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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 52/2002

The Securities Act, 1988

Section 154

Commission Order, dated June 6, 2002

(Filed June 24, 2002)

Title

1 These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2002*.

R.R.S. c.S-42.2 Reg 3 amended

2 *The Securities Commission (Adoption of National Instruments) Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 The following clauses are added after clause 2(w):

“(x) National Instrument 54-101, entitled Communication with Beneficial Owners of Securities of a Reporting Issuer, as set out in Part XXIV of the Appendix;

“(y) National Instrument 54-102, entitled Interim Financial Statement and Report Exemption, as set out in Part XXV of the Appendix”.

Appendix amended

4 The following Parts are added after Part XXIII of the Appendix:

“PART XXIV

“[clause 2(x)]

“NATIONAL INSTRUMENT 54-101

“COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER

“PART 1 DEFINITIONS AND INTERPRETATION

“1.1 Definitions – In this Instrument:

‘**affairs**’ means the relationship among a reporting issuer, its affiliates, and their securityholders, partners, directors and officers, other than the business carried on by the reporting issuer;

‘**annual report**’ means an annual report of a reporting issuer that includes the audited annual financial statements of the reporting issuer, and any other document required by Canadian securities legislation to be included in or sent with an annual report;

'beneficial owner' means, for a security held by an intermediary in an account, the person or company that is identified as providing the instructions contained in a client response form or, if no instructions are provided, the person or company that has the authority to provide those instructions;

'beneficial ownership determination date' means, for a meeting:

- (a) the record date for voting; or
- (b) in the absence of a record date for voting, the record date for notice;

'business day' means a day other than a Saturday, Sunday or statutory holiday in the local jurisdiction;

'CDS' means the Canadian Depository for Securities Limited and any successor to its depository business;

'client' means a person or company on whose behalf an intermediary directly holds a security;

'client response form' means the form of response set out in Form 54-101F1;

'corporate law' means, for a reporting issuer, any legislation, constating instrument or agreement that governs the affairs of the reporting issuer;

'day' means a calendar day unless express reference is made to a business day;

'depository' means CDS and any other person or company recognized as a depository by the securities regulatory authority for the purpose of this Instrument;

'explanation to clients' means an explanation to clients set out in the form of Form 54-101F1;

'FINS' means Financial Institution Numbering System;

'intermediary' means, for a security, a person or company that, in connection with its business, holds the security on behalf of another person or company, and that is not:

- (a) a person or company that holds the security only as a custodian, and is not the registered securityholder of the security nor holding the security as a participant in a depository;
- (b) a depository; or
- (c) a beneficial owner of the security;

'intermediary master list' means a list of intermediaries that a depository maintains under section 5.1;

'intermediary search request' means the request referred to in section 2.3;

'legal proxy' means a voting power of attorney, in the form of Form 54-101F8, granted to a beneficial owner by either an intermediary or a reporting issuer under a written request of the beneficial owner;

'meeting' means a meeting of securityholders of a reporting issuer;

'NOBO' means a non-objecting beneficial owner;

'NOBO list' means a non-objecting beneficial owner list;

'nominee' means a person or company that acts as a passive title-holder to hold securities and does not carry on business in its own right;

'non-objecting beneficial owner' means a beneficial owner of securities that:

- (a) has provided instructions to an intermediary holding the securities in an account on behalf of the beneficial owner that the beneficial owner does not object, for that account, to the intermediary disclosing ownership information about the beneficial owner under this Instrument; or
- (b) is a non-objecting beneficial owner under subparagraph (i) or (ii) of paragraph 3.3(b);

'non-objecting beneficial owner list' means, for an intermediary, a list that includes ownership information concerning NOBOs on whose behalf the intermediary, or another intermediary holding directly or indirectly through the intermediary, holds securities and information regarding instructions from those NOBOs concerning receipt of securityholder materials and

- (a) if prepared in non-electronic form, is in a clear and readable format and contains the information referred to in paragraph (b); or
- (b) if prepared in electronic form, is prepared in the form of, and contains the information prescribed in, Form 54-101F5;

'notification of meeting and record dates' means the notification referred to in section 2.2;

'NP41' means National Policy Statement No. 41;

'objecting beneficial owner' means a beneficial owner of securities that:

- (a) has provided instructions to an intermediary holding the securities in an account on behalf of the beneficial owner that the beneficial owner objects, for that account, to the intermediary disclosing ownership information about the beneficial owner under this Instrument; or
- (b) is an objecting beneficial owner under subparagraph (iii) of paragraph 3.3(b);

'OBO' means an objecting beneficial owner;

'omnibus proxy' means, for a meeting:

- (a) for a depository, a proxy in the form of Form 54-101F3; and
- (b) for an intermediary, a proxy in the form of Form 54-101F4;

'ownership information' means, for a beneficial owner of securities that holds the securities through an intermediary in an account of the intermediary, the beneficial owner's name, address, holdings of the securities in the account, preferred language of communication, if known, the electronic mail address of the beneficial owner, and whether the beneficial owner has given to the intermediary a currently valid consent to the electronic delivery of documents from the intermediary;

'participant in a depository' means a person or company for whom a depository maintains an account in which entries may be made to effect a transfer or pledge of a security;

'preferred language of communication' means either the English language or the French language;

'proximate intermediary' means, for a security:

- (a) a participant in a depository holding the security; or
- (b) an intermediary that is the registered holder of the security;

'proxy-related materials' means securityholder material relating to a meeting that the reporting issuer is required under corporate law or securities legislation to send to the registered holders of the securities;

'record date for notice' means, for a meeting, the date established in accordance with corporate law for the determination of the registered holders of securities that are entitled to receive notice of the meeting;

'record date for voting' means, for a meeting, the date, if any, established in accordance with corporate law for the determination of the registered holders of securities that are entitled to vote at the meeting;

'registered holder' means, for a security, the person or company shown as the holder of the security on the books or records of the reporting issuer;

'request for beneficial ownership information' means, for a security, a request for beneficial ownership information in the form of Form 54-101F2 sent by a reporting issuer to a proximate intermediary holding the security;

'request for voting instructions' means, for a security that carries the right to vote at a meeting:

- (a) if the request is made by the reporting issuer, a request for voting instructions from a beneficial owner of the security that is a NOBO, set out in the form of Form 54-101F6; and
- (b) if the request is made by an intermediary, a request for voting instructions from the beneficial owner of the security on whose behalf the intermediary holds the security set out in the form of Form 54-101F7;

'routine business' means, for a meeting:

- (a) consideration of the minutes of an earlier meeting;
- (b) consideration of the financial statements of the reporting issuer or an auditor's report on the financial statements of the reporting issuer;
- (c) election of directors of the reporting issuer;
- (d) setting or changing of the number of directors to be elected within a range permitted by corporate law, if no change to the constating documents of the reporting issuer is required in connection with that action; or
- (e) reappointment of an incumbent auditor of the reporting issuer;

'security' means a security of a reporting issuer;

'securityholder' means, for a security, the registered holder of the security, the beneficial owner of the security, or both, depending upon the context;

'securityholder materials' means, for a reporting issuer, materials that are sent to registered holders of securities of the reporting issuer;

'send' means to deliver, send or forward or arrange to deliver, send or forward in any manner, including by prepaid mail, courier or by electronic means; and

'transfer agent' means a person or company that carries on the business of a transfer agent.

"1.2 Holding of Security by Intermediary – In this Instrument, an intermediary is considered to hold a security if the security is held:

- (a) by the intermediary directly; or
- (b) by the intermediary indirectly through another person or company on behalf of the intermediary.

"1.3 Use of Required Forms

(1) A person or company required to send or use a required form under this Instrument may substitute another form or document or combine the required form with another form or document, so long as the form or document used requests or includes the same information contemplated by the required form.

(2) Subsection (1) does not apply to a NOBO list in the form of Form 54-101F5 unless both the party requesting and the party providing the NOBO list agree to an alternative form.

"1.4 Fees – A fee payable under this Instrument shall be, unless prescribed by the regulator or securities regulatory authority, a reasonable amount.

“PART 2 REPORTING ISSUERS

“2.1 Establishment of Meeting and Record Dates – A reporting issuer that is required to give notice of a meeting to the registered holders of any of its securities shall fix:

- (a) a date for the meeting;
- (b) a record date for notice of the meeting, which shall be no fewer than 30 and no more than 60 days before the meeting date; and
- (c) if required or permitted by corporate law, a record date for voting at the meeting.

“2.2 Notification of Meeting and Record Dates

(1) Subject to section 2.20, at least 25 days before the record date for notice of a meeting, the reporting issuer shall send a notification of meeting and record dates:

- (a) all depositories;
- (b) the securities regulatory authority; and
- (c) each exchange in Canada on which securities of the reporting issuer are listed.

(2) The notification of meeting and record dates referred to in subsection (1) shall specify:

- (a) the name of the reporting issuer;
- (b) the date fixed for the meeting;
- (c) the record date for notice;
- (d) the record date for voting, if any;
- (e) the beneficial ownership determination date;
- (f) the classes or series of securities that entitle the holder to receive notice of the meeting;
- (g) the classes or series of securities that entitle the holder to vote at the meeting; and
- (h) whether only routine business is to be conducted at the meeting.

“2.3 Intermediary Search Request – Request to Depository

(1) At the same time as a reporting issuer sends a notification of meeting and record dates for a meeting to a depository, the reporting issuer shall request the depository to send to the reporting issuer:

- (a) subject to section 2.4, a report that specifies the number of securities of the reporting issuer of each class or series that entitle the holder to receive notice of the meeting or to vote at the meeting that are currently registered in the name of the depository, the identity of any other person or company that holds securities of the reporting issuer of the series or class specified in the request on behalf of the depository and the number of those securities held by that other person or company;

(b) subject to section 2.4, a list of all intermediaries and their nominees shown on the intermediary master list;

(c) subject to section 2.4, a list setting out the names, addresses, telephone numbers, fax numbers, any electronic mail addresses and the respective holdings of participants in the depository of each class or series of securities that entitle the holder to receive notice of the meeting or to vote at the meeting; and

(d) the omnibus proxy required to be sent under subsection 5.4(1).

(2) In addition to the request referred to in subsection (1), a reporting issuer may request, at any time, a depository to send any or all of the information referred to in subsection (1), other than paragraph (1)(d), for any class or series of securities of the reporting issuer, and as of a date, specified in the request.

“2.4 No Intermediary Search Request if Reporting Issuer has Electronic Access – A reporting issuer shall not request from the depository information referred to in paragraph 2.3(1)(a), 2.3(1)(b) or 2.3(1)(c) if the information is included on a file maintained by the depository in electronic format and the reporting issuer has access to the file.

“2.5 Request for Beneficial Ownership Information

(1) Subject to section 2.20, at least 20 days before the record date for notice of a meeting, the reporting issuer, using information, including the intermediary master lists, provided by depositories under section 5.3 or referred to in section 2.4, shall complete Part 1 of a request for beneficial ownership information and send it to each proximate intermediary that is:

(a) identified by a depository as a participant in the depository holding securities that entitle the holder to receive notice of the meeting or to vote at the meeting; or

(b) listed as an intermediary on the intermediary master list provided by a depository where the intermediary, or a nominee of the intermediary that is identified on the intermediary master list, is a registered holder of securities that entitle the holder to receive notice of the meeting or to vote at the meeting.

(2) In addition to making the request referred to in subsection (1) in connection with a meeting, a reporting issuer, using information, including the intermediary master lists, provided by depositories under section 5.3 or referred to in section 2.4, may make, for any class or series of securities of the reporting issuer, at any time, a request for beneficial ownership information by completing Part 1 of a request for beneficial ownership information and sending it to any proximate intermediary that is:

(a) identified by a depository as a participant in the depository holding the securities; or

(b) listed as an intermediary on the intermediary master list provided by a depository where the intermediary, or a nominee of the intermediary that is identified on the intermediary master list, is a registered holder of the securities.

(3) A reporting issuer that makes a request for beneficial ownership information under either subsection (1) or subsection (2) that includes a request for NOBO lists shall provide a written undertaking to the proximate intermediary in the form of Form 54-101F9.

(4) A reporting issuer that requests beneficial ownership information under this section shall do so through a transfer agent.

“2.6 No Depositories or Intermediaries are Registered Holders – A reporting issuer is not subject to section 2.3 or 2.5 if, on the 25th day before the record date for notice of the meeting:

(a) none of the registered holders of its securities is a depository, a nominee of a depository, or a person or company listed as an intermediary or the nominee of an intermediary on the intermediary master list of any depository; or

(b) all of the information contemplated in Part 2 of the request for beneficial ownership information is known to the reporting issuer.

“2.7 Sending Proxy-Related Materials to Beneficial Owners – A reporting issuer that is required by Canadian securities legislation to send proxy-related materials to the registered holders of any class or series of its securities shall, subject to section 2.10 and subsection 2.12(3) send the proxy-related materials to beneficial owners of the securities, by either sending:

(a) directly to NOBOs, and indirectly under section 2.12 to OBOs; or

(b) indirectly under section 2.12 to beneficial owners.

“2.8 Other Securityholder Materials – A reporting issuer may, but is not required to, send securityholder materials other than proxy-related materials to beneficial owners of its securities, by either sending:

(a) directly to NOBOs, and indirectly under section 2.12 to OBOs; or

(b) indirectly under section 2.12 to beneficial owners.

