



# The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER/PUBLIÉE CHAQUE SEMAINE SOUS L'AUTORITÉ DE L'IMPRIMEUR DE LA REINE

## PART II/PARTIE II

Volume 106

REGINA, FRIDAY, JULY 9, 2010/REGINA, VENDREDI, 9 JULLIET 2010

No. 27/n° 27

## 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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**CHAPTER F-8.001 REG 40***The Farm Financial Stability Act*

## Section 5

Order in Council 386/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

**1** These regulations may be cited as *The Canada-Saskatchewan Pasture Recovery Initiative Regulations*.

**Interpretation**

**2** In these regulations:

- (a) **“account”** means the Canada-Saskatchewan Pasture Recovery Initiative Account established pursuant to section 4;
- (b) **“Act”** means *The Farm Financial Stability Act*;
- (c) **“applicant”** means a livestock producer who applies for a support payment;
- (d) **“application”** means an application for a support payment made pursuant to section 7;
- (e) **“breeder association”** means:
  - (i) a bison breeder association within the meaning of *The Bison Breeder Associations Loan Guarantee Regulations*;
  - (ii) a cattle breeder association within the meaning of *The Cattle Breeder Associations Loan Guarantee Regulations, 1991*; or
  - (iii) a sheep breeder association within the meaning of *The Sheep Breeder Associations Loan Guarantee Regulations*;
- (f) **“designated region”** means any land located:
  - (i) in a rural municipality that is listed in Table 1 of the Appendix;
  - (ii) on that portion of reserve land that is within the boundaries of a rural municipality that is listed in Table 1 of the Appendix; or
  - (iii) in a township, county or area in the Province of Alberta that is listed in Table 2 of the Appendix;
- (g) **“eligible applicant”** means an eligible applicant as described in section 6;

- (h) **“eligible livestock”** means:
- (i) females of any of the following species of livestock that are bred to produce offspring in 2010 and males of any of the following species of livestock that are of breeding age and used for breeding purposes:
    - (A) beef cattle;
    - (B) bison;
    - (C) domestic game farm animals, as defined in *The Domestic Game Farm Animal Regulations*;
    - (D) sheep;
    - (E) goats;
    - (F) alpacas;
    - (G) llamas; and
  - (ii) horses bred for meat or for pregnant mare urine production;
- (i) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (j) **“livestock producer”** means:
- (i) an individual who:
    - (A) is 18 years of age or older;
    - (B) resides in Saskatchewan and can provide evidence satisfactory to the minister of the individual’s Saskatchewan residence; and
    - (C) is the owner of the eligible livestock that are the subject of an application;
  - (ii) a corporation and its subsidiaries, a co-operative, a partnership or a communal organization that:
    - (A) in the minister’s opinion, carries on business principally in Saskatchewan; and
    - (B) is the owner of the eligible livestock that are the subject of an application; or
  - (iii) an Indian band:
    - (A) whose reserve land is in Saskatchewan; and
    - (B) that is the owner of the eligible livestock that are the subject of an application;
- (k) **“owner”**, with respect to eligible livestock, means a person who is:
- (i) the owner of eligible livestock;
  - (ii) the lessee of eligible livestock; or
  - (iii) a member of a breeder association, who has a breeder contract with the breeder association with respect to eligible livestock;

- (l) **“program”** means the Canada-Saskatchewan Pasture Recovery Initiative Program established pursuant to section 3;
- (m) **“reserve land”** means reserve land within the meaning of the *Indian Act* (Canada);
- (n) **“support payment”** means a support payment calculated pursuant to section 10.

**Program established**

- 3(1) The Canada-Saskatchewan Pasture Recovery Initiative Program is established.
- (2) The purpose of the program is to provide financial assistance to livestock producers within the designated region.

**Account established**

- 4(1) The Canada-Saskatchewan Pasture Recovery Initiative Account is established in the fund pursuant to clause 24(2)(a) of the Act.
- (2) The Minister of Finance is authorized to deposit into the account:
  - (a) all contributions from the Government of Canada that are directed to the account for the purposes of the program pursuant to an agreement made pursuant to subsection 22(2) of the Act; and
  - (b) from moneys appropriated by the Legislature, all contributions of the Government of Saskatchewan to the program pursuant to an agreement made pursuant to subsection 22(2) of the Act.
- (3) The account consists of:
  - (a) all contributions mentioned in clause (2)(a);
  - (b) all moneys appropriated by the Legislature:
    - (i) for the purposes of the program; or
    - (ii) for any other farm income stabilization purpose, if the Minister of Finance designates that those moneys are to be paid into the account;
  - (c) all earnings on investments of the account; and
  - (d) all other moneys received in the account for the purposes of the program.
- (4) All support payments are to be paid from the account.
- (5) Any surplus remaining in the account when the program is completed is to be returned to the Government of Canada and the Government of Saskatchewan in proportion to each government's contribution to the account.
- (6) The fiscal year of the account is the period commencing on April 1 in one year and ending on March 31 of the following year.

**Minister to administer account and program**

- 5(1) The minister shall administer the account and the program.
- (2) For the purpose of administering the account and the program, the minister may:
- (a) exercise the powers given to the minister pursuant to the Act; and
  - (b) do any other thing that the minister considers necessary to administer the account or the program.
- (3) Without limiting the generality of subsection (2), for the purpose of administering the account or the program, the minister may:
- (a) enter into any agreement that the minister considers advisable with any person, agency, organization, association, institution or body;
  - (b) undertake research, conduct studies and provide information to agricultural producers in relation to the program;
  - (c) use any moneys received in the account:
    - (i) to pay for the administration of the account and the program; and
    - (ii) to make support payments;
  - (d) invest any moneys in the account that are not presently required for the purposes of the program in any investments that are authorized pursuant to *The Financial Administration Act, 1993* as investments for the general revenue fund; and
  - (e) dispose of any investment made pursuant to clause (d), subject to the terms of the investment, in any manner, on any terms and in any amount that the minister considers advisable.

