



The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER

PART II/PARTIE II

Volume 101

REGINA, FRIDAY, SEPTEMBER 16, 2005/REGINA, VENDREDI, 16 SEPTEMBRE 2005

No.37/n° 37

PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

TABLE OF CONTENTS/TABLE DES MATIÈRES

E-10.21 Reg 2	<i>The Halocarbon Control Regulations</i>	751
E-10.21 Reg 3	<i>The Waste Paint Management Regulations</i>	760
G-5.1Reg 118	<i>The Department of Learning Regulations, 2005</i>	763
SR 86/2005	<i>The Vehicle Inspection Procedures Amendment Regulations, 2005</i>	765
SR 87/2005	<i>The Small Business Loans Association Program Amendment Regulations, 2005</i>	766
SR 88/2005	<i>The Oil and Gas Conservation Amendment Regulations, 2005</i>	767
SR 89/2005	<i>The Potash Production Tax Amendment Regulations, 2005</i>	768
SR 90/2005/ RS 90/2005	<i>The Vital Statistics Amendment Regulations, 2005 (No. 2)/ Règlement n° 2 de 2005 modifiant le Règlement sur les services de l'état civil</i>	774/775
SR 91/2005	<i>The Automobile Accident Insurance (General) Amendment Regulations, 2005 (No. 2)</i>	778
SR 92/2005	<i>The Driver and Vehicle Registration Fee Amendment Regulations, 2005</i>	779
SR 93/2005	<i>The Driver Licensing and Suspension Amendment Regulations, 2005 (No. 2)</i>	782
SR 94/2005	<i>The Vehicle Inspection Amendment Regulations, 2005</i>	801
SR 95/2005	<i>The Environmental Spill Control Amendment Regulations, 2005 .</i>	802
SR 96/2005	<i>The Adult Guardianship and Co-decision-making Amendment Regulations, 2005</i>	802
SR 97/2005	<i>The Professional Corporations Amendment Regulations, 2005 (No.2)</i>	809
SR 98/2005	<i>The Condominium Property Amendment Regulations, 2005</i>	809
SR 99/2005	<i>The Transitional Employment Allowance Amendment Regulations, 2005</i>	810

Revised Regulations of Saskatchewan/ Règlements Révisés de la Saskatchewan 2005

August 5, 2005

<i>The Milk Control Amendment Regulations, 2005 (No. 7)</i>	SR 79/2005
<i>The Saskatchewan Student Direct Loans Amendment Regulations, 2005 (No. 2)</i>	SR 80/2005
<i>The Lender-financed Saskatchewan Student Loans Amendment Regulations, 2005 (No. 2)</i>	SR 81/2005
<i>The Student Assistance and Student Aid Fund Amendment Regulations, 2005 (No. 2)</i>	SR 82/2005

September 2, 2005

<i>The Milk Control Amendment Regulations, 2005 (No. 8)</i>	SR 83/2005
---	------------

September 9, 2005

<i>The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2005 (No. 6)</i>	SR 84/2005
<i>The Securities Commission (Local Instruments) Amendment Regulations, 2005 (No. 2)</i>	SR 85/2005

September 16, 2005

<i>The Halocarbon Control Regulations</i>	E-10.21 Reg 2
<i>The Waste Paint Management Regulations</i>	E-10.21 Reg 3
<i>The Department of Learning Regulations, 2005</i>	G-5.1 Reg 118
<i>The Vehicle Inspection Procedures Amendment Regulations, 2005</i>	SR 86/2005
<i>The Small Business Loans Association Program Amendment Regulations, 2005</i>	SR 87/2005
<i>The Oil and Gas Conservation Amendment Regulations, 2005</i>	SR 88/2005
<i>The Potash Production Tax Amendment Regulations, 2005</i>	SR 89/2005
<i>The Vital Statistics Amendment Regulations, 2005 (No. 2)/ Règlement n° 2 de 2005 modifiant le Règlement sur les services de l'état civil</i>	SR 90/2005/ RS 90/2005
<i>The Automobile Accident Insurance (General) Amendment Regulations, 2005 (No. 2)</i>	SR 91/2005
<i>The Driver and Vehicle Registration Fee Amendment Regulations, 2005</i>	SR 92/2005
<i>The Driver Licensing and Suspension Amendment Regulations, 2005 (No. 2)</i>	SR 93/2005
<i>The Vehicle Inspection Amendment Regulations, 2005</i>	SR 94/2005
<i>The Environmental Spill Control Amendment Regulations, 2005</i>	SR 95/2005
<i>The Adult Guardianship and Co-decision-making Amendment Regulations, 2005</i>	SR 96/2005
<i>The Professional Corporations Amendment Regulations, 2005 (No.2)</i>	SR 97/2005
<i>The Condominium Property Amendment Regulations, 2005</i>	SR 98/2005
<i>The Transitional Employment Allowance Amendment Regulations, 2005</i>	SR 99/2005

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER E-10.21 REG 2*The Environmental Management and Protection Act, 2002*

Section 81

Order in Council 710/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Halocarbon Control Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Environmental Management and Protection Act, 2002*;
- (b) “**certified person**” means a person certified pursuant to section 11;
- (c) “**CFC**” means a chlorofluorocarbon;
- (d) “**Code of Practice**” means the code of practice adopted pursuant to clause 6(2)(a);
- (e) “**halon**” means a bromofluorocarbon;
- (f) “**Halon Code of Practice**” means the code of practice adopted pursuant to clause 6(2)(b);
- (g) “**install**” means the attaching of two or more components by welding or by fittings in circumstances where the potential exists for the release of a halocarbon;
- (h) “**recycle**” means the reuse or return of recovered halocarbons to air conditioning, refrigeration or fire extinguishing equipment.

Application

3 These regulations apply with respect to those halocarbons to which Part V of the Act applies.

Prescribed day

4 Unless otherwise stated, the prescribed day for the purposes of Part V of the Act is September 1, 2005.

Prescribed halocarbons

5 The halocarbons listed in the Appendix are prescribed for the purposes of clause 37(1)(i) of the Act.

Codes and provisions to be followed for prescribed equipment

6(1) Any air conditioning, refrigeration or fire extinguishing equipment that contains or may contain halocarbons is prescribed as equipment for the purposes of section 43 of the Act.

(2) For the purposes of clause 43(a) of the Act, the following codes of practice are adopted, as amended from time to time:

- (a) the “Code of Practice for the Reduction of CFC Emissions from Refrigeration and Air Conditioning Systems” (EPS 1/RA/1), prepared by Environment Canada, March 1991;
- (b) the “Code of Practice on Halons” (EPS 1/RA/3E), prepared by Environment Canada, July 1996.

(3) For the purposes of clause 43(b) of the Act, the following provisions are imposed on the person installing, maintaining, servicing or repairing the equipment prescribed pursuant to subsection (1):

- (a) the person must test the equipment for leaks and must repair any detected leaks before recharging the equipment with a halocarbon;
- (b) if the equipment contains a halocarbon or if the person is recharging the equipment with a halocarbon, the person must use only halocarbon fittings on the equipment;
- (c) if the equipment does not contain a halocarbon or if the person is not recharging the equipment with a halocarbon, the person shall not use halocarbon fittings on the equipment;
- (d) if the person is removing a halocarbon from the equipment, the person must collect, store, recycle, destroy or dispose of the halocarbon in accordance with the Code of Practice or the Halon Code of Practice, as the case requires.

Prohibitions re purchase or use of halocarbons

7(1) In this section, “**sterilant**” means a gas mixture containing a halocarbon that is used to sterilize equipment, things or materials.

(2) Those halocarbons to which Part V of the Act applies are identified for the purposes of clauses 40(1)(a) to (d) of the Act.

(3) For the purposes of clause 40(1)(a) of the Act, the following products are prescribed:

- (a) hand-held fire extinguishers;
- (b) foam insulation;
- (c) furniture foam;
- (d) sterilants;
- (e) release agents for plastic or elastomeric moulds;
- (f) protective spray for photographic applications;
- (g) cleaning solvents for commercial uses on electronic equipment.

(4) For the purposes of clause 40(1)(b) of the Act, the prescribed purpose is the testing of fire equipment.

(5) For the purposes of clause 40(1)(d) of the Act, the prescribed purpose is the installation, servicing, repairing, charging or recharging of any air conditioning, refrigeration or fire extinguishing equipment.

Prohibition re sale or transfer of halocarbons

8 No person, other than a certified person, may offer for sale, sell or transfer a halocarbon to another person for the purpose of installing, servicing, repairing, charging or recharging any air conditioning, refrigeration or fire extinguishing equipment.

Refillable pressurized containers

9 On and after January 1, 2006, no person shall manufacture, offer for sale, sell or use a container for halocarbons unless it:

- (a) is a refillable, pressurized container designed to contain halocarbons; and
- (b) weighs at least 10 kilograms.

Dismantling or discarding

10 Before dismantling or discarding any equipment containing a halocarbon:

- (a) the owner of the equipment must ensure that the halocarbon has been removed by a certified person and contained in accordance with the Code of Practice or the Halon Code of Practice, as the case requires;
- (b) the owner or operator of the salvage yard in which the equipment is being discarded must ensure that the halocarbon has been removed by a certified person and contained in accordance with the Code of Practice or the Halon Code of Practice, as the case requires; and
- (c) the owner or operator of the waste management facility in which the equipment is being discarded must ensure that the halocarbon has been removed by a certified person and contained in accordance with the Code of Practice or the Halon Code of Practice, as the case requires.

Certification

11(1) The minister may certify, and assign a certification number to, any person who has successfully completed a course of study approved by the minister in the proper:

- (a) recovery, recycling and handling of halocarbons; and
- (b) handling of sealed systems.

(2) The minister may amend or cancel a certification granted pursuant to subsection (1), or suspend the certification for a stated period, if the minister is satisfied that:

- (a) the certification was obtained by fraud or deceit or from the submission of inaccurate information;
- (b) the person holding the certification has not followed the Code of Practice or the Halon Code of Practice, as the case requires;
- (c) the person holding the certification has placed the environment, human health or public safety at risk; or
- (d) the person has failed to comply with the obligations imposed by these regulations.

(3) Before taking any action pursuant to subsection (2), the minister must provide the person holding the certification with:

- (a) reasonable notice of the minister's intended action, with written reasons for the intended action; and
- (b) an opportunity to make written representations to the minister.

Record-keeping requirements for prescribed equipment

12(1) Any air conditioning, refrigeration or fire extinguishing equipment that contains or may contain halocarbons is prescribed as equipment for the purposes of section 44 of the Act.

(2) For the purposes of clause 44(b) of the Act, every certified person shall maintain records in the following manner:

- (a) the certified person shall prepare a work invoice showing:
 - (i) the date on which he or she performed the work on the equipment containing a halocarbon;
 - (ii) the type of service performed on the equipment;
 - (iii) the quantity of the halocarbon contained in the equipment;
 - (iv) the quantity of the halocarbon recovered from or added to the equipment; and
 - (v) the manner of recycling, destroying or disposing of any halocarbon recovered from the equipment;
- (b) the certified person shall provide to the owner or operator of the equipment the work invoice prepared in accordance with clause (a);
- (c) the certified person shall retain a copy of the work invoice prepared in accordance with clause (a) for two years after the date of the work; and
- (d) at the request of the minister at any time during the two-year period mentioned in clause (c), the certified person shall make a copy of the work invoice available to the minister.

Labelling

13 No person shall sell or offer for sale new air conditioning, refrigeration or fire extinguishing equipment, or a new heat pump, that uses a halocarbon unless the equipment has a prominent and permanent label:

- (a) identifying the halocarbon and the amount used in the equipment; and
- (b) advising that only certified persons shall perform any servicing of, repair to or recharging of the equipment that could result in the release of the halocarbon.

Transportation and storage

14 Every container in which a halocarbon is stored or transported must bear a clearly legible and conspicuous warning label identifying the halocarbon.

Seller take-back

15(1) In this section, “**seller**” means a person who sells any halocarbon, and includes the retailer, the supplier and the manufacturer of the halocarbon.

(2) Subject to subsection (3), if a person takes a halocarbon to a seller’s normal place of business, during normal business hours, in a container designed to contain the halocarbon, the seller must accept and store the halocarbon until the seller can deliver it to a person who manufactures, recycles, converts or destroys the halocarbon.

