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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**

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**CHAPTER D-17 REG 11***The Department of Health Act*

## Section 17

Order in Council 515/2003, dated June 25, 2003

(Filed June 26, 2003)

**Title**

1 These regulations may be cited as *The Drug Plan Medical Supplies Regulations*.

**Interpretation**

2 In these regulations:

- (a) “**designated medical supplies**” means medical supplies designated in the formulary pursuant to section 3;
- (b) “**drug**” means a drug as defined in section 2 of *The Prescription Drugs Act*;
- (c) “**eligible person**” means a person with respect to whom the minister may, pursuant to section 4, pay for designated medical supplies;
- (d) “**formulary**” means the formulary established by the minister pursuant to section 4 of *The Prescription Drugs Act*;
- (e) “**medical supplies**” means test strips, syringes, needles, alcohol swabs, lancets and other similar items that are used in the treatment or management of a disease or medical condition in a human or are necessary for the administration of a drug to a human.

**Designated medical supplies**

3 The minister shall designate in the formulary those medical supplies for which the minister may make payment pursuant to these regulations.

**Eligibility for payment**

4 The minister may, from time to time, pay all or part of the cost of designated medical supplies obtained from a pharmacy for use with respect to persons who are members of family units, as defined in section 2 of *The Prescription Drugs Regulations, 1993*, that are eligible for benefits pursuant to those regulations.

**Amount of payment**

5 The amount of any payment for designated medical supplies by the minister with respect to an eligible person is to be determined as if the designated medical supplies were drugs within the meaning of *The Prescription Drugs Act*.

**Manner of payment**

6 Payment for designated medical supplies is to be made as if the designated medical supplies were drugs within the meaning of *The Prescription Drugs Act*.

**Application of *The Prescription Drugs Regulations, 1993***

7 *The Prescription Drugs Regulations, 1993* apply, with any necessary modification, to the determination of the eligibility of persons pursuant to section 4, the amount of payments pursuant to section 5, the manner of payment pursuant to section 6 and any other matter that is necessarily incidental to the administration of these regulations.

**Coming into force**

8(1) Subject to subsection (2), these regulations come into force on July 1, 2003.

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

**CHAPTER F-8.001 REG 24***The Farm Financial Stability Act*

Sections 22, 24, 33, and 84

Order in Council 520/2003, dated June 27, 2003

(Filed June 27, 2003)

**Title**

**1** These regulations may be cited as *The Canada Saskatchewan BSE Recovery Program Regulations*.

**Interpretation**

**2(1)** In these regulations:

- (a) **“account”** means the Canada Saskatchewan BSE Recovery Program Account established pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **“adjusted market loss differential”** means the market loss differential as determined by the minister pursuant to subsection 9(3);
- (d) **“applicant”** means a cattle feeder who applies for an assistance payment;
- (e) **“application”** means an application for an assistance payment that is submitted pursuant to section 6;
- (f) **“assistance payment”** means a payment approved pursuant to section 8;
- (g) **“assistance program”** means the Canada Saskatchewan BSE Recovery Program established pursuant to section 3;
- (h) **“breeder association”** means a breeder association within the meaning of *The Cattle Breeder Associations Loan Guarantee Regulations, 1991*;
- (i) **“BSE”** means Bovine Spongiform Encephalopathy;
- (j) **“cattle feeder”** means:
  - (i) an individual who:
    - (A) is a Saskatchewan resident;
    - (B) is 18 years of age or older; and
    - (C) owns, prior to May 20, 2003, eligible livestock that are the subject of an application; or
  - (ii) a corporation, co-operative, partnership, communal organization or Indian band that:
    - (A) is a Saskatchewan resident; and
    - (B) owns, prior to May 20, 2003, eligible livestock that are the subject of an application;

- (k) “**eligible livestock**” means heifers under 30 months, steers under 30 months, bulls, cows or veal calves of the genus species *Bos taurus* or *Bos indicus* (cattle) that:
- (i) as of May 20, 2003 were being fed in Saskatchewan for slaughter;
  - (ii) are sold in Canada prior to the earliest of the following:
    - (A) the date confirmed by the minister pursuant to subsection (2) that the Canada/United States border is re-opened to the export of muscle cuts of beef or of live cattle of up to 30 months of age at the time of sale;
    - (B) the date determined by the minister pursuant to subsection 8(4) as the date that the moneys in the account have been fully utilized on a national basis;
    - (C) in the case of cows and bulls, August 31, 2003;
  - (iii) are slaughtered in Canada; and
  - (iv) in the case of eligible livestock sold on or after July 10, 2003, are slaughtered within 14 days after being sold;
- (l) “**feeder association**” means a feeder association within the meaning of *The Cattle Feeder Associations Loan Guarantee Regulations, 1989*;
- (m) “**Indian band**” means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (n) “**muscle cuts of beef**” includes fresh and frozen cuts commonly known as table cuts from skeletal beef, including steaks and roasts;
- (o) “**owner**”, with respect to eligible livestock, means:
- (i) a person who is able to satisfy the minister based on evidence that the minister considers appropriate that the person is the owner of the eligible livestock;
  - (ii) a person who is a member of a feeder association, who is growing and finishing the eligible livestock and who has a feeder contract with the feeder association with respect to that eligible livestock; or
  - (iii) a person who is a member of a breeder association, who is growing and finishing the eligible livestock and who has a breeder contract with the breeder association with respect to that eligible livestock;
- (p) “**review committee**” means any review committee established by the minister pursuant to *The Government Organization Act* for the purposes of these regulations;

- (q) **“Saskatchewan resident”** means:
- (i) an individual who is resident in Saskatchewan;
  - (ii) an individual who or an entity other than an individual that:
    - (A) filed an income tax return respecting farm income in Saskatchewan in the year preceding the year for which an application is made; or
    - (B) filed or will file an income tax return respecting farm income in Saskatchewan in the year for which an application is made;
  - (iii) an Indian band whose reserve lands are in Saskatchewan;
- (r) **“veal calf”** means a calf that is sold for slaughter and that, at the time of the sale, is less than 200 kilograms.
- (2) For the purposes of paragraph (1)(k)(ii)(A), the minister may confirm the date that the Canada/United States border is re-opened to the export of muscle cuts of beef or of live cattle of up to 30 months of age at the time of sale.
- (3) If the minister confirms a date for the purposes of subsection (2), the minister shall cause a notice of that confirmation containing the date to be published in the Gazette within 14 days after the date that the minister makes the confirmation.

**Assistance program established**

**3(1)** The Canada Saskatchewan BSE Recovery Program is established.

(2) The purpose of the assistance program is to provide assistance payments to cattle feeders affected by the market disruption caused by the closure of the Canada/United States border to beef and cattle exports and to encourage slaughter of cattle in Canada.

**Account established**

**4(1)** The Canada Saskatchewan BSE Recovery Program Account is established in the fund pursuant to clause 24(2)(a) of the Act.

(2) The Minister of Finance is authorized to deposit into the account:

- (a) all contributions from the Government of Canada that are directed to the account for the purposes of the assistance program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and
- (b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the assistance program pursuant to an agreement made pursuant to subsection 22(2) of the Act.

(3) The account consists of:

- (a) all contributions mentioned in subsection (2);
- (b) all other moneys appropriated by the Legislature:
  - (i) for the purposes of the assistance program; or
  - (ii) for any other farm income stabilization purpose, if the Minister of Finance designates that those moneys are to be paid into the account;

- (c) all earnings on investments of the account; and
  - (d) all other moneys received in the account for the purposes of the assistance program.
- (4) All assistance payments are to be paid from the account.
- (5) Any surplus remaining in the account when the assistance program is completed is to be returned to the Government of Canada and the Government of Saskatchewan in proportion to each government's contribution to the account.
- (6) The fiscal year of the account is the period commencing on April 1 in one year and ending on March 31 of the following year.

