



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 107

REGINA, FRIDAY, JUNE 10, 2011/REGINA, VENDREDI, 10 JUIN 2011

No. 23/n° 23

PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

TABLE OF CONTENTS/TABLE DES MATIÈRES

SR 33/2011	<i>The Disability Housing Supplement Amendment Regulations, 2011 (No. 2)</i>	139
SR 34/2011	<i>The Rental Housing Supplement Amendment Regulations, 2011 (No. 2)</i>	142
SR 36/2011	<i>The Social Services Rehabilitation Institutional Collective Benefit Funds and Trust Account Amendment Regulations, 2011</i>	144
SR 37/2011	<i>The Education Amendment Regulations, 2011</i>	145
SR 38/3011 / RS 38/2011	<i>The Justices of the Peace Amendment Regulations, 2011 / Règlement de 2011 modifiant le Règlement de 1989 sur les juges de paix</i>	148/149
SR 39/2011	<i>The Workers' Compensation General Amendment Regulations, 2011</i>	156
SR 40/2011	<i>The Reservoir Development Area Amendment Regulations, 2011</i> ..	157

Revised Regulations of Saskatchewan 2011/ Règlements Révisés de la Saskatchewan 2011

June 3, 2011

<i>The Adult and Youth Group Homes Amendment Regulations, 2011</i>	SR 25/2011
<i>The Health Centres (Hospital Standards Adoption) Amendment Regulations, 2011</i>	SR 26/2011
<i>The Regional Health Services Administration Amendment Regulations, 2011</i>	SR 29/2011
<i>The Facility Designation Amendment Regulations, 2011</i>	SR 30/2011
<i>The Municipal Grants Amendment Regulations, 2011</i>	SR 31/2011
<i>The Northern Municipalities Amendment Regulations, 2011</i>	SR 32/2011

June 10, 2011

<i>The Disability Housing Supplement Amendment Regulations, 2011 (No. 2)</i>	SR 33/2011
<i>The Rental Housing Supplement Amendment Regulations, 2011 (No. 2)</i>	SR 34/2011
<i>The Social Services Rehabilitation Institutional Collective Benefit Funds and Trust Account Amendment Regulations, 2011</i>	SR 36/2011
<i>The Education Amendment Regulations, 2011</i>	SR 37/2011
<i>The Justices of the Peace Amendment Regulations, 2011 / Règlement de 2011 modifiant le Règlement de 1989 sur les juges de paix</i>	SR 38/3011 / RS 38/2011
<i>The Workers' Compensation General Amendment Regulations, 2011</i>	SR 39/2011
<i>The Reservoir Development Area Amendment Regulations, 2011</i>	SR 40/2011

REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 33/2011

The Saskatchewan Assistance Act

Section 14

Order in Council 322/2011, dated May 26, 2011

(Filed May 27, 2011)

Title

1 These regulations may be cited as *The Disability Housing Supplement Amendment Regulations, 2011* (No. 2).

R.R.S. c.S-8 Reg 8 amended

2 *The Disability Housing Supplement Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 Subsection 2(2) is repealed.

Section 7 amended

4 Subsection 7(3) is amended:

(a) in clause (d) by striking out “set out in Table 1 or Table 2, determined” and substituting “determined by the minister”;

(b) in clause (e) by striking out “set out in Table 3 or Table 4, determined” and substituting “determined by the minister”;

(c) in clause (f) by striking out “in accordance with Table 5” and substituting “by the minister”; and

(d) in clause (g) by striking out “in accordance with Table 6” and substituting “by the minister”.

Section 11 amended

5(1) Subsection 11(3) is amended by striking out “set out in Table 1 for” and substituting “determined by the minister pursuant to clause 7(3)(d) based on”.

(2) Subsection 11(4) is amended by striking out “set out in Table 2 for” and substituting “determined by the minister pursuant to clause 7(3)(d) based on”.