- (3) Subsection (2) does not apply to a halocarbon that has been mixed or contaminated so that it is hazardous.
- (4) Suppliers and manufacturers of halocarbons must:
- (a) at the seller's normal place of business, prepare and retain a plan for accepting halocarbons returned for recycling, conversion or destruction; or
 - (b) participate in a stewardship program respecting the proper recycling, conversion or destruction of halocarbons.
- (5) A plan pursuant to clause (4)(a) or a stewardship program pursuant to clause (4)(b) must:
- (a) demonstrate how halocarbons will be effectively collected and stored;
 - (b) demonstrate how the returned halocarbons will be disposed of in an environmentally sound manner; and
 - (c) provide for proper record-keeping in relation to the returned halocarbons.

Phase-out of certain halocarbons

16(1) In this section:

- (a) **“chiller”** means an air conditioning or refrigeration system that has a compressor, an evaporator and a secondary refrigerant;
 - (b) **“mobile air conditioning system”** means an air conditioning system that is installed in, normally operates in or in conjunction with, or is attached to a means of transportation;
 - (c) **“mobile refrigeration system”** means a refrigeration system that is installed in, normally operates in or in conjunction with, or is attached to a means of transportation.
- (2) Commencing on January 1, 2006, no person shall charge or recharge, or permit the charging or recharging of, a mobile air conditioning system or a mobile refrigeration system with a halocarbon listed in Class I of the Appendix.
- (3) Subject to subsection (4), no person shall charge or recharge, or permit the charging or recharging of, the following equipment with a halocarbon listed in Class I of the Appendix:
- (a) commencing on January 1, 2006, a refrigeration system with a capacity of 4 KW or less;
 - (b) commencing on January 1, 2007, a refrigeration system with a capacity greater than 4 KW and less than 22 KW;
 - (c) commencing on January 1, 2008, a refrigeration system with a capacity of 22 KW or more; and
 - (d) commencing on January 1, 2009, all air conditioning systems.
- (4) Subsection (3) does not apply to chillers, household refrigerators, household freezers or water coolers.

(5) Commencing on January 1, 2006, no person shall charge or recharge, or permit the charging or recharging of, a chiller with a halocarbon listed in Class I of the Appendix if the chiller has undergone an overhaul that includes any of the following procedures or repairs:

- (a) the replacement or modification of an internal sealing device;
- (b) the replacement or modification of an internal mechanical part other than:
 - (i) an oil heater;
 - (ii) an oil pump;
 - (iii) a float assembly; or
 - (iv) in the case of a chiller with a single-stage compressor, a valve assembly;
- (c) any procedure or repair that results from the failure of an evaporator or a condenser heat-exchanger tube.

(6) Notwithstanding subsection (5), during the period commencing on September 1, 2005 and ending on December 31, 2014, a person may charge or recharge, or permit the charging or recharging of, a chiller with a halocarbon listed in Class I of the Appendix, but the chiller must not be operated with that halocarbon more than one year after the charging.

(7) Commencing on January 1, 2015, no person shall charge or recharge, or permit the charging or recharging of, any chiller with a halocarbon listed in Class I of the Appendix.

(8) Subject to subsection (9), during the period commencing on September 1, 2005 and ending on December 31, 2009, a person may charge or recharge, or permit the charging or recharging of, fixed fire extinguishing equipment with a halocarbon listed in Class I of the Appendix, subject to the following conditions:

- (a) the equipment may be charged or recharged with that halocarbon only once;
- (b) within one year after the charging or recharging:
 - (i) the equipment must be replaced with equipment that does not require a halocarbon listed in Class I of the Appendix; or
 - (ii) the equipment must be recharged with a substance that is not a halocarbon listed in Class I of the Appendix.

(9) A person is exempt from the requirements of subsection (8) if the charging or recharging is necessary to prevent an immediate danger to human life or health.

(10) Commencing on January 1, 2010, no person shall charge or recharge, or permit the charging or recharging of, fixed fire extinguishing equipment with a halocarbon listed in Class I of the Appendix.

(11) A certified person must ensure that these provisions are complied with in relation to any equipment that contains a halocarbon and that is undergoing installation, maintenance, servicing or repair by or under the direction of the certified person.

R.R.S. c.O-8.1 Reg 1 repealed

17 *The Ozone-depleting Substances Control Regulations* are repealed.

Coming into force

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

Appendix

[Section 5]

Class I**CFC, Halon and Chlorocarbon Compounds****1 Chlorofluorocarbons**

- (a) current commercially used CFCs:
 - CFC-11, trichlorofluoromethane, R-11
 - CFC-12, dichlorodifluoromethane, R-12
 - CFC-13, chlorotrifluoromethane, R-13
 - CFC-111, pentachlorofluoroethane, R-111
 - CFC-112, tetrachlorodifluoroethane, R-112
 - CFC-113, trichlorotrifluoroethane, R-113
 - CFC-114, dichlorotetrafluoroethane, R-114
 - CFC-115, chloropentafluoroethane, R-115
- (b) all other CFCs; and
- (c) all isomers and mixtures containing any of the above.

2 Halons

- (a) Halon-1211, also known as bromochlorodifluoromethane
 - Halon-1301, also known as bromotrifluoromethane
 - Halon-2402, also known as dibromotetrafluoroethane
- (b) all other bromofluorocarbons and bromochlorofluorocarbons; and
- (c) all isomers and mixtures containing any of the above.

3 Chlorocarbons

- (a) trichloroethane, also known as methylchloroform, R-140
 - tetrachloromethane, also known as carbon tetrachloride, R-10; and
- (b) all isomers and mixtures containing any of the above.

Class II
Hydrochlorofluorocarbons

1 Hydrochlorofluorocarbon

- HCFC-21, dichlorofluoromethane, R-21
- HCFC-22, chlorodifluoromethane, R-22
- HCFC-31, chlorofluoromethane, R-31
- HCFC-121, tetrachlorofluoroethane, R-121
- HCFC-122, trichlorodifluoroethane, R-122
- HCFC-123, dichlorotrifluoroethane, R-123
- HCFC-124, chlorotetrafluoroethane, R-124
- HCFC-131, trichlorofluoroethane, R-131
- HCFC-132, dichlorodifluoroethane, R-132
- HCFC-133, chlorotrifluoroethane, R-133
- HCFC-141, dichlorofluoroethane, R-141
- HCFC-142, chlorodifluoroethane, R-142
- HCFC-151, chlorofluoroethane, R-151
- HCFC-221, hexachlorofluoropropane, R-221
- HCFC-222, pentachlorodifluoropropane, R-222
- HCFC-223, tetrachlorotrifluoropropane, R-223
- HCFC-224, trichlorotetrafluoropropane, R-224
- HCFC-225, dichloropentafluoropropane, R-225
- HCFC-226, chlorohexafluoropropane, R-226
- HCFC-231, pentachlorofluoropropane, R-231
- HCFC-232, tetrachlorodifluoropropane, R-232
- HCFC-233, trichlorotrifluoropropane, R-233
- HCFC-234, dichlorotetrafluoropropane, R-234
- HCFC-235, chloropentafluoropropane, R-235
- HCFC-241, tetrachlorofluoropropane, R-241
- HCFC-242, trichlorodifluoropropane, R-242
- HCFC-243, dichlorotrifluoropropane, R-243
- HCFC-244, chlorotetrafluoropropane, R-244
- HCFC-251, trichlorofluoropropane, R-251
- HCFC-252, dichlorodifluoropropane, R-252

- HCFC-253, chlorotrifluoropropane, R-253
 - HCFC-261, dichlorofluoropropane, R-261
 - HCFC-262, chlorodifluoropropane, R-262
 - HCFC-271, chlorofluoropropane, R-271.
- 2 All other hydrochlorofluorocarbons not specifically listed.
 - 3 All mixtures containing any of the above.

**Class III
Other Halocarbons**

- 1 Hydrofluorocarbons
 - HFC-23, trifluoromethane, R-23
 - HFC-32, difluoromethane, R-32
 - HFC-125, pentafluoroethane, R-125
 - HFC-134, tetrafluoroethane, R-134
 - HFC-143, trifluoroethane, R-143
 - HFC-152, difluoroethane, R-152
 - HFC-161, monofluoroethane, R-161
 - HFC-227, heptafluoropropane, R-227
 - HFC-236, hexafluoropropane, R-236
 - HFC-245, pentafluoropropane, R-245
 - HFC-254, tetrafluoropropane, R-254
 - HFC-263, trifluoropropane, R-263
 - HFC-272, difluoropropane, R-272
 - HFC-281, fluoropropane, R-281.
- 2 Perfluorocarbons
 - FC-14, tetrafluoromethane
 - FC-116, hexafluoroethane
 - FC-218, octafluoropropane
 - FC-3-1-10, decafluorobutane
 - FC-4-1-12, dodecafluoropentane
 - FC-5-1-14, tetradecafluorohexane.
- 3 All other hydrofluorocarbons and perfluorocarbons not specifically listed.
- 4 All mixtures containing any of the above.

CHAPTER E-10.21 REG 3*The Environmental Management and Protection Act, 2002*

Section 81

Order in Council 711/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

- 1 These regulations may be cited as *The Waste Paint Management Regulations*.

Interpretation

- 2 In these regulations:

- (a) **“Act”** means *The Environmental Management and Protection Act, 2002*;
- (b) **“first seller”** means a person who:
- (i) manufactures paint in Saskatchewan;
 - (ii) imports paint into Saskatchewan for sale to vendors or consumers of paint in Saskatchewan; or
 - (iii) imports paint into Saskatchewan for use in Saskatchewan;
- (c) **“paint”** includes any of the following:
- (i) any latex, oil or solvent-based coating;
 - (ii) any stain, varnish, lacquer or other wood or masonry treatment product;
 - (iii) any type of paint sold in a pressurized aerosol container;
- but does not include:
- (iv) paint manufactured for automotive or marine use;
 - (v) non-latex concrete sealant; or
 - (vi) bottled paint for hobby, artistic or cosmetic use;
- (d) **“product management program”** means a program for the collection and recycling of waste paint;
- (e) **“waste paint”** means paint that the consumer no longer wants, and includes the original container in which the paint was purchased.

Prescribed product

- 3 Paint is a prescribed product for the purposes of clause 81(1)(aa) of the Act.

Product management program required

- 4(1) Every first seller must:
- (a) operate a product management program approved by the minister; or
 - (b) enter into an agreement with a person to operate, on the first seller's behalf, a product management program approved by the minister.

(2) No first seller who operates a product management program shall fail to operate the product management program in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

(3) No person who has entered into an agreement to operate a product management program on a first seller's behalf shall fail to operate the product management program in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

(4) No first seller who has entered into an agreement to have a product management program operated on the first seller's behalf shall fail to ensure that the product management program is operated in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

Approval to operate product management program

5(1) A first seller who operates or wishes to operate a product management program, or a person who operates or wishes to operate a product management program on a first seller's behalf, must:

- (a) apply to the minister for approval of the program, in a form acceptable to the minister; and
- (b) submit any additional information or material to the minister that the minister requests and considers relevant to the application.

(2) The minister shall not approve a product management program unless the program:

- (a) contains details of the management structure of the program;
- (b) provides details respecting:
 - (i) the creation of an advisory committee to the operator of the product management program;
 - (ii) the role of the advisory committee in relation to the operation of the program; and
 - (iii) the manner in which Saskatchewan interests will be represented on the advisory committee; and
- (c) provides details respecting:
 - (i) how waste paint will be collected in all areas of Saskatchewan;
 - (ii) recycling options for waste paint, listed in descending order of preference;

- (iii) how the program will be funded;
- (iv) the quality control and assurance aspects of the program, including tracking and auditing mechanisms; and
- (v) the public education or public awareness and communication strategy for the program.

(3) If the minister is satisfied that a proposed product management program complies with the Act and these regulations and is otherwise in the public interest, the minister may approve the product management program on any terms and conditions that the minister considers appropriate.

Changes to product management program

6 No person operating a product management program shall make any changes to the program without obtaining the minister's prior written approval of the proposed changes.

Suspension or cancellation of approvals

7(1) Subject to subsection (2), if, in the minister's opinion, a product management program is not being operated in accordance with the Act, these regulations or the terms and conditions of the approval, or if, in the minister's opinion, it is in the public interest to do so, the minister may:

- (a) amend the approval by imposing new or additional terms and conditions; or
- (b) suspend or cancel the approval.

(2) Before amending, suspending or cancelling an approval pursuant to subsection (1), the minister shall give the person operating the product management program an opportunity to be heard.

(3) Notwithstanding subsection (2), if the minister considers that it is necessary in order to protect the public interest, the minister may immediately amend, suspend or cancel an approval without giving the person mentioned in subsection (2) an opportunity to be heard, but the minister shall give that person an opportunity to be heard within 15 days after the date on which the minister takes any of those actions.

Annual reporting

8(1) In this section, "**reporting period**" means the period commencing on January 1 in one year and ending on December 31 of that same year.