**Minister to administer account and assistance program**

- 5(1) The minister shall administer the account and the assistance program.
- (2) For the purpose of administering the assistance program and the account, the minister may:
- (a) exercise the powers given to the minister pursuant to the Act; and
  - (b) do any other thing that the minister considers necessary to administer the account or the assistance program.
- (3) Without limiting the generality of subsection (2), for the purpose of administering the account or the assistance program, the minister may:
- (a) police and audit compliance with the assistance program;
  - (b) enter into any agreement with any person, agency, organization, association, institution or body that the minister considers advisable;
  - (c) execute any bills of exchange, promissory notes and other negotiable or transferable instruments;
  - (d) undertake research, conduct studies and provide information to agricultural producers in relation to eligible livestock or the assistance program;
  - (e) use any moneys received in the account to make assistance payments to cattle feeders pursuant to the assistance program and to pay for the administration of the account and the assistance program;
  - (f) invest any moneys in the account that are not presently required for the purposes of the assistance program in any investments that are authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
  - (g) dispose of any investment made pursuant to clause (f), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers advisable.

**Application for assistance payment**

**6(1)** A cattle feeder who wishes to apply for an assistance payment must apply to the minister on an application form supplied by the minister.

(2) On an application form submitted pursuant to subsection (1), the applicant must:

(a) specify the number of eligible livestock that are the subject of the application and the total net liveweight of those eligible livestock;

(b) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the applicant was the owner, prior to May 20, 2003, of the eligible livestock that are the subject of the application;

(c) provide any evidence that the minister may require to determine, to the satisfaction of the minister, that the livestock mentioned in the application are eligible livestock;

(d) declare that no other application for assistance has been made or is to be made for the eligible livestock that are the subject of the application pursuant to:

(i) the assistance program; or

(ii) any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock;

(e) provide the minister with any evidence that the minister may require to determine to the satisfaction of the minister the following:

(i) the applicant's province of residency and, if appropriate, the applicant's age;

(ii) the applicant's compliance with these regulations;

(iii) the applicant's eligibility for an assistance payment; and

(iv) the amount of any assistance payment to be paid to the applicant; and

(f) provide the minister with any evidence or information in addition to that mentioned in clauses (a) to (e) that the minister may require for the purposes of:

(i) substantiating the applicant's eligibility;

(ii) determining the amount of an assistance payment to the applicant;

(iii) verifying the applicant's compliance with these regulations; or

(iv) administering the assistance program.



(3) If the applicant is a corporation, co-operative, partnership, communal organization or Indian band, for the purposes of verifying residency and compliance with these regulations, the applicant on its application must provide, if requested by the minister:

- (a) the names of its shareholders, partners or members; and
- (b) evidence respecting the shareholders, partners or members that the minister may require to determine the eligibility of the applicant for an assistance payment.

**Time limit for submitting applications**

7(1) Subject to subsection (2), an application must be received by the minister on or before September 30, 2003 or, in the case of an application that is mailed, must be postmarked on or before September 30, 2003.

(2) The minister may consider an application received or postmarked after September 30, 2003 if:

- (a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked on or before September 30, 2003; and
- (b) if a review committee has been established, the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

**Approval of application**

8(1) Subject to subsections (2) to (4), if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may approve an assistance payment to the applicant.

(2) No more than one assistance payment is payable with respect to the same eligible livestock pursuant to the assistance program.

(3) An applicant is not entitled to receive any assistance payments with respect to eligible livestock that are the subject of an application if the applicant has applied for or received any payment with respect to the eligible livestock pursuant to any other, similar government program offered by the Government of Saskatchewan or by the government of any other province or territory of Canada that provides assistance with respect to eligible livestock.

(4) If the minister determines that moneys in the account have been fully utilized, the minister may refuse to approve the application and the applicant is not eligible to receive any assistance payment with respect to that application.

(5) If the minister makes a determination pursuant to subsection (4), the minister may cause the date the determination is effective to be posted on the Internet website of the department over which the minister presides and to be made public in any other manner that the minister considers appropriate.

**Amount and terms of assistance payment**

**9(1)** The amount of an applicant's approved assistance payment is the amount AP calculated in accordance with the following formula and as adjusted in accordance with subsection (2):

$$AP = TNLW \times AMLD$$

where:

TNLW is the total net liveweight of the applicant's eligible livestock as stated on the applicant's application form;

AMLD is the adjusted market loss differential as at the date the applicant sold the eligible livestock.

(2) For the purposes of determining the amount of an applicant's approved assistance payment, the amount AP calculated pursuant to subsection (1) is to be adjusted in accordance with the sliding scale index as determined by the minister in accordance with the agreement made pursuant to subsection 22(2) of the Act.

(3) For the purposes of the definition of AMLD in subsection (1), the minister may determine, in accordance with the agreement made pursuant to subsection 22(2) of the Act, an adjusted market loss differential for a day or period of time in accordance with the following formula:

$$AMLD = USMP - WCMP$$

where:

AMLD is the adjusted market loss differential for the day or period of time;

USMP is the United States market price for livestock for the day or period of time as determined by the minister in accordance with the agreement made pursuant to subsection 22(2) of the Act and as adjusted for exchange rate and basis differences between Canada and the United States for the day or period of time;

WCMP is the Western Canadian market price for livestock for the day or period of time as determined by the minister in accordance with the agreement made pursuant to subsection 22(2) of the Act.

(4) The minister may cause the sliding scale index determined pursuant to subsection (2) and the adjusted market loss differential for a day or period calculated pursuant to subsection (3):

(a) to be posted on the Internet website of the department over which the minister presides; and

(b) to be made public in any other manner that the minister considers appropriate.

- (5) Notwithstanding any other provision of this section:
- (a) the minister may establish, in accordance with the agreement made pursuant to subsection 22(2) of the Act, a different adjusted market loss differential for each of the following classes of eligible livestock:
    - (i) steers and heifers;
    - (ii) bulls;
    - (iii) cows;
    - (iv) veal calves; and
  - (b) an applicant's assistance payment is to be based on the class of the eligible livestock that are the subject of the application and the adjusted market loss differential for that class of eligible livestock.
- (6) No assistance payment is to be paid to an applicant if the amount of the assistance payment is less than \$50.
- (7) If the applicant is a member of a feeder association or a breeder association and the eligible livestock for which an assistance payment is to be made are the subject of an agreement between the applicant and the association, the assistance payment is to be paid jointly in the name of:
- (a) the applicant; and
  - (b) the association.

**Conditions of participating in assistance program**

**10(1)** As a condition of participating in the assistance program and receiving an assistance payment, an applicant shall:

- (a) grant access, at any reasonable time, to land on which the applicant conducts the applicant's livestock operations to any persons designated by the minister to verify:
  - (i) information required to substantiate the applicant's eligibility;
  - (ii) the amount of an assistance payment that may be paid to the applicant; or
  - (iii) the applicant's compliance with these regulations;
- (b) consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant's livestock operations;
- (c) consent to the minister sharing any information provided by the applicant and any information respecting any assistance payment paid to the applicant with any other person, agency, organization, association, institution or body; and

- (d) provide to the minister, on the minister's request and within the period set by the minister, the applicant's income tax records for one or more years, or any other information that the minister may require, to verify:
  - (i) the applicant's eligibility;
  - (ii) the amount of an assistance payment that may be paid to the applicant; or
  - (iii) the applicant's compliance with these regulations.
- (2) No applicant shall fail to comply with any condition set out in subsection (1).
- (3) No person shall supply any false or misleading information to the minister on any application or in response to any request for information from the minister.

