

PART II

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER N-3.1 REG 2

The Natural Resources Act

Section 23

Order in Council 322/96, dated May 7, 1996

(Filed May 8, 1996)

TITLE AND INTERPRETATION

Title

- 1** These regulations may be cited as *The Outfitter and Guide Regulations, 1996*.

Interpretation

- 2** In these regulations:

- (a) **“base camp”** means a permanent or fixed facility from which an outfitter operates an outfitting service and provides accommodation and from which the outfitter’s outcamps, day-use lakes and caches, if any, are operated and supplied, and includes private residences;
- (b) **“client”** means a person to whom an outfitter provides an outfitting service or a guide employed by an outfitter provides a guiding service;
- (c) **“equipment”** includes boats, canoes and other water vessels, aircraft, vehicles, motors, fuel, fishing and hunting gear and any other equipment for use in:
- (i) hunting, taking or catching wildlife; or
 - (ii) angling, taking or catching fish;
- (d) **“fish”** means fish as defined in *The Fisheries Act (Saskatchewan), 1994*;
- (e) **“guide”** means a person who provides a guiding service;
- (f) **“guiding service”** means the provision of direction, assistance, guidance or expertise where they are provided:
- (i) for the purpose of assisting a person in hunting, taking or catching wildlife or in angling, taking or catching fish; and
 - (ii) with the promise or expectation of, remuneration, economic or material gain, business or employment benefit or any other benefit or gain;
- (g) **“outcamp”** means a facility at which an outfitter operates an outfitting service and provides accommodation and that is operated in conjunction with the outfitter’s base camp;
- (h) **“outfitter”** means a person who provides an outfitting service;
- (i) **“outfitter’s licence”** means a licence issued pursuant to these regulations;
- (j) **“outfitting service”** means the provision of guiding services or guiding services and equipment where they are provided;

(i) for the purpose of assisting a person in hunting, taking or catching wildlife or in angling, taking or catching fish; and

(ii) with the promise or expectation of, remuneration, economic or material gain, business or employment benefit or any other benefit or gain;

(k) “**wildlife**” means:

(i) a vertebrate animal of any species, excluding fish, that is wild by nature in Saskatchewan; and

(ii) any part of an animal mentioned in subclause (i).

OUTFITTER'S LICENCE

Outfitter's licence required

3(1) No person shall, without an outfitter's licence:

(a) act as an outfitter; or

(b) advertise or promote an outfitting service in Saskatchewan.

(2) A person is not required to hold an outfitter's licence while providing guiding services, if that person provides the guiding service while employed by another person who holds an outfitter's licence.

(3) An outfitter's licence may be endorsed for one or more of the following:

(a) angling;

(b) big game hunting;

(c) game bird hunting.

(4) No outfitter shall provide an outfitting service respecting any activity mentioned in subsection (3) unless his, her or its outfitter's licence is so endorsed.

Application for an outfitter's licence

4(1) An application for an outfitter's licence or for the renewal of an outfitter's licence is to be in a form specified by the minister and is to include any information that the minister may require.

(2) No person shall apply for or hold more than one outfitter's licence at any time.

When minister may issue outfitter's licence

5 The minister may issue an outfitter's licence to an applicant or renew an outfitter's licence where:

(a) in the case of an individual, the applicant is 18 years of age or older;

(b) the application is accompanied by the licence fees determined in accordance with Table 1 of the Appendix; and

(c) the applicant has a base camp in Saskatchewan.

Refusal of licence

6 The minister may refuse to issue or renew an outfitter's licence where the applicant:

- (a) has been convicted of a contravention of an enactment mentioned in Table 2 of the Appendix; or
- (b) is in arrears in any payment respecting an indebtedness to the Crown in right of Saskatchewan.

Terms of an outfitter's licence

7 The minister may issue or renew an outfitter's licence subject to any terms respecting:

- (a) the type of hunting or angling with respect to which the outfitter is authorized to provide an outfitting service;
- (b) the area, including land and bodies of water, with respect to which the outfitter is authorized to provide an outfitting service;
- (c) the number of clients to which the outfitter may annually or at any time provide an outfitting service;
- (d) the quantity and type of equipment to be used in connection with an outfitting service;
- (e) the species of wildlife or fish and the number of each species that may be taken annually in connection with an outfitting service;
- (f) the times of year when the outfitter may carry out all or any portion of an outfitting service;
- (g) the type of hunting, if any, for which a firearm may be carried by the outfitter while providing an outfitting service or by a guide employed by the outfitter while providing a guiding service on behalf of the outfitter; or
- (h) any other matter the minister may consider appropriate.

Outfitter's licence expires March 31

8 Every outfitter's licence expires on the March 31 following the date that it was issued unless it is previously suspended or revoked pursuant to these regulations.

Licence not transferable

9(1) An outfitter's licence is not transferable.

(2) Subject to subsection (3), a person's outfitter's licence is automatically revoked where the person sells or otherwise disposes of the person's base camp.

(3) Subsection (2) does not apply where the base camp is the person's private residence.

(4) Where an outfitter's licence has been issued to a person who sells or otherwise disposes of any of the person's outcamps, the person, within 30 days after the sale or other disposition, shall advise the minister, and the minister shall amend the outfitter's licence.

AMENDMENT, SUSPENSION AND REVOCATION

Request to amend

10(1) An outfitter may apply in writing to the minister to have his, her or its outfitter's licence amended.

- (2) The minister may amend an outfitter's licence where:
- (a) the minister has received an application pursuant to subsection (1);
 - (b) the minister considers it appropriate to do so; and
 - (c) the fee mentioned in Table 1 of the Appendix has been paid.

Amending, suspending and revoking outfitter's licence

11(1) The minister may amend, suspend or revoke an outfitter's licence where:

- (a) the outfitter has contravened any term imposed on the licence or any provision of these regulations;
 - (b) the outfitter has been convicted for a contravention of an enactment mentioned in Table 2 of the Appendix;
 - (c) an employee of the outfitter has been convicted for a contravention of an enactment mentioned in Table 2 of the Appendix and the contravention was committed by the employee while providing a guiding service on behalf of the outfitter;
 - (d) the minister considers the amendment, suspension or revocation necessary in the public interest; or
 - (e) the outfitter has not provided an outfitting service for two consecutive years.
- (2) Where the minister revokes an outfitter's licence, the minister may prohibit the person from applying for an outfitter's licence for a period not exceeding five years.
- (3) A decision by the minister to amend, suspend or revoke an outfitter's licence or to prohibit a person from applying for an outfitter's licence is final.

Minister to provide notice

12(1) Before amending, suspending or revoking an outfitter's licence, the minister shall provide the person to whom an outfitter's licence has been issued with:

- (a) reasonable notice of the intended action, including written reasons; and
 - (b) an opportunity to make written representations to the minister.
- (2) Where, in the opinion of the minister an emergency exists, the minister may amend, suspend or revoke an outfitter's licence without the notice mentioned in subsection (1).

GENERAL

Obligations of outfitter

13 Every outfitter shall:

- (a) place his, her or its outfitting service's name or a distinguishing identifier agreed to by the minister in a visible location on all boats, canoes and other water vessels, aircraft and vehicles used for transportation by the outfitter in connection with his, her or its outfitting service;

- (b) ensure that all wildlife and fish taken or caught by his, her or its clients are identified as belonging to the client or group of clients who took or caught the wildlife or fish;
- (c) keep a written record of the names and addresses of all clients;
- (d) at the request of an officer, make available for inspection a written record, satisfactory to the minister, of:
 - (i) the number of each species of wildlife and fish taken or caught by his, her or its clients; and
 - (ii) the location in which the wildlife and fish were taken or caught by his, her or its clients;
- (e) ensure that every guide employed by him or her carries documentation, in a form satisfactory to the minister, evidencing the guide's authority to act as a guide for the outfitter; and
- (f) where clients are required to be guided while hunting pursuant to *The Wildlife Act* or the regulations made pursuant to that Act, provide or ensure that every guide employed by him or her provides a guiding service to no more than three clients at any one time.

Prohibition re certain activities

14(1) No outfitter shall:

- (a) contravene the terms of his, her or its outfitter's licence;
 - (b) knowingly provide false information to the minister or an officer; or
 - (c) fail to produce an outfitter's licence at the request of an officer.
- (2) No outfitter or guide while employed by an outfitter shall:
- (a) exercise any hunting or angling privilege while providing a guiding service;
 - (b) restrict or attempt to restrict access by any other person to vacant Crown land or wildlife or fish resources;
 - (c) aid, abet, counsel or procure any other person to commit a contravention of an enactment mentioned in Table 2 of the Appendix; or
 - (d) fail to report a perceived contravention of an enactment mentioned in Table 2 of the Appendix by a client during a period when an outfitting service is being provided.

REPEAL AND COMING INTO FORCE

R.R.S. R-19.01 Reg 2 repealed

15 *The Outfitter and Guide Regulations, 1988* are repealed.

Coming into force

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

Appendix

TABLE 1
[Sections 4 and 10]

Fees

LICENCE	FEE FOR PERIOD ENDING MARCH 31
Administration fee for a first-time licence	\$300
Licence fee including one endorsement	200
Fee for each additional endorsement	100
Outcamp fee, per outcamp.....	50
Day-use lake* fee, per lake	50
AMENDMENT	FEE
Licence amendment, per each approved request	100

*Day-use lake means a location, with no accommodation, at which an outfitter provides an outfitting service respecting fishing and that is used in conjunction with the outfitter's base camp.

TABLE 2
[Sections 6, 11 and 15]

Enactments

The following are the enactments for the purposes of sections 6, 11 and 15:

- (a) these regulations;
- (b) provisions of the *Criminal Code* respecting firearms or mischief;
- (c) *The Ecological Reserves Act* or any regulations made pursuant to that Act;
- (d) *The Environmental Management and Protection Act* or any regulations made pursuant to that Act;
- (e) *The Fisheries Act (Saskatchewan), 1994* or any regulations made pursuant to that Act;
- (f) the *Fisheries Act (Canada)* or any regulations made pursuant to that Act;
- (g) *The Forest Act* or any regulations made pursuant to that Act;
- (h) the *Game Export Act (Canada)* or any regulations made pursuant to that Act;
- (i) *The Litter Control Act* or any regulations made pursuant to that Act;
- (j) the *Migratory Birds Convention Act, 1994 (Canada)* or any regulations made pursuant to that Act;
- (k) *The Parks Act* or any regulations made pursuant to that Act;
- (l) *The Prairie and Forest Fires Act, 1982* or any regulations made pursuant to that Act;

- (m) *The Provincial Lands Act* or any regulations made pursuant to that Act;
 - (n) *The Wildlife Act* or any regulations made pursuant to that Act.
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CHAPTER P-6.01 REG 2

The Personal Care Homes Act

Section 19

Order in Council 321/96, dated May 7, 1996

(Filed May 8, 1996)

PART I

Title and Interpretation

Title

- 1** These regulations may be cited as *The Personal Care Homes Regulations, 1996*.

Interpretation

- 2** In these regulations:

- (a) **“Act”** means *The Personal Care Homes Act*;
- (b) **“activities of daily living”** includes, but is not limited to, the following activities:
 - (i) eating;
 - (ii) bathing;
 - (iii) dressing;
 - (iv) grooming;
 - (v) participating in social and recreational activities;
- (c) **“admission agreement”** means an agreement entered into between the licensee and a resident pursuant to section 17;
- (d) **“assessment”** means the determination of a resident’s capabilities and care needs;
- (e) **“assessment agency”** means an organization or an individual designated by the minister to conduct an assessment;
- (f) **“authorized capacity”** means the maximum number of residents permitted to be accommodated in a home pursuant to a licence;
- (g) **“building code”** means the edition and provisions of the National Building Code of Canada declared to be in force pursuant to subsection 3(1), or deemed to be in force pursuant to subsection 3(1.1), of *The Uniform Building and Accessibility Standards Regulations*;
- (h) **“care”** means the provision of personal care, specialized care or both personal care and specialized care to a resident;
- (i) **“care staff”** means those persons in a home who provide care and supervision to residents;

- (j) “**construction**” includes structural alteration and conversion;
- (k) “**cycle menu plan**” means a list of foods and beverages:
 - (i) that are to be served for each breakfast, morning snack, lunch, afternoon snack, supper and evening snack over a period that is not less than three weeks in length; and
 - (ii) that may be repeated for service in subsequent periods;
- (l) “**fire code**” means the edition and provisions of the National Fire Code of Canada that are declared to be in force pursuant to subsection 3(1) of *The Saskatchewan Fire Code Regulations*;
- (m) “**fire commissioner**” means the fire commissioner appointed pursuant to *The Fire Prevention Act, 1992*;
- (n) “**fire inspector**” means a provincial inspector, local assistant or a municipal inspector, within the meaning of *The Fire Prevention Act, 1992*;
- (o) “**grade**” means the average level of finished ground adjoining a building at all exterior walls;
- (p) “**home**” means a personal care home for which a licence has been issued;
- (q) “**menu journal**” means a daily record of foods and beverages served to residents for breakfast, morning snack, lunch, afternoon snack, supper and evening snack;
- (r) “**personal care**” means direct assistance to, or supervision of, a resident in performing activities of daily living, but does not include specialized care;
- (s) “**physician**” means a qualified medical practitioner who holds a valid licence issued pursuant to *The Medical Profession Act, 1981*;
- (t) “**potentially hazardous food**” means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea or other ingredients, including synthetic ingredients, that is in a form capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms;
- (u) “**resident**” means an adult, other than a relative of the licensee, who resides in a home for the purpose of receiving personal care;
- (v) “**specialized care**” means health care services provided by health care professionals that are required by a resident, but does not include personal care;
- (w) “**storey**” means the part of a building between the top of one floor and the top of the next higher floor or, where there is no next higher floor, the part of the building between the top of the floor and the ceiling above it, but does not include a basement where the floor is more than 1.22 metres below grade;
- (x) “**supporter**” means a person nominated by a resident pursuant to section 9.

