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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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January 11, 2008

<i>The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2007 (No. 5)</i>	SR 127/2007
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<i>The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2007 (No. 7)</i>	SR 129/2007

January 18, 2008

<i>The Short-term Cattle Loan Program Regulations, 2008</i>	A-8.1 Reg 6
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January 25, 2008

<i>The Municipalities Amendment Regulations, 2007 (No. 3)</i>	SR 1/2008
<i>The Milk Control Amendment Regulations, 2008</i>	SR 2/2008

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<i>The Securities Amendment Regulations, 2008</i>	SR 3/2008
<i>The Summary Offences Procedure Amendment Regulations, 2008</i>	SR 5/2008
<i>The Municipalities Amendment Regulations, 2008</i>	SR 6/2008

REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 3/2008

The Securities Act, 1988

Section 154

Order in Council 84/2008, dated February 6, 2008

(Filed February 12, 2008)

Title

1 These regulations may be cited as *The Securities Amendment Regulations, 2008*.

R.R.S. c.S-42.2 Reg 1 amended

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

Section 2 amended

3 **Clauses 2(1)(b), (c) and (e) are repealed.**

Part III repealed

4 **Part III is repealed.**

Section 16 amended

5 **Section 16 is amended by striking out “38, 49 to 56 and 59” and substituting “38 and 49 to 56”.**

Section 59 repealed

6 **Section 59 is repealed.**

Part VII repealed

7 **Part VII is repealed.**

New Part XI

8 **Part XI is repealed and the following substituted:**

**“PART XI
Take-over Bids and Issuer Bids**

“Interpretation of Part XVI of the Act

145 For the purposes of Part XVI of the Act:

(a) **‘offer to acquire’** means:

(i) an offer to purchase securities, or a solicitation of an offer to sell securities;

(ii) an acceptance of an offer to sell securities, whether or not the offer has been solicited; or

(iii) any combination of the matters described in subclauses (i) and (ii);

(b) **‘offeror’** means a person who or company that makes a take-over bid, an issuer bid or an offer to acquire”.

New Part XII.2**9 The following Part is added after Part XII.1:**

“PART XII.2
Civil Liability for Secondary Market Disclosure

“Interpretation of Part

173.2 In this Part, **‘equity security’** has the same meaning as set out in clause 2(1)(s) of the Act.

“Interpretation of Part XVIII.1 of the Act

173.3 For the purposes of Part XVIII.1 of the Act:

(a) **‘market capitalization’** means, in respect of an issuer, the amount determined as follows:

(i) for each class of equity securities for which there is a published market, determine the sum of the number of outstanding securities of the class at the close of trading on each of the 10 trading days before the day on which the misrepresentation was made or the failure to make timely disclosure first occurred;

(ii) divide the sum determined under subclause (i) by 10;

(iii) multiply the quotient determined under subclause (ii) for each class by the trading price of the securities of the class on the principal market for the securities for the 10 trading days before the day on which the misrepresentation was made or the failure to make timely disclosure first occurred;

(iv) add the amounts determined under subclause (iii) for each class of equity securities for which there is a published market;

(v) for each class of equity securities not traded on a published market, determine the fair market value of the outstanding securities of that class as of the day on which the misrepresentation was made or the failure to make timely disclosure first occurred;

(vi) add the amounts determined under subclause (v) for each class of equity securities not traded on a public market;

(vii) add the amount determined under subclause (iv) to the amount determined under subclause (vi) to determine the market capitalization of the issuer;

(b) **‘principal market’** means, in respect of a class of securities of a responsible issuer:

(i) the published market in Canada on which the greatest volume of trading in securities of that class occurred during the 10 trading days before the day on which the misrepresentation was made or the failure to make timely disclosure first occurred; or

(ii) the published market on which the greatest volume of trading in securities of that class occurred during the 10 trading days before the day on which the misrepresentation was made or the failure to make timely disclosure first occurred, if securities of that class are not traded during those 10 days on a published market in Canada;