**Eligible applicant**

- 6(1) A person is eligible to apply for a support payment if:
- (a) the person is a livestock producer;
  - (b) the person is the owner of eligible livestock as of January 1, 2010;
  - (c) the person normally grazes the person's eligible livestock on land located in the designated region; and
  - (d) in the case of an individual, partnership or corporation, the individual, each partner of the partnership or the corporation filed or will file an income tax return respecting farm income from livestock operations in Saskatchewan for the year preceding the year for which an application is made, or for the year for which an application is made.
- (2) Notwithstanding subsection (1):
- (a) no agency of the Government of Saskatchewan, Government of Canada or Government of Alberta is eligible to apply for a support payment; and
  - (b) no person who owns or operates a research station that is funded in whole or in part by a government mentioned in clause (a) is eligible to apply for a support payment.

**Application for payment**

7(1) An eligible applicant who wishes to obtain a support payment must apply to the minister on an application form supplied by the minister.

(2) On an application, the applicant must:

- (a) specify the type and number of eligible livestock with respect to which the application is made;
- (b) confirm that the applicant was the owner of the eligible livestock as of January 1, 2010;
- (c) specify the number of the applicant's eligible livestock that are normally located on land in the designated region during the grazing season;
- (d) specify the number of acres of land that is pasture land owned or leased by the applicant in the designated region;
- (e) indicate whether the applicant owns or leases land that is pasture land outside the designated region;
- (f) provide any details that the minister may require to determine that the livestock with respect to which the application is made are eligible livestock;
- (g) declare that no other application for a support payment has been made or is to be made by the applicant respecting the same eligible livestock; and
- (h) provide the minister with any additional information that the minister may reasonably require to determine the applicant's eligibility for a support payment or the amount of the applicant's support payment.

(3) If an applicant is a corporation or a subsidiary of a corporation or is a co-operative, a partnership, a communal organization or an Indian band, the minister may, for the purposes of verifying residency and compliance with these regulations, require the applicant to provide the names of the shareholders, partners, members or other individuals, as the case may be, who are associated with the applicant.

**Application deadline**

8(1) In this section, "**application deadline date**" means:

- (a) September 1, 2010; or
- (b) a date not later than November 1, 2010 that is specified by the minister if, in the opinion of the minister, the later date is necessary to fulfil the purposes of the program.

(2) If the minister specifies a later date pursuant to clause (1)(b), the minister shall cause that date to be made public in any manner that the minister considers appropriate, including posting the date on the website of the ministry over which the minister presides.

(3) Subject to subsection (4), an application for a support payment pursuant to these regulations must be received by the minister or, in the case of an application that is mailed, be postmarked, on or before the application deadline date.

(4) The minister may consider an application that is postmarked after the application deadline date if the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the application to have been postmarked on or before that date.

**Approval of application**

**9** If the minister is satisfied that an applicant meets the requirements set out in these regulations and has complied with the regulations, the minister may approve payment of a support payment to that applicant.

**Calculation of support payment**

**10(1)** Subject to subsection (2), the support payment that may be paid to an eligible applicant is the amount P calculated in accordance with the following formula:

$$P = (L1 \times \$60) + (L2 \times \$50) + (L3 \times \$25) + (L4 \times \$12.50) + (L5 \times \$10)$$

where:

L1 is the number of eligible livestock that are horses that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season;

L2 is the number of eligible livestock that are beef cattle and bison that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season;

L3 is the number of eligible livestock that are elk that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season;

L4 is the number of eligible livestock that are deer, llamas, caribou and reindeer that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season; and

L5 is the number of eligible livestock that are sheep, goats and alpacas that were owned by the applicant as of January 1, 2010 and that are normally grazed on land in the designated region during the grazing season.

(2) No support payment is to be paid to an applicant if the amount of the support payment is less than \$50.

**Duplicate applications**

**11(1)** Not more than one support payment is to be made with respect to any eligible livestock.

(2) If the minister receives more than one application for any eligible livestock, the minister shall determine which application, if any, to accept.

**Conditions of program**

**12(1)** As a condition of participating in the program and receiving a support payment, an applicant shall:

- (a) grant access, at any reasonable time, to land on which the applicant conducts the applicant's livestock operations to any persons designated by the minister to verify information required to substantiate the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations;
  - (b) consent to any other person, agency, organization, association, institution or body releasing information to the minister respecting the applicant's livestock operations; and
  - (c) provide to the minister, on the minister's request and within the period set by the minister, the applicant's income tax records for one or more years, or any other information that the minister may require, to verify the applicant's eligibility or the amount of a support payment that may be paid to the applicant or to verify the applicant's compliance with these regulations.
- (2) No applicant shall fail to comply with any condition set out in subsection (1).
- (3) No person shall supply any false or misleading information to the minister on any application or in response to any request for information from the minister.

