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## PART II/PARTIE II

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## PART II/PARTIE II

### REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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**REVISED REGULATIONS OF SASKATCHEWAN**

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**SASKATCHEWAN REGULATIONS 62/2010***The Securities Act, 1988*

## Section 154

Commission Order, dated April 27, 2010

(Filed June 11, 2010)

**Title**

**1** These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2010 (No. 5)*.

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

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

**Part V of Appendix amended**

**3** **Part V of the Appendix is amended in Form 81-101F2 by repealing item 10.4 and substituting the following:**

**“10.4 Brokerage Arrangements**

- (1) If any brokerage transactions involving the client brokerage commissions of the mutual fund have been or might be directed to a dealer in return for the provision of any good or service, by the dealer or a third party, other than order execution, state:
- (a) the process for, and factors considered in, selecting a dealer to effect securities transactions for the mutual fund, including whether receiving goods or services in addition to order execution is a factor, and whether and how the process may differ for a dealer that is an affiliated entity;
  - (b) the nature of the arrangements under which order execution goods and services or research goods and services might be provided;
  - (c) each type of good or service, other than order execution, that might be provided; and
  - (d) the method by which the portfolio adviser makes a good faith determination that the mutual fund, on whose behalf the portfolio adviser directs any brokerage transactions involving client brokerage commissions to a dealer in return for the provision of any order execution goods and services or research goods and services, by the dealer or a third party, receives reasonable benefit considering both the use of the goods or services and the amount of client brokerage commissions paid.

- (2) Since the date of the last annual information form, if any brokerage transactions involving the client brokerage commissions of the mutual fund have been or might be directed to a dealer in return for the provision of any good or service, by the dealer or third party, other than order execution, state:
- (a) each type of good or service, other than order execution, that has been provided to the manager or the portfolio adviser of the mutual fund; and
  - (b) the name of any affiliated entity that provided any good or service referred to in paragraph (a), separately identifying each affiliated entity and each type of good or service provided by each affiliated entity.
- (3) If any brokerage transactions involving the client brokerage commissions of the mutual fund have been or might be directed to a dealer in return for the provision of any good or service, by the dealer or a third party, other than order execution, state that the name of any other dealer or third party that provided a good or service referred to in paragraph (2)(a), that was not disclosed under paragraph (2)(b), will be provided upon request by contacting the mutual fund or mutual fund family at [insert telephone number] or at [insert mutual fund or mutual fund family e-mail address].

**INSTRUCTIONS:**

*Terms defined in NI 23-102 – Use of Client Brokerage Commissions have the same meaning where used in this Item”.*

**Part XII of Appendix amended**

**4 Part XII of the Appendix is amended in Form 41-101F2 by adding the following item after item 19.2:**

**“19.2.1 Brokerage Arrangements**

Under the sub-heading ‘Brokerage Arrangements’:

- (a) if any brokerage transactions involving the client brokerage commissions of the investment fund have been or might be directed to a dealer in return for the provision of any good or service, by the dealer or a third party, other than order execution, state:
  - (i) the process for, and factors considered in, selecting a dealer to effect securities transactions for the investment fund, including whether receiving goods or services in addition to order execution is a factor, and whether and how the process may differ for a dealer that is an affiliated entity;
  - (ii) the nature of the arrangements under which order execution goods and services or research goods and services might be provided;
  - (iii) each type of good or service, other than order execution, that might be provided; and

- (iv) the method by which the portfolio adviser makes a good faith determination that the investment fund, on whose behalf the portfolio adviser directs any brokerage transactions involving client brokerage commissions to a dealer in return for the provision of any order execution goods and services or research goods and services, by the dealer or a third party, receives reasonable benefit considering both the use of the goods or services and the amount of client brokerage commissions paid;
- (b) if any brokerage transactions involving the client brokerage commissions of the investment fund have been or might be directed to a dealer in return for the provision of any good or service, by the dealer or a third party, other than order execution, since the date of the investment fund's last prospectus or last annual information form, whichever one is the most recent, state:
- (i) each type of good or service, other than order execution, that has been provided to the manager or the portfolio adviser of the investment fund; and
  - (ii) the name of any affiliated entity that provided any good or service referred to in subparagraph (i), separately identifying each affiliated entity and each type of good or service provided by each affiliated entity; and
- (c) if any brokerage transactions involving the client brokerage commissions of the investment fund have been or might be directed to a dealer in return for the provision of any good or service, by the dealer or a third party, other than order execution, state that the name of any other dealer or third party that provided a good or service referred to in paragraph (b)(i), that was not disclosed under paragraph (b)(ii), will be provided upon request by contacting the investment fund or investment fund family at [insert telephone number] or at [insert investment fund or investment fund family e-mail address].

