



The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER

PART II/PARTIE II

Volume 97

REGINA, FRIDAY, JULY 13, 2001/REGINA, VENDREDI, 13 JUILLET 2001

No. 28/n°28

PART II/PARTIE II

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CHAPTER A-5.3 REG 1*The Adult Guardianship and Co-decision-making Act*

Section 75

Order in Council 486/2001, dated June 26, 2001

(Filed June 27, 2001)

Title

1 These regulations may be cited as *The Adult Guardianship and Co-decision-making Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Adult Guardianship and Co-decision-making Act*;
- (b) “**form**” means the appropriate form set out in the Appendix.

Forms prescribed

3 For the purposes of the Act:

- (a) Form A is the form for the application for:
 - (i) appointment as a personal co-decision-maker or personal guardian pursuant to section 14 of the Act; or
 - (ii) appointment as a property co-decision-maker or property guardian pursuant to section 40 of the Act;
- (b) Form B is the form for the affidavit of an applicant for an appointment mentioned in clause (a);
- (c) Form C is the form for the application for confirmation of a testamentary nomination of a personal co-decision-maker, personal guardian, property co-decision-maker or property guardian pursuant to section 64 of the Act;
- (d) Form D is the form for the affidavit of an applicant for a confirmation mentioned in clause (c);
- (e) Form E is the form for consent by a nearest relative to the appointment or confirmation mentioned in clauses (a) and (c);
- (f) Form F is the form for the affidavit of execution to be used in connection with Form E;
- (g) Form G is the form for the statement of objection pursuant to section 8 or 32 of the Act;
- (h) Form H is the form for the application for:
 - (i) appointment as a temporary personal guardian pursuant to section 19 of the Act; or
 - (ii) appointment as a temporary property guardian pursuant to section 44 of the Act;
- (i) Form I is the form for the affidavit of an applicant for an appointment mentioned in clause (h);

- (j) Form J is the form for the assessment of the adult's capacity pursuant to section 12 or 38 of the Act;
- (k) Form K is the form for the inventory required pursuant to subsection 53(1) of the Act where an application is made for the appointment of a property co-decision-maker or property guardian;
- (l) Form L is the form for the annual accounting required pursuant to subsection 54(1) of the Act where an order is made for the appointment of a property co-decision-maker or property guardian;
- (m) Form M is the form for the bond undertaking to properly act as a property co-decision-maker or property guardian pursuant to section 55 of the Act;
- (n) Form N is the form for an order appointing a personal co-decision-maker, personal guardian, property co-decision-maker, property guardian, temporary personal guardian or temporary property guardian pursuant to the Act;
- (o) Form O is the form for the notice of authority to act as property co-decision-maker, property guardian or temporary property guardian filed pursuant to subsection 57(1) of the Act;
- (p) Form P is the form for the withdrawal of notice pursuant to section 58 of the Act;
- (q) Form Q is the form for the amended notice pursuant to section 58 of the Act;
- (r) Form R is the form for the application to review, pursuant to section 66 of the Act, the appointment or testamentary nomination of a personal co-decision-maker, personal guardian, property co-decision-maker, property guardian, temporary personal guardian or temporary property guardian pursuant to the Act.

Notification of hearing

4 For the purposes of sections 9 and 33 of the Act, notification of a hearing is to be provided by registered mail sent to the address included in the application, consents or statements of objection filed with the court.

Assessment

5(1) An applicant pursuant to section 6 or 30 of the Act shall provide at least two assessments in Form J of the adult's capacity for the purposes of section 12 or 38 of the Act.

(2) At least two of the assessments provided pursuant to subsection (1) shall be performed by one or more of the following:

- (a) a duly qualified medical practitioner;
- (b) a registered psychologist as defined in *The Registered Psychologists Act* or a person mentioned in subsection 10(2) of that Act;
- (c) a registered nurse as defined in *The Registered Nurses Act, 1988*;
- (d) a practising member as defined in *The Occupational Therapists Act, 1997*;

- (e) a practising member as defined in *The Social Workers Act*;
 - (f) a speech-language pathologist as defined in *The Speech-Language Pathologists and Audiologists Act*.
- (3) Every assessment provided pursuant to section 12 or 38 of the Act must include the following:
- (a) the name, address and telephone number of the assessor;
 - (b) the qualifications of the assessor;
 - (c) the assessor's personal relationship to and professional involvement with the adult;
 - (d) the process used in carrying out the assessment, including reference to the assessment tools or methods used, the number of visits with the adult, the results of interviews with caregivers and other professional reports relied on;
 - (e) the assessor's opinion respecting the adult's abilities and disabilities relating to decision-making, including any diagnosis made;
 - (f) the assessor's opinion respecting the likelihood of change in the adult's decision-making ability;
 - (g) the assessor's opinion and recommendation respecting the adult's need for a co-decision-maker or guardian with respect to specific areas of decision-making.

Advocacy groups

6(1) With respect to an application relating to an adult with an intellectual disability, the following are prescribed as advocacy groups for the purposes of clause 36(b) of the Act:

- (a) Family and Friends of Cosmo and Elmwood, Inc. with respect to adults who are residents in a home operated by Elmwood Residences, Inc. of Saskatoon or who are participants in a day program operated by Cosmopolitan Industries in Saskatoon;
 - (b) the Saskatchewan Association for Community Living.
- (2) With respect to an application relating to an adult over the age of 55, Senior Power, Inc. is prescribed as an advocacy group for the purposes of clause 36(b) of the Act.

Dispensing with filing of bond

7 For the purposes of clause 55(4)(a) of the Act, the court may dispense with the filing of a bond where the value of the estate does not exceed \$10,000.

R.R.S. c.D-25.1 Reg 1 repealed

8 *The Dependent Adults Forms Regulations* are repealed.

Coming into force

- 9(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Adult Guardianship and Co-decision-making Act* comes into force.
- (2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Adult Guardianship and Co-decision-making Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

FORM A
[Clause 3(a)]

In the Queen's Bench

Judicial Centre of _____

Application for Appointment of a Decision-maker other than a Temporary Personal Guardian or Temporary Property Guardian

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that a person served with a copy of this application may file a statement of objection with the court setting out the reasons he or she objects to the application.

1. I, _____, of _____, _____, apply to be appointed as: *(check as appropriate)*

personal co-decision-maker for _____ pursuant to section 14 of *The Adult Guardianship and Co-decision-making Act*

personal guardian for _____ pursuant to section 14 of *The Adult Guardianship and Co-decision-making Act*

property co-decision-maker for _____ pursuant to section 40 of *The Adult Guardianship and Co-decision-making Act*:

with a bond for \$ _____

without a bond

property guardian for _____ pursuant to section 40 of *The Adult Guardianship and Co-decision-making Act*:

with a bond for \$ _____

without a bond

2. Personal Decision-Making Authority: *(where application is for the appointment of a personal co-decision-maker or personal guardian)*

(a) I seek the authority to assist the adult with the following: *(where application is for the appointment of a personal co-decision-maker - check as appropriate)*

- or -

(a) I seek the authority to make the following decisions for the adult: *(where application is for the appointment of a personal guardian - check as appropriate)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall not give the personal co-decision-maker or personal guardian the authority to act with respect to all the matters mentioned below if an order providing particular powers would be sufficient to meet the needs of the adult.

decisions respecting the adult's living arrangements

decisions respecting access to the adult

decisions respecting the adult's social activities

decisions respecting the adult's employment

- decisions respecting the adult's educational, vocational or other training
- decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult
- decisions respecting legal proceedings that do not relate to the estate of the adult
- decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult
- decisions respecting the restraint of the adult
- normal day-to-day decisions respecting the adult
- other: *(specify)* _____

(b) I request that the following limitations, conditions or requirements apply to the authority requested: *(optional)*

3. Property Decision-Making Authority: *(where application is for the appointment of a property co-decision-maker or property guardian)*

(a) I seek the authority to:

assist the adult in making decisions with respect to matters relating to his or her estate *(where application is for the appointment of a property co-decision-maker)*

– or –

make decisions with respect to matters relating to the adult's estate *(where application is for the appointment of a property guardian)*

(b) I request that the following limitations, conditions or requirements apply to the authority requested: *(optional)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall consider whether an order appointing a property co-decision-maker or property guardian should be made subject to limitations, conditions or requirements, including limiting the authority of the property co-decision-maker or property guardian to decisions involving more than a certain dollar amount.

(c) With respect to the requirement of a bond: *(check as appropriate)*

I undertake to file a bond in the amount of \$ _____ pursuant to section 55 of *The Adult Guardianship and Co-decision-making Act* (see *Form M*)

I request an order dispensing with the requirement to file a bond

4. Service

NOTE: You must include the addresses of the persons listed below that have been served other than the Minister of Social Services and the public trustee.

(a) I have served the following persons with all of the documents filed as part of this application: *(check as appropriate)*

- the adult with respect to whom the application is made
- the public trustee *(where application is for the appointment of a property co-decision-maker or property guardian)*
- the nearest relatives:
- Name: _____
- Relationship: _____
- Name: _____
- Relationship: _____
- Name: _____
- Relationship: _____
- the Minister of Social Services *(where the adult is receiving services pursuant to section 10 or 56 of The Child and Family Services Act)*
- the personal co-decision-maker, personal guardian or temporary personal guardian of the adult
- Name: _____
- Relationship: _____
- the property co-decision-maker, property guardian or temporary property guardian of the adult
- Name: _____
- Relationship: _____
- the attorney under a power of attorney given by the adult
- Name: _____
- Relationship: _____
- the proxy under a health care directive made by the adult
- Name: _____
- Relationship: _____
- the supporter nominated by the adult pursuant to section 9 of *The Personal Care Homes Regulations, 1996*
- Name: _____
- Relationship: _____

the person(s) who act(s) as trustee for the purpose of administering financial benefits on behalf of the adult

Name: _____

Relationship: _____

Name: _____

Relationship: _____

other: (specify) _____

(b) (If applicable) I seek an order stating that I am not required to serve the following persons:

NOTE: The Adult Guardianship and Co-decision-making Act provides that the court shall not dispense with service on the adult unless it is satisfied, on the basis of sufficient medical evidence, that special circumstances exist and service would be injurious to the adult and contrary to the best interests of the adult.

Name: _____

Relationship: _____

Name: _____

Relationship: _____

Name: _____

Relationship: _____

5. Optional

I request that the order include the following terms: (check as appropriate)

that the order be reviewed by the court in _____ months

Note: The Adult Guardianship and Co-decision-making Act provides that the court shall determine whether it is in the best interests of the adult to require a review of the order, and if a review is required, shall specify the period within which the review is to take place.

that the order not be reviewed by the court

that I receive the following fee for services: \$ _____

other: (specify) _____

6. Documents Attached

The following documents are filed with the court as part of this application: *(check as appropriate)*

- proof of service of application on all persons required to be served
- affidavit of proposed co-decision-maker or guardian *(Form B)*
- consent(s) of nearest relative(s) to appointment, if applicable without bond, of the proposed co-decision-maker or guardian and affidavit(s) of execution with respect to the consent(s) *(Forms E and F)*
- two or more assessments of the adult's capacity *(Form J)*
- inventory of the estate of the adult *(where application is for the appointment of a property co-decision-maker or property guardian) (Form K)*
- bond undertaking to properly act as a co-decision-maker or guardian *(where application is for the appointment of a property co-decision-maker or property guardian) (Form M)*
- other: *(describe)* _____
- _____

Dated at _____, _____, this _____ day of _____, 20 _____.

(Signature of Applicant)

Address for service: _____

Phone: _____ Fax: _____

E-mail: _____

FORM B
[Clause 3(b)]

In the Queen's Bench

Judicial Centre of _____

**Affidavit in Support of an Application for Appointment of a Decision-maker other than a
Temporary Personal Guardian or Temporary Property Guardian**

I, _____, of _____, _____, MAKE OATH AND SAY:

- 1. THAT I am the applicant and have personal knowledge of the matters deposed to in this affidavit, except where stated to be on information and belief, and where so stated I believe them to be true.
- 2. THAT I am _____ years of age.
- 3. THAT I am the _____ (*state relationship*) of the adult named in the application (the "adult").
- 4. THAT the nearest relative(s) of the adult, other than myself, is (are):

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. THAT the adult was born on _____, and is now _____ years of age.

6. THAT the adult currently resides at:

Address: _____

Phone: _____

7. THAT the current living arrangements of the adult, including the name, address and telephone number of any person, institution or agency providing ongoing support or primary care and assistance to the adult are:

8. THAT I believe the adult is in need of a _____ for the following reasons:

9. THAT the adult needs or is likely to need to make the following types of decisions respecting his or her (*check as appropriate*) personal/ property needs: (*describe why you need the authority requested in your application*)

10. THAT the following resources, including less intrusive forms of support or assistance in decision-making, are available to assist the adult in making the decisions mentioned in paragraph 9: (*describe type and frequency of support or assistance*)

11. THAT the following alternative ways to assist the adult have been tried or carefully considered:

12. THAT I believe the wishes of the adult are as follows: *(attach written statement of adult's wishes, if available, including the adult's wishes with respect to whether the authority requested should be granted and whether the proposed co-decision-maker or guardian is acceptable to him or her; indicate date signed, if possible)*

13. THAT I believe I would be a suitable _____ for the following reasons: *(where the deponent is not the public trustee)*

14. THAT I *(check as appropriate)* have/ have not been appointed as a decision-maker for another person pursuant to *The Dependent Adults Act* or *The Adult Guardianship and Co-decision-making Act* *(where the deponent is not the public trustee)*.

Details, including name and address of adult, date of order, authority granted and fees for services received: *(if applicable)*

15. THAT I *(check as appropriate)* have/ have not been in a relationship of financial trust with another person, including under a power of attorney.

Details: *(if applicable)*

16. THAT I *(check as appropriate)* have/ have not been convicted of, or received a pardon for, a criminal offence relating to assault, sexual assault or other acts of violence, intimidation, criminal harassment, uttering threats, theft or fraud. *(attach criminal record check completed by your local police service)*.

Details: *(if applicable)*

17. THAT I *(check as appropriate)* have/ have not been a respondent pursuant to *The Victims of Domestic Violence Act* or a defendant pursuant to a section of the *Criminal Code* relating to securing a peace bond.

Details: *(if applicable)*

18. THAT I (*check as appropriate*) have/ have not applied for or been petitioned into bankruptcy.

Details, including the status or outcome of that application or petition: (*if applicable*)

19. THAT I am able to carry out my duties as _____ in a satisfactory manner, for the following reasons:

20. THAT my general plan with respect to the adult or the adult's estate is as follows:

21. THAT the estimated value of the adult's estate is as follows: (*where application is for the appointment of a property co-decision-maker or property guardian*)

22. THAT the adult's property is currently managed as follows: (*where application is for the appointment of a property co-decision-maker or property guardian*)

23. (*If applicable*) THAT I request an order dispensing with the requirement to file a bond pursuant to section 55 of *The Adult Guardianship and Co-decision-making Act* for the following reasons: (*where application is for the appointment of a property co-decision-maker or property guardian*) (*attach consent of nearest relative or public trustee, if applicable*)

24. (If applicable) THAT the reasons I seek an order stating that I am not required to serve the following persons are:

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall not dispense with service on the adult unless it is satisfied, on the basis of sufficient medical evidence, that special circumstances exist and service would be injurious to the adult and contrary to the best interests of the adult.

Name: _____

Relationship: _____

Reason for dispensing with service: _____

Name: _____

Relationship: _____

Reason for dispensing with service: _____

25. THAT attached are the following exhibits, marked A to _____, all of which I believe to be true copies of the originals: (check as appropriate)

power of attorney given by the adult (where order appointing property co-decision-maker or property guardian is requested)

health care directive made by the adult (where order appointing personal co-decision-maker or personal guardian with authority respecting health care decisions is requested)

last will and testament made by the adult (where order appointing property co-decision-maker or property guardian is requested)

written statement of the adult's wishes

other: (describe) _____

26. THAT no other application, other than the following, has been made to this court for the appointment of a personal co-decision-maker, personal guardian, property co-decision-maker or property guardian for the adult, to the best of my information and belief:

27. THAT I am not aware of any conflict of interest that presently exists or will exist if I should be so appointed.

28. THAT I will undertake, on my appointment as co-decision-maker or guardian, to exercise the duties and powers assigned to me by the court diligently, in good faith and in the best interests of the adult. I will exercise my powers and duties in a way that encourages the adult to participate as fully as possible in decision-making and to act independently in all matters where he or she is able. I will protect the adult's civil and human rights and limit my interference in his or her life to the greatest extent possible.