**Reconsideration**

**11(1)** Within 90 days after an applicant receives written notice of the minister's decision with respect to his or her application for an assistance payment, the applicant may:

- (a) request, in writing, that the minister reconsider the decision; and
  - (b) along with the written request mentioned in clause (a), provide the minister with any further information that the applicant considers relevant with respect to the application.
- (2) If a review committee has been established, the minister may refer any request pursuant to subsection (1) to the review committee for a recommendation as to whether or not the minister's initial decision was made in accordance with these regulations.
- (3) On receipt of a request pursuant to subsection (1) and after considering any recommendation of the review committee made pursuant to subsection (2), the minister shall:
- (a) reconsider the minister's initial decision;
  - (b) confirm, reverse or vary that decision; and
  - (c) notify the applicant in writing of the reconsideration.
- (4) The minister's decision pursuant to subsection (3) is final.
- (5) Nothing in these regulations entitles an applicant to a hearing before the minister or the review committee.

**Overpayment**

**12(1)** The minister may declare all or any assistance payments made to an applicant pursuant to these regulations to be an overpayment if, in the minister's opinion:

- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;

(b) the applicant has omitted to make a statement or to provide any information or document that results in a statement with respect to a material fact being misleading; or

(c) the applicant has failed to comply with these regulations.

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

**Coming into force**

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

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## SASKATCHEWAN REGULATIONS 62/2003

### *The Public Service Act, 1998*

Sections 14 and 39

Order in Council 512/2003, dated June 25, 2003

and

### *The Public Service Act, 1998*

Section 14

Commission Order, dated June 4, 2003

(Filed June 26, 2003)

**Title**

**1** These regulations may be cited as *The Public Service Amendment Regulations, 2003*.

**R.R.S. c.P-42.1 Reg 1 amended**

**2** *The Public Service Regulations, 1999* are amended in the manner set forth in these regulations.

**Section 36 amended**

**3 Subsection 36(5) is repealed and the following substituted:**

“(5) Where an employee receives an in-range salary adjustment pursuant to subsection (4) and:

(a) the employee is promoted, the employee’s salary at the time of the promotion, including the in-range salary adjustment, becomes the base salary for the purposes of calculating the employee’s salary on promotion;

(b) the employee’s position is subsequently reclassified on a permanent basis, the employee is entitled to retain the employee’s salary at the time of the reclassification, including the in-range salary adjustment; or

(c) the employee is transferred to a new position, the employee is entitled to retain the employee’s salary at the time of the transfer, including the in-range salary adjustment”.

**New section 47.1****4 The following section is added before section 48:****“Years of service for determining vacation entitlement**

**47.1(1)** Subject to subsection (2), for the purposes of determining vacation entitlement, ‘**years of service**’ means:

- (a) service with the executive government of Saskatchewan or any board, commission or Crown corporation of the Government of Saskatchewan;
  - (b) pensionable employment, war service or both pensionable employment and war service for which the employee is credited pursuant to *The Public Service Superannuation Act*, if the employee has completed at least 10 years of service with the executive government of Saskatchewan;
  - (c) service with:
    - (i) district health boards and regional health authorities;
    - (ii) the Saskatchewan School Trustees’ Association;
    - (iii) the Saskatchewan Association of Health Organizations;
    - (iv) boards of education and the conseil scolaire in Saskatchewan, the University of Saskatchewan and The University of Regina and the Saskatchewan Institute of Applied Science and Technology; and
    - (v) the Saskatchewan Government and General Employees’ Union or the Canadian Union of Public Employees where the primary responsibility while in that service was acting as a bargaining agent for the Saskatchewan Government and General Employees’ Union Public Sector Bargaining Unit or the Canadian Union of Public Employees Local 600.
- (2) An employee who wishes to have the service or employment described in subsection (1) that was not with the executive government of Saskatchewan used in determining that employee’s vacation entitlement shall:
- (a) apply in writing to the commission; and
  - (b) with the application mentioned in clause (a), provide evidence satisfactory to the commission to establish that:
    - (i) the employee was engaged in that service or employment; and
    - (ii) the number of years of that service or employment.
- (3) Any increase to the vacation entitlement of an employee who has made an application pursuant to subsection (2) is effective only from the date that the employee files a completed application with the commission”.

**Section 53 amended**

**5 Subsection 53(1) is amended by striking out “25” and substituting “22”.**

**Section 54 repealed.**

**6 Section 54 is repealed.**

**New section 54.1****7 The following section is added after section 54:****“Entitlement after 22 years**

**54.1(1)** Commencing on April 1, 2004, an employee is entitled to take six weeks' vacation leave with pay during the fiscal year in which the employee completes 22 years of service and in every fiscal year after that.

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

(3) In the period commencing on July 1, 2003 and ending on March 31, 2004, if an employee has completed at least 22 years of service and has less than 25 years of service, the employee is entitled to 3.75 days of vacation leave with pay in addition to the vacation leave with pay that the employee is otherwise entitled to.

(4) The additional vacation leave pursuant to subsection (3) is earned at the rate of 0.41667 days for each completed month of service after July 1, 2003 and before April 1, 2004”.

**Section 55 repealed****8 Section 55 is repealed.****Section 65 amended**

**9(1) Subsection 65(4) is amended by striking out “subsection (5)” and substituting “section 65.1”.**

**(2) Subsection 65(5) is repealed.**

**New section 65.1****10 The following section is added after section 65:****“Separation by reason of employee's death**

**65.1** If the reason for an employee's separation from the public service is the employee's death:

(a) no amount respecting sick leave credits or vacation leave credits is to be deducted from any money owing to the employee by the Government of Saskatchewan; and

(b) the amount of the employee's salary for the month in which the employee died is to be paid to the employee's estate”.

**Section 69 amended****11 Subsection 69(3) is repealed and the following substituted:**

**“(3) Subsection (2) does not apply to an employee who:**

(a) is on an indefinite leave of absence without pay and who is receiving wage benefits from an employer-sponsored disability income plan, workers' compensation benefits or income replacement benefits pursuant to Part VIII of *The Automobile Accident Insurance Act*; or

(b) is employed with the executive government of Saskatchewan pursuant to an appointment made by an order of the Lieutenant Governor in Council”.

New Division 5.2 of Part V

**12 The following Division is added after Division 5.1 of Part V:**

**“DIVISION 5.2  
Pregnancy Leave**

**“Pregnancy leave supplemental benefits**

**76.1(1)** In this section:

- (a) **‘eligible employee’** means an employee who:
    - (i) has been granted leave for reasons of the employee’s pregnancy;
    - (ii) has completed at least 20 continuous weeks of service with the executive government of Saskatchewan; and
    - (iii) is receiving special benefits;
  - (b) **‘regular salary’** means:
    - (i) in the case of an eligible employee who was employed on a full-time basis immediately before taking pregnancy leave, the regular salary that the employee was receiving immediately before taking pregnancy leave including any temporary salary supplement mentioned in subsection 32(1), but not including any other supplementary payments the employee was receiving;
    - (ii) in the case of an eligible employee who was employed on less than a full-time basis immediately before taking pregnancy leave, the regular salary of a full-time employee in the position of the eligible employee immediately before taking pregnancy leave, prorated by the average amount of work, expressed as a percentage of full-time employment, that the eligible employee worked:
      - (A) if the eligible employee was employed continuously for at least one year before taking pregnancy leave, over the year of employment immediately before taking pregnancy leave;
      - (B) if the eligible employee was employed for less than one year before taking pregnancy leave, over the period that the eligible employee was employed;
  - (c) **‘special benefits’** means special benefits pursuant to the *Employment Insurance Act* (Canada) based on the employee’s pregnancy.
- (2) Notwithstanding any other provision of these regulations but subject to subsections (3) to (6), an eligible employee is entitled to be paid an amount equal to the difference between:
- (a) 95% of the eligible employee’s regular salary; and
  - (b) the gross amount of any special benefits that the eligible employee is receiving for each week of the pregnancy leave.