**INSTRUCTIONS:**

*Terms defined in NI 23-102 – Use of Client Brokerage Commissions have the same meaning where used in this Item”.*

**Coming into force**

- 5(1) Subject to subsection (2), these regulations come into force on June 30, 2010.
- (2) If these regulations are filed with the Registrar of Regulations after June 30, 2010, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 63/2010***The Securities Act, 1988*

Section 154

Commission Order, dated May 3, 2010

(Filed June 11, 2010)

**Title**

1 These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2010 (No. 6)*.

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

2(1) Part XLVI of the Appendix to *The Securities Commission (Adoption of National Instruments) Regulations* is amended in the manner set forth in this section.

**(2) Section 1.1 is amended:**

**(a) in clause (b) of the definition of “clearing agency” by striking out “authorized” and substituting “recognized”;**

**(b) by repealing the definition of “institutional investor” and substituting the following:**

“**institutional investor**’ means a client of a dealer that has been granted DAP/RAP trading privileges by the dealer”;

**(c) by adding the following definition in alphabetical order:**

“**North American region**’ means Canada, the United States, Mexico, Bermuda and the countries of Central America and the Caribbean”;

**(d) in the definition of “trade-matching party” by repealing clauses (a) and (b) and substituting the following:**

“(a) a registered adviser acting for the institutional investor in processing the trade;

“(b) if a registered adviser is not acting for the institutional investor in processing the trade, the institutional investor unless the institutional investor is:

(i) an individual; or

(ii) a person or company with total securities under administration or management not exceeding \$10 million”;

**(e) in the definition of “T+1” by striking out “the day on which a trade is executed” and substituting “T”;**

**(f) in the definition of “T+2” by striking out “the day on which a trade is executed” and substituting “T”; and**

**(g) in the definition of “T+3” by striking out “the day on which a trade is executed” and substituting “T”.**

**(3) Clause 2.1(f) is amended by adding “in a security of a mutual fund” after “trade”.**

**(4) Section 3.1 is amended:**

**(a) in subsection (1) by striking out “the end of T” and substituting “12 p.m. (noon) on T+1”; and**

**(b) by repealing subsection (2) and substituting the following:**

“(2) Despite subsection (1), the dealer may adapt its policies and procedures to permit matching to occur no later than 12 p.m. (noon) on T+2 for a DAP/RAP trade that results from an order to buy or sell securities received from an institutional investor whose investment decisions or settlement instructions are usually made in and communicated from a geographical region outside of the North American region”.

**(5) Section 3.2 is repealed and the following substituted:**

**“3.2 Pre-DAP/RAP trade execution documentation requirement for dealers**

A registered dealer shall not open an account to execute a DAP/RAP trade for an institutional investor or accept an order to execute a DAP/RAP trade for the account of an institutional investor unless its policies and procedures are designed to encourage each trade-matching party to:

- (a) enter into a trade-matching agreement with the dealer; or
- (b) provide a trade-matching statement to the dealer”.

**(6) Section 3.3 is amended:**

**(a) in subsection (1) by striking out “the end of T” and substituting “12 p.m. (noon) on T+1”; and**

**(b) by repealing subsection (2) and substituting the following:**

“(2) Despite subsection (1), the adviser may adapt its policies and procedures to permit matching to occur no later than 12 p.m. (noon) on T+2 for a DAP/RAP trade that results from an order to buy or sell securities received from an institutional investor whose investment decisions or settlement instructions are usually made in and communicated from a geographical region outside of the North American region”.

