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PART II/PARTIE II

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REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER H-3.01 REG 4*The Highways and Transportation Act, 1997*

Section 69

Order in Council 296/2005, dated April 5, 2005

(Filed April 6, 2005)

PART I

Title and Interpretation**Title**

1 These regulations may be cited as *The Security of Loads and Trip Inspection Regulations*.

Interpretation

2(1) In these regulations:

- (a) **“Appendix”** means an Appendix to these regulations;
 - (b) **“commercial vehicle”** means, subject to Part III, a vehicle that:
 - (i) is used to transport goods or passengers; and
 - (ii) is:
 - (A) a truck, truck tractor or trailer, or combination of them, that has a registered gross vehicle weight of more than 5 000 kilograms; or
 - (B) a bus that is designed and constructed to have a seating capacity, including the driver, of more than 10 people;
 - (c) **“figure”** means the appropriate figure contained in Appendix B;
 - (d) **“vehicle”** includes commercial vehicle.
- (2) In interpreting Appendix A, **“vehicle”** is to be interpreted as referring only to commercial vehicles.

PART II

Security of Loads**Cargo securement**

3(1) In this Part, **“cargo”** means cargo as defined in Appendix A.

(2) Every registered owner and every driver of a commercial vehicle operated on a public highway and transporting cargo shall comply with this Part and the standards set out in Appendix A.

Transportation of round bales

4 If a commercial vehicle is transporting round bales, the registered owner or driver shall ensure that the bales are secured in accordance with section 3 or in accordance with the following requirements:

- (a) in the case of round bales loaded pipe style:
 - (i) by loading one bale over two bales or two bales side by side loaded parallel to the length of the commercial vehicle, in accordance with Figure 1 of Appendix B, with one tie-down assembly across each bale; or
 - (ii) by securing the load with a minimum of three tie-down assemblies, one across the top bales at the front of the load and two across the top bales at the rear of the load, if:
 - (A) the round bales are securely made;
 - (B) the commercial vehicle is equipped with an attached framework blocking that is 45.7 centimetres in width and that runs the full length of the commercial vehicle on both sides; and
 - (C) each framework mentioned in paragraph (B) is raised at a 45 degree angle to prevent lateral movement;
- (b) in the case of round bales loaded perpendicular style:
 - (i) by loading one bale over two bales, two bales over two bales or only two bales crossways on the commercial vehicle, in accordance with Figure 2 of Appendix B with:
 - (A) one tie-down assembly across each top bale; and
 - (B) one tie-down assembly running the length of the load over each top bale; or
 - (ii) by securing the load with a tie-down assembly across each top bale if:
 - (A) the round bales are securely made; and
 - (B) the commercial vehicle is equipped with blocking that is 45.7 centimetres high and that runs across the full width of the commercial vehicle deck at the front and rear of the commercial vehicle to prevent forward and rearward movement of the load, in accordance with Figure 3 of Appendix B.

Loads on commercial vehicle combinations

5(1) In this section, “**fifth wheel coupler**” means a coupling device that:

- (a) is securely attached to the chassis of a commercial vehicle;
- (b) will accept a semi-trailer kingpin inserted through the device; and
- (c) will lock the kingpin mentioned in clause (b) in position to allow rotation in a horizontal plane through the coupling device.

(2) No person shall operate any combination of commercial vehicles on which a load is carried, where the load is supported by more than one commercial vehicle in the combination, unless:

- (a) the combination of commercial vehicles carrying the load consists of a pole trailer equipped with a compensating reach;
- (b) the load is supported at an articulation point in the combination of commercial vehicles by:
 - (i) a fifth wheel coupler and a kingpin;
 - (ii) a pintle hook and a lunette eye assembly; or
 - (iii) a turntable or swivel bunk; or
- (c) the load is supported in a way that protects it against shifting or falling and that is at least as effective as the means prescribed in clauses (a) and (b).

PART III Trip Inspections

Interpretation of Part

6 In this Part, “**commercial vehicle**” does not include the following:

- (a) a two or three axle farm truck, when used in farming operations;
- (b) an emergency vehicle;
- (c) a vehicle transporting goods or passengers to provide relief in the case of an earthquake, flood, fire, famine, drought, epidemic, pestilence or other disaster;
- (d) a recreational vehicle;
- (e) a vehicle used for urban transit service.

Trip Inspection

7 Every registered owner and every driver of a commercial vehicle operated on a public highway shall complete a trip inspection and report and retain the records required by these regulations and shall comply with the standards set out in Appendix C.

PART IV Repeal and Coming into Force

R.R.S. c.H-3.01 Reg 3 repealed

8 *The Security of Loads Regulations, 1999* are repealed.

Coming into force

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

Appendix A

National Safety Code Standard 10 Cargo Securement

September 23, 2004

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Interpretation**1** In this Standard:

“**anchor point**” means the part of the structure, fitting or attachment on a vehicle or cargo to which a tiedown is attached;

“**bell pipe**” means concrete pipe with a flanged end that is bigger in diameter than the barrel;

“**blocking**” means a substantial structure, device or article placed against or around cargo to prevent horizontal movement;

“**bolster**” means a transverse, load bearing, structural horizontal component of a bunk securing device;

“**boulder**” means a single piece of natural or quarried, irregularly shaped rock:

- (a) that weighs 5 000 kilograms or more; or
- (b) that has a volume of more than 2 cubic metres;

“**bracing**” means a structure, device or article placed against another structure, device or article to prevent tipping;

“**bulkhead**” means a vertical barrier across a vehicle to prevent the cargo moving forward;

“**bundle**” means articles that have been unitized for the purpose of securing them as a single article with a uniform shape;

“**bunk**” means a horizontal bolster that:

- (a) is installed transversely across a vehicle; and
- (b) is fitted with a stake at each end;

“**cab shield**” means a vertical barrier:

- (a) placed directly behind the cab of a truck or truck tractor; and
- (b) capable of protecting the driver if cargo moves forward;

“**cargo**” means all articles or material carried by a vehicle, including those used in the operation of the vehicle;

“**cargo securement system**” means the method by which cargo is contained or secured and includes vehicle structures, securing devices and all components of the system;

“**chock**” means a tapered or wedge-shaped part used to prevent round articles from rolling;

“**cleat**” means a short piece of material nailed to the deck to reinforce blocking;

“coil bunk” means a device that keeps the timbers supporting a metal coil in place;

“contained” with respect to cargo means that:

- (a) the cargo fills a sided vehicle;
- (b) every article is in contact with or close to a wall or other articles; and
- (c) the cargo cannot move or tip;

“container chassis vehicle” means a vehicle specifically built for and fitted with locking devices for the transport of intermodal containers;

“cradle” means a structure that holds a circular article and prevents it from rolling;

“cylinder well” means the depression formed between 2 cylindrical articles when they are laid against each other with their eyes horizontal and parallel;

“deck” means the floor of a vehicle onto which the cargo is loaded;

“dunnage” means loose material used to support and protect cargo;

“duty status” means, in respect of a driver, any of the following periods:

- (a) off-duty time spent in a sleeper berth;
- (b) off-duty time, other than time spent in a sleeper berth;
- (c) driving time; or
- (d) on-duty time, other than driving time;

“edge protector” means a device put on the exposed edge of an article of cargo:

- (a) to protect a tiedown or the article from damage; or
- (b) to distribute tiedown forces over a greater area;

“flatbed vehicle” means a vehicle with a deck but no permanent sides;

“forward” with respect to a vehicle means towards the cab or engine;

“frame vehicle” means a vehicle for transporting logs that has a skeletal structure fitted with a front bunk and a rear bunk that together cradle a stack of logs as an integral part of the vehicle;

“friction mat” means a device placed between a deck and cargo, or between articles of cargo, that increases the friction between them;

“front end structure” means a vertical barrier across the front of a deck that prevents cargo moving forward;

“heavy vehicle” means:

- (a) a vehicle that weighs more than 4 500 kilograms; or
- (b) equipment or machinery that operates on wheels or tracks and weighs more than 4 500 kilograms;

“Hook-lift Container” means a specialized container that is loaded and unloaded onto a tilt frame body by an articulating hook-arm;

“integral locking device” means a device that is designed and used to restrain an article of cargo by connecting and locking attachment points on the article to anchor points on the vehicle;

“integral securement system” means a roll-on/roll-off container or a Hook-lift Container and the vehicle used to transport them which are equipped with compatible front and rear hold-down devices which secure the container to the vehicle;

“intermodal container” means a reusable, transportable container that is specially designed with integral locking devices to secure it to a container chassis vehicle;

“large pipe” means concrete pipe with an inside diameter of more than 114.3 centimetres;

“lengthwise” means along the vehicle from the cab or tongue at the front to the rear;

“light vehicle” means:

- (a) an automobile, truck or van that weighs 4 500 kilograms or less; or
- (b) a piece of equipment or machinery that operates on wheels or tracks and weighs 4 500 kilograms or less;

“log” includes a utility pole, a treated pole and a building component of a log cabin;

“longwood” means logs longer than 4.9 metres;

“pallet” means a platform or tray on which cargo is placed so that it can be handled as a unit;

“pole trailer” means a trailer with a frame that consists only of a drawbar;

“rail vehicle” means a vehicle fitted with stakes at the front and rear to contain logs loaded crosswise;

“restrain” includes prevent from tipping or moving;

“Roll-on / Roll-off Container” means a specialized container which is loaded and unloaded onto a tilt frame body by a lifting mechanism in conjunction with rollers which are fixed to the container;

“rub rail” means a rail along the side of a vehicle that protects the side of the vehicle from impact;

“securing device” means a device specifically designed and manufactured to attach, restrain or secure cargo;

“shoring bar” means a device placed transversely between the walls of a vehicle and cargo to prevent the cargo from tipping or moving;

“shortwood” means logs that are not more than 4.9 metres long;

“**sided vehicle**” means a vehicle, including a van, a dump bodied vehicle and a sided intermodal container carried by vehicle, with a cargo compartment that is enclosed on all sides by walls:

- (a) that are strong enough to contain the cargo; and
- (b) that may have latched openings for loading and unloading;

“**small pipe**” means concrete pipe with an inside diameter of up to 114.3 centimetres;

“**spacer**” means material placed under an article, or between layers of articles, to make loading and unloading easier;

“**stake**” means a part, including a standard, that:

- (a) is mounted close to vertical on a vehicle frame or as part of a bunk; and
- (b) that immobilizes cargo placed against it;

“**strapping**” means tensioned strips of material that are clamped or crimped back on themselves;

“**tiedown**” means a combination of securing devices that are attached to one or more anchor points on a vehicle;

“**transport**” means the carriage of cargo by a vehicle while on a highway;

“**unitized**” means wrapped, banded or bound together so that several articles can be handled as a single article of cargo or behave as a single article;

“**vehicle**” means a truck, a truck tractor, individually or in combination with one or more semitrailers or trailers;

“**void filler**” means material that is:

- (a) used to fill a space between the cargo and the structure of the vehicle; and
- (b) is strong enough to prevent the cargo from moving;

“**working load limit**” means the maximum load that may be applied to a component of a cargo securement system during normal service determined in accordance with Divisions 3 and 4 of Part 1.

PART 1 – GENERAL PROVISIONS

Division 1 – Application

Application

2(1) This Standard applies to a vehicle or combination of vehicles:

- (a) transporting cargo on a highway; and
- (b) exceeding a registered gross vehicle weight of 4 500 kilograms.

(2) This Standard applies when an intermodal container is used to transport cargo.

Inspection

3(1) The driver of a vehicle shall:

- (a) inspect the vehicle to confirm that the vehicle's tailgate, tailboard, doors, tarpaulins and spare tire, and other equipment used in its operation, are secured;
 - (b) ensure that the cargo does not interfere with the driver's ability to drive the vehicle safely; and
 - (c) ensure that the cargo does not interfere with the free exit of a person from the cab or driver's compartment of the vehicle.
- (2) The driver of a vehicle shall inspect the vehicle's cargo and the cargo securement system used and make necessary adjustments:
- (a) before driving the vehicle; and
 - (b) not more than 80 kilometres from the point where the cargo was loaded.
- (3) The driver of a vehicle shall re-inspect the vehicle's cargo and the cargo securement system used and make necessary adjustments to the cargo or cargo securement system as necessary, including adding more securing devices, at the earliest of the time:
- (a) there is a change of duty status of the driver;
 - (b) the vehicle has been driven for 3 hours; or
 - (c) the vehicle has been driven for 240 kilometres.
- (4) Subsections (2) and (3) do not apply to a driver where:
- (a) the cargo is sealed in a vehicle and the driver has been ordered not to open it to inspect the cargo; or
 - (b) the vehicle is loaded in a manner that makes the cargo, or portions of the cargo, inaccessible.
- (5) The driver of a vehicle transporting logs, before the vehicle enters a highway from a private road, shall:
- (a) inspect the vehicle, the logs and the securing devices to ensure compliance with this Standard; and
 - (b) make necessary adjustments to the securing devices, including adding more securing devices.

Division 2 – General Performance Criteria**Cargo securement systems**

- 4(1) Cargo securement systems, and each component of a system, used to contain, immobilize or secure cargo on or within the vehicle shall be strong enough to withstand the forces described in section 5(1).
- (2) The components of the cargo securement system of a vehicle:
- (a) shall be in proper working order;
 - (b) shall be fit for the purpose for which they are used;

(c) shall have no knots, damaged or weakened components that will adversely affect their performance for cargo securement purposes; and

(d) shall not have any cracks or cuts.

(3) A securing device or integral locking device used to secure cargo to a vehicle shall itself be secured in a manner that prevents it from becoming unfastened while the vehicle is on a highway.

Performance criteria

5(1) The cargo securement system shall be capable of withstanding the forces that result if the vehicle is subjected to each of the following accelerations:

(a) 0.8 g deceleration in a forward direction;

(b) 0.5 g deceleration in a rearward direction;

(c) 0.5 g acceleration in either sideways direction.

(2) The cargo securement system shall provide a downward force equal to at least 20% of the weight of an article of cargo if the article is not fully contained within the structure of the vehicle.

(3) The load on a component of a cargo securement system that reacts to a force referred to in subsection (1) or (2), shall not exceed the working load limit of the component.

Appropriate system

6(1) The cargo securement system used to contain, immobilize or restrain cargo shall be appropriate for the size, shape, strength and characteristics of the cargo.

(2) The securing devices used to secure cargo on or within a vehicle shall be:

(a) designed and constructed for the purpose for which they are used; and

(b) used and maintained in accordance with the manufacturer's instructions.

Equivalent means of securement

7 Where cargo transported by a vehicle is contained, immobilized or secured in accordance with the applicable requirements of Divisions 3, 4 and 5 and Part 2, it meets the requirements of Section 5.

Division 3 – Requirements for Cargo Securement Systems

Exemption

8 This Division does not apply to the transportation of a commodity that is transported in bulk, lacks structure, fixed shape or is fluid, and is transported in:

(a) a tank, hopper, box or container that is manufactured as part of the vehicle in which it is transported; or

(b) a vehicle that is specifically manufactured to transport the commodity.

General requirement

9 Cargo shall be firmly immobilized or secured on or within a vehicle by structures of adequate strength, blocking, bracing, dunnage or dunnage bags, shoring bars, tiedowns or a combination of these.

Minimum strength of securement system

10(1) In this section, the “**aggregate working load limit**” is the sum of one-half of the working load limit for each end section of a tiedown that is attached to an anchor point.

(2) The aggregate working load limit of the cargo securement system used to secure an article of cargo on or within a vehicle shall not be less than 50% of the weight of the article.

(3) The aggregate working load limit of the cargo securement system used to secure a group of articles of cargo on or within a vehicle shall be not less than 50% of the total weight of the group.

Securing devices marked with working load limit

11(1) The working load limit of a tiedown or a component of a tiedown that is marked by its manufacturer with a numeric working load limit is the marked working load limit.

(2) A tiedown or a component of a tiedown that is marked by its manufacturer in accordance with a standard referred to in Part 4 has a working load limit equal to that standard.

(3) A chain that is marked by the manufacturer in accordance with the table of Working Load Limits under Part 4 - Section 7 has a working load limit equal to the amount shown for the grade and size.

(4) On and after January 1, 2010, a person shall not use a tiedown or a component of a tiedown to secure cargo to a vehicle unless it is marked by the manufacturer with respect to its working load limit.

Unmarked securing devices

12(1) This section applies to securing devices used to secure cargo to a vehicle that are not marked by the manufacturer with a working load limit.

(2) Chain has a working load limit equal to that of the same size of Grade 3 Proof Coil under Part 3 - Section 1.

(3) Synthetic webbing that is not marked by its manufacturer has the working load limit under Part 3 - Section 2 based on its width.

(4) Wire rope has the working load limit under Part 3 - Section 3 based on its diameter.

(5) Manila rope has the working load limit under Part 3 - Section 4 based on its diameter.

(6) Polypropylene fibre rope, polyester fibre rope, nylon rope and double braided nylon rope has the working load limit under Part 3 - Section 5 based on its diameter.

(7) Synthetic cordage that is not marked or labelled to identify its composition has the working load limit under Part 3 - Section 5 based on its diameter.

(8) Steel strapping has the working load limit under Part 3 - Section 6 based on its width.

(9) A friction mat which is not marked by the manufacturer with a working load limit is assumed to provide resistance to horizontal movement equal to 50% of the weight of the cargo resting on the mat.

(10) A tiedown or a component of a tiedown that is not referred to in subsections (2) to (9) has a working load limit equal to the working load limit of the lowest grade or classification assigned under Part 3.

Steel strapping

13(1) Steel strapping that is 2.54 centimetres wide or wider used to secure cargo to a vehicle shall have at least 2 pairs of crimps in each seal.

(2) An end-over-end lap joint formed in steel strapping used to secure cargo to a vehicle shall be sealed with at least 2 seals.

Blocking systems to prevent forward movement

14 The aggregate working load limit of the components of a blocking system used as a unique form of securement to prevent an article of cargo from moving forward, including tiedowns used as blocking, shall not be less than 50% of the weight of the article being blocked.

Rub rails

15 The securing devices used on or within a vehicle shall, wherever practical, be located inboard the rub rails where the vehicle has rub rails.

Timber

16 Timber used on or within a vehicle as dunnage, chocks or cradles or for blocking or bracing shall be strong enough that it will not be split or crushed by the cargo or the tiedowns.

Placement of articles of cargo

17 Where the articles of cargo on or within a vehicle are placed beside each other and secured by tiedowns that pass over 2 or more articles, the articles shall be:

- (a) placed in direct contact with each other; or
- (b) prevented from moving towards each other while the vehicle is on a highway.

Prevention of rolling

18 Where any cargo or portion thereof may roll, it shall be restrained by chocks, wedges, a cradle or another securing device that prevents the cargo from rolling.

Division 4 – Tiedowns

Tension

19(1) A tiedown used to secure cargo to a vehicle shall be designed, constructed and maintained so that the driver of the vehicle can tighten it.

(2) The driver of a vehicle shall ensure that tiedowns are taut while the vehicle is on a highway.

(3) Subsection (1) does not apply to steel strapping.

(4) A tiedown used to secure cargo to a vehicle shall be used in a manner that prevents the tiedown from slipping, loosening, unfastening, opening or releasing while the vehicle is on a highway.

(5) A tiedown used to secure stacked articles of cargo is considered to contribute to the securing of all articles of cargo on which that tiedown causes pressure.

Edge protectors

20(1) An edge protector shall be used where a tiedown would be subject to abrasion or cutting at the point where it touches an article of cargo.

(2) An edge protector used between a tiedown and cargo shall be resistant to abrasion, cuts and crushing.

(3) An edge protector used between a tiedown and cargo shall allow the tiedown to slide freely when it is tightened or loosened.

Working load limit

21(1) Subject to subsection (2), the working load limit of a tiedown, associated connector or attachment mechanism is the lesser of:

- (a) the lowest working load limit of the components; or
- (b) the lowest working load limit of the anchor points or associated connector or attachment mechanism to which the tiedown is attached.

(2) The working load limit of a tiedown that includes synthetic webbing is the least of:

- (a) the working load limit of the synthetic webbing assembly;
- (b) the lowest working load limit of the components; or
- (c) the working load limit of the anchor point to which the tiedown is attached.

Minimum number

22(1) Subject to subsection (4), cargo transported by a vehicle shall be secured using the number of tiedowns calculated under subsection (2) or (3).

(2) Where an article of cargo is not blocked, or immobilized by a front end structure, bulkhead, by other immobilized cargo or by another device that prevents it moving forward, it shall be secured by at least:

- (a) 1 tiedown where the article is 1.52 metres or shorter and weighs not more than 500 kilograms;
- (b) 2 tiedowns where the article is:
 - (i) 1.52 metres or shorter and weighs more than 500 kilograms; or
 - (ii) longer than 1.52 metres but not longer than 3.04 metres regardless of its weight; or
- (c) where the article is longer than 3.04 metres:
 - (i) 2 tiedowns for the first 3.04 metres of length; and
 - (ii) 1 extra tiedown for each additional 3.04 metres or fraction of 3.04 metres.

(3) Where an article of cargo is blocked, or immobilized by a front end structure, bulkhead, by other immobilized cargo or by another device to prevent it moving forward, it shall be secured by at least:

- (a) 1 tiedown where the article is not longer than 3.04 metres; or
- (b) where the article is longer than 3.04 metres:
 - (i) 1 tiedown for the first 3.04 metres of length; and
 - (ii) 1 extra tiedown for each additional 3.04 metres or fraction of 3.04 metres.

(4) Where a vehicle is transporting machinery or fabricated structural items that shall be secure by special methods because of their design, size, shape or weight, the special methods shall:

- (a) secure adequately any article of the cargo; and
- (b) be properly used in accordance with the manufacturer's instructions.

Division 5 – Front End Structures

Application

23(1) Subject to subsection (2), this Division applies to a vehicle transporting cargo that is in contact with the front end structure of the vehicle.

(2) Where devices are used on a vehicle that perform the same function as the front end structure of a vehicle, the devices shall be at least as strong as and provide the same protection as a front end structure that complies with this Division.

(3) A cab shield is not a front end structure or part of a cargo securement system.

Height and width

24(1) The height of the front end structure of the vehicle shall not be shorter than the shorter of:

- (a) the height at which it prevents the cargo from moving forward; and
- (b) 122 centimetres above the deck.

(2) The width of the front end structure of a vehicle shall not be narrower than the narrower of:

- (a) the width of the vehicle; and
- (b) the width at which it prevents the cargo being transported from moving forward.

Strength

25(1) The front end structure of a vehicle shall be able to withstand a horizontal forward static load equal to 50% of the total weight of the cargo where:

- (a) the height of the front end structure is shorter than 1.83 metres; and
- (b) the cargo is uniformly distributed over all of the front end structure.

(2) The front end structure of a vehicle shall be able to withstand a horizontal forward static load equal to 40% of the total weight of the cargo where:

- (a) the height of the front end structure is 1.83 metres or higher; and
- (b) the cargo is uniformly distributed over all of the front end structure.

Penetration resistance

26(1) The front end structure of the vehicle shall be able to resist penetration by an article of cargo that contacts it when the vehicle decelerates at a rate of 6.1 metres per second.

(2) The front-end structure of the vehicle shall not have an opening or gap that is big enough to permit an article of cargo to pass through it.

**PART 2 – SPECIFIC SECUREMENT
REQUIREMENTS BY CARGO TYPE**

Applicability

27(1) This Part applies in addition to and not instead of Part 1.

(2) Where a requirement for containing, immobilizing or securing cargo transported by a vehicle required under this Part differs from a requirement under Part 1, the provisions of this Part apply.

Division 1 – Logs

Application

28(1) This Division applies to the transportation of logs that:

- (a) are not unitized; or
- (b) are part of a cargo that has more than 4 processed logs.

(2) This Division does not apply to firewood, stumps, log debris or logs that are transported in a vehicle or container that is enclosed on all sides and strong enough to contain them.

Vehicle transporting logs

29(1) A vehicle that is transporting logs shall be designed, built or specially adapted for such transportation.

(2) The vehicle shall be fitted with bunks, bolsters, stakes or other means of cradling the logs and preventing them from shifting.

(3) Stakes that are not permanently attached to the vehicle frame or bunk shall be secured in a manner that prevents the stakes from separating from the vehicle while it is on a highway.

Log configuration

30(1) Logs shall be solidly packed on a vehicle.

(2) The outer logs in the bottom layer of logs shall touch and rest solidly against a bunk, bolster or stake.

- (3) Outside logs on a stack of logs shall:
 - (a) touch at least 2 bunks, bolsters or stakes; or
 - (b) where one end of a log does not touch a bunk, bolster or stake, it shall:
 - (i) rest on other logs in a stable manner, and
 - (ii) extend beyond the end of the bunk, bolster or stake.
- (4) The centre of the highest outside log on each side or end of the vehicle shall be lower than the tops of the bunks or stakes.
- (5) The upper logs that form the top of the cargo shall be crowned.

Securement system

31 Tiedowns must be used to secure the load, in combination with bunks, bolsters, stakes, or other means of cradling the logs.

Application

32 Sections 10(2) and 10(3) do not apply to this Division.

Sufficient additional tiedowns or other securing devices

33 Sufficient additional tiedowns or other securing devices shall be used to ensure that no part of the cargo becomes dislodged where:

- (a) the wood's condition results in such low friction between logs that they may slip against each other; or
- (b) a log is not held in place by contact with other logs or by the bunks, bolsters or stakes.

Shortwood loaded crosswise

34(1) This section and sections 35 to 37 apply to shortwood loaded crosswise on a frame, rail or flatbed vehicle other than a pole trailer.

(2) The end of a log in the lower layer of shortwood shall not extend more than 1/3 of the log's total length beyond the nearest supporting structure on the vehicle.

One stack of shortwood loaded crosswise

35(1) Despite section 22, where only one stack of shortwood is loaded crosswise, the stack shall be secured by at least 2 tiedowns arranged as follows:

- (a) the tiedowns shall attach to the vehicle frame at the front and rear of the load, and shall cross the load lengthwise;
 - (b) the tiedowns shall be positioned at approximately one-third and two-thirds of the length of the logs;
- (2) A vehicle built on or after January 1, 2010 shall be equipped with a device that maintains a tension not less than 900 kg at all times, and automatically takes up slack in the tiedown as the logs settle.

