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PART II/PARTIE II

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No.26/n° 26

PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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The Education Property Tax Credit Regulations E-4.1 Reg 1

The Health Information Protection Regulations H-0.021 Reg 1

*The Securities Commission (Adoption of National Instruments)
Amendment Regulations, 2005 (No. 5)* SR 61/2005

The Subdivision Amendment Regulations, 2005 SR 62/2005

The Milk Control Amendment Regulations, 2005 (No. 6) SR 63/2005

The Assessment Management Agency Amendment Regulations, 2005 SR 64/2005

The Consumer Protection Amendment Regulations, 2005 SR 65/2005

REVISED REGULATIONS OF SASKATCHEWAN

ERRATA NOTICE
The Vital
Statistics Regulations

AVIS D'ERREUR
Règlement sur les services
de l'état civil

ERRATA NOTICE

Pursuant to the authority given to me by section 12 of *The Regulations Act, 1995, The Vital Statistics Amendment Regulations, 2005*, as published in Part II of the Gazette on April 8, 2005, are corrected in subsection 5(3) by striking out Form V.S. 14(C) in the English version where it appears for the first time opposite the French version of Formulaire V.S. 14(A) and substituting the following:

“Form V.S. 14(A)
[Subsection 19(1)]

Application for a Birth Certificate**APPLICATION FOR A BIRTH CERTIFICATE**

**Saskatchewan
Health** **Vital
Statistics**

100-1942 Hamilton Street
Regina, Saskatchewan S4P 4W2
Telephone: 306-787-3251
Toll Free: 1-800-667-7551 (In Sask Only)
Fax: 306-787-2288

Formulaire disponible en français, sur demande

| THE FOLLOWING MUST BE COMPLETED BY THE PERSON REQUESTING THE BIRTH CERTIFICATE | |
|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Name (please print) | |
| Address (Number/Street/Apt. Number/Rural Route/Box Number) | |
| Community, Province/State, Country | Postal/Zip Code |
| Home Phone Number | Work Phone Number |
| Reason Why Certificate(s) is (are) required | Relationship to person named on certificate(s) |
| Certificates to be: <input type="checkbox"/> Same Day Service <input type="checkbox"/> Mailed <input type="checkbox"/> Picked Up | Office use only: Date picked up: _____ |
| THE FOLLOWING PERSONAL IDENTIFICATION HAS BEEN PROVIDED: (see reverse for types of ID required) | |
| Document: _____ | Number: _____ |
| Document: _____ | Number: _____ |
| Signature of Applicant X _____ Date Signed _____ | |

AVIS D'ERREUR

En vertu des pouvoirs que me confère l'article 12 de la *Loi de 1995 sur les règlements*, le *Règlement de 2005 modifiant le Règlement sur les services de l'état civil*, publié le 8 avril 2005 dans la partie II de la Gazette, est modifié par suppression, au paragraphe 5(3) de la version anglaise, du formulaire intitulé Form V.S. 14(C) où il apparaît pour la première fois avec, en regard, la version française du formulaire V.S. 14(A) et son remplacement par ce qui suit :

« Form V.S. 14(A)
[Subsection 19(1)]

Application for a Birth Certificate**APPLICATION FOR A BIRTH CERTIFICATE**

**Saskatchewan
Health**

**Vital
Statistics**

100-1942 Hamilton Street
Regina, Saskatchewan S4P 4W2
Telephone: 306-787-3251
Toll Free: 1-800-667-7551 (In Sask Only)
Fax: 306-787-2288

Formulaire disponible en français, sur demande

| THE FOLLOWING MUST BE COMPLETED BY THE PERSON REQUESTING THE BIRTH CERTIFICATE | |
|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Name (please print) | |
| Address (Number/Street/Apt. Number/Rural Route/Box Number) | |
| Community, Province/State, Country | Postal/Zip Code |
| Home Phone Number | Work Phone Number |
| Reason Why Certificate(s) is (are) required | Relationship to person named on certificate(s) |
| Certificates to be: <input type="checkbox"/> Same Day Service <input type="checkbox"/> Mailed <input type="checkbox"/> Picked Up | Office use only: Date picked up: _____ |
| THE FOLLOWING PERSONAL IDENTIFICATION HAS BEEN PROVIDED: (see reverse for types of ID required) | Document: _____ Number: _____ Document: _____ Number: _____ |
| Signature of Applicant X _____ | Date Signed _____ |

| PAYMENT METHOD (see reverse for applicable fees) | |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <input type="checkbox"/> Cheque <input type="checkbox"/> Money Order <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard | |
| Credit card # _____ | Name on credit card _____ |
| Expiry date _____ | Amount Enclosed/Authorized \$ _____ |
| Signature of cardholder <input checked="" type="checkbox"/> _____ | |

| THE FOLLOWING MUST BE COMPLETED WITH INFORMATION PERTAINING TO THE REQUIRED BIRTH CERTIFICATE | | | |
|-----------------------------------------------------------------------------------------------|---------------------------------------|----------|-------------------------------------------------------------------------------------|
| | Sex | Quantity | Size |
| SURNAME (MAIDEN name if certificate is for a Married Woman) Given Name(s) | | | Small (\$25 each) 9.5 cm x 6.4 cm |
| Date of Birth Month Day Year | Place of Birth _____, SASKATCHEWAN | | Framing size with parental information (\$25 each) 21.6 cm x 17.8 cm |
| BIRTH SURNAME of Father Given Names | | | Certified Photocopy of Registration (\$50 each) Long Form |
| BIRTH SURNAME of Mother Given Names | | | Genealogical Photocopy (\$50 each) |

| |
|-------------------------------------------------------------|
| For Office Use Only |
|-------------------------------------------------------------|

See Reverse Side for Instructions

V.S. 14(A)

| PAYMENT METHOD (see reverse for applicable fees) | |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <input type="checkbox"/> Cheque <input type="checkbox"/> Money Order <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard | |
| Credit card # _____ | Name on credit card _____ |
| Expiry date _____ | Amount Enclosed/Authorized \$ _____ |
| Signature of cardholder X _____ | |

| THE FOLLOWING MUST BE COMPLETED WITH INFORMATION PERTAINING TO THE REQUIRED BIRTH CERTIFICATE | | | |
|-----------------------------------------------------------------------------------------------|---------------------------------------|----------|-------------------------------------------------------------------------------------|
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| BIRTH SURNAME of Father Given Names | | | Certified Photocopy of Registration (\$50 each) Long Form |
| BIRTH SURNAME of Mother Given Names | | | Genealogical Photocopy (\$50 each) |

| |
|---------------------|
| For Office Use Only |
|---------------------|

See Reverse Side for Instructions

V.S. 14(A)

IMPORTANT INFORMATION

| | | | | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------------------------|-----------------------------|------------------------------|----------------------|----------|-----------------------|---------------------------|--|
| <ul style="list-style-type: none"> ● Complete all sections in full. An application with incomplete information must be accompanied by a written explanation for the omission. ● You must sign and date the application. | | | | | | | | | |
| IDENTIFICATION REQUIRED | | | | | | | | | |
| <p>The person applying for the certificate <u>MUST</u> provide legible photocopies of documents confirming his or her identity.</p> <p>Acceptable documents are: One piece of government-issued photo identification OR Two pieces of identification - one of which must contain your signature</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Examples: Photo Driver's Licence</td> <td style="width: 50%;">Examples: Birth Certificate</td> </tr> <tr> <td style="padding-left: 20px;">Certificate of Indian Status</td> <td style="padding-left: 20px;">Health Services Card</td> </tr> <tr> <td style="padding-left: 20px;">Passport</td> <td style="padding-left: 20px;">Social Insurance Card</td> </tr> <tr> <td style="padding-left: 20px;">Canadian Citizenship Card</td> <td></td> </tr> </table> | | Examples: Photo Driver's Licence | Examples: Birth Certificate | Certificate of Indian Status | Health Services Card | Passport | Social Insurance Card | Canadian Citizenship Card | |
| Examples: Photo Driver's Licence | Examples: Birth Certificate | | | | | | | | |
| Certificate of Indian Status | Health Services Card | | | | | | | | |
| Passport | Social Insurance Card | | | | | | | | |
| Canadian Citizenship Card | | | | | | | | | |
| CERTIFICATES OF BIRTH | | | | | | | | | |
| Fee - \$25.00 (No GST) | | | | | | | | | |
| <p>The certificate contains information extracted from the original registration filed with this office.</p> <p><i>Small (Wallet size)</i> - Name, date of birth, place of birth, sex, registration number and registration date. <i>Framing size</i> - Same information as Small plus parents' names and places of birth.</p> | | | | | | | | | |
| CERTIFIED PHOTOCOPY OF THE ORIGINAL REGISTRATION | | | | | | | | | |
| Fee - \$50.00 (No GST) | | | | | | | | | |
| <p>A certified photocopy of a Registration of Birth contains all the information that appears on the original registration.</p> | | | | | | | | | |
| GENEALOGICAL PHOTOCOPY | | | | | | | | | |
| Fee - \$50.00 (No GST) | | | | | | | | | |
| <p>A genealogical photocopy of a Registration of Birth contains all the information that appears on the original registration. This photocopy is stamped "For Genealogy Only".</p> | | | | | | | | | |
| SEARCH FEE | | | | | | | | | |
| Fee - \$25.00 for each search period of three consecutive years or less | | | | | | | | | |
| <p>The fee for each search of the indexes for the Registration of Birth and the issue of a certificate respecting the registration of live birth or of a report of the search includes a three-year record search. <i>Fees are subject to change.</i></p> | | | | | | | | | |
| SAME-DAY ISSUING FEE | | | | | | | | | |
| <p>In addition to the certificate fee(s), a \$30.00 fee is payable if the applicant requests that the application be processed the same day that it is received in the office. On such a request, certificates will be available for pick-up that same day during regular office hours (8:30 am to 4:30 pm), or will be forwarded by the next available courier service. <i>Same-day issuing does not guarantee same-day delivery.</i></p> | | | | | | | | | |
| METHOD OF PAYMENT | | | | | | | | | |
| <ul style="list-style-type: none"> ■ Do not send cash. It is against postal regulations to send cash through the mail. ■ Payments by Cheque or Money Order should be made payable to the Minister of Finance. ■ Persons living outside of Canada should obtain an International Money Order. ■ VISA and MASTERCARD are accepted. | | | | | | | | | |

Dated at Regina, this 21st day of June, 2005.

