



# The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER

## PART II/PARTIE II

Volume 99

REGINA, FRIDAY, OCTOBER 17, 2003/REGINA, VENDREDI, 17 OCTOBRE 2003

No. 42/n° 42

## PART II/PARTIE II

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

#### TABLE OF CONTENTS/TABLE DES MATIÈRES

A-8.1 Reg 5	<i>The BSE Livestock Loan Guarantee Program Regulations .....</i>	1243
A-15.2 Reg 8	<i>The Saskatchewan Mustard Development Plan Regulations .....</i>	1252
A-22.2 Reg 4	<i>The Apprenticeship and Trade Certification Commission Regulations .....</i>	1265
D-24.1 Reg 15	<i>The Municipal Transit Assistance for People with Disabilities Regulations, 2003 .....</i>	1330
F-8.001 Reg 26	<i>The Individual Cattle Feeder Loan Guarantee Regulations .....</i>	1337
M-23.2 Reg 5	<i>The Saskatchewan Municipal Board Member Qualification Regulations, 2003 .</i>	1348
R-1.2 Reg 1	<i>The Final Offer Arbitration (Railway) Regulations .....</i>	1349
S-26 Reg 8	<i>The Saskatchewan Insurance Regulations, 2003 .....</i>	1353
SR 102/2003	<i>The Canada Saskatchewan BSE Recovery Program (No. 2) Amendment Regulations, 2003 .....</i>	1359
SR 103/2003	<i>The Cattle Breeder Associations Loan Guarantee Amendment Regulations, 2003 (No. 2) .....</i>	1372
SR 104/2003	<i>The Cattle Feeder Associations Loan Guarantee Amendment Regulations, 2003 (No. 2) .....</i>	1372
SR 105/2003	<i>The Sheep Breeder Associations Loan Guarantee Amendment Regulations, 2003 .....</i>	1373
SR 106/2003	<i>The Sheep Feeder Associations Loan Guarantee Amendment Regulations, 2003 .....</i>	1375
SR 107/2003	<i>The Saskatchewan Human Rights Code Amendment Regulations, 2003 .....</i>	1376
SR 108/2003	<i>The Saskatchewan Medical Care Insurance Payment Amendment Regulations, 2003 (No. 4) .....</i>	1378
SR 109/2003	<i>The Crown Corporations Amendment Regulations, 2003 (No. 2) .....</i>	1379
SR 110/2003	<i>The Northern Economic Development Amendment Regulations, 2003 .....</i>	1380
SR 111/2003	<i>Driver Licensing and Suspension Amendment Regulations, 2003 (No. 2) .....</i>	1382
SR 112/2003	<i>The Security of Loads Amendment Regulations, 2003 .....</i>	1388
SR 113/2003	<i>The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003 .....</i>	1389
SR 115/2003	<i>The Potash Production Tax Amendment Regulations, 2003 .....</i>	1399
SR 118/2003	<i>The Transitional Employment Allowance Amendment Regulations, 2003 .....</i>	1413

# Revised Regulations of Saskatchewan/ Règlements Révisés de la Saskatchewan 2003

## September 5, 2003

<i>The Rural Municipalities Revenue Sharing Regulations, 2003</i> .....	M-32.1 Reg 12
<i>The Passenger and Freight Elevator Regulations, 2003</i> .....	P-4 Reg 2
<i>The Saskatchewan Protective Services Medal Regulations</i> .....	P-30.2 Reg 1
<i>The Securities Commission (Adoption of National Instruments)</i> <i>Amendment Regulations, 2003 (No.4)</i> .....	SR 85/2003
<i>The Milk Control Amendment Regulations, 2003 (No. 8)</i> .....	SR 86/2003
<i>The Agricultural Implements Amendment Regulations, 2003</i> .....	SR 87/2003
<i>The Disease Control Amendment Regulations, 2003</i> .....	SR 88/2003
<i>The Personal Care Homes Amendment Regulations, 2003</i> .....	SR 89/2003
<i>The Employment Program Amendment Regulations, 2003</i> .....	SR 90/2003
<i>The Wildlife Habitat Lands Designation Amendment Regulations, 2003</i> .....	SR 91/2003
<i>The Northern Revenue Sharing Grants Amendment Regulations, 2003</i> .....	SR 92/2003

## September 12, 2003

<i>The Crown Corporations Amendment Regulations, 2003</i> .....	SR 93/2003
---	------------

## September 26, 2003

<i>The Training Programs Regulations</i> .....	D-22.01 Reg 1
<i>The Sask911 Fees Regulations, 2003</i> .....	S-34 Reg 5
<i>The Securities Commission (Adoption of National Instruments)</i> <i>Amendment Regulations, 2003 (No. 5)</i> .....	SR 94/2003
<i>The Milk Control Amendment Regulations, 2003 (No. 9)</i> .....	SR 95/2003
<i>The Crown Oil and Gas Royalty Amendment Regulations, 2003</i> .....	SR 96/2003
<i>The Freehold Oil and Gas Production Tax Amendment Regulations, 2003</i> .....	SR 97/2003
<i>The Alcohol Control Amendment Regulations, 2003/Règlement de 2003</i> <i>modifiant le Règlement de 2002 portant réglementation des boissons alcoolisées</i> .....	SR 98/2003/ RS 98/2003
<i>The School Bus Operating Amendment Regulations, 2003</i> .....	SR 99/2003
<i>The Vehicle Equipment Amendment Regulations, 2003</i> .....	SR 100/2003
<i>The Apprenticeship and Trade Certification Repeal Regulations</i> .....	SR 101/2003

## October 17, 2003

<i>The BSE Livestock Loan Guarantee Program Regulations</i> .....	A-8.1 Reg 5
<i>The Saskatchewan Mustard Development Plan Regulations</i> .....	A-15.2 Reg 8
<i>The Apprenticeship and Trade Certification Commission Regulations</i> .....	A-22.2 Reg 4
<i>The Municipal Transit Assistance for People with Disabilities Regulations, 2003</i> .....	D-24.1 Reg 15
<i>The Individual Cattle Feeder Loan Guarantee Regulations</i> .....	F-8.001 Reg 26
<i>The Saskatchewan Municipal Board Member Qualification Regulations, 2003</i> .....	M-23.2 Reg 5
<i>The Final Offer Arbitration (Railway) Regulations</i> .....	R-1.2 Reg 1
<i>The Saskatchewan Insurance Regulations, 2003</i> .....	S-26 Reg 8
<i>The Canada Saskatchewan BSE Recovery Program (No. 2) Amendment Regulations, 2003</i> .....	SR 102/2003
<i>The Cattle Breeder Associations Loan Guarantee Amendment Regulations, 2003 (No. 2)</i> .....	SR 103/2003
<i>The Cattle Feeder Associations Loan Guarantee Amendment Regulations, 2003 (No. 2)</i> .....	SR 104/2003
<i>The Sheep Breeder Associations Loan Guarantee Amendment Regulations, 2003</i> .....	SR 105/2003
<i>The Sheep Feeder Associations Loan Guarantee Amendment Regulations, 2003</i> .....	SR 106/2003
<i>The Saskatchewan Human Rights Code Amendment Regulations, 2003</i> .....	SR 107/2003
<i>The Saskatchewan Medical Care Insurance Payment Amendment</i> <i>Regulations, 2003 (No.4)</i> .....	SR 108/2003
<i>The Crown Corporations Amendment Regulations, 2003 (No. 2)</i> .....	SR 109/2003
<i>The Northern Economic Development Amendment Regulations, 2003</i> .....	SR 110/2003
<i>Driver Licensing and Suspension Amendment Regulations, 2003 (No. 2)</i> .....	SR 111/2003
<i>The Security of Loads Amendment Regulations, 2003</i> .....	SR 112/2003
<i>The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003</i> .....	SR 113/2003
<i>The Potash Production Tax Amendment Regulations, 2003</i> .....	SR 115/2003
<i>The Transitional Employment Allowance Amendment Regulations, 2003</i> .....	SR 118/2003

---

## REVISED REGULATIONS OF SASKATCHEWAN

---

### CHAPTER A-8.1 REG 5

#### *The Agricultural Credit Corporation of Saskatchewan Act*

##### Section 26

Order in Council 785/2003, dated October 3, 2003

(Filed October 3, 2003)

#### Title

1 These regulations may be cited as *The BSE Livestock Loan Guarantee Program Regulations*.

#### Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Agricultural Credit Corporation of Saskatchewan Act*;
- (b) “**approved loan**” means a loan approved by a lender pursuant to subsection 5(4);
- (c) “**breeder association**” means:
  - (i) a cattle breeder association within the meaning of *The Cattle Breeder Associations Loan Guarantee Regulations, 1991*; or
  - (ii) a sheep breeder association within the meaning of *The Sheep Breeder Associations Loan Guarantee Regulations*;
- (d) “**eligible livestock**” means livestock that are located in Saskatchewan and fall within the following categories:
  - (i) in the case of cattle:
    - (A) steers born in 2002 or earlier that, as of the date of the participant’s loan application, weigh less than 1,250 pounds;
    - (B) heifers born in 2002 or earlier that, as of the date of the participant’s loan application, weigh less than 1,200 pounds;
  - (ii) in the case of female livestock used for breeding purposes:
    - (A) cattle;
    - (B) sheep;
    - (C) bison;
    - (D) goats;
    - (E) elk;
    - (F) caribou;
    - (G) reindeer;
    - (H) mule deer;
    - (I) white-tailed deer;

- (J) fallow deer;
- (K) alpacas;
- (L) llamas;
- (iii) in the case of offspring of any livestock mentioned in subclause (ii):
  - (A) any offspring born on or after January 1, 2003 and before May 20, 2003; and
  - (B) offspring born on or after May 20, 2003 and before January 1, 2004 to a dam owned or leased by the participant as of May 20, 2003;
- (iv) in the case of males of any of the following species that are at least two years old and used for antler velvet production:
  - (A) elk;
  - (B) caribou;
  - (C) reindeer;
  - (D) white-tailed deer;
  - (E) mule deer;
- (e) **“eligible loan”** means a loan that meets the requirements set out in section 4;
- (f) **“entity”** means a corporation, co-operative, partnership or communal organization;
- (g) **“feeder association”** means:
  - (i) a cattle feeder association within the meaning of *The Cattle Feeder Associations Loan Guarantee Regulations, 1989*; or
  - (ii) an enhanced feeder association within the meaning of *The Enhanced Cattle Feeder Associations Loan Guarantee Regulations*;
- (h) **“Indian band”** means a band as defined in the *Indian Act* (Canada), and includes the council of a band;
- (i) **“participant”** means:
  - (i) an individual who:
    - (A) is 18 years of age or more;
    - (B) either:
      - (I) can provide evidence satisfactory to the minister of Saskatchewan residency; or

- 
- (II) maintains, grows or finishes eligible livestock in Saskatchewan, resides outside Saskatchewan and files an income tax return respecting farm income in Saskatchewan; and
- (C) maintains, grows or finishes eligible livestock in Saskatchewan and owns or leases the eligible livestock;
- (ii) an entity that:
- (A) has its head office in Saskatchewan and carries on business principally in Saskatchewan; and
- (B) maintains, grows or finishes eligible livestock in Saskatchewan and owns or leases the eligible livestock; or
- (iii) an Indian band that:
- (A) is situated in Saskatchewan; and
- (B) maintains, grows or finishes eligible livestock in Saskatchewan and owns or leases the eligible livestock;
- (j) **“prime rate of interest”** means:
- (i) in the case of a lender, the prime lending rate compounded monthly and expressed as an annual rate of interest that is charged by the lender on Canadian dollar commercial loans made in Canada to the lender’s most credit-worthy customers; or
- (ii) in the case of the corporation, the prime lending rate expressed as an annual rate of interest that is charged by the Bank of Montreal on Canadian dollar commercial loans made in Canada to the bank’s most credit-worthy customers.
- (2) For the purposes of these regulations, eligible livestock are deemed to be owned by a participant if the participant:
- (a) maintains, grows or finishes the eligible livestock for a feeder association or a breeder association; and
- (b) is a member of that feeder association or breeder association.
- (3) A participant, as defined in these regulations, is designated as a participant for the purposes of the Act and these regulations.
- (4) For the purposes of these regulations, **“lender”** includes:
- (a) any credit union or any branch of any credit union to which the *Credit Union Act* (Alberta) applies; and
- (b) any credit union or caisse populaire or any branch of any credit union or caisse populaire to which *The Credit Unions and Caisses Populaires Act* (Manitoba) applies.

**BSE livestock loan guarantee program established**

3(1) The BSE livestock loan guarantee program is established.

(2) The purpose of the program is to assist participants, affected by the closure of the Canada-United States border to Saskatchewan livestock resulting from the discovery of a case of bovine spongiform encephalopathy, in obtaining eligible loans to maintain, grow or finish eligible livestock and, for that purpose, approved loans are deemed to be loans governed by sections 9 to 12 and 14 to 15.1 of the Act.

**Eligible loans**

4(1) A loan from a lender to a participant is an eligible loan for the purposes of these regulations if:

- (a) the participant provides evidence satisfactory to the corporation that the participant is able to obtain a loan from a lender for the participant's eligible livestock only if the loan is an eligible loan pursuant to these regulations;
- (b) the loan is made for the purpose of assisting or enabling the participant to maintain, grow or finish the participant's eligible livestock;
- (c) the maximum amount of the loan that the lender makes to the participant pursuant to these regulations does not exceed the applicable maximum amount set out in subsection (3);
- (d) the eligible livestock that are included in the participant's loan application have not been included by any participant in any previous loan application pursuant to these regulations;
- (e) the maximum annual interest rate to be charged by a lender to the participant pursuant to the loan is the lender's prime rate of interest; and
- (f) the participant declares:
  - (i) that he or she was maintaining, growing or finishing the eligible livestock included in the loan application as of May 20, 2003; and
  - (ii) with respect to any eligible livestock included in the loan application that are offspring mentioned in subclause 2(1)(d)(iii):
    - (A) that the offspring were born on or after January 1, 2003 and before May 20, 2003; or
    - (B) that the offspring were born on or after May 20, 2003 and before January 1, 2004 to a dam owned or leased by the participant as of May 20, 2003.

(2) The minimum amount of a loan for which a participant may apply pursuant to these regulations is \$1,000.

- (3) The maximum amount of a loan that a lender may make to a participant pursuant to these regulations is an amount equal to the sum of:
- (a) for steers and heifers described in subclause 2(1)(d)(i), the product of:
    - (i) \$200; and
    - (ii) the number of the participant's eligible livestock included in the loan application that are steers and heifers described in subclause 2(1)(d)(i);
  - (b) for cattle described in subclause 2(1)(d)(ii), the product of:
    - (i) \$80; and
    - (ii) the number of the participant's eligible livestock included in the loan application that are cattle described in subclause 2(1)(d)(ii);
  - (c) for bison, the product of:
    - (i) \$80; and
    - (ii) the number of the participant's eligible livestock included in the loan application that are bison;
  - (d) for elk, the product of:
    - (i) \$56; and
    - (ii) the number of the participant's eligible livestock included in the loan application that are elk;
  - (e) for caribou, reindeer, mule deer, white-tailed deer and fallow deer, the product of:
    - (i) \$20; and
    - (ii) the number of the participant's eligible livestock included in the loan application that are caribou, reindeer, mule deer, white-tailed deer and fallow deer;
  - (f) for sheep, goats, alpacas and llamas, the product of:
    - (i) \$16; and
    - (ii) the number of the participant's eligible livestock included in the loan application that are sheep, goats, alpacas and llamas;
  - (g) for the offspring of cattle and bison, the product of:
    - (i) \$60; and
    - (ii) the number of the participant's eligible livestock included in the loan application that are the offspring of cattle and bison;

- (h) for the offspring of elk, the product of:
  - (i) \$42; and
  - (ii) the number of the participant's eligible livestock included in the loan application that are the offspring of elk;
- (i) for the offspring of caribou, reindeer, mule deer, white-tailed deer and fallow deer, the product of:
  - (i) \$15; and
  - (ii) the number of the participant's eligible livestock included in the loan application that are the offspring of caribou, reindeer, mule deer, white-tailed deer and fallow deer; and
- (j) for the offspring of sheep, goats, alpacas and llamas, the product of:
  - (i) \$12; and
  - (ii) the number of the participant's eligible livestock included in the loan application that are the offspring of sheep, goats, alpacas and llamas.

**Loan application**

- 5(1) A participant who wishes to apply to a lender for an eligible loan must apply on the form supplied by the corporation or on a form that is substantially similar to that form.
- (2) Subject to subsection (3), a participant must apply to a lender for an eligible loan on or before the earlier of:
- (a) January 31, 2004; and
  - (b) the day determined by the minister pursuant to subsection 2(3) of *The Canada Saskatchewan BSE Recovery Program Regulations, 2003 (No. 2)* as the day on which the Canada-United States border is re-opened to the export of live cattle under 30 months of age from Saskatchewan to the United States.
- (3) A participant must:
- (a) complete the loan application, including the signing of any declarations that may be required;
  - (b) sign any loan agreement and security agreement that the corporation considers necessary to ensure the repayment of any eligible loan that may be made by the lender to the participant;
  - (c) provide the lender and the corporation with any other information that the corporation may require to consider the loan application;
  - (d) specify in the loan application the number and species of eligible livestock with respect to which the eligible loan is to be made;



- (e) declare in the loan application:
    - (i) that the participant was maintaining, growing or finishing the eligible livestock included in the loan application on or before May 20, 2003; and
    - (ii) with respect to any eligible livestock included in the loan application that are offspring mentioned in subclause 2(1)(d)(iii):
      - (A) that the offspring were born on or after January 1, 2003 and before May 20, 2003; or
      - (B) that the offspring were born on or after May 20, 2003 and before January 1, 2004 to a dam owned or leased by the participant as of May 20, 2003;
  - (f) specify in the loan application where the eligible livestock included in the loan application are located.
- (4) On approval by a lender of a loan application in accordance with this section, the lender shall provide to the corporation a copy of the loan application and any additional information or documents that the corporation requires to verify the terms, conditions and statements of the loan application.

**Eligibility for payment of loss of lender**

**6** On receipt of an approved loan application from a lender pursuant to subsection 5(4), the corporation may determine that, if the lender suffers a loss pursuant to subsection 9(1), the lender is eligible to receive payment from the corporation of the amount of the lender's loss, determined in accordance with subsection 9(6), if the corporation is satisfied that the lender has complied with these regulations and section 11 of the Act.

**Repayment**

- 7(1)** Every participant shall repay an approved loan made by a lender with interest and in instalments, beginning not less than six months and not more than one year after the date on which the approved loan was made to the participant.
- (2) A lender may establish the frequency of instalment payments on an approved loan made to a participant.
  - (3) Commencing on the date set for payment of the first instalment, a participant shall repay the principal amount of the participant's approved loan with interest:
    - (a) in instalments determined by the lender pursuant to subsection (2); and
    - (b) in an amount for each instalment that is equal to the sum of:
      - (i) the principal amount of the approved loan divided by the number of instalments to be made by January 31, 2008; and
      - (ii) the accrued interest on the approved loan that remains unpaid.

(4) Notwithstanding subsections (1) to (3), if a participant's eligible livestock included in a loan application are sold on or before December 31, 2004, the participant shall immediately repay an amount equal to the sum of:

- (a) the principal amount advanced on the eligible livestock that are sold; and
- (b) any accrued interest on the principal amount described in clause (a) that remains unpaid.

**Corporation's powers**

**8(1)** For the purposes of administering these regulations, the corporation may specify:

- (a) the terms and conditions pursuant to which an approved loan is subject; and
  - (b) the security that the lender is required to obtain for an approved loan.
- (2) The corporation shall notify the lender and the participant, in writing, of:
- (a) any terms and conditions specified by the corporation pursuant to clause (1)(a); and
  - (b) any security specified by the corporation pursuant to clause (1)(b).

**Payment of losses on an approved loan**

**9(1)** For the purposes of section 11 of the Act, if a participant defaults with respect to any payment of principal or interest due on an approved loan:

- (a) the principal remaining on the approved loan, together with accrued interest, becomes immediately due and payable to the lender; and
  - (b) on the date of the corporation's payment to the lender pursuant to this section, the lender is deemed to have suffered a loss.
- (2) Notwithstanding subsection (1), if a participant defaults with respect to any payment of principal or interest due on an approved loan, the lender, at the lender's sole option, may elect from time to time not to have the principal remaining on the approved loan, together with accrued interest, become immediately due and payable, and, in that event, the lender is not deemed to have suffered a loss pursuant to subsection (1).
- (3) A lender is not deemed to have suffered a loss pursuant to subsection (1) until the principal remaining on an approved loan, together with accrued interest, has become immediately due and payable pursuant to subsection (1) or (2).
- (4) If a participant will be in default for more than 90 days with respect to any payment of principal or interest due on an approved loan, the lender must receive the prior written authorization of the corporation before the lender makes an election pursuant to subsection (2).

- (5) If a lender fails to comply with subsection (4):
- (a) the corporation may determine that the lender is not deemed to have suffered a loss pursuant to subsection (1); and
  - (b) subsection (6) shall not apply.
- (6) The corporation shall pay to a lender the total amount of principal and accrued interest owing under an approved loan but not paid by or on behalf of the participant by the date of the corporation's payment to the lender pursuant to this section if the lender:
- (a) informs the corporation in writing of its loss; and
  - (b) provides to the corporation any information the corporation requires to verify the amount of the loss.
- (7) For the purposes of subsection (6), the lender shall provide the corporation with the information on the form provided by the corporation.
- (8) If the corporation makes a payment to a lender pursuant to this section and, as a result, is subrogated as against the participant to all the rights, powers, remedies and securities of the lender with respect to the approved loan, any reference in the terms of the approved loan to the lender's prime rate of interest in determining the interest rate chargeable on amounts in default means an annual rate of interest equal to the sum of:
- (a) the corporation's prime rate of interest; and
  - (b) 2%.

**Coming into force**

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

**CHAPTER A-15.2 REG 8***The Agri-Food Act*

Sections 5 and 32

Order in Council 789/2003, dated October 3, 2003

(Filed October 3, 2003)

## PART I

**Title and Interpretation****Title**

**1** These regulations may be cited as *The Saskatchewan Mustard Development Plan Regulations*.

**Interpretation**

**2** In these regulations:

- (a) **“Act”** means *The Agri-Food Act*;
- (b) **“buyer”** means any person who buys mustard produced in Saskatchewan except a producer who buys mustard produced in Saskatchewan from another producer;
- (c) **“commission”** means the Saskatchewan Mustard Development Commission established pursuant to section 6 and includes the interim commission;
- (d) **“interim commission”** means the interim commission appointed pursuant to section 27;
- (e) **“market development”** means to promote the popularity, consumption or general knowledge of mustard or to bring into being, strengthen, expand or make available markets for mustard produced in Saskatchewan;
- (f) **“mustard”** means:
  - (i) mustard seed or any part of the plant *Sinapis alba*;
  - (ii) non canola quality types of *Brassica juncea* as defined in the regulations made pursuant to the *Seeds Act* (Canada); and
  - (iii) oil, protein and condiment types of *Sinapis alba*;
- (g) **“plan”** means the Saskatchewan Mustard Development Plan established pursuant to section 3;
- (h) **“processor”** means any person engaged in the business of processing mustard;
- (i) **“producer”** means:
  - (i) a person engaged in the production or marketing of mustard and includes the employer of that person;

- (ii) a person who is entitled under any lease or agreement:
  - (A) to a share of the mustard produced by a person mentioned in subclause (i); or
  - (B) to a share of the proceeds from the sale of that mustard; or
- (iii) a person who takes possession of any mustard under any form of security or legal proceedings for a debt;
- (j) “**registered producer**” means a producer who is duly registered with the commission pursuant to section 14 and whose registration is in good standing.

## PART II Plan

### Plan established

- 3 The Saskatchewan Mustard Development Plan is established.

### Application

- 4 The plan and the orders of the commission made pursuant to the plan apply to:
- (a) all of Saskatchewan; and
  - (b) all persons engaged in:
    - (i) the production of mustard produced in Saskatchewan; or
    - (ii) the marketing in Saskatchewan of mustard produced in Saskatchewan.

### Purpose

- 5(1) The purpose of the plan is to develop the mustard industry in Saskatchewan.
- (2) Without limiting the generality of subsection (1), the specific purposes of the plan are:
- (a) to assist in the development and promotion of mustard and mustard products in the domestic and international marketplaces;
  - (b) to conduct and encourage research on production, market development, processing and consumption of mustard and mustard products;
  - (c) to advise governments on matters pertaining to mustard research and development;
  - (d) to gather, compile and distribute information related to the production, consumption and market development of mustard and mustard products;
  - (e) to encourage the production of uniformly high quality mustard and mustard products;
  - (f) to promote harmony and communication within the mustard industry;

- (g) to initiate and implement advertising programs, sales promotion programs and consumer education programs to expand awareness and demand for mustard and mustard products;
- (h) to establish a system of collecting check-offs on the marketing of mustard for the purpose of carrying out the objectives of the plan; and
- (i) to work in co-operation with any persons or organizations who have objectives similar to those of the plan.

### PART III Commission

#### Commission

- 6(1) The Saskatchewan Mustard Development Commission is established consisting of six directors elected in accordance with sections 18 to 24.
- (2) The commission shall administer the plan.
- (3) The interim commission shall administer the plan until a commission is elected.

#### Powers of commission

- 7(1) The commission may:
  - (a) carry out educational, research and developmental programs related to mustard;
  - (b) require any or all persons engaged in the production or marketing of mustard to register with the commission;
  - (c) set and collect charges for services rendered by the commission from any person engaged in the production or marketing of mustard;
  - (d) set and collect check-offs from any person engaged in the marketing of mustard;
  - (e) categorize persons engaged in the production or marketing of mustard for the purpose of setting and collecting:
    - (i) the charges mentioned in clause (c); and
    - (ii) the check-offs mentioned in clause (d);
  - (f) recover in a court of competent jurisdiction:
    - (i) the charges mentioned in clause (c); or
    - (ii) the check-offs mentioned in clause (d);
  - (g) subject to subsection (3), require any person engaged in the production or marketing of mustard to furnish the commission with any information or records relating to that production or marketing that the commission considers necessary;

- 
- (h) employ any officers and other employees that it considers necessary to administer the plan and determine their respective:
    - (i) duties;
    - (ii) conditions of employment; and
    - (iii) remuneration;
  - (i) establish or support, for the benefit of the officers and employees mentioned in clause (h) and their dependants:
    - (i) a group insurance plan; and
    - (ii) any other pension or employee benefit program;
  - (j) use any moneys received by the commission:
    - (i) to carry out the purposes of the plan; and
    - (ii) to pay the expenses of the commission;
  - (k) borrow, raise or secure the payment of moneys in any manner that the commission thinks appropriate for the purpose of administering the plan;
  - (l) draw, make, accept, endorse, execute, issue, hypothecate or assign:
    - (i) promissory notes;
    - (ii) bills of exchange; or
    - (iii) other negotiable or transferable instruments;
  - (m) give financial guarantees respecting the indebtedness of any person that the commission considers necessary or advisable for the conduct of business related to the plan;
  - (n) purchase, take on lease or exchange, or otherwise acquire real and personal property related to the business of the commission;
  - (o) sell or otherwise dispose of any real or personal property acquired by the commission;
  - (p) grant:
    - (i) a mortgage against real property acquired by the commission; or
    - (ii) a security interest in personal property acquired by the commission;
  - (q) enter into any agreement with any person, agency, organization, institution or body within or outside Saskatchewan for any purpose related to the exercise of any of the powers or the carrying out of any of the duties of the commission in relation to the plan;
  - (r) make any orders that are considered by the commission as necessary or advisable to carry out the purposes of the plan;
  - (s) amend or revoke any of the orders mentioned in clause (r);

- (t) exempt from the plan and any order of the commission:
    - (i) any category of persons engaged in the marketing of mustard;
    - (ii) any class, variety or grade of mustard;
  - (u) purchase or acquire by any other means, in the open market or otherwise, shares, bonds, debentures or other securities of any incorporated company;
  - (v) hold, sell, transfer, or otherwise deal with any of the shares, bonds, debentures or other securities mentioned in clause (u) and to exercise any rights as owner of those shares, bonds, debentures or other securities, including the right to vote.
- (2) The commission shall not regulate or control in any way the production or marketing of mustard.

**Books and records**

- 8(1) The commission shall:
- (a) maintain any books and records that may be required for the administration of the plan; and
  - (b) keep those books and records open for inspection by the council at any reasonable time.
- (2) The commission shall maintain a registered office and head office in Saskatchewan.
- (3) The commission shall prepare an annual report containing:
- (a) a copy of the audited financial statement of the commission for its previous fiscal year;
  - (b) a description of:
    - (i) the state of the industry; and
    - (ii) the activities of the commission for its previous fiscal year; and
  - (c) a list of the names and addresses of the directors of the commission.
- (4) The commission shall make the annual report available:
- (a) at the annual meeting of the commission; and
  - (b) on request to:
    - (i) any registered producer; or
    - (ii) any buyer.



**Committees**

9(1) The commission may appoint any advisory committee that it considers necessary or desirable for the proper operation of the plan.

(2) The members of a committee appointed pursuant to this section are entitled to any remuneration and reimbursement for expenses that the commission may determine.

**Chairperson and vice-chairperson**

10(1) The commission shall elect a chairperson and a vice-chairperson from among the directors of the commission at their first meeting in each year after new members have been elected.

(2) The chairperson and vice-chairperson hold office at the pleasure of the commission.

(3) The chairperson, or in the absence of the chairperson the vice-chairperson, shall preside over all meetings of the commission.

**Quorum**

11 For the transaction of business at a duly called meeting of the commission:

(a) a majority of the commission constitutes a quorum; and

(b) a decision of a majority of those directors comprising a quorum is a decision of the commission.

**Financial**

12(1) The commission may open accounts in the name of the commission in a bank, credit union or trust corporation licensed pursuant to *The Trust and Loan Corporations Act, 1997* and appoint signing officers.

(2) The commission may:

(a) invest any money in its possession or control that is not immediately required for the purpose of its operations in securities approved for the investment of money in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and

(b) sell any securities acquired by it pursuant to clause (a) and reinvest any of the proceeds of that sale in a similar manner.

(3) The fiscal year of the commission is the period commencing on August 1 in one year and ending on July 31 in the following year.

(4) When the plan has been disestablished, any assets of the commission remaining after all of the liabilities of the commission have been settled are to be distributed to a research institute that, in the opinion of the commission, will use those assets to contribute to the development of the mustard industry in Saskatchewan.

**Meetings of registered producers**

- 13(1)** An annual general meeting of registered producers:
- (a) is to be held in each year within six months of the end of the commission's fiscal year; and
  - (b) is to be held at a place and time determined by the commission.
- (2) The commission:
- (a) may call a special general meeting of registered producers at any time; and
  - (b) shall call a special general meeting on the written request of not less than 50 registered producers.
- (3) The commission shall notify all registered producers, in writing, of the date, time and location:
- (a) of an annual general meeting of registered producers not less than 30 days before the date on which the annual general meeting commences; and
  - (b) of a special general meeting of registered producers not less than 15 days before the date on which the special general meeting commences.
- (4) The quorum at an annual or special general meeting of registered producers is 20 registered producers.
- (5) The commission shall prepare and submit to the annual general meeting for approval:
- (a) a proposed budget outlining the collection and expenditure of funds for the next fiscal year; and
  - (b) an outline of proposed programs and activities for the next fiscal year.
- (6) At an annual or special general meeting, registered producers may debate and take a vote by show of hands on any questions or resolutions respecting the purposes of the plan.

**PART IV**  
**Registration**

**Registration of producers**

- 14(1)** Every producer shall register with the commission at the time and in the manner determined by the commission.
- (2) The commission shall keep and maintain at its head office a register containing the name and address of every registered producer.

**Registration of buyers**

**15(1)** Every buyer shall register with the commission at the time and in the manner determined by the commission.

(2) The commission shall keep and maintain at its head office a register containing the name and address of every registered buyer and processor.

**PART V**  
**Check-offs**

**Check-offs**

**16(1)** Every registered producer engaged in the sale of mustard shall pay to the commission, at the times and in the manner determined by the commission, a check-off calculated in accordance with this section.

(2) The check-off mentioned in subsection (1):

(a) is fixed at a rate of 0.5% of the gross value of mustard sold by a registered producer until the commission makes an order pursuant to subclause (b)(i); and

(b) after the period mentioned in clause (a):

(i) subject to subsection (3), is to be determined by order of the commission; and

(ii) is to be based on a fixed percentage of the gross value of mustard sold by a registered producer.

(3) The commission must provide registered producers:

(a) an opportunity to discuss the rate of check-off at annual general meetings; and

(b) provide at least 15 days' notice to registered producers that the rate of the check-off is to be discussed at an annual general meeting.

(4) The commission shall make a refund of check-offs pursuant to section 6 of the Act only if:

(a) the registered producer submits the written request for the refund to the commission:

(i) with respect to check-offs paid between February 1 and July 31 in any year, not later than August 31 of that year; and

(ii) with respect to check-offs paid between August 1 in any year and January 31 in the following year, not later than February 28 of that year; and

(b) the request has been verified by the commission.

(5) If the commission receives and verifies a written request for a refund of check-offs:

(a) paid to the commission by the registered producer between February 1 and July 31 in any year, the commission shall make the refund of those check-offs to the registered producer not later than October 31 of that year; and

(b) paid to the commission by the registered producer between August 1 in any year and January 31 in the following year, the commission shall make the refund of those check-offs to the registered producer not later than April 30 of that year.