(2) On or before June 30 in each year, every first seller operating a product management program, and every person operating a product management program on the first seller's behalf, must prepare and submit to the minister a written annual report describing the activities of the product management program during the previous reporting period, including:

- (a) the types and amount of waste paint collected;
- (b) the types and amount of waste paint diverted to each of the program's recycling options as identified pursuant to subclause 5(2)(c)(ii);

- (c) the total amount of recycling fees collected to fund the program in Saskatchewan;
 - (d) the amount spent to operate the program in Saskatchewan;
 - (e) the amount of recycling incentives paid out, if any;
 - (f) the costs incurred to administer the program;
 - (g) the amount spent on public education or public awareness and communication;
 - (h) any other information that the minister may reasonably require.
- (3) For 2005, the report required pursuant to subsection (2) shall cover the period commencing on November 1, 2005 and ending on December 31, 2005.

Coming into force

- 9** These regulations come into force on November 1, 2005.

CHAPTER G-5.1 REG 118

The Government Organization Act

Section 12

Order in Council 666/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

- 1** These regulations may be cited as *The Department of Learning Regulations, 2005*.

Department continued

- 2** The department of the Government of Saskatchewan called the Department of Learning is continued.

Objects and purposes

- 3(1)** The objects and purposes of the Department of Learning are to provide the structure wherein and whereby the powers, responsibilities and functions of the Minister of Learning may be exercised and carried out and, with respect to those objects and purposes, to do the following:

(a) to co-ordinate, develop, implement, promote and enforce policies and programs of the Government of Saskatchewan relating to elementary and secondary education;

(b) to co-ordinate, develop, implement, promote and enforce policies and programs of the Government of Saskatchewan with respect to elementary, secondary and post-secondary French language education, and job-related training in the French language;

- (c) to co-ordinate, develop, implement, promote and enforce policies and programs of the Government of Saskatchewan with respect to:
 - (i) post-secondary education;
 - (ii) training and career-related services; and
 - (iii) student financial assistance; and
 - (d) to co-ordinate, develop, implement and promote policies and programs of the Government of Saskatchewan relating to libraries and library services.
- (2) The objects and purposes of the Department of Learning are to provide the structure wherein and whereby the powers, responsibilities and functions of the Minister Responsible for Literacy may be exercised and carried out and, with respect to those objects and purposes, to do the following, through an office in the department to be known as the Saskatchewan Literacy Commission:
- (a) to focus social, economic and educational policies, programs, services and initiatives of the Government of Saskatchewan relating to literacy;
 - (b) to co-ordinate, develop, promote and implement policies and programs to contribute to the enhancement of literacy in Saskatchewan, including policies and programs respecting workplace-based literacy, early literacy and family literacy;
 - (c) to identify obstacles to literacy and co-ordinate, develop, promote and implement policies and programs to remove or reduce obstacles to literacy in Saskatchewan;
 - (d) to assess policy decisions of the Government of Saskatchewan for their impact on literacy in Saskatchewan and make recommendations for modifications to those policies as they affect literacy;
 - (e) to promote understanding of the importance of literacy and to disseminate information respecting literacy;
 - (f) to work together with educational institutions, other governments and other organizations in carrying out any of the objects and purposes set out in clauses (a) to (e).

R.R.S., c.G-5.1 Reg 101 repealed

4 *The Department of Learning Regulations* are repealed.

Coming into force

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

SASKATCHEWAN REGULATIONS 86/2005*The Vehicle Administration Act*

Subsection 97(4)

Minister's Order, dated August 31, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Vehicle Inspection Procedures Amendment Regulations, 2005*.

R.R.S. c.V-2.1 Reg 19, section 17 amended

2 Clauses 17(1)(b) and (c) of *The Vehicle Inspection Procedures Regulations, 2001* are repealed and the following substituted:

“(b) on the last day of the twelfth month following the date of issue:

- (i) in the case of a truck;
- (ii) in the case of a power unit, where the administrator designates the vehicle as one requiring an annual inspection;
- (iii) in the case of a trailer, semi-trailer, converter dolly, jeep, booster or pony;
- (iv) in the case of a school bus;
- (v) in the case of a vehicle registered in Class PV or LV that has a seating capacity of 15 or more passengers; and
- (vi) in the case of a vehicle that is operating exclusively within Saskatchewan and that is registered in class PB;

“(c) on the last day of the sixth month following the date of issue:

- (i) in the case of a power unit, unless the administrator designates the vehicle as requiring an annual inspection; and
- (ii) in the case of a vehicle other than a vehicle to which subclause (b) (vi) or clause (d) applies”.

Coming into force

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

SASKATCHEWAN REGULATIONS 87/2005*The Economic and Co-operative Development Act*

Section 16

Order in Council 701/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Small Business Loans Association Program Amendment Regulations, 2005*.

R.R.S. c.D-12.11 Reg 1 amended

2 *The Small Business Loans Association Program Regulations* are amended in the manner set forth in these regulations.

Section 7 amended

3 Clause 7(3)(f) is repealed and the following substituted:

“(f) a fee of:

(i) in the case of applications received by the minister on or before August 31, 2005, \$30; or

(ii) in the case of applications received by the minister on or after September 1, 2005, \$60”.

Section 8 amended

4(1) Clause 8(1)(h) is repealed and the following substituted:

“(h) subject to subsection (1.1), purchasing the interests of a person involved in the eligible business where that person is a relative of another person in the eligible business”.

(2) The following subsection is added after subsection 8(1):

“(1.1) On the prior, written application of an association to the minister and if the minister is satisfied that it is not contrary to the public interest to do so, the minister may approve a loan by the association for a purpose described in clause (1)(h)”.

Coming into force

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

SASKATCHEWAN REGULATIONS 88/2005*The Oil and Gas Conservation Act*

Section 18

Order in Council 702/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Oil and Gas Conservation Amendment Regulations, 2005*.

R.R.S. c.O-2 Reg 1 amended

2 *The Oil and Gas Conservation Regulations, 1985* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Clause 2(cc.1) is repealed and the following substituted:**

“(cc.1) **‘public notice’** means a notice published in the manner set out in section 108.9 and, if the minister considers it necessary, in any other manner specified by the minister”.

Section 28 amended

4 **Subsection 28(2) is amended by striking out “500 metres” and substituting “200 metres”.**

Section 30.3 amended

5 **Subclause 30.3(b)(i) is repealed and the following substituted:**

“(i) the entire productive horizontal section of a horizontal well must be set back a minimum of 100 metres from a diversely owned lease boundary”.

New section 108.9

6 **The following section is added after section 108.8:**

“Manner of publishing orders

108.9 For the purposes of subsection 19(1) of the Act, the prescribed manner of publishing an order made pursuant to the Act is by posting it on the department’s Internet website”.

Coming into force

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

SASKATCHEWAN REGULATIONS 89/2005*The Mineral Taxation Act, 1983*

Sections 44 and 46

Order in Council 703/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Potash Production Tax Amendment Regulations, 2005*.

R.R.S. c.M-17.1 Reg 6 amended

2 *The Potash Production Tax Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3(1) Clause 2(1)(a) is repealed and the following substituted:

“(a) **‘accelerated capital’** means the amount in a year that is excluded from net mine capital by the operation of paragraph (jj.2)(ii)(C);

“(a.1) **‘Act’** means *The Mineral Taxation Act, 1983*”.

(2) The following definition is added after clause 2(1)(vv):

“(vv.1) **‘tonne’**, when used with reference to potash produced in Saskatchewan other than when used with reference to a K₂O tonne, means one tonne of potash produced and either sold or disposed of from a Saskatchewan mine”.

Section 7 amended

4 Clause 7(2)(r) is repealed and the following substituted:

“(r) a depreciation allowance with respect to accelerated capital calculated in accordance with subsection 8(8.1)”.

Section 8 amended

5 The following subsection is added after subsection 8(8):

“(8.1) For the purposes of clause 7(2)(r), the depreciation allowance for a year with respect to accelerated capital is equal to 120% of accelerated capital in that year”.

New sections 10.1 and 10.2

6 The following sections are added after section 10:

“Base payment holiday – application and qualification

10.1(1) In this section and section 10.2, **‘approved’** means approved by the minister in a prior written approval given for the purposes of subsection (3).

(2) Subject to subsections (3) to (6) and to section 10.2, a producer may qualify for a reduction in base payment with respect to production from:

(a) an expansion in the productive capacity of an existing mine, if that expansion commences on or after January 1, 2005; or

(b) the development of a new mine, if the beginning of commercial production for that new mine is on or after January 1, 2005.

(3) Subject to subsection (4), a producer qualifies for the reduction in base payment only if:

- (a) the expansion in productive capacity of an existing mine or the development of the new mine has been approved; and
- (b) in the case of an expansion in the productive capacity of an existing mine, the increase in the annual productive capacity qualifies the expansion as a mine expansion.

(4) If a producer has applied for and received approval for a mine expansion of an existing mine or the development of a new mine and the producer subsequently makes adjustments to operations of that mine that have the effect of further increasing the productive capacity of the mine by amounts that would not qualify as a mine expansion, those further increases in productive capacity resulting from the adjustments:

- (a) are deemed to be a part of the productive capacity that is associated with the prior approved mine expansion or new mine; and
- (b) qualify for a reduction in base payment in the same manner and for the original period as production from the prior approved mine expansion or new mine.

(5) For the purpose of determining whether or not new mines and mine expansions qualify for the reduction in base payment, the producer shall cause a firm of professional engineers, as defined in *The Engineering and Geoscience Professions Act*, acceptable to the minister to deliver to the minister a written certificate stating:

- (a) for each occasion that the producer applies for approval of a mine expansion, the productive capacity of the mine as of the date of the application;
- (b) for each occasion that the producer receives approval of a mine expansion, the productive capacity of the mine following completion of the expansion; and
- (c) for each new mine developed by the producer, the productive capacity of the mine after the beginning of commercial production.

(6) The certificate of productive capacity specified in subsection (5) must be:

- (a) consistent with the methodology provided for calculating annual productive capacity as set out in section 3;
- (b) provided by a firm of professional engineers, as defined in *The Engineering and Geoscience Professions Act*, acceptable to the minister;
- (c) in the case of a certificate mentioned in clause (5)(a), provided to the minister with the application for the approval of the mine expansion;
- (d) in the case of a certificate mentioned in clause (5)(b), provided to the minister within one year after the completion of the mine expansion; and
- (e) in the case of a certificate mentioned in clause (5)(c), provided to the minister within one year after the beginning of commercial production.

“Base payment holiday – calculation of amounts

10.2(1) Subject to subsections (2) to (7), for each mine of the producer that qualifies for reduction in base payment pursuant to section 10.1 and this section, the following production from that mine in the year is not subject to base payment, and is to be used to reduce the quantity of potash subject to base payment as set out in section 11:

- (a) in the case of a new mine, all production from the mine after the date that the new mine has been approved; or
 - (b) in the case of a mine expansion, any production in excess of the mine’s productive capacity, as at the date of the application for the mine expansion, as established in the certificate provided pursuant to clauses 10.1(5)(a) and (6)(c).
- (2) A producer may reduce its base payment in accordance with subsection (1) during the period:
- (a) with respect to a mine expansion:
 - (i) commencing on January 1 of the year following the year in which the mine expansion is approved by the minister; and
 - (ii) ending on December 31 of the tenth year following the year in which the mine expansion is approved by the minister; and
 - (b) with respect to a new mine:
 - (i) commencing on January 1 of the year following the year in which the new mine is approved by the minister; and
 - (ii) ending on December 31 of the tenth year following the year in which the new mine is approved by the minister.
- (3) A producer that applies for and receives approval for a subsequent mine expansion that qualifies for a reduction in base payment pursuant to section 10.1 and this section is eligible to reduce its base payment for that subsequent mine expansion in accordance with this section.
- (4) For the purposes of subsection (3), the quantity of potash that is to be used to reduce the producer’s base payment is equal to the positive difference, if any, between:
- (a) production in the year from the mine; and
 - (b) the mine’s productive capacity, as at the date of the application for the subsequent mine expansion, as established in the certificate provided pursuant to clauses 10.1(5)(a) and (6)(c).
- (5) A producer may reduce its base payment in accordance with subsections (3) and (4) during the period:
- (a) commencing on January 1 of the year following the year in which the subsequent mine expansion is approved by the minister; and
 - (b) ending on December 31 of the tenth year following the year in which the mine expansion is approved by the minister.