Judy Samuelson
Registrar of Regulations

IMPORTANT INFORMATION

| | | | | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------|-----------------------------|------------------------------|----------------------|----------|-----------------------|---------------------------|--|
| <ul style="list-style-type: none"> ● Complete all sections in full. An application with incomplete information must be accompanied by a written explanation for the omission. ● You must sign and date the application. | | | | | | | | | |
| IDENTIFICATION REQUIRED | | | | | | | | | |
| <p>The person applying for the certificate <u>MUST</u> provide legible photocopies of documents confirming his or her identity.</p> <p>Acceptable documents are: One piece of government-issued photo identification OR Two pieces of identification - one of which must contain your signature</p> <table> <tr> <td>Examples: Photo Driver's Licence</td> <td>Examples: Birth Certificate</td> </tr> <tr> <td>Certificate of Indian Status</td> <td>Health Services Card</td> </tr> <tr> <td>Passport</td> <td>Social Insurance Card</td> </tr> <tr> <td>Canadian Citizenship Card</td> <td></td> </tr> </table> | | Examples: Photo Driver's Licence | Examples: Birth Certificate | Certificate of Indian Status | Health Services Card | Passport | Social Insurance Card | Canadian Citizenship Card | |
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| Certificate of Indian Status | Health Services Card | | | | | | | | |
| Passport | Social Insurance Card | | | | | | | | |
| Canadian Citizenship Card | | | | | | | | | |
| CERTIFICATES OF BIRTH | Fee - \$25.00 (No GST) | | | | | | | | |
| <p>The certificate contains information extracted from the original registration filed with this office.</p> <p><i>Small (Wallet size)</i> - Name, date of birth, place of birth, sex, registration number and registration date. <i>Framing size</i> - Same information as Small plus parents' names and places of birth.</p> | | | | | | | | | |
| CERTIFIED PHOTOCOPY OF THE ORIGINAL REGISTRATION | Fee - \$50.00 (No GST) | | | | | | | | |
| <p>A certified photocopy of a Registration of Birth contains all the information that appears on the original registration.</p> | | | | | | | | | |
| GENEALOGICAL PHOTOCOPY | Fee - \$50.00 (No GST) | | | | | | | | |
| <p>A genealogical photocopy of a Registration of Birth contains all the information that appears on the original registration. This photocopy is stamped "For Genealogy Only".</p> | | | | | | | | | |
| SEARCH FEE | Fee - \$25.00 for each search period of three consecutive years or less | | | | | | | | |
| <p>The fee for each search of the indexes for the Registration of Birth and the issue of a certificate respecting the registration of live birth or of a report of the search includes a three-year record search. <i>Fees are subject to change.</i></p> | | | | | | | | | |
| SAME-DAY ISSUING FEE | | | | | | | | | |
| <p>In addition to the certificate fee(s), a \$30.00 fee is payable if the applicant requests that the application be processed the same day that it is received in the office. On such a request, certificates will be available for pick-up that same day during regular office hours (8:30 am to 4:30 pm), or will be forwarded by the next available courier service. <i>Same-day issuing does not guarantee same-day delivery.</i></p> | | | | | | | | | |
| METHOD OF PAYMENT | | | | | | | | | |
| <ul style="list-style-type: none"> ■ Do not send cash. It is against postal regulations to send cash through the mail. ■ Payments by Cheque or Money Order should be made payable to the Minister of Finance. ■ Persons living outside of Canada should obtain an International Money Order. ■ VISA and MASTERCARD are accepted. | | | | | | | | | |

».

Fait à Regina, le 21 juin 2005.

Judy Samuelson
 Registraire des règlements

CHAPTER E-4.1 REG 1*The Education Property Tax Credit Act*

Section 6

Order in Council 528/2005, dated June 21, 2005

(Filed June 22, 2005)

Short title

1 These regulations may be cited as *The Education Property Tax Credit Regulations*.

Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Education Property Tax Credit Act*;
- (b) “**form**” means a form set out in the Appendix.

(2) In these regulations and the Act:

- (a) “**eligible property**” means any property that is subject to property taxation and is shown on a municipality’s tax roll when the credit is applied but does not include any property for which provincial or federal grants or payments are paid in lieu of property taxes;
- (b) “**tax notice**” means the notice:
 - (i) required pursuant to section 282 of *The Urban Municipality Act, 1984*, section 342 of *The Rural Municipality Act, 1989*, section 237 of *The Cities Act*, and section 233 of *The Northern Municipalities Act*, as the case may be; or
 - (ii) as defined in *The Lloydminster Charter*.

Credit calculation

3(1) Subject to subsection (2), the credit will be applied once in 2005 on the day that the education property tax is levied on an eligible property.

(2) The credit shall be calculated after mill rate factors, cancellations and abatements have been applied to the education property tax, if applicable.

(3) Unless a gross error has occurred in the calculation of the credit, the credit that appears on the tax notice will not be adjusted or recalculated for any reason, including, but not limited to:

- (a) supplementary assessments;
- (b) assessment appeal decisions;
- (c) tax phase-in;
- (d) corrections of assessment errors;
- (e) property tax cancellations, abatements and compromises; and
- (f) assessment audit results.

Amount of credit

4 Subject to section 5, the credit for 2005 is 8%.

Credit limit

5(1) In this section, “**capped property**”:

(a) means the following classes of property as prescribed in regulations respecting the assessment and taxation of property within municipalities:

- (i) Multi-unit Residential;
- (ii) Commercial and Industrial;
- (iii) Elevators;
- (iv) Railway Rights of Way and Pipeline;

(b) includes multiple-use property; and

(c) does not include any part of a parcel as defined in *The Condominium Property Act, 1993* that is used for a residential purpose.

(2) The maximum amount of the credit is \$2,500 for any capped property:

(a) as designated on a municipality’s tax roll; or

(b) in the case of the Saskatchewan portion of the City of Lloydminster, as designated in accordance with the tax classification set by the Province of Saskatchewan for the purpose of determining equivalency assessments pursuant to *The Lloydminster Charter*.

(3) The credit for a multiple-use property is calculated based on the total education property taxes levied for that property whether or not the property is entered more than once on a municipality’s tax roll.

Tax notices

6 For the purposes of clause 3(c) of the Act, municipalities shall, on the tax notice:

(a) state the amount of the credit;

(b) identify the credit as the “Provincial Education Property Tax Credit”; and

(c) identify the amount of education property tax payable after the credit has been applied.

Grants to school divisions

7(1) For the purposes of section 4 of the Act, if the minister makes a grant to a school division, the amount shall be an amount equal to the total amount of credits provided by municipalities within the boundaries of that school division pursuant to section 3 of the Act.

(2) To apply for a grant, a school division must complete and submit Form A together with a copy of Form B to the minister by October 31, 2005.

(3) The minister may make an advance payment on a grant to a school division, based on its 2005 education property tax estimate, in any amount that is less than 8% of that estimate.

(4) To apply for an advance payment on a grant, a school division must apply in a form and manner satisfactory to the minister by June 30, 2005.

(5) If a school division receives an advance payment on a grant that exceeds the amount the school division is entitled to receive for the grant, the overpayment is a debt due to the Crown in right of Saskatchewan and may be recovered in any manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

Municipal credit reports to school divisions

8 For the purposes of clause 3(d) of the Act, each municipality shall provide its written report in Form B within 30 days after issuing tax notices.

Assistance for municipalities

9(1) The minister may make a payment or grant to any municipality that does not utilize computerized tax roll software:

- (a) based on the number of separately identified taxable properties shown on the municipality's tax roll;
 - (b) at a rate of \$2.50 for each of those properties; and
 - (c) in an amount that is not less than \$100 and not greater than \$500.
- (2) To apply for the payment or grant mentioned in subsection (1), a municipality shall apply to the minister using Form C by September 30, 2005.