## PART VI Commission orders

### Commission orders

**17(1)** The chairperson, or in the absence of the chairperson the vice-chairperson, shall sign every order issued by the commission pursuant to clause 7(1)(r).

(2) The commission shall number in consecutive order and retain and make available for inspection at its head office by any producer, buyer or person designated by the council original copies of all orders that have been approved by the council pursuant to section 20 of the Act.

(3) The commission shall:

(a) cause all orders of the commission to be published in the Gazette and any other media determined by the commission; and

(b) annually review the orders of the commission and cause them to be consolidated.

## PART VII Elections

### Eligibility

**18(1)** Subject to subsections (5), (6) and (7), every registered producer is eligible to hold office as a director on the commission.

(2) A registered producer that is a corporation, partnership, association, society or a person carrying on business under a corporate name, trade name, farm name or other designation is entitled to vote or hold office:

(a) only through a designated representative appointed in writing; and

(b) only if notice of that appointment has been filed with the commission.

(3) Except as provided in subsection (2), voting by proxy is prohibited.

(4) Every registered producer is entitled to one vote.

(5) A registered producer is not eligible to be nominated as a director on the commission if he or she has requested or received a refund of check-offs in the two year period before the day he or she is nominated.

(6) If an elected director on the commission requests a refund of check-offs, he or she must immediately resign from the commission unless he or she withdraws his or her request for a refund of check-offs.

(7) If an elected director on the commission requests a refund of check-offs and fails to comply with subsection (6), he or she is deemed to no longer be a director on the commission.

#### **Election of first commission**

**19(1)** The interim commission shall conduct a vote of registered producers to elect the first commission in accordance with this section and section 20.

(2) The interim commission:

(a) shall call the vote described in subsection (1) within 12 months after these regulations come into force; and

(b) may call the vote described in subsection (1) before the first annual general meeting of the commission.

#### **Nominations**

**20(1)** Subject to subsection 18(5), any registered producer is eligible to be nominated for election as a director of the commission.

(2) The commission shall:

(a) fix the last date for receipt of nominations for election to the commission; and

(b) at least 30 days before the last date fixed for receipt of nominations, notify registered producers that nominations are being accepted for the commission and giving the last date fixed for receipt of nominations.

(3) Every nomination is to be:

(a) in writing in the form required by the commission;

(b) signed by:

(i) five registered producers;

(ii) five representatives of registered producers appointed pursuant to subsection 18(2); or

(iii) any combination of the persons mentioned in subclauses (i) and (ii) totalling five persons; and

(c) delivered to the returning officer on or before the last date fixed pursuant to subsection (2) for receipt of nominations.

**Returning officer and scrutineers**

**21(1)** Subject to subsection (2), the commission shall appoint a returning officer and a scrutineer for the conduct of an election pursuant to section 22.

(2) Registered producers, producers, buyers, processors and employees of the commission are not eligible to be appointed pursuant to subsection (1).

(3) The returning officer appointed pursuant to subsection (1) is responsible for all administrative procedures relating to the conduct of an election.

(4) The scrutineer appointed pursuant to subsection (1) is responsible for scrutinizing all actions related to the conduct of an election.

**Conduct of elections**

**22(1)** If not more than the required number of candidates are nominated pursuant to section 20, the candidates nominated are deemed to be elected by acclamation.

(2) If more than the required number of candidates are nominated pursuant to section 20, the commission shall:

(a) fix a date for the completion of the election; and

(b) at least 21 days before the date fixed pursuant to clause (a), send by prepaid post to every registered producer:

(i) the ballot and ballot envelope;

(ii) a biography of every candidate;

(iii) a certificate of eligibility to vote; and

(iv) notice of the time by which and the place to which the ballot and the certificate of eligibility to vote are to be returned.

(3) Every registered producer that wishes to vote in an election shall:

(a) complete and sign the certificate of eligibility to vote;

(b) complete the ballot provided by the commission; and

(c) seal the ballot and certificate of eligibility to vote in the ballot envelope provided and return it to the returning officer, either in person or by mail, by the date fixed for the completion of the election.

(4) The returning officer shall declare those candidates receiving the greatest number of votes, up to the number of director positions to be filled, to be directors of the commission.

(5) Ties between candidates are to be decided by the drawing of lots.

(6) The ballot of a registered producer is not valid if:

(a) the registered producer votes for more than the specified number of candidates;

(b) it is defaced;

- (c) it is marked in any way other than to vote for candidates; or
- (d) it is not the original ballot provided by the commission.

**Validity of election**

**23** A registered producer is deemed to have received any notice or nomination paper that is posted to the last address registered by that producer with the commission, and the failure of any registered producer to receive that notice or nomination paper does not invalidate the election.

**Term of office, vacancy**

**24(1)** Subject to subsections (2) and (5) and subsections 18(6) and (7), a director of the commission holds office:

- (a) for a term of three years after the date of that director's election; and
  - (b) until the director's successor is elected.
- (2) The term of office of every director of the first elected commission:
- (a) commences on the day on which he or she is declared by the returning officer to be elected; and
  - (b) ends on December 31:
    - (i) in the case of the two directors receiving the largest number of votes, of the third year following the year in which the election is held;
    - (ii) in the case of the two directors receiving the next largest number of votes, of the second year following the year in which the election is held; and
    - (iii) in the case of the two directors receiving the next largest number of votes, of the first year following the year in which the election is held.
- (3) Subject to subsection (4), a director is eligible for re-election.
- (4) If a director has completed three consecutive terms, he or she is not eligible for re-election until one year has passed since the completion of the director's third consecutive term.
- (5) The office of director becomes vacant if a director:
- (a) ceases to qualify as a registered producer;
  - (b) resigns from office;
  - (c) is absent from three consecutive meetings of the commission without being excused by resolution of the commission; or
  - (d) is deemed to no longer be a director pursuant to subsection 18(7).
- (6) If the office of a director becomes vacant, the remaining directors may appoint a registered producer to fill the vacancy until the next election.

**Required recommendation**

**25** If, in any one year, not less than 35% of the producers representing not less than 35% of the production of mustard of all producers request a refund of check-offs pursuant to section 6 of the Act, the commission shall recommend to the minister that a vote be conducted pursuant to section 14 of the Act on whether the plan should be disestablished.

**Duration of the plan**

**26** The plan remains in effect until these regulations are repealed.

**PART VIII  
Transitional**

**Interim commission**

**27(1)** The following persons are appointed to the interim commission:

- (a) Brett Meinert, Shaunavon;
  - (b) Dan Thompson, Carnduff;
  - (c) Erroll Simington, Kincaid;
  - (d) Ken Megyesi, Cudworth;
  - (e) René De Moissac, Biggar;
  - (f) Les Trayhorne, Elrose;
  - (g) Dave Pederson, Hawarden.
- (2) Brett Meinert is designated as chairperson of the interim commission.
- (3) The members of the interim commission, while performing their duties and responsibilities as members, are entitled to:
- (a) in the case of the chairperson, \$155 per day; and
  - (b) in the case of all other members, \$110 per day.

**PART IX  
Coming into force**

**Coming into force**

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



**CHAPTER A-22.2 REG 4***The Apprenticeship and Trade Certification Act, 1999*

## Section 26

Commission Order, dated September 22, 2003

(Filed October 6, 2003)

## PART I

**Title and Interpretation****Title**

**1** These regulations may be cited as *The Apprenticeship and Trade Certification Commission Regulations*.

**Interpretation**

**2** In these regulations:

- (a) “**Act**” means *The Apprenticeship and Trade Certification Act, 1999*;
- (b) “**advanced standing**” means initial placement in an apprenticeship year other than the first apprenticeship year of the program;
- (c) “**apprenticeship program**” means the program of practical experience and instruction for an apprentice in a designated trade;
- (d) “**apprenticeship year**” means an apprenticeship year as defined in section 21;
- (e) “**Certificate of Completion of Apprenticeship**” means a certificate issued pursuant to section 30;
- (f) “**curriculum and examination development board**” means a curriculum and examination development board for a designated trade established pursuant to section 6;
- (g) “**endorsement**” means a certificate or recognition placed on a certificate issued pursuant to trade regulations;
- (h) “**grade**” means a grade in a Saskatchewan school or the equivalent;
- (i) “**indentured**”, in the case of an apprentice, means to be party to a valid contract of apprenticeship:
  - (i) that is entered into with, as the case may be:
    - (A) an employer;
    - (B) a joint training committee; or
    - (C) the commission; and
  - (ii) that is registered in accordance with these regulations;

- (j) **“Interprovincial seal”** means a red seal on which are printed the words “Canada” and “Interprovincial Standards/Norme Interprovinciale” and that is awarded by:
- (i) the commission pursuant to section 33; or
  - (ii) a counterpart of the commission in a province or territory of Canada pursuant to the apprenticeship legislation of that province or territory;
- (k) **“interprovincial standards examination”** means an examination in a trade set by the Canadian Council of Directors of Apprenticeship;
- (l) **“Journey person Certificate of Qualification”** means a certificate of qualification issued pursuant to section 29;
- (m) **“learner’s certificate”** means a certificate issued pursuant to section 35;
- (n) **“proficiency certificate”** means a certificate issued pursuant to section 36;
- (o) **“sub-trade”** means a branch of a designated trade recognized as a sub-trade by a trade regulation;
- (p) **“trade board”** means a trade board for a designated trade appointed pursuant to *The Apprenticeship and Trade Certification Act, 1999*;
- (q) **“trade examining board”** means a trade examining board for a designated trade established pursuant to section 7;
- (r) **“trade regulation”** means, with respect to a designated trade, a provision in Part III applicable only to the designated trade;
- (s) **“verify”** with respect to:
- (i) trade experience, on-the-job training or work in a trade, means to provide evidence to the satisfaction of the commission:
    - (A) that a person has performed work in a trade as his or her primary activity for one or more periods of time;
    - (B) the period or periods during which the work mentioned in paragraph (A) was performed; and
    - (C) the nature and quality of the work experience derived from the work mentioned in paragraph (A); and
  - (ii) technical training, prior training in a trade or educational qualifications, means to prove to the satisfaction of the commission:
    - (A) that a person has taken a course of instruction or training and has completed it successfully;
    - (B) the period in which the course mentioned in paragraph (A) was taken and the date it was completed;

(C) the school, institute, college, university or other educational institution from which the course mentioned in paragraph (A) was taken; and

(D) the nature and quality of the course mentioned in paragraph (A);

(t) “**worker**” includes a journeyperson who is an employee or is self-employed, but does not include an apprentice.

## PART II General Provisions

### Designated trades

3 The following trades are designated trades:

- (a) agricultural machinery technician;
- (b) aircraft maintenance engineer technician;
- (c) automotive service technician;
- (d) barber stylist;
- (e) boilermaker;
- (f) bricklayer;
- (g) carpenter;
- (h) concrete finisher;
- (i) cook;
- (j) cosmetologist;
- (k) crane and hoist operator;
- (l) custom harvester;
- (m) drywall and acoustical mechanic;
- (n) electrician;
- (o) electronics assembler;
- (p) electronics technician (consumer products);
- (q) floorcovering installer;
- (r) food and beverage person;
- (s) glassworker;
- (t) guest services representative;
- (u) heavy duty equipment mechanic;

- (v) horticulture technician;
- (w) industrial instrument mechanic;
- (x) industrial mechanic (millwright);
- (y) insulator;
- (z) ironworker reinforcing rebar;
- (aa) ironworker structural;
- (bb) locksmith;
- (cc) machinist;
- (dd) motor vehicle body repairer;
- (ee) painter and decorator;
- (ff) partsperson;
- (gg) pipeline equipment operator;
- (hh) plasterer;
- (ii) plumber;
- (jj) pork production technician;
- (kk) power lineperson;
- (ll) refrigeration mechanic;
- (mm) roofer;
- (nn) sheet metal worker;
- (oo) sprinkler systems installer;
- (pp) steamfitter-pipefitter;
- (qq) steel fabricator;
- (rr) tilesetter;
- (ss) truck and transport mechanic;
- (tt) water well driller;
- (uu) welder.

**Subsisting contracts of apprenticeship**

4(1) All contracts of apprenticeship subsisting immediately before the date on which these regulations come into force continue in force subject to these regulations.

(2) The term of any contract of apprenticeship mentioned in subsection (1) is deemed to be the period, commencing on the date on which the contract of apprenticeship was registered by the commission, required by the apprentice to complete the term of apprenticeship in the trade and pass the journeyman trade examination.

**Trade boards**

- 5(1) The commission may appoint a trade board for every designated trade.
- (2) The commission must appoint members to each trade board established.
- (3) The commission must, whenever possible, appoint to a trade board an equal number of representatives of employers and employees engaged in the business of the designated trade.
- (4) Subject to subsection (9), the commission must appoint members of a trade board for a term not exceeding four years, and each member is eligible for re-appointment.
- (5) The members of a trade board must annually elect a chairperson from its members.
- (6) A majority of employer members of the trade board and a majority of employee members of the trade board together constitute a quorum.
- (7) The chairperson may vote on any matter.
- (8) No member of a trade board may vote by proxy.
- (9) The commission may terminate the appointment of a member of a trade board appointed pursuant to subsection (2).

**Curriculum and examination development board**

- 6(1) The commission may, on the advice of a trade board, establish a curriculum and examination development board for the designated trade.
- (2) A curriculum and examination development board is to be composed of:
  - (a) any employee of the commission designated by the chief executive officer of the commission, who is to be chairperson; and
  - (b) subject to subsection (3), not less than two members appointed by the commission.
- (3) The commission, whenever possible, must appoint an equal number of representatives, of employers and workers engaged in the business of the designated trade and each person so appointed is to be a Journeyperson, a professional engineer as defined in *The Engineering and Geoscience Professions Act* or have the technical qualifications relevant to the designated trade.
- (4) Subject to subsection (5), the commission may appoint members of the curriculum and examination development board described in clause (2)(b) for a term not exceeding four years, and each member is eligible for reappointment.
- (5) The commission may terminate the appointment of a member of a curriculum and examination development board appointed pursuant to subsection (4).
- (6) At the request of the commission, a curriculum and examination development board must, in the designated trade for which it is appointed:
  - (a) develop or revise curricula suitable for the training of apprentices and tradespersons in the trade or a sub-trade;

- (b) develop or revise examinations to be administered to apprentices in the trade or a sub-trade;
  - (c) participate in developing, revising and validating interprovincial standards examinations; and
  - (d) carry out any other matters the commission may request.
- (7) A curriculum and examination development board must report its recommendations and its work to the trade board at the request of the trade board.
- (8) All books and material used or developed by a curriculum and examination development board are the property of the commission and are to be kept in the custody of the commission.

**Trade examining board**

- 7(1) The commission must, on the advice of a trade board, establish one or more trade examining boards for the designated trade.
- (2) A trade examining board is to consist of:
- (a) an employee of the commission designated by the commission, who shall be chairperson; and
  - (b) subject to subsection (3), not less than two journeypersons in the trade, appointed by the commission on the advice of the trade board.
- (3) The commission must, wherever possible, appoint an equal number of representatives of employers and employees of the trade engaged in the business of the designated trade for a term not exceeding four years and each member is eligible for re-appointment.
- (4) The commission may terminate the appointment of a member of a trade examining board appointed pursuant to subsection (2).
- (5) The commission may require a trade examining board, in the designated trade for which it is appointed:
- (a) to assist in the examination of candidates for any certificate issued pursuant to the Act or these regulations;
  - (b) with respect to any application pursuant to the Act or these regulations, to assess the applicant's past experience and training, determine the applicant's eligibility and recommend:
    - (i) the approval of the application unconditionally or subject to those conditions that the trade examining board may prescribe;
    - (ii) to the commission any other means to enable the applicant to qualify; or
    - (iii) the rejection of the application; and
  - (c) to assist with any other matters the commission may request.

(6) In carrying out any of its duties pursuant to subsection (5), a trade examining board may require an applicant or candidate to appear before the trade examining board to be examined and the applicant or candidate must appear before the trade examining board at the time and place requested by the trade examining board.

(7) A trade examining board must report on its work to the trade board for the trade at the request of the trade board.

(8) All books, documents and other materials provided for review by trade examining boards are the property of the commission and are to be kept in the custody of the commission.

**Remuneration**

**8** Members of any trade board, curriculum and examination development board or trade examining board, other than those members employed by the Government of Saskatchewan, are to be paid compensation for their services and expenses following the guidelines in Saskatchewan Treasury Board policies for honorariums and expenses as approved by the commission.

**Application for entry**

**9(1)** Every applicant for entry into an apprenticeship program must apply in a manner acceptable to the commission.

(2) An applicant must submit his or her application to any office of the commission together with:

- (a) the application fee; and
- (b) a contract of apprenticeship in a form provided by the commission;
- (c) documents verifying previous experience and educational standing; and
- (d) any other information requested by the commission.

**Eligibility for apprenticeship**

**10(1)** In this section, “**other educational qualifications**” means relevant experience, training or education, or any combination of those things.

(2) A person is eligible for entry into an apprenticeship program in a designated trade or sub-trade:

- (a) who:
  - (i) possesses the qualifications that may be prescribed by a trade regulation; or
  - (ii) is registered as an apprentice in the trade in another province or territory of Canada pursuant to an Act or regulation in the other province or territory that is similar to the Act and these regulations and has moved to Saskatchewan; and

- (b) who:
  - (i) is employed in the trade or sub-trade by an employer who, in the opinion of the commission:
    - (A) can reasonably provide work in all aspects of the trade or sub-trade;
    - (B) is willing and able to provide supervision and training in the work of the trade or sub-trade; and
    - (C) is in compliance with the ratio and temporary ratio for the trade or sub-trade prescribed by *The Apprenticeship and Trade Certification Regulations, 2003*;
  - (ii) is represented by a joint training committee in the trade or sub-trade;
  - (iii) has been permitted by the commission to become indentured to the commission; and
    - (A) is self-employed in the trade or sub-trade; or
    - (B) is employed in the trade or sub-trade or by an employer who does not meet the qualifications mentioned in paragraphs (b)(i)(B) and (C); or
  - (iv) is working in the trade or sub-trade at a location where, in the opinion of the commission, the individual will receive on-the-job training in all aspects of the work of the trade or sub-trade to develop as a holder of a Journeyman Certificate of Qualification or proficiency certificate.
- (3) A person who fails to meet the educational qualifications for entry into an apprenticeship program may:
  - (a) apply to the commission to write an entrance examination; or
  - (b) request that the commission consider other educational qualifications.
- (4) The commission may:
  - (a) allow a person mentioned in clause (3)(a) to write the entrance examination; or
  - (b) after considering the other educational qualifications of a person pursuant to clause (3)(b), accept the other educational qualifications if, in the opinion of the commission, those other educational qualifications are equivalent to the educational qualifications for entry into an apprenticeship program.
- (5) A person who passes the entrance examination for a designated trade or sub-trade pursuant to clause (3)(a), or whose other educational qualifications are accepted pursuant to clause (4)(b), is deemed to have met the educational qualifications prescribed by the trade regulation.



**Educational improvement courses**

11(1) The commission may require educational improvement courses to be taken by:

- (a) a person who has:
  - (i) failed an entrance examination for a trade or sub-trade written pursuant to clause 10(3)(a); and
  - (ii) attained a mark of not less than 70% of the pass mark for the entrance examination; or
- (b) a person who does not possess the educational qualifications for a trade or sub-trade prescribed by the trade regulation but who, in the opinion of the commission, has the potential to become qualified in the trade or sub-trade.

(2) A person who successfully completes the educational improvement courses required by the commission is deemed to have met the educational qualifications prescribed by the trade regulation.

**Contract of apprenticeship**

12(1) Every contract of apprenticeship must be in a form provided by the commission.

(2) The contract of apprenticeship must be submitted together with the application fee to any office of the commission.

(3) A contract of apprenticeship for an applicant for entry into an apprenticeship program is to be submitted along with the application for entry into an apprenticeship program pursuant to section 9, but the commission must not register the contract of apprenticeship until the applicant has been accepted into the apprenticeship program.

(4) The commission must register the contract of apprenticeship if:

- (a) the commission is satisfied that the requirements prescribed by these regulations have been met by the parties to a contract of apprenticeship; and
- (b) the commission has received the application fee in accordance with subsection (2).

(5) The commission must provide a copy of a registered contract of apprenticeship to each party to the contract.

(6) The commission may cancel the registration of a contract of apprenticeship if the registration was made, in the opinion of the commission:

- (a) as a result of administrative or clerical error; or
- (b) on the basis of false or misleading information furnished by one or more of the parties.

(7) The commission may modify the requirements of a contract of apprenticeship to accommodate the needs of a person with a disability.

**Contract of apprenticeship with joint training committee**

**13(1)** If a joint training committee enters into a contract of apprenticeship with an apprentice, the committee must:

- (a) ensure, to the best of its power, that employers by whom the apprentice is employed from time to time comply with all provisions of these regulations, *The Apprenticeship and Trade Certification Regulations, 2003* and the trade regulation for the designated trade;
  - (b) keep a record of the employment of the apprentice in the trade or sub-trade, which is to include the names and addresses of all employers of the apprentice in the designated trade or sub-trade pursuant to the contract of apprenticeship and the inclusive dates of employment with each employer; and
  - (c) on the request of the commission, furnish information respecting the employment and on-the-job performance of the apprentice in the designated trade or sub-trade.
- (2) If a contract of apprenticeship with a joint training committee terminates or is suspended or cancelled, the committee must immediately forward to the commission all records respecting the apprenticeship of the apprentice who was a party to the contract of apprenticeship.
- (3) The validity of a contract of apprenticeship entered into by a joint training committee or the obligations of the joint training committee under the contract of apprenticeship is not affected by a change:

- (a) in the membership of a joint training committee; or
- (b) of the training co-ordinator appointed by a joint training committee.

**Change of employment**

**14(1)** An apprentice must apply to the commission for cancellation of his or her contract of apprenticeship and approval and registration of a new contract of apprenticeship if the apprentice:

- (a) leaves the employ of the employer to whom the apprentice is indentured and:
  - (i) enters the employ of a new employer in the designated trade or sub-trade with whom he or she desires to complete the apprenticeship;
  - (ii) desires to become indentured to a joint training committee; or
  - (iii) becomes self-employed in the trade or sub-trade and desires to become indentured to the commission;
- (b) is indentured to the commission and:
  - (i) enters the employ of an employer in the designated trade or sub-trade with whom he or she desires to complete the apprenticeship; or
  - (ii) desires to become indentured to a joint training committee; or

- (c) is indentured to a joint training committee and:
  - (i) enters the employ of an employer in the designated trade or sub-trade for whom the committee is not an agent and with whom the apprentice desires to complete the apprenticeship;
  - (ii) desires to become indentured to a different joint training committee in the trade; or
  - (iii) becomes self-employed in the trade or sub-trade and desires to become indentured to the commission.
- (2) The commission may refuse to cancel a contract of apprenticeship or approve and register a new contract of apprenticeship if in its opinion:
  - (a) it is not in the best interests of the apprentice to do so;
  - (b) it would cause undue hardship to the employer to do so; or
  - (c) the apprentice has frivolously breached the contract of apprenticeship.
- (3) All applications for cancellation of a contract of apprenticeship and approval and registration of a new contract of apprenticeship must be accompanied by an application fee set by the commission.

**Term of contract of apprenticeship**

- 15(1)** Except as otherwise provided in these regulations or in the contract of apprenticeship, each contract of apprenticeship remains in force until:
- (a) the apprentice is awarded a Journeyperson Certificate of Qualification in the designated trade; or
  - (b) the apprentice is awarded a proficiency certificate in the sub-trade; or
  - (c) the commission cancels the contract of apprenticeship.
- (2) If a registered apprentice is dismissed for just cause, the contract of apprenticeship terminates automatically when the dismissal takes effect.
  - (3) A registered apprentice's contract of apprenticeship is immediately suspended and terminates on the anniversary of the suspension if the apprentice:
    - (a) quits his or her employment; or
    - (b) is dismissed without just cause.
  - (4) The commission may cancel the contract of apprenticeship in the circumstances mentioned in subsection (3) before the anniversary of the suspension.
  - (5) If a registered apprentice is laid off or temporarily assigned to perform duties outside the scope of the trade or sub-trade, the contract of apprenticeship is suspended for the period of lay off or temporary assignment and, if the period exceeds one year, the contract of apprenticeship terminates automatically on the anniversary of the effective date of the lay off or temporary assignment.

(6) Subject to subsection (7), the following labour action does not constitute the apprentice breaching his or her apprenticeship contract of apprenticeship for the purposes of these regulations:

- (a) an apprentice participates in a strike against his or her employer;
- (b) an employer locks out an apprentice;
- (c) an apprentice is unable to work because of a strike or lock-out affecting his or her employer's place of business.

(7) The contract of apprenticeship is suspended for the period of the strike or lock-out mentioned in subsection (6) in which the apprentice is unable to work because of the strike or lock-out.

(8) If an apprentice is granted a leave of absence, other than leave to attend technical training, the apprentice's contract of apprenticeship:

- (a) is suspended for the period of the leave, if the leave does not exceed one year; and
- (b) terminates automatically on the anniversary of the first day of the period of leave, if the period of leave exceeds one year.

(9) If a registered apprentice is absent from work for medical reasons for a period of 90 consecutive days or more, the contract of apprenticeship is suspended from the 91<sup>st</sup> day until the earlier of:

- (a) the date the apprentice returns to work; and
- (b) the anniversary of the first day of the period.

(10) If the apprentice to whom subsection (9) applies has not returned to work by the anniversary mentioned in clause (9)(b), the contract of apprenticeship terminates automatically.

(11) A registered apprentice must notify the commission immediately of any occurrence involving:

- (a) quitting his or her employment;
- (b) dismissal, with or without just cause;
- (c) lay off;
- (d) temporary assignment to perform duties outside the scope of the trade or sub-trade;
- (e) strike or lock-out;
- (f) leave of absence;
- (g) sick leave of 90 consecutive days or more; or
- (h) the resumption of the apprentice's employment in the trade or sub-trade with the employer after the occurrence of any of the events mentioned in clauses (c) to (g).

(12) Subsections (2), (3), (4), (5), (9), (10) and (11) do not apply to an apprentice indentured to a joint training committee.

(13) If an apprentice indentured to a joint training committee or the commission does not work in the trade or sub-trade, for medical reasons, for a period of 90 consecutive days or more, the apprentice's contract of apprenticeship is suspended from the 91<sup>st</sup> day until the earlier of:

- (a) the apprentice resumes work in the trade or sub-trade; and
- (b) the anniversary of the first day of the period.

(14) If the apprentice to whom subsection (13) applies has not resumed work in the trade or sub-trade by the anniversary mentioned in clause (13)(b), his or her contract of apprenticeship terminates automatically.

(15) A joint training committee must, with respect to an apprentice indentured to it, notify the commission immediately of the suspension, termination or end of suspension of a contract of apprenticeship pursuant to subsection (13) or (14).

(16) A registered apprentice indentured to the commission who has not worked in the trade or sub-trade for 90 consecutive days or more must immediately notify the commission of the day on which:

- (a) the apprentice last worked in the trade or sub-trade; and
- (b) the apprentice resumes work in the trade or sub-trade.

**Application for cancellation**

**16(1)** A joint training committee may apply to the commission to cancel a contract of apprenticeship if:

- (a) the apprentice has engaged in serious misconduct;
- (b) the apprentice is dismissed for just cause by an employer;
- (c) the apprentice ceases to be a member of a trade union or employer that is a participant in the joint training committee;
- (d) the apprentice quits employment with an employer without an excuse acceptable to the joint training committee;
- (e) the apprentice persistently misses employment;
- (f) the joint training committee is not satisfied with the on-the-job performance of the apprentice; or
- (g) the joint training committee no longer represents the apprentice.

(2) If the commission has received an application pursuant to subsection (1) and is satisfied that it is appropriate to do so, the commission may cancel the contract of apprenticeship.

**Cancellation**

**17(1)** The commission may cancel a contract of an apprentice for any reason it considers sufficient, including:

- (a) the failure of an apprentice to attend technical training if directed to do so by the commission, unless excused by the commission;
  - (b) a record of attendance, deportment or on-the-job performance of an apprentice that, in the opinion of the commission, is unsatisfactory;
  - (c) conduct that is, in the opinion of the commission, serious misconduct by the apprentice; or
  - (d) a wilful breach of these regulations or a term of a contract of apprenticeship by an apprentice, an employer or a joint training committee.
- (2) If an apprentice does not receive adequate instruction and supervision, the commission may:
- (a) send an employee of the commission or a member of a trade examining board for the trade to consult with, and give direction to, the employer, apprentice or supervisor.
  - (b) if, after the expiration of three months from the consultation mentioned in clause (a), the apprentice still fails to receive adequate instruction and supervision, cancel the contract of apprenticeship if, in the opinion of the commission, the employer or supervisor is unable or unwilling to provide adequate instruction and supervision for an apprentice.

**Notice of cancellation**

**18(1)** The commission must not cancel any contract of apprenticeship unless:

- (a) written notice has been given to the parties of the intention to cancel and of the grounds for cancellation; and
  - (b) the parties are given an opportunity to be heard within 15 days of the date of service of the notice.
- (2) Notice given pursuant to subsection (1) is to be served personally or by registered mail addressed to the last address of the party to be served known to the commission and, in the case of service by registered mail, is deemed to have been served on the seventh day after the date of mailing.

**Term of apprenticeship**

**19** The term of apprenticeship in a designated trade or sub-trade consists of the number of apprenticeship years prescribed by the trade regulation.

**Placement**

**20(1)** Subject to subsections (2) to (8), if a person is accepted by the commission for entry into an apprenticeship program, the commission must place that person in the first apprenticeship year of the program.

- (2) A person entering an apprenticeship program may apply to the commission on the basis of his or her prior relevant training and trade experience for:
- (a) credit towards the completion of an apprenticeship year;
  - (b) advanced standing; or
  - (c) both of the things mentioned in clauses (a) and (b).

- (3) An applicant for credit or advanced standing must:
- (a) furnish evidence of the following:
    - (i) prior training, if the prior training is in accordance with section 32;
    - (ii) trade experience, if the trade experience is in accordance with section 31; and
  - (b) pay any fee required by the commission.
- (4) If the commission is satisfied that an applicant has had relevant prior training or trade experience equivalent to a part of the apprenticeship program in a designated trade or sub-trade, the commission may, subject to subsection (5), grant to the applicant:
- (a) credit towards the completion of an apprenticeship year;
  - (b) advanced standing; or
  - (c) any combination of credit and advanced standing that the commission considers appropriate.
- (5) The commission may require an applicant for advanced standing to write and obtain a passing mark in a placement examination before considering the application.
- (6) If an applicant for advanced standing fails a placement examination written pursuant to subsection (5), the applicant is not eligible to write the placement examination at a subsequent time.
- (7) If an apprentice is granted either advanced standing or credit, the commission may:
- (a) with respect to advanced standing:
    - (i) confirm the standing; or
    - (ii) place the apprentice in a more junior apprenticeship year; or
  - (b) with respect to credit towards the completion of an apprenticeship year:
    - (i) confirm the amount of credit;
    - (ii) increase the amount of credit; or
    - (iii) decrease the amount of credit.
- (8) The commission may grant credit towards the completion of an apprenticeship year or advanced standing for trade experience and technical training acquired outside of Saskatchewan.

**Apprenticeship year**

**21(1)** In these regulations, “**apprenticeship year**” means:

- (a) in the case of a registered apprentice, subject to clause (2)(b), the number of hours prescribed by the trade regulation of technical training and on-the-job training that must be successfully completed by an apprentice in a period of not less than 12 months;

- (b) subject to subsection (2), in the case of a registered apprentice working in the trade or sub-trade at a location that, in the opinion of the commission, will require extra on-the-job training in the work of the trade or sub-trade:
- (i) the number of hours of technical training required by the commission; and
  - (ii) the number of hours of on-the-job training that, if combined with the hours of technical training, equals 1.5 times the number of hours prescribed by the trade regulation as an apprenticeship year;
- that must be successfully completed by an apprentice in a period of not less than 18 months.
- (2) An apprenticeship year is not considered complete until:
- (a) the apprentice has successfully completed the technical training required for that year;
  - (b) if a final examination has been required for that year pursuant to subsection 22(5), the apprentice has obtained a passing grade in that examination;
  - (c) the apprentice has satisfied the commission that the number of hours of training required for an apprenticeship year have been completed;
  - (d) the commission is satisfied with reports respecting the on-the-job performance of the apprentice furnished pursuant to subsection (4); and
  - (e) the apprentice has paid any fee required by the commission.
- (3) The commission may:
- (a) request in writing that an apprentice verify hours of technical and on-the-job training pursuant to section 31; and
  - (b) cancel the contract of apprenticeship of an apprentice who fails to comply within three months of the date of mailing of the request pursuant to clause (a).
- (4) The commission may require any of the following to furnish the commission with written reports respecting the on-the-job performance of an apprentice for the purpose of determining whether the apprentice has completed the apprenticeship year:
- (a) the employer, if the employer is a journeyman in the designated trade or sub-trade;
  - (b) any individual who in the opinion of the commission, may be able to provide information regarding the on-the-job performance of the apprentice;



- (c) a journeyperson or other individual in the designated trade or sub-trade who has supervised the work of the apprentice;
  - (d) an employee of the commission; or
  - (e) in the case of an apprentice who is indentured to a joint training committee, the training co-ordinator of the committee.
- (5) For the purposes of subsection (4), the commission may make inquiries among persons for whom work in the designated trade or sub-trade has been performed for remuneration by the apprentice.
- (6) If the commission has received reports that an apprentice has not satisfactorily met the requirements of clause (2)(c) the commission may prescribe an additional period of on-the-job training for that apprentice.
- (7) The commission may cancel the contract of apprenticeship of an apprentice whose performance during the additional period of on-the-job training required pursuant to subsection (6) is, in the commission's opinion, unsatisfactory.
- (8) If an apprentice is required to repeat all or part of the technical training for an apprenticeship year, the hours spent in repeating the technical training are not to be considered as hours of training for the purposes of subsection (1).