(c) **‘trading price’** means, in respect of a security of a class of securities for which there is a published market, the amount determined under the following provisions:

(i) subject to subclauses (ii) and (iii), the trading price of the security is the volume weighted average price of securities of that class on the published market during the period for which the trading price is to be determined;

(ii) subject to subclause (iii), if there was trading in the securities of that class in the published market on fewer than half of the trading days during the period for which the trading price of the securities is to be determined, the trading price of the security is determined as follows:

(A) calculate the sum of the average of the highest bid and lowest ask prices for each trading day in the period on which there were no trades in securities of that class in the published market;

(B) divide the amount determined under paragraph (A) by the number of trading days on which there were no trades in securities of that class in the published market;

(C) add to the amount determined under paragraph (B) the volume weighted average price of securities of that class on the published market for those trading days on which securities of that class were traded;

(D) divide by two the amount determined under paragraph (C);

(iii) if there were no trades of securities of that class in the published market during the period for which the trading price is to be determined, the trading price of the security is the fair market value of the security.

“Application of Part XVIII.1 of the Act

173.4(1) For the purposes of clause 136.1(b) of the Act, Part XVIII.1 of the Act applies to the acquisition of an issuer’s security pursuant to the exemption from section 58 of the Act provided by section 2.8 of National Instrument 45-102 Resale of Securities.

(2) For the purposes of clause 136.1(c) of the Act, Part XVIII.1 of the Act applies to the acquisition or disposition of an issuer’s security in connection with or pursuant to:

(a) a take-over bid that is described in section 4.1 or 4.5 of Multilateral Instrument 62-104 Take-over Bids and Issuer Bids; or

(b) issuer bid that is described in subsection 4.8(2) or (3) or section 4.11 of Multilateral Instrument 62-104 Take-over Bids and Issuer Bids”.

Section 175 amended

10 Section 175 is amended by striking out “Except as otherwise provided in the Act or section 173” **and substituting** “Except as otherwise provided in Saskatchewan securities laws”.

Section 176 amended

11 Subsection 176(1) is repealed and the following substituted:

“(1) A person or company shall pay to the Commission the fees set out in Table 1 of Appendix A”.

Appendix A, Table 1, section 1 amended

12(1) Table 1 of Appendix A is amended in the manner set forth in this section.

(2) Subsection 1(2) is amended:

(a) by repealing clause (j);

(b) by repealing subclause (l)(ii); and

(c) by repealing clause (m) and substituting the following:

“(m) on application for amendment to registration of a dealer or adviser is \$100.00”.

(3) Subsection 1(4) is amended:

(a) by repealing clause (f);

(b) by repealing clause (j) and substituting the following:

“(j) Form A pursuant to General Ruling/Order 51-906 Exemption from Certain Financial Reporting Requirements under National Instrument 51-102 *Continuous Disclosure Obligations* is \$100 per issuer”;

(c) in clause (l) by striking out “section 109 of the Act” and substituting “Multilateral Instrument 62-104 Takeover Bids and Issuer Bids”; and

(d) in clause (n) by striking out “section 113” and substituting “section 101”.

(4) Subclause 1(6)(c)(iii) is repealed.

Form 3 amended

13 Form 3 is amended by striking out “Sections 41 and 59” and substituting “Section 41”.

Forms 13, 14, 15, 16 and 18.1 repealed

14 Forms 13, 14, 15, 16 and 18.1 are repealed.

Forms 29 to 33 repealed

15 Forms 29 to 33 are repealed.

Coming into force

16(1) Subject to subsections (2) and (3), these regulations come into force on February 15, 2008.

(2) If these regulations are filed with the Registrar of Regulations after February 15, 2008, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(3) Sections 3, 7 and 14 of these regulations come into force on March 17, 2008.

