



The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER

PART II/PARTIE II

Volume 104

REGINA, FRIDAY, DECEMBER 19, 2008/REGINA, VENDREDI, 19 DECEMBRE 2008

No. 51/n° 51

PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER A-4.01 REG 1

The Active Families Benefit Act

Section 6

Order in Council 861/2008, dated December 10, 2008

(Filed December 11, 2008)

PART I

Preliminary Matters

Title

1 These regulations may be cited as *The Active Families Benefit Regulations*.

Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Active Families Benefit Act*;
- (b) “**child under care**” means a child who is in the custody of the minister responsible for the administration of *The Child and Family Services Act* pursuant to an order made pursuant to that Act;
- (c) “**legal guardian**” includes, with respect to an eligible child who is a child under care and who has been placed during the taxation year with a member of the child’s extended family in accordance with *The Child and Family Services Act*, the member of the child’s extended family, but only if that member did not receive any financial assistance from the minister responsible for the administration of *The Child and Family Services Act* for the costs of the eligible child’s participation in the eligible activities for which the active families benefit amount is being claimed;
- (d) “**service provider**” means a club, association, person or body of persons who or that:
 - (i) in the case of an individual, is 18 years of age or older;
 - (ii) provides eligible activities to eligible children; and
 - (iii) deals at arm’s length, within the meaning of the federal Act, with an eligible individual.

(2) For the purposes of clause 2(2)(a) of the Act, “**resides**” means to reside throughout the taxation year.

PART II
Eligible Activities

Eligible activities to meet prescribed criteria

3 For the purposes of clause 2(1)(c) of the Act, every eligible activity must meet the criteria prescribed in this Part.

Eligible cultural activities

4(1) In this section:

- (a) **“arts”** means any artistic field, including:
 - (i) literary arts;
 - (ii) visual arts;
 - (iii) electronic and multimedia arts and Internet arts;
 - (iv) film and video arts;
 - (v) crafts;
 - (vi) performing arts, including theatre, opera, music, dance and variety entertainment;
 - (vii) the recording of sound; and
 - (viii) the recording of commercial advertisements;
- (b) **“heritage”** means any field of activity associated with recognizing, studying and preserving those tangible and intangible cultural and historic values and objects that people have received from past generations and that shape present identity and guide future activities, including:
 - (i) languages;
 - (ii) customs;
 - (iii) genealogy;
 - (iv) symbols and items of cultural legacy, including crafts, dance and music;
 - (v) historic buildings, structures and sites;
 - (vi) sacred areas;
 - (vii) palaeontology; and
 - (viii) archeology;
- (c) **“multiculturalism”** means any field of activity associated with any of the following:
 - (i) recognizing, encouraging and fostering the diversity of Saskatchewan people with respect to race, cultural heritage, religion, ethnicity, ancestry and place of origin;

- (ii) encouraging respect for the multicultural heritage of Saskatchewan;
- (iii) fostering a climate for harmonious relations among people of diverse cultural and ethnic backgrounds without sacrificing their distinctive cultural and ethnic identities;
- (iv) encouraging the continuation of a multicultural society.

(2) A cultural activity must provide exposure to, or training or participation in, any field of the arts, heritage or multiculturalism.

Eligible recreational activities

5(1) In this section, “**recreation**” means any activity, process or means that:

- (a) has elements of choice;
- (b) is designed to refresh, entertain or provide satisfaction;
- (c) does not involve declaring a winner or providing a reward or any form of monetary gain; and
- (d) provides physical, emotional or mental benefit.

(2) A recreational activity must provide exposure to, or training or participation in, any field of recreation.

Eligible sports activities

6(1) In this section, “**sport**” means any game or physical activity that:

- (a) involves large muscle groups;
- (b) requires strategy, physical training and mental preparation;
- (c) has an outcome determined by established rules and not by chance; and
- (d) occurs in an organized and competitive environment.

(2) A sports activity must provide exposure to, or training or participation in, any field of sport.

Additional prescribed criteria

7(1) In addition to the criteria prescribed in sections 4 to 6, every eligible activity must meet the criteria prescribed in this section.

