



# The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER

## PART II/PARTIE II

Volume 99

REGINA, FRIDAY, SEPTEMBER 26, 2003/REGINA, VENDREDI, 26 SEPTEMBRE 2003

No. 39/n° 39

## PART II/PARTIE II

### REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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*The Apprenticeship and Trade Certification Repeal Regulations* ..... SR 101/2003

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## REVISED REGULATIONS OF SASKATCHEWAN

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### CHAPTER D-22.01 REG 1

#### *The Department of Post-Secondary Education and Skills Training Act, 2000*

##### Section 19

Order in Council 738/2003, dated September 16, 2003

(Filed September 17, 2003)

#### PART I

##### Title and Interpretation

###### Title

- 1 These regulations may be cited as *The Training Programs Regulations*.

###### Interpretation

- 2 In these regulations:

- (a) **“agreement”** means a written agreement between the minister and an applicant respecting financial assistance;
- (b) **“applicant”** means a person who applies for financial assistance and who meets the eligibility criteria set out in these regulations for receiving the type of financial assistance being applied for and, where authorized in these regulations, includes the Federation of Saskatchewan Indian Nations and an Indian band;
- (c) **“approved project”** means a training, career or employment project that is approved by the minister and that is the subject of an agreement;
- (d) **“business”** means a business as defined in *The Business Names Registration Act*;
- (e) **“farmer”** means a farmer as defined in *The Fuel Tax Regulations, 2000*;
- (f) **“financial assistance”** means financial assistance that is authorized pursuant to these regulations;
- (g) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (h) **“mandatory employer costs”** means the costs an employer is required to pay with respect to employing or engaging an employee pursuant to an Act or an Act of the Parliament of Canada;
- (i) **“participant”** means an individual who meets the eligibility criteria set out in these regulations for participation in the appropriate approved project and who is involved in the approved project;
- (j) **“person”** includes a partnership, association or other non-incorporated body of individuals;

(k) “**record**” includes any information that is recorded or stored in any medium, including an electronic medium, or by means of any device, including a computer;

(l) “**unemployed**” means, with respect to a participant, not earning a wage or salary at the time the participant enters an approved project.

## PART II

### **JobStart/Future Skills – Workbased Training for the Unemployed**

#### **JobStart/Future Skills – Workbased training for the unemployed program established**

3(1) The jobstart/future skills – workbased training for the unemployed program is established.

(2) The purpose of the program is to provide financial assistance to assist employers in delivering on-the-job skills training to participants where that training is designed:

- (a) to lead to employment for those participants in new jobs; and
- (b) to respond to the needs of industry in Saskatchewan for skilled workers.

#### **Eligible applicants – Part II**

4 The following are eligible to apply for financial assistance pursuant to this Part:

- (a) a corporation incorporated, continued or registered pursuant to *The Business Corporations Act*, *The Co-operatives Act, 1996*, *The New Generation Co-operatives Act* or *The Credit Union Act, 1998*;
- (b) a business registered pursuant to *The Business Names Registration Act*;
- (c) a corporation incorporated, continued or registered pursuant to *The Non-profit Corporations Act, 1995*;
- (d) a regional park authority constituted or continued pursuant to *The Regional Parks Act, 1979*;
- (e) the Wascana Centre Authority;
- (f) the Meewasin Valley Authority;
- (g) the Wakamow Valley Authority;
- (h) a municipality;
- (i) a regional health authority and any affiliate as defined in *The Regional Health Services Act*;
- (j) a private educational institution, or private post-secondary educational institution, that satisfies the minister that it provides a recognized course of instruction;
- (k) a board of education or the Conseil scolaire fransaskois within the meaning of *The Education Act, 1995*;

- (l) a public or regional library;
- (m) a labour organization within the meaning of *The Trade Union Act*;
- (n) an Indian band;
- (o) the Federation of Saskatchewan Indian Nations;
- (p) the Métis Nation – Saskatchewan Secretariat Inc., including all regions and locals;
- (q) a farmer;
- (r) a self-governing professional organization or society that is regulated pursuant to an Act;
- (s) a member of a self-governing professional organization or society mentioned in clause (r);
- (t) the University of Saskatchewan or The University of Regina;
- (u) a bank.

**Eligible participants – Part II**

**5** To be eligible to participate in an approved project pursuant to this Part, an individual must:

- (a) be at least 18 years of age on the date the person is placed in an approved project;
- (b) be an individual who will benefit from financial assistance pursuant to this Part;
- (c) be legally entitled to work in Canada;
- (d) if the applicant is a corporation, not be a member of the applicant's board of directors or an officer of the applicant; and
- (e) be unemployed.

**Application for financial assistance – Part II**

**6(1)** An applicant who wishes to receive financial assistance pursuant to this Part shall:

- (a) apply in writing to the minister in a form suitable to the minister;
- (b) comply with subsection (2); and
- (c) provide the minister with any information that the minister may require to determine that the applicant is eligible for financial assistance and that the applicant's proposed project meets the purposes of this Part.

**(2)** In an application pursuant to this section, an applicant must:

- (a) set out the details of the project that the applicant proposes to offer;
- (b) agree to hire participants only in new job positions that the minister is satisfied will provide recognized on-the-job skills training;

- (c) agree to hire participants only after the project is approved;
- (d) certify that no current employee has been or will be displaced, in whole or in part, by hiring a participant;
- (e) certify that no current employee's hours have been or will be reduced, in whole or in part, by hiring a participant;
- (f) agree to any audit procedures that the minister requires before, during or after the project;
- (g) agree to comply with all applicable labour legislation, including maintaining coverage pursuant to *The Workers' Compensation Act, 1979*;
- (h) agree to employ and train each participant, for a minimum of:
  - (i) subject to subclause (ii), 30 hours per week, as set out in the agreement; or
  - (ii) if the minister considers that exceptional circumstances warrant, 20 hours per week, as set out in the agreement;
- (i) in the case of a unionized workplace, obtain written consent from the bargaining agent to enter into the agreement; and
- (j) agree not to receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that duplicates the financial assistance received pursuant to these regulations.

**Approval of application -Part II**

7(1) If the minister receives an application for financial assistance pursuant to this Part and is satisfied that the applicant is eligible to receive financial assistance and that the application meets the requirements of this Part, the minister may approve the project set out in the application and agree to provide financial assistance to the applicant.

(2) Before receiving financial assistance pursuant to this Part, an applicant whose project has been approved pursuant to subsection (1) must enter into an agreement with the minister that:

- (a) is in writing;
- (b) confirms the matters set out in section 6;
- (c) contains a detailed training plan outlining the skills development and work experience to be provided, as well as the training delivery methods to be used;
- (d) is signed by the applicant and either:
  - (i) an official of the department with the proper signing authority as determined by the minister; or
  - (ii) any institution that has been delegated the authority to sign an application on behalf of the minister pursuant to section 9;

- (e) sets out the amount, including any maximum limit, of the financial assistance to be paid to the applicant in accordance with section 8;
- (f) sets out in detail the terms and conditions necessary for the payment of the financial assistance;
- (g) provides for a payment schedule that may include an advance payment or interim payments and that sets out the terms and conditions for an advance payment and interim payments;
- (h) provides for a minimum of one on-site monitoring visit by a representative of the minister during the term of the agreement;
- (i) provides for the applicant to make available to the minister any audited financial records and statements that may reasonably be required by the minister; and
- (j) contains any other terms and conditions that the minister may determine and that are consistent with the purpose and intent of these regulations.

**Amount of financial assistance – Part II**

8(1) Subject to subsections (3) and (4), the amount of financial assistance that the minister may pay to an applicant is an amount that the minister considers necessary to reimburse the applicant for costs and expenses that:

- (a) are incurred by the applicant with respect to each participant;
- (b) are mentioned in subsection (2); and
- (c) are identified in the agreement.

(2) For the purposes of subsection (1), the following are allowable costs and expenses:

- (a) wages or salary and mandatory employer costs related to hiring participants in the approved project;
- (b) instructional texts, tuition fees and other educational materials that have been identified in the agreement;
- (c) instructor costs;
- (d) travel, meals, mileage and accommodation costs for trainees, in-house instructors and outside instructors who must travel to the training site;
- (e) facility and equipment rentals;
- (f) costs associated with converting moneys from Canadian currency to currency of the United States of America.

(3) The maximum amount of assistance that the minister may pay to an applicant pursuant to subsection (1) is:

- (a) if the applicant has fewer than 100 employees, 50% of the training costs for each participant, to a maximum of \$5,000 for each participant; or
- (b) if the applicant has 100 or more employees, 50% of the training costs for each participant, to a maximum of \$3,500 for each participant.

(4) Notwithstanding subsection (3), the maximum amount that the minister may pay to any applicant in any fiscal year of the Government of Saskatchewan is \$150,000.

(5) In addition to the amounts mentioned in subsections (1) to (4), the minister may pay to an applicant an amount the minister considers necessary to provide employment-related support, including mentoring, job coaching and special equipment, to a maximum of \$1,000 for each participant requiring the employment-related support.

(6) The minister may pay the amounts mentioned in subsection (5) to the applicant or to another person who actually supplies the employment-related support.

**Delegation – Part II**

9(1) The minister may delegate the fulfilment of any of the minister's responsibilities pursuant to this Part and the exercise of any of the minister's powers pursuant to this Part to the Saskatchewan Institute of Applied Science and Technology or to any regional college established or continued pursuant to *The Regional Colleges Act*.

(2) If the minister delegates any of the minister's responsibilities and powers pursuant to this section, the minister may impose on the delegation any terms and conditions that the minister considers appropriate.

(3) On the written request of the minister and within any time that the minister may specify in the request, an institution mentioned in subsection (1) to which the minister's responsibilities or powers have been delegated pursuant to this section shall report in writing respecting how the institution has fulfilled the minister's responsibilities or exercised the minister's powers.

## PART III Forestry Training

**Forestry training program established**

10(1) The forestry training program is established.

(2) The purpose of the program is to allow applicants to provide participants with training in the forestry industry.

**Eligible applicants – Part III**

11 The following are eligible to apply for financial assistance pursuant to this Part:

- (a) a corporation incorporated, continued or registered pursuant to *The Business Corporations Act*, *The Co-operatives Act, 1996*, *The New Generation Co-operatives Act* or *The Credit Union Act, 1998*;
- (b) a business registered pursuant to *The Business Names Registration Act*;
- (c) a corporation incorporated, continued or registered pursuant to *The Non-profit Corporations Act, 1995*;
- (d) a municipality;



- (e) an educational institution or post-secondary educational institution that satisfies the minister that it provides a recognized program of instruction or training;
- (f) an Indian band;
- (g) the Federation of Saskatchewan Indian Nations;
- (h) the Métis Nation – Saskatchewan Secretariat Inc., including all regions and locals;
- (i) a farmer;
- (j) a labour organization within the meaning of *The Trade Union Act*;
- (k) an association representing the forestry industry that satisfies the minister that it is capable of providing appropriate training for participants.

**Eligible participants – Part III**

**12** To be eligible to participate in an approved project pursuant to this Part, an individual must:

- (a) be at least 18 years of age on the date the person is placed in an approved project;
- (b) be an individual who will benefit from financial assistance pursuant to this Part;
- (c) be legally entitled to work in Canada; and
- (d) if the applicant is a corporation, not be a member of the applicant's board of directors or an officer of the applicant.

**Application for financial assistance – Part III**

**13(1)** An applicant who wishes to receive financial assistance pursuant to this Part shall:

- (a) apply in writing to the minister in a form suitable to the minister;
- (b) comply with subsection (2); and
- (c) provide the minister with any information that the minister may require to determine that the applicant is eligible for financial assistance and that the applicant's proposed project meets the purposes of this Part.

**(2)** In an application pursuant to this section, an applicant must:

- (a) set out the details of the project that the applicant proposes to offer;
- (b) agree to hire participants only in forestry related positions that provide on-the-job skills training or to train participants only in forestry related positions;
- (c) agree to train participants only after the project is approved;
- (d) certify that no current employee has been or will be displaced, in whole or in part, by hiring a participant;
- (e) certify that no current employee's hours have been or will be reduced, in whole or in part, by hiring a participant;

- (f) agree to any audit procedures that the minister requires before, during or after the project;
- (g) agree to comply with all applicable labour legislation, including maintaining coverage pursuant to *The Workers' Compensation Act, 1979*;
- (h) agree to employ and train each participant, for a minimum of:
  - (i) subject to subclause (ii), 30 hours per week, as set out in the agreement; or
  - (ii) if the minister considers that exceptional circumstances warrant, 20 hours per week, as set out in the agreement;
- (i) in the case of a unionized workplace, obtain written consent from the bargaining agent to enter into the agreement;
- (j) with respect to any participant for whom coverage is not available pursuant to *The Workers' Compensation Act, 1979*, agree to acquire and maintain insurance in an amount that the minister considers satisfactory to reasonably compensate a participant if the participant is injured as a result of an accident arising out of and in the course of the participant's training with the applicant; and
- (k) agree not to receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that duplicates the financial assistance received pursuant to these regulations.

**Approval of application – Part III**

**14(1)** If the minister receives an application for financial assistance pursuant to this Part and is satisfied that the applicant is eligible to receive financial assistance and that the application meets the requirements of this Part, the minister may approve the project set out in the application and agree to provide financial assistance to the applicant.

(2) Before receiving financial assistance pursuant to this Part, an applicant whose project has been approved pursuant to subsection (1) must enter into an agreement with the minister that:

- (a) is in writing;
- (b) confirms the matters set out in section 13;
- (c) contains a training plan outlining the skills development and work experience to be provided, as well as the training delivery methods to be used;
- (d) sets out the amount, including any maximum limit, of the financial assistance to be paid to the applicant in accordance with section 15;
- (e) sets out in detail the terms and conditions necessary for the payment of the financial assistance;
- (f) provides for a payment schedule that may include an advance payment or interim payments and that sets out the terms and conditions for an advance payment and interim payments;

- (g) provides for a minimum of one on-site monitoring visit by a representative of the minister during the term of the agreement;
- (h) provides for the applicant to make available to the minister any audited financial records and statements that may reasonably be required by the minister; and
- (i) contains any other terms and conditions that the minister may determine and that are consistent with the purpose and intent of these regulations.

**Amount of financial assistance – Part III**

**15(1)** Subject to subsection (2), the amount of financial assistance that the minister may pay to an applicant with respect to an approved project that is the subject of a written agreement is an amount equal to the amount the minister considers necessary:

- (a) to subsidize the wage or salary and mandatory employer costs related to hiring participants in the approved project;
  - (b) to pay for reasonable wages or salaries and mandatory employer costs related to hiring instructors;
  - (c) to pay for the applicant's reasonable costs of administering the approved project;
  - (d) to rent, operate and maintain equipment reasonably required for the approved project;
  - (e) to cover any reasonable tuition costs of participants;
  - (f) to acquire learning materials and supplies and safety equipment reasonably required by participants;
  - (g) to administer and operate any training camps for participants;
  - (h) to pay for insurance to cover participants; and
  - (i) to pay for training provided by persons other than those employed or engaged by the applicant.
- (2) The maximum amount of assistance that the minister may pay to an applicant with respect to each approved project is \$150,000.

**PART IV**

**Sector Partnerships Program**

**Sector partnerships program established**

**16(1)** The sector partnerships program is established.

(2) The purpose of the program is to assist industry sectors in Saskatchewan in developing human resources plans, labour market plans, career development initiatives and training programs to enhance employment opportunities in those industry sectors.

**Eligible applicants – Part IV**

**17** The following are eligible to apply for financial assistance pursuant to this Part:

- (a) a corporation incorporated, continued or registered pursuant to *The Business Corporations Act*, *The Co-operatives Act, 1996*, *The New Generation Co-operatives Act* or *The Credit Union Act, 1998*;
- (b) a business registered pursuant to *The Business Names Registration Act*;
- (c) a labour organization as defined in *The Trade Union Act*;
- (d) an educational institution or post-secondary educational institution that satisfies the minister that it provides a recognized program of instruction or training;
- (e) a self-governing professional organization or society that is regulated pursuant to an Act;
- (f) a member of a self-governing professional organization or society mentioned in clause (e);
- (g) an industry association that satisfies the minister that it is capable of undertaking a project that meets the purposes of the program.

**Application for financial assistance – Part IV**

**18(1)** An applicant who wishes to receive financial assistance pursuant to this Part shall:

- (a) apply in writing to the minister in a form suitable to the minister;
  - (b) comply with subsection (2); and
  - (c) provide the minister with any information that the minister may require to determine that the applicant is eligible for financial assistance and that the applicant's proposed project meets the purposes of this Part.
- (2)** In an application pursuant to this section, an applicant must:
- (a) set out the details of the project that the applicant proposes to offer including details respecting all or any of the following:
    - (i) the human resources and employment skills training plans to be developed;
    - (ii) the needs assessment that will be conducted for the industry and how a strategic plan to meet those needs will be developed;
    - (iii) any matters similar to those mentioned in subclause (i) or (ii) that meet the purposes of the program;
  - (b) provide evidence satisfactory to the minister to demonstrate that the applicant is capable of developing partnerships with local communities, educational institutions and persons carrying on business in Saskatchewan;
  - (c) agree to any audit procedures that the minister requires before, during or after the project;

- (d) agree to comply with all applicable labour legislation; and
- (e) agree not to receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that duplicates the financial assistance received pursuant to these regulations.

**Approval of application – Part IV**

**19(1)** If the minister receives an application for financial assistance pursuant to this Part and is satisfied that the applicant is eligible to receive financial assistance and that the application meets the requirements of this Part, the minister may approve the project set out in the application and agree to provide financial assistance to the applicant.

(2) Before receiving financial assistance pursuant to this Part, an applicant whose project has been approved pursuant to subsection (1) must enter into an agreement with the minister that:

- (a) is in writing;
- (b) confirms the matters set out in section 18;
- (c) is signed by the applicant and an official of the department with the proper signing authority as determined by the minister;
- (d) sets out the amount, including any maximum limit, of the financial assistance to be paid to the applicant in accordance with section 20;
- (e) sets out in detail the terms and conditions necessary for the payment of the financial assistance;
- (f) provides for a payment schedule that may include an advance payment or interim payments and that sets out the terms and conditions for an advance payment and interim payments;
- (g) provides for a minimum of one on-site monitoring visit by a representative of the minister during the term of the agreement;
- (h) provides for the applicant to make available to the minister any audited financial records and statements that may reasonably be required by the minister; and
- (i) contains any other terms and conditions that the minister may determine and that are consistent with the purpose and intent of these regulations.