**Technical training**

- 22(1)** The commission may, after consultation with the trade board for a designated trade, prescribe the length and nature of technical training to be taken in each apprenticeship year by apprentices in the trade or sub-trade.
- (2) Subject to the granting of credit to an apprentice pursuant to section 20 for prior technical training or the results of a placement examination, every apprentice in a designated trade or sub-trade must take all technical training required by the commission for the trade or sub-trade.
- (3) If, in the opinion of the commission, the record of attendance, conduct or deportment of an apprentice while attending technical training is unsatisfactory, the commission may require the apprentice to withdraw from the level of technical training the apprentice is currently attending.
- (4) An apprentice who has been required by the commission pursuant to subsection (3) to withdraw from technical training may apply to the commission for permission to re-enter the level of technical training from which the apprentice withdrew, and the commission may grant permission if the commission is satisfied that it is appropriate to do so.
- (5) The commission may prescribe a final examination for an apprenticeship year in a designated trade or a sub-trade.
- (6) The commission must not permit an apprentice to repeat the technical training for an apprenticeship year more than once unless, in the opinion of the commission, there were exceptional circumstances.

- (7) The commission may cancel the contract of an apprentice who:
- (a) fails to pass the technical training for an apprenticeship year on the second attempt; and
  - (b) does not write a supplemental examination given pursuant to section 23.

**Supplemental examination**

**23(1)** An apprentice who fails the technical training for an apprenticeship year and who wishes to remain in the apprenticeship program must, if permitted to do so by the commission:

- (a) write a supplemental examination; or
  - (b) repeat all or part of the technical training for the apprenticeship year, as required by the commission.
- (2) An apprentice who has been permitted by the commission pursuant to subsection (1) to write a supplemental examination must write the examination if required to do so by the commission.
- (3) An apprentice who fails the supplemental examination must repeat the technical training for the apprenticeship year.
- (4) An apprentice who fails the technical training repeated pursuant to clause (1)(b) or subsection (3) may apply to the commission for permission to write a supplemental examination and, if granted permission, must write the examination if required to do so by the commission.
- (5) The commission must not permit an apprentice who fails a supplemental examination taken pursuant to subsection (4) a further attempt to write the supplemental examination unless, in the opinion of the commission, there were exceptional circumstances.
- (6) The commission may cancel the contract of apprenticeship of an apprentice who:
- (a) without an excuse that is acceptable to the commission, fails to write a supplemental examination if required by the commission pursuant to subsection (2) or (4);
  - (b) without an excuse that is acceptable to the commission, fails to repeat the technical training pursuant to subsection (3) within one year of the failed attempt; or
  - (c) fails the supplemental examination on the second attempt.
- (7) No candidate for a supplemental examination must be permitted to write the examination unless he or she has paid the fee required by the commission.

**Record book**

- 24(1)** The commission may, on the advice of a trade board, develop a record book for a designated trade or sub-trade to be used to record the progress and on-the-job performance of an apprentice.
- (2) The commission must issue to each apprentice in a designated trade or sub-trade for which a record book has been developed a record book for use in accordance with the provisions of this section.
- (3) Every record book is the property of the commission.
- (4) Every contract of apprenticeship between an apprentice and an employer is to specify who is required to:
- (a) keep the record book in his or her possession; and
  - (b) submit the record book to the commission if required to do so by the commission.
- (5) If a person required by the commission pursuant to subsection (4) to submit a record book to the commission fails to submit the record book within three months of the date of mailing of the commission's notice of requirements, the commission may cancel the contract of apprenticeship.
- (6) An employer or trainer of an apprentice to whom a record book has been issued must enter in the record book the required information indicated in the record book respecting the work of the apprentice in the trade or sub-trade.
- (7) No person shall knowingly enter false information in a record book or alter an entry in a record book with the intent of falsifying the information recorded in the record book.

**Journeyman trade examination**

- 25(1)** The commission, on the advice of a trade board for a designated trade, must set the journeyman trade examination or proficiency examination and the pass mark for that trade or sub-trade.
- (2) The pass mark for the interprovincial standards examination must be set by the commission on the advice of the Canadian Council of Directors of Apprenticeship.

**Eligibility for journeyman trade examination**

- 26(1)** An apprentice who has completed the final apprenticeship year in an apprenticeship program is eligible to write the journeyman trade examination.
- (2) The commission may permit an apprentice who has successfully completed all levels of technical training but has not yet completed the on-the-job training required to complete the final apprenticeship year to write the journeyman trade examination.
- (3) A tradesperson in a non-compulsory designated apprenticeship trade is eligible to write the journeyman trade examination for that trade if he or she satisfies the commission that he or she has:
- (a) worked in the trade for not less than 1.5 times the term of apprenticeship for that trade prescribed by the trade regulation; and
  - (b) complied with any other requirements prescribed by the trade regulation.

(4) A tradesperson in a compulsory apprenticeship trade is eligible to write the journeyperson trade examination for that trade if he or she satisfies the commission that he or she:

- (a) commenced work in the trade before it was a compulsory apprenticeship trade;
- (b) has worked in the trade not less than 1.5 times the term of apprenticeship for the trade prescribed by the trade regulation; and
- (c) has complied with any other requirements prescribed by the trade regulation.

(5) In determining the date of commencement of work in a designated trade, the commission may consider work performed outside Saskatchewan to be work in the trade.

(6) A tradesperson who satisfies the commission that he or she holds valid qualifications in a designated trade in another province or territory of Canada or another country equivalent to the Journeyperson Certificate of Qualification is eligible to write the journeyperson trade examination in the trade.

(7) No candidate for a journeyperson trade examination must be permitted to write the examination unless the application fee required by the commission is paid.

**Failure**

**27(1)** Subject to subsections (2), (4) and (5) and section 28, a person who fails a journeyperson trade examination may be permitted by the commission to make another attempt after a waiting period of not less than three months from the date of the last attempt.

(2) No person who fails the journeyperson trade examination on the second or third attempt is to be re-examined until the person satisfies the commission that he or she has completed any upgrading activity or work experience that the commission may require.

(3) For the purposes of subsection (2), the commission may require any upgrading activity or work experience that it considers appropriate.

(4) Subject to subsection (5), no person is to have more than four attempts to pass the journeyperson trade examination in a trade.

(5) For the purposes of this section, if a journeyperson trade examination consists of both a written and a practical examination, an attempt at either the written or practical examination is to be considered an attempt at the journeyperson trade examination, and no person is to have more than six attempts to pass, of which not more than four are to be attempts at the practical examination.

(6) For the purposes of this section, an attempt at the interprovincial standards examination in the trade is deemed to be an attempt at the journeyperson trade examination.

(7) For the purpose of this section, any attempts to pass the journeyperson trade examination or the interprovincial standards examination before September 2, 1986 are not counted as attempts.

(8) The commission must cancel the contract of apprenticeship of an apprentice who has failed the journeyperson trade examination on the last attempt permitted by this section if:

(a) all appeals and reviews allowed by these regulations are exhausted and the result of the appeals or reviews is to confirm the failure; or

(b) the time for making the appeals and for requesting the reviews allowed by these regulations has expired and the apprentice has not made an appeal or requested a review.

**Journeyperson trade examination time limits**

**28(1)** Unless an apprentice has written the examination earlier, he or she must write the journeyperson trade examination on the first examination date scheduled following the completion of his or her final apprenticeship year.

(2) An apprentice who fails the journeyperson trade examination on the first attempt, must make a second attempt not later than one year after the completion of his or her final apprenticeship year.

(3) An apprentice who fails the journeyperson trade examination on the second or third attempt must make another attempt not later than six months after successfully completing the upgrading activity or work experience required by the commission.

(4) The commission may cancel the contract of apprenticeship of an apprentice who has failed to comply with this section.

**Journeyperson Certificate of Qualification**

**29(1)** The commission must issue a Journeyperson Certificate of Qualification to a person who establishes eligibility under this section.

(2) A person is eligible to receive the Journeyperson Certificate of Qualification:

(a) who has attained the pass mark in the journeyperson trade examination; or

(b) met other requirements recommended by a trade board; and

(c) who has satisfied the commission:

(i) in the case of an apprentice, that the apprentice has completed the final apprenticeship year; or

(ii) subject to section 26, in the case of a trade, that the apprentice has worked in the designated trade for a number of hours equivalent to 1.5 times the term of apprenticeship for that trade.

- (3) A person is eligible to apply for a Journeyperson Certificate of Qualification who:
- (a) holds a valid journeyperson's certificate, certificate of completion of apprenticeship or equivalent certificate in a designated trade that:
    - (i) is issued by another province, territory or country; and
    - (ii) is recognized by the commission, on the advice of the trade board for the designated trade, to be equivalent to the Journeyperson Certificate of Qualification in the trade; or
  - (b) has been awarded an Interprovincial seal in the trade by the Office of Apprenticeship of a province or territory of Canada.
- (4) A person is eligible to apply for a Journeyperson Certificate of Qualification in the trade if he or she holds a valid journeyperson's certificate that is:
- (a) issued:
    - (i) by another province, territory or country in a designated trade; and
    - (ii) to the person on completion of an apprenticeship program in the trade or after having met criteria recommended by the trade board; and
  - (b) recognized by the commission, on the advice of the trade board for the designated trade to be equivalent to the Journeyperson Certificate of Qualification in the designated trade.
- (5) No Journeyperson Certificate of Qualification is to be issued to an applicant pursuant to subsection (3) or (4) until the applicant pays the fee required by the commission.

**Certificate of Completion of Apprenticeship**

**30** The commission must issue a Certificate of Completion of Apprenticeship to an apprentice who:

- (a) has completed the term of apprenticeship prescribed by the trade regulation for the designated trade or sub-trade in which he or she is an apprentice;
- (b) has been given reports pursuant to subsection 21(4) that are satisfactory to the commission;
- (c) has successfully completed all levels of technical training required by the commission;
- (d) has met the requirements for the Journeyperson Certificate of Qualification; and
- (e) in designated trades in which a record book has been required, has submitted the record book to the commission for final processing.

**Verification of trade experience**

**31(1)** In this section, “**appropriate person**” means:

- (a) in the case of an apprentice or tradesperson who was employed during the period of trade experience, on-the-job training or work in a trade or sub-trade that the apprentice or tradesperson is trying to verify:
    - (i) his or her employer or an agent of the employer; or
    - (ii) a journeyperson who supervised his or her work; and
  - (b) in the case of an apprentice or tradesperson who was self-employed during the period of trade experience, on-the-job training or work in a trade or sub-trade that the apprentice or tradesperson is trying to verify:
    - (i) the owner, lessee, manager or other occupant of premises on or in which he or she performed work in the trade or sub-trade;
    - (ii) the owner, lessee or other person having possession, custody or control of a vehicle or other machinery or equipment on which he or she performed work in the trade or sub-trade; or
    - (iii) a person who, in the opinion of the commission, is a person in authority in the community who has personal knowledge of work in the trade or sub-trade performed by the apprentice or tradesperson and who is satisfactory to the commission.
- (2) An apprentice or tradesperson required by these regulations or a trade regulation to verify his or her trade experience, on-the-job training or work in a trade or sub-trade must, in any manner required by this section, furnish the commission with the following information:
- (a) locations of work;
  - (b) periods of employment;
  - (c) total hours of work for each period of employment at each location;
  - (d) detailed description of types of work performed;
  - (e) names of journeypersons who supervised the work.
- (3) Subject to subsections (4) and (5), an apprentice or tradesperson must furnish the information required pursuant to subsection (2) by submitting to the commission letters from appropriate persons.
- (4) An apprentice who is required to keep a record book pursuant to section 24 and who is required to verify his or her on-the-job training must:
- (a) submit his or her record book to the commission; and
  - (b) if required to do so by the commission, submit letters from appropriate persons containing the information mentioned in subsection (2).

(5) An apprentice or tradesperson seeking to verify work in a designated trade or sub-trade performed outside Saskatchewan or trade experience or on-the-job training in a trade or sub-trade acquired outside Saskatchewan must:

- (a) submit to the commission any record of employment or training kept by the person or by his or her employer of that work, experience or training; and
- (b) if required to do so by the commission, submit letters from appropriate persons containing the information mentioned in subsection (2).

(6) A letter submitted pursuant to subsection (3), (4) or (5) is to be on the form furnished by the commission and is to be signed by the appropriate person in the presence of a witness, who is to be a person other than the apprentice or tradesperson to whom the letter relates, and by the witness.

(7) Persons mentioned in clause (1)(a) must furnish letters required pursuant to subsection (3) or (4) at the request of an apprentice or the commission.

(8) The commission must give written notice to an apprentice or tradesperson of any letter that, in its opinion, is unsatisfactory and must furnish a copy of the letter with the notice.

(9) If, in the opinion of the commission, the letters furnished by or on behalf of an apprentice or tradesperson pursuant to subsection (3), (4) or (5) or statutory declarations furnished pursuant to subsection (10) are insufficient to verify the facts that the apprentice or tradesperson is required to verify, the commission may require the apprentice or tradesperson to submit additional letters from appropriate persons or statutory declarations.

(10) If an apprentice or tradesperson satisfies the commission that he or she is unable to furnish letters as required by subsection (3), (4) or (5), the commission may accept a statutory declaration containing the information required on the form furnished by the commission and any further information that the commission may consider necessary.

(11) The commission, or at the request of the commission a trade examining board, must evaluate the evidence of trade experience, on-the-job training or work in the trade or sub-trade of the apprentice or tradesperson.

(12) For the purpose of evaluating the trade experience, on-the-job training or work in the trade or sub-trade of the apprentice or tradesperson the commission may require the apprentice or tradesperson to:

- (a) furnish any additional information that it considers necessary;
- (b) appear before the commission, or trade examining board; or
- (c) do both of the things mentioned in clauses (a) and (b).

(13) The commission may conduct inquiries respecting the trade experience, on-the-job training or work in the trade or sub-trade of an apprentice or tradesperson.



(14) In evaluating the trade experience, on-the-job training or work of an apprentice or tradesperson in a designated trade, the commission or a trade examining board must:

- (a) consider only time spent in actual work of the trade or sub-trade; and
- (b) not consider time spent on sick leave or other leave of absence, vacation, strike, lock-out or lay off.

(15) The commission must give written notice to the apprentice or tradesperson of its final assessment of the trade experience, on-the-job training or work in the trade or sub-trade of the apprentice or tradesperson.

**Verification of prior training**

**32(1)** In this section, “**training**” does not include on-the-job training.

(2) Wherever it is required in these regulations or a trade regulation that a person verify in accordance with this section his or her prior training in a designated trade, technical training or educational qualifications, the person must furnish the commission with:

- (a) from each institution that he or she has attended:
  - (i) an official transcript; or
  - (ii) other documentation acceptable to the commission;
- (b) particulars of the courses taken, including the following information:
  - (i) the name of the institution;
  - (ii) the names of the courses taken;
  - (iii) a description of the course content of each course;
  - (iv) the inclusive dates when each course was taken;
  - (v) the number of hours of theory and practical instruction in each course;
  - (vi) the name and qualifications of the instructor of each course; and
- (c) any other information requested by the commission.

**Interprovincial seal**

**33(1)** For the purposes of this section, the commission may recognize an interprovincial standards examination in a designated trade as equivalent to the journeyperson trade examination.

(2) The commission must administer the interprovincial standards examinations recognized by it pursuant to subsection (1) and award an Interprovincial seal to a successful candidate.

(3) The commission must affix an Interprovincial seal awarded pursuant to subsection (2) to the Journeyperson Certificate of Qualification, identification card, proficiency certificate, Certificate of Completion of Apprenticeship and other commission certificates of the successful candidate, and the candidate must submit his or her journeyperson identification card and certificates to the commission for this purpose.

- (4) The commission must determine the eligibility of a person to write an interprovincial standards examination in accordance with guidelines established by the Canadian Council of Directors of Apprenticeship, as amended from time to time, or any successor to that committee.
- (5) A person who satisfies the following criteria is deemed to be a journeyperson in the designated trade and may apply for a Journeyperson Certificate of Qualification:
- (a) the holder of a valid Journeyperson Certificate of Qualification, Certificate of Completion of Apprenticeship or equivalent certificate in a designated trade that is issued by a province or territory of Canada; and
  - (b) the recipient of an Interprovincial seal in the trade by the Office of Apprenticeship of a province or territory of Canada.

**Upgrading courses**

- 34(1)** The commission may establish upgrading courses to provide limited upgrading in theory and practical skills in a designated trade to assist persons in meeting the standards of a journeyperson or proficiency certificate holder.
- (2) Subject to the approval of the commission, a person is eligible to attend an upgrading course for a designated trade if the person has applied and paid the fee and if:
- (a) the person is eligible to write the journeyperson trade examination in the trade or the proficiency certificate examination in the sub-trade;
  - (b) the upgrading is required by a trade regulation; or
  - (c) the person has met other criteria required by the commission.
- (3) If a person registers for an upgrading course and fails, in the opinion of the commission, to maintain an acceptable record of attendance, conduct or deportment, the commission may expel him or her from the course.
- (4) The commission must cause a person who fails to attain the pass mark in an upgrading course to be notified of his or her failure.
- (5) The person mentioned in subsection (4) may, with the permission of the commission, enter a course of training or meet other remedial requirements.
- (6) A course completion certificate is to be issued by the commission to a person who has met the minimum standards required by the commission for the upgrading course.

**Learner's certificate**

- 35(1)** An applicant for a learner's certificate in a designated trade must meet the eligibility requirements set by the commission and trade regulations.
- (2) The commission must not consider any application for a learner's certificate unless the applicant has paid the application fee required by the commission and provided documents verifying that the applicant has met the eligibility requirements.

(3) The commission may require an applicant for a learner's certificate to write and pass an examination before a learner's certificate is issued to the applicant.

(4) The commission may permit a person who fails a learner's certificate examination to re-attempt the examination.

**Proficiency certificate and endorsement**

**36(1)** Subject to the recommendation of the trade board for the designated trade, the commission may establish a program of technical training, on-the-job training or both in a sub-trade or for an endorsement.

(2) The commission must issue a proficiency certificate in the sub-trade to a person who successfully completes a program established pursuant to subsection (1).

(3) On the advice of the trade board for the designated trade of which the sub-trade is a branch, or an endorsement as prescribed by the trade regulations, the commission must determine the criteria for eligibility for admission to a program established pursuant to subsection (1).

(4) On the advice of the trade board, the commission may set an examination for a proficiency certificate or endorsement.

(5) The provisions of sections 26, 27 and 28 apply, with any necessary modification, to persons who have failed proficiency certificate examinations or endorsement examinations.

(6) No candidate for a proficiency certificate examination or endorsement examination is to write the examination unless he or she has paid the application fee required by the commission.

**Examinations**

**37(1)** On the advice of the trade board for a designated trade, the commission must set all examinations required to be given pursuant to these regulations and, unless otherwise provided for in these regulations, may set a pass mark for the examinations.

(2) In addition to the examinations required by these regulations, the commission, on the advice of a trade board for a designated trade, may require any additional examinations that the commission considers necessary.

(3) Subject to the other provisions of these regulations, no candidate for any examination required by the commission or required by these regulations is to write the examination unless the candidate has paid the application fee required by the commission.

(4) Candidates for examination must appear at a time and place designated by the commission for the examination.

(5) A person having control of or responsibility for the conduct of an examination sitting must cause it to be conducted in accordance with the rules established by the commission and these regulations.

- (6) All examination papers and materials furnished for use in examinations are the property of the commission.
- (7) Each candidate must return the examination paper and any materials furnished for use in the examination to the invigilator before leaving the examination room.
- (8) No candidate while in the examination room shall write or enter information on any surface other than an electronic keyboard, paper answer sheet or calculation paper furnished by the invigilator for use in the examination or record by any means whatsoever information respecting any question on the examination or answer to any question for removal from the examination room.
- (9) No candidate shall remove from the examination room a record in any form of information respecting any question on the examination or answer to any question.
- (10) No candidate shall bring into an examination room any source of information respecting the subject-matter of the examination or any other aid likely to assist a candidate in answering an examination question except those that are expressly permitted by the commission.
- (11) An invigilator who observes a candidate cheating during an examination may require the candidate to discontinue writing immediately and leave the examination room, and the examination paper of that candidate is not to be marked.
- (12) An invigilator may require a candidate to furnish evidence of his or her identity.
- (13) The commission must cause every candidate who writes an examination to be given a written statement of his or her examination results.
- (14) The commission may cause the mark awarded to an apprentice, journeyperson or tradesperson to be revoked and zero entered in its place or may expunge the attempt if the person writes an examination:
- (a) that he or she is ineligible to write; or
  - (b) in a manner contrary to these regulations.

**Disclosure of marks, etc.**

**38(1)** The commission may disclose the examination and technical training marks of an apprentice to:

- (a) the employer of the apprentice; or
  - (b) the joint training committee to whom he or she is indentured.
- (2) A joint training committee may disclose the examination and technical training marks of an apprentice indentured to it to an employer to whom the apprentice has been referred for employment by the committee.
- (3) The commission may disclose the examination and technical training marks of an apprentice, journeyperson or proficiency certificate holder to any person on the written request of the apprentice, journeyperson or proficiency certificate holder.

- (4) The commission may disclose to the employer of a tradesperson whether he or she has passed or failed an examination, but it must not disclose the actual marks except in accordance with subsection (3).
- (5) The commission must, on request of any person, disclose to that person whether another person named in the request is:
- (a) registered as an apprentice in a designated trade;
  - (b) in a designated trade the holder of:
    - (i) a Journeyperson Certificate of Qualification;
    - (ii) a Certificate of Completion of Apprenticeship;
    - (iii) a learner's certificate;
    - (iv) a special permit issued pursuant to *The Apprenticeship and Trade Certification Regulations, 2003*; or
    - (v) an endorsement; or
  - (c) the holder of a proficiency certificate in a sub-trade.
- (6) Notwithstanding subsection (5), the commission must not disclose examination or technical training marks except in accordance with subsections (1) to (4).

**Review of results**

**39(1)** A candidate who fails an examination may request in writing a review of the marks awarded on his or her candidate who makes a written request pursuant to subsection (1) must submit to the commission the written request, together with the fee required by the commission, not later than 60 days from the date on which the statement of results was mailed to him or her at his or her last address known to the commission.

(3) If the commission receives a request pursuant to subsection (2), the commission must have the marking of the examination reviewed and must forward the results of the review to the candidate.

(4) There is no further review or appeal of examination results other than that mentioned in this section.

(5) The fee paid pursuant to subsection (2) is to be refunded to a candidate whose marks are increased as a result of the review.

**Validity of certificates and permits**

**40(1)** Subject to subsections (2) and (3), every certificate, permit, endorsement or identification card, issued pursuant to these regulations is valid:

- (a) until the expiry date stated on the document;
- (b) for the period prescribed by trade regulation;
- (c) if no expiry date is stated or period prescribed, until the time that an expiry date is prescribed by trade regulation; or
- (d) until cancelled by the commission.

- (2) The commission may cancel or suspend the certificate, permit, endorsement or identification card if:
- (a) the commission has reasonable grounds to believe that:
    - (i) a certificate, permit, endorsement, and identification card has been:
      - (A) altered in any manner;
      - (B) obtained by fraud or misrepresentation;
      - (C) obtained by a person who is ineligible; or
      - (D) used for any purpose by a person other than the person to whom it was issued; or
    - (ii) the holder of a certificate is without capacity or not competent to perform work in the trade or sub-trade with reasonable skill; or
  - (b) the holder of a certificate or permit has been convicted of an offence pursuant to an Act, that is, in the opinion of the commission, related to the work of the holder or any regulations made pursuant to the Act.
- (3) The commission must cause notice of cancellation or suspension of a certificate, permit, endorsement or identification card pursuant to subsection (2) to be served personally or by registered mail addressed to the last address known to the commission to the holder of the cancelled or suspended document.
- (4) The notice of cancellation or suspension of a certificate, permit, endorsement or identification card must set forth:
- (a) the grounds on which the cancellation is based; and
  - (b) the nature of the evidence in support of the grounds.
- (5) A person aggrieved by a decision of the commission pursuant to subsection (2) may appeal the decision pursuant to Part III, Division 6 of the Act.
- (6) The commission may require the holder of a certificate, permit, endorsement or identification card to take an examination on a date determined by the commission to assist the commission in determining grounds mentioned in subsection (2).
- (7) Notwithstanding any other provision of these regulations, a person who writes an examination pursuant to this section is not required to pay an examination fee.
- (8) No person whose certificate, permit, endorsement or identification card has been cancelled or suspended by the commission must hold himself or herself out as a holder of a certificate, permit, endorsement or identification card until:
- (a) if his or her certificate, permit, endorsement or identification card has been suspended, the period of suspension has ended; or
  - (b) his or her certificate, permit, endorsement or identification card has been reinstated pursuant to Part III, Division 6 of the Act.

**Updating courses**

41(1) The commission may establish updating courses to:

- (a) provide skill training to enable persons to bring their skills to current standards; and
  - (b) provide instruction in areas of new technological development and work practices that relate to but are not necessarily part of a designated trade or designated sector.
- (2) Subject to the approval of the commission, an application to attend an updating course may be made by a person who:
- (a) holds a Journeyperson Certificate of Qualification; or
  - (b) meets any eligibility requirements of the commission.
- (3) An updating course completion certificate is to be issued by the commission to a person who has met the minimum standards of the commission for the updating course.

**Specialty courses**

42(1) The commission may establish specialty courses to provide limited training in a designated trade or designated sector that is beneficial to individuals working in the designated trade or designated sector.

- (2) Subject to the approval of the commission, an application to attend a specialty course may be made by a person who meets any eligibility requirements of the commission.
- (3) A specialty course completion certificate is to be issued by the commission to a person who has met the minimum standard prescribed by the commission for the specialty course.

**Identification cards**

43(1) The commission must issue to each indentured apprentice, on the registration of his or her contract of apprenticeship, a card identifying him or her as an apprentice and denoting the apprenticeship year in which he or she is registered.

(2) Subject to section 44, the commission must issue a new apprenticeship year identification card to an apprentice who completes an apprenticeship year and enters the next apprenticeship year in the designated trade.

(3) The commission must issue a journeyperson identification card to each person to whom a Journeyperson Certificate of Qualification is issued.

(4) The commission must issue a permit holder identification card to each person who has been issued a special permit pursuant to *The Apprenticeship and Trade Certification Regulations, 2003*.

(5) The commission must issue a learner's identification card to each person to whom a learner's certificate is issued.

- (6) The commission must issue a proficiency identification card to each person to whom a proficiency certificate is issued.
- (7) The commission may issue an identification card to an individual for a purpose recognized by the commission.
- (8) Each person to whom an identification card is issued pursuant to this section shall carry it at all times while at work and must produce it for inspection at the request of:
  - (a) the person's employer or prospective employer;
  - (b) any person for whom the person is performing, or is about to perform, work in the trade; or
  - (c) the commission or any employee of the commission.

**Certificates, etc.**

- 44(1) Every certificate, permit, endorsement and identification card issued by the commission is the property of the commission.
- (2) The commission may require the holder of a certificate, permit, endorsement, or identification card to return it to the commission before a new certificate, permit, endorsement or card is issued.
- (3) A person whose certificate, permit, endorsement, or identification card has been cancelled or suspended by the commission must return it to the commission immediately on notification of the cancellation or suspension.
- (4) The commission may require a person seeking replacement of a certificate, permit, endorsement or identification card to:
  - (a) make a statutory declaration setting forth the circumstances relating to the loss or destruction of the certificate, permit, endorsement or card to be replaced;
  - (b) furnish evidence of his or her identity; or
  - (c) do both of the things mentioned in clauses (a) and (b).
- (5) A replacement certificate, permit, endorsement or identification card is not to be issued to any person who has not paid the application fee required by the commission.

**Posting of regulations and certificates**

- 45 Every employer and every person engaged in the business of a designated trade must, in a conspicuous place in the premises in or from which the trade is carried on, post one or more of the following as the commission may from time to time require:
  - (a) these regulations;
  - (b) *The Apprenticeship and Trade Certification Regulations, 2003*;



- (c) the Act;
- (d) extracts from the legislation mentioned in clause (a), (b) or (c);
- (e) information respecting the legislation mentioned in clause (a), (b) or (c);
- (f) certificates, permits, endorsements, or identification cards issued pursuant to these regulations.

**Application forms**

**46** All applications are to be made on the form provided by the commission or on a form acceptable to the commission:

- (a) for entry into an apprenticeship program;
- (b) to write examinations;
- (c) for a learner's certificate;
- (d) for a special permit pursuant to *The Apprenticeship and Trade Certification Regulations, 2003*;
- (e) for an endorsement;
- (f) for entry into an upgrading course, updating course or speciality course; and
- (g) for replacement of a certificate, permit, endorsement or identification card.

**Time limits**

**47(1)** If, in these regulations, the time for doing a particular thing is limited, the commission may, in its discretion, extend the time for doing that thing if the commission is satisfied that:

- (a) a failure or inability to comply with the time limit is caused by an illness, bereavement, accident or other unforeseen circumstance that is not the fault of the person required to comply; and
- (b) the strict application of the time limit would cause undue hardship to the person required to comply.

(2) The commission may require any person seeking relief pursuant to subsection (1) to furnish proof of the illness, accident, bereavement or other unforeseen circumstance in any form that the commission may require.

### PART III Designated Trades

**Agricultural machinery technician trade**

**48(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “agricultural machinery technician trade” and includes the setting up, diagnosing, repairing, modifying, overhauling and maintaining of agricultural machinery.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Aircraft maintenance engineer technician trade**

**49(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “aircraft maintenance engineer technician” and includes a person who, with respect to a fixed wing aircraft weighing 12,500 pounds or less:

- (a) replaces, inspects and services brake systems, electrical systems and components, fuel systems, carburetors, fuel control units, reciprocating and turbine engines and top overhaul;
  - (b) replaces, inspects and services airframe structures and components, landing gear systems, flying control systems and rigging;
  - (c) inspects and adjusts balance and weight control;
  - (d) completes pre-flight and scheduled inspections;
  - (e) completes inspections and checks of avionic systems and makes replacements if necessary; and
  - (f) removes, replaces, adjusts and repairs propellers.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of four apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

**Automotive service technician trade**

**50(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “automotive service technician trade”, and includes the inspecting, diagnosing, servicing, repairing, replacing and overhauling of all components of an automobile, light truck or light bus, except body sheet metal repairing and painting.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Barber stylist trade**

**51(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “barber stylist trade”, and includes:

- (a) the cutting, shampooing, styling, waving and chemical treatment of hair;
  - (b) the applying of topical lotions and stimulants;
  - (c) the shaving of the face;
  - (d) the trimming and designing of beards and mustaches; and
  - (e) the massaging and treatment of the head, face and neck.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No applicant for a special permit pursuant to *The Apprenticeship and Trade Certification Regulations, 2003* is to be issued a special permit until any fee required by the commission has been paid to issue the special permit.
  - (4) No person is eligible to obtain a learner’s certificate in the trade unless he or she has successfully completed a training program recognized by the commission.
  - (5) No person is eligible to enter a training program mentioned in subsection (6) unless he or she has:
    - (a) a Saskatchewan Grade 11 standing; or
    - (b) educational qualifications, skills and aptitude that, in the commission’s opinion, are equivalent to the standing mentioned in clause (a).
  - (6) The term of apprenticeship in the trade consists of two apprenticeship years.
  - (7) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

- (8) A person desiring to enter an apprenticeship program in the trade must obtain a learner's certificate before applying for entry into an apprenticeship program.
- (9) The commission must grant a person credit towards the completion of the term of apprenticeship in the trade for time spent, verified in accordance with section 32, in a training program recognized by the commission pursuant to subsection (4).
- (10) Subsections 29(2) and (3) do not apply to the trade.

**Boilermaker trade**

**52(1)** In this section, "**trade**" means the trade designated in accordance with Part II as "boilermaker trade", and includes the laying-out, burning, shearing, sawing, cutting, punching, drilling, reaming, boring, tapping, rivetting, caulking, bolting, connecting, fastening, welding, gouging, shaping, fitting, handling and rigging of structural members, plates and tubes in the fabrication, erection, repair and maintenance of all manner of dust, air, gas, steam, oil, water or other liquid-tight containers, structures and equipment.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of three apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Bricklayer trade**

**53(1)** In this section, "**trade**" means the trade designated in accordance with Part II as "bricklayer trade" and includes any brickwork, blockwork, stonework and all other work incidental to that work performed by a bricklayer.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,500 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Carpenter trade**

**54(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “carpenter trade”, and includes the milling, fashioning, joining, assembling, disassembling, laying out, erecting, fastening and dismantling of wood, plastic, metal, fabric, cork, composition and other materials used in the construction of buildings and other structures.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

(a) includes on-the-job training; and

(b) may include technical training.

