

PART II**REVISED REGULATIONS OF SASKATCHEWAN****SASKATCHEWAN REGULATIONS 99/97***The Land Bank Repeal and Temporary Provisions Act*

Section 15

Order in Council 744/97, dated November 26, 1997

(Filed November 27, 1997)

Title

1 These regulations may be cited as *The Land Bank Temporary Provisions Amendment Regulations, 1997*.

R.R.S. c.L-2.1 Reg 2 amended

2 *The Land Bank Temporary Provisions Regulations, 1983* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Clause 2(b) is amended by adding “and Food” after “Agriculture”.**

Section 6 amended

4 **Subsection 6(1) is amended:**

(a) **in clause (c) by striking out “rapeseed” and substituting “canola”; and**

(b) **by repealing clause (e) and substituting the following:**

“(e) ‘**P**’ means price for each grain and in the case of:

(i) wheat means the published Canadian Wheat Board final price for #2CWRS (Grade Number Two Canadian Western Red Spring), minus freight charges from Saskatoon, Saskatchewan and the average handling tariffs for wheat as published by the department, for the crop year ending July 31 in the preceding calendar year, adjusted annually;

(ii) barley means the published Canadian Wheat Board final price for #1CW (Grade Number One Canada Western), minus freight charges from Saskatoon, Saskatchewan and the average handling tariffs for barley as published by the department, for the crop year ending July 31 in the preceding calendar year, adjusted annually; and

(iii) oilseeds means the average price of #1CW (Grade Number One Canada Western) flaxseed or #1 Canada (Grade Number One Canada) canola at Saskatoon, Saskatchewan, minus freight charges from Saskatoon, Saskatchewan and the average handling tariffs as published by the department, for the crop year ending July 31 in the preceding calendar year, adjusted annually”.

New sections 7 and 7.1

5 **Section 7 is repealed and the following substituted:**

“Rent for grazing land

7(1) For the purposes of this section and section 7.1:

(a) **‘animal unit month rating’** means the number of animal unit months applicable to the land in question as rated by the Saskatchewan Assessment Management Agency or as determined by the department to reflect the current grazing carrying capacity of the land;

(b) **'price per pound'** means the average price of cattle marketed from July 1 to November 30 of the preceding calendar year as published by the department for markets in Saskatchewan, weighted as follows:

Feeder steer calves	500-600 lbs	61.02%
Feeder steers	700-800 lbs	21.52%
D1-D2 cows		17.46%

(2) Commencing on January 1, 1997, the rent for leases of Crown land for grazing purposes, whether issued before or after this section comes into force, notwithstanding anything to the contrary in the leases, shall be at a cash yearly rent in the amount calculated as follows:

Rent = price per pound x 46 pounds x animal unit month rating x 0.8 x 12.75%.

"Rent for land used to produce hay

7.1 Commencing on January 1, 1997, the rent for leases of Crown land for the production of hay, whether issued before or after this section comes into force, notwithstanding anything to the contrary in the leases, shall be at a cash yearly rent in the amount calculated as follows:

Rent = price per pound x 46 pounds x animal unit month rating x 2 x 12.75%".

Sections 8 to 8.5 repealed

6 Sections 8 to 8.5 are repealed.

New section 8.6

7 The following section is added before section 9:

"Rent prior to 1997

8.6 Notwithstanding the repeal of sections 7 to 8.5 as those sections existed immediately before the coming into force of this section, those sections continue to apply with respect to the calculation and collection of rent prior to 1997".

Coming into force

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

SASKATCHEWAN REGULATIONS 100/97

The Summary Offences Procedure Act, 1990

Section 5

Order in Council 745/97, dated November 26, 1997

(Filed November 27, 1997)

Title

1 These regulations may be cited as *The Fine Option Program Amendment Regulations, 1997*.

R.R.S. c.S-63.1 Reg 1 amended

2 *The Fine Option Program Regulations, 1991* are amended in the manner set forth in these regulations.