**Amount of financial assistance – Part IV**

**20(1)** Subject to subsection (2), the amount of financial assistance that the minister may pay to an applicant with respect to an approved project that is the subject of a written agreement is an amount equal to the amount that the minister considers necessary to reimburse the applicant for the following costs:

- (a) costs related to co-ordinating labour organizations, businesses and other persons associated with the industry that the applicant represents;
- (b) costs associated with reviewing relevant literature;
- (c) costs related to assessing current employment and training needs associated with the industry that the applicant represents;

- (d) costs related to developing databases of employees, training providers and available skills associated with the industry that the applicant represents;
  - (e) costs related to providing workshops or pilot programs related to skills training and developing employment associated with the industry that the applicant represents;
  - (f) costs related to undertaking research or technical studies with respect to human resources or employment opportunities associated with the industry that the applicant represents;
  - (g) costs related to communicating the results of any studies and reports;
  - (h) costs related to preparing and communicating a final project report;
  - (i) costs related to establishing and administering the approved project;
  - (j) costs related to developing, purchasing or adapting a training curriculum for employees in the industry that the applicant represents;
  - (k) costs related to evaluating occupational standards associated with the industry that the applicant represents;
  - (l) any other costs related to those mentioned in clauses (a) to (k) that the minister considers appropriate.
- (2) The maximum amount that the minister may pay to an applicant for each approved project is \$50,000.

## PART V

### **Employability Assistance for People with Disabilities**

#### **Employability assistance for people with disabilities program established**

**21(1)** The employability assistance for people with disabilities program is established.

(2) The purpose of the program is to assist applicants who are disabled to participate in training and to obtain services that help them prepare for, attain and maintain employment.

#### **Eligible applicants – Part V**

**22** An individual is eligible to apply for financial assistance pursuant to this Part if the individual:

- (a) is at least 18 years of age on the date the person is placed in an approved project;
- (b) is an individual who will benefit from financial assistance pursuant to this Part;
- (c) is legally entitled to work in Canada; and
- (d) satisfies the minister that he or she has a disability that unduly limits or impairs his or her ability to be employed.

**Application for financial assistance – Part V**

**23(1)** An applicant who wishes to receive financial assistance pursuant to this Part shall:

- (a) apply in writing to the minister in a form suitable to the minister;
- (b) comply with subsection (2); and
- (c) provide the minister with any information that the minister may require to determine that the applicant is eligible for financial assistance and that the applicant's proposed project meets the purposes of this Part.

(2) In an application pursuant to this section, an applicant must:

- (a) set out the details of the project that the applicant proposes to undertake;
- (b) set out any support measures and equipment that the applicant will require;
- (c) agree to any audit procedures that the minister requires before, during or after the project; and
- (d) agree not to receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that duplicates the financial assistance received pursuant to these regulations.

**Approval of application – Part V**

**24(1)** If the minister receives an application for financial assistance pursuant to this Part and is satisfied that the applicant is eligible to receive financial assistance and that the application meets the requirements of this Part, the minister may approve the project set out in the application and agree to provide financial assistance to the applicant.

(2) Before receiving financial assistance pursuant to this Part, an applicant whose project has been approved pursuant to subsection (1) must enter into an agreement with the minister that:

- (a) is in writing;
- (b) confirms the matters set out in section 23;
- (c) is signed by the applicant and an official of the department with the proper signing authority as determined by the minister;
- (d) sets out the amount, including any maximum limit, of the financial assistance to be paid to the applicant or another person in accordance with sections 25 and 26;
- (e) sets out in detail the terms and conditions necessary for the payment of the financial assistance;
- (f) provides for a payment schedule that may include an advance payment or interim payments and that sets out the terms and conditions for an advance payment and interim payments;

- (g) provides for the applicant to make available to the minister any audited financial records and statements that may reasonably be required by the minister; and
- (h) contains any other terms and conditions that the minister may determine and that are consistent with the purpose and intent of these regulations.

**Amount of financial assistance – Part V**

**25(1)** Subject to subsection (2) and to section 26, the amount of financial assistance that the minister may pay to the applicant is an amount that the minister considers necessary to reimburse the applicant for all or any of the following costs:

- (a) any assessment of the applicant's disability;
- (b) any counselling services provided to the applicant;
- (c) any technical aids required by the applicant;
- (d) any interpreting, tutoring and job coaching required by the applicant;
- (e) any assistance in note taking required by the applicant;
- (f) any specialized transportation required by the applicant;
- (g) any costs the minister considers appropriate with respect to subsidizing the applicant's wage or salary and any mandatory employer costs related to hiring the applicant in a work experience, job training or on-the-job skills training program;
- (h) any costs similar to those mentioned in clauses (a) to (g) that the minister may consider appropriate.

(2) The maximum amount that the minister may pay to or on behalf of an applicant is \$20,000 in each fiscal year of the Government of Saskatchewan.

**Payments to other persons**

**26(1)** With the agreement of the applicant, the minister may pay the amounts mentioned in section 25 to the applicant or to another person who actually supplies the services or assistance mentioned in that section.

(2) Before making a payment pursuant to subsection (1) to a person who employs an applicant, the minister may require that the person enter into an agreement with the minister that:

- (a) sets out a detailed training plan showing the skills, education and experience applicants are to receive;
- (b) contains an undertaking by the person to hire applicants only in job positions that provide work experience, job training and on-the-job skills training;
- (c) contains an undertaking by the person not to hire an applicant until after the applicant's project is approved;
- (d) certifies that no current employee has been or will be displaced, in whole or in part, by hiring an applicant;



- (e) certifies that no current employee's hours have been or will be reduced, in whole or in part, by hiring an applicant;
- (f) contains an undertaking by the person to comply with all applicable labour legislation, including maintaining coverage pursuant to *The Workers' Compensation Act, 1979*; and
- (g) in the case of a unionized workplace, contains an undertaking by the person to obtain written consent from the bargaining agent to enter into the agreement.

## PART VI

### Family Literacy

#### Family literacy program established

**27(1)** The family literacy program is established.

- (2) The purpose of the program is to provide adults, children and families with educational opportunities to help them develop a positive attitude towards reading and writing and to strengthen their literacy skills and practices through shared family learning activities.

#### Eligible applicants – Part VI

**28** The following are eligible to apply for financial assistance pursuant to this Part:

- (a) a corporation incorporated, continued or registered pursuant to *The Business Corporations Act*, *The Co-operatives Act, 1996*, *The New Generation Co-operatives Act* or *The Credit Union Act, 1998*;
- (b) a business registered pursuant to *The Business Names Registration Act*;
- (c) a corporation incorporated, continued or registered pursuant to *The Non-profit Corporations Act, 1995*;
- (d) an educational institution or post-secondary educational institution that satisfies the minister that it provides a recognized program of instruction or training;
- (e) a board of education or the Conseil scolaire fransaskois within the meaning of *The Education Act, 1995*;
- (f) a public or regional library.

#### Eligible participants – Part VI

**29** To be eligible to participate in an approved project pursuant to this Part, an individual must satisfy the minister that he or she will benefit from participating in the approved project.

#### Application for financial assistance – Part VI

**30(1)** An applicant who wishes to receive financial assistance pursuant to this Part shall:

- (a) apply in writing to the minister in a form suitable to the minister;
- (b) comply with subsection (2); and

- (c) provide the minister with any information that the minister may require to determine that the applicant is eligible for financial assistance and that the applicant's proposed project meets the purposes of this Part.
- (2) In an application pursuant to this section, an applicant must:
  - (a) set out the details of the family literacy project that the applicant proposes to offer;
  - (b) agree to offer the project only to participants;
  - (c) agree to any audit procedures that the minister requires before, during or after the project;
  - (d) agree to comply with all applicable labour legislation;
  - (e) agree to acquire and maintain insurance in an amount that the minister considers satisfactory to reasonably compensate a participant if the participant is injured as a result of an accident arising out of and in the course of the participant's training with the applicant; and
  - (f) agree not to receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that duplicates the financial assistance received pursuant to these regulations.

**Approval of application- Part VI**

**31(1)** If the minister receives an application for financial assistance pursuant to this Part and is satisfied that the applicant is eligible to receive financial assistance and that the application meets the requirements of this Part, the minister may approve the project set out in the application and agree to provide financial assistance to the applicant.

(2) Before receiving financial assistance pursuant to this Part, an applicant whose project has been approved pursuant to subsection (1) must enter into an agreement with the minister that:

- (a) is in writing;
- (b) confirms the matters set out in section 30;
- (c) contains a plan outlining the literacy and related skills development to be provided, as well as the training methods to be used;
- (d) is signed by the applicant and an official of the department with the proper signing authority as determined by the minister;
- (e) sets out the amount, including any maximum limit, of the financial assistance to be paid to the applicant in accordance with section 32;
- (f) sets out in detail the terms and conditions necessary for the payment of the financial assistance;
- (g) provides for a payment schedule that may include an advance payment or interim payments and that sets out the terms and conditions for an advance payment and interim payments;

- (h) provides for a minimum of one on-site monitoring visit by a representative of the minister during the term of the agreement;
- (i) provides for the applicant to make available to the minister any audited financial records and statements that may reasonably be required by the minister; and
- (j) contains any other terms and conditions that the minister may determine and that are consistent with the purpose and intent of these regulations.

**Amount of financial assistance – Part VI**

**32(1)** Subject to subsection (2), the amount of financial assistance that the minister may pay to an applicant with respect to an approved project that is the subject of a written agreement is an amount equal to the amount the minister considers necessary:

- (a) to pay for reasonable wages or salaries and mandatory employer costs associated with employing instructors and on-the-job mentors;
  - (b) to cover the cost of literacy development and educational training that may be provided by persons other than the applicant;
  - (c) to pay for the applicant's reasonable costs of administering the approved project;
  - (d) to rent, operate and maintain facilities and equipment reasonably required for the approved project;
  - (e) to cover any reasonable tuition costs of participants;
  - (f) to acquire learning materials and supplies reasonably required by participants;
  - (g) to reimburse participants for their reasonable costs of transportation and obtaining child care;
  - (h) to pay the costs of developing and evaluating the approved project; and
  - (i) to pay for insurance to cover participants.
- (2) The maximum assistance that the minister may pay to an applicant with respect to each approved project is \$50,000.

**PART VII**

**General Educational Development and Adult Basic Education**

**GED and ABE programs continued**

- 33(1)** The general educational development program and adult basic education programs mentioned in *The Education Regulations, 1986* are continued.
- (2) The purpose of the programs is to assist individuals in obtaining high school equivalency diplomas.

**Application and approval to write**

**34(1)** Any person who wishes to write one or more tests of general educational development or to re-write one or more tests of general educational development or to obtain a general educational development equivalency diploma or transcript or an adult basic education transcript or certificate shall:

- (a) apply to the minister in a form acceptable to the minister; and
- (b) pay the fees prescribed in this Part.

(2) In order to be eligible to apply to write a test of general educational development or re-write a test of general educational development, an individual must:

- (a) be 18 years of age or older; and
- (b) provide the minister with evidence, satisfactory to the minister, of the level of education that the individual has successfully completed to the date of the application.

(3) On receipt of an application pursuant to subsection (1) and if the minister is satisfied that the applicant has complied with this section, the minister shall:

- (a) allow the applicant to write or re-write the tests of general educational development that were applied for; or
- (b) provide the general educational development equivalency diploma or transcript or adult basic education transcript or certificate that was applied for.

(4) If an applicant fails to write or re-write a test of general educational development that was applied for within one year after the date that the minister issued an authorization pursuant to clause (3)(a):

- (a) the authorization expires; and
- (b) the applicant must apply for a new authorization to write or re-write the test of general educational development.

**Fees payable**

**35(1)** For the purposes of clause 34(1)(b), the following fees are required to be paid:

- (a) for each battery of tests of general educational development, \$35;
- (b) for each re-write of all or any of the tests of general educational development, \$35;
- (c) for a general education development equivalency diploma or adult basic education certificate, \$15 for each diploma or certificate requested;
- (d) for a duplicate general educational development or adult basic education transcript requested by a student:
  - (i) for the first three copies requested, \$15;
  - (ii) for the fourth and subsequent copies requested, \$1 each;

- (e) for a duplicate general educational development diploma or adult basic education transcript requested by a person other than a student, \$15 for each copy requested.
- (2) A person is exempt from paying the general educational development examination fee if:
  - (a) the person is writing the tests of general educational development for the first time in any two-year period; and
  - (b) the person either:
    - (i) is receiving:
      - (A) a benefit pursuant to *The Training Allowance Regulations*;
      - (B) assistance pursuant to the Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66; or
      - (C) an allowance pursuant to *The Transitional Employment Allowance Regulations*; or
    - (ii) is residing in a correctional facility as defined in *The Correctional Services Act* and has taken a general educational preparation program.

## PART VIII

### General

#### Exemptions

**36** The minister may exempt an applicant or participant from any requirement set out in these regulations if, in the opinion of the minister:

- (a) one or more of the following applies:
  - (i) the non-compliance is due to a factor beyond the control of the applicant or participant;
  - (ii) the non-compliance is with respect to a minor detail;
  - (iii) the applicant or participant has proposed or agreed to other conditions that meet or exceed the conditions with respect to which there is non-compliance;
- (b) the applicant or participant is substantially in compliance with the requirements of these regulations;
- (c) in the case of a project proposed by an applicant, the project proposed by the applicant meets the purposes of the program for which the application is submitted; and
- (d) it is not contrary to the public interest to grant the exemption.

**Minister may limit or increase financial assistance**

**37(1)** Notwithstanding any other provision of these regulations, if the minister considers it to be appropriate, the minister may do both or either of the following:

- (a) limit the amount of financial assistance provided to any applicant;
- (b) limit a program to a region or area of Saskatchewan.

(2) Notwithstanding any other provision of these regulations, the minister may provide financial assistance to an applicant with respect to an approved project in an amount that is greater than the limit set in these regulations for that type of approved project if:

- (a) the applicant presents evidence to satisfy the minister that the costs of the approved project are reasonable and appropriate and that the approved project meets an important need; and
- (b) the minister considers it to be in the public interest to provide the greater amount of financial assistance.

**Information required for payment**

**38(1)** An applicant who wishes to obtain a payment with respect to an approved project shall:

- (a) apply to the minister in a form acceptable to the minister;
- (b) provide the minister with the evidence mentioned in subsections (2) and (3); and
- (c) provide the minister with any additional information or documents that the minister may require to establish that the applicant is entitled to the payment in the amount requested by the applicant.

(2) Before making any payment to an applicant pursuant to these regulations, the minister may require that the applicant provide the minister with evidence, satisfactory to the minister, to prove that:

- (a) the terms and conditions set out in these regulations and in the written agreement between the applicant and the minister have been complied with; and
- (b) the expenditure with respect to which the payment is to be made has been incurred.

(3) If a payment is to be made to subsidize the wage or salary or mandatory employer costs related to hiring a participant, the minister may require an applicant to provide the minister with evidence, satisfactory to the minister, to prove that:

- (a) the participant was working or in attendance at the position for which the payment is to be made; and
- (b) the participant was paid all wages or salaries due to the participant for which a payment is to be made.

(4) Notwithstanding subsections (1) to (3):

- (a) if the minister is authorized pursuant to these regulations or an agreement to make an interim payment to an applicant, the minister may make an interim payment in any amount that is authorized or that the minister considers appropriate, but no applicant is entitled to a final payment until the evidence mentioned in those subsections has been provided to the minister; or
- (b) if the minister considers it appropriate and the applicant has agreed to any terms and conditions that the minister may impose for the purpose, the minister may make a payment in advance of the expenditure by the applicant.

**Overpayments**

**39(1)** The minister may declare all or any payments made to any person pursuant to these regulations to be an overpayment if, in the opinion of the minister:

- (a) the person 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 person 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;
  - (c) in the case of an applicant, the applicant has failed to comply with these regulations or the terms and conditions of an agreement between the applicant and the minister; or
  - (d) in the case of a participant, the participant has failed to comply with these regulations or the terms and conditions of an undertaking between the participant and the minister.
- (2) If the minister declares a 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 person in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

**Amendment of approved project**

**40(1)** Subject to subsections (3) to (5), an applicant must apply to the minister to amend a written agreement if the applicant proposes any change to an approved project that affects:

- (a) the amount of financial assistance to be paid to an applicant or on behalf of a participant;
  - (b) a training plan set out in the written agreement;
  - (c) any reporting requirements set out in the written agreement; or
  - (d) any other term or condition of the written agreement.
- (2) Subject to subsections (3) to (5), no written agreement may be amended until the minister and the applicant agree in writing to do so.

(3) If an applicant wishes to delay the implementation date for an approved project as set out in a written agreement for a period of not more than eight weeks, the applicant may request that the minister approve that delay.

(4) On receipt of a request pursuant to subsection (3), the minister may notify the applicant in writing that the minister approves of:

(a) a delay in the implementation date for the period requested by the applicant;

(b) a delay on the termination date set out in the written agreement for a period equal to the period mentioned in clause (a); and

(c) a delay in any other dates set out in the written agreement that, in the minister's opinion, is necessitated by the delays of the implementation and termination dates.

(5) On sending out a written notice pursuant to subsection (4), the written agreement is deemed to be amended to refer to the delayed dates mentioned in subsection (4).

## PART IX Coming into Force

### Coming into force

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

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## CHAPTER S-34 REG 5

### *The Saskatchewan Telecommunications Act*

#### Section 46

Order in Council 733/2003, dated September 16, 2003

(Filed September 17, 2003)

### Title

1 These regulations may be cited as *The Sask911 Fees Regulations, 2003*.

### Interpretation

2 In these regulations:

(a) “**Act**” means *The Saskatchewan Telecommunications Act*;

(b) “**connected customer**” means:

(i) a customer of a wireless service provider who has the capacity to place emergency 911 telephone calls through the Sask911 system and who is assigned a telephone number associated with Saskatchewan;



(ii) a customer of a local exchange carrier who has the capacity to place emergency 911 telephone calls through the Sask911 system by means of the local telephone service provided in Saskatchewan to the customer by a local exchange carrier; or

(iii) a reseller who obtains the services mentioned in subclause (i) or (ii);

(c) **“local exchange carrier”** means SaskTel or a provider of local telephone services that is recognized as a competitive local exchange carrier by the Canadian Radio-television and Telecommunications Commission pursuant to the *Telecommunications Act* (Canada);

(d) **“local telephone service”** means a telecommunications service that provides voice access to the public switched telephone network for the purpose of making and receiving telephone calls and that is capable of being used to dial 911;

(e) **“reseller”** means a person who rents telecommunications services or circuits from a local exchange carrier or a wireless service provider and resells them to individual users;

(f) **“telecommunications operator”** means a local exchange carrier or a wireless service provider;

(g) **“wireless service provider”** means a telecommunications carrier licensed to provide wireless communications services pursuant to the *Radiocommunication Act* (Canada).

**Requirement to pay Sask911 fee**

3(1) Subject to subsection (5), every connected customer is required to pay the Sask911 fees set out in Table 1 of the Appendix with respect to the services specified in Table 1.

(2) Every telecommunications operator that provides services in Saskatchewan is required to charge its connected customers the Sask911 fees payable pursuant to subsection (1).