(6) Notwithstanding clause (2)(a) and subsection (5), on the written application of a producer to the minister and if the minister is satisfied that it is appropriate to do so, the minister may authorize the producer to reduce its base payment in accordance with subsection (1) or subsections (3) and (4), as the case may be, during the period:

(a) commencing on January 1 of the year in which the mine expansion is approved by the minister; and

(b) ending on December 31 of the ninth year following the year in which the mine expansion is approved by the minister.

(7) If, pursuant to subsections (3) and (4), a producer is granted a reduction in base payment for a subsequent mine expansion and the producer has already been granted a reduction in base payment pursuant to section 10.1 and this section with respect to a previous mine expansion or a new mine, the reduction in the quantity of potash subject to base payment for the previous mine expansion or new mine is to be revised and is equal to:

(a) in the case of previous reductions in base payment granted for expansions to an existing mine the positive difference, if any, between:

(i) the lesser of:

(A) production in the year from the mine; and

(B) the mine's productive capacity, as at the date of the application for the subsequent mine expansion, as established in the certificate provided pursuant to clauses 10.1(5)(a) and (6)(c); and

(ii) the mine's productive capacity, as at the date of the application for the mine expansion preceding the subsequent mine expansion, as established in the certificate provided pursuant to clauses 10.1(5)(a) and (6)(c) for the preceding mine expansion; or

(b) in the case of previous reductions in base payment granted to a new mine, the annual production at the mine that is less than or equal to the productive capacity of the new mine, as at the date of the application for the first approved expansion to the new mine, as established in the certificate provided pursuant to clauses 10.1(5)(a) and (6)(c)".

New section 11

7 Section 11 is repealed and the following substituted:

"Quantity of potash sold – base payment

11 For the purposes of clause 5(1)(b) of the Schedule, subclause 5(2)(a)(ii) of the Schedule and clauses 16(1)(b) and 17(1)(b) of these regulations, the quantity of potash sold or otherwise disposed of from a mine in a year is the quantity, expressed in K₂O tonnes, of saleable potash that:

(a) is produced from the mines of the producer;

(b) is sold or otherwise disposed of from the mines of the producer in the year; and

(c) does not qualify for a reduction in base payment pursuant to sections 10.1 and 10.2".

Section 12 amended**8(1) Subsection 12(1) is repealed and the following substituted:**

“(1) For the purposes of clause 5(2)(b) of the Schedule, the deduction for calculating base payment for a year is equal to:

- (a) the total of:
 - (i) the Crown royalty payable by the producer with respect to potash produced from the mines of the producer in the year;
 - (ii) with respect to any part of the production in the year that was physically produced from, or deemed by a unitization agreement to have been produced from, freehold mineral lands not owned by the producer, an amount equal to the lesser of:
 - (A) royalties payable by the producer to the owner of the freehold mineral lands; and
 - (B) the amount that would have been the Crown royalty payable with respect to that part of the production if it had been produced from Crown mineral lands;
 - (iii) with respect to the part of the production in the year that was physically produced from, or deemed by a unitization agreement to have been produced from, freehold mineral lands owned by the producer, the amount that would have been the Crown royalty payable with respect to that part of the production if it had been produced from Crown mineral lands; and
 - (iv) subject to subsection (2), an amount equal to 1% of the producer’s gross revenue for the year;

less:

- (b) the amount, if any, by which the amount mentioned in clause (a) exceeds the product of:
 - (i) the quantity of potash subject to base payment as set out in section 11; and
 - (ii) the base payment rate of tax as calculated pursuant to subclause 5(2)(a)(i) of the Schedule”.

(2) Subsection 12(2) is amended by striking out “clause (1)(d)” and substituting “subclause (1)(a)(iv)”.

Section 19 amended**9(1) Clause 19(1)(a) is repealed and the following substituted:**

“(a) the amount A calculated pursuant to the following formula:

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

where:

B is the quantity of potash as determined pursuant to subsection 21(2), less the volume of potash sold or disposed of in the year that was not produced at the mines of the producer;

C is the base payment rate of tax as calculated pursuant to subclause 5(2)(a)(i) of the Schedule;

D is 50% of the difference between:

(i) the amount calculated for the purposes of subclause 12(1)(a)(i) for the year; and

(ii) that portion of the amount calculated for the purposes of subclause 12(1)(a)(i) that is payable with respect to potash that:

(A) is not physically produced from Crown mineral lands in the year; and

(B) is not deemed by the unitization agreement to have been produced from Crown mineral lands in the year;

E is 50% of the amount calculated for the purposes of subclause 12(1)(a)(ii) for the year;

F is 50% of the amount calculated for the purposes of subclause 12(1)(a)(iii) for the year; and

G is the amount calculated pursuant to clause 12(1)(b) for the year”.

(2) The following subsection is added after subsection 19(2):

“(3) If the amount calculated pursuant to clause (1)(a) is less than zero, it is deemed to be zero”.

New section 27.1**10 The following section is added after section 27:****“New mine producers to report certain capital expenditures before beginning production**

27.1(1) If a producer has received prior approval from the minister to construct a new mine and does not have a direct or beneficial interest in another operating Saskatchewan potash mine, the producer shall report to the minister, with respect to each year prior to the beginning of commercial production, the capital costs of the project incurred for the year as set out in paragraph 2(1)(jj.2)(i)(C).

(2) A report mentioned in subsection (1) must be submitted to the minister within 90 days after the end of the year to which the report relates”.

Coming into force

11 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.

SASKATCHEWAN REGULATIONS 90/2005*The Vital Statistics Act, 1995*

Section 60

Order in Council 704/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Vital Statistics Amendment Regulations, 2005 (No. 2)*.

R.R.S. c.V-7.1 Reg 1, new sections 30.1 to 30.4

2 **The following sections are added after section 30 of *The Vital Statistics Regulations*:**

“Genealogical index of births

30.1(1) Information with respect to the registration of a birth shall be placed in the genealogical index of births only after the expiry of 100 years from the calendar year in which the birth occurred.

(2) Subject to section 30.4, the genealogical index of births may contain the following information with respect to the birth of an individual, if the information is contained in the records of the director:

- (a) the individual’s given names, surname and sex;
- (b) the date of birth and the place where the birth occurred;
- (c) the given names and the surname of the birth mother;
- (d) the given names and the surname of the birth father;
- (e) the live birth registration number.

“Genealogical index of marriages

30.2(1) Information with respect to the registration of a marriage shall be placed in the genealogical index of marriages only after the expiry of 75 years from the calendar year in which the marriage occurred.

(2) Subject to section 30.4, the genealogical index of marriages may contain the following information with respect to a marriage, if the information is contained in the records of the director:

- (a) the given names and the surname of each spouse at the time of the marriage;
- (b) the date of the marriage and the place at which the marriage was solemnized;
- (c) the marriage registration number.

RÈGLEMENT DE LA SASKATCHEWAN 90/2005*Loi de 1995 sur les services de l'état civil*

Article 60

Décret 704/2005, en date du 7 septembre, 2005

(Déposé 8 septembre 2005)

Titre

1 *Règlement n° 2 de 2005 modifiant le Règlement sur les services de l'état civil.***Nouveaux articles 30.1 à 30.4 du Règl. 1, ch. V-7.1 des R.R.S.****2** *Les articles qui suivent sont insérés après l'article 30 du Règlement sur les services de l'état civil :***« Répertoire généalogique des naissances****30.1(1)** Les renseignements ayant trait à l'enregistrement d'une naissance ne sont inscrits dans l'index généalogique des naissances qu'après que 100 années se sont écoulées depuis l'année civile de la naissance.

(2) Sous réserve de l'article 30.4, le répertoire généalogique des naissances peut contenir les renseignements qui suivent relativement à la naissance d'un individu, s'ils sont contenus dans les archives du directeur :

- a) les prénoms de l'individu, son nom de famille et son sexe;
- b) les date et lieu de la naissance;
- c) les prénoms et le nom de famille de la mère de sang;
- d) les prénoms et le nom de famille du père de sang;
- e) le numéro d'enregistrement de la naissance.

« Répertoire généalogique des mariages**30.2(1)** Les renseignements ayant trait à l'enregistrement des mariages ne sont inscrits dans le répertoire généalogique des mariages qu'après que 75 années se sont écoulées depuis l'année civile du mariage.

(2) Sous réserve de l'article 30.4, le répertoire généalogique des mariages peut contenir les renseignements qui suivent relativement à un mariage, s'ils sont contenus dans les archives du directeur :

- a) les prénoms et le nom de famille des conjoints au moment du mariage;
- b) la date du mariage et le lieu de sa célébration;
- c) le numéro d'enregistrement du mariage.

“Genealogical index of deaths

30.3(1) Information with respect to the registration of a death shall be placed in the genealogical index of deaths only after the expiry of 70 years from the calendar year in which the death occurred.

(2) Subject to section 30.4, the genealogical index of deaths may contain the following information with respect to the death of an individual, if the information is contained in the records of the director:

- (a) the given names and surname of the individual;
- (b) the age of the individual at the time of death;
- (c) the date of death and the place where the death occurred;
- (d) the given names and surname of the individual’s father;
- (e) the given names and surname of the individual’s mother;
- (f) the death registration number.

“Altered or corrected particulars of registration

30.4 If there is a notation of an alteration or correction with respect to any of the particulars of a registration that may be included in a genealogical index, the genealogical index shall contain, with respect to that registration, the information as altered or corrected and not the information set out in the original registration”.

Coming into force

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

« Répertoire généalogique des décès

30.3(1) Les renseignements ayant trait à l'enregistrement d'un décès ne sont inscrits dans le répertoire généalogique des décès qu'après que 70 années se sont écoulées depuis l'année civile du décès.

(2) Sous réserve de l'article 30.4, le répertoire généalogique des décès peut contenir les renseignements qui suivent relativement au décès d'un individu, s'ils sont contenus dans les archives du directeur :

- a) les prénoms et le nom de famille de l'individu;
- b) l'âge de l'individu au moment du décès;
- c) les date et lieu du décès;
- d) les prénoms et le nom de famille du père de l'individu;
- e) les prénoms et le nom de famille de la mère de l'individu;
- f) le numéro d'enregistrement du décès.

« Renseignements modifiés ou corrigés de l'enregistrement

30.4 Si une mention constate la modification ou la correction de l'un des renseignements d'un enregistrement pouvant se trouver dans un répertoire généalogique, ce répertoire contient, s'agissant de cet enregistrement, les renseignements tels qu'ils ont été modifiés ou corrigés et non pas tels qu'ils apparaissaient dans l'enregistrement primitif ».

Entrée en vigueur

3 Le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements.

SASKATCHEWAN REGULATIONS 91/2005*The Automobile Accident Insurance Act*

Section 81

Order in Council 705/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Automobile Accident Insurance (General) Amendment Regulations, 2005 (No. 2)*.

R.R.S. c.A-35 Reg 4, new section 3.1

2 The following section is added after section 3 of *The Automobile Accident Insurance (General) Regulations*:

“Vehicles with perpetual trailer registration exempt from Act

3.1(1) In this section, ‘**perpetual trailer registration**’ means a certificate of registration issued pursuant to *The Highway Traffic Act* that, subject to subsection 30(2), (3) or (4) of that Act, will not expire unless suspended or revoked by the administrator.

(2) The following vehicles with a perpetual trailer registration are exempt from the provisions of the Act:

- (a) a trailer or semi-trailer registered in Class TS;
- (b) a trailer or semi-trailer registered in Class F.

(3) For the purposes of subsection (2), the administrator shall not provide an owner’s certificate to the registered owner of a vehicle mentioned in clause (2)(a) or (b)”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on September 1, 2005.

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

SASKATCHEWAN REGULATIONS 92/2005*The Highway Traffic Act*

Section 108

Order in Council 706/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Driver and Vehicle Registration Fee Amendment Regulations, 2005*.

R.R.S. c.H-3.1 Reg 1 amended

2 *The Driver and Vehicle Registration Fee Regulations, 1987* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Section 2 is amended by adding the following after clause 2(f):**

“(f.1) ‘**perpetual trailer registration**’ means a certificate of registration for a trailer or semi-trailer that, subject to subsection 30(2), (3) or (4) of the Act, will not expire unless suspended or revoked by the administrator”.

New section 11

4 **Section 11 is repealed and the following substituted:**

“Class TS

11(1) The fee to register a vehicle in Class TS vehicle is:

- (a) \$32 for an annual certificate of registration; or
- (b) \$100 for a perpetual trailer registration.

(2) A trailer or semi-trailer registered in Class TS is not eligible for a perpetual trailer registration unless that trailer or semi-trailer is towed by a power unit.

(3) The fee to transfer a Class TS perpetual trailer registration from one trailer or semi-trailer to another trailer or semi-trailer registered in the name of the same owner is \$20”.