**Overpayments**

**13(1)** The minister may declare all or any portion of a support payment made to an eligible applicant pursuant to these regulations to be an overpayment if the minister is satisfied that:

- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
  - (b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or
  - (c) the applicant has failed to comply with these regulations.
- (2) If the minister declares all or any portion of a support payment to be an overpayment, the eligible applicant shall pay interest on the amount of the support payment that is declared to be an overpayment commencing on the 30th day after the date of the declaration at the rate equal to the sum of:
- (a) the prime lending rate of the bank holding Saskatchewan's general revenue fund; and
  - (b) 2%.
- (3) If the minister declares all or any portion of a support payment to be an overpayment, the amount of the overpayment and any interest to be paid pursuant to subsection (2) is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

**Termination if moneys fully utilized**

14(1) Notwithstanding any other provision of these regulations, if the minister determines that moneys in the account have been fully allocated, the minister may refuse to approve any application and the applicant is not eligible to receive any support payment with respect to that application.

(2) If the minister makes a determination pursuant to subsection (1), the minister may cause the effective date of the determination:

(a) to be posted on the website of the ministry over which the minister presides; and

(b) to be made public in any other manner that the minister considers appropriate.

(3) The effective date of the determination may be an earlier date than the date on which the minister makes public the effective date of the determination.

(4) The program is terminated on the effective date of the determination as made public by the minister.

**Coming into force**

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

**Expiry and repeal**

16 These regulations expire and are repealed on December 31, 2013.

The Rural Municipality of Lacadena No. 228

The Rural Municipality of Coteau No. 255

The Rural Municipality of King George No. 256

The Rural Municipality of Monet No. 257

The Rural Municipality of Snipe lake No. 259

The Rural Municipality of Newcombe No. 260

The Rural Municipality of Chesterfield No. 261

The Rural Municipality of Fertile Valley No. 285

The Rural Municipality of Milden No. 286

The Rural Municipality of St. Andrews No. 287

The Rural Municipality of Pleasant valley No. 288

The Rural Municipality of Kindersley No. 290

The Rural Municipality of Milton No. 292

The Rural Municipality of Montrose No. 315

The Rural Municipality of Harris No. 316

The Rural Municipality of Marriott No. 317

The Rural Municipality of Mountain View No. 318  
The Rural Municipality of Winslow No. 319  
The Rural Municipality of Oakdale No. 320  
The Rural Municipality of Prairiedale No. 321  
The Rural Municipality of Antelope Park No. 322  
The Rural Municipality of Vanscoy No. 345  
The Rural Municipality of Perdue No. 346  
The Rural Municipality of Biggar No. 347  
The Rural Municipality of Grandview No. 349  
The Rural Municipality of Mariposa No. 350  
The Rural Municipality of Progress No. 351  
The Rural Municipality of Heart's Hill No. 352  
The Rural Municipality of Eagle Creek No. 376  
The Rural Municipality of Glenside No. 377  
The Rural Municipality of Rosemount No. 378  
The Rural Municipality of Reford No. 379  
The Rural Municipality of Tramping lake No. 380  
The Rural Municipality of Grass lake No. 381  
The Rural Municipality of Eye Hill No. 382  
The Rural Municipality of Mayfield No. 406  
The Rural Municipality of Buffalo No. 409  
The Rural Municipality of Round valley No. 410  
The Rural Municipality of Senlac No. 411  
The Rural Municipality of Douglas No. 436  
The Rural Municipality of North Battleford No. 437  
The Rural Municipality of Battle River No. 438  
The Rural Municipality of Cut Knife No. 439  
The Rural Municipality of Hillsdale No. 440  
The Rural Municipality of Manitou lake No. 442  
The Rural Municipality of Meeting lake No. 466  
The Rural Municipality of Round Hill No. 467  
The Rural Municipality of Meota No. 468  
The Rural Municipality of Turtle River No. 469  
The Rural Municipality of Paynton No. 470  
The Rural Municipality of Eldon No. 471  
The Rural Municipality of Wilton No. 472  
The Rural Municipality of Spiritwood No. 496  
The Rural Municipality of Medstead No. 497  
The Rural Municipality of Parkdale No. 498  
The Rural Municipality of Mervin No. 499  
The Rural Municipality of Frenchman Butte No. 501

The Rural Municipality of Britannia No. 502  
 The Rural Municipality of Big River No. 555  
 The Rural Municipality of Loon lake No. 561  
 The Rural Municipality of Meadow lake No. 588  
 The Rural Municipality of Beaver River No. 622

TABLE 2  
 [Subclause 2(f)(iii)]

**Counties and other areas**

Acadia No. 34	Northern Sunrise County
Athabasca County	Opportunity No. 17
Barrhead County No. 11	Paintearth County No. 18
Beaver County	Parkland County
Big Horn No. 8	Peace No. 135
Big Lakes No. 125	Ponoka County
Birch Hills County	Provost No. 52
Bonnyville No. 87	Red Deer County
Brazeau County	Rocky View No. 44
Camrose County	Saddle Hills County
City of Calgary	Smoky Lake County
Clear Hills County	Smoky River No. 130
Clearwater County	Special Area No. 2
City of Edmonton	Special Area No. 3
Fairview No. 136	Special Area No. 4
Flagstaff County	Spirit River No. 133
Foothills No. 31	St. Paul County No. 19
Grand Prairie County No. 1	Starland County (and Drumheller)
Greenview No. 16	Stettler County No. 6
Kneehill County	Strathcona County (and Elk Island)
Lac La Biche (Lakeland) County	Sturgeon County
Lac Ste. Anne County	Thorhold County No. 7
Lacombe County	Two Hills County No. 21
Lamont County	Vermilion River County No. 24
Leduc County	Wainwright No. 61
Lesser Slave Lake No. 124	Westlock County
Minburn County No. 27	Wetaskiwin County No. 10
Mountain View County	Wheatland County
Northern Lights County	Woodlands County
	Yellowhead County

**CHAPTER G-5.1 REG 150***The Government Organization Act*

## Section 12

Order in Council 396/2010, dated June 29, 2010

(Filed June 30, 2010)

**Title**

**1** These regulations may be cited as *The Ministry of Advanced Education, Employment and Immigration Regulations*.

**Ministry continued**

**2** The department of the Government of Saskatchewan called the Ministry of Advanced Education, Employment and Labour is continued as the Ministry of Advanced Education, Employment and Immigration.

