inspected auction markets licensed pursuant to *The Livestock and Livestock Products Act* (Alberta) and *The Licensing and Bonding of Livestock Dealers and Livestock Dealers' Agents Regulations* made pursuant to that Act”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 45/95**

*The Farm Financial Stability Act*

Section 84

Order in Council 464/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Breeder Associations Loan Guarantee Amendment Regulations, 1995 (No. 2)*.

**R.R.S. c.F-8.001 Reg 5, new section 9.1**

**2** **The following section is added after section 9 of *The Breeder Associations Loan Guarantee Regulations, 1991*:**

**Purchase and sale by breeder in name of breeder association**

**“9.1(1)** Before a breeder purchases breeding stock on behalf of a breeder association, the breeder shall notify the breeder association of the intended purchase in the manner designated by the association.

(2) Where a breeder purchases breeding stock on behalf of a breeder association, the breeder shall ensure that the purchase documents for the breeding stock name the breeder association as owner of the breeding stock and identify the name of the breeder.

(3) Before a breeder sells breeding stock purchased on behalf of a breeder association or offspring of those breeding stock, the breeder shall notify the breeder association of the intended sale in the manner designated by the breeder association.

(4) Where a breeder sells breeding stock purchased on behalf of a breeder association or offspring of those breeding stock, the breeder shall ensure that the following conditions are complied with:

(a) the sales documents for the breeding stock or offspring must be in the name of the breeder association and identify the breeder;

(b) the purchaser shall pay for the breeding stock or offspring by way of a cheque that is made payable to the breeder association and that identifies the breeder.

(5) Subsections (3) and (4) do not apply to breeding stock or offspring of those breeding stock if the breeder association has transferred ownership of the breeding stock or offspring to the breeder and issued a signed transfer of ownership form respecting that transfer to the breeder”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 46/95**

*The Farm Financial Stability Act*

Section 84

Order in Council 465/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Feeder Associations Loan Guarantee Amendment Regulations, 1995*.

**R.R.S. c.F-8.001 Reg 1, new section 8.1**

**2** **The following section is added after section 8 of *The Feeder Associations Loan Guarantee Regulations, 1989*:**

**Purchase and sale by feeder in name of feeder association**

**"8.1(1)** Before a feeder purchases cattle on behalf of a feeder association, the feeder shall notify the feeder association of the intended purchase in the manner designated by the feeder association.

(2) Where a feeder purchases cattle on behalf of a feeder association, the feeder shall ensure that the purchase documents for the cattle name the feeder association as owner of the cattle and identify the name of the feeder.

(3) Before a feeder sells cattle purchased on behalf of a feeder association, the feeder shall notify the feeder association of the intended sale in the manner designated by the feeder association.

(4) Where a feeder sells cattle purchased on behalf of a feeder association, the feeder shall ensure that the following conditions are complied with:

(a) the sales documents for the cattle must be in the name of the feeder association and identify the feeder;

(b) the purchaser shall pay for the cattle by way of a cheque that is made payable to the feeder association and that identifies the feeder.

(5) Subsections (3) and (4) do not apply to cattle if the feeder association has transferred ownership of the cattle to the feeder and issued a signed transfer of ownership form respecting that transfer to the feeder".

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 48/95**

*The Oil and Gas Conservation Act*

Section 18

Order in Council 468/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Oil and Gas Conservation Amendment Regulations, 1995*.

**R.R.S. c.O-2 Reg 1 amended**

**2** *The Oil and Gas Conservation Regulations, 1985* are amended in the manner set forth in these regulations.

**New section 20**

**3 Section 20 is repealed and the following substituted:**

**Potash restricted drilling areas**

**“20(1)** In this section:

(a) **‘potash disposition holder’** means:

(i) a person, other than the Crown, that operates a mine to extract, recover or produce potash and that:

(A) owns a fee simple interest in potash; or

(B) pursuant to a lease or other instrument granted by a person other than the Crown, has the right to extract, recover or produce potash; or

(ii) the holder of a Crown disposition respecting potash pursuant to *The Crown Minerals Act*;

(b) **‘potash restricted drilling area’** means a potash restricted drilling area established pursuant to subsection (2).

(2) The minister may make orders establishing any area of land as a potash restricted drilling area for the purpose of restricting the drilling of wells near potash mines.

(3) No person shall drill a well within a potash restricted drilling area without first:

(a) obtaining the written approval of the minister; and

(b) obtaining the written consent of every potash disposition holder whose potash is located within the potash restricted drilling area and submitting a copy of the consent to the department.

(4) The consent mentioned in subsection (3) is not to be unreasonably withheld by a potash disposition holder”.