Section 12 amended

5 **The following subsection is added after subsection 12(2):**

“(3) The fee to transfer a Class F perpetual trailer registration from one trailer or semi-trailer to another trailer or semi-trailer registered in the name of the same owner is \$10”.

New section 24

6 **Section 24 is repealed and the following substituted:**

“Winter weight season operations

24(1) In this section, ‘**winter weight season**’ means the period prescribed in *The Vehicle Weight and Dimension Regulations, 1999*.

(2) Subject to *The Highways and Transportation Act, 1997* and any regulations made pursuant to that Act, a vehicle may be operated in the winter weight season at a gross vehicle weight that is 10% higher than the gross vehicle weight that appears on its certificate of registration”.

Section 28 amended

7 Section 28 is amended:

(a) by renumbering it as subsection 28(1); and

(b) by adding the following subsection after subsection (1):

“(2) Notwithstanding clause (1)(e), no refund may be authorized and no refund is payable for the cancellation of a perpetual trailer registration”.

New section 29

8 Section 29 is repealed and the following substituted:**“Transfers of registration**

29(1) A registrant shall pay a registration fee calculated pursuant to subsection (2) if the registrant applies to transfer a certificate of registration from the vehicle that has been disposed of or whose use has been discontinued to another vehicle that is to be registered.

(2) The registration fee required to be paid pursuant to subsection (1) is the amount F calculated in accordance with the following formula:

$$F = NF - OF$$

where:

NF is the registration fee that would otherwise be required to be paid pursuant to these regulations for a certificate of registration for the vehicle with respect to which the certificate of registration is to be transferred;

OF is the prorated amount of the registration fee that was paid pursuant to these regulations for the certificate of registration for the vehicle that has been disposed of or whose use has been discontinued.

(3) For the purposes of subsection (2):

(a) the prorated amount mentioned in OF of the formula is to be based on the number of days since the certificate of registration was issued to the date of the transfer of the certificate of registration; and

(b) subject to subsection (4), if the amount F is less than 0, the administrator shall refund that amount to the registrant as soon as possible after the transfer of the certificate of registration has been made.

(4) The administrator is not required to make a refund pursuant to clause (3)(b) if the amount of the refund is less than \$5.

(5) Notwithstanding subsection (1), if a registrant applies to transfer a perpetual trailer registration to another trailer or semi-trailer, as the case may be, of the same class that is owned by the registrant, the total amount paid, other than the transfer fee required pursuant to subsection 11(3) or 12(3), to obtain the original perpetual trailer registration is to be applied against the other vehicle's perpetual trailer registration fee.

(6) Notwithstanding subsection (1), there is no refund of any registration fee if a registrant:

(a) applies to transfer a perpetual trailer registration for another perpetual trailer registration of a different class of trailer or semi-trailer; or

(b) applies to transfer a perpetual trailer registration for trailer registration with a finite term.

(7) Any registration fee required by this section is in addition to the fee that is otherwise required to be paid pursuant to section 11 or 12, and any money applied to the registration fees pursuant to this section shall not reduce the amount of any fee required pursuant to section 11 or 12”.

Appendix amended, new Table 3

9 Table 3 of the Appendix is repealed and the following substituted:

“TABLE 3
[Section 12]
CLASS F

<i>Weight in Kilograms</i>	<i>Registration Fees (\$)</i>
5,001 - 6,000	105
6,001 - 7,000	108
7,001 - 8,000	110
8,001 - 9,000	113
9,001 - 10,000	115
10,001 - 11,000	116
11,001 - 12,000	116
12,001 - 13,000	116
13,001 - 14,000	119
14,001 - 15,000	121
15,001 - 16,000	124
16,001 - 17,000	126
17,001 - 18,000	129
18,001 - 19,000	135
19,001 - 20,000	139
20,001 - 21,000	143
21,001 - 22,000	149
22,001 - 23,000	168
23,001 - 24,000	173
24,001 - 25,000	176
25,001 - 26,000	181
26,001 - 27,000	226
27,001 - 28,000	230
28,001 - 29,000	234
29,001 - 30,000	239
30,001 - 31,000	290
31,001 - 32,000	298
32,001 - 33,000	379
33,001 - 34,000	441
34,001 - 35,000	500
35,001 - 36,000	526
36,001 - 37,000	556
37,001 - 38,000	588
38,001 - 39,000	619
39,001 - 40,000	651
40,001 - 41,000	1138
41,001 - 42,000	1138
42,001 - 43,000	1138

Registration

<i>Weight in Kilograms</i>	<i>Fees (\$)</i>
43,001 - 44,000	1138
44,001 - 45,000	1138
45,001 - 46,000	1138
46,001 - 47,000	1138
47,001 - 48,000	1138
48,001 - 49,000	1138
49,001 - 50,000	1175
50,001 - 51,000	1225
51,001 - 52,000	1276
52,001 - 53,000	1332
53,001 - 54,000	1359
54,001 - 55,000	1359
55,001 - 56,000	1359
56,001 - 57,000	1359
57,001 - 58,000	1359
58,001 - 59,000	1359
59,001 - 60,000	1359
60,001 - 61,000	1379
61,001 - 62,000	1437
62,001 - 62,500	1466".

Coming into force

10(1) Subject to subsection (2), these regulations come into force on September 1, 2005.

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

SASKATCHEWAN REGULATIONS 93/2005

The Vehicle Administration Act

Section 97

Order in Council 707/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Driver Licensing and Suspension Amendment Regulations, 2005 (No. 2)*.

R.R.S. c.V-2.1 Reg 15 amended

2 *The Driver Licensing and Suspension Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3(1) The following clause is added after clause 2(1)(c):

“(c.1) ‘**child**’, with respect to an individual, includes:

- (i) another individual to whom the individual stands in the place of a parent; and
- (ii) another individual for whose support an individual was, at the relevant date for the purposes of these regulations, liable pursuant to any Act or Act of the Parliament of Canada”.

(2) Clause 2(1)(i) is repealed.**(3) The following clause is added after clause 2(1)(l.2):**

“(l.3) ‘**immediate family**’, with respect to an individual, means the individual’s:

- (i) spouse;
- (ii) child;
- (iii) parent;
- (iv) brother or sister; or
- (v) grandmother or grandfather”.

(4) The following clause is added after clause 2(1)(n):

“(n.1) ‘**parent**’ means:

- (i) the mother or the father of a child;
- (ii) a person to whom custody of a child has been granted by a court of competent jurisdiction or by a custody agreement; or
- (iii) a person with whom a child resides and who stands in the place of a parent to the child”.

(5) Clause 2(1)(p) is repealed.**(6) Clause 2(1)(r.1) is amended by adding “or section 34” after “subsection 33.1(1)”.****(7) The following clause is added after clause 2(1)(s):**

“(t) ‘**spouse**’, with respect to an individual, means:

- (i) the legally married spouse of the individual; or
- (ii) if the individual does not have a spouse within the meaning of subclause (i), another individual with whom the individual is cohabitating and has co-habitated as spouses:
 - (A) continuously for a period of not less than two years; or
 - (B) continuously for a period of not less than one year, if they are parents of a child”.

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

“(2) For the purposes of these regulations and the Act, ‘**new driver**’ means, subject to sections 27 and 36.1:

- (a) the holder of a class 7 driver’s licence;
- (b) the holder of a class 5 driver’s licence with a novice 1 or novice 2 restriction noted on the driver’s licence; or
- (c) the holder of a licence issued by another jurisdiction that is equivalent to a driver’s licence described in either clause (a) or (b)”.

Section 8 repealed**4 Section 8 is repealed.****New section 9****5 Section 9 is repealed and the following substituted:****“Class 7 driver’s licence**

9 The holder of a class 7 driver’s licence may operate:

- (a) a class 5 motor vehicle as a learner; and
- (b) if the holder’s driver’s licence bears:
 - (i) an ‘M’ endorsement, a motorcycle; or
 - (ii) a ‘6’ endorsement, a motorcycle as a learner”.

Section 10 amended**6 Subsection 10(3) is repealed and the following substituted:**

“(3) Subject to *The Snowmobile Act* and subsection (4), the holder of a class 7 driver’s licence may operate a snowmobile that is required to be registered but only if the holder of the class 7 driver’s licence is:

- (a) accompanied on the snowmobile by the holder of a class 1, 2, 3, 4 or 5 driver’s licence; or
- (b) accompanied and supervised by the holder of a class 1, 2, 3, 4, or 5 driver’s licence operating another snowmobile.

“(4) For the purposes of accompanying or supervising the holder of a class 7 driver’s licence on a snowmobile, the holder of a class 5 driver’s licence must not be the holder of a class 5 driver’s licence with a novice 1 or novice 2 restriction”.

Section 11 amended**7 Subsection 11(7) is repealed and the following substituted:**

“(7) A class 7 driver’s licence may only be endorsed with an ‘M’ or ‘6’ endorsement if the holder of the class 7 driver’s licence is 16 years of age or older”.

New sections 12 to 17**8 Sections 12 to 17 are repealed and the following substituted:****“Restrictions on holders of class 7 driver’s licences**

12(1) For the purposes of the Act and these regulations, a class 7 driver’s licence is deemed to be a learner’s licence.

- (2) For the purposes of this section, the following are not permitted to accompany and supervise the holder of a class 7 driver's licence:
- (a) another holder of a class 7 driver's licence;
 - (b) the holder of a class 5 driver's licence with a novice 1 or novice 2 restriction.
- (3) The holder of a class 7 driver's licence shall not operate a motor vehicle, other than a motorcycle, unless he or she is accompanied and supervised by another person who:
- (a) holds a driver's licence, and has held a driver's licence for 365 days in the preceding three years, that permits the other person to operate the vehicle being operated by the person holding the class 7 licence;
 - (b) occupies the seat that:
 - (i) is nearest to the person holding the class 7 driver's licence; and
 - (ii) is, other than the driver's seat, nearest to the controls of the vehicle; and
 - (c) is at all times conscious and capable of lawfully assuming the operation of the vehicle.
- (4) The holder of a class 7 driver's licence, when operating a motor vehicle, shall not:
- (a) transport passengers other than an immediate family member between the hours of 12:00 a.m. and 5:00 a.m. each day;
 - (b) when operating a vehicle with a rear seat, transport any passengers in the front seat other than the supervising driver;
 - (c) transport more passengers than there are seat belts in the vehicle.
- (5) If there is no seat-belt assembly in the vehicle, the holder of a class 7 driver's licence shall not transport more than three passengers in the vehicle in addition to the supervising driver.
- (6) No holder of a class 7 driver's licence nor any person whose driver's licence entitles that person to operate a motorcycle as a learner shall operate a motorcycle:
- (a) at night;
 - (b) when accompanied by a passenger; or
 - (c) outside a 100 kilometre radius from the address or secondary address listed on the certificate of registration for the motorcycle.

“Eligibility for class 1, 2, 3 or 4 driver's licence

- 13(1)** No person is eligible to be issued a class 1, 2, 3 or 4 driver's licence unless he or she is at least 18 years of age.
- (2) No new driver is eligible to be issued:
- (a) a class 1, 2, 3, or 4 driver's licence; or
 - (b) a class 1, 2, 3 or 4 endorsement on his or her driver's licence.

- (3) No new driver is eligible to be issued a class 5 driver's licence unless he or she:
- (a) is at least 16 years of age;
 - (b) files with the administrator a medical report whenever requested by the administrator; and
 - (c) has held a class 5 driver's licence with a novice 2 restriction for at least 365 days before being eligible for a class 5 driver's licence.
- (4) Subject to subsection (6), the following rules apply for the purpose of calculating when the holder of a class 5 driver's licence with a novice 2 restriction has held that licence for 365 days:
- (a) the first day of the holder's 365-day period is to be the day the holder applies for and receives a class 5 driver's licence with a novice 2 restriction;
 - (b) the calculation of the 365 days is to stop if, at any time during the period the holder holds the class 5 driver's licence with a novice 2 restriction, any of the following occurs:
 - (i) the holder is determined by the administrator to be at least 50% at fault for an accident;
 - (ii) the holder is convicted of an offence pursuant to *The Highway Traffic Act*;
 - (iii) the holder is convicted of an offence pursuant to section 220, 221 or 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1 or 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle;
 - (iv) the holder is convicted of an offence pursuant to subsection 254(5) of the *Criminal Code* for failure or refusal to comply with a breath demand pursuant to section 254;
 - (v) subject to (7), the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations; or
 - (vi) the holder's driver's licence is suspended pursuant to section 91 of *The Highway Traffic Act*.
- (5) If the calculation of the 365-day period is stopped pursuant to subsection (4):
- (a) the holder is deemed not to have previously held a class 5 driver's licence with a novice 2 restriction; and
 - (b) the calculation of the 365-day period must begin again with the first day of the holder's 365-day period being the day following the latest of the following:
 - (i) the date of the holder's conviction;
 - (ii) the date of the accident; or
 - (iii) if the holder's driver's licence is subject to a suspension or the holder is disqualified from driving a motor vehicle on a highway, the date the driver's licence is reinstated or the period of disqualification ends.

