

**PART II****REVISED REGULATIONS OF SASKATCHEWAN****CHAPTER E-0.01 REG 7***The Ecological Reserves Act*

## Section 4

Order in Council 102/1999, dated February 16, 1999

(Filed February 17, 1999)

**Title**

**1** These regulations may be cited as *The Representative Area Ecological Reserves Regulations*.

**Interpretation**

**2** In these regulations:

- (a) “**Act**” means *The Ecological Reserves Act*;
- (b) “**department**” means the department over which the minister presides;
- (c) “**ecosystem**” means a biological community of interacting organisms and their physical environment;
- (d) “**permit**” means a permit issued pursuant to these regulations;
- (e) “**permittee**” means the person to whom a permit is issued;
- (f) “**representative area**” means an ecological reserve designated pursuant to section 4.

**Purpose**

**3** The purpose of these regulations is to create representative areas to serve as benchmarks for measuring environmental change in, and the ecological health of, other areas in Saskatchewan by:

- (a) preserving the ecological resources of representative areas;
- (b) preserving the distinctive geological features of representative areas;  
and
- (c) providing opportunities for scientific research and study related to the ecological health of representative areas.

**Ecological reserves designated**

**4** The areas described in the Appendix are designated as ecological reserves.

**Activities allowed in a representative area without a permit**

**5(1)** Unless specifically prohibited from doing so in the Appendix, individuals or groups consisting of 10 or fewer individuals may enter and conduct the following activities in a representative area without a permit if those activities are otherwise authorized by law:

- (a) trapping;
- (b) hunting;
- (c) angling;
- (d) mushroom picking;

- (e) berry picking;
  - (f) walking, hiking, backpacking and nature observation and appreciation;
  - (g) any activity set out in the Appendix for that representative area.
- (2) Notwithstanding subsection (1), a group of more than 10 students may, without a permit, enter and conduct nature observation and appreciation in a representative area as part of an organized educational activity or pursuit.
- (3) Unless authorized to do so in the Appendix for that representative area, no individual entering a representative area for any purpose mentioned in subsection (1) or (2) shall:
- (a) introduce into the representative area any plant or animal species; or
  - (b) leave in the representative area any articles or materials taken into the representative area by that individual.

**Permit necessary for certain activities**

**6** A person who wishes to enter a representative area and conduct any of the following activities must obtain a permit authorizing that entrance and those activities from the minister:

- (a) access trail development;
- (b) research studies for the purpose of measuring and monitoring environmental change and ecological health in the representative area;
- (c) any activity mentioned in subsection 5(1) where that activity is to be conducted by more than 10 individuals and is otherwise authorized by law;
- (d) any activity set out in the Appendix for that representative area.

**Permit application**

**7** An application for a permit must be in a form acceptable to the minister and must include the following:

- (a) the name of the applicant;
- (b) where the person who will be responsible for directing the activity on the representative area is not the applicant, the name of the person who will be responsible for directing the activity;
- (c) the number of individuals who will be entering the representative area and, if requested by the minister, the names of those individuals;
- (d) a description of the proposed activity and methodology;
- (e) a description of the portion of the representative area to be used, with an accompanying map;
- (f) a description of the means of access to, and within, the representative area;
- (g) a statement regarding the proposed frequency and duration of the use of the representative area and the proposed dates that the activity will take place;

- (h) a statement regarding the predicted ecological impact of the activity and the methods that will be used to determine the impact;
- (i) a statement outlining the actions to be undertaken to mitigate the ecological impact of the activity;
- (j) any other information or material that the minister may require.

**Minister may issue permit**

**8(1)** The minister, after receiving and reviewing an application for a permit and any other information or material that the minister considers relevant, shall:

- (a) issue the permit, subject to any terms the minister considers appropriate; or
  - (b) refuse to issue the permit if, in the opinion of the minister:
    - (i) the activity is adverse to the principles of ecosystem-based management;
    - (ii) the activity is adverse to the ecosystem of the representative area;
    - (iii) the activity may conflict with the activities of other permittees in the representative area;
    - (iv) the activity may conflict with management plans that are in place for the representative area; or
    - (v) it is appropriate to do so for any other reason.
- (2) The minister shall notify an applicant of the decision to refuse to issue a permit.

**Implied terms**

**9** Unless the permit indicates otherwise, it is an implied term of every permit that the person authorized to enter the representative area under the permit shall not:

- (a) introduce into the representative area any plant or animal species; or
- (b) leave in the representative area any articles or materials taken into the representative area by that person.

**Permit may be amended, suspended or cancelled**

**10(1)** The minister may amend, suspend or cancel a permit where the minister is satisfied that:

- (a) the permittee or a person authorized to enter the representative area has contravened the terms of the permit or the provisions of any Act or regulations made pursuant to an Act that apply to activities in the representative area;
- (b) the activities of the persons authorized to enter the representative area under the permit are adverse to the ecosystem of the representative area or
- (c) any of the conditions mentioned in section 8 for refusing to issue a permit exist.

(2) Unless exigent circumstances exist, where the minister proposes to amend, suspend or cancel a permit, the minister shall provide the permittee with written reasons for the proposed amendment, suspension or cancellation and an opportunity to make written representations respecting that proposal.

**Disposition of representative area land**

**11** For the purposes of section 7 of the Act, nothing in these regulations precludes the Government from granting, transferring, assigning, leasing or disposing of any right, title, interest or estate in the land of a representative area where the grant, transfer, assignment, lease or disposition is respecting an activity authorized pursuant to section 5 or 6 or an activity set out in the Appendix for that representative area.

**Posting**

**12** For the purposes of section 8 of the Act, the publication of the Appendix in the Saskatchewan Gazette is deemed to be posting of a representative area.

**Coming into force**

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

## **Appendix**

### **PART I**

#### **Wapawekka Hills Representative Area**

**Activities for which a permit is not required**

**1** For the purposes of clause 5(1)(g) of the regulations, in the Wapawekka Hills Representative Area a permit is not required for the following activities:

- (a) pipestone collection for personal use;
- (b) outfitting, where that activity is carried out under an outfitter's licence issued or renewed pursuant to *The Outfitter and Guide Regulations, 1996* prior to the coming into force of this Part;
- (c) placement of bait, where that activity is carried out:
  - (i) in accordance with *The Wildlife Regulations, 1991*; and
  - (ii) in conjunction with the outfitting activity mentioned in clause (b);
- (d) wild rice harvesting, where that activity is carried out under a licence or permit issued or renewed pursuant to *The Wild Rice Regulations* prior to the coming into force of this Part;
- (e) staking a mineral claim in the areas described in section 4 of this Part;
- (f) use of the land respecting a recreation lease, where the lease was issued prior to the coming into force of this Part;
- (g) any activity mentioned in clause (b), (d) or (f) where that activity is carried out pursuant to a licence, permit or lease issued or renewed after the coming into force of this Part on the basis of a licence, permit or lease that existed prior to the coming into force of this Part.

**Activity for which a permit is required**

**2** For the purposes of clause 6(d) of the regulations, a permit is required for mineral exploration in the areas described in section 4 of this Part.

**Description of Wapawekka Hills Representative Area**

**3** The Wapawekka Hills Representative Area consists of all those lands lying within the boundaries described as:

- (a) commencing at a point of latitude 54°51'22" longitude 104°00'00";
- (b) thence westerly approximately 7.2 kilometres along the line of approximate latitude 54°51'22" to a point of longitude 104°06'43";
- (c) thence southerly approximately three kilometres along the line of approximate longitude 104°06'43" to a point of latitude 54°49'48";
- (d) thence due west approximately three kilometres along the line of latitude 54°49'48" to a point of longitude 104°09'32";
- (e) thence southerly approximately three kilometres along the line of approximate longitude 104°09'32" to a point of latitude 54°48'11";
- (f) thence due west approximately two kilometres along the line of latitude 54°48'11" to a point of longitude 104°11'28";
- (g) thence southerly approximately four kilometres along the line of approximate longitude 104°11'28" to point of latitude 54°46'01";
- (h) thence westerly approximately two kilometres along the line of approximate latitude 54°46'01" to a point of longitude 104°13'23";
- (i) thence southerly approximately six kilometres along the line of approximate longitude 104°13'23" to a point of latitude 54°42'50";
- (j) thence westerly approximately 20.1 kilometres along the line of approximate latitude 54°42'50" to a point of longitude 104°32'02";
- (k) thence northerly approximately 11 kilometres along the line of approximate longitude 104°32'02" to a point of latitude 54°48'50";
- (l) thence due west approximately three kilometres along the line of latitude 54°48'50" to a point of longitude 104°34'48";
- (m) thence due north approximately two kilometres along the line of longitude 104°34'48" to a point of latitude 54°49'55";
- (n) thence due west approximately two kilometres along the line of latitude 54°49'55" to a point of longitude 104°36'40";
- (o) thence due north approximately two kilometres along the line of longitude 104°36'40" to a point of latitude 54°51'00";
- (p) thence due west approximately one kilometre along the line of latitude 54°51'00" to a point of longitude 104°37'34";
- (q) thence due north approximately one kilometre along the line of longitude 104°37'34" to a point of latitude 54°51'32";

(r) thence westerly approximately 2.1 kilometres along the line of approximate latitude 54°51'32" to a point on the south bank of Wapawekka Lake at approximate longitude 104°39'22";

(s) thence north-easterly approximately 66 kilometres along the south bank of Wapawekka Lake to the point where the south bank of Wapawekka Lake intersects with the south bank of Deschambault River at approximate latitude 54°55'42" longitude 104°01'36";

(t) thence easterly approximately two kilometres along the south bank of Deschambault River to the point where the south bank intersects with longitude 104°00'00" at approximate latitude 54°55'23";

(u) thence due south approximately 7.6 kilometres along the line of longitude 104°00'00" to the point of commencement;

excepting lands identified as Parcel A as shown on registered plan #91PA20640, being 0.41 hectares (1 acre) more or less.