PART II
Administration Of Personal Care Homes
LICENCE

Eligibility for licence

3(1) No person may obtain a licence unless:

- (a) that person resides in Saskatchewan;
- (b) that person or the person who will be responsible for the day-to-day operation of the proposed personal care home holds:
 - (i) a valid certificate in a basic food service sanitation course that is recognized by the department; and
 - (ii) a valid certificate in a basic or standard first aid course provided by St. John Ambulance or The Canadian Red Cross Society; and
- (c) the proposed personal care home:
 - (i) is not more than three storeys, where it is to accommodate 10 or fewer persons, including residents; or
 - (ii) is to accommodate not more than 40 persons, including residents.

(2) Where a personal care home is to accommodate more than 10 residents, the applicant for a licence shall provide the department with the following information as part of the application process:

- (a) a business plan, satisfactory to the department, detailing the operational plans and projections and the financial viability of the personal care home;
- (b) a contingency plan detailing the arrangements the applicant has in place to relocate residents in the event of an emergency or the ceasing of operation of the personal care home;
- (c) evidence that the applicant has consulted with the district health board of the health district in which the personal care home is to be located;
- (d) documentation from the district health board that identifies the district health board's level of support for the proposed personal care home, including the reasons for the support;
- (e) in the event that the district health board does not support the proposed personal care home, the district health board's reasons for not supporting the proposed personal care home.

(3) Before an initial licence is granted to any individual for any size of personal care home, a representative of the department shall conduct an inspection of the premises to be used as the proposed personal care home and an assessment of how the applicant proposes to meet the requirements of the regulations in the ongoing operation of the proposed personal care home, including a consideration of:

- (a) the accommodation and services to be provided;
- (b) the facilities and equipment to be used;

- (c) the staff to be employed;
- (d) the methods and procedures to be used;
- (e) the proposed capacity of the home; and
- (f) the care to be provided.

(4) No licensee shall continue to operate a home if the licensee ceases to meet the criteria of eligibility in subsection (1).

Licence fee

4 The fee to be submitted by an applicant for a licence pursuant to clause 4(c) of the Act is a fee in an amount equal to the product of:

- (a) the authorized capacity of the home with respect to which the licence is sought; and
- (b) \$10.

Terms and conditions

5(1) The following term shall be incorporated in each licence:

Subject to the other terms and conditions of this licence, the licensee shall operate the home governed by this licence in accordance with the most recent edition of the *Licensee's Handbook* published by Saskatchewan Health and supplied by the department to the licensee.

(2) Specific terms and conditions that vary, add to or remove any of the requirements set out in the *Licensee's Handbook* may be incorporated in a licence and, in the event of a conflict between the *Licensee's Handbook* and a term or condition in a licence, the term or condition in the licence prevails.

Expiry of licence

6(1) Unless otherwise specified in a licence, a licence expires on the day that is one year from the day the licence is issued.

(2) Before discontinuing the operation of a home, the licensee shall provide the department with:

- (a) 30 days' written notice of intent where the home is licensed to accommodate 10 or fewer residents; and
- (b) 90 days' written notice of intent where the home is licensed to accommodate more than 10 residents.

REQUIREMENTS OF LICENSEES

Responsibility

7 The licensee of a home is responsible for the care management and administration of the home.

Conflict of interest

8 No licensee, staff member of a home or a relative of a licensee or staff member of a home shall:

- (a) accept appointment as power of attorney for a resident;
- (b) be a resident's supporter;
- (c) accept appointment as a personal or property guardian pursuant to *The Dependent Adults Act* for a resident; or
- (d) influence or attempt to influence a resident:
 - (i) in the making or alteration of the resident's will;
 - (ii) in the conduct of the resident's financial affairs; or
 - (iii) in handling the personal assets of the resident.

DESIGNATION OF SUPPORTER

Supporter

- 9(1)** Any resident may nominate a person as a supporter:
 - (a) to act as an advocate for the resident in the resident's dealings and transactions with the licensee; and
 - (b) to assist the resident in the resident's relationship with the licensee.
- (2) Where a supporter is nominated pursuant to subsection (1):
 - (a) the resident shall notify the licensee of the name and telephone number of the supporter; and
 - (b) the licensee shall notify the supporter prior to any dealings or transactions between the resident and the licensee.

RECORDS RESPECTING RESIDENTS

Resident care record

- 10(1)** A licensee shall maintain a clear and accurate resident care record for each resident of the home in accordance with this section.
- (2) A licensee shall ensure that the record maintained pursuant to subsection (1) contains:
 - (a) personal information respecting the resident, including:
 - (i) the name, date of birth, health services card number and information relating to any other medical insurance coverage of the resident;
 - (ii) the name, address and telephone number:
 - (A) where the resident has nominated a supporter, of the supporter; and
 - (B) in any other case, of the person that the resident wishes to be informed in the event of any emergency involving the resident;

- (iii) an original of:
 - (A) the admission agreement; and
 - (B) any amendments to that agreement; and
- (iv) where the resident so requests, the name and telephone number of any organization, religious or otherwise, with which the resident is affiliated; and
- (b) information respecting the care of the resident in the home, including:
 - (i) the request for an admission assessment, the written admission assessment and reassessments required pursuant to section 14;
 - (ii) a copy of the admission form mentioned in section 16;
 - (iii) the date of the resident's admission to the home;
 - (iv) the name, address and telephone number of:
 - (A) the physician chosen by the resident to be the resident's physician; and
 - (B) any other professionals who are involved in the care of the resident;
 - (v) all physicians' instructions relating to the resident, including the dates of any medical appointments and visits by the resident to other health care professionals;
 - (vi) the resident's care plan established pursuant to section 15 and all amendments to that care plan;
 - (vii) all records of prescription and non-prescription medications being used by the resident;
 - (viii) a record of steps to be taken to arrange alternate care in the event the resident is discharged from the home; and
 - (ix) where the resident is discharged from the home:
 - (A) a copy of the discharge form mentioned in section 20; and
 - (B) the date on which the resident is discharged.
- (3) A licensee shall ensure that all entries in a care record made pursuant to subsection (2) are:
 - (a) in ink or other permanent medium;
 - (b) clearly legible;
 - (c) dated at the time of recording; and
 - (d) signed by the writer.

Release of information

11(1) The care record of a resident required by section 10 is the property of the licensee and is confidential.

- (2) A licensee shall disclose all or any part of a care record of a resident:
 - (a) to the resident on the resident's request;
 - (b) to any person named in a written request of the resident that is signed by the resident;
 - (c) to the minister at the direction of the minister; and
 - (d) to any person on the order of a court of competent jurisdiction or if otherwise required by law.
- (3) A licensee shall disclose to the care staff that part of the care record of a resident required by the care staff in providing care to the resident or in reporting care given to the resident.
- (4) A licensee shall disclose to the resident's physician the part of the care record required by the physician in the diagnosis or treatment of the resident.
- (5) A licensee shall disclose to the licensee of another home or the head of a health care facility that part of the care record required by the licensee or the head in providing care to the resident.

Retention of records

12 A licensee shall retain the resident care record required by section 10 for at least six years after the date of the resident's last discharge from the home.

Reportable serious incident

13(1) In this section, "**serious incident**" means any occurrence at or around the home that affects or may seriously affect the health or safety of residents of the home, including:

- (a) any occurrence, accident or injury that is potentially life threatening;
 - (b) a death that is required to be reported pursuant to *The Coroners Act*;
 - (c) an outbreak of a communicable disease, notification of which is required pursuant to *The Public Health Act* or *The Public Health Act, 1994*;
 - (d) any harm or suspected harm suffered by a resident as a result of unlawful conduct, improper treatment or care, harassment or neglect on the part of any person;
 - (e) any incident involving a resident that has been reported to law enforcement officers;
 - (f) a fire;
 - (g) a prolonged disruption of:
 - (i) the supply of electrical power, heat or water;
 - (ii) the provision of food; or
 - (iii) the provision of other basic services of the home that interferes with the ability to give adequate care to the residents.
- (2) A licensee shall:

- (a) inform the minister of any serious incident involving a resident as soon as possible after the incident; and
- (b) where the minister so requests, provide to the minister, as soon as is reasonably practicable, a written report of the serious incident mentioned in clause (a) that indicates:
 - (i) the circumstances leading up to and culminating in the serious incident; and
 - (ii) any actions taken by the licensee:
 - (A) to solve the problems giving rise to the serious incident; and
 - (B) to prevent recurrences of the serious incident.

PART III
Assessment and Admission
ASSESSMENTS AND REASSESSMENTS

Assessment request

14(1) Within seven days after a resident is admitted into a home, the licensee shall make a request for a written assessment of the resident's care needs by an assessment agency.

(2) A licensee shall request a written reassessment of a resident by an assessment agency:

- (a) whenever the care needs of the resident change; and
- (b) not later than two years after the date of the resident's last assessment.

Care plan

15 A licensee shall:

- (a) use the written assessments required by section 14 to develop an initial care plan for each resident; and
- (b) ensure that each resident's care plan is amended as required throughout the resident's stay.

ADMISSION

Admission forms

16 Where a resident is admitted to a home, the licensee shall:

- (a) complete the admission form provided by the minister; and
- (b) provide the minister with a copy of the admission form within 30 days after the date of admission of the resident to the home.

Admission agreement

17(1) A licensee shall ensure that:

- (a) a written admission agreement respecting the terms and conditions of residence in the home is entered into between the licensee and the resident;

- (b) the admission agreement provides for:
 - (i) the care, service and type of accommodation that the licensee agrees to give to the resident, including services required pursuant to the Act and these regulations;
 - (ii) the rights and privileges of the resident other than those listed in section 34;
 - (iii) the responsibilities of the resident and the resident's supporter;
 - (iv) the rules of the home;
 - (v) payment for the residency, including:
 - (A) the monthly, weekly or daily rate for services rendered or care and accommodation provided to the resident;
 - (B) the method of payment for the services, care and accommodation mentioned in paragraph (A) and the date on which payment is due;
 - (C) any charges for incidental services;
 - (D) any charges made when the resident is temporarily absent from the home;
 - (E) an explanation of the rate mentioned in paragraph (A) and the charges mentioned in paragraphs (C) and (D) as those rates and charges relate to the care to be provided to the resident;
 - (F) conditions under which refunds of rates and charges will be made;
 - (vi) details of insurance coverage of the home with respect to the possessions of the resident;
 - (vii) the term of the admission agreement;
 - (viii) the alteration or renewal of the admission agreement; and
 - (ix) the dating and execution of the admission agreement by the licensee and the resident within seven days after admission of the resident into the home; and
 - (c) an original of the admission agreement is provided to the resident and, at the resident's request, to the resident's supporter.
- (2) Any payment provision included in an admission agreement that requires payment for accommodations and services on a day sooner than the first day on which accommodation and services are to be provided to the resident is void.
- (3) Any payment provision, whether or not it is part of an admission agreement, that requires a payment by a resident or prospective resident for the purpose of securing accommodation in a home at a future time is void.

Residency charges

18 Notwithstanding any provision in an admission agreement, no licensee shall increase any rate or charge for services rendered or care and accommodation provided to a resident without first serving on the resident a written notice of the licensee's intention to increase the rate or charge:

- (a) where the agreement is for a monthly residency, not less than 60 days before the rate or charge increase is to come into effect; and
- (b) where the agreement is for a weekly or daily residency, not less than three weeks before the rate or charge increase is to come into effect.

Termination of admission agreement

19(1) Subject to subsection (2), notwithstanding any provision in an admission agreement, an admission agreement may be terminated by either the licensee or the resident on written notice to the other:

- (a) where the agreement is for a monthly residency, not less than 30 days before termination of the residency; and
- (b) where the agreement is for a weekly or daily residency, not less than seven days before termination of the residency.

(2) Where a resident does not pay the residency charges within 15 days after the date on which those charges are due and payable according to the admission agreement, the licensee may terminate the agreement on seven days' written notice to the resident.

(3) On the discharge of a resident from the home, the licensee shall return all property of the resident in the possession or control of the licensee to the resident or the resident's supporter.

DISCHARGE OF RESIDENTS

Discharge form

20 Where a resident is discharged from a home, the licensee shall:

- (a) complete the discharge form provided by the minister; and
- (b) provide the minister with a copy of the discharge form within 30 days from the date the resident is discharged.