Two stacks of shortwood loaded crosswise

36(1) Despite section 22, where two stacks of shortwood are loaded crosswise and side-by-side on a vehicle, they shall be loaded so that:

- (a) there is no space between the 2 stacks;
 - (b) the outside of each stack is raised by a piece of metal at least 25 millimetres high within 10 centimetres of the end of the logs or the side of the vehicle and causes the load to lean toward the centre to the vehicle;
 - (c) the highest log is not more than 2.44 metres above the deck; and
 - (d) at least one tiedown used lengthwise across each stack shall:
 - (i) be located approximately midway between the bunks or stakes; and
 - (ii) attach to the vehicle frame at the front and rear of the load.
- (2) A vehicle built on or after January 1, 2010 shall be equipped with a device that maintains a tension not less than 900 kg at all times, and automatically takes up slack in the tiedown as the logs settle.

Long vehicles carrying shortwood loaded crosswise

37(1) A vehicle that is more than 10 metres long transporting shortwood loaded crosswise shall have centre stakes, or comparable structures, that divide its length into two approximately equal sections.

- (2) Where the vehicle is divided by centre stakes, each tiedown shall:
- (a) secure the highest log on each side of the centre stake; and
 - (b) be fastened below that highest log.
- (3) Where the vehicle is divided by centre stakes, each tiedown shall:
- (a) be fixed at each end and tensioned from the middle;
 - (b) be fixed in the middle and tensioned from each end; or
 - (c) pass through a pulley or similar device in the middle of the tiedown and be tensioned from one end.
- (4) Where a stake or other structure on a vehicle transporting shortwood loaded crosswise is subjected to an upward force when the tiedowns are tightened, the stake or other structure shall be anchored to resist that force.

Shortwood loaded lengthwise

38(1) Despite section 22, each stack of shortwood loaded lengthwise on a frame vehicle or flatbed vehicle, other than a pole trailer, shall be secured to the vehicle by 2 or more tiedowns.

(2) Despite subsection (1), a stack of shortwood loaded lengthwise on a frame vehicle or flatbed vehicle, other than a pole trailer, shall be secured to the vehicle with a single tiedown located approximately midway between the bunks or stakes where all the logs in the stack:

- (a) are shorter than 3.04 metres;

- (b) are blocked in the front by a front end structure strong enough to restrain the cargo or by another stack; and
 - (c) are blocked in the rear by another stack or the vehicle's end structure.
- (3) The aggregate working limit of tiedowns used to secure each stack shall be at least 1/6 of the weight of the stack.

Longwood loaded lengthwise

- 39(1)** Despite section 22, a stack of longwood loaded lengthwise on a frame or flatbed vehicle, other than a pole trailer, shall be secured to the vehicle by 2 or more tiedowns.
- (2) The aggregate working limit of tiedowns used to secure each stack shall be at least 1/6 of the weight of the stack.
- (3) The outside logs of a stack of longwood shall be secured by 2 or more tiedowns.

Pole trailers

- 40(1)** This section applies to logs, regardless of the length of individual logs, transported on pole trailers.
- (2) Despite section 22, the logs shall be secured by:
- (a) one or more tiedowns at each bunk; or
 - (b) two or more tiedowns used as wrappers that encircle the entire stack of logs at sufficient locations along the stack to secure it effectively.
- (3) Where wrappers are used on a stack of logs, the wrappers at the front and rear ends of the stack shall be not less than 3.04 metres apart.
- (4) Where the vehicle is transporting one or two logs with diameters greater than 0.6 metre, each logs shall be individually immobilized with chock blocks or an equally effective method that prevents the logs from moving.
- (5) Where a log with a diameter greater than 0.6 metre rises above the bunks, it shall be secured to the underlying logs with at least 2 additional tiedowns used as wrappers.

Division 2 – Dressed Lumber

Application

- 41(1)** This Division applies to the transportation of:
- (a) bundles of dressed lumber and packaged lumber; and
 - (b) unitized building products, including plywood, gypsum board or other materials of similar shape.
- (2) For the purpose of this Division, “**bundle**” means the material referred to in subsection (1).

Side by side

- 42** Where bundles are placed side by side:
- (a) bundles shall be in direct contact with each other; or
 - (b) a method shall be used that prevents the bundles from moving towards each other.

Securement system for dressed lumber

43 Bundles carried in 2 or more layers shall be secured in accordance with one of sections 44, 45, 46 or 47.

Bundles blocked against lateral movement by stakes

44 Bundles carried in 2 or more layers which are blocked against lateral movement by stakes on the sides of the vehicle shall be secured by tiedowns laid out over the top layer, as outlined in the provisions of section 22 of this Standard.

Bundles restrained from lateral movement by blocking or high friction devices

45 Bundles carried in 2 or more layers which are restrained from lateral movement by blocking or high friction devices between layers shall be secured by tiedowns laid out over the top tier, as outlined in the provisions of section 22 of this Standard.

Bundles placed directly on top of other bundles or on spacers of adequate size and orientation

46(1) Bundles carried in 2 or more layers placed directly on top of other bundles or on spacers of adequate size and orientation, shall be secured by:

- (a) tiedowns over the top layer of bundles, in accordance with provisions of section 22 of this Standard, with a minimum of two tiedowns for bundle(s) longer than 1.52 metres; and
 - (b) tiedowns over the second layer of bundles, or at 1.85 metres above the vehicle deck, whichever is greater, or not over 1.85 metres above the deck for other multiple layers in accordance with the provisions of section 22 of this Standard, for each stack of bundles composed of more than two layers.
- (2) Where spacers are used for the purposes of subsection (1), then:
- (a) the length of spacers between bundles shall provide support to all pieces in the bottom row of the bundle;
 - (b) the width of individual spacers shall be equal to or greater than the height;
 - (c) spacers shall provide good interlayer friction; and
 - (d) where spacers are comprised of layers of material, the layers shall be unitized or fastened together in a manner which ensures that the spacer performs as a single piece of material.

Layers of bundles

47 Bundles carried in 2 or more layers shall be secured by tiedowns laid out over each layer of bundles, in accordance with the provisions of section 22 of this Standard with a minimum of two tiedowns over each top bundle(s) longer than 1.52 metres, in all other circumstances.

Division 3 – Metal Coils**Application**

48 This Division applies to a flatbed vehicle or a sided vehicle or intermodal container that is transporting one or more metal coils that individually or grouped together have a total weight of 2 268 kilograms or more.

Coils transported with eyes vertical by a vehicle or an intermodal container with anchor points

49(1) This section applies to coils transported with the eyes vertical.

(2) Where a vehicle is transporting a single coil or several coils which are not grouped in a row, each coil shall be secured by tiedowns arranged in a manner that prevents the coil from tipping forward, rearward, or sideways. The securement system shall include:

- (a) at least 1 tiedown attached diagonally from the left side of the vehicle near the forward-most part of the coil, across the eye of the coil, to the right side of the vehicle near the rearmost part of the coil;
- (b) at least 1 tiedown attached diagonally from the right side of the vehicle near the forward-most part of the coil, across the eye of the coil, to the left side of the vehicle near the rearmost part of the coil;
- (c) at least 1 tiedown attached across the eye of the coil; and
- (d) blocking and bracing, friction mats or tiedowns that prevent the coil moving forward.

(3) Where a vehicle is transporting coils that are grouped and loaded side by side in a transverse or lengthwise row, each row shall be secured by:

- (a) at least 1 tiedown against the front of the row, restraining against forward movement, and where practical, making an angle of not more than 45 degrees with the deck when viewed from the side;
- (b) at least 1 tiedown against the rear of the row, restraining against rearward movement, and where practical, making an angle of not more than 45 degrees with the deck when viewed from the side;
- (c) at least one tiedown over the top of each coil or each transverse row of coils, restraining against vertical movement; and
- (d) tiedowns shall be arranged to prevent shifting and tipping in the forward, rearward and lateral directions.

(4) Subject to subsections (2) and (3) a tiedown going over the top of a coil shall be as close as practical to the eye of the coil.

Coils transported with eyes crosswise by a vehicle or an intermodal container with anchor points

50(1) This section applies to coils transported with the eyes crosswise.

(2) Each coil shall be immobilized with timbers, chocks or wedges, a cradle or other device that:

- (a) prevents the coil from rolling;
- (b) supports the coil off the deck; and
- (c) is not capable of becoming unfastened or loose while the vehicle is on a highway.

(3) Where timbers, chocks or wedges are used to secure a coil, they shall be held in place by coil bunks or similar devices to prevent the blocking device from coming loose.

- (4) Each coil shall be secured with:
- (a) at least 1 tiedown through its eye, restricting against forward movement, and where practical, making an angle of not more than 45 degrees with the deck when viewed from the side; and
 - (b) at least one tiedown through its eye, restricting against rearward movement, and where practical, making an angle of not more than 45 degrees with the deck when viewed from the side.

Coils transported with eyes lengthwise by a vehicle or an intermodal container with anchor points

51 An individual metal coil transported with the eye lengthwise shall be secured in accordance with one of sections 52, 53 or 54.

From left side of the vehicle to the right side of the vehicle

52(1) Each coil shall be immobilized by timbers, chocks or wedges, a cradle or another method that:

- (a) prevents the coil from rolling;
 - (b) supports the coil off the deck; and
 - (c) is not capable of becoming unfastened or loose while the vehicle is on a highway.
- (2) Where timbers, chocks or wedges are used to secure a coil, they shall be held in place by coil bunks or similar devices to prevent the blocking device from coming loose.

(3) Each coil shall be secured with:

- (a) at least 1 tiedown attached diagonally through its eye from the left side of the vehicle near the forward-most part of the coil, to the right side of the vehicle near the rearmost part of the coil, making an angle of not more than 45 degrees, where practical, with the deck when viewed from the side;
- (b) at least 1 tiedown attached diagonally through its eye, from the right side of the vehicle near the forward-most part of the coil, to the left side of the vehicle near the rearmost part of the coil, making an angle of not more than 45 degrees, where practical, with the deck when viewed from the side;
- (c) at least 1 tiedown attached across the top of the coil; and
- (d) blocking or friction mats to prevent a coil from moving lengthwise.

From the left side to the vehicle to the left side of the vehicle

53(1) Each coil shall be immobilized by timbers, chocks or wedges, a cradle or another method that:

- (a) prevents the coil from rolling;
- (b) supports the coil off the deck; and
- (c) is not capable of becoming unfastened or loose while the vehicle is on a highway.

(2) Where timbers, chocks or wedges are used to secure a coil, they shall be held in place by coil bunks or similar devices to prevent the blocking device from coming loose.

(3) Each coil shall be secured with:

(a) at least 1 tiedown attached straight through its eye from the left side of the vehicle near the forward-most part of the coil, to the left side of the vehicle near the rearmost part of the coil and, where practical, making an angle of not more than 45 degrees with the deck when viewed from the side;

(b) at least 1 tiedown attached straight through its eye, from the right side of the vehicle near the forward-most part of the coil, to the right side of the vehicle near the rearmost part of the coil and, where practical, making an angle of not more than 45 degrees with the deck when viewed from the side;

(c) at least 1 tiedown attached across the top of the coil; and

(d) blocking or friction mats to prevent the coil from moving lengthwise.

Tiedowns over the top of coils

54(1) Each coil shall be immobilized by timbers, chocks or wedges, a cradle or another method that:

(a) prevents the coil from rolling;

(b) supports the coil off the deck; and

(c) is not capable of becoming unfastened or loose while the vehicle is on a highway.

(2) Where timbers, chocks or wedges are used to secure a coil, they shall be held in place by coil bunks or similar devices to prevent the blocking device from coming loose.

(3) Each coil shall be secured by:

(a) at least 1 tiedown over the top of the coil, located near the forward-most part of the coil;

(b) at least 1 tiedown over the top of the coil located near the rearmost part of the coil; and

(c) blocking or friction mats to prevent the coil from moving lengthwise.

Rows of coils

55(1) This section applies to the transportation of transverse rows of metal coils with eyes lengthwise and with approximately equal outside diameters.

(2) A transverse row of coils shall be immobilized by timbers, chocks or wedges, a cradle or another method that:

(a) prevents the coils from rolling;

(b) supports the coils off the deck; and

(c) is not capable of becoming unfastened or loose while the vehicle is on a highway.

(3) Where timbers, chocks or wedges are used to secure a row of coils, they shall be held in place by coil bunks or similar devices to prevent the blocking device from coming loose.

(4) A transverse row of coils shall be secured by:

- (a) at least 1 tiedown over the top of each coil, located near the forward-most part of the coil;
- (b) at least 1 tiedown over the top of each coil, located near the rearmost part of the coil; and
- (c) blocking or friction mats to prevent each coil from moving lengthwise.

Prohibitions

56 The use of nailed wood blocking or cleats as the sole means to secure timbers, chocks or wedges, or a nailed wood cradle is prohibited when metal coils are transported with eyes lengthwise or eyes crosswise by a vehicle or an intermodal container with anchor points.

Coils transported with eyes crosswise

57 When coils are transported with eyes crosswise, attaching tiedowns diagonally through the eye of a coil to form an X pattern when viewed from above the vehicle is prohibited.

Securement of coils transported in a sided vehicle or intermodal container without anchor points

58 Metal coils shall be secured in a manner to prevent shifting and tipping using a system of blocking and bracing, friction mats, tiedowns, or a combination of these.

Division 4 – Paper Rolls

Application

59(1) This Division applies to the transportation of paper rolls which individually or together weigh 2 268 kilograms or more.

(2) Paper rolls may be secured in accordance with this Division where:

- (a) the total weight is less than 2 268 kilograms; and
- (b) a single or several paper rolls are unitized on a pallet.

Friction mats

60 A friction mat used to provide the principal securement for a paper roll shall protrude from beneath the roll in the direction in which it is providing that securement.

Chocks, wedges and blocking

61 Chocks, wedges or blocking used to secure paper rolls shall not shift or become unfastened while the vehicle is on a highway.

Banding

62 Where paper rolls are banded together:

- (a) the rolls shall be placed tightly against each other to form a stable group;
- (b) the banding shall be applied tightly and remain so; and
- (c) the banding shall be secured so that it cannot fall off the rolls or to the deck.

Single layer of paper rolls transported eyes vertical in a sided vehicle

63(1) This section applies to paper rolls that are transported with the eyes vertical in a single layer in a sided vehicle.

(2) The paper rolls shall be placed tightly against the front and both side walls of the vehicle, other paper rolls or other cargo.

(3) Where there are not enough paper rolls in a group of paper rolls to reach the walls of the vehicle, void fillers, blocking, bracing, tiedowns or friction mats shall be used to prevent the rolls moving sideways.

(4) Paper rolls may be banded together.

(5) Where a space behind a group of paper rolls, including that at the rear of the vehicle, exceeds the diameter of the paper rolls, the rolls shall be prevented from moving rearward by blocking, bracing, tiedowns or friction mats or by banding the last roll to other rolls.

(6) A paper roll shall be prevented from tipping or falling sideways or rearwards by banding it to other rolls or by using bracing or tiedowns where:

(a) the vehicle's structure or other cargo does not prevent the roll from tipping or falling sideways or rearwards; and

(b) the width of the roll is more than 2 times its diameter.

(7) A single paper roll or the forward most roll in a group of paper rolls shall be prevented from tipping or falling forward by banding it to other rolls or by using bracing or tiedowns where:

(a) the vehicle's structure or other cargo does not prevent the roll from tipping or falling forward;

(b) the roll is restrained against moving forward only by friction mats; and

(c) the width of the roll is more than 1.75 times its diameter.

(8) A single paper roll or the forward most roll in a group of rolls shall be prevented from tipping or falling forward by banding it to other rolls or by using bracing or tiedowns where:

(a) the vehicle's structure or other cargo does not prevent the roll from tipping or falling forward; and

(b) the width of the roll is more than 1.25 times its diameter.

Split cargo of paper rolls transported with eyes vertical in a sided vehicle

64(1) This section applies to split cargo of paper rolls transported with the eyes vertical in a sided vehicle.

(2) Where a paper roll in a split cargo of paper rolls transported with the eyes vertical in a sided vehicle is not prevented from moving forward by the vehicle's structure or other cargo, it shall be prevented from moving forward:

(a) by filling the open space;

(b) by using blocking, bracing, tiedowns, friction mats; or

(c) by using a combination of the methods in clauses (a) and (b).

Stacked cargo of paper rolls transported with eyes vertical in a sided vehicle

- 65(1)** This section applies to stacked cargo of paper rolls transported with the eyes vertical in a sided vehicle.
- (2) Section 63 applies to the bottom layer in a stacked cargo of paper rolls.
 - (3) Paper rolls shall not be loaded on top of another layer unless the layer beneath extends to the front of the vehicle.
 - (4) Paper rolls in the 2nd and subsequent layers shall be prevented from moving forward, rearward or sideways:
 - (a) in accordance with section 63; or
 - (b) by using a blocking roll from a lower layer.
 - (5) A blocking roll used to prevent forward, rearward or sideways movement shall be:
 - (a) at least 38 millimetres taller than other rolls; or
 - (b) raised at least 38 millimetres using dunnage or another method.
 - (6) Despite subsection (5), a roll at the rear end of a layer of rolls shall not be raised using dunnage.

Single layer of paper rolls transported eyes crosswise in a sided vehicle

- 66(1)** This section applies to a single layer of paper rolls transported with the eyes crosswise in a sided vehicle.
- (2) The paper rolls shall be prevented from rolling or moving lengthwise:
 - (a) by contact with the vehicle's structure or other cargo; or
 - (b) by chocks, wedges, blocking, bracing or tiedowns.
 - (3) Void fillers, blocking, bracing, friction mats or tiedowns shall be used to prevent a paper roll from moving sideways towards the side walls of the vehicle where the total space between the ends of the paper roll, or the outer rolls in a row of paper rolls, and the walls of the vehicle is more than 203 millimetres.

Rear doors

- 67** A vehicle transporting paper rolls with the eyes crosswise shall not use the rear doors of the vehicle:
- (a) to secure the rearmost paper roll or layer of paper rolls; or
 - (b) to hold blocking that secures the rearmost paper roll or layer of paper rolls.

Stacked cargo of paper rolls transported eyes crosswise in a sided vehicle

- 68(1)** This section applies to stacked cargo of paper rolls transported in a sided vehicle with the eyes crosswise.
- (2) Section 66 applies to the bottom layer in a stacked cargo of paper rolls.
 - (3) Paper rolls shall not be loaded in a 2nd layer unless the bottom layer extends to the front of the vehicle.
 - (4) Paper rolls shall not be loaded in a 3rd or higher layer unless all the cylinder wells in the layer beneath are filled.

(5) The foremost paper roll in each upper layer and a roll with an empty cylinder well in front of it shall be secured against moving forward by:

- (a) banding it to other paper rolls;
- (b) blocking against a secured eye-vertical blocking roll resting on the deck that is at least 1.5 times taller than the diameter of the roll being blocked; or
- (c) placing it in a cylinder well formed by 2 paper rolls on the lower layer with a diameter equal to or greater than that of the paper roll on the upper layer.

(6) The rearmost paper roll in each upper layer shall be secured by banding it to other paper rolls where it is located in either of the last 2 cylinder wells formed by the rearmost paper rolls in the layer below.

(7) Void fillers, blocking, bracing, friction mats or tiedowns shall be used to prevent a paper roll from moving sideways towards the side walls of the vehicle where the total space between the ends of the paper roll, or the outer rolls in a row of paper rolls, and the walls of the vehicle is more than 203 millimetres.

Single layer of paper rolls transported eyes lengthwise in a sided vehicle

69(1) This section applies to paper rolls transported in a sided vehicle in a single layer with the eyes lengthwise.

- (2) A paper roll shall be prevented from moving forward by contact with the vehicle's structure or other cargo or by blocking or tiedowns.
- (3) A paper roll shall be prevented from moving rearward by contact with other cargo or by blocking, friction mats or tiedowns.
- (4) A paper roll shall be prevented from rolling or moving sideways by contact with the vehicle's wall or other cargo or by chocks, wedges or other blocking mechanism.

Stacked cargo of paper rolls transported eyes lengthwise in a sided vehicle

70(1) This section applies to stacked cargo of paper rolls transported with the eyes lengthwise in a sided vehicle.

- (2) Section 69 applies to the bottom layer in a stacked cargo of paper rolls.
- (3) Paper rolls shall not be loaded in a higher layer unless all the cylinder wells in the layer beneath are filled.
- (4) An upper layer of paper rolls shall be formed by placing the paper rolls in the cylinder wells formed by the rolls beneath.
- (5) Paper rolls in the 2nd and higher layers shall be prevented from moving forward or rearward:
 - (a) in accordance with section 69;
 - (b) by using a blocking roll from a lower layer; or
 - (c) by banding them to other rolls.

Cargo of paper rolls transported with eyes vertical or with eyes lengthwise on a flatbed vehicle or in a curtain sided vehicle

71(1) This section applies to cargo of paper rolls transported with the eyes vertical or with eyes lengthwise on a flatbed vehicle or in a curtain sided vehicle.

(2) The paper rolls shall be loaded and secured as described for a sided vehicle, and the entire load shall be secured by tiedowns in accordance with the provisions of section 22 of this Standard.

(3) Stacked loads of paper rolls with eyes vertical are prohibited.

Cargo of paper rolls transported with eyes crosswise on a flatbed vehicle or in a curtain sided vehicle

72(1) This section applies to cargo of paper rolls transported with the eyes crosswise on a flatbed vehicle or in a curtain sided vehicle.

(2) The paper rolls shall be prevented from rolling or shifting longitudinally by contact with vehicle structure or other cargo, by chocks, by wedges, by blocking and bracing of adequate size, or by tiedowns.

(3) When used, chocks, wedges or blocking must be held securely in place by some means in addition to friction so that they cannot become unfastened or loose while the vehicle is on a highway.

(4) Tiedowns shall be used in accordance with the provisions of section 22 of this Standard to prevent lateral movement.

Division 5 – Concrete Pipe

In this Division, “**pipe**” means concrete pipe.

Application

73(1) This Division applies to the transportation of pipes loaded transversely on a flatbed vehicle.

(2) This Division does not apply to:

- (a) unitized pipes that has no tendency to roll; or
- (b) concrete pipe loaded in a sided vehicle.

(3) Section 22 does not apply to the transportation of concrete pipes to which this Division applies.

Tiedowns

74 A transverse tiedown running through a pipe in an upper layer or over lengthwise tiedowns is considered to secure all the pipe in a lower layer on which that tiedown causes pressure.

Blocking

75(1) The blocking used to secure a pipe shall comply with this section.

(2) Blocking shall be placed symmetrically about the centre of the pipe.

(3) Where one piece of blocking is used it shall extend to at least $\frac{1}{2}$ the distance from the centre to each end of the pipe.

(4) Where two pieces of blocking are used they shall be placed near each end of the pipe.

(5) Blocking shall be placed firmly against a pipe and shall be secured to prevent it moving out from under the pipe.

(6) Timber blocking shall have a minimum dimension of at least 8.9 centimetres by 14 centimetres

Multi-sized pipe

76 Where the pipes to be transported on a vehicle have different diameters:

- (a) pipes with the same diameter shall be grouped together; and
- (b) each group shall be secured separately.

Arranging layers

77(1) This section applies to pipe arranged in layers on a vehicle.

(2) The bottom layer of pipes shall be arranged to cover the full length of the vehicle or, as a partial layer with one or 2 groups.

(3) Pipe in an upper layer shall be placed only in the cylinder wells formed by adjacent pipes in the layer beneath.

(4) A 3rd or higher layer of pipe shall not be formed unless all the cylinder wells in the layer beneath are filled with pipe.

(5) The top layer shall be arranged as a complete layer or, as a partial layer in one or 2 groups.

Bell pipe

78(1) Bell pipe shall be loaded on at least 2 lengthwise spacers of sufficient height so that the bell is clear of the deck.

(2) Bell pipes loaded in a single layer shall have the bells alternating on opposite sides of the vehicle.

(3) The ends of consecutive bell pipes shall be:

- (a) staggered, where possible, within the allowable width; or
- (b) aligned.

(4) Stacked bell pipes shall have all the bells of the bottom layer on the same side of the vehicle.

(5) Stacked bell pipes shall be loaded with bells on the opposite side of the vehicle to the bells of the pipe in the layer beneath.

(6) Where the second layer of stacked bell pipes is not complete, the bells of the pipes in the bottom layer that do not support a pipe above shall alternate on opposite sides of the vehicle.

Single layer or bottom layer, small pipe

79(1) This section applies to small pipes arranged in a single layer or in the bottom layer of stacked pipes.

(2) The front and the rear pipes of each group of pipes arranged in a single layer or in a bottom layer shall be immobilized lengthwise at each end by blocking, vehicle end structure, stakes, a locked pipe unloader or other equivalent means.

(3) Pipe that is not at the end of a group of pipes arranged in a single layer or in a bottom layer may be held in place by blocks, wedges or both.

(4) A pipe in a single layer or in the bottom layer shall be held firmly in contact with the adjacent pipe by tiedowns running through the front and rear pipes of a group of pipes:

(a) One or more tiedowns running through the front pipe of each group of pipes arranged in a single layer or in a bottom layer shall run rearward at an angle, where practical, of not more than 45 degrees with the horizontal; and

(b) One or more tiedowns running through the rear pipe of each group of pipes arranged in a single layer or in a bottom layer shall run forward at an angle, where practical, of not more than 45 degrees with the horizontal.

Tiedowns for securing layers of small pipes

80(1) This section applies to all cargo of small pipes.

(2) A pipe may be secured with a tiedown running through it.

(3) Where each pipe is not secured individually with a tiedown:

(a) one 1.27 centimetre (1/2 inch) diameter chain or wire rope or two 0.95 centimetre (3/8 inch) diameter chains or wire ropes shall be placed lengthwise over the group of pipes; and

(b) one transverse tiedown shall be used for every 3.04 metres of cargo length.

(4) The transverse tiedowns referred to in subsection (3) shall be placed:

(a) through a pipe on the top layer; or

(b) over the lengthwise tiedown between 2 pipes on the top layer.