“2.9 Direct Sending of Proxy-Related Materials to NOBOs by Reporting Issuer – A reporting issuer that has stated in its request for beneficial ownership information sent in connection with a meeting that it will send proxy-related materials to, and seek voting instructions from, NOBOs shall, subject to section 2.10 and subsection 2.12(3), send, at its expense, at least 21 days before the date fixed for the meeting, the proxy-related materials for the meeting directly to the NOBOs on the NOBO lists received in response to the request.

“2.10 Sending Securityholder Materials Against Instructions – Except as required by securities legislation, no reporting issuer that uses a NOBO list to send securityholder materials directly to NOBOs on the NOBO list shall send the securityholder materials to NOBOs that are identified on the NOBO list as having declined to receive those materials unless the reporting issuer has specified in the request for beneficial ownership information sent under section 2.5 in connection with the sending of materials that the securityholder materials will be sent to all beneficial owners of securities.

“2.11 Disclose How Information Obtained

(1) A reporting issuer that uses a NOBO list to send securityholder materials directly to NOBOs on the NOBO list shall include in the materials the following statement:

These securityholder materials are being sent to both registered and non-registered owners of the securities. If you are a non-registered owner, and the issuer or its agent has sent these materials directly to you, your name and address and information about your holdings of securities, have been obtained in accordance with applicable securities regulatory requirements from the intermediary holding on your behalf.

(2) A reporting issuer that uses a NOBO list to send proxy-related materials that solicit votes or voting instructions directly to a NOBO on the NOBO list shall include, after the text required by subsection (1), the following statement:

By choosing to send these materials to you directly, the issuer (and not the intermediary holding on your behalf) has assumed responsibility for (i) delivering these materials to you, and (ii) executing your proper voting instructions. Please return your voting instructions as specified in the request for voting instructions.

“2.12 Indirect Sending of Securityholder Materials by Reporting Issuer

(1) A reporting issuer sending securityholder materials indirectly to beneficial owners shall send to each proximate intermediary that responded to the applicable request for beneficial ownership information the number of sets of those materials specified by that proximate intermediary:

(a) at least four business days before the twenty-first day before the date fixed for the meeting, in the case of proxy-related materials that are to be sent on by the proximate intermediary by prepaid mail other than first class mail;

(b) at least three business days before the twenty-first day before the date fixed for the meeting, in the case of all other proxy-related materials that are to be sent on by the proximate intermediary; or

(c) on the day specified in the request for beneficial ownership information, in the case of securityholder materials that are not proxy-related materials that are to be sent on by the proximate intermediary.

(2) A reporting issuer may satisfy its obligation to send securityholder materials to an intermediary under this section by sending the securityholder materials to a person or company designated by the intermediary.

(3) If a proximate intermediary in a foreign jurisdiction holds securities on behalf of NOBOs; and

(a) the law of the foreign jurisdiction prohibits the reporting issuer from sending securityholder materials directly to NOBOs; or

(b) the proximate intermediary has stated in response to a request for beneficial ownership information that the law in the foreign jurisdiction requires the proximate intermediary to deliver securityholder materials to beneficial owners;

the reporting issuer shall not, in either case, send securityholder materials to those NOBOs and shall send to that proximate intermediary the number of sets of securityholder materials requested by the proximate intermediary in the response.

“2.13 Fee for Search – A reporting issuer shall pay a fee to a proximate intermediary for furnishing the information requested in a request for beneficial ownership information made by the reporting issuer.

“2.14 Fee for Sending Materials Indirectly

(1) A reporting issuer that sends securityholder materials indirectly to NOBOs through a proximate intermediary shall pay to the proximate intermediary, upon receipt by the reporting issuer of a certificate of sending to NOBOs in accordance with the instructions specified by the reporting issuer in the request for beneficial ownership information:

(a) a fee for sending the securityholder materials to the NOBOs;

(b) the actual cost of any postage incurred by the proximate intermediary in sending the securityholder materials to the NOBOs in accordance with any mailing instructions specified by the reporting issuer in the request for beneficial ownership information; and

(c) if the securityholder materials were sent by mail other than first class mail in accordance with the mailing instructions specified by the reporting issuer in the request for beneficial ownership information, the reasonable additional handling costs associated with the preparation by the proximate intermediary of the securityholder materials for mailing to NOBOs.

(2) A reporting issuer that sends securityholder materials, indirectly through a proximate intermediary, to OBOs that have declined in accordance with this Instrument to receive those materials, shall pay to the proximate intermediary, upon receipt by the reporting issuer of a certificate of sending to OBOs in accordance with the instructions specified by the reporting issuer in the request for beneficial information:

(a) a fee for sending the securityholder materials to the OBOs;

(b) the actual cost of any postage incurred by the proximate intermediary in sending the securityholder materials to the OBOs in accordance with any mailing instructions specified by the reporting issuer in the request for beneficial ownership information; and

(c) if the securityholder materials were sent by mail other than first class mail in accordance with the mailing instructions specified by the reporting issuer in the request for beneficial information, the reasonable additional handling costs associated with the preparation by the proximate intermediary of the securityholder materials for mailing to OBOs.

“2.15 Adjournment or Change in Meeting – A reporting issuer that sends a notice of adjournment or other change for a meeting to registered holders of its securities shall concurrently send the notice, including any change in the beneficial ownership determination date:

- (a) to each of the persons or companies referred to in subsection 2.2(1);
- (b) to each proximate intermediary to which the reporting issuer sent a request for beneficial ownership information for the meeting under subsection 2.5(1);
- (c) directly, in accordance with section 2.9, other than the timing requirement of that section, to each of the NOBOs to which it previously directly sent proxy-related materials for the meeting under section 2.9; and
- (d) indirectly, in accordance with section 2.12, other than the timing requirement of that section, to each of the NOBOs and OBOs to which it previously indirectly sent proxy-related materials for the meeting under section 2.12.

“2.16 Explanation of Voting Rights – Proxy-related materials for a meeting sent to a beneficial owner of securities shall explain, in plain language, how the beneficial owner may exercise voting rights attached to the securities, including the right of the beneficial owner to attend and vote the securities directly at the meeting.

“2.17 Request for Voting Instructions – A reporting issuer that sends proxy-related materials that solicit votes or voting instructions directly to a NOBO shall prepare and include with the proxy-related materials, in substitution for the proxy otherwise contained in the proxy-related materials, a request for voting instructions for the matters to which the proxy-related materials relate for return to the reporting issuer.

“2.18 Request for Legal Proxy – If a reporting issuer that has sent directly to a NOBO proxy-related materials for a meeting that solicit voting instructions receives a written request from the NOBO for a legal proxy for the meeting, the reporting issuer shall arrange at no cost to the NOBO to deliver to the NOBO a legal proxy to the extent that the reporting issuer’s management holds a proxy given directly by the registered holder or indirectly given by the registered holder through one or more other proxy holders in respect of the securities beneficially owned by the NOBO.

“2.19 Tabulation and Execution of Voting Instructions – A reporting issuer shall:

- (a) tabulate the voting instructions received from NOBOs in response to a request for voting instructions referred to in section 2.17; and
- (b) through the actions of management of the reporting issuer, execute the voting instructions as instructed by the NOBOs, to the extent that the management of the reporting issuer holds the corresponding proxy.

“2.20 Abridging Time – A reporting issuer may abridge the time prescribed in subsections 2.2(1) or 2.5(1) if the reporting issuer:

- (a) arranges to have proxy-related materials for the meeting sent in compliance with this Instrument to all beneficial owners at least 21 days before the date fixed for the meeting;
- (b) arranges to have carried out all of the requirements of this Instrument in addition to those described in subparagraph (a); and
- (c) files at the time it files the proxy-related materials, a certificate of one of its officers reporting that it made the arrangements described in paragraphs (a) and (b) and that the reporting issuer is relying upon this section.

“PART 3 INTERMEDIARIES’ OBLIGATIONS CONCERNING THE OBTAINING OF BENEFICIAL OWNER INSTRUCTIONS**“3.1 Intermediary Information to Depository**

- (1) Before a person or company acts as an intermediary, the person or company shall send the following information to each depository:
 - (a) the intermediary’s name and address;
 - (b) the name and address of each nominee of the intermediary in whose name the intermediary holds securities on behalf of beneficial owners; and
 - (c) the name, address, telephone number, fax number and any electronic mail address of a representative of the intermediary.
- (2) A person or company that is an intermediary on the date of the coming into force of this Instrument shall, on that date, send to each depository the information referred to in subsection (1), unless it has already done so.
- (3) An intermediary shall send notice to each depository of a change in the information contained in a notice given under this section within five business days after the change.

“3.2 Instructions from New Clients – Subject to section 3.4, an intermediary that opens an account for a client shall:

- (a) as part of its procedures to open the account, send to the client an explanation to clients and a client response form; and
- (b) before the intermediary holds securities on behalf of the client in the account:
 - (i) obtain instructions from the client on the matters to which the client response form pertains;
 - (ii) obtain the electronic mail address of the client, if available; and
 - (iii) enquire whether the client wishes to consent and, if so, obtain the consent of the client, to electronic delivery of documents by the intermediary to the client.

“3.3 Transitional – Instructions from Existing Clients – An intermediary that holds securities on behalf of a client in an account that was opened before the coming into force of this Instrument:

- (a) may seek new instructions from its client in relation to the matters to which the client response form pertains;
- (b) in the absence of new instructions from the client, shall rely on the instructions previously given or deemed to have been given by the client under NP41 in respect of that account, on the following basis:
 - (i) if the client chose to permit the intermediary to disclose the client’s name and security holdings to the issuer of the security or other sender of material, the client is a NOBO under this Instrument;
 - (ii) if the client was deemed to have permitted the intermediary to disclose the client’s name and security holdings to the issuer of the security or other sender of material, the client is a NOBO under this Instrument until December 31, 2003;
 - (iii) if the client chose not to permit the intermediary to disclose the client’s name and security holdings to the issuer of the security or other sender of material, the client is an OBO under this Instrument;
 - (iv) if the client chose not to receive material relating to annual or special meetings of securityholders or audited financial statements, or if the intermediary was permitted not to provide that material to the client, the client is considered to have declined under this Instrument to receive:
 - (A) proxy-related materials that are sent in connection with a securityholder meeting at which only routine business is to be conducted;
 - (B) financial statements and annual reports that are not part of proxy-related materials; and
 - (C) materials sent to securityholders that are not required by corporate or securities law to be sent to registered securityholders;

(v) if the client chose to receive material relating to annual or special meetings of securityholders or audited financial statements, the client is considered to have chosen under this Instrument to receive all securityholder materials sent to beneficial owners of securities;

(vi) the client is considered to have chosen under this Instrument as the client's preferred language of communication the language that has been customarily used by the intermediary to communicate with the client; and

(c) shall obtain new instructions on the matters to which a client response form pertains from any client that is a NOBO under subparagraph (ii) of paragraph (b) in sufficient time to obtain new instructions from the client before January 1, 2004.

“3.4 Amending Client Instructions – A client may at any time change the instructions it has given or is deemed to have given in connection with any of the choices provided for in the client response form by advising the intermediary that holds securities on the client's behalf of the change.

“3.5 Application of Instructions to Accounts – The instructions given to an intermediary by a beneficial owner under this Part apply in respect of all securities held by the beneficial owner in the account of the intermediary identified in the client response form.

“PART 4 INTERMEDIARIES' OTHER OBLIGATIONS

“4.1 Request for Beneficial Ownership Information – Response

(1) A proximate intermediary that receives a request for beneficial ownership information from a reporting issuer, that pertains to a meeting, shall send to the reporting issuer, through the transfer agent of the reporting issuer that sent the request:

(a) within three business days of receiving the request, the information referred to in Part 2 of the request for beneficial ownership information other than Item 7;

(b) if the request contains a request for a NOBO list, within three business days after the beneficial ownership determination date for the meeting specified in the request, the NOBO list and other information required in accordance with Item 7 of Part 2 of the request for beneficial ownership information as at the beneficial ownership determination date of the meeting; and

(c) within three business days after the beneficial ownership determination date for the meeting specified in the request, if the request stated that the reporting issuer will send proxy-related materials to, and seek voting instructions from, NOBOs, a form of omnibus proxy that appoints management of the reporting issuer as the proximate intermediary's proxy holder for the securities held, as of the beneficial ownership determination date, on behalf of each NOBO identified on the NOBO list, in respect of which the proximate intermediary is either the registered holder or proxy holder.

(2) A proximate intermediary that receives a request for beneficial ownership information from a reporting issuer that pertains to the sending of securityholder materials other than in connection with a meeting shall, within three business days of receiving the request, send to the reporting issuer, through the transfer agent of the reporting issuer that sent the request, the NOBO lists if applicable and the other information referred to in Part 2 of the request for beneficial ownership information.

(3) A proximate intermediary that receives a request for beneficial ownership information from a reporting issuer that contains a request for a NOBO list but does not pertain to a meeting or the sending of securityholder materials shall, within three business days of receiving the request, send to the reporting issuer, through the transfer agent of the reporting issuer that sent the request, the NOBO lists if applicable and the other information referred to in Part 2 of the request for beneficial ownership information.

(4) The response of a proximate intermediary to a reporting issuer given under this section shall be a consolidated response relating to all beneficial owners of each class and series of securities, specified in the request for beneficial ownership information, that hold, directly or indirectly, through the proximate intermediary.

(5) An intermediary holding securities, directly or indirectly, through a proximate intermediary, shall take all necessary steps to ensure that the proximate intermediary is provided with the information required to enable it to satisfy its obligations under this section within the times required by this section.

(6) An intermediary is not required under this Instrument to provide ownership information concerning an OBO to any person or company.