- 
- (3) An eligible employee is entitled to receive payments pursuant to this section:
- (a) commencing on a date two weeks before the date that the employee began to receive special benefits; and
  - (b) subject to subsection (4), for a period that expires on the earlier of:
    - (i) 17 weeks from the date mentioned in clause (a); and
    - (ii) 17 weeks from the date the employee gave birth to her child.
- (4) If the eligible employee commences receiving special benefits on a date that is later than two weeks following the birth of her child, the chairperson may extend the period for which payments pursuant to this section may be made after the expiry of the period mentioned in subclause (3)(b)(ii) to a date not later than 17 weeks from the date that the eligible employee's child is discharged from hospital if:
- (a) the eligible employee's child has required extended hospitalization after birth; or
  - (b) there are any other circumstances that the chairperson considers exceptional.
- (5) Notwithstanding any other provision of this section, no payment pursuant to this section may be made for a period longer than 17 weeks.
- (6) Before receiving a payment pursuant to this section, the eligible employee shall provide the commission with a written undertaking in a form provided by the commission in which the employee agrees:
- (a) to serve with the executive government of Saskatchewan for a period of one week for every week that the eligible employee received a payment pursuant to this section; and
  - (b) if the eligible employee fails to provide the service required by clause (a), to repay the amount, or a prorated amount based on the number of weeks that were not served, of the total payment received pursuant to this section.
- (7) The chairperson may waive the requirement that an eligible employee comply with a written undertaking provided pursuant to subsection (6) if:
- (a) the eligible employee has died;
  - (b) the eligible employee has suffered a severe and prolonged disability;
  - (c) the position that the eligible employee filled before taking pregnancy leave has been abolished; or
  - (d) there are any other circumstances that the chairperson considers exceptional".

**New section 95****13 Section 95 is repealed and the following substituted:****“Conflict of interest**

**95(1)** All employees shall comply with the conflict of interest policy established by the commission.

(2) Unless the employee has the written permission of the commission to do so, no employee shall engage in:

- (a) any undertaking, any business or the practice of any profession or trade, either as principal or agent, beyond the normal scope of the employee’s duties as an employee of the public service; or
- (b) any employment other than the employee’s position in the public service.

(3) If an employee wishes to obtain the commission’s written permission to do anything mentioned in subsection (2), the employee shall:

- (a) apply to the commission in any form that the commission may approve; and
- (b) provide the commission with any information that the commission may reasonably require in order to determine whether or not to give its written permission.

(4) On receipt of an application pursuant to subsection (3), the commission may:

- (a) grant its written permission if the commission considers that the employee’s request is reasonable, that the employee’s activities will not interfere with the performance of the employee’s regular duties as an employee of the public service and that it is otherwise appropriate to grant its written permission; or
- (b) refuse to grant its permission.

(5) The commission may impose any terms and conditions on its written permission that it considers appropriate.

(6) The commission may cancel its written permission granted pursuant to this section if the commission is satisfied that:

- (a) the employee failed to comply with any term or condition imposed pursuant to subsection (5);
- (b) the employee failed to comply with the commission’s conflict of interest policy; or
- (c) it is appropriate to do so”.

Appendix amended

**14 Form B of the Appendix is repealed and the following substituted:**

“FORM B  
[Subsection 96(2)]

**Oath or Declaration of Office**

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

1. That I will faithfully and honestly fulfil the duties that devolve on me as an employee in the public service of Saskatchewan.
2. That I will not ask or receive any sum of money, services, recompense or matter or thing whatsoever, directly or indirectly, in return for what I have done or may do in the discharge of any of my duties as an employee, except my salary or what may be allowed me by law or by an order of the Lieutenant Governor in Council.
3. That I will not use or disclose any matter or information that comes to my knowledge by reason of my employment, including personal information about any individual, unless:
  - (a) that use or disclosure is permitted by *The Freedom of Information and Protection of Privacy Act*; and
  - (b) I have authorization from my employer to make that use or disclosure.

Sworn/Affirmed before me at the \_\_\_\_\_  
of \_\_\_\_\_ in the  
Province of Saskatchewan this \_\_\_\_\_  
day of \_\_\_\_\_, 20 \_\_\_\_ .

\_\_\_\_\_  
*A Commissioner for Oaths in and for  
Saskatchewan or a Notary Public.*

\_\_\_\_\_  
*(Name of employee)*

My appointment expires \_\_\_\_\_ ”.

**Coming into force**

- 15(1)** Subject to subsections (2) to (4), these regulations come into force on the day on which they are filed with the Registrar of Regulations.
- (2) Subject to subsection (3), sections 12 and 14 of these regulations come into force on July 1, 2003.
- (3) If these regulations are filed with the Registrar of Regulations after July 1, 2003, sections 12 and 14 of these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations.
- (4) Section 6 of these regulations comes into force on April 1, 2004.

**SASKATCHEWAN REGULATIONS 63/2003***The Public Service Act, 1998*

## Section 39

Order in Council 513/2003, dated June 25, 2003

(Filed June 26, 2003)

**Title**

1 These regulations may be cited as *The Ministerial Assistant Employment Amendment Regulations, 2003*.

**R.R.S. c.P-42 Reg 2 amended**

2 *The Ministerial Assistant Employment Regulations, 1993* are amended in the manner set forth in these regulations.

**Section 10 repealed**

3 **Section 10 is repealed.**

**New section 10.1**

4 **The following section is added before section 11:**

**“Vacation leave**

**10.1(1)** In this section, ‘**years of service**’ means years of service with the Government of Saskatchewan or any board, commission or Crown corporation of the Government of Saskatchewan.

(2) Commencing on April 1, 2004, a ministerial assistant is entitled to vacation leave based on the period April 1 of one year to March 31 of the following year and earned at the following rate:

- (a) 1 1/4 days (three weeks per year) for each completed month of service with respect to the first seven years of service;
- (b) 1 2/3 days (four weeks per year) for each completed month of service with respect to the eighth to fourteenth years of service;
- (c) 2 1/12 days (five weeks per year) for each completed month of service with respect to the fifteenth to twenty-first years of service;
- (d) 2 1/2 days (six weeks per year) for each completed month of service with respect to the twenty-second year of service and every subsequent year of service.

(3) In the period commencing on July 1, 2003 and ending on March 31, 2004, if a ministerial assistant has completed at least 22 years of service and has less than 25 years of service, the ministerial assistant is entitled to 3.75 days of vacation leave with pay in addition to the vacation leave with pay that the ministerial assistant is otherwise entitled to.

(4) The additional vacation leave pursuant to subsection (3) is earned at the rate of 0.41667 days for each completed month of service after July 1, 2003 and before April 1, 2004.

(5) Vacation leave must be taken at the direction of the ministerial assistant’s minister, and, subject to the approval of the minister, unused vacation leave credits may be carried over into the next vacation year”.