Top layer, small pipes

81(1) This section applies to small pipes in the top layer of stacked pipes.

(2) Where the first pipe of a group in the top layer is not placed in the first cylinder well formed by the pipes at the front of the layer beneath, it shall be secured by an additional tiedown that:

(a) runs rearward at an angle, where practical, of not more than 45 degrees to the horizontal; and

(b) passes through the front pipe of the upper layer or outside before the front pipe of the upper layer and over the lengthwise tiedown.

(3) Where the last pipe of a group in the top layer is not placed in the last cylinder well formed by the pipes at the rear of the layer beneath, it shall be secured by an additional tiedown that:

(a) runs forward at an angle, where practical, of not more than 45 degrees to the horizontal; and

(b) passes through the rear pipe of the upper layer or outside after the rear pipe of the upper layer and over the lengthwise tiedown.

Large pipes

82(1) This section applies to the transportation of large pipe.

(2) The front pipe and the rear pipe in a group of pipes transported on a vehicle shall be immobilized by blocking, wedges, vehicle end structure, stakes, locked pipe unloader or other equivalent means.

(3) Each pipe in the front half of the group of pipes, including the middle one where there is an odd number, shall have at least one tiedown that passes through the pipe:

(a) running rearward at an angle, where practical, of not more than 45 degrees with the horizontal; and

(b) holding the pipe firmly in contact with an adjacent pipe.

(4) Each pipe in the rear half of the group of pipes, shall have at least one tiedown that passes through the pipe:

(a) running forward at an angle, where practical, of not more than 45 degrees with the horizontal; and

(b) holding the pipe firmly in contact with an adjacent pipe.

(5) Where the front pipe in a group of pipes is not in contact with the vehicle's end structure, stakes or other equivalent means, it shall be secured by at least 2 tiedowns positioned in accordance with subsection (3).

(6) Where the rear pipe in a group of pipes is not in contact with the vehicle's end structure, stakes, a locked pipe unloader, or other equivalent means, it shall be secured by at least 2 tiedowns positioned in accordance with subsection (4).

(7) Where the vehicle is transporting a single pipe, or several pipes that do not touch each other, a pipe shall be secured under this section as where it were the front or rear pipe in a group of pipes.

Division 6 – Intermodal Containers

Application

83 This Division applies to the transportation of intermodal containers.

Intermodal container transported on container chassis vehicle

84(1) This section applies to the transportation of an intermodal container on a container chassis vehicle.

(2) Despite section 22, an intermodal container shall be secured to the container chassis with integral locking devices.

(3) The integral locking devices used shall restrain each lower corner of the intermodal container from moving:

(a) more than 1.27 centimetres forward;

(b) more than 1.27 centimetres rearward;

- (c) more than 1.27 centimetres to the right;
 - (d) more than 1.27 centimetres to the left; and
 - (e) more than 2.54 centimetres vertically.
- (4) The front and the rear of the intermodal container shall be independently secured.

Loaded intermodal container transported on other vehicles

85(1) This section applies to the transportation of a loaded intermodal container on a vehicle that is not a container chassis vehicle.

- (2) All the lower corners of a loaded intermodal container shall:
- (a) rest on the vehicle; or
 - (b) be supported by a structure:
 - (i) capable of bearing the weight of the container; and
 - (ii) independently secured to the vehicle.
- (3) Despite section 22, an intermodal container shall be secured to the vehicle by either or both:
- (a) chains, wire ropes or integral locking devices that are fixed to all the lower corners;
 - (b) crossed chains that are fixed to all the upper corners.
- (4) The front and the rear of the intermodal container shall be independently secured.

Empty intermodal container transported on other vehicles

86(1) This section applies to the transportation of an empty intermodal container by a vehicle other than a container chassis vehicle.

- (2) All the lower corners of an empty intermodal container shall:
- (a) rest on the vehicle; or
 - (b) be supported by a structure:
 - (i) capable of bearing the weight of the container; and
 - (ii) independently secured to the vehicle.
- (3) An empty intermodal container is not required to comply with subsection (2) where:
- (a) the container is balanced, positioned and stable on the vehicle before tiedowns or other securing devices are attached; and
 - (b) the container does not overhang either the front or rear of the vehicle by more than 1.5 metres.
- (4) An empty intermodal container shall not interfere with the vehicle's manoeuvrability.

(5) An empty intermodal container shall be secured against moving sideways, lengthwise or vertically in accordance with:

- (a) the provisions of section 85(3) and 85(4) of this Standard; or
- (b) the provisions of section 22 of this Standard.

Division 7 – Vehicles as Cargo

Application

87 This Division applies to the transportation of light vehicles, heavy vehicles and flattened or crushed light vehicles.

Light vehicles

88(1) Light vehicles shall be secured in accordance with this section.

(2) Despite section 22, a light vehicle shall be restrained at both the front and rear from moving sideways, forward, rearward and vertically using a minimum of 2 tiedowns.

(3) Tiedowns that are designed to attach to the structure of a light vehicle shall be attached to the mounting points on the vehicle that are specifically designed for that purpose.

(4) Tiedowns that are designed to fit over or around the wheels of a light vehicle shall restrain the vehicle from moving sideways, forward, rearward and vertically.

(5) Despite section 20, edge protectors are not required for synthetic webbing at points where the webbing comes into contact with the tires of the light vehicle.

Heavy vehicles

89(1) Heavy vehicles shall be transported in accordance with this section.

(2) Accessory equipment on a heavy vehicle, including a hydraulic shovel, shall be completely lowered and secured to the vehicle.

(3) Articulated vehicles shall be restrained in a manner that prevents articulation while the vehicle is on a highway.

(4) Despite section 22, a heavy vehicle with crawler tracks or wheels shall be restrained against moving sideways, forward, rearward and vertically by at least 4 tiedowns:

- (a) each with a working load limit of at least 2 268 kilograms; and
- (b) each attached, as closely as practical, at the front and rear of the vehicle or to mounting points on the vehicle that are specifically designed for that purpose.

Flattened or crushed light vehicles

90 Flattened or crushed light vehicles shall be secured in accordance with sections 91, 92 and 93.

Prohibition

91 Synthetic webbing shall not be used to secure flattened or crushed light vehicles.

Securement system for immobilizing stacks of flattened or crushed vehicles

92(1) Flattened or crushed light vehicles shall be transported with vehicles which:

- (a) have containment walls or comparable structures on 4 sides that:
 - (i) extend to the full height of the cargo; and
 - (ii) prevent the cargo moving forward, rearward and sideways;
 - (b) have containment walls or comparable structures on 3 sides that:
 - (i) extend to the full height of the cargo;
 - (ii) prevent the cargo moving forward, rearward and to one side; and
 - (iii) have 2 or more tiedowns per stack of flattened or crushed vehicles;or
 - (c) have containment walls or comparable structures on the front and rear that
 - (i) extend to the full height of the cargo;
 - (ii) prevent the cargo moving forward and rearward; and
 - (iii) have 3 or more tiedowns per stack of flattened or crushed vehicles;or
 - (d) have 4 or more tiedowns per stack of flattened or crushed vehicles.
- (2) Despite Part 1 Division 4, each tiedown referred to in subsection (1) shall have a working load limit of 2 268 kilograms or more.

Containment of loose parts

93(1) A vehicle transporting flattened or crushed light vehicles shall have equipment that:

- (a) extends the full height of the cargo; and
 - (b) prevents any loose part of the load from falling from the vehicle.
- (2) For the purposes of subsection (1), the equipment used to contain loose parts shall be structural walls, floors, sides or sideboards or suitable covering material, alone or in combination.

Division 8 – Roll-on/Roll-off and Hook-lift Containers**Application**

94 This Division applies to the transportation of roll-on/roll-off containers and hook-lift containers.

Replacement of securing devices

95(1) Where a front stop or lifting device of a securement system on a vehicle that is not equipped with an integral securement system is missing, damaged or not compatible with the securing devices on a container, additional manually installed tiedowns shall be used to secure the container to the vehicle.

(2) Where a front stop or lifting device of an integral securement system on a vehicle is missing, damaged or not compatible with the securing devices on a container, the container shall be secured to the vehicle using manually installed tiedowns.

(3) A manually installed tiedown shall provide the same level of securement as the missing, damaged or incompatible component it replaces.

No integral securement system

96(1) A roll-on/roll-off container or hook-lift container transported by a vehicle that is not equipped with an integral securement system:

- (a) shall be blocked against forward movement:
 - (i) by the lifting device, stops or a combination of both; or
 - (ii) by another restraint mechanism;
- (b) shall be secured to the front of the vehicle:
 - (i) by the lifting device; or
 - (ii) by another securing device which restrains against sideways and vertical movement; and
- (c) shall be secured to the rear of the vehicle in accordance with at least one of the following:
 - (i) one tiedown attached to both the vehicle chassis and the container;
 - (ii) 2 tiedowns installed lengthwise, each securing one side of the container to one of the vehicle's side rails;
 - (iii) 2 hooks, or equivalent mechanisms, securing both sides of the container to the vehicle chassis at least as effectively as the tiedowns referred to in subclauses (i) and (ii).

(2) A device used to secure a roll-on/roll off or hook-lift container to the rear of a vehicle that is not equipped with an integral securement system:

- (a) shall be installed not more than 2 metres from the rear of the container; and
- (b) despite Part 1 Division 4, all tiedowns shall have a working load limit of at least 2 268 kilograms.

(3) Sections 10(2) and 10(3) do not apply to this Division.

Division 9 – Boulders

Application

97(1) This Division applies to the transportation of boulders:

- (a) on a flatbed vehicle; or
- (b) in a vehicle whose sides are not designed and rated to contain such a cargo.

(2) A piece of natural, irregularly shaped rock that weighs more than 100 kilograms but less than 5 000 kilograms may be secured in accordance with this Division.

(3) A piece of natural, irregularly shaped rock of any size may be contained within a vehicle that is designed to carry such a cargo.

(4) A piece of rock of any size that is artificially formed or cut into shape and has a stable base for securement may be secured in accordance with this Division.

Positioning on vehicle

98(1) A boulder shall be placed with its flattest or its largest side down on the deck.

(2) A boulder shall be supported on at least 2 pieces of hardwood blocking:

- (a) with side dimensions of not less than 8.9 centimetres by 8.9 centimetres;
- (b) that extend the full width of the boulder;
- (c) that are placed as symmetrically as possible under the boulder; and
- (d) that support at least 3/4 of the length of the boulder.

(3) Where the flattest side of a boulder is rounded or partially rounded and the boulder may roll:

- (a) the boulder shall be in a crib made of hardwood fixed to the deck;
- (b) the boulder shall rest on both the deck and the crib; and
- (c) the boulder shall have at least three well-separated points of contact with the crib and deck to prevent the boulder from rolling in any direction.

(4) Where a boulder is tapered, the narrowest end shall point towards the front of the vehicle.

Tiedowns

99(1) A tiedown used to secure a boulder shall be made of chain.

(2) A tiedown that touches a boulder:

- (a) shall, where possible, be located in valleys or notches across the top of the boulder; and
- (b) shall be arranged so that it does not slide across the rock surface.

Number of tiedowns

100(1) Despite section 22, each cubic shaped boulder shall be secured with 2 or more tiedowns placed:

- (a) transversely across the vehicle; and
- (b) as closely as possible to the hardwood blocking.

- (2) Despite section 22, each non-cubic shaped boulder with a stable base shall be secured with 2 or more tiedowns:
- (a) forming an “X” pattern over the boulder;
 - (b) passing over the centre of the boulder; and
 - (c) attached to each other, where they intersect, by a shackle or other connecting device.
- (3) Despite sections 10(2), 10(3) and 22, each non-cubic shaped boulder with unstable base shall be secured with:
- (a) one tiedown surrounding the top of the boulder:
 - (i) located at a point between 1/2 and 2/3 of the height of the boulder; and
 - (ii) having a working load limit of at least half of the weight of the boulder; and
 - (b) 4 tiedowns, each:
 - (i) attached to the surrounding tiedown and to the vehicle that prevent the boulder moving horizontally;
 - (ii) having a working load limit of at least 1/4 the weight of the boulder; and
 - (iii) shall be placed at an angle, where practical, of not more than 45 degrees from the horizontal.

PART 3 – DEFAULT WORKING LOAD LIMITS

Section 1 – Chain

Size	Working Load Limit
7 mm (1/4 in)	590 kg (1300 lb.)
8 mm (5/16 in)	860 kg (1900 lb.)
10 mm (3/8 in)	1 200 kg (2650 lb.)
11 mm (7/16 in)	1 590 kg (3500 lb.)
13 mm (1/2 in)	2 040 kg (4500 lb.)
16 mm (5/8 in)	3 130 kg (6900 lb.)

Section 2 – Synthetic Webbing

Width	WLL
45 mm (1-3/4 in)	790 kg (1750 lb.)
50 mm (2 in)	910 kg (2000 lb.)
75 mm (3 in)	1 360 (3000 lb.)
100 mm (4 in)	1 810 kg (4000 lb.)

Section 3 – Wire Rope (6 x 37, Fiber Core)

Diameter	WLL
7 mm (1/4 in)	640 kg (1400 lb.)
8 mm (5/16 in)	950 kg (2100 lb.)
10 mm (3/8 in)	1 360 kg (3000 lb.)
11 mm (7/16 in)	1 860 kg (4100 lb.)
13 mm (1/2 in)	2 400 kg (5300 lb.)
16 mm (5/8 in)	3 770 kg (8300 lb.)
20 mm (3/4 in)	4 940 kg (10900 lb.)
22 mm (7/8 in)	7 300 kg (16100 lb.)
25 mm (1 in)	9 480 kg (20900 lb.)

Section 4 – Manila Rope

Diameter	WLL
10 mm (3/8 in)	90 kg (205 lb.)
11 mm (7/16 in)	120 kg (265 lb.)
13 mm (1/2 in)	150 kg (315 lb.)
16 mm (5/8 in)	210 kg (465 lb.)
20 mm (3/4 in)	290 kg (640 lb.)
25 mm (1 in)	480 kg (1050 lb.)

Section 5 – Synthetic Fiber Rope

Diameter	WLL
10 mm (3/8 in)	185 kg (410 lb.)
11 mm (7/16 in)	240 kg (530 lb.)
13 mm (1/2 in)	285 kg (630 lb.)
16 mm (5/8 in)	420 kg (930 lb.)
20 mm (3/4 in)	580 kg (1280 lb.)
25 mm (1 in)	950 kg (2100 lb.)

Section 6 – Steel Strapping

Width-thickness inch	WLL
1-1/4 x 0.029	540 kg (1190 lb.)
1-1/4 x 0.031	540 kg (1190 lb.)
1-1/4 x 0.035	540 kg (1190 lb.)
1-1/4 x 0.044	770 kg (1690 lb.)
1-1/4 x 0.050	770 kg (1690 lb.)
1-1/4 x 0.057	870 kg (1925 lb.)
2 x 0.044	1 200 kg (2650 lb.)
2 x 0.050	1 200 kg (2650 lb.)

PART 4 – MANUFACTURING STANDARDSSection 1 – Vehicle Structure

Truck Trailer Manufacturers Association – RP47

Section 2 – Anchor PointsCanadian Motor Vehicle Safety Standard (CMVSS 905)
Truck Trailer Manufacturers Association – RP47Section 3 – Platform Bodies (Flatdecks)

Truck Trailer Manufacturers Association – RP47

Section 4 – Van, Sided & Dump BodiesTruck Trailer Manufacturers Association – RP47
Web Sling and Tiedown AssociationRecommended Standard Specification for Interior Van Securement WSTDA-T5Section 5 – Tiedowns

Web Sling and Tiedown Association

Recommended Standard Specification for Synthetic Webbing Tiedowns WSTDA-T1Recommended Standard Specification for Winches Used With Synthetic
Web Tiedowns WSTDA-T3Recommended Standard Specification for Interior Van Securement WSTDA-T5Section 6 – Webbing Assemblies

Web Sling and Tiedown Association

Recommended Standard Specification for Synthetic Webbing Tiedowns WSTDA-T1Recommended Operating, Care and Inspection Manual for Synthetic
Web Tiedowns WSTDA-T2Recommended Standard Specification for Synthetic Webbing Used
for Tiedowns WSTDA-T4

Section 7 – Chain Assemblies

National Association of Chain Manufacturers
Welded Steel Chain Specifications

Welded Steel Chain – Working Load Limits

Size mm (in)	Grade 3 proof coil	Grade 43 High test	Grade 70 Transport	Grade 80 Alloy	Grade 100 Alloy
7 mm (1/4 in)	590 kg (1300 lb.)	1 180 kg (2600 lb)	1 430 kg (3150 lb)	1 570 kg (3500 lb)	1 950 kg (4300 lb)
8 mm (5/16 in)	860 kg (1900 lb.)	1 770 kg (3900 lb)	2 130 kg (4700 lb)	2 000 kg (5100 lb)	2 600 kg (5700 lb)
10 mm (3/8 in)	1 200 kg (2650 lb.)	2 450 kg (5400 lb)	2 990 kg (6600 lb)	3 200 kg (7100 lb)	4 000 kg (8800 lb)
11 mm (7/16 in)	1 590 kg (3500 lb.)	3 270 kg (5800 lb)	3 970 kg (8750 lb)	–	–
13 mm (1/2 in)	2 040 kg (4500 lb.)	4 170 kg (9200 lb)	5 130 kg (11 300 lb)	5 400 kg (12000 lb)	6 800 kg (15000 lb)
16 mm (5/8 in)	3 130 kg (6900 lb.)	5 910 kg (11500 lb)	7 170 kg (15800 lb)	8 200 kg (18100 lb)	10 300 kg (22600 lb)
Chain Marks	3 30 300	4 43 430	7 70 700	8 80 800	10 100 1000

Section 8 – Wire Rope and Attachments

Wire Rope Technical Board
Wire Rope Users Manual

Section 9 – Synthetic Rope and Attachments

Cordage Institute:

CI-1301-96 Polyester Fiber Rope, 3 and 8 Strand Constructions

CI-1302A-96 Polyester/Polyolefin Dual Fiber Rope, 3 Strand Construction

CI-1302B-99 Polyester/Polyolefin Dual Fiber Rope, 8 Strand Construction

CI-1304-96 Polyester Fiber Rope, 3 and 8 Strand Constructions

CI-1305-96 Single Braided Polyester Fiber Rope, 12 Strand Construction

CI-1307-96 Polyester Fiber Rope, Double Braid Construction

CI-1307-96 Polyester Fiber Rope, High Performance Double Braid Construction

CI-1303-96 Nylon (Polyamide) Fiber Rope, 3 and 8 Strand Constructions

CI-1307-96 Nylon (Polyamide) Fiber Rope, Double Strand Construction

CI-1307-96 Nylon (Polyamide) Fiber Rope, High Performance
 Double Braid Construction

Section 10 – Steel Strapping

American Society for Testing and Materials

Standard Specification for Strapping, Flat Steel and Seals (ASTM D3953-91)

Section 11 – Clamps and Latches

International Standards Organization – 668

Section 12 – Roll-on/Roll-off Containers

American National Standards Institute

Mobile Wastes and Recyclable Materials Collection, Transportation, and Compaction
Equipment – Safety Requirements (ASC Z245.1 – 1999)

Waste Containers - Safety Requirements (ASC Z245.30 -1999)

Waste Containers - Compatibility Requirements (ASC Z245.60-1999)

Appendix B

Figure 1

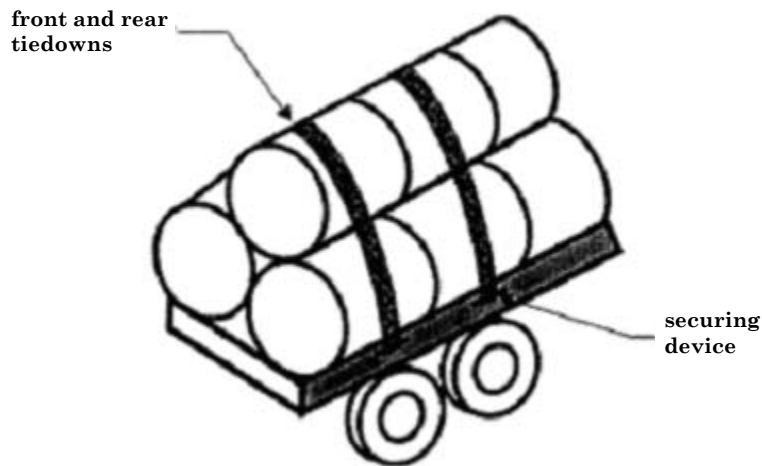


Figure 2

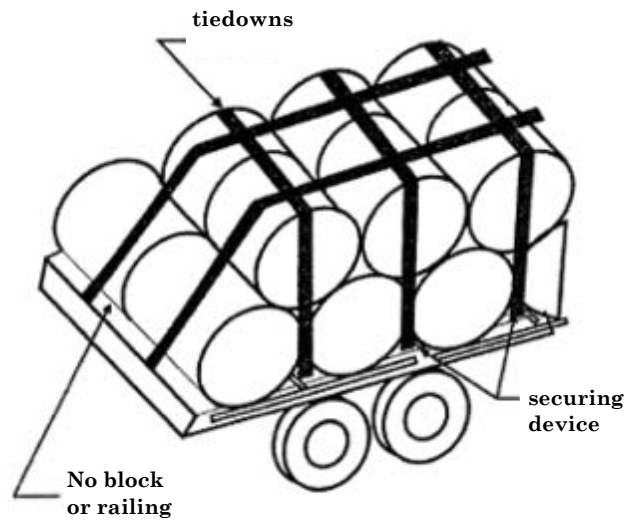
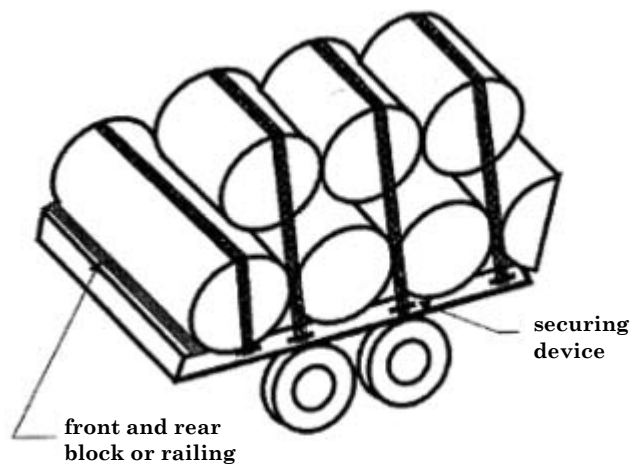


Figure 3



Appendix C

NSC Daily Vehicle Trip Inspection for Trucks, Tractors and Trailers

Definitions

For the purpose of this Standard, the following definitions apply:

“commercial vehicle” (*as defined in NSC*) A truck, tractor or trailer or combination thereof exceeding a registered gross vehicle weight of 4 500 kg.

“inspector” (*as defined in NSC*) A person duly authorized to enforce federal or provincial statutes related to the Code.

“motor carrier” (*as defined in NSC*) A person who owns, leases or is responsible for the operation of a commercial vehicle for the purpose of transporting passengers or goods.

NSC Standard 13: Trip Inspections

PART 1 – GENERAL REQUIREMENTS

Vehicles to be inspected

1 No motor carrier shall permit a person and no person shall drive or operate a commercial vehicle on a highway unless the vehicle is inspected as required.

Carrier to issue inspection schedules

2 Motor carriers shall provide the applicable schedule(s) of inspection items in a written or an equivalent electronic format and all vehicles shall be inspected in accordance with the schedule(s).

Driver to carry and surrender schedules

3 Drivers of a commercial vehicle shall have in their possession the applicable schedule(s) of inspection items and shall provide the schedules on demand of an inspector.

Required inspections (when operated)

4(1) Trucks, tractors and trailers shall be inspected in accordance with Schedule 1 every 24 hours.

(2) Buses and any attached trailer shall be inspected in accordance with Schedule 1 or Schedule 2 every 24 hours.

Report to be completed

5(1) A person conducting an inspection in accordance with Schedule 1 or Schedule 2 shall prepare a report in a written or an equivalent electronic format that contains the following information:

- (a) license plate or unit number(s) of the vehicle(s);
- (b) motor carrier’s name;
- (c) date and time of inspection;
- (d) city, town, village or highway location where the inspection was performed;

- (e) a statement signed by the person conducting the inspection and by the person driving the vehicle (if different than the person inspecting the vehicle) that the vehicle(s) identified on the report has(have) been inspected in accordance with applicable requirements;
- (f) the legible printed name of the person conducting the inspection; and
- (g) odometer reading (if equipped).

Report to be carried

6 No motor carrier shall permit and no person shall drive a commercial vehicle on a highway unless that person is in possession of the required inspection report(s).

Driver to provide report

7 A driver of a commercial vehicle shall provide a paper or equivalent electronic copy of the required inspection report(s) on demand of an inspector.

When no defects are detected

8 When no defects are detected during an inspection, the person conducting the inspection shall record that fact on the inspection report(s).

When defects are detected

9 A person conducting an inspection in accordance with Schedule 1 or Schedule 2 shall record on the inspection report any defects detected during the inspection and shall report such defects to the motor carrier or a person appointed by the motor carrier prior to the next required inspection.

Driver to monitor vehicle while driving

10 While driving and/or otherwise being in charge of a commercial vehicle, the driver shall monitor its condition in accordance with the schedule of inspection items, and when defects are detected, the driver shall record the defects on the inspection report and report the defects to the motor carrier prior to the next required inspection.

Major defects to be reported immediately

11 When major defects are detected or disclosed to the driver while driving or otherwise being in charge of a vehicle, they shall be recorded on the inspection report and reported to the motor carrier immediately.

Vehicle not to be operated with major defect

12 No motor carrier shall permit a person and no person shall drive a commercial vehicle on a highway when a major defect is present on the vehicle.

Carrier to ensure defects are corrected

13 Motor carriers shall ensure that all previously reported vehicle defects are corrected before the next required inspection or within a time frame specified by the jurisdiction of travel.

Report to be given to motor carrier

14 Drivers shall forward the original of each inspection report to the motor carrier who is responsible for the commercial vehicle within 20 calendar days of the completion of the report.