(3) Subsection 11(5) is amended by striking out “set out in Table 3 for” and substituting “determined by the minister pursuant to clause 7(3)(e) based on”.

(4) Subsection 11(6) is amended by striking out “set out in Table 4 for” and substituting “determined by the minister pursuant to clause 7(3)(e) based on”.

Section 13 amended

6 Section 13 is amended in the portion preceding clause (a) by striking out “set out in Table 7, determined” and substituting “determined by the minister”.

Section 14 amended

7 Section 14 is amended in the portion preceding clause (a) by striking out “set out in Table 8, determined” and substituting “determined by the minister”.

Section 15 amended

8(1) Subsection 15(3) is repealed and the following substituted:

“(3) The amount, if any, by which an eligible family unit’s maximum DHS benefit is to be reduced for a benefit month is the amount R, if it is positive, calculated in accordance with the following formula:

$$R = RR\% \times (E - ITP)$$

where:

RR is the reduction rate determined by the minister on the basis of:

- (a) the composition of the family unit; and
- (b) the type of supplement for which the calculation is being made;

E is the eligible income of the eligible family unit for the benefit month; and

ITP is the income turning point determined by the minister for the composition of the family unit”.

(2) Subsection 15(4) is amended in the portion preceding clause (a) by striking out “set out in Table 11, determined” and substituting “determined by the minister”.

Section 15.1 amended

9(1) Clause 15.1(1)(b) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

(2) Subsection 15.1(2) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

Section 15.2 amended

10(1) Clause 15.2(1)(b) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

(2) Subsection 15.2(2) is amended by striking out “set out in Table 1, 2, 3, or 4, as determined” and substituting “determined by the minister”.

Section 15.3 amended

11(1) Clause 15.3(1)(b) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

(2) Subsection 15.3(2) is amended by striking out “set out in Table 1, 2, 3, or 4, as determined” and substituting “determined by the minister”.

Section 15.4 amended

12(1) Clause 15.4(1)(b) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

(2) Subsection 15.4(2) is amended by striking out “set out in Table 1, 2, 3, or 4, as determined” and substituting “determined by the minister”.

Section 15.5 amended

13(1) Clause 15.5(1)(b) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

(2) Subsection 15.5(2) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

Section 15.6 amended

14 Clause 15.6(1)(c) is amended by adding “, as that table existed on the day before the coming into force of *The Disability Housing Supplement Amendment Regulations, 2010*” after “subsection 15(4)”.

Section 15.7 amended

15(1) Clause 15.7(1)(b) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

(2) Subsection 15.7(2) is amended by striking out “set out in Table 1, 2, 3, or 4, as determined” and substituting “determined by the minister”.

Section 15.8 amended

16(1) Clause 15.8(1)(b) is amended by striking out “set out in Table 1, 2, 3 or 4, as determined” and substituting “determined by the minister”.

(2) Subsection 15.8(2) is amended by striking out “set out in Table 1, 2, 3, or 4, as determined” and substituting “determined by the minister”.

Appendix repealed

17 The Appendix is repealed.

Coming into force

18(1) Subject to subsection (2), these regulations come into force on June 1, 2011.

(2) If these regulations are filed with the Registrar of Regulations after June 1, 2011, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 34/2011*The Saskatchewan Assistance Act*

Section 14

Order in Council 323/2011, dated May 26, 2011

(Filed May 27, 2011)

Title

1 These regulations may be cited as *The Rental Housing Supplement Amendment Regulations, 2011 (No. 2)*.

R.R.S. c.S-8 Reg 7 amended

2 *The Rental Housing Supplement Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Subsection 2(2) is repealed.**

Section 6 amended

4 **Subsection 6(3) is amended:**

(a) **in clause (d) by striking out** “set out in Table 1 or Table 2, determined” **and substituting** “determined by the minister”; **and**

(b) **in clause (e) by striking out** “in accordance with Table 3” **and substituting** “by the minister”.