(3) A telecommunications operator, other than SaskTel, must within 30 days after the end of each month for which services are provided to connected customers:

(a) remit to SaskTel Carrier Services Group all Sask911 fees required to be charged pursuant to subsection (2) for the month whether or not the fees were collected; and

(b) provide to SaskTel Carrier Services Group a statement of the number of the telecommunications operator's working lines and telephone numbers for which a Sask911 fee was payable for the month.

- (4) For the purposes of clause 45.1(3)(a) of the Act:
- (a) **“all Sask911 fees collected by the corporation”** includes the fees remitted to the corporation pursuant to clause (3)(a); and
- (b) **“any reasonable amount the corporation may retain for collecting the Sask911 fees”** means 18.42% of the fees collected.
- (5) The Sask911 fee payable by a connected customer for service of less than a full month shall be prorated based on a 30-day month.

**R.R.S. c.S-34 Reg 3 repealed**

- 4 *The Sask911 Fees Regulations* are repealed.

**Coming into force**

- 5(1) Subject to subsection (2), these regulations come into force on October 1, 2003.
- (2) If these regulations are filed with the Registrar of Regulations after October 1, 2003, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**Appendix**

TABLE 1  
[Section 3]

**Sask911 Fees**

	Service	Fee
1	Local telephone services billed as residential or business access lines including multi-line outgoing access lines	\$0.38 per working line per month
2	Local telephone services billed as centrex service	0.38 per working telephone number per month
3	Wireless telephone access that is assigned a telephone number associated with Saskatchewan	0.38 per working telephone number per month

**SASKATCHEWAN REGULATIONS 94/2003***The Securities Act, 1988*

## Section 154

Commission Order, dated August 29, 2003

(Filed September 16, 2003)

**Title**

**1** These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2003 (No. 5)*.

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

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

**Section 2 amended**

**3** The following clause is added after clause 2(dd):

“(ee) Multilateral Instrument 51-101, entitled Standards of Disclosure for Oil and Gas Activities, as set out in Part XXXI of the Appendix”.

**Appendix amended**

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

“PART XXXI  
[clause 2(ee)]

**“NATIONAL INSTRUMENT 51-101****“STANDARDS OF DISCLOSURE FOR OIL AND GAS ACTIVITIES****“PART 1 APPLICATION AND TERMINOLOGY<sup>1</sup>****“1.1 Definitions<sup>2</sup>**

(1) In this *Instrument*:

(a) ‘**annual information form**’ means:

- (i) a current AIF, as defined in *NI 44-101*;
- (ii) in the case of a *reporting issuer* that is eligible to file, for the purpose of Part 3 of *NI 44-101*, a current annual report on Form 10-K or Form 20-F under the *1934 Act*, such a current annual report so filed; or
- (iii) a document prepared in Form 44-101F1 AIF and filed with the *securities regulatory authority* in the *jurisdiction* in accordance with *securities legislation* of that *jurisdiction* other than *NI 44-101*;

<sup>1</sup>For the convenience of readers, Appendix 1 to Companion Policy 51-101CP sets out the meanings of terms, including those defined in this Part, that are printed in italics in this *Instrument*, *Form 51-101F1*, *Form 51-101F2*, *Form 51-101F3* or the Companion Policy.

<sup>2</sup>A national definition instrument has been adopted as *NI 14-101*. It contains definitions of certain terms used in more than one national or multilateral instrument. *NI 14-101* provides that a term used in a national or multilateral instrument and defined in the statute relating to securities of the applicable *jurisdiction*, the definition of which is not restricted to a specific portion of the statute, will have the meaning given to it in that statute unless the context otherwise requires. *NI 14-101* also provides that a provision or a reference within a provision of a national or multilateral instrument that specifically refers by name to a *jurisdiction* other than the local jurisdiction shall not have any effect in the local jurisdiction, unless otherwise stated in that national or multilateral instrument.

- (b) **'BOEs'** means barrels of *oil* equivalent;
- (c) **'CICA'** means The Canadian Institute of Chartered Accountants;
- (d) **'CICA Accounting Guideline 5'** means Accounting Guideline AcG-5, 'Full cost accounting in the oil and gas industry', included in the *CICA Handbook*, as amended from time to time;
- (e) **'CICA Handbook'** means the Handbook of the CICA, as amended from time to time;
- (f) **'COGE Handbook'** means the 'Canadian Oil and Gas Evaluation Handbook' prepared jointly by The Society of Petroleum Evaluation Engineers (Calgary Chapter) and the Canadian Institute of Mining, Metallurgy & Petroleum (Petroleum Society), as amended from time to time;
- (g) **'constant prices and costs'** means the prices and costs used in an estimate that are:
  - (i) the *reporting issuer's* prices and costs as at the *effective date* of the estimation, held constant throughout the estimated lives of the *properties* to which the estimate applies;
  - (ii) if, and only to the extent that, there are fixed or presently determinable future prices or costs to which the *reporting issuer* is legally bound by a contractual or other obligation to supply a physical product, including those for an extension period of a contract that is likely to be extended, those prices or costs rather than the prices and costs referred to in subparagraph (i);
- (h) **'effective date'**, in respect of information, means the date as at which, or for the period ended on which, the information is provided;
- (i) **'FAS 19'** means United States Financial Accounting Standards Board Statement of Financial Accounting Standards No. 19, 'Financial Accounting and Reporting by Oil and Gas Producing Companies', as amended from time to time;
- (j) **'forecast prices and costs'** means future prices and costs that are:
  - (i) generally accepted as being a reasonable outlook of the future;
  - (ii) if, and only to the extent that, there are fixed or presently determinable future prices or costs to which the *reporting issuer* is legally bound by a contractual or other obligation to supply a physical product, including those for an extension period of a contract that is likely to be extended, those prices or costs rather than the prices and costs referred to in subparagraph (i);
- (k) **'foreign geographic area'** means a geographic area outside North America within one country or including all or portions of a number of countries;
- (l) **'Form 51-101F1'** means Form 51-101F1, *Statement of Reserves Data and Other Oil and Gas Information*;

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- (m) **'Form 51-101F2'** means Form 51-101F2, *Report on Reserves Data by Independent Qualified Reserves Evaluator or Auditor*;
- (n) **'Form 51-101F3'** means Form 51-101F3, *Report of Management and Directors on Oil and Gas Disclosure*;
- (o) **'independent'**, in respect of the relationship between a *reporting issuer* and a *qualified reserves evaluator or auditor*, has the meaning set out in the *COGE Handbook*;
- (p) **'McfGEs'** means thousand cubic feet of gas equivalent;
- (q) **'NI 14-101'** means National Instrument 14-101, *Definitions*;
- (r) **'NI 44-101'** means National Instrument 44-101, *Short Form Prospectus Distributions*;
- (s) **'oil and gas activities'**:
- (i) include:
    - (A) the search for *crude oil* or *natural gas* in their natural states and original locations;
    - (B) the acquisition of property rights or *properties* for the purpose of further exploring for or removing *oil* or *gas* from *reservoirs* on those *properties*;
    - (C) the construction, drilling and *production* activities necessary to retrieve *oil* and *gas* from their natural *reservoirs*, and the acquisition, construction, installation and maintenance of *field* gathering and storage systems including lifting the *oil* and *gas* to the surface and gathering, treating, *field* processing and *field* storage; and
    - (D) the extraction of hydrocarbons from oil sands, shale, coal or other non-conventional sources and activities similar to those referred to in clauses (A), (B) and (C) undertaken with a view to such extraction; but
  - (ii) do not include:
    - (A) transporting, refining or marketing *oil* or *gas*;
    - (B) activities relating to the extraction of natural resources other than *oil* and *gas* and their by-products; or
    - (C) the extraction of geothermal steam or of hydrocarbons as a by-product of the extraction of geothermal steam or associated geothermal resources;
- (t) **'preparation date'**, in respect of written disclosure, means the most recent date to which information relating to the period ending on the *effective date* was considered in the preparation of the disclosure;

(u) **‘production group’** means one of the following together, in each case, with associated by-products:

- (i) light and medium *crude oil* (combined);
- (ii) *heavy oil*;
- (iii) *associated gas* and *non-associated gas* (combined); and
- (iv) *bitumen, synthetic oil* or other products from non-conventional *oil and gas activities*;

(v) **‘product type’** means one of the following:

- (i) in respect of conventional *oil and gas activities*:
  - (A) light and medium *crude oil* (combined);
  - (B) *heavy oil*;
  - (C) *natural gas* excluding *natural gas liquids*; or
  - (D) *natural gas liquids*; and
- (ii) in respect of non-conventional *oil and gas activities*:
  - (A) *synthetic oil*;
  - (B) *bitumen*;
  - (C) coal bed methane; or
  - (D) hydrates;

(w) **‘professional organization’** means a self-regulatory organization of engineers, geologists, other geoscientists or other professionals whose professional practice includes *reserves evaluations* or *reserves audits*, that:

- (i) admits members primarily on the basis of their educational qualifications;
- (ii) requires its members to comply with the professional standards of competence and ethics prescribed by the organization that are relevant to the estimation, *evaluation, review* or *audit of reserves data*;
- (iii) has disciplinary powers, including the power to suspend or expel a member; and
- (iv) is either:
  - (A) given authority or recognition by statute in a Canadian jurisdiction; or
  - (B) accepted for this purpose by the *securities regulatory authority* or the *regulator*;

- (x) **‘qualified reserves auditor’** means an individual who:
  - (i) in respect of particular *reserves data* or related information, possesses professional qualifications and experience appropriate for the estimation, *evaluation*, *review* and *audit* of the *reserves data* and related information; and
  - (ii) is a member in good standing of a *professional organization*;
- (y) **‘qualified reserves evaluator’** means an individual who:
  - (i) in respect of particular *reserves data* or related information, possesses professional qualifications and experience appropriate for the estimation, *evaluation* and *review* of the *reserves data* and related information; and
  - (ii) is a member in good standing of a *professional organization*;
- (z) **‘qualified reserves evaluator or auditor’** means a *qualified reserves auditor* or a *qualified reserves evaluator*;
- (aa) **‘reserves data’** means the following estimates, as at the last day of the *reporting issuer’s* most recent financial year:
  - (i) *proved reserves* and related *future net revenue* estimated:
    - (A) using *constant prices and costs* as at the last day of that financial year; and
    - (B) using *forecast prices and costs*; and
  - (ii) *probable reserves* and related *future net revenue* estimated using *forecast prices and costs*;
- (bb) **‘supporting filing’** means a document filed by a *reporting issuer* with a *securities regulatory authority*.

## “1.2 COGE Handbook Definitions

- (1) Terms used in this *Instrument* but not defined in this *Instrument*, *NI 14-101* or the securities statute in the *jurisdiction*, and defined or interpreted in the *COGE Handbook*, have the meaning or interpretation ascribed to those terms in the *COGE Handbook*.
- (2) In the event of a conflict or inconsistency between the definition of a term in this *Instrument*, *NI 14-101* or the securities statute in the *jurisdiction* and the meaning ascribed to the term in the *COGE Handbook*, the definition in this *Instrument*, *NI 14-101* or the securities statute in the *jurisdiction*, as the case may be, shall apply.

**“1.3 Applies to Reporting Issuers Only** – This *Instrument* applies only to *reporting issuers* engaged, directly or indirectly, in *oil and gas activities*.

**“1.4 Materiality Standard**

(1) This *Instrument* applies only in respect of information that is *material* in respect of a *reporting issuer*.

(2) For the purpose of subsection (1), information is *material* in respect of a *reporting issuer* if it would be likely to influence a decision by a reasonable investor to buy, hold or sell a security of the *reporting issuer*.

**“PART 2 ANNUAL FILING REQUIREMENTS**

**“2.1 Reserves Data and Other Oil and Gas Information** – A *reporting issuer* shall, not later than the date on which it is required by *securities legislation* to file audited financial statements for its most recent financial year, file with the *securities regulatory authority* the following:

1. **Statement of Reserves Data and Other Information** – a statement of the *reserves data* and other information specified in *Form 51-101F1*, as at the last day of the *reporting issuer's* most recent financial year and for the financial year then ended;

2. **Report of Independent Qualified Reserves Evaluator or Auditor** – a report in accordance with *Form 51-101F2* that is:

(a) included in, or filed concurrently with, the document filed under item 1; and

(b) executed by one or more *qualified reserves evaluators or auditors* each of whom is *independent* of the *reporting issuer*, who shall in the aggregate have:

(i) *evaluated or audited* at least 75 percent of the *future net revenue* (calculated using a discount rate of 10 percent) attributable to *proved* plus *probable reserves*, as reported in the statement filed or to be filed under item 1; and

(ii) *reviewed* the balance of such *future net revenue*; and

3. **Report of Management and Directors** – except in British Columbia, a report in accordance with *Form 51-101F3* that:

(a) refers to the information filed or to be filed under items 1 and 2;

(b) confirms the responsibility of management of the *reporting issuer* for the content and filing of the statement referred to in item 1 and for the filing of the report referred to in item 2;

(c) confirms the role of the board of directors in connection with the information referred to in paragraph (b);

(d) is contained in, or filed concurrently with, the statement filed under item 1; and

(e) is executed by two senior officers and two directors of the *reporting issuer*.



**“2.2 News Release to Announce Filing** – A *reporting issuer* shall, concurrently with filing a statement and reports under section 2.1, disseminate a news release announcing that filing and indicating where a copy of the filed information can be found for viewing by electronic means.

**“2.3 Inclusion in Annual Information Form** – The requirements of section 2.1 may be satisfied by including the information specified in section 2.1 in an *annual information form* filed within the time specified in section 2.1.

**“2.4 Reservation in Report of Qualified Reserves Evaluator or Auditor**

(1) If a *qualified reserves evaluator or auditor* cannot report on *reserves data* without *reservation*, the *reporting issuer* shall ensure that the report of the *qualified reserves evaluator or auditor* prepared for the purpose of item 2 of section 2.1 sets out the cause of the *reservation* and the effect, if known to the *qualified reserves evaluator or auditor*, on the *reserves data*.

(2) A report containing a *reservation*, the cause of which can be removed by the *reporting issuer*, does not satisfy the requirements of item 2 of section 2.1.

### **“PART 3 RESPONSIBILITIES OF REPORTING ISSUERS AND DIRECTORS**

**“3.1 Interpretation** – A reference to a board of directors in this Part means, for a *reporting issuer* that does not have a board of directors, those individuals whose authority and duties in respect of that *reporting issuer* are similar to those of a board of directors.

**“3.2 Reporting Issuer to Appoint Independent Qualified Reserves Evaluator or Auditor** – A *reporting issuer* shall appoint one or more *qualified reserves evaluators or auditors*, each of whom is *independent* of the *reporting issuer*, to report to the board of directors of the *reporting issuer* on its *reserves data*.

**“3.3 Reporting Issuer to Make Information Available to Qualified Reserves Evaluator or Auditor** – A *reporting issuer* shall make available to the *qualified reserves evaluators or auditors* that it appoints under section 3.2 all information reasonably necessary to enable the *qualified reserves evaluators or auditors* to provide a report that will satisfy the applicable requirements of this Instrument.

**“3.4 Certain Responsibilities of Board of Directors** – The board of directors of a *reporting issuer* shall:

(a) review, with reasonable frequency, the *reporting issuer's* procedures relating to the disclosure of information with respect to *oil and gas activities*, including its procedures for complying with the disclosure requirements and restrictions of this *Instrument*;

(b) review each appointment under section 3.2 and, in the case of any proposed change in such appointment, determine the reasons for the proposal and whether there have been disputes between the appointed *qualified reserves evaluator or auditor* and management of the *reporting issuer*;

- (c) review, with reasonable frequency, the reporting issuer's procedures for providing information to the qualified reserves evaluators or auditors who report on reserves data for the purposes of this Instrument;
- (d) before approving the filing of reserves data and the report of the qualified reserves evaluators or auditors thereon referred to in section 2.1, meet with management and each qualified reserves evaluator or auditor appointed under section 3.2, to:
  - (i) determine whether any restrictions affect the ability of the *qualified reserves evaluator or auditor* to report on *reserves data* without *reservation*; and
  - (ii) review the *reserves data* and the report of the *qualified reserves evaluator or auditor* thereon; and
- (e) review and approve:
  - (i) the content and filing, under section 2.1, of the statement referred to in item 1 of section 2.1;
  - (ii) the filing, under section 2.1, of the report referred to in item 2 of section 2.1; and
  - (iii) the content and filing, under section 2.1, of the report referred to in item 3 of section 2.1.

### **“3.5 Reserves Committee**

- (1) The board of directors of a *reporting issuer* may, subject to subsection (2), delegate the responsibilities set out in section 3.4 to a committee of the board of directors, provided that a majority of the members of the committee:
  - (a) are individuals who are not and have not been, during the preceding 12 months:
    - (i) an officer or employee of the *reporting issuer* or of an affiliate of the *reporting issuer*;
    - (ii) a person who beneficially owns 10 percent or more of the outstanding voting securities of the *reporting issuer*; or
    - (iii) a relative of a person referred to in subparagraph (a)(i) or (ii), residing in the same home as that person; and
  - (b) are free from any business or other relationship which could reasonably be seen to interfere with the exercise of their independent judgement.
- (2) Despite subsection (1), a board of directors of a *reporting issuer* shall not delegate its responsibility under paragraph 3.4(e) to approve the content or the filing of information.
- (3) A board of directors that has delegated responsibility to a committee pursuant to subsection (1) shall solicit the recommendation of that committee as to whether to approve the content and filing of information for the purpose of paragraph 3.4(e).

**“3.6 British Columbia** – Section 3.4 and section 3.5 do not apply in British Columbia.

**“PART 4 MEASUREMENT**

**“4.1 Accounting Methods** – A *reporting issuer* engaged in *oil and gas activities* that discloses financial statements prepared in accordance with *Canadian GAAP* shall use:

- (a) the full cost method of accounting, applying *CICA Accounting Guideline 5*; or
- (b) the successful efforts method of accounting, applying *FAS 19*.

**“4.2 Requirements for Disclosed Reserves Data**

(1) A *reporting issuer* shall ensure that estimates of *reserves* or *future net revenue* contained in a document filed with the *securities regulatory authority* under this *Instrument* satisfy the following requirements:

- (a) the estimates shall be:
  - (i) prepared or audited by a *qualified reserves evaluator or auditor*;
  - (ii) prepared or *audited* in accordance with the *COGE Handbook*; and
  - (iii) estimated assuming that development of each *property* in respect of which the estimate is made will occur, without regard to the likely availability to the *reporting issuer* of funding required for that development;
- (b) for the purpose of determining whether *reserves* should be attributed to a particular undrilled *property*, reasonably estimated future abandonment and reclamation costs related to the *property* shall be taken into account; and
- (c) aggregate *future net revenue* shall be estimated deducting:
  - (i) reasonably estimated future *well abandonment costs*; and
  - (ii) *future income tax expenses* (unless otherwise specified in this *Instrument*, *Form 51-101F1* or *Form 51-101F2*);

(2) The date or period with respect to which the effects of an event or transaction are recorded in a *reporting issuer's* annual financial statements shall be the same as the date or period with respect to which they are first reflected in the *reporting issuer's* annual *reserves data* disclosure under Part 2.