**Objects and purposes**

**3** The objects and purposes of the Ministry of Advanced Education, Employment and Immigration are the following:

- (a) to provide the structure wherein and whereby the powers, responsibilities and functions of the Minister of Advanced Education, Employment and Immigration may be exercised and carried out;
- (b) to co-ordinate, develop, implement, promote and enforce policies and programs of the Government of Saskatchewan related to:
  - (i) post-secondary education;
  - (ii) training and career-related services;
  - (iii) student financial support;
  - (iv) enhancing learning through the use of technology; and
  - (v) research and development at post-secondary educational institutions;
- (c) to co-ordinate, develop, implement, promote and enforce policies and programs of the Government of Saskatchewan with respect to post-secondary French language education and job-related training in the French language;
- (d) to co-ordinate, develop, promote and implement policies and programs of the Government of Saskatchewan related to promoting the economic independence and self-reliance of individuals with the following objectives:
  - (i) increasing participation in the labour market;
  - (ii) helping individuals match their employable skills to the needs of employers and the labour market;
- (e) to co-ordinate, develop, implement, promote and enforce policies and programs of the Government of Saskatchewan related to support for employers in meeting their labour market needs;

- (f) to co-ordinate, develop, promote and implement policies and programs of the Government of Saskatchewan related to career and employment training and services;
- (g) to attract immigrants for the following purposes:
  - (i) to contribute to Saskatchewan's economy;
  - (ii) to meet the labour market needs of employers;
  - (iii) to establish businesses in Saskatchewan;
  - (iv) to join their family members who are already resident in Saskatchewan or to join Saskatchewan communities whose members have a similar culture or origin;
- (h) to assist immigrants and refugees in settling and integrating in Saskatchewan communities and workplaces;
- (i) to facilitate the acceptance and reception of immigrants and refugees in Saskatchewan communities and workplaces.

**R.R.S. c. G-5.1 Reg 129 repealed**

4 *The Ministry of Advanced Education, Employment and Labour Regulations, 2007* are repealed.

**Coming into force**

5 These regulations come into force on June 29, 2010.

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**CHAPTER G-5.1 REG 151**

*The Government Organization Act*

Section 12

Order in Council 397/2010, dated June 29, 2010

(Filed June 30, 2010)

**Title**

1 These regulations may be cited as *The Ministry of Labour Relations and Workplace Safety Regulations*.

**Department continued**

2 A department of the Government of Saskatchewan to be called the Ministry of Labour Relations and Workplace Safety is established.

**Objects and purposes**

3 The objects and purposes of the Ministry of Labour Relations and Workplace Safety are the following:

- (a) to provide the structure wherein and whereby the powers, responsibilities and functions of the Minister of Labour Relations and Workplace Safety may be exercised and carried out;

(b) to develop, promote and implement policies and programs of the Government of Saskatchewan relating to workplace issues and labour-management issues;

(c) to develop, promote, implement and enforce employment standards;

(d) to develop, promote, implement and enforce policies and standards relating to workplaces and working conditions that are safe and healthy for employees;

(e) to support and assist employees and employers in the establishment of safe, fair and productive workplaces.

**Coming into force**

4 These regulations come into force on June 29, 2010.

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## **SASKATCHEWAN REGULATIONS 67/2010**

### *The Animal Products Act*

Sections 15 and 18

Order in Council 387/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

1 These regulations may be cited as *The Domestic Game Farm Animal Amendment Regulations, 2010*.

**R.R.S. c.A-20.2 Reg 10 amended**

2 *The Domestic Game Farm Animal Regulations* are amended in the manner set forth in these regulations.

**Section 4 amended**

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

- (a) by adding “and” after clause (a);
- (b) by striking out “and” after clause (b); and
- (c) by repealing clause (c).

**Section 6 amended**

4 **Subsection 6(2) is amended:**

- (a) by adding “and” after clause (a);
- (b) by striking out “and” after clause (b); and
- (c) by repealing clause (c).

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 68/2010***The Wildlife Habitat Protection Act*

Sections 3 and 9

Order in Council 388/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

1 These regulations may be cited as *The Treaty Land Entitlement Withdrawal Amendment Regulations, 2010*.

**R.R.S. c.W-13.2 Reg 2, Appendix amended**

2 **The Appendix to *The Treaty Land Entitlement Withdrawal Regulations* is amended by adding the following item after item 89:**

“90 All those lands in Township 49, in Range 16, west of the Second Meridian, described as follows:

- (a) the north-east quarter of Section 8;
- (b) the north half of Section 21”.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 69/2010***The Tobacco Tax Act, 1998*

Section 34

Order in Council 389/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

1 These regulations may be cited as *The Tobacco Tax Amendment Regulations, 2010*.

**R.R.S. c.T-15.001 Reg 1 amended**

2 *The Tobacco Tax Regulations, 1998* are amended in the manner set forth in these regulations.

**New section 2**

3 **Section 2 is repealed and the following substituted:**

**“Interpretation**

2(1) In these regulations:

- (a) ‘**Act**’ means *The Tobacco Tax Act, 1998*;
- (b) ‘**identification card**’ means a certificate of Indian status issued pursuant to the *Indian Act* (Canada) indicating that the holder is an Indian, if the minister has agreed with the issuer of the card to accept the card for the purposes of the Act and these regulations;
- (c) ‘**reserve**’ means a reserve as defined in the *Indian Act* (Canada).