Section 2 amended

3 Clause 2(r.1) is repealed.

Section 4 amended

4 Subsection 4(2) is repealed.

Section 10 amended**5(1) Subsection 10(1) is amended:**

- (a) in the portion preceding clause (a) by adding “or a default conviction notice” after “section 9”;
- (b) in clause (b) by adding “or a default conviction notice” after “notice of fine”; and
- (c) in the portion following clause (b) by adding “or default conviction notice” after “notice of fine”.

(2) The following subsection is added after subsection 10(1):

“(1.1) Subject to subsections (2) and (3), an offender who receives a letter of unpaid fine may register in the program by appearing in person before and presenting the letter of unpaid fine to a fine option agency before the due date set out in the letter”.

(3) Subsection 10(2) is amended by adding “or (1.1)” after “(1)”.**(4) Subsections 10(4) and (5) are repealed.****New sections 10.1 and 10.2****6 The following sections are added after section 10:****“Refusal of registration in program**

10.1(1) The Fine Option Program Co-ordinator may refuse to register an offender in the program where the offender has been previously registered in the program and the offender was terminated from the program pursuant to section 23.

(2) Where the Fine Option Program Co-ordinator refuses to register an offender in the program pursuant to this section, the Fine Option Program Co-ordinator shall give written reasons for the Fine Option Program Co-ordinator’s decision to the offender and, with the reasons, notify the offender of the offender’s right to an opportunity to be heard pursuant to section 10.2.

“Right to be heard

10.2(1) Where the Fine Option Program Co-ordinator refuses to register an offender in the program pursuant to section 10.1, the program director shall give the offender an opportunity to be heard, in writing, within 30 days from the date of notice of the decision.

(2) After giving the offender an opportunity to be heard, the program director may:

- (a) confirm the refusal to register; or
- (b) register the offender in the program if the program director is satisfied that the offender will comply with the terms and conditions of the program and that it is in the public interest to register the offender”.

Section 11 repealed**7 Section 11 is repealed.****Section 12 amended****8 Section 12 is amended:**

- (a) by striking out “and” after clause (d);

(b) by adding “and” after clause (e); and

(c) by adding the following clause after clause (e):

“(f) conduct himself or herself in accordance with the general standards of behaviour required of employees in a place of employment”.

Section 20 amended

9 Subsection 20(9) is repealed.

Section 23 amended

10(1) Subsection 23(1) is amended:

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

(b) by adding the following after clause (c):

“(d) the offender, in the opinion of the fine option agency, failed to obey the lawful instructions of the fine option agency; or

“(e) the offender, in the opinion of the fine option agency, failed to conduct himself or herself in accordance with the general standards of conduct required of employees in a place of employment”.

(2) Subsection 23(2) is amended:

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

(b) by adding the following after clause (c):

“(d) the offender, in the opinion of the work placement agency, failed to obey the lawful instructions of the work placement agency; or

“(e) the offender, in the opinion of the work placement agency, failed to conduct himself or herself in accordance with the general standards of conduct required of employees in a place of employment”.

(3) Subsections 23(5), (6), (7) and (9) are repealed.

Section 24 amended

11(1) Subsection 24(1) is amended by striking out “Subject to subsection (2), an offender” and substituting “An offender”.

(2) Subsection 24(2) is repealed.

Coming into force

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

SASKATCHEWAN REGULATIONS 101/97*The Residential Tenancies Act*

Section 57

Order in Council 746/97, dated November 26, 1997

(Filed November 27, 1997)

Title

1 These regulations may be cited as *The Residential Tenancies Amendment Regulations, 1997*.

R.R.S. c. R-22 Reg 3, section 4 amended

2 **Clauses 4(a) and 4(b) of *The Residential Tenancies Regulations, 1992* are repealed and the following substituted:**

“(a) Saskatchewan Justice, Office of the Rentalsman, 2151 Scarth Street, Regina, Saskatchewan, S4P 3V7;

“(b) Saskatchewan Justice, Office of the Rentalsman, 4th Floor, 201 – 21st Street East, Saskatoon, Saskatchewan, S7K 2H6”.