**“PART 5 REQUIREMENTS APPLICABLE TO ALL DISCLOSURE**

**“5.1 Application of Part 5** – This Part applies to disclosure made by or on behalf of a *reporting issuer*

- (a) to the public;
- (b) in any document filed with a *securities regulatory authority*; or
- (c) in other circumstances in which, at the time of making the disclosure, the *reporting issuer* knows, or ought reasonably to know, that the disclosure is or will become available to the public.

**“5.2 Consistency with *Reserves Data* and Other Information** – If a *reporting issuer* makes disclosure of information of a type that is required to be included in a statement filed with a *securities regulatory authority* under item 1 of section 2.1, the information shall be:

- (a) prepared in accordance with Part 4; and
- (b) consistent with the corresponding information, if any, contained in the statement most recently filed by the *reporting issuer* with the *securities regulatory authority* under item 1 of section 2.1, except to the extent that such statement has been supplemented or superseded by a report of a material change<sup>3</sup> **filed by the *reporting issuer* with the *securities regulatory authority*.**

**“5.3 *Reserves and Resources Classification*** – Disclosure of *reserves* or *resources* shall be consistent with the *reserves* and *resources* terminology and categories set out in the *COGE Handbook*.

**“5.4 *Oil and Gas Reserves and Sales*** – Disclosure of *reserves* or of sales of *oil*, *gas* or associated by-products shall be made only in respect of *marketable* quantities, reflecting prices for the product in the condition (upgraded or not upgraded, processed or unprocessed) in which it is to be, or was, sold.

**“5.5 *Natural Gas By-Products*** – Disclosure concerning natural gas by-products (including *natural gas liquids* and sulphur) shall be made in respect only of volumes that have been or are to be recovered prior to the point at which *marketable gas* is measured.

**“5.6 *Future Net Revenue Not Fair Market Value*** – Disclosure of an estimate of *future net revenue*, whether calculated without discount or using a discount rate, shall include a statement to the effect that the estimated values disclosed do not represent fair market value.

**“5.7 *Consent of Qualified Reserves Evaluator or Auditor***

- (1) A *reporting issuer* shall not disclose a report referred to in item 2 of section 2.1 that has been delivered to the board of directors of the *reporting issuer* by a *qualified reserves evaluator or auditor* pursuant to an appointment under section 3.2, or disclose information derived from the report or the identity of the *qualified reserves evaluator or auditor*, without the written consent of that *qualified reserves evaluator or auditor*.
- (2) Subsection (1) does not apply to:
  - (a) the filing of that report by a *reporting issuer* under section 2.1;
  - (b) the use of or reference to that report in another document filed by the *reporting issuer* under section 2.1; or
  - (c) the identification of the report or of the *qualified reserves evaluator or auditor* in a news release referred to in section 2.2.

<sup>3</sup>“Material change” has the meaning ascribed to the term under *securities legislation* of the applicable *jurisdiction*.

**“5.8 Disclosure of Less Than All Reserves** – If a *reporting issuer* that has more than one *property* makes written disclosure of any *reserves* attributable to a particular *property*:

- (a) the disclosure shall include a cautionary statement to the effect that:  
“The estimates of reserves and future net revenue for individual properties may not reflect the same confidence level as estimates of reserves and future net revenue for all properties, due to the effects of aggregation”; and
- (b) the document containing the disclosure of any *reserves* attributable to one *property* shall also disclose total *reserves* of the same classification for all *properties* of the *reporting issuer* in the same country (or, if appropriate and not misleading, in the same *foreign geographic area*).

**“5.9 Disclosure Concerning Prospects** – If a *reporting issuer* discloses anticipated results from a *prospect*, the *reporting issuer* shall also disclose in writing, in the same document or in a *supporting filing*, in respect of the *prospect*:

- (a) the location and basin name;
- (b) the *reporting issuer's* gross and net interest in the *property*, expressed in units of area (acres or hectares);
- (c) in the case of undeveloped *property* in which the *reporting issuer* holds a leasehold interest, the expiry date of that interest;
- (d) the name, geologic age and lithology of the target zone;
- (e) the distance to the nearest analogous commercial production;
- (f) the *product types* reasonably expected;
- (g) the range of pool or *field sizes*;
- (h) the depth of the target zone;
- (i) the estimated cost to drill and test a well to the target depth;
- (j) reasonably expected drilling commencement and completion dates;
- (k) the anticipated prices to be received for each *product type* reasonably expected;
- (l) reasonably expected marketing and transportation arrangements;
- (m) the identity and relevant experience of the operator;
- (n) the risks and the probability of success; and
- (o) the applicable information specified in section 5.10.

**“5.10 Estimates of Fair Value of an Unproved Property, Prospect or Resource**

(1) If a *reporting issuer* discloses in writing an estimate of the fair value of an *unproved property, prospect or resource*, or discloses expected results from a *prospect*, the disclosure shall include all positive and negative factors relevant to the estimate or expectation.

(2) If a *reporting issuer* discloses in writing an estimate of the fair value of an *unproved property, prospect or resource*:

(a) in the case of an estimate of the fair value of an *unproved property*, except as provided in paragraph (b), the estimate shall be based on the first applicable item listed below, and that item shall be described as the basis of the estimate in the document containing the disclosure or in a *supporting filing*:

1. the acquisition cost to the *reporting issuer*, provided that there have been no material changes in the *unproved property*, the surrounding *properties*, or the general *oil and gas* economic climate since acquisition;
2. recent sales by others of interests in the same *unproved property*;
3. terms and conditions, expressed in monetary terms, of recent farm-in agreements related to the *unproved property*;
4. terms and conditions, expressed in monetary terms, of recent work commitments related to the *unproved property*;
5. recent sales of similar *properties* in the same general area;

(b) in the case of an estimate of fair value to which none of the items listed in paragraph (a) applies:

(i) the estimate shall be prepared or accepted by a professional valuator (who is not a “related party” of the *reporting issuer* within the meaning of the term as used in the *CICA Handbook*) applying valuation standards established by the professional body of which the valuator is a member and from which the valuator derives professional standing;

(ii) the estimate shall consist of at least three values that reflect a range of reasonable likelihoods (the low value being conservative, the middle value being the median and the high value being optimistic) reflecting courses of action expected to be followed by the *reporting issuer*;

(iii) the estimate, and the identities of the professional valuator and of the professional body referred to in subparagraph (i), shall be set out in the document containing the disclosure or in a *supporting filing*; and

(iv) the *reporting issuer* shall obtain from the professional valuator referred to in subparagraph (i):

(A) a report on the estimate that does not contain:

(I) a disclaimer that materially detracts from the usefulness of the estimate; or

(II) a statement that the report may not be relied on; and

(B) the professional valuator's written consent to the disclosure of the report by the *reporting issuer* to the public.

**“5.11 Net Asset Value and Net Asset Value per Share** – Written disclosure of net asset value or net asset value per share shall include a description of the methods used to value assets and liabilities and the number of shares used in the calculation.

**“5.12 Reserve Replacement** – Written disclosure concerning *reserve* replacement shall include an explanation of the method of calculation applied.

**“5.13 Netbacks** – Written disclosure of a netback:

(a) shall include separate netbacks for each *product type* by country (or, if appropriate and not misleading, by *foreign geographic area*);

(b) shall reflect netbacks calculated by subtracting royalties and *operating costs* from revenues; and

(c) shall state the method of calculation.

**“5.14 BOEs and McfGEs** – If written disclosure includes information expressed in *BOEs*, *McfGEs* or other units of equivalency between *oil* and *gas*:

(a) the information shall be presented:

(i) in the case of *BOEs*, using *BOEs* derived by converting *gas* to *oil* in the ratio of six thousand cubic feet of *gas* to one barrel of *oil* (6 *Mcf*:1 *bbl*);

(ii) in the case of *McfGEs*, using *McfGEs* derived by converting *oil* to *gas* in the ratio of one barrel of *oil* to six thousand cubic feet of *gas* (1 *bbl*:6 *Mcf*); and

(iii) with the conversion ratio stated;

(b) if the information is also presented using *BOEs* or *McfGEs* derived using a conversion ratio other than a ratio specified in paragraph (a), the disclosure shall state that other conversion ratio and explain why it has been chosen;

(c) if the information is presented using a unit of equivalency other than *BOEs* or *McfGEs*, the disclosure shall identify the unit, state the conversion ratio used and explain why it has been chosen; and

- (d) the disclosure shall include a cautionary statement to the effect that:

“BOEs [or ‘McfGEs’ or other applicable units of equivalency] may be misleading, particularly if used in isolation. A BOE conversion ratio of 6 Mcf: 1 bbl [or ‘An McfGE conversion ratio of 1 bbl: 6 Mcf’] is based on an energy equivalency conversion method primarily applicable at the burner tip and does not represent a value equivalency at the wellhead”.

**“5.15 Finding and Development Costs** – If written disclosure is made of finding and development costs:

- (a) those costs shall be calculated using the following two methods, in each case after eliminating the effects of acquisitions and dispositions:

$$\text{Method 1: } \frac{a+b+c}{x}$$

$$\text{Method 2: } \frac{a+b+d}{y}$$

where:

- a = *exploration costs* incurred in the most recent financial year;
  - b = *development costs* incurred in the most recent financial year;
  - c = the change during the most recent financial year in estimated future *development costs* relating to *proved reserves*;
  - d = the change during the most recent financial year in estimated future *development costs* relating to *proved reserves* and *probable reserves*;
  - x = additions to *proved reserves* during the most recent financial year, expressed in *BOEs* or other unit of equivalency;
  - y = additions to *proved reserves* and *probable reserves* during the most recent financial year, expressed in *BOEs* or other unit of equivalency;
- (b) the disclosure shall include:
- (i) the results of both methods of calculation under paragraph (a) and a description of those methods;
  - (ii) if the disclosure also includes a result derived using any other method of calculation, a description of that method and the reason for its use;
  - (iii) for each result, comparative information for the most recent financial year, the second most recent financial year and the averages for the three most recent financial years;



- (iv) a cautionary statement to the effect that:

“The aggregate of the exploration and development costs incurred in the most recent financial year and the change during that year in estimated future development costs generally will not reflect total finding and development costs related to reserves additions for that year”; and

- (v) the cautionary statement required under paragraph 5.14(d).

## **“PART 6 MATERIAL CHANGE DISCLOSURE**

### **“6.1 Material Change<sup>4</sup> from Information Filed under Part 2**

(1) This Part applies in respect of a material change that, had it occurred on or before the *effective date* of information included in the statement most recently filed by a *reporting issuer* under item 1 of section 2.1, would have resulted in a significant change in the information contained in the statement.

(2) In addition to any other requirement of *securities legislation* governing disclosure of a material change, disclosure of a material change referred to in subsection (1) shall:

(a) identify the statement filed under Part 2 that contains the original information referred to in subsection (1); and

(b) discuss the *reporting issuer's* reasonable expectation of how the material change, had it occurred on or before the *effective date* referred to in subsection (1), would have affected the *reserves data* or other information contained in the document identified under paragraph (a).

## **“PART 7 OTHER INFORMATION**

**“7.1 Information to be Furnished on Request** – A *reporting issuer* shall, on the request of the *regulator*, deliver additional information with respect to the content of a document filed under this *Instrument*.

## **“PART 8 EXEMPTIONS**

### **“8.1 Authority to Grant Exemption**

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

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

## **“PART 9 INSTRUMENT IN FORCE**

**“9.1 Coming Into Force** – This *Instrument* comes into force on September 30, 2003.

**“9.2 Transition** – Despite section 9.1, this *Instrument* does not apply to a *reporting issuer* until the earlier of:

(a) the date by which the *reporting issuer* is required under *securities legislation* to file audited annual financial statements for its financial year that includes or ends on December 31, 2003; and

(b) the first date on which the *reporting issuer* files with the *securities regulatory authority* the statement referred to in item 1 of section 2.1.

<sup>4</sup>In this Part, “material change” has the meaning ascribed to the term under *securities legislation* of the applicable jurisdiction.

**“FORM 51-101F1  
“STATEMENT OF RESERVES DATA AND OTHER  
OIL AND GAS INFORMATION**

This is the form referred to in item 1 of section 2.1 of National Instrument 51-101 *Standards of Disclosure for Oil and Gas Activities* (“NI 51-101”).

**GENERAL INSTRUCTIONS**

- (1) *Terms for which a meaning is given in NI 51-101 have the same meaning in this Form 51-101F1<sup>1</sup>.*
- (2) *Unless otherwise specified in this Form 51-101F1, information under item 1 of section 2.1 of NI 51-101 shall be provided as at the last day of the reporting issuer’s most recent financial year or for its financial year then ended.*
- (3) *It is not necessary to include the headings or numbering, or to follow the ordering of Items, in this Form 51-101F1. Information may be provided in tables.*
- (4) *To the extent that any Item or any component of an Item specified in this Form 51-101F1 does not apply to a reporting issuer and its activities and operations, or is not material, no reference need be made to that Item or component. It is not necessary to state that such an Item or component is “not applicable” or “not material”. Materiality is discussed in NI 51-101 and Companion Policy 51-101CP.*
- (5) *This Form 51-101F1 sets out minimum requirements. A reporting issuer may provide additional information not required in this Form 51-101F1 provided that it is not misleading and not inconsistent with the requirements of NI 51-101, and provided that material information required to be disclosed is not omitted.*
- (6) *A reporting issuer may satisfy the requirement of this Form 51-101F1 for disclosure of information “by country” by instead providing information by foreign geographic area in respect of countries outside North America as may be appropriate for meaningful disclosure in the circumstances.*

**“PART 1 DATE OF STATEMENT**

**“Item 1.1 Relevant Dates**

1. Date the statement.
2. Disclose the *effective date* of the information being provided.
3. Disclose the *preparation date* of the information being provided.

<sup>1</sup>For the convenience of readers, Appendix 1 to Companion Policy 51-101CP sets out the meanings of terms that are printed in italics (or, in the Instructions, in bold type) in this *Form 51-101F1* or in *NI 51-101*, *Form 51-101F2*, *Form 51-101F3* or the Companion Policy.

## INSTRUCTIONS

(1) For the purpose of Part 2 of **NI 51-101**, and consistent with the definition of reserves data and General Instruction 2 of this **Form 51-101F1**, the **effective date** to be disclosed under section 2 of Item 1.1 is the last day of the **reporting issuer's** most recent financial year. It is the date of the balance sheet for the **reporting issuer's** most recent financial year (for example, "as at December 31, 20xx") and the ending date of the **reporting issuer's** most recent annual statement of income (for example, "for the year ended December 31, 20xx").

(2) The same **effective date** applies to **reserves** of each category reported and to related **future net revenue**. References to a change in an item of information, such as changes in **production** or a change in **reserves**, mean changes in respect of that item during the year ended on the **effective date**.

(3) The **preparation date**, in respect of written disclosure, means the most recent date to which information relating to the period ending on the **effective date** was considered in the preparation of the disclosure. The **preparation date** is a date subsequent to the **effective date** because it takes time after the end of the financial year to assemble the information for that completed year that is needed to prepare the required disclosure as at the end of the financial year.

(4) Because of the interrelationship between certain of the **reporting issuer's reserves data** and other information referred to in this **Form 51-101F1** and certain of the information included in its financial statements, the **reporting issuer** should ensure that its financial auditor and its **qualified reserves evaluators or auditors** are kept apprised of relevant events and transactions, and should facilitate communication between them.

(5) If the **reporting issuer** provides information as at a date more recent than the **effective date**, in addition to the information required as at the **effective date**, also disclose the date as at which that additional information is provided. The provision of such additional information does not relieve the **reporting issuer** of the obligation to provide information as at the **effective date**.

## "PART 2 DISCLOSURE OF RESERVES DATA

### "Item 2.1 Reserves Data (Constant Prices and Costs)

1. **Breakdown of Proved Reserves (Constant Case)** – Disclose, by country and in the aggregate, reserves, gross and *net*, estimated using *constant prices and costs*, for each *product type*, in the following categories:

- (a) *proved developed producing reserves*;
- (b) *proved developed non-producing reserves*;
- (c) *proved undeveloped reserves*; and
- (d) *proved reserves (in total)*.

2. **Net Present Value of *Future Net Revenue* (Constant Case)** – Disclose, by country and in the aggregate, the net present value of *future net revenue* attributable to the *reserves* categories referred to in section 1 of this Item, estimated using *constant prices and costs*, before and after deducting *future income tax expenses*, calculated without discount and using a discount rate of 10 percent.

3. **Additional Information Concerning *Future Net Revenue* (Constant Case)**

(a) This section 3 applies to *future net revenue* attributable to *proved reserves* (in total) estimated using *constant prices and costs*.

(b) Disclose, by country and in the aggregate, the following elements of *future net revenue* estimated using *constant prices and costs* and calculated without discount:

- (i) revenue;
- (ii) royalties;
- (iii) *operating costs*;
- (iv) *development costs*;
- (v) abandonment and reclamation costs;
- (vi) *future net revenue* before deducting *future income tax expenses*;
- (vii) *future income tax expenses*; and
- (viii) *future net revenue* after deducting *future income tax expenses*.

(c) Disclose, by *production group*, the net present value of *future net revenue* (before deducting *future income tax expenses*) estimated using *constant prices and costs* and calculated using a discount rate of 10 percent.

**“Item 2.2 *Reserves Data (Forecast Prices and Costs)***

1. **Breakdown of *Reserves* (Forecast Case)** – Disclose, by country and in the aggregate, *reserves*, *gross* and *net*, estimated using *forecast prices and costs*, for each *product type*, in the following categories:

- (a) *proved developed producing reserves*;
- (b) *proved developed non-producing reserves*;
- (c) *proved undeveloped reserves*;
- (d) *proved reserves* (in total);
- (e) *probable reserves* (in total);

- (f) *proved plus probable reserves* (in total); and
- (g) if the *reporting issuer* discloses an estimate of *possible reserves* in the statement:
  - (i) *possible reserves* (in total); and
  - (ii) *proved plus probable plus possible reserves* (in total).

2. **Net Present Value of *Future Net Revenue* (Forecast Case)** – Disclose, by country and in the aggregate, the net present value of *future net revenue* attributable to the *reserves* categories referred to in section 1 of this Item, estimated using *forecast prices and costs*, before and after deducting *future income tax expenses*, calculated without discount and using discount rates of 5 percent, 10 percent, 15 percent and 20 percent.