(2) In the Act and in these regulations:

(a) **'cigar'** means a tobacco product that:

(i) is sold as a cigar, cigarillo, mini-cigar or cheroot; or

(ii) is in the form of a roll or tube that:

(A) is intended for smoking; and

(B) is composed of:

(I) a filler of natural tobacco, reconstituted tobacco or natural and reconstituted tobacco; and

(II) a wrapper, or binder and wrapper, composed of natural tobacco, reconstituted tobacco or natural and reconstituted tobacco in which the filler is contained;

and that may include a mouthpiece, tip or filter;

(b) **'cigarette'** includes any tobacco product in the form of a roll or tube that is intended for smoking, other than a cigar or tobacco stick;

(c) **'fine cut tobacco'** means loose tobacco that has been refined to a state where it can be formed into a cigarette or tobacco stick;

(d) **'interprovincial transporter'** means the operator or registered owner of a vehicle who engages in the transportation of tobacco for a consideration and who operates for that purpose:

(i) one or more commercial vehicles inside and outside Saskatchewan;

(ii) railway equipment on rails in connection with or as part of a public transportation system inside and outside Saskatchewan; or

(iii) aircraft, if the operator is approved as a carrier of goods or passengers under the *Aeronautics Act* (Canada) or the *National Transportation Act, 1987* (Canada);

and includes a consignee or consignor of tobacco who is not the holder of an authorization to mark tobacco;

(e) **'reconstituted tobacco'** means a product that is composed of at least 50% tobacco;

(f) **'tax-exempt sale'** means a sale of tobacco to a person made without collecting the tax imposed by the Act from that person;

(g) **'tobacco stick'** means any tobacco product in the form of a roll or tube that:

(i) is intended for smoking; and

(ii) requires further preparation before it can be smoked;

but does not include a cigar or cigarette;

- (h) **'unit'** means, with respect to tobacco products that are:
  - (i) cigarettes, one cigarette;
  - (ii) fine cut tobacco, one gram of fine cut tobacco;
  - (iii) cigars, one cigar;
  - (iv) tobacco sticks, one tobacco stick; or
  - (v) tobacco products other than one mentioned in subclauses (i) to (iv), one gram of the tobacco product;
- (i) **'vehicle'** includes any form of conveyance that is propelled by an internal combustion engine or turbine and includes any trailer, compartment, enclosure or receptacle contained in or on or attached to the conveyance.
- (3) For the purposes of the Act and these regulations, if a cigarette is greater than 102 millimetres in length:
  - (a) each 76-millimetre-long portion is to be considered as one cigarette; and
  - (b) the portion remaining after the 76-millimetre-long portions mentioned in clause (a) is to be considered as one cigarette.
- (4) For the purposes of the Act and these regulations, if a tobacco stick is greater than 90 millimetres in length:
  - (a) each 60-millimetre-long portion is to be considered as one tobacco stick; and
  - (b) the portion remaining after the 60-millimetre-long portions mentioned in clause (a) is to be considered as one tobacco stick.
- (5) For the purposes of the Act and these regulations, if a tobacco stick is greater than 800 milligrams in weight:
  - (a) each 650-milligram-portion is to be considered as one tobacco stick; and
  - (b) the portion remaining after the 650-milligram-portions mentioned in clause (a) is to be considered as one tobacco stick”.

**New section 4**

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

**“Prescribed tobacco**

**4** For the purposes of clause 2(i) of the Act, **'prescribed tobacco'** means cigars, raw leaf tobacco, pipe tobacco, snuff or chewing tobacco on which tax has been paid pursuant to section 3 of the Act”.

**New section 5****5 Section 5 is repealed and the following substituted:****“Payment and remittance of tax by growers and manufacturers****5(1) For the purposes of clause 3(1)(b) of the Act:**

- (a) a person growing tobacco in Saskatchewan for commercial purposes shall pay tax to the Crown at the time that the person sells or provides the tobacco to another person in Saskatchewan; and
- (b) a person manufacturing tobacco products for commercial purposes shall pay tax to the Crown at the time the person:
  - (i) acquires or receives the tobacco in Saskatchewan from another person; or
  - (ii) in the case of imported tobacco, at the time of importation of the tobacco into Saskatchewan.

**(2) For the purposes of clause 4(1)(a) of the Act:**

- (a) every recipient who grows tobacco in Saskatchewan for commercial purposes shall remit the tax to the minister at the time that the person sells or provides the tobacco to another person in Saskatchewan; and
- (b) every recipient who manufactures a tobacco product in Saskatchewan for commercial purposes or who imports tobacco into Saskatchewan shall remit the tax to the minister at the time the person:
  - (i) acquires or receives the tobacco in Saskatchewan from another person; or
  - (ii) in the case of imported tobacco, at the time of importation of the tobacco into Saskatchewan”.

**New sections 6.1 to 6.7****6 The following sections are added after section 6:****“Limits on purchase and possession****6.1(1) For the purposes of subsection 11(2.3) of the Act, the prescribed amount of tobacco that is black stock that an exempt consumer may:**

- (a) purchase per week is 200 units of tobacco products; and
- (b) possess is 800 units of tobacco products.

**(2) For the purposes of subclause 11(4)(b)(i) of the Act, the prescribed amount of unmarked tobacco that an importing consumer may possess is:**

- (a) 200 cigarettes;
- (b) 200 tobacco sticks;
- (c) 200 grams of loose tobacco; and
- (d) 50 cigars.