Coming into force

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

SASKATCHEWAN REGULATIONS 102/97*The Victims of Crime Act, 1995*

Section 12

Order in Council 747/97, dated November 26, 1997

(Filed November 27, 1997)

Title

1 These regulations may be cited as *The Victims of Crime Amendment Regulations, 1997*.

R.R.S. c.V-6.011 Reg 1, new section 3

2 **Section 3 of *The Victims of Crime Regulations, 1997* is repealed and the following substituted:**

“Amount of surcharge

3 For the purposes of section 10 of the Act, the amount of a surcharge is:

(a) \$15 where the fine imposed is \$100 or less;

(b) \$25 where the fine imposed is greater than \$100 but less than or equal to \$200;

(c) \$35 where the fine imposed is greater than \$200 but less than or equal to \$500;

(d) 15% of the fine imposed rounded off to the nearest dollar where the fine imposed is greater than \$500; and

(e) \$25 where no fine is imposed”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on December 1, 1997.

(2) If these regulations are filed with the Registrar of Regulations after December 1, 1997, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

RÈGLEMENT DE LA SASKATCHEWAN 102/97*Loi de 1995 sur les victimes d'actes criminels*

Article 12

Décret 747/97, en date du 26 novembre 1997

(déposé le 27 novembre 1997)

Titre

1 *Règlement de 1997 modifiant le Règlement de 1997 sur les victimes d'actes criminels.*

R.R.S. ch. V-6,011, Règl. 1, nouveau article 3

2 *L'article 3 du Règlement de 1997 sur les victimes d'actes criminels est abrogé et remplacé par ce qui suit:*

«Montant de la suramende

3 Pour l'application de l'article 10 de la Loi, le montant de la suramende est de:

- a) 15,00 \$, si l'amende imposée est de 100,00 \$ ou moins;
- b) 25,00 \$, si l'amende imposée est supérieure à 100,00 \$ sans être supérieure à 200,00 \$;
- c) 35,00 \$, si l'amende imposée est supérieure à 200,00 \$ sans être supérieure à 500,00 \$;
- d) 15% de l'amende imposée, arrondie à l'unité supérieure, si l'amende imposée est supérieure à 500,00 \$;
- e) 25,00 \$, si aucune amende n'est imposée».

Entrée en vigueur

3(1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le 1er décembre 1997.

(2) Si ce règlement est déposé auprès du registraire des règlements après le 1er décembre 1997, ce règlement entre en vigueur le jour le règlement est déposé auprès du registraire des règlements.

SASKATCHEWAN REGULATIONS 103/97*The Mental Health Services Act*

Sections 5 and 43

Order in Council 748/97, dated November 26, 1997

(Filed November 27, 1997)

Title

1 These regulations may be cited as *The Mental Health Services Amendment Regulations, 1997*.

R.R.S. c.M-13.1 Reg 1 amended

2 *The Mental Health Services Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 Subsection 2(1) is amended:

(a) by adding the following clause after clause (a):

“(a.1) ‘**district health board**’ means a district health board as defined in *The Health Districts Act*”; **and**

(b) in clause (c) by striking out “*The Fire Prevention Act, 1980*” and substituting “*The Fire Prevention Act, 1992*”.

New section 3

4 Section 3 is repealed and the following substituted:

“Mental health regions

3 The following mental health regions are established:

(a) Battlefords Mental Health Region, comprising the areas within the geographic boundaries of:

- (i) the Battlefords Health District;
- (ii) the Lloydminster Health District;
- (iii) the Northwest Health District; and
- (iv) the Twin Rivers Health District;

(b) Moose Jaw Mental Health Region, comprising the areas within the geographic boundaries of:

- (i) the Moose Jaw/Thunder Creek Health District; and
- (ii) the South Country Health District;

(c) Northern Mental Health Region, comprising the area within the geographic boundaries of the Northern Saskatchewan Administration District;

(d) Prince Albert Mental Health Region, comprising the areas within the geographic boundaries of:

- (i) the North Central Health District;
- (ii) the North-East Health District;