Coming into force

10 These regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from January 1, 2005.

Appendix

FORM A
[Section 7]

Provincial Education Property Tax Credit Summary

(school division name and number)

1. Properties Not Affected by the Credit Cap

| <i>Local Property Class</i> | <i>Pre-credit Current Education Property Tax</i> | <i>Credit Total</i> | <i>Current Education Property Tax Less Credit</i> |
|------------------------------------------------------|---------------------------------------------------------------|---------------------|---------------------------------------------------|
| Agricultural | <i>(compile Form B column totals by local property class)</i> | | |
| Residential | | | |
| Commercial/Industrial | | | |
| Sub-totals <i>(insert totals for each column)</i> | \$ | \$ | \$ |

2. Properties Affected by the Credit Cap

| <i>Local Property Class</i> | <i>Pre-credit Current Education Property Tax</i> | <i>Credit Total</i> | <i>Current Education Property Tax Less Credit</i> |
|------------------------------------------------------|---------------------------------------------------------------|---------------------|---------------------------------------------------|
| Agricultural | <i>(compile Form B column totals by local property class)</i> | | |
| Residential | | | |
| Commercial/Industrial | | | |
| Sub-totals <i>(insert totals for each column)</i> | \$ | \$ | \$ |

3. Total Provincial Education Property Tax Credit *(add amounts from tables 1 and 2)*

| <i>Local Property Class</i> | <i>Pre-credit Current Education Property Tax</i> | <i>Credit Total</i> | <i>Current Education Property Tax Less Credit</i> |
|-------------------------------------------------------|---------------------------------------------------------------|---------------------|---------------------------------------------------|
| Agricultural | <i>(compile Form B column totals by local property class)</i> | | |
| Residential | | | |
| Commercial/Industrial | | | |
| Totals <i>(insert overall totals for each column)</i> | \$ | \$ | \$ |

Certified correct this _____ day of _____, _____.

(secretary-treasurer)

(name of school division)

FORM B
[Section 8]

Provincial Education Property Tax Credit Summary

(name of municipality)

(school division name and number)

1. Properties Not Affected by the Credit Cap

| <i>Local Property Class</i> | <i>Pre-credit Current Education Property Tax</i> | <i>Credit Total</i> | <i>Current Education Property Tax Less Credit</i> |
|------------------------------------------------------|-------------------------------------------------------|---------------------|-------------------------------------------------------|
| Agricultural | <i>(insert column totals by local property class)</i> | | |
| Residential | | | |
| Commercial/Industrial | | | |
| Sub-totals <i>(insert totals for each column)</i> | \$ | \$ | \$ |

2. Properties Affected by the Credit Cap

| <i>Local Property Class</i> | <i>Tax Roll Number</i> | <i>Pre-credit Current Education Property Tax</i> | <i>Credit Total</i> | <i>Current Education Property Tax Less Credit</i> |
|--------------------------------------------------------------------------|----------------------------|------------------------------------------------------|---------------------|-----------------------------------------------------------|
| <i>(state information for individual properties affected by the cap)</i> | | | | |
| Sub-totals <i>(insert totals for each column)</i> | | \$ | \$ | \$ |

3. Total Provincial Education Property Tax Credit *(add amounts from tables 1 and 2)*

| <i>Local Property Class</i> | <i>Pre-credit Current Education Property Tax</i> | <i>Credit Total</i> | <i>Current Education Property Tax Less Credit</i> |
|-----------------------------------------------------------|-------------------------------------------------------|---------------------|-------------------------------------------------------|
| Agricultural | <i>(insert column totals by local property class)</i> | | |
| Residential | | | |
| Commercial/Industrial | | | |
| Totals <i>(insert overall totals for each column)</i> | \$ | \$ | \$ |

Certified correct this _____ day of _____, _____.

(administrator/clerk)

(name of municipality)

FORM C
[Section 9]

Assistance for Municipality not Utilizing Computerized Tax Roll System

The municipality of _____
(name of municipality)

does not utilize a computerized tax roll system.

The number of separately identified taxable properties shown on the municipal tax roll is _____,
(number of tax cards, unique tax roll numbers)

multiplied by \$2.50 is \$ _____.

Note: The amount claimed is subject to a minimum of \$100.00 and a maximum of \$500.00.

Certified correct this _____ day of _____, _____.

(administrator/clerk)

(name of municipality)

Submit to:
School Finance Branch
Department of Learning
2220 College Avenue
Regina, SK S4P 4V9

CHAPTER H-0.021 REG 1*The Health Information Protection Act*

Section 63

Order in Council 527/2005, dated June 21, 2005

(Filed June 22, 2005)

Title**1** These regulations may be cited as *The Health Information Protection Regulations*.**Interpretation****2** In these regulations:

- (a) “**Act**” means *The Health Information Protection Act*;
- (b) “**Health Quality Council**” means the Health Quality Council established pursuant to *The Health Quality Council Act*;
- (c) “**Saskatchewan Cancer Foundation**” means the Saskatchewan Cancer Foundation established pursuant to *The Cancer Foundation Act*.

Trustees prescribed**3** For the purposes of subclause 2(t)(xv) of the Act, the following are prescribed as trustees:

- (a) the Health Quality Council;
- (b) hearing aid dealers within the meaning of *The Hearing Aid Sales and Services Act*.

Designated archives**4(1)** For the purposes of section 22 of the Act, the following are designated archives:

- (a) affiliates;
- (b) the Department of Health;
- (c) health professional bodies that regulate members of a health profession pursuant to an Act;
- (d) regional health authorities;
- (e) Saskatchewan Archives Board;
- (f) Saskatchewan Health Information Network;
- (g) University of Regina Archives;
- (h) University of Saskatchewan Archives.

(2) Nothing in this section requires a designated archive to accept personal health information from a trustee.**Disclosure to Health Quality Council****5** Pursuant to clause 27(4)(p) of the Act, the minister may, without the consent of the subject individual, disclose personal health information to the Health Quality Council for use by the council in carrying out any of the objects of the council set out in clauses 5(a) to (l) of *The Health Quality Council Act*, if:

- (a) before the personal health information is disclosed to the Health Quality Council, the minister ensures that reasonable steps have been taken:
 - (i) to remove any information that by itself may reasonably be expected to identify the subject individual; and

- (ii) to replace the subject individual's health services number or any other number assigned to the individual as part of a system of unique identifying numbers with a unique encrypted identifier; and
- (b) the Health Quality Council has entered into a written agreement with the minister that:
 - (i) governs the personal health information to be disclosed;
 - (ii) governs the Health Quality Council's access to personal health information and use of personal health information;
 - (iii) requires the Health Quality Council to use the personal health information only for the objects set out in clauses 5(a) to (l) of *The Health Quality Council Act*;
 - (iv) prohibits the Health Quality Council from disclosing the personal health information without the approval of the minister;
 - (v) prohibits the Health Quality Council from attempting to re-identify the personal health information; and
 - (vi) requires the Health Quality Council to:
 - (A) take reasonable steps to ensure the security and confidentiality of the personal health information; and
 - (B) ensure that, in any publication or report made by the Health Quality Council, information is disclosed only in a manner that will prevent the direct or indirect identification of subject individuals.

Disclosure to and by Saskatchewan Cancer Foundation

6 Pursuant to subsection 28(8) of the Act, registration information may be disclosed to the Saskatchewan Cancer Foundation and by the Saskatchewan Cancer Foundation for any of the purposes set out in subsections 28(1) to (3) of the Act as if the Saskatchewan Cancer Foundation were a regional health authority or an affiliate.

Disclosure to Department of Learning

7(1) Pursuant to subsection 28(8) of the Act, the minister may disclose registration information in accordance with subsection (2) to the Department of Learning for the purpose of enabling the Department of Learning to administer a database for the tracking of persons of compulsory school age.

- (2) In a disclosure pursuant to subsection (1), the minister:
 - (a) may disclose registration information with respect to persons of compulsory school age and the parents or guardians of those persons; and
 - (b) shall disclose only the types of registration information that are necessary for the purpose described in that subsection.

Coming into force

8(1) Subject to subsection (2), these regulations come into force on the thirtieth day after the day on which they are filed with the Registrar of Regulations.

- (2) If, on the thirtieth day after the day on which these regulations are filed with the Registrar of Regulations, section 2 of *The Hearing Aid Sales and Services Act* is not in force, clause 3(b) of these regulations comes into force on the day on which section 2 of *The Hearing Aid Sales and Services Act* comes into force.

SASKATCHEWAN REGULATIONS 61/2005*The Securities Act, 1988*

Section 154

Commission Order, dated May 30, 2005

(Filed June 21, 2005)

Title

1 These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2005 (No. 5)*.

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

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

Section 2 amended

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

“(oo) National Instrument 58-101, entitled Disclosure of Corporate Governance Practices, as set out in Part XLI of the Appendix”.

Part XXXV of Appendix amended

4(1) Part XXXV of the Appendix is amended in the manner set forth in this section.

(2) The definition of “venture issuer” in section 1.1 is repealed and the following substituted:

“‘**venture issuer**’ means an issuer that, at the end of its most recently completed financial year, does not have any of its securities listed or quoted on the Toronto Stock Exchange, a U.S. marketplace or a marketplace outside of Canada and the United States of America”.

(3) Paragraph 1.3(1)(b) is amended by striking out “or company” and substituting “is an individual who”.

(4) Subsection 1.3(4) is repealed and the following substituted:

“(4) Despite subsection (1), an individual will not be considered to control an issuer for the purposes of this Instrument if the individual:

(a) owns, directly or indirectly, 10% or less of any class of voting securities of the issuer; and

(b) is not an executive officer of the issuer”.