Section 9 amended

5(1) **Subsection 9(3) is amended by striking out** “set out in Table 1 for” **and substituting** “determined by the minister pursuant to clause 6(3)(d) based on”.

(2) **Subsection 9(4) is amended by striking out** “set out in Table 2 for” **and substituting** “determined by the minister pursuant to clause 6(3)(d) based on”.

Section 11 amended

6(1) **Subsection 11(1) is amended by striking out** “set out in Table 4, determined” **and substituting** “determined by the minister”.

(2) **Subsection 11(3) is repealed and the following substituted:**

“(3) The amount, if any, by which an eligible family unit’s maximum RHS benefit is to be reduced for a benefit month is the amount R, if it is positive, calculated in accordance with the following formula:

$$R = RR\% \times (E - ITP)$$

where:

RR is the reduction rate determined by the minister on the basis of the composition of the family unit;

E is the eligible income of the eligible family unit for the benefit month; and

ITP is the income turning point determined by the minister for the composition of the family unit”.

(3) Subsection 11(4) is amended by striking out “set out in Table 6, determined” and substituting “determined by the minister”.

Section 11.1 amended

7(1) Clause 11.1(1)(b) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

(2) Subsection 11.1(2) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

Section 11.2 amended

8(1) Clause 11.2(1)(b) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

(2) Subsection 11.2(2) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

Section 11.3 amended

9(1) Clause 11.3(1)(b) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

(2) Subsection 11.3(2) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

Section 11.4 amended

10(1) Clause 11.4(1)(b) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

(2) Subsection 11.4(2) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

Section 11.5 amended

11(1) Clause 11.5(1)(b) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

(2) Subsection 11.5(2) is amended by striking out “set out in Table 1, or Table 2, as determined” and substituting “determined by the minister”.

Section 11.6 amended

12 Clause 11.6(1)(c) is amended by striking out “as the case may be” and substituting “as that table existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2010*”.

Section 11.7 amended

13(1) Clause 11.7(1)(b) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

(2) Subsection 11.7(2) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

Section 11.8 amended

14(1) Clause 11.8(1)(b) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

(2) Subsection 11.8(2) is amended by striking out “set out in Table 1 or Table 2, as determined” and substituting “determined by the minister”.

Section 11.9 amended

15 Clause 11.9(1)(c) is amended by adding “, as that table existed on the day before the coming into force of *The Rental Housing Supplement Amendment Regulations, 2011*,” after “mentioned in subsection 11(4)”.

Appendix repealed

16 The Appendix is repealed.

Coming into force

17(1) Subject to subsection (2), these regulations come into force on June 1, 2011.

(2) If these regulations are filed with the Registrar of Regulations after June 1, 2011, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 36/2011

The Department of Social Services Act

Section 13

Order in Council 325/2011, dated May 26, 2011

(Filed May 27, 2011)

Title

1 These regulations may be cited as *The Social Services Rehabilitation Institutional Collective Benefit Funds and Trust Account Amendment Regulations, 2011*.

R.R.S. c.D-23 Reg 3, section 6 amended

2 Subsection 6(5) of *The Social Services Rehabilitation Institutional Collective Benefit Funds and Trust Account Regulations* is amended by **striking out** “who are mentally retarded” and **substituting** “with intellectual disabilities”.

Coming into force

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

SASKATCHEWAN REGULATIONS 37/2011*The Education Act, 1995*

Section 370

Order in Council 326/2011, dated May 26, 2011

(Filed May 27, 2011)

Title**1** These regulations may be cited as *The Education Amendment Regulations, 2011*.**R.R.S. c.E-0.1 Reg 1 amended****2** *The Education Regulations, 1986* are amended in the manner set forth in these regulations.**Section 5 amended****3 Subsection 5(2) is repealed and the following substituted:**

“(2) Notwithstanding subsection (1), any person who, on or before May 29, 2009, was a member of the Saskatchewan League of Educational Administrators, Directors and Superintendents is eligible to be appointed as a director.