**Mineral exploration areas**

4 For the purposes of clauses 1(e) and section 2 of this Part, the area in which the staking of a mineral claim and mineral exploration may take place consists of all those lands lying within the boundaries described as:

Firstly:

(a) commencing at a point on the south bank of Wapawekka Lake at latitude 54°55'26" longitude 104°20'38";

(b) thence southerly approximately 1.3 kilometres along the line of approximate longitude 104°20'38" to a point of latitude 54°54'47";

(c) thence due west approximately 1.7 kilometres along the line of latitude 54°54'47" to a point of longitude 104°22'16";

(d) thence due south approximately 0.8 kilometres along the line of longitude 104°22'16" to a point of latitude 54°54'22";

(e) thence due west approximately 3.2 kilometres along the line of latitude 54°54'22" to a point of longitude 104°25'16";

(f) thence due south approximately 0.8 kilometres along the line of longitude 104°25'16" to a point of latitude 54°53'56";

(g) thence westerly approximately 1.6 kilometres along the line of approximate latitude 54°53'56" to a point of longitude 104°26'42";

(h) thence southerly approximately 0.8 kilometres along the line of approximate longitude 104°26'42" to a point of latitude 54°53'31";

(i) thence westerly approximately 1.0 kilometres along the line of approximate latitude 54°53'31" to a point of longitude 104°27'40";

(j) thence southerly approximately 0.8 kilometres along a line of approximate longitude 104°27'40" to a point of latitude 54°53'06";

- (k) thence due west approximately 1.6 kilometres along a line of latitude 54°53'06" to a point of longitude 104°29'10";
- (l) thence due south approximately 1.7 kilometres along a line of longitude 104°29'10" to a point of latitude 54°52'08";
- (m) thence westerly approximately 0.8 kilometres along a line of approximate latitude 54°52'08" to a point of longitude 104°29'53";
- (n) thence due south approximately 0.8 kilometres along a line of longitude 104°29'53" to a point of latitude 54°51'47";
- (o) thence due west approximately 1.6 kilometres along a line of latitude 54°51'47" to a point of longitude 104°31'26";
- (p) thence due south approximately 1.6 kilometres along a line of longitude 104°31'26" to a point of latitude 54°50'56";
- (q) thence due west approximately 0.9 kilometres along a line of latitude 54°50'56" to a point of longitude 104°32'17";
- (r) thence due south approximately 0.9 kilometres along a line of longitude 104°32'17" to a point of latitude 54°50'24";
- (s) thence due west approximately 2.3 kilometres along a line of latitude 54°50'24" to a point of longitude 104°34'26";
- (t) thence due south approximately 0.7 kilometres along a line of longitude 104°34'26" to a point of latitude 54°50'02";
- (u) thence westerly approximately 1.7 kilometres along a line of approximate latitude 54°50'02" to a point of longitude 104°36'00";
- (v) thence northerly approximately 2.1 kilometres along a line of approximate longitude 104°36'00" to a point of latitude 54°51'07";
- (w) thence due west approximately 1.2 kilometres along a line of latitude 54°51'07" to a point of longitude 104°37'12";
- (x) thence due north approximately 1.0 kilometres along a line of longitude 104°37'12" to a point of latitude 54°51'36";
- (y) thence westerly approximately 2.3 kilometres along a line of approximate latitude 54°51'36" to a point on the south bank of Wapawekka Lake at approximate longitude 104°39'18";
- (z) thence northeasterly approximately 33 kilometres along the south bank of Wapawekka Lake to the point of commencement;

Secondly:

- (a) commencing at a point on the south bank of Wapawekka Lake at latitude 54°55'37" longitude 104°01'37";
- (b) thence due south approximately 0.1 kilometres along a line of longitude 104°01'37" to a point of latitude 54°55'34";

- (c) thence due west approximately 1.1 kilometres along a line of latitude  $54^{\circ}55'34''$  to a point of longitude  $104^{\circ}02'38''$ ;
- (d) thence due south approximately 0.4 kilometres along a line of longitude  $104^{\circ}02'38''$  to a point of latitude  $54^{\circ}55'23''$ ;
- (e) thence due west approximately 0.5 kilometres along a line of latitude  $54^{\circ}55'23''$  to a point of longitude  $104^{\circ}03'07''$ ;
- (f) thence due south approximately 0.4 kilometres along a line of longitude  $104^{\circ}03'07''$  to a point of latitude  $54^{\circ}55'12''$ ;
- (g) thence due west approximately 2.5 kilometres along a line of latitude  $54^{\circ}55'12''$  to a point of longitude  $104^{\circ}05'28''$ ;
- (h) thence due south approximately 0.8 kilometres along a line of longitude  $104^{\circ}05'28''$  to a point of latitude  $54^{\circ}54'47''$ ;
- (i) thence due west approximately 4.9 kilometres along a line of latitude  $54^{\circ}54'47''$  to a point of longitude  $104^{\circ}10'05''$ ;
- (j) thence northerly approximately 2.4 kilometres along the line of approximate longitude  $104^{\circ}10'05''$  to a point of latitude  $54^{\circ}56'06''$ ;
- (k) thence westerly approximately 3.2 kilometres along the line of approximate latitude  $54^{\circ}56'06''$  to a point of longitude  $104^{\circ}12'58''$ ;
- (l) thence southerly approximately 0.8 kilometres along the line of approximate longitude  $104^{\circ}12'58''$  to a point of latitude  $54^{\circ}55'41''$ ;
- (m) thence westerly approximately 4.0 kilometres along the line of approximate latitude  $54^{\circ}55'41''$  to a point of longitude  $104^{\circ}16'48''$ ;
- (n) thence northerly approximately 1.6 kilometres along the line of approximate longitude  $104^{\circ}16'48''$  to a point on the south bank of Wapawekka Lake at approximate latitude  $54^{\circ}56'35''$ ;
- (o) thence easterly approximately 25 kilometres along the south bank of Wapawekka Lake to the point of commencement; and

Thirdly:

- (a) commencing at a point of latitude  $54^{\circ}53'49''$  longitude  $104^{\circ}00'00''$ ;
- (b) thence southerly approximately 4.3 kilometres along a line of approximate longitude  $104^{\circ}00'00''$  to a point of latitude  $54^{\circ}51'29''$ ;
- (c) thence westerly approximately 7.6 kilometres along a line of approximate latitude  $54^{\circ}51'29''$  to a point of longitude  $104^{\circ}07'05''$ ;
- (d) thence due north approximately 0.2 kilometres along a line of longitude  $104^{\circ}07'05''$  to a point of latitude  $54^{\circ}51'43''$ ;
- (e) thence due west approximately 4.6 kilometres along a line of latitude  $54^{\circ}51'43''$  to a point of longitude  $104^{\circ}11'28''$ ;



- (f) thence due south approximately 0.3 kilometres along a line of longitude 104°11'28" to a point of latitude 54°51'32";
- (g) thence westerly approximately 3.3 kilometres along a line of approximate latitude 54°51'32" to a point of longitude 104°14'31";
- (h) thence due north approximately 1.9 kilometres along a line of longitude 104°14'31" to a point of latitude 54°52'41";
- (i) thence due east approximately 1.5 kilometres along a line of latitude 54°52'41" to a point of longitude 104°13'05";
- (j) thence due north approximately 0.4 kilometres along a line of longitude 104°13'05" to a point of latitude 54°52'55";
- (k) thence easterly approximately 1.7 kilometres along a line of approximate latitude 54°52'55" to a point of longitude 104°11'31";
- (l) thence due north approximately 0.5 kilometres along a line of longitude 104°11'31" to a point of latitude 54°53'06";
- (m) thence due east approximately 2.4 kilometres along a line of latitude 54°53'06" to a point of longitude 104°09'14";
- (n) thence due north approximately 0.8 kilometres along a line of longitude 104°09'14" to point of latitude 54°53'31";
- (o) thence due east approximately 2.5 kilometres along a line of latitude 54°53'31" to a point of longitude 104°06'54";
- (p) thence due south approximately 0.8 kilometres along a line of longitude 104°06'54" to a point of latitude 54°53'06";
- (q) thence easterly approximately 2.4 kilometres along a line of approximate latitude 54°53'06" to a point of longitude 104°04'37";
- (r) thence due north approximately 0.8 kilometres along a line of longitude 104°04'37" to a point of latitude 54°53'28";
- (s) thence due east approximately 0.8 kilometres along a line of latitude 54°53'28" to a point of longitude 104°03'50";
- (t) thence northerly approximately 0.8 kilometres along a line of approximate longitude 104°03'50" to a point of latitude 54°53'53";
- (u) thence easterly approximately 4.1 kilometres along a line of approximate latitude 54°53'53" to the point of commencement.