29. THAT I make this affidavit in support of an application pursuant to *The Adult Guardianship and Co-decision-making Act* for an Order appointing me as the _____
for _____.

SWORN before me at _____)

Saskatchewan, this _____ day)

of _____, 20 _____)

(Signature of Applicant)

A Commissioner for Oaths in and for Saskatchewan

My appointment expires _____

FORM C
[Clause 3(c)]

In the Queen's Bench

Judicial Centre of _____

Application for Confirmation of a Testamentary Nomination (Appointment by Will)

1. I, _____, of _____, _____, apply for confirmation of a testamentary nomination as: *(check as appropriate)*

personal co-decision-maker for _____

personal guardian for _____

property co-decision-maker for _____

property guardian for _____

2. Property Decision-Making Authority: *(where application is for the confirmation of a testamentary nomination as a property co-decision-maker or property guardian)*

With respect to the requirement of a bond: *(check as appropriate)*

I undertake to file a bond in the amount of \$ _____ pursuant to section 55 of *The Adult Guardianship and Co-decision-making Act (see Form M)*

I request an order dispensing with the requirement to file a bond

3. Service

NOTE: You must include the addresses of the persons listed below that have been served other than the Minister of Social Services and the public trustee.

- (a) I have served the following persons with all of the documents filed as part of this application: *(check as appropriate)*

the adult with respect to whom the application is made

the public trustee *(where application is for the appointment of a property co-decision-maker or property guardian)*

the nearest relatives

Name: _____

Relationship: _____

Name: _____

Relationship: _____

Name: _____

Relationship: _____

- the Minister of Social Services (*where the adult is receiving services under section 10 or 56 of The Child and Family Services Act*)
- the personal co-decision-maker, personal guardian or temporary personal guardian of the adult
Name: _____
Relationship: _____
- the property co-decision-maker, property guardian or temporary property guardian of the adult
Name: _____
Relationship: _____
- the attorney under a power of attorney given by the adult
Name: _____
Relationship: _____
- the proxy under a health care directive made by the adult
Name: _____
Relationship: _____
- the supporter nominated by the adult pursuant to section 9 of *The Personal Care Homes Regulations, 1996*
Name: _____
Relationship: _____
- the person(s) who act(s) as trustee for the purpose of administering financial benefits on behalf of the adult
Name: _____
Relationship: _____
Name: _____
Relationship: _____
- other: (*specify*) _____

(b) (*If applicable*) I seek an order stating that I am not required to serve the following persons:

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall not dispense with service on the adult unless it is satisfied, on the basis of sufficient medical evidence, that special circumstances exist and service would be injurious to the adult and contrary to the best interests of the adult.

- Name: _____
Relationship: _____
- Name: _____
Relationship: _____
- Name: _____
Relationship: _____

4. Optional

I request that the order include the following terms: *(check as appropriate)*

- that the order be reviewed by the court in _____ months
- that the order not be reviewed by the court
- that I receive the following fee for services: \$ _____
- other: *(specify)* _____

5. Documents Attached

The following documents are filed with the court as part of this application: *(check as appropriate)*

- court-certified or notarial copy of the last will and testament of the previous co-decision-maker or guardian of the adult
- court-certified copy of the order appointing a co-decision-maker or guardian for the adult
- proof of service of application on all persons required to be served
- affidavit of proposed co-decision-maker or guardian *(Form D)*
- consent(s) of nearest relative(s) to confirmation, if applicable without bond, of the testamentary nomination of the proposed co-decision-maker or guardian and affidavit(s) of execution with respect to the consent(s) *(Forms E and F)*
- bond undertaking to properly act as a co-decision-maker or guardian, if applicable *(where application is for the confirmation of a testamentary nomination as a property co-decision-maker or property guardian) (Form M)*
- other: *(describe)* _____

Dated at _____, _____, this _____ day of _____, 20 _____.

(Signature of Applicant)

Address for service: _____

Phone: _____ Fax: _____

E-mail: _____

FORM D
[Clause 3(d)]

In the Queen's Bench

Judicial Centre of _____

**Affidavit in Support of an Application for Confirmation of a Testamentary
Nomination (Appointment by Will)**

I, _____, of _____, _____, MAKE
OATH AND SAY:

1. THAT I am the applicant and have personal knowledge of the matters deposed to in this affidavit, except where stated to be on information and belief, and where so stated I believe them to be true.
2. THAT I have been nominated in the will of _____, who died on _____, to act in that person's place as the _____ for _____ (the "adult"), and have been so acting since that person's death.
3. THAT I notified the public trustee of the above on _____ (*where application is for the confirmation of a property co-decision-maker or property guardian*).
4. THAT I am _____ years of age.
5. THAT I am the _____ (*state relationship*) of the adult.
6. THAT the nearest relative(s) of the adult, other than myself, is (are):

Name	Address	Relationship
_____	_____	_____
_____	_____	_____

7. THAT the adult was born on _____, and is now _____ years of age.
8. THAT the adult currently resides at:
Address: _____
Phone: _____
9. THAT the current living arrangements of the adult, including the name, address and telephone number of any person, institution or agency providing ongoing support or primary care and assistance to the adult are:

10. THAT I believe the wishes of the adult are as follows: (*attach written statement of adult's wishes, if available, including the adult's wishes with respect to whether the authority requested should be granted and whether the proposed co-decision-maker or guardian is acceptable to him or her; indicate date signed, if possible*)

11. THAT I believe I would be a suitable _____ for the following reasons:

12. THAT I (*check as appropriate*) have/ have not been appointed as a decision-maker for another person pursuant to *The Dependent Adults Act* or *The Adult Guardianship and Co-decision-making Act*.

Details, including name and address of adult, date of order, authority granted and fees for services received: (*if applicable*)

13. THAT I (*check as appropriate*) have/ have not been in a relationship of financial trust with another person, including under a power of attorney.

Details: (*if applicable*)

14. THAT I (*check as appropriate*) have/ have not been convicted of, or received a pardon for, a criminal offence relating to assault, sexual assault or other acts of violence, intimidation, criminal harassment, uttering threats, theft or fraud (*attach criminal record check completed by your local police service*).

Details: (*if applicable*)

15. THAT I (*check as appropriate*) have/ have not been a respondent pursuant to *The Victims of Domestic Violence Act* or a defendant pursuant to a section of the *Criminal Code* relating to securing a peace bond.

Details: (*if applicable*)

16. THAT I (*check as appropriate*) have/ have not applied for or been petitioned into bankruptcy.

Details, including the status or outcome of that application or petition: (*if applicable*)

17. THAT I am able to carry out my duties as _____ in a satisfactory manner, for the following reasons:

18. THAT my general plan with respect to the adult or the adult's estate is as follows:

19. (If applicable) THAT I request an order dispensing with the requirement to file a bond pursuant to section 55 of *The Adult Guardianship and Co-decision-making Act* for the following reasons: (where application is for the appointment of a property co-decision-maker or property guardian) (attach consent of nearest relative or public trustee, if applicable)

20. (If applicable) THAT the reasons I seek an order stating that I am not required to serve the following persons are:

Name: _____

Relationship: _____

Reason for dispensing with service: _____

Name: _____

Relationship: _____

Reason for dispensing with service: _____

21. THAT attached are the following exhibits, marked A to _____, all of which I believe to be true copies of the originals: (check as appropriate)

written statement of the adult's wishes

other: (describe) _____

22. THAT no other application, other than the following, has been made to this court for the appointment or confirmation of a personal co-decision-maker, personal guardian, property co-decision-maker or property guardian for the adult, to the best of my information and belief:

- 23. THAT I am not aware of any conflict of interest that presently exists or will exist if I should be so confirmed.
- 24. THAT I will undertake, on my appointment as co-decision-maker or guardian, to exercise the duties and powers assigned to me by the court diligently, in good faith and in the best interests of the adult. I will exercise my powers and duties in a way that encourages the adult to participate as fully as possible in decision-making and to act independently in all matters where he or she is able. I will protect the adult's civil and human rights and limit my interference in his or her life to the greatest extent possible.
- 25. THAT I make this affidavit in support of an application pursuant to *The Adult Guardianship and Co-decision-making Act* for an Order confirming me as the _____ for _____.

SWORN before me at _____)
 Saskatchewan, this _____ day)
 of _____, 20 _____)

(Signature of Applicant)

 A Commissioner for Oaths in and for Saskatchewan
 My appointment expires _____

FORM E
 [Clause 3(e)]

In the Queen's Bench

Judicial Centre of _____

**Consent to Appointment of a Co-decision-maker or Guardian or
 to Confirmation of a Testamentary Nomination (Appointment by Will)**

I, _____, of _____, _____,
 the _____ (*state relationship*) of the adult named in the application, consent to the
 appointment or confirmation of _____ as:

- personal co-decision-maker for _____
- personal guardian for _____
- property co-decision-maker for _____ :
 - with a bond for \$ _____
 - without a bond
- property guardian for _____ :
 - with a bond for \$ _____
 - without a bond

Dated at _____, _____, this _____ day of _____, 20 _____.

(Witness)

(Signature of Consenting Nearest Relative)

Address for service: _____

Phone: _____ Fax: _____

E-mail: _____

FORM F
[Clause 3(f)]

In the Queen's Bench

Judicial Centre of _____

Affidavit of Execution

I, _____, (*print full name of witness*) of _____, _____,
MAKE OATH AND SAY:

1. THAT I was present and saw _____, who is personally known to me to be the person named in the "Consent to Appointment of a Co-decision-maker or Guardian or to Confirmation of a Testamentary Nomination" (*Form E*), duly sign and execute the same for the purposes named in that document.
2. THAT the same was executed at _____, _____, and that I am the subscribing witness.
3. THAT I know the said _____ and he/she is in my belief 18 years of age or more.

SWORN before me at _____)

Saskatchewan, this _____ day)

of _____, 20 _____)

(*Signature of Applicant*)

A Commissioner for Oaths in and for Saskatchewan

My appointment expires _____

FORM G
[Clause 3(g)]

In the Queen's Bench

Judicial Centre of _____

Statement of Objection

NOTE: *The Adult Guardianship and Co-decision-making Act* requires the filing of this statement of objection within 10 days after the last person is served with an application for the appointment of a co-decision-maker or guardian.

I, _____, of _____, _____, object to the application for an Order for the appointment of _____ as _____ for (the "adult") pursuant to *The Adult Guardianship and Co-decision-making Act*.

My relationship to the adult is that of _____.

The reasons for my objection are as follows:

Dated at _____, _____, this _____ day of _____, 20 _____.

(*Signature of Objector*)

Address for service: _____

Phone: _____ Fax: _____

E-mail: _____

FORM H
[Clause 3(h)]

In the Queen's Bench

Judicial Centre of _____

**Application for Appointment of a Temporary Personal
Guardian or Temporary Property Guardian**

1. I, _____, of _____, _____,
apply to be appointed as: *(check as appropriate)*

- temporary personal guardian for _____ for a period of _____
(not to exceed six months), pursuant to section 19 of *The Adult Guardianship and Co-decision-making Act*
- temporary property guardian for _____ or a period of _____
(not to exceed six months), pursuant to section 44 of *The Adult Guardianship and Co-decision-making Act*

2. Personal Decision-Making Authority: *(where application is for the appointment of a temporary personal guardian)*

(a) I seek the authority to make the following decisions for the adult: *(check as appropriate)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall restrict the authority of a temporary personal guardian to those matters mentioned in section 15 of the Act that are necessary to protect the adult from serious physical or mental harm.

- decisions respecting the adult's living arrangements
- decisions respecting access to the adult
- decisions respecting the adult's social activities
- decisions respecting the adult's employment
- decisions respecting the adult's educational, vocational or other training
- decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult
- decisions respecting legal proceedings that do not relate to the estate of the adult
- decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult
- decisions respecting the restraint of the adult
- normal day-to-day decisions respecting the adult
- other: *(specify)* _____

(b) I request that the following limitations, conditions or requirements apply to the authority requested:
(optional)

3. Property Decision-Making Authority: (where application is for the appointment of a temporary property guardian)

(a) I seek the authority to do only those things relating to the adult's estate that are necessary to protect the adult's estate from serious damage or loss and to provide the adult with the necessaries of life.

(b) I specifically request the authority: (check as appropriate)

to instruct any financial institution where the adult has an account that no funds are to be withdrawn from the account until further notice

to direct any source of the adult's income to send the income to an account that is the subject of an instruction pursuant to the above item

to stop any disposition of the adult's estate or direct that the proceeds of a disposition be paid into court

other: (specify) _____

(c) I request that the following limitations, conditions or requirements apply to the authority requested: (optional)

4. Service

I have served the following persons with all of the documents filed as part of this application: (check as appropriate)

the adult with respect to whom the application is made

the public trustee (where application is for the appointment of a temporary property guardian)

other: (specify) _____

5. Optional

I request that the order include the following terms: (check as appropriate)

that I receive the following fee for services: \$ _____

other: (specify) _____

6. Documents Attached

The following documents are filed with the court as part of this application: (check as appropriate)

proof of service of application on all persons required to be served

affidavit of proposed temporary guardian (Form I)

other: (describe) _____

Dated at _____, _____, this _____ day of _____, 20 _____.

(Signature of Applicant)

Address for service: _____

Phone: _____ Fax: _____

E-mail: _____

FORM I
[Clause 3(i)]

In the Queen's Bench

Judicial Centre of _____

**Affidavit in Support of an Application for the Appointment
of a Temporary Personal Guardian or Temporary Property Guardian**

I, _____, of _____, _____, MAKE
OATH AND SAY:

1. THAT I am the applicant and have personal knowledge of the matters deposed to in this affidavit, except where stated to be on information and belief, and where so stated I believe them to be true.
2. THAT I am _____ years of age.
3. THAT I am the _____ (*state relationship*) of the adult named in the application (the "adult").
4. THAT the nearest relative(s) of the adult, other than myself, is (are):

Name	Address	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. THAT the adult was born on _____, and is now _____ years of age.
6. THAT the adult currently resides at:
Address: _____
Phone: _____
7. THAT the current living arrangements of the adult, including the name, address and telephone number of any person, institution or agency providing ongoing support or primary care and assistance to the adult are:

8. THAT I believe the adult is in need of a temporary _____ guardian for the following reasons:
(*describe adult's difficulty with decision-making and why an immediate appointment is necessary*)

9. THAT I believe I would be a suitable _____ guardian for the following reasons:
(*where the deponent is not the public trustee*)

10. THAT the adult's property that is at risk is as follows: (*where application is for the appointment of a temporary property guardian*)

11. THAT the adult's property is currently managed as follows: *(where application is for the appointment of a temporary property guardian)*

12. THAT no other application, other than the following, has been made to this court for the appointment of a temporary personal guardian or temporary property guardian for the adult, to the best of my information and belief:

13. THAT I am not aware of any conflict of interest that presently exists or will exist if I should be so appointed.

14. THAT I will undertake, on my appointment as temporary guardian, to exercise the duties and powers assigned to me by the court diligently, in good faith and in the best interests of the adult. I will exercise my powers and duties in a way that encourages the adult to participate as fully as possible in decision-making and to act independently in all matters where he or she is able. I will protect the adult's civil and human rights and limit my interference in his or her life to the greatest extent possible.

15. THAT I make this affidavit in support of an application pursuant to *The Adult Guardianship and Co-decision-making Act* for an Order appointing me as temporary _____ guardian for _____.

SWORN before me at _____)
 Saskatchewan, this _____ day)
 of _____, 20 _____)

(Signature of Applicant)

 A Commissioner for Oaths in and for Saskatchewan
 My appointment expires _____

FORM J

[Clause 3(j) and Section 5]

In the Queen's Bench

Judicial Centre of _____

Affidavit re Assessment of Adult's Capacity

I, _____, of _____, _____, MAKE
OATH AND SAY:

1. THAT I am a _____ (*occupation*) and have assessed the capacity of _____
to make decisions.
2. THAT the information contained in this assessment form is, to the best of my ability, true and accurate.
3. THAT my address and telephone number are as follows:
Address: _____
Phone: _____
4. THAT my qualifications are as follows:

5. THAT my personal relationship to and/or professional involvement with the adult is as follows:

6. THAT in making this capacity assessment, I have followed the following process: (*describe assessment tools or methods used, number of visits with adult, results of interviews with caregivers, other professional reports relied on, etc.*)

7. THAT in my opinion the adult's decision-making ability is as follows: (*indicate any diagnosis made and describe the adult's decision-making ability and support required*)

8. THAT in my opinion the likelihood of change in the adult's decision-making ability is as follows: (*include reasons*)

9. THAT in my opinion the adult requires a personal co-decision-maker: *(where application is for the appointment of a personal co-decision-maker or personal guardian - check as appropriate)*

NOTE: A person requiring a personal co-decision-maker is a person whose capacity is impaired to the extent that he or she requires assistance in decision-making in order to make reasonable decisions with respect to the matters listed below.