**Section 22 repealed**

**4 Section 22 is repealed.**

**Coming into force**

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



**SASKATCHEWAN REGULATIONS 49/95**

*The Adoption Act*

Section 42

Order in Council 469/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Adoption Amendment Regulations, 1995 (No. 2)*.

**R.R.S. c.A-5.1 Reg 1 amended**

**2** *The Adoption Regulations, 1990* are amended in the manner set forth in these regulations.

**Section 18 amended**

**3(1) Subsection 18(2) is amended:**

(a) **in clause (b) by adding “written” after “with the”; and**

(b) **by adding “or was raised by the birth parent” after “Crown ward”.**

**(2) Subsection 18(3) is amended by repealing the portion preceding clause (a) and substituting the following:**

“(3) Where the minister locates a birth parent or a birth sibling as a result of a search pursuant to this section, the minister shall determine if the birth parent or birth sibling is willing to:”.

**New section 18.1**

**4 The following section is added after section 18:**

**Adopted adults**

**“18.1(1)** The minister may conduct a search for an adopted adult on receipt of a written request from:

(a) a birth parent of the adopted adult;

(b) an adult birth sibling of the adopted adult, with the written consent of a birth parent;

(c) an adult birth sibling of the adopted adult, if the birth parents are deceased or cannot be located after reasonable efforts have been made; or

(d) an adult birth sibling of the adopted adult who was adopted and has no identifying knowledge about the birth parents.

**(2)** Where the minister locates an adopted adult as a result of a search pursuant to this section, the minister shall determine if the adopted adult is willing to:

(a) receive or exchange non-identifying information through the registry with his or her birth parent or adult birth sibling;

(b) release identifying information to his or her birth parent or adult birth sibling; or

(c) have personal contact with his or her birth parent or adult birth sibling.

(3) Where the adopted adult is deceased, or cannot be located after reasonable efforts to locate him or her have been made, the minister may:

(a) contact another member of the adopted adult's adoptive family to determine if that family member will consent to the release of identifying information to the birth parent or adult birth sibling; or

(b) where no member of the adopted adult's adoptive family can be located after reasonable efforts have been made, release identifying information to the birth parent or adult birth sibling".

**Section 19 amended**

**5 The following clause is added after clause 19(1)(c):**

"(d) an adopted adult to his or her adult birth sibling who was adopted, where the birth sibling was not jointly adopted and has no knowledge of or contact with either birth parent, with the written consent of both the adopted adult and the birth sibling".

**Section 22 amended**

**6 Clause 22(1)(b) is amended by adding "or 18.1" after "section 18".**

**Appendix II amended**

**7 Appendix II is amended:**

(a) in item 4 by adding "(mutual request)" after "required"; and

(b) in item 5 by striking out "a contact in addition to contact with a person who has already been contacted" and substituting "a sequential search and contact".

**Coming into force**

**8(1)** Subject to subsection (2), these regulations come into force on June 1, 1995.

(2) If these regulations are filed with the Registrar of Regulations after June 1, 1995, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

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**SASKATCHEWAN REGULATIONS 50/95**

*The Highway Traffic Act*

Section 77

Order in Council 470/95, dated May 17, 1995

(Filed May 18, 1995)

**Title**

**1** These regulations may be cited as *The Seat-belt Exemption Amendment Regulations, 1995*.

**R.R.S. c.H-3.1 Reg 7, section 2 amended**

**2 The following clause is added after clause 2(b):**

"(c) the operator of a motor vehicle that is registered in Class PC where:

(i) the operator is operating the motor vehicle on a regularly scheduled route and is travelling at speeds under 40 kilometres per hour; or

(ii) the operator is operating the motor vehicle and has reason to believe that his or her personal safety may be compromised".

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 51/95**

*The Motor Carrier Act*

Sections 18 and 41

Board Order, dated May 18, 1995

(Filed May 19, 1995)

**Title**

**1** These regulations may be cited as *The Motor Carrier Conditions of Carriage Amendment Regulations, 1995*.

**R.R.S. c.M-21.2 Reg 5, section 24 amended**

**2 Section 24 of *The Motor Carrier Conditions of Carriage Regulations* is amended:**

**(a) in subsection (2) by striking out “three” and substituting “two”;**

**(b) by adding the following subsection is added after subsection (2):**

“(2.1) Notwithstanding subsection (2), each passenger may have one piece of carry-on baggage if that piece of baggage does not:

(a) exceed the dimensions of 22.5 centimetres (nine inches) by 40 centimetres (16 inches) by 50 centimetres (20 inches); and

(b) weigh more than seven kilograms (15 pounds)”; **and**

**(c) by repealing subsection (3).**

**Coming into force**

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

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