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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

CHAPTER E-0.2 REG 23

The Education Act, 1995

CHAPITRE E-0.2 RÈGL. 23

Loi de 1995 sur l'éducation

CHAPTER E-0.2 REG 23*The Education Act, 1995*

Section 370

Order in Council 412/2015, dated August 20, 2015

(Filed August 21, 2015)

PART I

Preliminary Matters**Title**

1 These regulations may be cited as *The Home-based Education Program Regulations, 2015*.

Interpretation

2 In these regulations:

“**Act**” means *The Education Act, 1995*; (« *Loi* »)

“**curriculum-based assessment**” means an assessment that:

(a) measures a pupil’s progress in the curriculum being studied by the pupil; and

(b) is appropriate for the pupil’s age and ability; (« *évaluation en fonction du programme d’études* »)

“**dispute resolution process**” means the dispute resolution process set out in section 21; (« *Loi de 2015 modifiant la Loi de 1995 sur l’éducation* »)

“**home-based educator**” means the parent or parents of a pupil who provide and direct a registered home-based education program for the pupil; (« *éducateur à domicile* »)

“**home-based learner**” means a pupil who is receiving instruction in a registered home-based education program; (« *apprenant à domicile* »)

“**home-based learner assessment**” means an assessment of a home-based learner:

(a) in accordance with sections 178 and 178.1 of the Act;

(b) pursuant to a curriculum-based assessment; or

(c) based on a standardized test; (« *évaluation d’apprenant à domicile* »)

“**improvement plan**” means a supplementary written education plan that is intended to correct a home-based learner’s deficiencies in achieving satisfactory educational progress in a registered home-based education program; (« *plan de redressement* »)

“**ministry**” means the ministry over which the minister presides; (« *ministère* »)

“**parent**” includes a guardian; (« *parent* »)

“**registering authority**” means a board of education, the conseil scolaire or the minister, as the case may be, with whom, pursuant to these regulations:

(a) a home-based education program is registered; or

CHAPITRE E-0.2 RÉGL. 23*Loi de 1995 sur l'éducation*

Article 370

Décret 412/2015, en date du 20 août 2015

(Déposé le 21 août 2015)

PARTIE I

Dispositions liminaires**Titre****1** *Règlement de 2015 sur les programmes de scolarisation à domicile.***Définitions****2** Les définitions qui suivent s'appliquent au présent règlement.

« **apprenant à domicile** » Élève qui suit un programme de scolarisation à domicile inscrit. (*“home-based learner”*)

« **autorité inscriptrice** » La commission scolaire, le conseil scolaire ou le ministre, selon le cas, auprès de qui, sous le régime du présent règlement :

- a) se fait l'inscription d'un programme de scolarisation à domicile;
- b) est sollicitée l'inscription d'un projet de programme de scolarisation à domicile. (*“registering authority”*)

« **éducateur à domicile** » Le ou les parents d'un élève qui fournissent à l'élève un programme de scolarisation à domicile inscrit, exécuté sous leur direction. (*“Loi de 2015 modifiant la Loi de 1995 sur l'éducation”*)

« **évaluation d'apprenant à domicile** » Celle qui répond à l'un des critères suivants :

- a) effectuée en conformité avec les articles 178 et 178.1 de la Loi;
- b) effectuée dans le cadre d'une évaluation en fonction du programme d'études;
- c) fondée sur une épreuve standardisée. (*“home-based learner assessment”*)

« **évaluation en fonction du programme d'études** » Évaluation :

- a) qui mesure les progrès d'un élève dans son programme d'études;
- b) qui est appropriée à l'âge et aux capacités de l'élève. (*“curriculum-based assessment”*)

« **Loi** » La Loi de 1995 sur l'éducation. (*“Act”*)

« **ministère** » Le ministère que dirige le ministre. (*“ministry”*)

« **mode de règlement des différends** » Celui prévu à l'article 21. (*“dispute resolution process”*)

« **parent** » Vise également le tuteur. (*“parent”*)

- (b) a proposed home-based education program is sought to be registered;
(« *autorité inscriptrice* »)

“**standardized test**” means a normed achievement, aptitude or intelligence test that includes both general and diagnostic tests and that is administered in accordance with the policies established by the minister; (« *test standardisé* »)

“**written education plan**” means a written plan that outlines the home-based education program for a home-based learner and that provides a framework for progressing through the plan. (« *plan éducatif écrit* »)

PART II

Registration of Home-Based Education Programs

DIVISION 1

Board of Education or Conseil Scolaire as Registering Authority

Policies and procedures

3 Subject to these regulations and consistent with the policies established by the minister, every board of education and the conseil scolaire shall establish policies and procedures for:

- (a) the registration of home-based education programs;
- (b) the renewal of the registration of home-based education programs;
- (c) the monitoring of registered home-based education programs;
- (d) the cancellation of the registration of home-based education programs; and
- (e) the provision of services for home-based learners.

