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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

TABLE OF CONTENTS/TABLE DES MATIÈRES

SR 104/2008	<i>The Enterprise Saskatchewan Amendment Regulations, 2008.....</i>	779
SR 105/2008	<i>The Ministry of Finance Amendment Regulations, 2008</i>	779
SR 106/2008	<i>The Ministry of Enterprise and Innovation Repeal Regulations.....</i>	780
SR 109/2008	<i>The Occupational Health and Safety Amendment Regulations, 2008 (No. 2)</i>	780

Revised Regulations of Saskatchewan/ Règlements Révisés de la Saskatchewan 2008

September 5, 2008

<i>The Education Amendment Regulations, 2008 (No. 2)</i>	SR 74/2008
<i>The Traffic Safety Court of Saskatchewan Amendment Regulations, 2008 / Règlement de 2008 modifiant le Règlement sur le Tribunal de la sécurité routière de la Saskatchewan</i>	SR 75/2008 RS 75/2008
<i>The Skills Training Benefit Amendment Regulations, 2008</i>	SR 76/2008
<i>The Training Programs Amendment Regulations, 2008</i>	SR 77/2008
<i>The Amusement Ride Safety Amendment Regulations, 2008</i>	SR 78/2008
<i>The Boiler and Pressure Vessel Amendment Regulations, 2008</i>	SR 79/2008
<i>The Passenger and Freight Elevator Amendment Regulations, 2008</i>	SR 80/2008
<i>The Recreation Sites Amendment Regulations, 2008</i>	SR 81/2008
<i>The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2008 (No. 7)</i>	SR 82/2008

September 26, 2008

<i>The Milk Control Amendment Regulations, 2008 (No.9)</i>	SR 83/2008
<i>The Saskatchewan Flax Development Plan Amendment Regulations, 2008</i>	SR 85/2008
<i>The Film Employment Tax Credit Amendment Regulations, 2008</i>	SR 86/2008
<i>The Historic Sites Amendment Regulations, 2008</i>	SR 87/2008

October 17, 2008

<i>The Saskatchewan Telecommunications Fees Regulations</i>	S-34 Reg 6
<i>The Farm and Ranch Water Infrastructure Program Amendment Regulations, 2008</i>	SR 88/2008
<i>The Saskatchewan Medical Care Insurance Payment Amendment Regulations, 2008 (No. 4)</i>	SR 89/2008
<i>The Ministry of Justice and Attorney General Amendment Regulations, 2008</i>	SR 90/2008

October 24, 2008

<i>The Northern Revenue Sharing Capital Grants Regulations</i>	N-5.1 Reg 16
<i>The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2008 (No. 8)</i>	SR 91/2008
<i>The Bison Breeder Associations Loan Guarantee Amendment Regulations, 2008</i>	SR 92/2008
<i>The Bison Feeder Associations Loan Guarantee Amendment Regulations, 2008</i>	SR 93/2008
<i>The Saskatchewan Canola Development Plan Amendment Regulations, 2008</i>	SR 94/2008
<i>The Sheep Breeder Associations Loan Guarantee Amendment Regulations, 2008</i>	SR 95/2008
<i>The Sheep Feeder Associations Loan Guarantee Amendment Regulations, 2008</i>	SR 96/2008
<i>The Administration of Estates Amendment Regulations, 2008 / Règlement de 2008 modifiant le Règlement sur l'administration des successions</i>	SR 97/2008/ RS 97/2008
<i>The Northern Municipalities Revenue Sharing Program Amendment Regulations, 2008</i> ...	SR 98/2008

October 31, 2008

<i>The Gopher Control Rebate Regulations</i>	F-8.001 Reg 36
<i>The Mineral Exploration Tax Credit Amendment Regulations, 2008</i>	SR 99/2008
<i>The Training Allowance Amendment Regulations, 2008 (No. 2)</i>	SR 100/2008