“4.2 Sending of Securityholder Materials to Beneficial Owners by Intermediaries

(1) Subject to sections 4.3 and 4.7, a proximate intermediary that receives securityholder materials from a reporting issuer for sending to beneficial owners shall send:

(a) one set of the materials to each OBO of the relevant securities that is a client of the proximate intermediary;

(b) one set of the materials to each NOBO of the relevant securities if the reporting issuer stated in the applicable request for beneficial ownership information, or otherwise advised the proximate intermediary, that the reporting issuer will send the materials to NOBOs indirectly through intermediaries; and

(c) appropriate quantities of materials to all intermediaries holding securities of the relevant class or series that are clients of the proximate intermediary, for sending by them under subsection (3).

- (2) A proximate intermediary shall comply with subsection (1):
 - (a) within four business days after receipt in the case of securityholder materials to be sent by prepaid mail other than first class mail; and
 - (b) within three business days after receipt in the case of securityholder materials to be sent by any other means.
- (3) An intermediary that receives securityholder materials from another intermediary under this section shall send, within one business day of receipt:
 - (a) one set of the materials to each OBO that is a client of the intermediary; and
 - (b) appropriate quantities of the materials to all intermediaries holding securities of the relevant class or series that are clients of the intermediary for sending by them under this subsection.
- (4) The persons or companies to whom securityholder materials are sent under this section shall be determined:
 - (a) as at the beneficial ownership determination date, in the case of proxy-related materials; and
 - (b) as at the date specified in the relevant request for beneficial ownership information, in the case of securityholder materials not sent in connection with a meeting.
- (5) An intermediary may satisfy its obligation to send securityholder materials to another intermediary under this section by sending the securityholder materials to a person or company designated by the other intermediary.

“4.3 Sending Securityholder Materials Against Instructions – An intermediary that receives securityholder materials that are to be sent to a beneficial owner of securities shall not send the securityholder materials to the beneficial owner if the beneficial owner has declined in accordance with this Instrument to receive those materials unless the reporting issuer has specified in the request for beneficial ownership information sent under section 2.5 in connection with the sending of the securityholder materials that the securityholder materials shall be sent to all beneficial owners of securities.

“4.4 Request for Voting Instructions – An intermediary that receives proxy-related materials that solicit votes or voting instructions from securityholders, for sending by the intermediary to beneficial owners of the securities, shall prepare and include with the proxy-related materials that it sends to the beneficial owners, in substitution for the proxy otherwise contained in the proxy-related materials, a request for voting instructions for the matters to which the proxy-related materials relate for return to the intermediary.

“4.5 Request for Legal Proxy – An intermediary that receives a written request from a beneficial owner for a legal proxy for securities the intermediary holds on behalf of the beneficial owner as at the beneficial ownership determination date for a meeting shall send to the beneficial owner a legal proxy to the extent that the intermediary then holds a proxy directly given by the registered holder, or indirectly given by the registered holder through one or more other proxy holders, in connection with the securities held by the intermediary for the beneficial owner.

“4.6 Tabulation and Execution of Voting Instructions – An intermediary shall:

- (a) tabulate voting instructions received from beneficial owners of securities in response to a request for voting instructions sent by the intermediary under section 4.4; and
- (b) for each beneficial owner, execute the voting instructions received from the beneficial owner to the extent that the intermediary holds a proxy directly given by the registered holder, or indirectly given by the registered holder through one or more other proxy holders, in respect of the securities held by the intermediary for the beneficial owner.

“4.7 Securities Legislation – Despite any other provision of this Part, nothing in this Part requires a person or company to send securityholder materials to a beneficial owner if securities legislation specifically permits the person or company to decline to send those materials to the beneficial owner.

“PART 5 DEPOSITORIES

“5.1 Intermediary Master List – A depository shall maintain a current list of intermediaries containing the information received by the depository from intermediaries under section 3.1 and shall send a copy of that list to any new depository recognized under this Instrument.

“5.2 Index of Meeting and Record Dates

- (1) A depository shall maintain an index of pending meetings containing the information that it receives from reporting issuers under section 2.2.
- (2) A depository shall arrange for the timely publication of the information it receives from a reporting issuer under section 2.2 in the national financial press and may charge the reporting issuer a publication fee in a reasonable amount for the publication.

“5.3 Depository Response to Intermediary Search Request by Reporting Issuer – Within two business days of its receipt of an intermediary search request from a reporting issuer, a depository shall send to the reporting issuer a report, containing information that is as current as possible, that:

- (a) specifies the number of securities of the reporting issuer of the series or class specified in the request that are registered in the name of the depository, the identity of any other person or company that holds on behalf of the depository securities of the reporting issuer of the series or class specified in the request and the number of such securities held by that other person or company;

(b) specifies the names, addresses, telephone numbers, fax numbers, any electronic mail addresses and respective holdings of participants in the depository of securities of the series or class specified in the request, on whose behalf the depository holds the securities; and

(c) contains a copy of the intermediary master list.

“5.4 Depository to send Participant Omnibus Proxy to Reporting Issuer

(1) Within two business days after the beneficial ownership determination date specified in the notification of meeting and record dates referred to in section 2.2, the depository shall send to the reporting issuer an omnibus proxy, appointing each participant, on whose behalf, and to the extent that, the depository holds, as of the beneficial ownership determination date, securities that entitle the holder to vote at the meeting, as the depository’s proxy holder in respect of the securities held by the depository on behalf of the participant.

(2) The depository shall send to each of the participants named in an omnibus proxy referred to in subsection (1), at the same time as the depository sends the omnibus proxy to the reporting issuer, confirmation of the proxy given by the depository.

“PART 6 OTHER PERSONS OR COMPANIES

“6.1 Requests for NOBO Lists from a Reporting Issuer

(1) A person or company may request from a reporting issuer the most recently prepared NOBO list, for any proximate intermediary holding securities of the reporting issuer, that is in the reporting issuer’s possession.

(2) A request for a NOBO list under this section shall be accompanied by an undertaking in the form of Form 54-101F9 of the person or company making the request.

(3) The person or company making a request under subsection (1) shall pay a fee to the reporting issuer for preparing the NOBO list for sending under this section.

(4) A reporting issuer shall send any NOBO list requested under this section, within ten days of receipt of both the request and the fee for preparing the list for sending under this section.

(5) A reporting issuer shall delete from any NOBO list sent under this section any reference to FINS numbers referred to in any form and any other information that would identify the intermediary through which a NOBO holds securities.

“6.2 Other Rights and Obligations of Persons and Companies other than Reporting Issuers

(1) A person or company may take any action permitted under this Instrument to be taken by a reporting issuer and, in so doing, has all the rights, and is subject to all of the obligations, of a reporting issuer in connection with that action.

(2) In connection with actions taken under subsection (1) by a person or company other than the reporting issuer, references in this Instrument to a 'reporting issuer' shall be read as references to that person or company and all other persons and companies will have the same obligations under this Instrument to that person or company as they would have if the person or company were the reporting issuer.

(3) Subsections (1) and (2) do not apply to sections 2.1, 2.2, subsections 2.3(1) and 2.5(1), section 2.18, paragraph 4.1(1)(c), section 5.4.

(4) A person or company other than the reporting issuer to which the request relates that makes an intermediary search request under subsection 2.3(2) or a request for beneficial ownership information under subsection 2.5(2) shall concurrently send a copy of that request to the reporting issuer of the securities to which the request relates.

(5) A person or company other than the reporting issuer to which the request relates that makes an intermediary search request under subsection 2.3(2) or a request for beneficial ownership information under subsection 2.5(2) shall provide an undertaking in the form of Form 54-101F9.

“PART 7 USE OF NOBO LIST

“7.1 Use of NOBO List – No reporting issuer or other person or company shall use a NOBO list or a report prepared under section 5.3 relating to the reporting issuer and obtained under this Instrument, except in connection with:

- (a) sending securityholder materials to NOBOs in accordance with this Instrument;
- (b) an effort to influence the voting of securityholders of the reporting issuer;
- (c) an offer to acquire securities of the reporting issuer; or
- (d) any other matter relating to the affairs of the reporting issuer.

“PART 8 MISCELLANEOUS

“8.1 Default of Party in Communication Chain – If a person or company fails to send information or materials in accordance with the requirements of this Instrument, the person or company whose required response or action under this Instrument is dependent upon receiving the information or materials shall use reasonable efforts to obtain the information or materials from the other person or company, and in so doing is exempt from the timing provisions of this Instrument in connection with the response or action to the extent that the delay arose from the failure of the other person or company.

“8.2 Right to Proxy – Nothing in this Instrument shall be interpreted to restrict in any way:

- (a) a beneficial owner's right to demand and to receive from an intermediary holding securities on behalf of the beneficial owner a proxy enabling the beneficial owner to vote the securities; or

(b) the right of a depository or intermediary to vary an omnibus proxy in respect of securities to properly reflect a change in the registered or beneficial ownership of the securities.

“PART 9 EXCEPTIONS AND EXEMPTIONS

“9.1 Audited Annual Financial Statements or Annual Report – The time periods applicable to sending of proxy-related materials prescribed in this Instrument do not apply to the sending of proxy-related materials that are annual financial statements or an annual report if the statements or report are sent directly or indirectly in accordance with the Instrument to beneficial owners of the securities within the time limitations established in applicable corporate law and securities legislation for the sending of the statements or report to registered holders of the securities.

“9.2 Exemptions

(1) The regulator or the securities regulatory authority may grant an exemption from this Instrument, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

(2) Despite subsection (1), in Ontario only the regulator may grant such an exemption.

“PART 10 EFFECTIVE DATES AND TRANSITION

“10.1 Effective Date of Instrument – This Instrument comes into force on July 1, 2002.

“10.2 Transition – A reporting issuer that has filed a notice of a meeting and record date with the securities regulatory authority in accordance with the provisions of NP41 before the coming into force of this Instrument is, with respect to that meeting, exempt from the provisions of this Instrument if the reporting issuer complies with the provisions of NP41.

“10.3 Sending of Proxy-Related Materials – Despite section 2.7, a reporting issuer sending proxy-related materials to beneficial owners of securities under section 2.7 for a meeting to be held before September 1, 2004 shall send those materials only indirectly to the beneficial owners under section 2.12.

“10.4 NOBO Lists – No person or company shall be obliged to furnish a NOBO list under this Instrument before September 1, 2002.

“NATIONAL INSTRUMENT 54-101 “COMMUNICATION WITH BENEFICIAL OWNERS OF SECURITIES OF A REPORTING ISSUER

“FORM 54-101F1 “EXPLANATION TO CLIENTS AND CLIENT RESPONSE FORM

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101.

The use of this Form is referenced in sections 1.1, 3.2, 3.3, 3.4 and 3.5 of National Instrument 54-101.

“EXPLANATION TO CLIENTS

[Letterhead of Intermediary]

Based on your instructions, the securities in your account with us are not registered in your name but in our name or the name of another person or company holding your securities on our behalf. The issuers of the securities in your account may not know the identity of the beneficial owner of these securities.

We are required under securities law to obtain your instructions concerning various matters relating to your holding of securities in your account.

Disclosure of Beneficial Ownership Information

Securities law permits reporting issuers and other persons and companies to send materials related to the affairs of the reporting issuer directly to beneficial owners of the reporting issuer's securities if the beneficial owner does not object to having information about it disclosed to the reporting issuer or other persons and companies. Part 1 of the client response form allows you to tell us if you **OBJECT** to the disclosure by us to the reporting issuer or other persons or companies of your beneficial ownership information, consisting of your name, address, electronic mail address, securities holdings and preferred language of communication. Securities legislation restricts the use of your beneficial ownership information to matters relating to the affairs of the reporting issuer.

If you **DO NOT OBJECT** to the disclosure of your beneficial ownership information, please mark the second box on Part 1 of the form. In those circumstances, you will not be charged with any costs associated with sending securityholder materials to you.

If you **OBJECT** to the disclosure of your beneficial ownership information by us, please mark the first box in Part 1 of the form. If you do this, all materials to be delivered to you as a beneficial owner of securities will be delivered by us. [*Instruction: Disclose particulars of any fees or charges that the intermediary may require an objecting beneficial owner to pay in connection with the sending of securityholder materials.*]

Receiving Securityholder Materials

For securities that you hold through your account, you have the right to receive proxy-related materials sent by reporting issuers to registered holders of their securities in connection with meetings of such securityholders. Among other things, this permits you to receive the necessary information to allow you to have your securities voted in accordance with your instructions at a securityholder meeting. [*Optional: Revise this paragraph, if appropriate, to state that objecting beneficial owners will not receive materials unless they or the relevant issuers bear the costs.*]

In addition, reporting issuers may choose to send other securityholder materials to beneficial owners, although they are not obliged to do so.

Securities law permits you to decline to receive three types of securityholder materials. Securities law does not provide for you to decline to receive other types of securityholder materials. The three types of material that you may decline to receive are:

- (a) proxy-related materials, including annual reports and financial statements, that are sent in connection with a securityholder meeting at which only 'routine business'¹ is to be conducted;
- (b) annual reports and financial statements that are not part of proxy-related materials; and
- (c) materials that a reporting issuer or other person or company sends to securityholders that are not required by corporate or securities law to be sent to registered securityholders.

Part 2 of the client response form allows you to receive all materials sent to beneficial owners of securities or to decline to receive the three types of materials referred to above.

If you want to receive **ALL** materials that are sent to beneficial owners of securities, please mark the first box on Part 2 of the enclosed client response form. If you want to **DECLINE** to receive the three types of materials referred to above, please mark the second box in Part 2 of the form.