**(7) Section 3.4 is repealed and the following substituted:**

**“3.4 Pre-DAP/RAP trade execution documentation requirement for advisers**

A registered adviser shall not open an account to execute a DAP/RAP trade for an institutional investor or give an order to a dealer to execute a DAP/RAP trade for the account of an institutional investor unless its policies and procedures are designed to encourage each trade-matching party to:

- (a) enter into a trade-matching agreement with the adviser; or
- (b) provide a trade-matching statement to the adviser”.

**(8) Part 4 is repealed and the following substituted:**

**“PART 4 REPORTING BY REGISTERED FIRMS**

**“4.1 Exception reporting requirement**

A registered firm shall deliver Form 24-101F1 to the securities regulatory authority no later than 45 days after the end of a calendar quarter if:

- (a) less than 90 per cent of the DAP/RAP trades executed by or for the registered firm during the quarter matched within the time required in Part 3; or
- (b) the DAP/RAP trades executed by or for the registered firm during the quarter that matched within the time required in Part 3 represent less than 90 per cent of the aggregate value of the securities purchased and sold in those trades”.

**(9) Form 24-101F1 is amended:**

**(a) by striking out “3. Address of registrant’s principal place of business:” and substituting the following:**

“3a. Address of registered firm’s principal place of business:

“3b. Indicate below the jurisdiction of your principal regulator within the meaning of National Instrument 31-103 *Registration Requirements and Exemptions*:

- Alberta
- British Columbia
- Manitoba
- New Brunswick
- Newfoundland & Labrador
- Northwest Territories
- Nova Scotia
- Nunavut
- Ontario
- Prince Edward Island
- Québec
- Saskatchewan
- Yukon

“3c. Indicate below all jurisdictions in which you are registered:

- Alberta
- British Columbia
- Manitoba
- New Brunswick
- Newfoundland & Labrador
- Northwest Territories
- Nova Scotia
- Nunavut
- Ontario
- Prince Edward Island
- Québec
- Saskatchewan
- Yukon”;

(b) by striking out the following portion:

**“INSTRUCTIONS:**

*Deliver this form for both equity and debt DAP/RAP trades together with Exhibits A, B and C pursuant to section 4.1 of the Instrument, covering the calendar quarter indicated above, within 45 days of the end of the calendar quarter if:*

*(a) less than 95 percent\* of the equity and/or debt DAP/RAP trades executed by or for you during the quarter matched within the time\*\* required in Part 3 of the Instrument; or*

*(b) the equity and/or debt DAP/RAP trades executed by or for you during the quarter that matched within the time\*\* required in Part 3 of the Instrument represent less than 95 percent\* of the aggregate value of the securities purchased and sold in those trades.*

**Transition**

*\* For DAP/RAP trades executed during a transitional period after the Instrument comes into force and before January 1, 2010, this percentage will vary depending on when the trade was executed. See section 10.2(3) of the Instrument.*

*\*\* The time set out in Part 3 of the Instrument is 11:59 p.m. on, as the case may be, T or T+1. For DAP/RAP trades executed during a transitional period after the Instrument comes into force and before July 1, 2008, this timeline is being phased in and is 12:00 p.m. (noon) on, as the case may be, T+1 or T+2. See subsections 10.2(1) and (2) of the Instrument.”*





Table 2 – Debt trades:

	Entered into clearing agency by dealers				Matched in clearing agency by custodians			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% Industry
T								
T+1 – noon								
T+1								
T+2								
T+3								
>T+3								
Total								

”; and

**(b) by striking out the following portion:****“Exhibit B – Individual matched trade statistics**

Using the format below, for each participant of the clearing agency, provide the percent of client trades during the quarter that have been entered and matched by the participant within the time required in Part 3 of the Instrument. The percentages given should relate to both the number of client trades that have been matched within the time and the aggregate value of the securities purchased and sold in the client trades that have been matched within the time.”

and substituting the following portion:

**“Exhibit B – Individual matched trade statistics**

Using the same format as Exhibit A above, provide the relevant information for each participant of the clearing agency in respect of client trades during the quarter that have been entered by the participant and matched within the timelines indicated in Exhibit A”.