- to assist in making decisions respecting the adult's living arrangements
- to assist in making decisions respecting access to the adult
- to assist in making decisions respecting the adult's social activities
- to assist in making decisions respecting the adult's employment
- to assist in making decisions respecting the adult's educational, vocational or other training
- to assist in making decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult
- to assist in making decisions respecting legal proceedings that do not relate to the estate of the adult
- to assist in making decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult
- to assist in making decisions respecting the restraint of the adult
- to assist in making normal day-to-day decisions respecting the adult
- other *(specify)* _____

10. THAT in my opinion the adult requires a personal guardian: *(where application is for the appointment of a personal co-decision-maker or personal guardian - check as appropriate)*

NOTE: A person requiring a personal guardian is a person whose capacity is impaired to the extent that he or she is unable to make reasonable decisions with respect to the matters listed below.

- to make decisions respecting the adult's living arrangements
- to make decisions respecting access to the adult
- to make decisions respecting the adult's social activities
- to make decisions respecting the adult's employment
- to make decisions respecting the adult's educational, vocational or other training
- to make decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult
- to make decisions respecting legal proceedings that do not relate to the estate of the adult
- to make decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult
- to make decisions respecting the restraint of the adult
- to make normal day-to-day decisions respecting the adult
- other: *(specify)* _____

- 11. THAT I make the following recommendation respecting the adult's need for a personal co-decision-maker or personal guardian: *(where application is for the appointment of a personal co-decision-maker or personal guardian)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall not give the personal co-decision-maker or personal guardian the authority to act with respect to all the matters mentioned above if an order providing particular powers would be sufficient to meet the needs of the adult.

- 12. That in my opinion the adult: *(where application is for the appointment of a property co-decision-maker or property guardian)*

NOTE: A person requiring a property co-decision-maker is a person whose capacity is impaired to the extent that he or she requires assistance in decision-making in order to make reasonable decisions with respect to matters relating to his or her estate. A person requiring a property guardian is a person whose capacity is impaired to the extent that he or she is unable to make reasonable decisions with respect to matters relating to his or her estate.

- requires a property co-decision-maker to assist in making decisions with respect to matters relating to his or her estate
- requires a property guardian to make decisions with respect to matters relating to his or her estate

- 13. THAT I make the following recommendation respecting the adult's need for a property co-decision-maker or property guardian: *(where application is for the appointment of a property co-decision-maker or property guardian)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall consider whether an order appointing a property co-decision-maker or property guardian should be made subject to limitations, conditions or requirements, including limiting the authority of the property co-decision-maker or property guardian to decisions involving more than a certain dollar amount.

SWORN before me at _____)
 Saskatchewan, this _____ day)
 of _____, 20 ____)

(Signature of Assessor)

 A Commissioner for Oaths in and for Saskatchewan
 My appointment expires _____

FORM K

[Clause 3(k)]

In the Queen's Bench

Judicial Centre of _____

**Statement of Inventory re Application for Appointment of a
Property Co-decision-maker Or Property Guardian**

I, _____, of _____, _____, MAKE OATH
AND SAY THAT the information in this Statement of Inventory is true and complete to the best of my knowledge
and belief, and sets out all of the assets and debts of _____ (*name of adult*)
as of _____ (*date*).

SWORN before me at _____)
Saskatchewan, this _____ day)
of _____, 20 ____)

(*Signature of Applicant*)

A Commissioner for Oaths in and for Saskatchewan
My appointment expires _____

ASSETS OF THE ADULT

A. Financial Institution Accounts

	Financial Institution	Account Number	Jointly Owned With (if applicable)	Value
1.	_____			
2.	_____			
3.	_____			
				Total Value:

B. Term Deposits

	Financial Institution	Interest Rate	Maturity Date	Jointly Owned With (if applicable)	Face Value
1.	_____				
2.	_____				
3.	_____				
					Total Value:

C. Uncashed Cheques

	Issuer	Jointly Payable to (if applicable)	Value
1.			
2.			
3.			

Total Value:

D. Cash on Hand

Total Value:

E. Real Estate

	Legal description	Jointly Owned With: (if applicable)	Value
1.			
2.			
3.			

Total Value:

F. Stocks and Investment Funds

	Company	Number of Shares or Units	Jointly Owned With (if applicable)	Value
1.				
2.				
3.				

Total Value:

G. Bonds

	Issuer	Interest Rate	Maturity Date	Jointly Owned With (if applicable)	Face Value
1.					
2.					
3.					

Total Value:

H. RRSP, RRIF

	Company	Description/Policy	Number	Value
1.				
2.				
3.				

Total Value:

I. Life Insurance (owned by the adult or where the adult is beneficiary)

	Company	Description/Policy Number	Value
1.			
2.			
3.			
			Total Value:

J. Vehicles

	Description	Jointly Owned With (if applicable)	Value
1.			
2.			
3.			
			Total Value:

K. Other Personal Property

	Description	Jointly Owned With (if applicable)	Value
1.			
2.			
3.			
			Total Value:

TOTAL VALUE OF ABOVE-LISTED ASSETS (A+B+C+D+E+F+G+H+I+J+K):

L. Monthly Payments Received by the Adult (annuities, pensions, salary)

	Paid By	Description	Jointly Owned With (if applicable)	Monthly Amount
1.				
2.				
3.				
				Total Monthly Amount:

M. Funds Held in a Discretionary Trust for the Benefit of the Adult

	Estate of	Trustee	Amount
1.			
2.			
3.			

DEBTS OF THE ADULT

A. Financial Institution Loans

	Owing to	Description	Security Held, if any	Amount Owing
1.				
2.				
3.				
				Total Amount Owing:

B. Credit Cards

	Owing to	Description	Amount Owing
1.			
2.			
3.			
			Total Amount Owing:

C. Mortgages

	Owing to	Description	Security Held, if any	Amount Owing
1.				
2.				
3.				
				Total Amount Owing:

D. Other Debts

	Owing to	Description	Security Held, if any	Amount Owing:
1.				
2.				
3.				
				Total Amount Owing:

TOTAL AMOUNT OF ABOVE-LISTED DEBTS (A+B+C+D):

FORM L

[Clause 3(l)]

In the Queen's Bench

Judicial Centre of _____

Annual Accounting by Property Co-decision-maker or Property Guardian

I, _____, of _____, MAKE OATH AND SAY:

1. THAT I am the _____ (*property co-decision-maker / property guardian*) for _____ (the "adult").
2. THAT the information set out in this Annual Accounting of the adult's property is true and complete to the best of my knowledge and belief, and is for the period from _____ to _____ (*period of accounting*).

SWORN before me at _____)
 Saskatchewan, this _____ day)
 of _____, 20__)

(Signature of Property Co-decision-maker or Property Guardian)

 A Commissioner for Oaths in and for Saskatchewan
 My appointment expires _____

A. Funds Received:

	Date Received	Received From	Description	Amount
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

Total Funds Received:

B. Funds Spent:

	Date Spent	Paid To	Description	Amount
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

Total Funds Spent:

Attach statement of inventory (*Form K*) updated to the end of the accounting period.

Form M

[Clause 3(m)]

In the Queen's Bench

Judicial Centre of _____

Bond

We, _____ (name of property co-decision-maker or property guardian) of _____, _____ (address), and _____ (name of surety) of _____, _____ (address), are jointly and severally bound to a judge of the Court of Queen's Bench for Saskatchewan at the Judicial Centre of _____ in the amount of \$ _____, to be paid to the judge at that judicial centre.

The condition of this obligation is that if the above-named property co-decision-maker or property guardian of the property of _____ (adult's name) does all of the following, then this obligation shall be void, but otherwise shall be and remain in full force and effect:

- (a) make or cause to be made an accurate inventory of all the property of the adult that has or shall come into the possession or knowledge of the property co-decision-maker or property guardian, and provide the same to the local registrar of the Court of Queen's Bench at the Judicial Centre of _____ and to the public trustee whenever required by law to do so;
- (b) make or cause to be made an accurate annual accounting of all the property of the adult that has or shall come into the possession or knowledge of the property co-decision-maker or property guardian, and provide the same to the local registrar of the Court of Queen's Bench at the Judicial Centre of _____ and to the public trustee whenever required by law to do so;
- (c) well and truly administer according to law all the property of the adult that has or shall come into the possession or knowledge of the property co-decision-maker or property guardian.

Sealed with our seals and dated this _____ day of _____, 20 _____.

Name: _____
Address: _____
Phone: _____ Fax: _____
E-mail: _____

(Signature of Property Co-decision-maker or Property Guardian)

Name: _____
Address: _____
Phone: _____ Fax: _____
E-mail: _____

(Signature of Surety)

Form N

[Clause 3(n)]

In the Queen's Bench

Judicial Centre of _____

Order Appointing a Decision-maker

On the application of _____, and on hearing read the application and documents filed as part of and in support of the application, all filed:

The Court finds that _____ (the "adult"):

- (a) is a person whose capacity is impaired to the extent that the adult requires assistance in decision-making in order to make reasonable decisions with respect to some or all of the matters mentioned in section 15 of *The Adult Guardianship and Co-decision-making Act* (the "Act"), and is in need of a personal co-decision-maker;
- (b) is a person whose capacity is impaired to the extent that the adult is unable to make reasonable decisions with respect to some or all of the matters mentioned in section 15 of the Act, and is in need of a personal guardian;
- (c) is a person described in (a) or (b) above, and an immediate appointment of a temporary personal guardian is necessary to protect the adult from serious physical or mental harm;
- (d) is a person whose capacity is impaired to the extent that the adult requires assistance in decision-making in order to make reasonable decisions with respect to matters relating to his or her estate, and is in need of a property co-decision-maker;
- (e) is a person whose capacity is impaired to the extent that the adult is unable to make reasonable decisions with respect to matters relating to his or her estate, and is in need of a property guardian;
- (f) is a person described in (d) or (e) above, and an immediate appointment of a temporary property guardian is necessary to protect the adult's estate from serious damage or loss.

It is therefore ordered that: *(check as appropriate)*

1. _____ be appointed as _____ for _____ pursuant to section _____ of *The Adult Guardianship and Co-decision-making Act*, *(in the case of the appointment of a temporary personal or property guardian)* for a period of _____ months.
2. *(Where application is for the appointment of a personal co-decision-maker, personal guardian or temporary personal guardian)* The _____ shall have authority with respect to the following matters: *(check as appropriate)*
 - decisions respecting the adult's living arrangements
 - decisions respecting access to the adult
 - decisions respecting the adult's social activities
 - decisions respecting the adult's employment
 - decisions respecting the adult's educational, vocational or other training
 - decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult
 - decisions respecting legal proceedings that do not relate to the estate of the adult
 - decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult

- decisions respecting the restraint of the adult
- normal day-to-day decisions respecting the adult
- other (*specify*) _____

(*If applicable*) subject to the following limitations, conditions or requirements:

3. (*Where application is for the appointment of a property co-decision-maker, property guardian or temporary property guardian, and if applicable*) The authority of the _____ is subject to the following limitations, conditions or requirements:

4. A bond in the amount of \$ _____ is to be filed with the local registrar by the _____ ;
 or
 No bond is to be filed.

5. (*If applicable*) Service of the application and/or order on the following persons is not required:

6. (*If applicable*) The _____ shall bring this order to be reviewed by the court in _____ months.

7. (*If applicable*) _____ shall receive payment of \$ _____ as a fee for services as _____.

ISSUED at _____, _____, this _____ day of _____, 20____.

FORM O

[*Clause 3(o)*]

Notice of Authority of Property Decision-Maker

To the Registrar

_____ Land Registration District

Re: _____
(*name of adult*)

Pursuant to the provisions of section 57 of *The Adult Guardianship and Co-decision-making Act*, take notice that I am the property co-decision-maker, property guardian or temporary property guardian of the above named adult.

In my opinion, the adult has an interest in the following titles and interests: (*description*)

You are required to register this notice against all titles to land described in this notice.

Dated this _____ day of _____, 20 _____.

(*Signature of Property Co-decision-maker,
Property Guardian or Temporary Property Guardian*)

Name: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

FORM P
[Clause 3(p)]
Withdrawal of Notice

To the Registrar

_____ Land Registration District

Re: _____
(name of adult)

NOTE: Where Notice is being withdrawn because the adult has died please attach a notarial copy of the adult's death certificate or a court-certified copy of letters probate or letters of administration.

The Notice dated _____, 20 _____, and sent to you pursuant to section 57 of *The Adult Guardianship and Co-decision-making Act* with respect to the above named adult and registered in your office on the _____ day of _____, 20 _____, as No. _____ is withdrawn with respect to the following land: (*description*)

Dated this _____ day of _____, 20 _____.

(Signature of Property Co-decision-maker,
Property Guardian or Temporary Property Guardian)

Name: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

FORM Q
[Clause 3(q)]
Amended Notice

To the Registrar

_____ Land Registration District

Re: _____
(name of adult)

The Notice dated _____, 20____, and sent to you pursuant to section 57 of *The Adult Guardianship and Co-decision-making Act* with respect to the above-named adult and registered in your office on the _____ day of _____, 20____, as No. _____ is amended as follows:

Dated this _____ day of _____, 20____.

(Signature of Property Co-decision-maker,
Property Guardian or Temporary Property Guardian)

Name: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

Form R

[Clause 3(r)]

In the Queen's Bench

Judicial Centre of _____

Application for Review

1. I, _____, of _____, _____, request the following relief: (check as appropriate)

review of the appointment of _____ as _____ for _____ pursuant to *The Dependent Adults Act* or *The Adult Guardianship and Co-decision-making Act*

review of the authority of _____ as _____ for _____

review of the confirmation of the testamentary nomination of _____ as _____ for _____ pursuant to *The Dependent Adults Act* or *The Adult Guardianship and Co-decision-making Act*

other: (specify) _____

2. An order was granted by this Court on _____, _____:

appointing _____ as _____ for _____

confirming the testamentary nomination of _____ as _____ for _____

3. I ask this Court to make an order: (check as appropriate)

discharging _____ from office and appointing _____ as _____

changing the authority of _____ as follows:

changing the amount of the bond filed as follows: _____

- changing the nature of the appointment from a _____ to a _____
(e.g. from a personal co-decision-maker to a personal guardian)
- other: (specify) _____

4. Service

NOTE: You must include the addresses of the persons listed below that have been served other than the Minister of Social Services and the public trustee.

(a) I have served the following persons with this petition: (check as appropriate)

- the adult with respect to whom the application is made
- the public trustee (where application is for the review of the appointment of a property co-decision-maker, property guardian or temporary property guardian)
- the nearest relatives
- Name: _____
- Relationship: _____
- Name: _____
- Relationship: _____
- Name: _____
- Relationship: _____
- the Minister of Social Services (where the adult is receiving services pursuant to section 10 or 56 of The Child and Family Services Act)
- the personal co-decision-maker, personal guardian or temporary personal guardian of the adult
- Name: _____
- Relationship: _____
- the property co-decision-maker, property guardian or temporary property guardian of the adult
- Name: _____
- Relationship: _____
- the attorney under a power of attorney given by the adult
- Name: _____
- Relationship: _____
- the proxy under a health care directive made by the adult
- Name: _____
- Relationship: _____

- the supporter nominated by the adult pursuant to section 9 of *The Personal Care Homes Regulations, 1996*
 Name: _____
 Relationship: _____
- the person(s) who act(s) as trustee for the purpose of administering financial benefits on behalf of the adult
 Name: _____
 Relationship: _____
 Name: _____
 Relationship: _____
- other: (*specify*) _____

(b) (*If applicable*) I seek an order stating that I am not required to serve the following persons:

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall not dispense with service on the adult unless it is satisfied, on the basis of sufficient medical evidence, that special circumstances exist and service would be injurious to the adult and contrary to the best interests of the adult.