(Note: Even if you decline to receive the three types of materials referred to above, a reporting issuer or other person or company is entitled to deliver these materials to you, provided that the reporting issuer or other person or company pays all costs associated with the sending of these materials. These materials would be delivered to you through your intermediary if you have objected to the disclosure of your beneficial ownership information to reporting issuers.)

Preferred Language of Communication

Part 3 of the client response form allows you to tell us your preferred language of communication (English or French). You will receive materials in your preferred language of communication if the materials are available in that language.

Electronic Delivery of Documents

Securities law permits us to deliver some documents by electronic means if the consent of the recipient to the means of delivery has been obtained. Please provide your electronic mail address if you have one. **[Instruction: Either state (1) if the client wishes to receive documents by electronic delivery from the intermediary, the client should complete, sign and return the enclosed consent form with the client response form or (2) inform the client that electronic delivery of documents by the intermediary may be available upon his or her consent, and provide information as to how the client may provide that consent.]**

Contact

If you have any questions or want to change your instructions in the future, please contact [name] at [phone number] or [address, fax number, electronic mail address and/or website].

¹ 'Routine business' means:

- (i) consideration of the minutes of an earlier meeting;
- (ii) consideration of financial statements of the reporting issuer or an auditors' report on the financial statements of the reporting issuer;
- (iii) election of directors of the reporting issuer;
- (iv) the setting or changing of the number of directors to be elected within a range permitted by corporate law if no change to the constating documents of the reporting issuer is required in connection with that action; or
- (v) reappointment of an incumbent auditor of the reporting issuer.

“CLIENT RESPONSE FORM

TO: [NAME OF INTERMEDIARY]

Account Number(s):

I have read and understand the explanation to clients that you have provided me in connection with this form and the choices indicated by me apply to all of the securities held in the above account(s).

PART 1 – Disclosure of Beneficial Ownership Information

*Please mark the corresponding box to show whether you **DO NOT OBJECT** or **OBJECT** to us disclosing your name, address, electronic mail address, securities holdings and preferred language of communication (English or French) to issuers of securities you hold with us and to other persons or companies in accordance with securities law. [**Optional:** For clients that **OBJECT**, disclose particulars of any fees or charges that the intermediary may require the client to pay in connection with the sending of securityholder materials.] [**Note:** The client response form may contain a place where an objecting beneficial owner can indicate its agreement to pay costs of delivery of securityholder materials that are not borne or required to be borne by another person or company.]*

- I DO NOT OBJECT to you disclosing the information described above.**
- I OBJECT to you disclosing the information described above.**

PART 2 – Receiving Securityholder Materials

*Please mark the corresponding box to show whether you **WANT** to receive **ALL** materials sent to beneficial owners of securities or whether you **DECLINE** to receive all of the following materials: (a) proxy-related materials for meetings at which only routine business is to be conducted; (b) annual reports and financial statements that are not part of proxy-related ~~(a)~~ materials; and (c) materials sent to securityholders that are not required by corporate or securities law to be sent.*

- I WANT to receive ALL securityholder materials sent to beneficial owners of securities.**
- I DECLINE to receive all of the following materials: (a) proxy-related materials² that are sent in connection with a securityholder meeting at which only ‘routine business’³ is to be conducted; (b) financial statements and annual reports that are not part of proxy-related materials; and (c) materials sent to securityholders that are not required by corporate or securities law to be sent. (Even if I decline to receive these types of materials, I understand that a reporting issuer or other person or company is entitled to send these materials to me at its expense.)**

(Note: These instructions do not apply to any specific request you give or may have given to a reporting issuer concerning the sending of interim financial statements of the reporting issuer.)

² This would include financial statements and annual reports that are proxy-related materials.

³ ‘Routine business’ means:

- (i) consideration of the minutes of an earlier meeting;
- (ii) consideration of financial statements of the reporting issuer or an auditors’ report on the financial statements of the reporting issuer;
- (iii) election of directors of the reporting issuer;
- (iv) the setting or changing of the number of directors to be elected within a range permitted by corporate law if no change to the constating documents of the reporting issuer is required in connection with that action; or
- (v) reappointment of an incumbent auditor of the reporting issuer.

PART 3 – Preferred Language of Communication

Please mark the corresponding box to show your preferred language of communication.

ENGLISH

FRENCH

I understand that the materials I receive will be in my preferred language of communication if the materials are available in that language.

**“NATIONAL INSTRUMENT 54-101
COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER**

**“FORM 54-101F2
“REQUEST FOR BENEFICIAL OWNERSHIP INFORMATION**

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101.

The use of this Form is referenced in sections 1.1, 2.5, 2.6, 2.9, 2.10, 2.12, 2.13, 2.14 and 4.1, 4.2, 4.3 and 6.2 of National Instrument 54-101. References in this Form should be amended as appropriate to refer to any person or company using this Form in accordance with section 6.2 of National Instrument 54-101.

“PART 1

“REPORTING ISSUER INFORMATION

“Item 1 – Name and address of the reporting issuer.

State the name and address of the reporting issuer.

“Item 2 – Contact person(s)

State the name, address, telephone number, facsimile number and any electronic mail address or website of the contact person(s) of the reporting issuer, or of the reporting issuer’s agent, if applicable, with whom the intermediary should deal.

State the billing address of the reporting issuer or of the reporting issuer’s agent if different.

“Item 3 – Name and ISIN⁴ Number of each class or series of securities to be searched

State the name and ISIN number of each class or series of securities of the reporting issuer for which information is requested.

“Item 4 – Purpose of the request for beneficial ownership information

State whether the request is being made:

- (a) in connection with neither a meeting nor the sending of securityholder materials;
- (b) for the purpose of obtaining a NOBO list, and in connection with sending securityholder materials, but not in connection with a meeting;
- (c) for the purpose of obtaining a NOBO list, and in connection with a meeting;

⁴ ‘ISIN’ means International Stock Identification Number.

- (d) in connection with sending securityholder materials, not in connection with a meeting, and without a NOBO list being requested; or
- (e) in connection with a meeting, without a NOBO list being requested.

“Item 5 – Information to be Included or Requested if Item 4(a) is Applicable

- “5.1 If a NOBO list is desired, request a NOBO list without FINS number information.
- “5.2 If desired, request information on the number of OBOs and NOBOs of the reporting issuer, indicating the number of each that have declined to accept materials to the extent applicable and the number of OBOs and NOBOs who have consented to electronic delivery of documents.
- “5.3 Specify the date as of which the NOBO list or the information referred to in item 5.2 is to be prepared.
- “5.4 If a NOBO list is requested, confirm that an undertaking of the reporting issuer in the form of Form 54-101F9 is enclosed or is being concurrently provided with the request for beneficial ownership information.

“Item 6 – Information to be Included or Requested if Item 4(b) is Applicable

- “6.1 Request a NOBO list without FINS number information.
- “6.2 Provide an itemized list of the securityholder materials to be sent.
- “6.3 Indicate whether the securityholder materials are available in English or French only or in both English and French.
- “6.4 State whether the reporting issuer will send the materials directly to NOBOs or whether the reporting issuer will send the materials to the proximate intermediary for sending to NOBOs.
- “6.5 State the date as of which information provided in response to the request, including the NOBO lists, is to be provided.
- “6.6 State the date when the reporting issuer anticipates that proximate intermediaries will receive the materials referred to in item 6.2.
- “6.7 State whether the materials are to be sent by first class mail to the beneficial owners of securities and if not, state what method is to be used to send the materials, bearing in mind the different timing requirements in section 2.12 of the National Instrument. [*If materials are to be sent electronically, the sender should bear in mind the principles of National Policy 11-201 and, in Quebec, Staff Notice 11-201.*]
- “6.8 Confirm that an undertaking of the reporting issuer in the form of Form 54-101F9 is enclosed or is being concurrently provided with the request for beneficial ownership information.
- “6.9 If the securityholder materials are to be sent to all beneficial owners of securities, including beneficial owners that have declined to receive them, so state.

“Item 7 – Information to be Included or Requested if Item 4(c) is Applicable

- “7.1 Request a NOBO list. If the reporting issuer will send proxy-related materials directly to NOBOs and seek voting instructions from NOBOs, specify that the NOBO list will include FINS number information. Otherwise, specify that the NOBO list will exclude FINS number information.

- “7.2 Provide an itemized list of the proxy-related materials to be sent.
- “7.3 Indicate whether the proxy-related materials are available in English or French only or in both English and French.
- “7.4 State whether the reporting issuer will send the materials directly to NOBOs or whether the reporting issuer will send the materials to the proximate intermediary for sending to NOBOs. If the reporting issuer will send materials directly to NOBOs, state whether the reporting issuer will be seeking voting instructions from NOBOs in connection with the meeting.
- “7.5 State:
- (a) the type of meeting (annual, special or annual and special) and whether only routine business is to be conducted at the meeting⁵;
 - (b) the beneficial ownership determination date of the meeting;
 - (c) the date, time and place of meeting; and
 - (d) the cut-off date and time for proxy receipt, if applicable.
- “7.6 State the name and ISIN number of each class or series of securities that carry the right to receive notice of the meeting or the right to vote at the meeting.
- “7.7 State that the information to be provided in response to the request, including the NOBO list, is to be provided as at the beneficial ownership determination date of the meeting.
- “7.8 State the date when the reporting issuer anticipates that proximate intermediaries will receive the materials referred to in item 7.2.
- “7.9 State whether the materials are to be sent by first class mail to the beneficial owners of securities and if not, state what method is to be used to send the materials, bearing in mind the different timing requirements in section 2.12 of the National Instrument. *[If materials are to be sent electronically, the sender should bear in mind the principles of National Policy 11-201 and, in Quebec, Staff Notice 11-201]*
- “7.10 Confirm that an undertaking of the reporting issuer in the form of Form 54-101F9 is enclosed or is being concurrently provided with the request for beneficial ownership information.
- “7.11 If the securityholder materials are to be sent to all beneficial owners of securities, including beneficial owners that have declined to receive them, so state.
- “Item 8 – Information to be Included or Requested if Item 4(d) is Applicable**
- “8.1 Provide an itemized list of the securityholder materials to be sent.
- “8.2 Indicate whether the securityholder materials are available in English or French only or in both English and French.

⁵ ‘routine business’ means, for a meeting:

- (a) consideration of the minutes of an earlier meeting;
- (b) consideration of the financial statements of the reporting issuer or an auditor’s report on the financial statements of the reporting issuer;
- (c) election of directors of the reporting issuer;
- (d) setting or changing of the number of directors to be elected within a range permitted by corporate law, if no change to the constating documents of the reporting issuer is required in connection with that action; or
- (e) reappointment of an incumbent auditor of the reporting issuer.

“8.3 State the date as at which information provided in response to the request is to be provided.

“8.4 State the date when the reporting issuer anticipates that proximate intermediaries will receive the materials referred to in item 8.1.

“8.5 State whether the materials are to be sent by first class mail to the beneficial owners of securities, and, if not, state what method is to be used to send the materials, bearing in mind the different timing requirements in section 2.12 of the National Instrument. *[If materials are to be sent electronically, the sender should bear in mind the principles of National Policy 11-201 and, in Quebec, Staff Notice 11-201.]*

“8.6 If the securityholder materials are to be sent to all beneficial owners of securities, including beneficial owners that have declined to receive them, so state.

“Item 9 – Information to be Included or Requested if Item 4(e) is Applicable

“9.1 Provide an itemized list of the proxy-related materials to be sent.

“9.2 Indicate whether the proxy-related materials are available in English or French only or in both English and French.

“9.3 State:

- (a) the type of meeting (annual, special or annual and special) and whether only routine business is to be conducted at the meeting⁶;
- (b) the beneficial ownership determination date of the meeting;
- (c) the date, time and place of meeting; and
- (d) the cut-off date and time for proxy receipt, if applicable.

“9.4 State the name and ISIN number of each class or series of securities that carry the right to receive notice of the meeting or the right to vote at the meeting.

“9.5 State that the information to be provided in response to the request is to be provided as at the beneficial ownership determination date of the meeting.

“9.6 State the date when the reporting issuer anticipates that proximate intermediaries will receive the materials referred to in item 9.1.

“9.7 State whether the materials are to be sent by first class mail to the beneficial owners of securities and, if not, state what method is to be used to send the materials, bearing in mind the different timing requirements in section 2.12 of the National Instrument. *[If materials are to be sent electronically, the sender should bear in mind the principles of National Policy 11-201 and, in Quebec, Staff Notice 11-201.]*

“9.8 If the securityholder materials are to be sent to all beneficial owners of securities, including beneficial owners that have declined to receive them, so state.

“Item 10 – Payment of Costs of Sending to OBOs

“10.1 State whether the reporting issuer will pay the costs associated with the delivery of the securityholder materials to OBOs by intermediaries.

⁶ ‘routine business’ means, for a meeting:

- (a) consideration of the minutes of an earlier meeting;
- (b) consideration of the financial statements of the reporting issuer or an auditor’s report on the financial statements of the reporting issuer;
- (c) election of directors of the reporting issuer;
- (d) setting or changing of the number of directors to be elected within a range permitted by corporate law, if no change to the constating documents of the reporting issuer is required in connection with that action; or
- (e) reappointment of an incumbent auditor of the reporting issuer.

“Part 2**“PROXIMATE INTERMEDIARY RESPONSE****“Item 1 – Name and address of proximate intermediary**

State the name and address of the proximate intermediary.

