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PART II/PARTIE II

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REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 51/2003*The Securities Act, 1988*

Section 154

Commission Order, dated May 21, 2003

(Filed June 3, 2003)

Title

1 These regulations may be cited as *The Securities Commission (Local Instruments) Amendment Regulations, 2003 (No. 2)*.

R.R.S. c.S-42.2 Reg 5, Part III amended

2 **Part III of the Appendix to *The Securities Commission (Local Instruments) Regulations* is amended by repealing section 2 and substituting the following:**

“Interpretation

2 In this Part:

(a) **‘exempt security’** means a security traded pursuant to the exemptions in:

(i) clauses 39(1)(b), 39(1)(e), 39(1)(t), 39(1)(y), 39(1)(z), 39(1)(cc), 39(1)(hh), 39(2)(e), 39(2)(h), 39(2)(k) of *The Securities Act, 1988*;

(ii) subsections 2.1(1), 3.1(1) and 4.1(3) of MLI 45-103; and

(iii) subsection 5.1(1) of MLI 45-103 if the trade is to a person or company mentioned in clauses (k), (l) and (m) in the definition of ‘accredited investor’ in subsection 1.1(1) of MLI 45-103;

(b) **‘MLI 45-103’** means Multilateral Instrument 45-103, entitled Capital Raising Exemptions, as set out in Part XXIX of the Appendix to *The Securities Commission (Adoption of National Instruments) Regulations*”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on June 16, 2003.

(2) If these regulations are filed with the Registrar of Regulations after June 16, 2003, these regulations come into force the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 52/2003*The Automobile Accident Insurance Act*

Section 81

Order in Council 434/2003, dated June 4, 2003

(Filed June 4, 2003)

Title

1 These regulations may be cited as *The Automobile Accident Insurance (General) Amendment Regulations, 2003*.

R.R.S. c.A-35 Reg 4, section 24 amended

2 **The following subsection is added after subsection 24(6) of *The Automobile Accident Insurance (General) Regulations, 2002*:**

“(6.1) Notwithstanding subsections (5) and (6) and for the purposes of Part III of the Act, the maximum value of a vehicle that is registered in Saskatchewan pursuant to the IRP and all its equipment is deemed to be \$15,000 if:

- (a) the certificate of insurance for that vehicle is purchased or renewed after this subsection comes into force; or
- (b) the certificate of insurance for that vehicle was originally issued for another vehicle and has been amended, after this subsection comes into force, to change the vehicle registered under the certificate of insurance”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on August 1, 2003.

(2) If these regulations are filed with the Registrar of Regulations after August 1, 2003, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 53/2003*The Vehicle Administration Act*

Section 97

Order in Council 435/2003, dated June 4, 2003

(Filed June 4, 2003)

Title

1 These regulations may be cited as *The Driver Training Amendment Regulations, 2003*.

R.R.S. c.V-2.1 Reg 4 amended

2 *The Driver Training Regulations, 1986* are amended in the manner set forth in these regulations.

Section 2 amended**3 Section 2 is amended:****(a) by adding the following clause after clause (d):**

“(d.01) ‘**class**’ means, with respect to a motor vehicle, the class of motor vehicle as defined in *The Driver Licensing and Suspension Regulations*”;

(b) by repealing clause (d.1);**(c) by repealing clause (e) and substituting the following:**

“(e) ‘**driver instructor**’ means a person who:

- (i) holds a valid driver instructor’s certificate; and
- (ii) teaches the driving of a motor vehicle;

but does not include a person who provides instruction without compensation or as an employee to other employees of the same employer for the purposes of retraining or upgrading instruction with respect to those other employees”;

(d) by adding the following clause after clause (g):

“(g.1) ‘**retraining**’ means training a person in the operation of the class of motor vehicles for which that person holds a driver’s licence”; **and**

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

“(i) ‘**upgrading instruction**’ means training a person who holds a driver’s licence in the operation of a class of motor vehicles that requires a higher class of driver’s licence”.

New section 2.1**4 The following section is added after section 2:****“Non-application of regulations to certain driver training schools**

2.1 These regulations do not apply to an employee of an employer who provides retraining or upgrading instruction to other employees of same employer”.