Name: _____
 Relationship: _____
 Reason for dispensing with service: _____

Name: _____
 Relationship: _____
 Reason for dispensing with service: _____

Name: _____
 Relationship: _____
 Reason for dispensing with service: _____

5. Summary of Facts

I request that the order be reviewed for the following reasons:

6. Documents Attached

The following documents are filed with the court as part of this application: *(check as appropriate)*

- proof of service of application on all persons required to be served
- affidavit of applicant
- court-certified copy of the order appointing asfor *(if the order has not been filed previously)*
- written statement of adult's wishes *(attach written statement of adult's wishes, if available, including the adult's wishes with respect to whether the authority requested should be granted and whether the proposed co-decision-maker or guardian is acceptable to him or her; indicate date signed, if possible)*
- consent(s) of nearest relative(s) to appointment, if applicable without bond, of the proposed co-decision-maker or guardian and affidavit(s) of execution with respect to the consent(s)
- two or more assessments of the adult's capacity *(Form J)*
- inventory of the estate of the adult, if an up-to-date inventory is not already on the court file *(where review of the appointment of a property co-decision-maker, property guardian or temporary property guardian is requested)*
- other: *(describe)* _____

Dated at _____, _____, this _____ day of _____, 20____.

(Signature of Applicant)

Address for service: _____

Phone: _____ Fax: _____

E-mail: _____

CHAPTER C-4.01 REG 1*The Cemeteries Act, 1999*

Section 88

Order in Council 484/2001, dated June 26, 2001

(Filed June 27, 2001)

PART I

Title and Interpretation**Title**

1 These regulations may be cited as *The Cemeteries Regulations, 2001*.

Interpretation

2 In these regulations, “**Act**” means *The Cemeteries Act, 1999*.

PART II

Plans and Approvals**Cemetery plans**

3(1) An application for an approval to establish a new cemetery, alter the boundaries of or relocate a cemetery must include a cemetery plan that complies with this section and sections 4 and 5.

(2) Except in the case of a columbarium or mausoleum, the cemetery plan must show that any new portions of the cemetery will:

- (a) be located at least:
 - (i) 55 metres from the centre line of any public highway;
 - (ii) 100 metres from any watercourse or well; and
 - (iii) 500 metres from any waste disposal ground;
- (b) have roads that:
 - (i) are at least seven metres wide;
 - (ii) are arranged so that every lot in the new portion will be within 75 metres of a road; and
 - (iii) provide access to:
 - (A) a public road at two or more locations; or
 - (B) a suitable turning area at least 15 metres in diameter; and
- (c) have walkways that make every part of the new portion of the cemetery accessible to the public.

Lots identifiable

4 A cemetery plan must provide sufficient detail to allow each lot to be located and identified.

Plan drawing

5 A cemetery plan must:

- (a) be signed by the owner of the cemetery and drawn to a scale of not less than 500:1; and
- (b) show the location of the cemetery with respect to the boundaries of the quarter section or registered parcel containing the cemetery and the location and dimensions of every lot, drive, walk, road, watercourse and building.

Plan prepared by surveyor

6 The registrar may require that a cemetery plan be prepared and certified by a land surveyor licensed pursuant to *The Saskatchewan Land Surveyors and Professional Surveyors Act*.

Registrar may waive requirements

7 The registrar may waive the requirement to provide any information mentioned in this Part.

Plan to be endorsed

8 Where the registrar approves an application, he or she shall:

- (a) sign the plan and include the date of approval; and
- (b) retain one copy of the plan and return one copy to the owner.

Inspection of plan

9 A cemetery owner shall make a copy of a cemetery plan mentioned in section 8 available for public inspection during reasonable office hours.

PART III Prepaid Cemetery Contracts

Prepaid cemetery contracts

10 For the purposes of clause 32(f) of the Act, a prepaid cemetery contract must include:

- (a) the name, address and date of birth of the contract beneficiary;
- (b) a description of each of the cemetery supplies and cemetery services that are the subject of the contract and the price of each;
- (c) the full amount of the contract;
- (d) the terms of payment;
- (e) a statement specifying the cemetery supplies and cemetery services whose value will be deducted from the amount to be refunded pursuant to subsection 35(4) of the Act; and
- (f) a statement setting out the owner's obligations pursuant to section 37 of the Act.

Statement of cancellation rights

11(1) For the purposes of clause 32(e) of the Act, a statement of cancellation rights in a prepaid cemetery contract must:

- (a) contain the words specified in the “Buyer’s Right to Cancel” in the Appendix;
- (b) show the heading “Buyer’s Right to Cancel” in not less than 12-point bold type;
- (c) show the statement of 10-day cancellation rights, or any longer period of cancellation rights that an owner may offer, in not less than 12-point type; and
- (d) show the remainder of the information in not less than 10-point type.

(2) Where a statement of cancellation rights mentioned in subsection (1) is not located on the first page of the contract, a notice is to be placed on the first page of the contract in not less than 12-point bold type, directing the buyer to the location of the statement of cancellation rights.

Administration fee

12 Subject to section 13, for the purposes of subsection 35(3) of the Act, the administration fee that an owner may retain is:

- (a) within the first year after a prepaid cemetery contract is entered into, the lesser of:
 - (i) 10% of the funds paid pursuant to the prepaid cemetery contract, including any income on those funds; and
 - (ii) \$250; and
- (b) after the first year from the date the prepaid cemetery contract was entered into, the lesser of:
 - (i) 10% of the funds paid pursuant to the prepaid cemetery contract, including any income on those funds; and
 - (ii) \$500.

Care and maintenance fund contribution

13 Where a prepaid cemetery contract that includes the sale of interment rights is cancelled pursuant to section 35 of the Act, the owner is not required to refund the amount paid into the care and maintenance fund respecting the sale of the interment rights as long as the prepaid cemetery contract clearly indicated that any money paid into the care and maintenance fund would not be refunded if the contract was cancelled after the cancellation rights period pursuant to section 34 of the Act expired.

When immediate delivery required

14 Where a contract is cancelled pursuant to section 35 of the Act and the cemetery supplies mentioned in clause 35(4)(a) of the Act exist, those cemetery supplies shall, where they are required due to the death of the person who was the contract beneficiary, be delivered immediately, at the buyer’s or authorized decision-maker’s expense, to the location requested by the buyer or authorized decision-maker.

Income on funds

15 For the purposes of Part VI of the Act, “**income accrued or earned on those moneys**” means income earned or accrued on funds held in trust.

Payment into assurance fund

16 The amount to be paid into the assurance fund pursuant to section 41 of the Act is 50% of the amount received pursuant to a prepaid cemetery contract, less any amount that may be deducted in accordance with subsection 41(2) of the Act.

Funds not placed in trust

17 For the purposes of subsection 42(2) of the Act, where an owner must make up a deficiency for failure to pay money into an assurance fund or to deposit money in trust, the interest rate is the highest Bank of Canada interest rate during the period that the money was not paid, deposited or invested in accordance with sections 41 and 42 of the Act plus 2% compounded annually.

Prepaid cemetery contract records

18 For the purposes of section 45 of the Act, records to be maintained by an owner with respect to prepaid cemetery contracts shall be in writing and shall include:

- (a) the names of the buyer and contract beneficiary for each prepaid cemetery contract:
 - (i) sold by the owner or salesperson;
 - (ii) fulfilled by the owner; or
 - (iii) cancelled in accordance with the Act;
- (b) the date of the prepaid cemetery contract;
- (c) the original amount deposited in the assurance fund and each additional amount deposited;
- (d) the method of payment on cancellation and to whom the payment was made;
- (e) the total amount not placed in the assurance fund as permitted pursuant to section 41 of the Act;
- (f) the location from which the prepaid cemetery contract was sold; and
- (g) the closing balance of the assurance fund on the prepaid cemetery contract being fulfilled or cancelled.

Record retention

19 Records respecting prepaid cemetery contracts and trust funds shall be retained by an owner for at least two years after a prepaid cemetery contract is fulfilled or cancelled.

Withdrawal from assurance fund

20 An owner may withdraw funds from the assurance fund only where:

- (a) the prepaid cemetery contract is fulfilled;

- (b) the prepaid cemetery contract has been cancelled; or
- (c) the money in the assurance fund is to be paid to the Minister of Finance pursuant to section 22.

Withdrawal from fund

21 For the purposes of section 44 of the Act, the registrar may authorize the withdrawal of funds from the assurance fund where an owner demonstrates that the amount in the assurance fund is sufficient to meet outstanding obligations and will not risk the security of persons entering into prepaid cemetery contracts with the owner.

Funds not claimed

22(1) Subject to subsection (2), an owner shall pay to the Minister of Finance the money held by the owner pursuant to a prepaid cemetery contract where:

- (a) the contract beneficiary would be 120 years old;
- (b) goods or services that are the subject of the contract have not been provided; and
- (c) the owner has been unable to locate the buyer and has not been able to determine whether the contract beneficiary is deceased.

(2) An owner may deduct an administration fee calculated in accordance with section 12 from the amount to be paid to the Minister of Finance.

(3) Where a person establishes that he or she is entitled to any money paid to the Minister of Finance, the Minister shall pay to that person out of the general revenue fund an amount equal to the amount paid to the Minister.

(4) A dispute with respect to a person's entitlement to money mentioned in this section may be determined on application to the Court of Queen's Bench.

PART IV Documents and Records

Contracts

23(1) Within 60 days of interment rights being paid in full, an owner shall deliver to the buyer of the interment rights a certificate, agreement or other document showing:

- (a) the name of the buyer;
- (b) the location and the area or dimensions of the lot in which interment rights have been purchased;
- (c) the date of the purchase;
- (d) the purchase price and the terms of payment; and
- (e) the amount to be deposited to the care and maintenance fund, if applicable.

- (2) Where a memorial that was purchased from someone other than the owner is to be installed in a lot, the owner shall set out in writing for the person having the memorial installed the cost of installation and the amount that must be paid into the care and maintenance fund with respect to that memorial.

Register respecting interment rights

24(1) An owner shall keep a register in which the owner shall enter:

- (a) the name and address of every buyer of interment rights in the cemetery; and
- (b) a record of every transfer of interment rights in a lot in the cemetery.

(2) Information from the register is to be available to any person on request.

Register of interments

25(1) An owner shall maintain a register, separate from the register described in section 24, and shall record in it:

(a) with respect to every deceased person whose human remains are interred in the cemetery:

- (i) the person's name;
- (ii) the location of interment;
- (iii) the date of interment;
- (iv) the date of death and the gender of the deceased person; and
- (v) the date of birth, if known;

(b) if the coverage over the outer burial container is less than the coverage required pursuant to section 32, the depth of that coverage together with a brief statement setting out the reasons; and

(c) the particulars of every disinterment or removal of any human remains interred in the cemetery.

(2) An owner shall maintain a register of cremated human remains interred or scattered in the cemetery, if the owner has been paid for or has authorized interment or scattering, and shall record in it:

(a) with respect to every deceased person whose cremated human remains are interred or scattered in the cemetery:

- (i) the person's name;
- (ii) the location of interment, if applicable;
- (iii) the date of interment or scattering;
- (iv) the date of death and the gender of the deceased person; and
- (v) the date of birth, if known; and

(b) the particulars of every disinterment or removal of any cremated human remains interred in the cemetery.

(3) The records required pursuant to this section must be available to any person during reasonable business hours on request.

Written notice of transfer

26(1) When the buyer of interment rights in a lot, or the buyer's legal representative, sells the interment rights pursuant to section 51 of the Act, the buyer or the buyer's legal representative shall give the owner a written notice containing:

- (a) a description of the lot;
- (b) the date of the transfer; and
- (c) the name and address of the person to whom the interment rights have been transferred.

(2) On receipt of a notice mentioned in subsection (1) and subject to section 34, the owner shall immediately enter in the register mentioned in section 24:

- (a) the date of the transfer; and
- (b) the name and address of the person to whom the interment rights have been transferred.

New owner

27 Where an owner ceases to operate a cemetery, the owner shall:

- (a) provide to the new owner the records required to be kept pursuant to the Act and these regulations; or
- (b) where the cemetery is closed, provide for the transfer of the records in a manner directed by the registrar.

Cemetery price list

28(1) This section and section 29 do not apply to an owner of a non-commercial cemetery where the average number of interments per year in that cemetery is less than 25.

(2) A price list for interment rights and cemetery services must include itemized prices for each of the following that the owner offers for sale to the public:

- (a) interment rights;
- (b) opening and closing a grave;
- (c) opening and closing and sealing a tomb, crypt, compartment or vault in a mausoleum or a niche or compartment in a columbarium;
- (d) interring human remains or cremated human remains;
- (e) disinterring human remains or cremated human remains;
- (f) providing temporary storage in a receiving vault or crypt;
- (g) constructing a foundation for a memorial;
- (h) setting corner posts;

- (i) providing a tent or canopy, carrying or lowering devices and ground cover for an interment service;
 - (j) preparing flower beds and planting flowers and shrubs;
 - (k) providing elevating devices;
 - (l) installing burial vaults or grave liners.
- (3) An owner shall make available for inspection by prospective buyers books, brochures or other publications showing the cemetery supplies the owner generally offers for sale, including interment vaults, memorials, liners, urns and other merchandise and the prices of the merchandise.
- (4) The books, brochures or other publications mentioned in subsection (3) must contain the model number and a brief description and the price of each interment vault, memorial and liner that the owner generally offers for sale, including the manufacturer's name, if available.
- (5) The price list mentioned in subsection (2) must clearly state:
- (a) the effective date of the price list; and
 - (b) the name, address and phone number of the cemetery.
- (6) Before a potential buyer selects cemetery supplies or services at the owner's premises, the owner or the owner's representative shall offer to that person without charge a copy of the list mentioned in subsection (2) and the books, brochures or other publications required pursuant to subsection (3).
- (7) Prices on the price lists shall be stated as a fixed charge, an hourly rate, a rate per kilometre or rate per other unit of compensation.

Telephone requests

29 An owner or the owner's representative shall, on receiving a telephone inquiry respecting the supply of interment rights, cemetery services or cemetery supplies, give accurate information respecting the nature and price of the rights, services and supplies offered and advise the caller of the availability of the price lists.

Telephone solicitation

- 30(1)** An owner who engages in sales by telephone must maintain a "do not call" list and place on that list the name of any person who has asked not to be called.
- (2) No owner or other person on behalf of the owner shall call a person whose name has been placed on the "do not call" list unless otherwise requested by that person.

PART V Interment

Interment of indigent persons

31 For purposes of section 50 of the Act, a unit administrator pursuant to *The Saskatchewan Assistance Regulations* is prescribed as a person who may authorize interment of unclaimed human remains or a deceased indigent person.

Depth of interment

32(1) Unless the registrar determines that special circumstances exist, human remains are to be interred so that the top of the outer burial container is at least 76 centimetres below the surface of the ground.

(2) Where interment is made at less than the depth required pursuant to subsection (1), the owner shall make an entry in the register mentioned in section 25.

No interment under buildings

33 An owner shall not inter human remains, in a vault or otherwise, within three metres of the outer wall of any church or chapel or within two metres of any other building in the cemetery.

Administration fee

34 The administration fee an owner may charge pursuant to subsection 51(4) of the Act for the transfer of interment rights is not to exceed \$100.

Installation of memorial

35 Where, pursuant to section 57 of the Act, an owner does not permit the supplier of a memorial to install the memorial in the owner's cemetery, the owner may not charge more than the owner charges for installation of a memorial purchased from the owner, as set out in the owner's cemetery price list.

Disinterment

36 Disinterment of human remains shall occur only in accordance with *The Public Health Act, 1994* or *The Coroners Act, 1999* and regulations pursuant to those Acts.

Burial permit not required

37(1) A burial permit is not required to:

- (a) re-inter human remains that have been disinterred; and
- (b) inter foetal remains if, pursuant to *The Vital Statistics Act, 1995*, a burial permit is not issued.

(2) An owner must require proof of permission to disinter human remains pursuant to *The Public Health Act, 1994* or *The Coroners Act, 1999* in order to reinter disinterred human remains.

Interment of unidentified human remains

38 In the case of unidentified human remains where a burial permit is not issued pursuant to *The Vital Statistics Act, 1995*, the human remains may be interred when permission to bury the human remains has been given pursuant to *The Coroners Act, 1999*.

