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## PART II/PARTIE II

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**REVISED REGULATIONS OF SASKATCHEWAN**

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**CHAPTER P-4.2 REG 1***The Pawned Property (Recording) Act*

## Section 15

Order in Council 98/2004, dated February 24, 2004

(Filed February 26, 2004)

**Title**

- 1 These regulations may be cited as *The Pawned Property (Recording) Regulations*.

**Interpretation**

- 2 In these regulations, “**Act**” means *The Pawned Property (Recording) Act*.

**Circumstances when Act does not apply**

- 3 The Act does not apply in the following circumstances:

- (a) following a retail sales transaction, if an article is returned to the retailer by a dissatisfied customer for the purpose of a refund, exchange for other merchandise or credit;
- (b) if an article is acquired by a pawnbroker from a law enforcement agency or officer acting in an official capacity;
- (c) if an article is acquired by a pawnbroker from a merchant, retailer or wholesaler with a permanent place of business;
- (d) if an article is acquired by a pawnbroker from a trustee in bankruptcy, executor, administrator or receiver who has presented to the pawnbroker proof of his or her position;
- (e) if an article is acquired by a pawnbroker from a public official who is acting under judicial process or authority and who has presented to the pawnbroker proof of his or her position;
- (f) if any of the following articles are the subject of the transaction:
  - (i) second-hand books, magazines, journals, periodicals and other similar printed materials;
  - (ii) postage stamps;
  - (iii) second-hand infant’s, toddler’s or children’s clothing, shoes, equipment, furniture or safety devices;
  - (iv) adult clothing or shoes, except leather or fur jackets and coats;
  - (v) second-hand cookware, glassware and eating utensils that do not contain precious metals;
  - (vi) waste paper, waste cardboard and waste glass;
  - (vii) second-hand furniture;
  - (viii) second-hand appliances including refrigerators, freezers, stoves, washers, dryers, dishwashers and garbage compactors;
  - (ix) non-motorized lawn or garden equipment and tools.

**What information is to be obtained and recorded**

4(1) For the purposes of subsection 7(1) of the Act, a pawnbroker shall obtain the following information before entering into a pawn transaction with respect to any article or before purchasing an article through an unconditional sale:

- (a) the name, address, telephone number and date of birth of the person pawning the article or selling the article through an unconditional sale;
- (b) a description of the person pawning the article or selling the article through an unconditional sale including the height, weight, gender, hair colour and eye colour of the person;
- (c) the identification record numbers from two pieces of identification of the person pawning the article or selling the article through an unconditional sale:
  - (i) one of which must be one of the following types of identification but only if it contains a photograph of the person pawning the article or selling the article through an unconditional sale:
    - (A) a valid driver's licence issued by a Canadian province or territory or by a state in the United States of America;
    - (B) a passport issued by the government of origin;
    - (C) a Certificate of Indian Status Card issued by the Government of Canada;
    - (D) a Certificate of Citizenship Card issued by the Government of Canada;
    - (E) a Conditional Release Card issued by Correctional Services of Canada; or
  - (ii) an original birth certificate but only if the accompanying second piece of identification contains a photograph of the person pawning the article or selling the article through an unconditional sale;
- (d) a detailed description of the article that is reasonably sufficient to identify it and to distinguish it from other articles of the same type including, if applicable, each of the following:
  - (i) the manufacturer of the article;
  - (ii) the year the article was manufactured;
  - (iii) the make and model of the article;
  - (iv) any serial number on the article;
  - (v) any identifying marks on the article;
  - (vi) any title appearing on the article;

- (vii) what type of media the article is, including a compact disc, tape, vinyl record, DVD or VHS tape;
  - (viii) with respect to jewellery, the following additional information:
    - (A) the type of jewellery;
    - (B) the weight;
    - (C) the karat;
    - (D) any engraving or micro-reference;
    - (E) the number of gemstones and the type, colour, clarity and shape of each gemstone;
    - (F) whether the item is typically worn by a man or a woman;
  - (ix) a photograph of the item, if the pawnbroker has been given notice in accordance with section 8 by the chief of police that one is required for that type of article.
- (2) Every pawnbroker who enters into a pawn transaction with respect to any article or purchases an article through an unconditional sale shall:
- (a) record the following information for the purposes of section 6:
    - (i) the information obtained pursuant to subsection (1);
    - (ii) the day, month, year and time of the pawn transaction or unconditional sale;
    - (iii) as applicable:
      - (A) the price paid or amount given for an article that is the subject of a transaction;
      - (B) the amount loaned on pawn for the article; or
      - (C) the agreed selling price for consignment of the article and the interest rate charged by the pawnbroker;
    - (iv) the name of the pawnbroker, employee, apprentice or agent of a pawnbroker conducting the pawn transaction or unconditional sale;
  - (b) issue a receipt to the person from whom the article was acquired; and
  - (c) retain a hard copy of the receipt that includes:
    - (i) the original signature of the person from whom the article was acquired; and
    - (ii) the original signature of the pawnbroker, employee, apprentice or agent of a pawnbroker.