Relocation of residents

21 The licensee shall assist the resident and the resident's supporter in the orderly relocation of the resident where:

- (a) the admission agreement is terminated;
- (b) the resident is required to be relocated or discharged to another facility as a result of:
 - (i) the resident's care needs exceeding the ability of the licensee to provide the service; or
 - (ii) the terms and conditions of the licensee's licence;
- (c) the licensee ceases to operate the home;

- (d) the licensee changes the location of the home; or
- (e) the licence of the home is suspended or revoked.

PART IV
Resident Care Services
RESIDENT CARE

Resident care

- 22(1)** A licensee shall provide the care to residents that is required to meet the individual needs of each resident.
- (2) Without limiting the generality of subsection (1), a licensee shall ensure that:
- (a) where specialized care is required by a resident and that care is given to that resident, the specialized care is performed by:
 - (i) a health care professional qualified to provide that specialized care; or
 - (ii) a person trained to give that care by a health care professional qualified to provide that specialized care;
 - (b) residents are encouraged to retain independence in those activities they can perform for themselves;
 - (c) residents are provided with a variety of food and beverages:
 - (i) according to their individual needs;
 - (ii) in accordance with Canada's Food Guide; and
 - (iii) in accordance with:
 - (A) a cycle menu plan for homes accommodating more than 10 residents; and
 - (B) a cycle menu plan or a menu journal for homes accommodating 10 or fewer residents;
 - (d) residents are provided with opportunities on a daily basis to exercise their mental and physical abilities;
 - (e) residents with difficult behaviours are cared for in a positive and constructive manner;
 - (f) safety devices, and restraints of any kind, are used only:
 - (i) in accordance with the written directions of the resident's physician; and
 - (ii) after consulting with the resident and his or her supporter and documenting, in writing, the details of the consultation and the resident's and his or her supporter's comments;
 - (g) residents are assisted in their care and mobility in a safe manner;
 - (h) residents are clean, well groomed and dressed appropriately for the time of day and the activity being performed;

- (i) recreational activities, including social, cultural, emotional, spiritual, physical and cognitive stimulation, are available to each resident;
- (j) residents are assisted to access those preventative, restorative and rehabilitative activities as are directed by a physician, therapist or other health care professional; and
- (k) residents receive the medications that are prescribed for them in a safe manner.

Health examinations

23 With the consent of each resident, a licensee shall ensure that:

- (a) each resident receives a complete medical examination when required by the resident's condition, but in any case not less than once each year; and
- (b) each resident receives dental, optical and other examinations as necessary.

STAFFING COMPONENTS

Staffing

24(1) A licensee shall ensure that there are sufficient care staff on duty at the home to ensure that each resident's care needs are met at all times.

(2) A licensee shall ensure that all staff of the home are in good health, free from communicable diseases, and physically and mentally capable of performing the services and duties assigned.

Adult care-givers

25(1) A licensee shall ensure that only adult persons supervise or provide care to residents.

(2) A licensee shall ensure that no resident is designated to supervise or care for another resident.

Knowledge and skills

26 A licensee shall ensure that all care staff, including the licensee if he or she provides care, have the appropriate knowledge and skills to perform their duties.

Basic education requirements

27 A licensee shall ensure that:

- (a) staff who participate in meal preparation for resident meals hold a valid certificate in a basic food service sanitation course recognized by the department; and
- (b) all care staff hold a valid certificate in a basic or standard first aid course provided by St. John Ambulance or The Canadian Red Cross Society at the date of commencement of employment at the home or within six months after the date of commencement of employment at the home.

MEDICATIONS

Safe storage and disposal

28(1) A licensee shall ensure that medications are stored:

- (a) safely in a locked cabinet within the home; and
 - (b) in the manner recommended for each medication on the medication label.
- (2) A licensee shall ensure that all expired or unused medications are disposed of in a safe manner.

Administration of medications

29(1) Where a resident's physician is of the opinion that a resident is capable of self-administering his or her own medication, the licensee shall encourage the resident to administer his or her own medication.

(2) Where a resident's physician is of the opinion that the resident is not capable of self-administering his or her own medication, the licensee shall ensure that:

- (a) subject to subsection (3), prescription and non-prescription medications are administered to the resident only pursuant to the written directions of a physician;
 - (b) medications are administered at the prescribed time and in the prescribed dosage by a designated care staff member who:
 - (i) can identify the resident with certainty; and
 - (ii) remains with the resident until the medication is taken;
 - (c) all medications are retained in their original containers;
 - (d) the original container of a prescription medication is labelled with the resident's full name, the name and strength of the medication, the dosage and frequency of administration, the date on which the medication was dispensed and the name of the pharmacy from which the medication was obtained; and
 - (e) the original container of a non-prescription medication is labelled with the name and strength of the medication, the recommended dosage and frequency of administration and the expiry date of the medication.
- (3) If it is necessary to take a physician's directions over the telephone, the licensee shall ensure that:
- (a) the directions are documented on the resident's record and signed by the person who takes the directions, including the name of the physician who gives the directions by telephone and the date and time of the directions; and
 - (b) the documentation of the directions given orally by the physician is confirmed in writing by the physician at a future date.

Medication errors

30 A licensee shall ensure that all medication errors are reported to the resident's physician and documented in the resident's record, and that corrective action is taken to prevent further harm to residents.

FOOD PREPARATION

Food preparation and storage

31(1) A licensee shall ensure that procedures are followed that ensure the safety, acceptability and nutrient value of food intended for consumption by residents while that food is being stored, prepared, cooked and served.

(2) A licensee shall ensure that:

- (a) food is stored, prepared, cooked and served in a manner that will prevent or minimize risk of illness, poisoning or injury to residents;
- (b) potentially hazardous food that is stored or displayed prior to human consumption is kept at a temperature of 4°C or less or 60°C or greater; and
- (c) an accurate thermometer is available to monitor the temperature of potentially hazardous food.

Cleanliness

32 A licensee shall ensure that all areas within and adjacent to the food service operation of the home are kept safe, clean and free from rubbish and all other contaminants.

Food service records

33(1) A licensee shall keep a record of the menus for meals provided in the home and retain that record for a period of one year after the provision of the meals.

(2) Where a cycle menu plan is followed, the record required by subsection (1) may indicate this without repetition of the full details of the cycle menu plan.

(3) Where individual residents have special dietary needs, the record required by subsection (1) must indicate how those needs have been met.

RIGHTS AND PRIVILEGES OF RESIDENTS

Rights and privileges of residents

34(1) In addition to any other rights and privileges that the residents may have at law, each resident has the following rights and privileges:

- (a) to be treated with respect, dignity, kindness and consideration in all interactions with staff, residents and other persons who reside in the home;
- (b) to voice concerns or recommend changes in the rules or services provided in the home;
- (c) to register complaints to the licensee and, if desired, to the minister;
- (d) to attend religious services or activities of the resident's choosing;
- (e) to be provided with personal privacy;
- (f) to have sole use of his or her own possessions unless the resident gives permission for others to use those possessions;
- (g) to receive visitors privately at the home between the hours of 9 a.m. and 9 p.m. without giving prior notice to the licensee;

- (h) to communicate within the home by telephone or mail in private;
 - (i) to leave and return to the home as desired at all reasonable hours on notifying the licensee or the licensee's designate;
 - (j) to be free from any actions from the licensee or staff of a punitive nature, including physical punishment, threats of any kind, intimidation, verbal, mental or emotional abuse or confinement;
 - (k) to choose his or her own medical, optometric, dental, nursing or other health care professional.
- (2) A licensee shall ensure that the rights and privileges mentioned in subsection (1) are respected.

Posting

- 35** A licensee shall post a copy of the following in a prominent place in the home:
- (a) the residents' rights and privileges mentioned in section 34;
 - (b) the rules of the home.

PART V
Physical Environment
OCCUPANCY REQUIREMENTS

Two means of egress

- 36(1)** In this section, "**means of egress**" means a continuous path of travel provided for the escape of persons from any point in a building or contained open space to a separate building, an open public thoroughfare, or an exterior open space, protected from fire exposure and having access to an open public thoroughfare.
- (2) A licensee shall ensure that each storey of the home has two means of egress.

Codes to apply

- 37(1)** Subject to subsection (2), the licensee shall ensure that the home meets the requirements of the building code and fire code.
- (2) Where a provision of this Part conflicts with a provision of the building code or fire code by imposing obligations greater than those of the building code or fire code, the provision of this Part prevails.

Accommodations

- 38(1)** A licensee shall ensure that the home has the necessary facilities to meet the needs of each resident.
- (2) A licensee shall ensure that the home has:
- (a) accessible common rooms, including living rooms, dens or other recreational rooms, that:
 - (i) are of a sufficient size and separation to accommodate the total number of persons living in the home; and
 - (ii) will facilitate recreation and leisure activities of residents while preventing those activities from interfering with personal care;

- (b) an accessible dining room area of sufficient size to accommodate the total number of persons living in the home;
 - (c) outside yard or lawn space with safe and appropriate seating and walkways;
 - (d) supportive bars or grips installed in bathrooms wherever necessitated by resident need;
 - (e) sturdy handrails along stairways, inclines, ramps and decks;
 - (f) non-skid treads on stairs, non-skid mats or strips in all bathtubs and showers and non-skid backing on floor mats;
 - (g) toilets and bathrooms conveniently located, well ventilated and equipped to ensure privacy.
- (3) A licensee shall ensure that the home has a door alarm system where necessary on each exterior door to meet resident care needs.
- (4) A licensee shall ensure that the toilet and bathing facilities of the home include:
- (a) at least one toilet and washbasin for every five persons residing in the home that are accessible to all residents;
 - (b) at least one bathtub or suitable shower for every 10 persons residing in the home that is accessible to all residents.

Resident bedrooms

- 39(1)** A licensee shall ensure that each resident bedroom:
- (a) does not accommodate more than two residents;
 - (b) has a minimum usable floor space, excluding floor space in closets:
 - (i) of 7.2 square metres, in the case of a bedroom accommodating one resident; or
 - (ii) of 5.4 square metres per resident, in the case of a bedroom accommodating two residents;
 - (c) is not used as a passageway to another bedroom or to a common bath, a common toilet or an exit from the home;
 - (d) has a floor that is not more than 1.22 metres below grade;
 - (e) has a door that can be closed to ensure privacy, but may be opened at all times from inside the bedroom; and
 - (f) has at least one screened window that can be easily opened from the inside.
- (2) A licensee shall ensure that each resident bedroom is used exclusively as a resident bedroom and not for any other use.
- (3) A licensee shall ensure that each resident bedroom within the home contains:

- (a) a bed for each resident that is at least one metre in width and furnished with a mattress in good condition;
 - (b) a clothes closet;
 - (c) a dresser, chest of drawers or other suitable furniture for each resident for storage of the resident's personal effects;
 - (d) a wall mirror;
 - (e) not less than one chair for each resident; and
 - (f) window blinds or curtains that provide privacy and shade.
- (4) No licensee of a home that accommodates 10 or fewer residents shall accommodate any resident in a bedroom that is above the second storey.
- (5) No licensee shall accommodate a resident who has difficulty negotiating stairs in a bedroom that can only be reached by negotiating stairs.

Laundry services

40 A licensee shall ensure that there are clean linens, including bedding, towels and face cloths, in good repair available to each resident.

FIRE PREVENTION

Fire inspections

41 A licensee shall have a fire inspection conducted by the local assistant to the fire commissioner, the fire commissioner or a fire inspector:

- (a) before the home is licensed; and
- (b) every three years after the initial date of licensing.

Fire code to be complied with

42 A licensee shall ensure that the home meets all fire safety requirements of the fire code.

Carbon monoxide detectors

43(1) A licensee shall ensure that there is at least one carbon monoxide detector on each storey where persons are accommodated.

- (2) A licensee shall ensure that carbon monoxide detectors:
- (a) are installed according to the manufacturer's instructions; and
 - (b) have been tested and listed by a testing agency that is recognized by:
 - (i) the Gas Inspection Division of SaskPower; or
 - (ii) a fire inspector.

Residential sprinkler systems

44(1) A licensee of a home with a capacity of six or more residents shall ensure that the home is equipped with an automatic sprinkler system that meets the requirements of the building code.

(2) Notwithstanding subsection (1), the minister may require the licensee of a home with an authorized capacity of less than six residents to install an automatic sprinkler system that meets the requirements of subsection (1).

Health and safety maintenance

45(1) A licensee shall operate and maintain the home in a manner which provides for the safety and well-being of residents, staff and visitors to the home.

(2) A licensee shall:

- (a) maintain the home in a clean, safe and sanitary condition at all times;
- (b) maintain the home at a comfortable temperature for residents at all times;
- (c) store and dispose of solid and liquid waste in a manner that will not permit the transmission of disease or odours, create a nuisance or provide a breeding place or food source for insects or rodents;
- (d) store and dispose of poisons, toxic substances and corrosives in a safe manner;
- (e) ensure the proper sanitation and operation of all toilets, hand basins, bathtubs and showers in the home; and
- (f) provide safe, unobstructed hallways, stairways, exits and ramps.