“(3) For the purpose of subsection (2), ‘**member**’ means member as defined in *The League of Educational Administrators, Directors and Superintendents Act, 1991*”.

Section 53 repealed**4 Section 53 is repealed.****New section 54****5 Section 54 is repealed and the following substituted:****“Driver education**

54(1) For the purposes of section 189 of the Act, a board of education and the conseil scolaire shall only offer a driver education and training program that is approved by the person designated as administrator pursuant to *The Traffic Safety Act*.

(2) Every board of education and the conseil scolaire shall retain an official record of pupil participation in the driver education and training program offered in its schools.

(3) Every board of education and the conseil scolaire shall submit to the minister at least once each year, in the form required by the minister, a record of every pupil who participates in the driver education and training program offered in its schools”.

Sections 55 and 56 repealed**6 Sections 55 and 56 are repealed.**

New Parts XIII.1 and XIII.2**7 The following Parts are added after section 59:**

**“PART XIII.1
Professional Misconduct**

“Professional misconduct

59.1(1) Without restricting the generality of clause 209.4(a) of the Act, the following conduct on the part of a teacher is harmful to the best interests of pupils or other members of the public and constitutes professional misconduct within the meaning of the Act:

- (a) emotionally abusive conduct, which is any intentional act or omission designed to humiliate or cause distress or loss of dignity, and which may include verbal or non-verbal behaviour;
 - (b) physically abusive conduct, which is any physical force that is excessive or inappropriate in the circumstances;
 - (c) sexually abusive conduct, which is inappropriate touching of a sexual nature that violates a person’s sexual integrity, whether consensual or not, and which includes sexual exploitation as defined in the *Criminal Code*.
- (2) Without restricting the generality of clause 209.4(b) of the Act, the following conduct on the part of a teacher tends to harm the standing of the profession and constitutes professional misconduct within the meaning of the Act:
- (a) an act or omission that, in the circumstances, would reasonably be regarded by the profession as disgraceful, dishonourable or unprofessional;
 - (b) being in violation of a law if the violation is relevant to the teacher’s suitability to hold a certificate of qualification or if the violation would reasonably be regarded as placing one or more pupils in danger;
 - (c) signing or issuing a document in the teacher’s professional capacity that the teacher knows or ought to know contains a false, improper or misleading statement;
 - (d) falsifying a record relating to the teacher’s professional responsibilities;
 - (e) providing false information or documents to the minister or to any other person with respect to the teacher’s professional qualifications.

**“PART XIII.2
Professional Conduct Committee**

“Professional conduct committee

59.2(1) A professional conduct committee established pursuant to section 230.3 of the Act shall consist of three persons appointed by the minister:

- (a) two of whom are teachers; and
- (b) one of whom does not hold a teacher’s certificate of qualification.

(2) The minister shall appoint the chairperson of the professional conduct committee”.

Coming into force

8(1) Subject to subsections (2) and (3), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Subject to subsection (3), section 7 of these regulations comes into force on the day on which clauses 45(a) and (b) of *The Education Amendment Act, 2009* come into force.

(3) If these regulations are filed with the Registrar of Regulations after the day on which clauses 45(a) and (b) of *The Education Amendment Act, 2009* come into force, section 7 of these regulations comes into force on the day on which these regulations are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 38/2011*The Justices of the Peace Act, 1988*

Section 15

Order in Council 327/2011, dated May 26, 2011

(Filed May 27, 2011)

Title

1 These regulations may be cited as *The Justices of the Peace Amendment Regulations, 2011*.

R.R.S. c.J-5.1 Reg 1 amended

2 *The Justices of the Peace Regulations, 1989* are amended in the manner set forth in these regulations.