(6) To be eligible to write the journeyperson trade examination in the trade, subject to subsection (7), a tradesperson must:

(a) verify in accordance with sections 31 and 32 that he or she has worked in the trade 1.5 times the term of apprenticeship; and

(b) after verifying the period of work in the trade in accordance with clause (a), successfully complete a carpentry upgrading course recognized by the commission.

(7) Subsection (6) does not apply to a tradesperson who was eligible and had applied to write the journeyperson trade examination in the trade before September 2, 1986.

**Concrete finisher trade**

**55(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “concrete finisher trade” and includes the finishing, restoring and repairing of concrete by manual and mechanical means and other related work.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications or an equivalent standing that, in the opinion of the commission, are required to complete the apprenticeship program successfully.

- (4) The term of apprenticeship in the trade consists of three apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,200 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.
- (6) To be eligible to write the journeyperson trade examination in the trade, a tradesperson must:
  - (a) verify in accordance with sections 31 and 32 that he or she has worked in the trade 1.5 times the term of apprenticeship; and
  - (b) after verifying his or her period of work in the trade in accordance with clause (a), successfully complete a concrete finisher upgrading course recognized by the commission.

**Cook trade**

**56(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “cook trade”, and includes:

- (a) the preparing, seasoning and cooking by appropriate methods of soups, meats, fish, poultry, vegetables, desserts and other foods such as sauces, gravies and salads;
  - (b) meat-cutting; and
  - (c) the fundamentals of baking and pastry cooking.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of three apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

**Cosmetologist trade**

**57(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “cosmetologist trade”, and includes the shampooing, shaping, styling, waving and chemical treatment of hair, the applying of facial and scalp treatments, the applying of make-up and manicuring.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

- (3) No applicant for a special permit pursuant to *The Apprenticeship and Trade Certification Regulations, 2003* is to be issued a special permit until he or she has paid any fee required by the commission to issue the special permit.
- (4) No person is eligible to obtain a learner's certificate in the trade unless he or she has successfully completed a training program recognized by the commission.
- (5) No person is eligible to enter a training program mentioned in subsection (4) unless he or she has:
- (a) a Saskatchewan Grade 11 standing; or
  - (b) educational qualifications, skills and aptitude that, in the commission's opinion, are equivalent to the standing mentioned in clause (a).
- (6) The term of apprenticeship in the trade consists of two apprenticeship years.
- (7) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
- (a) includes on-the-job training; and
  - (b) may include technical training.
- (8) A person desiring to enter an apprenticeship program in the trade must obtain a learner's certificate before applying for entry into an apprenticeship program.
- (9) The commission must grant credit towards the completion of the apprenticeship program in the trade for time spent, verified in accordance with section 32, in the training program mentioned in subsection (4).

**Crane and hoist operator trade**

**58(1)** In this section "**trade**" means the trade designated in accordance with Part II as "crane and hoist operator trade", and includes the operation of any mechanical device or structure:

- (a) that incorporates a power driven drum and wire rope that is used primarily for raising, lowering or moving material or equipment;
  - (b) that is equipped with a boom capable of moving in the vertical and horizontal planes;
  - (c) that is mounted on a base or chassis intended to provide mobility; and
  - (d) that may be crawler- or wheel-mounted.
- (2) In this section:
- (a) "**boom truck operator 'A' sub-trade**" means the sub-trade recognized pursuant to subsection (7) as the "boom truck operator 'A' sub-trade" and includes, with respect to boom trucks including boom trucks over 15.5 tons, the maintenance and operation of any device that:
    - (i) is mounted on a turret;
    - (ii) is supported to provide mobility;

(iii) incorporates a power drum and wire rope; and

(iv) has:

(A) a boom capable of swinging, hoisting and booming up and down; or

(B) a telescoping or articulating boom;

(b) **“boom truck operator ‘B’ sub-trade”** means the sub-trade recognized pursuant to subsection (7) as the “boom truck operator ‘B’ sub-trade” and includes, with respect to boom trucks up to and including 15.5 tons, the maintenance and operation of any device that:

(i) is mounted on a turret;

(ii) is supported to provide mobility;

(iii) incorporates a power drum and wire rope; and

(iv) has:

(A) a boom capable of swinging, hoisting and booming up and down; or

(B) a telescoping or articulating boom;

(c) **“conventional crane operator sub-trade”** means the sub-trade recognized pursuant to subsection (7) as the “conventional crane operator sub-trade” and includes the maintaining and operating of any mechanical device or structure incorporating a power-driven drum and wire rope used for raising, lowering or moving material, which is equipped with a boom capable of moving in the vertical plane and either crawler- or wheel-mounted on a base or chassis to provide mobility;

(d) **“hoist operator sub-trade”** means the sub-trade recognized pursuant to subsection (7) as the “hoist operator sub-trade” and includes the maintaining and operating of compressed air, diesel, electric, gasoline and steam drum hoists to control the movement of cableways, cages, derricks, loaders and skips to move material for sawmills, construction and other industrial and commercial operations;

(e) **“hydraulic crane operator sub-trade”** means the sub-trade recognized pursuant to subsection (7) as the “hydraulic crane operator sub-trade” and includes the maintaining and operating of any hydraulically-driven hoisting device or structure incorporating a power-driven drum and wire rope used for raising, lowering or moving material, which is equipped with a boom capable of moving in the vertical plane and either crawler- or wheel-mounted on a base or chassis to provide mobility;



- (f) **“tower crane operator sub-trade”** means the sub-trade recognized pursuant to subsection (7) as the “tower crane operator sub-trade” and includes the maintaining and operating of any mechanical device or structure incorporating a power-driven drum, boom and wire rope used for raising, lowering and moving material, and utilizing a vertical mast or tower and jib, which may be of the travelling, fixed or climbing types.
- (3) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade or in one of the sub-trades mentioned in subsection (2).
- (4) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (5) A term of apprenticeship in the trade consists of three apprenticeship years operating conventional cranes and hydraulic cranes of which a minimum of 1.0 apprenticeship year must be operating either conventional or hydraulic cranes.
- (6) Each apprenticeship year:
- (a) subject to clause (b), in the trade requires 1,500 hours of training that:
    - (i) includes on-the-job training; and
    - (ii) may include technical training;
  - (b) in the boom-truck operator ‘B’ sub-trade requires 1,000 hours of training that:
    - (i) includes on-the-job training; and
    - (ii) may include technical training.
- (7) The following are sub-trades of the trade:
- (a) conventional crane operator;
  - (b) hydraulic crane operator;
  - (c) hoist operator;
  - (d) tower crane operator;
  - (e) boom truck operator ‘A’;
  - (f) boom truck operator ‘B’.
- (8) A term of apprenticeship in the conventional crane operator sub-trade consists of three apprenticeship years.

(9) The holder of a proficiency certificate in the conventional crane operator sub-trade requires:

- (a) 0.5 apprenticeship years in the hoist operator or sub-trade to be eligible to write the proficiency certificate examination in that sub-trade;
- (b) 0.33 apprenticeship years in the hydraulic crane operator or sub-trade to be eligible to write:
  - (i) the proficiency examination in that sub-trade; or
  - (ii) the crane and hoist operator journeyman examination;
- (c) 0.5 apprenticeship years in the boom truck operator 'A' sub-trade to be eligible to write the proficiency certificate examination in that sub-trade; and
- (d) 1.0 apprenticeship year in the boom truck operator 'B' sub-trade to be eligible to write the proficiency certificate examination in that sub-trade.

(10) A term of apprenticeship in the hydraulic crane operator sub-trade consists of 2.5 apprenticeship years.

(11) The holder of a proficiency certificate in the hydraulic crane operator sub-trade requires:

- (a) 0.33 apprenticeship years in the conventional crane operator sub-trade to be eligible to write:
  - (i) the proficiency certificate examination in that sub-trade; or
  - (ii) the crane and hoist operator journeyman examination;
- (b) 0.5 apprenticeship years in the hoist operator or sub-trade to be eligible to write the proficiency certificate examination in that sub-trade;
- (c) 0.5 apprenticeship years in the boom truck operator 'A' sub-trade to be eligible to write the proficiency certificate examination in that sub-trade; and
- (d) 1.0 apprenticeship year in the boom truck operator 'B' sub-trade to be eligible to write the proficiency certificate examination in that sub-trade.

(12) A term of apprenticeship in the hoist operator sub-trade consists of two apprenticeship years.

(13) The holder of a proficiency certificate in the hoist operator sub-trade requires:

- (a) 2.0 apprenticeship years in the conventional crane operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade;
- (b) 1.5 apprenticeship years in the hydraulic crane operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade;

- 
- (c) 1.0 apprenticeship year in the boom truck operator 'A' sub-trade to be eligible to write the proficiency certificate examination in that sub-trade; and
  - (d) 1.0 apprenticeship year in the boom truck operator 'B' sub-trade to be eligible to write the proficiency certificate examination in that sub-trade.
- (14) The term of apprenticeship is two apprenticeship years in:
- (a) the boom truck operator 'A' sub-trade; or
  - (b) the boom truck operator 'B' sub-trade.
- (15) The holder of a proficiency certificate in the boom truck operator 'A' sub-trade requires:
- (a) 2.0 apprenticeship years in the conventional crane operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade;
  - (b) 1.5 apprenticeship years in the hydraulic crane operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade; and
  - (c) 1.0 apprenticeship year in the hoist operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade.
- (16) The holder of a proficiency certificate in the boom truck operator 'B' sub-trade requires:
- (a) 3.0 apprenticeship years in the conventional crane operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade;
  - (b) 2.5 apprenticeship years in the hydraulic crane operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade;
  - (c) 1.0 apprenticeship year in the hoist operator sub-trade to be eligible to write the proficiency certificate examination in that sub-trade; and
  - (d) 0.5 apprenticeship year in the boom truck operator 'A' sub-trade to be eligible to write the proficiency certificate examination in that sub-trade.
- (17) The holder of a proficiency certificate in the boom truck operator 'B' sub-trade may obtain a proficiency certificate in the boom truck operator 'A' sub-trade by:
- (a) successfully completing the proficiency certificate examination in the boom truck operator 'A' sub-trade;
  - (b) applying on the form provided by the commission;
  - (c) surrendering to the commission the proficiency certificate held by that person in the boom truck operator 'B' sub-trade; and
  - (d) paying any fee required by the commission.
- (18) A term of apprenticeship in the tower crane operator sub-trade consists of 2.5 apprenticeship years.

(19) A holder of proficiency certificates in both the conventional crane operator and hydraulic crane operator sub-trades may obtain a Journeyperson Certificate of Qualification in the trade, if that person:

- (a) satisfies the eligibility requirements set out in section 29; and
- (b) does the following:
  - (i) applies on the form provided by the commission;
  - (ii) surrenders both proficiency certificates to the commission;
  - (iii) pays any fee required by the commission.

(20) Notwithstanding subsection 26(3), in order to be eligible to write the journeyperson trade examination in the trade, a tradesperson who does not hold proficiency certificates in the required sub-trades must satisfy the commission that that person has worked in the trade for an aggregate of not less than 4.5 years, of which:

- (a) at least 1.5 years are in the hydraulic crane operator sub-trade and at least 1.5 years are in the conventional crane operator sub-trade, and the remaining 1.5 years may be served in either sub-trade;
- (b) not less than two years are to be in:
  - (i) the hydraulic crane operator sub-trade if the tradesperson has three years or more in the conventional crane operator sub-trade; or
  - (ii) the conventional crane operator sub-trade if the tradesperson has three years or more in the hydraulic crane operator sub-trade; and
- (c) not less than one year is to be in the hoist operator sub-trade.

**Custom harvester trade**

**59(1)** In this section, “**trade**” means the trade designated in accordance with Part II as the “custom harvester trade” and includes harvesting a variety of crops on a contract basis for other farmers throughout the North American grain belt, and may include the managing and supervising of a team of operators who harvest crops and haul grain to storage using trucks and highway tractor-trailer units.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Drywall and acoustical mechanic trade**

**60(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “drywall and acoustical mechanic trade” and includes the layout, installation, application, finishing and fabrication in the construction industry of:

- (a) metal stud systems;
  - (b) thermal insulations and related vapour barriers and sealants;
  - (c) gypsum board and related products;
  - (d) textured coatings;
  - (e) demountable partitions;
  - (f) acoustic, linear, luminous and integrated ceilings;
  - (g) raised access flooring; and
  - (h) acoustical treatments.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,500 hours of training that:
- (a) includes on-the-job training; and
  - (b) may include technical training.

**Electrician trade**

**61(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “electrician trade” and includes all “work of electrical installation” as defined in *The Electrical Inspection Act, 1993*.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
- (a) includes on-the-job training; and
  - (b) may include technical training.

**Electronics assembler trade**

**62(1)** In this section, “**trade**” means the trade designated in accordance with Part II as the “electronics assembler trade” and includes:

- (a) interpreting electronic assembly drawings, schematics and production instructions; and
  - (b) assembling, testing, reworking and repairing circuit boards, cablewire harnesses, chassis and equipment racks, primarily at manufacturing facilities.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of two apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
- (a) includes on-the-job training; and
  - (b) may include technical training.

**Electronics technician (consumer products) trade**

**63(1)** In this section “**trade**” means the trade designated in accordance with Part II as “electronics technician (consumer products) trade” and includes the repairing, adjusting and servicing of consumer electronic products, including radio, television and two-way radio equipment, closed-circuit television monitors, inter-communication sets and amplifiers, domestic record and tape players and recording equipment.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
- (a) includes on-the-job training; and
  - (b) may include technical training.

**Floorcovering installer trade**

**64(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “floorcovering installer trade” and includes a worker involved in the installation, application, alteration, repair and service of all types of underlayment, carpets, rugs, artificial turf, resilient sheet goods, resilient tiles, specialty flooring, stair-coverings, top-set base and other floor coverings or flooring products.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of three apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,600 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Food and beverage person trade**

- 65(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “food and beverage person trade” and includes the sale and service of food and beverage products and the mixing and preparation of alcoholic and non-alcoholic beverages.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of two apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.
  - (6) To be eligible to receive a Journeyperson Certificate of Qualification in the trade, a tradesperson must:
    - (a) in accordance with section 31, verify work experience of at least 1.5 times the term of apprenticeship; and
    - (b) successfully complete a food and beverage person upgrading course recognized by the commission.

**Glassworker trade**

- 66(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “glassworker trade” and includes:
- (a) the cutting, preparing, fabricating, glazing, setting, attaching, installing and removing of all types of glass and glass-substitute materials and fixtures;
  - (b) the fitting, fabricating, installing and attachment of curtain walls, architectural metals and related substitute products in all types of buildings and other structures; and
  - (c) the replacing of glass in motor vehicles.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Guest services representative trade**

**67(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “guest services representative” trade and includes the promotion, sale and booking of all accommodation products and services, the check-in and check-out of accommodation guests, the maintenance and reconciliation of financial records, and the provision or facilitation of all accommodation guest services.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of two apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

(6) To be eligible to receive a Journeyperson Certificate of Qualification in the trade, a tradesperson must:

- (a) in accordance with section 31, verify work experience of at least 1.5 times the term of apprenticeship and;
- (b) successfully complete a guest services representative upgrading course recognized by the commission.

**Heavy duty equipment mechanic trade**

**68(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “heavy duty equipment mechanic trade” and includes the repairing, improving and maintaining of any heavy duty equipment powered by an internal combustion engine or an electric motor.



- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Horticulture technician**

**69(1)** In this section:

- (a) **“elm tree pruner endorsement certificate”** means an elm tree pruner endorsement certificate issued by the commission in accordance with this section that certifies that the holder of the endorsement certificate is qualified to prune elm trees;
  - (b) **“trade”** means the trade designated in accordance with Part II as “horticulture technician trade” and includes a worker who may be engaged in:
    - (i) the business of selling, growing, installing or maintaining plant or related material;
    - (ii) landscape construction;
    - (iii) landscape maintenance;
    - (iv) the operation of a greenhouse, nursery or garden centre;
    - (v) tree moving; or
    - (vi) the selling, growing, installing or maintaining of turf grass.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade or endorsement.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of four apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,350 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

(6) To be eligible for an elm tree pruner endorsement certificate, an individual in the horticulture technician trade must:

- (a) complete training to the satisfaction of the commission;
- (b) complete 1,500 hours of work experience pruning elm trees, to the satisfaction of the commission; and
- (c) pay any fee required by the commission.

**Industrial instrument mechanic trade**

**70(1)** In this section, “**trade**” means the trade continued pursuant to Part II as “industrial instrument mechanic trade” and includes maintenance, diagnosing, servicing, repairing and calibration of control instruments used in commercial and industrial settings.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,700 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Industrial mechanic (millwright) trade**

**71(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “industrial mechanic (millwright) trade” and includes the installing, repairing, improving or maintaining of industrial equipment including bearings, seals, shafts, couplings, clutches, drives, conveyors, cranes, rigging, piping and hydraulic, pneumatic and associated equipment used in commercial and industrial establishments.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Insulator trade**

72(1) In this section, “**trade**” means the trade designated in accordance with Part II as “insulator trade” and includes the preparation, fabrication, alteration, application, erection, assembling, moulding, spraying, pouring, mixing, hanging, adjusting, repairing, dismantling, removing, containing, reconditioning, maintaining, finishing and weatherproofing of thermal insulation and related materials on pipes, pipe fittings, valves, boilers, ducts, flues, tanks, vats, refrigeration piping and equipment, fire-stops and other equipment.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,600 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

(6) An employer who is a journeyperson in the trade working in Saskatchewan is considered to be an employed journeyperson for the purpose of computing the number of apprentices that the employer may employ.

(7) To be eligible to write the journeyperson trade examination in the trade, a tradesperson must:

- (a) verify in accordance with sections 31 and 32 that he or she has worked in the trade 1.5 times the term of apprenticeship; and
- (b) after complying with clause (a), successfully complete an insulator upgrading course recognized by the trade board.

**Ironworker reinforcing rebar trade**

73(1) In this section “**trade**” means the trade designated in accordance with Part II as “ironworker reinforcing rebar trade” and includes:

- (a) fabrication and welding, in the field, of all materials used to reinforce concrete and in the positioning of post-tensioning steel;
- (b) installation of rebar and the placement, sorting, cutting, burning, bending and tying of all materials used to reinforce concrete and in the positioning of post-tensioning steel; and
- (c) the handling of all materials used to reinforce concrete and in the positioning of post-tensioning steel.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of three apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Ironworker structural trade**

**74(1)** In this section “**trade**” means the trade designated in accordance with Part II as “ironworker structural trade” and includes:

- (a) the field fabrication, welding, cutting, erection and dismantling of structural steel, curtain walls, miscellaneous and ornamental metal work;
- (b) the erection and placement of precast and prestressed concrete; and
- (c) the rigging and placement of machinery and equipment.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of three apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Locksmith trade**

**75(1)** In this section, “**trade**” means the work designated in accordance with Part II as “locksmith trade” and includes:

- (a) evaluating the security and access needs of customers and advising customers with respect to those needs;
- (b) installing, adjusting, servicing, modifying and replacing all types of locks, safes and associated hardware;
- (c) selling and installing burglar, access and alarm systems;
- (d) rekeying locks and altering combinations; and
- (e) opening locks for which keys or combinations are not available.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of the apprenticeship program in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Machinist trade**

**76(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “machinist trade” and includes the skilful operation and care of machines and hand tools required to turn, shape, bore, drill, broach or grind either metal or plastic substances into any shape, and to any required finish or tolerance.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Motor vehicle body repairer trade**

**77(1)** In this section:

(a) “**motor vehicle body refinisher sub-trade**” means the sub-trade recognized pursuant to subsection (6) as the “motor vehicle body refinisher sub-trade” and includes the appraising and refinishing of motor vehicle bodies;

(b) “**trade**” means the trade designated in accordance with Part II as “motor vehicle body repairer trade” and includes the appraising, servicing, repairing, replacing, refinishing and restoring of damaged bodies and frames of motor vehicles.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade or motor vehicle body refinisher sub-trade.

- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship program in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.
- (6) The sub-trade known as “motor vehicle body refinisher” is recognized as a branch of the trade.
- (7) The term of apprenticeship program in the “motor vehicle body refinisher” sub-trade is two apprenticeship years.

**Painter and decorator trade**

**78(1)** In this section:

- (a) **“paint”** includes stain, varnish, emulsion and any other organic or inorganic coating which may be applied in the same manner as paint and used for decorative or protective purposes;
  - (b) **“trade”** means the trade designated in accordance with Part II as “painter and decorator trade” and includes the preparing of surfaces for the application of paint and other protective and decorative coatings and decorative finishes and the applying of paint and other coatings and decorative finishes to buildings and other protective and decorative structures.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of three apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

**Partsperson trade**

**79(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “partsperson trade” and includes the ordering, stocking, accounting or dispensing of parts and assemblies supplied to the mechanical, agricultural and service industries.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of three apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Pipeline equipment operator trade**

**80(1)** In this section:

(a) “**dozer operator**” means a journeyperson who is certified in accordance with this section to operate a dozer to perform pipeline procedures, including:

- (i) clearing, grading and restoring pipeline rights-of-way;
- (ii) backfilling and compacting trenches; and
- (iii) winching, tow-cat and river-crossing operations;

(b) “**endorsement**” means an endorsement on a journeyperson’s certificate indicating the type or types of pipeline equipment that the holder of the certificate is certified to operate;

(c) “**excavator operator**” means a journeyperson who is certified in accordance with this section to operate an excavator to perform pipeline procedures, including:

- (i) stripping topsoil;
- (ii) performing clean-up operations; and
- (iii) digging and backfilling trenches;

(d) “**grader operator**” means a journeyperson who is certified in accordance with this section to operate a grader to perform pipeline procedures, including:

- (i) stripping and replacing topsoil;

- (ii) finishing and restoring the pipeline work site as near as possible to its prior environmental state;
  - (iii) maintaining pipeline rights-of-way; and
  - (iv) constructing and maintaining roads and ditches;
- (e) **“sideboom operator”** means a journeyperson who is certified in accordance with this section to operate a sideboom to perform pipeline procedures, including hoisting, cradling and placing pipe and pipeline equipment;
- (f) **“trade”** means the trade designated in accordance with Part II as the “pipeline equipment operator trade” and includes:
- (i) operating equipment to clear a surveyed right-of-way for laying pipe;
  - (ii) digging a trench at a precise route and depth for laying pipe;
  - (iii) bending pipe to the desired configuration;
  - (iv) laying pipe;
  - (v) providing access to the pipeline work site; and
  - (vi) restoring the pipeline work site as near as possible to its prior environmental state.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade or endorsement.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of three apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,000 hours of training that:
- (a) includes on-the-job training; and
  - (b) may include technical training.
- (6) The holder of a journeyperson’s certificate in the trade with an endorsement as a dozer operator requires:
- (a) 0.5 year or 500 hours as an apprentice or tradesperson to be eligible to write the grader operator endorsement examination;
  - (b) 1.0 year or 1,000 hours as an apprentice or tradesperson to be eligible to write the excavator operator endorsement examination; and
  - (c) 1.5 years or 1,500 hours as an apprentice or tradesperson to be eligible to write the sideboom operator endorsement examination.



- (7) The holder of a journeyperson's certificate in the trade with an endorsement as a grader operator requires:
- (a) 1.0 year or 1,000 hours as an apprentice or tradesperson to be eligible to write the dozer operator endorsement examination;
  - (b) 1.5 years or 1,500 hours as an apprentice or tradesperson to be eligible to write the excavator operator endorsement examination; and
  - (c) 1.5 years or 1,500 hours as an apprentice or tradesperson to be eligible to write the sideboom operator endorsement examination.
- (8) The holder of a journeyperson's certificate in the trade with an endorsement as an excavator operator requires:
- (a) 0.5 years or 500 hours as an apprentice or tradesperson to be eligible to write the grader operator endorsement examination;
  - (b) 1.0 year or 1,000 hours as an apprentice or tradesperson to be eligible to write the dozer operator endorsement examination; and
  - (c) 1.5 years or 1,500 hours as an apprentice or tradesperson to be eligible to write the sideboom operator endorsement examination.
- (9) The holder of a journeyperson's certificate in the trade with an endorsement as a sideboom operator requires:
- (a) 0.5 years or 500 hours as an apprentice or tradesperson to be eligible to write the grader operator endorsement examination;
  - (b) 1.0 year or 1,000 hours as an apprentice or tradesperson to be eligible to write the dozer operator endorsement examination; and
  - (c) 1.5 years or 1,000 hours as an apprentice or tradesperson to be eligible to write the excavator operator endorsement examination.

**Plasterer trade**

**81(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “plasterer trade” and includes the applying of plaster and other similar materials to the interior and exterior surfaces of ceilings and walls of any building with the tools and accessories used in the trade.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of three apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

(6) An employer who is a journeyman in the trade working in Saskatchewan is considered to be a journeyman employed by him or her for the purpose of computing the number of apprentices that he or she may employ.

**Plumber trade**

**82(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “plumber trade” and includes:

- (a) the installing, fitting, altering and repairing of water and soil pipes, rain-water leaders, baths, water closets and other sanitary and fire protection apparatus for a house or other building, including the junction to the mains and sewers and the connecting of tanks to sewers and mains; and
- (b) the installing, maintaining, altering and repairing of any gas installation and gas equipment as defined in *The Gas Licensing Act* and any medical gas installation and equipment.

(2) This section applies to employers, tradespersons, journeymen, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of five apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Pork production technician trade**

**83(1)** In this section:

(a) “**breeder**” means a type of work performed by a journeyman who selects and handles breeding stock, conducts artificial and traditional insemination, and maintains the health and feeding program of the breeding herd, including boars;

(b) “**endorsement**” means an endorsement on a journeyman’s certificate indicating the type or types of pork production technician work that the holder of the certificate is certified to perform;

(c) “**farrowing**” means a type of work performed by a journeyman who is responsible for all aspects of the farrowing process, including supervising the farrow process, processing of piglets, care of the nursing piglets, and health and feeding programs;

(d) **“facilities maintenance”** means a type of work performed by a journey person who maintains feed and water systems, ventilation and heating systems, and performs general maintenance of the production facilities and related equipment;

(e) **“grower-finisher”** means a type of work performed by a journey person who is responsible for all aspects of the grow-finish area including herd health and feed requirements, daily operation of mechanical systems, and processing of pigs for market;

(f) **“nursery management”** means a type of work performed by a journey person who conducts post-weaning management, maintains the health and feeding program for weaned piglets, and maintains nursery management systems;

(g) **“trade”** means the trade designated in accordance with Part II as the “pork production technician trade” and includes: herd health, stock identification and selection, nutrition, breeding, gestating, farrowing, weaning, finishing, piglet care, barn and environment maintenance, waste management, stockpersonship, and basic management and marketing of swine.

(2) This section applies to employers, tradespersons, journey persons, apprentices and any other person in the trade or endorsement.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade with one endorsement consists of one apprenticeship year.

(5) The term of apprenticeship in the pork production trade with endorsements in breeder, farrowing, grower-finisher, and nursery management consists of two apprenticeship years.

(6) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

(a) includes on-the-job training; and

(b) may include technical training.

(7) The holder of a journey person’s certificate in the trade with a breeder endorsement requires 0.5 years or 820 hours as an apprentice to be eligible to write the grower-finisher, farrowing, nursery management, or facilities maintenance endorsement examination.

(8) The holder of a journey person’s certificate in the trade with a grower-finisher endorsement requires 0.5 years or 820 hours as an apprentice to be eligible to write the breeder, farrowing, nursery management, or facilities maintenance endorsement examination.

(9) The holder of a journeyperson's certificate in the trade with a farrowing endorsement requires 0.5 years or 820 hours as an apprentice to be eligible to write the grower-finisher, breeder, nursery management, or facilities maintenance endorsement examination.

(10) The holder of a journeyperson's certificate in the trade with a nursery management endorsement requires 0.5 years or 820 hours as an apprentice to be eligible to write the grower-finisher, farrowing, breeder, or facilities maintenance endorsement examination.

(11) The holder of a journeyperson's certificate in the trade with a facilities maintenance endorsement requires 0.5 years or 820 hours as an apprentice to be eligible to write the grower-finisher, farrowing, nursery management, or breeder endorsement examination.

**Power lineperson trade**

**84(1)** In this section, "**trade**" means the trade designated in accordance with Part II as "power lineperson trade" and includes the constructing, altering and maintaining of overhead pole lines, tower lines, underground cables and related equipment and apparatus in both energized and de-energized states, used in the transmission and distribution of electrical energy.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,700 hours of training that:

- (a) includes on-the-job training; and
- (b) may include technical training.

**Refrigeration mechanic trade**

**85(1)** In this section, "**trade**" means the trade continued pursuant to Part II as "refrigeration mechanic trade" and includes the installation, maintenance, servicing and repair of primary and secondary refrigeration systems, cooling systems and their components.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Roofer trade**

- 86(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “roofer trade” and includes the building or laying of built-up or flat deck roofs, the covering of steep and similar roof surfaces with roofing and related material and the application of damp-proofing and waterproofing membrane.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of three apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,500 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

**Sheet metal worker trade**

- 87(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “sheet metal worker trade” and includes the constructing and fabricating with sheet metal of 10 gauge or lighter of any article or thing and the installing, maintaining, altering and repairing of any such article or thing.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of four apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

**Sprinkler systems installer trade**

**88(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “sprinkler systems installer trade” and includes the assembling, installing, testing, repairing, modifying, overhauling and maintaining of fixed fire suppression systems.

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

(4) The term of apprenticeship in the trade consists of four apprenticeship years.

(5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:

(a) includes on-the-job training; and

(b) may include technical training.

**Steamfitter-pipefitter trade**

**89(1)** In this section:

(a) “**petroleum installer technician sub-trade**” means the sub-trade recognized pursuant to subsection (6) as the “petroleum installer technician sub-trade” and includes:

(i) the construction, installation, alteration, expansion and maintenance of above-ground and underground petroleum storage facilities and related equipment and apparatus; and

(ii) the decommissioning, remediation and removal of above-ground and underground petroleum storage facilities and related equipment and apparatus;

(b) “**trade**” means the trade designated in accordance with Part II as “steamfitter-pipefitter trade” and includes the installing, maintaining, altering and repairing of:

(i) any gas installation and gas equipment as defined in *The Gas Licensing Act*; and

(ii) any system of pipe and any part of a system of pipe except those within the scope of clause 82(1)(a).

(2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade or petroleum installer technician sub-trade.

(3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

- (4) The term of apprenticeship in the trade consists of five apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.
- (6) The sub-trade known as the petroleum installer technician sub-trade is recognized as a branch of the steamfitter-pipefitter trade.
- (7) No person is eligible to enter into an apprenticeship program in the sub-trade unless that person has educational qualifications or an equivalent standing that, in the opinion of the commission, are required to complete the apprenticeship program successfully.
- (8) The term of apprenticeship in the sub-trade consists of three apprenticeship years.

**Steel fabricator trade**

- 90(1)** In this section “**trade**” means the trade designated in accordance with Part II as “steel fabricator trade” and includes the fabrication, layout, cutting, fitting and assembly of ornamental and structural iron, metal and miscellaneous materials.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
  - (4) The term of apprenticeship in the trade consists of three apprenticeship years.
  - (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
    - (a) includes on-the-job training; and
    - (b) may include technical training.

**Tilesetter trade**

- 91(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “tilesetter trade” and includes any constructing, altering, decorating and repairing with tiles and slabs of granite, slate, marble, ceramic, quarry, terrazzo and mosaic.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
  - (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.

- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Truck and transport mechanic trade**

**92(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “truck and transport mechanic trade” and includes the maintenance, repair, overhaul, inspection, reconditioning, and diagnostic troubleshooting of motorized trucks, buses and road transport vehicles.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of four apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.

**Water well driller trade**

**93(1)** In this section, “**trade**” means the trade designated in accordance with Part II as “water well driller trade” and includes the designing, drilling, construction, development, servicing, disinfecting, sanitation and reclamation of water wells, the operation of drilling rigs and the installation, maintenance, servicing and repair of associated equipment.

- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of two apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
  - (a) includes on-the-job training; and
  - (b) may include technical training.



**Welder trade**

**94(1)** In this section:

- (a) **“production line welder sub-trade”** means the sub-trade recognized pursuant to subsection (6) as the production line welder sub-trade, and includes the preparation and joining of metals in a production assembly line setting primarily using the gas metal arc welding (MIG) process;
  - (b) **“trade”** means the trade designated in accordance with Part II as “welder trade” and includes the preparation and joining of metals and plastics by methods that do not employ fastening devices.
- (2) This section applies to employers, tradespersons, journeypersons, apprentices and any other person in the trade or production line welder sub-trade.
- (3) No person is eligible to enter into an apprenticeship program in the trade unless that person has educational qualifications, skills and aptitude that are required to complete the apprenticeship program successfully in the opinion of the commission.
- (4) The term of apprenticeship in the trade consists of three apprenticeship years.
- (5) Each apprenticeship year in the trade requires a total of 1,800 hours of training that:
- (a) includes on-the-job training; and
  - (b) may include technical training.
- (6) The sub-trade known as production line welder is recognized as a branch of the trade.
- (7) The term of apprenticeship in the production line welder sub-trade consists of two apprenticeship years.