(2) Every eligible activity:

- (a) must take place within a program that:
 - (i) is offered by a service provider located in Saskatchewan;
 - (ii) involves instruction and supervision by the service provider;
 - (iii) provides proper supervision of children;
 - (iv) is suitable for children;
 - (v) requires children to actively participate;

(vi) requires registration with the service provider and the payment of a registration fee or membership fee in order for a child to participate; and

(vii) complies with all relevant requirements and standards imposed by statute or by any other law; and

(b) must not:

(i) be part of a school's curriculum; or

(ii) be part of child care services within the meaning of *The Child Care Act*.

PART III Other Matters

Eligible expenses

8(1) For the purposes of clause 2(1)(e) of the Act, the following are prescribed as eligible expenses:

(a) the amount of a registration fee or membership fee paid by an eligible individual or an eligible individual's cohabiting spouse or common-law partner to a service provider to provide an eligible activity to an eligible child of the eligible individual;

(b) in the case of a family membership fee, the amount of the portion of the family membership fee that is paid to provide an eligible activity to an eligible child of the eligible individual.

(2) For the purposes of clause (1)(b), the service provider shall determine the amount of the portion of the family membership fee that is paid to provide an eligible activity to an eligible child of the eligible individual and shall indicate that amount on the receipt.

(3) Without restricting the generality of subsection (1), eligible expenses do not include:

(a) that portion of a registration fee or membership fee that is paid for through fundraising activities; or

(b) any amount of financial assistance, allowance or reimbursement for the costs of an eligible child's participation in an eligible activity that any person is or was entitled to receive, other than an amount that is included in computing the income for any taxation year of that person and that is not deductible in computing the taxable income of that person.

Receipt

9 A receipt mentioned in section 5 of the Act with respect to an eligible expense claimed for the purposes of the active families benefit amount must contain the following information:

- (a) the name of the eligible activity or activities;
- (b) the name and address of the service provider;
- (c) the total registration fee or membership fee paid and the date of payment;
- (d) the amount of the registration fee or membership fee that qualifies as an eligible expense;
- (e) the full name of the person paying the registration fee or membership fee;
- (f) the name and birth date of the eligible child with respect to whom the registration fee or membership fee was paid.

Eligible individual

10(1) For the purposes of subsection 2(3) of the Act, and subject to subsection (2), the parent or legal guardian who primarily fulfils the responsibility for the care and upbringing of the eligible child is:

- (a) if the parents or legal guardians have agreed as to which parent or legal guardian may claim the active families benefit amount, that parent or legal guardian; or
- (b) if there is no agreement described in clause (a) and the eligible child has separately resided with more than one parent or legal guardian during the taxation year:
 - (i) if there is an order of a court of competent jurisdiction or a written agreement specifying one parent or legal guardian as the parent or legal guardian who primarily fulfils the responsibility for the care and upbringing of the eligible child, that parent or legal guardian;
 - (ii) if one parent or legal guardian has been granted sole custody of the eligible child by a court of competent jurisdiction or by written agreement, that parent or legal guardian; or
 - (iii) if there is an order of a court of competent jurisdiction or a written agreement pursuant to which the eligible child has lawfully resided with one parent or legal guardian for a majority of the days of the taxation year, that parent or legal guardian.

(2) For the purposes of subsection 2(3) of the Act, if there is no agreement described in clause (1)(a) and if there is no order of a court of competent jurisdiction or written agreement described in subclause (1)(b)(i), (ii) or (iii):

- (a) none of the parents or legal guardians is to be determined as the parent or guardian who primarily fulfils the responsibility for the care and upbringing of the eligible child; and
- (b) no claim for the active families benefit amount shall be allowed to either or any of the parents or legal guardians.

PART IV
Coming into Force

Coming into force

11(1) Subject to subsection (2), these regulations come into force on January 1, 2009.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2009, 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 after January 1, 2009.

SASKATCHEWAN REGULATIONS 118/2008

The Saskatchewan Income Plan Act

Section 11

Order in Council 857/2008, dated December 10, 2008

(Filed December 11, 2008)

Title

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

R.R.S. c.S-25.1 Reg 3 amended

2 *The Saskatchewan Income Plan Regulations, 2002* are amended in the manner set forth in these regulations.

Section 1 amended

3 **Section 1 is amended by striking out “*The Saskatchewan Income Plan Regulations, 2002*” and substituting “*The Seniors Income Plan Regulations*”.**

Section 3 amended

4 **Subsection 3(2) is amended:**

- (a) in clause (a) by striking out “\$11” and substituting “\$10”;
- (b) in clause (b) by striking out “\$6.50” and substituting “\$10”;
- (c) in clause (c) by striking out “\$11” and substituting “\$10”; and
- (d) in clause (d) by striking out “\$12” and substituting “\$10”.