Section 18 amended

**5 Subsection 18(7) is repealed and the following substituted:**

“(7) A ministerial assistant who has entered into a job-sharing arrangement is entitled to vacation leave, scheduled days off and sick leave pursuant to sections 10, 10.1, 11 and 12, on a pro rata basis”.

New section 20.1

**6 The following section is added after section 20:**

“Pregnancy leave supplemental benefits

**20.1(1)** In this section:

- (a) **‘eligible ministerial assistant’** means a ministerial assistant who:
    - (i) has been granted leave for reasons of the ministerial assistant’s pregnancy;
    - (ii) has completed at least 20 continuous weeks of service with a minister or the Government of Saskatchewan or any board, commission or Crown corporation of the Government of Saskatchewan; and
    - (iii) is receiving special benefits;
  - (b) **‘regular salary’** means:
    - (i) in the case of a ministerial assistant who was employed on a full-time basis immediately before taking pregnancy leave, the regular salary that the ministerial assistant was receiving immediately before taking pregnancy leave, but not including any other supplementary payments the ministerial assistant was receiving;
    - (ii) in the case of a ministerial assistant who was employed on less than a full-time basis immediately before taking pregnancy leave, the regular salary of a full-time ministerial assistant in the position of the eligible ministerial assistant immediately before taking pregnancy leave, prorated by the average amount of work, expressed as a percentage of full-time employment, that the eligible ministerial assistant worked:
      - (A) if the eligible ministerial assistant was employed continuously for at least one year before taking pregnancy leave, over the year of employment immediately before taking pregnancy leave;
      - (B) if the eligible ministerial assistant was employed for less than one year before taking pregnancy leave, over the period that the eligible ministerial assistant was employed;
  - (c) **‘special benefits’** means special benefits pursuant to the *Employment Insurance Act* (Canada) based on the ministerial assistant’s pregnancy.
- (2) Notwithstanding any other provision of these regulations but subject to subsections (3) to (6), an eligible ministerial assistant is entitled to be paid an amount equal to the difference between:
- (a) 95% of the eligible ministerial assistant’s regular salary; and
  - (b) the gross amount of any special benefits that the eligible ministerial assistant is receiving for each week of the pregnancy leave.

(3) An eligible ministerial assistant is entitled to receive payments pursuant to this section:

- (a) commencing on a date two weeks before the date that the ministerial assistant began to receive special benefits; and
- (b) subject to subsection (4), for a period that expires on the earlier of:
  - (i) 17 weeks from the date mentioned in clause (a); and
  - (ii) 17 weeks from the date the ministerial assistant gave birth to her child.

(4) If the eligible ministerial assistant commences receiving special benefits on a date that is later than two weeks following the birth of her child, the ministerial assistant's minister may extend the period for which payments pursuant to this section may be made after the expiry of the period mentioned in subclause (3)(b)(ii) to a date not later than 17 weeks from the date that the eligible ministerial assistant's child is discharged from hospital if:

- (a) the eligible ministerial assistant's child has required extended hospitalization after birth; or
- (b) there are any other circumstances that the minister considers exceptional.

(5) Notwithstanding any other provision of this section, no payment pursuant to this section may be made for a period longer than 17 weeks.

(6) Before receiving a payment pursuant to this section, the eligible ministerial assistant shall provide the ministerial assistant's minister with a written undertaking in which the ministerial assistant agrees:

- (a) to serve with the minister for a period of one week for every week that the eligible ministerial assistant received a payment pursuant to this section; and
- (b) if the eligible ministerial assistant fails to provide the service required by clause (a), to repay the amount, or a prorated amount based on the number of weeks that were not served, of the total payment received pursuant to this section.

(7) The minister may waive the requirement that an eligible ministerial assistant comply with a written undertaking provided pursuant to subsection (6) if:

- (a) the eligible ministerial assistant has died;
- (b) the eligible ministerial assistant has suffered a severe and prolonged disability;
- (c) the position that the eligible ministerial assistant filled before taking pregnancy leave has been abolished; or
- (d) there are any other circumstances that the minister considers exceptional.

“(8) If the person who was the ministerial assistant’s minister at the time the ministerial assistant first became entitled to receive a payment pursuant to this section ceases to be a minister, the discretion provided in subsection (4) or (7) may be exercised by:

- (a) the person who is appointed as a minister in place of the ministerial assistant’s first minister; or
- (b) if no person is appointed as mentioned in clause (a), the President of the Executive Council”.

**Coming into force**

7(1) Subject to subsections (2) to (4), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Subject to subsection (3), sections 4, 5 and 6 of these regulations come into force on July 1, 2003.

(3) If these regulations are filed with the Registrar of Regulations after July 1, 2003, sections 4, 5 and 6 of these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations.

(4) Section 3 of these regulations comes into force on April 1, 2004.

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## SASKATCHEWAN REGULATIONS 64/2003

### *The Condominium Property Act, 1993*

Section 112

Order in Council 514/2003, dated June 25, 2003

(Filed June 26, 2003)

**Title**

1 These regulations may be cited as *The Condominium Property Amendment Regulations, 2003*.

**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.

**Section 2 amended**

3 **Section 2 is amended:**

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

“(b.1) ‘**bond**’ means a bond that meets the requirements of section 16”;

(b) **by adding the following clause after clause (d):**

“(d.1) ‘**letter of credit**’ means a letter of credit that meets the requirements of section 16.1”; **and**

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

“(f) ‘**security**’ means security delivered pursuant to section 5.2, 16 or 21 of the Act and includes a bond and a letter of credit”.

**New Part V****4 Part V is repealed and the following substituted:****“PART V  
Security****“Bond**

**16(1)** A bond must be:

- (a) issued by an insurer licensed pursuant to *The Saskatchewan Insurance Act* to transact guarantee insurance;
- (b) in an amount determined in accordance with subsections 17(1.1) and (1.2);  
and
- (c) in Form D.

(2) Notwithstanding that the Crown in right of Saskatchewan has not suffered any loss or damages, every bond delivered to the minister is to be construed as being a penal bond, and, if a bond is realized on, the amount due as a debt to the Crown in right of Saskatchewan by the person bound is to be determined as if the Crown had suffered the loss or damages that would entitle the Crown to be indemnified to the maximum amount of liability prescribed by the bond.

**“Letter of credit**

**16.1** A letter of credit must be:

- (a) irrevocable;
- (b) payable to the minister;
- (c) in an amount determined in accordance with subsections 17(1.1) and (1.2);  
and
- (d) in a form satisfactory to the minister.

**“Developer to provide security**

**17(1)** If a condominium plan includes bare land units or a developer's reservation is being registered pursuant to section 16 of the Act, the developer shall deliver to the minister:

- (a) a certificate of cost certified by a registered architect, engineer, appraiser or other person acceptable to the minister in Form J or N, as the case may be;  
and
- (b) security in an amount determined in accordance with subsections (1.1) and (1.2).

(1.1) If the cost of completing the common property, common facilities and any additional units in the plan as set out in the certificate of cost is less than \$100,000, the amount of security required pursuant to subsection (1) is equal to that cost.



(1.2) If the cost of completing the common property, common facilities and any additional units in the plan as set out in the certificate of cost is equal to or greater than \$100,000, the amount of security required pursuant to subsection (1) is equal to the greater of:

- (a) \$100,000; and
- (b) 10% of that cost, to a maximum of \$200,000.

(2) A transferee pursuant to section 21 of the Act is required to have security in place that provides at least as much security as the transferor has provided.

(3) If a developer provides the minister with a certificate of completion pursuant to subsection 18(2), the minister may waive the requirement to obtain security if no common property, common facilities or any additional units in the plan remain to be constructed:

- (a) at the time an application is made for titles pursuant to an approved bare land condominium plan; or
- (b) at the time an interest based on a developer's reservation is being registered.