PART VI General Provisions

Salespersons

39 For the purposes of subsection 17(1) of the Act, the identification to be provided to a salesperson by an owner must include the following:

- (a) the name, address and telephone number of the cemetery;

- (b) the salesperson's name;
- (c) the date on which the identification was issued.

Acting for owner

40(1) An individual may act as a salesperson for the cemetery specified on the salesperson's identification card.

(2) A salesperson shall, on the request of any person being solicited, produce his or her identification for inspection by that person.

Fund not required

41 For the purposes of subsection 23(2) of the Act, a care and maintenance fund is not required where the number of lots in the cemetery is 12 or fewer.

Care and maintenance fund

42(1) Subject to subsection (2), for the purposes of section 23 of the Act the minimum amount of a care and maintenance fund is \$10,000 per hectare of land within the cemetery.

(2) In the case of a mausoleum or columbarium not situated on the grounds of another cemetery, the minimum amount in a care and maintenance fund is to be:

- (a) 10% of the total cost of the structure; or
- (b) any lesser amount that the registrar may approve having regard to the size and construction of the mausoleum or columbarium.

(3) An owner shall pay the following into a care and maintenance fund:

- (a) 15% of money received from the sale of interment rights in each lot in a cemetery; and
- (b) in the case of a memorial:
 - (i) \$75 for a flat memorial that has an area of more than 439 square centimetres;
 - (ii) in the case of an upright memorial that has a height of 1.22 metres or less, \$150; and
 - (iii) in the case of an upright memorial that has a height of more than 1.22 metres, \$300.

(4) A care and maintenance fund is not required where a new columbarium or mausoleum is to be located within an existing cemetery that has a care and maintenance fund as long as the registrar is satisfied that the care and maintenance fund is sufficient to provide for the care and maintenance of the cemetery and the new columbarium or mausoleum.

Sewers and drains

43 An owner shall construct and maintain appropriate and necessary sewers and drains in and about the cemetery for the purpose of draining the cemetery and keeping it dry.

Offensive matter

44 An owner shall not cause or permit any offensive matter from the cemetery to be brought to or flow into any river, spring, well, stream, canal, reservoir, aqueduct or pond.

Abandoned cemeteries

45 For the purposes of section 55 of the Act, a cemetery is abandoned where:

- (a) the owner of the cemetery is not known or cannot be found; or
- (b) in the case of a cemetery owned by a religious organization, there have been no interments for 10 years.

Closure of a cemetery

46(1) This section applies to closure of a cemetery or part of a cemetery.

(2) An owner who wishes to close a cemetery shall apply to the registrar and provide to the registrar information satisfactory to the registrar of the owner's plan for closure including, if requested by the registrar, information respecting:

- (a) the removal of memorials and installation of them in another location within the cemetery;
- (b) if applicable, the manner in which the owner intends to provide for interment rights for human remains of any person holding interment rights previously sold;
- (c) the continuing care and maintenance of the cemetery; and
- (d) continued access to and preservation of records of interment.

(3) The registrar, if satisfied that it is in the public interest, may approve closure of a cemetery, subject to any terms the registrar may impose.

(4) Where a cemetery is closed, no further interments may take place except with the approval of the registrar.

Licence fees

47 The fee pursuant to clause 9(1)(b) of the Act for a licence to operate a commercial cemetery is \$250 for each cemetery.

Service of documents

48(1) In addition to the methods of service set out in section 87 of the Act, a document required by the Act or the regulations to be served may be served in any manner that permits the person serving the document to produce proof of service, including fax or courier, to the last known address of the person to be served.

(2) Service of a document by fax may be established using the transmission record or journal generated by the fax machine that indicates the date of transmission and that the transmission was successful.

PART VII**Transitional and Coming into Force****Transitional**

49 An owner shall, within 90 days of the coming into force of the Act, comply with requirements in the Act and these regulations respecting records, mandatory prepaid contract provisions that differ from those in use prior to the coming into force of the Act, and price lists.

R.R.S. c.C-4 Reg 1 repealed

50 *The Cemeteries Regulations* are repealed.

Coming into force

51(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Cemeteries Act, 1999* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Cemeteries Act, 1999* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Schedule**BUYER'S RIGHT TO CANCEL**

[*Subsection 11(1)*]

You may cancel this contract and receive a full refund if you cancel during the period beginning on the day you enter into the contract and ending 10 business days after the day you receive a copy of the contract.

You may also cancel this contract at any time after the period mentioned above.

If you cancel the contract after that period, you may not receive a refund for any goods that have been specially ordered or cannot be sold to anyone else (e.g., if the goods have been engraved), as long as the fact that those goods were not subject to refund is stated in the contract. The owner will, however, provide you with those goods on cancellation.

Also, if you cancel the contract after that period, you may be charged an administration fee of:

- within the first year of the contract, 10% of the contract or \$250, whichever is the lesser amount;
- after the first year of the contract, 10% of the contract or \$500, whichever is the lesser amount.

To cancel, you must give notice of cancellation in writing to the owner at the owner's address.

CHAPTER F-8.001 REG 19*The Farm Financial Stability Act*

Section 5

Order in Council 483/2001, dated June 26, 2001

(Filed June 27, 2001)

Title**1** These regulations may be cited as *The Conservation Cover Program Regulations*.**Interpretation****2(1)** In these regulations:

- (a) **“acreage payment”** means an acreage payment made pursuant to these regulations;
- (b) **“adapted perennial species”** means an introduced forage species or a perennial forage species indigenous to Saskatchewan that, in the opinion of the minister:
 - (i) can successfully complete its life cycle under Saskatchewan growing conditions prevalent at the geographic location of its seeding; and
 - (ii) has the ability to persist for at least three normal winters;
- (c) **“applicant”** means any of the following who or that applies for an acreage payment:
 - (i) an individual;
 - (ii) a farm corporation;
 - (iii) an Indian band;
 - (iv) a municipality;
- (d) **“application”** means an application made pursuant to section 4;
- (e) **“conservation cover”** means a cover of an adapted perennial species;
- (f) **“eligible crop land”** means real property in Saskatchewan that:
 - (i) was summer fallowed or annually-cropped in the year preceding the year for which an application for an acreage payment is made; and
 - (ii) is not occupied by the Crown in right of Saskatchewan or the Crown in right of Canada;
- (g) **“farm corporation”** means a corporation:
 - (i) that is incorporated, continued or registered pursuant to *The Business Corporations Act* or *The Co-operatives Act, 1996*;
 - (ii) that is engaged primarily in farming; and
 - (iii) whose shareholders or members are primarily composed of individuals who are farm operators;

and includes a communal farm operation that meets the requirements of subclauses (ii) and (iii);

- (h) **“farm operator”** means:
- (i) an individual who:
 - (A) is a Saskatchewan resident;
 - (B) is 18 years of age or older;
 - (C) actively participates in day-to-day farm management decisions and operations; and
 - (D) shares in the profits and losses of the farm operations; or
 - (ii) an individual who is a shareholder or member of a farm corporation or an Indian band who:
 - (A) is a Saskatchewan resident;
 - (B) is 18 years of age or older;
 - (C) actively participates in the day-to-day farm management decisions and farm operations of the farm corporation or Indian band; and
 - (D) shares in the profits and losses of the farm operations of the farm corporation or Indian band;
- (i) **“grade”** means, with respect to seed, a grade that is:
- (i) Canada Common #1 or better; or
 - (ii) an equivalent grade to that mentioned in subclause (i) that is verified by an accredited seed laboratory acceptable to the minister;
- (j) **“health services number”** means the unique number assigned to an individual who is registered as a beneficiary to receive insured services pursuant to *The Saskatchewan Medical Care Insurance Act*;
- (k) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (l) **“normally acceptable agronomic practices”** means agricultural practices that:
- (i) are conducted in a prudent and proper manner that is consistent with accepted customs and standards followed by similar agricultural operations under similar circumstances; and
 - (ii) meet accepted standards for establishment of perennial forage cover;
- (m) **“program”** means the conservation cover program established pursuant to section 3;
- (n) **“reserve land”** means reserve land within the meaning of the *Indian Act* (Canada);
- (o) **“Saskatchewan resident”** means:
- (i) in the case of an individual, an individual who holds a current Saskatchewan Health Services Card issued for the purposes of *The Saskatchewan Medical Care Insurance Act*;

- (ii) in the case of an individual who does not meet the requirements of subclause (i) or a farm corporation, a person whom the minister is satisfied filed in the year preceding the year for which an application for an acreage payment is made, and did file or will file in the year for which the application is made, an income tax return respecting farm income in Saskatchewan;
 - (iii) an Indian band whose reserve land is in Saskatchewan; or
 - (iv) a municipality;
 - (p) **“seed”** means seed of an adapted perennial species that:
 - (i) is adapted to Saskatchewan growing conditions; and
 - (ii) is contained in Table II, VIII, IX, X, XI or XII of Grade Standards in Schedule I of the *Seeds Regulations* (Canada), C.R.C. c. 1400;
 - (q) **“summer fallow”** means cultivated land that has been idled from crop production for at least a full year prior to the year for which an application for an acreage payment is made with respect to that land.
- (2) For the purposes of clause (1)(f), reserve land is deemed not to be occupied by the Crown in right of Canada.

Conservation cover program established

- 3(1) The conservation cover program is established.
- (2) The purpose of the program is to protect the environment by encouraging sustainable land use practices through assisting in seeding eligible crop land to a conservation cover.
- (3) The program extends over the years 2001 to 2004, and acreage payments may be made with respect to applications made in those years.

Application for payment

- 4(1) An applicant who wishes to obtain an acreage payment must apply to the minister on an application form supplied by the minister.
- (2) In the application, the applicant must:
- (a) specify the number of acres of eligible crop land with respect to which the application is made;
 - (b) if the application is with respect to eligible crop land that has already been seeded:
 - (i) confirm that the eligible crop land has been seeded with a conservation cover in the year for which the application is made; and
 - (ii) confirm that the conservation cover was seeded using normally acceptable agronomic practices;
 - (c) if the application is with respect to eligible crop land that is to be seeded to a conservation cover:
 - (i) undertake to seed the eligible crop land with a conservation cover in the year for which the application is made or, if required to conform with normally acceptable agronomic practices, in the year following the year in which the application is made; and

- (ii) undertake to seed the conservation cover using normally acceptable agronomic practices; and
 - (d) declare that the applicant has authority to seed the lands for which payment is sought.
- (3) The minimum number of acres of eligible crop land for which an application may be submitted is five.
- (4) The maximum number of acres of eligible crop land with respect to which a farm corporation or Indian band may apply for an acreage payment is the lesser of:
 - (a) 50 for each farm operator associated with the farm corporation or Indian band; and
 - (b) 500.
- (5) A farm corporation or Indian band may apply on behalf of a maximum of 10 farm operators.
- (6) The maximum number of acres of eligible crop land with respect to which a municipality may apply for an acreage payment is 50.
- (7) Where required on the application for the purpose of verifying an applicant's residency, age and compliance with these regulations, an applicant who is an individual must provide his or her health services number.
- (8) The applicant must:
 - (a) enclose with the application the original invoice, receipt or an equivalent purchase document acceptable to the minister that specifies with respect to the seed:
 - (i) the name and address of the buyer;
 - (ii) the name and address of the vendor;
 - (iii) the name and grade;
 - (iv) the date of purchase; and
 - (v) the amount purchased and total cost of the purchase;
 - (b) provide any details that the minister may require to determine that the land is eligible crop land;
 - (c) in the case of an application by a farm corporation or Indian band:
 - (i) specify the number of farm operators associated with the farm corporation or Indian band; and
 - (ii) for the purposes of verifying residency and age, provide the names and the health services numbers for the farm operators mentioned in subclause (i); and
 - (d) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for an acreage payment or the amount of an acreage payment to the applicant.

Time limit for submitting applications

5 An application must be received by the minister or, in the case of an application that is mailed, be post marked on or before October 31 of the year for which an application for an acreage payment is made.

Eligible applicants

6(1) To be eligible to apply for an acreage payment, an individual, farm corporation or Indian band must:

- (a) be a Saskatchewan resident;
- (b) in the case of:
 - (i) an individual, be the farm operator of the eligible crop land for which an acreage payment is applied for;
 - (ii) in the case of a farm corporation or Indian band, be responsible for the farming operations on the eligible crop lands for which an acreage payment is applied for; and
- (c) have seeded or intend to seed to a conservation cover the eligible crop land in the year for which payment is sought or, if required to conform with normally acceptable agronomic practices, in the year following the year in which the application is made.

(2) To be eligible to apply for an acreage payment, a municipality must have seeded or intend to seed to a conservation cover the eligible crop land in the year for which payment is sought or, if required to conform with normally acceptable agronomic practices, in the year following the year in which the application is made.

(3) To be eligible for an acreage payment, an applicant must have seeded or intend to seed the eligible crop land to a conservation cover with:

- (a) in the case of grass seed, seed that was purchased within three years of the year in which the eligible crop land was or is to be seeded; or
- (b) in the case of legume seed, seed that was purchased within five years of the year in which the eligible crop land was or is to be seeded.

Approval of application

7 Where the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may pay that applicant an acreage payment.

Amount of acreage payment

8(1) Subject to subsections (2) to (5), where the minister approves an acreage payment to an applicant, the amount of the acreage payment is to be equal to \$15 for each acre of eligible crop land that is seeded to conservation cover in the year for which the application is made or, if required to conform with normally acceptable agronomic practices, in the year following the year in which the application is made.

(2) An applicant is not entitled to any acreage payment pursuant to these regulations if the amount of the acreage payment as calculated pursuant to subsection (1) is less than \$75.

- (3) The maximum amount of an acreage payment to:
- (a) an individual is \$750 per year;
 - (b) a farm corporation or Indian band is \$750 for each farm operator who is associated with the farm corporation or Indian band, to a maximum of \$7,500 per year; and
 - (c) a municipality is \$750 per year.
- (4) Not more than one acreage payment shall be made with respect to the same eligible crop land.
- (5) Notwithstanding any other provision of these regulations, the minister shall apply the maximum amounts mentioned in subsection (3) in a manner that ensures that any individual who is a farm operator and who is a shareholder or member of a farm corporation or Indian band that is an applicant does not, directly or indirectly, receive an acreage payment of more than \$750 per year.

Additional information

- 9(1) As a condition of participating in the program, an applicant shall:
- (a) grant access to land on which the applicant conducts the applicant's farming operations, at any reasonable time, to any persons designated by the minister to verify information required to substantiate the applicant's eligibility or the amount of an acreage payment that may be paid to the applicant or to verify the applicant's compliance with these regulations;
 - (b) consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant's farming operations; and
 - (c) provide to the minister, on the minister's request and within the period set by the minister, the applicant's income tax records for one or more years, or any other information that the minister may require, to verify the applicant's eligibility or the amount of an acreage payment that may be paid to the applicant or to verify the applicant's compliance with these regulations.
- (2) No person shall supply any false or misleading information to the minister on any application or in response to any request for information from the minister.

Overpayment

- 10(1) The minister may declare all or any acreage payments made to an applicant pursuant to these regulations to be an overpayment where, in the opinion of the minister:
- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
 - (b) the applicant has omitted to make a statement or to provide any information or document that results in a statement with respect to a material fact being misleading; or
 - (c) the applicant has failed to comply with these regulations.

(2) Where the minister declares an acreage payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Crown in right of Saskatchewan and may be recovered from the applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

Coming into force

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

CHAPTER F-13.4 REG 23

The Financial Administration Act, 1993

Sections 24 and 71

Order in Council 488/2001, dated June 26, 2001

(Filed June 27, 2001)

Title

1 These regulations may be cited as *The Lloydminster Provincial Sales Tax Exemption Regulations*.

Interpretation

2(1) In these regulations, “Act” means *The Provincial Sales Tax Act*.

(2) Terms used in these regulations that are also used in the Act have the same meaning in these regulations as in the Act.

Exempt purchases

3(1) An individual consumer or user who purchases tangible personal property or a taxable service in Lloydminster, Saskatchewan for non-business consumption or use in Lloydminster, Saskatchewan, is exempted from liability to pay the tax imposed on that property or service by the Act.

(2) A person who purchases beverage alcohol in Lloydminster, Saskatchewan from the holder of a special licence issued pursuant to section 15 of *The Liquor Consumption Tax Act* is exempted from liability to pay the tax imposed on that beverage alcohol by that Act.