(5) Sections 1.4 and 1.5 are repealed and the following substituted:

“1.4 Meaning of Independence

(1) An audit committee member is independent if he or she has no direct or indirect material relationship with the issuer.

(2) For the purposes of subsection (1), a ‘material relationship’ is a relationship which could, in the view of the issuer’s board of directors, be reasonably expected to interfere with the exercise of a member’s independent judgement.

(3) Despite subsection (2), the following individuals are considered to have a material relationship with an issuer:

- (a) an individual who is, or has been within the last three years, an employee or executive officer of the issuer;
- (b) an individual whose immediate family member is, or has been within the last three years, an executive officer of the issuer;
- (c) an individual who:
 - (i) is a partner of a firm that is the issuer's internal or external auditor;
 - (ii) is an employee of that firm; or
 - (iii) was within the last three years a partner or employee of that firm and personally worked on the issuer's audit within that time;
- (d) an individual whose spouse, minor child or stepchild, or child or stepchild who shares a home with the individual:
 - (i) is a partner of a firm that is the issuer's internal or external auditor;
 - (ii) is an employee of that firm and participates in its audit, assurance or tax compliance (but not tax planning) practice; or
 - (iii) was within the last three years a partner or employee of that firm and personally worked on the issuer's audit within that time;
- (e) an individual who, or whose immediate family member, is or has been within the last three years, an executive officer of an entity if any of the issuer's current executive officers serves or served at that same time on the entity's compensation committee; and
- (f) an individual who received, or whose immediate family member who is employed as an executive officer of the issuer received, more than \$75,000 in direct compensation from the issuer during any 12 month period within the last three years.

(4) Despite subsection (3), an individual will not be considered to have a material relationship with the issuer solely because:

- (a) he or she had a relationship identified in subsection (3) if that relationship ended before March 30, 2004; or
- (b) he or she had a relationship identified in subsection (3) by virtue of subsection (8) if that relationship ended before June 30, 2005.

(5) For the purposes of clauses (3)(c) and (3)(d), a partner does not include a fixed income partner whose interest in the firm that is the internal or external auditor is limited to the receipt of fixed amounts of compensation (including deferred compensation) for prior service with that firm if the compensation is not contingent in any way on continued service.

- (6) For the purposes of clause (3)(f), direct compensation does not include:
- (a) remuneration for acting as a member of the board of directors or of any board committee of the issuer; and
 - (b) the receipt of fixed amounts of compensation under a retirement plan (including deferred compensation) for prior service with the issuer if the compensation is not contingent in any way on continued service.
- (7) Despite subsection (3), an individual will not be considered to have a material relationship with the issuer solely because the individual or his or her immediate family member:
- (a) has previously acted as an interim chief executive officer of the issuer; or
 - (b) acts, or has previously acted, as a chair or vice-chair of the board of directors or of any board committee of the issuer on a part-time basis.
- (8) For the purpose of section 1.4, an issuer includes a subsidiary entity of the issuer and a parent of the issuer.

“1.5 Additional Independence Requirements

- (1) Despite any determination made under section 1.4, an individual who:
- (a) accepts, directly or indirectly, any consulting, advisory or other compensatory fee from the issuer or any subsidiary entity of the issuer, other than as remuneration for acting in his or her capacity as a member of the board of directors or any board committee, or as a part-time chair or vice-chair of the board or any board committee; or
 - (b) is an affiliated entity of the issuer or any of its subsidiary entities;
- is considered to have a material relationship with the issuer.
- (2) For the purposes of subsection (1), the indirect acceptance by an individual of any consulting, advisory or other compensatory fee includes acceptance of a fee by:
- (a) an individual's spouse, minor child or stepchild, or a child or stepchild who shares the individual's home; or
 - (b) an entity in which such individual is a partner, member, an officer such as a managing director occupying a comparable position or executive officer, or occupies a similar position (except limited partners, non-managing members and those occupying similar positions who, in each case, have no active role in providing services to the entity) and which provides accounting, consulting, legal, investment banking or financial advisory services to the issuer or any subsidiary entity of the issuer.
- (3) For the purposes of subsection (1), compensatory fees do not include the receipt of fixed amounts of compensation under a retirement plan (including deferred compensation) for prior service with the issuer if the compensation is not contingent in any way on continued service.

“1.6 Meaning of Financial Literacy - For the purposes of this Instrument, an individual is financially literate if he or she has the ability to read and understand a set of financial statements that present a breadth and level of complexity of accounting issues that are generally comparable to the breadth and complexity of the issues that can reasonably be expected to be raised by the issuer’s financial statements”.

(6) Paragraph 3.3(2)(a) is repealed and the following substituted:

“(a) the member would be independent of the issuer but for the relationship described in paragraph 1.5(1)(b) or as a result of subsection 1.4(8)”.

(7) Paragraph 3.6(a) is amended by striking out “paragraph 1.4(3)(f)(i) or 1.4(3)(g)” and substituting “subsection 1.5(1)”.

(8) Section 7.1 is amended:

(a) by striking out “a” before “issuers, other than foreign private issuers”; and

(b) by striking out “paragraph 5 of Form 52-110F1” and substituting “paragraph 7 of Form 52-110F1”.

(9) Paragraph (c) of Item 3 of Form 52-110F1 is amended by striking out “persons” and substituting “individuals”.

(10) Items 3 to 7 of Form 52-110F2 are repealed and the following substituted:

“3. Relevant Education and Experience

Describe the education and experience of each audit committee member that is relevant to the performance of his or her responsibilities as an audit committee member and, in particular, disclose any education or experience that would provide the member with:

(a) an understanding of the accounting principles used by the issuer to prepare its financial statements;

(b) the ability to assess the general application of such accounting principles in connection with the accounting for estimates, accruals and reserves;

(c) experience preparing, auditing, analyzing or evaluating financial statements that present a breadth and level of complexity of accounting issues that are generally comparable to the breadth and complexity of issues that can reasonably be expected to be raised by the issuer’s financial statements, or experience actively supervising one or more individuals engaged in such activities; and

(d) an understanding of internal controls and procedures for financial reporting.

“4. Audit Committee Oversight

If, at any time since the commencement of the issuer’s most recently completed financial year, a recommendation of the audit committee to nominate or compensate an external auditor was not adopted by the board of directors, state that fact and explain why.

“5. Reliance on Certain Exemptions

If, at any time since the commencement of the issuer’s most recently completed financial year, the issuer has relied on:

- (a) the exemption in section 2.4 (*DeMinimis Non-audit Services*); or
- (b) an exemption from this Instrument, in whole or in part, granted under Part 8 (*Exemptions*);

state that fact.

“6. Pre-Approval Policies and Procedures

If the audit committee has adopted specific policies and procedures for the engagement of non-audit services, describe those policies and procedures.

“7. External Auditor Service Fees (By Category)

(a) Disclose, under the caption “Audit Fees”, the aggregate fees billed by the issuer’s external auditor in each of the last two fiscal years for audit fees.

(b) Disclose, under the caption “Audit-Related Fees”, the aggregate fees billed in each of the last two fiscal years for assurance and related services by the issuer’s external auditor that are reasonably related to the performance of the audit or review of the issuer’s financial statement and are not reported under clause (a) above. Include a description of the nature of the services comprising the fees disclosed under this category.

(c) Disclose, under the caption “Tax Fees”, the aggregate fees billed in each of the last two fiscal years for professional services rendered by the issuer’s external auditor for tax compliance, tax advice, and tax planning. Include a description of the nature of the services comprising the fees disclosed under this category.

(d) Disclose, under the caption “All Other Fees”, the aggregate fees billed in each of the last two fiscal years for products and services provided by the issuer’s external auditor, other than the services reported under clauses (a), (b) and (c), above. Include a description of the nature of the services comprising the fees disclosed under this category.

INSTRUCTION:

The fees required to be disclosed by paragraph 7 relate only to services provided to the issuer or its subsidiary entities by the issuer’s external auditor.

“8. Exemption

Disclose that the issuer is relying upon the exemption in section 6.1 of the Instrument”.

New Part XLI of Appendix

5 The following Part is added after Part XL of the Appendix:

“PART XLI
[*clause 2(oo)*]

“NATIONAL INSTRUMENT 58-101
DISCLOSURE OF CORPORATE GOVERNANCE PRACTICES

“PART I DEFINITIONS AND APPLICATIONS

“1.1 Definitions - In this Instrument:

‘AIF’ has the same meaning as in National Instrument 51-102 *Continuous Disclosure Obligations*;

‘CEO’ means a chief executive officer;

‘code’ means a code of business conduct and ethics;

‘executive officer’ has the same meaning as in National Instrument 51-102;

‘marketplace’ has the same meaning as in National Instrument 21-101 *Marketplace Operation*;

‘MD&A’ has the same meaning as in National Instrument 51-102;

‘MI 52-110’ means Multilateral Instrument 52-110 *Audit Committees*, as enacted or adopted by the securities regulatory authority in each jurisdiction in Canada except British Columbia;

‘SEDAR’ has the same meaning as in National Instrument 13-101 *System for Electronic Document Analysis and Retrieval (SEDAR)*;

‘significant security holder’ means, in relation to an issuer, a security holder that:

(a) owns or controls 10% or more of any class of the issuer’s voting securities; or

(b) is able to affect materially the control of the issuer, whether alone or by acting in concert with others;

‘subsidiary entity’ has the meaning set out in MI 52-110;

‘U.S. marketplace’ means an exchange registered as of the effective date of this Instrument as a ‘national securities exchange’ under section 6 of the 1934 Act, or the Nasdaq Stock Market; and

‘venture issuer’ means an issuer that, at the end of its most recently completed financial year, does not have any of its securities listed or quoted on the Toronto Stock Exchange, a U.S. marketplace, or a marketplace outside of Canada and the United States of America.