3. **Additional Information Concerning *Future Net Revenue* (Forecast Case)**

- (a) This section 3 applies to *future net revenue* attributable to each of the following *reserves* categories estimated using *forecast prices and costs*:
  - (i) *proved reserves* (in total);
  - (ii) *proved plus probable reserves* (in total); and
  - (iii) if paragraph 1(g) of this Item applies, *proved plus probable plus possible reserves* (in total).
- (b) Disclose, by country and in the aggregate, the following elements of *future net revenue* estimated using *forecast prices and costs* and calculated without discount:
  - (i) revenue;
  - (ii) royalties;
  - (iii) *operating costs*;
  - (iv) *development costs*;
  - (v) abandonment and reclamation costs;
  - (vi) *future net revenue* before deducting *future income tax expenses*;
  - (vii) *future income tax expenses*; and
  - (viii) *future net revenue* after deducting *future income tax expenses*.
- (c) Disclose, by *production group*, the net present value of *future net revenue* (before deducting *future income tax expenses*) estimated using *forecast prices and costs* and calculated using a discount rate of 10 percent.

**“Item 2.3 Reserves Disclosure Varies with Accounting**

In determining *reserves* to be disclosed:

- (a) **Consolidated Financial Disclosure** – if the *reporting issuer* files consolidated financial statements:
  - (i) include 100 percent of *reserves* attributable to the parent company and 100 percent of the *reserves* attributable to its consolidated subsidiaries (whether or not wholly-owned); and
  - (ii) if a significant portion of *reserves* referred to in clause (i) is attributable to a consolidated subsidiary in which there is a significant minority interest, disclose that fact and the approximate portion of such *reserves* attributable to the minority interest;
- (b) **Proportionate Consolidation** – if the *reporting issuer* files financial statements in which investments are proportionately consolidated, the *reporting issuer's* disclosed *reserves* must include the *reporting issuer's* proportionate share of investees' *oil* and *gas reserves*; and
- (c) **Equity Accounting** – if the *reporting issuer* files financial statements in which investments are accounted for by the equity method, do not include investees' *oil* and *gas reserves* in disclosed *reserves* of the *reporting issuer*, but disclose the *reporting issuer's* share of investees' *oil* and *gas reserves* separately.

**“Item 2.4 Future Net Revenue Disclosure Varies with Accounting**

1. **Consolidated Financial Disclosure** – If the *reporting issuer* files consolidated financial statements, and if a significant portion of the *reporting issuer's* economic interest in *future net revenue* is attributable to a consolidated subsidiary in which there is a significant minority interest, disclose that fact and the approximate portion of the economic interest in *future net revenue* attributable to the minority interest.
2. **Equity Accounting** – If the *reporting issuer* files financial statements in which investments are accounted for by the equity method, do not include investees' *future net revenue* in disclosed *future net revenue* of the *reporting issuer*, but disclose the *reporting issuer's* share of investees' *future net revenue* separately, by country and in the aggregate.

**INSTRUCTIONS**

- (1) Do not include, in **reserves**, **oil** or **gas** that is subject to purchase under a long-term supply, purchase or similar agreement. However, if the **reporting issuer** is a party to such an agreement with a government or governmental authority, and participates in the operation of the **properties** in which the **oil** or **gas** is situated or otherwise serves as “producer” of the **reserves** (in contrast to being an independent purchaser, broker, dealer or importer), disclose separately the **reporting issuer's** interest in the **reserves** that are subject to such agreements at the **effective date** and the **net** quantity of **oil** or **gas** received by the **reporting issuer** under the agreement during the year ended on the **effective date**.

(2) ***Future net revenue*** includes the portion attributable to the **reporting issuer's** interest under an agreement referred to in Instruction (1).

(3) In the disclosure of "abandonment and reclamation costs" referred to in clause 3(b)(v) of Item 2.1 and in clause 3(b)(v) of Item 2.2 include, at minimum, ***well abandonment costs***. The response to Item 6.4 will disclose total abandonment and reclamation costs and (in response to paragraph (d) of Item 6.4) the portion of total abandonment and reclamation costs, if any, not disclosed under clause 3(b)(v) of Item 2.1 and clause 3(b)(v) of Item 2.2.

### **"PART 3 PRICING ASSUMPTIONS"**

#### **"Item 3.1 Constant Prices Used in Estimates"**

For each *product type*, disclose the benchmark reference prices for the countries or regions in which the *reporting issuer* operates, as at the last day of the *reporting issuer's* most recent financial year, reflected in the *reserves data* disclosed in response to Item 2.1.

#### **"Item 3.2 Forecast Prices Used in Estimates"**

1. For each *product type*, disclose:
  - (a) the pricing assumptions used in estimating *reserves data* disclosed in response to Item 2.2:
    - (i) for each of at least the following five financial years; and
    - (ii) generally, for subsequent periods; and
  - (b) the *reporting issuer's* weighted average historical prices for the most recent financial year.
2. The disclosure in response to section 1 shall include the benchmark reference pricing schedules for the countries or regions in which the *reporting issuer* operates, and inflation and other forecast factors used.
3. If the pricing assumptions specified in response to section 1 were provided by a *qualified reserves evaluator or auditor* who is *independent* of the *reporting issuer*, disclose that fact and identify the *qualified reserves evaluator or auditor*.

### **INSTRUCTIONS**

(1) *Benchmark reference prices may be obtained from sources such as public product trading exchanges or prices posted by purchasers.*

(2) The defined terms "**constant prices and costs**" and "**forecast prices and costs**" include any fixed or presently determinable future prices or costs to which the **reporting issuer** is legally bound by a contractual or other obligation to supply a physical product, including those for an extension period of a contract that is likely to be extended. In effect, such contractually committed prices override benchmark reference prices for the purpose of estimating **reserves data**. To ensure that disclosure under this Part is not misleading, the disclosure should reflect such contractually committed prices.

(3) *Under subsection 5.7(1) of NI 51-101, the **reporting issuer** must obtain the written consent of the **qualified reserves evaluator or auditor** to disclose his or her identity in response to section 3 of this Item.*

**“PART 4 RECONCILIATIONS OF CHANGES IN *RESERVES* AND *FUTURE NET REVENUE*”**

**“Item 4.1 *Reserves Reconciliation*”**

1. Provide the information specified in section 2 of this Item in respect of the following *reserves* categories:

- (a) *net proved reserves* (in total);
- (b) *net probable reserves* (in total); and
- (c) *net proved plus probable reserves* (in total).

2. Disclose changes between the *reserves* estimates made as at the *effective date* and the corresponding estimates (“prior-year estimates”) made as at the last day of the preceding financial year of the *reporting issuer*:

- (a) by country;
- (b) for each of the following:
  - (i) light and medium *crude oil* (combined);
  - (ii) *heavy oil*;
  - (iii) *associated gas* and *non-associated gas* (combined); and
  - (iv) *synthetic oil* and other products from non-conventional *oil* and *gas activities*;
- (c) separately identifying and explaining:
  - (i) extensions;
  - (ii) improved recovery;
  - (iii) technical revisions;
  - (iv) discoveries;
  - (v) acquisitions;
  - (vi) dispositions;
  - (vii) economic factors; and
  - (viii) *production*.

**INSTRUCTIONS**

(1) *The reconciliation required under this Item 4.1 may be provided in respect of **reserves** estimated using either **constant prices and costs** or **forecast prices and costs**, with the price and cost case indicated in the disclosure.*

(2) *For the purpose of this Item 4.1, it is sufficient to provide the information in respect of the products specified in paragraph 2(b), excluding **solution gas**, **natural gas liquids** and other associated by-products.*

(3) *The **COGE Handbook** provides guidance on the preparation of the reconciliation required under this Item 4.1.*



**“Item 4.2 Future Net Revenue Reconciliation**

1. Provide the information specified in section 2 of this Item in respect of estimates of *future net revenue* (estimated using *constant prices and costs* and calculated using a discount rate of 10 percent) attributable to *net proved reserves* (in total).
2. Disclose changes between the *future net revenue* estimates referred to in section 1 made as at the *effective date* and the corresponding estimates (“prior-year estimates”) made as at the last day of the preceding financial year of the *reporting issuer*:
  - (a) by country;
  - (b) separately identifying and explaining:
    - (i) sales and transfers of *oil, gas* or other *product types* produced during the period net of *production costs* and royalties;
    - (ii) net change in sales and transfer prices and in *production costs* and royalties related to future *production*;
    - (iii) changes in previously estimated *development costs* incurred during the period;
    - (iv) changes in estimated future *development costs*;
    - (v) net change resulting from extensions and improved recovery;
    - (vi) net change resulting from discoveries;
    - (vii) changes resulting from acquisitions of *reserves*;
    - (viii) changes resulting from dispositions of *reserves*;
    - (ix) net change resulting from revisions in quantity estimates;
    - (x) accretion of discount (10 percent of discounted *future net revenue* at the beginning of the financial year);
    - (xi) net change in income taxes; and
    - (xii) any other significant factors.

**INSTRUCTIONS**

- (1) For the purpose of this Part 4, compute the effects of changes in prices and costs before the effects of changes in volumes, so that, in respect of **constant prices and costs**, volumes are reflected at prices as at the **effective date**.
- (2) Except in respect of clause 2(b)(xi) of Item 4.2, the information to be provided under this Part is pre-tax information.
- (3) For the purpose of clause 2(b)(xi) of Item 4.2, a “net change in income taxes” includes both income taxes incurred during the period and changes in estimated **future income tax expenses**.

**“PART 5 ADDITIONAL INFORMATION RELATING TO *RESERVES DATA*”****“Item 5.1 *Undeveloped Reserves*”**

1. For *proved undeveloped reserves*:
  - (a) disclose for each *product type* the volumes of *proved undeveloped reserves* that were first attributed in each of the most recent five financial years and, in the aggregate, before that time; or
  - (b) discuss generally the basis on which the *reporting issuer* attributes *proved undeveloped reserves*, its plans (including timing) for developing the *proved undeveloped reserves* and, if applicable, its reasons for not planning to develop particular *proved undeveloped reserves* during the following two years.
2. For *probable undeveloped reserves*:
  - (a) disclose for each *product type* the volumes of *probable undeveloped reserves* that were first attributed in each of the most recent five financial years and, in the aggregate, before that time; or
  - (b) discuss generally the basis on which the *reporting issuer* attributes *probable undeveloped reserves*, its plans (including timing) for developing the *probable undeveloped reserves* and, if applicable, its reasons for not planning to develop particular *probable undeveloped reserves* during the following two years.

**“Item 5.2 *Significant Factors or Uncertainties*”**

1. Identify and discuss important economic factors or significant uncertainties that affect particular components of the *reserves data*.
2. Section 1 does not apply if the information is disclosed in the *reporting issuer's* financial statements for the financial year ended on the *effective date*.

***INSTRUCTIONS***

*Examples of information that could warrant disclosure under this Item 5.2 include unusually high expected **development costs** or **operating costs**, the need to build a major pipeline or other major facility before **production of reserves** can begin, or contractual obligations to produce and sell a significant portion of **production** at prices substantially below those which could be realized but for those contractual obligations.*

**“Item 5.3 *Future Development Costs*”**

1. (a) Provide the information specified in paragraph 1(b) in respect of *development costs* deducted in the estimation of *future net revenue* attributable to each of the following *reserves* categories:
  - (i) *proved reserves* (in total) estimated using *constant prices and costs*;
  - (ii) *proved reserves* (in total) estimated using *forecast prices and costs*;
  - and
  - (iii) *proved plus probable reserves* (in total) estimated using *forecast prices and costs*.

- (b) Disclose, by country, the amount of *development costs* estimated:
  - (i) in total, calculated using no discount and using a discount rate of 10 percent; and
  - (ii) by year for each of the first five years estimated.
- 2. Discuss the *reporting issuer's* expectations as to:
  - (a) the sources (including internally-generated cash flow, debt or equity financing, farm-outs or similar arrangements) and costs of funding for estimated future *development costs*; and
  - (b) the effect of those costs of funding on disclosed *reserves* or *future net revenue*.
- 3. If the *reporting issuer* expects that the costs of funding referred to in section 2, could make development of a *property* uneconomic for that *reporting issuer*, disclose that expectation and its plans for the *property*.

## **“PART 6 OTHER OIL AND GAS INFORMATION**

### **“Item 6.1 Oil and Gas Properties and Wells**

- 1. Identify and describe generally the *reporting issuer's* important *properties*, plants, facilities and installations:
  - (a) identifying their location (province, territory or state if in Canada or the United States, and country otherwise);
  - (b) indicating whether they are located onshore or offshore;
  - (c) in respect of *properties* to which *reserves* have been attributed and which are capable of *producing* but which are not *producing*, disclosing how long they have been in that condition and discussing the general proximity of pipelines or other means of transportation; and
  - (d) describing any statutory or other mandatory relinquishments, surrenders, back-ins or changes in ownership.
- 2. State, separately for *oil* wells and *gas* wells, the number of the *reporting issuer's* producing wells and non-producing wells, expressed in terms of both *gross* wells and *net* wells, by location (province, territory or state if in Canada or the United States, and country otherwise).

### **“Item 6.2 Properties With No Attributed Reserves**

- 1. For *unproved properties* disclose:
  - (a) the *gross* area (acres or hectares) in which the *reporting issuer* has an interest;
  - (b) the interest of the *reporting issuer* therein expressed in terms of net area (acres or hectares);
  - (c) the location, by country; and
  - (d) the existence, nature (including any bonding requirements), timing and cost (specified or estimated) of any work commitments.
- 2. Disclose, by country, the net area (acres or hectares) of *unproved property* for which the *reporting issuer* expects its rights to explore, develop and exploit to expire within one year.

**“Item 6.3 Forward Contracts**

1. If the *reporting issuer* is bound by an agreement (including a transportation agreement), directly or through an aggregator, under which it may be precluded from fully realizing, or may be protected from the full effect of, future market prices for *oil* or *gas*, describe generally the agreement, discussing dates or time periods and summaries or ranges of volumes and contracted or reasonably estimated values.
2. Section 1 does not apply to agreements disclosed by the *reporting issuer*:
  - (a) as financial instruments, in accordance with Section 3860 of the *CICA Handbook*; or
  - (b) as contractual obligations or commitments, in accordance with Section 3280 of the *CICA Handbook*.
3. If the *reporting issuer's* transportation obligations or commitments for future physical deliveries of *oil* or *gas* exceed the *reporting issuer's* expected related future *production* from its *proved reserves*, estimated using *forecast prices and costs* and disclosed under Part 2, discuss such excess, giving information about the amount of the excess, dates or time periods, volumes and reasonably estimated value.

**“Item 6.4 Additional Information Concerning Abandonment and Reclamation Costs**

In respect of abandonment and reclamation costs for surface *leases*, wells, facilities and pipelines, disclose:

- (a) how the *reporting issuer* estimates such costs;
- (b) the number of *net* wells for which the *reporting issuer* expects to incur such costs;
- (c) the total amount of such costs, net of estimated salvage value, expected to be incurred, calculated without discount and using a discount rate of 10 percent;
- (d) the portion, if any, of the amounts disclosed under paragraph (c) of this Item 6.4 that was not deducted as abandonment and reclamation costs in estimating the *future net revenue* disclosed under Part 2; and
- (e) the portion, if any, of the amounts disclosed under paragraph (c) of this Item 6.4 that the *reporting issuer* expects to pay in the next three financial years, in total.

**INSTRUCTIONS**

*Item 6.4 supplements the information disclosed in response to clause 3(b)(v) of Item 2.1 and clause 3(b)(v) of Item 2.2. The response to paragraph (d) of Item 6.4 should enable a reader of this statement and of the **reporting issuer's** financial statements for the financial year ending on the **effective date** to understand both the **reporting issuer's** estimated total abandonment and reclamation costs, and what portions of that total are, and are not, reflected in the disclosed **reserves data**.*

**“Item 6.5 Tax Horizon**

If the *reporting issuer* is not required to pay income taxes for its most recently completed financial year, discuss its estimate of when income taxes may become payable.

**“Item 6.6 Costs Incurred**

1. Disclose each of the following, by country, for the most recent financial year (irrespective of whether such costs were capitalized or charged to expense when incurred):

- (a) *property acquisition costs*, separately for *proved properties* and *unproved properties*;
- (b) *exploration costs*; and
- (c) *development costs*.

2. For the purpose of this Item 6.6, if the *reporting issuer* files financial statements in which investments are accounted for by the equity method, disclose by country the *reporting issuer's* share of investees' (i) *property acquisition costs*, (ii) *exploration costs* and (iii) *development costs* incurred in the most recent financial year.

**“Item 6.7 Exploration and Development Activities**

1. Disclose, by country and separately for *exploratory wells* and *development wells*:

- (a) the number of *gross wells* and *net wells* completed in the *reporting issuer's* most recent financial year; and
- (b) for each category of wells for which information is disclosed under paragraph (a), the number completed as *oil wells*, *gas wells* and *service wells* and the number that were dry holes.

2. Describe generally the *reporting issuer's* most important current and likely exploration and development activities, by country.

**“Item 6.8 Production Estimates**

1. Disclose, by country, for each *product type*, the volume of *production* estimated for the first year reflected in the estimates of *future net revenue* disclosed under Items 2.1 and 2.2.

2. If one *field* accounts for 20 percent or more of the estimated *production* disclosed under section 1, identify that *field* and disclose the volume of *production* estimated for the *field* for that year.

**“Item 6.9 Production History**

1. To the extent not previously disclosed in financial statements filed by the *reporting issuer*, disclose, for each quarter of its most recent financial year, by country for each *product type*:

- (a) the *reporting issuer's* share of average daily *production* volume, before deduction of royalties; and
- (b) as an average per unit of volume (for example, \$/bbl or \$/Mcf):
  - (i) the prices received;
  - (ii) royalties paid;
  - (iii) *production costs*; and
  - (iv) the resulting netback.

2. For each important *field*, and in total, disclose the *reporting issuer's* *production* volumes for the most recent financial year, for each *product type*.

**INSTRUCTIONS**

*In providing information for each **product type** for the purpose of Item 6.9, it is not necessary to allocate among multiple **product types** attributable to a single well, **reservoir** or other **reserves** entity. It is sufficient to provide the information in respect of the principal **product type** attributable to the well, **reservoir** or other **reserves** entity.*

**“FORM 51-101F2****“REPORT ON RESERVES DATA BY INDEPENDENT QUALIFIED  
RESERVES EVALUATOR OR AUDITOR**

This is the form referred to in item 2 of section 2.1 of National Instrument 51-101 *Standards of Disclosure for Oil and Gas Activities* (“NI 51-101”).

1. Terms to which a meaning is ascribed in NI 51-101 have the same meaning in this form.<sup>1</sup>
2. The report on *reserves data* referred to in item 2 of section 2.1 of NI 51-101, to be executed by one or more *qualified reserves evaluators or auditors independent* of the *reporting issuer*, shall in all material respects be as follows:

**Report on Reserves Data**

To the board of directors of [name of reporting issuer] (the “Company”):

1. We have [audited] [evaluated] [and reviewed] the Company’s reserves data as at [last day of the reporting issuer’s most recently completed financial year]. The reserves data consist of the following:
  - (a) (i) proved and proved plus probable oil and gas reserves estimated as at [last day of the reporting issuer’s most recently completed financial year] using forecast prices and costs; and
  - (ii) the related estimated future net revenue; and

<sup>1</sup>For the convenience of readers, Appendix 1 to Companion Policy 51-101CP sets out the meanings of terms that are printed in italics in sections 1 and 2 of this Form or in NI 51-101, Form 51-101F1, Form 51-101F3 or the Companion Policy.