**“Release of security**

**18(1)** The security mentioned in subsection 17(1):

- (a) may be released 30 days after submission to the minister of a certificate of completion pursuant to subsection (2) showing that the common property, common facilities and any additional units as described in the declaration accompanying the developer's reservation in subsection 16(1) of the Act or the declaration pursuant to subsection 5.2(1) of the Act are completed;
- (b) is to be released if the court orders the security to be released; or
- (c) is to be released if:
  - (i) the condominium board is elected after a majority of the units have been sold and the developer and the condominium corporation, with approval by a unanimous resolution of the owners, have entered into an agreement for completion of common property, common facilities and any additional units and the release of the security; and
  - (ii) the minister receives a certified copy of the unanimous resolution with the agreement attached under seal of the corporation.

(2) A certificate from an engineer, architect, appraiser or other person acceptable to the minister stating that the common property, common facilities and any additional units as described in the developer's declaration or disclosed pursuant to section 26 of the Act are 50% complete or complete is sufficient evidence to the minister of the statements in the certificate.

(3) Subject to subsection (2), on completion of 50% of the common property, common facilities and any additional units, the minister may authorize the amount of the security to be reduced by 50%.

(4) If the common property, common facilities and any additional units or a substantial part of the common property, common facilities and any additional units are ready for use or are being used for the purposes intended, the common property, common facilities and any additional units may be considered complete by the minister for the purposes of subsection (2).

**“Certificate of completion**

**19** A certificate of completion mentioned in subsection 18(2) must be in:

- (a) Form E if common property and common facilities described in the declaration pursuant to section 5.2 of the Act are complete;
- (b) Form F if common property and common facilities described in the declaration pursuant to section 5.2 of the Act are 50% complete;
- (c) Form G if common property, common facilities and any additional units described in the declaration accompanying the developer’s reservation pursuant to section 16 of the Act are complete; or
- (d) Form H if common property, common facilities and any additional units described in the declaration accompanying the developer’s reservation pursuant to section 16 of the Act are 50% complete.

**“Realization on security**

**20(1)** The minister may realize on the security mentioned in subsection 17(1) if:

- (a) the developer’s reservation has lapsed pursuant to subsection 17(2) of the Act;
- (b) a final judgment respecting a claim arising out of a condominium plan or a replacement plan has been entered against the developer; or
- (c) the developer commits an act of bankruptcy, whether or not proceedings have been taken pursuant to the *Bankruptcy and Insolvency Act* (Canada).

(2) The minister may pay any money realized to any of the following on any conditions the minister considers appropriate:

- (a) the local registrar of the court in trust for any persons that may become judgment creditors of the developer respecting a claim arising out of a condominium plan or a replacement plan;
- (b) any trustee, custodian, interim receiver, receiver or liquidator of the developer;
- (c) any persons that the minister considers entitled to the money for a claim arising out of the condominium plan or replacement plan of the developer.

(3) The minister shall pay any money not paid pursuant to subsection (2) to the following after the payment of any expenditures incurred by the minister in connection with the realization on the security and the determination and settlement of valid claims:

- (a) in the case of a bond, to the surety or obligor under the bond;
- (b) in the case of a letter of credit, to the obligor under the letter of credit.

(4) Any misrepresentation by or on behalf of a developer respecting any common property, common facilities or any additional units to be provided under a declaration of a developer is, for the purposes of this section, deemed to be a claim arising out of a condominium plan or a replacement plan”.

**Section 23 amended**

**5 Subsection 23(1) is repealed and the following substituted:**

“(1) If a condominium plan includes bare land units and the developer provides security pursuant to subsection 17(1), the security must be accompanied by a certificate of cost”.

**Section 24 amended**

**6 Section 24 is amended by striking out “subsection 17(6)” and substituting “subsection 17(3)”.**

**Section 27 amended**

**7 Subsection 27(1) is repealed and the following substituted:**

“(1) If a condominium plan is for a phased development and the developer provides security pursuant to subsection 17(1), the security must be accompanied by a certificate of cost”.

**Appendix, Part I, Form D amended**

**8 Form D of Part I of the Appendix is amended:**

**(a) by striking out “does not by reason of any act, matter or thing at any time become forfeited pursuant to *The Condominium Property Regulations, 2001*, the obligation is void but otherwise remains in force and is subject to forfeiture” and substituting “is not realized on pursuant to *The Condominium Property Regulations, 2001*, the obligation is void but otherwise remains in force and is subject to being realized on”; and**

**(b) by striking out “expires or terminates pursuant to” and substituting “may be released in accordance with”.**

## Appendix, Part I, new Form I

**9 Form I of Part I of the Appendix is repealed and the following substituted:**

“FORM I  
[Section 22]

**Declaration of Developer Respecting Bare Land Condominiums**

The developer declares:

1. That \_\_\_\_\_ is the developer of a proposed  
*(name of developer)*

bare land condominium pursuant to Condominium Plan No. \_\_\_\_\_ and situated  
in \_\_\_\_\_, to be located on the following land:  
*(name of municipality)*

\_\_\_\_\_  
*(legal description of land)*

2. That the developer undertakes to provide the following as shown on the sketch plan  
attached to this declaration and described as: \_\_\_\_\_

\_\_\_\_\_  
*(describe the nature of improvements, if any, and a description of the common property and common facilities, if any)*

3. That if the developer adopts architectural controls respecting improvements on the  
units, the developer will apply those controls consistently.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signed, sealed and delivered in the presence of

*(affix seal here)*

\_\_\_\_\_  
*(Witness)*

\_\_\_\_\_  
*(Signature of developer)*

**Certificate of Acceptance**

*(to be completed by the Minister Responsible for The  
Condominium Property Act, 1993)*

The above declaration is accepted  
this \_\_\_ day of \_\_\_\_\_, 20 \_\_\_.

\_\_\_\_\_  
Minister Responsible for *The Condominium Property  
Act, 1993*

**Waiver**

*(to be completed by the Minister Responsible for The  
Condominium Property Act, 1993)*

In accordance with subsection 17(3) of *The  
Condominium Property Regulations, 2001*,  
this is a waiver of the requirement to  
obtain security mentioned in section 17 of  
those regulations for the proposed bare  
land condominium mentioned above.

Dated this \_\_\_ day of \_\_\_\_\_, 20 \_\_\_.

\_\_\_\_\_  
Minister Responsible for *The Condominium Property  
Act, 1993*.

Appendix, Part I, Form K amended

**10 Form K of Part I of the Appendix is amended by striking out “subsection 15(6)” and substituting “subsection 17(3)”.**

Appendix, Part I, new Form L

**11 Form L of Part I of the Appendix is repealed and the following substituted:**

“FORM L  
[Section 24]

**Certificate of Completion  
(Bare Land)**

The following certification is provided with respect to the proposed Bare Land Condominium pursuant to Plan No. \_\_\_\_\_ to be developed and located on the parcel of land described as: \_\_\_\_\_

*(here include a legal description of the parcel of land from which the condominium plan is created)*

I, \_\_\_\_\_, being an independent \_\_\_\_\_  
*(engineer, architect or appraiser)*

certify that the improvements, common property and common facilities which were disclosed pursuant to section 26 of *The Condominium Property Act, 1993* and which are described in the attached Form I Declaration of the Developers \_\_\_\_\_,  
*(name of developer)*

dated \_\_\_\_\_, that is required pursuant to section 5.2 of the Act and that accompanies the endorsed declaration proposed to be submitted for registration in the Land Titles Registry are completed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

*(affix seal here)*

\_\_\_\_\_  
*(Signature of engineer, architect or appraiser)*

”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 65/2003***The Prescription Drugs Act*

## Section 9

Order in Council 516/2003, dated June 25, 2003

(Filed June 26, 2003)

**Title**

1 These regulations may be cited as *The Prescription Drugs Amendment Regulations, 2003*.

**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.

**New section 3.1**

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

**“Application re designated medical supplies**

3.1 If a member of a family unit that is eligible for benefits pursuant to these regulations is an eligible person as defined in *The Drug Plan Medical Supplies Regulations*, all amounts to be calculated pursuant to these regulations with respect to that person are to be calculated as if designated medical supplies, as defined in *The Drug Plan Medical Supplies Regulations*, obtained from a pharmacy were drugs”.