Section 4 amended

5(1) **Subsection 4(1) is amended:**

- (a) in the portion of clause (a) preceding subclause (i) by striking out “\$90” and substituting “\$190”; and
- (b) in clause (b) by striking out “\$72.50” and substituting “\$155”.

(2) **Clause 4(2)(b) is amended by striking out “\$22.50” and substituting “\$23”.**

New section 5**6 Section 5 is repealed and the following substituted:****“Reduction**

5(1) In this section, a reference to a table is a reference to a table set out in the Old Age Security Pension Guaranteed Income Supplement Allowance Table of Rates, published pursuant to the *Old Age Security Act (Canada)*, that is in force at the relevant time.

(2) Subject to section 6, if a person receives less than the maximum supplement, the minister shall reduce the maximum benefit payable pursuant to section 4 to the person:

- (a) by \$1 for every \$1 reduction made to the person’s supplement:
 - (i) in accordance with Table 1 in the case of a single person; or
 - (ii) in accordance with Table 2 in the case of a person whose spouse or common-law partner is a pensioner;
- (b) by \$3 for every \$1 reduction made to the person’s supplement in accordance with Table 3 in the case of a person whose spouse or common-law partner is not a pensioner or is not in receipt of an allowance;
- (c) in the case of a person whose spouse or common-law partner is in receipt of an allowance that is less than the maximum allowance:
 - (i) by \$1 for every \$3 reduction made to the allowance of the spouse or common-law partner in accordance with Table 4; and
 - (ii) by \$1 for every reduction of less than \$3 made to the allowance of the spouse or common-law partner in accordance with Table 4”.

Section 6 amended

7 Clause 6(b) is amended by striking out “\$4.50” and substituting “\$5”.

Section 7.1 repealed

8 Section 7.1 is repealed.

Coming into force

9(1) Subject to subsection (2), these regulations come into force on January 1, 2009.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2009, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 119/2008*The Freedom of Information and Protection of Privacy Act*

Section 69

Order in Council 858/2008, dated December 10, 2008

(Filed December 11, 2008)

Title

1 These regulations may be cited as *The Freedom of Information and Protection of Privacy Amendment Regulations, 2008*.

R.R.S. c.F-22.01 Reg 1 amended

2 *The Freedom of Information and Protection of Privacy Regulations* are amended in the manner set forth in these regulations.

Section 12 amended

3 **The following clauses are added after clause 12(f):**

“(g) section 14 of *The Enforcement of Maintenance Orders Act, 1997*;

“(h) section 415 of *The Credit Union Act, 1998*;

“(i) section 85 of *The Real Estate Act*;

“(j) section 10.1 of *The Saskatchewan Insurance Act*

“(k) section 12 of *The Vital Statistics Administration Transfer Act*”.

Section 14 amended

4 **Section 14 is amended:**

(a) in clause (d) by striking out “Department” and substituting “Ministry”;

(b) in clause (e) by striking out “Department of Highways and Transportation” and substituting “Ministry of Highways and Infrastructure”;

(c) in clause (k) by striking out “Department of Justice” and substituting “Ministry of Justice and Attorney General”; and

(d) by adding the following clause after clause (m):

“(n) the public guardian and trustee as defined in *The Public Guardian and Trustee Act* with respect to the conduct of an investigation pursuant to that Act”.

Section 16 amended

5 **Section 16 is amended:**

(a) in clause (h) by striking out “Department of Advanced Education and Employment” and substituting “Ministry of Advanced Education, Employment and Labour”;

(b) by repealing clause (h.1) and substituting the following:

“(h.1) in the case of credit information, by the Ministry of Social Services or the Ministry of Advanced Education, Employment and Labour or an agent of either ministry to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act*, where:

(i) there is an arrangement for the exchange of information between:

(A) the ministry or its agent; and

(B) the credit reporting agency; and

(ii) the information relates to a debt owing to the Government of Saskatchewan and is being disclosed for the purpose of facilitating the collection of that debt”;

(c) in clause (h.2) by striking out “Department of Justice” wherever it appears and in each case substituting “Ministry of Justice and Attorney General”;

(d) in clause (h.3) by striking out “Department of Justice” wherever it appears and in each case substituting “Ministry of Justice and Attorney General”;

(e) in clause (l.1) by striking out “Department” and substituting “Ministry”;

(f) by repealing clauses (n.1) to (n.3); and

(g) in clause (p) by striking out “Department” wherever it appears and in each case substituting “Ministry”.