**(11) Form 24-101F5 is amended:**

**(a) by striking out the following portion:**

“Table 1—Equity trades:

	<u>Entered into matching service utility by dealer-users/subscribers</u>				<u>Matched in matching service utility by other users/subscribers</u>			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% Industry
T								
T+1								
T+2								
T+3								
>T+3								
Total								

Table 2—Debt trades:

	<u>Entered into matching service utility by dealer-users/subscribers</u>				<u>Matched in matching service utility by other users/subscribers</u>			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% Industry
T								
T+1								
T+2								
T+3								
>T+3								
Total								

”

**and substituting the following portion:**

“Table 1 – Equity trades:

	Entered into matching service utility by dealer-users/subscribers				Matched in matching service utility by other users/subscribers			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% Industry
T								
T+1 – noon								
T+1								
T+2								
T+3								
>T+3								
Total								

Table 2 – Debt trades:

	Entered into matching service utility by dealer-users/subscribers				Matched in matching service utility by other users/subscribers			
	# of Trades	% Industry	\$ Value of Trades	% Industry	# of Trades	% Industry	\$ Value of Trades	% Industry
T								
T+1 – noon								
T+1								
T+2								
T+3								
>T+3								
Total								

”; and

(b) by striking out the following portion:

**“Exhibit D – Individual matched trade statistics**

Using the format below, provide the percent of trades during the quarter for each user or subscriber that have been entered and matched within the time required in Part 3 of the Instrument. The percentages given should relate to both the number of trades that have been matched within the time and the aggregate value of the securities purchased and sold in the trades that have been matched within the time.”

**and substituting the following portion:**

**“Exhibit D – Individual matched trade statistics**

Using the same format as Exhibit C above, provide the relevant information for each user or subscriber in respect of trades during the quarter that have been entered by the user or subscriber and matched within the timelines indicated in Exhibit C”.

**Coming into force**

3(1) Subject to subsection (2), these regulations come into force on July 1, 2010.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2010, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

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**SASKATCHEWAN REGULATIONS 64/2010**

*The Farm Financial Stability Act*

Sections 3 and 5

Order in Council 358/2010, dated June 17, 2010

(Filed June 18, 2010)

**Title**

1 These regulations may be cited as *The Gopher Control Rebate Amendment Regulations, 2010*.

**R.R.S. c.F-8.001 Reg 36 amended**

2 *The Gopher Control Rebate Regulations* are amended in the manner set forth in these regulations.

**Section 6 amended**

3 **Clause 6(2)(a) is repealed and the following substituted:**

“(a) in the form mentioned in subsection (1):

(i) describe the type of the bait that was purchased or sold; and

(ii) complete the declaration stating that no other application has been or will be made by the applicant with respect to the same bait”.

**Section 8 amended**

**4(1) Subsection 8(1) is amended by striking out “January 29, 2010” and substituting “November 30, 2010”.**

**(2) Subsection 8(2) is amended by striking out “January 29, 2010” and substituting “November 30, 2010”.**

**Section 9 amended**

**5 Section 9 is amended:**

**(a) in clause (a) by striking out “and used by an applicant between August 1, 2007 and October 1, 2009” and substituting “by an applicant on or after October 1, 2009 and before October 2, 2010”; and**

**(b) in clause (b) by striking out “between August 1, 2007 and October 1, 2009” and substituting “on or after October 1, 2009 and before October 2, 2010”.**

**New Appendix**

**6 The Appendix is repealed and the following substituted:**

**“Appendix**

TABLE 1  
[clause 2(b)(i)(A)]

<b>RODENTICIDES</b>	<b>PCP NO.</b>
2% liquid strychnine concentrate – Agrium Advanced Technologies RP Inc.(Nu-Gro)	28784
2% liquid strychnine concentrate – Maxim Chemical International LTD	28751
Burrow Oat Bait (zinc phosphide)	24795
Degesch Phostoxin Round Tablets Rodenticide	16351
Elston Gopher Getter Bait I (RTU – dry)	24989
Elston Gopher Getter Bait II (RTU – dry – granular)	24988
Fairview Gopher Cop R.T.U.	22956
Fairview Gopher Cop R.T.U.W. (RTU – high moisture - Maxim)	27758
Farm and Ranch Brand Liquid Rozol Rodenticide	21160
Farm and Ranch Brand strychnine Gopher – Kil™ (RTU dry – Agrium)	22913
Ground Force Paraffinized Pellets	20239
Ground Force™ GS Pocket Gopher Bait (RTU)	28142
K-9 Pocket Gopher Bait (strychnine RTU)	21557