Motor carrier records

15 Motor carriers shall retain the original copy of each vehicle inspection report and certification of repairs for at least 6 months from the date the report was prepared.

PART 2 – SCHEDULES

Schedule 1 – Truck, Tractor and Trailer**Application**

This schedule applies to trucks, tractors and trailers or combinations thereof exceeding a registered gross vehicle weight of 4 500 kg.

	Defect(s)	Major Defect(s)
1. Air Brake System	- Audible air leak - Slow air	- Pushrod stroke of any brake pressure build-up rate exceeds the adjustment limit - Air loss rate exceeds prescribed limit - Inoperative towing vehicle (tractor) protection system - Low air warning system fails or system is activated - inoperative service, parking or emergency brake
2. Cab	- Occupant compartment door fails to open	- Any door fails to close securely
3. Cargo Securement	- Insecure or improper load covering	- Insecure cargo - Absence, failure, malfunction or deterioration of required cargo securement device or load covering
4. Coupling Devices	- Coupler or mounting has loose or missing fastener	- Coupler is insecure or movement exceeds prescribed limit - Coupling or locking mechanism is damaged or fails to lock - Defective, incorrect or missing safety chain/cable
5. Dangerous Goods		- Dangerous goods requirements not met
6. Driver controls	- Accelerator pedal, clutch, gauges, audible and visual indicators or instruments fail to function properly	
7. Driver Seat	- Seat is damaged or fails to remain in set position	- Seatbelt or tether belt is insecure, missing or malfunctions

	Defect(s)	Major Defect(s)
8. Electric Brake System	- Loose or insecure wiring or electrical connection	- Inoperative breakaway device - Inoperative brake
9. Emergency Equipment and Safety Devices	- Emergency equipment is missing, damaged or defective	
10. Exhaust System	- Exhaust leak	- Leak that causes exhaust gas to enter the occupant compartment
11. Frame and Cargo Body	- Damaged frame or cargo body	- Visibly shifted, cracked, collapsing or sagging frame member(s)
12. Fuel System	- Missing fuel tank cap	- Insecure fuel tank - Dripping fuel leak
13. General		- Serious damage or deterioration that is noticeable and may affect the vehicle's safe operation
14. Glass and Mirrors	- Required mirror or window glass fails to provide the required view to the driver as a result of being cracked, broken, damaged, missing or maladjusted - Required mirror or glass has broken or damaged attachments onto vehicle body	
15. Heater/Defroster	- Control or system failure	- Defroster fails to provide unobstructed view through the windshield
16. Horn	- Vehicle has no operative horn	
17. Hydraulic Brake System	- Brake fluid level is below - Parking brake is inoperative	- Brake boost or power assist indicated minimum level is not operative - Brake fluid leak - Brake pedal fade or insufficient brake pedal reserve - Activated (other than ABS) warning device - Brake fluid reservoir is less than 1/4 full

Defect(s)		Major Defect(s)
18. Lamps and Reflectors	<ul style="list-style-type: none"> - Required lamp does not function as intended - Required reflector is missing or partially missing 	<p><i>When lamps are required:</i></p> <ul style="list-style-type: none"> - Failure of both low-beam headlamps - Failure of both rearmost tail lamps <p><i>At all times:</i></p> <ul style="list-style-type: none"> - Failure of a rearmost turn indicator lamp - Failure of both rearmost brake lamps
19. Steering	<ul style="list-style-type: none"> - Steering wheel lash (free-play) is greater than normal 	<ul style="list-style-type: none"> - Steering wheel is insecure, or does not respond normally - Steering wheel lash (free-play) exceeds required limit
20. Suspension System	<ul style="list-style-type: none"> - Air leak in air suspension system- Broken spring leaf 	<ul style="list-style-type: none"> - Suspension fastener is loose, missing or broken - Damaged, deflated air bag - Cracked or broken main spring leaf or more than one broken spring leaf - Part of spring leaf or suspension is missing, shifted out of place or in contact with another vehicle component - Loose U-bolt
21. Tires	<ul style="list-style-type: none"> - Damaged tread or sidewall of tire - Tire leaking 	<ul style="list-style-type: none"> - Flat tire - Tire tread depth is less than wear limit - Tire is in contact with another tire or any vehicle component other than mud-flap - Tire is marked "Not for highway use" - Tire has exposed cords in the tread or outer side wall area

	Defect(s)	Major Defect(s)
22. Wheels, Hubs and Fasteners	- Hub oil below minimum level (when fitted with sight glass)	- Leaking wheel seal - Wheel has loose, missing or ineffective fastener - Damaged, cracked or broken wheel, rim or attaching part - Evidence of imminent wheel, hub or bearing failure
23. Windshield Wiper/Washer	- Control or system malfunction - Wiper blade damaged, missing or fails to adequately clear driver's field of vision	<i>When necessary for prevailing weather conditions:</i> - Wiper or washer fails to adequately clear driver's field of vision in area swept by driver's side wiper

Schedule 2 – Bus

Application

This schedule applies to buses designed, constructed and used for the transportation of passengers with a designated seating capacity of more than 10, including the driver, but excluding the operation for personal use, and also applies to any trailer towed by a bus.

	Defect(s)	Major Defect(s)
1. Accessibility Devices	<i>Accessibility device may not be used if:</i> - Alarm fails to operate - Equipment malfunctions - Interlock system malfunctions	- Vehicle fails to return to normal level after “kneeling” - Extendable lift, ramp or other passenger-loading device fails to retract
2. Air Brake System	- Audible air leak - Slow air pressure build-up rate	- Pushrod stroke of any brake exceeds the adjustment limit - Air loss rate exceeds prescribed limit - Inoperative towing vehicle (tractor) protection system - Low air warning system fails or system is activated - Inoperative service, parking or emergency brake

	Defect(s)	Major Defect(s)
3. Cargo Securement	- Insecure or improper load covering	- Insecure cargo - Absence, failure, malfunction or deterioration of required cargo securement device or load covering
4. Coupling Devices	- Coupler or mounting has loose or missing fastener	- Coupler is insecure or movement exceeds prescribed limit - Coupling or locking mechanism is damaged or fails to lock - Defective, incorrect or missing safety chain/cable
5. Dangerous Goods	- Dangerous goods requirements not met	
6. Doors and Emergency Exits	- Door, window or hatch fails to open or close securely - Alarm inoperative	<i>Passengers may not be carried.</i> - Required emergency exit fails to function as intended
7. Driver Controls	- Accelerator pedal, clutch, gauges, audible and visual indicators or instruments fail to function properly	- Accelerator sticking and engine fails to return to idle
8. Driver Seat	- Seat is damaged or fails to remain in set position	- Seatbelt or tether belt is insecure, missing or malfunctions
9. Electric Brake System	- Loose or insecure wiring or electrical connection	- Inoperative breakaway device - Inoperative brake
10. Emergency Equipment and Safety Devices	- Emergency equipment is missing, damaged or defective	
11. Exhaust System	- Exhaust leak	- Leak that causes exhaust gas to enter the occupant compartment
12. Exterior Body and Frame	- Insecure or missing body parts	- Insecure or missing compartment door - Damaged frame or body - Visibility shifted, cracked, collapsing or sagging frame member(s)

	Defect(s)	Major Defect(s)
13. Fuel System		<ul style="list-style-type: none"> - Missing fuel tank cap - Insecure fuel tank - Dripping fuel leak
14. General		- Serious damage or deterioration that is noticeable and may affect the vehicle's safe operation
15. Glass and Mirrors	<ul style="list-style-type: none"> - Required mirror or window glass fails to provide the required view to the driver as a result of being cracked, broken, damaged, missing or maladjusted - Required mirror or glass has broken or damaged attachments onto vehicle body 	<p><i>Passengers may not be carried.</i></p> <ul style="list-style-type: none"> - Driver's view of the road is obstructed in the area swept by the windshield wipers.
16. Heater/Defroster	- Control or system failure	- Defroster fails to provide unobstructed view through the windshield
17. Horn	- Vehicle has no operative horn	
18. Hydraulic Brake System	<ul style="list-style-type: none"> - Brake fluid level is below indicated minimum level - Parking brake is inoperative 	<ul style="list-style-type: none"> - Brake boost or power assist is not operative - Brake fluid leak - Brake pedal fade or insufficient brake pedal reserve - Activated (other than ABS) warning device - Brake fluid reservoir is less than 1/4 full
19. Lamps and Reflectors	<ul style="list-style-type: none"> - Required interior lamp does not function as intended - Required reflector is missing or partially missing - Passenger safety or access lamp does not function 	<p><i>When lamps are required:</i></p> <ul style="list-style-type: none"> - Failure of both low-beam headlamps - Failure of both rearmost tail lamps <p><i>At all times:</i></p> <ul style="list-style-type: none"> - Failure of a rearmost turn-indicator lamp - Failure of both rearmost brake lamps

	Defect(s)	Major Defect(s)
20. Passenger Compartment	<ul style="list-style-type: none"> - Stanchio padding is damaged - Damaged steps or floor - Insecure or damaged overhead luggage rack or compartment - Malfunction or absence of required passenger or mobility device restraints - Passenger seat is insecure 	<p><i>When affected position is occupied:</i></p> <ul style="list-style-type: none"> - Malfunction or absence of required passenger or mobility device restraints - Passenger seat is insecure
21. Steering	<ul style="list-style-type: none"> - Steering wheel lash (free-play) is greater than normal 	<ul style="list-style-type: none"> - Steering wheel is insecure, or does not respond normally - Steering wheel lash (free-play) exceeds required limit
22. Suspension System	<ul style="list-style-type: none"> - Air leak in air suspension system - Broken spring leak - Suspension fastener is loose, missing or broken 	<ul style="list-style-type: none"> - Damaged, deflated air bag - Cracked or broken main spring leaf or more than one broken spring leaf - Part of spring leaf or suspension is missing, shifted out of place or in contact with another vehicle component - Loose U-bolt
23. Tires	<ul style="list-style-type: none"> - Damaged tread or sidewall of tire - Tire leaking 	<ul style="list-style-type: none"> - Flat tire - Tire tread depth is less than wear limit - Tire is in contact with another tire or any vehicle component other than mud-flap - Tire is marked "Not for highway use" - Tire has exposed cords in the tread or outer side wall area

	Defect(s)	Major Defect(s)
24. Wheels, Hubs and Fasteners	<ul style="list-style-type: none"> - Hub oil below minimum level (when fitted with sight glass) - Leaking wheel seal 	<ul style="list-style-type: none"> - Wheel has loose, missing or ineffective fastener - Damaged, cracked or broken wheel, rim or attaching part - Evidence of imminent wheel, hub or bearing failure
25. Windshield Wiper/Washer	<ul style="list-style-type: none"> - Control or system malfunction - Wiper blade damaged, missing or fails to adequately clear driver's field of vision 	<p><i>When necessary for prevailing weather conditions:</i></p> <ul style="list-style-type: none"> - Wiper or washer fails to adequately clear driver's field of vision in area swept by driver's side wiper

CHAPTER S-8 REG 7*The Saskatchewan Assistance Act*

Section 14

Order in Council 294/2005, dated April 5, 2005

(Filed April 6, 2005)

PART I

Preliminary Matters**Title****1** These regulations may be cited as *The Rental Housing Supplement Regulations*.**Interpretation****2(1)** In these regulations:

- (a) **“Act”** means *The Saskatchewan Assistance Act*;
- (b) **“applicant”** means an individual who applies for the RHS benefit pursuant to section 12;
- (c) **“benefit month”** means the calendar month for which the RHS benefit is being calculated;
- (d) **“category A client”** means a client who resides in the City of Lloydminster, the City of Regina or the City of Saskatoon;
- (e) **“category B client”** means a client who resides in the Northern Town of Creighton, the City of Estevan, the Town of Kindersley, the Northern Village of La Loche, the Northern Town of La Ronge, the Town of Lumsden, the Town of Macklin, the Town of Martensville, the City of Melville, the City of Prince Albert, the Town of Rosetown, the Town of Warman, the City of Weyburn or the City of Yorkton;
- (f) **“category C client”** means a client who resides in the Town of Battleford, the Town of Dalmeny, the Town of Fort Qu’Appelle, the City of Humboldt, the Town of Meadow Lake, the City of Melfort, the City of Moose Jaw, the City of North Battleford, the City of Swift Current or the Town of Watrous;
- (g) **“category D client”** means a client who resides anywhere in Saskatchewan other than in a place mentioned in clause (d), (e) or (f);
- (h) **“child”** means an individual who is less than 18 years of age;
- (i) **“client”** means an individual whose application for the RHS benefit has been accepted;
- (j) **“eligible family unit”** means a family unit that meets the requirements of section 6;
- (k) **“eligible income”** means eligible income calculated in accordance with section 10;
- (l) **“eligible individual”** means an individual who is determined to be an eligible individual pursuant to section 7;

- (m) **“eligible rented accommodation”** means accommodation that meets the requirements of section 8;
- (n) **“family income”** is the total of all amounts that would be taxable as income pursuant to the *Income Tax Act* (Canada) and that, subject to sections 32 to 34, are received by the applicant or client and the spouse, if any, of the applicant or client in a month;
- (o) **“family unit”** means a family unit within the meaning of section 5;
- (p) **“health services number”** means a unique number assigned to an individual who is or was registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*;
- (q) **“income turning point”** means the maximum monthly amount of eligible income that a client’s family unit may receive without causing a reduction in the amount of the client’s RHS benefit pursuant to subsection 11(3);
- (r) **“insured services”** means insured services as defined in *The Saskatchewan Medical Care Insurance Act*;
- (s) **“level of rent”** means level of rent determined in accordance with section 9;
- (t) **“maintenance income”** means any gross amount that is paid pursuant to:
- (i) a maintenance order, whether received directly from the respondent, collected by the Maintenance Enforcement Office and subsequently remitted to the applicant or client or spouse of the applicant or client or collected by the Maintenance Enforcement Office and subsequently deposited to the general revenue fund; or
 - (ii) a maintenance agreement in writing that is not included within the definition of “maintenance order”;
- (u) **“maintenance order”** means a maintenance order as defined in *The Enforcement of Maintenance Orders Act, 1997*;
- (v) **“preceding taxation year”** means:
- (i) with respect to an applicant or the spouse of an applicant, the taxation year ended immediately preceding the beginning of the program year in which the applicant applies for the RHS benefit; and
 - (ii) with respect to a client or the spouse of a client, the taxation year ended immediately preceding the beginning of the program year in which the income of the client or spouse is being calculated;
- (w) **“program”** means the Rental Housing Supplement Program established pursuant to section 3;
- (x) **“program year”** means a period commencing on July 1 in one year and ending on June 30 in the following year;
- (y) **“rent-to-income ratio”** means the ratio of the monthly amount of rent paid by an applicant or client to the eligible income of the applicant or client for the month, expressed as a percentage;

- (z) **“reserve”** means a reserve within the meaning of the *Indian Act* (Canada);
- (aa) **“respondent”** means a respondent as defined in *The Enforcement of Maintenance Orders Act, 1997*;
- (bb) **“RHS benefit”** means the benefit calculated in accordance with section 11;
- (cc) **“SAP”** means assistance granted pursuant to The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66;
- (dd) **“Saskatchewan Health Services card”** means a card issued pursuant to section 6.5 of *The Department of Health Act*;
- (ee) **“taxation year”** means taxation year as defined in the *Income Tax Act* (Canada);
- (ff) **“TEA”** means a transitional employment allowance granted pursuant to *The Transitional Employment Allowance Regulations*.
- (2) In these regulations, a reference to a table is a reference to a table set out in the Appendix.
- (3) For the purposes of these regulations, a person is deemed to be under 18 years of age during the entire month in which the person attains the age of 18 years.
- (4) For the purposes of these regulations:
- (a) a reference to an amount of income is deemed to be a reference to an amount in whole dollars that is obtained by subtracting the number of cents less than one dollar in the actual amount of income from the actual amount; and
- (b) all calculations involving amounts of income are to be carried out using the amounts in whole dollars determined in accordance with clause (a).

PART II

Rental Housing Supplement Program

Program established and designated

- 3(1) The Rental Housing Supplement Program is established.
- (2) The program is designated as an income-tested program for the purposes of clause 2(c.01) of the Act.

Eligibility

- 4(1) The RHS benefit is payable to clients:
- (a) with respect to family units that are determined to be eligible family units in accordance with section 6; and
- (b) only with respect to individuals who are determined to be eligible individuals in accordance with section 7.
- (2) The RHS benefit continues to be payable to a client until the client's entitlement to receive payments is terminated pursuant to section 28.

Composition of family units

5 A family unit consists of:

- (a) an individual who is an applicant or client and who has been assigned a health services number by the Department of Health;
- (b) the spouse, if any, of the applicant or client; and
- (c) the children of the applicant or client or of the spouse of the applicant or client, including any children to whom the applicant or client or the spouse of the applicant or client stands *in loco parentis*.

Eligible family units

6(1) An eligible family unit includes only those members of a family unit who are eligible individuals.

(2) Unless otherwise provided, the fact that one member of a family unit is not an eligible individual does not prevent the other members of the family unit from being considered an eligible family unit.

(3) In order for the family unit of an applicant to be an eligible family unit:

- (a) the applicant and the spouse, if any, of the applicant must have a valid social insurance number assigned pursuant to the authority of any Act of the Parliament of Canada;
- (b) the family unit must include children who are eligible individuals;
- (c) the family unit must be residing in eligible rented accommodation, and the eligible rented accommodation must be the primary residence of the family unit;
- (d) the monthly rent being paid for the eligible rented accommodation must be not less than the minimum qualifying rent set out in Table 1 or Table 2, determined on the basis of:
 - (i) the composition of the family unit;
 - (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant is accepted as a client; and
 - (iii) whether or not the rent being paid includes heating costs;
- (e) the eligible income of the family unit in a month, determined in accordance with section 10, must not exceed the maximum eligible income set out in Table 3 on the basis of:
 - (i) the composition of the family unit;
 - (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant is accepted as a client; and
 - (iii) the level of rent being paid; and

- (f) in the case of an applicant who is not receiving SAP or TEA, the rent-to-income ratio of the family unit must exceed:
- (i) 35% if the rent paid includes heating costs; or
 - (ii) 30% if the rent paid does not include heating costs.

Eligible individuals

7(1) Subject to this section, an individual is an eligible individual if the individual is eligible to receive insured services as a resident or beneficiary pursuant to *The Saskatchewan Medical Care Insurance Act* and *The Medical Care Insurance Beneficiary and Administration Regulations*.

(2) Where an individual who enters Saskatchewan and establishes residence in Saskatchewan applies for a Saskatchewan Health Services Card, the individual becomes an eligible individual when a health services number is assigned, even if the individual is not entitled to receive insured services for a period after entering Saskatchewan.

(3) An individual who leaves Saskatchewan to establish residence outside of Saskatchewan ceases to be an eligible individual when the individual leaves Saskatchewan, even if the individual is entitled to receive insured services for a period after leaving Saskatchewan.

(4) The following are not eligible individuals, whether or not they are eligible to receive insured services:

- (a) an individual who is sentenced to a term of imprisonment of more than 30 days in:
 - (i) a correctional facility as defined in *The Correctional Services Act*; or
 - (ii) a custody facility as defined in *The Youth Justice Administration Act*;
- (b) an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);
- (c) a child in the care of the minister within the meaning of *The Child and Family Services Act*;
- (d) a child in the care of an agency that has entered into an agreement pursuant to section 61 of *The Child and Family Services Act*;
- (e) a non-immigrant as defined in *The Medical Care Insurance Beneficiary and Administration Regulations* to whom subsection 6(3) of those regulations applies;
- (f) an individual whose application for landing was sponsored pursuant to subsection 13(1) or (2) of the *Immigration and Refugee Protection Act* (Canada), during the period of sponsorship;
- (g) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program;
- (h) subject to clause (5)(c), an individual who has been outside of Saskatchewan, whether temporarily or on a permanent basis, for a period greater than 90 consecutive days.

(5) The following are eligible individuals, whether or not they are entitled to receive insured services:

- (a) a member of the Royal Canadian Mounted Police who establishes residence in Saskatchewan;
- (b) a member of the Canadian Forces who establishes residence in Saskatchewan;
- (c) an individual described in clause (4)(h) where, in the opinion of a program manager, exceptional circumstances exist.

Eligible rented accommodation

8(1) In order for rented accommodation to be eligible rented accommodation, a program manager must be of the opinion that the condition of the premises does not present a serious hazard to the health or safety of persons residing in the accommodation.

(2) For the purposes of these regulations, the following types of accommodation are not eligible rented accommodation:

- (a) accommodation in:
 - (i) an approved home as defined in *The Mental Health Services Act*;
 - (ii) a facility as defined in *The Regional Health Services Act* that is operated by a regional health authority or an affiliate as defined in that Act;
 - (iii) a personal care home as defined in *The Personal Care Homes Act*;
 - (iv) a private-service home or a residential service facility as defined in *The Residential Services Act*; or
 - (v) any other home or facility that provides both accommodation and some degree of supervision, personal care or individual programming for persons in need of those additional services;
- (b) accommodation the payment for which includes the provision of meals;
- (c) accommodation in a communal living arrangement.

Levels of rent

9(1) The following levels of rent are established:

- (a) level 1 (warm);
- (b) level 1 (cold);
- (c) level 2 (warm);
- (d) level 2 (cold);
- (e) level 3 (warm);
- (f) level 3 (cold).

- (2) Each level of rent includes a range of rents for each of the following variables:
- (a) family composition; and
 - (b) the category of client into which an individual would be placed, in relation to the location of the rented accommodation occupied by the individual's family unit as its primary residence, if the individual were accepted as a client.
- (3) An individual whose rent includes heating costs is paying:
- (a) a level 1 (warm) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent set out in Table 1, but does not exceed the maximum level 1 rent set out in that table, for the variables applicable to the individual;
 - (b) a level 2 (warm) rent if the monthly amount of the rent being paid is greater than the maximum level 1 rent set out in Table 1, but does not exceed the maximum level 2 rent set out in that table, for the variables applicable to the individual; or
 - (c) a level 3 (warm) rent if the monthly amount of the rent being paid is greater than the maximum level 2 rent set out in Table 1 for the variables applicable to the individual.
- (4) An individual whose rent does not include heating costs is paying:
- (a) a level 1 (cold) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent set out in Table 2, but does not exceed the maximum level 1 rent set out in that table, for the variables applicable to the individual;
 - (b) a level 2 (cold) rent if the monthly amount of the rent being paid is greater than the maximum level 1 rent set out in Table 2, but does not exceed the maximum level 2 rent set out in that table, for the variables applicable to the individual; or
 - (c) a level 3 (cold) rent if the monthly amount of the rent being paid is greater than the maximum level 2 rent set out in Table 2 for the variables applicable to the individual.

Eligible income

10 The eligible income of a family unit in a month is the amount E, calculated in accordance with the following formula:

$$E = F + EI + CPP + WC + OAS + SIP + M$$

where:

F is the family income of the family unit for the previous month;

EI is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to Parts I and II of the *Employment Insurance Act* (Canada), but not including allowances pursuant to Part II of that Act;

CPP is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits, other than orphan's benefits, pursuant to the *Canada Pension Plan* or the *Quebec Pension Plan*;

WC is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to *The Workers' Compensation Act, 1979* or similar legislation of another jurisdiction;

OAS is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month pursuant to the *Old Age Security Act* (Canada), whether as a pension, supplement or allowance;

SIP is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to *The Saskatchewan Income Plan Act*; and

M is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as maintenance income.

Amount of RHS benefit

11(1) The amount of the maximum RHS benefit to which an eligible family unit may be entitled is the amount set out in Table 4, determined on the basis of:

- (a) the composition of the eligible family unit;
- (b) the category of the client; and
- (c) the level of rent being paid by the client.

(2) The actual amount of the RHS benefit to which an eligible family unit is entitled for a benefit month is the amount RHS calculated in accordance with the following formula:

$$\text{RHS} = \text{RHS}_{\text{Max}} - (\text{R} + \text{A})$$

where:

RHS_{Max} is the amount of the maximum RHS benefit to which the eligible family unit would be entitled for the benefit month without reduction or adjustment, determined in accordance with subsection (1);

R is the amount, if any, by which the eligible family unit's maximum RHS benefit is to be reduced for the benefit month, determined in accordance with subsection (3); and

A is the amount, if any, by which the eligible family unit's maximum RHS benefit is to be adjusted for the benefit month, determined in accordance with subsection (4), if a member of the eligible family unit is receiving SAP or TEA.

(3) The amount, if any, by which an eligible family unit's maximum RHS benefit is to be reduced for a benefit month is the amount R, if it is positive, calculated in accordance with the following formula:

$$\text{R} = 12\% \times (\text{E} - \text{ITP})$$

where:

E is the eligible income of the eligible family unit for the benefit month; and

ITP is the income turning point set out in Table 5 for the composition of the family unit.

(4) If an individual who is a member of an eligible family unit is receiving SAP or TEA, the amount of the eligible family unit's maximum RHS benefit is to be reduced by the amount of the SAP/TEA adjustment set out in Table 6, determined on the basis of:

- (a) the composition of the eligible family unit; and
- (b) the category of the client.

Application

12(1) One member of a family unit may apply for the RHS benefit on behalf of the family unit.

(2) An applicant must:

(a) apply to the department by telephone and provide the information requested that is necessary to establish the eligibility of the applicant's family unit to receive the RHS benefit, including, without limiting the generality of the foregoing:

- (i) the composition of the applicant's family unit; and
- (ii) with respect to the accommodation occupied by the applicant's family unit as its primary residence:
 - (A) the type and condition of the accommodation;
 - (B) the location of the accommodation;
 - (C) the amount per month being paid as rent for the accommodation; and
 - (D) whether the amount being paid as rent includes payment for the provision of heating;

(b) orally give consent to the inspection of the accommodation by a representative of the department to verify that the accommodation is eligible rented accommodation;

(c) orally declare whether or not any member of the applicant's family unit is receiving SAP or TEA; and

(d) orally provide the health services numbers of the applicant and the applicant's spouse, if any, and give consent to their use for the purposes of nominating the applicant and members of the applicant's family unit pursuant to section 42 to receive supplementary health benefits.