**Section 5 amended**

**4 Subsection 5(2) is amended by striking out “For any” and substituting “Subject to section 5.1, for any”.**

**New section 5.1**

**5 The following section is added after section 5:**

**“Alternative calculation – child-related benefits**

5.1(1) Subject to subsection (2), a family unit that is eligible pursuant to subsection 5(2) to receive reimbursement from the minister, or to have payment made on the family unit’s behalf by the minister to participating pharmacies from which drugs are obtained by the family unit, may apply to have the family unit’s entitlement to benefits calculated in accordance with sections 12 to 12.7.

(2) In applying sections 12 to 12.7 for the purposes of subsection (1), the threshold co-payment of a family unit is the lesser of:

- (a) the amount TC calculated in accordance with section 12.4; and
- (b) \$200.

(3) If a family unit’s entitlement to benefits calculated in accordance with sections 12 to 12.7 is greater than the amount determined pursuant to subsection 5(2), the family unit is entitled to receive benefits in the greater amount”.

**Section 6 amended**

**6 Subsection 6(5) is amended by striking out “For any” and substituting “Subject to section 6.1, for any”.**

**New section 6.1****7 The following section is added after section 6:****“Alternative calculation – Saskatchewan Income Plan**

**6.1(1)** Subject to subsection (2), a family unit that is eligible pursuant to subsection 6(5) to receive reimbursement from the minister, or to have payment made on the family unit’s behalf by the minister to participating pharmacies from which drugs are obtained by the family unit, may apply to have the family unit’s entitlement to benefits calculated in accordance with sections 12 to 12.7.

(2) In applying sections 12 to 12.7 for the purposes of subsection (1), the threshold co-payment of a family unit is the lesser of:

- (a) the amount TC calculated in accordance with section 12.4; and
- (b) \$200.

(3) If a family unit’s entitlement to benefits calculated pursuant to sections 12 to 12.7 is greater than the amount determined pursuant to subsection 6(5), the family unit is entitled to receive benefits in the greater amount”.

**Section 7 amended**

**8(1) Subsection 7(9) is amended by striking out “For any” and substituting “Subject to section 7.1, for any”.**

**(2) Subsection 7(11) is amended by striking out “For any” and substituting “Subject to section 7.2, for any”.**

**New sections 7.1 and 7.2****9 The following sections are added after section 7:****“Alternative calculation – Guaranteed Income Supplement - general**

**7.1(1)** Subject to subsection (2), a family unit that is eligible pursuant to subsection 7(9) to receive reimbursement from the minister, or to have payment made on the family unit’s behalf by the minister to participating pharmacies from which drugs are obtained by the family unit, may apply to have the family unit’s entitlement to benefits calculated in accordance with sections 12 to 12.7.

(2) In applying sections 12 to 12.7 for the purposes of subsection (1), the threshold co-payment of a family unit is the lesser of:

- (a) the amount TC calculated in accordance with section 12.4; and
- (b) \$400.

(3) If a family unit’s entitlement to benefits calculated pursuant to sections 12 to 12.7 is greater than the amount determined pursuant to subsection 7(9), the family unit is entitled to receive benefits in the greater amount.

**“Alternative calculation – Guaranteed Income Supplement – special care homes**

**7.2(1)** Subject to subsection (2), a family unit that is eligible pursuant to subsection 7(11) to receive reimbursement from the minister, or to have payment made on the family unit’s behalf by the minister to participating pharmacies from which drugs are obtained by the family unit, may apply to have the family unit’s entitlement to benefits calculated in accordance with sections 12 to 12.7.

(2) In applying sections 12 to 12.7 for the purposes of subsection (1), the threshold co-payment of a family unit is the lesser of:

- (a) the amount TC calculated in accordance with section 12.4; and
- (b) \$200.

(3) If a family unit's entitlement to benefits calculated pursuant to sections 12 to 12.7 is greater than the amount determined pursuant to subsection 7(11), the family unit is entitled to receive benefits in the greater amount".

**Section 12 amended**

**10(1) Subsection 12(1) is amended:**

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

**“(a) ‘applicable taxation year’:**

(i) with respect to an application for benefits:

(A) if the application is made with respect to a benefit year ending before the transition period commences, means the taxation year preceding the taxation year in which the benefit year commences;

(B) if the application is made with respect to the transition period, means:

(I) the 2002 taxation year if the applicant is able to provide the information respecting that taxation year; and

(II) the 2001 taxation year in any other case;

(C) if the application is made with respect to a benefit year commencing after the transition period ends, means the taxation year that precedes the benefit year by two calendar years;

(ii) with respect to a benefit period:

(A) if the benefit period occurs in a benefit year that ends before the transition period commences, means the taxation year preceding the taxation year in which the benefit year commences;

(B) if the benefit period is the transition period, means:

(I) the 2002 taxation year if the applicant is able to provide the information respecting that taxation year; and

(II) the 2001 taxation year in any other case;

(C) if the benefit period occurs in a benefit year that commences after the transition period ends, means the taxation year that precedes the benefit year by two calendar years;

**“(a.1) ‘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) by repealing clause (b) and substituting the following:**

**“(b) ‘benefit year’:**

- (i) with respect to the period ending on June 30, 2003, means a period commencing on July 1 in one year and ending on June 30 in the following year; and
- (ii) with respect to the period commencing on January 1, 2004, means a period commencing on January 1 in a year and ending on December 31 in the same year”;

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

**“(e) ‘threshold co-payment’** means, subject to sections 5.1, 6.1, 7.1 and 7.2, the threshold co-payment of a family unit calculated in accordance with section 12.4”; **and**

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

**“(h) ‘transition period’** means the period commencing on July 1, 2003 and ending on December 31, 2003”.

**(2) The following subsection is added after subsection 12(1):**

**“(1.1) For the purposes of this section and sections 12.1 to 12.7:**

- (a) the transition period is a benefit period; and
- (b) in calculating the amount of benefits to which a family unit is entitled for the transition period, the transition period is to be treated as if it were part of the benefit year commencing on July 1, 2002 and ending on June 30, 2003”.

**(3) Subsection 12(2) is amended by striking out “sections 5 to 11” and substituting “sections 8 to 11”.**

**(4) Subsection 12(3) is repealed and the following substituted:**

**“(3) Unless each adult member of the family unit has provided a written consent pursuant to clause (5)(b), a family unit must apply for benefits in accordance with subsections (4) to (6):**

- (a) with respect to the transition period; and
- (b) with respect to each benefit year after the transition period”.