(b) (i) proved oil and gas reserves estimated as at [last day of the reporting issuer's most recently completed financial year] using constant prices and costs; and

(ii) the related estimated future net revenue.

2. The reserves data are the responsibility of the Company's management. Our responsibility is to express an opinion on the reserves data based on our [audit] [evaluation] [and review].

We carried out our [audit] [evaluation] [and review] in accordance with standards set out in the Canadian Oil and Gas Evaluation Handbook (the "COGE Handbook") prepared jointly by the Society of Petroleum Evaluation Engineers (Calgary Chapter) and the Canadian Institute of Mining, Metallurgy & Petroleum (Petroleum Society).

3. Those standards require that we plan and perform an [audit] [evaluation] [and review] to obtain reasonable assurance as to whether the reserves data are free of material misstatement. An [audit] [evaluation] [and review] also includes assessing whether the reserves data are in accordance with principles and definitions presented in the COGE Handbook.

4. The following table sets forth the estimated future net revenue (before deduction of income taxes) attributed to proved plus probable reserves, estimated using forecast prices and costs and calculated using a discount rate of 10 percent, included in the reserves data of the Company [audited] [evaluated] [and reviewed] by us for the year ended xxx xx, 20xx, and identifies the respective portions thereof that we have [audited] [evaluated] [and reviewed] and reported on to the Company's [management/board of directors]:

Independent Qualified Reserves Evaluator or <u>Auditor</u>	Description and Preparation Date of [Audit/ Evaluation/ <u>Review</u> ] <u>Report</u>	Location of Reserves (Country or Foreign Geographic <u>Area</u> )	Net Present Value of Future Net Revenue (before income taxes, 10% discount rate)			
			<u>Audited</u>	<u>Evaluated</u>	<u>Reviewed</u>	<u>Total</u>
Evaluator A	xxx xx, 20xx	xxxx	\$xxx	\$xxx	\$xxx	\$xxx <sup>2</sup>
Evaluator B	xxx xx, 20xx	xxxx	xxx	xxx	xxx	xxx <sup>2</sup>
Totals			<u>\$xxx</u>	<u>\$xxx</u>	<u>\$xxx</u>	<u>\$xxx<sup>2</sup></u>

5. In our opinion, the reserves data respectively [audited] [evaluated] by us have, in all material respects, been determined and are in accordance with the COGE Handbook. We express no opinion on the reserves data that we reviewed but did not audit or evaluate.

6. We have no responsibility to update our reports referred to in paragraph 4 for events and circumstances occurring after their respective preparation dates.

7. Because the reserves data are based on judgements regarding future events, actual results will vary and the variations may be material.

<sup>2</sup>This amount should be the amount disclosed by the reporting issuer in its statement of reserves data filed under item 1 of section 2.1 of NI 51-101, as its future net revenue (before deducting future income tax expenses) attributable to proved plus probable reserves, estimated using forecast prices and costs and calculated using a discount rate of 10 percent (required by section 2 of Item 2.2 of Form 51-101F1).

Executed as to our report referred to above:

Evaluator A, City, Province or  
State/Country, Execution Date \_\_\_\_\_  
[signed]

Evaluator B, City, Province or  
State/Country, Execution Date \_\_\_\_\_  
[signed]

**“FORM 51-101F3  
“REPORT OF MANAGEMENT AND DIRECTORS  
ON OIL AND GAS DISCLOSURE**

This is the form referred to in item 3 of section 2.1 of National Instrument 51-101 *Standards of Disclosure for Oil and Gas Activities* (“NI 51-101”). This form does not apply in British Columbia.

1. Terms to which a meaning is ascribed in *NI 51-101* have the same meaning in this form.<sup>1</sup>
2. The report referred to in item 3 of section 2.1 of *NI 51-101* shall in all material respects be as follows:

**Report of Management and Directors on  
Reserves Data and Other Information**

Management of [name of reporting issuer] (the “Company”) are responsible for the preparation and disclosure of information with respect to the Company’s oil and gas activities in accordance with securities regulatory requirements. This information includes reserves data, which consist of the following:

- (a) (i) proved and proved plus probable oil and gas reserves estimated as at [last day of the reporting issuer’s most recently completed financial year] using forecast prices and costs; and
- (ii) the related estimated future net revenue; and
- (b) (i) proved oil and gas reserves estimated as at [last day of the reporting issuer’s most recently completed financial year] using constant prices and costs; and
- (ii) the related estimated future net revenue.

[An] independent [qualified reserves evaluator[s] or qualified reserves auditor[s]] [has/ have] [audited] [evaluated] [and reviewed] the Company’s reserves data. The report of the independent [qualified reserves evaluator[s] or qualified reserves auditor[s]] [is presented below / will be filed with securities regulatory authorities concurrently with this report].

The [Reserves Committee of the] board of directors of the Company has:

- (a) reviewed the Company’s procedures for providing information to the independent [qualified reserves evaluator[s] or qualified reserves auditor[s]];

<sup>1</sup>For the convenience of readers, Appendix 1 to Companion Policy 51-101CP sets out the meanings of terms that are printed in italics in sections 1 and 2 of this Form or in *NI 51-101*, *Form 51-101F1*, *Form 51-101F2* or the Companion Policy.



(b) met with the independent [qualified reserves evaluator[s] or qualified reserves auditor[s]] to determine whether any restrictions affected the ability of the independent [qualified reserves evaluator[s] or qualified reserves auditor[s]] to report without reservation [and, because of the proposal to change the independent [qualified reserves evaluator[s] or qualified reserves auditor[s]], to inquire whether there had been disputes between the previous independent [qualified reserves evaluator[s] or qualified reserves auditor[s] and management]; and

(c) reviewed the reserves data with management and the independent [qualified reserves evaluator[s] or qualified reserves auditor[s]].

The [Reserves Committee of the] board of directors has reviewed the Company's procedures for assembling and reporting other information associated with oil and gas activities and has reviewed that information with management. The board of directors has [, on the recommendation of the Reserves Committee,] approved:

(a) the content and filing with securities regulatory authorities of the reserves data and other oil and gas information;

(b) the filing of the report of the independent [qualified reserves evaluator[s] or qualified reserves auditor[s]] on the reserves data; and

(c) the content and filing of this report.

Because the reserves data are based on judgements regarding future events, actual results will vary and the variations may be material.

\_\_\_\_\_  
[signature, name and title of chief executive officer]

\_\_\_\_\_  
[signature, name and title of a senior officer other than the chief executive officer]

\_\_\_\_\_  
[signature, name of a director]

\_\_\_\_\_  
[signature, name of a director]

[Date] \_\_\_\_\_”.

**Coming into force**

5(1) Subject to subsection (2), these regulations come into force on September 30, 2003.

(2) If these regulations are filed with the Registrar of Regulations after September 30, 2003, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 95/2003***The Milk Control Act, 1992*

## Section 10

Board Order, dated September 16, 2003

(Filed September 16, 2003)

**Title**

**1** These regulations may be cited as *The Milk Control Amendment Regulations, 2003 (No. 9)*.

**R.R.S. c.M-15 Reg 1, Appendix amended**

**2** Subsection 3(1) of Part II of the Appendix to *The Milk Control Regulations* is amended:

(a) in subclause (a)(i) by striking out “\$52.96” and substituting “\$51.05”;

(b) in subclause (b)(i) by striking out “\$52.96” and substituting “\$51.05”;

(c) in subclause (c)(i) by striking out “\$52.96” and substituting “\$51.05”; and

(d) by repealing clauses (m) and (n) and substituting the following:

“(m) in the case of class 5a milk:

- (i) \$3.8504 per kilogram of butterfat;
- (ii) \$9.1410 per kilogram of protein; and
- (iii) \$0.0083 per kilogram of other solids;

“(n) in the case of class 5b milk:

- (i) \$3.8504 per kilogram of butterfat;
- (ii) \$2.0424 per kilogram of protein; and
- (iii) \$2.0424 per kilogram of other solids”.

**Coming into force**

**3** These regulations come into force on October 1, 2003.

**SASKATCHEWAN REGULATIONS 96/2003***The Crown Minerals Act*

## Section 22

Order in Council 731/2003, dated September 16, 2003

(Filed September 17, 2003)

**Title**

**1** These regulations may be cited as *The Crown Oil and Gas Royalty Amendment Regulations, 2003*.

**R.R.S. c.C-50.2 Reg 9 amended**

**2** The *Crown Oil and Gas Royalty Regulations* 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 (f):**

**“(f.1) ‘fourth tier oil’ means all oil produced on or after October 1, 2002:**

**(i) that is not EOR oil and:**

**(A) that is produced from an oil well or gas well with a finished drilling date on or after October 1, 2002;**

**(B) that is incremental waterflood oil respecting an approved waterflood project that commenced operation on or after October 1, 2002; or**

**(ii) that is approved by the minister from time to time as fourth tier oil for the purposes of these regulations”;**

**(b) in clause (n) by striking out “on or after January 1, 1994,”;**

**(c) in subclause (p)(i):**

**(i) in the portion preceding paragraph (A) by striking out “EOR oil or third tier oil” and substituting “third tier oil, fourth tier oil or EOR oil”; and**

**(ii) in paragraph (C) by adding “and before October 1, 2002” after “April 1, 1991”;**

**(d) in clause (t) by striking out “third tier oil or EOR oil” and substituting “third tier oil, fourth tier oil or EOR oil”;**

**(e) in clause (aa):**

**(i) in paragraph (i)(B) by adding “and before October 1, 2002” after “February 9, 1998”; and**

**(ii) in subclause (ii) by adding “other than fourth tier oil or fourth tier gas” after “gas”; and**

**(f) in subclause (cc)(i):**

**(i) in the portion that precedes paragraph (A) by adding “fourth tier oil or” before “EOR oil”;**

**(ii) in paragraph (A) by adding “and before October 1, 2002” after “January 1, 1994”; and**

**(iii) in paragraph (B) by adding “and before October 1, 2002” after “January 1, 1994”.**

**Section 7.2 amended**

**4 Subsection 7.2(1) is amended by striking out “between the end of the month in which this section comes into force and March 31, 2005” and substituting “between November 30, 1999 and March 31, 2007”.**

**Section 12 amended****5 Section 12 is amended:****(a) by repealing clause (a) and substituting the following:**

“(a) ‘**C**’ means a factor determined in accordance with the following formula and rounded to the nearest ten-thousandth:

$$C = \frac{K}{247.48} ;$$

“(a.1) ‘**D**’ means a factor determined in accordance with the following formula and rounded to the nearest hundredth:

$$D = \frac{K}{9.90} ;$$

“(a.2) ‘**HOP**’ means the average heavy oil well-head price, expressed in dollars per cubic metre rounded to the nearest dollar, as estimated and set by the minister for a month in accordance with section 13”;

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

“(b) ‘**K**’ means a factor determined in accordance with the following formulas and rounded to the nearest hundredth:

(i) for heavy oil that is also new oil:

$$K = 13.0 + \left[ 19.5 \times \left( \frac{HOP - 50}{HOP} \right) \right]$$

where  $(HOP - 50)$  is deemed to be zero if  $HOP$  is less than 50;

(ii) for heavy oil that is also third tier oil:

$$K = 13.0 + \left[ 19.5 \times \left( \frac{HOP - 100}{HOP} \right) \right]$$

where  $(HOP - 100)$  is deemed to be zero if  $HOP$  is less than 100;

(iii) for heavy oil that is also fourth tier oil:

$$K = 7.14 + \left[ 35.71 \times \left( \frac{HOP - 100}{HOP} \right) \right]$$

where  $(HOP - 100)$  is deemed to be zero if  $HOP$  is less than 100;

(iv) for non-heavy oil that is not southwest designated oil and that is also old oil:

$$K = 26.0 + \left[ 32.5 \times \left( \frac{NOP - 50}{NOP} \right) \right]$$

where  $(NOP - 50)$  is deemed to be zero if  $NOP$  is less than 50;

(v) for non-heavy oil that is not southwest designated oil and that is also new oil:

$$K = 19.5 + \left[ 26.0 \times \left( \frac{NOP - 50}{NOP} \right) \right]$$

where  $(NOP - 50)$  is deemed to be zero if  $NOP$  is less than 50;

(vi) for non-heavy oil that is not southwest designated oil and that is also third tier oil:

$$K = 19.5 + \left[ 26.0 \times \left( \frac{NOP - 100}{NOP} \right) \right]$$

where  $(NOP - 100)$  is deemed to be zero if  $NOP$  is less than 100;

(vii) for non-heavy oil that is not southwest designated oil and that is also fourth tier oil:

$$K = 7.14 + \left[ 35.71 \times \left( \frac{NOP - 100}{NOP} \right) \right]$$

where  $(NOP - 100)$  is deemed to be zero if  $NOP$  is less than 100;

(viii) for southwest designated oil that is also new oil:

$$K = 16.25 + \left[ 29.25 \times \left( \frac{SOP - 50}{SOP} \right) \right]$$

where  $(SOP - 50)$  is deemed to be zero if  $SOP$  is less than 50;

(ix) for southwest designated oil that is also third tier oil:

$$K = 16.25 + \left[ 29.25 \times \left( \frac{SOP - 100}{SOP} \right) \right]$$

where  $(SOP - 100)$  is deemed to be zero if  $SOP$  is less than 100;

(x) for southwest designated oil that is also fourth tier oil:

$$K = 7.14 + \left[ 35.71 \times \left( \frac{SOP - 100}{SOP} \right) \right]$$

where (SOP – 100) is deemed to be zero if SOP is less than 100”; **and**

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

“(e) **‘X’** means a factor determined in accordance with the following formulas and rounded to the nearest whole number:

(i) for old oil, new oil and third tier oil:

$$X = K \times 23.08;$$

(ii) for fourth tier oil;

$$X = K \times 75”.$$

Section 13 amended

**6 Subsection 13(2) is repealed.**

Section 15 amended

**7 Section 15 is amended:**

**(a) by striking out the portion preceding clause (a) and substituting the following:**

“The royalty excepted and reserved and the payments to be made respecting old oil, new oil, third tier oil or fourth tier oil that is produced from or allocated to any Crown lands on or after October 1, 2002 are to be determined for each oil well or gas well, for each month, by:”; **and**

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

“(a) calculating the appropriate Crown royalty rate, expressed as a percentage, respecting each category of oil produced from the well for the month, which, subject to Part III, is to be the greater of nil or the rate determined in accordance with the following table:

Classification of Oil	Monthly Oil Production in Cubic Metres	Crown Royalty Rate expressed as a percentage of Total Monthly Production
<b>Fourth Tier Oil</b>	0 – 25.0	0
	25.1 – 136.2	$(C \times MOP) - D$
	Over 136.2	$\left( K - \frac{X}{MOP} \right)$
<b>Third Tier Oil, New Oil and Old Oil</b>	Any amount	$\left( K - \frac{X}{MOP} \right) - SRC$

”.

## Section 18 amended

## 8 Section 18 is amended:

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

“(a) ‘**deep development vertical oil well**’ means:

(i) a vertical oil well that is also a deep oil well and not an exploratory vertical oil well and that:

(A) has a finished drilling date on or after October 1, 2002 and has not had its wellbore, or any portion of its wellbore, utilized for any purpose; or

(B) produces oil from a zone that:

(I) is within the section of its wellbore that was deepened on or after October 1, 2002 and the section, or portion of the section, has not been utilized for any purpose; and

(II) was not previously part of the wellbore before it was deepened; or

(ii) a vertical oil well with a finished drilling date on or after October 1, 2002 that is approved by the minister as a deep development vertical oil well;

“(a.1) ‘**deep oil well**’ means an oil well that is producing oil:

(i) from a zone:

(A) the upper limit of which, measured from the Kelly Bushing, is more than 1 700 metres in depth as determined in accordance with the records of the department, or any lesser depth the minister may approve; and

(B) within the Mississippian Period; or

(ii) from a zone that was deposited before the Bakken zone, regardless of the depth;

“(a.2) ‘**exploratory vertical oil well**’ means a vertical oil well with a finished drilling date on or after October 1, 2002:

(i) that has oil listed as the well objective on the well licence;

(ii) that has not had its wellbore, or any portion of its wellbore, utilized for any purpose since December 31, 1983;

(iii) that, at the time the well is licensed, is located in a drainage unit that has not contained an oil well that produced oil from the same zone; and

(iv) that first produces oil from the zone noted as the expected producing zone or formation on the well licence and:

(A) at the time the well is licensed, the inter oil well distance from the vertical oil well to any other oil well or oil well location is more than three kilometres; or

(B) produces oil from a zone within an older geological system than the oldest geological system in which:

(I) any other oil well is cased through or into, if, at the time the vertical oil well is licensed, the inter oil well distance from the other oil well to the vertical oil well is three kilometres or less;

(II) any other oil well is open-hole-completed into, if, at the time the vertical oil well is licensed, the inter oil well distance from the other oil well to the vertical oil well is three kilometres or less; or

(III) any other oil well location is licensed through or into, if, at the time the vertical oil well is licensed, the inter oil well distance from the other oil well location to the vertical oil well is three kilometres or less;

or a vertical oil well with a finished drilling date on or after October 1, 2002 that is approved by the minister as an exploratory vertical oil well”;

**(b) by repealing clause (g);**

**(c) by repealing clause (h);**

**(d) by repealing clause (i);**

**(e) by repealing clause (k); and**

**(f) by repealing clause (l).**

**Section 19 amended**

**9 Clauses 19(a) and (b) are repealed.**

**Section 20 repealed**

**10 Section 20 is repealed.**

**New section 21**

**11 Section 21 is repealed and the following substituted:**

**“Maximum 2.5% fourth tier incentive**

**21** For the purposes of determining the appropriate Crown royalty share pursuant to clause 15(b), the appropriate Crown royalty rate is the lesser of the fourth tier oil Crown royalty rate calculated pursuant to clause 15(a) and 2.5%, for the portion of oil produced from or allocated to Crown lands that is included in:

(a) the first 4 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a non-deep oil well that is also an exploratory vertical oil well;



- (b) the first 6 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a non-deep oil well that is also a horizontal oil well;
- (c) the first 8 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a deep development vertical oil well; or
- (d) the first 16 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a deep oil well that is also:
  - (i) an exploratory vertical oil well; or
  - (ii) a horizontal oil well”.