“Item 2 – Contact person

State the name, telephone number, fax number and any electronic mail address and website of the contact person(s) of the proximate intermediary, or of the proximate intermediary’s agent, if applicable, with whom the reporting issuer should deal.

“Item 3 – Consolidation of replies

“3.1 If applicable, provide a list of:

- (a) all nominees and depositories who hold securities on behalf of the proximate intermediary; and
- (b) all nominees, depositories and other intermediaries for whom the proximate intermediary, directly or indirectly, holds securities.

“3.2 Provide a list showing the number and class of securities held by each of the persons or companies referred to in Item 3.1.

“3.3 Confirm that the information provided in the response includes securities held through those nominees, depositories and intermediaries holding, directly or indirectly, through the proximate intermediary.

“Item 4 – Address for receipt of materials

If the request for beneficial ownership information was made either in connection with sending securityholder materials apart from a meeting, or in connection with a meeting, provide, if different from the information provided under Item 2, the name and municipal address to which the materials are to be sent for forwarding by the intermediary to beneficial owners or other intermediaries.

Also provide the name, telephone number, fax number and any electronic mail address and website of the contact person at that address if different from the information provided under item 2.

“Item 5 – Number of sets of materials required for forwarding by proximate intermediary to beneficial owners

“5.1 Unless the request for beneficial ownership information was made only to obtain NOBO lists, state the number, including the number required in each case in English and French, of materials specified in Part 1 of this form required for forwarding by the proximate intermediary to beneficial owners. If the proximate intermediary is in a foreign jurisdiction and the law in that jurisdiction requires the proximate intermediary to send securityholder materials to beneficial owners including NOBOs, this fact may be stated and the number of sets of materials specified may include the number required for such NOBOs.

“5.2 If the reporting issuer has specified that it will send documents electronically, state the:

- (a) aggregate number of beneficial owners that hold securities, directly or indirectly, through the proximate intermediary; and
- (b) the aggregate number of the beneficial owners referred to in paragraph (a) that have consented to electronic delivery of the documents by the intermediary through whom they hold the relevant securities.

“5.3 State the number of OBOs with addresses, as shown in the records of the intermediary through which the OBO holds securities, in each jurisdiction.

“Item 6 – Preliminary Search Information

If the request for beneficial ownership information was made to receive information under item 5.2 of the request, provide information on the number of OBOs and NOBOs of the reporting issuer, indicating the number of each that have declined to receive materials in accordance with the Instrument.

“Item 7 – NOBO Lists

If a NOBO list was requested and if the proximate intermediary is able to provide the list in electronic form in the form of Form 54-101F5, confirm that the proximate intermediary shall send it electronically in that form. If a NOBO list was requested and if the proximate intermediary is unable to provide the list electronically in the form of Form 54-101F5, enclose the list with the response. Unless the request for beneficial ownership information stated that the request was being made for the purpose of obtaining NOBO lists and in connection with a meeting where the reporting issuer would be sending materials to NOBOs and seeking voting instructions from NOBOs, exclude from the NOBO list the FINS number information.

“Item 8 – Confirmation of the search

Confirm the completeness and accuracy of the foregoing information.

“Item 9 – Warning

If NOBO lists were requested, the response shall contain the following statement:

WARNING: IT IS AN OFFENCE TO USE A NOBO LIST FOR PURPOSES OTHER THAN IN CONNECTION WITH:

- a. sending securityholder materials to NOBOs in accordance with National Instrument 54-101;
- b. an effort to influence the voting of securityholders of the reporting issuer;
- c. an offer to acquire securities of the reporting issuer; or
- d. any other matter relating to the affairs of the reporting issuer.

“Item 10 – Non-Delivery to OBOs

“10.1 State whether the proximate intermediary or any other intermediaries on whose behalf the proximate intermediary holds securities are entitled to decline to send, and will not send, securityholder materials to an OBO unless the OBO, or the relevant issuer, pays the costs of sending. *[This provision is not necessary if a reporting issuer has indicated in Form 54-102F2 that it will pay the costs of the intermediaries sending materials to OBOs.]*

“10.2 Estimate the number of OBOs and their aggregate approximate holdings in securities of the reporting issuer that hold through the intermediaries referred to in item 10.1.

“NATIONAL INSTRUMENT 54-101
“COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER
“FORM 54-101F3
“OMNIBUS PROXY (DEPOSITORIES)

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101.

The use of this Form is referenced in sections 1.1, 2.3, 5.4 and 8.2 of National Instrument 54-101.

[Letterhead of Depository]

OMNIBUS PROXY

Subject to the paragraph that follows, [the undersigned], being a registered holder or proxy holder in respect of securities of the reporting issuer specified below, as at the beneficial ownership determination date, hereby appoints each of the persons or companies identified in the attached schedule, in respect of the corresponding securities referred to below, with power of substitution in each, to attend, vote and otherwise act for and on behalf of [the undersigned] to the extent of the number of securities specified, in respect of all matters that may come before the meeting of securityholders described below, and at any adjournment or continuance thereof.

The appointees shall not vote, or give a proxy requiring or authorizing another person or company to vote, the securities represented by this omnibus proxy except in accordance with voting instructions received from the beneficial owners whose securities are represented by this omnibus proxy or in accordance with other legal authority to vote the securities.

This instrument supersedes and revokes any prior appointment of proxy made by [the undersigned] with respect to the voting of the securities specified below at such meeting, or at any adjournment thereof.

Reporting issuer: _____

Class/Series of Security: _____

ISIN Number: _____

Number of Securities: _____

Date of Meeting: _____

Beneficial Ownership Determination Date: _____

[Include date and signature]

“Schedule to Form 54-101F3

[Letterhead of Depository]

“SCHEDULE TO OMNIBUS PROXY

Participant Security Positions

Reporting issuer: _____

ISIN Number: _____

Effective Date/Beneficial
Ownership Determination Date: _____

Participant	Total Number of Securities of the relevant class or series
_____	_____
_____	_____
_____	_____
Total Number of Securities held by Participants for the relevant class or series	
	_____ [Total]

[Name/address of participant]

[position held by participant]

[Name/address of participant]

[position held by participant]

[Name/address of participant]

[position held by participant]

Total Number of Securities held by Participants
for the relevant class or series

[Total]

“NATIONAL INSTRUMENT 54-101**“COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER****“FORM 54-101F4****“OMNIBUS PROXY (PROXIMATE INTERMEDIARIES)**

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101.

The use of this Form is referenced in sections 1.1, 4.1 and 8.2 of National Instrument 54-101.

[Letterhead of Proximate Intermediary]

OMNIBUS PROXY

Subject to the paragraph that follows, [the undersigned], being a registered holder or proxy holder in respect of securities of the reporting issuer specified below, as at the beneficial ownership determination date, hereby appoints [*insert names from reporting issuer's management proxy*], with power of substitution, to attend, vote and otherwise act for and on behalf of [the undersigned] to the extent of the number of securities specified, in respect of all matters that may come before the meeting of securityholders described below, and at any adjournment or continuance.

The appointees shall not vote, or give a proxy requiring or authorizing another person or company to vote, the securities represented by this omnibus proxy except in accordance with voting instructions received from the beneficial owners whose securities are represented by this omnibus proxy or in accordance with other legal authority to vote the securities.

This instrument supersedes and revokes any prior appointment of proxy made by [the undersigned] with respect to the voting of the securities specified below at such meeting, or at any adjournment thereof.

Reporting issuer: _____
 Class/Series of Security: _____
 ISIN Number: _____
 Number of Securities: _____
 Name of Registered Holder of Securities⁷: _____
 Date of Meeting: _____
 Beneficial Ownership Determination Date: _____
 [Include date and signature]

**“NATIONAL INSTRUMENT 54-101
 “COMMUNICATION WITH BENEFICIAL OWNERS OF
 SECURITIES OF A REPORTING ISSUER
 “FORM 54-101F5
 “ELECTRONIC FORMAT FOR NOBO LIST**

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101. The use of this Form is referenced in sections 1.1, 1.3, 2.5, 2.9, 2.10, 2.11, 4.1, 6.1, 7.1 and 10.4 of National Instrument 54-101.

HEADER RECORD

DESCRIPTION	TYPE	LENGTH	COMMENTS
RECORD TYPE	A	1	Header record = A
FINS NUMBER	A	4	Prefix T, M, V or C
ISIN ⁸	A	12	
FILLER	X	3	Blank
SECURITY DESC.	A	32	Security Description
RECORD DATE	N	8	Format YYYYMMDD
CREATION DATE	N	8	Format YYYYMMDD
FILLER	X	250	Blank

⁷ [Instruction: Specify if securities are held through more than one registered holder, and specify the number of securities held through each registered holder.]

⁸ 'ISIN' means International Stock Identification Number.

DETAIL RECORD

DESCRIPTION	TYPE	LENGTH	COMMENTS
RECORD TYPE	A	1	Detail Record = B
FINS NUMBER	A	4	Same as in Header record
ISIN ⁹	A	12	
FILLER	X	3	Blank
FILLER	X	20	Blank
NAME	A	32	Holder Name
ADDRESS	A	32 x 6	Occurs 6 times
FILLER	X	32	Blank
POSTAL CODE	A	9	
POSTAL REGION	A	1	C-Canada; U-USA; F-Foreign (other than USA); H-Hand
FILLER	X	2	Deliver
E-MAIL ADDRESS	A	32	Blank
LANGUAGE CODE	A	1	
NUMBER OF SHARES	N	9	E-English; F-French
RECEIVE ALL MATERIAL	A	1	Shareholder Position
AGREE TO ELECTRONIC DELIVERY	A	1	Y/N
BY INTERMEDIARY			Y/N

TRAILER RECORD

DESCRIPTION	TYPE	LENGTH	COMMENTS
RECORD TYPE	A	1	Trailer record = C
FINS NUMBER	A	4	Same as in Header record
ISIN ¹⁰	A	12	
FILLER	X	3	Blank
TOTAL SHAREHOLDERS	N	7	Number of "B" type records
TOTAL SHARES	N	11	Total shares on "B" records
FILLER	X	280	Blank

WARNING: IT IS AN OFFENCE TO USE A NOBO LIST FOR PURPOSES OTHER THAN IN CONNECTION WITH:

- a. sending securityholder materials to NOBOs in accordance with National Instrument 54-101;
- b. an effort to influence the voting of securityholders of the reporting issuer;
- c. an offer to acquire securities of the reporting issuer; or
- d. any other matter relating to the affairs of the reporting issuer.

⁹ 'ISIN' means International Stock Identification Number.

¹⁰ 'ISIN' means International Stock Identification Number.

“NATIONAL INSTRUMENT 54-101
“COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER

“FORM 54-101F6
“REQUEST FOR VOTING INSTRUCTIONS MADE BY REPORTING ISSUER

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101.

The use of this Form is referenced in sections 1.1, 2.11, 2.17 and 2.19 of National Instrument 54-101.

References in this Form should be amended as appropriate to refer to the person or company using this Form, in accordance with section 6.2 of National Instrument 54-101.

[Letterhead of Reporting issuer]

REQUEST FOR VOTING INSTRUCTIONS

To our securityholders:

We are sending to you the enclosed proxy-related materials that relate to a meeting of the holders of the series or class of securities that are held on your behalf by the intermediary identified below. Unless you attend the meeting and vote in person, your securities can be voted only by management, as proxy holder of the registered holder, in accordance with your instructions.

[Include instructions for appointing alternative proxy.]

We are prohibited from voting these securities on any of the matters to be acted upon at the meeting without your specific voting instructions. In order for these securities to be voted at the meeting, **it will be necessary for us to have your specific voting instructions.** Please complete and return the information requested in this form to provide your voting instructions to us promptly.

[Specify how and to whom the voting instructions may be returned.]

Should you wish to attend the meeting and vote in person, please write your name in the place provided for that purpose in the voting instructions form provided to you and we will send to you a form of legal proxy which will grant you the right to attend the meeting and vote in person. If you require assistance in that regard, please contact [the undersigned].

[Insert proximate intermediary name, code or identifier; name, address and respective holdings of securities of the relevant series or class held for the NOBO.]

[Insert description of proposals to be voted upon, other instructions or explanations, etc.]

By providing voting instructions as requested, you are acknowledging that you are the beneficial owner of, and are entitled to instruct us with respect to the voting of, these securities.

(If these voting instructions are given on behalf of a body corporate set out the full legal name of the body corporate, the name and position of the person giving voting instructions on behalf of the body corporate and the address for service of the body corporate.)

“NATIONAL INSTRUMENT 54-101
“COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER

“FORM 54-101F7
“REQUEST FOR VOTING INSTRUCTIONS MADE BY INTERMEDIARY

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101. The use of this Form is referenced in sections 1.1, 4.4 and 4.6 of National Instrument 54-101. References in this Form should be amended as appropriate to refer to the person or company using this Form, in accordance with section 6.2 of National Instrument 54-101.

[Letterhead of Intermediary]

REQUEST FOR VOTING INSTRUCTIONS

To our clients:

We are sending to you the enclosed proxy-related materials that relate to a meeting of the holders of securities of the series or class held by us in your account but not registered in your name. Unless you attend the meeting and vote in person, your securities can be voted only by us, as registered holder or proxy holder of the registered holder, in accordance with your written instructions.

[Include instructions for appointing alternative proxy.]

We are prohibited from voting these securities on any of the matters to be acted upon at the meeting without your specific voting instructions. In order for these securities to be voted at the meeting, **it will be necessary for us to have your specific voting instructions.** Please complete and return the information requested in this form to provide your voting instructions to us promptly.