November 7, 2008

<i>The Driver Licensing and Suspension Amendment Regulations, 2008</i>	SR 101/2008
<i>The Treaty Land Entitlement Withdrawal Amendment Regulations, 2008</i>	SR 102/2008
<i>The Milk Control Amendment Regulations, 2008 (No.10)</i>	SR 103/2008
<i>The Consumer Protection Amendment Regulations, 2008</i>	SR 110/2008

November 14, 2008

<i>The Enterprise Saskatchewan Amendment Regulations, 2008</i>	SR 104/2008
<i>The Ministry of Finance Amendment Regulations, 2008</i>	SR 105/2008
<i>The Ministry of Enterprise and Innovation Repeal Regulations</i>	SR 106/2008
<i>The Occupational Health and Safety Amendment Regulations, 2008 (No. 2)</i>	SR 109/2008

REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 104/2008

The Enterprise Saskatchewan Act

Section 24

Order in Council 752/2008, dated October 30, 2008

(Filed October 31, 2008)

Title

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

R.R.S. c.E-10.01 Reg 1, new section 2.1

2 **The following section is added after section 2 of *The Enterprise Saskatchewan Regulations*:**

“Activities of agency

2.1 For the purposes of section 4 of the Act, the agency may carry on activities that serve to provide the structure wherein and whereby the powers, responsibilities and functions of the Minister of Enterprise and Innovation may be exercised and carried out”.

Coming into force

3(1) These regulations come into force on November 1, 2008.

(2) If these regulations are filed with the Registrar of Regulations after November 1, 2008, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 105/2008

The Government Organization Act

Section 12

Order in Council 753/2008, dated October 30, 2008

(Filed October 31, 2008)

Title

1 These regulations may be cited as *The Ministry of Finance Amendment Regulations, 2008*.

R.R.S. c.G-5.1 Reg 136, section 3 amended

2 **The following clause is added after clause 3(f) of *The Ministry of Finance Regulations, 2007*:**

“(g) to provide administrative and financial support services to the Minister of Enterprise and Innovation in that Minister’s capacity as Minister responsible for the following:

- (i) *The Ethanol Fuel (Grants) Regulations*;
- (ii) *The Labour-sponsored Venture Capital Corporations Act*;
- (iii) *The Small Business Loans Association Program Regulations*”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on November 1, 2008.

(2) If these regulations are filed with the Registrar of Regulations after November 1, 2008, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 106/2008*The Government Organization Act*

Section 12

Order in Council 754/2008, dated October 30, 2008

(Filed October 31, 2008)

Title

1 These regulations may be cited as *The Ministry of Enterprise and Innovation Repeal Regulations*.

R.R.S. c.G-5.1 Reg 134 repealed

2 *The Ministry of Enterprise and Innovation Regulations, 2007* are repealed.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on December 1, 2008.

(2) If these regulations are filed with the Registrar of Regulations after December 1, 2008, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 109/2008*The Occupational Health and Safety Act, 1993*

Section 44

Order in Council 757/2008, dated October 30, 2008

(Filed October 31, 2008)

Title

1 These regulations may be cited as *The Occupational Health and Safety Amendment Regulations, 2008 (No. 2)*.

R.R.S. c.O-1.1 Reg 1, new section 77

2 **Section 77 of *The Occupational Health and Safety Regulations, 1996* is repealed and the following substituted:**

“Smoking

77(1) In this section:

(a) **‘enclosed place of employment’** means a place of employment that is within a building or another enclosed place and includes:

(i) a vehicle; and

- (ii) any of the following areas of an underground mine:
 - (A) a mine shaft;
 - (B) a refuge station required pursuant to *The Mines Regulations, 2003*;
 - (C) a lunch room;
 - (D) any area, other than one mentioned in paragraphs (A) to (C), that is within 10 metres of where a worker, self-employed person, employer, contractor or owner is present;
 - (b) **'enclosed work-related area'** means a work-related area that is within a building or another enclosed place;
 - (c) **'enclosed worksite'** means a worksite that is within a building or another enclosed place;
 - (d) **'smoke'** means to smoke, hold or otherwise have control over ignited tobacco;
 - (e) **'tobacco'** means tobacco in any form in which it is used or consumed, and includes snuff and raw leaf tobacco, but does not include any food, drug or device that contains nicotine to which the *Food and Drugs Act* (Canada) applies.
- (2) Subject to subsections (3) and (4), an employer, contractor or owner shall ensure that no person smokes in:
- (a) an enclosed place of employment;
 - (b) an enclosed work-related area; or
 - (c) any other place of employment where smoking is prohibited by law.
- (3) Subsection (2) does not apply to the following places or persons:
- (a) an enclosed place of employment or enclosed work-related area while it is being used with the consent of the proprietor for traditional Aboriginal spiritual or cultural practices or ceremonies, if the use of tobacco is an integral part of the traditional Aboriginal spiritual or cultural practices or ceremonies being carried out in the enclosed place of employment or enclosed work-related area;
 - (b) residents or persons visiting residents in an enclosed place that:
 - (i) is ventilated separately from the rest of the enclosed place of employment or enclosed work-related area;
 - (ii) is within:
 - (A) a facility designated as a special-care home pursuant to *The Regional Health Services Act*; or
 - (B) a personal care home as defined in *The Personal Care Homes Act* that offers care and accommodation to more than 10 persons; and
 - (iii) meets the requirements prescribed in *The Tobacco Control Act* and the regulations made pursuant to that Act.

(4) No person while at work shall smoke in any place of employment or enclosed work-related area where smoking is prohibited pursuant to this section unless:

(a) the person is:

(i) a self-employed person in a place of employment that:

(A) is ventilated separately from other places of employment or work-related areas; and

(B) is owned by the self-employed person;

(ii) a worker in a vehicle who has the permission of the owner or lessee of the vehicle to smoke in the vehicle; or

(iii) a self-employed person or worker who is the sole occupant of a work camp living accommodation if:

(A) the living accommodation is ventilated separately from other places of employment or enclosed work-related areas; and

(B) the self-employed person or worker has the permission of the owner or operator of the work camp to smoke in the living accommodation; and

(b) either:

(i) no other worker, self-employed person, employer, contractor or owner is present on a frequent and regular basis in any of the places of employment or enclosed work-related areas mentioned in subclauses (a)(i), (ii) and (iii); or

(ii) no other worker, self-employed person, employer, contractor or owner is present when the person is smoking.

(5) Subject to subsection (6), a worker may refuse to enter an enclosed worksite if:

(a) visible tobacco smoke is present; or

(b) fewer than 30 minutes have passed since a tobacco product was extinguished in the enclosed worksite, whether or not visible tobacco smoke is present.

(6) Subsection (5) does not apply where the worker is required to enter the enclosed worksite to prevent imminent injury or damage to persons or property located within the enclosed worksite.

(7) If smoking is permitted pursuant to subsection (3) or (4), an employer, contractor or owner shall:

(a) restrict workers' exposure or self-employed persons' exposure to second-hand tobacco smoke to the extent that is reasonably practicable; and

(b) inform workers and self-employed persons of the risk to their health from second-hand tobacco smoke.

(8) An employer, contractor or owner shall ensure that in every enclosed place of employment where smoking is prohibited:

(a) signs are posted in locations that are clearly visible to those entering the enclosed place of employment that indicate that smoking is prohibited; and

(b) no ashtray or other receptacle designed to be used as an ashtray is present within the enclosed place of employment”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on May 31, 2009

(2) If these regulations are not published in *The Saskatchewan Gazette* at least 60 days before May 31, 2009, these regulations come into force on the sixty-first day after the day on which they are published in *The Saskatchewan Gazette*.