**Articles bearing serial numbers**

**5** No pawnbroker shall enter into a pawn transaction with respect to an article or purchase an article through an unconditional sale if that article bears or customarily bears a serial number unless the serial number is clearly legible and has not been totally or partially altered, removed or obscured.

**Information to be recorded and provided electronically**

6(1) Immediately after entering into a pawn transaction or purchasing an article through an unconditional sale, a pawnbroker shall record the information set out in clause 4(2)(a) electronically in a format approved by the chief of police.

(2) A pawnbroker shall provide the information recorded pursuant to clause 4(2)(a) to the chief of police:

- (a) in an electronic format approved by the chief of police;
- (b) in a form acceptable to the chief of police; and
- (c) as soon as is practicable after the information is recorded.

(3) Without restricting the requirement of clause (2)(c), a pawnbroker shall provide the chief of police a report at least once each day that the pawnbroker is open for business containing:

- (a) all the information recorded pursuant to clause 4(2)(a) for that day; or
- (b) if the pawnbroker has not entered into any pawn transactions or unconditional sales on that day, a statement that no pawn transactions or unconditional sales were entered into.

(4) For the purposes of this section, the chief of police may:

- (a) establish standards respecting the recording and providing of information by pawnbrokers, and may establish different standards for different classes of pawnbroker; and
- (b) require a pawnbroker:
  - (i) notwithstanding clause (2)(c) and subsection (3), to provide the information recorded pursuant to clause 4(2)(a) immediately to the chief of police;
  - (ii) to maintain and retain the information recorded pursuant to clause 4(2)(a) in a particular electronic format that is acceptable to the chief of police; and
  - (iii) to maintain any computer equipment, operating system or software necessary for the purposes of subclauses (i) and (ii).

(5) A pawnbroker shall pay any fees and costs required for:

- (a) obtaining or operating any computer equipment, operating system or software required for the purpose of these regulations; and
- (b) the use of, or access to, an automated reporting system for the purpose of electronically recording and transmitting the information required pursuant to these regulations.

**Procedures to be implemented when computer malfunctions**

7(1) The chief of police shall establish procedures to be followed by a pawnbroker in the event of a malfunction of any computer equipment, operating system or software required to be used and maintained by the pawnbroker pursuant to section 6.

(2) The procedures established pursuant to subsection (1):

(a) are to continue in effect and be followed by the pawnbroker for the period that the chief of police determines is appropriate in the circumstances; and

(b) may include any or all of the following:

(i) a procedure requiring a pawnbroker whose computer equipment, operating system or software has malfunctioned to notify the chief of police of the malfunction immediately;

(ii) a procedure prohibiting a pawnbroker from entering into any pawn transaction with respect to any article or purchasing an article through an unconditional sale for the period that the procedures are in effect;

(iii) a procedure requiring the creation and maintenance of records in a manner and form that is determined by the chief of police.

(3) If a malfunction mentioned in subsection (1) occurs, no pawnbroker shall fail to comply with the procedures established in this section as required by this section.

**Notice to pawnbrokers**

8 For the purposes of subsection 7(4) of the Act, the chief of police shall provide notice to every pawnbroker operating in the municipality:

(a) by publishing a notice in three consecutive issues of a newspaper having general circulation in that municipality that:

(i) sets out the coming into force of section 7 of the Act for that municipality; and

(ii) complies with the 90-day notice period required by subsection 7(4) of the Act; or

(b) by providing a written notice to each pawnbroker by personal service that:

(i) sets out the coming into force of section 7 of the Act for that municipality; and

(ii) complies with the 90-day notice period required by subsection 7(4) of the Act.

**Coming into force**

9(1) Subject to subsection (2), these regulations come into force on the day on which *The Pawned Property (Recording) Act* comes into force.