[Specify how and to whom the voting instructions may be returned.]

Should you wish to attend the meeting and vote in person, please write your name in the place provided for that purpose in the voting instructions form provided to you and we will send to you a form of legal proxy which will grant you the right to attend the meeting and vote in person. If you require assistance in that regard, please contact [the undersigned].

[Insert intermediary name, code or identifier; name, address and respective holdings of securities of the relevant series or class held for the beneficial owner.]

[Insert description of proposals to be voted upon, other instructions or explanations, etc.]

By providing voting instructions as requested, you are acknowledging that you are the beneficial owner of, and are entitled to instruct us with respect to the voting of, these securities.

(If these voting instructions are given on behalf of a body corporate set out the full legal name of the body corporate, the name and position of the person giving voting instructions on behalf of the body corporate and the address for service of the body corporate.)

**“NATIONAL INSTRUMENT 54-101
“COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER**

**“FORM 54-101F8
“LEGAL PROXY**

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101. The use of this Form is referenced in sections 1.1, 2.18 and 4.5 of National Instrument 54-101.

LEGAL PROXY

Subject to the paragraph that follows, the undersigned, being a registered holder or proxy holder in respect of securities of the reporting issuer specified below, hereby appoints [*insert name(s) from beneficial owner request for a legal proxy*], with power of substitution, to attend, vote and otherwise act for and on behalf of the undersigned to the extent of the number of securities specified, in respect of all matters that may come before the meeting of securityholders specified below, and at any adjournment or continuance.

This instrument supersedes and revokes any prior proxy made by the undersigned with respect to the voting of the securities specified below at such meeting, or at any adjournment thereof.

Issuer: _____

Class/Series of Security: _____

ISIN Number: _____

Number of Securities: _____

Name of Registered Holder of
Securities and any Intermediaries
through whom proxy is derived: _____

Date of Meeting: _____

Place of Meeting: _____

Beneficial Ownership
Determination Date of Meeting: _____

By voting the securities represented by this legal proxy, you will be acknowledging that you are the beneficial owner of, and are entitled to vote, such securities.

Registered Holder of Securities or Proxy Holder

Signing Officer

Date

**“NATIONAL INSTRUMENT 54-101
“COMMUNICATION WITH BENEFICIAL OWNERS OF
SECURITIES OF A REPORTING ISSUER**

**“FORM 54-101F9
“UNDERTAKING**

Note: Terms used in this Form have the meanings given to them in National Instrument 54-101. The use of this Form is referenced in sections 2.5, 6.1 and 6.2 of National Instrument 54-101.

I, _____ ,
(Full Residence Address) _____ ,

(If this undertaking is made on behalf of a body corporate, set out the full legal name of the body corporate, position of person signing and address for service of the body corporate).

SOLEMNLY DECLARE AND UNDERTAKE THAT:

1. I require a list in the required format of the non-objecting beneficial owners of securities of [*insert name of the reporting issuer*] on whose behalf intermediaries hold securities (a NOBO list), as shown on the records of the intermediaries.
2. I undertake that the information set out on the NOBO list will be used only for the purpose of:
 - (a) sending securityholder materials to NOBOs in accordance with National Instrument 54-101;
 - (b) an effort to influence the voting of securityholders of the reporting issuer;
 - (c) an offer to acquire securities of the reporting issuer; or
 - (d) any other matter relating to the affairs of the reporting issuer.
3. I undertake that, except as permitted under National Instrument 54-101, the NOBO list will not be used to send securityholder materials to those NOBOs that are identified on the NOBO list as having chosen not to receive the materials, and that the materials sent shall include the following statement:

‘These securityholder materials are being sent to both registered and non-registered owners of the securities. If you are a non-registered owner, and the issuer or its agent has sent these materials directly to you, your name and address and information about your holdings of securities, have been obtained in accordance with applicable securities regulatory requirements from the intermediary holding on your behalf.’

4. I acknowledge that I am aware that it is an offence to use a NOBO list for purposes other than in connection with:
- (a) sending securityholder materials to NOBOs in accordance with National Instrument 54-101;
 - (b) an effort to influence the voting of securityholders of the reporting issuer;
 - (c) an offer to acquire securities of the reporting issuer; or
 - (d) any other matter relating to the affairs of the reporting issuer.

Signature

Name of person signing

Date

“PART XXV
“[*clause 2(y)*]

**“NATIONAL INSTRUMENT 54-102
“INTERIM FINANCIAL STATEMENT AND REPORT EXEMPTION**

“PART 1 DEFINITIONS

“1.1(1) In this Instrument:

‘interim financial statement or report’ means, for a reporting issuer:

- (a) the interim financial statement or quarterly financial statement; or
- (b) any other report for the first, second or third fiscal quarter;

required under securities legislation to be sent by the reporting issuer to registered holders of its securities;

‘NI 54-101’ means National Instrument 54-101 *Communication with Beneficial Owners of Securities of a Reporting Issuer*;

‘supplemental list’ means the list referred to in Part 2.

- (2) Terms defined in NI 54-101 and used in this Instrument have the meanings ascribed to them in NI 54-101.

“PART 2 EXEMPTION FROM REQUIREMENT TO SEND INTERIM FINANCIAL STATEMENT OR REPORT

“2.1 Exemption from Requirement To Send Interim Financial Statement or Report – A reporting issuer is exempt from the requirement of securities legislation to send an interim financial statement or report to registered holders of its securities if:

- (a) the reporting issuer, on or before the date the interim financial statement or report is filed under subparagraph (b)(i), issues a news release with a reasonable summary of the information contained in the interim financial statement or report, if the reporting issuer is not a mutual fund;
- (b) the reporting issuer concurrently:
 - (i) files the interim financial statement or report with the securities regulatory authority as required by securities legislation, together with the news release required by paragraph (a);
 - (ii) files the interim financial statement or report with all exchanges on which securities of the reporting issuer are listed;
 - (iii) sends the interim financial statement or report to the registered holders, and beneficial owners, of the securities whose names appear on the supplemental list established in accordance with section 2.2; and
- (c) the interim financial statement or report is for a financial quarter that ended during the twelve-month period that commenced on:
 - (i) the date of the meeting referred to in subparagraph 2.2(a)(i), if the reporting issuer sent a request form in accordance with that subparagraph; or
 - (ii) the date the reporting issuer sent the financial statements or annual report under paragraph 2.2(a)(ii), if the reporting issuer sent a request form in accordance with that subparagraph.

“2.2 Establishment of Supplemental List – In order to establish a supplemental list for the purpose of section 2.1, a reporting issuer shall:

- (a) send a request form under which a registered holder or beneficial owner of the securities may make, at no cost to the registered holder or beneficial owner, a request to receive the reporting issuer’s interim financial statements or reports; with:
 - (i) its proxy-related materials for a meeting of the holders of the securities; or
 - (ii) its financial statements or annual report, for a financial year, that it sends to the holders of the securities, if the reporting issuer is not required under corporate law to hold an annual meeting for which proxy-related materials are required to be sent to the holders of the securities; and
- (b) prepare a supplemental list that sets out the registered holders, and beneficial owners, of the securities that have requested its interim financial statements or reports by returning a completed request form to the reporting issuer.

“PART 3 TRANSITIONAL**“3.1 Issuers That Hold Annual Meetings**

(1) A reporting issuer that is required by corporate law to hold annual meetings of holders of its securities is exempt from the requirement of securities legislation to send an interim financial statement to registered holders of its securities if the reporting issuer:

(a) before the coming into force of this Instrument, sent a return card in accordance with NP 41 with the proxy-related materials for a meeting of the holders of its securities, permitting the holder to request that the holder be placed on a list of every person or company that requested the reporting issuer’s interim financial statements;

(b) prepared or prepares a list that sets out every person or company that requested its interim financial statements by returning a completed return card to the reporting issuer; and

(c) sends the interim financial statement to each person or company whose name appears on the list prepared under paragraph (b), in accordance with the timing requirements of securities legislation that would otherwise apply for sending the interim financial statement to registered holders of the securities.

(2) The exemption provided in subsection (1) only applies in respect of sending interim financial statements for financial quarters that end during the twelve-month period that commences on the date of the meeting for which the proxy-related materials included a return card in accordance with subsection (1).

“3.2 Issuers That Do Not Hold Annual Meetings

(1) A reporting issuer that is not required under corporate law to hold annual meetings is exempt from the requirement of securities legislation to send an interim financial statement to registered holders of its securities if the reporting issuer:

(a) before the coming into force of this Instrument, sent a return card in accordance with NP 41 with the financial statements or annual report, for a financial year, that it sent to the holders of the securities, permitting the holder to request that the holder be placed on a list of every person or company that requested the reporting issuer’s interim financial statements;

(b) prepared or prepares a list that sets out every person or company that requested its interim financial statements by returning a completed return card to the reporting issuer; and

(c) sends the interim financial statement to each person or company whose name appears on the list prepared under paragraph (b) in accordance with the timing requirements of securities legislation that would otherwise apply for sending the interim financial statement to registered holders of the securities.

(2) The exemption provided in subsection (1) only applies in respect of sending interim financial statements for financial quarters that end during the twelve-month period that commences on the date the reporting issuer sent the financial statements or annual report, for a financial year, together with the return card in accordance with subsection (1).

“PART 4 EFFECTIVE DATE

“4.1 Effective Date of Instrument – This Instrument comes into force on July 1, 2002”.

Coming into force

5(1) Subject to subsection (2), these regulations come into force on July 1, 2002.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2002, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 53/2002

The Prescription Drugs Act

Section 9

Order in Council 430/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Prescription Drugs Amendment Regulations, 2002*.

R.R.S. c.P-23 Reg 3 amended

2 *The Prescription Drugs Regulations, 1993* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Clause 2(1)(c) is repealed.**

New section 2.1

4 **The following section is added after section 2:**

“Application of regulations

2.1(1) Subject to subsection (2), these regulations apply only to drugs that are listed in the formulary.

(2) With respect to drugs listed in Appendix A of the formulary, these regulations apply if:

(a) a practitioner who is authorized pursuant to an Act to prescribe the drug or a pharmacist applies, on behalf of a person who is a member of a family unit, for coverage for that drug pursuant to the Exception Drug Status Program; and

(b) the person on whose behalf an application mentioned in clause (a) is made is approved for coverage for that drug by the minister applying the criteria set pursuant to section 5.1 of the Act”.

Section 5 amended

5(1) Subsection 5(1) is amended by striking out the portion that follows the formula and substituting the following:

“where ARDP is the sum of all recognized drug prices for:

- (a) drugs obtained by a family unit during a benefit period from participating pharmacies; and
- (b) drugs obtained by the family unit during a benefit period for which the family unit is entitled to reimbursement pursuant to section 13”.

(2) Subsection 5(3) is repealed.

Section 6 amended

6 Subsection 6(5) is amended by striking out the portion that follows the formula and substituting the following:

“where ARDP is the sum of all recognized drug prices for:

- (a) drugs obtained by a family unit during a benefit period from participating pharmacies; and
- (b) drugs obtained by the family unit during a benefit period for which the family unit is entitled to reimbursement pursuant to section 13”.

Section 7 amended

7(1) Subsection 7(10) is amended by striking out the portion that follows the formula and substituting the following:

“where ARDP is the sum of all recognized drug prices for:

- (a) drugs obtained by a family unit during a benefit period from participating pharmacies; and
- (b) drugs obtained by the family unit during a benefit period for which the family unit is entitled to reimbursement pursuant to section 13”.

(2) Subsection 7(12) is amended by striking out the portion that follows the formula and substituting the following:

“where ARDP is the sum of all recognized drug prices for:

- (a) drugs obtained by a family unit during a benefit period from participating pharmacies; and
- (b) drugs obtained by the family unit during a benefit period for which the family unit is entitled to reimbursement pursuant to section 13”.

Section 9 amended

8 Clause 9(2)(a) is amended by adding “plus the incremental drug price difference, if any” after “\$2”.

New sections 12 to 12.7

9 Section 12 is repealed and the following substituted:**“Income-based general coverage****12(1)** In this section and sections 12.1 to 12.7:

- (a) **‘benefits’** means reimbursement from the minister for drugs obtained from participating pharmacies by a family unit, or payment made on a family unit’s behalf by the minister to participating pharmacies from which drugs are obtained by the family unit;
 - (b) **‘benefit year’** means a period commencing on July 1 in one year and ending on June 30 in the following year;
 - (c) **‘family unit income’** means the family unit income for a taxation year of a family unit calculated in accordance with section 12.5;
 - (d) **‘return’** means a return of income as defined in section 122.6 of the *Income Tax Act* (Canada);
 - (e) **‘threshold co-payment’** means the threshold co-payment of a family unit calculated in accordance with section 12.4;
 - (f) **‘threshold co-payment benefit’** means the threshold co-payment benefit of a family unit determined in accordance with section 12.3;
 - (g) **‘threshold co-payment factor’** means the threshold co-payment factor of a family unit calculated in accordance with section 12.2.
- (2) Subject to this section, a family unit to which sections 5 to 11 do not apply is eligible for benefits calculated in accordance with section 12.1 or recalculated in accordance with section 12.6 or 12.7.
- (3) A family unit must apply for benefits, in accordance with subsections (4) to (6), with respect to each benefit year.
- (4) An application for benefits:
- (a) must be in the form supplied by the minister;
 - (b) must provide all information required by the form;
 - (c) must be signed by all adults who are members of the family unit; and
 - (d) must provide information respecting the income of each adult member of the family unit in accordance with subsection (5) or (6).
- (5) With respect to each adult member of a family unit who has filed a return for the taxation year preceding the taxation year in which the benefit year commences, an application:
- (a) must state the income of the individual for the applicable taxation year as set out on line 150 of the return; or
 - (b) must contain the written consent of the individual to the disclosure to the department of information with respect to the individual’s income in the records of the Canada Customs and Revenue Agency for the purpose of determining the eligibility of the family unit to receive benefits.