“1.2 Meaning of Independence

- (1) In a jurisdiction other than British Columbia, a director is independent if he or she would be independent within the meaning of section 1.4 of MI 52-110.
- (2) In British Columbia, a director is independent if:
 - (a) a reasonable person with knowledge of all the relevant circumstances would conclude that the director is independent of management of the issuer and of any significant security holder; or
 - (b) the issuer is a reporting issuer in a jurisdiction other than British Columbia, and the director is independent under subsection (1).

“1.3 Application - This Instrument applies to a reporting issuer other than:

- (a) an investment fund or issuer of asset-backed securities, as defined in National Instrument 51-102;
- (b) a designated foreign issuer or SEC foreign issuer, as defined in National Instrument 71-102 *Continuous Disclosure and Other Exemptions Relating to Foreign Issuers*;
- (c) a credit support issuer or exchangeable security issuer that is exempt under sections 13.2 and 13.3 of National Instrument 51-102, as applicable; and
- (d) an issuer that is a subsidiary entity, if:
 - (i) the issuer does not have equity securities, other than non-convertible, non-participating preferred securities, trading on a marketplace; and
 - (ii) the person or company that owns the issuer is:
 - (A) subject to the requirements of this Instrument; or
 - (B) an issuer that has securities listed or quoted on a U.S. marketplace, and is in compliance with the corporate governance disclosure requirements of that U.S. marketplace.

“PART 2 DISCLOSURE AND FILING REQUIREMENTS**“2.1 Required Disclosure**

- (1) If management of an issuer, other than a venture issuer, solicits a proxy from a security holder of the issuer for the purpose of electing directors to the issuer's board of directors, the issuer must include in its management information circular the disclosure required by Form 58-101F1.
- (2) An issuer, other than a venture issuer, that does not send a management information circular to its security holders must provide the disclosure required by Form 58-101F1 in its AIF.

“2.2 Venture Issuers

- (1) If management of a venture issuer solicits a proxy from a security holder of the venture issuer for the purpose of electing directors to the issuer's board of directors, the venture issuer must include in its management information circular the disclosure required by Form 58-101F2.

- (2) A venture issuer that does not send a management information circular to its security holders must provide the disclosure required by Form 58-101F2 in its AIF or annual MD&A.

“2.3 Filing of Code - If an issuer has adopted or amended a written code, the issuer must file a copy of the code or amendment on SEDAR no later than the date on which the issuer’s next financial statements must be filed, unless a copy of the code or amendment has been previously filed.

“PART 3 EXEMPTIONS AND EFFECTIVE DATE

“3.1 Exemptions

- (1) The securities regulatory authority or regulator may grant an exemption from this rule, in whole or in part, subject to any conditions or restrictions imposed in the exemption.
- (2) Despite subsection (1), in Ontario, only the regulator may grant an exemption.

“3.2 Effective Date

- (1) This Instrument comes into force on June 30, 2005.
- (2) Despite subsection (1), sections 2.1 and 2.2 only apply to management information circulars, AIFs and annual MD&A, as the case may be, which are filed following an issuer’s financial year ending on or after June 30, 2005.

“FORM 58-101F1 CORPORATE GOVERNANCE DISCLOSURE

“1. Board of Directors

- (a) Disclose the identity of directors who are independent.
- (b) Disclose the identity of directors who are not independent, and describe the basis for that determination.
- (c) Disclose whether or not a majority of directors are independent. If a majority of directors are not independent, describe what the board of directors (the **board**) does to facilitate its exercise of independent judgement in carrying out its responsibilities.
- (d) If a director is presently a director of any other issuer that is a reporting issuer (or the equivalent) in a jurisdiction or a foreign jurisdiction, identify both the director and the other issuer.
- (e) Disclose whether or not the independent directors hold regularly scheduled meetings at which non-independent directors and members of management are not in attendance. If the independent directors hold such meetings, disclose the number of meetings held since the beginning of the issuer’s most recently completed financial year. If the independent directors do not hold such meetings, describe what the board does to facilitate open and candid discussion among its independent directors.

(f) Disclose whether or not the chair of the board is an independent director. If the board has a chair or lead director who is an independent director, disclose the identity of the independent chair or lead director, and describe his or her role and responsibilities. If the board has neither a chair that is independent nor a lead director that is independent, describe what the board does to provide leadership for its independent directors.

(g) Disclose the attendance record of each director for all board meetings held since the beginning of the issuer's most recently completed financial year.

“2. Board Mandate - Disclose the text of the board's written mandate. If the board does not have a written mandate, describe how the board delineates its role and responsibilities.

“3. Position Descriptions

(a) Disclose whether or not the board has developed written position descriptions for the chair and the chair of each board committee. If the board has not developed written position descriptions for the chair and/or the chair of each board committee, briefly describe how the board delineates the role and responsibilities of each such position.

(b) Disclose whether or not the board and CEO have developed a written position description for the CEO. If the board and CEO have not developed such a position description, briefly describe how the board delineates the role and responsibilities of the CEO.

“4. Orientation and Continuing Education

(a) Briefly describe what measures the board takes to orient new directors regarding:

- (i) the role of the board, its committees and its directors; and
- (ii) the nature and operation of the issuer's business.

(b) Briefly describe what measures, if any, the board takes to provide continuing education for its directors. If the board does not provide continuing education, describe how the board ensures that its directors maintain the skill and knowledge necessary to meet their obligations as directors.

“5. Ethical Business Conduct

(a) Disclose whether or not the board has adopted a written code for the directors, officers and employees. If the board has adopted a written code:

- (i) disclose how a person or company may obtain a copy of the code;
- (ii) describe how the board monitors compliance with its code, or if the board does not monitor compliance, explain whether and how the board satisfies itself regarding compliance with its code; and
- (iii) provide a cross-reference to any material change report filed since the beginning of the issuer's most recently completed financial year that pertains to any conduct of a director or executive officer that constitutes a departure from the code.

(b) Describe any steps the board takes to ensure directors exercise independent judgement in considering transactions and agreements in respect of which a director or executive officer has a material interest.

(c) Describe any other steps the board takes to encourage and promote a culture of ethical business conduct.

“6. Nomination of Directors

(a) Describe the process by which the board identifies new candidates for board nomination.

(b) Disclose whether or not the board has a nominating committee composed entirely of independent directors. If the board does not have a nominating committee composed entirely of independent directors, describe what steps the board takes to encourage an objective nomination process.

(c) If the board has a nominating committee, describe the responsibilities, powers and operation of the nominating committee.

“7. Compensation

(a) Describe the process by which the board determines the compensation for the issuer’s directors and officers.

(b) Disclose whether or not the board has a compensation committee composed entirely of independent directors. If the board does not have a compensation committee composed entirely of independent directors, describe what steps the board takes to ensure an objective process for determining such compensation.

(c) If the board has a compensation committee, describe the responsibilities, powers and operation of the compensation committee.

(d) If a compensation consultant or advisor has, at any time since the beginning of the issuer’s most recently completed financial year, been retained to assist in determining compensation for any of the issuer’s directors and officers, disclose the identity of the consultant or advisor and briefly summarize the mandate for which they have been retained. If the consultant or advisor has been retained to perform any other work for the issuer, state that fact and briefly describe the nature of the work.

“8. Other Board Committees - If the board has standing committees other than the audit, compensation and nominating committees, identify the committees and describe their function.

“9. Assessments - Disclose whether or not the board, its committees and individual directors are regularly assessed with respect to their effectiveness and contribution. If assessments are regularly conducted, describe the process used for the assessments. If assessments are not regularly conducted, describe how the board satisfies itself that the board, its committees, and its individual directors are performing effectively.

INSTRUCTIONS:

(1) *This Form applies to both corporate and non-corporate entities. Reference to a particular corporate characteristic, such as a board, includes any equivalent characteristic of a non-corporate entity.*

Income trust issuers must provide disclosure in a manner which recognizes that certain functions of a corporate issuer, its board and its management may be performed by any or all of the trustees, the board or management of a subsidiary of the trust, or the board, management or employees of a management company. In the case of an income trust, references to the issuer refer to both the trust and any underlying entities, including the operating entity.

(2) *If the disclosure required by Item 1 is included in a management information circular distributed to security holders of the issuer for the purpose of electing directors to the issuer's board of directors, provide disclosure regarding the existing directors and any proposed directors.*

(3) *Disclosure regarding board committees made under Item 8 of this Form may include the existence and summary content of any committee charter.*

**“FORM 58-101F2
CORPORATE GOVERNANCE DISCLOSURE**

(Venture Issuers)

- “1. Board of Directors** - Disclose how the board of directors (the board) facilitates its exercise of independent supervision over management, including:
- (i) the identity of directors that are independent; and
 - (ii) the identity of directors who are not independent, and the basis for that determination.
- “2. Directorships** - If a director is presently a director of any other issuer that is a reporting issuer (or the equivalent) in a jurisdiction or a foreign jurisdiction, identify both the director and the other issuer.
- “3. Orientation and Continuing Education** - Describe what steps, if any, the board takes to orient new board members, and describe any measures the board takes to provide continuing education for directors.
- “4. Ethical Business Conduct** - Describe what steps, if any, the board takes to encourage and promote a culture of ethical business conduct.
- “5. Nomination of Directors** - Disclose what steps, if any, are taken to identify new candidates for board nomination, including:
- (i) who identifies new candidates; and
 - (ii) the process of identifying new candidates.