Renovations and construction

46 No licensee shall undertake any renovations or construction on a home unless the licensee:

- (a) provides prior written notice to the minister of the licensee's intention to undertake any renovations or construction; and
- (b) forwards the detailed renovation or construction plans to the minister for approval before undertaking the work.

Other services

47 No licensee shall offer services to persons other than residents of the home unless those services are first approved by the minister.

REPEAL AND COMING INTO FORCE

R.R.S. c.P-6.01 Reg 1 repealed

48 *The Personal Care Homes Regulations* are repealed.

Coming into force

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

SASKATCHEWAN REGULATIONS 21/96

The Securities Act, 1988

Section 154

Order in Council 292/96, dated April 30, 1996

(Filed May 1, 1996)

Title

1 These regulations may be cited as *The Securities Amendment Regulations, 1996*.

R.R.S. c.S-42.2 Reg 1 amended

2 *The Securities Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Clauses 2(1)(a.1), (a.2) and (h) are repealed.**

Section 8 amended

4(1) Clause 8(1)(a) is repealed.

(2) The following clause is added after clause 8(1)(f):

“(f.1) **‘Canadian Investor Protection Fund’** means a fund established in 1969 by an agreement and declaration of trust, to which the present parties are the Alberta, Montreal, Toronto and Vancouver Stock Exchanges, The Toronto Futures Exchange and the Investment Dealers Association of Canada, for the purpose of protecting investors, within defined limits, from loss of securities and cash balances that may result from the insolvency of a member of a party to the agreement and declaration of trust”.

(3) The following clauses are added after clause 8(1)(j):

“(j.1) **‘Commodity Futures Examination, Parts 1 and 2’** means the examination that:

(i) is designated by the Canadian Securities Institute as the exam relating to the exchange contracts industry; and

(ii) is prepared and administered by the Canadian Securities Institute;

“(j.2) **‘Commodity Supervisors Examination’** means the examination that:

(i) is designated by the Canadian Securities Institute as the exam relating to the supervision of a dealer’s exchange contracts business; and

(ii) is prepared and administered by the Canadian Securities Institute;

“(j.3) **‘excess risk adjusted capital’** means the amount of capital determined pursuant to the Joint Regulatory Financial Questionnaire and Report as adopted by the Investment Dealer’s Association of Canada and the various Canadian exchanges to calculate required capital”.

(4) Clause 8(1)(l) is amended by adding “or exchange contracts” after “securities”:

- (a) in the portion of subclause (i) preceding paragraph (A);
 - (b) in paragraph (i)(A); and
 - (c) in subclause (ii).
- (5) Clauses 8(1)(m) and (n) are repealed.
- (6) Clause 8(1)(p) is amended:
 - (a) in subclause (i) by striking out “a commodity futures” and substituting “an exchange”; and
 - (b) in subclause (ii) by striking out “a stock”:
 - (i) in the portion of paragraph (A) preceding subparagraph (I); and
 - (ii) in paragraph (B);and, in each case, substituting “an”.
- (7) Clause 8(1)(r) is repealed.
- (8) Clause 8(1)(u) is repealed.
- (9) The following clause is added after clause 8(1)(v):
 - “(v.1) ‘offsetting transaction’ means:
 - (i) the expiry of a security or the exercise or expiry of an exchange contract;
 - (ii) a purchase of an exchange contract in which the purchaser, immediately before the purchase, had an outstanding short position in the exchange contract; or
 - (iii) a sale of an exchange contract in which the seller, immediately before the sale, had an outstanding long position in the exchange contract”.
- (10) Clause 8(1)(y) is repealed.
- (11) The following subsection is added after subsection 8(2):
 - “(3) In this Part, a registrant is considered to hold funds or securities for a client if the registrant:
 - (a) holds funds or securities on behalf of the client;
 - (b) receives from the client funds or securities for payment or settlement of trades in securities or exchange contracts on behalf of the client;
 - (c) receives from the client cheques made out to the registrant for the payment of or settlement of trades in securities or exchange contracts on behalf of the client;
 - (d) receives from persons other than the client funds payable to the client on account of the sale of, or settlement of trades in, securities or exchange contracts on behalf of the client; or

(e) receives from persons other than the client cheques made out to the registrant for the payment for the sale of, or settlement of, trades in securities or exchange contracts on behalf of the client”.

Section 9 amended

5 Subsection 9(1) is amended by striking out “a stock” and substituting “an”.

New section 10

6 Section 10 is repealed and the following substituted:

Categories of registration - dealers

“10 Every registrant who is a dealer shall be classified into one or more of the following categories:

- (a) a broker, being a person who or company that:
 - (i) is a member of an exchange recognized by the Commission; and
 - (ii) engages in the business of trading in securities, exchange contracts or both in the capacity of an agent or principal;
- (b) an investment dealer, being a person who or company that:
 - (i) is a member, branch office member or associate member of the Saskatchewan District of the Investment Dealer’s Association of Canada; and
 - (ii) engages in the business of trading in securities, exchange contracts or both in the capacity of an agent or principal;
- (c) a mutual fund dealer, being a person who or company that is registered exclusively for the purpose of trading in the shares or units of mutual funds;
- (d) a scholarship plan dealer, being a person who or company that is registered exclusively for the purpose of trading in securities of a scholarship or educational plan or trust;
- (e) a real estate securities dealer, being a person who or company that is registered exclusively for the purpose of trading in real estate oriented securities in the capacity of agent or principal;
- (f) a securities dealer, being a person who or company that:
 - (i) is registered for trading in securities; and
 - (ii) engages in the business of trading exclusively in securities in the capacity of an agent or principal;
- (g) a security issuer, being an issuer registered for trading in securities for the purpose of distributing securities of its own issue exclusively for its own account;
- (h) an exchange contracts dealer, being a person who or company that trades exclusively in exchange contracts”.

Section 11 amended

7 Section 11 is amended by striking out “securities” in:

- (a) clause (a);

(b) subclause (b)(i); and

(c) subclause (d)(i);

and in each case substituting “securities, exchange contracts or both”.

Section 14 amended

8 Subsection 14(2) is amended by striking out “section 29” and substituting “section 134”.

Section 14.1 repealed

9 Section 14.1 is repealed.

Section 16 amended

10 Section 16 is amended by striking out “to 35” and substituting “to 35.1”.

New section 19

11 Section 19 is repealed and the following substituted:

Capital requirements

“19(1) Every broker and investment dealer must maintain excess risk adjusted capital.

(2) Every exchange contracts dealer and underwriter must maintain excess risk adjusted capital, but may calculate the required amount of excess risk adjusted capital on the basis of a minimum capital requirement of \$100,000 rather than the minimum capital requirement of \$250,000 as required by the Joint Regulatory Financial Questionnaire and Report.

(3) Every mutual fund dealer, scholarship plan dealer, securities dealer and real estate securities dealer must maintain working capital, calculated according to generally accepted accounting principles, equal to the aggregate of:

(a) the maximum amount, if any, that is deductible under any clause of a bond or insurance policy required pursuant to section 20; and

(b) the greater of:

(i) \$25,000; and

(ii) an amount equal to the sum of:

(A) 10% of the first \$2,500,000 of adjusted liabilities;

(B) 8% of the next \$2,500,000 of adjusted liabilities;

(C) 7% of the next \$2,500,000 of adjusted liabilities;

(D) 6% of the next \$2,500,000 of adjusted liabilities; and

(E) 5% of adjusted liabilities in excess of \$10,000,000.

(4) Every adviser must maintain a working capital, calculated according to generally accepted accounting principles, equal to the aggregate of:

(a) the maximum amount, if any, that is deductible under any clause of a bond or insurance policy required pursuant to section 20; and

- (b) either:
 - (i) \$5,000; or
 - (ii) any greater amount that the Director considers necessary where the adviser holds clients' funds or securities.
- (5) Every registrant required to maintain the capital level prescribed in this section shall:
 - (a) promptly report to the Director every failure to maintain the required level; and
 - (b) provide those other details of the failure that the Director may require”.

Section 20 amended

12(1) Subsections 20(1) and (2) are repealed and the following substituted:

“(1) Except where the Director is satisfied in a particular case that reduced or no coverage would not be prejudicial to the public interest, every broker, investment dealer, securities dealer, exchange contracts dealer or underwriter shall maintain bonding and insurance by means of:

- (a) a broker's blanket bond on terms acceptable to the Director in the amount of not less than \$200,000 or any larger amount that is indicated to be necessary by the resolution mentioned in subsection (7), covering:
 - (i) any loss through dishonest or fraudulent acts of employees, including loss of property and trading losses;
 - (ii) any loss of money, securities, exchange contracts or other property occurring:
 - (A) on or off the premises; and
 - (B) in any form of transit including mail, messenger, courier or private or common carrier; and
 - (iii) counterfeiting, forgery or alterations, that are prejudicial to the client; and
 - (b) a surety bond completed in accordance with Form 39 in an amount of not less than \$100,000 or any larger amount that is indicated to be necessary by the resolution mentioned in subsection (7).
- (2) Notwithstanding subsection (1), the surety bond mentioned in that subsection is not required if the broker, investment dealer, securities dealer, exchange contracts dealer or underwriter is a participant in the Canadian Investor Protection Fund or other contingency fund approved of by the Director”.

(2) Subsection 20(6) is repealed and the following substituted:

“(6) Except where the Director is satisfied in a particular case that reduced or no coverage would not be prejudicial to the public interest, every adviser shall maintain bonding and insurance on terms acceptable to the Director:

(a) where that adviser does not hold client funds or securities, by means of a surety bond completed in accordance with Form 39 in an amount of not less than \$10,000 or any larger amount that is indicated to be necessary by the resolution mentioned in subsection (7);

(b) where that adviser holds client funds or securities, by means of a surety bond completed in accordance with Form 39 in an amount of not less than \$200,000 or any larger amount that is indicated to be necessary by the resolution mentioned in subsection (7)".

Section 22 amended

13(1) Clause 22(1)(c) is repealed and the following substituted:

"(c) '**client**' means a person on behalf of whom or company on behalf of which an applicant receives securities, exchange contracts or money in anticipation of buying or as a result of selling securities or exchange contracts from, to or through an applicant, but does not include any person or company that was a registrant or its equivalent in any jurisdiction at the time the applicant received the securities, exchange contracts or money on behalf of that person or company".

(2) Subsection 22(2) is repealed and the following substituted:

"(2) A bond maintained pursuant to the requirements of this Part is forfeited and the principal amount of it shall become due and payable by the person or company bound by it as a debt to Her Majesty in Right of Saskatchewan if any of the following events occurs on or before the effective date of the lapse or cancellation of the bond:

(a) an order by the Commission suspending or cancelling the registration of the applicant if the order is based on the refusal or inability of the applicant to return to clients any securities, exchange contracts or money the applicant received from or on behalf of those clients;

(b) the obtaining of a civil judgment by a client against the applicant based on:

(i) a finding of fraud; or

(ii) for the return of, or for damages based on the non-return of, any securities, exchange contracts or money received by the applicant from or on behalf of the client;

(c) the conviction of the applicant for:

(i) an offence pursuant to the Act or these regulations; or

(ii) a securities or exchange contracts related offence under the *Criminal Code*, including fraud or theft;

(d) the commencement of any proceedings with respect to the applicant pursuant to the *Bankruptcy Act* (Canada) to obtain any of the remedies provided in that Act".

(3) Subclause 22(3)(c)(i) is amended by adding “, exchange contracts” after “any securities”.

(4) Subclause 22(6)(b)(ii) is amended by adding “, exchange contracts” after “any securities”.

New section 23.1

14 The following section is added after section 23:

Requirement to participate in Canadian Investor Protection Fund

“23.1 Every exchange contracts dealer must participate in and contribute to the Canadian Investor Protection Fund”.