Notice of intent to register

4(1) A parent who wishes to become a home-based educator shall give notice of his or her intention to register a proposed home-based education program to, as the case requires:

- (a) the board of education of the school division in which the pupil who is to be the home-based learner in the proposed home-based education program is entitled to attend school in accordance with the Act; or
- (b) the conseil scolaire.

(2) The notice mentioned in subsection (1) shall be made in accordance with:

- (a) any policies established by the minister; and
- (b) any policies and procedures established by the board of education or conseil scolaire, as the case may be.

(3) At the time notice is given pursuant to subsection (1), the parent shall give the registering authority a written education plan that is consistent with the policies established by the minister.

« **plan de redressement** » Plan éducatif écrit complémentaire, destiné à combler les lacunes d'un apprenant à domicile pour qu'il réalise des progrès satisfaisants dans un programme de scolarisation à domicile inscrit. (*"improvement plan"*)

« **plan éducatif écrit** » Plan écrit qui expose les grandes lignes du programme de scolarisation à domicile d'un apprenant à domicile et qui établit un cadre pour la progression dans le plan. (*"written education plan"*)

« **test standardisé** » Test normé – général ou diagnostique – de réussite, d'aptitude ou d'intelligence administré conformément aux politiques établies par le ministre. (*"standardized test"*)

PARTIE II

L'inscription des programmes de scolarisation à domicile

SECTION 1

Cas où l'autorité inscriptrice est une commission scolaire ou le conseil scolaire

Politiques et procédures

3 Sous réserve des autres dispositions du présent règlement et conformément aux politiques établies par le ministre, les commissions scolaires et le conseil scolaire établissent des politiques et procédures régissant ce qui suit :

- a) l'inscription de programmes de scolarisation à domicile;
- b) le renouvellement de l'inscription de programmes de scolarisation à domicile;
- c) la surveillance des programmes de scolarisation à domicile inscrits;
- d) l'annulation de l'inscription de programmes de scolarisation à domicile;
- e) la prestation de services aux apprenants à domicile.

Avis d'intention d'inscrire un programme

4(1) Tout parent qui souhaite devenir éducateur à domicile doit donner avis de son intention d'inscrire un projet de programme de scolarisation à domicile; l'avis est remis, selon le cas :

- a) à la commission scolaire de la division scolaire dans laquelle l'élève concerné a le droit de fréquenter l'école en vertu de la Loi;
- b) au conseil scolaire.

(2) L'avis mentionné au paragraphe (1) est établi conformément à ce qui suit :

- a) les politiques, le cas échéant, établies par le ministre;
- b) les politiques et procédures établies par la commission scolaire ou le conseil scolaire, selon le cas.

(3) Le parent qui donne l'avis mentionné au paragraphe (1) est tenu de remettre, au même moment, à l'autorité inscriptrice un plan éducatif écrit qui est conforme aux politiques établies par le ministre.

Registration

5 A board of education or the conseil scolaire, as the registering authority, shall register a home-based education program if it determines that the notice of intent mentioned in section 4 is in compliance with the Act, these regulations and the policies mentioned in that section.

Services for home-based learners

6(1) Every board of education and the conseil scolaire shall make the following services available to every home-based learner registered with it:

- (a) home-based learner assessments;
- (b) education and training in the operation of motor vehicles pursuant to section 189 of the Act.

(2) Every board of education and the conseil scolaire shall develop policies with respect to those services that the board of education or conseil scolaire is prepared to make available to home-based learners, including:

- (a) participation in cultural and athletic activities, youth travel, outdoor education and similar activities pursuant to section 179 of the Act;
- (b) participation in programs of athletic and amateur sport pursuant to section 188 of the Act;
- (c) guidance and counselling services pursuant to section 191 of the Act;
- (d) services for pupils with intensive needs pursuant to section 178 of the Act; and
- (e) enrolment in distance-education opportunities.

Reports and returns by board of education or conseil scolaire

7(1) Every board of education and the conseil scolaire shall prepare and provide to the minister any reports and returns that the minister may request relating to home-based educators and home-based education programs registered with the board of education or conseil scolaire.

(2) The reports and returns mentioned in subsection (1) shall be provided in the form and within the time determined by the minister.