## PART II

### Seager Wheeler Lake Representative Area

#### Activities for which a permit is not required

1 For the purposes of clause 5(1)(g) of the regulations, in the Seager Wheeler Lake Representative Area a permit is not required for the following activities:

- (a) snowmobiling, where that activity takes place on trails that existed prior to the coming into force of this Part;

- (b) outfitting, where that activity is carried out under an outfitter's licence issued or renewed pursuant to *The Outfitter and Guide Regulations, 1996* prior to the coming into force of this Part;
- (c) placement of bait, where that activity is carried out:
  - (i) in accordance with *The Wildlife Regulations, 1991*; and
  - (ii) in conjunction with the outfitting activity mentioned in clause (b);
- (d) wild rice harvesting, where that activity is carried out under a licence or permit issued or renewed pursuant to *The Wild Rice Regulations* prior to the coming into force of this Part;
- (e) bait fishing, where that activity is carried out under a bait fishing licence issued pursuant to *The Fisheries Regulations*;
- (f) use of the land respecting a recreation lease, where the lease was issued prior to the coming into force of this Part;
- (g) any activity mentioned in clause (b), (d) or (f) where that activity is carried out pursuant to a licence, permit or lease issued or renewed after the coming into force of this Part on the basis of a licence, permit or lease that existed prior to the coming into force of this Part.

**Description of Seager Wheeler Lake Representative Area**

**2** The Seager Wheeler Lake Representative Area consists of all those lands lying west of the Second Meridian within Saskatchewan described as:

- (a) Sections 7 to 11, 14 to 23 and 26 to 34 in projected Township 58, Range 10;
- (b) Sections 7 to 36 in projected Township 58, Ranges 11, 12 and 13;
- (c) Sections 11 to 14, 23 to 27 and 34 to 36 in projected Township 58, Range 14;
- (d) Sections 3 to 10 and 13 to 36 in projected Township 59, Range 10;
- (e) Sections 1 to 36 in projected Township 59, in Ranges 11 and 12;
- (f) Sections 1 to 28 and 33 to 36 in projected Township 59, Range 13;
- (g) Sections 1, 2, 11, 12, 13, 14, 23 and 24 in projected Township 59, Range 14;
- (h) Sections 1 to 36 in projected Township 60, in Ranges 10, 11 and 12;
- (i) Sections 1 to 4, 9 to 16, 21 to 28 and 33 to 36 in projected Township 60, Range 13;
- (j) Sections 1 to 36 in projected Township 61 in Ranges 10, 11 and 12;
- (k) Sections 1 to 5, 8 to 17, 20 to 29 and 32 to 36 in projected Township 61, Range 13;
- (l) Sections 2 to 11, 14 to 23 and 26 to 35 in projected Township 62, Range 10;
- (m) Sections 1 to 36 in projected Township 62, Ranges 11 and 12; and
- (n) Sections 1 to 5, 8 to 17, 20 to 29 and 32 to 36 in projected Township 62, Range 13.

**CHAPTER G-5.1 REG 86***The Government Organization Act*

Sections 19 and 24

and

*The Highways and Transportation Act, 1997*

Section 3

Order in Council 103/1999, dated February 16, 1999

(Filed February 17, 1999)

**Title**

1 These regulations may be cited as *The Short Line Railway Financial Assistance Regulations*.

**Interpretation**

2 In these regulations:

- (a) **“Canada Agri-Infrastructure Program”** means the program outlined in the agreement between Saskatchewan and Canada entitled the Canada Agri-Infrastructure Program (Saskatchewan 1996-97) signed July, 1996 as amended by agreement number one signed March 27, 1997 and agreement number two signed April 14, 1998, and includes any other similar program or funding from the Government of Canada;
- (b) **“loan”** means the amount of money paid to a participant by the Government of Saskatchewan pursuant to the Short Line Railway Financial Assistance Program;
- (c) **“minister”** means the member of the Executive Council to whom for the time being the administration of these regulations is assigned;
- (d) **“participant”** means:
  - (i) an individual who:
    - (A) is 18 years of age or more;
    - (B) is named in a valid Saskatchewan Health Services card issued for the purposes of *The Saskatchewan Medical Care Insurance Act*;
    - (C) lives within 50 kilometres of the railway line with respect to which the loan is made; and
    - (D) is the owner or proposed owner of the railway line with respect to which the loan is made; or
  - (ii) a corporation, co-operative or partnership that:
    - (A) has its head office in Saskatchewan;
    - (B) in the minister’s opinion, carries on business principally in Saskatchewan;

(C) is the owner or proposed owner of a railway line; and

(D) consists of shareholders, members or partners of whom 50 per cent or more reside within 50 kilometres of the railway line with respect to which the loan is made;

(e) **“railway line”** means the land, track and structure situated in Saskatchewan:

(i) on which a railway may be operated; and

(ii) that is subject to the legislative authority of Saskatchewan.

**Program established**

**3** The Short Line Railway Financial Assistance Program is established for the purpose of providing financial assistance in the form of loans to participants who have acquired or intend to acquire a railway line in Saskatchewan for the purposes of operating the railway line as a common carrier.

**Minister may provide financial assistance**

**4** The minister may provide a participant with financial assistance in the form of a loan to assist the participant to purchase a railway line, subject to the terms and conditions set forth in these regulations and any other terms and conditions that the minister considers appropriate or necessary.

**Application**

**5(1)** A participant may apply for a loan pursuant to these regulations by submitting an application to the minister that is in the form and contains any information that the minister may require.

(2) Every application for a loan must contain:

(a) the business plan for the operation of the railway line;

(b) the net salvage value of the railway line;

(c) the purchase price of the railway line; and

(d) the amount of financial assistance being requested from the Government of Saskatchewan pursuant to the Short Line Railway Financial Assistance Program which is an amount equal to the amount the participant is entitled to receive or has received pursuant to the Canada Agri-Infrastructure Program to a maximum of the lesser of 16 per cent of:

(i) the net salvage value of the railway line; and

(ii) the purchase price of the railway line.

(3) Where the minister receives an application pursuant to subsection (1), the minister may request from the participant or any other person any other information that the minister considers necessary to evaluate the application, including:

(a) appraisals or other evidence acceptable to the minister, establishing the net salvage value of the railway line; and

(b) any other information that the minister may reasonably require.

**Loan approval**

**6(1)** Where the minister receives an application pursuant to section 5, the minister, subject to subsection (2), may approve a participant's application for a loan in an amount equal to the amount the participant is entitled to receive or has received pursuant to the Canada Agri-Infrastructure Program to a maximum amount of the lesser of 16 per cent of:

- (a) the net salvage value of the railway line; and
- (b) the purchase price of the railway line.

**(2)** For the purposes of subsection (1), the minister must be satisfied that:

- (a) the participant has complied with these regulations;
- (b) the operation of the railway line proposed by the participant will be economically viable;
- (c) the operation of the railway line has strong local support in the area in which the railway line is situated;
- (d) the operation of the railway line will support the economic growth and social well-being of Saskatchewan;
- (e) the participant will operate the railway line as a common carrier;
- (f) in order to purchase the railway line, the participant is entitled to receive or has received financial assistance pursuant to the Canada Agri-Infrastructure Program;
- (g) in order to purchase the railway line, the participant is entitled to receive or has received financial assistance from local governments or local area residents in an amount equal to at least eight per cent of the lesser of:
  - (i) the net salvage value of the railway line; and
  - (ii) the total purchase price of the railway line;
- (h) in order to purchase the railway line, the participant is entitled to receive or has received a loan from a bank, credit union or other lender, on terms that are acceptable to the minister, for the balance of the purchase price of the railway line;
- (i) the participant is entitled to receive or has received all commercial or regulatory licences, permits or approvals that are required to own and operate the railway line on terms that are acceptable to the minister;
- (j) the participant has provided or will, if requested by the minister to do so, provide security for the loan in any form that the minister may require, including a land mortgage, general security agreement, option to purchase or any other instrument, to ensure the repayment of an amount of money equal to the total amount of the loan; and
- (k) there are sufficient funds remaining in the Short Line Railway Financial Assistance Program to make the loan.

(3) The minister may approve a loan conditional on compliance with or on the fulfilment of any of the matters mentioned in subsection (2) or on any other conditions that are not inconsistent with these regulations that the minister considers appropriate or necessary.

**Repayment**

7 Subject to section 8, every participant who receives a loan pursuant to these regulations shall repay the amount of the loan to the Crown in right of Saskatchewan, together with accrued interest, if any, within 15 years from the date on which the loan was made to the participant, or any other period that does not exceed 15 years that the minister determines to be appropriate.

**Default**

8(1) Where a participant is in default pursuant to this section, the entire balance of the loan together with accrued interest, if any, is a debt due and owing to the Crown in right of Saskatchewan from the date of the default without further demand or notice.

(2) From the date of default, the amount remaining to be paid on the loan is subject to interest:

(a) at the rate of interest that is set out in the terms and conditions approving the loan or as otherwise agreed to by the minister and the participant; or

(b) if no interest rate has been agreed to by the minister and the participant, at a floating rate of interest that is equal to the sum of:

(i) the prime lending rate of the bank holding Saskatchewan's general revenue fund; and

(ii) two per cent.