(3) If, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:

- (a) a person other than a member of the family unit to apply for the RHS benefit on behalf of a family unit; or
- (b) an applicant to make an application in writing.

Confirmation and income information required

13 An applicant who wishes to proceed with an application, and the applicant's spouse, if any, must provide:

- (a) confirmation of the application in accordance with section 14; and
- (b) information respecting their incomes in accordance with section 15.

Confirmation of application

14(1) The confirmation of an application must:

- (a) be made in writing on a form supplied by the department and must be signed by the applicant and the applicant's spouse, if any; and
 - (b) be returned to the department before the end of the month that follows the month in which the application is made.
- (2) Where an applicant fails to return the completed confirmation form to the department within the period mentioned in clause (1)(b), the application is discontinued and will not be processed.
- (3) The confirmation form will include:
- (a) a declaration that the applicant and the applicant's spouse, if any, have reviewed the information set out on the form and the information provided pursuant to section 12 and confirm that it is correct;
 - (b) the consent of the applicant and the applicant's spouse, if any, to the disclosure to the department of personal information with respect to the family unit in the records of government departments and agencies and other bodies for the purpose of determining the eligibility of the family unit to receive the RHS benefit or to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled;
 - (c) the consent of the applicant and the applicant's spouse, if any, to the use of the social insurance numbers and health services numbers of the applicant and the applicant's spouse for the purpose of determining the eligibility of the family unit to receive the RHS benefit or to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled;
 - (d) the consent of the applicant and the applicant's spouse, if any, to an inspection by a representative of the department of the accommodation described in the application as the primary residence of the applicant's family unit or any other accommodation subsequently reported to the department as the primary residence of the family unit to verify any information respecting the accommodation that is necessary to determine the eligibility of the family unit to receive the RHS benefit or to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled; and
 - (e) the information to be provided by the applicant or the applicant's financial institution to make possible the direct deposit of the applicant's RHS benefit in an account of the applicant with that financial institution.

Income information

15(1) Before the end of the month that follows the month in which an application is made, the applicant must:

- (a) by telephone, provide complete information with respect to the gross amounts of the income, other than income from farming or self-employment of the applicant and the applicant's spouse, if any, for the previous month; and
 - (b) if the applicant or the applicant's spouse has any income from farming or self-employment:
 - (i) provide by telephone the gross amount of income from farming and self-employment reported in the return of income filed pursuant to the *Income Tax Act* (Canada) for the preceding taxation year; or
 - (ii) in the case of income from a farm or business in its first calendar year of operation, provide by telephone complete information with respect to the gross income from the farm or business for the previous month.
- (2) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:
- (a) a person other than the applicant to provide the income information required by subsection (1) on behalf of the applicant; or
 - (b) an applicant to provide the income information required by subsection (1) in writing.
- (3) An application is discontinued and will not be processed if:
- (a) the applicant fails to provide the income information required by subsection (1) to the department within the period mentioned in subsection (1); or
 - (b) the applicant or the applicant's spouse has income from a farm or business that has been in operation for more than one calendar year and has not filed a return of income pursuant to the *Income Tax Act* (Canada) with respect to that income.

Determination of eligibility

16(1) The information provided pursuant to sections 12 and 15 will be assessed to determine whether the family unit of an applicant is an eligible family unit.

(2) After an initial determination of eligibility, the eligibility of a family unit to receive the RHS benefit will be reassessed each month to take into account any changes in income, composition of the family unit, type or location of accommodation, amount of rent or any other factor that affects eligibility.

Discrepancies in information

17(1) In this section, "**information holder**" means:

- (a) the Department of Health;
- (b) the Maintenance Enforcement Office continued by *The Enforcement of Maintenance Orders Act, 1997*;

- (c) the Workers' Compensation Board continued by *The Workers' Compensation Act, 1979* or a similar body established by another jurisdiction;
 - (d) any department or agency of the Government of Canada that keeps records pursuant to the *Canada Pension Plan*, the *Old Age Security Act* (Canada) or the *Income Tax Act* (Canada), any department or agency of the Government of Quebec that keeps records pursuant to the *Quebec Pension Plan* or any department or agency of the government of any province or territory that keeps records pursuant to income tax legislation;
 - (e) the Canada Employment Insurance Commission; or
 - (f) an employer of an applicant, a client or a spouse of an applicant or client.
- (2) If there are discrepancies between the information provided by an applicant or client and the information in the records of an information holder:
- (a) the eligibility of the applicant and the amount of the RHS benefit, if any, to which the applicant is entitled will be determined on the basis of the information in the records of the information holder; and
 - (b) the eligibility of the client to continue receiving the RHS benefit and the amount of the client's RHS benefit will be determined on the basis of the information in the records of the information holder until the information holder has corrected that information at the request of the client.

Personal identification number and account number

18 When an application is approved, the client will be assigned a personal identification number and an account number.

Telephone inquiries and reporting

19(1) Subject to subsection (2), a client requesting information about his or her file, reporting monthly income pursuant to section 20, reporting changes pursuant to subsection 21(1) or (2) or making a quarterly report pursuant to section 22 must do so by telephone.

(2) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may accept a written report.

Reporting monthly income, filing tax return

20 If a client or a client's spouse has income from farming or self-employment that is being calculated pursuant to subsection 34(3), the client must:

- (a) report at the beginning of each month the gross amount of all income from farming and self-employment for the previous month, until July of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained; and
- (b) file a return of income pursuant to the *Income Tax Act* (Canada) before the end of June of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained.

Reporting changes

- 21(1)** A client must report to the department any change in monthly income not later than the last day of the month following the month in which the change occurs.
- (2) A client must report, not later than the last day of the month in which the change occurs:
- (a) to the department:
 - (i) any change in the following:
 - (A) in monthly rent;
 - (B) in the type or location of accommodation; or
 - (C) in the condition of the premises if the change in condition presents a serious hazard to the health or safety of persons residing in the accommodation; and
 - (ii) if the type or location of accommodation has changed, the condition of the new accommodation; and
 - (b) to the Department of Health, any changes in the composition of the family unit or the address of the family unit.
- (3) Where a client reports a change in the composition of the family unit that involves the addition of a spouse or a change of spouse, the client must provide confirmation of information respecting the spouse and the spouse's consent in accordance with section 14.

Quarterly report

- 22(1)** In addition to the requirements of section 21, a client must report on a quarterly basis in accordance with this section.
- (2) A form setting out the information that is currently in the client's file will be mailed to the client before the quarterly report is required.
- (3) A client must review the information set out in the form and, in the manner described in section 19, make a quarterly report confirming that the information is correct or notifying the department of any changes in the information.

Late report

- 23(1)** Subject to subsection (2), if a client fails to complete the requirements of section 20, 21 or 22 in the month in which the report is required, the payment of the RHS benefit will be suspended.
- (2) If a client meets the requirements of section 20, 21 or 22 in the month that follows the month in which compliance was required and otherwise remains eligible for the RHS benefit, the client's entitlement to receive the RHS benefit for the month mentioned in subsection (1) will be reinstated.
- (3) If a client fails to meet the requirements of section 20, 21 or 22 by the end of the month that follows the month in which compliance was required, the client's entitlement to receive payments of the RHS benefit terminates in accordance with clause 28(c).

Audit

24(1) For the purpose of monitoring compliance with these regulations, a program manager may at any time, by written notice, require a client, within 21 days after the date of the written notice, to do any or all of the following:

- (a) provide or confirm any information that is necessary to determine the eligibility of the client's family unit or the amount of the RHS benefit payable with respect to the family unit;
 - (b) permit a representative of the department to inspect the accommodation reported as the primary residence of the client's family unit to confirm any information respecting the accommodation that is necessary to determine the eligibility of the client's family unit or the amount of the RHS benefit payable with respect to the family unit.
- (2) If the information provided by the client is complete:
- (a) the eligibility of the client's family unit will be reassessed pursuant to subsection 16(2); and
 - (b) the amount of the RHS benefit will be recalculated pursuant to subsections 25(2) to (4).
- (3) If the information provided by the client is incomplete, the program manager shall send a further written notice to the client requiring the client, within 15 days after the date of the further written notice, to provide the information that is missing.

Calculation of RHS benefit

25(1) The amount of the RHS benefit for a month is calculated in accordance with section 11 based on the income of the family unit in the month preceding the month in which the payment is to be made.

(2) After the initial calculation of the amount of the RHS benefit, the amount is recalculated each month, taking into account any changes in circumstances that affect the amount of the benefit, other than a change in the rent-to-income ratio.

(3) For the purposes of recalculating the amount of the RHS benefit, changes in circumstances are taken into account from the date on which they are reported to the department or received by the department from the Department of Health, as the case may be.

(4) Where a recalculation results in a determination of an underpayment, no payment will be made with respect to the underpayment with respect to the period before the recalculation unless:

- (a) the underpayment is the result of an error made by the department; or
- (b) the program manager is satisfied that the underpayment is the result of an error made by an applicant or client as a result of difficulty in providing information and, in the opinion of the program manager, it would be inappropriate not to make a payment with respect to the underpayment.

Minimum benefit

26 Where the amount of the RHS benefit of an applicant or client calculated pursuant to section 11 is greater than zero but less than \$10 per month, the amount of the RHS benefit is deemed to be \$10 per month.

Payment of RHS benefit

27(1) The RHS benefit will be paid to a client with respect to the month in which an application is made, as calculated pursuant to subsection 25(1), and thereafter on a monthly basis, as recalculated pursuant to subsection 25(2), while the client remains eligible.

(2) Subject to subsection (3), the RHS benefit will be paid to a client only by direct deposit to an account of the client with a financial institution.

(3) A program manager may approve payment directly by cheque to a client:

(a) where the client is unable to obtain an account with a chartered bank, trust company or credit union; or

(b) in other exceptional circumstances where the program manager considers it appropriate to do so.

(4) A written statement of benefits will be provided to a client on request.

Termination of entitlement

28 A client's entitlement to receive payments of the RHS benefit terminates where:

(a) as a result of a change in income, composition of the family unit, type or location of accommodation, condition of accommodation, amount of rent or any other factor that affects eligibility, the client is determined to be no longer eligible for the RHS benefit;

(b) in the opinion of a program manager, the condition of the client's accommodation presents a serious hazard to the health or safety of the client's family unit; or

(c) the client fails:

(i) to meet the requirements of section 21 within the period mentioned in subsection 23(3);

(ii) to complete a quarterly report pursuant to section 22 within the period mentioned in subsection 23(3);

(iii) in the case of a client who is required to report income from farming or self-employment pursuant to section 20:

(A) to complete a monthly income report required by clause 20(a) within the period mentioned in subsection 23(3); or

(B) to file a return of income pursuant to the *Income Tax Act* (Canada) within the period described in clause 20(b);

(iv) to comply with a notice requiring information in accordance with clause 24(1)(a) or subsection 24(3); or

(v) to comply with a notice requiring the client to permit a representative of the department to inspect the client's accommodation in accordance with clause 24(1)(b).

Notice of termination

29 Where a client's entitlement to receive payments of the RHS benefit is terminated for a reason described in section 28, written notice will be given to the client that the client's entitlement to payments of the RHS benefit is terminated.

Effects of termination

30(1) Subject to subsection (2), where a client's entitlement to receive payments of the RHS benefit is terminated, no further payments of the RHS benefit will be made to the client unless:

- (a) on an appeal pursuant to section 38 or 40, it is determined that the client is eligible to receive the RHS benefit; or
- (b) the client re-establishes his or her entitlement to receive the RHS benefit pursuant to section 31.

(2) In the case of a client whose entitlement to receive payments of the RHS benefit is terminated pursuant to clause 28(b), a program manager may authorize the payment of one additional monthly payment of the RHS benefit to the client if, in the opinion of the program manager, it is warranted in the circumstances.

Reinstatement

31(1) A client whose RHS benefit is terminated pursuant to section 28 or who withdraws from the program must request reinstatement if he or she wishes to re-establish his or her entitlement to receive the RHS benefit.

(2) Subject to subsection (3), a request for reinstatement is to be made by telephone, and the information necessary for determining the eligibility of the client for reinstatement is to be confirmed by telephone.

(3) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:

- (a) a person other than the client to request reinstatement on behalf of a family unit; or
- (b) a client to request reinstatement in writing.

(4) Where a client's request for reinstatement is granted:

- (a) the consents given by the client and the client's spouse, if any, pursuant to subsection 14(3) are deemed to be valid; and
- (b) the client must provide income information pursuant to section 15 before payment of the RHS benefit will resume.

PART III**Rules Relating to Calculation of Income****Employment income**

32(1) Where an individual receives employment income on a day other than the regular pay date, the employment income is deemed to be employment income received in the month in which the regular pay date would have occurred.

(2) Actual gratuities received by an individual for labour or personal services are to be included as employment income, to a maximum of 20% of wages received by the individual.

Income received as lump sum

33(1) Subject to subsection (2) and section 34, income in the form of a lump sum payment is apportioned, commencing with the month in which the payment is received, over a number of months equal to the length of the period to which the payment relates, to a maximum of 12 months.

(2) Income in the form of a lump sum payment with respect to an obligation in arrears is included in the calculation of income in the month in which it is received.

Calculation of farming and self-employment income

34(1) In the case of an individual who has filed a return of income pursuant to the *Income Tax Act* (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is the amount FSE, calculated in accordance with the following formula:

$$\text{FSE} = P \times \frac{G}{N}$$

where:

P is either 0.40 or 0.25, whichever results in the determination of the greater combined benefit calculated in accordance with subsection (2);

G is the total of all amounts of gross income from farming and self-employment reported in the return of income for the preceding taxation year; and

N is the number of months in the preceding taxation year in which the individual was engaged in farming or self-employment.

(2) The combined benefit of an individual is the amount CB calculated in accordance with the following formula:

$$\text{CB} = \text{RHS} + \text{DHS} + \text{SES}$$

where:

RHS is the amount of the RHS benefit to which the individual would be entitled pursuant to section 11 if the individual is eligible to receive that benefit;

DHS is the amount of the DHS benefit to which the individual would be entitled pursuant to *The Disability Housing Supplement Regulations*, if the individual is eligible to receive that benefit; and

SES is the amount of the SES benefit to which the individual would be entitled pursuant to *The Employment Supplement Regulations* if the individual is eligible to receive that benefit.

(3) In the case of an individual who has not filed a return of income pursuant to the *Income Tax Act* (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is an amount FSE calculated in accordance with the following formula:

$$\text{FSE} = \text{P} \times \text{G}$$

where:

P is either 0.40 or 0.25, whichever results in the calculation of the greater combined benefit for the month calculated in accordance with subsection (2); and

G is the individual's gross income from farming and self-employment in the previous month.

(4) Where a farm or business operated by an individual is incorporated, the individual's farming and self-employment income will be determined as a share of the gross amount of income of the corporation that is proportionate to the number of shares in the corporation owned by the individual.

PART IV Appeals

Interpretation of Part

35 In this Part:

- (a) “**adjudicator**” means the adjudicator appointed pursuant to section 39;
- (b) “**appellant**” means a person who:
 - (i) appeals a decision to a program manager or designate pursuant to section 38; or
 - (ii) appeals a decision of a program manager or designate to an adjudicator pursuant to section 40.

Advice re right to appeal

36(1) A program manager shall advise clients in writing of their right to appeal decisions described in subsection 37(1).

(2) A program manager shall advise applicants orally, or by supplying them with a brochure, of their right to appeal a decision with respect to an assessment of their eligibility.

Grounds for appeal

37(1) Appeals may be made only with respect to oral or written decisions relating to the following matters:

- (a) assessment of eligibility;
- (b) calculation of the RHS benefit;
- (c) suspension of payment of the RHS benefit;
- (d) termination of entitlement to receive the RHS benefit;
- (e) overpayments.

(2) For the purposes of clause (1)(b) and subsection 38(1), payment of the RHS benefit is deemed to be a decision with respect to the calculation of the RHS benefit, and the date of payment is deemed to be the date of the decision.

(3) Subject to subsection (4), an appeal may be commenced only by a client or by a person with authority pursuant to an Act or a court order to act on behalf of a client.

(4) An appeal may be commenced with respect to the assessment of eligibility by an applicant or by a person with authority pursuant to an Act or a court order to act on behalf of an applicant.

Appeal to program manager

38(1) An appellant may appeal a decision mentioned in subsection 37(1) to a program manager or a program manager's designate by submitting to the program manager a written notice of appeal within 30 days after the date of the decision.

(2) An appellant must provide any written documentation in support of the appeal when submitting the notice of appeal.

(3) Within 20 days after receiving a notice of appeal, a program manager or designate shall:

(a) consider the appeal and make a decision; and

(b) mail to the appellant a copy of the decision together with written reasons for the decision.

Adjudicator

39(1) The minister shall appoint an adjudicator for the purpose of considering and determining appeals pursuant to section 40.

(2) The department shall provide the adjudicator with any clerical and other support that is needed for carrying out the duties of the adjudicator pursuant to these regulations.

Appeal to adjudicator

40(1) An appellant may appeal a decision of a program manager or designate pursuant to clause 38(3)(a) to the adjudicator by filing a notice of appeal, together with any written submissions and materials in support of the appeal, with the department within 30 days after the date of the decision.

(2) The department shall promptly transmit to the adjudicator any notice of appeal filed pursuant to subsection (1), together with any written submissions and materials filed in support of the appeal.

(3) As soon as is practicable after a notice of appeal filed pursuant to subsection (1) is transmitted to the adjudicator, the adjudicator shall provide the program manager or designate with a copy of the notice of appeal and any written submissions and materials filed by the appellant.

(4) The program manager or designate shall:

(a) file any written submissions and materials in support of the decision that is the subject of the appeal within seven days after receiving a copy of the notice of appeal; and

(b) as soon as is practicable, provide the appellant with a copy of the submissions and materials mentioned in clause (a).

- (5) An appeal pursuant to this section is to be based on the written submissions of the appellant and the program manager or designate.
- (6) The adjudicator shall review the decision and the submissions of the parties and may require the parties to provide further information.
- (7) The adjudicator shall make a decision within 20 days after the day on which the notice of appeal is transmitted to the adjudicator and provide the parties with a copy of the decision, together with written reasons for the decision.
- (8) The decision of an adjudicator is final and there is no further right of appeal.

Benefits to successful appellant

41(1) Where an appellant who was receiving the RHS benefit before the commencement of an appeal pursuant to section 38 is successful on the appeal or on a further appeal pursuant to section 40, and it is determined that the appellant is entitled to receive the RHS benefit in an amount greater than the amount actually received, the appellant is entitled to receive a payment in an amount equal to the difference between the total of the amounts actually received and the total of the amounts to which the appellant is determined to be entitled.

(2) Where an appellant whose application for the RHS benefit was refused is successful on an appeal pursuant to section 38 or on a further appeal pursuant to section 40, and it is determined that the appellant is entitled to receive the RHS benefit, the appellant is entitled to receive a payment in an amount equal to the total of the amounts of the RHS benefit that the appellant would have received if the appellant's application for the RHS benefit had been approved.

PART V General

Supplementary health benefits

42 Supplementary health benefits specified in the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66, may be provided to a client and members of a client's eligible family unit.

Overpayments

43(1) Overpayments will be deducted from the next regular payment.

(2) Subject to subsection (3), if the amount of an overpayment exceeds the amount of the RHS benefit payable in the next regular payment, the remainder of the overpayment will be recovered by deduction from succeeding regular payments until the entire amount of the overpayment is recovered.

(3) Where, in the opinion of the program manager, exceptional circumstances exist, the program manager may reduce the rate at which overpayments are recovered from a client.

Coming into force

44(1) Subject to subsection (2), these regulations come into force on April 1, 2005.

(2) If these regulations are filed with the Registrar of Regulations after April 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

TABLE 1
[Clause 6(3)(d) and subsection 9(3)]
**Factors Determining Levels of Rent -
 Warm (Rent Including Heating Costs)**

Family Composition, Category of Client	Minimum Qualifying Rent	Maximum Level 1 Rent	Maximum Level 2 Rent
<u>Category A clients with</u>			
1 or 2 children	\$414	\$442	\$471
3 or 4 children	479	512	546
5 or more children	529	565	602
<u>Category B clients with</u>			
1 or 2 children	\$367	\$392	\$418
3 or 4 children	429	458	488
5 or more children	479	512	546
<u>Category C clients with</u>			
1 or 2 children	\$355	\$379	\$404
3 or 4 children	395	422	450
5 or more children	434	464	495
<u>Category D clients with</u>			
1 or 2 children	\$289	\$308	\$328
3 or 4 children	328	350	373
5 or more children	398	425	453

TABLE 2
 [Clause 6(3)(d) and subsection 9(4)]
**Factors Determining Levels of Rent -
 Cold (Rent Not Including Heating Costs)**

Family Composition, Category of Client	Minimum Qualifying Rent	Maximum Level 1 Rent	Maximum Level 2 Rent
<u>Category A clients with</u>			
1 or 2 children	\$351	\$379	\$408
3 or 4 children	402	435	469
5 or more children	445	481	518
<u>Category B clients with</u>			
1 or 2 children	\$304	\$329	\$355
3 or 4 children	352	381	411
5 or more children	395	428	462
<u>Category C clients with</u>			
1 or 2 children	\$292	\$316	\$341
3 or 4 children	318	345	373
5 or more children	350	380	411
<u>Category D clients with</u>			
1 or 2 children	\$226	\$245	\$265
3 or 4 children	251	273	296
5 or more children	314	341	369

TABLE 3
[Clause 6(3)(e)]

Maximum Eligible Income (Monthly)

Family Composition, Category of Client	Level 1 Rent (warm or cold)	Level 2 Rent (warm or cold)	Level 3 Rent (warm or cold)
<u>Category A clients</u>			
Single parent with:			
1 or 2 children	\$1,141	\$1,383	\$1,641
3 or 4 children	1,283	1,566	1,850
5 or more children	1,358	1,666	1,991
Two parents with:			
1 or 2 children	\$1,341	\$1,583	\$1,841
3 or 4 children	1,483	1,766	2,050
5 or more children	1,558	1,866	2,191
<u>Category B clients</u>			
Single parent with:			
1 or 2 children	\$1,116	\$1,333	\$1,550
3 or 4 children	1,250	1,500	1,766
5 or more children	1,333	1,616	1,900
Two parents with:			
1 or 2 children	\$1,316	\$1,533	\$1,750
3 or 4 children	1,450	1,700	1,966
5 or more children	1,533	1,816	2,100
<u>Category C clients</u>			
Single parent with:			
1 or 2 children	\$1,108	\$1,316	\$1,533
3 or 4 children	1,233	1,466	1,700
5 or more children	1,308	1,566	1,825
Two parents with:			
1 or 2 children	\$1,308	\$1,516	\$1,733
3 or 4 children	1,433	1,666	1,900
5 or more children	1,508	1,766	2,025
<u>Category D clients</u>			
Single parent with:			
1 or 2 children	\$1,066	\$1,233	\$1,416
3 or 4 children	1,191	1,383	1,583
5 or more children	1,283	1,516	1,758
Two parents with:			
1 or 2 children	\$1,266	\$1,433	\$1,616
3 or 4 children	1,391	1,583	1,783
5 or more children	1,483	1,716	1,958

TABLE 4
[Subsection 11(1)]

Maximum RHS Benefit (Monthly)

Family Composition, Category of Client	Level 1 Rent (warm or cold)	Level 2 Rent (warm or cold)	Level 3 Rent (warm or cold)
<u>Category A clients with</u>			
1 or 2 children	\$29	\$58	\$ 89
3 or 4 children	34	68	102
5 or more children	37	74	113
<u>Category B clients with:</u>			
1 or 2 children	\$26	\$52	\$ 78
3 or 4 children	30	60	92
5 or more children	34	68	102
<u>Category C clients with:</u>			
1 or 2 children	\$25	\$50	\$76
3 or 4 children	28	56	84
5 or more children	31	62	93
<u>Category D clients with:</u>			
1 or 2 children	\$20	\$40	\$62
3 or 4 children	23	46	70
5 or more children	28	56	85

TABLE 5
[Subsection 11(3)]

Income Turning Points

Family Composition	Income Turning Point
<u>Single parent with:</u>	
1 or 2 children	\$ 900
3 or 4 children	1,000
5 or more children	1,050
<u>Two parents with:</u>	
1 or 2 children	\$1,100
3 or 4 children	1,200
5 or more children	1,250

TABLE 6
[Subsection 11(4)]
SAP/TEA Adjustment

Family Composition, <u>Category of Client</u>	<u>Amount of Adjustment</u>
<u>Category A clients with:</u>	
1 or 2 children	\$ 0
3 or 4 children	\$ 0
5 or more children	\$ 0
<u>Category B clients with:</u>	
1 or 2 children	\$44
3 or 4 children	\$42
5 or more children	\$ 2
<u>Category C clients with:</u>	
1 or 2 children	\$26
3 or 4 children	\$41
5 or more children	\$27
<u>Category D clients with:</u>	
1 or 2 children	\$82
3 or 4 children	\$83
5 or more children	\$38

CHAPTER S-8 REG 8*The Saskatchewan Assistance Act*

Section 14

Order in Council 293/2005, dated April 5, 2005

(Filed April 6, 2005)

PART I

Preliminary Matters**Title**

1 These regulations may be cited as *The Disability Housing Supplement Regulations*.

Interpretation

2(1) In these regulations:

(a) **“accessibility support”** means a physical feature of a dwelling that is designed to assist a person with a mobility limitation to enter the dwelling, leave the dwelling, move about within a room or between rooms or floors of the dwelling or move to or from an attached balcony, porch or similar structure or an adjacent courtyard or garden;

(b) **“accessibility support supplement”** means the benefit to which a client may be entitled if the client’s family unit falls within any of the categories set out in subsection 6(1);

(c) **“Act”** means *The Saskatchewan Assistance Act*;

(d) **“applicant”** means an individual who applies for the DHS benefit pursuant to section 16;

(e) **“benefit month”** means the calendar month for which the DHS benefit is being calculated;

(f) **“category A client”** means a client who resides in the City of Lloydminster, the City of Regina or the City of Saskatoon;

(g) **“category B client”** means a client who resides in the Northern Town of Creighton, the City of Estevan, the Town of Kindersley, the Northern Village of La Loche, the Northern Town of La Ronge, the Town of Lumsden, the Town of Macklin, the Town of Martensville, the City of Melville, the City of Prince Albert, the Town of Rosetown, the Town of Warman, the City of Weyburn or the City of Yorkton;