Delegation of powers and responsibilities of registering authorities

8(1) In this section, “**official**” means an individual:

- (a) who is employed by a board of education or the conseil scolaire; and
- (b) who is not engaged as a teacher, vice-principal or principal in a school.

(2) No board of education nor the conseil scolaire shall delegate to any official any powers granted to or responsibilities imposed on the board of education or the conseil scolaire pursuant to these regulations unless the official holds a valid teacher’s certificate.

(3) The exercise of the powers or the fulfilment of the responsibilities by the official to whom the powers or responsibilities are delegated in accordance with subsection (2) is deemed to be the exercise of those powers or the fulfilment of those responsibilities by the board of education or the conseil scolaire, as the case may be.

Inscription

5 La commission scolaire ou le conseil scolaire, en leur qualité d'autorité inscriptrice, procèdent à l'inscription du programme de scolarisation à domicile s'ils jugent que l'avis d'intention mentionné à l'article 4 est conforme à la Loi, au présent règlement et aux politiques mentionnées au même article.

Services aux apprenants à domicile

6(1) Les commissions scolaires et le conseil scolaire doivent offrir à chaque apprenant à domicile inscrit auprès d'eux les services suivants :

- a) l'évaluation d'apprenant à domicile;
- b) des programmes de formation en conduite automobile, prévus à l'article 189 de la Loi.

(2) Les commissions scolaires et le conseil scolaire élaborent des politiques relativement aux services qu'ils sont prêts à offrir aux apprenants à domicile, dont les suivants :

- a) la participation à des activités culturelles et athlétiques, à des voyages, à des classes de plein air et à toute autre activité semblable, comme le prévoit l'article 179 de la Loi;
- b) la participation à des programmes de compétitions athlétiques ou sportives amateurs que prévoit l'article 188 de la Loi;
- c) les services d'orientation et d'aide psychopédagogique que prévoit l'article 191 de la Loi;
- d) les services aux élèves à besoins particuliers que prévoit l'article 178 de la Loi;
- e) l'inscription à des cours d'enseignement à distance comme le prévoit le paragraphe 11(4) de la Loi.

Rapports de la commission scolaire ou du conseil scolaire

7(1) Les commissions scolaires et le conseil scolaire doivent dresser et remettre au ministre les rapports qu'il leur demande relativement aux éducateurs à domicile et aux programmes de scolarisation à domicile inscrits auprès d'eux.

(2) Les rapports mentionnés au paragraphe (1) sont remis en la forme et dans les délais que prescrit le ministre.

Délégation des pouvoirs et des obligations des autorités inscriptrices

8(1) Au présent article, « **fonctionnaire** » s'entend d'une personne :

- a) qui est employée par une commission scolaire ou le conseil scolaire;
- b) qui n'est pas engagée en qualité d'enseignant, de directeur adjoint ou de directeur dans une école.

(2) Il est défendu à une commission scolaire ou au conseil scolaire de déléguer les pouvoirs ou les obligations qui lui sont conférés par le présent règlement à un fonctionnaire qui n'est pas titulaire d'un brevet d'enseignement valide.

(3) L'exercice des pouvoirs ou des obligations par le fonctionnaire à qui ils sont délégués en conformité avec le paragraphe (2) vaut l'exercice de ceux-ci par la commission scolaire ou le conseil scolaire, selon le cas.

DIVISION 2
All Registering Authorities

Access to program information

9 On the request of any person, a board of education, the conseil scolaire or the ministry, as the case may be, shall provide the person with a copy of the following, free of charge:

- (a) any policy or procedure that it has established with respect to home-based education;
- (b) any additional program information that it has with respect to home-based education.

Duration of registration

10 Subject to sections 14 and 19, the registration of a home-based education program pursuant to section 5 or 22 is valid until the end of the school year for which the registration is granted.

Permanent records to be kept by registering authority

11(1) Every registering authority shall maintain a permanent record for each home-based learner registered with it.

(2) The permanent record mentioned in subsection (1) shall include:

- (a) all notices of intent received pursuant to section 4 or 22 with respect to the home-based learner;
- (b) the written education plan, including any amendments, received for each school year;
- (c) correspondence with the home-based educator with respect to the registration, monitoring and renewal of the registered home-based education program;
- (d) annual progress reports;
- (e) the results of any tests or home-based learner assessments administered pursuant to these regulations; and
- (f) documents relating to any difference or conflict that is dealt with in accordance with the dispute resolution process.

Compliance and monitoring

12(1) Every registering authority shall monitor all registered home-based education programs registered with it:

- (a) to assess compliance with the Act, these regulations and the policies and procedures mentioned in subclauses 15(a)(ii) and (iii); and
- (b) to assess the progress of the home-based learner in relation to:
 - (i) the written education plan; and
 - (ii) the home-based learner's age and ability.