(3) A participant is deemed to be in default if:

(a) the participant defaults with respect to any payment of principal or interest;

(b) the participant fails to submit to the minister any information required pursuant to these regulations or pursuant to any agreement between the minister and the participant, or the participant breaches or fails to comply these regulations or with any condition of the loan or an agreement with the minister;

(c) the participant fails to open the railway line pursuant to the provisions of *The Railway Act* with respect to which the loan was made within four months of the date on which the loan was paid to the participant;

(d) after giving the participant an opportunity to be heard, the minister determines that the participant knowingly made a false or misleading statement on the application for the loan or any form or in any information or document provided to the minister pursuant to these regulations;

(e) any bankruptcy, receivership, reorganization, compromise, arrangement, insolvency or liquidation proceedings or any other actions by or for the benefit of creditors, are instituted by or against the participant;

- (f) the participant ceases to own the railway line; or
  - (g) the participant ceases to operate the railway line as a common carrier for a period of more than four consecutive months.
- (4) The participant shall immediately give the minister written notice of any event of default.
- (5) Where a participant is in default pursuant to subsection (3):
- (a) the principal on the loan, less any amount repaid pursuant to section 7, together with accrued interest, if any:
    - (i) is immediately due and payable to the Crown in right of Saskatchewan; and
    - (ii) bears interest in accordance with subsection (2); and
  - (b) the Crown in right of Saskatchewan may take any action authorized by *The Financial Administration Act, 1993* or at law that it considers necessary:
    - (i) to effect collection of the principal and interest owing;
    - (ii) to obtain any additional security;
    - (iii) to realize on its security; or
    - (iv) to effect any compromise with, or grant any concession to, any participant or to any other person to the extent that it considers advisable.

**Waiver of default**

**9** Where a participant is in default, as set out in section 8, on a loan made pursuant to these regulations, the minister may waive the default on any terms and conditions that the minister considers appropriate.

**Audit**

**10(1)** A participant who has received a loan pursuant to these regulations shall provide, at the minister's request, any information, documents or records that the minister may reasonably require to audit the financial affairs of the participant's railway line operation.

(2) The minister may at any time request a participant to provide an audited financial statement of the financial affairs of the participant's railway line operation and the audit must be conducted by a person who:

- (a) is a member in good standing of a recognized professional accounting association;
- (b) is independent of the participant; and
- (c) is independent of the participant's officers and directors.

**Overpayment**

**11** Any overpayment made to a participant is a debt due to the Crown in right of Saskatchewan and may be recovered in the manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

**Coming into Force**

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

**CHAPTER P-42.1 REG 1***The Public Service Act, 1998*

Sections 14 and 39

Order in Council 104/1999, dated February 16, 1999

Commission Order, dated January 28, 1999

(Filed February 17, 1999)

**PART I****Title, Interpretation and Application****Title****1** These regulations may be cited as *The Public Service Regulations, 1999*.**Interpretation****2** In these regulations:

- (a) “**Act**” means *The Public Service Act, 1998*;
- (b) “**collective agreement**” means a collective agreement entered into pursuant to section 38 of the Act;
- (c) “**fiscal year**” means the period commencing on April 1 of one year and ending on March 31 of the following year.

**Application****3** These regulations apply to all employees in the classified division of the public service except employees who are within the scope of a collective agreement respecting matters governed by that agreement.**PART II****Classification of Positions****Criteria for classification****4(1)** For the purposes of section 17 of the Act, the chairperson shall set out written criteria to determine the classification of any position.**(2)** The written criteria must include either:

- (a) the following:
  - (i) a set of classification standards respecting, and a description of, the typical duties and responsibilities for each classification level; and
  - (ii) a title for each classification level; or
- (b) a combination of:
  - (i) a set of the weighted common job evaluation factors; and
  - (ii) a set of comparative descriptions that demonstrate how the weighted common job evaluation factors are applied to the duties and responsibilities of various types of job assignments.



**Classification plan not to limit permanent head's authority**

5 Nothing in the written criteria mentioned in section 4 is to be construed as limiting the authority of any permanent head to assign the duties and responsibilities, or to direct or control the work, of any employee who is under that permanent head's supervision.

**Allocation of positions**

6 In determining the classification to which any position is to be allocated, the commission shall base its decision on:

- (a) the written criteria mentioned in either clause 4(a) or (b);
- (b) the duties, responsibilities and requirements of the position assignment; and
- (c) the relationship of the position to comparative or benchmark descriptions established in the classification plan.

**Classification review**

7(1) A permanent employee may apply for a classification review whenever there has been a material change in his or her assigned duties and responsibilities.

(2) A department shall submit to the commission a request for a classification review whenever there has been a material change in the duties and responsibilities assigned to an existing position in the department.

(3) An employee or a department shall submit a request for a classification review in the job assignment format designated by the commission.

(4) Where the duties and responsibilities of a position have changed, the commission may reclassify the position.

(5) Notwithstanding subsection (1), no employee on initial probation and no employee performing duties on a non-permanent basis is entitled to request a classification review.

**Non-permanent change**

8(1) Where the duties and responsibilities of a position change on a non-permanent basis, the commission may temporarily reclassify the position with the salary being determined in accordance with section 33, 34, 35 or 36.

(2) Where the commission temporarily reclassifies a position pursuant to subsection (1), it shall review the reclassification every 12 months.

**Classification appeals**

9(1) A permanent employee whose position is outside the scope of a collective agreement may appeal a reallocation or reclassification decision to the commission when the employee has received written notification of the result of the decision.

(2) An appeal pursuant to subsection (1) must be made within 15 days after receiving the written notification.

(3) The commission shall notify an employee who has made an appeal of its decision in writing within 15 days following the appeal.

(4) The decision of the commission on an appeal is final and binding.

PART III  
**Employment**

DIVISION 1  
**Demotions**

**Demotions**

**10** A permanent head may demote an employee under that permanent head's supervision to a position in another department with:

- (a) the prior approval of the chairperson; and
- (b) the concurrence of the permanent head supervising the department to which the employee is to be demoted.

DIVISION 2  
**Re-employment List**

**Requirements of re-employment list**

**11** Where a re-employment list is made up pursuant to section 26 of the Act, the re-employment list is to be made up, and, where the re-employment list is used to make appointments, appointments are to be made from that re-employment list, in the following order:

- (a) persons who were in the classified division and were laid off because of the necessity to reduce staff;
- (b) persons who are returning from indefinite leave as a result of prolonged illness or disability and who have received wage benefits from an employer-sponsored disability income plan, workers' compensation benefits or income replacement benefits pursuant to Part VIII of *The Automobile Accident Insurance Act*;
- (c) persons who are displaced by reversion pursuant to section 26 of these regulations;
- (d) persons who have been dismissed or demoted and who, on appeal pursuant to section 28 of the Act, have been absolved of all discredit in connection with the dismissal or demotion;
- (e) persons who, in accordance with subsection 26(3) of the Act, have returned from leave with the unclassified division or with a corporation established or continued pursuant to *The Crown Corporations Act, 1993*;
- (f) permanent employees who have failed a probationary period in a subsequent appointment.

**Restrictions on appointment from re-employment list**

**12(1)** Where a person who is eligible pursuant to section 11 for employment using the re-employment list submits a statement restricting the conditions under which he or she is available for employment, that person's name is not to be used in making appointments to positions that do not meet the conditions the person has specified.

(2) A person mentioned in subsection (1) may file a new statement at any time to modify any prior statement respecting the conditions under which the person will be available for employment.

**Removal of names from re-employment list**

**13(1)** The chairperson may remove a person's name from the re-employment list for any of the following reasons:

- (a) the person has been appointed to fill a permanent position in his or her former salary range or in another class at an equivalent or higher salary range;
  - (b) the person has failed to reply within 10 working days to a written inquiry relating to availability for appointment;
  - (c) the person has refused to accept an appointment under conditions previously specified by the person as acceptable;
  - (d) the person has failed to report for duty within the time prescribed in an offer of employment, if the time prescribed is at least 30 working days;
  - (e) the person has failed to notify the commission or the department in which the employee was last employed of a change of the employee's address;
  - (f) the commission has received information that establishes to the satisfaction of the commission that the person is unsuitable or unqualified for employment;
  - (g) three years have expired from the date the person's name was first placed on the re-employment list.
- (2) For the purposes of clause (1)(e), the return of a letter by the postal authorities from the last address on record with the commission or the department is deemed to be sufficient grounds for removal of the name from the re-employment list.

**Filling positions from re-employment list**

**14** If a person is on the re-employment list and is found to be qualified for a position in his or her former salary range or an equivalent or lower salary range, the chairperson may authorize the person to be appointed to that position.

**Reinstatement of name on re-employment list**

**15(1)** An eligible person whose name is removed from the re-employment list pursuant to section 13 may request the chairperson in writing to have his or her name restored.

(2) On receipt of the request, the chairperson shall decide to restore or not restore the name of the person to the re-employment list and shall advise the person in writing of the decision.

**DIVISION 3**

**Filling Positions using the Competitive Process**

**Interpretation and application of Division**

**16(1)** In this Division, "**recruitment panel**" means a panel composed of a departmental representative and either an employee of the commission or a person to whom the commission has delegated its authority to make recruitment decisions respecting a position.

(2) This Division applies only to positions to be filled by permanent employees.

**Assessments**

**17(1)** A recruitment panel shall base its assessment of a candidate for a position on all of the following:

- (a) an investigation of the candidate's education, experience or record of accomplishment;
- (b) a test of the candidate's knowledge, skill, ability or aptitude;
- (c) an inquiry into the candidate's personal attributes;
- (d) a check into the candidate's references and work history.

(2) An employee or candidate who has undergone an assessment has the right to receive counselling from the recruitment panel respecting the employee's or candidate's strengths and areas requiring development as revealed by the results of the assessment.

**Errors in assessments**

**18** If an error in an assessment is discovered, the chairperson may correct the error, but any error does not invalidate or in any way affect any appointment already made as a result of the original ratings in that competition.