SASKATCHEWAN REGULATIONS 5/2008*The Summary Offences Procedure Act, 1990*

Section 55

Order in Council 91/2008, dated February 14, 2008

(Filed February 15, 2008)

Title

1 These regulations may be cited as *The Summary Offences Procedure Amendment Regulations, 2008*.

R.R.S. c.S-63.1 Reg 2 amended

2 *The Summary Offences Procedure Regulations, 1991* are amended in the manner set forth in these regulations.

Section 4 amended

3 Section 4 is amended:

(a) by repealing clause (d) and substituting the following:

“(d) enforcement officers designated pursuant to section 8 of *The Forest Resources Management Act* while enforcing that Act and the regulations”;
and

(b) by repealing clause (g) and substituting the following:

“(g) enforcement officers designated pursuant to section 5 of *The Natural Resources Act* while enforcing the provisions of that Act and *The Outfitter and Guide Regulations, 2004*”.

Section 5 amended

4 Clause 5(t) is repealed and the following substituted:

“(t) *The Outfitter and Guide Regulations, 2004*”.

Section 8 amended

5 Subclause 8(a)(xix) is amended by striking out “*The Outfitter and Guide Regulations, 1988*” and substituting “*The Outfitter and Guide Regulations, 2004*”.

Appendix, Part 2, Table 13 amended

6 Table 13 of Part 2 of the Appendix is amended:

(a) by repealing item 18 and substituting the following:

“18 Digging pit, setting traps, 18(1)(a), (b), 300”;
setting out bait for big game, (c), (d), (e), (f)
hunting from windmill,
damaging property or
setting out food or offal for
the purpose of attracting
wildlife without the consent
of the owner

(b) by adding the following items after item 19:

“19.1 Using prohibited bait 18.41 300
“19.2 Feeding ungulate during
prohibited time 18.42 300
“19.3 Unlawfully placing a stand, 18.43(2), 300”;
failing to mark a stand, (3), (4), (5)
or failure to remove a stand

(c) by adding the following item after item 54:

“54.1	Possessing a Sharp-tailed Grouse or a Hungarian Partridge without a seal	45(11)*	200 plus bird* fee
“54.2	Failure to separate the hide, meat and head seals, failure to notch seal, failure to indicate correct date of the taking or kill on a seal or failure to attach seal	45(13)(a), (b), (c), (d), (e)	200
“54.3	Possessing deer head or deer antlers prior to March 31 without seal attached	45(14)	200”; and

(d) by adding the following item after item 62:

“62.1	Possessing, transporting or shipping game birds that are packed in a manner that will not permit the number and species to be readily determined	53(3)	200”.
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Appendix, Part 2, new Table 17

7 Table 17 of Part 2 of the Appendix is repealed and the following substituted:

“TABLE 17
The Fisheries Act (Saskatchewan), 1994”

The provisions set out in Column 3 are the provisions of *The Fisheries Act (Saskatchewan), 1994* that impose the prohibitions or requirements described in Column 2. Section 29 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Providing false or misleading information or falsifying a record or return	16*	\$250
2	Failing to answer questions or to provide reasonable assistance	21(1)	200

3	Failing to produce records, fish, fishing gear, equipment or other thing to which the Act applies	21(2)	200
4	Failing to produce licence	21(3)	200
5	Failing to stop or move vehicle as required	21.1(2)	200
6	Failing to convey seized fish, fishing gear, equipment or other thing to which this Act applies as directed by an officer	24(3)	200
7	Resisting, obstructing, hindering, delaying or interfering with an officer in the performance of the officer's duties	25*	200".