(h) **“category C client”** means a client who resides in the Town of Battleford, the Town of Dalmeny, the Town of Fort Qu’Appelle, the City of Humboldt, the Town of Meadow Lake, the City of Melfort, the City of Moose Jaw, the City of North Battleford, the City of Swift Current or the Town of Watrous;

(i) **“category D client”** means a client who resides anywhere in Saskatchewan other than in a place mentioned in clause (f), (g) or (h);

(j) **“child”** means an individual who is less than 18 years of age;

- (k) “**client**” means an individual whose application for the DHS benefit has been accepted;
- (l) “**DHS benefit**” means the benefit calculated in accordance with section 15;
- (m) “**disability housing support**” means any of the following that are made or provided for the purpose of assisting an individual with a physical disability in carrying out the activities of daily living:
- (i) a structural modification to:
 - (A) the interior or the exterior of a dwelling unit;
 - (B) the interior or the exterior of a building containing a dwelling unit; or
 - (C) the land on which a dwelling unit or a building containing a dwelling unit is situated;
 - (ii) the installation in a dwelling unit of a fixture, device or system;
 - (iii) a modification of a fixture, device or system installed in a dwelling unit;
 - (iv) the accommodation of a service animal;
- (n) “**eligible category of family unit**” means:
- (i) a category of family unit set out in subsection 6(1) that is eligible to receive the accessibility support supplement; or
 - (ii) a category of family unit set out in subsection 6(2) that is eligible to receive the physical support supplement;
- (o) “**eligible family unit**” means a family unit that meets the requirements of section 7;
- (p) “**eligible income**” means eligible income calculated in accordance with section 12;
- (q) “**eligible individual**” means an individual who is determined to be an eligible individual pursuant to section 8;
- (r) “**eligible rented accommodation**” means accommodation that meets the requirements of section 10;
- (s) “**family income**” is the total of all amounts that would be taxable as income pursuant to the *Income Tax Act* (Canada) and that, subject to sections 36 to 38, are received by the applicant or client and the spouse, if any, of the applicant or client in a month;
- (t) “**family unit**” means a family unit within the meaning of section 5;
- (u) “**health services number**” means a unique number assigned to an individual who is or was registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*;
- (v) “**income turning point**” means the maximum monthly amount of eligible income that a client’s family unit may receive without causing a reduction in the amount of the client’s DHS benefit pursuant to subsection 15(3);

- (w) **“insured services”** means insured services as defined in *The Saskatchewan Medical Care Insurance Act*;
- (x) **“level of rent”** means level of rent determined in accordance with section 11;
- (y) **“maintenance income”** means any gross amount that is paid pursuant to:
- (i) a maintenance order, whether received directly from the respondent, collected by the Maintenance Enforcement Office and subsequently remitted to the applicant or client or spouse of the applicant or client or collected by the Maintenance Enforcement Office and subsequently deposited to the general revenue fund; or
 - (ii) a maintenance agreement in writing that is not included within the definition of “maintenance order”;
- (z) **“maintenance order”** means a maintenance order as defined in *The Enforcement of Maintenance Orders Act, 1997*;
- (aa) **“physical support”** means a built-in feature of, or fixed attachment to, a dwelling, other than an accessibility support, that is intended to assist a person with a physical disability to carry out everyday activities associated with independent living;
- (bb) **“physical support supplement”** means the benefit to which a client may be entitled if the client’s family unit falls within any of the categories set out in subsection 6(2);
- (cc) **“preceding taxation year”** means:
- (i) with respect to an applicant or the spouse of an applicant, the taxation year ended immediately preceding the beginning of the program year in which the applicant applies for the DHS benefit; and
 - (ii) with respect to a client or the spouse of a client, the taxation year ended immediately preceding the beginning of the program year in which the income of the client or spouse is being calculated;
- (dd) **“program”** means the Disability Housing Supplement Program established pursuant to section 3;
- (ee) **“program year”** means a period commencing on July 1 in one year and ending on June 30 in the following year;
- (ff) **“qualifying individual”** means an individual who is determined to be a qualifying individual pursuant to section 9;
- (gg) **“qualifying physical disability”** means a physical disability that:
- (i) results in a need for a disability housing support to assist the individual with the disability in carrying out the activities of daily living; and
 - (ii) at the time of application, is at least one year in duration;
- (hh) **“rent-to-income ratio”** means the ratio of the monthly amount of rent paid by an applicant or client to the eligible income of the applicant or client for the month, expressed as a percentage;

- (ii) “**reserve**” means a reserve within the meaning of the *Indian Act* (Canada);
- (jj) “**respondent**” means a respondent as defined in *The Enforcement of Maintenance Orders Act, 1997*;
- (kk) “**SAP**” means assistance granted pursuant to The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66;
- (ll) “**Saskatchewan Health Services card**” means a card issued pursuant to section 6.5 of *The Department of Health Act*;
- (mm) “**taxation year**” means taxation year as defined in the *Income Tax Act* (Canada);
- (nn) “**TEA**” means a transitional employment allowance granted pursuant to *The Transitional Employment Allowance Regulations*.
- (2) In these regulations, a reference to a table is a reference to a table set out in the Appendix.
- (3) For the purposes of these regulations, a person is deemed to be under 18 years of age during the entire month in which the person attains the age of 18 years.
- (4) For the purposes of these regulations:
- (a) a reference to an amount of income is deemed to be a reference to an amount in whole dollars that is obtained by subtracting the number of cents less than one dollar in the actual amount of income from the actual amount; and
- (b) all calculations involving amounts of income are to be carried out using the amounts in whole dollars determined in accordance with clause (a).

PART II

Disability Housing Supplement Program

Program established and designated

- 3(1) The Disability Housing Supplement Program is established.
- (2) The program is designated as an income-tested program for the purposes of clause 2(c.01) of the Act.
- (3) The program consists of two components:
- (a) an accessibility support supplement; and
- (b) a physical support supplement.
- (4) Pursuant to the program, a client is entitled to receive only one of the two supplements mentioned in subsection (3), whichever is the greater, notwithstanding that the client may meet the eligibility criteria for both supplements.

Eligibility

4(1) The DHS benefit is payable to clients:

- (a) with respect to family units that:
 - (i) belong to an eligible category of family units in accordance with section 6;
 - (ii) are determined to be eligible family units in accordance with section 7; and
 - (iii) contain a qualifying individual in accordance with section 9; and
- (b) only with respect to individuals who are determined to be eligible individuals in accordance with section 8.

(2) The DHS benefit continues to be payable to a client until the client's entitlement to receive payments is terminated pursuant to section 32.

Composition of family units

5(1) A family unit consists of:

- (a) an individual who is an applicant or client and who has been assigned a health services number by the Department of Health;
- (b) the spouse, if any, of the applicant or client; and
- (c) the children, if any, of the applicant or client or of the spouse of the applicant or client, including any children to whom the applicant or client or the spouse of the applicant or client stands *in loco parentis*.

(2) An individual described in clause (1)(a) who has no spouse or children constitutes a family unit for the purposes of the program.

Eligible categories of family units

6(1) The following categories of family units are eligible to receive the accessibility support supplement:

- (a) family units that:
 - (i) consist of a single individual who is a qualifying individual; and
 - (ii) pay a level 1 rent, a level 2 rent or a level 3 rent;
- (b) family units that:
 - (i) consist of a couple, one member of which is a qualifying individual;
 - (ii) include no children; and
 - (iii) pay a level 1 rent, a level 2 rent or a level 3 rent;
- (c) family units that:
 - (i) include children;
 - (ii) include a qualifying individual; and
 - (iii) pay a level 3 rent.

(2) The following categories of family units are eligible to receive the physical support supplement:

- (a) family units that:
 - (i) consist of a single individual who is a qualifying individual; and
 - (ii) pay a level 1 rent, a level 2 rent or a level 3 rent;
- (b) family units that:
 - (i) consist of a couple, one member of which is a qualifying individual;
 - (ii) include no children; and
 - (iii) pay a level 1 rent, a level 2 rent or a level 3 rent.

Eligible family units

7(1) An eligible family unit includes only those members of a family unit who are eligible individuals.

(2) Unless otherwise provided, the fact that one member of a family unit is not an eligible individual does not prevent the other members of the family unit from being considered an eligible family unit.

(3) In order for the family unit of an applicant to be an eligible family unit:

- (a) the applicant and the spouse, if any, of the applicant must have a valid social insurance number assigned pursuant to the authority of any Act of the Parliament of Canada;
- (b) the family unit must include an eligible individual who has a qualifying physical disability;
- (c) the family unit must be residing in eligible rented accommodation, and the eligible rented accommodation must be the primary residence of the family unit;
- (d) in relation to the accessibility support supplement, the monthly rent being paid for the eligible rented accommodation must be not less than the minimum qualifying rent set out in Table 1 or Table 2, determined on the basis of:
 - (i) the composition of the family unit;
 - (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant is accepted as a client; and
 - (iii) whether or not the rent being paid includes heating costs;
- (e) in relation to the physical support supplement, the monthly rent being paid for the eligible rented accommodation must be not less than the minimum qualifying rent set out in Table 3 or Table 4, determined on the basis of:
 - (i) the composition of the family unit;

- (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant is accepted as a client; and
 - (iii) whether or not the rent being paid includes heating costs;
- (f) in relation to the accessibility support supplement, the eligible income of the family unit in a month, determined in accordance with section 12, must not exceed the maximum eligible income set out in Table 5 on the basis of:
- (i) the composition of the family unit;
 - (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant is accepted as a client; and
 - (iii) the level of rent being paid;
- (g) in relation to the physical support supplement, the eligible income of the family unit in a month, determined in accordance with section 12, must not exceed the maximum eligible income set out in Table 6 on the basis of:
- (i) the composition of the family unit;
 - (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant is accepted as a client; and
 - (iii) the level of rent being paid; and
- (h) in the case of an applicant who is not receiving SAP or TEA, the rent-to-income ratio of the family unit must exceed:
- (i) 31% if the rent paid includes heating costs; or
 - (ii) 26% if the rent paid does not include heating costs.

Eligible individuals

8(1) Subject to this section, an individual is an eligible individual if the individual is eligible to receive insured services as a resident or beneficiary pursuant to *The Saskatchewan Medical Care Insurance Act* and *The Medical Care Insurance Beneficiary and Administration Regulations*.

(2) Where an individual who enters Saskatchewan and establishes residence in Saskatchewan applies for a Saskatchewan Health Services Card, the individual becomes an eligible individual when a health services number is assigned, even if the individual is not entitled to receive insured services for a period after entering Saskatchewan.

(3) An individual who leaves Saskatchewan to establish residence outside of Saskatchewan ceases to be an eligible individual when the individual leaves Saskatchewan, even if the individual is entitled to receive insured services for a period after leaving Saskatchewan.

(4) The following are not eligible individuals, whether or not they are eligible to receive insured services:

(a) an individual who is sentenced to a term of imprisonment of more than 30 days in:

- (i) a correctional facility as defined in *The Correctional Services Act*; or
- (ii) a custody facility as defined in *The Youth Justice Administration Act*;

(b) an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);

(c) a child in the care of the minister within the meaning of *The Child and Family Services Act*;

(d) a child in the care of an agency that has entered into an agreement pursuant to section 61 of *The Child and Family Services Act*;

(e) a non-immigrant as defined in *The Medical Care Insurance Beneficiary and Administration Regulations* to whom subsection 6(3) of those regulations applies;

(f) an individual whose application for landing was sponsored pursuant to subsection 13(1) or (2) of the *Immigration and Refugee Protection Act* (Canada), during the period of sponsorship;

(g) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program;

(h) subject to clause (5)(c), an individual who has been outside of Saskatchewan, whether temporarily or on a permanent basis, for a period greater than 90 consecutive days.

(5) The following are eligible individuals, whether or not they are entitled to receive insured services:

(a) a member of the Royal Canadian Mounted Police who establishes residence in Saskatchewan;

(b) a member of the Canadian Forces who establishes residence in Saskatchewan;

(c) an individual described in clause (4)(h) where, in the opinion of a program manager, exceptional circumstances exist.

Qualifying individuals

9(1) For the purposes of the accessibility support supplement, an individual is a qualifying individual if:

(a) the individual is an eligible individual who has a physical disability; and

(b) in the opinion of a program manager, the individual's physical disability is of a type that would benefit from the provision of an accessibility support.

(2) For the purposes of the physical support supplement, an individual is a qualifying individual if:

- (a) the individual is an eligible individual who has a physical disability; and
- (b) in the opinion of a program manager, the individual's physical disability is of a type that would benefit from the provision of a physical support.

Eligible rented accommodation

10(1) In order for rented accommodation to be eligible rented accommodation:

- (a) at the time of an application for the DHS benefit, at least one disability housing support that relates to the disability of the qualifying individual has previously been installed or provided in or on the premises; and
- (b) a program manager must be of the opinion that the condition of the premises:
 - (i) does not present a serious hazard to the health or safety of persons residing in the accommodation; and
 - (ii) is sufficiently good to warrant an expenditure on additional disability housing supports.

(2) For the purposes of these regulations, the following types of accommodation are not eligible rented accommodation:

- (a) accommodation in:
 - (i) an approved home as defined in *The Mental Health Services Act*;
 - (ii) a facility as defined in *The Regional Health Services Act* that is operated by a regional health authority or an affiliate as defined in that Act;
 - (iii) a personal care home as defined in *The Personal Care Homes Act*;
 - (iv) a private-service home or a residential service facility as defined in *The Residential Services Act*; or
 - (v) any other home or facility that provides both accommodation and some degree of supervision, personal care or individual programming for persons in need of those additional services;
- (b) accommodation the payment for which includes the provision of meals;
- (c) accommodation in a communal living arrangement.

Levels of rent

11(1) The following levels of rent are established:

- (a) level 1 (warm);
- (b) level 1 (cold);
- (c) level 2 (warm);
- (d) level 2 (cold);
- (e) level 3 (warm);
- (f) level 3 (cold).

- (2) Each level of rent includes a range of rents for each of the following variables:
- (a) family composition; and
 - (b) the category of client into which an individual would be placed, in relation to the location of the rented accommodation occupied by the individual's family unit as its primary residence, if the individual were accepted as a client.
- (3) Except as provided in clause (5)(a), for the purposes of the accessibility support supplement, an individual whose rent includes heating costs is paying:
- (a) a level 1 (warm) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent set out in Table 1 but does not exceed the maximum level 1 rent set out in that table for the variables applicable to the individual;
 - (b) a level 2 (warm) rent if the monthly amount of the rent being paid is greater than the maximum level 1 rent set out in Table 1 but does not exceed the maximum level 2 rent set out in that table for the variables applicable to the individual; or
 - (c) a level 3 (warm) rent if the monthly amount of the rent being paid is greater than the maximum level 2 rent set out in Table 1 for the variables applicable to the individual.
- (4) Except as provided in clause (5)(b), for the purposes of the accessibility support supplement, an individual whose rent does not include heating costs is paying:
- (a) a level 1 (cold) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent set out in Table 2 but does not exceed the maximum level 1 rent set out in that table for the variables applicable to the individual;
 - (b) a level 2 (cold) rent if the monthly amount of the rent being paid is greater than the maximum level 1 rent set out in Table 2 but does not exceed the maximum level 2 rent set out in that table for the variables applicable to the individual; or
 - (c) a level 3 (cold) rent if the monthly amount of the rent being paid is greater than the maximum level 2 rent set out in Table 2 for the variables applicable to the individual.
- (5) For the purposes of the accessibility support supplement, an individual with children is paying:
- (a) a level 3 (warm) rent if the monthly amount of the rent being paid includes heating costs and is equal to or greater than the minimum qualifying rent set out in Table 1 for the variables applicable to the individual; or
 - (b) a level 3 (cold) rent if the monthly amount of the rent being paid does not include heating costs and is equal to or greater than the minimum qualifying rent set out in Table 2 for the variables applicable to the individual.

(6) For the purposes of the physical support supplement, an individual whose rent includes heating costs is paying:

(a) a level 1 (warm) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent set out in Table 3 but does not exceed the maximum level 1 rent set out in that table for the variables applicable to the individual;

(b) a level 2 (warm) rent if the monthly amount of the rent being paid is greater than the maximum level 1 rent set out in Table 3 but does not exceed the maximum level 2 rent set out in that table for the variables applicable to the individual; or

(c) a level 3 (warm) rent if the monthly amount of the rent being paid is greater than the maximum level 2 rent set out in Table 3 for the variables applicable to the individual.

(7) For the purposes of the physical support supplement, an individual whose rent does not include heating costs is paying:

(a) a level 1 (cold) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent set out in Table 4 but does not exceed the maximum level 1 rent set out in that table for the variables applicable to the individual;

(b) a level 2 (cold) rent if the monthly amount of the rent being paid is greater than the maximum level 1 rent set out in Table 4 but does not exceed the maximum level 2 rent set out in that Table for the variables applicable to the individual; or

(c) a level 3 (cold) rent if the monthly amount of the rent being paid is greater than the maximum level 2 rent set out in Table 4 for the variables applicable to the individual.

Eligible income

12 The eligible income of a family unit in a month is the amount E, calculated in accordance with the following formula:

$$E = F + EI + CPP + WC + OAS + SIP + M$$

where:

F is the family income of the family unit for the previous month;

EI is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to Parts I and II of the *Employment Insurance Act* (Canada), but not including allowances pursuant to Part II of that Act;

CPP is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits, other than orphan's benefits, pursuant to the *Canada Pension Plan* or the *Quebec Pension Plan*;

WC is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to *The Workers' Compensation Act, 1979* or similar legislation of another jurisdiction;

OAS is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month pursuant to the *Old Age Security Act* (Canada), whether as a pension, supplement or allowance;

SIP is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to *The Saskatchewan Income Plan Act*; and

M is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as maintenance income.

Maximum accessibility support supplement

13 If an eligible family unit is entitled to receive an accessibility support supplement, the amount of the maximum accessibility support supplement to which the eligible family unit may be entitled is the amount set out in Table 7, determined on the basis of:

- (a) the composition of the eligible family unit;
- (b) the category of the client; and
- (c) the level of rent being paid by the client.

Maximum physical support supplement

14 If an eligible family unit is entitled to receive a physical support supplement, the amount of the maximum physical support supplement to which the eligible family unit may be entitled is the amount set out in Table 8, determined on the basis of:

- (a) the composition of the eligible family unit;
- (b) the category of the client; and
- (c) the level of rent being paid by the client.

Amount of DHS benefit

15(1) The amount of the maximum DHS benefit to which an eligible family unit may be entitled is:

- (a) the amount of the maximum accessibility support supplement to which the family unit would be entitled for the benefit month without reduction or adjustment, determined in accordance with section 13, if the family unit is eligible to receive the accessibility support supplement pursuant to subsection 6(1);
- (b) the amount of the maximum physical support supplement to which the family unit would be entitled for the benefit month without reduction or adjustment, determined in accordance with section 14, if the family unit is eligible to receive the physical support supplement pursuant to subsection 6(2); or
- (c) the greater of the maximum accessibility support supplement, determined in accordance with section 13, and the maximum physical support supplement, determined in accordance with section 14, if the family unit is eligible pursuant to both subsection 6(1) and subsection 6(2).

(2) The actual amount of the DHS benefit to which an eligible family unit is entitled for a benefit month is the amount DHS calculated in accordance with the following formula:

$$\text{DHS} = \text{DHS}_{\text{Max}} - (\text{R} + \text{A})$$

where:

DHS_{Max} is the amount of the maximum DHS benefit to which the eligible family unit would be entitled for the benefit month without reduction or adjustment, determined in accordance with subsection (1);

R is the amount, if any, by which the eligible family unit's maximum DHS benefit is to be reduced for the benefit month, determined in accordance with subsection (3); and

A is the amount, if any, by which the eligible family unit's maximum DHS benefit is to be adjusted for the benefit month, determined in accordance with subsection (4), if a member of the eligible family unit is receiving SAP or TEA.

(3) The amount, if any, by which an eligible family unit's maximum DHS benefit is to be reduced for a benefit month is the amount R, if it is positive, calculated in accordance with the following formula:

$$\text{R} = \text{RR}\% \times (\text{E} - \text{ITP})$$

where:

RR is the reduction rate set out in Table 9, determined on the basis of:

- (a) the composition of the family unit; and
- (b) the type of supplement for which the calculation is being made;

E is the eligible income of the eligible family unit for the benefit month; and

ITP is the income turning point set out in Table 10 for the composition of the family unit.

(4) If an individual who is a member of an eligible family unit is receiving SAP or TEA, the amount of the eligible family unit's maximum DHS benefit is to be reduced by the amount of the SAP/TEA adjustment set out in Table 11, determined on the basis of:

- (a) the composition of the eligible family unit; and
- (b) the category of the client.

Application

16(1) One member of a family unit may apply for the DHS benefit on behalf of the family unit.

(2) An applicant must:

(a) apply to the department by telephone and provide the information requested that is necessary to establish the eligibility of the applicant's family unit to receive the DHS benefit, including, without limiting the generality of the foregoing:

- (i) the composition of the applicant's family unit;

- (ii) the type and duration of any physical disability of a member of the applicant's family unit; and
 - (iii) with respect to the accommodation occupied by the applicant's family unit as its primary residence:
 - (A) the type and condition of the accommodation;
 - (B) the location of the accommodation;
 - (C) any disability housing support made or provided in the accommodation;
 - (D) the amount per month being paid as rent for the accommodation; and
 - (E) whether the amount being paid as rent includes payment for the provision of heating;
 - (b) orally give consent to the inspection of the accommodation by a representative of the department to verify the information mentioned in subclause (a)(iii);
 - (c) orally declare whether or not any member of the applicant's family unit is receiving SAP or TEA; and
 - (d) orally provide the health services numbers of the applicant and the applicant's spouse, if any, and give consent to their use for the purposes of section 8.
- (3) If, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:
- (a) a person other than a member of the family unit to apply for the DHS benefit on behalf of a family unit; or
 - (b) an applicant to make an application in writing.

Confirmation and income information required

17 An applicant who wishes to proceed with an application, and the applicant's spouse, if any, must provide:

- (a) confirmation of the application in accordance with section 18; and
- (b) information respecting their incomes in accordance with section 19.

Confirmation of application

18(1) The confirmation of an application must:

- (a) be made in writing on a form supplied by the department and must be signed by the applicant and the applicant's spouse, if any; and
 - (b) be returned to the department before the end of the month that follows the month in which the application is made.
- (2) Where an applicant fails to return the completed confirmation form to the department within the period mentioned in clause (1)(b), the application is discontinued and will not be processed.

- (3) The confirmation form will include:
- (a) a declaration that the applicant and the applicant's spouse, if any, have reviewed the information set out on the form and the information provided pursuant to section 16 and confirm that it is correct;
 - (b) the consent of the applicant and the applicant's spouse, if any, to the disclosure to the department of personal information with respect to the family unit in the records of government departments and agencies and other bodies for the purpose of determining the eligibility of the family unit to receive the DHS benefit or to continue receiving the DHS benefit and the amount of the DHS benefit to which the family unit may be entitled;
 - (c) the consent of the applicant and the applicant's spouse, if any, to the use of the social insurance numbers and health services numbers of the applicant and the applicant's spouse for the purpose of determining the eligibility of the family unit to receive the DHS benefit or to continue receiving the DHS benefit and the amount of the DHS benefit to which the family unit may be entitled;
 - (d) the consent of the applicant and the applicant's spouse, if any, to an inspection by a representative of the department of the accommodation described in the application as the primary residence of the applicant's family unit or any other accommodation subsequently reported to the department as the primary residence of the family unit to verify any information respecting the accommodation that is necessary to determine the eligibility of the applicant's family unit to receive the DHS benefit or the amount of the DHS benefit payable with respect to the family unit; and
 - (e) the information to be provided by the applicant or the applicant's financial institution to make possible the direct deposit of the applicant's DHS benefit in an account of the applicant with that financial institution.

Income information

19(1) Before the end of the month that follows the month in which an application is made, the applicant must:

- (a) by telephone, provide complete information with respect to the gross amounts of the income, other than income from farming or self-employment, of the applicant and the applicant's spouse, if any, for the previous month; and
- (b) if the applicant or the applicant's spouse has any income from farming or self-employment:
 - (i) provide by telephone the gross amount of income from farming and self-employment reported in the return of income filed pursuant to the *Income Tax Act* (Canada) for the preceding taxation year; or
 - (ii) in the case of income from a farm or business in its first calendar year of operation, provide by telephone complete information with respect to the gross income from the farm or business for the previous month.

(2) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:

(a) a person other than the applicant to provide the income information required by subsection (1) on behalf of the applicant; or

(b) an applicant to provide the income information required by subsection (1) in writing.

(3) An application is discontinued and will not be processed if:

(a) the applicant fails to provide the income information required by subsection (1) to the department within the period mentioned in subsection (1); or

(b) the applicant or the applicant's spouse has income from a farm or business that has been in operation for more than one calendar year and has not filed a return of income pursuant to the *Income Tax Act* (Canada) with respect to that income.

Determination of eligibility

20(1) The information provided pursuant to sections 16 and 19 will be assessed to determine whether the family unit of an applicant is an eligible family unit.

(2) After an initial determination of eligibility, the eligibility of a family unit to receive the DHS benefit will be reassessed each month to take into account any changes in income, composition of the family unit, any disability of a member of the family unit, type or location of accommodation, condition of accommodation, disability housing supports made or provided, amount of rent or any other factor that affects eligibility.

Discrepancies in information

21(1) In this section, "**information holder**" means:

(a) the Department of Health;

(b) the Maintenance Enforcement Office continued by *The Enforcement of Maintenance Orders Act, 1997*;

(c) the Workers' Compensation Board continued by *The Workers' Compensation Act, 1979* or a similar body established by another jurisdiction;

(d) any department or agency of the Government of Canada that keeps records pursuant to the *Canada Pension Plan*, the *Old Age Security Act* (Canada) or the *Income Tax Act* (Canada), any department or agency of the Government of Quebec that keeps records pursuant to the *Quebec Pension Plan* or any department or agency of the government of any province or territory that keeps records pursuant to income tax legislation;

(e) the Canada Employment Insurance Commission; or

(f) an employer of an applicant, a client or a spouse of an applicant or client.