(2) If *The Pawned Property (Recording) Act* 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.

**SASKATCHEWAN REGULATIONS 7/2004***The Crop Insurance Act*

## Section 22

Order in Council 96/2004, dated February 24, 2004

(Filed February 26, 2004)

**Title**

**1** These regulations may be cited as *The Crop Insurance Amendment Regulations, 2004*.

**R.R.S. c.C-47.2 Reg 1 amended**

**2** *The Crop Insurance Regulations* are amended in the manner set forth in these regulations.

**New section 11.3**

**3 Section 11.3 is repealed and the following substituted:**

**“Establishment benefit**

**11.3(1)** The corporation may determine from time to time the premium payable and the indemnity payable for the establishment benefit for perennial grasses, alfalfa, alfalfa-grass mixtures, native forage, sweet clover, spring-seeded annual crops and fall-seeded annual crops.

(2) In the case of native forage crops, only applicants or insureds who meet the criteria determined by the corporation are eligible to participate in the establishment benefit program for those crops.

(3) The establishment benefit for alfalfa, alfalfa-grass mixtures, native forage, sweet clover and perennial grasses is additional coverage.

(4) An applicant or insured who wishes to elect an establishment benefit respecting the crops mentioned in subsection (3) must do so on or before March 31 in the year for which the election is made”.

**Section 11.6 amended**

**4(1) Subsection 11.6(1) is repealed and the following substituted:**

“(1) Subject to subsection (2), an insured who has entered into a contract of insurance for grain crops or an applicant who has applied for a contract of insurance for grain crops may elect to insure under the diversification option crops that are not otherwise eligible for insurance pursuant to these regulations or the contract of insurance”.

**(2) Subsection 11.6(3.1) is repealed.**

**Sections 11.8 amended**

**5(1) Clause 11.8(3)(a) is repealed and the following substituted:**

“(a) make elections pursuant to subsections (2), (13.1) and (14.1)”.

**(2) Subsection 11.8(11) is amended by striking out “and (14)” and substituting “to (14.1)”.**



**(3) Subsections 11.8(13) and (14) are repealed and the following substituted:**

“(13) In determining the calculated annual precipitation for a weather station for the purposes of subsections (11) and (12), any precipitation in excess of a percentage as elected by the applicant pursuant to subsection (13.1) of the normal monthly precipitation for that weather station is not to be included in the calculated annual total for that weather station.

“(13.1) The applicant must elect one of the following percentages of monthly precipitation as the maximum to be included in the calculated annual total for a weather station:

- (a) 125%;
- (b) 150%.

“(14) Subject to subsection (13), the calculated annual precipitation for each weather station under the forage rainfall insurance program is to be determined by weighting the precipitation totals at that weather station for the months of April, May, June and July in accordance with the election made by the applicant pursuant to subsection (14.1).

“(14.1) The applicant must elect one of the following options for the monthly weighting of precipitation totals for a weather station:

- (a) option 1 – April 30%, May 30%, June 30%, July 10%;
- (b) option 2 – April 10%, May 40%, June 40%, July 10%;
- (c) option 3 – April 10%, May 30%, June 30%, July 30%”.

**Section 11.9 amended**

**(1) Subsection 11.9(2.1) is repealed and the following substituted:**

“(2.1) If an applicant elects to participate in the annual crop weather based insurance program pursuant to subsection (2), the applicant must elect one of the following program options:

- (a) Top-up Coverage Option;
- (b) Stand-alone Coverage Option;
- (c) Enhanced Top-up Coverage Option”.

**(2) Subsection 11.9(4) is repealed.**

**(3) Subsection 11.9(5) is repealed and the following substituted:**

“(5) An applicant may insure pursuant to each program option that is mentioned in subsection (2.1):

- (a) a maximum of 1,000 acres; and
- (b) a minimum of one acre”.

**(4) Subsection 11.9(8) is repealed and the following substituted:**

“(8) The coverage pursuant to the program is an amount per acre for each coverage option mentioned in subsection (2.1) that is to be determined by the corporation each year before the enrolment deadline mentioned in subsection (3)”.

**(5) The following subsection is added after subsection 11.9(19):**

“(20) Acres that are insured under the diversification option pursuant to section 11.6 are eligible to be insured under the Top-up Coverage Option pursuant to clause (2.1)(a) and the Enhanced Top-up Coverage Option pursuant to clause (2.1)(c)”.