**Selection**

**19** Subject to section 20, the permanent head supervising the department in which the position is located shall select one person to be appointed to fill the vacancy from among the persons who have been assessed as qualified by the recruitment panel.

**Cancellation or postponement of competition**

**20(1)** Subject to subsection (2), the permanent head supervising the department in which a vacant position is located may:

- (a) reject all persons assessed to be qualified for the position; or
- (b) cancel the request to fill the position.

(2) The permanent head may do the things mentioned in subsection (1) only where the permanent head submits written reasons for the rejection or cancellation that are acceptable to the commission.

(3) All candidates interviewed for a position shall be informed in writing of a permanent head's decision mentioned in subsection (1).

**Withdrawal of candidate's name**

**21** The chairperson may withdraw the name of any candidate for a position where the chairperson determines, following investigation, that the candidate was assessed to be qualified for the position based on misrepresentation, omission or error.

**Appointment by other than competition**

**22** Notwithstanding any other provision in this Part, the commission may employ any process of recruitment and selection that, in its opinion, will enable it to appoint a suitably qualified candidate to a position in a department if the commission is satisfied that using the competitive process described in section 17 is not practicable or in the public interest for any of the following reasons:

- (a) the urgency of making the appointment;

- (b) the unusual or exceptional qualifications required for the position;
- (c) the unusual or exceptional qualifications possessed by the candidate;
- (d) a known shortage of qualified candidates;
- (e) the importance of achieving employment equity in the department;
- (f) the candidate is returning from leave where the candidate was receiving benefits pursuant to an employer-sponsored disability income plan, workers' compensation benefits or income replacement benefits pursuant to Part VIII of *The Automobile Accident Insurance Act*;
- (g) the candidate's immediately former employer has merged with the Government of Saskatchewan as a result of the Government of Saskatchewan's initiative or action;
- (h) the Government of Saskatchewan has entered into an agreement with an employer to transfer that employer's employees to the Government of Saskatchewan.

#### DIVISION 4 **Other Appointments**

##### **Appointment of superannuate**

**23(1)** Where a person who has been superannuated pursuant to *The Public Service Superannuation Act* is appointed to a position in the public service, the permanent head supervising the department in which the person is appointed shall immediately notify the Public Service Superannuation Board in writing of the date of that appointment.

(2) No person shall approve payment of money for personal services to a person who is a superannuate pursuant to *The Public Service Superannuation Act* and who is appointed to a position in the public service unless notice mentioned in subsection (1) has been given to the Public Service Superannuation Board.

##### **Appointment of students**

**24** The commission may authorize a permanent head to appoint students or other persons who, in the opinion of the commission, are suitable to serve as apprentices or students-in-training.

#### DIVISION 5 **Probation**

##### **Probationary periods**

**25(1)** Unless waived by the commission, every employee shall serve a probationary period of 12 months of actual service on appointment to a position.

(2) If the employee has not qualified for the position at the end of the 12 months of actual service, the permanent head supervising the employee may extend the probationary period of employment for one additional period not to exceed six months.

**Permanent employee reversion on failure of a probationary period**

**26(1)** Where a permanent employee has been appointed to another position and that employee fails to qualify for that position during a probationary period established pursuant to section 25, the employee is entitled to revert to the employee's former position at the employee's former salary in the salary range subject to any salary adjustments that the employee would have received had the employee remained in that position.

(2) An employee on initial probation has no reversion rights.

(3) If there is no former position for the employee mentioned in subsection (1), the employee's name is to be placed on the re-employment list and section 11 applies to the employee.

**Right of displaced employee to revert**

**27** A permanent employee displaced through the application of the reversion provisions in section 26 has the right to revert to the employee's former position at the employee's former salary in the salary range subject to any salary adjustments that the employee would have received had the employee remained in that position.

**Request to revert**

**28(1)** A permanent employee who is on probation may make a request in writing to the permanent head supervising the department in which the employee was employed to revert to a vacant position in the employee's former department at the same level as the employee's former level and at the employee's former salary in the salary range subject to any salary adjustments that the employee would have received had the employee remained in that position.

(2) On the recommendation to the commission of the permanent head mentioned in subsection (1), an employee who requests reversion pursuant to subsection (1) and who is qualified is deemed to be qualified for appointment to the vacant position.

**Confirmation of permanent status**

**29** The commission shall appoint a probationary employee to permanent status at the completion of the employee's probationary period on documentation of satisfactory performance and approval of the permanent head supervising the employee.

## PART IV Compensation

**Interpretation of Part**

**30** In this Part:

(a) **"in-range salary adjustment"** means:

(i) a permanent increase to an employee's regular salary within the employee's salary range in recognition of the employee's performance; or

(ii) a payment in recognition of an employee's performance calculated as a non-permanent retroactive increase in the employee's regular salary over the employee's previous performance review period;

(b) “**regular salary**” means a specific salary exclusive of temporary salary supplements and non-permanent retroactive increases in regular salary;

(c) “**regular salary range maximum**” means the maximum salary in a salary range established by the Lieutenant Governor in Council for a class of positions, but does not include temporary salary supplements and in-range salary adjustments;

(d) “**regular salary range minimum**” means the minimum salary in a salary range established by the Lieutenant Governor in Council for a class of positions;

(e) “**salary range**” means a pay range established by the Lieutenant Governor in Council pursuant to section 19 of the Act;

(f) “**temporary salary supplement**” means a specific sum of money paid to an employee in addition to the employee’s regular salary in each pay period.

#### **Salary on initial appointment**

**31(1)** The commission shall determine the salary of a person appointed to a position in the classified division on that person’s initial appointment to the public service.

(2) The salary mentioned in subsection (1) must be within the salary range established for that position.

#### **Temporary salary supplements**

**32(1)** Subject to subsections (2) and (3), where the commission is satisfied that an employee’s qualifications or other special circumstances respecting the employment of an employee warrant recognition, the commission may establish a temporary salary supplement for that employee.

(2) An employee’s temporary salary supplement established pursuant to subsection (1) must not exceed 25% of the employee’s regular salary.

(3) No temporary salary supplement is to be granted without the written approval of the commission.

(4) The commission may amend a temporary salary supplement at any time.

#### **Promotions**

**33** On the promotion of an employee to a different position with a higher salary range maximum, the commission may authorize a salary for the employee at:

(a) the regular salary range minimum of the position; or

(b) a salary in accordance with the commission’s policy on promotions, but only if the new salary does not exceed:

(i) 10% above the employee’s salary immediately before the promotion;  
or

(ii) the regular salary range maximum of the position.

#### **Salary on promotion or transfer from in-scope to out-of-scope**

**34** Where an employee is promoted or transferred from a position within the scope of a collective agreement to a position outside the scope of a collective agreement, the commission shall determine the employee’s new regular salary.

**Salary on demotion**

**35** Where an employee is demoted, the commission shall determine the employee's new regular salary.

**Salary on reclassification**

**36(1)** Where an employee's position is reclassified to a position having a higher regular salary range maximum than the regular salary range maximum of the employee's former position, the commission may authorize a salary for the employee in accordance with section 33, and that section applies, with any necessary modifications, for the purposes of this subsection.

(2) Where an employee's position is reclassified to a position having a lower regular salary range maximum than that of the employee's former position and:

(a) the employee's regular salary immediately before the reclassification exceeds the regular salary range maximum for the reclassified position, the employee:

(i) retains the salary range in effect immediately before the reclassification, and that retained salary range, as applied to the employee, is not to change as a result of any structural adjustments made pursuant to section 19 of the Act to salary ranges after the reclassification; and

(ii) subject to subsection (3), is entitled to advance through the retained salary range mentioned in subclause (i); or

(b) the employee's regular salary immediately before the reclassification is equal to or less than the regular salary range maximum for the reclassified position, the employee:

(i) is to be placed in the regular salary range of the reclassified position; and

(ii) is entitled to advance through the regular salary range of the reclassified position.

(3) Where the regular salary range maximum of the reclassified position of an employee described in clause (2)(a) exceeds the regular salary range maximum of the retained salary range, the employee is to be placed in the regular salary range of the reclassified position.

(4) Where an employee's position is reclassified on a temporary basis to another class, the employee is eligible to receive in-range salary adjustments in the other class if:

(a) the employee has reached the regular salary range maximum of the employee's regular class; and

(b) the employee would have been eligible for an in-range salary adjustment if the employee's position had been reclassified on a permanent basis.

(5) Where an employee receives an in-range salary adjustment pursuant to subsection (4) and the employee is promoted, the salary of the employee at the time of the promotion, including the in-range salary adjustment, becomes the base salary for the purposes of calculating the employee's salary on promotion.



**Salary on reallocation**

**37(1)** Where a position is reallocated pursuant to section 17 of the Act, the regular salary of the employee encumbering the position is to:

- (a) be adjusted to the regular salary range minimum of the new class if the employee's regular salary immediately before the reallocation is below the regular salary range minimum of the new class; or
  - (b) remain the same if the employee's regular salary immediately before the reallocation is within the regular salary range of the new class.
- (2) Subsections 36(2) and (3) apply with any necessary modification in determining the regular salary of an employee encumbering a position on reallocation where:
- (a) the position is allocated to or reallocated within a classification plan; and
  - (b) the regular salary range maximum of the position before the allocation or reallocation exceeds that of the allocated or reallocated position.