(2) If there are discrepancies between the information provided by an applicant or client and the information in the records of an information holder:

- (a) the eligibility of the applicant and the amount of the DHS benefit, if any, to which the applicant is entitled will be determined on the basis of the information in the records of the information holder; and
- (b) the eligibility of the client to continue receiving the DHS benefit and the amount of the client's DHS benefit will be determined on the basis of the information in the records of the information holder until the information holder has corrected that information at the request of the client.

Personal identification number and account number

22 When an application is approved, the client will be assigned a personal identification number and an account number.

Telephone inquiries and reporting

23(1) Subject to subsection (2), a client requesting information about his or her file, reporting monthly income pursuant to section 24, reporting changes pursuant to subsection 25(1) or (2) or making a quarterly report pursuant to section 26 must do so by telephone.

(2) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may accept a written report.

Reporting monthly income, filing tax return

24 If a client or a client's spouse has income from farming or self-employment that is being calculated pursuant to subsection 38(3), the client must:

- (a) report at the beginning of each month the gross amount of all income from farming and self-employment for the previous month, until July of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained; and
- (b) file a return of income pursuant to the *Income Tax Act* (Canada) before the end of June of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained.

Reporting changes

25(1) A client must report to the department any change in monthly income not later than the last day of the month following the month in which the change occurs.

(2) A client must report, not later than the last day of the month in which the change occurs:

- (a) to the department:
 - (i) any change in the following:
 - (A) monthly rent;
 - (B) disability of a member of the family unit;
 - (C) disability housing supports made or provided;
 - (D) type or location of accommodation;
 - (E) the condition of the premises if the change in condition presents a serious hazard to the health or safety of persons residing in the accommodation; and

(ii) if the type or location of accommodation has changed:

(A) the condition of the new accommodation; and

(B) the disability housing supports made or provided in the new accommodation; and

(b) to the Department of Health, any change in the composition of the family unit or the address of the family unit.

(3) Where a client reports a change in the composition of the family unit that involves the addition of a spouse or a change of spouse, the client must provide confirmation of information respecting the spouse and the spouse's consent in accordance with section 16.

Quarterly report

26(1) In addition to the requirements of section 25, a client must report on a quarterly basis in accordance with this section.

(2) A form setting out the information that is currently in the client's file will be mailed to the client before the quarterly report is required.

(3) A client must review the information set out in the form and, in the manner described in section 23, make a quarterly report confirming that the information is correct or notifying the department of any changes in the information.

Late report

27(1) Subject to subsection (2), if a client fails to complete the requirements of section 24, 25 or 26 in the month in which the report is required, the payment of the DHS benefit will be suspended.

(2) If a client meets the requirements of section 24, 25 or 26 in the month that follows the month in which compliance was required and otherwise remains eligible for the DHS benefit, the client's entitlement to receive the DHS benefit for the month mentioned in subsection (1) will be reinstated.

(3) If a client fails to meet the requirements of section 24, 25 or 26 by the end of the month that follows the month in which compliance was required, the client's entitlement to receive payments of the DHS benefit terminates in accordance with clause 32(c).

Audit

28(1) For the purpose of monitoring compliance with these regulations, a program manager may at any time, by written notice, require a client, within 21 days after the date of the written notice, to do any or all of the following:

(a) provide or confirm any information that is necessary to determine the eligibility of the client's family unit or the amount of the DHS benefit payable with respect to the family unit;

(b) permit a representative of the department to inspect the accommodation reported as the primary residence of the client's family unit to confirm any information respecting the accommodation that is necessary to determine the eligibility of the client's family unit or the amount of the DHS benefit payable with respect to the family unit.

- (2) If the information provided by the client is complete:
- (a) the eligibility of the client's family unit will be reassessed pursuant to subsection 20(2); and
 - (b) the amount of the DHS benefit will be recalculated pursuant to subsections 29(2) to (4).
- (3) If the information provided by the client is incomplete, the program manager shall send a further written notice to the client requiring the client, within 15 days after the date of the further written notice, to provide the information that is missing.

Calculation of DHS benefit

- 29(1)** The amount of the DHS benefit for a month is calculated in accordance with section 15 based on the income of the family unit in the month preceding the month in which the payment is to be made.
- (2) After the initial calculation of the amount of the DHS benefit, the amount is recalculated each month, taking into account any changes in circumstances that affect the amount of the benefit, other than a change in the rent-to-income ratio.
- (3) For the purposes of recalculating the amount of the DHS benefit, changes in circumstances are taken into account from the date on which they are reported to the department or received by the department from the Department of Health, as the case may be.
- (4) Where a recalculation results in a determination of an underpayment, no payment will be made with respect to the underpayment with respect to the period before the recalculation unless:
- (a) the underpayment is the result of an error made by the department; or
 - (b) the program manager is satisfied that the underpayment is the result of an error made by an applicant or client as a result of difficulty in providing information and, in the opinion of the program manager, it would be inappropriate not to make a payment with respect to the underpayment.

Minimum benefit

30 Where the amount of the DHS benefit of an applicant or client calculated pursuant to section 15 is greater than zero but less than \$10 per month, the amount of the DHS benefit is deemed to be \$10 per month.

Payment of DHS benefit

- 31(1)** The DHS benefit will be paid to a client with respect to the month in which an application is made, as calculated pursuant to subsection 29(1), and thereafter on a monthly basis, as recalculated pursuant to subsection 29(2), while the client remains eligible.
- (2) Subject to subsection (3), the DHS benefit will be paid to a client only by direct deposit to an account of the client with a financial institution.

- (3) A program manager may approve payment directly by cheque to a client:
 - (a) where the client is unable to obtain an account with a chartered bank, trust company or credit union; or
 - (b) in other exceptional circumstances where the program manager considers it appropriate to do so.
- (4) A written statement of benefits will be provided to a client on request.

Termination of entitlement

32 A client's entitlement to receive payments of the DHS benefit terminates where:

- (a) as a result of a change in income, composition of the family unit, disability of a member of the family unit, type or location of accommodation, disability housing supports made or provided, amount of rent or any other factor that affects eligibility, the client is determined to be no longer eligible for the DHS benefit;
- (b) in the opinion of a program manager, the condition of the client's accommodation presents a serious hazard to the health or safety of the client's family unit; or
- (c) the client fails:
 - (i) to meet the requirements of section 25 within the period mentioned in subsection 27(3);
 - (ii) to complete a quarterly report pursuant to section 26 within the period mentioned in subsection 27(3);
 - (iii) in the case of a client who is required to report income from farming or self-employment pursuant to section 24:
 - (A) to complete a monthly income report pursuant to clause 24(a) within the period mentioned in subsection 27(3); or
 - (B) to file a return of income pursuant to the *Income Tax Act* (Canada) within the period described in clause 24(b);
 - (iv) to comply with a notice requiring information in accordance with clause 28(1)(a) or subsection 28(3); or
 - (v) to comply with a notice requiring the client to permit a representative of the department to inspect the client's accommodation in accordance with clause 28(1)(b).

Notice of termination

33 Where a client's entitlement to receive payments of the DHS benefit is terminated for a reason described in section 32, written notice will be given to the client that the client's entitlement to payments of the DHS benefit is terminated.

Effects of termination

34(1) Subject to subsection (2), where a client's entitlement to receive payments of the DHS benefit is terminated, no further payments of the DHS benefit will be made to the client unless:

- (a) on an appeal pursuant to section 42 or 44, it is determined that the client is eligible to receive the DHS benefit; or
- (b) the client re-establishes his or her entitlement to receive the DHS benefit pursuant to section 35.

(2) In the case of a client whose entitlement to receive payments of the DHS benefit is terminated pursuant to clause 32(b), a program manager may authorize the payment of one additional monthly payment of the DHS benefit to the client if, in the opinion of the program manager, it is warranted in the circumstances.

Reinstatement

35(1) A client whose DHS benefit is terminated pursuant to section 32 or who withdraws from the program must request reinstatement if he or she wishes to re-establish his or her entitlement to receive the DHS benefit.

(2) Subject to subsection (3), a request for reinstatement is to be made by telephone, and the information necessary for determining the eligibility of the client for reinstatement is to be confirmed by telephone.

(3) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:

- (a) a person other than the client to request reinstatement on behalf of a family unit; or
- (b) a client to request reinstatement in writing.

(4) Where a client's request for reinstatement is granted:

- (a) the consents given by the client and the client's spouse, if any, pursuant to subsection 18(3) are deemed to be valid; and
- (b) the client must provide income information pursuant to section 19 before payment of the DHS benefit will resume.

PART III**Rules Relating to Calculation of Income****Employment income – when received**

36(1) Where an individual receives employment income on a day other than the regular pay date, the employment income is deemed to be employment income received in the month in which the regular pay date would have occurred.

(2) Actual gratuities received by an individual for labour or personal services are to be included as employment income, to a maximum of 20% of wages received by the individual.

Income received as lump sum

37(1) Subject to subsection (2) and section 38, income in the form of a lump sum payment is apportioned, commencing with the month in which the payment is received, over a number of months equal to the length of the period to which the payment relates, to a maximum of 12 months.

(2) Income in the form of a lump sum payment with respect to an obligation in arrears is included in the calculation of income in the month in which it is received.

Calculation of farming and self-employment income

38(1) In the case of an individual who has filed a return of income pursuant to the *Income Tax Act* (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is the amount FSE, calculated in accordance with the following formula:

$$\text{FSE} = P \times \frac{G}{N}$$

where:

P is either 0.40 or 0.25, whichever results in the calculation of the greater combined benefit calculated in accordance with subsection (2);

G is the total of all amounts of gross income from farming and self-employment reported in the return of income for the preceding taxation year; and

N is the number of months in the preceding taxation year in which the individual was engaged in farming or self-employment.

(2) The combined benefit of an individual is the amount CB calculated in accordance with the following formula:

$$\text{CB} = \text{DHS} + \text{RHS} + \text{SES}$$

where:

DHS is the amount of the DHS benefit to which the individual would be entitled pursuant to section 15 if the individual is eligible to receive that benefit;

RHS is the amount of the RHS benefit to which the individual would be entitled pursuant to *The Rental Housing Supplement Regulations* if the individual is eligible to receive that benefit; and

SES is the amount of the SES benefit to which the individual would be entitled pursuant to *The Employment Supplement Regulations* if the individual is eligible to receive that benefit.

(3) In the case of an individual who has not filed a return of income pursuant to the *Income Tax Act* (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is the amount FSE calculated in accordance with the following formula:

$$\text{FSE} = \text{P} \times \text{G}$$

where:

P is either 0.40 or 0.25, whichever results in the calculation of the greater combined benefit for the month calculated in accordance with subsection (2); and

G is the individual's gross income from farming and self-employment in the previous month.

(4) Where a farm or business operated by an individual is incorporated, the individual's farming and self-employment income will be determined as a share of the gross amount of income of the corporation that is proportionate to the number of shares in the corporation owned by the individual.

PART IV Appeals

Interpretation of Part

39 In this Part:

- (a) “**adjudicator**” means the adjudicator appointed pursuant to section 43;
- (b) “**appellant**” means a person who:
 - (i) appeals a decision to a program manager or designate pursuant to section 42; or
 - (ii) appeals a decision of a program manager or designate to an adjudicator pursuant to section 44.

Advice re right to appeal

40(1) A program manager shall advise clients in writing of their right to appeal decisions described in subsection 41(1).

(2) A program manager shall advise applicants orally, or by supplying them with a brochure, of their right to appeal a decision with respect to an assessment of their eligibility.

Grounds for appeal

41(1) Appeals may be made only with respect to oral or written decisions relating to the following matters:

- (a) assessment of eligibility;
- (b) calculation of the DHS benefit;
- (c) suspension of payment of the DHS benefit;
- (d) termination of entitlement to receive the DHS benefit;
- (e) overpayments.

(2) For the purposes of clause (1)(b) and subsection 42(1), payment of the DHS benefit is deemed to be a decision with respect to the calculation of the DHS benefit, and the date of payment is deemed to be the date of the decision.

(3) Subject to subsection (4), an appeal may be commenced only by a client or by a person with authority pursuant to an Act or a court order to act on behalf of a client.

(4) An appeal may be commenced with respect to the assessment of eligibility by an applicant or by a person with authority pursuant to an Act or a court order to act on behalf of an applicant.

Appeal to program manager

42(1) An appellant may appeal a decision mentioned in subsection 41(1) to a program manager or a program manager's designate by submitting to the program manager a written notice of appeal within 30 days after the date of the decision.

(2) An appellant must provide any written documentation in support of the appeal when submitting the notice of appeal.

(3) Within 20 days after receiving a notice of appeal, a program manager or designate shall:

- (a) consider the appeal and make a decision; and
- (b) mail to the appellant a copy of the decision together with written reasons for the decision.

Adjudicator

43(1) The minister shall appoint an adjudicator for the purpose of considering and determining appeals pursuant to section 44.

(2) The department shall provide the adjudicator with any clerical and other support that is needed for carrying out the duties of the adjudicator pursuant to these regulations.

Appeal to adjudicator

44(1) An appellant may appeal a decision of a program manager or designate pursuant to clause 42(3)(a) to the adjudicator by filing a notice of appeal, together with any written submissions and materials in support of the appeal, with the department within 30 days after the date of the decision.

(2) The department shall promptly transmit to the adjudicator any notice of appeal filed pursuant to subsection (1), together with any written submissions and materials filed in support of the appeal.

(3) As soon as is practicable after a notice of appeal filed pursuant to subsection (1) is transmitted to the adjudicator, the adjudicator shall provide the program manager or designate with a copy of the notice of appeal and any written submissions and materials filed by the appellant.

(4) The program manager or designate shall:

- (a) file any written submissions and materials in support of the decision that is the subject of the appeal within seven days after receiving a copy of the notice of appeal; and
- (b) as soon as is practicable, provide the appellant with a copy of the submissions and materials mentioned in clause (a).

- (5) An appeal pursuant to this section is to be based on the written submissions of the appellant and the program manager or designate.
- (6) The adjudicator shall review the decision and the submissions of the parties and may require the parties to provide further information.
- (7) The adjudicator shall make a decision within 20 days after the day on which the notice of appeal is transmitted to the adjudicator and provide the parties with a copy of the decision, together with written reasons for the decision.
- (8) The decision of an adjudicator is final and there is no further right of appeal.

Benefits to successful appellant

45(1) Where an appellant who was receiving the DHS benefit before the commencement of an appeal pursuant to section 42 is successful on the appeal or on a further appeal pursuant to section 44, and it is determined that the appellant is entitled to receive the DHS benefit in an amount greater than the amount actually received, the appellant is entitled to receive a payment in an amount equal to the difference between the total of the amounts actually received and the total of the amounts to which the appellant is determined to be entitled.

(2) Where an appellant whose application for the DHS benefit was refused is successful on an appeal pursuant to section 42 or on a further appeal pursuant to section 44, and it is determined that the appellant is entitled to receive the DHS benefit, the appellant is entitled to receive a payment in an amount equal to the total of the amounts of the DHS benefit that the appellant would have received if the appellant's application for the DHS benefit had been approved.

PART V General

Overpayments

46(1) Overpayments will be deducted from the next regular payment.

(2) Subject to subsection (3), if the amount of an overpayment exceeds the amount of the DHS benefit payable in the next regular payment, the remainder of the overpayment will be recovered by deduction from succeeding regular payments until the entire amount of the overpayment is recovered.

(3) Where, in the opinion of the program manager, exceptional circumstances exist, the program manager may reduce the rate at which overpayments are recovered from a client.

Coming into force

47(1) Subject to subsection (2), these regulations come into force on April 1, 2005.

(2) If these regulations are filed with the Registrar of Regulations after April 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

Table 1

[Clause 7(3)(d), subsection 11(3) and clause 11(5)(a)]

Accessibility Support Supplement

Factors Determining Levels of Rent - Warm (Rent Including Heating Costs)

Family Composition, Category of Client	Minimum Qualifying Rent	Maximum Level 1 Rent	Maximum Level 2 Rent
<u>Category A clients</u>			
Single individual	\$321	\$351	\$382
Couples, no children	338	369	401
Families with:			
1 or 2 children	503	n/a	n/a
3 or 4 children	581	n/a	n/a
5 or more children	642	n/a	n/a
<u>Category B clients</u>			
Single individuals	\$278	\$303	\$329
Couples, no children	301	328	356
Families with:			
1 or 2 children	445	n/a	n/a
3 or 4 children	521	n/a	n/a
5 or more children	581	n/a	n/a
<u>Category C clients</u>			
Single individuals	\$233	\$254	\$276
Couples, no children	273	298	324
Families with:			
1 or 2 children	431	n/a	n/a
3 or 4 children	479	n/a	n/a
5 or more children	527	n/a	n/a
<u>Category D clients</u>			
Single individuals	\$210	\$229	\$249
Couples, no children	242	264	287
Families with:			
1 or 2 children	351	n/a	n/a
3 or 4 children	398	n/a	n/a
5 or more children	483	n/a	n/a

Table 2
 [Clause 7(3)(d), subsection 11(4) and clause 11(5)(b)]

Accessibility Support Supplement

**Factors Determining Levels of Rent -
 Cold (Rent Not Including Heating Costs)**

Family Composition, Category of Client	Minimum Qualifying Rent	Maximum Level 1 Rent	Maximum Level 2 Rent
<u>Category A clients</u>			
Single individual	\$275	\$305	\$336
Couples, no children	282	313	345
Families with:			
1 or 2 children	440	n/a	n/a
3 or 4 children	504	n/a	n/a
5 or more children	558	n/a	n/a
<u>Category B clients</u>			
Single individuals	\$229	\$254	\$280
Couples, no children	245	272	300
Families with:			
1 or 2 children	382	n/a	n/a
3 or 4 children	444	n/a	n/a
5 or more children	497	n/a	n/a
<u>Category C clients</u>			
Single individuals	\$184	\$205	\$227
Couples, no children	218	243	269
Families with:			
1 or 2 children	367	n/a	n/a
3 or 4 children	401	n/a	n/a
5 or more children	442	n/a	n/a
<u>Category D clients</u>			
Single individuals	\$162	\$181	\$201
Couples, no children	187	209	232
Families with:			
1 or 2 children	288	n/a	n/a
3 or 4 children	321	n/a	n/a
5 or more children	399	n/a	n/a

Table 3
[Clause 7(3)(e) and subsection 11(6)]

Physical Support Supplement

**Factors Determining Levels of Rent -
 Warm (Rent Including Heating Costs)**

Family Composition, Category of Client	Minimum Qualifying Rent	Maximum Level 1 Rent	Maximum Level 2 Rent
<u>Category A clients</u>			
Single individual	\$321	\$343	\$366
Couples, no children	338	361	385
<u>Category B clients</u>			
Single individuals	\$278	\$297	\$317
Couples, no children	301	321	342
<u>Category C clients</u>			
Single individuals	\$233	\$248	\$264
Couples, no children	273	291	310
<u>Category D clients</u>			
Single individuals	\$210	\$224	\$239
Couples, no children	242	258	275

Table 4
[Clause 7(3)(e) and subsection 11(7)]

Physical Support Supplement

**Factors Determining Levels of Rent -
 Cold (Rent Not Including Heating Costs)**

Family Composition, Category of Client	Minimum Qualifying Rent	Maximum Level 1 Rent	Maximum Level 2 Rent
<u>Category A clients</u>			
Single individual	\$275	\$297	\$320
Couples, no children	282	305	329
<u>Category B clients</u>			
Single individuals	\$229	\$248	\$268
Couples, no children	245	265	286
<u>Category C clients</u>			
Single individuals	\$184	\$199	\$215
Couples, no children	218	236	255
<u>Category D clients</u>			
Single individuals	\$162	\$176	\$191
Couples, no children	187	203	220

Table 5
[Clause 7(3)(f)]
Accessibility Support Supplement
Maximum Eligible Income (Monthly)

Family Composition, Category of Client	Level 1 Rent (warm or cold)	Level 2 Rent (warm or cold)	Level 3 Rent (warm or cold)
<u>Category A clients</u>			
Single individual	\$ 916	\$1,033	\$1,150
Couple, no children	1,320	1,441	1,562
Single parent with:			
1 or 2 children	n/a	n/a	1,650
3 or 4 children	n/a	n/a	1,850
5 or more children	n/a	n/a	2,000
Two parents with:			
1 or 2 children	n/a	n/a	1,850
3 or 4 children	n/a	n/a	2,050
5 or more children	n/a	n/a	2,200
<u>Category B clients</u>			
Single individual	\$ 898	\$ 996	\$1,101
Couple, no children	1,305	1,411	1,524
Single parent with:			
1 or 2 children	n/a	n/a	1,550
3 or 4 children	n/a	n/a	1,775
5 or more children	n/a	n/a	1,900
Two parents with:			
1 or 2 children	n/a	n/a	1,750
3 or 4 children	n/a	n/a	1,975
5 or more children	n/a	n/a	2,100
<u>Category C clients</u>			
Single individual	\$ 883	\$ 966	\$1,049
Couple, no children	1,298	1,396	1,494
Single parent with:			
1 or 2 children	n/a	n/a	1,525
3 or 4 children	n/a	n/a	1,700
5 or more children	n/a	n/a	1,825
Two parents with:			
1 or 2 children	n/a	n/a	1,725
3 or 4 children	n/a	n/a	1,900
5 or more children	n/a	n/a	2,025

Category D clients

Single individual	\$ 875	\$ 950	\$1,026
Couple, no children	1,286	1,373	1,460
Single parent with:			
1 or 2 children	n/a	n/a	1,425
3 or 4 children	n/a	n/a	1,575
5 or more children	n/a	n/a	1,750
Two parents with:			
1 or 2 children	n/a	n/a	1,625
3 or 4 children	n/a	n/a	1,775
5 or more children	n/a	n/a	1,950

Table 6

[Clause 7(3)(g)]

**Physical Support Supplement
Maximum Eligible Income (Monthly)**

Family Composition, Category of Client	Level 1 Rent (warm or cold)	Level 2 Rent (warm or cold)	Level 3 Rent (warm or cold)
<u>Category A clients</u>			
Single individual	\$ 915	\$1,030	\$1,150
Couple, no children	1,320	1,440	1,560
<u>Category B clients</u>			
Single individual	\$ 900	\$1,000	\$1,100
Couple, no children	1,305	1,410	1,520
<u>Category C clients</u>			
Single individual	\$ 880	\$ 960	\$1,050
Couple, no children	1,295	1,390	1,490
<u>Category D clients</u>			
Single individual	\$ 875	\$ 950	\$1,025
Couple, no children	1,285	1,370	1,460

Table 7
[Section 13]

Maximum Accessibility Support Supplement (Monthly)

Family Composition, Category of Client	Level 1 Rent (warm or cold)	Level 2 Rent (warm or cold)	Level 3 Rent (warm or cold)
<u>Category A clients</u>			
Single individual	\$31	\$62	\$93
Couple, no children	32	64	96
Families with:			
1 or 2 children	n/a	n/a	30
3 or 4 children	n/a	n/a	34
5 or more children	n/a	n/a	38
<u>Category B clients:</u>			
Single individual	\$26	\$52	\$80
Couple, no children	28	56	86
Families with:			
1 or 2 children	n/a	n/a	26
3 or 4 children	n/a	n/a	31
5 or more children	n/a	n/a	34
<u>Category C clients:</u>			
Single individual	\$22	\$44	\$66
Couple, no children	26	52	78
Families with:			
1 or 2 children	n/a	n/a	25
3 or 4 children	n/a	n/a	28
5 or more children	n/a	n/a	31
<u>Category D clients:</u>			
Single individual	\$20	\$40	\$60
Couple, no children	23	46	69
Families with:			
1 or 2 children	n/a	n/a	21
3 or 4 children	n/a	n/a	23
5 or more children	n/a	n/a	28

Table 8
[Section 14]

Maximum Physical Support Supplement (Monthly)

Family Composition, Category of Client	Level 1 Rent (warm or cold)	Level 2 Rent (warm or cold)	Level 3 Rent (warm or cold)
<u>Category A clients</u>			
Single individual	\$23	\$46	\$70
Couple, no children	24	48	72
<u>Category B clients:</u>			
Single individual	\$20	\$40	\$60
Couple, no children	21	42	64
<u>Category C clients:</u>			
Single individual	\$16	\$32	\$50
Couple, no children	19	38	58
<u>Category D clients:</u>			
Single individual	\$15	\$30	\$45
Couple, no children	17	34	52

Table 9
[Subsection 15(3)]

Reduction Rates

Family Composition	Type of Supplement	Reduction Rate
Single individual	accessibility support	26.5%
	physical support	20%
Couple, no children	accessibility support	26.5%
	physical support	20%
Families with children	accessibility support	4%
	physical support	n/a

Table 10
[Subsection 15(3)]

Income Turning Points

<u>Family Composition</u>	<u>Income Turning Point</u>
Single individual	\$ 800
Couple, no children	1,200
Single parent with:	
1 or 2 children	\$ 900
3 or 4 children	1,000
5 or more children	1,050
Two parents with:	
1 or 2 children	\$1,100
3 or 4 children	1,200
5 or more children	1,250

Table 11
 [Subsection 15(4)]
SAP/TEA Adjustment

<u>Family Composition, Category of Client</u>	<u>Amount of Adjustment</u>
<u>Category A clients with:</u>	
Single individuals	\$ 0
Couples, no children	28
Families with:	
1 or 2 children	0
3 or 4 children	0
5 or more children	0
<u>Category B clients:</u>	
Single individuals	\$43
Couples, no children	65
Families with:	
1 or 2 children	0
3 or 4 children	0
5 or more children	0
<u>Category C clients:</u>	
Single individuals	\$68
Couples, no children	73
Families with:	
1 or 2 children	0
3 or 4 children	0
5 or more children	0
<u>Category D clients:</u>	
Single individuals	\$76
Couples, no children	89
Families with:	
1 or 2 children	20
3 or 4 children	13
5 or more children	0

SASKATCHEWAN REGULATIONS 29/2005*The Saskatchewan Assistance Act*

Section 14

Order in Council 295/2005, dated April 5, 2005

(Filed April 6, 2005)

Title

1 These regulations may be cited as *The Employment Supplement Amendment Regulations, 2005*.

R.R.S. c.S-8 Reg 3 amended

2 *The Employment Supplement Regulations* are amended in the manner set forth in these regulations.