- (iii) the Parkland Health District;
 - (iv) the Pasquia Health District; and
 - (v) the Prince Albert Health District;
- (e) Regina Mental Health Region, comprising the areas within the geographic boundaries of:
- (i) the Pipestone Health District;
 - (ii) the Regina Health District; and
 - (iii) the Touchwood Qu'Appelle Health District;
- (f) Saskatoon Mental Health Region, comprising the areas within the geographic boundaries of:
- (i) the Central Plains Health District;
 - (ii) the Gabriel Springs Health District;
 - (iii) the Living Sky Health District; and
 - (iv) the Saskatoon Health District;
- (g) Swift Current Mental Health Region, comprising the areas within the geographic boundaries of:
- (i) the Rolling Hills Health District;
 - (ii) the Southwest Health District; and
 - (iii) the Swift Current Health District;
- (h) Tri-District Mental Health Region, comprising the areas within the geographic boundaries of:
- (i) the Greenhead Health District;
 - (ii) the Midwest Health District; and
 - (iii) the Prairie West Health District;
- (i) Weyburn Mental Health Region, comprising the areas within the geographic boundaries of:
- (i) the Moose Mountain Health District;
 - (ii) the South Central Health District; and
 - (iii) the Southeast Health District;
- (j) Yorkton Mental Health Region, comprising the areas within the geographic boundaries of:
- (i) the Assiniboine Valley Health District;
 - (ii) the East Central Health District; and
 - (iii) the North Valley Health District”.

Section 6 amended

5 Subsection 6(2) is amended by striking out “operated by the minister”.

Section 7 amended**6 Clauses 7(a) and (b) are repealed and the following substituted:**

“(a) cause each facility to be inspected annually and provide any directions that may, in the director’s opinion, tend to its improvement”.

Section 7.1 amended**7 Clause 7.1(1)(a) is repealed and the following substituted:**

“(a) ensure that the officer in charge is not a psychiatrist”.

Section 9 amended

8 Clause 9(b) is amended by striking out “in a facility operated by the minister.”.

Section 13 amended

9 Clause 13(1)(c.1) is amended by striking out “subsection” **and substituting** “section”.

Section 18 amended**10 Subsection 18(1) is amended:**

(a) by repealing subclauses (b)(i) and (ii) and substituting the following:

“(i) the regional director; or

“(ii) the officer in charge, in the absence of the regional director”; **and**

(b) by adding the following clauses after clause (e):

“(f) to a person who is providing care, assistance or support to the patient, where the disclosure is required to enable that person to provide that care, assistance or support, if:

(i) the patient is advised of the intention to release the information; and

(ii) the disclosure occurs in the presence of the patient, unless the regional director determines that disclosure in the presence of the patient would not be in the best interests of the patient;

“(g) to the minister, for the purposes of:

(i) confirming the patient’s eligibility to receive services; or

(ii) compiling information for the purposes of evaluating and planning for future delivery of mental health services”.

Section 32 repealed

11 Section 32 is repealed.

New section 32.1

12 The following section is added before section 33:

“Patients’ trust accounts - new

32.1(1) In this section and sections 33 and 34, **‘patients’ trust account’** means the patients’ trust account established for the in-patient facility in which a patient is admitted.

(2) A district health board that operates an in-patient facility shall establish a patients' trust account to be known as the 'Patients' Trust Account (*name of facility*).

(3) Where a patient admitted to an in-patient facility is in possession of a sum of money on admission or comes into possession of a sum of money after admission, the district health board shall, subject to sections 33 and 34, hold that money in the patients' trust account".

Section 33 amended

13 Subsection 33(6) is repealed and the following substituted:

"(6) Where a sum of money held on behalf of an incompetent pursuant to this section is \$500 or less, the interest earned on that sum may be used for patients' comforts generally".

Section 34 amended

14(1) Subsection 34(1) is amended:

(a) in the portion that precedes clause (a) by striking out "his admission" and substituting "his or her admission"; and

(b) by repealing clause (a) and substituting the following:

"(a) subject to the bylaws and rules of the district health board operating the in-patient facility, assume responsibility for handling that money or arrange for another person to handle that money on his or her behalf".