Appendix, Part 2, Table 18 amended

8 Table 18 of Part 2 of the Appendix is amended:

(a) in item 5 by striking out "11(1.2)" in column 3 and substituting "11(2)(a)";

(b) in item 6 by striking out "11(3)" in column 3 and substituting "11(4)";

(c) by repealing item 18 and substituting the following:

"18	Possessing or using a live fish for bait, or possessing or using live or dead frogs or salamanders, or any part of them, for bait	19(1), (5)	200"; and
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(d) by repealing item 75 and substituting the following:

"75	Bait fishing or selling bait fish, crayfish, leeches or aquatic invertebrates without a licence	39(1), (2)	250".
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Appendix, Part 2, new Table 19

9 Table 19 of Part 2 of the Appendix is repealed and the following substituted:

"TABLE 19

The Outfitter and Guide Regulations, 2004

The provisions set out in Column 3 are the provisions of *The Outfitter and Guide Regulations, 2004*, made pursuant to *The Natural Resources Act*, that impose the prohibitions or requirements described in Column 2. Section 15 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

<i>Column 1 Item Number</i>	<i>Column 2 Description of Offence</i>	<i>Column 3 Section</i>	<i>Column 4 Penalty Sum in Dollars</i>
1	Outfitting without a licence	3(1)(a)*	\$500
2	Advertising or promoting an outfitting service without a licence	3(1)(b)*	500
3	Providing a guiding service without an outfitter's licence, or without being employed or retained by a person who holds an outfitter's licence	3(2)(a), (b)	250
4	Unlawfully advertising or promoting the outfitting service of another person	3(3)*	500
5	Exceeding allocation set out in outfitter's licence	5(3)*	500
6	Applying for or holding more than one outfitter's licence	7(3)*	500
7	Failing to display outfitter's licence number or name in visible location on all vehicles and equipment used in connection with the outfitter's business	18(1)(a)	250
8	Failure of an outfitter to ensure that all wildlife and fish taken by a client is identified as belonging to that client	18(1)(b)	250
9	Failing to keep a written record of the names and addresses of all clients	18(1)(c)	400
10	Failing to provide a written record of the number of each species of wildlife and fish taken by clients	18(1)(d)(i)*	400
11	Failing to provide a written record of the location in which wildlife and fish were taken by clients	18(1)(d)(ii)*	400
12	Exceeding the number of clients that may be guided while hunting	18(1)(f)	250

13	Acting as an outfitter in connection with an activity without the proper endorsement for that activity on the outfitter's licence	19(1)(a)*	500
14	Contravening the terms, conditions or restrictions on an outfitter licence	19(1)(b)*	500
15	Failing to provide information required by an officer	19(1)(c)*	400
16	Providing false or misleading information	19(1)(d)*	400
17	Failing to produce an outfitter's licence on request	19(1)(e)	400
18	Exercising a hunting or angling privilege while acting as a guide	19(2)(a)	500
19	Restricting or attempting to restrict access to vacant Crown land or wildlife or fish resources	19(2)(b)*	500
20	Aiding, abetting, counselling or procuring anyone to commit a contravention of an enactment mentioned in Table 2 of the Appendix of <i>The Outfitter and Guide Regulations, 2004</i>	19(2)(c)*	500
21	Failing to report a perceived contravention of an enactment mentioned in Table 2 of the Appendix of <i>The Outfitter and Guide Regulations, 2004</i>	19(2)(d)*	500”.

Appendix, Part 2, Table 43 amended

10 Table 43 of Part 2 of the Appendix is amended by adding the following after “*The Litter Control Act*”:

“The provisions set out in Column 3 are the provisions of *The Litter Control Act* that impose the prohibitions or requirements described in Column 2. Section 15 of that Act provides that a contravention of those provisions is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court”.

Appendix, Part 2, Table 44 amended**11 Table 44 of Part 2 of the Appendix is amended by adding the following after “*The Waste Paint Management Regulations*”:**

“The provisions set out in Column 3 are the provisions of *The Waste Paint Management Regulations*, made pursuant to *The Environmental Management and Protection Act, 2002*, that impose the prohibitions or requirements described in Column 2. Section 74 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court”.

Appendix, Part 2, Table 45 amended**12 Table 45 of Part 2 of the Appendix is amended by adding the following after “*The Waste Electronic Equipment Regulations*”:**

“The provisions set out in Column 3 are the provisions of *The Waste Electronic Equipment Regulations*, made pursuant to *The Environmental Management and Protection Act, 2002*, that impose the prohibitions or requirements described in Column 2. Section 74 of that Act provides that a contravention of those regulations is an offence. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court”.