(6) The calculation of the holder's 365-day period is to be interrupted until the holder once again holds a valid driver's licence if any of the following circumstances occurs:

(a) if the holder's driver licence is not suspended or the holder is not disqualified from driving a motor vehicle on a highway and the holder has failed to renew his or her driver's licence;

(b) if the holder is prohibited from renewing his or her driver's licence pursuant to clause 15(2)(e), (f), (g), (g.1), (g.2), (h), (i.1), (m), (m.1), (m.2) or (n) or section 23.1 of the Act.

(7) If a holder's driver's licence is suspended pursuant to clause 23(1.1)(a), (b), (d), (e) or (f) or section 58 of the Act:

(a) subsection (4) is not to apply to the calculation of the holder's 365-day period; and

(b) calculation of the holder's 365-day period is to be interrupted until the holder once again holds a valid driver's licence.

“Eligibility for class 5 driver's licence with a novice 2 restriction

14(1) No person is eligible for a class 5 driver's licence with a novice 2 restriction unless he or she:

(a) is at least 16 years of age;

(b) files with the administrator a medical report whenever requested by the administrator; and

(c) has held a valid class 5 driver's licence with a novice 1 restriction for at least 183 days before being eligible for a class 5 driver's licence with a novice 2 restriction.

(2) For the purposes of clause (1)(c), when calculating the number of days a holder has held a valid class 5 driver's licence with a novice 1 restriction, the administrator shall not include in the calculation any period during which:

(a) the holder is disqualified from driving a motor vehicle on a highway, or the holder's driver's licence is suspended, pursuant to the Act or the regulations;

(b) the holder's driver's licence is suspended pursuant to section 91 of *the Highway Traffic Act*;

(c) the holder is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to section 220, 221, or 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1 or 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle; or

(d) the holder does not hold a valid driver's licence or has been refused renewal of his or her driver's licence.

“Eligibility for class 5 driver’s licence with a novice 1 restriction

15(1) No person is eligible for a class 5 driver’s licence with a novice 1 restriction unless he or she:

- (a) is at least 16 years of age;
 - (b) submits to the administrator evidence satisfactory to the administrator of his or her name and age;
 - (c) if he or she is under 18 years of age and has not previously held a driver’s licence, submits to the administrator the written consent of one of his or her parents;
 - (d) files with the administrator a medical report whenever requested by the administrator;
 - (e) has passed the vision, sign, road and written or oral tests determined by the administrator for a class 5 licence;
 - (f) has held a valid class 7 driver’s licence for at least 274 days before applying for a class 5 driver’s licence with a novice 1 restriction; and
 - (g) either:
 - (i) has undergone and successfully completed a high school driver training program that is under the control of the Government of Saskatchewan; or
 - (ii) has received a minimum of six hours of in-car training and a minimum of six hours of classroom training by a driver instructor as defined in *The Driver Training Regulations, 1986*.
- (2) For the purposes of clause (1)(f), when calculating the number of days a driver has held a class 7 driver’s licence the administrator shall not include in the calculation any period during which:
- (a) the holder is disqualified from driving a motor vehicle on a highway, or the holder’s driver’s licence is suspended, pursuant to the Act or the regulations;
 - (b) the holder’s driver’s licence is suspended pursuant to section 91 of *The Highway Traffic Act*;
 - (c) the holder is disqualified from driving a motor vehicle on a highway as a result of a conviction for an offence pursuant to sections 220, 221, 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1, 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle; or
 - (d) the holder does not hold a valid driver’s licence or has been refused renewal of his or her driver’s licence.

“Eligibility for class 7 driver’s licence

16 No person is eligible for a class 7 driver’s licence unless he or she:

- (a) is either:
 - (i) at least 16 years of age; or
 - (ii) at least 15 years of age and enrolled in or has completed a high school driver training program;
- (b) if he or she is under 18 years of age and has not previously held a driver’s licence, submits to the administrator the written consent of one of his or her parents;
- (c) files with the administrator a medical report whenever requested by the administrator; and
- (d) has passed the vision, sign, and written or oral tests determined by the administrator for a class 7 licence.

“Limits on holders of class 5 driver’s licence with novice 1 restriction

16.1(1) Subject to subsection (2), the holder of a class 5 driver’s licence with a novice 1 restriction must not transport more than one passenger.

(2) Subject to subsections (3) and (4), the holder of a class 5 driver’s licence with a novice 1 restriction may transport:

- (a) more than one passenger, if all passengers are members of the driver’s immediate family; or
- (b) more than one passenger, if he or she is transporting:
 - (i) one passenger other than an immediate family member; and
 - (ii) all other passengers are members of the driver’s immediate family.

(3) The holder of a class 5 driver’s licence with a novice 1 restriction shall not transport more passengers than there are seat belts in the vehicle.

(4) If there is no seat-belt assembly in the vehicle, the holder of a class 5 driver’s licence with a novice 1 restriction shall not transport more than four passengers in the vehicle.

“Limits on holders of class 5 driver’s licence with novice 2 restriction

17(1) The holder of a class 5 driver’s licence with a novice 2 restriction shall not transport more passengers than there are seat belts.

(2) If there is no seat-belt assembly in the vehicle, the holder of a class 5 driver’s licence with a novice 2 restriction shall not transport more than four passengers in the vehicle”.

Section 18 amended

9(1) Subsection 18(1) is amended by striking out “Subject to subsections (2), (3) and (4)” and substituting “Subject to these regulations”.

(2) Subsection 18(3) is repealed and the following substituted:

“(3) The administrator shall not provide the following persons with a school bus endorsement card:

- (a) a new driver; or
- (b) a person whose habits or conduct, in the opinion of the administrator, make that person’s operation of a school bus a source of danger to the public”.

(3) Subsection 18(5) is repealed.

Section 20 amended

10 Subsection 20(5) is amended by adding “Part I of” before “the Appendix”.

Section 21 amended

11 The following clause is added after clause 21(a):

“(a.1) he or she is determined to be at least 50% at fault for an accident”.

New sections 22 and 22.1

12 Section 22 is repealed and the following substituted:

“Penalties for new drivers

22(1) In this section and section 22.1:

- (a) **‘administrative penalty’** means one of the actions that the administrator may require a new driver to follow pursuant to this section;
- (b) **‘assigned rating’** means the rating assigned to an incident as set out in Part II of the Appendix;
- (c) **‘incident’** means:
 - (i) a motor vehicle accident for which the new driver is determined to be at least 50% at fault; or
 - (ii) a conviction for an offence set out in Part II of the Appendix;
- (d) **‘insurer’** means the insurer as defined in *The Automobile Accident Insurance Act*.

(2) The administrator shall:

- (a) for a first incident with an assigned rating of 2 points or less, send a warning letter by ordinary mail to a new driver to the last address of the new driver known to the administrator; or
- (b) for a first incident with an assigned rating of 3 to 6 points, require a new driver to attend an education or safety seminar approved by the administrator.

-
- (3) For the next incident, if any, that occurs after the first incident mentioned in subsection (2):
- (a) if as a result of the first incident the new driver was provided with a warning letter, the administrator shall require the new driver to attend an education or safety seminar approved by the administrator; or
 - (b) if as a result of the first incident the new driver was required to attend an education or safety seminar, the administrator shall require the new driver to attend a defensive driving course approved by the administrator.
- (4) For each subsequent incident registered against a new driver after the second incident mentioned in subsection (3), the administrator may impose on the new driver one of the following administrative penalties:
- (a) if the new driver was required to attend an education or safety seminar approved by the administrator as a result of the previous incident, the administrator may require the new driver to attend a defensive driving course approved by the administrator;
 - (b) if the new driver was required to attend a defensive driving course approved by the administrator as a result of the previous incident, the administrator may require the new driver to attend a driver improvement course approved by the administrator;
 - (c) if the new driver was required to attend a driver improvement course approved by the administrator as a result of the previous incident, the administrator may suspend the driver's licence of the new driver for 30 days;
 - (d) if the new driver had his or her driver's licence suspended for 30 days as a result of the previous incident, the administrator may suspend the driver's licence of the new driver for 90 days;
 - (e) if the new driver had his or her driver's licence suspended for 90 days as a result of the previous incident, the administrator may suspend the driver's licence of the new driver for 180 days.
- (5) If a new driver is involved in a motor vehicle accident that would, but for this section, be considered an incident for the purposes of this section and the new driver elects to reimburse the insurer for any moneys paid out pursuant to Parts III and IV of *The Automobile Accident Insurance Act* on behalf of the new driver:
- (a) the motor vehicle accident is not considered an incident; and
 - (b) the administrator shall not impose any administrative penalty pursuant to subsections (2) to (4) on the new driver respecting that motor vehicle accident.
- (6) The administrator shall suspend the driver's licence of a new driver who, within 60 days after being advised of his or her obligation to participate in a seminar or course mentioned in this section as part of an administrative penalty, fails to participate in that seminar or course.

(7) If the administrator decides to impose an administrative penalty on a new driver, the administrator shall send a notice of the decision to the new driver by ordinary mail addressed to the last address of the new driver known to the administrator.

“Appeals to board re administrative penalties

22.1(1) If as a result of an incident, the administrator imposes an administrative penalty on a new driver, the new driver may appeal to the board respecting the administrator’s decision to impose the administrative penalty.

(2) A new driver who wishes to do so shall make an appeal pursuant to this section on a form, and in the manner, provided by the board.

(3) An appeal to the board does not stay any suspension of the driver’s licence of the new driver imposed on the new driver by the administrator.

(4) On an appeal, the board may:

(a) overturn any administrative penalty imposed against the new driver pursuant to section 22, including overturning the suspension of the driver’s licence of the new driver; or

(b) impose a different or an additional administrative penalty on the new driver that the board considers appropriate, including suspending the driver’s licence of the new driver or reducing or increasing the period of suspension of the driver’s licence of the new driver.

(5) If the board overturns the suspension of the driver’s licence of a new driver pursuant to subsection (4), the period that the driver is without a licence before the date the suspension is overturned is to be counted as time the new driver held a valid driver’s licence for the purposes of clauses 13(3)(c), 14(1)(c), and 15(1)(f). ”

Section 23 amended

13 Clause 23(a) is amended by striking out “other than the holder of a provisional licence, a probationary licence, or a class 7 licence” and substituting “other than a new driver or the holder of a driver’s licence issued pursuant to section 33 or 34”.

Section 24 amended

14 Clause 24(1)(a) is amended by striking out “other than the holder of a provisional licence or a probationary licence” and substituting “other than a new driver or the holder of a driver’s licence issued pursuant to section 33 or 34”.

Section 25 amended

15 Section 25 is repealed and the following substituted:

“When certain drivers must complete DWI course

25(1) In this section and section 26, **‘driver’** means:

(a) a new driver; or

(b) the holder of a licence issued pursuant to section 33 or 34 of these regulations.

(2) If a driver has been subject to his or her first suspension pursuant to section 78.2 of the Act and the driver’s licence of the driver has not been returned after a review pursuant to section 78.3 of the Act, the driver shall complete the DWI course within 90 days from the date of the suspension”.

Section 26 amended**16 Subsection 26(1) is repealed and the following substituted:**

“(1) A driver is not eligible to have his or her driver’s licence reinstated unless he or she has complied with subsection (2) if:

(a) the driver has been suspended pursuant to clause 78.2(2)(a) of the Act and the driver’s licence of the driver has not been returned after a review pursuant to section 78.3 of the Act; and

(b) the driver was, on a previous occasion, the subject of an order of suspension or disqualification issued pursuant to section 78.2 of the Act and that order was not cancelled after a review pursuant to section 78.3 of the Act”.

New section 27**17 Section 27 is repealed and the following substituted:****“Certain persons deemed to be a new driver**

27(1) The holder of a driver’s licence issued pursuant to section 33 or 34 is a new driver for the purposes of sections 78.1 to 78.4 of the Act.

(2) If the holder of a driver’s licence issued pursuant to section 33 or 34 is found pursuant to section 78.2 of the Act to have driven after consuming any amount of alcohol, the administrator shall suspend the holder’s driver’s licence for the remainder of any period of disqualification that would have been in force pursuant to subsection 74(2) of the Act when the provisional driver’s licence was issued if the offence had not been prescribed pursuant to section 32”.