Purchases for renovations or new construction

4(1) Subject to section 5, a person is exempted from liability to pay the tax imposed by the Act on tangible personal property or a taxable service if the tangible personal property or taxable service:

(a) was purchased in Lloydminster, Saskatchewan on or after February 14, 2001; and

(b) is for incorporation in real property located in Lloydminster, Saskatchewan that is being renovated or on which new construction is taking place.

(2) Subject to section 5, a person who purchases tangible personal property or a taxable service in Lloydminster, Saskatchewan on or after February 14, 2001 for business use solely within Lloydminster, Saskatchewan is exempted from liability to pay the tax imposed on that property or service by the Act.

Removal of property or service

5(1) Tax is payable in accordance with the Act respecting tangible personal property or a taxable service for which an exemption has been provided pursuant to section 4 if that property or taxable service is temporarily or permanently moved or relocated from Lloydminster, Saskatchewan to another location in Saskatchewan.

(2) For the purposes of subsection (1), the tax payable is to be calculated in accordance with section 5 of the Act, with any necessary modification.

Remission of tax

6(1) A person who purchases tangible personal property or a taxable service outside Lloydminster, Saskatchewan for incorporation in real property that is being renovated, or on which new construction is taking place, in Lloydminster, Saskatchewan shall pay tax at the time of the purchase but is granted a remission of tax paid in the amount of the exemption set out in subsection 4(1).

(2) A person who wishes to claim a remission of tax pursuant to subsection (1) shall apply to the minister at the time and in the manner specified by the minister.

Exceptions

7 The exemptions from tax payable and the remissions of tax paid provided by these regulations do not apply to tax paid or payable on the following:

- (a) vehicles that are required to be registered pursuant to *The Vehicle Administration Act*;
- (b) lodging in hotels or motels;
- (c) telecommunication services;
- (d) electricity that is subject to the tax imposed by the Act.

General requirements

8 Nothing in these regulations exempts any person from any of the requirements to obtain a licence, file tax returns or maintain records as set out in the Act, *The Liquor Consumption Tax Act*, *The Revenue and Financial Services Act* or any regulations made pursuant to those Acts.

Coming into force

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

CHAPTER F-23.3 REG 1*The Funeral and Cremation Services Act*

Section 118

Order in Council 485/2001, dated June 26, 2001

(Filed June 27, 2001)

PART I

Introductory Matters**Title**

1 These regulations may be cited as *The Funeral and Cremation Services Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Funeral and Cremation Services Act*;
- (b) “**member**” means a member of the council.

Brokers

3 For the purposes of clause 2(v) of the Act, “**owner**” includes a person who, for a fee or other remuneration, arranges or coordinates but does not provide funeral services, cremation services or a transfer service on behalf of another person.

PART II

Prepaid Contracts**Funds not placed in trust**

4 For the purposes of subsection 74(4) of the Act, where an owner must make up a deficiency for failure to deposit funds in trust, the interest rate is the highest Bank of Canada interest rate during the period that the funds were not deposited in accordance with section 74 of the Act plus 2% compounded annually.

Prepaid contract records

5 For the purposes of section 75 of the Act, records to be maintained by an owner with respect to prepaid contracts shall be in writing and shall include:

- (a) the names of the buyer and contract beneficiary for each prepaid contract:
 - (i) sold by the owner;
 - (ii) fulfilled by the owner; or
 - (iii) cancelled or transferred in accordance with the Act;
- (b) the date of the contract;
- (c) the original amount deposited in the trust account and each additional amount deposited;

- (d) the method of payment on cancellation and to whom the payment was made;
- (e) the total amount not placed in trust as permitted pursuant to clause 74(2)(b) of the Act;
- (f) an itemized listing of any goods deducted pursuant to clause 74 (2)(a) of the Act;
- (g) the location of the funeral home or branch office where the contract was sold; and
- (h) the closing balance of the trust account on the contract being fulfilled or cancelled.

Transfer of prepaid contract

6(1) A buyer or contract beneficiary who requests a transfer of a prepaid contract pursuant to subsection 76(2) of the Act shall do so in writing.

- (2) Where an owner receives a request pursuant to subsection (1), the owner:
 - (a) shall instruct the financial institution holding the trust funds to transfer the funds in the trust account to the financial institution designated by the owner to whom the contract is being transferred;
 - (b) shall pay to the owner to whom the contract is being transferred the amount, if any, that was not placed in the trust account, as permitted pursuant to clause 74(2)(b) of the Act; and
 - (c) may withhold the administration fee calculated in accordance with section 10.
- (3) Where a prepaid contract is transferred, the owner may deduct the itemized cost of goods from the amount to be transferred pursuant to subsection (2) where:
 - (a) the goods have been specially ordered under a prepaid contract and because of some unique characteristic, personalization or extraordinary cost the goods cannot be used in the owner's ordinary course of business; and
 - (b) the fact that the goods are being ordered and are not subject to being transferred pursuant to this section is disclosed in writing in the prepaid contract.
- (4) The owner shall deliver any goods described in clause (3)(a) to the buyer within 15 business days of receiving written notice to transfer the prepaid contract.

When immediate delivery required

7 Where a contract is transferred pursuant to subsection 76(2) of the Act or cancelled pursuant to section 81 of the Act and goods mentioned in clause 81(4)(a) of the Act or clause 6(3)(a) exist, those goods shall, where the goods are required due to the death of the person who was the contract beneficiary, be delivered immediately, at the buyer's or authorized decision-maker's expense, to the location requested by the buyer or authorized decision-maker.

Statement of cancellation rights

8(1) For the purposes of clause 77(e) of the Act, a statement of cancellation rights is to:

- (a) contain the “Buyer’s Right to Cancel or Transfer” set out in the Appendix;
- (b) show the heading “Buyer’s Right to Cancel or Transfer” in not less than 12-point bold type;
- (c) show the statement of 10-day cancellation rights, or any longer period of cancellation rights that an owner may offer, in not less than 12-point type; and
- (d) show the remainder of the information in not less than 10-point type.

(2) Where a statement of cancellation rights mentioned in subsection (1) is not located on the first page of the contract, the contract must contain a notice on the first page in not less than 12-point bold type directing the buyer to the location of the statement of cancellation rights.

Income on funds

9 For the purposes of Part VI of the Act, “**income accrued or earned on those moneys**” means income accrued or earned on funds held in trust.

Administration fee

10 For the purposes of clause 6(2)(c) of these regulations and subsection 81(3) of the Act, the amount of the administration fee that an owner may charge is:

- (a) in the first year after a contract is entered into, the lesser of:
 - (i) 10% of the funds paid pursuant to the prepaid contract, including any income on those funds; and
 - (ii) \$250; and
- (b) after the first year from the date the contract was entered into, the lesser of:
 - (i) 10% of the funds paid pursuant to the prepaid contract, including any income on those funds; and
 - (ii) \$500.

Funds not claimed

11(1) Subject to subsection (2), an owner shall pay money held pursuant to a prepaid contract to the assurance fund where:

- (a) the contract beneficiary would be 120 years old;
- (b) goods or services that are the subject of the contract have not been provided; and
- (c) the owner has been unable to locate the buyer and has been unable to determine whether the contract beneficiary is deceased.

(2) An owner may deduct from the amount to be paid into the assurance fund the administration fee calculated in accordance with section 10.

(3) Where a person establishes that he or she is entitled to any funds paid to the assurance fund pursuant to subsection (1), the council shall pay that person out of the assurance fund an amount equal to the amount paid into the assurance fund.

(4) A dispute with respect to a person's entitlement to money mentioned in this section may be determined on application to the Court of Queen's Bench.

(5) In the case of a prepaid contract to which this section applies that was entered into prior to the coming into force of the Act, the owner may deduct the administration fee calculated in accordance with section 10 prior to paying the money to the assurance fund.

Withdrawal of trust funds

12 An owner may withdraw funds from the trust fund only where:

- (a) the prepaid contract is fulfilled;
- (b) the prepaid contract has been cancelled;
- (c) the prepaid contract is transferred to another owner; or
- (d) the funds are not claimed and the owner is required to pay the money to the assurance fund pursuant to section 11.

Reporting on trust funds

13 An owner shall, on or before March 31 each year, deliver to the council an annual report with respect to all trust accounts in the form and containing the information set out in the bylaws.

Record retention

14 Records respecting prepaid contracts and trust funds must be retained by the owner for at least two years after a prepaid contract is fulfilled, cancelled or transferred.

PART III Assurance Fund

Claims on the assurance fund

15(1) The council shall pay compensation to a person who:

- (a) makes a claim in accordance with this section;
- (b) satisfies the council that the person has suffered a financial loss for a reason set out in subsection (2); and
- (c) has not otherwise been fully compensated.

(2) A person is entitled to compensation from the council where:

- (a) a prepaid contract was cancelled and all the funds and accrued income owing to the person were not paid in accordance with section 80 of the Act;

- (b) a prepaid contract was not fulfilled and as a result it was necessary for the person to obtain funeral services, cremation services or a transfer service other than under the prepaid contract;
 - (c) a payment was not made to the person in accordance with section 81 of the Act; or
 - (d) a refund was not made to the person in accordance with section 82 of the Act.
- (3) A claimant may make a claim by giving written notice of the claim to the council.
- (4) The council may, before paying a claim or any part of a claim, require the claimant to provide any information or document that the council considers necessary, including any document to transfer to the council the interest of the claimant in the claim to subrogate the council to the position of the claimant.

Administration fee

16 Pursuant to clause 85(3)(b) of the Act, the fee for the annual administration of the fund is 30% of the income earned on the fund in the preceding year.

Use of fund

17 The council may use the income from the fund in excess of the percentage mentioned in section 16 for educational or related purposes where:

- (a) the fund exceeds \$500,000;
- (b) the council has submitted to the superintendent a plan for the use of the income; and
- (c) the superintendent has approved the council's plan.

PART IV Price Lists

Funeral services price list

18(1) An itemized price list required pursuant to section 104 of the Act for funeral services must include the cost of the following:

- (a) professional and staff services for each type of funeral service offered and a listing of what those services are;
- (b) embalming, including the use of facilities for embalming;
- (c) other preparation of human remains;
- (d) the use of facilities for visitation;
- (e) payment of staff for visitation;
- (f) the use of facilities for the sheltering of human remains;
- (g) the initial transfer of human remains;
- (h) the use of a funeral coach;

- (i) the use of each additional vehicle;
 - (j) funeral services offered as a package, with each item in a package identified;
 - (k) completing or obtaining any documents required by law;
 - (l) rental fees for all goods available for rent;
 - (m) receiving human remains from another funeral home;
 - (n) transferring human remains to another funeral home or other location;
 - (o) kilometre fee;
 - (p) overtime services;
 - (q) any other services the owner generally offers.
- (2) The owner of a funeral home shall maintain a current itemized price list of the caskets, containers, outer burial containers, urns and other merchandise that the owner generally offers for sale.
- (3) The price list mentioned in subsection (2) must include the model name and a brief description of each casket, container, outer burial container and urn, including the manufacturer's name, if available, and any model number.

Transfer service price list

- 19(1)** An itemized price list required pursuant to section 104 of the Act for a transfer service must include the cost of any of the following that the owner offers directly to the public:
- (a) professional and staff services and a listing of what the services are;
 - (b) transfer of human remains;
 - (c) the use of facilities for sheltering human remains;
 - (d) the use of each additional vehicle;
 - (e) transfer services and goods offered as a package, indicating each item included in the package;
 - (f) completing or obtaining any documents required by law;
 - (g) kilometre fee;
 - (h) any other services the owner generally offers.
- (2) The owner of a transfer service shall maintain a current itemized price list of the caskets, containers, outer burial containers, urns and other merchandise that the owner generally offers for sale.
- (3) The price list mentioned in subsection (2) must include the model name and a brief description of each casket, container, outer burial container and urn, including the manufacturer's name, if available, and any model number.

Cremation services price list

20(1) An itemized price list required pursuant to section 104 of the Act for cremation services that the owner offers directly to the public must include the cost of any of the following:

- (a) professional and staff services and a listing of what the services are;
- (b) cremation;
- (c) payment of staff for visitation;
- (d) the use of facilities for visitation;
- (e) the use of other facilities;
- (f) temporary shelter of human remains;
- (g) completing or obtaining any documents required by law;
- (h) storing cremated human remains;
- (i) inspection of the human remains for the presence of a pacemaker or radioactive implant;
- (j) arranging for the removal of a pacemaker or radioactive implant;
- (k) kilometre fee;
- (l) overtime services;
- (m) any other services the owner generally offers.

(2) The owner of a crematorium shall maintain a current itemized price list of the caskets, containers, outer burial containers, urns and other merchandise that the owner generally offers for sale.

(3) The price list mentioned in subsection (2) must include the model name and a brief description of each casket, container, outer burial container and urn, including the manufacturer's name, if available, and any model number.

Availability of price lists

21(1) All price lists must clearly state:

- (a) the effective date of the price list; and
- (b) the name, address and phone number of the funeral home, crematorium or transfer service.

(2) Before a potential buyer selects funeral services, cremation services or a transfer service at the owner's premises, an owner or the owner's employee or representative must offer to that person without charge a copy of the price lists.

(3) Prices on the price list shall be expressed as a fixed charge, an hourly rate, a rate per kilometre or a rate per other unit of compensation.

Telephone requests

22 An owner or an owner's representative shall, on receiving a telephone inquiry respecting the supply of funeral services, cremation services or a transfer service give accurate information respecting the nature and price of the supplies and services offered and advise the caller of the availability of the price lists.

PART V
General Provisions

Memorial societies

23 The Funeral Advisory and Memorial Society of Saskatchewan is designated as a memorial society for purposes of section 5 of the Act.

Notice of changes

24 Where a corporation wishes to change the designation of an officer or director who was designated pursuant to clause 7(1)(a) of the Act as the person responsible for directly communicating with the council, the corporation may make the designation and shall notify the council of the change within 10 business days.

Membership on council

25(1) An elected member must be a licensee in good standing.

(2) An individual is not eligible to be a member or to remain a member if:

(a) in the case of a licensee appointed by the Lieutenant Governor in Council, the individual's licence is suspended;

(b) the individual is convicted of an offence pursuant to the Act or these regulations; or

(c) the individual is an undischarged bankrupt.

(3) Notwithstanding the manner of appointment, where a member becomes ineligible to be a member, he or she ceases to be a member on that day.

Delegation of powers

26 A delegation of any powers or duties of the council is to be made in writing.

Circumstances where burial permit not required

27(1) A burial permit is not required for the cremation of foetal remains if, pursuant to *The Vital Statistics Act, 1995*, a burial permit is not issued.

(2) A burial permit is not required for the cremation of disinterred human remains.

(3) An owner shall require proof of permission to disinter human remains pursuant to *The Public Health Act, 1994* or *The Coroners Act, 1999* in order to cremate disinterred human remains.

Hazardous products

28 For purposes of section 94 of the Act, no person shall provide human remains to a crematorium for cremation if the person knows or ought reasonably to know that:

(a) a radioactive implant is in the human remains; or

(b) non-combustible objects or hazardous materials that may pose a danger to any person during or after the cremation process are in the container or casket.

Cremation practices

29(1) An owner of a crematorium shall not, without the written consent of the authorized decision-maker:

- (a) cremate the human remains of more than one person within one cremation chamber at the same time;
- (b) subject to section 98 of the Act, retain or dispose of cremated human remains in any manner other than as directed by the authorized decision-maker; or
- (c) commingle cremated human remains that have been recovered from a cremation chamber.

(2) The owner of a crematorium shall operate a cremation chamber only for the purpose of cremating human remains.

Disposition of unclaimed cremated human remains

30(1) Prior to permanently disposing of unclaimed cremated human remains pursuant to section 98 of the Act, an owner shall make reasonable efforts to have the authorized decision-maker claim the cremated human remains or to obtain direction from the authorized decision-maker as to the disposition of the cremated human remains.

(2) For the purposes of clause 98(c), an owner may dispose of cremated human remains in an area established for the purpose of scattering cremated human remains.

Records

31 In addition to the records required pursuant to section 99 of the Act, the owner of a crematorium shall keep a permanent record of the following information with respect to each deceased person cremated in the crematorium:

- (a) the date of death;
- (b) if known, the deceased person's:
 - (i) date of birth;
 - (ii) gender; and
 - (iii) location of death;
- (c) the name of the crematorium technician; and
- (d) the cremation identification number.

Funeral goods display

32(1) If an owner has a room or area for the display of caskets for examination by the public, the owner shall include in that room or area one of the lowest priced caskets that is commonly available.