**New section 11.91**

**7 The following section is added after section 11.9:**

**“Corn heat unit insurance program**

**11.91(1)** In this section:

- (a) **‘applicant’** means a person who:
    - (i) qualifies for insurance pursuant to a contract of crop insurance; and
    - (ii) elects to participate in the corn heat unit insurance program pursuant to this section;
  - (b) **‘corn heat unit’** means the number of temperature degrees above the minimum required for the growth of corn as determined by the corporation;
  - (c) **‘program’** means the corn heat unit insurance program administered by the corporation pursuant to this section;
  - (d) **‘program area’** means the area of Saskatchewan that is determined by the corporation in which the program is to be offered.
- (2) An applicant may elect to participate in the corn heat unit insurance program with respect to acres that the applicant seeds to corn within the program area.
- (3) For the purposes of this section, the corporation may determine the area or areas of Saskatchewan in which the program is to be offered.
- (4) An applicant who wishes to participate in the program must, on or before March 31 of each year:
- (a) make elections pursuant to subsections (2) and (8);
  - (b) subject to the approval of the corporation, select the weather station that best represents the climatic conditions for the acres to be insured; and
  - (c) declare the acres to be insured pursuant to the program.
- (5) The minimum number of acres that may be insured by an applicant pursuant to the program is one acre.
- (6) Every applicant shall pay a premium, as determined by the corporation, on all acres insured by the applicant pursuant to the program.
- (7) No experience discount or surcharge applies to a premium for the program.
- (8) The applicant must elect an amount of coverage pursuant to the program from the alternative amounts per acre that are to be determined by the corporation each year before the enrolment deadline mentioned in subsection (4).

- (9) Indemnity calculations for the program are to be based on data obtained:
- (a) from the weather station selected pursuant to clause (4)(b); or
  - (b) if the necessary data is not available from the weather station selected pursuant to clause (4)(b), from the weather station selected by the corporation as the best alternative to the weather station selected pursuant to clause (4)(b).
- (10) An indemnity is triggered on insured acres pursuant to the program when the number of the corn heat units, as determined by the corporation, for the period mentioned in subsection (13) falls below 2100 for the weather station selected pursuant to clause (4)(b) or (9)(b), as the case may be.
- (11) The amount of any payment pursuant to the program that the corporation shall pay to an applicant is the product of:
- (a) the applicant's liability calculated pursuant to subsection (12); and
  - (b) the appropriate percentage of the applicant's liability pursuant to the program determined according to the following schedule:

*Schedule of Corn Heat Units and Liability Percentages*

<u>Annual Corn Heat Units</u>	<u>Percent of Liability Paid</u>
2100 or greater	0%
2080 to 2099	3%
2060 to 2079	6%
2040 to 2059	9%
2020 to 2039	12%
2000 to 2019	15%
1980 to 1999	18%
1960 to 1979	21%
1940 to 1959	24%
1920 to 1939	27%
1900 to 1919	30%
1880 to 1899	33%
1860 to 1879	36%
1840 to 1859	39%
1820 to 1839	42%
1800 to 1819	45%
1780 to 1799	48%
1760 to 1779	52%
1740 to 1759	56%
1720 to 1739	60%
1700 to 1719	64%
1680 to 1699	68%
1660 to 1679	72%
1640 to 1659	76%
Less than 1640	80%.

(12) The applicant's liability mentioned in subsection (11) is the amount L calculated in accordance with the following formula:

$$L = C \times A$$

where:

C is the coverage per acre elected by the applicant pursuant to subsection (8); and

A is the number of acres insured by the applicant pursuant to the program.

(13) The corporation shall determine corn heat units as the cumulative total of corn heat units for the period:

(a) commencing on May 15 in each year; and

(b) ending on the first day after July 1 of the year mentioned in clause (a) in which the daily minimum temperature is below minus 2 degrees Celsius, as determined by the corporation.

(14) Notwithstanding any other provision of these regulations, the corporation may limit the total number of acres that may be insured at any weather station pursuant to the program”.

**Form A of Appendix amended**

8(1) Form A of the Appendix is amended in the manner set for in this section.