Section 25 amended

15 Subsection 25(3) is repealed and the following substituted:

“(3) Without restricting the generality of subsection (1), a registrant shall maintain each of the following books and records that, in the opinion of the Director, are appropriate to its business:

(a) blotters, or other records of original entry, containing an itemized daily record of:

- (i) all purchases and sales of securities and exchange contracts;
- (ii) all receipts and deliveries of securities and exchange contracts, including certificate numbers;
- (iii) all receipts and disbursements of cash;
- (iv) all other debits and credits;
- (v) the account for which each transaction was effected;
- (vi) the name of the securities and exchange contracts purchased or sold and, with respect to that purchase or sale:
 - (A) the class or designation of the securities or exchange contracts;
 - (B) the number or value of the securities or exchange contracts;
 - (C) the unit and aggregate purchase or sale price, if any;
 - (D) the trade date; and
 - (E) the name or other designation of the person from whom the securities or exchange contracts were purchased or received or to whom they were sold or delivered;

(b) ledgers or other records maintained in detail reflecting all of the following:

- (i) assets and liabilities;
- (ii) income and expenses; and
- (iii) capital accounts;

- (c) ledger accounts or other records itemizing separately for each cash and margin account of every client:
 - (i) all purchases, sales, receipts and deliveries of securities or exchange contracts for the account; and
 - (ii) all other debits and credits to the account;
- (d) ledgers or other records reflecting:
 - (i) securities or exchange contracts in transfer;
 - (ii) dividends and interest received;
 - (iii) securities or exchange contracts borrowed and securities or exchange contracts loaned;
 - (iv) moneys borrowed and moneys loaned, together with a record of the collateral for them and any substitutions in the collateral; and
 - (v) securities or exchange contracts that the registrant has failed to receive and failed to deliver;
- (e) a securities and exchange contracts position report that shows separately for each security or exchange contract as of the end of each month or at any other date the Director may direct:
 - (i) the name of the account holder, the account number and the type of account in which a position is held;
 - (ii) all long and short positions, including securities in safekeeping, carried for the registrant's account or for the account of clients;
 - (iii) the depository or other location of all securities bought long and position offsetting securities sold short; and
 - (iv) the date of the last activity in the security or exchange account;
- (f) an adequate record of each order and of any other instruction, which may be a copy of the order or instruction, given or received for the purchase or sale of securities or exchange contracts, whether executed or unexecuted, showing:
 - (i) the terms and conditions of the order or instruction and of any modification or cancellation of the order or instruction;
 - (ii) the account to which the order or instruction relates;
 - (iii) the name, sales number or designation of the individual placing the order or instruction, where the order or instruction is placed by an individual other than:
 - (A) the person in whose name the account is operated; or
 - (B) an individual duly authorized to place orders or instructions on behalf of a client that is a company;
 - (iv) the time of the entry of the order or instruction and, where the order is entered pursuant to the exercise of discretionary power of a registrant or any employee of a registrant, a statement to that effect;

- (v) the price at which the order or instruction was executed; and
 - (vi) to the extent feasible, the time of execution or cancellation;
 - (g) a confirmation and statement record containing:
 - (i) a copy of every risk disclosure statement furnished to prospective customers pursuant to section 55.2 of the Act;
 - (ii) a copy of every confirmation for each purchase or sale of a security or exchange contract sent pursuant to subsection 42(1) of the Act;
 - (iii) a copy of every statement of account sent pursuant to section 34; and
 - (iv) notices of all other debits and credits of securities, exchange contracts, cash and other items for the accounts of clients;
 - (h) subject to subsection 26(4), a client record with respect to each cash and margin account containing:
 - (i) the name and address of the beneficial owner and the guarantor, if any, of the account;
 - (ii) where trading instructions are accepted from a person or company other than the client, written authorization or ratification from the client naming the person or company; and
 - (iii) in the case of a margin account, a properly executed margin agreement containing:
 - (A) the signature of the beneficial owner and the guarantor, if any; and
 - (B) the additional information obtained pursuant to the requirements of sections 26 and 27;
- but, in the case of a joint account or an account of a corporation, those records are required only with respect to the person or persons authorized to transact business for the account;
- (i) a record of options granted or guaranteed by the registrant showing all options that the registrant grants or guarantees or in which the registrant has a direct or indirect interest, including, for each option:
 - (i) the underlying asset that is the subject of the option;
 - (ii) the number of underlying securities or exchange contracts;
 - (iii) the exercise price;
 - (iv) the expiry date; and
 - (v) if the option was purchased or sold on an exchange, the name of that exchange;
 - (j) a capital record, prepared within 30 days following the end of each month, containing:

- (i) the trial balances of all ledger accounts; and
- (ii) either:
 - (A) excess risk adjusted capital, if the registrant is a broker, investment dealer, exchange contracts dealer or underwriter; or
 - (B) working capital, if the registrant is an adviser, mutual fund dealer, securities dealer, scholarship plan dealer or real estate securities dealer”.

Section 27 amended

16 Subsection 27(6) is amended by adding “or exchange contract” after “any security”.

Section 28 amended

17 Subsections 28(1) and (2) are repealed and the following substituted:

- “(1) Unencumbered securities:
- (a) that are held by a registrant for a client pursuant to a written safekeeping agreement must be:
 - (i) kept apart from all other securities; and
 - (ii) identified as being held in safekeeping for a client in:
 - (A) the client’s ledger account mentioned in clause 25(3)(c);
 - (B) the registrant’s securities and exchange contracts position report mentioned in clause 25(3)(e); and
 - (C) the statement of account mentioned in section 34;
 - (b) that are held by a registrant for a client but not pursuant to a written safekeeping agreement and that are either fully paid for or are excess margin securities must be:
 - (i) segregated and identified as being held in trust for the client; and
 - (ii) described as being held in segregation in:
 - (A) the client’s ledger account mentioned in clause 25(3)(c);
 - (B) the registrant’s securities and exchange contracts position report mentioned in clause 25(3)(e); and
 - (C) the statement of account mentioned in section 34.
- “(2) Securities held pursuant to clause (1)(a) may be released only on an instruction from the client and not solely because the client has become indebted to the registrant”.

Section 31 amended

18 Subsections 31(2) and (3) are repealed and the following substituted:

“(2) If a registrant maintains a securities account and an exchange contracts account for the same client and the securities account contains a free credit balance and the exchange contracts account contains a debit balance of \$5,000 or more, the registrant shall transfer to the exchange contracts account as much of the free credit balance in the securities account as is necessary to:

- (a) eliminate the debit balance in the exchange contracts account; or
 - (b) if the free credit balance is less than the debit balance, to reduce to the greatest extent possible the debit balance in the exchange contracts account.
- “(3) Subsection (2) does not apply to a registrant with respect to a client’s securities and exchange contracts accounts where the client has directed the registrant, in writing or orally, if subsequently confirmed in writing:
- (a) to transfer an amount that is less than the amount otherwise required to be transferred pursuant to subsection (2) from the securities account to the exchange account; or
 - (b) not to transfer any amount from the securities account to the exchange account”.

New sections 32 and 32.1

19 Section 32 is repealed and the following substituted:

Transfer to exchange contracts account

“**32** A registrant who maintains a securities account and an exchange contracts account for the same client may make a transfer of any amount of a free credit balance from the securities account to the exchange contracts account of the client if:

- (a) the transfer is made in accordance with a written agreement between the registrant and the client; and
- (b) the transfer is not a transfer mentioned in section 31.

Purchase or sale of exchange contract on margin

“**32.1** No registered dealer shall purchase or sell an exchange contract for a client’s margin account unless the registered dealer has obtained from the client an amount of margin in accordance with the bylaws, rules or other regulatory instruments of the exchange on which the exchange contract is purchased or sold”.

Section 33 amended

20 Clause 33(b) is amended by striking out “a stock” and substituting “an”.

New sections 34 to 35.2

21 Sections 34 and 35 are repealed and the following substituted:

Statement of account

“**34(1)** Subject to subsections (6) and (8), every registered dealer shall prepare and send a statement of account to each of the registered dealer’s clients for each month in which the registered dealer records a transaction, other than the receipt of interest or dividends, in the client’s account.

- (2) The statement of account must be sent to the client at the end of the month to which the statement of account relates.
- (3) The statement of account must include the following respecting the client’s account:
 - (a) the opening cash balance;

- (b) all debits and credits;
 - (c) the closing cash balance;
 - (d) the number and description of each security and exchange contract purchased, sold, received or delivered;
 - (e) the exercise price of each option in the account;
 - (f) the market value of the underlying asset of each option;
 - (g) the price at which each exchange contract was purchased or sold;
 - (h) the current market value of each exchange contract;
 - (i) the number and description of each security and exchange contract held for the client's account.
- (4) Subject to subsections (6) and (8), if a registered dealer holds a client's funds, securities or exchange contracts on a continuing basis, the registered dealer shall send to the client:
- (a) a statement of account showing any debit or credit balance in the account; and
 - (b) the number and description of each security or exchange contract held for the account.
- (5) A statement of account mentioned in subsection (4) must be sent not less than once every three months.
- (6) If a registered dealer has sent four consecutive statements of account to a client pursuant to subsection (4) and there have been no transactions in the client's account during the 12 months covered by those statements of account, the registered dealer is not required to send a further statement of account pursuant to subsection (4) if:
- (a) there continue to be no transactions in the client's account;
 - (b) the client has not requested to receive a statement of account;
 - (c) the registered dealer sends to the client an annual statement of account for the next five years following the cessation of sending statements of account pursuant to subsection (4); and
 - (d) in the last statement of account sent pursuant to clause (c), the registered dealer clearly indicates that this will be the last statement of account to be sent to the client, as long as no transactions occur in the client's account.
- (7) A statement of account sent pursuant to this section must clearly designate the securities that are being held by the registered dealer for safekeeping or in segregation.
- (8) Subsections (1) and (4) do not apply to a registered mutual fund dealer who sends a statement of account to each client at least once every 12 months showing, for each client:

- (a) the number and market value at the date of purchase or redemption of securities purchased or redeemed during the period since the date of the last statement sent to the client; and
 - (b) the total market value of all securities of the mutual fund held by the client at the date of the statement.
- (9) Except where a client has expressly directed otherwise, a portfolio manager must send to each client at least once every three months a statement of the client's portfolio transactions.

Written statement - outstanding exchange contract

“34.1 If a client's account contains an outstanding exchange contract, the registered dealer shall promptly at the end of the month send to the client a written statement that sets out the following respecting the account:

- (a) the opening cash balance;
- (b) all deposits, credits, withdrawals and debits to the client's account since the last statement of account was sent pursuant to section 34;
- (c) the closing cash balance;
- (d) each open exchange contract;
- (e) the exercise price of each open exchange contract;
- (f) the settlement price of the underlying asset or exchange contract that is the subject of the open option contract;
- (g) the price at which each open exchange contract was traded.

Confirmation of trade - securities

“35(1) Subject to subsection (3), where a registered dealer acts as a principal or agent in any trade in a security, the registered dealer's written confirmation of the transaction required pursuant to subsection 42(1) of the Act must disclose the following:

- (a) a description of the security;
- (b) the quantity of the security purchased or sold;
- (c) the price at which the security was purchased or sold and the total cost of the purchase or the total proceeds of the sale;
- (d) the commission and fees charged for the purchase or sale;
- (e) the date on which the purchase or sale took place;
- (f) the name of the exchange, if any, where the purchase or sale took place;
- (g) the name of any salesperson acting for the client in the purchase or sale;
- (h) whether the registered dealer acted as principal or agent;
- (i) whether the registered dealer used another registered dealer as its agent to effect the purchase or sale, and the name of the other registered dealer.

(2) Subject to subsections (3) and (4), where a registered dealer acts as principal or agent in any trade in an exchange contract, the registered dealer's written confirmation of the transaction required pursuant to subsection 42(1) of the Act must disclose the following:

- (a) a description of the exchange contract;
- (b) the quantity of the exchange contract purchased or sold;
- (c) the price at which the exchange contract was purchased or sold and the total cost of the purchase or the total proceeds of the sale;
- (d) the commission and fees charged for the purchase or sale;
- (e) the date on which the purchase or sale took place;
- (f) the delivery month and year of the exchange contract;
- (g) the expiry date of the exchange contract;
- (h) the name of the exchange where the purchase or sale took place;
- (i) the name of the salesperson acting for the client in the purchase or sale;
- (j) whether the registered dealer used another registered dealer as its agent to effect the purchase or sale, and the name of the other registered dealer.

(3) Where a purchase or sale of a security or exchange contract that is an option is involved, the written confirmation mentioned in subsection (1) or (2) must also disclose the following:

- (a) the exercise price;
- (b) the specified asset that is the subject of the option.

(4) Where an offsetting transaction is made in an exchange contract, the written confirmation mentioned in subsection (2) must also disclose the following:

- (a) the price of the initial and offsetting transaction;
- (b) the dates of the initial and offsetting transaction;
- (c) the name of each exchange where the transactions took place;
- (d) the gross profit or loss on the transactions;
- (e) the net profit or loss on the transactions.

(5) For the purposes of subsections (1) and (2), a registered dealer or a salesperson may be identified in a written confirmation by means of a code or symbol if the written confirmation also states that the name of the registered dealer or salesperson will be furnished to the client on request.

Confirmation of purchase or sale - mutual funds

“35.1(1) In this section, ‘**charges**’ means sales charges, service charges and any other amount charged to a client.

(2) Where a purchase or sale is made in a security of a mutual fund, the written confirmation mentioned in subsection 35(1) or (2) must also disclose the following:

- (a) the price for each security at which the purchase or sale was effected;
 - (b) all amounts deducted as charges.
- (3) Where a purchase or sale is made in a security of a mutual fund pursuant to a contractual plan, the written confirmation mentioned in subsection 35(1) or (2) must, in addition to the requirements of subsection (2), also disclose the following:
- (a) if an initial payment is made pursuant to a contractual plan that requires the prepayment of charges, a statement of the initial payment and the part of the charges that is allocated to subsequent payments in the mutual fund and the manner of its allocation to them;
 - (b) if a subsequent payment is made pursuant to a contractual plan that requires the prepayment of charges, a statement of the part of the charges that is allocated to the payment that is the subject of the confirmation;
 - (c) if an initial purchase is made pursuant to a contractual plan that permits the deduction of charges from the first and subsequent instalments, a brief statement of the charges to be deducted from subsequent purchases; and
 - (d) if a subsequent purchase is made pursuant to a contractual plan, a statement of the total number of shares or units of the mutual fund acquired and the amount of the charges paid pursuant to the contractual plan up to the date the confirmation is sent.
- (4) A registered dealer is not required to set out the information mentioned in clause (3)(d) in a confirmation of a purchase or sale made in a security of a mutual fund pursuant to a contractual plan where:
- (a) the contractual plan was entered into before November 7, 1988; and
 - (b) the holder of the contractual plan has, in addition to any rights to which that holder may be entitled pursuant to section 145 of the Act, rights under the plan in accordance with subsection (5).
- (5) The rights mentioned in clause (4)(b) must include either:
- (a) a right for the holder of the contractual plan to receive on demand, within 365 days after the date on which the contractual plan was entered into, the sum of:
 - (i) the refund of the net asset value of the securities credited to that holder before the date of demand; and
 - (ii) a refund of that portion of the sales charges, excluding insurance premiums and fees to trustees of registered retirement savings plans, that is in excess of 30% of the scheduled payments pursuant to the plan that were made before the date of demand, but not including voluntary prepayments of instalments; or
 - (b) a right to exercise the rights mentioned in section 145 of the Act at any time within 180 days after the date the contractual plan was entered into.