New section 2

3 Section 2 is repealed and the following substituted:

“Interpretation

2 In these regulations:

‘**court**’ includes:

- (a) the Court of Appeal;
- (b) the Court of Queen’s Bench;
- (c) the Provincial Court of Saskatchewan;
- (d) the Traffic Safety Court of Saskatchewan; and
- (e) a court, other than one mentioned in clauses (a) to (d), presided over by a justice of the peace who is not a court official; (« *tribunal* »)

‘**ministry**’ means the ministry over which the minister presides.
(« *ministère* »).

Section 3 amended

4 Clause 3(b) of the English version is amended by striking out “department” and substituting “ministry”.

Section 4 amended

5 Clause 4(b) of the English version is amended by striking out “department” and substituting “ministry”.

Section 5 amended

6 Section 5 of the English version is amended:

- (a) by adding “or she” after “he”; and
- (b) by adding “or her” after “his”.

Section 6 amended

7(1) Subsection 6(1) is amended by striking out “subsections (2)” and substituting “subsections (4)”.

(2) Subsections 6(2) and (3) are repealed.

RÈGLEMENT DE LA SASKATCHEWAN 38/2011*Loi de 1988 sur les juges de paix*

Article 15

Décret 327/2011, en date du 26 mai 2011

(Déposé 27 mai 2011)

Titre**1** *Règlement de 2011 modifiant le Règlement de 1989 sur les juges de paix.***Modification du Règl. 1 des R.R.S. ch. J-5,1****2** Le *Règlement de 1989 sur les juges de paix* est modifié de la manière énoncée dans le présent règlement.**Nouvel article 2****3** L'article 2 est abrogé et remplacé par ce qui suit :**« Définitions****2** Les définitions qui suivent s'appliquent au présent règlement.**“ministère”** Le ministère placé sous l'autorité du ministre. (“*ministry*”)**“tribunal”** Vise notamment :

- a) la Cour d'appel;
- b) la Cour du Banc de la Reine;
- c) la Cour provinciale de la Saskatchewan;
- d) le Tribunal de la sécurité routière de la Saskatchewan;
- e) tout autre tribunal présidé par un juge de paix qui n'est pas fonctionnaire de justice. (“*court*”).

Modification de l'article 3**4** L'alinéa 3b) de la version anglaise est modifié par suppression de « department » et son remplacement par « ministry ».**Modification de l'article 4****5** L'alinéa 4b) de la version anglaise est modifié par suppression de « department » et son remplacement par « ministry ».**Modification de l'article 5****6** L'article 5 de la version anglaise est modifié :

- a) par adjonction de « or she » après « he »;
- b) par adjonction de « or her » après « his ».

Modification de l'article 6**7(1)** Le paragraphe 6(1) est modifié par suppression de « paragraphes (2) » et son remplacement par « paragraphes (4) ».**(2)** Les paragraphes 6(2) et (3) sont abrogés.

(3) Subsection 6(4) is amended:

(a) by striking out “subsections (1) to (3)” and substituting “subsection (1)”; and

(b) by striking out “La Loche,”.

(4) Subsection 6(5) is amended by striking out “subsections (1) to (4)” and substituting “subsections (1) and (4)”.

(5) Subsection 6(6) is amended by striking out “subsections (1) to (4)” and substituting “subsections (1) and (4)”.

Section 7 amended

8 Clause 7(b) is amended by striking out “presiding”.

Section 8 amended

9 Section 8 of the English version is amended in the portion following clause (b):

(a) by adding “or she” after “he”; and

(b) by adding “or her” after “his”.

Section 9 amended

10(1) Subsection 9(1) of the English version is amended by striking out “department” and substituting “ministry”.

(2) Subsection 9(2) of the English version is amended by striking out “department” wherever it appears and in each case substituting “ministry”.

New sections 10 to 12

11 Sections 10 to 12 are repealed and the following substituted:

“Categories of justices of the peace

10(1) The following categories of justices of the peace are established:

(a) senior justice of the peace;

(b) justice of the peace who is not a court official;

(c) justice of the peace who is a court official.