(2) Subsections 34(2) and (3) are repealed and the following substituted:

"(2) Where a patient so authorizes in writing, the money held on behalf of that patient pursuant to this section may be used to pay for any charges that are payable by the patient for the provision of mental health services.

"(3) Where a sum of money held on behalf of a patient pursuant to this section is \$500 or less, the interest earned on that sum may be used for patients' comforts generally".

New section 35

15 Section 35 is repealed and the following substituted:

"Investments

35 Sums of money held by district health boards in patients' trust accounts authorized by section 32.1 may be invested in a bank, credit union or trust company savings account or in any of the securities that are approved by the Investment Board appointed pursuant to *The Financial Administration Act, 1993*".

Sections 36 to 42 repealed

16 Sections 36 to 42 are repealed.

Part I of Appendix amended

17(1) Part I of the Appendix is amended in the manner set forth in this section.

(2) Form C is amended by striking out "and convey him/her to _____"

(name of in-patient facility)

and substituting "and convey him/her to _____".

(place/location)

(3) Form H.3 is repealed and the following substituted:

“FORM H.3

Community Treatment Order

[Section 24.3 of The Mental Health Services Act]

CANADA
PROVINCE OF SASKATCHEWAN

I, the undersigned _____
(name in full and qualifications)

a psychiatrist within the meaning of *The Mental Health Services Act*, certify that on
the _____ day of _____, _____, at _____,
(place of examination)

I examined _____
(name of person who is the subject of this order)

(the subject), of _____
(residence)

and on the basis of this examination and any other pertinent facts that have been
communicated to me have probable cause to believe, based on the following grounds:

that the subject:

- (i) is suffering from a mental disorder for which he or she is in need of treatment or care and supervision that can be provided in the community;
- (ii) during the immediately preceding two-year period:
 - _____ (a) has been detained in an in-patient facility for a total of 60 days or longer;
 - _____ (b) has been detained in an in-patient facility on three or more separate occasions; or
 - _____ (c) has previously been the subject of a community treatment order;
- (iii) as a result of the mental disorder, is likely to cause harm to himself or herself or to others, or to suffer substantial mental or physical deterioration if he or she does not receive treatment or care and supervision while residing in the community;
- (iv) requires services in order to reside in the community so that he or she will not be likely to cause harm to himself or herself or to others, or to suffer substantial mental or physical deterioration, and these services exist in the community, are available to the subject and will be provided to the subject;

(v) as a result of the mental disorder, is unable to fully understand and to make an informed decision regarding his or her need for treatment or care and supervision; and

(vi) is capable of complying with the requirements for treatment or care and supervision contained in this community treatment order;

and therefore the subject will be provided with the following services and treatment:

_____.

If a certificate in support of this order is issued in Form H.4, the subject is to attend appointments with the attending psychiatrist/physician and with _____,
(name of case manager authorized by regional director)

and is to submit to medical treatment and services that are prescribed by the attending psychiatrist/physician, who will ensure that the required services will be provided for a period of _____ beginning on _____
(maximum 3 months) *(date)*

in order for the subject to reside in the community.

Date

Signature of examining psychiatrist

Signature of witness ”.

Part II of Appendix repealed

18 Part II of the Appendix is repealed.

Transitional

19(1) Any assets and liabilities of an individual in-patient in any of the Patients' Trust Accounts established by an in-patient facility pursuant to section 32 are transferred to and become the assets and liabilities of the individual in-patient in the Patients' Trust Account established pursuant to section 32.1 by the district health board that operates that in-patient facility.

(2) All assets and liabilities in any of the following accounts established by each in-patient facility are transferred to and, subject to subsection (4), become the assets and liabilities of the district health board that operates the in-patient facility:

- (a) Grants and Donations Trust Funds established pursuant to section 37;
- (b) Canteen (I.C.B.) Funds established pursuant to section 38;
- (c) Bazaar (I.C.B.) Funds established pursuant to section 39.