**Reclassification involving probationary employee**

**38(1)** Where, as a result of a review initiated by the commission or the department, a position is reclassified to a class with a higher regular salary range maximum while the employee encumbering the position is serving an initial probationary period, the commission shall determine the employee's salary by:

- (a) adjusting the regular salary to the regular salary range minimum resulting from the reclassification; or
  - (b) applying the normal promotion formula as prescribed in these regulations.
- (2) Where a position is reclassified to a class with a lower regular salary range maximum while the employee encumbering the position is serving a probationary period, the employee's regular salary:
- (a) where the employee's regular salary immediately before the reclassification exceeds the regular salary range maximum resulting from the reclassification, is to be reduced to the regular salary range maximum; or
  - (b) where the employee's regular salary immediately before the reclassification is within the salary range of the lower salary range, that employee's regular salary remains the same and the employee is eligible for in-range progression.

**Additional amount on temporary substitution**

**39(1)** Where an employee is assigned duties for a temporary period of greater than 15 working days but less than two years and, if the assignment were made on a permanent basis, the employee's position would be reclassified, the employee is entitled to a temporary substitution amount in addition to the employee's regular salary to be determined in accordance with section 33, and that section applies, with any necessary modification, for the purposes of this subsection.

(2) Notwithstanding subsection (1), where an employee in a management support group class is assigned duties for a temporary period of greater than five working days but less than two years and, if the assignment were made on a permanent basis, the employee's position would be reclassified, the employee is entitled to a temporary substitution amount in addition to the employee's regular salary to be determined in accordance with section 33, and that section applies, with any necessary modification, for the purposes of this subsection.

**In-range adjustment**

**40(1)** Subject to subsection (2), all employees are eligible annually to receive an in-range salary adjustment effective on July 1 of each year in accordance with the criteria set out in Table 1 of the Appendix and determined using any performance appraisal system authorized by the commission.

(2) No employee is entitled to receive an in-range salary adjustment if it would result in the employee's regular salary being greater than the regular salary range maximum for the employee's position.

**Accelerated in-range salary adjustments**

**41(1)** On the recommendation of the permanent head supervising an employee, the chairperson may authorize the employee to receive an in-range salary adjustment greater than that mentioned in section 40 to take effect on the first day of the month following approval.

(2) The chairperson may approve an in-range salary adjustment pursuant to subsection (1) only if:

- (a) the resulting regular salary for the employee does not exceed the regular salary range maximum for the employee's position; and
- (b) the chairperson is satisfied that the increase is required for reasons of internal equity or market considerations.

**Salary structure adjustment**

**42** Notwithstanding any other provision of this Part, the commission may approve a percentage increase to an employee's regular salary in an amount not greater than the percentage increase added by the Lieutenant Governor in Council to the regular salary range maximum of the salary range where:

- (a) the Lieutenant Governor in Council increases the regular salary range maximum of a salary range pursuant to section 19 of the Act; and
- (b) the commission is satisfied that the employee, whose position is within the salary range whose regular salary range maximum has been increased, has had a satisfactory performance.

**Salary on re-employment after lay-off**

**43** Where an employee is re-employed in the public service after being laid off, the commission shall determine the employee's salary.

**Overtime pay for certain positions**

**44** The commission shall:

- (a) designate positions that are eligible for compensation for overtime work in accordance with these regulations; and
- (b) set the rate of compensation for overtime work.

PART V  
**Working Conditions and Benefits**  
DIVISION 1  
**Hours of Work and Designated Holidays**

**Hours of work**

**45** The commission shall determine the hours of work for employees.

**Designated holidays**

**46(1)** Every permanent employee is entitled to leave with pay for New Year's Day, Good Friday, Victoria Day, Canada Day, Saskatchewan Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and one additional day each year designated by the chairperson.

(2) Every non-permanent employee is entitled to leave with pay or to payment at the appropriate rate for the days mentioned in subsection (1).

**Transfer of holidays**

**47(1)** Employees whose regular weekly days off are Saturday and Sunday on a permanent basis are governed by the following rules of transfer of holidays when holidays fall on either of those two days:

(a) if a holiday falls on a Sunday, the following Monday is deemed to be a holiday;

(b) if a holiday falls on a Saturday, the chairperson shall designate either the preceding Friday or the following Monday a holiday;

(c) if either Christmas Day or Boxing Day falls on a Saturday or Sunday, the chairperson, subject to clause (a), shall designate another working day or days to be a holiday or holidays.

(2) If a holiday falls on an employee's assigned day off and the employee is required to work that holiday, the employee shall be paid an amount of compensation determined by the chairperson.

(3) If an employee is required to work on a holiday, the chairperson may authorize the employee to have time off in lieu of pay or additional compensation.

DIVISION 2  
**Vacation Entitlement**

**Annual vacation leave**

**48** During the first fiscal year of employment, permanent and probationary employees are entitled to vacation leave credits as follows:

(a) if the employee commences employment on the first working day of the month, the employee is entitled from that day to the following March 31 to a vacation leave with pay of one and one-quarter days for each completed month of service;

(b) if the employee commences employment on a day other than the first day of the month, the employee is entitled from the first of the following month to the following March 31 to a vacation leave with pay of one and one-quarter days for each completed month of service.

**Payment in lieu of vacation leave**

**49** If an employee mentioned in section 48 does not receive direction by the department in which the employee is employed to take vacation leave by March 31, the employee is entitled to be paid in lieu of the vacation leave at the employee's normal salary based on the vacation leave that the employee earned.

**Vacation leave for non-permanent employees**

**50(1)** A non-permanent employee who works full-time hours is entitled to receive vacation pay, in lieu of vacation leave, at the appropriate rate to be determined in accordance with section 60.

(2) A non-permanent employee is entitled to receive the vacation pay mentioned in subsection (1) payable with each regular cheque paid to the employee.

**Entitlement following one year**

**51(1)** An employee is entitled to take three weeks' vacation leave with pay during the first complete fiscal year following the date of employment and in each fiscal year following the first fiscal year up to but not including the fiscal year in which the employee completes eight years of service.

(2) Vacation leave pursuant to subsection (1) is earned at the rate of one and one-quarter days for each completed month of service.

**Entitlement after eight years**

**52(1)** An employee is entitled to take four weeks' vacation leave with pay during the fiscal year in which the employee completes eight years or more of service with the executive government of Saskatchewan or any board, commission or Crown corporation of the Government of Saskatchewan and in each fiscal year following the eighth fiscal year up to but not including the fiscal year in which the employee completes 15 years of service.

(2) Vacation leave pursuant to subsection (1) is earned at the rate of one and two-thirds days for each completed month of service.

**Entitlement after 15 years**

**53(1)** An employee is entitled to take five weeks' vacation leave with pay during the fiscal year in which the employee completes 15 years or more of service and in each fiscal year following the fifteenth fiscal year up to but not including the fiscal year in which the employee completes 25 years of service.

(2) Vacation leave pursuant to subsection (1) is earned at the rate of two and one-twelfth days for each completed month of service.

**Entitlement after 25 years**

**54(1)** An employee is entitled to take six weeks' vacation leave with pay during the fiscal year in which the employee completes 25 years of service and in every fiscal year after that.

(2) Vacation leave pursuant to subsection (1) is earned at the rate of two and one-half days for each completed month of service.

**Years of service for calculating vacation entitlement**

**55(1)** For the purposes of vacation entitlement at 15 and 25 years, “**years of service**” means:

- (a) service with the executive government of Saskatchewan or any board, commission or Crown corporation of the Government of Saskatchewan;
  - (b) pensionable employment and war service for which the employee is credited pursuant to *The Public Service Superannuation Act*; and
  - (c) service with district health boards, boards of education and the conseil scolaire in Saskatchewan, the University of Saskatchewan and The University of Regina and service with the Saskatchewan Government and General Employees’ Union or the Canadian Union of Public Employees where the primary responsibility while in that service was acting as a bargaining agent for the Saskatchewan Government and General Employees’ Union Public Sector Bargaining Unit or the Canadian Union of Public Employees Local 600.
- (2) To qualify for vacation entitlement at 15 and 25 years, at least 10 years of employment must be with the executive government of Saskatchewan or any board, commission or Crown corporation of the Government of Saskatchewan.

**Vacation leave entitlement on retirement**

**56** An employee leaving the public service on retirement at age 65 or with 35 years of service is entitled to pay in lieu of his or her full vacation entitlement for the year of his or her retirement.

**Salary advance for vacations**

**57(1)** Once each year, an employee is entitled to receive salary in advance for the month in which the employee’s vacation leave begins if the employee makes a written request for the advance to the employee’s immediate supervisor not less than 17 working days before commencing leave.

(2) Payment of salary in advance is to be made on the morning of the work day preceding the first day of the vacation leave.

**Vacation leave for exposure to hazardous radiation**

**58(1)** If an employee is, in the opinion of the permanent head supervising the employee, regularly engaged in duties that expose the employee to hazardous radiation, that employee is entitled to an additional week of vacation leave each year.

(2) Subsection (1) applies only to persons who were employed in those duties on March 31, 1976 and who have been continuously employed in those duties since that date.

**Restriction on vacation leave**

**59(1)** An employee may take vacation leave only subject to the direction and consent of the permanent head supervising the employee.

(2) Where an employee has entered into financial commitments respecting a vacation that had been approved and then restricted by the employer and the employee is unable to cancel the commitment without financial loss, the employee is entitled to be reimbursed to the extent of the employee's financial loss.