**Section 22 amended**

**12(1) Subsection 22(1) is amended:**

- (a) **by striking out “February 9, 1998” and substituting “October 1, 2002”; and**
- (b) **by striking out “section 19, 20 or 21” and substituting “section 21”.**

**(2) Subsection 22(2) is amended:**

- (a) **in the portion preceding clause (a) by striking out “section 19 or 21” and substituting “section 21”; and**

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

“(a) the royalty payer has requested that the minister approve the oil well as a horizontal oil well pursuant to clause 2(k), a deep development vertical oil well pursuant to clause 18(a) or an exploratory vertical oil well pursuant to clause 18(a.2)”.

- (3) **Subsection 22(3) is amended by striking out “section 19, 20 or 21” in the portion preceding clause (a) and substituting “section 21”.**

- (4) **Subsection 22(4) is repealed.**

- (5) **Subsection 22(5) is repealed.**

- (6) **Subsection 22(6) is repealed.**

- (7) **Subsection 22(7) is repealed.**

**Section 23 amended**

**13 Section 23 is amended:**

- (a) **in the portion preceding clause (a) by adding “the well completion information or” after “Where the department has received”;**

- (b) **in clause (a) by striking out “qualifying development oil well or a qualifying exploratory oil well” and substituting “deep development vertical oil well or an exploratory vertical oil well”;**

**(c) in clause (b) by striking out “qualifying development oil well or a qualifying exploratory oil well” and substituting “deep development vertical oil well or an exploratory vertical oil well”; and**

**(d) in clause (b) by adding “well completion information,” after “the department received the”.**

**Section 24 amended**

**14 Section 24 is amended in the portion preceding clause (a):**

**(a) by striking out “a qualifying development oil well or a qualifying exploratory oil well” and substituting “an exploratory vertical oil well”; and**

**(b) by striking out “clause 18(g) or (h)” and substituting “clause 18(a.2)”.**

**Section 42 amended**

**15 Section 42 is amended:**

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

“(a.1) ‘ $C_g$ ’ means a factor determined in accordance with the following formulas and rounded to the nearest ten-thousandth:

(i) for old gas, new gas and third tier gas:

$$C_g = \frac{K_g}{230.76};$$

(ii) for fourth tier gas:

$$C_g = \frac{K_g}{205.76} ”;$$

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

“(c.1) ‘ $D_g$ ’ means a factor determined in accordance with the following formula and rounded to the nearest hundredth:

$$D_g = \frac{K_g}{8.23} ”;$$

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

“(d.1) ‘**fourth tier gas**’ means all gas produced on or after October 1, 2002:

(i) from a gas well with a finished drilling date on or after October 1, 2002;

(ii) from an oil well with a finished drilling date on or after October 1, 2002;

(iii) from an oil well with a finished drilling date before October 1, 2002, where:

(A) the gas-oil-ratio for the month is greater than or equal to 3 500 cubic metres of gas per cubic metre of oil; and

(B) the gas has not been approved as third tier gas or new gas; or

(iv) that is approved by the minister from time to time as fourth tier gas for the purposes of these regulations”;

**(d) by repealing clause (f);**

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

“(g) ‘ $K_g$ ’ means a factor determined in accordance with the following formulas and rounded to the nearest hundredth:

(i) for old gas:

$$K_g = 26.0 + \left[ 32.5 \times \left( \frac{PGP - 35}{PGP} \right) \right]$$

where  $(PGP - 35)$  is deemed to be zero if PGP is less than 35;

(ii) for new gas:

$$K_g = 19.5 + \left[ 26.0 \times \left( \frac{PGP - 35}{PGP} \right) \right]$$

where  $(PGP - 35)$  is deemed to be zero if PGP is less than 35;

(iii) for third tier gas:

$$K_g = 19.5 + \left[ 26.0 \times \left( \frac{PGP - 50}{PGP} \right) \right]$$

where  $(PGP - 50)$  is deemed to be zero if PGP is less than 50;

(iv) for fourth tier gas:

$$K_g = 6.75 + \left[ 33.73 \times \left( \frac{PGP - 50}{PGP} \right) \right]$$

where  $(PGP - 50)$  is deemed to be zero if PGP is less than 50”;

**(f) in the portion preceding subclause (i) in clause (i) by adding “or fourth tier gas” after “third tier gas”;**

**(g) in clause (j) by striking out “new gas or third tier gas” and substituting “new gas, third tier gas or fourth tier gas”;**

**(h) in clause (j.11) by repealing subclause (i) and substituting the following:**

“(i) that is not fourth tier gas and that is produced from a gas well with a finished drilling date on or after February 9, 1998 and before October 1, 2002”; **and**

**(i) by repealing clause (k) and substituting the following:**

“(k) ‘ $X_g$ ’ means a factor determined in accordance with the following formulas and rounded to the nearest whole number:

(i) for old gas, new gas and third tier gas:

$$X_g = K_g \times 57.9 ;$$

(ii) for fourth tier gas:

$$X_g = K_g \times 64.7”.$$

Section 44.2 amended

**16 Clause 44.2(1)(d) is repealed and the following substituted:**

“(d) sales of gas:

(i) produced from oil wells where the point of sale occurs upstream of the fieldgate; and

(ii) exempt from royalties pursuant to section 47”.

Section 45 amended

**17 Section 45 is amended:**

**(a) by striking out the portion preceding clause (a) and substituting the following:**

“The royalties excepted and reserved and the payments to be made respecting old gas, new gas, third tier gas or fourth tier gas that is produced from or allocated to any Crown lands on or after October 1, 2002 are to be determined for each oil well or gas well, for each month, by:”; **and**

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

“(a) calculating the appropriate Crown royalty rate, expressed as a percentage, respecting each category of gas produced from the well for the month, which, subject to Part VI, is to be the greater of nil or the rate determined in accordance with the following table:

Classification of Gas	Monthly Gas Production in Thousands of Cubic Metres	Crown Royalty Rate expressed as a percentage of Total Monthly Production
<b>Fourth Tier Gas Produced from Gas Wells</b>	0 – 25.0	0
	25.1 – 115.4	$(C_g \times \text{MGP}) - D_g$
	Over 115.4	$\left( K_g - \frac{X_g}{\text{MPG}} \right)$
<b>Fourth Tier Gas Produced from Oil Wells</b>	0 – 64.7	0
	Over 64.7	$\left( K_g - \frac{X_g}{\text{MPG}} \right)$
<b>Third Tier Gas, New Gas and Old Gas</b>	0 – 115.4	$(C_g \times \text{MGP}) - \text{SRC}$
	Over 115.4	$\left( K_g - \frac{X_g}{\text{MPG}} \right) - \text{SRC}$

”.

**New section 47****18 Section 47 is repealed and substituted with the following:****“Gas from oil wells exempt from royalties**

**47** No royalties shall be calculated or paid respecting gas produced from an oil well unless:

- (a) the gas:
  - (i) is fourth tier gas as defined in clause 42(d.1); and
  - (ii) is gathered for use or sale; or
- (b) the minister has approved the gas as new gas pursuant to subclause 42(i)(iii) or third tier gas pursuant to subclause 42(j.11)(ii) in cases where an order pursuant to *The Oil and Gas Conservation Act* has been issued before October 1, 2002 that allows for oil and gas to be produced concurrently from the oil well”.

**Section 48 amended****19 Clause 48(b) is amended:**

- (a) in the portion preceding subclause (i) by striking out “February 9, 1998” and substituting “October 1, 2002”; and**
- (b) in the portion following subparagraph (iv)(B)(III) by striking out “February 9, 1998” and substituting “October 1, 2002”.**

**New section 49****20 Section 49 is repealed and substituted with the following:****“Exploratory gas royalty incentive**

**49** For the purposes of determining the appropriate Crown royalty share pursuant to clause 45(b), the appropriate Crown royalty rate is the lesser of the fourth tier gas Crown royalty rate calculated pursuant to clause 45(a) and 2.5%, for the portion of gas produced from or allocated to Crown lands that is included in the first 25 million cubic metres of fourth tier gas produced from a qualifying exploratory gas well”.

**Section 51 amended****21 Section 51 is amended:**

- (a) in the portion preceding clause (a) by adding “the well completion information or” after “Where the department has received”; and**
- (b) in clause (b) by adding “well completion information,” after “the department received the”.**

**Section 53 repealed****22 Section 53 is repealed.****Coming into force**

**23** These regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from October 1, 2002.

**SASKATCHEWAN REGULATIONS 97/2003***The Freehold Oil and Gas Production Tax Act*

## Section 32

Order in Council 732/2003, dated September 16, 2003

(Filed September 17, 2003)

**Title**

**1** These regulations may be cited as *The Freehold Oil and Gas Production Tax Amendment Regulations, 2003*.

**R.R.S. c.F-22.1 Reg 1 amended**

**2** *The Freehold Oil and Gas Production Tax Regulations, 1995* 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 (e):**

“(e.1) **‘fourth tier oil’** means all oil produced on or after October 1, 2002:

(i) that is not EOR oil and:

(A) that is produced from an oil well or gas well with a finished drilling date on or after October 1, 2002;

(B) that is incremental waterflood oil respecting an approved waterflood project that commenced operation on or after October 1, 2002; or

(ii) that is approved by the minister from time to time as fourth tier oil for the purposes of these regulations”;

**(b) in clause (l) by striking out “on or after January 1, 1994,”;****(c) in subclause (n)(i):**

**(i) in the portion preceding paragraph (A) by striking out “EOR oil or third tier oil” and substituting “third tier oil, fourth tier oil or EOR oil”; and**

**(ii) in paragraph (C) by adding “and before October 1, 2002” after “April 1, 1991”;**

**(d) in clause (q) by striking out “third tier oil or EOR oil” and substituting “third tier oil, fourth tier oil or EOR oil”;****(e) in clause (v):**

**(i) in paragraph(i)(B) by adding “and before October 1, 2002” after “February 9, 1998”; and**

**(ii) in subclause (ii) by adding “other than fourth tier oil and fourth tier gas” after “gas”; and**

**(f) in subclause (x)(i):**

**(i) in the portion that precedes paragraph (A) by adding “fourth tier oil or” before “EOR oil”;**

**(ii) in paragraph (A) by adding “and before October 1, 2002” after “January 1, 1994”; and**

**(iii) in paragraph (B) by adding “and before October 1, 2002” after “January 1, 1994”.**

**Section 6.2 amended**

**4 Subsection 6.2(1) is amended by striking out “between the end of the month in which this section comes into force and March 31, 2005” and substituting “between November 30, 1999 and March 31, 2007”.**

**Section 9 amended****5 Section 9 is amended:****(a) by repealing clause (a) and substituting the following:**

“(a) ‘**C**’ means a factor determined in accordance with the following formula and rounded to the nearest ten-thousandth:

$$C = \frac{K}{247.48} ;$$

“(a.1) ‘**D**’ means a factor determined in accordance with the following formula and rounded to the nearest hundredth:

$$D = \frac{K}{9.90} ;$$

“(a.2) ‘**HOP**’ means the average heavy oil well-head price, expressed in dollars per cubic metre rounded to the nearest dollar, as estimated and set by the minister for a month in accordance with section 10”;

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

“(b) ‘**K**’ means a factor determined in accordance with the following formulas and rounded to the nearest hundredth:

(i) for heavy oil that is also new oil:

$$K = 13.0 + \left[ 19.5 \times \left( \frac{HOP - 50}{HOP} \right) \right]$$

where  $(HOP - 50)$  is deemed to be zero if  $HOP$  is less than 50;

(ii) for heavy oil that is also third tier oil:

$$K = 13.0 + \left[ 19.5 \times \left( \frac{HOP - 100}{HOP} \right) \right]$$

where  $(HOP - 100)$  is deemed to be zero if  $HOP$  is less than 100;



(iii) for heavy oil that is also fourth tier oil:

$$K = 7.14 + \left[ 35.71 \times \left( \frac{HOP - 100}{HOP} \right) \right]$$

where  $(HOP - 100)$  is deemed to be zero if  $HOP$  is less than 100;

(iv) for non-heavy oil that is not southwest designated oil and that is also old oil:

$$K = 26.0 + \left[ 32.5 \times \left( \frac{NOP - 50}{NOP} \right) \right]$$

where  $(NOP - 50)$  is deemed to be zero if  $NOP$  is less than 50;

(v) for non-heavy oil that is not southwest designated oil and that is also new oil:

$$K = 19.5 + \left[ 26.0 \times \left( \frac{NOP - 50}{NOP} \right) \right]$$

where  $(NOP - 50)$  is deemed to be zero if  $NOP$  is less than 50;

(vi) for non-heavy oil that is not southwest designated oil and that is also third tier oil:

$$K = 19.5 + \left[ 26.0 \times \left( \frac{NOP - 100}{NOP} \right) \right]$$

where  $(NOP - 100)$  is deemed to be zero if  $NOP$  is less than 100;

(vii) for non-heavy oil that is not southwest designated oil and that is also fourth tier oil:

$$K = 7.14 + \left[ 35.71 \times \left( \frac{NOP - 100}{NOP} \right) \right]$$

where  $(NOP - 100)$  is deemed to be zero if  $NOP$  is less than 100;

(viii) for southwest designated oil that is also new oil:

$$K = 16.25 + \left[ 29.25 \times \left( \frac{SOP - 50}{SOP} \right) \right]$$

where  $(SOP - 50)$  is deemed to be zero if  $SOP$  is less than 50;

(ix) for southwest designated oil that is also third tier oil:

$$K = 16.25 + \left[ 29.25 \times \left( \frac{SOP - 100}{SOP} \right) \right]$$

where  $(SOP - 100)$  is deemed to be zero if  $SOP$  is less than 100;

- (x) for southwest designated oil that is also fourth tier oil:

$$K = 7.14 + \left[ 35.71 \times \left( \frac{SOP - 100}{SOP} \right) \right]$$

where  $(SOP - 100)$  is deemed to be zero if  $SOP$  is less than 100”;

**(c) by repealing paragraphs (e)(ii)(A) and (B) and substituting the following:**

“(A) 6.9 for old oil;

“(B) 10.0 for new oil and third tier oil; and

“(C) 12.5 for fourth tier oil”; **and**

**(d) by repealing clause (f) and substituting the following:**

“(f) **‘X’** means a factor determined in accordance with the following formulas and rounded to the nearest whole number:

- (i) for old oil, new oil and third tier oil:

$$X = K \times 23.08;$$

- (ii) for fourth tier oil;

$$X = K \times 75 ”.$$

Section 10 amended

**6 Subsection 10(2) is repealed.**

Section 12 amended

**7 Section 12 is amended:**

**(a) by striking out the portion preceding clause (a) and substituting the following:**

“The tax imposed by section 3 of the Act and the payments to be made respecting old oil, new oil, third tier oil or fourth tier oil that is produced from or allocated to any freehold lands on or after October 1, 2002 are to be determined for each oil well or gas well, for each month, by:”; **and**

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

“(a) calculating the appropriate tax rate, expressed as a percentage, respecting each category of oil produced from the well for the month, which, subject to Part III, is to be the greater of nil or the rate determined in accordance with the following table:

Classification of Oil	Monthly Oil Production in Cubic Metres	Freehold Production Tax Rate expressed as a percentage of Total Monthly Production
<b>Fourth Tier Oil</b>	0 – 25.0	0
	25.1 – 136.2	$((C \times MOP) - D) - PTF$
	Over 136.2	$\left(K - \frac{X}{MOP}\right) - PTF$
<b>Third Tier Gas, New Oil and Old Oil</b>	Any amount	$\left(\left(K - \frac{X}{MOP}\right) - SRC\right) - PTF$

”.

## Section 15 amended

**8 Section 15 is amended:****(a) by repealing clause (a) and substituting the following:**

“(a) ‘deep development vertical oil well’ means:

(i) a vertical oil well that is also a deep oil well and not an exploratory vertical oil well and that:

(A) has a finished drilling date on or after October 1, 2002 and has not had its wellbore, or any portion of its wellbore, utilized for any purpose; or

(B) produces oil from a zone that:

(I) is within the section of its wellbore that was deepened on or after October 1, 2002 and the section, or portion of the section, has not been utilized for any purpose; and

(II) was not previously part of the wellbore before it was deepened; or

(ii) a vertical oil well with a finished drilling date on or after October 1, 2002 that is approved by the minister as a deep development vertical oil well;

“(a.1) **‘deep oil well’** means an oil well that is producing oil:

(i) from a zone:

(A) the upper limit of which, measured from the Kelly Bushing, is more than 1 700 metres in depth as determined in accordance with the records of the department, or any lesser depth the minister may approve; and

(B) within the Mississippian Period; or

(ii) from a zone that was deposited before the Bakken zone, regardless of the depth;

“(a.2) **‘exploratory vertical oil well’** means a vertical oil well with a finished drilling date on or after October 1, 2002:

(i) that has oil listed as the well objective on the well licence;

(ii) that has not had its wellbore, or any portion of its wellbore, utilized for any purpose since December 31, 1983;

(iii) that, at the time the well is licensed, is located in a drainage unit that has not contained an oil well that produced oil from the same zone; and

(iv) that first produces oil from the zone noted as the expected producing zone or formation on the well licence and:

(A) at the time the well is licensed, the inter oil well distance from the vertical oil well to any other oil well or oil well location is more than three kilometres; or

(B) produces oil from a zone within an older geological system than the oldest geological system in which:

(I) any other oil well is cased through or into, if, at the time the vertical oil well is licensed, the inter oil well distance from the other oil well to the vertical oil well is three kilometres or less;

(II) any other oil well is open-hole-completed into, if, at the time the vertical oil well is licensed, the inter oil well distance from the other oil well to the vertical oil well is three kilometres or less; or

(III) any other oil well location is licensed through or into, if, at the time the vertical oil well is licensed, the inter oil well distance from the other oil well location to the vertical oil well is three kilometres or less;

or a vertical oil well with a finished drilling date on or after October 1, 2002 that is approved by the minister as an exploratory vertical oil well”;

**(b) by repealing clause (g);**

**(c) by repealing clause (h);**

- (d) by repealing clause (i);
- (e) by repealing clause (k); and
- (f) by repealing clause (l).

**Section 16 amended**

- 9 Clauses 16(a) and (b) are repealed.**

**Section 17 repealed**

- 10 Section 17 is repealed.**

**New section 18**

- 11 Section 18 is repealed and the following substituted:**

**“Maximum 2.5% fourth tier incentive**

**18** For the purposes of determining the appropriate tax share pursuant to clause 12(b), the appropriate tax rate is the lesser of the fourth tier oil tax rate calculated pursuant to clause 12(a) and the amount, if any, by which 2.5% exceeds the PTF, for the portion of oil produced from or allocated to freehold lands that is included in:

- (a) the first 4 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a non-deep oil well that is also an exploratory vertical oil well;
- (b) the first 6 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a non-deep oil well that is also a horizontal oil well;
- (c) the first 8 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a deep development vertical oil well; or
- (d) the first 16 000 cubic metres of fourth tier oil that is not incremental waterflood oil and that is produced from a deep oil well that is also:
  - (i) an exploratory vertical oil well; or
  - (ii) a horizontal oil well”.