**“Approvals and permits re black stock tobacco**

**6.2(1)** An exempt consumer may apply to the minister to obtain an approval or permit pursuant to this section to purchase from an exempt sale retailer tobacco that is black stock in an amount that is greater than the amount prescribed in clause 6.1(1)(a).

(2) An application pursuant to this section:

(a) must be made on or before the date and time at which the exempt consumer purchases the tobacco that is black stock from the exempt sale retailer;

(b) must be signed by the applicant;

(c) must contain the following information:

(i) the number on the applicant’s identification card;

(ii) the name, address and telephone number of the exempt consumer;

(iii) the amount of tobacco that is black stock that the exempt consumer intends to purchase;

(iv) the intended use of, or purpose for, purchasing the tobacco that is black stock; and

(v) any other information that the minister may reasonably require to determine whether or not to approve the application; and

(d) must be made in the manner and in the form that the minister may require.

(3) On receipt of an application pursuant to this section, the minister may:

(a) approve the application and issue an approval or permit if the minister is satisfied that:

(i) the tobacco that is black stock is:

(A) being purchased for a ceremonial or cultural event, including a powwow, round dance or sundance ceremony, funeral or wake; and

(B) not for resale and not for export to another jurisdiction; or

(ii) the exempt consumer who made the application:

(A) resides in a remote or isolated location and requires approval to purchase greater amounts of tobacco that is black stock on an infrequent or occasional basis; and

(B) will not, over a period of four weeks, purchase an amount of tobacco that is black stock in excess of four times the amount prescribed in clause 6.1(1)(a); or

- (b) reject the application if the minister is satisfied that the person:
  - (i) has contravened any provision of the Act or these regulations;
  - (ii) has failed to comply with the terms of a previous approval or permit issued to the person pursuant to the Act and these regulations; or
  - (iii) will use or deal with the tobacco that is black stock to be purchased in a manner or for a purpose other than one contemplated by the Act, these regulations or in the application.
- (4) If the minister rejects an application pursuant to clause (3)(b), the minister shall provide reasons for the rejection to the person who made the application on the request of that person.
- (5) In an approval or permit issued pursuant to this section, the minister shall set out:
  - (a) a number for the approval or permit;
  - (b) the date of issue and the expiry date;
  - (c) the maximum amount of tobacco that is black stock that the exempt consumer may purchase; and
  - (d) any other information that the minister considers necessary.
- (6) The minister may:
  - (a) issue an approval or permit in any form, including an electronic form, that the minister may consider appropriate; and
  - (b) issue the approval or form to the exempt consumer who applied for it or to the exempt sale retailer from whom the exempt consumer intends to purchase the tobacco that is black stock.
- (7) An approval or permit issued pursuant to this section is valid for the period stated on the approval or permit.

**“Restrictions on tax-exempt sales**

- 6.3(1)** For the purposes of subsection 11(2.5) of the Act, no exempt sale retailer shall sell to an exempt consumer, in any week, tobacco that is black stock in an amount greater than the amount mentioned in clause 6.1(1)(a) without an approval or permit being issued to the exempt consumer pursuant to section 6.2.
- (2) If an approval or permit has been issued to an exempt consumer pursuant to section 6.2, the exempt sale retailer may sell tobacco that is black stock to that exempt consumer in an amount not greater than the sum of:
    - (a) the amount prescribed in clause 6.1(1)(a); and
    - (b) the amount of tobacco that is black stock that is set out in the approval or permit.

- (3) Every exempt sale retailer shall:
- (a) maintain a record of all sales to exempt consumers; and
  - (b) with respect to each sale mentioned in clause (a), report details of the sale to the minister along with the exempt sale retailer's next application for a refund.
- (4) No exempt sale retailer shall make a tax-exempt sale to a person if the exempt sale retailer knows or ought reasonably to know that:
- (a) in the case of a sale to an exempt consumer, the sale, together with other tax-exempt sales by any other retailer to the exempt consumer, will result in the exempt consumer purchasing through tax-exempt sales in a single week more than:
    - (i) 200 units of tobacco products; or
    - (ii) if the exempt consumer has been issued an approval or permit pursuant to section 6.2, the sum of:
      - (A) 200 units of tobacco products; and
      - (B) the amount of tobacco that the exempt consumer is authorized to purchase pursuant to the approval or permit; or
  - (b) the tobacco being purchased will be used in a manner or for a purpose other than one contemplated by the Act or these regulations.

**“Registration of exempt sale retailers**

- 6.4(1)** A person who intends to become registered as an exempt sale retailer shall apply to the minister in a form provided by the minister with respect to each location from which the person intends to make tax-exempt sales.
- (2) An application for registration as an exempt sale retailer must be made in a form and manner determined by the minister and must be accompanied by any information that the minister may reasonably require.
- (3) On receipt of an application pursuant to subsection (1) and of any additional information that the minister may reasonably require, the minister may:
- (a) register the person as an exempt sale retailer and assign a registration number to the person; or
  - (b) reject the application.
- (4) If the minister rejects an application pursuant to clause (3)(b), the minister shall provide reasons for the rejection to the person who made the application.
- (5) At the time a registration is made or at any subsequent time, the minister may impose any terms and conditions on a registration that the minister considers necessary.

(6) At any time after a registration is made, the minister may do all or any of the following:

- (a) amend, modify or vary terms and conditions imposed on a registration;
- (b) impose new terms and conditions on a registration;
- (c) repeal terms and conditions imposed on a registration and substitute new terms and conditions in their place.