**Vacation pay**

**60** Where an employee does not receive the full monthly pay for the position the employee occupies for any reason, the employee is to receive, together with the employee's regular pay for that part month, vacation pay at the following rates:

- (a) 6.36% if the employee earns vacation leave at the rate of one and one-quarter days per month;
- (b) 8.64% if the employee earns vacation leave at the rate of one and two-thirds days per month;
- (c) 11% if the employee earns vacation leave at the rate of two and one-twelfth days per month;
- (d) 13.44% if the employee earns vacation leave at the rate of two and one-half days per month.

**DIVISION 3  
Sick Leave**

**Entitlement to sick leave**

**61(1)** Subject to subsection (2), a probationary employee with less than three months' service is entitled to leave for sickness or other pressing necessity, personal leave or leave for family responsibilities.

- (2) The maximum of all leave granted pursuant to subsection (1) is one week.
- (3) A probationary or permanent employee with three or more months' continuous service is entitled to 15 working days' sick leave with pay at the beginning of each fiscal year.
- (4) The sick leave mentioned in subsection (3) is earned on the basis of one and one-quarter days for each completed month of service, and any unused days are accumulated from year to year.
- (5) An employee is entitled to draw on the employee's sick leave credits to a maximum of all sick leave credits earned.
- (6) Subject to subsection (7), a non-permanent employee is entitled to sick leave on the basis of one and one-quarter days for each completed month of service.
- (7) If a non-permanent employee is employed on less than a full-time basis, the non-permanent employee's entitlement pursuant to subsection (6) is to be prorated, with the prorated amount being based on the time the non-permanent employee worked.
- (8) The permanent head supervising the employee may require the employee to provide a medical certificate before allowing the employee to draw on the employee's sick leave credits.

(9) If a permanent head requires an employee to provide a medical certificate pursuant to subsection (8), the department in which the employee is employed is responsible for the cost of obtaining the medical certificate.

**Use of future sick leave credits**

**62** At the discretion of the permanent head supervising the employee, an employee whose sick leave benefits are exhausted may draw on the employee's future sick leave credits to a maximum of 30 days.

**Transfer of sick leave credits**

**63(1)** An employee who transfers to the public service from a board, commission or Crown corporation of the Government of Saskatchewan may transfer accumulated sick leave to the department in which the employee is employed with proof of entitlement.

(2) The board, commission or Crown corporation from which an employee is transferred shall provide to the department to which the employee is transferring the employee's record of total accumulated sick leave.

(3) The department to which the employee is transferring assumes the liability for all actual sick leave accumulation as set out in the record mentioned in subsection (2).

**Pressing necessity, personal and family responsibility leave**

**64** An employee's immediate supervisor may grant an employee leave of absence without pay, or with pay chargeable to employee sick leave credits, for reasons of pressing necessity, personal matters or family responsibilities.

**Paid leave entitlement on separation**

**65(1)** Notwithstanding any other provision of these regulations, in the fiscal year in which an employee separates from the public service, the employee earns sick leave credits on the basis of one and one-quarter days for each completed month of service.

(2) Subject to subsection (3), if an employee becomes ill prior to receiving notice of lay-off and the employee's illness has not ended prior to the date of lay-off, the employee may use the employee's accumulated sick leave credits to a maximum of 75 days from the employee's date of illness.

(3) An employee must provide a medical verification of the employee's illness that is satisfactory to the department in which the employee was employed prior to the lay-off.

(4) Subject to subsection (5), if an employee who is leaving the public service has taken any type of paid leave in excess of the amount earned by the employee, the employee is to have deducted from any money owing to the employee by the Government of Saskatchewan an amount calculated on the basis of the number of days over-expended at the employee's salary on separation.

(5) If the reason for the employee's separation from the public service is the employee's death, no amount respecting sick leave credits is to be deducted from any money owing to the employee by the Government of Saskatchewan.

**Continuation of sick leave credits**

**66(1)** Sick leave credits accumulate from the date on which the employee last entered the public service.

(2) Notwithstanding subsection (1), an employee who has had a break in service or has left the public service for three years or less is, on return, entitled to be credited with all the accumulated sick leave credits the employee was credited with prior to the break in service.

(3) On the re-appointment of an employee to the public service following a break in service of more than three years, the chairperson may reinstate the employee's sick leave credits to the extent they were accumulated by the employee prior to the break and were not used by the employee in the previous period of employment with the public service.

**DIVISION 4****Leave of Absence without Pay****Granting leave of absence without pay**

**67(1)** The permanent head supervising an employee may grant the employee a definite leave of absence without pay for a period not exceeding 24 months.

(2) A permanent head shall grant a leave of absence without pay in accordance with commission policy for reasons of maternity, paternity, adoption or prolonged illness.

(3) An employee who has a prolonged illness and who requires leave further to leave granted pursuant to subsection (1) is entitled to be granted indefinite leave of absence without pay.

**Return of employee following definite leave without pay**

**68(1)** At the end of a definite leave of absence without pay granted pursuant to section 67 or at an earlier date agreed to by the permanent head supervising the department in which the employee was employed prior to the leave, the employee is to be reinstated in the position from which the employee was granted the leave.

(2) Where the position of a permanent employee was abolished during a definite leave of absence without pay, the employee is subject to the applicable lay-off provisions as if the employee had been occupying the position at the time of its abolition.

(3) Where the position of a permanent employee was reclassified to a position having a higher regular salary range maximum, as defined in Part IV, during the definite leave of absence without pay, the employee is subject to the applicable provisions of Part IV had the employee been occupying the position at the time of its reclassification.

**Indefinite leave**

**69(1)** The chairperson, on the recommendation of the permanent head supervising the employee, may grant a permanent employee an indefinite leave of absence without pay.



(2) An employee on indefinite leave of absence without pay shall apply for an extension of the leave annually and, with the application, shall give proof that the original conditions under which the leave was granted still prevail.

(3) Subsection (2) does not apply to an employee who is on an indefinite leave of absence without pay and who is receiving wage benefits from an employer-sponsored disability income plan, workers' compensation benefits or income replacement benefits pursuant to Part VIII of *The Automobile Accident Insurance Act*.

(4) Where a permanent employee who was granted indefinite leave of absence without pay pursuant to subsection (2) fails to make a written request to the chairperson within 30 days after the date on which the approved leave expires, the employee is deemed to have resigned.

**Application of benefits while on leave**

**70(1)** While an employee is on leave of absence without pay or on lay-off, the employee is entitled to earn benefits provided by these regulations as follows:

(a) for the first 30 consecutive days or less, all benefits except designated holidays;

(b) for the 31st to the 90th day, sick leave benefits only.

(2) The benefits provided pursuant to subsection (1) apply only where an employee returns to work at the expiry of the employee's leave unless the chairperson determines otherwise.

(3) Where the leave is for the purpose of taking other employment with the executive government of Saskatchewan, the commission may waive the application of this section and grant benefits that it considers appropriate.

**DIVISION 5**

**Leave of Absence with Pay**

**Special leave with pay**

**71** The permanent head supervising an employee may allow special leave with pay to the employee if the employee is required for casual service in the Canadian Armed Forces respecting guards of honour, funerals or other similar special occasions.

**Leave for duties**

**72** An employee who is appointed by the Government of Saskatchewan to a board, commission, committee, task force or other body is entitled to be granted leave of absence with pay in order to carry out duties arising from the appointment.

**Leave for Canadian Armed Forces training**

**73(1)** The permanent head supervising an employee may grant the employee leave of absence for two weeks to attend training or summer camp in the Canadian Armed Forces.

(2) Subject to subsection (3), where an employee is granted leave pursuant to this section and the employee's pay for the period as a member of the Canadian Armed Forces is less than the salary that the employee would be entitled to receive for that period from the Government of Saskatchewan, the employee is entitled to be paid the amount by which the two weeks' salary exceeds the two weeks' pay.

(3) No payment is to be made pursuant to subsection (2) until the department in which the employee is employed is provided with a certificate from the employee's commanding officer:

- (a) stating that the employee attended training or summer camp continuously during the period for which the leave was obtained; and
- (b) showing the amount paid to the employee as a member of the Canadian Armed Forces for the period.

(4) Leave granted pursuant to this section is not to be charged against vacation leave.

**Medical donor leave**

**74(1)** An employee who is donating an organ or bone marrow must be granted time off with pay for that purpose.

(2) The period for which an employee is entitled to be granted leave pursuant to this section is the period required for the donation and recuperation as approved by a duly qualified medical practitioner.

(3) Before receiving pay pursuant to this section, the employee shall provide the department in which the employee is employed with a certificate of a duly qualified medical practitioner setting out the period required for the donation and recuperation.

**Education leave**

**75(1)** The permanent head supervising an employee may grant the employee education leave in accordance with commission policies.

(2) Education leave assistance and allowances are governed by commission policy.

**Education leave agreement**

**76(1)** An employee who is granted education leave must complete an education leave agreement in a format approved by the commission.

(2) An employee mentioned in subsection (1) must complete a return in service commitment that is in accordance with commission policy.

(3) The department in which an employee who is granted education leave is employed shall file a copy of the education leave agreement with the commission.

## DIVISION 6 Workers' Compensation

**Application for workers' compensation**

**77(1)** In this section, "**normal earnings**" means, respecting a non-permanent employee who works less than full time, the average earnings of the employee over the employee's last four pay periods.