Coming into force

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

SASKATCHEWAN REGULATIONS 6/2008

The Municipalities Act

Subsections 9(3) and 403(3)

Minister’s Order, dated February 11, 2008

(Filed February 15, 2008)

Title

1 These regulations may be cited as *The Municipalities Amendment Regulations, 2008*.

R.R.S. c.M-36.1 Reg 1 amended

2 Part II of *The Municipalities Regulations* is repealed and the following substituted:

**“PART II
Licence fees**

“Drilling of oil wells and gas wells

8 The fees for the purpose of clause 9(3)(b) of the Act to be made applicable by councils to persons and partnerships engaged in the operation of oil well and gas well drilling businesses in municipalities are set out in Table 1.

“Gravel extraction

8.1(1) For the purposes of clause 9(2)(d) and subsection 9(3) of the Act, the maximum fee that a municipality may establish in a bylaw respecting the extraction of gravel from a gravel pit is the fee set out in this section.

(2) Subject to subsection (3), for the period commencing on the date that this section comes into force and ending on December 31, 2009, the maximum fee is as follows:

- (a) \$0.137 per cubic metre;
- (b) \$0.105 per cubic yard;
- (c) \$0.074 per tonne;
- (d) \$0.069 per ton.

(3) On or before January 1, 2010 and on or before every second January 1 following the January 1 for which the last adjustment pursuant to this section is effective, the amount of the maximum fee that a municipality may establish pursuant to this section for a licence to extract gravel is to be adjusted in accordance with subsection (4), and that adjusted maximum fee is to be used:

- (a) in the case of the adjustment made on or before January 1, 2010, during the period commencing on January 1, 2010 and ending on December 31, 2011; and
- (b) in the case of an adjustment made after January 1, 2010, during the period commencing on January 1 of the year for which the adjustment is being made and ending on December 31 of the year following the year for which the adjustment is being made.

(4) For the purposes of subsection (3), the maximum fee is to be adjusted:

- (a) first, by determining an initial adjusted fee, which must be the amount IAF calculated in accordance with the following formula:

$$\text{IAF} = \text{OF} + (\text{OF} \times \text{CPI}_1)$$

where:

OF is the maximum fee as it is before the adjustment; and

CPI_1 is the annual percentage change for the “all-items” Consumer Price Index for Saskatchewan as published by Statistics Canada for the year that is three years before the first year for which the adjusted maximum fee is to be effective; and

- (b) second, by determining the adjusted fee to be used during the period for which the adjustment is being made, which must be the amount AF calculated in accordance with the following formula:

$$\text{AF} = \text{IAF} + (\text{IAF} \times \text{CPI}_2)$$

where:

IAF is the initial adjusted fee determined in accordance with clause (a); and

CPI_2 is the annual percentage change for the “all-items” Consumer Price Index for Saskatchewan as published by Statistics Canada for the year that is two years before the first year for which the adjusted maximum fee is to be effective.

(5) Subject to subsections (6) to (8), the municipality may require the holder of a gravel extraction licence issued pursuant to section 9 of the Act to pay a pre-extraction fee equal to the product of:

(a) the amount of gravel that the holder indicates in its application for a licence that it will extract on or before December 31 of the year for which the licence is issued; and

(b) the fee established by the municipality for gravel extraction.

(6) The maximum amount of gravel for which the holder of a gravel extraction licence can be required to pay a pre-extraction fee is 10,000 tonnes.

(7) The maximum fee that can be used to calculate the pre-extraction fee is the maximum fee that a municipality may establish pursuant to this section.

(8) If, in the year for which the licence is issued, the holder of a gravel extraction licence satisfies the municipality issuing the licence that the holder did not extract the full amount of gravel for which a pre-extraction fee was paid, the municipality shall refund an amount equal to the product of the amount of gravel not extracted and the rate used to calculate the pre-extraction fee”.

Coming into force

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