**Section 19 amended**

- 12(1) Subsection 19(1) is amended:**

- (a) by striking out “February 9, 1998” and substituting “October 1, 2002”; and
- (b) by striking out “section 16, 17 or 18” and substituting “section 18”.

- (2) Subsection 19(2) is amended:**

- (a) in the portion preceding clause (a) by striking out “section 16 or 18” and substituting “section 18”; and
- (b) by repealing clause (a) and substituting the following:

“(a) the taxpayer has requested that the minister approve the oil well as a horizontal oil well pursuant to clause 2(i), a deep development vertical oil well pursuant to clause 15(a) or an exploratory vertical oil well pursuant to clause 15(a.2); or”;

**(3) Subsection 19(3) is amended in the portion preceding clause (a) by striking out “section 16, 17 or 18” and substituting “section 18”.**

**(4) Subsection 19(4) is repealed.**

**(5) Subsection 19(5) is repealed.**

**(6) Subsection 19(6) is repealed.**

**(7) Subsection 19(7) is repealed.**

**Section 20 amended**

**13 Section 20 is amended:**

**(a) in the portion preceding clause (a) by adding “the well completion information or” after “Where the department has received”;**

**(b) in clause (a) by striking out “qualifying development oil well or a qualifying exploratory oil well” and substituting “deep development vertical oil well or an exploratory vertical oil well”;**

**(c) in clause (b) by striking out “qualifying development oil well or a qualifying exploratory oil well” and substituting “deep development vertical oil well or an exploratory vertical oil well”; and**

**(d) in clause (b) by adding “well completion information,” after “the department received the”.**

**Section 21 amended**

**14 Section 21 is amended in the portion preceding clause (a):**

**(a) by striking out “a qualifying development oil well or a qualifying exploratory oil well” and substituting “an exploratory vertical oil well”; and**

**(b) by striking out “clause 15(g) or (h)” and substituting “clause 15(a.2)”.**

**Section 41 amended**

**15 Section 41 is amended:**

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

**“(a.1) ‘C<sub>g</sub>’ means a factor determined in accordance with the following formulas and rounded to the nearest ten-thousandth:**

**(i) for old gas, new gas and third tier gas:**

$$C_g = \frac{K_g}{230.76};$$

**(ii) for fourth tier gas:**

$$C_g = \frac{K_g}{205.76};$$

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

“(c.1) ‘ $D_g$ ’ means a factor determined in accordance with the following formula and rounded to the nearest hundredth:

$$D_g = \frac{K_g}{8.23} ”;$$

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

“(d.1) ‘**fourth tier gas**’ means all gas produced on or after October 1, 2002:

- (i) from a gas well with a finished drilling date on or after October 1, 2002;
- (ii) from an oil well with a finished drilling date on or after October 1, 2002;
- (iii) from an oil well with a finished drilling date before October 1, 2002, where:
  - (A) the gas-oil-ratio for the month is greater than or equal to 3 500 cubic metres of gas per cubic metre of oil; and
  - (B) the gas has not been approved as third tier gas or new gas; or
- (iv) that is approved by the minister from time to time as fourth tier gas for the purposes of these regulations”;

**(d) by repealing clause (f);****(e) by repealing clause (g) and substituting the following:**

“(g) ‘ $K_g$ ’ means a factor determined in accordance with the following formulas and rounded to the nearest hundredth:

- (i) for old gas:

$$K_g = 26.0 + \left[ 32.5 \times \left( \frac{PGP - 35}{PGP} \right) \right]$$

where  $(PGP - 35)$  is deemed to be zero if PGP is less than 35;

- (ii) for new gas:

$$K_g = 19.5 + \left[ 26.0 \times \left( \frac{PGP - 35}{PGP} \right) \right]$$

where  $(PGP - 35)$  is deemed to be zero if PGP is less than 35;

- (iii) for third tier gas:

$$K_g = 19.5 + \left[ 26.0 \times \left( \frac{PGP - 50}{PGP} \right) \right]$$

where  $(PGP - 50)$  is deemed to be zero if PGP is less than 50;

(iv) for fourth tier gas:

$$K_g = 6.75 + \left[ 33.73 \times \left( \frac{PGP - 50}{PGP} \right) \right]$$

where  $(PGP - 50)$  is deemed to be zero if  $PGP$  is less than 50”;

**(f) in the portion that precedes subclause (i) in clause (i) by adding “or fourth tier gas” after “third tier gas”;**

**(g) in clause (j) by striking out “new gas or third tier gas” and substituting “new gas, third tier gas or fourth tier gas”;**

**(h) by repealing paragraphs (k)(ii)(A) and (B) and substituting the following:**

“(A) 6.9 for old gas;

“(B) 10.0 for new gas and third tier gas; and

“(C) 12.5 for fourth tier gas”;

**(i) by repealing subclause (k.01)(i) and substituting:**

“(i) that is not fourth tier gas and that is produced from a gas well with a finished drilling date on or after February 9, 1998 and before October 1, 2002”; and

**(j) by repealing clause (l) and substituting the following:**

“(l) ‘ $X_g$ ’ means a factor determined in accordance with the following formulas and rounded to the nearest whole number:

(i) for old gas, new gas and third tier gas:

$$X_g = K_g \times 57.69 ;$$

(ii) for fourth tier gas:

$$X_g = K_g \times 64.7 ”.$$

Section 43.2 amended

**16 Clause 43.2(1)(d) is repealed and the following substituted:**

“(d) sales of gas:

(i) produced from oil wells where the point of sale occurs upstream of the fieldgate; and

(ii) exempt from royalties pursuant to section 46”.



## Section 44 amended

**17 Section 44 is amended:**

(a) by striking out the portion preceding clause (a) and substituting the following:

“The tax imposed by section 3 of the Act and the payments to be made respecting old gas, new gas, third tier gas or fourth tier gas that is produced from or allocated to any freehold lands on or after October 1, 2002 are to be determined for each oil well or gas well, for each month, by:”;

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

“(a) calculating the appropriate tax rate, expressed as a percentage, respecting each category of gas produced from the well for the month, which, subject to Part VI, is to be the greater of nil or the rate determined in accordance with the following table:

Classification of Gas	Monthly Gas Production in Thousands of Cubic Metres	Freehold Production Tax Rate expressed as a percentage of Total Monthly Production
<b>Fourth Tier Gas Produced from Gas Wells</b>	0 – 25.0	0
	25.1 – 115.4	$((C_g \times MGP) - D_g) - PTF_g$
	Over 115.4	$\left(K_g - \frac{X_g}{MGP}\right) - PTF_g$
<b>Fourth Tier Gas Produced from Oil Wells</b>	0 – 64.7	0
	Over 64.7	$\left(K_g - \frac{X_g}{MGP}\right) - PTF_g$
<b>Third Tier Gas, New Gas and Old Gas</b>	0 – 115.4	$((C_g \times MGP) - SRC) - PTF_g$
	Over 115.4	$\left(\left(K_g - \frac{X_g}{MGP}\right) - SRC\right) - PTF_g$

”.

## New section 46

**18 Section 46 is repealed and the following substituted:**

“Gas from oil wells exempt from taxes

**46** No tax shall be calculated or paid respecting gas produced from an oil well unless:

(a) the gas:

(i) is fourth tier gas as defined in clause 41(d.1); and

(ii) is gathered for use or sale; or

(b) the minister has approved the gas as new gas pursuant to subclause 41(i)(iii) or third tier gas pursuant to subclause 41(k.01)(ii) in cases where an order pursuant to *The Oil and Gas Conservation Act* has been issued before October 1, 2002 that allows for oil and gas to be produced concurrently from the oil well”.

**Section 47 amended**

**19 Clause 47(b) is amended:**

(a) in the portion preceding subclause (i) by striking out “February 9, 1998” and substituting “October 1, 2002”; and

(b) in the portion following subparagraph (iv)(B)(III) by striking out “February 9, 1998” and substituting “October 1, 2002”.

**New section 48**

**20 Section 48 is repealed and the following substituted:**

**“Exploratory gas production tax incentive**

**48** For the purposes of determining the appropriate tax share pursuant to clause 44(b), the appropriate tax rate is the lesser of the fourth tier gas tax rate calculated pursuant to clause 44(a) and the amount, if any, by which 2.5% exceeds the  $PTF_g$  for the portion of gas produced from or allocated to freehold lands that is included in the first 25 million cubic metres of fourth tier gas produced from a qualifying exploratory gas well”.

**Section 50 amended**

**21 Section 50 is amended:**

(a) in the portion preceding clause (a) by adding “the well completion information or” after “Where the department has received”; and

(b) in clause (b) by adding “well completion information,” after “the department received the”.

**New section 64.1**

**22 The following section is added after section 64:**

**“Forms prescribed**

**64.1(1)** The certificate set out in Form A of the Appendix is prescribed for the purposes of clause 10.1(1)(a) of the Act.

(2) The notice of intention set out in Form B of the Appendix is prescribed for the purposes of subsection 10.2(2) of the Act.

(3) The third-party demand set out in Form C of the Appendix is prescribed for the purposes of subsection 10.2(3) of the Act”.

**Section 65 repealed**

**23 Section 65 is repealed.**

**New Appendix****24 The following Appendix is added after section 66:****“Appendix****“FORM A***[Subsection 64.1(1)]***CERTIFICATE**

Pursuant to clause 10.1(1)(a) of *The Freehold Oil and Gas Production Tax Act*, I hereby certify that \_\_\_\_\_

*(name of taxpayer)*

owes the sum of \$ \_\_\_\_\_ to the Crown pursuant to *The Freehold Oil and Gas Production Tax Act* and that the amount has remained unpaid for at least 30 days since it became owing and is determined as follows:

*[Here specify the amount of tax owing, including any penalty or interest owing with respect to that amount and the property and period in relation to which the amounts are due.]*

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Minister of Industry and Resources

No. \_\_\_\_\_ filed with the Local Registrar  
at the Judicial Centre of \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Local Registrar

**“FORM B**  
*[Subsection 64.1(2)]*  
**NOTICE OF INTENTION**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Name and address of person named in Certificate)*

**TAKE NOTICE THAT:**

1. A Certificate pursuant to clause 10.1(1)(a) of *The Freehold Oil and Gas Production Tax Act* has been filed with the Local Registrar in the Court of Queen's Bench for the Judicial Centre of \_\_\_\_\_ ,  
a copy of which is attached to this notice.
2. The Certificate has the same force and effect as if it were a judgment obtained in the Court of Queen's Bench for the recovery of the sum in the amount specified in the Certificate, together with any reasonable costs and charges respecting its filing.
3. The minister intends to serve a demand for payment on \_\_\_\_\_  
*(Third Party)*requiring that all or any part of the money payable by the Third Party to you be paid to the minister immediately on it becoming payable.

DATED at \_\_\_\_\_ , Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_ , 20 \_\_\_\_ .

\_\_\_\_\_  
Minister of Industry and Resources

“FORM C  
[Subsection 64.1(3)]  
**THIRD-PARTY DEMAND**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name and address of Third Party)

RE: \_\_\_\_\_ (the “taxpayer”)  
\_\_\_\_\_  
(Name of person named in the Certificate)

**TAKE NOTICE THAT:**

1. Pursuant to clause 10.1(1)(a) of *The Freehold Oil and Gas Production Tax Act*, a Certificate has been filed with the Local Registrar of the court of Queen’s Bench for the Judicial Centre of \_\_\_\_\_ certifying that the taxpayer owes the Crown certain amounts as payment of taxes, penalties or interest pursuant to *The Freehold Oil and Gas Production Tax Act* in the amount of \$ \_\_\_\_\_.

A Certificate has the same force and effect as if it were a judgment obtained in the Court of Queen’s Bench for the recovery of a sum in the amount specified in the Certificate, together with any reasonable costs and charges respecting its filing.

2. It is believed that you are, or are about to become, indebted to or liable to pay money to \_\_\_\_\_, the taxpayer, being the person named in the Certificate.
3. Pursuant to section 10.2 of *The Freehold Oil and Gas Production Tax Act*, you are directed to pay to the Minister of Industry and Resources the lesser of:
  - (a) \$ \_\_\_\_\_; and
  - (b) all of the moneys owing by you to the taxpayer.

If, at the time of receipt of this third-party demand, you are not indebted to the taxpayer, then as soon as you become indebted to the taxpayer, you must pay to the minister the amount of the indebtedness until the sum specified is fully paid and satisfied.

4. Unless revoked by the minister, this third-party demand remains in force for six months after the day on which it was served.
5. Payment to the minister for money received pursuant to this third-party demand discharges your liability to the taxpayer to the extent of the amount paid.
6. If you fail to honour this third-party demand or should you discharge your obligation to the taxpayer contrary to this direction, you will be held liable to the Crown to the extent of the lesser of:
  - (a) the amount of liability discharged to the taxpayer; and
  - (b) the amount specified in the third-party demand.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Minister of Industry and Resources”.

**Coming into force**

**25** These regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from October 1, 2002.

**SASKATCHEWAN  
REGULATIONS 98/2003**

*The Alcohol and Gaming  
Regulation Act, 1997*

**RÈGLEMENT DE LA  
SASKATCHEWAN 98/2003**

*Loi de 1997 sur la  
réglementation des boissons  
alcoolisées et des  
jeux de hasard*

**SASKATCHEWAN REGULATIONS 98/2003***The Alcohol and Gaming Regulation Act, 1997*

Section 185

Order in Council 734/2003, dated September 16, 2003

(Filed September 17, 2003)

**Title**

**1** These regulations may be cited as *The Alcohol Control Amendment Regulations, 2003*.

**R.R.S. c.A-18.011 Reg 1, new section 60**

**2** Section 60 of *The Alcohol Control Regulations, 2002* is repealed and the following substituted:

**“Debit card or credit card may be accepted**

**60** Payment by debit card or credit card may be accepted in any sale of beverage alcohol pursuant to subsection 93(2) or (3) of the Act”.

**Coming into force**

**3(1)** Subject to subsection (2), these regulations come into force on September 22, 2003.

(2) If these regulations are filed with the Registrar of Regulations after September 22, 2003, these regulations come into force on the day on which they are filed with the Registrar of Regulations.



## RÈGLEMENT DE LA SASKATCHEWAN 98/2003

### *Loi de 1997 sur la réglementation des boissons alcoolisées et des jeux de hasard*

Article 185

Décret 734/2003, en date du 16 septembre 2003

(déposé le 17 septembre 2003)

#### Titre

**1** *Règlement de 2003 modifiant le Règlement de 2002 portant réglementation des boissons alcoolisées.*

#### Nouvel article 60 du Règl. 1, ch. A-18.011 des R.R.S.

**2** *L'article 60 du Règlement de 2002 portant réglementation des boissons alcoolisées est abrogé et remplacé par ce qui suit :*

#### « Usage de cartes de débit ou de cartes de crédit

**60** Le paiement au moyen de cartes de débit ou de cartes de crédit est autorisé dans le cas de boissons alcoolisées vendues en vertu du paragraphe 93(2) ou (3) de la Loi ».

#### Entrée en vigueur

**3(1)** Sous réserve du paragraphe (2), le présent règlement entre en vigueur le 22 septembre 2003.

(2) S'il est déposé auprès du registraire des règlements après le 22 septembre 2003, le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements.

**SASKATCHEWAN REGULATIONS 99/2003***The Highway Traffic Act*

Sections 42 and 119

Order in Council 735/2003, dated September 16, 2003

(Filed September 17, 2003)

**Title**

**1** These regulations may be cited as *The School Bus Operating Amendment Regulations, 2003*.

**R.R.S. c.H-3.1 Reg 5 amended**

**2** *The School Bus Operating Regulations, 1987* are amended in the manner set forth in these regulations.

**Section 3 amended****3 Section 3 is amended:****(a) by repealing clause (c) and substituting the following:**

“(c) leave a bus that contains passengers unless:

(i) the bus has an interlock ignition system or a device that prevents the bus from being moved or operated by anyone other than the driver and the driver has activated that system or device; or

(ii) the driver has turned off the engine of the bus, removed the ignition key and engaged the parking brake”;

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

“(e) operate the bus unless all passengers are seated in a seat designed for the purposes of transporting passengers”.

**Section 4 amended****4 The following clause is added after clause 4(a):**

“(a.1) on and after September 4, 2004, activate the strobe lights on the bus any time the driver is transporting passengers outside a city, town or village”.

**New section 4.1****5 The following section is added after section 4:****“Driver to notify employer of certain matters**

**4.1** No driver shall fail to promptly notify the school board, municipality or person who employs or has engaged the driver to drive a bus of any of the following:

(a) any conviction against the driver pursuant to:

(i) *The Alcohol and Gaming Regulation Act, 1997* respecting the operation a motor vehicle;

(ii) the *Criminal Code* (Canada);

(iii) *The Highway Traffic Act*;

(iv) *The Vehicle Administration Act*; or

(v) any regulation made pursuant to any of the Acts mentioned in subclauses (i) to (iv);

(b) any suspensions or revocations of the driver's licence, a refusal by the administrator designated pursuant to *The Vehicle Administration Act* to issue a licence to the driver or a licence restriction imposed on the driver by the administrator designated pursuant to *The Vehicle Administration Act*; or

(c) any medical condition that in the opinion of the driver's physician or health care provider could have an impact on the driver's ability to safely operate a bus".

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 100/2003**

*The Vehicle Administration Act*

Section 97

Order in Council 736/2003, dated September 16, 2003

(Filed September 17, 2003)

**Title**

**1** These regulations may be cited as *The Vehicle Equipment Amendment Regulations, 2003*.

**R.R.S. c.V-2.1 Reg 10, new section 37.1**

**2** The following section is added after section 37 of *The Vehicle Equipment Regulations, 1987*:

**"Strobe lights required for Type A-3 vehicles**

**37.1** On and after September 4, 2004, every type A-3 vehicle that operates outside a city, town or village must have a strobe lamp that meets the following criteria:

- (a) it is mounted at the rear and on the roof of the type A-3 vehicle so that it is visible from all directions;
- (b) it is white in colour;
- (c) it complies with SAE standard J1318, entitled 'Gaseous Discharge Warning Lamp for Authorized Emergency, Maintenance, and Service Vehicles';
- (d) it has a minimum rating of 10 joules;
- (e) it is marked 'SAE W2' and meets that standard".

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 101/2003***The Apprenticeship and Trade Certification Act, 1999*

## Section 54

Order in Council 737/2003, dated September 16, 2003

(Filed September 17, 2003)

**Title**

**1** These regulations may be cited as *The Apprenticeship and Trade Certification Repeal Regulations*.

**R.R.S. c.A-22.1 Reg 1 repealed**

**2** *The Apprenticeship and Trade Certification Regulations* are repealed.

**Coming into force**

**3(1)** Subject to subsection (2), these regulations come into force on the day on which *The Apprenticeship and Trade Certification Commission Regulations* come into force.

(2) If *The Apprenticeship and Trade Certification Commission Regulations* come into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.