**PART IV****Repeal, Transitional and Coming into Force****R.R.S. c.A-22.2 Reg 1 repealed**

**95** *The Apprenticeship and Trade Certification (Designated Trades) Regulations* are repealed.

**Transitional**

**96** Notwithstanding the repeal of *The Apprenticeship and Trade Certification (Designated Trades) Regulations* and *The Apprenticeship and Trade Certification Regulations*, any certificate, permit, identification card or other document that was valid on the day before those regulations were repealed continues in force until its expiry date, if any, as if issued pursuant to these regulations and may be amended, suspended, cancelled or substituted pursuant to the Act and these regulations.

**Coming into force**

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

**CHAPTER D-24.1 REG 15***The Department of Urban Affairs Act*

## Section 20

Order in Council 806/2003, dated October 3, 2003

(Filed October 3, 2003)

## PART I

**Title and Interpretation****Title**

**1** These regulations may be cited as *The Municipal Transit Assistance for People with Disabilities Regulations, 2003*.

**Interpretation**

**2** In these regulations:

(a) **“contract service”** means a transportation service that is provided on a regular basis pursuant to an agreement between a municipality or its transit operator and a firm, organization, institution, or government board, department or agency for persons with physical disabilities or who are unable to use the public transit system, but does not include:

(i) occasional charters available as part of the public service; or

(ii) services pursuant to any agreement between the municipality and a transit operator to provide any part of the public service on behalf of the municipality;

(b) **“grant”** means a grant pursuant to these regulations;

(c) **“municipality”** means:

(i) a city to which *The Cities Act* applies;

(ii) a town to which *The Urban Municipality Act, 1984* applies;

(iii) a town to which *The Northern Municipalities Act* applies; and

(iv) The City of Lloydminster;

(d) **“physical disability”** means a temporary or permanent physical disability;

(e) **“public service”** means a transportation service that:

(i) is available to persons with physical disabilities or who are unable to use the public transit system; and

(ii) is not a contract service;

(f) **“public transit system”** means the public transportation system operated by or on behalf of a municipality primarily within the municipality's boundaries;

(g) “**transit operator**” means a private firm or organization other than the municipality that operates transit vehicles or provides a transportation service on behalf of the municipality for persons with physical disabilities or who are unable to use the public transit system;

(h) “**transit system**” means a transportation system that is operated by or on behalf of a municipality primarily within the municipality’s boundaries for persons with physical disabilities or who are unable to use the public transit system;

(i) “**transit vehicle**” means a vehicle designed, equipped and used in a transit system for persons with physical disabilities or who are unable to use the public transit system.

## PART II General

### Application

**3** A municipality that applies for a grant shall:

- (a) apply to the minister in the form provided by the minister and within the time set by the minister; and
- (b) provide any additional information in support of the application that the minister requires.

### Terms of grant

**4** If a municipality receives a grant, the municipality shall:

- (a) at the request of the minister and at the municipality’s expense, provide to the minister an audited statement of operations, ridership, and incurred costs and revenues related to the municipality’s transit system and transit vehicles;
- (b) agree to participate with the minister from time to time in publicity regarding grants; and
- (c) be responsible for:
  - (i) obtaining any necessary approvals or licences for the operation of, or work to be undertaken in connection with, the municipality’s transit system;
  - (ii) obtaining any supplementary funding that may be required;
  - (iii) meeting all required safety standards; and
  - (iv) maintaining insurance related to the transit system.

### Transit operators

**5** No transit operator is eligible for a grant, and any arrangement with respect to assistance for a transit operator must be made by agreement between a municipality and its transit operator.

PART III  
**Transit Vehicle Grants**

**Grants for transit vehicles**

**6(1)** In this section, “**eligible costs**” means costs incurred for the acquisition of transit vehicles or for parts and labour for the addition of accessories to transit vehicles and includes any other costs that are considered reasonable and appropriate by the minister, but does not include costs related to:

- (a) municipal administration and overhead;
- (b) vehicle maintenance or repair; or
- (c) other operating expenses.

(2) Subject to subsection (3), the minister may make a grant to a municipality of not more than 75% of the municipality’s eligible costs in connection with the acquisition of, or the addition of accessories to, transit vehicles.

(3) For the purposes of calculating the amount of a grant pursuant to this section, a municipality’s eligible costs are to be reduced by any amount received or to be received by the municipality in the form of:

- (a) assistance from the Government of Canada; or
- (b) special assessments, charges or levies.

(4) If a municipality applies for a grant pursuant to this section, the municipality shall:

- (a) unless the minister determines otherwise, make its application to the minister before making commitments with respect to the acquisition of, or addition of accessories to, transit vehicles;
- (b) ensure that the transit vehicles are owned or are to be owned by the municipality;
- (c) provide any information that the minister requires concerning financial and other arrangements for the continuing operation, maintenance and licensing of the transit vehicles; and
- (d) unless the minister is satisfied with another arrangement, put out to public or invitational tender all contracts for the acquisition of, or addition of accessories to, the transit vehicles.

(5) Before making a grant pursuant to this section, the minister must be satisfied that any transit vehicle accessories for which the grant is to be made are specialized equipment intended:

- (a) to serve the needs of persons with physical disabilities; or
- (b) to improve the efficiency of the municipality’s transit system.

(6) If transit vehicles for which a grant is made pursuant to this section are used in providing a contract service:

- (a) the fees charged users of the contract service are not to include any amount for depreciation for that part of the cost of the vehicles covered by the grant; and
- (b) any depreciation reserves previously accumulated as a result of building in a depreciation factor in fees charged users of a contract service are to be assigned to the municipality to be used as part of the municipality's share of costs relating to transit vehicles.

**Five-year plans**

7 If a municipality applies for a grant pursuant to section 6, the municipality, when required by the minister, shall submit annually to the minister a five-year plan, in a form satisfactory to the minister, setting out all anticipated expenditures for the acquisition of, and the addition of accessories to, transit vehicles.

PART IV  
**Operating Grants**

**Interpretation of Part**

8 In this Part:

- (a) **“base amount per trip”** is the amount B calculated in accordance with the following formula:

$$B = \frac{\text{total funding available for public service trips}}{T1 + (1.33 \times T2) + (2.00 \times T3) + (2.67 \times T4)}$$

where:

T1 is the total number of public service trips in the previous calendar year in municipalities with a population of 2,500 or less;

T2 is the total number of public service trips in the previous calendar year in municipalities with a population of 2,501 to 20,000;

T3 is the total number of public service trips in the previous calendar year in municipalities with a population of 20,001 to 100,000; and

T4 is the total number of public service trips in the previous calendar year in municipalities with a population of 100,001 or more;

- (b) **“fiscal year”** means the period commencing on April 1 in one year and ending on March 31 in the next year;
- (c) **“operating grant”** means a grant made pursuant to this Part;

- (d) **“population”**, unless otherwise determined by the minister, means population as determined by the most recent census taken pursuant to the *Statistics Act* (Canada) that is available to the minister;
- (e) **“public service trip”** means a trip using the municipality’s public service, but does not include:
  - (i) charter service; or
  - (ii) service provided to passengers who are not required to pay a fare.

**Standards of operation**

**9(1)** If the minister makes an operating grant to a municipality, the minister may, in consultation with the municipality, establish standards for the operation of the municipality’s transit system.

**(2)** If no standards are established by a process of consultation in accordance with subsection (1), a municipality’s transit system must include:

- (a) service for each passenger from the door of origin to the door of destination;
- (b) adequate safety and specialized equipment, including:
  - (i) tie-downs for all wheelchairs;
  - (ii) seat belts for all passengers;
  - (iii) ramps or lifts on all transit vehicles that serve passengers seated in wheelchairs;
  - (iv) heating systems capable of maintaining comfortable temperatures in the passenger area; and
  - (v) any other measure that a reasonably prudent person would consider necessary in a transportation service for persons with disabilities;
- (c) the provision of drivers who are:
  - (i) appropriately trained and licensed; and
  - (ii) able to provide assistance for passengers at points of origin and destination to effect door-to-door service;
- (d) a reasonable and uniform fare structure, as approved by the minister from time to time, such that no differential on the basis of source of income exists between passengers relating to levels of fares or eligibility for service unless a specific contract for service to that individual exists; and
- (e) arrangements by the municipality with respect to frequency and hours of service, pre-booking, eligibility for service, availability of contract service and any other matter determined by the minister from time to time, with those arrangements subject to the prior approval of the minister.

**Operating grant for 2003-2004 fiscal year**

**10** In the 2003-2004 fiscal year, the minister may make an operating grant to each municipality in an amount that is not more than the sum of:

- (a) 75% of the amount of the operating grant that was allocated to that municipality in the 2001-2002 fiscal year; and
- (b) as the case requires:
  - (i) if the population of the municipality is 2,500 or less, the base amount per trip multiplied by the number of public service trips made by or on behalf of that municipality in the 2002 calendar year;
  - (ii) if the population of the municipality is 2,501 to 20,000, the base amount per trip multiplied by 1.33 multiplied by the number of public service trips made by or on behalf of that municipality in the 2002 calendar year;
  - (iii) if the population of the municipality is 20,001 to 100,000, the base amount per trip multiplied by 2.00 multiplied by the number of public service trips made by or on behalf of that municipality in the 2002 calendar year; or
  - (iv) if the population of the municipality is 100,001 or more, the base amount per trip multiplied by 2.67 multiplied by the number of public service trips made by or on behalf of that municipality in the 2002 calendar year.

**Operating grant for 2004-2005 fiscal year**

**11** In the 2004-2005 fiscal year, the minister may make an operating grant to each municipality in an amount that is not more than the sum of:

- (a) 50% of the amount of the operating grant that was allocated to that municipality in the 2001-2002 fiscal year; and
- (b) as the case requires:
  - (i) if the population of the municipality is 2,500 or less, the base amount per trip multiplied by the number of public service trips made by or on behalf of that municipality in the 2003 calendar year;
  - (ii) if the population of the municipality is 2,501 to 20,000, the base amount per trip multiplied by 1.33 multiplied by the number of public service trips made by or on behalf of that municipality in the 2003 calendar year;
  - (iii) if the population of the municipality is 20,001 to 100,000, the base amount per trip multiplied by 2.00 multiplied by the number of public service trips made by or on behalf of that municipality in the 2003 calendar year; or
  - (iv) if the population of the municipality is 100,001 or more, the base amount per trip multiplied by 2.67 multiplied by the number of public service trips made by or on behalf of that municipality in the 2003 calendar year.

**Operating grant for 2005-2006 fiscal year**

**12** In the 2005-2006 fiscal year, the minister may make an operating grant to each municipality in an amount that is not more than the sum of:

- (a) 25% of the amount of the operating grant that was allocated to that municipality in the 2001-2002 fiscal year; and
- (b) as the case requires:
  - (i) if the population of the municipality is 2,500 or less, the base amount per trip multiplied by the number of public service trips made by or on behalf of that municipality in the 2004 calendar year;
  - (ii) if the population of the municipality is 2,501 to 20,000, the base amount per trip multiplied by 1.33 multiplied by the number of public service trips made by or on behalf of that municipality in the 2004 calendar year;
  - (iii) if the population of the municipality is 20,001 to 100,000, the base amount per trip multiplied by 2.00 multiplied by the number of public service trips made by or on behalf of that municipality in the 2004 calendar year; or
  - (iv) if the population of the municipality is 100,001 or more, the base amount per trip multiplied by 2.67 multiplied by the number of public service trips made by or on behalf of that municipality in the 2004 calendar year.

**Operating grant for 2006-2007 and subsequent fiscal years**

**13** In the 2006-2007 fiscal year and in subsequent fiscal years, the minister may make an operating grant to each municipality in an amount that is not more than:

- (a) if the population of the municipality is 2,500 or less, the base amount per trip multiplied by the number of public service trips made by or on behalf of that municipality in the previous calendar year;
- (b) if the population of the municipality is 2,501 to 20,000, the base amount per trip multiplied by 1.33 multiplied by the number of public service trips made by or on behalf of that municipality in the previous calendar year;
- (c) if the population of the municipality is 20,001 to 100,000, the base amount per trip multiplied by 2.00 multiplied by the number of public service trips made by or on behalf of that municipality in the previous calendar year; or
- (d) if the population of the municipality is 100,001 or more, the base amount per trip multiplied by 2.67 multiplied by the number of public service trips made by or on behalf of that municipality in the previous calendar year.

**PART V****Repeal and Coming into Force****R.R.S. c.D-24.1 Reg 3 repealed**

**14** *The Municipal Transit Assistance for People with Disabilities Regulations* are repealed.

**Coming into force**

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



**CHAPTER F-8.001 REG 26***The Farm Financial Stability Act*

## Section 63.9

Order in Council 800/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Individual Cattle Feeder Loan Guarantee Regulations*.

**Interpretation**

**2** In these regulations:

- (a) **“Act”** means *The Farm Financial Stability Act*;
- (b) **“associated person”** means a person who, directly or indirectly, holds more than 8% of the ownership of or the shares or membership interests in a producer;
- (c) **“cattle”** means heifers and steers of the genus species *Bos taurus* or *Bos indicus* that have been weaned from their dams but does not include animals acquired for breeding or calving purposes;
- (d) **“family member”** means an individual’s spouse, child, parent or sibling;
- (e) **“feedlot”** means a feedlot:
  - (i) that is controlled and operated by:
    - (A) a producer who applies for a guaranteed loan;
    - (B) a family member of the producer mentioned in paragraph (A);
    - (C) an associated person of the producer mentioned in paragraph (A); or
    - (D) a corporation of which the producer mentioned in paragraph (A) is a shareholder; and
  - (ii) that is approved by the provincial supervisor;
- (f) **“producer”** means a producer who grows or finishes cattle in a feedlot;
- (g) **“producer’s assurance fund”** means a producer’s assurance fund established for a particular producer pursuant to section 15;
- (h) **“provincial assurance fund”** means the Individual Cattle Feeder Loan Guarantee Provincial Assurance Fund established pursuant to section 13;
- (i) **“the provincial association”** means the provincial association formed pursuant to subsection 19(1).

**Commodity prescribed**

**3** Cattle are prescribed as a commodity for the purposes of clause 63.1(c) of the Act.

**Lending institutions prescribed**

**4** For the purposes of clause 63.1(f) of the Act, the following are prescribed lending institutions:

- (a) Farm Credit Canada;
- (b) Peace Hills Trust Company.

**Producer eligibility**

**5(1)** To be eligible to obtain a guaranteed loan, a producer must:

- (a) either:
  - (i) control and operate a feedlot; or
  - (ii) if the producer's cattle are placed in a feedlot that is controlled and operated by a person mentioned in paragraph 2(e)(i)(B), (C) or (D), have control over the care and feeding of those cattle;
- (b) be, or have applied to be, a member or shareholder of the provincial association;
- (c) be physically, operationally and legally separate:
  - (i) from any other producer who has obtained a guaranteed loan pursuant to these regulations; and
  - (ii) from any feedlot member of an enhanced feeder association as defined in *The Enhanced Cattle Feeder Associations Loan Guarantee Regulations*; and
- (d) not be a feedlot member of an enhanced feeder association as defined in *The Enhanced Cattle Feeder Associations Loan Guarantee Regulations*.

(2) If cattle to be purchased under a guaranteed loan are to be grown or finished in a feedlot that is controlled and operated by a person mentioned in paragraph 2(e)(i)(B), (C) or (D), for the producer to be eligible to obtain a guaranteed loan with respect to those cattle, the person who controls and operates the feedlot must sign an agreement satisfactory to the provincial supervisor waiving any right to claim a lien pursuant to section 15.1 of *The Animal Products Act* with respect to those cattle.

**Information required**

**6** A producer who, pursuant to section 63.21 of the Act, applies for a guarantee with respect to a loan must provide the provincial supervisor with the following:

- (a) if the producer is an individual:
  - (i) the name and address of the producer and of any person mentioned in paragraph 2(e)(i)(B), (C) or (D), as the case may be; and
  - (ii) evidence, satisfactory to the provincial supervisor, of the producer's age and Saskatchewan residency;

- (b) if the producer is a corporation:
  - (i) the name and address of each shareholder and officer of the corporation; and
  - (ii) evidence, satisfactory to the provincial supervisor, of the corporation's current corporate and financial status;
- (c) a declaration as to whether a loan guaranteed pursuant to Part VI or VI.1 of the Act has been taken on behalf of the producer, an associated person or any person mentioned in paragraph 2(e)(i)(B), (C) or (D);
- (d) any financial information requested by the provincial supervisor respecting the producer that the provincial supervisor considers necessary to consider the application;
- (e) any other information requested by the provincial supervisor respecting the producer or person mentioned in paragraph 2(e)(i)(B), (C) or (D).

**Amount of guarantee**

7(1) Pursuant to subclause 63.9(k)(i) of the Act, for the purposes of subsection 63.3(1) of the Act, the prescribed maximum amount of the loan that may be guaranteed is an amount equal to 25% of the lesser of:

- (a) the amount outstanding on the loan at the time of first default on any advance following the issuance of the guarantee with respect to the loan, plus accrued interest as of the time that payment is to be made on the guarantee; and
  - (b) the amount allowed pursuant to subsection (4).
- (2) For the purposes of subsection (1), the time of first default with respect to a loan is a date determined by the provincial supervisor and the lender, when:
- (a) there are unresolved arrears;
  - (b) part or all of the producer's inventory of cattle is missing and no payment is made; or
  - (c) the producer's inventory of cattle is sold and there is a shortfall in payment.
- (3) A producer shall only use a guaranteed loan for the purchase of cattle to be grown or finished by the producer using a feedlot that is:
- (a) controlled and operated by the producer or a person mentioned in paragraph 2(e)(i)(B), (C) or (D); and
  - (b) approved by the provincial supervisor.
- (4) For the purposes of subsection 63.3(1) of the Act, no producer shall borrow in excess of \$3,000,000.

**Purchases of cattle**

8(1) In this section:

- (a) “**licensed dealer**”, subject to subsection (2), means a person who holds a valid licence issued pursuant to *The Animal Products Act* to carry on business or operate as a livestock dealer;
  - (b) “**market price**” means the market price for that kind of cattle in that part of Saskatchewan, as set by the minister.
- (2) None of the following persons shall act as a licensed dealer with respect to any purchase of cattle by a producer:
- (a) the producer;
  - (b) an employee of the producer;
  - (c) a family member of a person mentioned in clause (a) or (b);
  - (d) an associated person; or
  - (e) unless approved by the provincial supervisor, a corporation of which the producer is a shareholder.
- (3) For the purposes of subsection 63.41(1) of the Act, cattle are prescribed as a commodity that, subject to subsection 63.41(2) of the Act, must be purchased through a licensed dealer.
- (4) No producer shall purchase cattle from a family member, an associated person or a corporation of which the producer is a shareholder unless:
- (a) the provincial supervisor approves the purchase pursuant to subsection 63.41(2) of the Act;
  - (b) the local supervisor oversees the transaction, including verification of the weight and market price of the cattle purchased; and
  - (c) the purchase price does not exceed 75% of market price at the time of purchase.

**Marking of cattle**

9(1) All cattle purchased by a producer under a guaranteed loan, and any offspring of those cattle, must be marked in a permanently legible manner with a registered mark, as defined in *The Animal Identification Act*:

- (a) that is composed of:
  - (i) the mark shown in the Appendix; and
  - (ii) to the right of the mark mentioned in subclause (i), any other mark that distinguishes that producer from other producers; and
- (b) that is jointly registered to the producer and the lender.

(2) Every producer must notify the provincial association when any cattle purchased by the producer under a guaranteed loan have been marked in accordance with subsection (1).

(3) For the purposes of subsection 63.51(3) of the Act, the local supervisor must provide the lender with written confirmation that the cattle purchased by a producer under a guaranteed loan have been marked in accordance with subsection (1).

**Cattle to be sold**

**10(1)** In this section, “**subsequent advance**” means an advance to purchase cattle that is made to a producer while any part of any other advance that is made to that producer remains outstanding.

(2) Subject to subsection (3), if a producer purchases cattle with an advance, those cattle must be sold:

(a) within 12 months after the day on which the producer purchased the first cattle, if any part of the advance made to purchase those cattle or any subsequent advance then remains outstanding; or

(b) within any greater period authorized by the provincial supervisor, but not more than 18 months after the day on which the producer purchased the first cattle.

(3) If a producer chooses not to sell all cattle in accordance with subsection (2), the producer must provide evidence satisfactory to the provincial supervisor that the cattle purchased with the advance remain in the producer’s inventory of cattle.

**Sale of cattle**

**11(1)** When cattle purchased with an advance are sold, the producer shall ensure that the purchaser pays for the cattle by way of a cheque or other process of payment that:

(a) is made payable to the producer and the lender; and

(b) is forwarded to the lender in accordance with section 63.5 of the Act.

(2) When cattle purchased with an advance are sold, the lender shall ensure that:

(a) all sale proceeds received by the lender are applied to any advance obtained by the producer to purchase the cattle; and

(b) no payment is made to the producer if there are loans outstanding from the lender to the producer that are due or overdue.

**Repayment of advances**

**12(1)** A producer who purchases cattle with an advance shall repay the advance:

(a) on the day on which the cattle are sold; or

(b) if the cattle are not sold within 12 months after the day on which the first advance for the cattle was made, not later than the last day of the twelfth month after the day on which the first advance was made.

- (2) If the provincial supervisor is satisfied that compliance with subsection (1) would result in reduced returns due to insufficient growth or finishing or current market conditions, the provincial supervisor may extend the period within which repayment for cattle is to be made by not more than six additional months.

**Provincial assurance fund**

**13(1)** The Individual Cattle Feeder Loan Guarantee Provincial Assurance Fund is established.

- (2) The provincial assurance fund consists of:
- (a) amounts deposited by producers pursuant to subsection 14(1); and
  - (b) income earned by investment of the amounts in the fund.
- (3) The minister may pay out of the provincial assurance fund amounts required for the purposes of subsection 17(3).
- (4) The minister may:
- (a) invest any moneys in the provincial assurance fund in any security or class of securities authorized for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*; and
  - (b) dispose of any investment made pursuant to clause (a) in any manner, on any terms and in any amount that the minister considers expedient.
- (5) The fiscal year of the provincial assurance fund is the period commencing on April 1 in one year and ending on March 31 in the following year.

**Deposits to provincial assurance fund**

**14(1)** For the purposes of section 63.81 of the Act but subject to subsection (2) of this section, each time a producer receives an advance pursuant to a guaranteed loan, the producer shall deposit in the provincial assurance fund a non-refundable amount equal to 0.5% of that advance.

- (2) The amount of the deposit required pursuant to subsection (1) may be adjusted on a producer basis by the minister from time to time:
- (a) after the deposits for the producer reach a maximum level set by the minister; or
  - (b) after a payment out of the provincial assurance fund pursuant to subsection 17(3).
- (3) If a payment has been made out of the provincial assurance fund pursuant to subsection 17(3) with respect to a producer, no further advances shall be made to that producer until he or she repays the full amount paid out of the provincial assurance fund on his or her behalf.
- (4) The minister may pursue a subrogated claim against a producer with respect to whom a payment has been made out of the provincial assurance fund pursuant to subsection 17(3).

(5) Any funds recovered by the minister pursuant to subsection (4) shall be applied in the following order of priority:

- (a) firstly, to repay the full amount of any guarantee payment made by the Minister of Finance pursuant to section 63.71 of the Act with respect to that producer;
- (b) secondly, to the provincial assurance fund.

**Producer's assurance fund**

**15(1)** A lender who provides a guaranteed loan to a producer shall establish and maintain a producer's assurance fund for that producer in accordance with these regulations.

(2) A producer's assurance fund consists of:

- (a) amounts deposited by the producer pursuant to section 16; and
- (b) income earned by investment of the amounts in the fund.

(3) A lender shall invest the moneys in a producer's assurance fund only in securities in which the principal amount is guaranteed.

**Deposits to producer's assurance fund**

**16(1)** For the purposes of section 63.81 of the Act but subject to subsection (2) of this section, each time a producer receives an advance pursuant to a guaranteed loan, the producer shall deposit with the lender an amount equal to 9.5% of each advance, which the lender shall deposit into the producer's assurance fund for that producer.

(2) If an amount stands to the credit of a producer in his or her producer's assurance fund in excess of 9.5% of the advances outstanding for that producer, that amount may be applied to any deposit required pursuant to subsection (1) for any future advance to that producer.

**Lender claims in event of default**

**17(1)** When a guaranteed loan to a producer is in default, the lender shall do the following in the order stated before making a claim on the guarantee:

- (a) ensure that all cattle held as security are sold and the proceeds applied to the loan;
- (b) apply the moneys in the producer's assurance fund to any shortfall remaining after the proceeds of the sale of cattle held as security are applied to the loan;
- (c) in accordance with subsection (3), submit a claim on the provincial assurance fund for any shortfall remaining after the moneys in the producer's assurance fund are applied to the loan.

(2) Subject to subsection (3), a lender may submit a claim against the guarantee for any shortfall remaining after all steps set out in subsection (1) have been taken to recover any amount of the loan that has not been repaid.

(3) Subject to subsection (4), after the lender has taken the steps required pursuant to clauses (1)(a) and (b), the lender may claim from the provincial assurance fund the lesser of:

- (a) the amount still outstanding on the loan after the lender has applied any funds pursuant to clauses (1)(a) and (b); and
- (b) the amount A calculated in accordance with the following formula:

$$A = \frac{B}{C} \times D$$

where:

B is the total amount of guaranteed loans outstanding to all producers by the lender at the time of first default on the loan;

C is the total amount of guaranteed loans outstanding to all producers by all lenders at the time of first default on the loan; and

D is the total amount in the provincial assurance fund at the time payment is made from the provincial assurance fund, exclusive of deposits made to the provincial assurance fund after the claim is made.

(4) The total amount paid to a lender who has made a claim pursuant to subsection (3) shall not exceed the lesser of:

- (a) the amount remaining in the provincial assurance fund at the time the claim is made; and
- (b) the amount remaining in the provincial assurance fund at the time payment to the lender is made.

**Refund of deposits to producer's assurance fund**

**18(1)** For the purposes of section 63.81 of the Act but subject to subsections (2) and (3) of this section, if a producer does not have any advances outstanding, the lender shall, within 21 days after receiving a written request for a refund from the producer, refund to the producer any amount remaining in the producer's assurance fund.

(2) No refunds of amounts in a producer's assurance fund shall be made to any producer who has any payments due to a lender pursuant to a guaranteed loan.

(3) If the amount in a producer's assurance fund exceeds 9.5% of the advances outstanding for that producer, the lender shall refund to the producer, within 21 days after receiving a written request for a refund from the producer, the amount in excess of 9.5% of the advances outstanding for that producer.



**Formation of and membership in the provincial association**

**19(1)** For the purposes of these regulations, a single provincial association must be formed by producers who wish to obtain a guaranteed loan pursuant to these regulations.

(2) The provincial association must accept any application for membership from a producer who:

- (a) has applied for a guaranteed loan; and
- (b) whose acceptance for the loan is conditional only on his or her becoming a member of the provincial association.

(3) Every producer who obtains a guaranteed loan must maintain his or her membership in the provincial association in good standing.

(4) If a producer fails to comply with subsection (3):

- (a) the lender shall not make any further advance to the producer; and
- (b) the lender may deem the producer's loan to be in default.

(5) If a producer resigns from the provincial association, the producer must deliver written notice of resignation to the provincial association, and the resignation takes effect on the latest of:

- (a) the date on which the written notice is received by the provincial association;
- (b) any future date specified in the notice; and
- (c) the date all advances to the producer are repaid.

(6) The provincial association must immediately notify the provincial supervisor and the lender of any notice of resignation that it receives.

(7) No guarantee applies to advances for cattle purchased by a producer after the date on which the lender receives notification from the provincial association or the provincial supervisor:

- (a) that the producer has resigned from the provincial association; or
- (b) that the producer is no longer a member of the provincial association in good standing.

**Operation of the provincial association**

**20(1)** The provincial association and the lender are not responsible for payment of any expenses associated with feeding, growing, finishing or otherwise caring for any cattle purchased under guaranteed loan.

(2) Without the prior written approval of the provincial supervisor, the provincial association must not hire as a local supervisor or secretary:

- (a) any member of the provincial association;
- (b) any associated person or any family member of a member of the provincial association;
- (c) any family member of an associated person; or
- (d) any employee of a member of the provincial association.

**Local supervisors**

**21(1)** The local supervisor shall:

- (a) within a period determined by the provincial supervisor after cattle purchased under a guaranteed loan have entered the feedlot where they will be grown or finished, inspect the cattle to ensure that the cattle have been marked in accordance with subsection 9(1);
  - (b) obtain a copy of the purchase document from the producer for the cattle being inspected pursuant to clause (a);
  - (c) provide a copy of the purchase document mentioned in clause (b) and a copy of the local supervisor's inspection report to the lender; and
  - (d) provide a copy of the local supervisor's inspection report to the provincial supervisor.
- (2) The local supervisor must provide any other information required by the provincial supervisor.

**Reports by producers**

**22** For the purposes of section 63.7 of the Act, a producer who has received a guaranteed loan shall provide to the provincial supervisor, by the tenth day of each month, a written report in a form provided by the provincial supervisor that includes the following information:

- (a) the number of cattle the producer has as of the first day and last day of the previous month;
- (b) details of any cattle purchases in the previous month;
- (c) details of any cattle sales in the previous month;
- (d) details of any cattle deaths in the previous month.

**Reports by lenders**

**23** For the purposes of section 63.7 of the Act, every lender shall provide the provincial supervisor, by the tenth day of each month, a written report that includes the following information for the previous month:

- (a) the names of the producers to whom advances were made and the dates of those advances;
- (b) the balance outstanding for each producer who has received an advance;
- (c) the accrued interest on the advances mentioned in clause (b);
- (d) the amount of the loan for each producer that is guaranteed pursuant to these regulations;
- (e) the total amount of assurance funds on deposit with that lender for each producer;
- (f) any other information required by the provincial supervisor.

**Reports by the provincial association**

**24** For the purposes of section 63.7 of the Act, the provincial association shall provide a written report to the provincial supervisor that includes the following information:

- (a) the names of the members of the provincial association in good standing, to be provided monthly;
- (b) a copy of minutes of board meetings, within two weeks after the board meeting;
- (c) a copy of the financial statements, to be provided annually;
- (d) any other information required by the provincial supervisor.

**Annual report – provincial assurance fund**

**25(1)** In each fiscal year in accordance with *The Tabling of Documents Act, 1991*, the minister shall submit to the Lieutenant Governor in Council:

- (a) a report on the activities of the provincial assurance fund for the preceding fiscal year; and
- (b) a financial statement showing the business of the provincial assurance fund for the preceding fiscal year in any form that may be required by Treasury Board.

(2) In accordance with *The Tabling of Documents Act, 1991*, the Lieutenant Governor in Council shall lay before the Legislative Assembly each report and statement submitted to the Lieutenant Governor in Council pursuant to this section.

**Coming into force**

**26(1)** Subject to subsection (2), these regulations come into force on the day on which section 9 of *The Farm Financial Stability Amendment Act, 2003* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 9 of *The Farm Financial Stability Amendment Act, 2003* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**Appendix****Mark on Cattle**

[Subclause 9(1)(a)(i)]



**CHAPTER M-23.2 REG 5***The Municipal Board Act*

## Section 78

Order in Council 826/2003, dated October 7, 2003

(Filed October 7, 2003)

**Title**

**1** These regulations may be cited as *The Saskatchewan Municipal Board Member Qualification Regulations, 2003*.

**Interpretation**

**2** In these regulations:

- (a) “**Act**” means *The Municipal Board Act*;
- (b) “**rural municipal administrator’s certificate**” means a certificate of qualification as an administrator of a rural municipality that is issued by a board of examiners established in accordance with section 51.1 of *The Rural Municipality Act, 1989*;
- (c) “**urban municipal administrator’s certificate**” means a certificate of qualification as an administrator of an urban municipality that is issued by a board of examiners established in accordance with section 63.1 of *The Urban Municipality Act, 1984*.

**Qualifications**

**3** To be eligible to be appointed as a member of the board pursuant to subsection 4(1) of the Act, a person must:

- (a) possess at least one the following qualifications:
  - (i) be the holder of a rural municipal administrator’s certificate or an urban municipal administrator’s certificate;
  - (ii) be the holder of a municipal administrator’s certificate recognized by the Lieutenant Governor in Council and, in the opinion of the Lieutenant Governor in Council, have satisfactory experience relative to the matters within the board’s jurisdiction;
  - (iii) be a member in good standing in an accounting profession recognized pursuant to:
    - (A) *The Chartered Accountants Act, 1986*;
    - (B) *The Certified General Accountants Act, 1994*; or
    - (C) *The Management Accountants Act*;
  - (iv) be a member in good standing in:
    - (A) the Law Society of Saskatchewan;
    - (B) the Association of Professional Community Planners of Saskatchewan;
    - (C) the National Fire Protection Association; or
    - (D) the Saskatchewan Assessment Appraisers’ Association;

- (v) meet the requirements necessary to be appointed as treasurer or secretary-treasurer pursuant to section 14.1 of *The Education Regulations, 1986*; or
- (vi) hold a degree from a university acceptable to the Lieutenant Governor in Council in a field of study that is relevant to some or all of the matters within the board's jurisdiction;
- (b) have experience in conducting public hearings, appeals or meetings that involve hearing submissions from local authorities and the public; and
- (c) in the opinion of the Lieutenant Governor in Council, have:
  - (i) an ability to analyse issues, to impartially consider arguments and to write decisions;
  - (ii) good communication and interpersonal skills;
  - (iii) a familiarity with the board's jurisdiction and with the relationship of the board to local authorities and to the Government of Saskatchewan; and
  - (iv) technical or substantive knowledge and experience that will assist the board in determining matters within its jurisdiction.