(3) All assets and liabilities of the Mental Health Services Special Purpose (I.C.B.) Fund established pursuant to section 40 are transferred to and, subject to subsection (4), are divided equally among the following district health boards and become the assets and liabilities of those district health boards:

- (a) Battlefords District Health Board;
- (b) East Central District Health Board;
- (c) Midwest District Health Board;
- (d) Moose Jaw/Thunder Creek District Health Board;
- (e) North Central District Health Board;
- (f) Prince Albert District Health Board;
- (g) Regina District Health Board;
- (h) Saskatoon District Health Board;
- (i) South Central District Health Board;
- (j) Swift Current District Health Board.

(4) A district health board to which assets are transferred pursuant to this section shall make expenditures from those assets only for the purposes for which the funds were originally established.

(5) The following accounts and funds cease to exist as of the day on which section 11 comes into force:

- (a) all Patients' Trust Accounts established pursuant to section 32;
- (b) all Grants and Donations Trust Funds established pursuant to section 37;
- (c) all Canteen (I.C.B.) Funds established pursuant to section 38;
- (d) all Bazaar (I.C.B.) Funds established pursuant to section 39;
- (e) the Mental Health Services Special Purpose (I.C.B.) Fund established pursuant to section 40.

Coming into force

20(1) Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Sections 11 and 16 of these regulations come into force 30 days after the day on which these regulations are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 104/97*The Milk Control Act, 1992*

Section 10

Board Order, dated December 2, 1997

(Filed December 2, 1997)

Title

1 These regulations may be cited as *The Milk Control Amendment Regulations, 1997 (No. 14)*.

R.R.S. c.M-15 Reg 1, Appendix amended

2 Subsection 3(1) of Part II of the Appendix to *The Milk Control Regulations* is amended:

(a) in clause (k):

(i) in subclause (i) by striking out "\$3.8654" and substituting "\$4.6323"; and

(ii) in subclause (ii) by striking out "\$7.0464" and substituting "\$6.3962"; and

(b) in clause (l):

(i) in subclause (i) by striking out "\$3.5396" and substituting "\$4.8473";

(ii) in subclause (ii) by striking out "\$2.7236" and substituting "\$2.7522"; and

(iii) in subclause (iii) by striking out "\$2.7236" and substituting "\$2.7522".

Coming into force

3 These regulations come into force on December 1, 1997.

SASKATCHEWAN REGULATIONS 105/97*The Pharmacy Act, 1996*

Section 52

Order in Council 762/97, dated December 3, 1997

(Filed December 4, 1997)

Title

1 These regulations may be cited as *The Drug Schedules Amendment Regulations, 1997*.

R.R.S. c.P-9.1 Reg 2 amended

2 *The Drug Schedules Regulations, 1997* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Clauses 2(2)(a) and (b) are repealed and the following substituted:**

“(a) the drugs listed in the schedules to the *Narcotic Control Regulations* (Canada) other than a drug mentioned in section 36 of those regulations;

“(b) the drugs listed in Schedule F of the *Food and Drug Regulations* (Canada) other than a drug listed in Part II of that Schedule:

(i) that is not in a form suitable for use by a human; or

(ii) for which the main product panel of both the inner label and the outer label clearly indicates that the drug is for veterinary use only”.

Section 3 amended

4 **Subsection 3(1) is amended by striking out “drugs” and substituting “additional drugs”.**

New section 4

5 **Section 4 is repealed and the following substituted:**

“Dispensing and selling drugs

4(1) A licensed pharmacist may sell a drug listed in Schedule I to the public only on the authority of a prescription issued by a practitioner who is a member of a category of practitioners authorized to prescribe the drug.

(2) Subject to section 23 of the Act, Schedule II and Schedule III drugs may only be sold to the public in a pharmacy.

(3) A licensed pharmacist may sell a drug listed in Schedule II or III to the public without a prescription”.

New section 5

6 **Section 5 is repealed and the following substituted:**

“Storing of Schedule II drugs

5 Drugs listed in Schedule II are to be stored in a secure location that:

(a) is in the pharmacy; and

(b) is not accessible to the public”.

Coming into force

7 These regulations come into force on the day on which section 1 of *The Drug Schedules Regulations, 1997* comes into force.

