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## PART II/PARTIE II

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## REVISED REGULATIONS OF SASKATCHEWAN

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### SASKATCHEWAN REGULATIONS 97/2004

#### *The Automobile Accident Insurance Act*

Section 81

Order in Council 698/2004, dated October 21, 2004

(Filed October 21, 2004)

**Title**

**1** These regulations may be cited as *The Automobile Accident Insurance (General) Amendment Regulations, 2004, (No. 2)*.

**R.R.S. c.A-35 Reg 4 amended**

**2** *The Automobile Accident Insurance (General) Regulations, 2002* are amended in the manner set forth in these regulations.

**Section 4 amended**

**3 Subsection 4(4) is repealed and the following substituted:**

“(4) The premium and registration fee payable for an owner’s certificate for a licence period that is less than 12 months is the amount P, expressed in dollars and rounded to the nearest dollar, calculated in accordance with the following formula:

$$P = \frac{LP}{365} \times (BP + RF) + \left[ A + \left[ \left[ \frac{LP}{365} \times (BP + RF) \right] \times T \right] \right]$$

where:

LP is the number of days in the licence period;

BP is the amount of the basic premium payable pursuant to these regulations based on a 12-month registration;

RF is the registration fee payable pursuant to *The Driver and Vehicle Registration Fee Regulations, 1987*;

A is the administrative cost, as determined by the insurer, of providing a licence in accordance with this section; and

T is the average rate of return, expressed as a percentage, on the fund’s investments, as determined by the insurer in accordance with subsection (4.1).

“(4.1) For the purposes of the letter T in subsection (4), the insurer shall:

(a) determine, for January 1 of each year, an average rate of return on the fund’s investments for the five years preceding that January 1; and

(b) apply the average rate of return determined pursuant to clause (a) in calculating the premium and registration fee in subsection (4) for the year mentioned in clause (a)”.

**Section 31.3 amended****4 Subsection 31.3(2) is repealed and the following substituted:**

“(2) For the purposes of determining the claims paid by the insurer on behalf of a registrant pursuant to subsection (3), the insurer shall include for each chargeable incident involving at least one of the registrant’s commercial vehicles the lesser of the amounts mentioned in clauses (a) and (b):

- (a) if:
  - (i) the driver of the commercial vehicle is determined to be 50% at fault for a particular chargeable incident, one-half of all amounts paid by the insurer on behalf of the registrant with respect to that chargeable incident involving that commercial vehicle;
  - (ii) the driver of the commercial vehicle is determined to be more than 50% at fault for a particular chargeable incident, all amounts paid by the insurer on behalf of the registrant with respect to that chargeable incident involving that commercial vehicle;
- (b) two times the amount of all premiums paid pursuant to the Act to the insurer by the registrant to register all of the registrant’s commercial vehicles in the calendar year”.

**Section 31.5 amended****5 Subsection 31.5(2) is repealed and the following substituted:**

“(2) Subject to these regulations, a registrant is entitled to a discount in the basic premium only if:

- (a) the commercial vehicle with respect to which the discount is to be paid is registered in the name of the registrant;
- (b) the registrant has a loss ratio equal to or less than 70%; and
- (c) either:
  - (i) the registrant has held a certificate of registration in Saskatchewan for at least 12 months preceding the registrant’s assessment date; or
  - (ii) in the case of a registrant who has not held a certificate of registration in Saskatchewan for at least 12 months preceding the registrant’s assessment date, the registrant provides the insurer with evidence satisfactory to the insurer to establish that the registrant should be provided with a discount to the basic premium on the basis of the registrant’s chargeable incidents over the five years preceding the registrant’s assessment date”.

**Section 31.51 amended**

**6(1) Subsection 31.51(1) is amended by striking out “subsection (2)” and substituting “subsections (2) and (3)”.**

**(2) Subsection 31.51(2) is repealed and the following substituted:**

“(2) If a registrant is required to pay a surcharge in addition to the basic premium, the amount payable for each commercial vehicle registered to that registrant is the amount PP calculated in accordance with the following formula:

$$PP = BP + (BP \times SA)$$

where:

BP is the basic premium; and

SA is either:

- (a) the identified surcharge percentage based on the registrant’s loss ratio determined using the commercial rating scale set out in Table 5; or
- (b) subject to subsection (3), if the registrant has only one chargeable incident, one-half of the identified surcharge percentage based on the registrant’s loss ratio determined using the commercial rating scale set out in Table 5.

“(3) For the purposes of clause (b) of the definition of SA in subsection (2), if one-half of the identified surcharge percentage for a registrant does not correspond with a surcharge percentage set out in Table 5, the insurer shall attribute to the registrant the next lowest surcharge percentage for the purposes of calculating the amount of the registrant’s surcharge”.

**Section 31.81 amended**

**7 Subsection 31.81(3) is repealed and the following substituted:**

“(3) Notwithstanding subsection (2), the maximum surcharge that the insurer may require a registrant to pay for an IRP commercial vehicle is the amount PP calculated in accordance with the formula set out in subsection 31.51(2), as if that subsection were applicable to the registrant, where SA in that formula is two times the highest identified surcharge percentage set out in Table 5”.

**Appendix C amended**

**8 Table 1 of Appendix C is repealed.**

**Coming into force**

**9(1)** Sections 1, 2 and 4 to 7 of these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Subject to subsection (3), sections 3 and 8 of these regulations come into force on November 1, 2004.

(3) If these regulations are filed with the Registrar of Regulations after November 1, 2004, sections 3 and 8 of these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 98/2004***The Court Officials Act, 1984*

## Section 20

Order in Council 699/2004, dated October 21, 2004

(Filed October 21, 2004)

**Title**

**1** These regulations may be cited as *The Court Officials Amendment Regulations, 2004*.

**R.R.S. c.C-43.1 Reg 1, Table 3 of Appendix amended**

**2 Table 3 of the Appendix to *The Court Officials Regulations* is amended by striking out “Assiniboia ..... 1:00 p.m. to 4:00 p.m.”.**

**Coming into force**

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