(2) Every justice of the peace who, in accordance with these regulations, on the day before the coming into force of *The Justices of the Peace Amendment Regulations, 2011*, was designated as:

(a) a senior presiding justice of the peace is continued as a senior justice of the peace;

(b) a presiding justice of the peace who is not a court official is continued as a justice of the peace who is not a court official; and

(c) a presiding justice of the peace who is a court official is continued as a justice of the peace who is a court official.

(3) Le paragraphe 6(4) est modifié :

- a) par suppression de « aux paragraphes (1) à (3) » et son remplacement par « au paragraphe (1) »;**
- b) par suppression de « à La Loche, ».**

(4) Le paragraphe 6(5) est modifié par suppression de « paragraphes (1) à (4) » et son remplacement par « paragraphes (1) et (4) ».

(5) Le paragraphe 6(6) est modifié par suppression de « paragraphes (1) à (4) » et son remplacement par « paragraphes (1) et (4) ».

Modification de l'article 7

8 L'alinéa 7b) est modifié par suppression de « magistrat ».

Modification de l'article 8

9 L'article 8 de la version anglaise est modifié dans le passage qui suit l'alinéa b) :

- a) par adjonction de « or she » après « he »;**
- b) par adjonction de « or her » après « his ».**

Modification de l'article 9

10(1) Le paragraphe 9(1) de la version anglaise est modifié par suppression de « department » et son remplacement par « ministry ».

(2) Le paragraphe 9(2) de la version anglaise est modifié par suppression de « department » chaque fois qu'il y apparaît et son remplacement chaque fois par « ministry ».

Nouveaux articles 10 à 12

11 Les articles 10 à 12 sont abrogés et remplacés par ce qui suit :

« Catégories de juges de paix

10(1) Sont créées les catégories suivantes de juges de paix :

- a) juge de paix supérieur;**
- b) juge de paix qui n'est pas fonctionnaire de justice;**
- c) juge de paix qui est fonctionnaire de justice.**

(2) Tout juge de paix qui, la veille de l'entrée en vigueur du *Règlement de 2011 modifiant le Règlement de 1989 sur les juges de paix*, portait, conformément au présent règlement, la désignation :

- a) de juge de paix magistrat supérieur, est maintenu dans ses fonctions en tant que juge de paix supérieur;**
- b) de juge de paix magistrat qui n'est pas fonctionnaire de justice, est maintenu dans ses fonctions en tant que juge de paix qui n'est pas fonctionnaire de justice;**
- c) de juge de paix magistrat qui est fonctionnaire de justice, est maintenu dans ses fonctions en tant que juge de paix qui est fonctionnaire de justice.**

“Duties of a justice of the peace

11(1) Subject to subsection (2), a justice of the peace who is not a court official may perform the duties and exercise the powers that have been conferred on a justice of the peace by:

- (a) common law;
 - (b) an Act or regulations;
 - (c) an Act of the Parliament of Canada or any regulations made pursuant to an Act of the Parliament of Canada; or
 - (d) a municipal bylaw.
- (2) A justice of the peace shall not:
- (a) subject to subsection (4), preside at a trial of an offence pursuant to an Act, regulation, Act of the Parliament of Canada or regulation made pursuant to an Act of the Parliament of Canada;
 - (b) conduct a preliminary inquiry pursuant to the *Criminal Code*; or
 - (c) exercise any jurisdiction pursuant to the *Criminal Code* if the competency of the accused to conduct a defence or his or her fitness to stand trial is at issue.
- (3) Subsection (2) does not preclude a justice of the peace from:
- (a) granting an adjournment of any of the proceedings mentioned in subsection (2); or
 - (b) accepting a guilty plea from and sentencing an accused charged with an offence punishable on summary conviction.
- (4) A senior justice of the peace may, in addition to performing the duties and exercising the powers of a justice of the peace who is not a court official, preside at a trial or other proceeding pursuant to:
- (a) an Act;
 - (b) a regulation made pursuant to an Act;
 - (c) an Act of the Parliament of Canada, other than the *Criminal Code*; or
 - (d) a regulation made pursuant to an Act of the Parliament of Canada.