- “6. **Compensation** - Disclose what steps, if any, are taken to determine compensation for the directors and CEO, including:
- (i) who determines compensation; and
 - (ii) the process of determining compensation.
- “7. **Other Board Committees** - If the board has standing committees other than the audit, compensation and nominating committees, identify the committees and describe their function.
- “8. **Assessments** - Disclose what steps, if any, that the board takes to satisfy itself that the board, its committees, and its individual directors are performing effectively.

INSTRUCTIONS:

(1) This form applies to both corporate and non-corporate entities. Reference to a particular corporate characteristic, such as a board, includes any equivalent characteristic of a non-corporate entity.

Income trust issuers must provide disclosure in a manner which recognizes that certain functions of a corporate issuer, its board and its management may be performed by any or all of the trustees, the board or management of a subsidiary of the trust, or the board, management or employees of a management company. In the case of an income trust, references to ‘the issuer’ refer to both the trust and any underlying entities, including the operating entity.

(2) If the disclosure required by Items 1 and 2 is included in a management information circular distributed to security holders of the issuer for the purpose of electing directors to the issuer’s board of directors, provide disclosure regarding the existing directors and any proposed directors.

(3) Disclosure regarding board committees made under Item 7 of this Form may include the existence and summary content of any committee charter”.

Coming into force

6(1) Subject to subsection (2), these regulation come into force on June 30, 2005.

(2) If these regulations are filed with the Registrar of Regulations after June 30, 2005 these regulations come into force on the day on which they filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 62/2005*The Planning and Development Act, 1983*

Section 136

Minister's Order, dated June 14, 2005

(Filed June 21, 2005)

Title

1 These regulations may be cited as *The Subdivision Amendment Regulations, 2005*.

R.R.S. c.P-13.1 Reg 1 amended

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

Section 2 amended**3 Section 2 is amended:**

(a) in clause (b) by adding "or lane" after "street"; and

(b) by adding the following clauses after clause (b):

"(b.1) 'parcel' means a parcel as defined in *The Land Surveys Act, 2000*;

"(b.2) 'registered owner', with respect to a parcel, means:

(i) a registered owner as defined in *The Land Titles Act, 2000*;

(ii) the grantee of a power of attorney for the registered owner;

(iii) if the registered owner is deceased, the executor or administrator of the estate of the registered owner;

(iv) a person who is entitled to buy, sell, dispose of or encumber the land on behalf of the registered owner; or

(v) a person who is otherwise authorized by law to act in the place of the registered owner".

New section 5**4 Section 5 is repealed and the following substituted:****"Application for subdivision approval**

5(1) Subject to subsection (2), a person who wishes to obtain subdivision approval must apply to the appropriate approving authority in the form required by the approving authority.

(2) Every application for subdivision approval must include:

(a) a plan of the proposed subdivision prepared in accordance with section 6;

(b) a copy of the title for the land to be subdivided;

(c) subject to clause (4)(b), the appropriate fee as set out in section 10; and

(d) any other document required by section 6.

(3) No application for subdivision approval shall be submitted to the approving authority without the prior written agreement of the registered owner of the land to be subdivided unless the land is being subdivided pursuant to a legal expropriation, a replotting scheme, a required subdivision or a court order.

(4) An approving authority shall not approve an application for subdivision unless:

- (a) all fees set out in section 10 have been paid; or
- (b) the applicant has established an account with the approving authority and has entered into an agreement with the approving authority to pay the fees set out in section 10 from that account”.

Section 6 amended

5(1) Subsection 6(1) is repealed and the following substituted:

“(1) A plan of proposed subdivision must:

- (a) be prepared in either electronic or manual format under the supervision and with the approval of:
 - (i) a Saskatchewan land surveyor as defined in *The Land Surveyors and Professional Surveyors Act*; or
 - (ii) a professional community planner as defined in *The Community Planning Profession Act*;
- (b) be titled ‘Plan of Proposed Subdivision’;
- (c) be geo-referenced in accordance with the requirements for plans of the Information Services Corporation of Saskatchewan, and be in a co-ordinate system consistent with provincial standards if that information is available for the parcel to be subdivided;
- (d) show contour or land elevations, as may be required by the approving authority, consistent with provincial standards;
- (e) be drawn at a scale to clearly show the content of the plan;
- (f) show clearly:
 - (i) the boundaries, the parcel numbers and the full legal descriptions of the land to be subdivided to the extent that the information exists in the Land Registry;
 - (ii) the area of the land to be subdivided;
 - (iii) the orientation to true north; and
 - (iv) the date of the preliminary survey;
- (g) show:
 - (i) all water courses and standing bodies of water with the bank and the level of water at the date of preliminary survey;
 - (ii) the approximate outline of wooded areas;
 - (iii) the location of existing wells and on-site sewage disposal systems, including any effluent discharge points;

- (iv) the location of existing permanent buildings and other developments; and
- (v) the approximate location of all existing and proposed bridges and road crossings over a water course;
- (h) show the location and dimensions of adjacent parcels and registered plans, including all streets, lanes and blocks with their designations;
- (i) show the location, dimensions, area and boundaries of the following if within or abutting the parcels to be subdivided:
 - (i) each new parcel to be created;
 - (ii) dedicated lands, if any;
 - (iii) all existing or proposed utility lines and the right-of-way for each utility line;
 - (iv) all existing or proposed railway lines or spur tracks;
 - (v) all provincial highways and public highways;
 - (vi) all streets, roads and lanes; and
- (j) if the proposed subdivision abuts a provincial highway that is designated for widening by the Department of Highways and Transportation or a public highway that is designated for widening by the municipality, show the proposed or eventual widening of the highway”.

(2) Clause 6(2)(b) is amended by adding “concept” after “design”.

(3) The following subsections are added after subsection 6(2):

“(3) If a plan of proposed subdivision has been prepared in electronic format, the approving authority may require that an electronic file of the plan be submitted in a format acceptable to the approving authority.

“(4) The approving authority may publish its requirements in a manual or manuals to guide applicants in the preparation of applications and plans of proposed subdivisions”.

New sections 6.1 and 6.2

6 The following sections are added after section 6:

“Registration of interests

6.1(1) If the Act provides that an approving authority may register an interest in relation to an application for subdivision approval, the approving authority may register the interest in the Land Titles Registry against the affected parcel or parcels before the approving authority issues a certificate of approval for the subdivision.

(2) An approving authority may withhold issuing a certificate of approval until it is notified that an interest has been registered in accordance with subsection (1).

(3) After an approving authority issues a certificate of approval, the approving authority may cause an interest that has been registered in accordance with subsection (1) to be discharged if, in the opinion of the approving authority, the continuance of the registration is not required.

(4) A registered owner may apply to an approving authority to discharge an interest that has been registered in accordance with subsection (1) on providing the approving authority with a copy of the title showing the registration of the interest.

“Subdivision into constituent parcels

6.2(1) An application for the subdivision of a parcel mentioned in subsection 134(9) of the Act into two or more constituent parcels by removal of an electronic code as defined in clause 2.1(a) of *The Land Titles Conversion Facilitation Regulations* may be submitted to the approving authority without a plan of proposed subdivision if the application is accompanied by:

- (a) a copy of the affected title;
- (b) a parcel picture with the dimensions and area of each proposed parcel;
and
- (c) a statement of the intended use for each proposed parcel.

(2) If, in the opinion of the approving authority, more information is required than is provided pursuant to subsection (1), the approving authority may require the submission of a plan of proposed subdivision in accordance with section 6 and any additional information in accordance with section 9”.

Sections 7 and 8 repealed

7 Sections 7 and 8 are repealed.

Section 9 amended

8(1) Subsection 9(1) is amended by striking out “sections 5 to 8” and substituting “sections 5, 6 and 6.2”.

(2) Subclause 9(2)(a)(ii) is amended by striking out “, or a suitable stated local datum showing the date of survey”.

(3) The following subsections are added after subsection 9(2):

“(2.1) An approving authority may require an applicant to provide the following information identifying a sufficient source of potable water for any subdivision containing parcels intended for residential use or identifying a source of suitable quality water for a use requiring significant supplies of water:

- (a) in the case of a ground water supply located within the subdivision or to be developed for the parcels in the subdivision, an engineering report of sufficient tests to prove the adequacy and quality of the source;
- (b) in the case of water to be supplied by another person, an agreement to supply the water;
- (c) in cases other than those mentioned in clauses (a) and (b), an engineering report providing an adequate design for the supply of water from the stated source.

“(2.2) An approving authority may require an applicant to provide information identifying an appropriate domestic sewage system and any agreement for the disposal of domestic sewage for any subdivision containing parcels intended for residential use”.

Section 10 amended

9(1) Subsection 10(1) is amended by striking out “\$150” and substituting “\$100 for each new parcel to be created pursuant to the plan of proposed subdivision, excluding those parcels designated on the plan as public highway, dedicated lands or parcels to be used for public works”.