(7) Without restricting the generality of subsection (5) or (6), as a condition of registration the minister may:

- (a) require an exempt sale retailer to complete, maintain and submit records in an electronic format that relate to the importation, storage, transportation, sale or marking of tobacco;
- (b) for the purposes of clause (a), determine the nature and form of the records to be maintained by the exempt sale retailer;
- (c) require the exempt sale retailer to make returns at those times and in the manner directed by the minister and containing the information the minister may direct;
- (d) require an exempt sale retailer to comply with a standard of accounting that the minister may direct;
- (e) require an exempt sale retailer to make an inventory of tobacco that is in the control or possession of the exempt sale retailer as at any date directed by the minister; and
- (f) for the purpose of reporting tax-exempt sales, require an exempt sale retailer to use point of sale equipment and software approved by the minister and to maintain that equipment and software as required by the minister.

(8) The minister may cancel, or suspend for any period the minister considers appropriate, the registration of an exempt sale retailer if the minister is satisfied that the exempt sale retailer has contravened or failed to comply with:

- (a) any provision of the Act or these regulations;
- (b) any provision of any other revenue Act within the meaning of Part III of *The Revenue and Financial Services Act* or of any regulations made pursuant to any of those Acts; or
- (c) any term or condition imposed on the exempt sale retailer's registration.

(9) Subject to subsections (10) and (11), before the minister cancels or suspends the registration of an exempt sale retailer, the minister shall provide written notice to the exempt sale retailer and give that exempt sale retailer an opportunity to make written representations as to why the registration should not be cancelled or suspended.

(10) Subject to subsection (11), if the minister considers it to be necessary to do so for the purposes of the Act and these regulations, the minister may cancel or suspend the registration of an exempt sale retailer without providing any written notice.

(11) If the minister cancels or suspends a registration pursuant to subsection (10), the minister shall, as soon as possible after the cancellation or suspension:

- (a) give written notice of the cancellation or suspension to the exempt sale retailer; and
- (b) give the exempt sale retailer an opportunity to make written representations respecting the cancellation or suspension.

**“Registration as duty free shop**

**6.5(1)** A person who intends to become registered to operate as a duty free shop shall apply to the minister in a form provided by the minister with respect to each location from which the person intends to make tax-exempt sales.

(2) An application for registration to operate as a duty free shop must be made in a form and manner determined by the minister and must be accompanied by any information that the minister may reasonably require.

(3) On receipt of an application pursuant to subsection (1) and of any additional information that the minister may reasonably require, the minister may:

- (a) register the person to operate as a duty free shop; or
- (b) reject the application.

(4) If the minister rejects an application pursuant to clause (3)(b), the minister shall provide reasons for the rejection to the person who made the application.

(5) At the time a registration is made or at any subsequent time, the minister may impose any terms and conditions on a registration that the minister considers necessary.

(6) At any time after a registration is made, the minister may do all or any of the following:

- (a) amend, modify or vary terms and conditions imposed on a registration;
- (b) impose new terms and conditions on a registration;
- (c) repeal terms and conditions imposed on a registration and substitute new terms and conditions in their place.

(7) The minister may cancel, or suspend for any period the minister considers appropriate, the registration of a duty free shop if the minister is satisfied that the person operating the duty free shop has contravened or failed to comply with:

- (a) any provision of the Act or these regulations;
- (b) any provision of any other revenue Act within the meaning of Part III of *The Revenue and Financial Services Act* or of any regulations made pursuant to any of those Acts; or
- (c) any term or condition imposed on the registration of the duty free shop.

(8) Subject to subsections (9) and (10), before the minister cancels or suspends the registration of a duty free shop, the minister shall provide written notice to the person operating the duty free shop and give that person an opportunity to make written representations as to why the registration should not be cancelled or suspended.

(9) Subject to subsection (10), if the minister considers it to be necessary to do so for the purposes of the Act and these regulations, the minister may cancel or suspend the registration of a duty free shop without providing any written notice.

(10) If the minister cancels or suspends a registration pursuant to subsection (9), the minister shall, as soon as possible after the cancellation or suspension:

(a) give written notice of the cancellation or suspension to the person operating the duty free shop; and

(b) give the person operating the duty free shop an opportunity to make written representations respecting the cancellation or suspension.

**“Requirements re records and retention periods**

**6.6(1)** For the purposes of clause 11(1)(c) and paragraph 11(1)(d)(i)(B) of the Act, the prescribed records that a licensed manufacturer or licensed importer must maintain and submit to the minister are the records required pursuant to Part III of *The Revenue and Financial Services Act* and pursuant to *The Revenue Collection Administration Regulations*.

(2) For the purposes of subclause 11(1)(d)(ii) of the Act, the prescribed period for which a licensed manufacturer or licensed importer shall retain evidence is the period required pursuant to Part III of *The Revenue and Financial Services Act* and pursuant to *The Revenue Collection Administration Regulations*.

**“Refunds to exempt sale retailers re tax-exempt sales**

**6.7(1)** To obtain a refund of tax paid on tobacco that is black stock and on tobacco products mentioned in section 4, an exempt sale retailer shall:

(a) submit transactions respecting the tax-exempt sales in the form and manner required by the minister;

(b) submit purchase invoices for the tobacco; and

(c) submit exempt sale application forms, permits or approvals signed by the exempt consumer to whom the tobacco was sold to support sales that are greater than the amounts prescribed in subsection 6.1(1).

(2) An application for a refund pursuant to subsection (1) must be made in the form and contain any information that the minister may require.