- (6) If a registered dealer intends to rely on clause (4)(b), the dealer shall send to the holder of the contractual plan a written notice that describes:
- (a) the rights of the holder as set out in subsection (5) and pursuant to section 145 of the Act;
 - (b) a table of sales charges; and
 - (c) other information relevant to a decision that the holder may make whether or not to exercise those rights.
- (7) The written notice mentioned in subsection (6) must be sent:
- (a) in the case of rights mentioned in clause (5)(a):
 - (i) with each confirmation, other than for reinvested dividends or income, during the first 365 days after the date the contractual plan was entered into; and
 - (ii) not less than 15 and not more than 45 days before the expiry of the 365-day period;
 - (b) in the case of rights mentioned in clause (5)(b):
 - (i) with each confirmation, other than for reinvested dividends or income, during the first 180 days after the date the contractual plan was entered into; and
 - (ii) not less than 15 and not more than 45 days before the expiry of the 180-day period.
- (8) Where a client advises a registered dealer in writing before a purchase or sale of a security of a mutual fund of the client's participation in an automatic payment plan, automatic withdrawal plan or contractual plan that provides for systematic purchasing or selling of the securities of the mutual fund not less frequently than monthly, the registered dealer:
- (a) shall provide the confirmation of that trade as required by section 35; and
 - (b) during the continued existence of the plan and the client's participation in the plan, in lieu of the confirmations of trade required by section 35, may send by prepaid mail or deliver to the customer, no less frequently than semi-annually, written summaries of trades containing the information required by section 35 to be disclosed to the client, with respect to all trades of the security of the mutual fund by the customer since the last confirmation or summary of trade was prepared.
- (9) A registered dealer who complies with subsection (8) need not comply with subsection 35(1) if the confirmation or summary of trades contains a statement that the name of the person or company from, to or through whom or which the security of the mutual fund was bought or sold will be furnished to the client on request.
- (10) A mutual fund dealer is not required to send to clients a written confirmation of the purchase or sale of a security of a mutual fund if the manager of the mutual fund sends the client the information that is required to be sent to the client by section 35 and this section.

Risk disclosure statement

“35.2(1) Every risk disclosure statement provided to a prospective client by a registered dealer pursuant to subsection 55.2(1) of the Act must contain the following:

- (a) an explanation of the nature of and risk inherent in trading in exchange contracts and the obligations assumed by the client on entering into an exchange contract;
 - (b) a warning to the client that the client should study the terms and conditions of the contract;
 - (c) details concerning commissions and other charges levied by the registered dealer or adviser.
- (2) If a registered dealer or adviser provides to a prospective client a risk disclosure statement pursuant to subsection (1), the registered dealer or adviser shall obtain from the client an acknowledgment signed and dated by the client stating that the client has received and understood the risk disclosure statement”.

Section 36 amended

22 Subsection 36(1) is amended by adding “, exchange contracts dealer” after “investment dealer”.

Section 37 amended

23 Section 37 is amended:

- (a) in subsection (1) by striking out “and (3)” and substituting “to (3.1)”;**
- (b) by adding the following subsection after subsection (3):**

“(3.1) Notwithstanding subsection (1), an individual may be granted registration as a salesperson of a registered exchange contracts dealer if the individual has successfully completed the Commodity Futures Examination, Parts 1 and 2”; **and**

- (c) by adding the following subsection after subsection (11):**

“(12) No exchange contracts dealer shall designate an individual as a branch manager unless the individual:

 - (a) has successfully completed the Commodity Futures Examination, Parts 1 and 2 and the Commodity Supervisors Examination; and
 - (b) has two years’ continuous experience in the securities industry or the exchange contracts industry”.

Section 38 amended

24 The following subsection is added after subsection 38(5):

- (6) No person, other than an individual, or company shall be granted registration as an exchange contracts dealer unless the person, or an individual employed by the person or company and responsible for discharging the obligations of the person or company as a partner or officer of the exchange contracts dealer:**
 - (a) has successfully completed the Commodity Futures Examination, Parts 1 and 2 and the Commodity Supervisors Examination; and

(b) has five years' continuous experience in the securities industry or the exchange contracts industry”.

Section 41 amended

25 Clause 41(a) is repealed and the following substituted:

“(a) an applicant for registration as a dealer, adviser, underwriter, or any combination of them shall complete and file with the Commission:

- (i) an application in Form 3;
- (ii) the financial statements mentioned in clauses 125(1)(a) to (d) made up as at a date not more than 90 days prior to the date of the application;
- (iii) a calculation of capital as required pursuant to section 19; and
- (iv) any other supporting material that may be satisfactory to the Director”.

New section 61.1

26 The following section is added after section 61:

Trades by issuers in own securities - notices

“**61.1(1)** Every notice of intention to trade pursuant to paragraph 39(1)(cc)(iv)(A) of the Act must be completed and executed in accordance with Form 12.1.

(2) Every statutory declaration required pursuant to paragraph 39(1)(cc)(iv)(F) of the Act must be completed and executed in accordance with Form 12.2”.

Section 62.1 repealed

27 Section 62.1 is repealed.

New section 62.2

28 The following section is added before section 63:

Ratings for negotiable promissory notes or commercial paper

“**62.2** For the purposes of clause 39(2)(e) of the Act, at the time of the trade the prescribed ratings of negotiable promissory notes or commercial paper must be at least equal to the level indicated in the following Table and there must be no announcement that the rating will be down-graded below that level:

TABLE

APPROVED RATING AGENCY	RATING
Canadian Bond Rating Service Inc.	A-1
Dominion Bond Rating Service Limited	R-1-L
IBCA Limited	A-1
Moody's Investors Service, Inc.	P-1
Standard & Poor's Corporation	A-1”.

Part VI repealed

29 Part VI is repealed.

New section 97.1

30 The following section is added after section 97:

Report re amending offering memorandum

“97.1 The report mentioned in subsection 80.1(3) of the Act must be completed and executed in accordance with Form 18.1”.

New sections 99.1 and 99.2

31 The following sections are added after section 99:

Certificate of independent advice

“99.1 For the purposes of clause 81(1)(a.1) of the Act, Form 18.2 is prescribed as the certificate of independent advice.

Qualifications of independent adviser

“99.2(1) For the purposes of clause 81(1)(f.1) of the Act, an independent adviser must be one of the following:

- (a) a lawyer;
 - (b) an accountant who is a member in good standing of The Institute of Chartered Accountants of Saskatchewan, the Certified General Accountants Association of Saskatchewan or the Society of Management Accounts of Saskatchewan;
 - (c) a registered dealer or adviser who is authorized to sell or give advice respecting the type of security being offered by the issuer.
- (2) The adviser mentioned in subsection (1) must not:
- (a) have a professional, business or personal relationship with the issuer or any of its promoters, directors, officers or controlling shareholders; or
 - (b) have acted for or been retained personally or otherwise as an employee, officer, director, associate or partner of a person or company that has acted for or been retained by the issuer or any of its promoters, directors, officers or controlling shareholders within the previous year”.

New section 102.1

32 The following section is added after section 102:

Trades by issuers in own securities - notices

“102.1(1) Every notice of intention to trade pursuant to paragraph 81(1)(z)(iv)(A) of the Act must be completed and executed in accordance with Form 12.1.

(2) Every statutory declaration required pursuant to paragraph 81(1)(z)(iv)(F) of the Act must be completed and executed in accordance with Form 12.2”.

Section 103 amended

33 Subsection 103(2) is amended by striking out “81(1)(s), (y) or (aa)” and substituting “81(1)(s)”.

New section 105.1

34 The following section is added after section 105:

Requirements for shares

“105.1(1) In this section, ‘**earnings**’ means earnings available to meet interest charges on indebtedness, other than indebtedness classified as a current liability on a person’s or company’s balance sheet.

- (2) For the purposes of subsections 81(7) and (10) of the Act:
- (a) common shares are required to be fully paid common shares of a company that during a period of five years that ended less than one year before the date of investment has either:
 - (i) paid a dividend in each year on its common shares of at least 4% of the average value at which the shares were carried in the capital stock account of the company during the year in which the dividend was paid; or
 - (ii) had earnings in each year available to pay a dividend on its common shares of at least 4% of the average value at which the shares were carried in the capital stock account of the company during the year in which the company had earnings available for the payment of dividends;
 - (b) preferred shares are required to be issued by a company that:
 - (i) paid a dividend in each of the five years preceding the date of investment at least equal to the specified annual rate on all of its preferred shares; or
 - (ii) has issued common shares that, at the date of investment, meet the requirements of clause (a);
 - (c) bonds, debentures or other evidences of indebtedness are required to be issued or guaranteed by a person who or company that:
 - (i) has issued common shares that, at the date of investment, meet the requirements of clause (a) or preferred shares that, at the date of investment, meet the requirements of clause (b); or
 - (ii) has had earnings during a period of five years that ended less than one year before the date of investment equal to 10 times, and in each of any four of the five years equal to at least 1 1/2 times, the annual interest requirements at the date of the trade on all its indebtedness or all indebtedness guaranteed by the person or company, other than indebtedness classified as a current liability on the person's or company's balance sheet.
- (3) For the purposes of clause (2)(c), if the person or company, at the date of investment, own directly or indirectly more than 50% of the common shares of another company:
- (a) the earnings of the other company during the five-year period may be consolidated with the earnings of the person or company, with a due allowance for minority interests; and
 - (b) if the earnings are consolidated pursuant to clause (a), the interest requirements of the other company must be consolidated with the interest requirements of the person or company, and that consolidated interest requirement is deemed to be the interest requirement of the person or company”.

Section 106 amended

35 Subsections 106(1) and (2) are repealed and the following substituted:

“(1) Where the first trade in securities previously acquired under an exemption contained in clause 81(1)(a.1), (f), (f.1), (g), (h), (i), (i.1), (j), (k), (o), (cc) or (dd) of the Act is a further trade exempted by subsection 81(1) of the Act, the person or company making the trade shall, within 10 days of making the trade, file with the Commission a letter:

- (a) disclosing the particulars of the trade; and
- (b) referring to the clause of subsection 81(1) of the Act that applies to the trade.

“(2) Subject to subsection (3) and for the purposes of clause 81(8)(e) of the Act, adequate disclosure of a trade made in reliance on the exemptions in clause 81(1)(a.1), (f), (f.1), (g) (h), (i), (i.1), (j), (k), (o), (cc) or (dd) of the Act is deemed to have been made to the Commission pursuant to clause (1)(a) if particulars of the date of the trade, the number of securities purchased and the purchase price paid or to be paid are disclosed in:

- (a) an information circular or take-over bid circular filed in accordance with these regulations; or
- (b) a letter filed with the Commission by a person or company certifying that the person or company has knowledge of the facts contained in the letter.

“(2.1) The letter mentioned in clause (2)(b) must be filed prior to any resale of the securities that would be a distribution but for the exemption in subsection 81(8) of the Act”.

Section 107 amended

36 Subsection 107(1) is repealed and the following substituted:

“(1) Subject to subsections (2) and (3), where a purchase plan or arrangement is operated without a prospectus in reliance on the exemption in clause 81(1)(o), (cc) or (dd) of the Act, it shall be sufficient for the purposes of subsection 106(2) if the disclosure contemplated by that subsection is made:

- (a) when the plan or arrangement is first commenced; and
- (b) not less frequently than annually after that commencement”.

New section 138.1

37 The following section is added after section 138:

Reports of issuers and mutual funds

“138.1 The report required by subsection 88(3) of the Act must:

- (a) be in writing;
- (b) be filed with the financial statements required pursuant to section 88 of the Act; and
- (c) contain the following:
 - (i) the issuer’s or mutual fund’s name and address;
 - (ii) a description of the financial statements that have been filed;

(iii) a verification that the financial statements have been sent to holders of its securities and the date the financial statement were sent;

(iv) the signature of the agent who has completed the requirements of section 88 of the Act and this section or, if the issuer or mutual fund has completed the requirements on its own behalf, the signature of a senior officer of the issuer or of the mutual fund”.