**(5) The portion of subsection 12(5) preceding clause (a) is amended by striking out “the taxation year preceding the taxation year in which the benefit year commences” and substituting “the applicable taxation year”.**

**(6) The portion of subsection 12(6) preceding clause (a) is amended by striking out “the taxation year preceding the taxation year in which the benefit year commences” and substituting “the applicable taxation year”.**

**(7) Subsection 12(8) is repealed and the following substituted:**

“(8) Subject to sections 12.6 and 12.7:

(a) if the application of a family unit is approved and each adult member of the family unit has provided a written consent pursuant to clause (5)(b):

(i) the family unit is entitled to receive benefits for each benefit period while the family unit remains eligible, commencing with the benefit period in which the application is made;

(ii) the benefits to which the family unit is entitled are to be calculated from the first day of the transition period or the benefit year, as the case may be, for which the application is made, notwithstanding the date of the application; and

(iii) the entitlement to benefits expires on the last day of the transition period or the benefit year, as the case may be, in which:

(A) the family unit ceases to be eligible for benefits; or

(B) an adult member of the family unit withdraws a written consent provided pursuant to clause (5)(b) and the family unit fails to make a new application for the next benefit year; and

(b) if the application of a family unit is approved and each adult member of the family unit has not provided a written consent pursuant to clause (5)(b):

(i) the family unit is entitled to receive benefits:

(A) for the transition period, if the application is made with respect to the transition period; or

(B) with respect to benefit years commencing after the transition period, for each benefit period in the benefit year with respect to which the application is made;

(ii) the benefits to which the family unit is entitled are to be calculated from the first day of the transition period or the benefit year, as the case may be, for which the application is made, notwithstanding the date of the application; and

(iii) the entitlement to benefits expires on the last day of the transition period or the benefit year, as the case may be, and a new application must be made for the next benefit year”.

**Section 12.4 amended****11 The portion of section 12.4 following the formula is repealed and the following substituted:**

“where FUI is the family unit income for the applicable taxation year”.

**Section 12.6 amended****12 Clause 12.6(7)(b) is repealed and the following substituted:**

“(b) the first day of the transition period or the current benefit year, as the case may be”.

## Section 12.7 amended

**13 Subsection 12.7(2) is amended:**

- (a) in subclause (a)(i) by striking out “benefit year” and substituting “transition period or the benefit year, as the case may be”; and
- (b) in clause (b) by striking out “benefit year” and substituting “transition period or the benefit year, as the case may be”.

## New section 13.2

**14 The following section is added after section 13.1:****“Database re drugs**

**13.2(1)** For the purposes of subsection 3.3(2) of the Act, a proprietor, as defined in *The Pharmacy Act, 1996*, shall provide the information set out in Table 1 of the Appendix with respect to each drug prescribed or dispensed for a person.

(2) For the purposes of subsection 3.3(2) of the Act, an operator of publicly operated pharmacy, as defined in *The Pharmacy Act, 1996*, shall provide the information set out in Table 1 of the Appendix with respect to each drug prescribed or dispensed for a person who is not an inpatient at a facility served by that pharmacy”.

## Appendix added

**15 The following Appendix is added after section 15:****“Appendix**

## TABLE 1

[Subsections 13.2(1) and (2)]

**Information to be Submitted by Pharmacists to Drug Database**

Health services number of the person to whom the drug is dispensed

The date on which the drug is dispensed

The Drug Plan billing number assigned to the pharmacy by the department

The prescription number assigned to the prescription by the pharmacy through use of the Pharmacy Practice Management System

The prescriber number assigned by the department to the practitioner who prescribed the drug

The drug identification number:

- (a) assigned by the Department of Health (Canada) to the drug; or
- (b) in the case of a product for which there is no drug identification number assigned by the Department of Health (Canada), the drug identification number assigned by the department to the product

Whether or not the prescription was dispensed without substitution

The quantity of the drug dispensed

The acquisition cost per unit of the drug dispensed

The amount, if any, charged for compounding an extemporaneous preparation dispensed pursuant to a prescription

The mark-up percentages (Tier 1, 2 and 3) to be used in calculating the drug material cost of the drug dispensed

The percentage, if any, of the total prescription cost provided at a discount to the person to whom the drug was dispensed”.

**Coming into force**

**16(1)** Subject to subsection (2), sections 1, 2 and 4 to 13 of these regulations come into force on July 1, 2003.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2003, sections 1, 2 and 4 to 13 of these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from July 1, 2003.

(3) Subject to subsection (4), section 3 of these regulations comes into force on the day on which *The Drug Plan Medical Supplies Regulations* come into force.

(4) If *The Drug Plan Medical Supplies Regulations* come into force before these regulations are filed with the Registrar of Regulations, section 3 of these regulations comes into force on the day on which these regulations are filed with the Registrar of Regulations.

(5) Subject to subsection (6), sections 14 and 15 of these regulations come into force on the day on which section 6 of *The Prescription Drugs Amendment Act, 2002* comes into force.

(6) If section 6 of *The Prescription Drugs Amendment Act, 2002* comes into force before these regulations are filed with the Registrar of Regulations, sections 14 and 15 of these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 66/2003***The Public Health Act, 1994*

## Section 46

Order in Council 517/2003, dated June 25, 2003

(Filed June 26, 2003)

**Title**

**1** These regulations may be cited as *The Public Accommodation Amendment Regulations, 2003*.

**R.R.S. c.P-37.1 Reg 3 amended**

**2** *The Public Accommodation Regulations* are amended in the manner set forth in these regulations.

**New sections 3 and 3.1**

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

**“Water**

**3(1)** Subject to *The Water Regulations, 2002* and subsection (2), an owner or operator of a public accommodation shall ensure that clients have convenient access to a supply of potable water that meets with the local authority’s approval.

(2) Subsection (1) does not apply to a public accommodation if:

(a) the local authority is satisfied that the provision of potable water to clients by the owner or operator would not be practicable; and

(b) the owner or operator posts notices stating that the water supplied at the public accommodation is not potable:

(i) in conspicuous places in the public accommodation; and

(ii) at every place in the public accommodation at which water may be obtained.

**“Sanitation**

**3.1(1)** Subject to *The Water Regulations, 2002* and *The Municipal Refuse Management Regulations*, an owner or operator of a public accommodation shall ensure that:

(a) there are toilets that are easily accessible for use by clients;

(b) sewage facilities that serve the public accommodation are connected to a sewage system that:

(i) meets the requirements of *The Plumbing and Drainage Regulations*; and

(ii) is designed and maintained in a manner that does not contaminate ground water or surface water and does not create a health hazard; and

(c) garbage and other solid wastes generated in the public accommodation are stored and disposed of in a manner that:

- (i) prevents access by insects, rodents and other animals;
- (ii) does not cause offensive odours; and
- (iii) does not contaminate ground or surface water.

(2) The owner or operator of a public accommodation that is infested with rodents, bedbugs or cockroaches shall take action to remove or destroy the rodents, bedbugs or cockroaches to the satisfaction of the local authority.

(3) If ordered to do so by the local authority, the owner or operator of a public accommodation that is infested with an insect or other animal that is not mentioned in subsection (2) and that, in the opinion of the local authority, is a pest that may constitute a health hazard, shall take action to remove or destroy the pest to the satisfaction of the local authority”.

**New section 5.1**

**4 The following section is added after section 5:**

**“Temperature**

**5.1(1)** Unless otherwise approved by the local authority, an owner or operator of a public accommodation shall ensure that the public accommodation is equipped with a heating system that maintains an indoor air temperature of not less than 18°C in all living spaces within the public accommodation.

(2) If, in the opinion of a local authority, the temperature at any location in a public accommodation may constitute a health hazard, the local authority may order the owner or operator of the public accommodation to carry out temperature testing at locations and at intervals specified by the local authority”.

**Coming into force**

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