(6) With respect to each adult member of a family unit who has not filed a return for the taxation year preceding the taxation year in which the benefit year commences, an application:

(a) must state the income of the individual for the applicable taxation year; and

(b) must be accompanied by documentary evidence sufficient to verify, to the satisfaction of the minister, the income of the individual as stated pursuant to clause (a).

(7) A family unit shall provide the minister with any information that the minister considers necessary for the purposes of calculating the benefits to which the family unit is entitled.

(8) Subject to sections 12.6 and 12.7, if the application of a family unit is approved:

(a) the family unit is entitled to receive benefits for each benefit period in the benefit year for which the application is made;

(b) the benefits to which the family unit is entitled are to be calculated from the first day of the benefit year for which the application is made, notwithstanding the date of the application; and

(c) the entitlement to benefits expires on the last day of the benefit year, and a new application must be made for the next benefit year.

(9) A family unit that fails to provide the minister with the information required by this section is not entitled to receive benefits.

“Calculation of benefits

12.1(1) In this section, **‘drug total’** means the total of all recognized drug prices for:

(a) drugs obtained by a family unit during a benefit period from participating pharmacies; and

(b) drugs obtained by the family unit during a benefit period for which the family unit is entitled to reimbursement pursuant to section 13.

(2) If the threshold co-payment factor of a family unit for a benefit period is equal to or less than 0.35, the amount of benefits to which the family unit is entitled during the benefit period with respect to a drug obtained is the amount B calculated in accordance with the following formula:

$$B = TCB \times RDP$$

where:

TCB is the threshold co-payment benefit of the family unit; and

RDP is the recognized drug price for the drug obtained.

(3) If the threshold co-payment factor of a family unit for a benefit period is greater than 0.35, and the drug total of the family unit for the benefit period is less than its threshold co-payment for the benefit period, the amount of benefits to which the family unit is entitled is the amount B calculated in accordance with the following formula:

$$B = \text{TCB} \times \text{RDP}$$

where:

TCB is the threshold co-payment benefit of the family unit for the benefit period; and

RDP is the recognized drug price for the drug obtained.

(4) If the threshold co-payment factor of a family unit for a benefit period is greater than 0.35, and the drug total of the family unit for the benefit period is equal to or greater than its threshold co-payment for the benefit period, the amount of benefits to which the family unit is entitled is the amount B calculated in accordance with the following formula:

$$B = 0.65 \times \text{RDP}$$

where RDP is the recognized drug price for the drug obtained.

(5) Where the addition of a recognized drug price for a drug obtained by a family unit during a benefit period to the drug total of the family unit for the benefit period would cause the drug total to exceed the threshold co-payment, the amount of the recognized drug price is to be apportioned so that:

(a) only an amount that, when added to the drug total, would keep the drug total below the threshold co-payment is taken into account for the purposes of subsection (3); and

(b) the remainder is taken into account for the purposes of subsection (4).

“Calculation of threshold co-payment factor

12.2 The threshold co-payment factor of a family unit for a benefit period is the amount TCF calculated in accordance with the following formula:

$$\text{TCF} = \frac{\text{TC}}{(\text{BPDP} \times 2)}$$

where:

TC is the threshold co-payment for the benefit period; and

BPDP is the sum of all recognized drug prices for:

(a) drugs obtained by the family unit during the previous benefit period from participating pharmacies; and

(b) drugs obtained by the family unit during the previous benefit period for which the family unit is entitled to reimbursement pursuant to section 13.

“Determination of threshold co-payment benefit

12.3 The threshold co-payment benefit of a family unit for a benefit period is the greater of zero and $(1 - \text{TCF})$, where TCF is the threshold co-payment factor for the benefit period.

“Calculation of threshold co-payment

12.4 The threshold co-payment of a family unit for a benefit period is the amount TC calculated in accordance with the following formula:

$$\text{TC} = 0.034 \times \text{FUI}$$

where FUI is the family unit income for the taxation year preceding the benefit year.

“Calculation of family unit income

12.5 The family unit income of a family unit for a taxation year is the amount FUI calculated in accordance with the following formula:

$$\text{FUI} = \text{TIFU} - (\$3,500 \times \text{ND})$$

where:

TIFU is the total income for the taxation year of all adult members of the family unit as described in subsection 12(5) or (6); and

ND is the number of members of the family unit who are described in subclause 2(1)(e)(iii).

“Request for recalculation

12.6(1) A member of a family unit or another person on behalf of a family unit may, at any time, request a recalculation of the benefits to which the family unit is entitled pursuant to section 12, if:

- (a) the person making the request disagrees with the values calculated for the family unit's benefits;
- (b) the composition of the family unit has changed;
- (c) there has been a significant change in the family unit income; or
- (d) the family unit has had a significant change in the cost of drugs since its threshold co-payment benefit was last calculated.

(2) A request for recalculation:

- (a) must be in writing;
- (b) must set out the grounds for the request; and
- (c) must be accompanied by all information and documents necessary to support the request.

(3) The minister may require the person making the request to provide any additional information or documents that the minister considers necessary in order to determine whether recalculation is justified.

(4) Where the minister is satisfied that sufficient information and documents have been provided to enable the minister to determine whether recalculation is justified:

- (a) the minister shall review the request; and
- (b) if the minister is satisfied that recalculation is justified, the minister shall recalculate the family unit's benefits.

(5) In a recalculation based on a change in family unit income, the family unit income may be recalculated on the basis of the income that the family unit is projected to receive during the current taxation year or on the basis of an adjustment to the family unit income for the preceding taxation year, as the case may require.

(6) In a recalculation based on a change in the cost of drugs of the family unit, the recalculation may be made on the basis of the projected costs of the recognized drug prices for the family unit for the current benefit period and not the previous benefit period.

(7) If, on a recalculation pursuant to this section, it is determined that the benefits to which the family unit is entitled should be greater than they were determined to be on the initial calculation, the family unit is entitled to benefits at the level determined by the recalculation from the later of:

- (a) the first day of the month in which the circumstances occurred that justified the recalculation; and
- (b) the first day of the current benefit year.

“Recalculation initiated by minister

12.7(1) The minister may, at any time, recalculate the benefits of a family unit if:

- (a) the minister is satisfied that the benefits were incorrectly calculated:
 - (i) as a result of administrative error; or
 - (ii) on the basis of incorrect information provided to the minister, whether by mistake or otherwise; or
- (b) the minister becomes aware of changes in the circumstances of the family unit at any time after the submission of the family unit's application.

(2) If, on a recalculation pursuant to this section, it is determined that the benefits to which the family unit is entitled should be different than they were determined to be on the initial calculation, the family unit is entitled to benefits at the level determined by the recalculation:

- (a) in the case of a recalculation resulting from administrative error:
 - (i) from the first day of the benefit year, if the recalculation results in an increase in the amount of the benefits; or
 - (ii) from the day on which the error was discovered, if the recalculation results in a decrease in the amount of the benefits;

(b) in the case of a recalculation resulting from incorrect information, from the first day of the benefit year; and

(c) in the case of a recalculation resulting from a change in circumstances, from the day on which the change in circumstances occurred”.

Coming into force

10(1) Subject to subsection (2), these regulations come into force on July 1, 2002.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2002, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 54/2002

The Condominium Property Act, 1993

Section 112.1

Order in Council 431/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Condominium Property Amendment Regulations, 2002*.

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

2 *The Condominium Property Regulations, 2001* are amended in the manner set forth in these regulations.

New section 40.1

3 **The following section is added after section 40:**

“Fees

40.1 Any person wishing to use the condominium corporation registry shall pay the fee set out in Table 1 of Part III of the Appendix that is appropriate for the service the person is requesting”.

Appendix, New Part III

4 **The following Part is added after Part II of the Appendix:**

“PART III

Table 1
[Section 40.1]

Condominium Corporation Registry Fees

Item	Type of Service	Fee
1	For filing an amendment to the bylaws pursuant to subsection 46(3) of the Act	\$ 20
2	For filing documents respecting an amalgamation pursuant to sections 15 and 34 of the Act and section 41 of the regulations	50

3	For re-examination or prior approval of any documents required to be provided to the Director pursuant to the Act or regulations	20
4	For photocopies pursuant to section 42 of the regulations	1 per page
5	For certified copies pursuant to section 42 of the regulations	20 per document
6	For a profile report provided by the Director's office and certified pursuant to section 42 of the regulations	10
7	For an in-office inspection of an archival file without copies pursuant to section 42 of the regulations	2
8	For remote computer access and inquiry pursuant to section 42 of the regulations	2
9	For providing a profile report by remote computer access pursuant to section 42 of the regulations	5
10	For providing documents by fax pursuant to section 42 of the regulations	5
11	For providing information by telephone pursuant to section 42 of the regulations	8".

Coming into force

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

SASKATCHEWAN REGULATIONS 55/2002

The Coroners Act, 1999

Section 64

Order in Council 432/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Coroners Amendment Regulations, 2002*.

R.R.S. c.C-38.01 Reg 1, section 11 repealed

2 Section 11 of *The Coroners Regulations, 2000* is repealed.

Coming into force

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

SASKATCHEWAN REGULATIONS 56/2002*The Traffic Safety Court of Saskatchewan Act, 1988*

Section 11

Order in Council 433/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Traffic Safety Court of Saskatchewan Amendment Regulations, 2002*.

R.R.S. c.T-19.1 Reg 1, section 3 amended

2(1) Section 3 of *The Traffic Safety Court of Saskatchewan Regulations* is amended in the manner set forth in this section.

(2) Subsection (1) is amended:

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

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

“(i) \$5,583 for the period commencing on April 1, 2001 and ending on March 31, 2002;

“(j) \$5,923 for the period commencing on April 1, 2002”.

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

“(3) Notwithstanding subsections (1) and (2), a traffic justice appointed pursuant to section 6 of the Act is entitled to be paid a fee in an amount equal to:

(a) 1/248 of the current annual salary payable to a traffic justice appointed pursuant to section 5 of the Act for each day of service; and

(b) half of the amount mentioned in clause (a) for each half day of service”.

Coming into force

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

RÈGLEMENT DE LA SASKATCHEWAN 56/2002*Loi de 1988 sur le Tribunal de la sécurité routière de la Saskatchewan*

Article 11

Décret 433/2002, en date du 26 juin 2002

(déposé le 27 juin 2002)

Titre

1 *Règlement de 2002 modifiant le Règlement sur le Tribunal de la sécurité routière de la Saskatchewan.*

Modification de l'article 3 du Règl. 1, chapitre T-19.1 des R.R.S.

2(1) L'article 3 du *Règlement sur le Tribunal de la sécurité routière de la Saskatchewan* est modifié de la manière énoncée par le présent article.

(2) Les alinéas (1)h) et i) du sont abrogés et remplacés par ce qui suit:

« h) 4 998 \$ pour la période allant du 1^{er} juillet 2000 au 31 mars 2001;

« i) 5 583 \$ pour la période allant du 1^{er} avril 2001 au 31 mars 2002;

« j) 5 923 \$ pour la période commençant le 1^{er} avril 2002 ».

(3) Le paragraphe (3) est abrogé et remplacé par ce qui suit:

« (3) Par dérogation aux paragraphes (1) et (2), le juge de la sécurité routière nommé en vertu de l'article 6 de la Loi a le droit de recevoir une indemnité:

a) pour chaque jour de service, d'un montant égal à 1/284^e du traitement annuel courant qui lui est payable en vertu de l'article 5 de la Loi;

b) pour chaque demi-jour de service, d'un montant égal à la moitié de l'indemnité visée à l'alinéa a) ».

Entrée en vigueur

3 Le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements.

SASKATCHEWAN REGULATIONS 57/2002*The Justices of the Peace Act, 1988*

Sections 3 and 15

Order in Council 434/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Justices of the Peace Amendment Regulations, 2002 (No. 2)*.

R.R.S. c.J-5.1 Reg 1 amended

2 *The Justices of the Peace Regulations, 1989* are amended in the manner set forth in these regulations.

Section 6 amended

3 **Subsection 6(4) is amended in the portion preceding clause (a) by adding “Moose Jaw,” after “North Battleford.”**

Section 13 amended

4 **Subclause 13(a)(ii) is repealed.**

Section 14 amended

5 **Subsection 14(1) is amended by repealing clauses (j) and (k) and substituting the following:**

“(j) \$5,799 for the period commencing on July 1, 2000 and ending on June 30, 2001;

“(k) \$5,973 for the period commencing on July 1, 2001 and ending on June 30, 2002;

“(l) \$6,122 for the period commencing on July 1, 2002”.