New section 3**5 Section 3 is repealed and the following substituted:****“Application for and issuance of driver instructor’s certificates**

3(1) A person who wishes to obtain a driver instructor’s certificate must:

- (a) apply on a form provided by the administrator; and
- (b) ensure that the form mentioned in clause (a) is accompanied by:
 - (i) a criminal record search, on a form provided by the administrator, signed by the Chief of Police or the Officer in Charge of the local R.C.M.P. detachment or the Town Constable;
 - (ii) the fees set out in *The Vehicle Administration Fees Regulations*; and
 - (iii) one of the following:
 - (A) evidence of the completion, within the 12 months before the application, of a driver training course approved by the administrator; or
 - (B) a certificate that is issued by the minister responsible for the administration of *The Education Act, 1995* or by any training facility approved by the administrator and that substantiates, to the satisfaction of the administrator, the qualifications of the applicant.

(2) A person who wishes to renew the person’s driver instructor’s certificate must:

- (a) apply on a form provided by the administrator; and
- (b) ensure that the form mentioned in clause (a) is accompanied by:
 - (i) evidence of the completion, within the 24 months before the application, of a professional development course approved by the administrator; and
 - (ii) the required fees as set out in *The Vehicle Administration Fees Regulations*.

(3) An application to renew a driver instructor’s certificate must be filed with the administrator not more than 60 days and not less than 10 days before the expiry date of the certificate.

(4) In addition to the requirements set out in subsections (1) and (2), the administrator may require an individual applying for a new driver instructor’s certificate or renewing a driver instructor’s certificate to provide a certificate of physical fitness that:

- (a) is in a form provided by the administrator;
- (b) verifies that the applicant is physically and mentally fit; and
- (c) is completed by a duly qualified medical practitioner.

(5) If the administrator is satisfied that an applicant has complied with the requirements of this section and the other requirements set out in the Act and these regulations, the administrator may, in accordance with the application:

- (a) issue a driver instructor's certificate to the applicant; or
- (b) renew the applicant's driver instructor's certificate".

New section 4.2

6 The following section is added after section 4.1:

“Reporting for driving instructors

4.2(1) Every driving instructor shall report the following to the administrator within five days of its occurrence:

- (a) the driving instructor is charged with an offence against the *Criminal Code* or *The Alcohol and Gaming Regulation Act*;
- (b) the driving instructor being the subject of an administrative driving suspension pursuant to *The Highway Traffic Act*, any regulations pursuant to that Act, the Act or the regulations pursuant to the Act.

(2) If a driving instructor is charged with an offence against the *Criminal Code*, *The Highway Traffic Act*, any regulations pursuant to that Act, the Act or any regulations pursuant to the Act, the administrator may refuse to issue or renew a driver instructor's certificate until the charge has been finally disposed of or the time for making any appeal respecting the charge has expired”.

New section 6

7 Section 6 is repealed and the following substituted:

“Application for certificate or renewal of certificate as driver training school

6(1) A person, firm or association who or that wishes to obtain a driver training school certificate or to renew a driver training school certificate must:

- (a) apply on a form provided by the administrator; and
- (b) ensure that the form mentioned in clause (a) is accompanied by:
 - (i) a penal bond for the protection of the contractual rights of students that is:
 - (A) in the principal sum of \$5,000;
 - (B) on a form approved by the administrator; and
 - (C) written by a company authorized to do business pursuant to *The Saskatchewan Insurance Act*;
 - (ii) a certificate of bodily injury and property damage liability insurance on motor vehicles while used in driving instruction, insuring the liability of the driver training school, the driver instructors and any person taking instruction, in the amount of at least \$1,000,000 in excess of the amount required pursuant to *The Automobile Accident Insurance Act* for bodily injury or death and damage to property, in any one accident;

- (iii) evidence of the insurance coverage required pursuant to subclause (ii) that:
 - (A) is in the form of a certificate of the insurer that is acceptable to the administrator; and
 - (B) stipulates that the insurance shall not be cancelled except on 30 days' prior written notice to the administrator; and
 - (iv) the required fees as set out in *The Vehicle Administration Fees Regulations*.
- (2) For the purposes of subclause (1)(b)(i):
- (a) the total liability of the surety under the penal bond for all breaches of the conditions of the bond shall not exceed the principal sum of \$5,000; and
 - (b) the surety shall not cancel the bond except on 30 days' prior written notice to the administrator.
- (3) An application to renew a driver training school certificate must be filed with the administrator not more than 60 days and not less than 10 days before the expiry date of the certificate.
- (4) If the administrator is satisfied that an applicant has complied with the requirements of this section and the other requirements set out in the Act and these regulations, the administrator may, in accordance with the application:
- (a) issue a driver training school certificate to the applicant; or
 - (b) renew the applicant's driver training school certificate".