Section 28 amended**18 Subsection 28(1) is repealed and the following substituted:**

“(1) If the holder of a provisional driver’s licence is found pursuant to section 78.2 of the Act to have driven a motor vehicle having consumed any amount of alcohol, the driver shall serve the remainder of the original period of suspension or disqualification unless he or she is reinstated pursuant to section 33 or 34”.

New section 36.1**19 The following section is added after section 36:****“Transitional resulting from certain amendments**

36.1(1) In this section:

(a) ‘**effective date**’ means the date that *The Driver Licensing and Suspension Amendment Regulations, 2005 (No. 2)* come into force;

(b) ‘**probationary driver’s licence**’ means a probationary driver’s licence as that term was defined in *Driver Licensing and Suspension Regulations*, as those regulations existed on the day before the effective date, and that was issued by the administrator before the effective date.

(2) Subject to subsections (3) and (4) and for the purposes of these regulations, a person is deemed to be a new driver if that person, on the day before the effective date:

(a) did not hold a valid class 1 to 4 driver's licence or a class 5 driver's licence with a class 1 to 4 endorsement; or

(b) did not hold a valid class 5 driver's licence, or a licence issued by another jurisdiction that is equivalent to a class 5 driver's licence, for at least 548 days.

(3) If a person is deemed to be a new driver pursuant to subsection (2) and, on the day before the effective date, that person held a valid:

(a) class 5 driver's licence, that person is deemed to hold a class 5 driver's licence with a novice 2 restriction; or

(b) a class 7 driver's licence, that driver is deemed to hold a class 7 driver's licence.

(4) A person is entitled to a class 5 driver's licence if that person, on the day before the effective date:

(a) had held a probationary driver's licence for at least 548 days; and

(b) during the last 365 days of the 548-day period mentioned in clause (a), had not been:

(i) involved in a motor vehicle accident and determined to be at least 50% at fault for the accident;

(ii) convicted of an offence pursuant to *The Highway Traffic Act*;

(iii) convicted of an offence pursuant to section 220, 221 or 236, clause 249(1)(a), subsection 249(3) or (4), section 249.1 or 252, clause 253(a) or (b), subsection 255(2) or (3) or subsection 259(4) of the *Criminal Code* committed by means of a motor vehicle;

(iv) convicted of an offence pursuant to subsection 254(5) of the *Criminal Code* for failure or refusal to comply with a breath demand pursuant to section 254;

(v) suspended or prohibited from renewing his or her driver's licence pursuant to section 21 or 22, clause 23(1.1)(c), subsection 23(4) or (5) or section 23.01, 71.1, 74 or 78.2 of the Act; or

(vi) suspended pursuant to section 91 of *The Highway Traffic Act*.

(5) A person who obtains a class 7 driver's licence before the effective date is eligible for a class 5 driver's licence with a novice 1 restriction if, before May 31, 2006, the person has:

(a) held a class 7 driver's licence for at least six months;

(b) successfully completed a high school driver training program that is under the control of the Government of Saskatchewan; and

(c) successfully completed a minimum of 4 hours of in-car training with a driving instructor as defined in *The Driver Training Regulations, 1986*.

(6) A person who obtains a class 7 driver’s licence before the effective date and who does not complete the driving instruction requirements set out in subsection (5) by May 31, 2006 is required to meet the driving instruction requirements set out in subclause 15(1)(g)(ii) before being entitled to receive a class 5 driver’s licence with a novice 1 restriction”.

New Appendix

20 The Appendix is repealed and the following substituted:

“Appendix

PART I

Notice and Order of Suspension, Disqualification or Prohibition

[Subsection 20(5)]

DRIVER INFORMATION

Name: _____
(last / first / initial)

Address: _____

Driver’s Licence No. _____

Type of Licence: Regular Learner Novice 1 Novice 2
 Restricted Provisional No type indicated

Licence or permit seized: Yes No

Vehicle: Make _____ Model _____ Year ____ Plate No. _____ Province _____

Police Report No.: _____

SGI NO: _____

Date of Birth: ____ / ____ / ____
(year) (month) (day)

Sex: Male Female

Telephone: (_____) _____

Sask.

Other _____
(jurisdiction)

**NOTICE AND ORDER OF SUSPENSION,
DISQUALIFICATION OR PROHIBITION**

On _____ / _____ / _____ at or about _____ hours at or near _____
(year) (month) (day)

in the Province of Saskatchewan, in relation to the operation or having care or control of a motor vehicle as defined in *The Vehicle Administration Act*, the undersigned Peace Officer:

(In the case of learner, novice 1, novice 2, restricted or provisional drivers)

A. has reason to believe that:

- (i) by reason of analysis of your breath or blood; or
- (ii) by reason of reasonable grounds; *(observations noted on the back of the form)*

you, either as a learner, novice 1, novice 2, restricted or provisional driver, have consumed alcohol and, as a result, you are hereby, on behalf of the Administrator, immediately suspended from applying for or holding a driver's licence or permit in Saskatchewan and from operating a motor vehicle on a highway in Saskatchewan for 30 days.

30-day Suspension Start Date: _____ / _____ / _____ Time: _____
(year) (month) (day) (24-hour clock)

(In the case of experienced drivers)

B. has reason to believe that:

- (i) by reason of analysis of your breath or blood; or
- (ii) by reason of reasonable grounds; *(observations noted on the back of the form)*

you, as an experienced driver, have consumed alcohol in such a quantity that the concentration of alcohol exceeds 40 milligrams of alcohol in 100 millilitres of blood and, as a result, you are hereby, on behalf of the Administrator, immediately suspended from operating a motor vehicle on a highway for 24 hours or applying for or holding a driver's licence or permit in Saskatchewan for 24 hours and from operating a motor vehicle on a highway in Saskatchewan for 24 hours.

24-hour Suspension Start Date: _____ / _____ / _____ Time: _____
(year) (month) (day) (24-hour clock)

(In the case of any driver charged under section 253 or 254 of the Criminal Code)

C. has reason to believe that by reason of analysis of your breath or blood:

- (i) you have consumed alcohol in such quantity that the concentration of alcohol in your blood exceeds 80 milligrams of alcohol in 100 millilitres of blood; or
- (ii) you have alcohol in your body and have failed to supply or refused to comply with a demand to supply a sample of your breath or blood;

and, as a result, you are hereby, on behalf of the Administrator, immediately suspended for 24 hours from operating a motor vehicle or from applying for or holding a driver's licence or permit in Saskatchewan for 24 hours and, subject to the issuance of a temporary driving permit, after the 24-hour period has expired are suspended from applying for or holding a driver's licence or permit in Saskatchewan and from operating a motor vehicle on a highway in Saskatchewan for 90 days.

24-hour Suspension Start Date: _____ / _____ / _____ Time: _____
(year) (month) (day) (24-hour clock)

TEMPORARY DRIVING PERMIT

(issued only if the driver holds a valid driver's licence)

Subject to the terms and conditions set out in section 71.1 of *The Vehicle Administration Act*, this Temporary Driving Permit is, on the expiry of the 24-hour Suspension, Disqualification or Prohibition, in effect for seven days.

This temporary driver's licence is valid ____ / ____ / ____ Time: _____
(year) (month) (day)

until ____ / ____ / ____ Time: _____
(year) (month) (day)

or on the expiry of your driver's licence, whichever is earlier.

90-day Suspension Start Date: ____ / ____ / ____ Time: _____
(year) (month) (day) (24-hour clock)

I acknowledge receipt of this Notice and Order of Suspension,
Disqualification or Prohibition.

(signature of driver)

(date)

(signature of peace officer)

(detachment)

(date)

“PART II
[Clause 22(1)(b)]

Incident	Points
At Fault Accident	6
<i>The Highway Traffic Act</i>	
Permitting a person to ride on the exterior part of a motor vehicle	3
Allowing other person to use licence	1
Failing to proceed cautiously at a flashing amber light	3
Backing up a vehicle when it is unsafe	1
Driving in a contest of speed	4
Crossing a highway unlawfully	1
Crossing solid lines unlawfully to change lanes	1
Moving in front of a person or vehicle after passing when it is unsafe	1
Defacing or altering driver's licence/ certificate of registration or licence plate	1
Failing to yield to an emergency vehicle	4
Passing a school bus that has its safety lights in operation	4
Failing to stop at a red light at an intersection	4
Failing to stop at a red light at a place other than an intersection	1
Crossing a median unlawfully	4
Driving a vehicle with an unrestrained passenger under 16 years of age	3
Driver failing to wear a seat-belt assembly / Driver failing to wear a seat-belt assembly properly	3
Driver failing to stop at a crosswalk against an amber light	3
Driving Contrary to Sign Direction at an intersection with a green light	3
Failing to keep right when required	1
Driving on the left-hand side of a median	4
Driving while subject to a 24-hour suspension	4
Entering or leaving a controlled access highway except where the right to do so is indicated by a sign	
Exceeding 60 kilometres per hour when passing a stopped emergency vehicle	3
Exceeding 60 kilometres per hour when passing a highway worker or flag person	3
Exceeding the speed limit in a speed zone marked by signs	1

Failing to dim headlights when approaching/ following/ passing/ being overtaken / stationary	1
Failing to extinguish spot light	1
Failing to obey the direction of a flag person or peace officer	3
Driving a motor vehicle in contravention of a licence endorsement or restriction	1
Failing to produce a licence / certificate of registration	1
Failing to report an accident	4
Failing to stop at a level railway crossing	4
Failing to yield the right of way on entering a highway from other than a highway	3
Failing to yield at an intersection displaying a red light with a green arrow	4
Failing to yield the right of way to pedestrians at a "walk" signal	3
Failing to extinguish loading lamps	1
Failing to keep right when about to be overtaken	3
Providing a false statement	4
Failing to obey a red flashing light, stopping at the wrong place or failing to stop	4
Following too closely	1
Driving without lights as prescribed in the regulations	1
Holding more than one licence	1
Crossing solid lines unlawfully to change lanes	1
Changing lanes when it is unsafe	1
Allowing a passenger on a motorcycle not equipped for passenger	1
Allowing a passenger to ride side-saddle on a motorcycle	1
Allowing a passenger to ride in front of the motorcycle driver	1
Allowing more than one passenger on a motorcycle	1
Driver failing to wear prescribed eye protection on a motorcycle without a windshield	1
Driver failing to wear a safety helmet on a motorcycle	1
Failing to use a signalling device to warn of intention to turn	3
Making a left turn to or from the wrong lane	3
Making a left turn on a one-way street on a red light when prohibited	3
Driving a motorcycle beside a vehicle other than a motorcycle	1
Driving motorcycles more than two abreast	1

Driving with no licence/inappropriate licence	1
Permitting an over-crowded driving compartment	3
Passing to the right of a vehicle	4
Passing at an intersection (same direction) when it is unsafe	1
Permitting a person to hold on to a moving vehicle	1
Proceeding at an intersection in a direction not indicated by a green arrow	3
Producing another person's licence	1
Driving at 50 km/hr over limit	
Driving at 50 km/hr over limit	4
Exceeding a speed that is safe and reasonable	4
Speeding in school zone	3
Increasing speed when about to be overtaken	3
Failing to obey stop signs	4
Driving to the left of a solid centre line	1
Stunting	4
Tampering with flares/hazard lights	1
Displaying an unauthorized licence plate	1
Driving without lights as prescribed in the regulations	1
Using amber beacon or flashing lights when prohibited	1
Making a U-turn at an intersection with a traffic light	1
Driving without due care and attention	4
Failing to yield right of way at a yield sign	3
Driving with an obstructed windshield or window	1
Driving a vehicle while the licence plates are not visible and legible	1
Driving an unregistered vehicle	1
<i>The Vehicle Equipment Regulations, 1997</i>	
Failing to have a vehicle equipped or fitted with, or carry, the equipment or items prescribed by the regulations	1
<i>The Highways and Transportation Act, 1997</i>	
Driving a vehicle loaded insecurely	4
Bylaws	
Contravening any municipal bylaw concerning the obstruction of an intersection	1

Coming into force

21(1) Subject to subsection (2), these regulations come into force on September 1, 2005

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

SASKATCHEWAN REGULATIONS 94/2005*The Vehicle Administration Act*

Section 97

Order in Council 708/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

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

R.R.S. c.V-2.1 Reg 18, section 4 amended

2 **Section 4 of *The Vehicle Inspection Regulations, 2001* is amended:**

(a) **in clause (a) by adding “registered” before “gross vehicle weight”;**

(b) **by repealing clause (e) and substituting the following:**

“(e) a power unit or truck with a registered gross vehicle weight of 4 500 kilograms or more that operates in more than one jurisdiction and that:

(i) is registered in Class A, C or D;

(ii) is registered in Class LV and that:

(A) is used for commercial or business purposes; and

(B) is not a farm vehicle;

(iii) would be classified as a Class A, C or D vehicle if it were registered in Saskatchewan; or

(iv) is a vehicle described in paragraphs (ii)(A) and (B) and that would be classified as a Class LV vehicle if it were registered in Saskatchewan”;

and

(c) **by repealing clause (g) and substituting the following:**

“(g) a converter dolly, jeep, booster or pony that is equipped with air brakes, unless the converter dolly, jeep, booster or pony is being towed by a Class F vehicle”.