Coming into force

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

RÈGLEMENT DE LA SASKATCHEWAN 57/2002*Loi de 1988 sur les juges de paix*

Articles 3 et 15

Décret 434/2002, en date du 26 juin 2002

(déposé le 27 juin 2002)

Titre**1** *Règlement n° 2 de 2002 modifiant le Règlement de 1989 sur les juges de paix.***Modification du Règl. 1, ch. J-5.1 des R.R.S.****2** Le *Règlement de 1989 sur les juges de paix* est modifié de la manière énoncée dans le présent règlement.**Modification de l'article 6****3** Le **paragraphe 6(4) est modifié au passage qui précède l'alinéa a) par la suppression des mots « North Battleford » et leur remplacement par les mots « à North Battleford, à Moose Jaw ».****Modification de l'article 13****4** Le **sous-alinéa 13a)(ii) est abrogé.****Modification de l'article 14****5** L'**alinéa 14(1)k) est abrogé et remplacé par ce qui suit:**« k) 5 973 \$ pour la période allant du 1^{er} juillet 2001 au 30 juin 2002;« l) 6 122 \$ à compter du 1^{er} juillet 2002 ».**Entrée en vigueur****6** Le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements.

SASKATCHEWAN REGULATIONS 58/2002

The Queen's Bench Act, 1998

Section 109

Order in Council 435/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Queen's Bench Amendment Regulations, 2002*.

R.R.S. c.Q-1.01 Reg 1 amended

2 *The Queen's Bench Regulations* are amended in the manner set forth in these regulations.

Section 9 amended

3 **Subsection 9(4) is repealed and the following substituted:**

“(4) Subject to subsection (5), the fee set out in item 20 of Table 1 does not apply to actions commenced pursuant to:

- (a) Part XII of the Act;
- (b) *The Children's Law Act, 1997*;
- (c) the *Divorce Act* (Canada);
- (d) *The Family Maintenance Act, 1997*; or
- (e) *The Family Property Act*.

“(5) Subsection (4) does not apply to an interlocutory motion, notice or memorandum of relief for:

- (a) custody of a child;
- (b) maintenance for a child or spouse; or
- (c) exclusive possession of a family home”.

Appendix amended

4 **Table 1 of Part II of the Appendix is amended:**

(a) **by repealing item 1 and substituting the following:**

“1 Commencement of an action or matter in court or in chambers by statement of claim, originating notice of motion, petition, notice of appeal, notice of motion, *ex parte* or otherwise:

- (a) to which section 5 applies \$130
- (b) to which section 5 does not apply, including any proceeding pursuant to the *Divorce Act* (Canada) 100”; **and**

(b) **by repealing item 18.**

Coming into force

5(1) Subject to subsection (2), these regulations come into force on July 1, 2002.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2002, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

RÈGLEMENT DE LA SASKATCHEWAN 58/2002*Loi de 1998 sur la Cour du Banc de la Reine*

Article 109

Décret 435/2002, en date du 26 juin 2002

(déposé le 27 juin 2002)

Titre**1** *Règlement de 2002 modifiant le Règlement sur la Cour du Banc de la Reine.***Modification du Règl. 1, ch. Q-1.01 des R.R.S.****2** Le *Règlement sur la Cour du Banc de la Reine* est modifié de la manière énoncée dans le présent règlement.**Modification de l'article 9****3 Le paragraphe 9(4) est abrogé et remplacé par ce qui suit:**

« (4) Sous réserve du paragraphe (5), le droit fixé au point 20 du barème 1 ne s'applique pas aux actions introduites en vertu de l'une des mesures législatives suivantes:

- a) la partie XII de la Loi;
- b) la *Loi de 1997 sur le droit de l'enfance*;
- c) la *Loi sur le divorce* (Canada);
- d) la *Loi de 1997 sur les prestations alimentaires familiales*;
- e) la *Loi sur les biens familiaux*.

« (5) Le paragraphe (4) ne s'applique ni à une motion interlocutoire, ni à un avis, ni à une note de redressement visant:

- a) la garde d'un enfant;
- b) une prestation alimentaire au profit d'un enfant ou du conjoint;
- c) la possession exclusive d'un foyer familial ».

Modification de l'Appendice**4 Le barème 1 de la partie II de l'Appendice est modifié:****a) par abrogation du point 1 et son remplacement par ce qui suit:**« 1 Introduction d'une action ou d'une affaire devant la Cour ou en cabinet par voie d'exposé de la demande, de motion introductive d'instance, de requête, d'avis d'appel, d'avis de motion, *ex parte* ou autrement:

- a) à laquelle s'applique l'article 5 130 \$
- b) à laquelle ne s'applique pas l'article 5, y compris l'introduction d'une instance intentée sous le régime de la *Loi sur le divorce* (Canada) 100 \$ »;

b) par abrogation du point 18.**Entrée en vigueur****5(1)** Sous réserve du paragraphe (2), le présent règlement entre en vigueur le 1^{er} juillet 2002.(2) S'il est déposé auprès du registraire des règlements après le 1^{er} juillet 2002, le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements.

SASKATCHEWAN REGULATIONS 59/2002*The Northern Municipalities Act*

Section 286

Order in Council 436/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Northern Municipalities Revenue Sharing Program Amendment Regulations, 2002*.

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

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

“(1) Notwithstanding any other provision of these regulations, the amount of the operating grant that may be paid to a northern municipality for the 2002-2003 fiscal year is an amount equal to:

(a) in the case of a town or a northern village, the amount of the operating grant that was paid to the town or northern village in the 2001-2002 fiscal year multiplied by 1.16; and

(b) in the case of a northern hamlet or a northern settlement, the amount of the operating grant that was paid to the northern hamlet or northern settlement in the 2001-2002 fiscal year multiplied by 1.2445”.

Coming into force

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

SASKATCHEWAN REGULATIONS 60/2002*The Municipal Revenue Sharing Act*

Section 13

Order in Council 437/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Rural Municipalities Revenue Sharing Amendment Regulations, 2002*.

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.

New section 3

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

“Organized hamlets

3(1) For the purposes of section 10 of the Act, the minister may pay to each organized hamlet:

- (a) a basic grant of \$1,350; and
- (b) a per capita grant of \$15.62.

(2) Notwithstanding subsection (1), the total amount of unconditional grants that may be paid to each organized hamlet in the 2002-2003 fiscal year is to be equal to the total amount of basic and per capita grants that the organized hamlet was paid in the 2001-2002 fiscal year, plus a per capita amount determined by multiplying \$6.80 by the population of the organized hamlet as determined by the 2001 census taken pursuant to the *Statistics Act* (Canada).”

Section 6 amended

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

- (a) **by striking out “are payable” and substituting “may be paid”; and**
- (b) **by striking out “\$100” and substituting “\$125”.**

(2) **Subsection 6(2) is amended:**

- (a) **by striking out “are payable” and substituting “may be paid”; and**
- (b) **by striking out “\$70” and substituting “\$100”.**

(3) **Subsection 6(3) is amended:**

- (a) **by striking out “are payable” and substituting “may be paid”; and**
- (b) **by striking out “\$35” and substituting “\$50”.**

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

- (a) **by striking out “are payable” and substituting “may be paid”; and**
- (b) **by striking out “\$600” and substituting “\$700”.**

Section 7 amended**5 Section 7 is amended:**

- (a) **by striking out “are payable” and substituting “may be paid”; and**
- (b) **by striking out “\$5” and substituting “\$10”.**

Section 8 amended**6 Section 8 is amended:**

- (a) **by striking out “are payable” and substituting “may be paid”; and**
- (b) **by striking out “\$1,000” and substituting “\$1,200”.**

Section 9 amended**7 Subsection 9(3) is amended:**

- (a) **by striking out “payable” and substituting “that may be paid”; and**
- (b) **by striking out “36%” and substituting “40%”.**

Section 10 amended**8(1) Subsection 10(1) is amended:**

- (a) **by striking out “subsection (3)” and substituting “subsections (3) and (4)”;** and
- (b) **by striking out “each rural municipality is entitled to receive” and substituting “the minister may pay to each rural municipality”.**

(2) The following subsection is added after subsection 10(3):

“(4) Notwithstanding subsections (1) to (3), the road construction allocation that may be paid to each rural municipality in the 2002-2003 fiscal year is to be equal to the road construction allocation for that rural municipality in the 2001-2002 fiscal year, multiplied by 1.4365”.

New section 16.01**9 Section 16.01 is repealed and the following substituted:****“Total equalization grants**

16.01 Notwithstanding any other provision of these regulations, the total amount of equalization grants that may be paid to each rural municipality in the 2002-2003 fiscal year pursuant to Part III is to be equal to the total amount of equalization grants that the municipality was paid in the 2001-2002 fiscal year”.

Section 16.02 amended**10(1) Subsection 16.02(1) is amended:**

- (a) **by striking out “Where” and substituting “If”;**
- (b) **by striking out “grants to which” and substituting “grants that”; and**
- (c) **by striking out “is entitled” and substituting “may be paid”.**

(2) Subsection 16.02(2) is amended:

- (a) **by striking out “grants to which” and substituting “grants that”; and**
- (b) **by striking out “is entitled” and substituting “may be paid”.**

(3) Subsection 16.02(3) is amended:

- (a) by striking out “grants to which” and substituting “grants that”; and**
- (b) by striking out “is entitled” and substituting “may be paid”.**

Section 16.03 amended

11(1) Subsection 16.03(1) is amended:

- (a) in the portion preceding clause (a):**
 - (i) by striking out “grants to which” and substituting “grants that”; and**
 - (ii) by striking out “is entitled” and substituting “may be paid”; and**
- (b) in clause (b):**
 - (i) by striking out “grants to which” and substituting “grants that”; and**
 - (ii) by striking out “were entitled” and substituting “were paid”.**

(2) Subsection 16.03(2) is amended:

- (a) in the portion preceding clause (a):**
 - (i) by striking out “grants to which” and substituting “grants that”; and**
 - (ii) by striking out “is entitled” and substituting “may be paid”; and**
- (b) in clause (b):**
 - (i) by striking out “grants to which” wherever it appears and in each case substituting “grants that”; and**
 - (ii) by striking out “were entitled” wherever it appears and in each case substituting “were paid”.**

(3) Subsection 16.03(3) is amended:

- (a) in the portion preceding clause (a):**
 - (i) by striking out “grants to which” and substituting “grants that”; and**
 - (ii) by striking out “is entitled” and substituting “may be paid”; and**
- (b) in clause (b):**
 - (i) by striking out “grants to which” wherever it appears and in each case substituting “grants that”; and**
 - (ii) by striking out “were entitled” wherever it appears and in each case substituting “were paid”.**

Section 16.1 amended

- 12 Section 16.1 is amended by striking out “are payable” and substituting “may be paid”.**

Section 16.2 amended

- 13 Subsection 16.2(2) is amended by striking out “are payable” and substituting “may be paid”.**

Section 16.3 amended

14 Section 16.3 is amended by striking out “are payable” and substituting “may be paid”.

Section 21 amended

15 Section 21 is amended by striking out “payable” and substituting “paid”.

Section 22 amended

16 Subsection 22(1) is amended:

(a) in the portion preceding clause (a) by striking out “payable” and substituting “paid”; and

(b) in clause (b) by striking out “are payable” and substituting “may be paid”.

Section 24 amended

17 Subsection 24(1) is amended by striking out “payable” and substituting “paid”.

Coming into force

18 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, 2002.

SASKATCHEWAN REGULATIONS 61/2002*The Municipal Revenue Sharing Act*

Section 13

Order in Council 438/2002, dated June 26, 2002

(Filed June 27, 2002)

Title

1 These regulations may be cited as *The Urban Municipalities Revenue Sharing Amendment Regulations, 2002*.

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 3 amended

3 **Section 3 is amended by striking out “payable” and substituting “that may be paid”.**

Section 4 amended

4 **Section 4 is amended by striking out “payable” and substituting “that may be paid”.**

New section 9

5 **Section 9 is repealed and the following substituted:**

“Total unconditional grants

9 Notwithstanding any other provision of these regulations, the total amount of unconditional grants that may be paid to each urban municipality in the 2002-2003 fiscal year is to be equal to the total amount of grants which that urban municipality was paid in the 2001-2002 fiscal year, plus a per capita amount determined by multiplying by \$6.80 the population as determined by the 2001 census taken pursuant to the *Statistics Act* (Canada) of the municipality”.

Section 9.01 amended

6(1) **Subsection 9.01(1) is amended:**

(a) **in the portion preceding clause (a):**

(i) **by striking out “grants to which” and substituting “grants that”; and**

(ii) **by striking out “is entitled” and substituting “may be paid”; and**

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

“(b) the total amount of unconditional grants that were paid to the municipalities that amalgamated or restructured to form the new urban municipality in the fiscal year before incorporation of the new urban municipality”.

(2) **Subsection 9.01(2) is amended:**

(a) **in the portion preceding clause (a):**

(i) **by striking out “grants to which” and substituting “grants that”; and**

(ii) **by striking out “is entitled” and substituting “may be paid”; and**

- (b) in clause (b):**
 - (i) by striking out “grants to which” wherever it appears and in each case substituting “grants that”; and**
 - (ii) by striking out “entitled” wherever it appears and in each case substituting “paid”.**
- (3) Subsection 9.01(3) is amended:**
 - (a) in the portion preceding clause (a):**
 - (i) by striking out “grants to which” and substituting “grants that”; and**
 - (ii) by striking out “is entitled” and substituting “may be paid”; and**
 - (b) in clause (b):**
 - (i) by striking out “grants to which” wherever it appears and in each case substituting “grants that”; and**
 - (ii) by striking out “entitled” wherever it appears and in each case substituting “paid”.**

Section 11 amended

- 7 Section 11 is amended by striking out “are payable” and substituting “may be paid”.**

Section 12 amended

- 8 Section 12 is amended by striking out “payable” and substituting “paid”.**

Section 13 amended

- 9 Subsection 13(1) is amended in the portion preceding clause (a) by striking out “payable” and substituting “paid”.**

Coming into force

- 10 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, 2002.**