Sections 175.1 and 175.2 repealed

38 Sections 175.1 and 175.2 are repealed.

Appendix A amended

39 Table 1 of Appendix A is amended by adding the following subsections after subsection 1(6):

“(7) The costs of or related to a hearing that the Commission may order pursuant to subsection 161(1) of the Act are:

- (a) administrative costs in the amount of \$1,000 for each day or partial day of hearing;
- (b) costs for time spent by the staff of the Commission on matters preliminary to the hearing in the amount of \$50 per hour for each person involved;
- (c) disbursements properly incurred by the Commission staff, including travel costs;
- (d) the amount paid by the Commission to a person appointed pursuant to section 8, 12 or 14 of the Act, to a maximum of \$1,000 for each day of the investigation, plus all charges for the costs of the investigation;
- (e) fees paid to an expert or witness, in the amount of the actual fees paid, to a maximum of \$200 per hour for each person involved;
- (f) travel costs paid to a witness;
- (g) travel costs and disbursements properly incurred by an expert;
- (h) costs for legal services, in the amount of the actual fees paid, to a maximum of \$200 per hour for each person involved; and
- (i) disbursements properly incurred by a person providing legal services.

“(8) The costs of an investigation that the Commission may order pursuant to subsection 161(3) of the Act are:

- (a) \$500 for each day or partial day of an investigation conducted by Commission staff, plus all disbursements properly incurred by the Commission staff in connection with the investigation, including travel costs; and
- (b) the amount paid by the Commission to a person appointed pursuant to section 8, 12 or 14 of the Act, to a maximum of \$1,000 for each day of the investigation, plus all charges for the costs of the investigation”.

Appendix B amended

40(1) Appendix B is amended in the manner set forth in this section.

(2) The following Forms are added after Form 12:

“FORM 12.1

[Sections 61.1 and 102.1 of The Securities Regulations]

The Securities Act, 1988

**NOTICE OF INTENTION TO TRADE IN RELIANCE ON THE EXEMPTIONS
IN SUBCLAUSES 39(1)(cc)(iv) AND 81(1)(z)(iv) OF THE ACT**

1. State the full name, address, and telephone number of the issuer.
2. State the name of the contact person for the issuer.
3. Describe the securities sold in reliance on the exemptions in subclauses 39(1)(cc)(iv) and 81(1)(z)(iv) of the Act.
4. State the price per security.
5. State the date when the offering will begin and when it will close.
6. State how much is expected to be raised in the offering and describe what the money will be used for.
7. State the full names and addresses of promoters of the issuer.
8. State the full names and addresses of the individuals who will sell the securities and their relationship to the issuer.
9. State whether or not an offering memorandum will be distributed to potential purchasers of securities.
10. If an offering memorandum will be used, state whether it has been filed with the Commission.
11. State that securities will be sold only to close friends and close business associates of a promoter of the issuer.
12. State that no promoter of the issuer, other than a registered dealer, has acted as a promoter of any other issuer where that other issuer has traded in securities of its own issue pursuant to the exemption in clauses 39(1)(cc) and 81(1)(z) within the previous 12 months.
13. State that no selling or promotional expenses connected with the offering have or will be paid or incurred.
14. State that statutory declarations completed by each purchaser will be filed within 10 days after completion of the offering.

Certificate

The undersigned hereby certifies that the information given in this report is true and complete in every respect.

Dated at _____

This _____ day of _____ ,

19 _____ .

(Name of issuer)

By _____
(Signature)

(Official capacity)

(Please print here name of individual whose signature appears above.)

INSTRUCTIONS:

In answer to question 3, all trades must be completed within six months after the date of the notice of intention to trade.

“FORM 12.2

*[Sections 61.1 and 102.1 of The Securities Regulations]
The Securities Act, 1988*

**STATUTORY DECLARATION PURSUANT TO PARAGRAPHS
39(1)(cc)(iv)(F) AND 81(1)(z)(iv)(F) OF THE ACT**

I, _____ of _____ , Saskatchewan,
solemnly declare as follows:

1. That on _____, 19 __ , I subscribed for (*number and type of securities purchased*) (the “Securities”) of (*name of the Issuer*) (“the Issuer”) for a total purchase price of \$ _____ .
2. That I understand that the Securities can be sold only to close friends or close business associates of promoters of the Issuer.
3. That I understand that a promoter is someone who takes the initiative in founding, organizing or substantially reorganizing the business of an issuer.
4. That I am a close friend or close business associate of (*name of individual who is a promoter of the Issuer*) who is a promoter of the Issuer.
5. And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

MAY 17, 1996

Declared before me at the _____ of)
_____ in the Province)
of Saskatchewan, this _____ day)
of _____, 19 __ .)

)
)
)
)
)
_____)

A Commissioner for Oaths in and for the
Province of Saskatchewan.

My commission expires _____ .

A Notary Public in and for the Province
of Saskatchewan. My appointment expires.
- Or - Being a Solicitor.

(Purchaser's Signature)

(Purchaser's Name, Printed)

(Address - Please Print)

(Telephone Number)

INSTRUCTIONS:

The individual who commissions the declaration must be someone other than a promoter of the Issuer or a salesperson of the Issuer”.

(3) The following Forms are added after Form 18:

“FORM 18.1
[Section 97.1 of *The Securities Regulations*]
The Securities Act, 1988

MATERIAL CHANGE REPORT PURSUANT TO SECTION 80.1 OF THE ACT

NOTE: This form is intended as a guideline. A letter or other document may be used if the substantive requirements of this form are complied with.

ITEM 1 - Issuer:

State the full name and address of the principal office in Canada of the issuer.

ITEM 2 - Date of Material Change

ITEM 3 - Full Description of Material Change:

Provide a brief but accurate description of the material change. The description should be sufficiently complete to enable a reader to appreciate the significance of the material change without reference to other material. Management is in the best position to determine what facts are significant and must disclose those facts in a meaningful manner.

This description of the significant facts relating to the material change will therefore include some or all of the following: dates, parties, terms and conditions, description of any assets, liabilities or capital affected, purpose, financial or dollar values, reasons for the change and a general comment on the probable impact on the issuer or its subsidiaries. Specific financial forecasts would not normally be required to comply with this form.

The above lists merely describe examples of some of the facts that may be significant. The list is not intended to be inclusive or exhaustive of the information required in any particular situation.

ITEM 4 - Officers:

To facilitate any necessary follow-up by the Commission, give the name and business telephone number of an officer of the issuer who is knowledgeable about the material change and the report who may be contacted by the Commission.

ITEM 5 - Statement of Senior Officer:

Include the following statement signed by a senior officer of the reporting issuer:

“The foregoing accurately discloses the material change referred to herein.

Dated at _____, this _____ day of _____, 19 ____ .

(Name of issuer)

By _____
(Signature)

(Official capacity)

(Please print here name of individual whose signature appears above.)

IT IS AN OFFENCE FOR A PERSON TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THESE REGULATIONS THAT, AT THE TIME AND IN THE LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION”.

MAY 17, 1996

"FORM 18.2
[Section 99.1 of The Securities Regulations]
The Securities Act, 1988

CERTIFICATE OF INDEPENDENT ADVICE

I, _____ of _____, Saskatchewan,
hereby certify as follows:

1. That I have been consulted by (*name of purchaser*) about a proposed purchase of securities issued by (*name of Issuer*) ("the Issuer") sold (*describe the nature of the trade*).
2. That I have reviewed the trade and have provided independent advice to (*name of purchaser*) with respect to the nature of the trade and the risks with respect thereto.
3. That I am a lawyer and a practising member in good standing of the Law Society of Saskatchewan.
4. That I do not have a professional, business or personal relationship with the Issuer, its promoters, directors, officers or controlling shareholders.
5. That I have not acted for nor been retained personally or otherwise as an employee, officer, director, associate or partner of a person who or company which has acted for or been retained by the Issuer, its promoters, directors, officers of controlling shareholders within the previous year.

Dated at _____, Saskatchewan, this ____ day of _____, 19 ____.

(Adviser's Signature)

(Adviser's Name (Printed))

(Address)

(Telephone Number)

INSTRUCTIONS:

In describing the nature of the trade in question 1, indicate who made the trade and in what capacity, using the wording in clause 81(1)(a.1) of the Act as a guide".

(4) Forms 19 and 20 are repealed and the following substituted:

“FORM 19
[Section 103 of the Securities Regulations]
The Securities Act, 1988

**REPORT OF A TRADE IN RELIANCE ON CLAUSE 81(1)(a), (b), (c), (d) (f.1),
(m), (n), (s), (t), (v), (w), (z), (bb) or (ee) OF THE ACT**

(Note: Circle applicable clause)

NOTE: This report is not required where a bank to which the *Bank Act* (Canada) applies or a loan corporation or trust corporation licensed under *The Trust and Loan Corporations Act* acquired from a customer as evidence of indebtedness of the customer or an equity investment in the customer acquired concurrently with an evidence of indebtedness.

1. Full name and address of the Vendor.
2. Name and address of the issuer of the security traded and description of the security.
3. Date of trade(s):
4.

<i>Full Name and Address of Purchasers</i>	<i>Amount or Number of Securities Purchased</i>	<i>Total Purchase Price</i>
--	---	---------------------------------
5. Briefly state other factors on which the use of the exemption is based.
6. State the name and address of any person acting as agent in connection with the trade(s) and the compensation paid or to be paid to such agent.

CERTIFICATE OF VENDOR OR AGENT OF VENDOR

The undersigned hereby certifies that the statements made in this report are true and correct.

DATED at _____

this ____ day of _____

19 ____ .

(name of vendor or agent - please print)

(signature)

(Official capacity - please print)

(please print here name of individual whose
signature appears above if different from name
of vendor or agent printed above)

INSTRUCTIONS:

1. In answer to question 5, with respect to trades in reliance on the exemption in clause 81(1)(z) of the Act, please include who the promoters of the issuer are. Also include sufficient details of the relationship of each purchaser to one of the promoters of the issuer to allow the Commission to ascertain whether or not the purchaser is in fact a close friend or close business associate of that promoter.
2. In answer to question 6 give the name of the person or company who has been or will be paid remuneration directly related to the trade(s), such as commissions, discounts or other fees or payments of a similar nature. It is not necessary to include payments for services incidental to the trade such as clerical, printing, legal or accounting services.
3. If the space provided for any answer is insufficient, additional sheets may be used and must be cross-referenced to the relevant item and properly identified and signed by the person whose signature appears on the report.
4. For trades in reliance on the exemption in clause 81(1)(z) of the Act, attach a statutory declaration completed by each purchaser in Form 12.2.
5. Please file this report in duplicate with the required fee. Cheques are made payable to the Minister of Finance for Saskatchewan.

IT IS AN OFFENCE FOR A PERSON TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE REGULATIONS THAT, AT THE TIME AND IN THE LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION.

“FORM 20

[*Section 103 of The Securities Regulations*]

REPORT OF A TRADE IN RELIANCE ON CLAUSE 81(1)(s) OF THE ACT

1. State the full name and address of the vendor.
2. State the name and address of the issuer of the security traded and description of the security.
3. State the full name and address of promoter(s) if any.
4. State the dates of trades, including commencement and conclusion.
5. State the number of purchasers in Saskatchewan as defined by subparagraph 81(1)(s)(iv)(A)(I).
6. State the number of purchasers in Saskatchewan as defined by subparagraph 81(1)(s)(iv)(A)(II).
7. State the number of purchasers in Saskatchewan as defined by paragraph 81(1)(s)(iv)(B).
8.

<i>Full name and Address of Purchaser(s) in Sask</i>	<i>Amount or Number of Securities Purchased</i>	<i>Purchase Price</i>
--	---	---------------------------

9. State the name and addresses of any person acting as agent in connection with the trade(s) and the compensation paid or to be paid to that agent.
10. State that no promoter of the issuer other than a registered dealer has acted within 12 months of the commencement of the trades herein as a promoter of any other issuer that has traded in securities of its own issue pursuant to an exemption pursuant to clause 81(1)(s) of the Act.
11. State the date of previous offerings under clause 81(1)(s) of the Act by the issuer and the amount raised under each offering.
12. State that the cumulative amount raised by the issuer from all purchasers pursuant to the exemption in clause 81(1)(s) of the Act does not exceed \$1 million.
13. Attach a copy of:
 - (a) the declaration completed by each purchaser; and
 - (b) where applicable, the certificate of **[what?]** adviser;
as prescribed by the Commission.

CERTIFICATE OF VENDOR OR AGENT OF VENDOR

The undersigned hereby certifies that the statements made in this report are true and correct.

DATED at _____

this ____ day of _____

19 ____ .

(name of vendor or agent - please print)

(signature)

(Official capacity - please print)

(please print here name of individual whose signature appears above, if different from vendor or agent printed above)

INSTRUCTIONS:

1. In answer to question 11 give the name of the person or company who has been or will be paid remuneration directly related to the trade(s), such as commission, discounts or other fees or payments of a similar nature. It is not necessary to include payments for services incidental to the trade such as clerical, printing, legal or accounting services.
2. If the space provided for any answer is insufficient, additional sheets may be used and must be cross-referenced to the relevant item and properly identified and signed by the person whose signature appears on the report.
3. Please file this report in duplicate with the required fee. Cheques are made payable to the Minister of Finance for Saskatchewan.