Coming into force

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

SASKATCHEWAN REGULATIONS 95/2005

The Environmental Management and Protection Act, 2002

Section 81

Order in Council 709/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Environmental Spill Control Amendment Regulations, 2005*.

R.R.S. c.D-14 Reg 1, Appendix amended

2 **The Appendix to *The Environmental Spill Control Regulations* is amended by adding the following after item 89:**

“89.1 Chlorofluorocarbon gas when 0.1 kg for 0.1 kg for any released from every kg of every kg of period”.
the purge air released air released
system of
low-pressure
chillers

Coming into force

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

SASKATCHEWAN REGULATIONS 96/2005

The Adult Guardianship and Co-decision-making Act

Section 75

Order in Council 712/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Adult Guardianship and Co-decision-making Amendment Regulations, 2005*.

R.R.S. c.A-5.3 Reg 1 amended

2 *The Adult Guardianship and Co-decision-making Regulations* are amended in the manner set forth in these regulations.

Section 5 amended

3(1) The following clause is added after clause 5(3)(b):

“(b.1) the reasons provided to the assessor for making the assessment”.

(2) Clause 5(3)(e) is amended by striking out “abilities and disabilities relating to decision-making, including any diagnosis made” and substituting “decision-making ability”.

(3) The following clause is added after clause 5(3)(e):

“(e.1) the factors on which the assessor has based his or her opinion respecting the adult’s decision-making ability”.

Appendix amended

4(1) The Appendix is amended in the manner set forth in this section.

(2) Form A is amended by adding the following permanent address fields after the address for service fields:

“Permanent address *(if different from address for service)*:

Phone: _____ Fax: _____

E-mail: _____”.

(3) Form C is amended by adding the following permanent address fields after the address for service fields:

“Permanent address *(if different from address for service)*:

Phone: _____ Fax: _____

E-mail: _____”.

(4) Form E is amended by adding the following permanent address fields after the address for service fields:

“Permanent address *(if different from address for service)*:

Phone: _____ Fax: _____

E-mail: _____”.

(5) Form G is amended by adding the following permanent address fields after the address for service fields:

“Permanent address *(if different from address for service)*:

Phone: _____ Fax: _____

E-mail: _____”.

(6) Form H is amended by adding the following permanent address fields after the address for service fields:

“Permanent address *(if different from address for service)*:

Phone: _____ Fax: _____

E-mail: _____”.

(7) Form J is repealed and the following substituted:

“FORM J
[Clause 3(j) and Section 5]

In the Queen’s Bench
Judicial Centre of _____

Affidavit re Assessment of Adult’s Capacity

I, _____, of _____, _____,

MAKE OATH AND SAY:

1. THAT I am a _____ and have assessed the capacity
(*occupation*)

of _____ to make decisions with respect to:

personal matters

property matters

“Capacity” is defined in The Adult Guardianship and Co-decision-making Act as the ability:

(i) *to understand information relevant to making a decision; and*

(ii) *to appreciate the reasonably foreseeable consequences of making or not making a decision.)*

2. THAT the information contained in this assessment form is, to the best of my ability, true and accurate.

3. THAT my address and telephone number are as follows:

Address: _____

Phone: _____

4. THAT my qualifications are as follows:

5. THAT the reasons provided to me for making this assessment are as follows:

(Describe the issues that have led to the assessment, e.g., financial mismanagement by the adult; medical or nutritional neglect; disorientation or wandering.)

6. THAT my personal relationship to and/or professional involvement with the adult is as follows:

7. THAT in making this capacity assessment, I have followed the following process: *(Describe assessment tools or methods used, number of visits with adult, results of interviews with caregivers, other professional reports relied on, etc. You may attach copies of any reports or other documents supporting the assessment.)*

8. THAT in my opinion the adult's decision-making ability is as follows: *(Describe the adult's decision-making ability and support required.)*

9. THAT I base my opinion on the following factors: *(Describe the evidence relating to the adult's decision-making ability on which you have based your decision.)*

10. THAT in my opinion the likelihood of change in the adult's decision-making ability is as follows: *(Include reasons.)*

11. THAT in my opinion the adult requires a personal co-decision-maker: *(If the application is for the appointment of a personal co-decision-maker or personal guardian, check as appropriate.)*

NOTE: A person requiring a personal co-decision-maker is a person whose capacity is impaired to the extent that he or she requires assistance in decision-making in order to make reasonable decisions with respect to the matters listed below.

- to assist in making decisions respecting the adult's living arrangements
- to assist in making decisions respecting access to the adult
- to assist in making decisions respecting the adult's social activities

- to assist in making decisions respecting the adult's employment
- to assist in making decisions respecting the adult's educational, vocational or other training
- to assist in making decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult
- to assist in making decisions respecting legal proceedings that do not relate to the estate of the adult
- to assist in making decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult
- to assist in making decisions respecting the restraint of the adult
- to assist in making normal day-to-day decisions respecting the adult
- other: *(specify)* _____

12. THAT in my opinion the adult requires a personal guardian: *(If the application is for the appointment of a personal co-decision-maker or personal guardian, check as appropriate.)*

NOTE: A person requiring a personal guardian is a person whose capacity is impaired to the extent that he or she is unable to make reasonable decisions with respect to the matters listed below.

- to make decisions respecting the adult's living arrangements
- to make decisions respecting access to the adult
- to make decisions respecting the adult's social activities
- to make decisions respecting the adult's employment
- to make decisions respecting the adult's educational, vocational or other training
- to make decisions respecting whether the adult should apply for any licence, permit, approval or other consent or authorization required by law that does not relate to the estate of the adult
- to make decisions respecting legal proceedings that do not relate to the estate of the adult
- to make decisions respecting the adult's health care, including decisions respecting admission to a health care facility or respecting treatment of the adult

NOTE: A clear direction set out in a health care directive will take precedence over the decision of a personal guardian. As well, unless a court decides otherwise, the decision of a proxy appointed in a health care directive will take precedence over the decision of a personal guardian.

- to make decisions respecting the restraint of the adult
- to make normal day-to-day decisions respecting the adult
- other: *(specify)* _____

13. THAT I make the following recommendation respecting the adult's need for a personal co-decision-maker or personal guardian: *(Complete this section if the application is for the appointment of a personal co-decision-maker or personal guardian.)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall not give the personal co-decision-maker or personal guardian the authority to act with respect to all the matters mentioned above if an order providing particular powers would be sufficient to meet the needs of the adult.

14. That in my opinion the adult: *(If the application is for the appointment of a property co-decision-maker or property guardian, check as appropriate.)*

NOTE: A person requiring a property co-decision-maker is a person whose capacity is impaired to the extent that he or she requires assistance in decision-making in order to make reasonable decisions with respect to matters relating to his or her estate. A person requiring a property guardian is a person whose capacity is impaired to the extent that he or she is unable to make reasonable decisions with respect to matters relating to his or her estate.

- requires a property co-decision-maker to assist in making decisions with respect to matters relating to his or her estate
- requires a property guardian to make decisions with respect to matters relating to his or her estate

15. THAT I make the following recommendation respecting the adult's need for a property co-decision-maker or property guardian: *(Complete this section if the application is for the appointment of a property co-decision-maker or property guardian.)*

NOTE: *The Adult Guardianship and Co-decision-making Act* provides that the court shall consider whether an order appointing a property co-decision-maker or property guardian should be made subject to limitations, conditions or requirements, including limiting the authority of the property co-decision-maker or property guardian to decisions involving more than a certain dollar amount.

16. *(Optional)* THAT in my opinion, without the appointment I have recommended, the following consequences are likely to occur:

SWORN before me at _____, }
 Saskatchewan, this _____ day }
 of _____, 20 _____ }

 (Signature of Assessor)

 A Commissioner for Oaths in and for Saskatchewan

My appointment expires _____ ”.

(8) Form K is amended by adding the following expense list after “TOTAL AMOUNT OF ABOVE-LISTED DEBTS (A + B + C + D):”:

“MONTHLY EXPENSES OF THE ADULT

Food	\$ _____
Rent or mortgage payment	_____
Utilities	_____
Clothing	_____
Medication	_____
Transportation	_____
Insurance	_____
Incidentals	_____
Other	_____
Total	\$ _____”.

(9) Item 4 in Form N is repealed and the following substituted:

“4. (If the application is for the appointment of a property co-decision-maker or property guardian) A bond in the amount of \$ _____ has been filed with the local registrar by _____;
 or
 No bond is to be filed”.

(10) Form R is amended by adding the following permanent address fields after the address for service fields:

“Permanent address (if different from address for service):

 Phone: _____ Fax: _____
 E-mail: _____”.

Coming into force

5(1) Subject to subsection (2), these regulations come into force on September 1, 2005.

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

SASKATCHEWAN REGULATIONS 97/2005*The Professional Corporations Act*

Section 23

Order in Council 713/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Professional Corporations Amendment Regulations, 2005 (No.2)*.

R.R.S. c.P-27.1 Reg 2 amended

2 *The Professional Corporations Regulations, 2002* are amended in the manner set forth in these regulations.

Appendix, Table 1 amended

3 **Table 1 of the Appendix is amended by adding “*The Psychologists Act, 1997*” after “*The Physical Therapists Act, 1998*”.**

Appendix, Table 2 amended

4 **Table 2 of the Appendix is amended by adding “Saskatchewan College of Psychologists” after “Saskatchewan College of Physical Therapists”.**

Appendix, Table 3 amended

5 **Table 3 of the Appendix is amended by adding “psychologist” after “physical therapist”.**

Coming into force

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

SASKATCHEWAN REGULATIONS 98/2005*The Condominium Property Act, 1993*

Sections 112 and 112.2

Order in Council 714/2005, dated September 7, 2005

(Filed September 8, 2005)

Title

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

R.R.S. c.C-26.1 Reg 2 amended

2 *The Condominium Property Regulations, 2001* are amended in the manner set forth in these regulations.

Section 11 amended

3 **Section 11 is amended:**

(a) by striking out “and” after clause (b);

(b) by adding “and” after clause (c); and

(c) by adding the following clause after clause (c):

“(d) the corporation is exempted from the requirement to conduct a reserve fund study and to prepare a written report of the reserve fund study”.

Section 51.1 amended

4 Section 51.1 is amended by striking out “In this section” and substituting “In this section and in sections 51.2 and 51.3”.

Section 51.2 amended

5 Section 51.2 is amended:

- (a) by adding “by a qualified person” after “conducted”; and**
- (b) by adding “by a qualified person” after “prepared”.**

Appendix, Part II, section 29 repealed

6 Section 29 in Part II of the Appendix is repealed.

Coming into force

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

SASKATCHEWAN REGULATIONS 99/2005

The Saskatchewan Assistance Act

Section 14

Order in Council 715/2005, dated September 8, 2005

(Filed September 8, 2005)

Title

1 These regulations may be cited as *The Transitional Employment Allowance Amendment Regulations, 2005*.

R.R.S. c.S-8 Reg 6 amended

2 *The Transitional Employment Allowance Regulations, 2005* are amended in the manner set forth in these regulations.

New section 25.1

3 The following section is added after section 25:

“School expenses allowance

25.1 (1) A school expenses allowance may be provided annually to a client with respect to each child who, as of August 1 in a calendar year:

- (a) is an eligible family member of the client’s family unit; and
- (b) is enrolled in a school or a registered independent school within the meaning of *The Education Act, 1995*.

(2) The amount of a school expenses allowance that may be provided with respect to a child is:

- (a) \$50 if the child is less than six years of age;
- (b) \$85 if the child is six years of age or older but less than 14 years of age; or
- (c) \$130 if the child is 14 years of age or older”.

Section 35 amended

4 The following subsection is added after subsection 35(1):

“(1.1) A school expenses allowance may be provided in accordance with section 25.1 to an individual to whom subsection (1) applies”.

Coming into force

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