“Duties of a justice of the peace who is a court official

12(1) A justice of the peace who is a court official may only exercise the powers and perform the duties mentioned in this section.

- (2) If a court has ordered that the process issue, a justice of the peace who is a court official may:
- (a) issue all forms of warrants of committal;
 - (b) issue a summons to a person charged with an offence;
 - (c) issue a warrant with respect to a person charged with an offence;

« Fonctions du juge de paix

11(1) Sous réserve du paragraphe (2), le juge de paix qui n'est pas fonctionnaire de justice peut exercer les pouvoirs et fonctions qui sont conférés à un juge de paix par :

- a) la common law;
 - b) une loi ou un règlement;
 - c) une loi fédérale ou un de ses règlements d'application;
 - d) un règlement municipal.
- (2) Il est interdit aux juges de paix :
- a) sous réserve du paragraphe (4), de présider un procès tenu pour une infraction à une loi, à un règlement, à une loi fédérale ou à un règlement pris en vertu d'une loi fédérale;
 - b) de tenir une enquête préliminaire en vertu du *Code criminel*;
 - c) d'exercer toute compétence s'autorisant du *Code criminel*, si la capacité de l'accusé d'assurer sa défense ou de subir son procès est en cause.
- (3) Le paragraphe (2) n'empêche pas un juge de paix :
- a) d'ajourner une procédure mentionnée dans ce paragraphe;
 - b) d'accepter un plaidoyer de culpabilité d'une personne accusée d'une infraction punissable sur déclaration de culpabilité par procédure sommaire et de lui infliger une peine.
- (4) Le juge de paix supérieur peut, en plus d'exercer les pouvoirs et fonctions d'un juge de paix qui n'est pas fonctionnaire de justice, présider un procès ou quelque autre instance afférent :
- a) à une loi;
 - b) à un règlement pris en vertu d'une loi;
 - c) à une loi fédérale, à l'exception du *Code criminel*;
 - d) à un règlement pris en vertu d'une loi fédérale.

« Fonctions du juge de paix qui est fonctionnaire de justice

12(1) Le juge de paix qui est fonctionnaire de justice ne peut exercer que les pouvoirs et fonctions mentionnés au présent article.

(2) Lorsqu'un tribunal a ordonné la délivrance d'un acte de procédure, un juge de paix qui est fonctionnaire de justice peut :

- a) délivrer tous les types de mandat de dépôt;
- b) délivrer une sommation à une personne accusée d'une infraction;
- c) délivrer un mandat à l'égard d'une personne accusée d'une infraction;

- (d) receive a recognizance or undertaking from a person charged with or convicted of an offence;
 - (e) issue an order of driving prohibition against a person convicted of an offence;
 - (f) issue orders of the court;
 - (g) endorse any documents that may be required by law;
 - (h) issue any process that is within the competence of a justice of the peace pursuant to section 11.
- (3) A justice of the peace who is a court official may:
- (a) issue a certificate of conviction after an accused has been found guilty of an offence and sentenced by a court;
 - (b) issue a subpoena compelling the attendance of a witness at a proceeding;
 - (c) in the absence of a judge of the court and under the directions of the court:
 - (i) adjourn proceedings;
 - (ii) put an accused to his or her election pursuant to the *Criminal Code*;
 - (iii) remand an accused in custody;
 - (iv) issue a process that would compel the accused to attend to court if the accused has had notification of the proceedings and has failed to attend;
 - (d) accept a summons and the specified penalty as if they had been delivered on or about the date due for payment as provided for in *The Summary Offences Procedure Act, 1990*;
 - (e) administer oaths and take and receive affidavits, affirmations and declarations;
 - (f) swear informations pursuant to federal and provincial legislation, regulations and municipal bylaws;
 - (g) read a proclamation at a riot; and
 - (h) perform any other administrative duties that justices of the peace are authorized by law to perform”.