(2) An owner must have available for examination by the public a book, brochure or other advertisement or literature illustrative of the product line of caskets and containers the owner generally offers for sale.

Telephone solicitation

33 An owner who engages in telephone solicitation must maintain a “do not call” list and place on that list the name of any person who has asked not to be called.

Service of documents

34(1) In addition to the methods of service set out in section 117 of the Act, a document required by the Act or the regulations to be served may be served in any manner that permits the person serving the document to produce proof of service, including fax or courier, to the last known address of the person to be served.

(2) Service of a document by fax may be established using the transmission record or journal generated by the fax machine that indicates the date of transmission and that the transmission was successful.

Transitional

35(1) For purposes of subsection 120(5) of the Act, the following are prescribed as funeral services:

- (a) making arrangements with the family of a deceased person from initial planning through to final disposition of the human remains;
 - (b) making arrangements with a cemetery or crematorium for final disposition of the human remains;
 - (c) coordinating the transfer and receipt of human remains;
 - (d) coordinating the services of clergy and other persons involved in rites and ceremonies with respect to human remains;
 - (e) completing documentation required by law for interment or cremation.
- (2) An owner shall, within 90 days of the coming into force of the Act, comply with the requirements of the Act and these regulations respecting:
- (a) prepaid contract provisions pursuant to clause 77(e) of the Act;
 - (b) records pursuant to sections 99 to 101 of the Act; and
 - (c) price lists pursuant to section 104 of the Act.

R.R.S. c.P-22.3 Reg 1 repealed

36 *The Prepaid Funeral Services Regulations* are repealed.

Coming into force

37(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Funeral and Cremation Services Act* comes into force.

(2) If section 1 of *The Funeral and Cremation Services Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SCHEDULE
BUYER'S RIGHT TO CANCEL OR TRANSFER
[*Section 8*]

You may cancel this contract and receive a full refund if you cancel during the period beginning on the day you enter into the contract and ending 10 business days after the day you receive a copy of the contract.

You may also cancel this contract at any time after the period mentioned above.

If you cancel the contract after that period, you may not receive a refund for any goods that have been specially ordered or cannot be sold to anyone else (e.g., if the goods have been engraved), as long as the fact that those goods were not subject to refund is stated in the contract. The owner will, however, provide you with those goods on cancellation.

Also, if you cancel the contract after that period, you may be charged an administration fee of:

- within the first year of the contract, 10% of the contract or \$250, whichever is the lesser amount;
- after the first year of the contract, 10% of the contract or \$500, whichever is the lesser amount.

To cancel, you must give notice of cancellation in writing to the owner at the owner's address.

This contract may also be transferred to another owner. To transfer, you must give notice in writing to the first owner at the owner's address.

CHAPTER S-24.1 REG 1*The Saskatchewan Human Rights Code*

Section 46

Order in Council 487/2001, dated June 26, 2001

(Filed June 27, 2001)

Title

1 These regulations may be cited as *The Saskatchewan Human Rights Code Regulations*.

Interpretation

2 In these regulations:

- (a) “**Code**” means *The Saskatchewan Human Rights Code*;
- (b) “**complainant**” means a person who has filed a complaint pursuant to subsection 27(1) of the Code and, for the purposes of sections 5 and 8, includes the commission where the commission has initiated the complaint;
- (c) “**inquiry**” means an inquiry into a complaint;
- (d) “**respondent**” means a person against whom a complaint is made;
- (e) “**sponsor**” means an employer, institution, agency or other organization that:
 - (i) has received approval for a program pursuant to subsection 47(1) of the Code; or
 - (ii) has been ordered to undertake a program pursuant to subsection 47(1) or clause 31.3(a) of the Code;
- (f) “**tribunal**” means a human rights tribunal appointed pursuant to section 29.1 of the Code.

Complaints

3 A complaint within the meaning of Part IV of the Code may be made:

- (a) by filing the form mentioned in subsection 27(1) of the Code; or
- (b) orally to the commission.

Class complaints

4(1) Where more than one person has a common interest in a cause or matter, a complaint may be filed pursuant to section 27 of the Code on behalf of a class of persons notwithstanding that the damage suffered may vary from person to person within the class.

(2) The Chief Commissioner, or any person designated by the Chief Commissioner, shall accept for filing a complaint on behalf of a class of persons if he or she considers it appropriate to do so.

(3) In determining whether to accept a complaint for filing pursuant to subsection (2), the Chief Commissioner, or any person designated by the Chief Commissioner, shall consider whether:

- (a) there is an identifiable class;
- (b) the claims of the class members raise common issues;
- (c) the class complaint would be the preferable procedure for the resolution of the common issues; and
- (d) the complainant is an appropriate representative of the class of persons on whose behalf the complaint is filed.

(4) Where a complaint is accepted for filing on behalf of a class of persons, the Chief Commissioner shall provide the members of the class with notice of the complaint that the Chief Commissioner considers reasonable in the circumstances.

(5) Where a member of the class requests exclusion from the class by applying to the commission within 30 days after the day on which notice pursuant to subsection (4) was provided, the commission shall grant the exclusion.

Amended complaints

5(1) A complaint may be amended by the complainant at any time before the Chief Commissioner requests the appointment of a tribunal pursuant to subsection 28(2) of the Code.

(2) A tribunal may allow a complainant to amend a complaint if notice is provided to the Chief Commissioner, and may make any order it considers appropriate respecting adjournments and service of the amended complaint.

(3) Sections 27.1 and 28 of the Code apply to a complaint amended before the Chief Commissioner requests the appointment of a tribunal.

(4) Where a complaint is filed on behalf of a class of persons, the complainant may only amend the complaint with the consent of the Chief Commissioner.

Withdrawal of complaint

6(1) A complaint, other than a complaint on behalf of a class of persons, may be withdrawn by the complainant at any time by giving notice orally or in writing to the commission.

(2) The Chief Commissioner may consider that a complaint has been withdrawn or, in the case of a complaint on behalf of a class of persons, consider that the complainant does not wish to continue with the complaint, if a complainant has been requested in writing to contact the commission and does not respond to that request within a reasonable period.

(3) A complainant who files a complaint on behalf of a class of persons may withdraw as the complainant, but the Chief Commissioner may appoint a complainant to continue with the complaint.

Dismissal of complaint

7 Where the Chief Commissioner dismisses a complaint pursuant to subsection 27.1(2) of the Code, he or she shall notify the complainant in writing.

Service of complaint

8 The commission shall serve a copy of the complaint and notice of any amendments made by the complainant on the respondent at any time before the Chief Commissioner requests the chairperson of the human rights tribunal panel to appoint a tribunal.

Address to be provided

9(1) Within 20 days after service of the complaint, the respondent shall provide the commission with an address where documents may be served and notices given.

(2) Where the address provided pursuant to subsection (1) changes, the respondent shall inform the commission of the change.

(3) Where a complaint has been served on the respondent and the respondent has not provided an address for service, the address of the respondent stated in the complaint is the respondent's address for service.

Service

10 Where any document is required to be served, service may be made in any manner permitted by *The Queen's Bench Rules*.

Evidence of offers

11 No evidence shall be given or received at an inquiry respecting any offers or counter offers made in an effort to settle a complaint.

Investigation by commission

12(1) Where the Chief Commissioner, or any person designated by the Chief Commissioner, determines that a complaint should be investigated, the respondent shall, when requested, provide a response to the complaint and any further information relating to the complaint that the commission may request.

(2) In addition to requiring the production of documents and records, the Chief Commissioner, or any person designated by the Chief Commissioner, may request a summary of the information contained in any documents or records relating to the complaint in the respondent's possession.

Initiating a tribunal inquiry

13 A request to appoint a tribunal pursuant to subsection 28(2) of the Code by the Chief Commissioner, or pursuant to section 29.4 of the Code by a complainant, must be in any form that the human rights tribunal panel directs.

Record

14(1) For the purposes of subsection 29.4(3) of the Code, the record consists of:

- (a) the complaint;
- (b) all witness statements and documents that could constitute evidence at an inquiry; and
- (c) the notice of dismissal provided to the complainant pursuant to section 7.

(2) The tribunal shall provide a copy of the record to the parties on request.

(3) For the purposes of a request pursuant to subsection 29.4(1) of the Code, the tribunal may allow the complainant, respondent and Chief Commissioner to supplement the record with affidavit evidence and written or oral submissions.

(4) Subject to the discretion of the tribunal, any affidavit filed respecting a request pursuant to subsection 29.4(1) of the Code is admissible before a subsequent inquiry.

Inquiry to be open to public

15 An inquiry must be open to the public.

Interventions

16(1) Any person or class of persons may apply for intervenor status in an inquiry by filing with the chairperson of the human rights tribunal panel an application in a form approved by the human rights tribunal panel.

(2) The human rights tribunal panel shall consider the application and may grant intervenor status on any terms that it considers appropriate where it is of the opinion that the person or class of persons:

- (a) may be affected by a human rights tribunal order; or
- (b) may assist the inquiry by participating.

(3) The human rights tribunal panel may establish rules for the filing and serving of an application for intervenor status.

Tribunal inquiries regarding classes of persons

17(1) If a tribunal determines that the notice given pursuant to subsection 4(4) is insufficient, the tribunal may:

- (a) direct that a class of persons on whose behalf a complaint is filed be given notice of the complaint pursuant to subsection (2); and
- (b) refuse to conduct a hearing respecting the complaint until that notice has been given.

(2) The tribunal may give directions respecting the contents of the notice required pursuant to subsection (1) and the means by which the notice is to be given to members of the class.

(3) On application by the respondent or a member of the class, the tribunal shall determine whether the complaint may proceed as a class complaint and shall consider the criteria mentioned in subsection 4(3) in making that determination.

(4) If a tribunal determines that the criteria in subsection 4(3) are not satisfied, the tribunal may:

- (a) direct that the complaint on behalf of that class of persons proceed as individual complaints on behalf of named individual members of the class;
- (b) direct that the complaint proceed with a reconstituted or redefined class of persons; or
- (c) make any other direction that, in the tribunal's opinion, will facilitate the fair and efficient adjudication of the complaint.

(5) The tribunal may direct that certain persons be excluded as members of the class.

- (6) A tribunal may:
- (a) order that the compensation to which each individual member of a class is entitled be determined by a formula or a process; and
 - (b) determine any disputes arising out of that order.
- (7) On application by any party, or any member of a class, a judge of the Court of Queen's Bench may vary an order of a tribunal made pursuant to this section.

Attendance of witnesses

- 18(1)** A tribunal may, at the request of a party or on its own initiative, require the attendance of a witness or the production of documents by issuing a subpoena.
- (2) The human rights tribunal panel may establish:
- (a) the form to be used for a subpoena; and
 - (b) a schedule of witness fees and disbursements that must be paid to a witness to require attendance.
- (3) Where the human rights tribunal panel does not establish the form or schedule mentioned in subsection (2), the form and schedule in *The Queen's Bench Rules* apply with any necessary modifications.
- (4) The commission may require the attendance of a witness by serving a subpoena and without providing witness fees and disbursements in advance, but the commission is liable to the witness for the prescribed fees and disbursements.
- (5) A party intending to call a witness is responsible for service of a subpoena and the payment of fees and disbursements to the witness, and the expenses incurred by the witness may be considered by the tribunal when ordering costs.
- (6) Witnesses before a tribunal, other than a party, may be excluded from the hearing room by the tribunal until called on to give evidence.

Interpreter

- 19(1)** A tribunal may:
- (a) engage the services of an interpreter; and
 - (b) allow a witness to give testimony through an interpreter.
- (2) The cost of an interpreter is the responsibility of the tribunal unless the tribunal orders otherwise.

Tribunal decisions

- 20** Where, pursuant to subsection 29.1(3) of the Code, the chairperson of the human rights tribunal panel appoints more than one person as the tribunal:
- (a) one of the persons appointed shall be designated as the chairperson of the tribunal and shall preside over all proceedings relating to the inquiry;
 - (b) a decision of the majority of the tribunal members shall be the decision of the tribunal; and
 - (c) a tribunal member may submit a minority decision, which is to be included with the decision of the tribunal.

Costs

21(1) A tribunal may order any party to an inquiry to pay costs to any other party in an amount the tribunal considers appropriate, except that the tribunal may not order the commission to pay costs to the complainant.

(2) Notwithstanding subsection (1), where a complaint proceeds pursuant to subsection 29.4(4) of the Code, the tribunal may not order the commission to pay costs to the respondent.

Order of tribunal

22(1) The tribunal shall serve copies of all orders on the commission, complainant, respondent and any intervenors.

(2) Every order is open to public inspection at every commission office during the normal office hours of that office.

Applications for approvals and exemptions

23 An application for a program approval or an exemption pursuant to subsection 47(1) or 48(1) of the Code is to be accompanied by a written submission and any other material that may be required by the commission.

Information respecting approvals, etc.

24 For the purposes of subsections 47(1) and 48(1) of the Code, the commission or the Chief Commissioner, as the case may be, may gather information in any manner from any person or source that the commission or the Chief Commissioner considers necessary.

Terms of approval or exemption

25 The commission or the Chief Commissioner may impose any terms, conditions or criteria either considers appropriate when ordering, approving or continuing the approval of a program pursuant to section 47 of the Code or when ordering or continuing an exemption pursuant to section 48 of the Code.

Reports

26(1) Every sponsor of a program approved pursuant to section 47 of the Code shall report to the commission on a date set by the commission.

(2) The Chief Commissioner, or any person designated by the Chief Commissioner, may at any time request any information from the sponsor he or she considers appropriate for the purposes of monitoring the approved program.

(3) Any person who receives a request for information pursuant to subsection (2) shall provide that information to the person requesting it within the time specified.

Distinctions, etc., based on risk factors

27 Any of the following that make a distinction, exclusion or preference because of disability that is reasonable and bona fide based on the risk factor for the distinction, exclusion or preference are prescribed for the purposes of subsection 15(1.2) of Code:

- (a) contracts of automobile, life, accident or sickness, or disability insurance;
- (b) contracts of group insurance between an insurer and an association or person;
- (c) life annuities.

Non-compliance

28(1) Non-compliance with these regulations does not render any proceeding void unless the tribunal so directs.

(2) The tribunal may order the matter returned to the commission to remedy any non-compliance with these regulations.

Sask. Reg. 216/79 repealed

29 Saskatchewan Regulations 216/79 are repealed.

Transitional

30(1) Where the commission has dismissed a complaint before the coming into force of these regulations and the complainant requests that the minister appoint a board of inquiry pursuant to subsection 29(4) of the Code as the Code existed on the day before the coming into force of *The Saskatchewan Human Rights Code Amendment Act, 2000*, the request is deemed to have been made pursuant to section 29.4 of the Code and the minister shall forward the request to the chairperson of the human rights tribunal panel who shall conduct a review pursuant to that section.

(2) Where the minister has appointed a board of inquiry pursuant to subsection 29(2) of the Code as the Code existed on the day before the coming into force of *The Saskatchewan Human Rights Code Amendment Act, 2000*, that board of inquiry has jurisdiction to conduct the inquiry and make orders pursuant to sections 31.3 to 31.5 of the Code.

Coming into force

31(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Saskatchewan Human Rights Code Amendment Act, 2000* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Saskatchewan Human Rights Code Amendment Act, 2000* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 46/2001*The Milk Control Act, 1992*

Section 10

Board Order, dated June 25, 2001

(Filed June 25, 2001)

Title

1 These regulations may be cited as *The Milk Control Amendment Regulations, 2001 (No. 7)*.

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

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

Section 8.3 amended

3 **Subsection 8.3(6) is repealed.**

Appendix, Part II amended

4 **Clauses 3(1)(m) and (n) of Part II of the Appendix are repealed and the following substituted:**

“(m) in the case of class 5a milk:

- (i) \$7.2015 per kilogram of butterfat;
- (ii) \$6.1365 per kilogram of protein; and
- (iii) \$0.4310 per kilogram of other solids;

“(n) in the case of class 5b milk:

- (i) \$7.2015 per kilogram of butterfat;
- (ii) \$2.9838 per kilogram of protein; and
- (iii) \$2.9838 per kilogram of other solids”.

Coming into force

5 These regulations come into force on July 1, 2001.

SASKATCHEWAN REGULATIONS 47/2001*The Election Act, 1996*

Subsection 287(2)

Chief Electoral Officer Order, dated June 22, 2001

(Filed June 26, 2001)

Title

1 These regulations may be cited as *The Election Forms (Chief Electoral Officer) Amendment Regulations, 2001*.

R.R.S. c.E-6.01 Reg 2 amended

2 *The Election Forms (Chief Electoral Officer) Regulations* are amended in the manner set forth in these regulations.