**R.R.S. c.M-23.2 Reg 2 repealed**

4 *The Municipal Board Transition Regulations, 1989* are repealed.

**R.R.S. c.M-23.2 Reg 4 repealed**

5 *The Municipal Board Member Qualification Regulations* are repealed.

**Coming into force**

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

---

## CHAPTER R-1.2 REG 1

### *The Railway Act*

#### Section 53

Order in Council 797/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

1 These regulations may be cited as *The Final Offer Arbitration (Railway) Regulations*.

**Interpretation**

2 In these regulations:

- (a) “**Act**” means *The Railway Act*;
- (b) “**arbitrator**” means an arbitrator appointed pursuant to subsection 40(3) of the Act;
- (c) “**final offer arbitration**” means a final offer arbitration to be conducted pursuant to section 40 of the Act;

(d) “**submission**” means a submission made by a shipper to the board pursuant to section 40 of the Act;

(e) “**traffic**” means the traffic that is the subject of the final offer arbitration.

**Advance notice of final offer arbitration required**

**3** No final offer arbitration shall proceed unless, at least five days before submitting its submission, the shipper has served on the railway company a written notice indicating that the shipper intends to submit the matter to the board for a final offer arbitration.

**Required contents of submission**

**4** Every submission must contain:

(a) the shipper’s final offer to the railway company respecting the terms and conditions associated with the movement of the traffic, including any dollar amounts;

(b) an undertaking by the shipper to ship the traffic in accordance with the decision of the arbitrator;

(c) an undertaking by the shipper to the board in which the shipper agrees to pay to the arbitrator the fee for which the shipper is liable pursuant to section 14 as a party to the arbitration; and

(d) if the shipper and the railway company have agreed, the name of the arbitrator that the shipper and the railway company request to conduct the arbitration.

**Shipper to serve a copy of its submission**

**5** The shipper shall:

(a) file a copy of its submission with the board; and

(b) serve a copy of its submission on the railway company within five days after filing the submission with the board in accordance clause (a).

**Filing of final dollar amount offer by railway company**

**6** Within 10 days after a submission is served pursuant to section 5, the railway company shall file with the board and serve on the shipper its final offer respecting dollar amounts based on the terms and conditions set out in the shipper’s submission.

**If no dollar offer filed by railway company**

**7** If the railway company that is named in a submission does not file a final offer with the board before the expiry of the period mentioned in section 6, the final offer filed by the shipper is deemed to be the final offer selected by the arbitrator for the purposes of subsection 40(4) of the Act.

**Appointment of arbitrator**

8 Within 30 days from the date that the railway company files with the board a final offer pursuant to section 6, the board shall appoint as an arbitrator:

- (a) one person from the list of arbitrators prepared in accordance with section 17; or
- (b) if the parties to the final offer arbitration have agreed on a person, the person agreed on by the parties.

**Procedure generally and evidence**

9(1) The arbitrator shall conduct the arbitration proceedings:

- (a) as expeditiously as possible; and
- (b) in the manner the arbitrator considers appropriate having regard to the circumstances of the matter.

(2) The arbitrator is not bound by the rules of evidence and has power to determine the admissibility, relevance and weight of any evidence.

(3) The arbitrator may determine the manner in which evidence is to be admitted.

**What the arbitrator's decision must be based on**

10 The arbitrator shall decide the matter on the basis of:

- (a) the parties' final offers submitted pursuant to sections 5 and 6; and
- (c) any additional information provided by the parties pursuant to section 11.

**Arbitrator may request further information**

11 If the arbitrator considers it necessary to clarify a final offer or any matter contained in a submission, the arbitrator may:

- (a) invite the parties to make oral representations; or
- (b) ask the parties to appear before the arbitrator to provide further information.

**Requirements governing arbitrator's decision**

12(1) The decision of the arbitrator must:

- (a) be in writing; and
- (b) unless the parties agree otherwise, be rendered within 30 days after the date on which the submission for the final offer arbitration was referred to arbitration by the board.

(2) An arbitrator is not required to provide written reasons for the arbitrator's decision.

**Incorporation in tariff**

13(1) Immediately after receiving an arbitrator's decision, the railway company shall set out the rate or rates and the terms and conditions associated with the movement of traffic that have been selected by the arbitrator in a tariff of the railway company.

(2) Subsection (1) does not apply if the parties to the final offer arbitration agree to include the rate or rates and the terms and conditions in a contract that the parties agree to keep confidential.

**Arbitration fees to be paid equally by both parties**

**14** The shipper and the railway company shall share equally, whether or not the proceedings are terminated pursuant to section 16, in paying the fees and expenses of the final offer arbitration.

**Confidentiality of information**

**15** If a party to a final offer arbitration advises the board in writing that it wishes to keep all or any matters relating to the arbitration confidential, the board and the arbitrator shall take all reasonably necessary measures to ensure that those matters are not disclosed by the board or the arbitrator during and after the arbitration proceedings to any person other than the parties.

**If parties agree to terminate proceedings**

**16** Before an arbitrator renders a decision on a final offer arbitration, if the parties advise the board or the arbitrator that they agree that the matter being arbitrated should be withdrawn from arbitration, the proceedings respecting the matter must be immediately terminated.

**Board to prepare a list of arbitrators**

**17** The board shall:

- (a) consult with those representatives of shippers and railway companies that the board considers appropriate; and
- (b) after the consultations mentioned in clause (a), establish a list of persons who agree to act as arbitrators in final offer arbitration.

**Board to publish list of arbitrators**

**18** The board shall make the list of arbitrators mentioned in section 17 known to representatives of shippers and railway companies throughout Saskatchewan in any manner that the board considers appropriate.

**Coming into force**

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



**CHAPTER S-26 REG 8***The Saskatchewan Insurance Act*

Section 467

Order in Council 784/2003, dated October 3, 2003

(Filed October 3, 2003)

## PART I

**Title, Interpretation and Fees****Title**

1 These regulations may be cited as *The Saskatchewan Insurance Regulations, 2003*.

**Interpretation**

2 In these regulations, “**Act**” means *The Saskatchewan Insurance Act*.

**Fees**

3 The fees payable pursuant to the Act are set out in the Appendix.

## PART II

**Reciprocal Insurance Exchanges****Fire insurance**

4(1) For the purposes of clause 380(a) of the Act, the prescribed number of separate fire risks in Saskatchewan or elsewhere is 75.

(2) For the purposes of clause 380(b) of the Act, the prescribed amount is \$1,500,000.

**Automobile insurance**

5(1) For the purposes of clause 380.1(a) of the Act, the prescribed number of automobiles is 500.

(2) For the purposes of clause 380.1(b) of the Act, the prescribed limit is \$1,000,000.

**Reserve Fund**

6 Every reciprocal insurance exchange must maintain, with its attorney, a reserve fund in cash or approved securities in the amount A calculated in accordance with the following formula:

$$A = [0.50 \times (B - C)] + [(D - E) - (F - G)]$$

where:

B is the amount of premiums collected or credited to the accounts of subscribers on reciprocal contracts that are in force but have one year or less until expiration;

C is the amount paid to licensed insurers to reinsure the reciprocal contracts mentioned in item B;

D is the amount of premiums collected or credited to the accounts of subscribers on reciprocal contracts that are in force but have more than one year until expiration;

E is the amount of premiums mentioned in item D that are attributable to the expired portions of the reciprocal contracts mentioned in item D;

F is the amount paid to licensed insurers to reinsure the reciprocal contracts mentioned in item D; and

G is the amount paid to licensed insurers mentioned in item F that is attributable to the expired portions of the reciprocal contracts mentioned in item D.

**Guarantee fund**

7(1) In this section, “**unearned premiums**” means the portion of premiums collected or credited to the accounts of subscribers on reciprocal contracts that are attributable to the unexpired portion of those reciprocal contracts.

(2) A reciprocal insurance exchange shall maintain a guarantee fund in cash or approved securities in the amount A calculated in accordance with the following formula:

$$A = B - C + D$$

where:

B is all liabilities, other than unearned premiums, associated with the operation of the reciprocal insurance exchange, including liabilities under reciprocal contracts undertaken by the reciprocal insurance exchange;

C is the amount that is recoverable from licensed insurers that have reinsured the reciprocal contracts mentioned in item B; and

D is \$50,000.

### PART III

#### **Insurance with Unlicensed Insurers**

**Document to be submitted**

8 For the purposes of clause 465(a) of the Act, a licensed agent must submit a document that contains the following information respecting each person the licensed agent acted for pursuant to section 464.1 of the Act:

- (a) the name of the insured;
- (b) a description of the nature of the insurance;
- (c) the name of any licensed insurer who refused to provide coverage to the insured;
- (d) the name of the unlicensed insurer who is providing coverage to the insured;
- (e) the amount of insurance obtained from the unlicensed insurer;
- (f) the premium paid to the unlicensed insurer;

- (g) the particulars of the calculation used to determine the amount of tax payable pursuant to section 463 of the Act;
- (h) a declaration by the licensed agent that, to the best of his or her knowledge:
  - (i) sufficient insurance was not obtainable at reasonable rates from an insurer licensed pursuant to the Act; or
  - (ii) sufficient insurance was not obtainable on the terms stipulated by the insured from an insurer licensed pursuant to the Act.

#### PART IV Exemptions from Act

##### Medical Services Incorporated

**9** The Act does not apply to Medical Services Incorporated.

##### Designated provincial insurers

**10(1)** In this section, “**designated provincial insurer**” means:

- (a) Additional Municipal Hail Limited;
  - (b) Co-operative Hail Insurance Company Limited;
  - (c) Germania Mutual Insurance Company;
  - (d) Industrial-Alliance Pacific General Insurance Company;
  - (e) Palliser Insurance Company Limited;
  - (f) Rain and Hail Insurance Corporation;
  - (g) Robin Hood Employees’ Mutual Insurance Association;
  - (h) Saskatchewan Motor Club Insurance Company Limited;
  - (i) SGI Canada Insurance Services Ltd.;
  - (j) Western Agricultural Insurance Corporation.
- (2) Subject to subsection (3), subsections 81(1) and (2) of the Act do not apply to a designated provincial insurer to the extent that those subsections restrict the designated provincial insurer from investing in the shares of another corporation.
- (3) A designated provincial insurer may invest in the shares of another corporation only if the investment:
- (a) is not prohibited by subsections 81(3) to (12) of the Act; and
  - (b) is an investment that a reasonable and prudent person would make with respect to a portfolio of investments and loans with a view to avoiding undue risk and of obtaining a reasonable return.

**Exemption re Saskatchewan Teachers' Federation**

**11(1)** In this section:

- (a) “**annual return**” means the annual return required by subsection 86(2) of the Act;
  - (b) “**Federation**” means the Saskatchewan Teachers' Federation.
- (2) Subject to subsections (3) and (4), sections 81 and 85.1, and clause 86(3)(b) of the Act do not apply to the Federation.
- (3) As a condition of being exempted from complying with section 81 of the Act, the Federation may only invest in accordance with the *Pension Benefits Standards Regulations*, 1985 (Canada), S.O.R./87-19.
- (4) As a condition of being exempted from complying with section 85.1 and clause 86(3)(b) of the Act, the Federation shall:
- (a) designate in its bylaws the period commencing on July 1 in one year and ending on June 30 in the following year as its financial year; and
  - (b) file the annual return within 120 days after the end of the financial year with respect to which the return relates.

**Exemption re BCAA Insurance Corporation**

**12(1)** In this section “**corporation**” means BCAA Insurance Corporation.

- (2) Subject to subsection (3), section 85.1 of the Act does not apply to the corporation.
- (3) As a condition of being exempted from complying with section 85.1 of the Act, the corporation shall designate in its bylaws the period commencing on October 1 in one year and ending on September 30 in the following year as its financial year.

**Subsection 431(2) of Act**

**13(1)** Subsection 431(2) of the Act does not apply to the holder of a licence as an agent for life insurance if the holder is:

- (a) an individual who has been licensed as an agent for life insurance for at least two years; or
  - (b) a firm or corporation having a member, agent or employee who is an individual mentioned in clause (a).
- (2) The holder of a licence mentioned in subsection (1) may act as an agent for the following but only if the holder does not represent himself or herself to the public by advertisement or otherwise as the agent of any insurer for whom the holder of the licence has not been authorized to act:
- (a) the insurer whose name is stated in the licence;
  - (b) without a separate licence, any other insurer for life insurance.

**Sections 416 to 439 of Act**

**14** Sections 416 to 439 of the Act do not apply to the Saskatchewan Association of Rural Municipalities, or to a salaried employee of that Association while that person is acting on behalf of the Association, in connection with fidelity bonds, insurance on registered mail or burglary insurance provided to municipalities or for the benefit of municipalities.

**Section 447 of Act**

**15** Section 447 of the Act does not apply to a licensed general agent, or to a salaried employee of a licensed general agent while acting on behalf of that licensed general agent, in the adjustment of losses.

## PART V

**Repeal and Coming into Force****R.R.S. c.S-26 Reg 1 repealed**

**16** *The Saskatchewan Insurance Regulations* are repealed.

**R.R.S. c.S-26 Reg 3 repealed**

**17** *The Medical Services Incorporated Exemption Regulations* are repealed.

**R.R.S. c.S-26 Reg 6 repealed**

**18** *The Saskatchewan Insurance Exemption (Teachers' Federation) Regulations* are repealed.

**R.R.S. c.S-26 Reg 7 repealed**

**19** *The Designated Provincial Insurers Investment Exemption Regulations* are repealed.

**Sask. Reg. 574/68 repealed**

**20** Saskatchewan Regulations 574/68 are repealed.

**Coming into force**

**21(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Saskatchewan Insurance Amendment Act, 2003* comes into force.

(2) If section 1 of *The Saskatchewan Insurance Amendment Act, 2003* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

## Appendix

### FEES

- 1 The fee for a licence is:
  - (a) for a fraternal society ..... \$ 500
  - (b) for a mutual or co-operative insurance company,  
not registered under the *Insurance Companies Act (Canada)* ..... 500
  - (c) for a reciprocal insurance exchange ..... 1,500
  - (d) for an underwriters agency ..... 1,500
  - (e) for an insurer to undertake reinsurance exclusively ..... 1,500.
  
- 2 The fee for a licence as any insurer, other than one mentioned in section 1, is an amount that is equal to the sum of:
  - (a) a basic fee of \$2,000; and
  - (b) an additional fee of \$2,000 to a maximum of \$6,000 for each of the following classes of insurance that the insurer applies to be licensed under:
    - (i) life insurance;
    - (ii) fire insurance;
    - (iii) accident insurance;
    - (iv) any other class of insurance not mentioned in subclauses (i) to (iii).
  
- 3 An applicant who is applying for a licence as any insurer for the first time shall pay, in addition to any other fees, a review fee of \$1,000.
  
- 4 The fee for renewal of the licence of an insurer who has discontinued undertaking contracts of insurance in Saskatchewan is \$500.
  
- 5 The following fees apply for:
  - (a) a five-year permit for a vending machine ..... \$ 200
  - (b) a certificate under seal of the superintendent ..... 50
  - (c) issuing a new licence if there has been a change in the membership of a partnership ..... 25
  - (d) reviewing an application to amalgamate ..... 100
  - (e) filing an annual statement of the condition of affairs of the insurer ... 100.

**SASKATCHEWAN REGULATIONS 102/2003***The Farm Financial Stability Act*

Sections 22, 24, 33 and 84

Order in Council 786/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Canada Saskatchewan BSE Recovery Program (No. 2) Amendment Regulations, 2003*.

**R.R.S. c.F-8.001 Reg 25 amended**

**2** *The Canada Saskatchewan BSE Recovery Program Regulations, 2003 (No. 2)* are amended in the manner set forth in these regulations.

**Section 2 amended**

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

**(2) Clause 2(1)(d) is amended:**

**(a) by striking out “and” after subclause (iii);**

**(b) by adding the following after subclause (iii):**

“(iii.1) in part V.1, a feeder who applies for a fed livestock competitive market adjustment payment; and”; **and**

**(c) in subclause (iv) by striking out “(iii)” and substituting “(iii.1)”.**

**(3) Clause 2(1)(e) is amended:**

**(a) by striking out “and” after subclause (ii);**

**(b) by adding “and” after subclause (iii); and**

**(c) by adding the following after subclause (iii):**

“(iv) in Part V.1, an application for a fed livestock competitive market adjustment payment that is submitted pursuant to section 20.2”.

**(4) The following subclause is added after subclause 2(1)(j)(ii):**

“(iii) with respect to the fed livestock competitive market adjustment program, any of the following classes of animals that meet the criteria set out in subsection (2):

(A) heifers under 30 months that weigh at least 544.21 kilograms or 1200 pounds and that are of the genus species *Bos taurus* or *Bos indicus*;

(B) steers under 30 months that weigh at least 566.89 kilograms or 1250 pounds and that are of the genus species *Bos taurus* or *Bos indicus*;

- (C) heifers under 30 months, or steers under 30 months, that:
  - (I) are of the genus species *Bos taurus* or *Bos indicus*;
  - (II) are sold directly for slaughter; and
  - (III) are graded A or B;
- (D) lambs under 12 months of the genus species *Ovis aries* (sheep);
- (E) heifers under 36 months, or bulls under 36 months, of the genus species *Bison bison* (bison);
- (F) goats under 12 months of the genus species *Capra hircus*;
- (G) elk of the genus species *Cervus elaphus nelsoni*, *Cervus elaphus roosevelti*, *Cervus elaphus manitobensis*, *Cervus elaphus nannodes* or any crosses between these subspecies;
- (H) caribou and reindeer of the genus species *Rangifer tarandus*;
- (I) mule deer of the genus species *Odocoileus hemionus*;
- (J) white-tailed deer of the genus species *Odocoileus virginianus*;
- (K) fallow deer of the genus species *Dama dama*".

**(5) The following clauses are added after clause 2(1)(j):**

"(j.1) **'fed livestock competitive market adjustment payment'** means a payment approved pursuant to section 20.4;

"(j.2) **'fed livestock competitive market adjustment program'** means the fed livestock competitive market adjustment program established pursuant to section 3".

**(6) Clause 2(1)(l) is amended:**

**(a) by striking out "or" after subclause (ii);**

**(b) by adding "or" after subclause (iii); and**

**(c) by adding the following subclause after subclause (iii):**

"(iv) an enhanced feeder association within the meaning of *The Enhanced Cattle Feeder Associations Loan Guarantee Regulations*".

**(7) The following clause is added after clause 2(2)(c):**

"(d) in the case of the fed livestock competitive market adjustment program, the eligible livestock are sold in Canada before the earliest of the following:

- (i) the date confirmed by the minister pursuant to subsection (3) as the date that the Canada/United States border is re-opened to the export of live livestock of up to 30 months of age at the time of sale;



(ii) the date determined by the minister pursuant to subsection 21(1) as the date that the moneys in the account have been fully utilized;

(iii) the date that, in the opinion of the minister, all of the remaining eligible livestock that were being fed on May 20, 2003 have been compensated for pursuant to these regulations;

(iv) December 1, 2003”.

**(8) Subsection 2(3) is amended by adding “, subclause (2)(d)(i)” after “subclause (2)(c)(i)”.**

**(9) Subsection 2(4) is repealed.**

**Section 3 amended**

**4 The following subsection is added after subsection 3(3):**

“(4) The fed livestock competitive market adjustment program is established for the purpose of assisting feeders who sell eligible livestock during the period that the market for eligible livestock remains disrupted by the closure of the Canada/United States border to eligible livestock exports”.

**Section 4 amended**

**5 Subsections 4(2) to (5) are repealed and the following substituted:**

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

(a) all contributions from the Government of Canada that are directed to the account for the purposes of the assistance program, the incentive program, the set-aside program or the fed livestock competitive market adjustment program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and

(b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the assistance program, the incentive program, the set-aside program or the fed livestock competitive market adjustment program pursuant to an agreement made pursuant to subsection 22(2) of the Act.

“(3) The account consists of:

(a) all contributions mentioned in subsection (2);

(b) all other moneys appropriated by the Legislature:

(i) for the purposes of the assistance program, the incentive program, the set-aside program or the fed livestock competitive market adjustment program; or

(ii) for any other farm income stabilization purpose, if the Minister of Finance designates that those moneys are to be paid into the account;

(c) all earnings on investments of the account; and

(d) all other moneys received in the account for the purposes of the assistance program, the incentive program, the set-aside program, or the fed livestock competitive market adjustment program.

“(4) All assistance payments, incentive payments, set-aside payments and fed livestock competitive market adjustment payments are to be paid from the account.

“(5) Any surplus remaining in the account when the assistance program, incentive program, set-aside program and the fed livestock competitive market adjustment programs are completed is to be returned to the Government of Canada and the Government of Saskatchewan in proportion to each government’s contribution to the account”.

**New section 5**

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

**“Minister to administer account and programs**

**5(1)** The minister shall administer:

- (a) the account; and
- (b) the assistance program, the incentive program, the set-aside program and the fed livestock competitive market adjustment program.

(2) For the purpose of administering the account and the assistance program, the incentive program, the set-aside program and the fed livestock competitive market adjustment program, the minister may:

- (a) exercise the powers given to the minister pursuant to the Act; and
- (b) do any other thing that the minister considers necessary to administer:
  - (i) the account; or
  - (ii) the assistance program, the incentive program, the set-aside program or the fed livestock competitive market adjustment program.

(3) Without limiting the generality of subsection (2), for the purpose of administering the account or the assistance program, the incentive program, the set-aside program or the fed livestock competitive market adjustment program, the minister may:

- (a) police and audit compliance with the assistance program, the incentive program, the set-aside program or the fed livestock competitive market adjustment program;
- (b) enter into any agreement with any person, agency, organization, association, institution or body that the minister considers advisable;
- (c) execute any bills of exchange, promissory notes and other negotiable or transferable instruments;
- (d) undertake research, conduct studies and provide information to agricultural producers in relation to:
  - (i) eligible livestock; or
  - (ii) the assistance program, the incentive program, the set-aside program or the fed livestock competitive market adjustment program;

- (e) use any moneys received in the account to:
  - (i) pay for the administration of the account and the assistance program, the incentive program, the set-aside program and the fed livestock competitive market adjustment program; and
  - (ii) make:
    - (A) assistance payments to feeders;
    - (B) incentive payments to licensed packing plants;
    - (C) set-aside payments to feeders; or
    - (D) fed livestock competitive market adjustment payments to feeders;
- (f) invest any moneys in the account that are not presently required for the purposes of the assistance program, the incentive program, the set-aside program, or the fed livestock competitive market adjustment program in any investments that are authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
- (g) dispose of any investment made pursuant to clause (f), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers advisable”.

**Section 6 amended**

**7 Subclause 6(2)(d)(i) is repealed and the following substituted:**

“(i) the assistance program, the set-aside program, or the fed livestock competitive market adjustment program”.

**Section 8 amended**

**8 Subsection 8(2) is repealed and the following substituted:**

“(2) Not more than one assistance payment is payable with respect to the same eligible livestock and, if, a person has received an assistance payment for eligible livestock, that person is not entitled to receive a set-aside payment or fed livestock competitive market adjustment payment for the same eligible livestock”.

**Section 12 amended**

**9(1) Subsection 12(1) is amended by striking out “September 30, 2003” wherever it appears and in each case substituting “October 31, 2003”.**

**(2) Subsection 12(2) is amended by striking out “September 30, 2003” wherever it appears and in each case substituting “October 31, 2003”.**

**Section 16 amended**

**10 Subclause 16(2)(d)(i) is repealed and the following substituted:**

“(i) the assistance program, the set-aside program, or the fed livestock competitive market adjustment program”.

**Section 17 amended**

**11(1) Subsection 17(1) is amended by striking out “September 4, 2003” wherever it appears and in each case substituting “September 30, 2003”.**

**(2) Subsection 17(2) is amended by striking out “September 4, 2003” wherever it appears and in each case substituting “September 30, 2003”.**

**Section 18 amended**

**12 Subsection 18(2) is repealed and the following substituted:**

“(2) Not more than one set-aside payment is payable with respect to the same eligible livestock and, if, a person has received a set-aside payment for eligible livestock, that person is not entitled to receive an assistance or fed livestock competitive market adjustment payment for the same eligible livestock”.

**New Part V.1**

**13 The following Part is added after Part V:**

“PART V.1  
**Fed Livestock Competitive Market Adjustment Program**”

**“Eligibility to apply for fed livestock competitive market adjustment payment**

**20.1(1)** Subject to subsection (3), a feeder is eligible to apply for a fed livestock competitive market adjustment payment for eligible livestock only if the feeder has informed the minister of the proposed sale of those eligible livestock during the week of the program in which the eligible livestock are to be sold.

(2) For the purposes of subsection (1), a feeder shall notify the minister:

- (a) in any manner that the minister considers appropriate; and
- (b) before the sale of the eligible livestock.

(3) Subsection (1) does not apply to:

- (a) eligible livestock slaughtered on or after September 1, 2003 and on or before September 14, 2003; or
- (b) an application with respect to which:
  - (i) the feeder has requested a reconsideration pursuant to section 23; and
  - (ii) if a review committee has been established, the review committee has recommended to the minister that the application be exempted from subsection (1).

**“Application for fed livestock competitive market adjustment program**

**20.2(1)** A feeder who wishes to apply for a fed livestock competitive market adjustment payment must apply on an application form supplied by the minister.

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

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

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

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

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

(i) the assistance program, the set-aside program or the fed livestock competitive market adjustment program; or

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

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

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

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

(iii) the applicant's eligibility for a fed livestock competitive market adjustment payment; and

(iv) the amount of any fed livestock competitive market adjustment payment to be paid to the applicant; and

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

(i) substantiating the applicant's eligibility;

(ii) determining the amount of a fed livestock competitive market adjustment payment to the applicant;

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

(iv) administering the fed livestock competitive market adjustment payment.

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

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

**“Time limit for submitting applications under fed livestock competitive market adjustment program**

**20.3(1)** Subject to subsection (2), an application must be received by the minister on or before December 1, 2003 or, in the case of an application that is mailed, must be postmarked on or before December 1, 2003.

(2) The minister may consider an application received or postmarked after December 1, 2003 if:

- (a) the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been received or postmarked on or before December 1, 2003; and
- (b) if a review committee has been established, the review committee determines that extenuating circumstances exist and recommends to the minister that the application be considered.

**“Approval of application for fed livestock competitive market adjustment payment**

**20.4(1)** Subject to subsections (2) and (3) and section 21, if the minister is satisfied that an applicant meets the eligibility requirements set out in these regulations and has complied with the regulations, the minister may approve a fed livestock competitive market adjustment payment to the applicant.

(2) Not more than one fed livestock competitive market adjustment payment is payable with respect to the same eligible livestock and, if, a person has received a fed livestock competitive market adjustment payment for eligible livestock, that person is not entitled to receive an assistance payment or a set-aside payment for the same eligible livestock.

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

**“Amount and terms of fed livestock competitive market adjustment payment**

**20.5(1)** Subject to subsection (6), the amount of an applicant's approved fed livestock competitive market adjustment payment is the amount AP calculated in accordance with the following formula and as adjusted in accordance with subsection (2):

$$AP = TNLW \times AMLD$$

where:

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

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

(2) For the purposes of determining the amount of an applicant's approved fed livestock competitive market adjustment payment, the amount AP calculated pursuant to subsection (1) is to be adjusted in accordance with a sliding scale index that the minister may establish.

(3) For the purposes of the definition of AMLD in subsection (1), the minister may determine an adjusted market loss differential for a day or period in accordance with the following formula:

$$AMLD = USMP - LP$$

where:

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

USMP is the United States market price for livestock for the day or period as determined by the minister and as adjusted for exchange rate and basis differences between Canada and the United States for the day or period, to a maximum of \$1.00 Canadian; and

LP is the greater of:

(a) the highest weekly Western Canadian market price for livestock sold between August 18, 2003 and the date the eligible livestock are sold; and

(b) the price for the eligible livestock that the applicant actually received.

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

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

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

- (5) Notwithstanding any other provision of this section:
- (a) the minister may establish a different adjusted market loss differential for each of the following classes of eligible livestock:
    - (i) steers and heifers;
    - (ii) lambs;
    - (iii) bison heifers and bulls;
    - (iv) goats;
    - (v) caribou;
    - (vi) reindeer;
    - (vii) elk;
    - (viii) mule deer;
    - (ix) white-tailed deer;
    - (x) fallow deer; and
  - (b) an applicant's fed livestock competitive market adjustment payment is to be based on the class of the eligible livestock that are the subject of the application and the adjusted market loss differential for that class of eligible livestock.
- (6) The maximum fed livestock competitive market adjustment payment per head of eligible livestock that may be paid is the following for each class of eligible livestock:
- (a) with respect to heifers, steers and bison, \$250 for each head;
  - (b) with respect to elk, \$125 for each head;
  - (c) with respect to lambs and goats, \$50 for each head;
  - (d) with respect to caribou, reindeer, mule deer, white-tailed deer and fallow deer, \$62.50 for each head.
- (7) No fed livestock competitive market adjustment payment is to be paid to an applicant if the amount of the payment is less than \$50.
- (8) If the applicant is a member of a feeder association or a breeder association and the eligible livestock for which a fed livestock competitive market adjustment payment is to be made are the subject of an agreement between the applicant and the association, the assistance payment is to be paid jointly in the name of:
- (a) the applicant; and
  - (b) the association.



(9) As a condition of receiving a fed livestock competitive market adjustment payment for a heifer or steer of the genus species *Bos taurus* or *Bos indicus*, the applicant must:

- (a) sell the eligible livestock directly for slaughter; or
- (b) if the eligible livestock are fed and located in Saskatchewan and are not sold directly for slaughter, mark the eligible livestock in the manner required by the minister.

(10) As a condition of receiving a fed livestock competitive market adjustment payment for eligible livestock other than a heifer or steer of the genus species *Bos taurus* or *Bos indicus*, the applicant must sell the eligible livestock directly for slaughter.

(11) The minister may impose any terms and conditions on a fed livestock competitive market adjustment payment that the minister considers appropriate.

(12) No person who is subject to terms or conditions imposed pursuant to subsection (11) shall fail to comply with any term or condition.

**“Fed livestock competitive market adjustment payment directed to certain loans**

**20.6(1)** Subject to subsection (2), if an applicant for a fed livestock competitive market adjustment payment has outstanding loans pursuant to *The BSE Livestock Loan Guarantee Program Regulations* and has sold the eligible livestock, any fed livestock competitive market adjustment payment that the applicant is eligible for must be paid to the lender who provided that loan in an amount required to fully pay that loan obligation.

(2) If all outstanding loan obligations mentioned in subsection (1) have been repaid as a result of making a payment pursuant to that subsection, any remaining amount of the fed livestock competitive market adjustment payment that the applicant is eligible for is to be paid to the applicant.

**“Restrictions on transfer or assignment of assistance payments**

**20.7** No transfer or assignment of a fed livestock competitive market adjustment payment is valid”.

**Section 21 is amended**

**14 Subsection 21(1) is repealed and the following substituted:**

“(1) If the minister determines that moneys in the account have been fully utilized, the minister may refuse to approve any application pursuant to Part III, IV, V or V.1 and the applicant is not eligible to receive any assistance payment, incentive payment, set-aside payment or fed livestock competitive market adjustment payment with respect to that application”.

**New sections 22 to 24****15 Sections 22 to 24 are repealed and the following substituted:****“Conditions of participating in program**

**22(1)** As a condition of participating in the assistance program, incentive program, set-aside program or the fed livestock competitive market adjustment program and receiving an assistance payment, incentive payment, set-aside payment or a fed livestock competitive market adjustment payment an applicant shall:

- (a) grant access, at any reasonable time, to land on which the applicant conducts the applicant’s livestock or packing plant operations to any persons designated by the minister to verify:
    - (i) information required to substantiate the applicant’s eligibility;
    - (ii) the amount of an assistance payment, incentive payment, set-aside payment or fed livestock competitive market adjustment payment that may be paid to the applicant; or
    - (iii) the applicant’s compliance with these regulations;
  - (b) consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant’s livestock or packing plant operations;
  - (c) consent to the minister sharing any information provided by the applicant and any information respecting any assistance payment, incentive payment, set-aside payment or fed livestock competitive market adjustment payment paid to the applicant with any other person, agency, organization, association, institution or body; and
  - (d) provide to the minister, on the minister’s request and within the period set by the minister, the applicant’s income tax records for one or more years, or any other information that the minister may require, to verify:
    - (i) the applicant’s eligibility;
    - (ii) the amount of an assistance payment, incentive payment, set-aside payment or fed livestock competitive market adjustment payment that may be paid to the applicant; or
    - (iii) the applicant’s compliance with these regulations.
- (2) No applicant shall fail to comply with any condition set out in subsection (1).
- (3) No person shall supply any false or misleading information to the minister on any application or in response to any request for information from the minister.

**“Reconsideration**

**23(1)** Within 90 days after an applicant receives written notice of the minister’s decision with respect to his or her application for an assistance payment, incentive payment, set-aside payment or fed livestock competitive market adjustment payment, the applicant may:

- (a) request, in writing, that the minister reconsider the decision; and
- (b) along with the written request mentioned in clause (a), provide the minister with any further information that the applicant considers relevant with respect to the application.