Section 29 amended

3(1) The description of P in subsection 29(1) is repealed and the following substituted:

“P is either 0.40 or 0.25, whichever results in the determination of the greater combined benefit calculated in accordance with subsection (1.1)”.

(2) The following subsection is added after subsection 29(1):

“(1.1) The combined benefit of an individual is the amount CB calculated in accordance with the following formula:

$$CB = SES + RHS + DHS$$

where:

SES is the amount of the SES benefit to which the individual would be entitled pursuant to section 32 if the individual is eligible to receive that benefit;

RHS is the amount of the RHS benefit to which the individual would be entitled pursuant to *The Rental Housing Supplement Regulations* if the individual is eligible to receive that benefit; and

DHS is the amount of the disability housing supplement to which the individual would be entitled pursuant to *The Disability Housing Supplement Regulations*, if the individual is eligible to receive that benefit”.

(3) The description of P in subsection 29(2) is repealed and the following substituted:

“P is either 0.40 or 0.25, whichever results in the calculation of the greater combined benefit for the month calculated in accordance with subsection (1.1)”.

Coming into force

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

SASKATCHEWAN REGULATIONS 30/2005*The Uniform Building and Accessibility Standards Act*

Sections 8 and 11

Order in Council 297/2005, dated April 5, 2005

(Filed April 6, 2005)

Title

1 These regulations may be cited as *The Uniform Building and Accessibility Standards Amendment Regulations, 2005*.

R.R.S. c.U-1.2 Reg 5 amended

2 **The Appendix to *The Uniform Building and Accessibility Standards Regulations* is repealed and the following substituted:**

“Appendix

**Revisions, Variations and Modifications
to the National Building Code of Canada 1995**

[Clause 3(1)(a)]

1 The revisions, variations and modifications to the National Building Code of Canada 1995 are those set forth in this Appendix.

2 The following entries are added to Table 2.7.3.2.:

‘CSA	CSA-O118.3-93	Northern Pine Tapersawn Shakes	9.26.2.1.(1)
‘ULC	ULC-S132-93	Standard for Emergency Exit and Emergency Fire Exit Hardware	3.4.6.15.(2)’.

3 Article 3.1.2.5. is repealed and the following substituted:

3.1.2.5 Convalescent, Custodial and Care Homes

1) Convalescent homes and custodial homes for ambulatory occupants are permitted to be classified as *residential occupancies* if occupants live in a *dwelling unit* used as a single housekeeping unit with sleeping accommodation for not more than 10 persons.

2) A care home is permitted to be classified as a *residential occupancy* if

a) the occupants live in a *dwelling unit* used as a single housekeeping unit with sleeping accommodation for not more than 10 persons,

b) interconnected *smoke alarms* are installed in each sleeping room in addition to the requirements of Article 3.2.4.21.,

c) emergency lighting is provided in conformance with Subsection 3.2.7., and

d) either:

- (i) the occupants are ambulatory, or
- (ii) the *building* is *sprinklered* throughout’.

4 Sentences 3.2.1.1.(3) and (4) are repealed and the following substituted:

‘3) Except as required by Sentence (5), a *mezzanine* shall not be considered as a *storey* in calculating the *building height* if

- a) the aggregate area of the *mezzanine* floor is not more than 40% of the area of the room or *suite* in which it is located,
- b) it is used as an open *floor area* except
 - i) as permitted by Sentence 3.3.2.11.(3), or
 - ii) in *buildings* of Group A, Division 3 *major occupancy* if not more than 15% of the *mezzanine floor area* is enclosed for washrooms, storage rooms and service rooms, and
- c) the space above the *mezzanine* floor has no visual obstructions more than 1 070 mm above the floor. (See Appendix A.)

‘4) Except as required by Sentence (5), a *mezzanine* need not be considered as a *storey* in calculating *building height* and need not conform to Sentence (3) if the aggregate area of the *mezzanine* floor is not more than 10% of the area of the room or *suite* in which it is located. (See A-3.2.1.1.(3) in Appendix A.)’.

5 Clause 3.2.7.9.(1)(b) is amended by adding the words ‘and the *building* is within the scope of Subsection 3.2.6’ after ‘supplied to the *building*’.

6 Clause 3.2.8.2(1)(c) is repealed and the following substituted:

- ‘c) serves a Group A, C, D, E or F *major occupancy* and
 - i) is 500 m² or less in area, and
 - ii) is not considered a *storey* in *building height* as described in Sentence 3.2.1.1.(3) or (4)’.

7 Sentence 3.3.2.6.(1) is amended by adding the words ‘locking or’ before the word ‘latching’ and by adding the words ‘lock or’ before the word ‘latch’.

8 Sentence 3.4.6.15.(2) is amended by striking out the words ‘If a door is equipped with a latching mechanism, a device that will release the latch and allow the door to swing wide open’ and replacing them with the words ‘If a door is equipped with a locking or latching mechanism, a device that complies with ULC-S132 “Standard for Emergency Exit and Emergency Fire Exit Hardware” and that will release the lock or latch and allow the door to swing wide open’.

9 Sentence 3.4.6.15.(3) is amended by adding the words ‘lock or’ before each occurrence of the word ‘latch’.

10 Sentence 3.5.4.1.(1) is amended by adding the words ‘that is more than three *storeys* in *building height*’ after ‘If one or more elevators are provided in a *building*’.

11 Table 3.7.4.2.A is amended by striking out the first line and substituting the following lines:

<i>Number of Persons of Each Sex</i>	<i>Minimum Number of Water Closets</i>	
	<i>Male</i>	<i>Female</i>
1-25	1	1
26-50	1	2

12 The following Article is added after Article 3.8.1.5.:

3.8.1.6. Residential Occupancies

1) Notwithstanding Clause 3.8.2.3.(2)(a), in a *building of residential occupancy*, except where *dwelling units* are intended to be individually controlled by separate owners, at least the greater of

- a) one, or
- b) 5%

of the *suites* required to be accessible by a *barrier-free* path of travel shall be *barrier-free* in conformance with Article 3.8.3.17. (See Article 9.5.2.3.)

13 Clause 3.8.2.3.(2)(a) is amended by adding the words ‘except as required in Article 3.8.1.6.’ after ‘*residential occupancy*’.

14 The following Article is added after Article 3.8.3.16.:

3.8.3.17. Residential Occupancies

1) Except as provided in this Article, *suites* within a *residential occupancy* which are required to be *barrier-free* shall conform to the applicable requirements of this Section.

2) In washrooms there shall be

- a) a floor space of at least 1 500 mm by 1 500 mm with no encroachment other than the water closet,
- b) a door that
 - i) swings outward, unless sufficient room is provided within the washroom to permit the door to be closed without interfering with a wheelchair,
 - ii) slides, or
 - iii) is a solid folding door,

c) a water closet that conforms to Clauses 3.8.3.8.(1)(c) and (d) and Article 3.8.3.9.,

- d) a lavatory that conforms to Article 3.8.3.11.,
 - e) where a bathtub is provided, a bathtub equipped with
 - i) faucet handles of the lever type without spring loading,
 - ii) a pressure equalizing valve or an automatic thermostatic mixing valve controlled by a lever or other device operable with a closed fist from the seated position,
 - iii) a recessed soap holder that is within reach of a person in a seated position,
 - iv) an integral slip-resistant bottom,
 - v) grab bars that have
 - A) a horizontal section not less than 900 mm in length mounted on the back wall not less than 150 mm nor more than 300 mm above the rim of the bathtub, and
 - B) a vertical section continued from the horizontal section to rise not less than 600 mm from the horizontal section and located not less than 275 mm nor more than 325 mm from the end of the bathtub at which the controls are located, and
 - vi) where a shower is provided, a shower equipped
 - A) without shower doors,
 - B) with a hand-held shower head with not less than 1 500 mm of flexible hose, located adjacent to the faucets and controls so that it can be reached from the seated position and equipped with a support so that it can operate as a fixed shower head.
- 3) In kitchens there shall be
- a) a clearance of not less than 1 500 mm between counters and all opposing base cabinets, countertops, appliances or walls, and
 - b) a clear turning circle of not less than 1 500 mm in diameter below countertop height.
- 4) In sleeping rooms there shall be a clear turning circle of not less than 1 500 mm in diameter on one side of the bed.
- 5) Balconies shall be *barrier-free* and shall conform to the size requirements of Sentence 3.3.1.7.(5).
- 6) Kitchen sinks, laundry sinks and other types of sinks shall have
- a) faucet handles of the lever type without spring loading,
 - b) no sharp edges or rough corners, and
 - c) all exposed pipes 1 200 mm or less above the floor insulated or otherwise protected where they may constitute a burn hazard'.

15 The following Article is added after Article 8.1.1.3.:

8.1.1.4. Occupational Health and Safety

1) In the case of conflict between the provisions of this part and *The Occupational Health and Safety Regulations, 1996*, the provisions of *The Occupational Health and Safety Regulations, 1996* shall govern.

16 Sentence 9.9.6.10.(1) is amended by adding the words 'lock or' before each occurrence of the word 'latch'.

17 Sentence 9.10.4.1(1) is amended by striking out the words 'where the aggregate area of *mezzanine* floors does not exceed 10% of the *floor area* of the *storey* in which they are located' and replacing them with the words 'as described in Sentences 3.2.1.1.(3) and (4)'.

18 Sentence 9.10.4.1.(2) is amended by striking out the words 'and the floor below them have' and replacing them with the word 'has'.

19 Sentence 9.10.14.12.(2) is amended by striking out the words 'in which there is no *dwelling unit* above another *dwelling unit*' and replacing them with the words 'in which there is not more than one *dwelling unit* above another *dwelling unit*'.

20 Sentence 9.26.2.1.(1) is amended:

(a) by striking out the word 'or' after clause (s);

(b) by adding the word 'or' after clause (t); and

(c) by adding the following clause after clause (t):

'u) CSA O118.3, 'Northern Pine Tapersawn Shakes' ''.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on April 1, 2005.

(2) If these regulations are filed with the Registrar of Regulations after April 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 31/2005

The Police Act, 1990

Section 95

Order in Council 298/2005, dated April 5, 2005

(Filed April 6, 2005)

Title

1 These regulations may be cited as *The Police Amendment Regulations, 2005*.

R.R.S. c.P-15.01 Reg 7, section 7 amended

2 **Subsection 7(1) of *The Police Regulations* is amended:**

- (a) in clause (a) by striking out “\$57.40” and substituting “\$55.00”;
- (b) in clause (b) by striking out “\$38.70” and substituting “\$36.25”;
- (c) in clause (c) by striking out “\$46.05” and substituting “\$49.30”;
- (d) in clause (d) by striking out “\$26.05” and substituting “\$29.30”;
- and
- (e) in clause (e) by striking out “\$26.05” and substituting “\$29.30”.

Coming into force

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

SASKATCHEWAN REGULATIONS 32/2005

The Public Guardian and Trustee Act

Section 54

Order in Council 299/2005, dated April 5, 2005

(Filed April 6, 2005)

Title

1 These regulations may be cited as *The Public Guardian and Trustee Amendment Regulations, 2005*.

R.R.S. c.P-36.3 Reg 1, new section 16

2 **Section 16 of *The Public Guardian and Trustee Regulations* is repealed and the following substituted:**

“Fees for adults

16(1) If the public guardian and trustee is appointed as property guardian for an adult pursuant to *The Adult Guardianship and Co-decision-making Act* or is appointed, or has executed an acknowledgement to act, as property guardian for an adult pursuant to *The Public Guardian and Trustee Act*, the public guardian and trustee may charge the following fees:

- (a) 7% of the income received from:
 - (i) agricultural or commercial enterprises;
 - (ii) a lease of residential property; and
 - (iii) real property other than the interest portion of payments received as a vendor pursuant to an agreement for sale or as a mortgagee pursuant to a mortgage;

- (b) 5% of the income received from:
- (i) bank deposits;
 - (ii) bonds, debentures and other securities;
 - (iii) the interest portion of payments received as a vendor pursuant to an agreement for sale or as a mortgagee pursuant to a mortgage on real property; and
 - (iv) any other source;
- (c) for each month, one-twelfth of 1% of the market value of the gross assets of the adult at the end of that month.
- (2) If the public guardian and trustee is appointed as property co-decision-maker or temporary property guardian for an adult pursuant to *The Adult Guardianship and Co-decision-making Act*, the public guardian and trustee may charge a fee of \$250 per month to administer the adult's estate".

Coming into force

- 3(1) Subject to subsection (2), these regulations come into force on April 1, 2005.
- (2) If these regulations are filed with the Registrar of Regulations after April 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 33/2005

The Securities Act, 1988

Section 154

Commission Order dated March 22, 2005

(Filed April 6, 2005)

Title

- 1 These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2005 (No. 2)*.

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

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

Section 2 amended

- 3 **Clause 2(q) is amended by striking out** "Exemption from Certain Insider Reporting Requirements" **and substituting** "Insider Reporting Exemptions".

Appendix amended

4 Part XVII of the Appendix is repealed and the following substituted:

“PART XVII
[*clause 2(q)*]

“NATIONAL INSTRUMENT 55-101

INSIDER REPORTING EXEMPTIONS

“PART 1 DEFINITIONS

“1.1 Definitions - In this Instrument:

‘**acceptable summary form**’, in relation to the alternative form of insider report described in section 5.3, means an insider report that discloses as a single transaction, using December 31 of the relevant year as the date of the transaction, and providing an average unit price:

- (a) the total number of securities of the same type acquired under an automatic securities purchase plan, or under all such plans, for the calendar year; and
- (b) the total number of securities of the same type disposed of under all specified dispositions of securities under an automatic securities purchase plan, or under all such plans, for the calendar year;

‘**automatic securities purchase plan**’ means a dividend or interest reinvestment plan, a stock dividend plan or any other plan of a reporting issuer or of a subsidiary of a reporting issuer to facilitate the acquisition of securities of the reporting issuer if the timing of acquisitions of securities, the number of securities which may be acquired under the plan by a director or senior officer of the reporting issuer or of the subsidiary of the reporting issuer and the price payable for the securities are established by written formula or criteria set out in a plan document;

‘**cash payment option**’ means a provision in a dividend or interest reinvestment plan under which a participant is permitted to make cash payments to purchase from the issuer, or from an administrator of the issuer, securities of the issuer’s own issue, in addition to the securities:

- (a) purchased using the amount of the dividend, interest or distribution payable to or for the account of the participant; or
- (b) acquired as a stock dividend or other distribution out of earnings or surplus;

‘**dividend or interest reinvestment plan**’ means an arrangement under which a holder of securities of an issuer is permitted to direct that the dividends, interest or distributions paid on the securities be applied to the purchase, from the issuer or an administrator of the issuer, of securities of the issuer’s own issue;

'ineligible insider' in relation to a reporting issuer means:

- (a) an individual performing the functions of the chief executive officer, the chief operating officer or the chief financial officer for the reporting issuer;
- (b) a director of the reporting issuer;
- (c) a director of a major subsidiary of the reporting issuer;
- (d) a senior officer in charge of a principal business unit, division or function of:
 - (i) the reporting issuer; or
 - (ii) a major subsidiary of the reporting issuer;
- (e) other than in Québec, a person that has direct or indirect beneficial ownership of, control or direction over, or a combination of direct or indirect beneficial ownership of, and control or direction over, securities of the reporting issuer carrying more than 10 percent of the voting rights attached to all the reporting issuer's outstanding voting securities; or
- (f) in Québec, a person who exercises control over more than 10 percent of a class of shares of the reporting issuer to which are attached voting rights or an unlimited right to a share of the profits of the reporting issuer and in its assets in case of winding-up;

'insider issuer' in relation to a reporting issuer means an issuer that is an insider of the reporting issuer;

'investment issuer' in relation to an issuer means a reporting issuer in respect of which the issuer is an insider;

'issuer event' means a stock dividend, stock split, consolidation, amalgamation, reorganization, merger or other similar event that affects all holdings of a class of securities of an issuer in the same manner, on a per share basis;

'lump-sum provision' means a provision of an automatic securities purchase plan that allows a director or senior officer to acquire securities in consideration of an additional lump-sum payment, including, in the case of a dividend or interest reinvestment plan that is an automatic securities purchase plan, a cash payment option;

'major subsidiary' means a subsidiary of a reporting issuer if:

- (a) the assets of the subsidiary, on a consolidated basis with its subsidiaries, as included in the most recent annual audited balance sheet of the reporting issuer, are 10 percent or more of the consolidated assets of the reporting issuer reported on that balance sheet; or
- (b) the revenues of the subsidiary, on a consolidated basis with its subsidiaries, as included in the most recent annual audited income statement of the reporting issuer, are 10 percent or more of the consolidated revenues of the reporting issuer reported on that statement;

'normal course issuer bid' means:

- (a) an issuer bid that is made in reliance on the exemption contained in securities legislation from certain requirements relating to issuer bids that is available if the number of securities acquired by the issuer within a period of 12 months does not exceed 5 percent of the securities of that class issued and outstanding at the commencement of the period; or
- (b) a normal course issuer bid as defined in the policies of The Montreal Exchange, The TSX Venture Exchange or The Toronto Stock Exchange, conducted in accordance with the policies of that exchange;

'specified disposition of securities' means a disposition or transfer of securities under an automatic securities purchase plan that satisfies the conditions set forth in section 5.4; and

'stock dividend plan' means an arrangement under which securities of an issuer are issued by the issuer to holders of securities of the issuer as a stock dividend or other distribution out of earnings or surplus.

“PART 2 EXEMPTIONS FOR CERTAIN DIRECTORS AND SENIOR “PART OFFICERS

“2.1 Reporting Exemption (Certain Directors) - Subject to section 4.1, the insider reporting requirement does not apply to a director of a subsidiary of a reporting issuer in respect of securities of the reporting issuer if the director:

- (a) does not in the ordinary course receive or have access to information as to material facts or material changes concerning the reporting issuer before the material facts or material changes are generally disclosed; and
- (b) is not an ineligible insider in relation to the reporting issuer.

“2.2 Reporting Exemption (Certain Senior Officers) - Subject to section 4.1, the insider reporting requirement does not apply to a senior officer of a reporting issuer or a subsidiary of the reporting issuer in respect of securities of the reporting issuer if the senior officer:

- (a) does not in the ordinary course receive or have access to information as to material facts or material changes concerning the reporting issuer before the material facts or material changes are generally disclosed; and
- (b) is not an ineligible insider in relation to the reporting issuer.

“2.3 Reporting Exemption (Certain Insiders of Investment Issuers) - Subject to section 4.1, the insider reporting requirement does not apply to a director or senior officer of an insider issuer, or a director or senior officer of a subsidiary of the insider issuer, in respect of securities of an investment issuer if the director or senior officer:

- (a) does not in the ordinary course receive or have access to information as to material facts or material changes concerning the investment issuer before the material facts or material changes are generally disclosed; and
- (b) is not an ineligible insider in relation to the investment issuer.

“PART 3 EXEMPTION FOR DIRECTORS AND SENIOR OFFICERS OF AFFILIATES OF INSIDERS OF A REPORTING ISSUER

“3.1 Québec - This Part does not apply in Québec.

“3.2 Reporting Exemption - Subject to sections 3.3 and 4.1, the insider reporting requirement does not apply to a director or senior officer of an affiliate of an insider of a reporting issuer in respect of securities of the reporting issuer.

“3.3 Limitation - The exemption in section 3.2 is not available if the director or senior officer:

- (a) in the ordinary course receives or has access to information as to material facts or material changes concerning the reporting issuer before the material facts or material changes are generally disclosed;
- (b) is an ineligible insider in relation to the reporting issuer; or
- (c) is a director or senior officer of an issuer that supplies goods or services to the reporting issuer or to a subsidiary of the reporting issuer or has contractual arrangements with the reporting issuer or a subsidiary of the reporting issuer, and the nature and scale of the supply or the contractual arrangements could reasonably be expected to have a significant effect on the market price or value of the securities of the reporting issuer.

“PART 4 INSIDER LISTS AND POLICIES

“4.1 Insider Lists and Policies - An insider of a reporting issuer may rely on an exemption contained in Part 2 or Part 3 if:

- (a) the insider has advised the reporting issuer that the insider intends to rely on the exemption, and
- (b) the reporting issuer has advised the insider that the reporting issuer has established policies and procedures relating to restricting the trading activities of its insiders and other persons with access to material undisclosed information relating to the reporting issuer or to an investment issuer of the reporting issuer, and will, as part of such policies and procedures, maintain:
 - (i) a list of all insiders of the reporting issuer exempted from the insider reporting requirement by sections 2.1, 2.2, 2.3 and 3.2; and
 - (ii) a list of all insiders of the reporting issuer not exempted from the insider reporting requirement by sections 2.1, 2.2, 2.3 and 3.2.

“4.2 Alternative to Lists - Despite section 4.1, an insider of a reporting issuer may rely on an exemption contained in Part 2 or Part 3 if:

- (a) the insider has advised the reporting issuer that the insider intends to rely on the exemption, and

(b) the reporting issuer has advised the insider that the reporting issuer has established policies and procedures relating to restricting the trading activities of its insiders and other persons with access to material undisclosed information relating to the reporting issuer or to an investment issuer of the reporting issuer, and the reporting issuer has filed an undertaking with the regulator or securities regulatory authority that the reporting issuer will, promptly upon request, make available to the regulator or securities regulatory authority:

- (i) a list of all insiders of the reporting issuer exempted from the insider reporting requirement by sections 2.1, 2.2, 2.3 and 3.2; and
- (ii) a list of all insiders of the reporting issuer not exempted from the insider reporting requirement by sections 2.1, 2.2, 2.3 and 3.2.

“PART 5 REPORTING OF ACQUISITIONS UNDER AUTOMATIC SECURITIES PURCHASE PLANS

5.1 Reporting Exemption - Subject to sections 5.2 and 5.3, the insider reporting requirement does not apply to a director or senior officer of a reporting issuer or of a subsidiary of the reporting issuer for:

- (a) the acquisition of securities of the reporting issuer under an automatic securities purchase plan, other than the acquisition of securities under a lump-sum provision of the plan; or
- (b) a specified disposition of securities of the reporting issuer under an automatic securities purchase plan.

“5.2 Limitation

- (1) Other than in Québec, the exemption in section 5.1 is not available to an insider described in clause (e) of the definition of “**ineligible insider**”.
- (2) In Québec, the exemption in section 5.1 is not available to an insider described in clause (f) of the definition of “**ineligible insider**”.

“5.3 Alternative Reporting Requirement

(1) An insider who relies on the exemption from the insider reporting requirement contained in section 5.1 must file a report, in the form prescribed for insider trading reports under securities legislation, disclosing, on a transaction-by-transaction basis or in acceptable summary form, each acquisition of securities under the automatic securities purchase plan that has not previously been disclosed by or on behalf of the insider, and each specified disposition of securities under the automatic securities purchase plan that has not previously been disclosed by or on behalf of the insider:

- (a) for any securities acquired under the automatic securities purchase plan that have been disposed of or transferred, other than securities that have been disposed of or transferred as part of a specified disposition of securities, within the time required by securities legislation for filing a report disclosing the disposition or transfer; and
- (b) for any securities acquired under the automatic securities purchase plan during a calendar year that have not been disposed of or transferred, and any securities that have been disposed of or transferred as part of a specified disposition of securities, within 90 days of the end of the calendar year.

(2) An insider is exempt from the requirement under subsection (1) if, at the time the report is due:

- (a) the insider has ceased to be an insider; or
- (b) the insider is entitled to an exemption from the insider reporting requirements under an exemptive relief order or under an exemption contained in Canadian securities legislation.

“5.4 Specified Disposition of Securities - A disposition or transfer of securities acquired under an automatic securities purchase plan is a “specified disposition of securities” if:

(a) the disposition or transfer is incidental to the operation of the automatic securities purchase plan and does not involve a discrete investment decision by the director or senior officer; or

(b) the disposition or transfer is made to satisfy a tax withholding obligation arising from the distribution of securities under the automatic securities purchase plan and either:

(i) the director or senior officer has elected that the tax withholding obligation will be satisfied through a disposition of securities, has communicated this election to the reporting issuer or the plan administrator not less than 30 days prior to the disposition and this election is irrevocable as of the 30th day before the disposition; or

(ii) the director or senior officer has not communicated an election to the reporting issuer or the plan administrator and, in accordance with the terms of the plan, the reporting issuer or the plan administrator is required to sell securities automatically to satisfy the tax withholding obligation.

“PART 6 REPORTING FOR NORMAL COURSE ISSUER BIDS

“6.1 Reporting Exemption - The insider reporting requirement does not apply to an issuer for acquisitions of securities of its own issue by the issuer under a normal course issuer bid.

“6.2 Reporting Requirement - An issuer who relies on the exemption from the insider reporting requirement contained in section 6.1 shall file a report, in the form prescribed for insider trading reports under securities legislation, disclosing each acquisition of securities by it under a normal course issuer bid within 10 days of the end of the month in which the acquisition occurred.

“PART 7 REPORTING FOR CERTAIN ISSUER EVENTS

“7.1 Reporting Exemption - The insider reporting requirement does not apply to an insider of a reporting issuer whose direct or indirect beneficial ownership of, or control or direction over, securities of the reporting issuer changes as a result of an issuer event of the issuer.

“7.2 Reporting Requirement - An insider who relies on the exemption from the insider reporting requirement contained in section 7.1 must file a report, in the form prescribed for insider trading reports under securities legislation, disclosing all changes in direct or indirect beneficial ownership of, or control or direction over, securities by the insider for securities of the reporting issuer pursuant to an issuer event that have not previously been reported by or on behalf of the insider, within the time required by securities legislation for the insider to report any other subsequent change in direct or indirect beneficial ownership of, or control or direction over, securities of the reporting issuer”.

Coming into force

5(1) Subject to subsection (2), these regulations come into force on April 30, 2005.

(2) If these regulations are filed with the Registrar of Regulations after April 30, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