(2) Subsection 10(2) is repealed and the following substituted:

“(2) The fee for a certificate of approval issued by the approving authority is \$150”.

(3) The following subsections are added after subsection 10(3):

“(4) In addition to the fees mentioned in subsections (1) to (3), the applicant shall pay to the approving authority a fee equal to any fees charged by the Government of Saskatchewan or an agency of the Crown in right of Saskatchewan to the approving authority in connection with the review and approval of the proposed subdivision and the registration of any interests respecting the proposed subdivision.

“(5) If an approving authority registers an interest against a parcel in accordance with section 6.1, the registered owner of the parcel shall pay to the approving authority a fee equal to any fees charged by the Government of Saskatchewan or an agency of the Crown in right of Saskatchewan to the approving authority to discharge the registration of that interest”.

Section 12 amended

10(1) Subsection 12(1) is repealed and the following substituted:

“(1) On receipt of an application for subdivision approval containing the information required pursuant to sections 5 and 9, the approving authority:

(a) shall send a copy of the application to, and request the comments of, the council of the municipality; and

(b) may send copies of the application to, and request the comments of, all or any of the following:

(i) the district planning commission for each district in which the proposed subdivision is located in whole or in part;

(ii) any department or agency of the Government of Saskatchewan with a stated or potential interest in, or responsibility for, the land or area of the proposed subdivision;

(iii) any other person, authority, agency, department, council or board that, in the opinion of the approving authority, may be affected by the proposed subdivision.

“(1.1) An approving authority may, at any time, forward any additional material received by it pursuant to section 9 to, and request the comments of, a council or other authority mentioned in clause (1)(a) or (b) in order for the approving authority to make its decision in accordance with section 14”.

(2) Subsection 12(4) is amended by striking out “district planning commission” and substituting “other authority”.

(3) Subsection 12(5) is amended by striking out “district planning commission” and substituting “other authority”.

Section 14 amended**11 Subsection 14(b) is amended:**

(a) in subclause (xii) by striking out “lot” and substituting “parcel”;
and

(b) in subclause (xv) by striking out “licenced by the Atomic Energy Control Board” and substituting “licensed by the Canadian Nuclear Safety Commission”.

Section 15 amended**12(1) Subclause 15(2)(b)(ii) is repealed and the following substituted:**

“(ii) an intensive livestock operation within the meaning of *The Agricultural Operations Act* that involves the rearing, confinement or feeding of more than 100 animal units or that requires an approved manure management or storage plan pursuant to that Act”.

(2) Subclause 15(3)(b)(ii) is repealed and the following substituted:

“(ii) an intensive livestock operation described in subclause (2)(b)(ii)”.

Section 16 amended

13(1) Clause 16(3)(b) is amended by striking out “Minister of Rural Development, the minimum width required by the Department of Rural Development” and substituting “Minister of Highways and Transportation, the minimum width required by the Department of Highways and Transportation”.

(2) Subsection 16(5) is amended by striking out “an adequate” and substituting “the”.

(3) The following subsection is added after subsection 16(5):

“(5.1) The turning area in a cul-de-sac must be a minimum of:

- (a) 30 metres if the cul-de-sac is a street; and
- (b) nine metres if the cul-de-sac is a lane”.

(4) Subsection 16(10) is amended by striking out “or lot”.

(5) Subsection 16(11) is repealed and the following substituted:

“(11) A proposed subdivision that abuts a provincial highway must have:

- (a) access at a point approved by the Department of Highways and Transportation; or
- (b) access provided to it by a street that connects with, or that can be connected with, the public highway system”.

New sections 17 and 18**14 Sections 17 and 18 are repealed and the following substituted:****“Residential parcels**

17(1) The minimum dimensions and areas of residential parcels, if those matters have not been dealt with in a zoning bylaw, are:

- (a) in the case of residential parcels used for detached or semi-detached dwelling units, those set out in Table 1; and
- (b) in the case of residential parcels other than those described in clause (a), those determined by the approving authority.

- (2) No residential parcel shall front on two parallel or approximately parallel streets.
- (3) The side lines of all residential parcels must be at right angles or radial to the street centre line as nearly as possible.
- (4) The depth to frontage ratio for residential parcels shall not exceed 3:1.
- (5) The following requirements apply to the dimensions and layout of residential blocks:
 - (a) subject to clause (b), intersecting streets determining block lengths must be at intervals:
 - (i) of 400 metres or less; and
 - (ii) that adequately serve cross traffic;
 - (b) the approving authority may accept block lengths longer than 400 metres if topographic or other circumstances justify departure from the maximum set out in subclause (a)(i);
 - (c) in blocks longer than 150 metres, the approving authority may require walkways to be provided to ensure adequate pedestrian access;
 - (d) the width of a residential block must be sufficient to allow for two tiers of parcels having a minimum depth of 30 metres.
- (6) Nothing in this section or in Table 1 applies to parcels for use as public highway or dedicated lands.

“Commercial or industrial parcels

- 18(1)** The minimum dimensions and areas of commercial or industrial parcels, if those matters have not been dealt with in a zoning bylaw, are:
- (a) frontage, 7.5 metres;
 - (b) area, 225 square metres; and
 - (c) depth, 30 metres.
- (2) No commercial or industrial parcel shall front on two parallel or approximately parallel streets unless, having regard to the circumstances of the intended development and the site, the approving authority is satisfied that the creation of a parcel that does front on two such streets is justified and approves such creation.
 - (3) The side lines of all commercial or industrial parcels must be at right angles or radial to the street centre line as nearly as possible.
 - (4) Nothing in this section applies to parcels for use as public highway or dedicated lands”.

Appendix amended

15(1) The Appendix is amended in the manner set forth in this section.

(2) Table 1 is repealed and the following substituted:

“TABLE 1
[Section 17]

Residential Parcels

| Type of Parcel | | Frontage (metres) | Mean Width (metres) | Mean Depth (metres) | Area (square metres) |
|--------------------------------------|--------------|----------------------|---------------------------|---------------------------|----------------------------|
| Detached dwelling units: | | | | | |
| rectangular parcels: | with lane | 12 | — | 30 | 360 |
| | without lane | 15 | — | 30 | 450 |
| non-rectangular parcels | | 11 | 15 | 30 | 450 |
| Semi-detached dwelling units: | | | | | |
| rectangular parcels: | with lane | 8.5 | — | 30 | 255 |
| | without lane | 10.5 | — | 30 | 315 |
| non-rectangular parcels | | 7.5 | 10.5 | 30 | 315 |

”.

(3) Form A is repealed.

Coming into force

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

SASKATCHEWAN REGULATIONS 63/2005*The Milk Control Act, 1992*

Section 10

Board Order, dated June 21, 2005

(Filed June 22, 2005)

Title

1 These regulations may be cited as *The Milk Control Amendment Regulations, 2005 (No. 6)*.

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

2 Clauses 3(1)(m) and (n) of Part II of the Appendix to *The Milk Control Regulations* are repealed and the following substituted:

“(m) in the case of class 5a milk:

- (i) \$4.2833 per kilogram of butterfat;
- (ii) \$6.7915 per kilogram of protein;
- (iii) \$0.2979 per kilogram of other solids;

“(n) in the case of class 5b milk:

- (i) \$4.2833 per kilogram of butterfat;
- (ii) \$2.1617 per kilogram of protein;
- (iii) \$2.1617 per kilogram of other solids”.

Coming into force

3 These regulations come into force on July 1, 2005.

SASKATCHEWAN REGULATIONS 64/2005*The Assessment Management Agency Act*

Section 38

Order in Council 529/2005, dated June 21, 2005

(Filed June 22, 2005)

Title

1 These regulations may be cited as *The Assessment Management Agency Amendment Regulations, 2005*.

R.R.S. c.A-28.1, Reg 1 amended

2 *The Assessment Management Agency Regulations* are amended in the manner set forth in these regulations.

New section 3.7

3 The following section is added after section 3.6:

“Notice of appeal – secondary audits

3.7 Form A as set out in the Appendix is the form prescribed for the purposes of clause 22.2(3)(a) of the Act”.

New Appendix

4 The following Appendix is added after section 4:

“Appendix

FORM A

[Clause 22.2(3)(a) of the Act]

Notice of Appeal to the Saskatchewan
Municipal Board Secondary Audits

To the secretary of the Saskatchewan Municipal Board:

I, _____,
(name of person representing the municipality or the independent assessment appraiser)

appeal to the Saskatchewan Municipal Board the findings of the
Saskatchewan Assessment Management Agency (SAMA) on a secondary audit
of _____.
(name of municipality)

My grounds of appeal are that SAMA made an error in the preparation or content of its
audit report dated _____ respecting the secondary audit.

The material facts in support of my grounds of appeal are as follows:

(attach additional pages if necessary)

This notice of appeal is accompanied by:

- (a) a copy of the audit report of the secondary audit; and
- (b) a copy of any information provided to SAMA pursuant to subsection 22.1(4) of
The Assessment Management Agency Act (Saskatchewan).