Section 7 amended

8 Section 7 is amended:

- (a) by striking out "and" after clause (b);**
- (b) by adding "and" after clause (c); and**
- (c) by adding the following clause after clause (c):**
 - "(d) notify the administrator, in writing, of any of the following changes within 15 days of the change:
 - (i) if any new driving instructor is employed by the driver training school;
 - (ii) if any driving instructor ceases to be employed by the driver training school".

Section 8 amended**9(1) Subsection 8(1) is amended:**

(a) in clause (f) by adding “dates and” before “the number of hours”;
and

(b) in clause (g) by adding “dates and” before “the number of hours”.

(2) The following subsection is added after subsection 8(3):

“(4) A driver training school shall maintain all records respecting a student for at least five years after the date that the record was made”.

New section 9**10 Section 9 is repealed and the following substituted:****“Prohibitions**

9 No driver training school, no operator, agent or employee of a driver training school and no driving instructor shall:

(a) state or imply that a driver’s licence is guaranteed on completion of the course of instruction; or

(b) offer free lessons, retests, services or other inducements or awards to any of its students who may fail the driver licence examination or road test”.

New sections 10, 10.1 and 11**11 Sections 10 to 11 are repealed and the following substituted:****“Expiry of certificates**

10(1) A driver instructor’s certificate expires on the date set out on the certificate unless it is sooner suspended or revoked pursuant to the Act or these regulations.

(2) A driver training school certificate expires on the date set out on the certificate unless it is sooner suspended or revoked pursuant to the Act or these regulations.

“Appeals to board

10.1(1) Section 91 of the Act applies to a decision of the administrator to refuse to renew:

(a) a driver instructor’s certificate; or

(b) a driver training school certificate.

(2) An appeal to the board must be made:

(a) in writing; and

(b) within 21 days after notification in writing by the administrator of the decision to refuse to issue or renew a certificate.

“Standards for motor vehicles used in training

11(1) Every class 5 motor vehicle used in driver training by a driving instructor to train a person to drive must have all of the following:

- (a) special rear-view mirrors firmly affixed to the vehicle to allow a driving instructor a clear and unobstructed view of the highway to the rear of the vehicle;
- (b) a sign at the rear of the vehicle that is conspicuously and clearly visible from a distance of 30 metres and that contains the words **‘Student Driver’** in letters not less than five centimetres in height;
- (c) dual brakes.

(2) Every class 1 motor vehicle used in driver training by a driving instructor to train a person to drive must have all of the following:

- (a) special rear-view mirrors firmly affixed to the vehicle to allow a driving instructor a clear and unobstructed view of the highway to the rear of the vehicle and along both sides of the vehicle;
- (b) a sign at the rear of the vehicle that is conspicuously and clearly visible from a distance of 30 metres and that contains the words **‘Student Driver’** in letters not less than 7.5 centimetres in height.

(3) No driver training school and no board of education shall operate or cause to be operated a motor vehicle for the purpose of practical instruction to train students in the driving of motor vehicles, unless the motor vehicle:

- (a) meets the requirements of subsections (1) and (2), when required;
- (b) is maintained in safe operating condition; and
- (c) meets all the requirements of the Act and the regulations made pursuant to the Act applicable to motor vehicle equipment and equipment standards.

(4) Notwithstanding subsections (1) and (2), a person with a physical disability that impairs his or her ability to drive a motor vehicle with ordinary controls may be taught to drive a vehicle equipped with special or modified controls designed to overcome or compensate for the physical impairment.

(5) Notwithstanding subsections (1) and (2), if a person 60 years of age or older requires assistance from a driving training school to improve his or her skill in operating a class 5 motor vehicle for the purpose of obtaining or retaining a class 5 driver’s licence, that person may receive instruction in a motor vehicle that the person owns or possesses.

(6) Notwithstanding subsections (1) and (2), an employee who is undergoing retraining by an employer of the same employer or by a person who is under contract to an employer to retrain employees may receive instruction in the employer’s vehicles”.

Coming into force

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