(2) If a review committee has been established, the minister may refer any request pursuant to subsection (1) to the review committee for a recommendation as to whether the minister’s initial decision was made in accordance with these regulations.

(3) On receipt of a request pursuant to subsection (1) and after considering any recommendation of the review committee made pursuant to subsection (2), the minister shall:

- (a) reconsider the minister’s initial decision;
- (b) confirm, reverse or vary that decision; and
- (c) notify the applicant in writing of the reconsideration.

(4) The minister’s decision pursuant to subsection (3) is final.

(5) Nothing in these regulations entitles an applicant to a hearing before the minister or the review committee.

**“Overpayment**

**24(1)** The minister may declare all or any assistance payments, incentive payments, set-aside payments or fed livestock competitive market adjustment payments made to an applicant pursuant to these regulations to be an overpayment if, in the minister’s opinion:

- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
- (b) the applicant has omitted to make a statement or to provide any information or document that results in a statement with respect to a material fact being misleading; or
- (c) the applicant has failed to comply with these regulations.

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

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 103/2003***The Farm Financial Stability Act*

Section 61

Order in Council 787/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

1 These regulations may be cited as *The Cattle Breeder Associations Loan Guarantee Amendment Regulations, 2003 (No. 2)*.

**R.R.S. c.F-8.001 Reg 5 amended**

2 *The Cattle Breeder Associations Loan Guarantee Regulations, 1991* are amended in the manner set forth in these regulations.

**Section 2 amended**

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

**Section 4 amended**

4 **Clause 4(1)(a) is repealed and the following substituted:**

“(a) a list of the names and addresses of the breeders who are members of the breeder association, the date of the first advance to the breeder association on behalf of each breeder and evidence, satisfactory to the minister, of age and Saskatchewan residency for each breeder”.

**Section 8 amended**

5 **Subsection 8(2) is amended by striking out “15” and substituting “24”.**

**Section 10 amended**

6 **Clause 10(b) is amended by striking out “six” and substituting “nine”.**

**Coming into force**

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

---

**SASKATCHEWAN REGULATIONS 104/2003***The Farm Financial Stability Act*

Section 61

Order in Council 788/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

1 These regulations may be cited as *The Cattle Feeder Associations Loan Guarantee Amendment Regulations, 2003 (No. 2)*.

**R.R.S. c.F-8.001 Reg 1 amended**

2 *The Cattle Feeder Associations Loan Guarantee Regulations, 1989* are amended in the manner set forth in these regulations.

**Section 2 amended**

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

**Section 3 amended**

**4 Clause 3(1)(a) is repealed and the following substituted:**

“(a) a list of the names and addresses of the feeders who are members of the feeder association, the date of the first advance to the feeder association on behalf of each feeder and evidence, satisfactory to the minister, of age and Saskatchewan residency for each feeder”.

**Section 5 amended**

**5(1) Subsection 5(2) is amended by striking out “three” and substituting “six”.**

**(2) Subsection 5(4) is repealed and the following substituted:**

“(4) Where the provincial supervisor is satisfied that compliance with clauses (3)(a) and (b) would result in reduced returns to a feeder association because of current market conditions, the provincial supervisor may extend the period within which repayment for feeder cows is to be made by not more than three months”.

**Section 8 amended**

**6(1) Clause 8(1)(b) is amended by striking out “15” and substituting “18”.**

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

“(3) Where the provincial supervisor is satisfied that compliance with clauses (2)(a) and (b) would result in reduced returns to a feeder association because of current market conditions, the provincial supervisor may extend the period within which the feeder cows shall be sold to not more than 15 months after the day on which the association purchased the first feeder cows”.

**Coming into force**

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

---

**SASKATCHEWAN REGULATIONS 105/2003***The Farm Financial Stability Act*

Section 61

Order in Council 790/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Sheep Breeder Associations Loan Guarantee Amendment Regulations, 2003*.

**R.R.S. c.F-8.001 Reg 10 amended**

**2** *The Sheep Breeder Associations Loan Guarantee Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

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

**Section 5 amended**

**4 Clause 5(1)(a) is repealed and the following substituted:**

“(a) a list of the names and addresses of the breeders who are members of the breeder association, the date of the first advance to the breeder association on behalf of each breeder and evidence, satisfactory to the minister, of age and Saskatchewan residency for each breeder”.

**Section 9 amended**

**5 Subsection 9(2) is amended by striking out “12” and substituting “24”.**

**Section 13 amended**

**6 Clause 13(7)(a) is repealed and the following substituted:**

“(a) any amount owing to the breeder association by the breeder, including any amount owing pursuant to a feeder agreement as defined in *The Sheep Feeder Associations Loan Guarantee Regulations*”.

**Section 19 amended**

**7 Clause 19(8)(a) is repealed and the following substituted:**

“(a) any amount owing to the breeder association by the breeder, including any amount owing pursuant to a feeder agreement as defined in *The Sheep Feeder Associations Loan Guarantee Regulations*”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 106/2003***The Farm Financial Stability Act*

## Section 61

Order in Council 791/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Sheep Feeder Associations Loan Guarantee Amendment Regulations, 2003*.

**R.R.S. c.F-8.001 Reg 11 amended**

**2** *The Sheep Feeder Associations Loan Guarantee Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

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

**Section 5 amended**

**4** **Clause 5(1)(a) is repealed and the following substituted:**

“(a) a list of the names and addresses of the feeders who are members of the feeder association, the date of the first advance to the feeder association on behalf of each feeder and evidence, satisfactory to the minister, of age and Saskatchewan residency for each feeder”.

**Section 7 amended**

**5** **Subsection 7(2) is amended by striking out “two” and substituting “six”.**

**Section 10 amended**

**6** **Clause 10(7)(a) is repealed and the following substituted:**

“(a) any amount owing to the feeder association by the feeder, including any amount owing pursuant to a breeder agreement as defined in *The Sheep Breeder Associations Loan Guarantee Regulations*”.

**Section 11 amended**

**7** **Clause 11(b) is amended by striking out “eight” and substituting “12”.**

**Section 16 amended**

**8** **Clause 16(7)(a) is repealed and the following substituted:**

“(a) any amount owing to the feeder association by the feeder, including any amount owing pursuant to a breeder agreement as defined in *The Sheep Breeder Associations Loan Guarantee Regulations*”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 107/2003***The Saskatchewan Human Rights Code*

## Section 46

Order in Council 792/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Saskatchewan Human Rights Code Amendment Regulations, 2003*.

**R.R.S. c.S-24.1 Reg 1 amended**

**2** *The Saskatchewan Human Rights Code Regulations* are amended in the manner set forth in these regulations.

**New section 13.1**

**3 The following section is added after section 13:**

**“Interpretation re section 29.4 of the Act**

**13.1(1)** For the purposes of subsection 29.4(1) of the Code, **‘notice in writing’** means a written notice in Form A of the Appendix that describes the complainant’s reasons for requesting an inquiry.

(2) For the purposes of subsection 29.4(3) of the Code, subsection (3) and subsection 14(2), **‘record’** means:

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

(3) For the purposes of subsection 29.4(4) of the Code, **‘review’** means a review of the record”.

**Section 14 amended**

**4 Subsections 14(1), (3) and (4) are repealed.**



New Appendix, Form A

5 The following is added after section 31:

“Appendix

FORM A

[Subsection 13.1(1)]

REQUEST TO APPOINT A HUMAN RIGHTS TRIBUNAL

TO: \_\_\_\_\_  
(Name of Respondent)

\_\_\_\_\_  
(Address)

TO: Saskatchewan Human Rights Commission, \_\_\_\_\_  
(Address of Saskatchewan Human Rights Commission)

TO: Saskatchewan Human Rights Tribunal,  
Box 24005, Saskatoon, Saskatchewan, S7K 8B4

1. I, \_\_\_\_\_,  
(Name of Complainant)

understand that the complaint that was filed or initiated pursuant to section 27 of *The Saskatchewan Human Rights Code* (the Code) has been dismissed by the Chief Commissioner pursuant to subsection 27.1(2) of the Code.

2. Pursuant to subsection 29.4(1) of the Code, I am requesting the chairperson of the human rights tribunal panel to appoint a human rights tribunal to conduct an inquiry respecting the complaint of \_\_\_\_\_  
(Name of Complainant)

against \_\_\_\_\_  
(Name of Respondent)

filed or initiated pursuant to section 27 of the Code.

3. My reasons for requesting an inquiry are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please detail your reasons for requesting an inquiry here)

4. A copy of the complaint filed or initiated pursuant to section 27 of the Code is attached and forms part of this request to appoint a human rights tribunal.

DATED at the City of \_\_\_\_\_, in Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Complainant)

[\*PLEASE NOTE: Subsection 29.4(6) of the Code provides that 'The complainant shall have carriage of the complaint in an inquiry ordered pursuant to subsection (4).' This means that the Saskatchewan Human Rights Commission will not represent you if an inquiry is ordered as a result of this request.]”

**Application**

6(1) The amendments to *The Saskatchewan Human Rights Code Regulations* made by these regulations apply only to:

(a) complaints that are dismissed pursuant to subsection 27.1(2) of *The Saskatchewan Human Rights Code* by the Chief Commissioner or a person designated by the Chief Commissioner on or after the coming into force of these regulations; and

(b) reviews of the dismissals mentioned in clause (a) pursuant to subsection 29.4(4) of *The Saskatchewan Human Rights Code*.

(2) Notwithstanding the coming into force of these regulations, *The Saskatchewan Human Rights Code Regulations* as those regulations existed on the day before the coming into force of these regulations continue to apply to:

(a) complaints that are dismissed pursuant to subsection 27.1(2) of *The Saskatchewan Human Rights Code* by the Chief Commissioner or a person designated by the Chief Commissioner before the coming into force of these regulations; and

(b) reviews of the dismissals mentioned in clause (a) pursuant to subsection 29.4(4) of *The Saskatchewan Human Rights Code*.

**Coming into force**

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

---

**SASKATCHEWAN REGULATIONS 108/2003**

*The Saskatchewan Medical Care Insurance Act*

Sections 14 and 48

Order in Council 793/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

1 These regulations may be cited as *The Saskatchewan Medical Care Insurance Payment Amendment Regulations, 2003 (No.4)*.

**R.R.S. c.S-29 Reg 19, section 3 amended**

2 Clause 3(d) of *The Saskatchewan Medical Care Insurance Payment Regulations, 1994* is amended:

(a) by striking out “and” after subclause (ii);

(b) in subclause (iii) by adding “and ending on September 30, 2003” after “commencing on July 1, 1998”;

(c) by adding “and” after subclause (iii); and

(d) by adding the following subclause after subclause (iii):

“(iv) for services provided in the period commencing on October 1, 2003, the schedule adopted by the department for payment of physician services and entitled ‘Saskatchewan Health Payment Schedule for Insured Services Provided by a Physician, October 1, 2003’”.

**Coming into force**

3(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, but are retroactive and are deemed to have been in force on and from October 1, 2003.

---

## SASKATCHEWAN REGULATIONS 109/2003

### *The Crown Corporations Act, 1993*

#### Section 36

Order in Council 794/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

1 These regulations may be cited as *The Crown Corporations Amendment Regulations, 2003 (No. 2)*.

**R.R.S. c.C-50.101 Reg 1, section 4 amended**

2(1) Section 4 of *The Crown Corporations Regulations, 1993* is amended in the manner set forth in this section.

(2) **The following subclause is added after subclause (2)(a.1)(v):**

“(vi) all shares, bonds, debentures or other securities of any business organization if they are acquired without exceeding the monetary threshold established in subsection (3)”.

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

“(3) For the purposes of subclause (2)(a.1)(vi), the total value at any time of all shares, bonds, debentures and other securities of a business organization that are acquired by Investment Saskatchewan Inc. must not exceed \$30 million”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 110/2003***The Economic and Co-operative Development Act*

## Section 16

Order in Council 795/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Northern Economic Development Amendment Regulations, 2003*.

**R.R.S. c.D-12.11 Reg 2 amended**

**2** *The Northern Economic Development Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

**3** **Clause 2(a) is repealed.**

**Section 11 amended**

**4(1)** **Subsection 11(1) is amended by adding “pursuant to this Part” after “grant”.**

**(2)** **Subsection 11(2) is amended by adding “pursuant to this Part” after “grants”.**

**Part III repealed**

**5** **Part III is repealed and the following substituted:**

**“PART III  
RDCS**

**“Interpretation of Part**

**13** In this Part:

(a) **‘eligible expenses’** mean eligible expenses as determined by the minister;

(b) **‘eligible RDC’** means a regional development corporation that meets the following requirements:

(i) it must have a signed agreement between its members and the minister setting out any terms and conditions required by its members and the minister;

(ii) its members must each meet the requirements set out in section 3;

(iii) it must have at least one member that is a northern municipality within the meaning of *The Northern Municipalities Act*;

(iv) it must comply with any other reasonable requirements set by the minister;

(c) **‘regional development corporation’**, or **‘RDC’**, means a corporation within the meaning of *The Non-profit Corporations Act, 1995* that has as its purpose the furthering of economic development in northern Saskatchewan.

**“Application**

**14** An RDC that wishes to apply for financial assistance must:

- (a) apply in a form acceptable to the minister; and
- (b) provide the minister with any information that the minister requires to determine if the RDC is an eligible RDC.

**“Financial assistance**

**15** The minister may provide financial assistance by way of grant to an eligible RDC.

**“Maximum amount**

**16** The maximum amount of any grant payable to an eligible RDC pursuant to this Part is 80% of eligible expenses, to a maximum of \$72,000 per year, for the period covered by the agreement mentioned in subclause 13(b)(i).

**“RDC records**

**17(1)** Every RDC that receives financial assistance pursuant to this Part must provide reports to the minister in a form acceptable to the minister and at the times required by the minister.

(2) Every RDC that receives financial assistance pursuant to this Part must keep proper books and records of its costs and performance in a manner that is satisfactory to the minister.

(3) The books and records maintained by an RDC pursuant to this section are subject at all reasonable times to examination or audit by the minister.

**“Advances**

**18** If the minister is satisfied that an eligible RDC has complied with this Part, including all reporting requirements set out in section 17, the minister may pay to the RDC up to six months' eligible expenses in advance, based on the budget provided by the RDC”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 111/2003***The Vehicle Administration Act*

## Section 97

Order in Council 796/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Driver Licensing and Suspension Amendment Regulations, 2003 (No. 2)*.

**R.R.S. c.V-2.1 Reg 15 amended**

**2** *The Driver Licensing and Suspension Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

**3 Subsection 2(1) is amended:**

**(a) by adding the following clause after clause (1.1):**

“(l.11) **‘ignition interlock period’** means, with respect to a person, the period calculated pursuant to section 33.4”; **and**

**(b) in clause (1.2) by striking out “sections 33.1, 33.2 and 33.3” and substituting “sections 33.1 to 33.4”.**

**New section 32.1**

**4 Section 32.1 is repealed and the following substituted:**

**“Application and waiver – education or treatment**

**32.1(1)** Subject to the other provisions of these regulations, if a person is convicted of an offence listed in section 32 and his or her driver’s licence is revoked, the person is only eligible to apply for a driver’s licence if:

(a) the person has served the full period of suspension, prohibition or disqualification required pursuant to section 74 of the Act; and

(b) the person has been assessed by an addictions counsellor, and:

(i) has completed an education or recovery program recommended by the addictions counsellor, and if a recovery program is recommended, has been assessed by an addictions counsellor to be at low risk for continued impaired driving; or

(ii) if no education or recovery program is recommended by the addictions counsellor, has successfully completed a program that the administrator may direct.

(2) The administrator may waive any requirements set out in subsection (1) in the case of a disqualification arising out of a conviction for an offence:

(a) with respect to subsection 89(1) of *The Highway Traffic Act*; or

(b) under the regulations made pursuant to the *Indian Act* (Canada) for having contravened subsection 89(1) of *The Highway Traffic Act*”.

**Section 33 amended**

**5(1) Subsection 33(1) is amended by striking out “Notwithstanding section 32.1 and subject to” and substituting “Subject to”.**

**(2) Subsection 33(2) is amended:**

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

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

“(c.1) in the case of a disqualification described in clause 74(2)(d) of the Act, 30 months after the conviction that resulted in the disqualification; and”.

**(3) Subsection 33(5.1) is repealed and the following substituted:**

“(5.1) No person may apply for a driver’s licence pursuant to this section if the person has been issued a licence pursuant to section 33.1 until:

(a) the person completes the ignition interlock program; or

(b) if the person does not successfully complete the ignition interlock program or is prohibited pursuant to section 33.2 from participating in the ignition interlock program, the ignition interlock period for that person has expired”.

**Section 33.1 amended**

**6(1) Subsection 33.1(2) is repealed and the following substituted:**

“(2) Subject to subsection (2.1), a person, other than a non-resident, may apply for a driver’s licence pursuant to this section if:

(a) the person has been convicted of an offence pursuant to section 253 or subsection 254(5) of the *Criminal Code*;

(b) the convicting court has authorized the person to participate in the ignition interlock program;

(c) the person agrees to participate in the ignition interlock program; and

(d) the person pays the fee set out in the fee regulations.

“(2.1) A person convicted of an offence pursuant to section 253 or subsection 254(5) of the *Criminal Code* is not eligible to participate in the ignition interlock program until the later of:

(a) the expiry of the period for which the person is prohibited by the convicting court from operating a motor vehicle; and

(b) the expiry of:

(i) three months after the date of conviction in the case of a first offence pursuant to either of those provisions;

(ii) six months after the date of the current conviction in the case of a second offence within five years after the date of the first conviction; or

(iii) 12 months after the date of the current conviction in the case of a third or subsequent offence within five years after the date of the first conviction.

“(2.2) A person is not eligible to apply for a driver’s licence pursuant to this section if the person:

- (a) has been convicted of an offence pursuant to section 253 of the *Criminal Code*; and
- (b) has caused bodily harm or death as a result of the operation of the motor vehicle leading to the commission of the offence mentioned in clause (a)”.

**(2) Subsection 33.1(5) is repealed and the following substituted:**

“(5) Subject to section 33.2, a driver’s licence issued pursuant to this section is a restricted driver’s licence and remains a restricted driver’s licence until the expiry of the greater of:

- (a) the period for which the holder of the licence is subject to a court order prohibiting the holder from operating a motor vehicle on any street, road, highway or other public place; and
- (b) the ignition interlock period for that holder.

“(5.1) If a person successfully completes the ignition interlock program, the person may:

- (a) if the person is not subject to any other suspension pursuant to the Act or these regulations, apply for a driver’s licence pursuant to section 16 of the Act; or
- (b) if the person is subject to another suspension pursuant to the Act or these regulations, apply for a driver’s licence pursuant to section 32.1, 33 or 34 of these regulations”.

**Section 33.2 amended**

**7 Subsection 33.2(3) is repealed and the following is substituted:**

“(3) If a person does not successfully complete the ignition interlock program or is prohibited from participating in the ignition interlock program pursuant to clause (2)(b):

- (a) the order of prohibition pursuant to the *Criminal Code* respecting the person is reinstated and has full force and effect as at a date specified by the administrator in a written notice given to the person; and
- (b) the person is not eligible to apply for a licence until:
  - (i) the person meets the requirements set out in section 32.1; or
  - (ii) the person is eligible to apply for a driver’s licence pursuant to section 33 or 34”.



New sections 33.4 and 33.5

**8 The following sections are added after section 33.3:**

**“Calculation of ignition interlock period**

**33.4(1)** In this section:

- (a) **‘contravention’** means, with respect to a person:
- (i) the removal by the person or another person on that person’s behalf of an ignition interlock device before the end of the ignition interlock period for that person;
  - (ii) a failure to start the vehicle as a result of the person having a prohibited blood alcohol reading;
  - (iii) any attempt by the person or another person on that person’s behalf to circumvent, tamper with or override an ignition interlock device on a vehicle to which the person has access;
  - (iv) any activation by the person or another person on that person’s behalf of the emergency override in a non-emergency situation; or
  - (v) a failure of the person to report for the purposes of obtaining readings from, testing or servicing the ignition interlock device as required by the administrator;

(b) **‘conviction’** means a conviction for an offence pursuant to section 253 or subsection 254(5) of the *Criminal Code*.

(2) Subject to subsections (3) to (7), the ignition interlock period for a person:

(a) who has not had another conviction within the five-year period prior to and including the date of the first conviction, is the greater of:

- (i) one year from the date of the conviction; and
- (ii) the period of prohibition ordered by the convicting court pursuant to section 259 of the *Criminal Code*;

(b) who has had one other conviction within the five-year period prior to and including the date of the second conviction, is the greater of:

- (i) two years from the date of the second conviction; and
- (ii) the period of prohibition ordered by the convicting court pursuant to section 259 of the *Criminal Code*;

(c) who has had two or more other convictions within the five-year period prior to and including the date of the third or subsequent conviction, is the greater of:

- (i) three years from the date of the last conviction; and
- (ii) the period of prohibition ordered by the convicting court pursuant to section 259 of the *Criminal Code*.

- (3) If a person does not have three contravention-free months at the end of the ignition interlock period for that person, the ignition interlock period is to be extended a further three months.
- (4) If the ignition interlock period for a person is extended pursuant to subsection (3) and the person commits a further contravention within the three-month extension period, the ignition interlock period is:
- (a) to be extended an additional three months; and
  - (b) to continue to be extended for an additional three months each time there is a contravention or series of contraventions registered against the person in the last extension period.
- (5) If a person does not successfully complete the ignition interlock program or is prohibited from completing the ignition interlock program pursuant to section 33.2, the ignition interlock period for that person is to be extended a further three months.
- (6) If a person is subject to subsection (3), (4) or (5), that person may apply in writing to the administrator on a form approved by the administrator to waive the extension of the ignition interlock period.
- (7) Notwithstanding any other provision of this section, on an application pursuant to subsection (6), if the administrator considers that circumstances surrounding the contravention indicate that a refusal to extend the person's ignition interlock period would not be contrary to the public interest, the administrator may waive the extension of the ignition interlock period for the person.

**“Appeal to the board**

**33.5(1)** A person may appeal a decision of the administrator:

- (a) to prohibit the person from participating in the ignition interlock program pursuant to subsection 33.2(2) to the board pursuant to section 91 of the Act; or
  - (b) to extend the ignition interlock period for that person in accordance with section 33.4.
- (2) An appeal to the board:
- (a) must be made within 21 days after written notification of the administrator's decision is served on the person; and
  - (b) must be in writing.
- (3) On appeal the board may:
- (a) in the case of an appeal of a decision of the administrator to prohibit a person from participating in the ignition interlock program:
    - (i) uphold the administrator's decision; or
    - (ii) reverse the administrator's decision and allow the person to participate in the ignition interlock program;

- (b) in the case of an appeal of a decision of the administrator to extend the ignition interlock period for a person:
  - (i) uphold the administrator's decision; or
  - (ii) reverse the administrator's decision and hold that the ignition interlock period is not to be extended for the person.
- (4) The board has no authority:
  - (a) to alter, increase, shorten or vary the ignition interlock period set out in section 33.4; or
  - (b) to vary the terms and conditions that the administrator has imposed on a person participating in the ignition interlock program”.

**Section 34 amended**

**9 Subsection 34(8) is repealed and the following substituted:**

- “(8) No person may apply for a driver's licence pursuant to this section if the person has been issued a licence pursuant to section 33.1 until:
- (a) the person completes the ignition interlock program; or
  - (b) if the person does not successfully complete the ignition interlock program or is prohibited pursuant to section 33.2 from participating in the ignition interlock program, the interlock ignition period for that person has expired”.

**Section 35 repealed**

**10 Section 35 is repealed.**

**Transitional**

11(1) Section 33.4 of *The Driver Licensing and Suspension Regulations*, as enacted by section 8 of these regulations, does not apply to a person who is participating in the ignition interlock program on the day on which this section comes into force.

(2) If a person is participating in the ignition interlock program before the day on which this section comes into force and whether or not that person successfully completes the ignition interlock program, the person is eligible to apply for a driver's licence at the expiry of the greater of the following periods:

- (a) one year from the date of the conviction;
- (b) the period of prohibition ordered by the convicting court pursuant to section 259 of the *Criminal Code*.

**Coming into force**

12(1) Subject to subsection (2), these regulations come into force on the day on which sections 8 and 11 of *The Vehicle Administration Amendment Act, 2002* come into force.

(2) If these regulations are filed with the Registrar of Regulations after sections 8 and 11 of *The Vehicle Administration Amendment Act, 2002* come into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 112/2003***The Highways and Transportation Act, 1997*

## Section 69

Order in Council 798/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

1 These regulations may be cited as *The Security of Loads Amendment Regulations, 2003*.

**R.R.S. c.H-3.01 Reg 3, new section 8**

2 **Section 8 of *The Security of Loads Regulations, 1999* is repealed and the following substituted:**

**“Overhanging loads**

8(1) In this section, ‘**main part of the vehicle**’ means the vehicle, not including any load on the vehicle or any equipment attached or fastened to the vehicle.

(2) If a vehicle is transporting a load that:

(a) overhangs the rear of the main part of the vehicle by one metre or more, there must be displayed at the extreme rear end of the load:

(i) between sunrise and sunset, an orange or red flag of at least 300 millimetres by 300 millimetres; and

(ii) between sunset and sunrise, and when visibility is reduced, a red lamp emitting a red light to the rear and to each side of the load that is visible for 200 metres; or

(b) overhangs either side of the main part of the vehicle by 300 millimetres or more, there must be displayed at the extreme end or extreme ends of the overhanging load:

(i) between sunrise and sunset, an orange or red flag of at least 300 millimetres by 300 millimetres; and

(ii) between sunset and sunrise, and when visibility is reduced, a lamp emitting an amber light to the front and a red light to the rear of the vehicle that is visible for 200 metres”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 113/2003***The Agri-Food Act*

Sections 13 and 32

Order in Council 799/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*.

**R.R.S. N-3 Reg 1 amended**

**2** *The Broiler Hatching Egg Marketing Plan Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended****3 Section 2 is amended:****(a) by repealing clauses (a) and (b) and substituting the following:**

“(a) **‘Act’** means *The Agri-Food Act*;

“(b) **‘board’** means the Saskatchewan Broiler Hatching Egg Producers’ Marketing Board continued pursuant to section 34 of the Act”;

**(b) by repealing clauses (f) to (i) and substituting the following:**

“(f) **‘plan’** means the Saskatchewan Broiler Hatching Egg Marketing Plan continued pursuant to section 34 of the Act;

“(g) **‘producer’** means any person who:

(i) is engaged in the production and marketing within Saskatchewan of hatching eggs from 200 or more broiler breeders and includes the employer of any person who is so engaged;

(ii) is entitled under any lease or agreement to a share of the hatching eggs produced and marketed by a person mentioned in subclause (i) or the proceeds from the marketing of those eggs; or

(iii) takes possession of any hatching eggs pursuant to any form of security or legal proceeding for a debt;

“(h) **‘production unit’** means a producer who, or a group of producers that, together with the producer’s or the group’s buildings, structures, equipment and land used for the production and marketing of hatching eggs is designated by the board as a production unit in accordance with section 15.1”;

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

“(j) **‘quota’** means the written authority given to a production unit to market the number of hatching eggs, as set out in that authority, on an annual basis”; **and**

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

“(l) **‘total provincial quota’** means the total number of hatching eggs that may be marketed by all production units as authorized by all valid, outstanding quotas”.

**Section 3 repealed**

**4 Section 3 is repealed.**

**New sections 7 to 7.2**

**5 Section 7 is repealed and the following substituted:**

**“Board composition and duty**

7(1) The board consists of four producers elected as directors in accordance with sections 22 to 24.

(2) The board shall administer the plan.

**“Orders to be submitted to council**

7.1(1) Within 18 months after the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*, the board shall prepare and submit to the council a written copy of all orders and all amendments to those orders that are then in force.

(2) All orders of the board that are in existence on the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003* are inoperative to the extent that they are inconsistent with these regulations.

**“Board policies**

7.2 Within 18 months after the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*, the board shall prepare and submit the following to the council:

- (a) a conflict-of-interest policy for the board of directors;
- (b) a policy respecting a code of conduct for the board of directors”.

**Section 8 amended**

**6 Clause 8(1)(e) is amended by striking out “or regulation”.**

**Section 9 amended**

**7 The following subsection is added after subsection 9(2):**

“(3) The head office of the board must not be located at a place:

- (a) that is owned or leased by a producer; or
- (b) in which a producer has a direct or indirect interest”.

**Section 10 amended**

**8 Subsection 10(1) is repealed and the following substituted:**

“(1) Subject to subsection (2), the voters as defined in section 20 must appoint an auditor for the board at:

- (a) every annual meeting; and
- (b) any special meeting of the voters called for the purpose of appointing an auditor.

“(1.1) The auditor appointed pursuant to subsection (1) shall:

- (a) audit the books and records of the board; and
- (b) perform any other duties respecting the plan or the board that are imposed on the auditor pursuant to the Act or these regulations or that the council may direct”.

**Section 11 amended**

**9 Subsection 11(2) is repealed.**

**New sections 12 to 12.2**

**10 Section 12 is repealed and the following substituted:**

**“Chairperson and vice-chairperson of board**

**12(1)** The board shall elect a chairperson and vice-chairperson from among its members.

(2) The chairperson or, in the chairperson’s absence, the vice-chairperson shall preside at all meetings of the board.

(3) Subject to subsection (4), the chairperson or vice-chairperson presiding at a meeting of the board shall not vote on any matter before the board other than the election of a chairperson or vice-chairperson.

(4) The officer presiding at a meeting may only vote on a matter to break a tie.

**“Quorum**

**12.1(1)** A majority of the board constitutes a quorum at any meeting of the board.

(2) A resolution of the board is to be passed by a majority vote of the board members present at the meeting.

**“Conflicts of interest**

**12.2(1)** No member of the board shall:

- (a) fail to disclose to the board any conflict of interest that the member may have; or
- (b) vote on any matter with respect to which the member has any direct or indirect financial interest that is different from the financial interest of other producers.

(2) If the board is uncertain whether or not a member of the board has a conflict of interest pursuant to subsection (1), the board must adjourn the matter until the conflict of interest issue is resolved pursuant to the policies mentioned in section 7.2”.

**Section 13 amended**

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

**New sections 15 to 16.2****12 Sections 15 and 16 are repealed and the following substituted:****“Registration required**

15(1) No person shall engage in the business of a producer or be employed as a producer without being registered in the manner required by these regulations and any orders of the board.

(2) No person shall own or operate a hatchery that purchases hatching eggs without being registered with the board.

**“Designation of production units**

15.1(1) As soon as is reasonably possible after the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*, the board shall enact and forward to the council an order respecting the policy for designation of producers as production units.

(2) The board shall submit to the council a written copy of any new order or amendment to an order that is enacted by the board for the purposes of subsection (1) within two weeks of the enactment of the new order or amendment to an order.

(3) On the registration of a producer by the board, the board shall designate that producer, together with the producer's buildings, structures, equipment and land used for the production and marketing of hatching eggs:

- (a) as a production unit;
- (b) as a producer to be incorporated into an existing production unit; or
- (c) as a new production unit to be formed together with other producers and their buildings, structures, equipment and land used for the production and marketing of hatching eggs.

(4) The board may amend its designation of a production unit or repeal a designation and make one or more new designations to replace the existing designation.

(5) The board shall make its designation or act pursuant to subsection (4) only in accordance with the order that is enacted in accordance with subsection (1).

**“Designation of representatives of production units**

15.2(1) In this section, **‘producer’** does not include a producer in a production unit who is an employee of another producer in the production unit.

(2) The producers within a production unit shall nominate one of their number as a representative as soon as is reasonably possible after:

- (a) the initial designation by the board of the production unit;
- (b) the addition of a new producer into an existing production unit; or
- (c) the designation of the production unit as a new production unit pursuant to clause 15.1(3)(c) or subsection 15.1(4).



(3) A nomination pursuant to subsection (2) is to be made in any manner that the producers within the production unit consider appropriate.

(4) At any time after a nomination has been made, the producers in the production unit may rescind the nomination and nominate another of their number as the representative if they consider it necessary or appropriate to do so.

(5) A nomination pursuant to this section is to be sent to the board in accordance with any order of the board and is to include the name and address of the representative.

**“Registration of producers and representatives**

**16(1)** Every producer shall register with the board in accordance with an order enacted by the board.

(2) The board shall enact an order of the board respecting the registration of producers and representatives of production units.

(3) The board must maintain at its head office a register containing:

- (a) the name and address of each producer;
- (b) the name and address of every representative of, and a description of, every production unit; and
- (c) the name and address of every hatchery purchasing hatching eggs.

(4) The board shall remove from the register:

- (a) the name and address of any person whom the board is satisfied has ceased to be a producer;
- (b) the name and address of any representative of a production unit if the board has been notified by the production unit in a manner that the board considers consistent with its order that the representative has ceased to be the representative of the production unit;
- (c) the description of any production unit that the board, in accordance with an order of the board, is satisfied has ceased to be a production unit; and
- (d) the name and address of every hatchery that purchased hatching eggs and that the board is satisfied has ceased to carry on that activity.

**“Licensing**

**16.1** No producer shall carry on business or be employed as a producer unless that person has obtained an annual licence from the board.

**“Fees for registration and licensing**

**16.2** Every person who is required to be registered or to obtain a licence pursuant to these regulations shall pay any fee that may be set by order of the board as a condition of being registered or licensed”.