The school divisions affected by this appeal are: _____

My address for service in connection with this appeal is:

Municipality: _____ Assessment Appraiser: _____

Employer: _____

Mailing Address: _____ Mailing Address: _____

Telephone No: _____ Telephone No: _____

Fax No: _____ Fax No: _____

E-mail: _____ E-mail: _____

Dated this _____ day of _____, _____
(day) (month) (year)

I appoint the Assessment Appraiser noted above to act as the agent for the municipality on this appeal:

Yes No

(signature) (position)

Note: *The appellant must serve this notice of appeal on the Saskatchewan Assessment Management Agency, as the respondent to the appeal. The appellant must also file this notice of appeal with the secretary of the Saskatchewan Municipal Board. On receipt of this notice of appeal, the secretary of the Saskatchewan Municipal Board must forward a copy of it to every affected school division, and to the affected municipality if the municipality is not the party that filed this notice of appeal”.*

Coming into force

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

SASKATCHEWAN REGULATIONS 65/2005*The Consumer Protection Act*

Sections 75.4 and 75.91

Order in Council 530/2005, dated June 21, 2005

(Filed June 22, 2005)

Title

1 These regulations may be cited as *The Consumer Protection Amendment Regulations, 2005*.

R.R.S. c.C-30.1 Reg 1, new sections 4.1 to 4.7

2 The following sections are added after section 4 of *The Consumer Protection Regulations*:

“Exemption from subsection 75.2(5) of the Act

4.1(1) Subsection 75.2(5) of the Act does not apply to the use of a credit card that is used in conjunction with a personal identification number to obtain a cash advance from an automated banking machine, automated teller machine or cash dispensing machine.

(2) Subsection 75.2(5) of the Act does not apply to the use of a credit card of the type commonly known as a debit card, that is used in conjunction with a personal identification number, to initiate an electronic withdrawal of funds from the consumer’s deposit account for the purpose of:

- (a) making a purchase using a point-of-sale or point-of-service terminal; or
- (b) obtaining cash from an automated banking machine, automated teller machine or cash dispensing machine.

“Exemption from Part IV.1 of the Act

4.2 Part IV.1 of the Act does not apply to consumer transactions or financial products or services regulated pursuant to:

- (a) the *Bank Act* (Canada);
- (b) *The Credit Union Act, 1998*;
- (c) the *Cooperative Credit Associations Act* (Canada);
- (d) *The Trust and Loan Corporations Act, 1997*;
- (e) *The Securities Act, 1988*;
- (f) *The Saskatchewan Insurance Act*;
- (g) *The Mortgage Brokers Act*; or
- (h) *The Real Estate Act*.

“Consideration for Internet sales contract

4.3 For the purposes of subclause 75.5(e)(i) of the Act, the prescribed amount of consideration is \$50.

“Disclosure of information by supplier

4.4 For the purposes of clause 75.52(1)(a) of the Act, a supplier must disclose the following information to the consumer before entering into an Internet sales contract:

- (a) the name and telephone number of the supplier;
- (b) the address of the premises from which the supplier conducts business with the consumer;
- (c) if the supplier conducts business by way of other media, such as fax and electronic mail, the other ways by which the consumer can contact the supplier;
- (d) a fair and accurate description of the goods, services or goods and services that are proposed to be the subject of the contract, including any relevant technical specifications;
- (e) an itemized list of the prices of the goods, services or goods and services that are proposed to be the subject of the contract, including taxes and shipping charges;
- (f) a description of any additional charges that may apply as a result of the completion of the contract but that the supplier cannot reasonably determine, such as custom duties and brokerage fees;
- (g) the total amount that would be payable by the consumer under the contract or, if the goods, services or goods and services that are proposed to be the subject of the contract are to be supplied during an indefinite period, the amount and frequency of periodic payments on account of the contract;
- (h) the currency in which the amounts mentioned in clauses (e) to (g) are expressed, if not in Canadian currency;
- (i) the terms and methods of payment on account of the proposed contract;
- (j) the date on which the goods, services or goods and services that are proposed to be the subject of the contract:
 - (i) will be supplied; or
 - (ii) will be supplied initially, and the frequency with which they will be supplied thereafter if they are to be supplied during an indefinite period;
- (k) if applicable, the date on which the services to be supplied under the proposed contract will be completed;
- (l) for goods, the supplier’s delivery arrangements, including the name of the carrier, the method of transportation and the place of delivery;
- (m) for services, the place where the services will be provided, the person to whom they will be provided and the supplier’s method of providing them, including the name of any person who is to provide the services on the supplier’s behalf;
- (n) the supplier’s cancellation, return, exchange and refund policies, if any, related to the proposed contract;

- (o) if the proposed contract includes a trade-in arrangement, a description of the trade-in arrangement and the amount of the trade-in allowance;
- (p) any other restrictions, limitations and conditions that may apply.

“Copy of Internet sales contract

4.5(1) For the purposes of clause 75.6(2)(c) of the Act, a copy of the Internet sales contract provided by the supplier to the consumer must include the following:

- (a) the name and telephone number of the supplier;
- (b) the address of the premises from which the supplier conducts business with the consumer;
- (c) if the supplier conducts business by way of other media, such as fax and electronic mail, the other ways by which the consumer can contact the supplier;
- (d) a fair and accurate description of the goods, services or goods and services that are proposed to be the subject of the contract, including any relevant technical specifications;
- (e) an itemized list of the prices of the goods, services or goods and services that are proposed to be the subject of the contract, including taxes and shipping charges;
- (f) a description of any additional charges that may apply as a result of the completion of the contract but that the supplier cannot reasonably determine, such as custom duties and brokerage fees;
- (g) the total amount that would be payable by the consumer under the contract or, if the goods, services or goods and services that are proposed to be the subject of the contract are to be supplied during an indefinite period, the amount and frequency of periodic payments on account of the contract;
- (h) the currency in which the amounts mentioned in clauses (e) to (g) are expressed, if not in Canadian currency;
- (i) the terms and methods of payment on account of the proposed contract;
- (j) the date on which the goods, services or goods and services that are proposed to be the subject of the contract:
 - (i) will be supplied; or
 - (ii) will be supplied initially, and the frequency with which they will be supplied thereafter if they are to be supplied during an indefinite period;
- (k) if applicable, the date on which the services to be supplied under the proposed contract will be completed;
- (l) for goods, the supplier’s delivery arrangements, including the name of the carrier, the method of transportation and the place of delivery;
- (m) for services, the place where the services will be provided, the person to whom they will be provided and the supplier’s method of providing them, including the name of any person who is to provide the services on the supplier’s behalf;
- (n) the supplier’s cancellation, return, exchange and refund policies, if any, related to the proposed contract;

- (o) if the proposed contract includes a trade-in arrangement, a description of the trade-in arrangement and the amount of the trade-in allowance;
- (p) any other restrictions, limitations and conditions that may apply.

(2) For the purposes of subsection 75.6(3) of the Act, a supplier is considered to have provided the consumer with a copy of the Internet sales contract if the copy is:

- (a) sent by electronic mail to the electronic mail address the consumer has given to the supplier for the purposes of providing information relating to the contract;
- (b) transmitted by fax to the fax transmission number the consumer has given to the supplier for the purposes of providing information relating to the contract;
- (c) mailed or delivered to an address the consumer has given to the supplier for the purposes of providing information relating to the contract;
- (d) provided to the consumer in any other manner that allows the supplier to prove that the consumer has received it.

“Notice of cancellation

4.6(1) For the purposes of subsection 75.7(3) of the Act, a notice of cancellation may be given by a consumer to a supplier by any means, including the following:

- (a) personal service;
- (b) registered mail;
- (c) courier;
- (d) telephone;
- (e) fax transmission;
- (f) electronic mail.

(2) For the purposes of subsection 75.7(4) of the Act, if the notice of cancellation is given other than by personal service, the notice of cancellation is deemed to be given at the time it is sent or transmitted, as the case may be.

“Request to cancel or reverse credit card charges

4.7(1) For the purposes of clause 75.81(2)(b) of the Act, a request to the credit card issuer to cancel or reverse the credit card charges incurred on account of the Internet sales contract that has been cancelled must include the following information:

- (a) the consumer’s name;
- (b) the consumer’s credit card number;
- (c) the expiry date of the consumer’s credit card;
- (d) the supplier’s name;
- (e) the date on which the consumer and supplier entered into the Internet sales contract;
- (f) the dollar amount of consideration charged to the credit card account with respect to the Internet sales contract and related consumer transaction;

- (g) a description sufficient to identify the goods, services or goods and services that were the subject of the Internet sales contract that was cancelled;
 - (h) the reason for cancellation of the Internet sales contract pursuant to section 75.61 of the Act;
 - (i) the date and means by which notice of cancellation of the Internet sales contract was given by the consumer.
- (2) For the purposes of clause 75.81(2)(d) of the Act, a request may be given to the credit card issuer by any means, including the following:
- (a) personal service;
 - (b) registered mail;
 - (c) courier;
 - (d) fax transmission;
 - (e) electronic mail.
- (3) For the purposes of subsection 75.81(5) of the Act, if the request is given other than by personal service, the request is deemed to be given at the time it is sent or transmitted, as the case may be”.

Coming into force

- 3(1) Subject to subsection (2), these regulations come into force on the day on which sections 5 and 6 of *The Consumer Protection Amendment Act, 2002* come into force.
- (2) If these regulations are filed with the Registrar of Regulations after the day on which sections 5 and 6 of *The Consumer Protection Amendment Act, 2002* come into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