(3) The minister may require an exempt sale retailer who submits an application pursuant to subsection (1) to provide the minister with evidence satisfactory to the minister to establish that the exempt sale retailer has:

- (a) paid for the tobacco with respect to which application for the refund is made;
- (b) paid the tax on the tobacco mentioned in clause (a);
- (c) complied with section 6.3; and
- (d) sold the tobacco on a reserve to exempt consumers.

(4) Notwithstanding any other provision of these regulations, no exempt sale retailer may receive a refund of tax paid on tobacco that is black stock or on tobacco products mentioned in section 4 sold by the exempt sale retailer to an exempt consumer in excess of:

- (a) 200 units of tobacco each week; and
- (b) the amount of tobacco that the exempt consumer is authorized to purchase in an approval or permit issued to the exempt consumer pursuant to section 6.2.

(5) On receipt of an application pursuant to subsection (1) and of any additional information that the minister may reasonably require, the minister may:

- (a) approve the application and pay all of the refund applied for or approve and pay that portion of the refund applied for that, in the minister's opinion, the exempt sale retailer is entitled to in accordance with the Act and these regulations; or
- (b) reject the application.

(6) If the minister approves payment of only a portion of the refund applied for or rejects the application, the minister shall:

- (a) give written reasons for the minister's decision to the exempt sale retailer who made the application; and
- (b) give the exempt sale retailer an opportunity to make written representations respecting the minister's decision".

**Section 11 amended**

**7 Clause 11(2)(b) is amended by striking out “*The Education and Health Tax Act*” and substituting “*The Provincial Sales Tax Act*”.**

**Coming into force**

8(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Tobacco Tax Amendment Act, 2010* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Tobacco Tax Amendment Act, 2010* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

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**SASKATCHEWAN REGULATIONS 70/2010***The Auctioneers Act*

## Section 20

Order in Council 390/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

1 These regulations may be cited as *The Auctioneers Amendment Regulations, 2010*.

**R.R.S. c.A-34 Reg 2 amended**

2 *The Auctioneers Regulations* is amended in the manner set forth in these regulations.

**Section 2 amended**

3 **Section 2 is amended:**

- (a) in clause (a) by striking out “\$125” and substituting “\$150”; and
- (b) in clause (b) by striking out “\$625” and substituting “\$750”.

**Section 3 amended**

4 **Section 3 is amended by striking out** “under “The Livestock Dealer Regulations”, being Sask. Reg. 240/78 made pursuant to *The Animals Products Act,*” **and substituting** “pursuant to *The Livestock Dealer Regulations, 1995*”.

**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.

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**SASKATCHEWAN REGULATIONS 71/2010***The Collection Agents Act*

## Section 33

Order in Council 391/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

1 These regulations may be cited as *The Collection Agents Amendment Regulations, 2010*.

**R.R.S. c.C-15 Reg 1, section 3 amended**

2 **Section 3 of *The Collection Agents Regulations* is amended:**

- (a) in clause (a) by striking out “\$250” and substituting “\$300”; and
- (b) in clause (b) by striking out “\$1,250” and substituting “\$1,500”.

**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.

**SASKATCHEWAN REGULATIONS 72/2010***The Credit Reporting Act*

Section 50

Order in Council 392/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

1 These regulations may be cited as *The Credit Reporting Amendment Regulations, 2010*.

**R.R.S. c.C-43.2 Reg 1, section 4 amended**

2 **Section 4 of *The Credit Reporting Regulations* is amended by striking out “\$300” and substituting “\$360”.**

**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 73/2010***The Direct Sellers Act*

Section 35

Order in Council 393/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

1 These regulations may be cited as *The Direct Sellers Amendment Regulations, 2010*.

**R.R.S. c.D-28 Reg 2, new section 5**

2 **Section 5 of *The Direct Sellers Regulations, 1997* is repealed and the following substituted:**

**“Licence fee**

5(1) The annual fee payable to the registrar for a vendor’s licence is:

- (a) if the vendor’s salespersons are exempt from licensing pursuant to section 4, \$550;
- (b) if no salesperson acts or will act for or on behalf of the vendor, \$220; or
- (c) in the case of any other vendor, \$412.50.

(2) The annual fee payable to the registrar for a salesperson’s licence is \$110”.

**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 74/2010***The Film and Video Classification Act*

Section 16

Order in Council 394/2010, dated June 24, 2010

(Filed June 25, 2010)

**Title**

**1** These regulations may be cited as *The Film and Video Classification Amendment Regulations, 2010*.

**R.R.S. c.F-13.2 Reg 2, section 6 amended**

**2** Section 6 of *The Film and Video Classification Regulations, 1997* is amended:

- (a) in clause (a) by striking out “\$400” and substituting “\$440”; and
- (b) in clause (b) by striking out “\$30” and substituting “\$50”.

**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 75/2010***The Government Organization Act*

Section 12

Order in Council 398/2010, dated June 29, 2010

(Filed June 30, 2010)

**Title**

**1** These regulations may be cited as *The Ministry of Social Services Amendment Regulations, 2010*.

**R.R.S., c.G-5.1 Reg 145 amended**

**2** *The Ministry of Social Services Regulations, 2007* are amended in the manner set forth in these regulations.

**Section 3 amended****3 Section 3 is amended:**

(a) by renumbering it as subsection 3(1); and

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

“(2) In addition to the objects and purposes mentioned in subsection (1), the objects and purposes of the Ministry of Social Services are the following:

(a) to provide the structure wherein and whereby the powers, responsibilities and functions of the Minister Responsible for the Status of Women may be exercised and carried out;

(b) to monitor programs, services and initiatives of the Government of Saskatchewan to determine their impact on women and on families and to recommend modifications to those programs, services and initiatives”.

**Coming into force**

4 These regulations come into force on June 29, 2010.