Appendix, Part I amended

6 Part I of the Appendix is amended by adding “Enterprise Saskatchewan” after “Crown Investments Corporation of Saskatchewan”.

Coming into force

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

SASKATCHEWAN REGULATIONS 120/2008*The Local Authority Freedom of Information and
Protection of Privacy Act*

Section 57

Order in Council 859/2008, dated December 10, 2008

(Filed December 11, 2008)

Title

1 These regulations may be cited as *The Local Authority Freedom of Information and Protection of Privacy Amendment Regulations, 2008*.

R.R.S. c.L-27.1 Reg 1 amended

2 *The Local Authority Freedom of Information and Protection of Privacy Regulations* are amended in the manner set forth in these regulations.

Section 9 amended

3 Section 9 is amended:

(a) in clause (d) by striking out “Department of Environment and Resource Management” **and substituting** “Ministry of Environment”;

(b) in clause (e) by striking out “Department of Highways and Transportation” **and substituting** “Ministry of Highways and Infrastructure”;

(c) in clause (k) by striking out “Department of Justice” **and substituting** “Ministry of Justice and Attorney General”; **and**

(d) by adding the following clause after clause (m):

“(n) the public guardian and trustee as defined in *The Public Guardian and Trustee Act* with respect to the conduct of an investigation pursuant to that Act”.

Section 10 amended

4 Section 10 is amended:

(a) by striking out “or” **after clause (k);**

(b) in clause (l) by striking out “district health board” **and substituting** “regional health authority”;

(c) by adding “or” **after clause (l); and**

(d) by adding the following clause after clause (l):

“(m) in the case of the academic ranks or departmental designations of members of the faculty of the Saskatchewan Institute of Applied Science and Technology, by the Saskatchewan Institute of Applied Science and Technology to any person”.

Coming into force

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

SASKATCHEWAN REGULATIONS 121/2008*The Boiler and Pressure Vessel Act, 1999*

Section 59

Order in Council 860/2008, dated December 10, 2008

(Filed December 11, 2008)

Title

1 These regulations may be cited as *The Boiler and Pressure Vessel Amendment Regulations, 2008 (No. 2)*.

R.R.S. c.B-5.1 Reg 1, Appendix amended

2 **Table 11 of the Appendix to *The Boiler and Pressure Vessel Regulations* is amended in the column entitled “Fee”:**

(a) by striking out “102” opposite the entry “Fourth class power engineer, Part A” and substituting “51”; and

(b) by striking out “102” opposite the entry “Fourth class power engineer, Part B” and substituting “51”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on December 15, 2008.

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

SASKATCHEWAN REGULATIONS 122/2008*The Film Employment Tax Credit Act*

Section 24

Order in Council 862/2008, dated December 10, 2008

(Filed December 11, 2008)

Title

1 These regulations may be cited as *The Film Employment Tax Credit Amendment Regulations, 2008 (No. 2)*.

R.R.S. c.F-13.11 Reg 1 amended

2 *The Film Employment Tax Credit Regulations* are amended in the manner set forth in these regulations.

Section 5 amended

3 **Subsection 5(4) is amended by striking out “December 31, 2008” and substituting “December 31, 2011”.**

Appendix amended

4 The Appendix to *The Film Employment Tax Credit Regulations* is amended:**(a) in Part II of Form A:**

(i) by repealing the column titled “Position” in “C. Key Position Bonus Eligibility Requirements” and substituting the following:

“Position

Costume Designer

First Assistant Director

Property Master

Dolly Grip

Key Grip

Locations Manager

Production Coordinator

Production Designer

Construction Coordinator

Sound Recordist”;

(ii) by adding the following after “C. Key Position Bonus Eligibility Requirements”:

“ Total number of Saskatchewan residents employed during the eligible film production _____	”;	and
Total number of non-Saskatchewan residents employed during the eligible film production _____		

(b) in Part VIII of Form A by repealing item 12 in “B. For Final Applications only”.

Coming into force

5(1) Subject to subsection (2), these regulations come into force on January 1, 2009.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2009, these regulations come into force on the day on which they are filed with the Registrar of Regulations.