**Section 19 repealed**

**13 Section 19 is repealed.**

**New sections 20 to 25****14 Sections 20 to 25 are repealed and the following substituted:****“Voters defined and their rights**

**20(1)** In this section and sections 10 and 20.1 to 25, ‘**voter**’ means a representative nominated by a production unit whose name is duly registered with the board.

(2) Every voter is entitled to only one vote.

**“Annual and special meetings of voters**

**20.1(1)** The board shall call an annual meeting of voters at any time before April 30 of each year at a place determined by the board.

(2) The board:

(a) may call special meetings of voters at any time; and

(b) shall call a special meeting on the written request of:

(i) the council; or

(ii) a minimum of five voters.

(3) The board shall call a special meeting pursuant to clause (2)(b) within 30 days after receiving the written request.

(4) The board must provide written notice to voters of the place, date and hour of any annual or special meeting of voters at least 14 days before the meeting.

(5) In the case of a special meeting, the board shall include in the written notice mentioned in subsection (4) the nature of the business to be conducted at the special meeting.

(6) The quorum at an annual meeting or special meeting of voters is five voters.

(7) The chairperson of the board or, in the chairperson’s absence, the vice-chairperson of the board shall preside at all meetings of voters.

**“Required business at annual meetings**

**20.2** The board shall prepare and submit to each annual meeting:

(a) a proposed budget for the plan outlining the collection and expenditure of funds during the next fiscal year; and

(b) an outline of proposed programs and activities of the plan for the next fiscal year.

**“Orders and permits respecting quotas**

**21(1)** For the purposes of the plan and subject to subsections (2) to (5) and section 21.1, the board may enact orders:

(a) requiring that the production and marketing of hatching eggs be governed by:

(i) fixing and allocating quotas to production units for the production and marketing of hatching eggs;

- (ii) increasing or reducing quotas mentioned in subclause (i);
- (iii) cancelling or suspending quotas mentioned in subclause (i); or
- (iv) refusing to fix and allocate quotas to production units for the production and marketing of hatching eggs;
- (b) governing the transferability or non-transferability of quotas and prescribing the conditions and procedures applicable to the transfer of quotas; and
- (c) for the purpose of determining the amount of hatching eggs produced and marketed by a production unit during a period, establishing:
  - (i) a formula to determine the amount or number of hatching eggs deemed to have been produced or marketed by a production unit; and
  - (ii) the period with respect to which the formula is to be applied.
- (2) The board shall enact orders determining policies and procedures for:
  - (a) reducing quota allocations to production units if there are more hatching eggs being marketed than are authorized by the total provincial quota; and
  - (b) increasing the quota allocations to production units if there are fewer hatching eggs being marketed than are authorized by the total provincial quota.
- (3) The board may establish schedules within which:
  - (a) reductions in quota allocations are to occur for the purposes of subsection (2); and
  - (b) increases in quota allocations are to occur for the purposes of subsection (2).
- (4) Notwithstanding any other provision of these regulations or any order of the board, if the board considers it necessary to meet a short-term increased demand for hatching eggs, the board may issue a permit to a production unit to allow it to increase its marketing of eggs above its quota.
- (5) No holder of a permit issued pursuant to subsection (4) shall fail to comply with the terms and conditions of the holder's permit.

**“Maximum quota for production units**

- 21.1(1)** Subject to subsection (2), no production unit shall hold, directly or indirectly, more than 20% of the total provincial quota.
- (2) The board may enact an order increasing or decreasing the percentage of the total provincial quota that a production unit may hold.
  - (3) The board shall not allocate, reallocate or approve the lease of any quota, if, as a result of that allocation, reallocation or lease, any production unit would hold a quota in excess of that allowed pursuant to subsection (1) or subsection (2).

**“Auctions of quota**

**21.2(1)** The board shall offer all increases in the number of hatching eggs that can be produced and marketed under the total provincial quota only by open auction.

(2) For the purposes of subsection (1), no production unit or other person is entitled to bid for or receive an increase in the number of hatching eggs that the production unit or person can produce or market under quota if the amount of the increase would result in the production unit or person exceeding the maximum quota holding allowable pursuant to section 21.1.

(3) Auctions of quota must be conducted in accordance with procedures described in an order of the board.

(4) The board shall cause all proceeds of auctions to be placed in the Saskatchewan Broiler Hatching Egg Industry Trust Fund established pursuant to section 25.

**“Limits on allocation and transfer of quota**

**21.3(1)** The board shall not allocate or transfer quota in a way that forms production units with a capacity of more than 30,000 breeder chicks placed per year.

(2) No production unit with a capacity of over 30,000 breeder chicks per year shall receive any further increase in quota allocation.

(3) No production unit with a capacity of over 30,000 breeder chicks per year shall be required to reduce its quota unless there is a general decrease in total provincial quota pursuant to clause 21(2)(a).

**“Other matters respecting quota**

**21.4(1)** The board may, by order, establish policies and procedures governing the leasing of quota by production units.

(2) Notwithstanding sections 21 to 21.3, the board shall develop a quota allocation system with quota maintained and allocated on the basis of hatching eggs marketed by January 1, 2005.

**“Offices**

**22** Only voters are eligible to be directors of the board and to hold any office of the board.

**“Terms of office**

**23(1)** The directors of the board hold office for a term of three years.

(2) No director may hold office for more than two consecutive terms without a minimum two-year period before re-election.

(3) In the case of the first board elected after the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*, the term of office of each member of the board commences on the day on which the member is declared elected by the returning officer appointed pursuant to section 24 and ends on December 31:

(a) in the case of the two directors receiving the largest number of votes, of the third year following the year in which the election is held;

(b) in the case of the director receiving the third largest number of votes, of the second year following the year in which the election is held; and

(c) in the case of the director receiving the fourth largest number of votes, of the first year following the year in which the election is held.

(4) The board shall call an election for the directors of the board within three months after the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*.

**“Conduct of elections**

**24(1)** The board shall:

(a) subject to this section, enact orders respecting the conduct of elections of directors of the board;

(b) fix a date for receiving nominations; and

(c) at least 30 days before the date fixed pursuant to clause (b), send to each voter a notice stating that nominations are being accepted for election to the board and giving the date fixed for receiving nominations.

(2) The board shall appoint a returning officer who is not a producer nor an employee of the board.

(3) Every nomination must be:

(a) in writing in the form set by the board;

(b) signed by two voters; and

(c) delivered to the returning officer not later than the date fixed for receiving nominations.

(4) If not more than the required number of candidates are nominated, the candidates so nominated are to be declared elected by acclamation.

(5) If more than the required number of candidates are nominated, the board shall, at least 21 days before the date fixed for receiving ballots, send by prepaid post to each voter:

(a) the ballot;

(b) a plain envelope; and

(c) a notice of the time by which and the place to which the ballot, sealed in the plain envelope, is to be returned.

(6) All voting is to be by the ballot provided by the board, and the ballot is to be sealed in the plain envelope provided and returned in person or by registered mail to the returning officer on or before the date fixed for receiving ballots.

(7) The returning officer shall declare those candidates receiving the most votes, up to the number of director's positions to be filled, to be directors of the board.

(8) Ties between candidates are to be decided by the drawing of lots by those candidates who are tied in voting.

- (9) A voter is deemed to have received any notice, nomination paper or ballot that is posted to the voter at the voter's last address registered with the board.
- (10) The failure of any voter to receive any notice, nomination paper or ballot does not invalidate the election.
- (11) If a voter votes for more than the specified number of candidates required to fill the vacancies on the board, the voter's ballot is not valid.
- (12) If any delay or irregularity occurs in any election, or if any doubt arises as to the validity of the election, the council shall do all or any of the following:
- (a) determine who the directors of the board are;
  - (b) fix the directors' terms of office;
  - (c) if the council considers it advisable, direct the holding of a special election of directors of the board.
- (13) Subject to subsection 20(1), voting by proxy is prohibited.

**“Trust fund established**

**25(1)** In this section:

- (a) **‘fiscal year’** means the fiscal year of the trust fund;
  - (b) **‘trust fund’** means the Saskatchewan Broiler Hatching Egg Industry Trust Fund established pursuant to this section;
  - (c) **‘trustee’** means a trustee of the trust fund appointed in accordance with this section.
- (2) The board shall establish the Saskatchewan Broiler Hatching Egg Industry Trust Fund as soon as is reasonably possible after the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*.
- (3) Within six months after the coming into force of *The Broiler Hatching Egg Marketing Plan Amendment Regulations, 2003*, the board shall:
- (a) appoint as trustees at least three persons who are, in the opinion of the council, independent of the board; and
  - (b) inform the council in writing of the establishment of the trust fund and of the name and address of the trustees.
- (4) The trustees shall administer the trust fund in accordance with these regulations.
- (5) The trustees may make an expenditure from the trust fund only if:
- (a) the council has approved:
    - (i) the trustees' organizational structure and operating principles; and
    - (ii) the manner of appointing trustees; and
  - (b) the expenditure is in accordance with any directions or guidelines approved by the council that relate to promoting the growth and development of the broiler hatching egg industry.

- (6) The trustees may invest any moneys not presently required for the purposes of the trust fund in investments that are allowed pursuant to *The Trustee Act*.
- (7) The trustees shall establish the fiscal year and, as soon as possible after establishing the fiscal year, notify the board and the council in writing of the fiscal year.
- (8) Within 90 days after the start of each fiscal year, the trustees shall prepare or cause to be prepared:
- (a) a report on the business of the trust fund for the previous fiscal year; and
  - (b) an audited financial statement showing the activity of the trust fund for the previous fiscal year in any form that may be required by the board.
- (9) The trustees shall provide copies of each report and audited financial statement prepared pursuant to subsection (8) to the board and the council as soon as possible after they are prepared.
- (10) The trustees shall provide copies of each report and audited financial statement prepared pursuant to subsection (8) to be made available to the public at the office of the trustees during the normal office hours of the trustees.
- (11) No producer is entitled to have access to the trust fund through the withdrawal of the producer's contributions".

**Coming into force**

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

---

## SASKATCHEWAN REGULATIONS 115/2003

### *The Mineral Taxation Act, 1983*

Sections 44, 46 and Third Schedule (section 11)

Order in Council 802/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

1 These regulations may be cited as *The Potash Production Tax Amendment Regulations, 2003*.

**R.R.S. c.M-17.1 Reg 6 amended**

2 *The Potash Production Tax Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

**3(1) The following clause is added after clause 2(1)(c):**

**“(c.1) ‘affiliate producer’** means an affiliate of the producer that is also a producer of potash in Saskatchewan as defined in clause 2(d) of the Schedule”.

- (2) **Clause 2(1)(f) is repealed.**
- (3) **Clause 2(h) is amended:**
- (a) **in subclause (i) by striking out “subsections (5) and (5.1)” and substituting “subsection (5)”;**
- (b) **in subclause (ii) by adding “subject to subsections (5.1) and (5.2)” before “any usbsidy”; and**
- (c) **in subclause (iii) by adding “subject to subsections (5.1) and (5.2)” before “any amounts”.**
- (4) **Clause 2(1)(n) is repealed.**
- (5) **Subclause 2(1)(p)(vi) is repealed and the following substituted:**
- “(vi) except for approved remote assets, the cost of any asset that is not used exclusively with respect to potash produced from a mine”.
- (6) **Clauses 2(1)(y) and (z) are repealed.**
- (7) **Clause 2(1)(gg) is repealed.**
- (8) **Clause 2(1)(ii) is amended:**
- (a) **in the portion preceding subclause (i) by adding “in Saskatchewan” after “produced from a mine”; and**
- (b) **in subclause (xii) by striking out “marketing” and substituting “market”.**
- (9) **The following clause is added after clause 2(1)(ii.1):**
- “(ii.2) ‘**mine expansion**’ means any project undertaken by a producer with respect to a mine of the producer that is designed to increase the productive capacity of the mine by a minimum of 200 000 tonnes”.
- (10) **Clause 2(1)(jj.1) is amended:**
- (a) **in subclause (i) by adding “subject to subsections (5.1) and (5.2)” before “any subsidy”; and**
- (b) **in subclause (ii) by adding “subject to subsections (5.1) and (5.2)” before “any amounts”.**
- (11) **Clause 2(1)(jj.2) is repealed and the following substituted:**
- “(jj.2) ‘**net mine capital**’ means for a year of a producer the difference between:
- (i) the total of:
- (A) the balance of net mine capital at the end of the previous year after the deduction, if any, of an allowance calculated pursuant to subsection 8(7);



(B) the capital cost of all capital assets acquired by the producer and its non-producer affiliates in the year for use in Saskatchewan in the production of potash from the mines of the producer, other than the capital cost of:

(I) mine expansions; and

(II) new mines;

(C) in the case of a mine expansion or new mine where the producer submits an application for approval prior to commencement of the project and the application receives the prior written approval of the minister, the capital cost of the project incurred in the year and, in the case of a new mine other expenditures for the new mine, including:

(I) exploration expenses incurred to determine the existence, location, extent or quality of the potash to be mined, including the expenses of geological studies and drilling and related analyses;

(II) the cost of design, development and construction of the mine;

(III) the cost of construction of housing, restaurant or recreational facilities that are to be used for the benefit of employees of the producer, are owned by the producer and are located at the mine or at a location that, in the opinion of the minister, is near the mine; and

(IV) costs directly attributable to potash produced before the beginning of commercial production;

but not including:

(V) interest;

(VI) administrative and corporate expenditures;

(VII) legal fees or expenses;

(VIII) fees or expenses for accounting services; or

(IX) any portion of expenses covered by a grant or subsidy;  
and

(D) the total amount calculated pursuant to subclause 7(1)(b)(ii) in the year; and

(ii) the total of:

(A) the proceeds of disposition in the year from dispositions of any capital assets whose capital costs have been recognized in a depreciation allowance pursuant to these regulations;

(B) gross revenue from potash produced in the year from a new mine before the beginning of commercial production; and

(C) for 2003 and subsequent years, the amount in the year by which the difference between:

(I) the total amounts under paragraphs (i)(B) and (C); and

(II) the total amounts under paragraphs (A) and (B);

exceeds 90% of that amount determined on a similar basis for the year 2002”.

**(12) Clause 2(1)(ll) is repealed.**

**(13) Clause 2(1)(nn) is repealed and the following substituted:**

“(nn) ‘**production**’ means the quantity of potash produced in Saskatchewan from the mines of the producer and includes potash produced from both Crown mineral lands and freehold mineral lands”.

**(14) Clause 2(1)(rr) is amended:**

**(a) by striking out “and” after subclause (ii);**

**(b) by adding “and” after subclause (iii); and**

**(c) by adding the following subclause after subclause (iii):**

“(iv) costs related to facilitating the movement of potash from the mine to the first arm’s-length purchaser or transferee”.

**(15) Subclause 2(1)(uu)(i) is amended by striking out “from the producer’s mine” and substituting “from a mine in Saskatchewan”.**

**(16) Subsections 2(3) to (5.3) are repealed and the following substituted:**

“(3) If approved market development costs are incurred by an affiliate of a producer on behalf of the producer and affiliate producers, the amount of the approved market development costs for a year attributed to the producer is the amount A calculated in accordance with the following formula:

$$A = \text{TAMDC} \times \frac{\text{TSP}}{\text{TSPA}}$$

where:

TAMDC is the total approved market development costs for the year incurred by the affiliate;

TSP is the total number of tonnes of potash sold during the year from the producer; and

TSPA is the total number of tonnes of potash sold during the year from the producer and affiliate producers.

“(4) If mine research and development costs are incurred by an affiliate of a producer and are applicable to both the producer and affiliate producers, the amount of the mine research and development costs for a year attributed to the producer is the amount A calculated in accordance with the following formula:

$$A = \text{TMRDC} \times \frac{\text{TSP}}{\text{TSPA}}$$

where:

TMRDC is the total mine research and development costs incurred by the affiliate;

TSP is the total number of tonnes of potash sold during the year from the producer; and

TSPA is the total number of tonnes of potash sold during the year from the producer and affiliate producers.

“(5) If costs described in subclause (1)(h)(i) are incurred by an affiliate of a producer and are applicable to both the producer and affiliate producers, the amount of those costs for a year attributed to the producer is the amount A calculated in accordance with the following formula:

$$A = \text{TC} \times \frac{\text{TSP}}{\text{TSPA}}$$

where:

TC is the costs described in subclause (1)(h)(i) incurred by the affiliate;

TSP is the total number of tonnes of potash sold during the year from the producer;

TSPA is the total number of tonnes of potash sold during the year from the producer and affiliate producers.

“(5.1) If amounts received by a producer and its affiliates described in subclauses (1)(h)(ii) and (iii) and (1)(jj.1)(i) and (ii) are received with respect to both Saskatchewan potash operations and other affiliated operations, the amounts received are to be allocated between the Saskatchewan potash operations and the other affiliated operations in a manner approved by the minister.

“(5.2) If amounts received by a producer and its affiliates described in subclauses (1)(h)(ii) and (iii) and (1)(jj.1)(i) and (ii) are attributable to both the producer and affiliate producers, the amounts received are to be allocated between the producer and affiliate producers in a manner approved by the minister.

“(5.3) Subject to subsection (8.1), if approved remote costs are incurred at an approved remote asset by an affiliate of the producer and are applicable to both the producer and affiliate producers and the approved remote costs are for the treatment of Saskatchewan potash at the facility of an affiliate, the amount of the approved remote costs allocated to the producer from that approved remote asset for a year is the amount A calculated in accordance with the following formula:

$$A = \text{TARC} \times \frac{\text{TPTP}}{\text{TTPA}}$$

where:

TARC is the total approved remote costs for that approved remote asset;

TPTP is the number of tonnes of potash shipped from the producer that were treated at that facility during the year; and

TTPA is the total number of tonnes of potash shipped from the producer and affiliate producers treated at that facility during the year.

“(5.4) Subject to subsections (8.2), if approved remote costs are incurred at an approved remote asset by an affiliate of the producer and are applicable to both the producer and affiliate producers and approved remote costs are incurred for a purpose other than for the treatment of Saskatchewan potash at the facility of an affiliate, the amount of the approved remote costs allocated to the producer from that approved remote asset for a year is the amount A calculated in accordance with the following formula:

$$A = \text{TARC} \times \frac{\text{TPTP}}{\text{TTPA}}$$

where:

TARC is the total approved remote costs for that approved remote asset;

TPTP is the total number of tonnes of potash produced during the year by the producer; and

TTPA is the total number of tonnes of potash produced during the year by the producer and affiliate producers”.

**(17) Subsection 2(7) is repealed.**

**(18) The following subsections are added after subsection 2(8.1):**

“(8.2) If, in the opinion of the minister, any of the costs, charges and expenses described as approved remote costs may properly be regarded as having been incurred by an affiliate with respect to Saskatchewan potash and other products and if those costs are incurred in an approved activity other than the treatment of Saskatchewan potash, the producer and its affiliate producers may include in a year as their total combined approved remote costs only the amount A that is calculated in accordance with the following formula:

$$A = TC \times \frac{SVPS}{SVAS}$$

where:

TC is the total of the costs, charges or expenses incurred for the year in the approved activity by an affiliate;

SVPS is the total sales value for the year of Saskatchewan potash for the producer and affiliate producers;

SVAS is the total sales value for the year of Saskatchewan potash for the producer and affiliate producers and the total sales value of the other products determined on the same basis as the total sales value of Saskatchewan potash”.

Section 4 repealed

**4 Section 4 is repealed.**

Section 5 amended

**5(1) Clause 5(1)(a) is repealed and the following substituted:**

“(a) potash produced in Saskatchewan from the mines of the producer”.

**(2) Subsection 5(3) is amended:**

**(a) by striking out “or” after clause (c); and**

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

“(d) to a person other than an industry sales organization that is a purchaser or transferee that, together with its affiliates, purchases or otherwise acquires not less than 75% of the potash produced by the producer in the year at the mines of the producer; or

“(e) to a person who currently owns:

(i) a business entity that was formerly owned by the producer or its affiliates and that formerly consumed or purchased potash from the producer or its affiliates; or

(ii) the assets of a business entity that was formerly owned by the producer or its affiliates and that formerly consumed or purchased potash from the producer or its affiliates”.

**(3) Subclause 5(8)(a)(i) is amended by striking out “subsection (10.1)” and substituting “subsections (10.1) and (10.2)”.**

**(4) Subsection 5(10.1) is repealed and the following substituted:**

“(10.1) If an industry sales organization makes expenditures in a year that are expected to be unrelated to sales volumes and that can be attributed to both Saskatchewan potash and another product or products, the amount of those expenditures that the industry sales organization must allocate to Saskatchewan potash is the amount A calculated in accordance with the following formula:

$$A = TE \times \frac{SVP}{SVAP}$$

where:

TE is the expenditures in the year that are expected to be unrelated to sales volumes and that can be attributed to both potash and other products, including:

- (a) marketing costs;
- (b) interest costs;
- (c) legal costs; and
- (d) administrative costs;

SVP is the sales value for the year of Saskatchewan potash marketed and distributed by the industry sales organization; and

SVAP is the sales value for the year of both Saskatchewan potash and other products marketed and distributed by the industry sales organization.

“(10.2) If an industry sales organization makes expenditures in a year that are expected to be related to sales volumes and that can be attributed to both Saskatchewan potash and another product or products, the amount of those expenditures that the industry sales organization must allocate to Saskatchewan potash is the amount A calculated in accordance with the following formula:

$$A = TE \times \frac{TSP}{TSAP}$$

where:

TE is the expenditures in the year that are expected to be related to sales volumes and that can be attributed to both potash and other products including:

- (a) shipping costs; and
- (b) warehousing costs;

TSP is the number of tonnes shipped in the year of Saskatchewan potash marketed and distributed by the industry sales organization; and

TSAP is the number of tonnes shipped in the year of both Saskatchewan potash and other products marketed and distributed by the industry sales organization”.

Section 6 repealed

**6 Section 6 is repealed.**

Section 7 amended

**7(1) Subclause 7(1)(b)(i) is repealed.**

**(2) Subsection 7(2) is amended:**

**(a) by repealing paragraph (a)(i)(B) and substituting the following:**

“(B) subject to subsections 2(5.3), (5.4), (8.1) and (8.2), approved remote costs”;

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

“(b) subject to subsection (2.1), any of the following expenses that are incurred by the producer or its affiliates for services performed, work undertaken or goods provided solely with respect to the mines of the producer or that, in the opinion of the minister, are directly attributable to the mines of the producer, but are not incurred at a mine of the producer and are not administrative and corporate expenditures or engineering expenses:

(i) computer system costs respecting operations carried out at the mine;

(ii) costs of developing long-term contracts with suppliers of goods and services to the mines of the producer;

(iii) accounting costs other than the cost of a corporate controller’s activities”;

**(c) by repealing subclause (c)(ii) and substituting the following:**

“(ii) with the approval of the minister, is not put into use at a mine”;

**(d) in clause (f):**

**(i) in the portion preceding subclause (i) by striking out “the mine” and substituting “the mines of the producer”; and**

**(ii) by repealing subclause (xii) and substituting the following:**

“(xii) any levy calculated by reference to:

(A) the production of potash from the mines of the producer, except as provided in subclauses (vi) and (vii);

(B) the reserves of potash in the mines of the producer; or

(C) the profits or revenues from potash produced from the mines of the producer”;

**(e) by adding “and” after clause (q);**

**(f) by striking out “and” after clause (r); and**

**(g) by repealing clauses (r) and (s) and substituting the following:**

“(r) for the 2003 and subsequent years, the amount as determined pursuant to paragraph 2(1)(jj.2)(ii)(C)”.

**(3) The following subsection is added after subsection 7(2):**

“(2.1) If, in the opinion of the minister, costs mentioned in clause (2)(b) may properly be regarded as having been incurred by a producer with respect to Saskatchewan potash and other products, those costs are to be allocated between the Saskatchewan potash and the other products in a manner approved by the minister”.

**(4) Subsection 7(4) is repealed.**

**(5) Subsection 7(7) is amended by striking out “clauses (2)(q) and (2)(s)” and substituting “clause (2)(q)”.**

**(6) Subsection 7(8) is amended:**

**(a) in subclause (h)(ii) by striking out “the mine” and substituting “a mine of the producer”;**

**(b) in clause (l) by striking out “if those costs are reimbursed to the producer by that other person”; and**

**(c) in clause (o) by adding “subject to clause (2)(p),” before “any”.**

**(7) The following subsection is added after subsection 7(10):**

“(11) To determine the value of closing inventory for the purposes of paragraph (2)(a)(i)(A), if a producer has engaged in a trade of potash with another producer and the trade has not been completed by the end of the year, the producer shall:

(a) if the producer is owed potash from another producer, add the volume owed to the closing inventory volume; and

(b) if the producer owes potash to another producer, subtract the volume owed from the closing inventory volume”.

**Section 8 amended**

**8 Subsections 8(11) and (12) are repealed.**

**Section 9 repealed**

**9 Section 9 is repealed.**

**Section 10 amended**

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

**New section 11**

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

**“Quantity of potash sold – base payment**

**11** For the purposes of clause 5(1)(b) of the Schedule, subclause 5(2)(a)(ii) of the Schedule and clauses 16(1)(b) and 17(1)(b) of these regulations, the quantity of potash sold or otherwise disposed of from a mine in a year is the quantity, expressed in K<sub>2</sub>O tonnes, of saleable potash:

(a) produced from the mines of the producer; and

(b) sold or otherwise disposed of from the mines of the producer in the year”.



**Section 12 amended**

**12 Clause 12(1)(a) is amended by striking out “producer’s mine” and substituting “mines of the producer”.**

**Section 19 amended**

**13 Clause 19(1)(a) is repealed and the following substituted:**

“(a) the amount A calculated pursuant to the following formula:

$$A = (B \times C) - (D + E + F)$$

where:

B is the quantity of potash as determined pursuant to subsection 21(2), less the volume of potash sold or disposed of in the year that was not produced at the mines of the producer;

C is the base payment rate of tax as calculated pursuant to subclause 5(2)(a)(i) of the Schedule;

D is 50% of the difference between:

(i) the amount calculated pursuant to clause 12(1)(a) for the year; and

(ii) that portion of the amount calculated pursuant to clause 12(1)(a) that is payable with respect to potash that:

(A) is not physically produced from Crown mineral lands in the year; and

(B) is not deemed by the unitization agreement to have been produced from Crown mineral lands in the year;

E is 50% of the amount calculated pursuant to clause 12(1)(b) for the year; and

F is 50% of the amount calculated pursuant to clause 12(1)(c) for the year”.

**New section 21**

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

**“Quantity of potash sold – profit tax**

**21(1)** For the purpose of determining a producer’s profit per tonne of potash sold or otherwise disposed pursuant to paragraph 6(1)(a)(i)(B) of the Schedule, the quantity of potash sold or otherwise disposed of from the mines of the producer in a year is the quantity, expressed in K<sub>2</sub>O tonnes, of saleable potash sold or otherwise disposed of from the mines of the producer in the year.

(2) For the purpose of determining a producer’s profit in each profit bracket pursuant to subclause 6(1)(a)(i) of the Schedule, the quantity of potash sold or otherwise disposed of from the mines of the producer in the year is:

(a) for all years before 2003, the quantity as determined pursuant to subsection (1) for that year; and

- (b) for 2003 and subsequent years, the lesser of:
  - (i) the quantity as determined pursuant to subsection (1) for that year; and
  - (ii) the average of the quantity determined pursuant to subsection (1) for the years 2001 and 2002”.

**Section 23 amended**

**15 Subsection 23(3) is repealed.**

**Section 24 amended**

**16 Clause 24(b) is amended by striking out “four quarters” and substituting “calendar year”.**

**Section 25 amended**

**17 Clause 25(b) is amended:**

- (a) in the portion preceding subclause (i) by striking out “each mine” and substituting “the combined operations of the mines of the producer”;
- (b) in subclause (vi):
  - (i) by adding “and” after paragraph (A);
  - (ii) by striking out “and” after paragraph (C); and
  - (iii) by repealing paragraphs (C) and (D); and
- (c) in subclause (xi) by striking out “the mine” and substituting “the mines of the producer”.

**New section 26**

**18 Section 26 is repealed and the following substituted:**

**“Net mine capital on sale of interest in a mine**

**26(1)** If a producer, as vendor, sells, transfers or otherwise disposes of an interest or a beneficial interest in a mine to another person who, as purchaser, is or becomes a producer:

- (a) subject to subsections (2) to (5), the opening net mine capital of the purchaser with respect to that interest or beneficial interest is the net mine capital of the vendor with respect to that interest or beneficial interest on the day immediately preceding the day of disposition; and
- (b) amounts that may be carried forward pursuant to clause 7(2)(q) and subsections 20(1) and (2) are transferred from the vendor to the purchaser.

(2) If, with respect to a vendor or a purchaser, a year is less than 365 days, net mine capital for that year must be reduced to an amount A calculated in accordance with the following formula:

$$A = NMC \times \frac{Y}{365}$$

where:

NMC is the net mine capital transferred from the vendor to the purchaser of the interest or beneficial interest; and

Y is the number of days in the vendor's or purchaser's year.

(3) If a producer, as vendor, sells or otherwise disposes of part of an interest or beneficial interest in a mine, the net mine capital of the vendor with respect to the part of the interest or beneficial interest that has been disposed of is the amount A calculated in accordance with the following formula:

$$A = NMC \times \frac{VIS}{VBS}$$

where:

NMC is the vendor's net mine capital immediately before the disposition;

VIS is the vendor's percentage interest in production in the mine that has been disposed of;

VBS is the vendor's percentage interest in production in the mine immediately before the disposition.

(4) For the purposes of this section, a producer with beneficial interests in more than one mine shall keep a separate account of net mine capital for each beneficial interest.

(5) On the disposition of an interest or a beneficial interest in a mine, the vendor's net mine capital is to be reduced by the amounts calculated pursuant to subsections (3) and (4)".

Section 27 amended

**19 Section 27 is amended by striking out "described in clause 4(2)(a)".**

**Section 30 amended****20 Subsections 30(4) and (5) repealed and the following substituted:**

“(4) For the purposes of clause (2)(a), the interest rate is an annual rate of interest equal to the product of:

- (a) 1.2; and
- (b) the rate of interest published in the Bank of Canada Review as the ‘bank rate’ for the later of:
  - (i) the day on which the amount in question should have been paid or remitted; and
  - (ii) the day on which the amount in question was paid or remitted.

“(5) For the purposes of clause (2)(b), the interest rate is an annual rate of interest equal to the product of:

- (a) 1.2; and
- (b) the rate of interest published in the Bank of Canada Review as the ‘bank rate’ as at December 31 of the preceding year”.

**Section 34 amended****21 Subsection 34(4) is repealed and the following substituted:**

“(4) If sales or dispositions of potash that are required to be reported pursuant to subsection (1) are made to an affiliate, the producer shall report those transactions as sales to an affiliate in its monthly report”.

**New section 37****22 Section 37 is repealed and the following substituted:****“Mine records**

**37(1)** For the purposes of section 20 of the Act, a producer shall keep full, correct and complete books of account, with supporting documents, showing in full:

- (a) all transactions and expenditures in connection with all mines of the producer;
- (b) the quantities of potash that are:
  - (i) extracted or raised from all mines of the producer; and
  - (ii) concentrated, refined, shipped, sold, disposed of, transferred or consumed;
- (c) the price or other consideration for the potash mentioned in clause (b);
- (d) the day on which a quantity of potash was shipped or sold, disposed of, transferred or consumed; and
- (e) the name of each person to whom potash was shipped or sold, disposed of or transferred or by whom it was consumed.

(2) A producer shall keep at each mine in which the producer has a beneficial interest or at any other place approved in writing by the minister:

- (a) proper up-to-date surveys, mine plans and maps, assay plans, assay records and mining records; and
- (b) copies of all sales, transportation, storage and handling contracts and all equipment and facility leases”.

**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 January 1, 2002.

---

## SASKATCHEWAN REGULATIONS 118/2003

### *The Saskatchewan Assistance Act*

#### Section 14

Order in Council 805/2003, dated October 3, 2003

(Filed October 3, 2003)

**Title**

**1** These regulations may be cited as *The Transitional Employment Allowance Amendment Regulations, 2003*.

**R.R.S. c.S-8 Reg 5 amended**

**2** *The Transitional Employment Allowance Regulations* are amended in the manner set forth in these regulations.

**Section 14 amended**

**3(1) Subsection 14(6) is amended by adding “utilities” after “any of the following”.**

**(2) The following subsection is added after subsection 14(6):**

“(6.1) A utilities allowance with respect to a telephone utility may be provided to a client who is eligible for a board and room general living allowance pursuant to subsection (2) if the client pays for the telephone utility”.

**(3) Subsection 14(7) is amended by adding “or (6.1)” after “subsection (6)”.**

**(4) Subsection 14(11) is amended by adding “or (6.1)” after “subsection (6)”.**

**Section 15 amended**

**4 Clause 15(1)(c) is amended:**

**(a) by striking out “moneys received by” and substituting “moneys due to”; and**

**(b) by adding the following subclauses after subclause (vi):**

“(vii) the Canada Child Tax Benefit, within the meaning of the *Income Tax Act* (Canada);

“(viii) a refund of the goods and services tax credit within the meaning of the *Income Tax Act* (Canada);

“(ix) a refund of the Saskatchewan sales tax credit within the meaning of section 39 of *The Income Tax Act, 2000*”.

**Section 16 amended**

**5(1) Subsection 16(1) is amended by striking out “first”.**

**(2) Subsection 16(2) is repealed.**

**Coming into force**

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