Poulin's Gopher Doom	22608
Ratol Paraffinized Pellets	26459
RoCon™ Concentrate Rodenticide	27400
RoCon™ Concentrate Rodenticide – ISP	29305
Rodent Bait (zinc phosphide)	16122
Rodent Pellets (zinc phosphide)	21838
Rozol Mineral Oil Concentrate (19 litre jugs)	11342
Rozol Paraffinized Pellets	13729
Rozol RTU Field Rodent Bait (RTU dry on wheat – 22.7 kg bags – Agrium)	29545
S.A.R.M. Gopher Poison R.T.U. (RTU – dry)	23236
Wilco Gopher Ground Squirrel Bait (RTU – dry)	25472
Wilson Richardson's Ground Squirrel Strychnine Bait (RTU – high moisture – Agrium)	27651
ZIP RTU Bait (zinc phosphide – Maxim)	27358
ZP Rodent Bait (zinc phosphide)	14240".

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 65/2010***The Water Power Act*

## Section 16

Order in Council 359/2010, dated June 17, 2010

(Filed June 18, 2010)

**Title**

**1** These regulations may be cited as *The Water Power Rental Amendment Regulations, 2010*.

**R.R.S. c.W-6 Reg 2, section 3 amended**

**2** Clause 3(2)(b) of *The Water Power Rental Regulations* is repealed and the following substituted:

“(b) for the calendar year commencing:

(i) January 1, 2010, \$4.07430 per megawatt hour of power generated from the water used for the purpose of producing water power; and

(ii) January 1, 2011, \$4.27802 per megawatt hour of power generated from the water used for the purpose of producing water power”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 66/2010***The Milk Control Act, 1992*

## Section 10

Board Order, dated June 21, 2010

(Filed June 22, 2010)

**Title**

**1** These regulations may be cited as *The Milk Control Amendment Regulations, 2010 (No. 6)*.

**R.R.S. c.M-15 Reg 1 amended**

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

**Section 28 amended**

**3(1) Clause 28(1)(b) is repealed and the following substituted:**

“(b) subject to subsection (1.1), the balance owing after the payment made pursuant to clause (a) is deducted from the amount owing as calculated pursuant to section 27”.

**(2) The following subsection is added after subsection 28(1):**

“(1.1) For the purposes of clause (1)(b), the distributor shall pay to the agent the balance owing not later than:

(a) the 10th day of the following month; or

(b) if the 10th day of the following month is a Saturday, Sunday or holiday, the first day in the following month that is not a Saturday, Sunday or holiday”.

**Appendix amended**

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

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

“(a) ‘**class 1a milk**’ means milk and specialty milk in its liquid form and includes whole milk, 2% milk, 1% milk, skim milk, modified enriched milk, kosher milk, all types of U.H.T. milk, buttermilk, 80% eggnog, cordials, acidophilus milk, kefir, chocolate milk, flavoured drink and condensed milk to be reconstituted as fluid milk”.

**(3) Subsection 3(1) is amended:**

**(a) by repealing clause (g.1) and substituting the following:**

“(g.1) in the case of class 4a(i) milk:

- (i) \$7.5345 per kilogram of butterfat;
  - (ii) \$2.60 per kilogram of protein;
  - (iii) \$2.60 per kilogram of other solids”;
- and**

**(b) by repealing clauses (m) to (o) and substituting the following:**

“(m) in the case of class 5a milk:

- (i) \$3.9107 per kilogram of butterfat;
- (ii) \$4.6630 per kilogram of protein;
- (iii) \$0.4031 per kilogram of other solids;

“(n) in the case of class 5b milk:

- (i) \$3.9107 per kilogram of butterfat;
- (ii) \$2.4609 per kilogram of protein;
- (iii) \$2.4609 per kilogram of other solids;

“(o) in the case of class 5c milk:

- (i) \$4.2982 per kilogram of butterfat;
- (ii) \$2.0563 per kilogram of protein;
- (iii) \$2.0563 per kilogram of other solids”.

**Coming into force**

5(1) Subject to subsection (2), these regulations come into force on July 1, 2010.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2010, these regulations come into force on the day on which they are filed with the Registrar of Regulations.