(2) Where an employee is injured, or contracts an industrial illness, in the performance of that employee's duties and the accident or illness is compensable pursuant to *The Workers' Compensation Act, 1979*:

- (a) for the period commencing on the day of injury and ending one year from the date of injury, the employee is entitled to receive the employee's normal earnings, and any compensation payable from the Workers' Compensation Board is to be paid directly to the Government of Saskatchewan;
- (b) for the period commencing after one year from the date of injury and ending two years from the date of injury or until the employee's sick leave credits are exhausted, whichever occurs first, the employee is entitled to receive the employee's normal earnings, and any compensation payable from the Workers' Compensation Board is to be paid directly to the Government of Saskatchewan; and
- (c) for the period commencing after two years after the date of the injury or the day following the day when the employee's sick leave credits are exhausted, whichever occurs first, the employee is entitled to receive only compensation as provided by the Workers' Compensation Board.
- (3) For the purposes of clause (2)(b), the difference between the employee's normal earnings and the compensation payable from the Workers' Compensation Board is to be charged against the employee's available sick leave credits.

**Benefits earned while receiving workers' compensation payments**

**78** Where compensation is being paid to an employee pursuant to *The Workers' Compensation Act, 1979*, the employee is entitled to earn benefits provided by these regulations as follows:

- (a) for the period commencing on the day of injury and ending one year from the date of injury, the employee is entitled to earn all benefits except vacation leave;
- (b) for the period commencing after one year from the date of injury and ending two years from the date of injury or until the employee's sick leave credits are exhausted, whichever occurs first, the employee is entitled to earn all benefits except vacation leave;
- (c) for the period commencing after two years after the date of the injury or the day following the day when the employee's sick leave credits are exhausted, whichever occurs first, the employee:
- (i) is to be placed on an indefinite leave of absence without pay; and
  - (ii) is entitled to earn benefits in accordance with section 70.

**DIVISION 7**  
**Miscellaneous**

**Permanent head to keep records of attendance**

**79** The permanent head supervising a department is responsible for maintaining adequate records of the attendance of employees employed in the department.

**Absence without leave**

**80(1)** If an employee is absent from duties without being specifically authorized in accordance with these regulations, the employee is deemed to be absent without pay, and that absence may be grounds for disciplinary action.

(2) If an employee is absent without leave for one week or more, the employee is deemed to have abandoned the employee's position and to have terminated the employee's employment, and the employee is to be separated from the public service.

**Employee being subpoenaed**

**81** An employee who is subpoenaed to appear as a witness or act as a juror at any official hearing, at the employee's option, may:

- (a) treat the absence as leave without pay and retain any fee received as a witness or juror;
- (b) deduct the period of absence from his or her vacation or overtime credits and retain any fee received as a witness or juror; or
- (c) treat the absence as leave with pay and pay to the Minister of Finance any fee received as a witness or juror.

**Medical examination**

**82(1)** The permanent head supervising an employee may require the employee to undergo an examination by a duly qualified medical practitioner whenever the permanent head considers that an examination is desirable to determine that the employee's health enables the employee to perform the employee's duties adequately and safely.

(2) The department in which the employee is employed shall pay the cost of any medical examination required pursuant to this section.

## DIVISION 8 Expenses and Allowances

**Sustenance and travelling**

**83** Where an employee is away from the employee's usual place of work on business for the Government of Saskatchewan and accommodation or meals are not provided, the employee is entitled to claim expenses based on rates established pursuant to the collective agreement between the Government of Saskatchewan and the Saskatchewan Government and General Employees' Union.

**Private transportation allowance**

**84(1)** If authorized to do so, an employee may travel by privately owned vehicle pursuant to the provisions of the government vehicle policy.

(2) Unless otherwise directed by the chairperson, the permanent head supervising an employee may approve special rates respecting forms of transportation other than vehicles owned by employees and used by them on business for the Government of Saskatchewan.

(3) An employee may use hired or rented transportation as long as the transportation is used only where another more economical or convenient means of transportation is not available.

(4) The permanent head supervising the employee must approve the use by the employee of hired or rented transportation, and the employee shall provide full particulars on the employee's expense account.

(5) An employee may use private aircraft on business for the Government of Saskatchewan if the use is in accordance with government policy.

**Northern District allowance**

**85** An employee residing in the Northern Saskatchewan Administration District is entitled to receive an allowance based on rates established pursuant to the collective agreement between the Government of Saskatchewan and the Saskatchewan Government and General Employees' Union.

**Special allowances**

**86** The chairperson may approve a special allowance in consideration of any special circumstance that may arise affecting an employee in the course of the employee's duties.

**Relocation allowances**

**87** The permanent head supervising an employee may allow the employee a relocation allowance in accordance with commission policy.

**Shift differential**

**88(1)** In addition to an employee's regular salary, the commission may allow an employee a shift differential in an amount determined by the commission for all hours worked between the hours of 6:00 p.m. and 7:00 a.m.

(2) A shift differential is not to be:

- (a) part of the employee's regular salary, as defined in section 30;
- (b) used in calculating an overtime rate; or
- (c) paid for any hours for which overtime rates are being paid pursuant to section 44.

**Professional fees**

**89** The Government of Saskatchewan shall pay, on behalf of employees in the public service, the professional fees of those employees who are required either by an Act or by a department to be a member of a professional association.

**Stand-by duty**

**90(1)** In addition to an employee's regular salary, the commission may authorize an employee to receive a stand-by differential in an amount approved by the commission to be paid for each eight-hour period or portion of an eight-hour period that an employee is assigned to be on stand-by.

(2) Salaried psychiatrists or physicians employed at institutions or clinical centres for mentally disabled persons are eligible for stand-by duty payment in an amount not to exceed the maximum of the Emergency Room Coverage Program as negotiated between the Government of Saskatchewan and the Saskatchewan Medical Association.

**Group life insurance plan**

**91** As a condition of employment, all employees in the public service are required to participate in the Public Service Group Life Insurance Plan.

PART VI  
**Separation and Lay-off**

**Normal date of retirement**

**92(1)** In this section, “**normal date of retirement**” means the first day of the month that follows the day on which an employee attains the age of 65 years.

(2) Unless otherwise approved by the chairperson, an employee shall retire on the employee’s normal date of retirement.

**Placing name on a re-employment list in case of lay-off**

**93(1)** A permanent employee whose position is abolished has the right to have the employee’s name placed on any applicable re-employment list that may be established pursuant to subsection 26(1) of the Act if the employee provides written notice to the commission within seven days after receiving notice that the employee’s position has been abolished.

(2) An employee who elects to have his or her name placed on a re-employment list pursuant to subsection (1) is entitled to have his or her name kept on the list for not more than three consecutive years from the day on which the employee’s position was abolished.

**Report on retirement or death**

**94** If an employee retires or dies, the permanent head supervising the department in which the employee was employed shall report the retirement or death of the employee in writing to the commission.

PART VII  
**Miscellaneous**

**Conflict of interest**

**95** All employees in the public service shall comply with the conflict of interest policy established by the commission.

**Prescribed oaths and declarations**

**96(1)** For the purposes of section 10 of the Act, the prescribed oath or declaration to be made by a commissioner is the oath or declaration set out in Form A of the Appendix.

(2) For the purposes of section 22 of the Act, the prescribed oath or declaration to be made by an employee in the public service is the oath or declaration set out in Form B of the Appendix.

PART VIII  
**Repeal and Coming into Force**

**R.R.S. c.P-42 Reg 3 repealed**

**97** *The Public Service Regulations* are repealed.

**Coming into force**

**98(1)** These regulations come into force on the day on which section 1 of *The Public Service Act, 1998* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Public Service Act, 1998* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**Appendix****FORM A**

[Subsection 96(1)]

**Oath or Declaration of Commissioner**

I, \_\_\_\_\_, solemnly and sincerely swear (or solemnly affirm):

1. That I will faithfully and honestly fulfil the duties which devolve on me as a commissioner of the Public Service Commission of Saskatchewan.
2. That I will not ask or receive any sum of money, service, recompense or matter or thing whatsoever directly or indirectly in return for what I have done or may do in the discharge of any of the duties of my said office, except my salary or remuneration, as provided for in *The Public Service Act, 1998*, or other remuneration that the law or a resolution of the Legislative Assembly of Saskatchewan may allow me.
3. That I will not, during my term of office, engage in any partisan political activities, whether by subscribing to or soliciting or collecting moneys for any political purpose, or canvassing for votes in any dominion or provincial election or in any other manner whatsoever.
4. That I will not be a party to making any appointments, promotions, transfers, increases of salary or dismissals, except as permitted by *The Public Service Act, 1998*, and that I will not entertain any representations regarding any appointments, promotions, transfers, increases of salary or dismissals except as authorized by that Act.
5. That I am in full agreement with the application of merit principles to public employment.

**FORM B**

[Subsection 96(2)]

**Oath or Declaration of Office**

I, \_\_\_\_\_, do solemnly and sincerely swear (or solemnly affirm):

1. That I will faithfully and honestly fulfil the duties that devolve on me as an employee in the public service of Saskatchewan.
2. That I will not ask or receive any sum of money, services, recompense or matter or thing whatsoever, directly or indirectly, in return for what I have done or may do in the discharge of any of my duties as an employee, except my salary or what may be allowed me by law or by an order of the Lieutenant Governor in Council.
3. That I will not without due authority in that behalf disclose or make known any matter or thing which comes to my knowledge by reason of my employment.

TABLE 1  
[Subsection 40(1)]

**Matrix of In-range Adjustments**

<b>Performance Category</b>	<b>Performance Adjustment</b>
Superior	5 - 8%
Quality	3 - 5%
Developmental/Needs Improvement	0 - 3%
Unsatisfactory	0%

**Note:** The aggregate of in-range adjustments in a year provided to all employees governed by Part IV is not to exceed 4% of the total regular salary paid to those employees.