IT IS AN OFFENCE FOR A PERSON TO MAKE A STATEMENT IN A DOCUMENT REQUIRED TO BE FILED OR FURNISHED UNDER THE ACT OR THE REGULATIONS THAT, AT THE TIME AND IN THE LIGHT OF THE CIRCUMSTANCES UNDER WHICH IT IS MADE, IS A MISREPRESENTATION”.

(5) Forms 40 and 41 are repealed.

Coming into force

41(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Securities Amendment Act, 1995* is proclaimed in force.

(2) If these regulations are filed with the Registrar of Regulations after section 1 of *The Securities Amendment Act, 1995* is proclaimed in force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 22/96

The Government Organization Act

Sections 19 and 24

and

The Human Resources, Labour and Employment Act

Section 4.01

Order in Council 316/96, dated May 7, 1996

(Filed May 8, 1996)

Title

1 These regulations may be cited as *The Saskatchewan Partnerships Program Amendment Regulations, 1996*.

R.R.S. c.G-5.1 Reg 67 amended

2 *The Saskatchewan Partnerships Program Regulations, 1995* are amended in the manner set forth in these regulations.

Section 1 amended

3 **Section 1 is amended by striking out “1995” and substituting “1996”.**

Section 2 amended

4 Subsection 2(1) is amended:

- (a) in clause (c) by striking out “1995” wherever it appears and in each case substituting “1996”; and
- (b) in subclause (d)(iii):
 - (i) by striking out “1995-96” wherever it appears and in each case substituting “1996-97”; and
 - (ii) by striking out “1994-95” wherever it appears and in each case substituting “1995-96”.

New Section 6

5 Section 6 is repealed and the following substituted:

Terms of employment

“6(1) An eligible employer shall employ an eligible employee for a minimum of 300 hours during the eligibility period.

(2) Notwithstanding subsection (1), the minister may designate a lower minimum number of hours with respect to the employment of an eligible employee if an eligible employer submits information that satisfies the minister that the eligible employee whom the eligible employer proposes to employ cannot, for medical reasons, work the minimum number of hours required pursuant to subsection (1).

(3) An eligible employer mentioned in subsection (2) shall employ the eligible employee for the period and the number of hours designated by the minister.

(4) An eligible employer shall pay an eligible employee at a rate that is not less than the minimum wage established pursuant to *The Labour Standards Act*.”

Section 9 amended

6 Section 9 is amended in the portion preceding clause (a) by striking out “per week”.

Section 10 amended

7 Subclause 10(1)(d)(iii) is repealed and the following substituted:

“(iii) no eligible employee of the eligible employer has been employed during the eligibility period by another eligible employer who has been approved by the minister”.

Section 12 amended

8 Section 12 is amended:

- (a) in clause (c) by striking out “1994-95” and substituting “1995-96”; and
- (b) in clause (d) by striking out “1995-96” and substituting “1996-97”.

Coming into force

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

SASKATCHEWAN REGULATIONS 23/96

The Corporation Capital Tax Act

Section 58

Order in Council 317/96, dated May 7, 1996

(Filed May 8, 1996)

Title

1 These regulations may be cited as *The Corporation Capital Tax Amendment Regulations, 1996*.

R.R.S. c.C-38.1 Reg 1, section 2 amended

2 Section 2 of *The Corporation Capital Tax Regulations* is amended:

(a) by repealing clauses (1)(b), (c) and (e); and

(b) by adding the following clauses after clause (2)(a):

“(a.01) ‘**co-operative corporation**’ means a corporation that is incorporated by or under a law of Canada or a province providing for the establishment of the corporation, or respecting the establishment of co-operative corporations, for the purposes of marketing natural products belonging to or acquired from its members or customers, including any processing connected with or incidental to that marketing, purchasing supplies, equipment or household necessities for, or to be sold to, its members or customers or performing services for its members or customers if:

(i) the statute by or under which it is incorporated, its charter, articles of association or bylaws or its contracts with its members, or its members and customers, holds forth the prospect that payments will be made to them in proportion to patronage;

(ii) none of its members, other than other co-operative corporations, has more than one vote in the conduct of the affairs of the corporation; and

(iii) at least 90% of its members are individuals, other co-operative corporations or corporations or partnerships that carry on the business of farming, and at least 90% of its voting shares, if any, are held by those persons or partnerships;

and includes:

(iv) a condominium corporation constituted pursuant to *The Condominium Property Act, 1993*, where the property of the condominium corporation is used solely for personal residences; and

(v) a corporation whose charter or memorandum of association stipulates that any building owned or operated by the corporation must be owned and operated exclusively as personal residences for shareholders of the corporation and that the assets of the corporation include nothing other than the building and equipment necessary for the operation and maintenance of the building;

“(a.02) **‘credit union’** means a corporation, association or federation incorporated or organized as a credit union or co-operative credit society where:

- (i) it derives all, or substantially all, of its revenues from:
 - (A) loans made to, or cashing cheques for, members;
 - (B) bonds or securities of or loans to or guaranteed by the government of, or an agency of the government of:
 - (I) Canada;
 - (II) a province; or
 - (III) a Canadian municipality;
 - (C) bonds or securities of or loans to a municipality or public body, or an agency of the municipality or public body, which performs a function of government in Canada;
 - (D) bonds of a corporation, commission or association where not less than 90% of the shares or capital of the corporation, commission or association are owned by the government of:
 - (I) Canada;
 - (II) a province; or
 - (III) a Canadian municipality;
 - (E) loans to or deposits with a bank to which the *Bank Act* (Canada) or the *Quebec Savings Bank Act* (Canada) applies or loans to or deposits with a corporation licensed or otherwise authorized under a law of Canada or a province to carry on in Canada the business of offering to the public its services as trustee;
 - (F) charges, fees and dues levied against members or members of members; or
 - (G) loans to or deposits with a credit union or co-operative credit society of which it is a member;
- (ii) its members, or substantially all of its members, are:
 - (A) corporations, associations or federations that are:
 - (I) incorporated as credit unions or co-operative credit societies, all of which derive all, or substantially all, of their revenues from the sources described in subclause (i) or all of the shares of which are owned by credit unions, co-operatives or any combination of credit unions or co-operatives;
 - (II) incorporated, organized or registered under or governed by a law of either Canada or a province with respect to co-operatives; or
 - (III) incorporated or organized for charitable purposes; or

(B) corporations, associations or federations no part of the income of which is payable to, or otherwise available for, the personal benefit of any of its shareholders or members; or

(iii) the corporation, association or federation would be a credit union by virtue of subclause (ii) if all of the members, other than individuals, having full voting rights in each of its members that is a credit union were members having full voting rights in the corporation, association or federation;

“(a.03) **‘family farm corporation’** means a corporation:

(i) that is solely engaged in farming;

(ii) that is registered or licensed to carry on business in Saskatchewan; and

(iii) that has as beneficial owners of 95% of its shares individuals who are:

(A) resident in Saskatchewan;

(B) related persons; and

(C) actively engaged in farming or who are the parents, children or spouses of persons who are actively engaged in farming”.

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from March 29, 1996.

SASKATCHEWAN REGULATIONS 24/96

The Rural Municipality Act, 1989

Section 414

Order in Council 318/96, dated May 7, 1996

(Filed May 8, 1996)

Title

1 These regulations may be cited as *The Rural Municipality Election and Voting Amendment Regulations, 1996*.

R.R.S. c.R-26.1 Reg 2 amended

2 *The Rural Municipality Election and Voting Regulations, 1990* are amended in the manner set forth in these regulations.

Section 12 amended

3 Section 12 is repealed and the following substituted:

Form of Poll Book and Voter Registration

“**12(1)** Form J of the Appendix is the form to be used for a poll book pursuant to subsection 95(1) of the Act.

(2) Form J.1 of the Appendix is the form to be used for the voter’s registration form and poll book pursuant to subsection 95(2) of the Act”.

Section 14 amended

4 Section 14 is amended by striking out “statement” and substituting “form”.

Appendix amended

5(1) The Appendix is amended in the manner set forth in this section.

(2) The following form is added after Form J:

“Form J.1
[Section 12]

VOTER'S REGISTRATION FORM AND POLL BOOK

Name: _____
(print)

Address: _____
(print)

Complete the following by marking an “x” after the statements that are correct:

1. I am at least 18 years of age. _____
2. I am a Canadian citizen. _____
3. I am a burgess of the municipality and as such:
 - (a) I am the registered owner (or purchaser under a bona fide agreement for sale) of taxable land in the municipality. _____
OR
 - (b) I am assessed as an occupant of land in the municipality that is exempt from taxation. _____
OR
 - (c) I am assessed with respect to an improvement in the municipality. _____
OR
 - (d) I am assessed for a business or licensed with respect to a home-based business in the municipality. _____
OR
 - (e) I am a resident of the municipality and a shareholder of a duly incorporated co-operative or corporation or a member of a religious association that is assessed on the last revised assessment roll with respect to land, an improvement or a business that is not exempt from taxation or that is licensed in the municipality with respect to a home-based business. _____

OR

(f) I am a resident of Saskatchewan and the chief executive officer of a duly incorporated co-operative, corporation or religious association that is assessed on the last revised assessment roll with respect to land, an improvement or a business that is not exempt from taxation or that is licensed in the municipality with respect to a home-based business.

OR

(g) I am the spouse of a person mentioned in clause (a), (b), (c), (d) or (e), and reside with that person in the municipality.

4. I am an elector of the municipality and as such:

(a) I have resided in the municipality for at least six months.

OR

(b) I am the spouse of and reside with a burgess of the municipality in Saskatchewan.

I declare that I am a voter entitled to vote in Division No. _____ of the Rural Municipality of _____ No. _____ and that the information given by me in the foregoing statements is true.

Dated this _____ Day of _____, 19 ____ .

Witness (Deputy Ret. Officer)

Voter

VOTED IN RESPECT OF				Sworn or refused to swear
Reeve	Councillor	Bylaw	Question	

REMARKS _____ Entry No. _____”.

(3) Form L is repealed and the following substituted:

“Form L
[Section 14]

VOTER'S REGISTRATION FORM

Name: _____
(print)

Address: _____
(print)

Complete the following by marking an “x” after the statements that are correct:

1. I am at least 18 years of age. _____

2. I am a Canadian citizen. _____

3. I am a Burgess of the municipality and as such: _____

(a) I am the registered owner (or purchaser under a bona fide agreement for sale) of taxable land in the municipality. _____

OR

(b) I am assessed as an occupant of land in the municipality that is exempt from taxation. _____

OR

(c) I am assessed with respect to an improvement in the municipality. _____

OR

(d) I am assessed for a business or licensed with respect to a home-based business in the municipality. _____

OR

(e) I am a resident of the municipality and a shareholder of a duly incorporated co-operative or corporation or a member of a religious association that is assessed on the last revised assessment roll with respect to land, an improvement or a business that is not exempt from taxation or that is licensed in the municipality with respect to a home-based business. _____

OR

(f) I am a resident of Saskatchewan and the chief executive officer of a duly incorporated co-operative, corporation or religious association that is assessed on the last revised assessment roll with respect to land, an improvement or a business that is not exempt from taxation or that is licensed in the municipality with respect to a home-based business. _____

OR

(g) I am the spouse of a person mentioned in clause (a), (b), (c), (d) or (e), and reside with that person in the municipality. _____

4. I am an elector of the municipality and as such:

(a) I have resided in the municipality for at least six months. _____

OR

(b) I am the spouse of and reside with a burgess of the municipality in Saskatchewan. _____

I declare that I am a voter entitled to vote in Division No. _____ of the Rural Municipality of _____ No. _____ and that the information given by me in the foregoing statement is true.

Dated this _____ Day of _____, 19 ____ .

Witness (Deputy Ret. Officer)

Voter

Coming into force

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

SASKATCHEWAN REGULATIONS 25/96

The Municipal Revenue Sharing Act

Section 13

Order in Council 319/96, dated May 7, 1996

(Filed May 8, 1996)

Title

1 These regulations may be cited as *The Urban Municipalities Revenue Sharing Amendment Regulations, 1996*.

R.R.S. c.M-32.1 Reg 2, new section 9

2 Section 9 of *The Urban Municipalities Revenue Sharing Regulations, 1981* is repealed and the following substituted:

Minimum amount of total grants

“9 Notwithstanding any other provision of these regulations, the minimum amount of the sum of the basic, per capita and foundation grants to be paid to each urban municipality in the 1996-97 fiscal year is to be equal to the total amount to which that urban municipality was entitled in basic, per capita and foundation grants in the 1995-96 fiscal year”.

Coming into force

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

SASKATCHEWAN REGULATIONS 26/96

The Farm Financial Stability Act

Section 61

Order in Council 320/96, dated May 7, 1996

(Filed May 8, 1996)

Title

1 These regulations may be cited as *The Breeder Associations Loan Guarantee Amendment Regulations, 1996*.

R.R.S. c.F-8.001 Reg 5, section 5 amended

2 Clause 5(4)(c) of *The Breeder Associations Loan Guarantee Regulations, 1991* is amended by striking out “\$3,000,000” and substituting “\$4,000,000”.

Coming into force

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