Section 13 repealed

12 Section 13 is repealed.

Section 15 amended

13 Subsection 15(2) of the English version is amended by striking out “department” and substituting “ministry”.

Coming into force

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

- d) accepter un engagement ou une promesse de la part d'une personne accusée ou déclarée coupable d'une infraction;
 - e) délivrer une ordonnance d'interdiction de conduire à l'égard d'un contrevenant;
 - f) délivrer les ordonnances du tribunal;
 - g) endosser les documents selon les exigences de la loi;
 - h) délivrer les actes de procédure qui relèvent de la compétence d'un juge de paix en vertu de l'article 11.
- (3) Un juge de paix qui est fonctionnaire de justice peut :
- a) délivrer un certificat de condamnation lorsqu'un accusé a été reconnu coupable d'une infraction et qu'une peine lui a été infligée par un tribunal;
 - b) délivrer à un témoin une assignation à comparaître;
 - c) en l'absence d'un juge du tribunal et en conformité avec les instructions du tribunal :
 - (i) ajourner des procédures,
 - (ii) appeler un accusé à faire son choix en conformité avec le *Code criminel*,
 - (iii) renvoyer un accusé en détention,
 - (iv) délivrer l'acte de procédure nécessaire pour contraindre la comparution de l'accusé devant un tribunal lorsque l'accusé a été avisé des procédures et a omis de comparaître;
 - d) accepter une sommation et la pénalité prévue comme si elles avaient été délivrées le ou vers le jour prévu pour le paiement, en conformité avec la loi intitulée *The Summary Offences Procedure Act, 1990*;
 - e) recevoir des serments, des affidavits, des affirmations et des déclarations;
 - f) recevoir les serments qui accompagnent les dénonciations prévues par les législations fédérale et provinciale, les règlements et les règlements municipaux;
 - g) lire la proclamation lors d'une émeute;
 - h) s'acquitter des autres fonctions administratives que la loi autorise les juges de paix à exercer ».

Abrogation de l'article 13

12 L'article 13 est abrogé.

Modification de l'article 15

13 Le paragraphe 15(2) de la version anglaise est modifié par suppression de « department » et son remplacement par « ministry ».

Entrée en vigueur

14 Le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements.

SASKATCHEWAN REGULATIONS 39/2011*The Workers' Compensation Act, 1979*

Section 181

Order in Council 328/2011, dated May 26, 2011

(Filed May 27, 2011)

Title

1 These regulations may be cited as *The Workers' Compensation General Amendment Regulations, 2011*.

R.R.S. c.W-17.1 Reg 1, section 22.3 amended

2 **Section 22.3 of *The Workers' Compensation General Regulations, 1985* is amended:**

(a) **in clause (i) by striking out "20 years" and substituting "10 years";**
and

(b) **by adding the following clause after clause (i):**

"(i.1) primary site esophageal cancer, 25 years".

Coming into force

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

SASKATCHEWAN REGULATIONS 40/2011

The Saskatchewan Watershed Authority Act, 2005

Sections 44 and 98

Order in Council 329/2011, dated May 26, 2011

(Filed May 27, 2011)

Title

1 These regulations may be cited as *The Reservoir Development Area Amendment Regulations, 2011*.

R.R.S. c.E-10.2 Reg 1, Appendix amended

2 Subsection 1(3) of the Blackstrap Reservoir Development Area in the Appendix to *The Reservoir Development Area Regulations* is amended by striking out “December 15, 2008” and substituting “January 28, 2011”.

Coming into force

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