New Form EE

3 Form EE is repealed and the following substituted:

“FORM EE

[Sections 93, 100, 108, 116, 124, 135 and 141 of the Act]

Ballot Paper Account and Poll Statement

(To be made by deputy returning officer, at close of the taking of the votes of the voters, in accordance with sections 93, 100, 108, 116, 124, 135 and 141)

Constituency of _____ Polling Division No. _____

(or in the case of a hospital, personal care facility or remand centre insert name of facility) (or in the case of advance, displaced voter or mobile polling insert type of poll)

1 Total number of names on the voters' list _____

Ballot Paper Account

2	Number of ballot papers (Form A) received from returning officer <i>(or)</i> Number of ballot papers (Form B) received from returning officer		
3	Number appearing in poll book as having voted		
4	Number of unused ballot papers (Form A) <i>(or)</i> Number of unused ballot papers (Form B)		
5	Number of ballot papers (Form A) spoiled or declined <i>(or)</i> Number of ballot papers (Form B) spoiled or declined		
6	Number of ballot papers unaccounted for (if any)		
	Total		

NOTE: These totals must agree.

(To be completed with respect to all polling places except hospital, remand centre or temporarily displaced voter polls.)

7 Number of voters appearing in poll book as having voted:

(a) without making a declaration	
(b) after making a declaration	

(To be completed only with respect to polling places in a hospital, remand centre or temporarily displaced voter poll.)

8 Number of voters appearing in poll book as having voted, who:

(a) reside in the constituency

(b) do not reside in the constituency

Total

NOTE: The total under 7 or 8 must agree with 3.

(To be completed with respect to all polling places except polling places in a hospital, remand centre or temporarily displaced voter poll.)

9 Number of ballots cast for (insert name of candidate)

Number of ballots cast for (insert name of candidate)

Number of ballots cast for (insert name of candidate)

Number of ballots cast for (insert name of candidate)

Number of ballots cast for (insert name of candidate)

Number of ballots cast for (insert name of candidate)

10 Number of rejected ballots

Total

NOTE: This total must agree with 7.

I certify that the above statement is correct.

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

Poll Clerk
(Candidates or representatives may also sign.)

Deputy Returning Officer

”.

New Form OO

4 Form OO is repealed and the following substituted:

“FORM OO
[Section 87 of the Act]

Absentee Voter Application

(Application To Vote pursuant to section 87)

To: Returning Officer

Constituency of _____

(Address of Returning Officer)

Telephone Number _____ Facsimile Number _____

PART I*(To be completed by individual wishing to be considered an absentee voter.)*I, _____, the undersigned, being a qualified voter pursuant to
(Name of Applicant)

The Election Act, 1996, and whose name appears on the voters' list for Polling Division No. *(or, in the case of a personal care facility, insert name of facility)* in the above-named constituency, apply to you to vote at the election now pending as provided in sections 86 to 89, inclusive, of the said Act. I claim entitlement to vote in this manner because I am unable to attend in person on election day or at an advance poll, by reason of being:

- 1 A member of the Canadian Forces or a spouse or dependent child of that member;
- 2 An operator or employee of a long-distance transportation business;
- 3 An individual who is unable to vote because of business commitments or because of my employer's directions;
- 4 An individual who is incapable of going to a polling place because of my health;
- 5 A student at an educational institution outside Saskatchewan;
- 6 An individual who is participating in a job training or retraining program;
- 7 An individual who has a reasonable and substantial concern for safety;
- 8 An individual who has a commitment made prior to the date of the writ's issue that will prevent me from going to the polling place.

(Place a mark opposite the category that applies).

Dated this _____ day of _____, _____.

Signature of Applicant_____
Address of Applicant

PART II

(To be completed by another voter who does not reside with the absentee voter but who resides in the same constituency.)

I, _____, the undersigned, certify
(Name of Second Voter)

that the person named in Part I is personally known to me, that he or she resides in the said polling division, and that he or she is unable to attend in person on election day or at an advance poll by reason set forth in Part I.

Dated this _____ day of _____, _____.

Signature of Second Voter

Address of Second Voter

”.

New Form PP**5 Form PP is repealed and the following:**

“FORM PP
[Section 88 of the Act]

Certificate Envelope

Constituency of _____

Polling Division No. (or in the case of a personal care facility insert name of facility)

Insert ballot envelope in this envelope, seal and complete the following certificate:

FIRST CERTIFICATE

(To be completed by absentee voter)

I, _____ of _____,
(Name of Voter) (Address of Voter)

certify that I am entitled to vote pursuant to sections 87 to 89 of *The Election Act, 1996*, because I am unable to go in person to the polling place or to an advance poll by reason of my qualification as an absentee voter and that enclosed in this envelope is a ballot envelope that contains the ballot received by me and marked by me.

Dated this _____ day of _____, _____.

Signature of Voter

The absentee voter shall then have another voter who does not reside with the absentee voter but who resides in the same constituency complete the following certificate:

SECOND CERTIFICATE

(To be completed by second voter)

I, _____, the undersigned, residing at _____,
(Name of Second Voter) (Address of Second Voter)

in the above-named constituency, certify that I am a qualified voter pursuant to *The Election Act, 1996*, and that the above-named voter is personally known to me.

Dated this _____ day of _____, _____.

Signature of Second Voter

”.

New Form RR

6 Form RR is repealed and the following substituted:

“FORM RR
[Section 89 of the Act]

**Statement of Ballots Mailed or Delivered
to the Returning Officer**

Constituency of _____

To be completed by the Returning Officer following the count of ballots cast by absentee voters and a copy forwarded to each candidate in the constituency, in accordance with subsection 89(8).

1	Number of absentee voters who submitted an application to vote by absentee ballot		
2	Number of absentee voters to whom a ballot paper was forwarded		
<hr/>			
3	Number of ballot papers (Form A) assigned to the absentee voting process		
4	Number of absentee voters shown in the poll book as having voted (clause 89(2)(c))		
5	Number of unopened certificate envelopes (clause 89(2)(d))		
6	Number of unopened outer envelopes (clause 89(5)(b))		
7	Number of ballot papers unaccounted for (if any)		
8	Number of ballot papers spoiled or declined		
9	Number of unused ballot papers		
	Totals		

NOTE: These totals must agree.

10	Number of ballots cast for	<i>(insert name of candidate)</i>		
	Number of ballots cast for	<i>(insert name of candidate)</i>		
	Number of ballots cast for	<i>(insert name of candidate)</i>		
	Number of ballots cast for	<i>(insert name of candidate)</i>		
	Number of ballots cast for	<i>(insert name of candidate)</i>		
	Number of ballots cast for	<i>(insert name of candidate)</i>		
11	Number of rejected ballots (subsection 146(14))			
		Total		

NOTE: This total must agree with 4.

I certify that the above statement is correct.

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

Returning Officer

”

New Form GGG

7 The following Form is added after Form FFF:

“FORM GGG
[Section 5 of the Act]

			Consecutive Number	1
			Name of Voter	2
			Address of Voter (Street and Number or Land Location)	3
			Occupation	4
			Polling Division Number	5
			Number on Voters' List	6
			Date Absentee Voter Application Received	7
			Date Materials Sent or Delivered	8
			Address where Materials Sent or Delivered (If different from Column 3)	9
			Date Outer Envelope Received (Outside of Deadline) (clause 89(5)(b))	10
			Certificate Envelope Rejected (clause 89(2)(d))	11
			Voted (clause 89(2)(c))	12
			Remarks	13

”

Coming into force

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

SASKATCHEWAN REGULATIONS 48/2001*The Municipal Revenue Sharing Act*

Section 13

Order in Council 489/2001, dated June 26, 2001

(Filed June 27, 2001)

Title

1 These regulations may be cited as *The Rural Municipalities Revenue Sharing Amendment Regulations, 2001*.

R.R.S. c.M-32.1 Reg 11 amended

2 *The Rural Municipalities Revenue Sharing Regulations, 1997* are amended in the manner set forth in these regulations.

Section 16.01 amended

3 **Section 16.01 is amended:**

- (a) **by striking out “2000-2001” and substituting “2001-2002”; and**
- (b) **by striking out “1999-2000” and substituting “2000-2001”.**

New sections 16.02 and 16.03

4 **The following sections are added after section 16.01:**

“Total unconditional grants for expanded rural municipalities

16.02(1) Where, on or after January 1, 2000, an urban municipality is dissolved and the area of the former urban municipality is included in a rural municipality, the total amount of unconditional grants to which the rural municipality is entitled in the first fiscal year after the dissolution of the urban municipality is the greater of:

- (a) the total amount of unconditional grants prescribed in these regulations for the rural municipality for that fiscal year; and
 - (b) the sum of:
 - (i) the total amount of unconditional grants paid to the rural municipality in the previous fiscal year; and
 - (ii) the total amount of unconditional grants paid to the former urban municipality in the previous fiscal year.
- (2) The total amount of unconditional grants to which the rural municipality mentioned in subsection (1) is entitled in the second fiscal year after its expansion is:
- (a) the total amount of unconditional grants prescribed in these regulations for the rural municipality for that fiscal year; or

(b) if the amount mentioned in clause (a) is less than the sum of the total amount of unconditional grants paid to the rural municipality in the fiscal year before its expansion and the total amount of unconditional grants paid to the former urban municipality in the fiscal year before its dissolution, the amount G calculated in accordance with the following formula:

$$G = B + [(A - B) \times 2/3]$$

where:

A is the sum of:

- (i) the total amount of unconditional grants paid to the rural municipality in the fiscal year before its expansion; and
- (ii) the total amount of unconditional grants paid to the former urban municipality in the fiscal year before its dissolution; and

B is the amount mentioned in clause (a).

(3) The total amount of unconditional grants to which the rural municipality mentioned in subsection (1) is entitled in the third fiscal year after its expansion is:

(a) the total amount of unconditional grants prescribed in these regulations for the rural municipality for that fiscal year; or

(b) if the amount mentioned in clause (a) is less than the sum of the total amount of unconditional grants paid to the rural municipality in the fiscal year before its expansion and the total amount of unconditional grants paid to the former urban municipality in the fiscal year before its dissolution, the amount G calculated in accordance with the following formula:

$$G = C + [(A - C) \times 1/3]$$

where:

A is the sum of:

- (i) the total amount of unconditional grants paid to the rural municipality in the fiscal year before its expansion; and
- (ii) the total amount of unconditional grants paid to the former urban municipality in the fiscal year before its dissolution; and

C is the amount mentioned in clause (a).

“Total unconditional grants for restructured rural municipalities

16.03(1) Where, on or after April 1, 2001, two or more municipalities amalgamate or restructure to form a new rural municipality, the total amount of unconditional grants to which the new rural municipality is entitled in the first fiscal year after its incorporation is the greater of:

(a) the total amount of unconditional grants prescribed in these regulations for the new rural municipality for that fiscal year; and

(b) the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new rural municipality were entitled in the fiscal year before incorporation of the new rural municipality.

(2) The total amount of unconditional grants to which the new rural municipality mentioned in subsection (1) is entitled in the second fiscal year after its incorporation is:

(a) the total amount of unconditional grants prescribed in these regulations for the new rural municipality for that fiscal year; or

(b) if the amount mentioned in clause (a) is less than the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new rural municipality were entitled in the fiscal year before incorporation of the new rural municipality, the amount G calculated in accordance with the following formula:

$$G = B + [(A - B) \times 2/3]$$

where:

A is the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new rural municipality were entitled in the fiscal year before incorporation of the new rural municipality; and

B is the amount mentioned in clause (a).

(3) The total amount of unconditional grants to which the new rural municipality mentioned in subsection (1) is entitled in the third fiscal year after its incorporation is:

(a) the total amount of unconditional grants prescribed in these regulations for the new rural municipality for that fiscal year; or

(b) if the amount mentioned in clause (a) is less than the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new rural municipality were entitled in the fiscal year before incorporation of the new rural municipality, the amount G calculated in accordance with the following formula:

$$G = C + [(A - C) \times 1/3]$$

where:

A is the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new rural municipality were entitled in the fiscal year before incorporation of the new rural municipality; and

C is the amount mentioned in clause (a)".

Section 16.3 amended

5 Section 16.3 is amended by striking out "50%" and substituting "66 2/3%".

Section 22 amended

6 Clause 22(1)(b) is repealed and the following substituted:

"(b) are payable on a specific project basis from, as the case requires:

(i) the appropriate provincial pool of revenue sharing funds; or

(ii) the funds available pursuant to the Canada-Saskatchewan Infrastructure Program, which was established by a written agreement between the Governments of Canada and Saskatchewan dated October 16, 2000 and approved by Order in Council 613/2000”.

Section 27 repealed

7 Section 27 is repealed.

Coming into force

8 These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from April 1, 2001.

SASKATCHEWAN REGULATIONS 49/2001

The Municipal Revenue Sharing Act

Section 13

Order in Council 490/2001, dated June 26, 2001

(Filed June 27, 2001)

Title

1 These regulations may be cited as *The Urban Municipalities Revenue Sharing Amendment Regulations, 2001*.

R.R.S. c.M-32.1 Reg 2 amended

2 *The Urban Municipalities Revenue Sharing Regulations, 1981* are amended in the manner set forth in these regulations.

Section 9 amended

3 Section 9 is amended:

- (a) by striking out “2000-2001” and substituting “2001-2002”; and
- (b) by striking out “1999-2000” and substituting “2000-2001”.

New section 9.01

4 The following section is added after section 9:

“Total unconditional grants for restructured urban municipalities

9.01(1) Where, on or after April 1, 2001, two or more municipalities amalgamate or restructure to form a new urban municipality, the total amount of unconditional grants to which the new urban municipality is entitled in the first fiscal year after its incorporation is the greater of:

- (a) the total amount of unconditional grants prescribed in these regulations for the new urban municipality for that fiscal year; and
- (b) the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new urban municipality were entitled in the fiscal year before incorporation of the new urban municipality.

(2) The total amount of unconditional grants to which the new urban municipality mentioned in subsection (1) is entitled in the second fiscal year after its incorporation is:

(a) the total amount of unconditional grants prescribed in these regulations for the new urban municipality for that fiscal year; or

(b) if the amount mentioned in clause (a) is less than the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new urban municipality were entitled in the fiscal year before incorporation of the new urban municipality, the amount G calculated in accordance with the following formula:

$$G = B + [(A - B) \times 2/3]$$

where:

A is the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new urban municipality were entitled in the fiscal year before incorporation of the new urban municipality; and

B is the amount mentioned in clause (a).

(3) The total amount of unconditional grants to which the new urban municipality mentioned in subsection (1) is entitled in the third fiscal year after its incorporation is:

(a) the total amount of unconditional grants prescribed in these regulations for the new urban municipality for that fiscal year; or

(b) if the amount mentioned in clause (a) is less than the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new urban municipality were entitled in the fiscal year before incorporation of the new urban municipality, the amount G calculated in accordance with the following formula:

$$G = C + [(A - C) \times 1/3]$$

where:

A is the total amount of unconditional grants to which the municipalities that amalgamated or restructured to form the new urban municipality were entitled in the fiscal year before incorporation of the new urban municipality; and

C is the amount mentioned in clause (a)".

Section 11 amended

5 Section 11 is amended by striking out "50%" and substituting "66 2/3%".

Section 13 amended

6 Clause 13(1)(b) is repealed and the following substituted:

"(b) are payable on a specific project basis from the funds available pursuant to the Canada-Saskatchewan Infrastructure Program, which was established by a written agreement between the Governments of Canada and Saskatchewan dated October 16, 2000 and approved by Order in Council 613/2000".

Coming into force

7 These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from April 1, 2001.

SASKATCHEWAN REGULATIONS 50/2001*The Northern Municipalities Act*

Section 286

Order in Council 491/2001, dated June 26, 2001

(Filed June 27, 2001)

Title

1 These regulations may be cited as *The Northern Municipalities Revenue Sharing Program Amendment Regulations, 2001*.

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

2 Subsection 7.1(1) of *The Northern Municipalities Revenue Sharing Program Regulations, 1988* is amended:

(a) by striking out “2000-2001” and substituting “2001-2002”; and

(b) by striking out “1999-2000” and substituting “2000-2001”.

Coming into force

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