**(2) The opening portion that precedes the “TERMS AND CONDITIONS” is repealed and the following substituted:**

“THE SASKATCHEWAN CROP INSURANCE CORPORATION (hereinafter referred to as the ‘**corporation**’) subject to *The Crop Insurance Act* (hereinafter referred to as the ‘**Act**’), the regulations made pursuant to the Act, and the Canada-Saskatchewan Production Insurance Agreement, agrees to insure the insured in accordance with the terms and conditions of this contract, in any crop year during the term of this contract, and agrees to pay to the insured:

(a) the unit price option for each kilogram or each tonne of insured crop by which the actual yield is less than the total coverage of that crop, as provided by this contract, provided that the reduced yield results from one or more of the perils designated under ‘**crop insurance**’;

(b) unseeded acreage insurance in the case of loss resulting from the inability to seed crops on insured acreage on or before June 20 of the relevant year due to excessive spring moisture;

(c) an establishment benefit on acreage of:

(i) spring-seeded or fall-seeded annual crops that fails to re-establish in the spring or suffers damage on or before the dates mentioned in clause 8(6)(a) of this contract; or

- (ii) tame legumes and perennial grasses that fails to establish by the spring following the establishment year;

where:

- (iii) that acreage exceeds the lesser of:
  - (A) 10 acres; and
  - (B) 10% of the total acreage of the insured crops; and
- (iv) the failure to establish results from one or more of the perils designated under **'crop insurance'** pursuant to clause 1(2)(c).

The premium to insure a crop in each year of the contract shall be paid in cash in full or under any terms and conditions that are provided in the Act and the regulations made pursuant to the Act”.

**(3) Subsection 1(2) is amended:**

- (a) by repealing paragraph (d)(i)(X) and substituting the following:**

“(X) lentils (large green), No. 2 Canada”; and

- (b) by repealing paragraph (d)(i)(Z) and substituting the following:**

“(Z) lentils (other), No. 2 Canada”.

**(4) Section 5 is amended:**

- (a) in subsection (1):**

- (i) by striking out “Subject to subsections (2) and (3)” and substituting “Subject to subsection (3)”; and**

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

- “(d) in an election to participate in the establishment benefit for native forage, sweet clover, perennial grasses, alfalfa or alfalfa-grass mixtures pursuant to section 11.3 of the regulations”; and

- (b) by repealing subsection (2).**

**(5) Subsection 8(6) is repealed and the following substituted:**

“(6) Adjustments for loss or damage for the establishment benefit:

- (a) are to apply:

- (i) in the case of insured crops other than those mentioned in subclause (ii), from the date of seeding until June 20;

- (ii) in the case of fall rye or winter wheat to be cut for feed or pastured, from the date of seeding until June 9; and

- (b) may be carried out by the corporation at any time”.

**(6) Section 12 is amended:**

**(a) by repealing subsection (2.2);**

**(b) by repealing subsection (4.1); and**

**(c) by repealing subsection (5) and substituting the following:**

“(5) Subject to the provisions of the Act, the regulations, subsections (5.1) and (6) and section 11 of this contract, this contract may not be cancelled by either the corporation or the insured during the growing season.

“(5.1) The corporation may terminate this contract if:

(a) the insured does not declare any acres seeded to insured crops in the seeded acreage report filed pursuant to section 4 in the year mentioned in the application; or

(b) the insured does not file a seeded acreage report pursuant to section 4 in the year mentioned in the application.

“(5.2) If the corporation does terminate the contract in accordance with subsection (5.1), the termination is deemed to be effective on April 1 of the year mentioned in the application”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 8/2004***The Wildlife Habitat Protection Act*

Sections 3 and 9

Order in Council 97/2004, dated February 24, 2004

(Filed February 26, 2004)

**Title**

**1** These regulations may be cited as *The Treaty Land Entitlement Withdrawal Amendment Regulations, 2004*.

**R.R.S. c.W-13.2 Reg 2, Appendix amended**

**2** **The Appendix to *The Treaty Land Entitlement Withdrawal Regulations* is amended by adding the following items after item 72:**

“73 The east half of Section 19, in Township 59, in Range 25, west of the Third Meridian.

“74 The south-west quarter of Section 24, in Township 59, in Range 26, west of the Third Meridian.

“75 All those lands in Township 60, in Range 27, west of the Third Meridian, described as follows:

- (a) the south half and north-west quarter of Section 9;
- (b) the south-west quarter of Section 10;
- (c) the west half of Section 15;
- (d) the south-east quarter of Section 16”.

**Coming into force**

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