SECTION 2
L'ensemble des autorités inscriptrices

Accès à de l'information sur le programme

9 Sur demande, les commissions scolaires, le conseil scolaire ou le ministre, selon le cas, envoient gratuitement un exemplaire de ce qui suit :

- a) toute politique ou procédure établie par elle ou lui à l'égard de la scolarisation à domicile;
- b) toute autre information dont elle ou il dispose relativement aux programmes de scolarisation à domicile.

Durée de validité de l'inscription

10 Sous réserve des articles 14 et 19, l'inscription d'un programme de scolarisation à domicile obtenue en vertu des articles 5 ou 22 est valide jusqu'à la fin de l'année scolaire visée par l'inscription.

Dossiers permanents que doit tenir l'autorité inscriptrice

11(1) Chaque autorité inscriptrice doit tenir un dossier permanent pour chaque apprenant à domicile inscrit auprès d'elle.

(2) Le dossier permanent mentionné au paragraphe (1) contient tout ce qui suit :

- a) tous les avis d'intention reçus au titre des articles 4 ou 22 à l'égard de l'apprenant à domicile;
- b) le plan éducatif écrit, ensemble ses modifications, reçu pour chaque année scolaire;
- c) la correspondance avec l'éducateur à domicile à l'égard de l'inscription du programme de scolarisation à domicile, de la surveillance du programme et du renouvellement de l'inscription;
- d) les rapports annuels sur les progrès accomplis;
- e) les résultats des tests administrés – ou des évaluations d'apprenants à domicile réalisées – sous le régime du présent règlement;
- f) la documentation relative à tout désaccord ou conflit soumis au mode de règlement des différends.

Exécution et surveillance

12(1) Les autorités inscriptrices surveillent l'exécution des programmes de scolarisation à domicile inscrits auprès d'eux dans les buts suivants :

- a) contrôler l'observation de la Loi, du présent règlement et des politiques et procédures mentionnées aux sous-alinéas 15a)(ii) et (iii);
- b) évaluer les progrès de l'apprenant à domicile par rapport à ce qui suit :
 - (i) le plan éducatif écrit,
 - (ii) l'âge et les capacités de l'apprenant à domicile.

(2) If the registering authority determines that a home-based educator is not in compliance with the Act, these regulations or the policies and procedures mentioned in subclauses 15(a)(ii) and (iii), the registering authority shall contact the home-based educator to discuss the steps to be taken by the home-based educator to ensure compliance.

(3) If the registering authority determines that a home-based learner is not making satisfactory educational progress in relation to the written education plan, the registering authority shall:

- (a) provide evidence to the home-based educator of the lack of satisfactory progress; and
- (b) contact the home-based educator to discuss establishing an improvement plan.

Improvement plan

13(1) If the registering authority provides evidence that a home-based learner has not made satisfactory progress in relation to the written education plan and the home-based learner's age and ability, the registering authority shall notify the home-based educator, in writing, that it requires changes in the home-based learner's registered home-based education program.

(2) Subject to subsection (3), within 30 days after the date on which the home-based educator receives the written notice mentioned in subsection (1), the home-based educator shall provide the registering authority with an improvement plan that meets the requirements set out in the policies established by the minister.

(3) By giving written notice to the other party, the home-based educator or the registering authority may refer any of the following differences or conflicts to the dispute resolution process:

- (a) if the home-based educator does not agree that an improvement plan is necessary;
- (b) if the home-based educator and the registering authority are unable to agree on an improvement plan.

Cancellation of registered home-based education program

14(1) A registering authority may cancel the registration of a home-based education program in accordance with this section if the registering authority can substantiate all or any of the following:

- (a) that the home-based educator obtained the registration of the home-based education program through false or misleading information;
- (b) that the home-based educator is not complying with the Act, these regulations or the policies and procedures mentioned in subclauses 15(a)(ii) and (iii);
- (c) that the home-based educator failed to create and implement an improvement plan when required to do so pursuant to section 13;
- (d) that the home-based learner is not making satisfactory progress in relation to:
 - (i) the written education plan or improvement plan; or
 - (ii) the home-based learner's age and ability.

(2) L'autorité inscriptrice qui constate qu'un éducateur à domicile ne se conforme pas à la Loi, au présent règlement et aux politiques et procédures mentionnées aux sous-alinéas 15a)(ii) et (iii) doit communiquer avec lui pour discuter des mesures qu'il doit prendre pour se conformer.

(3) L'autorité inscriptrice qui constate qu'un apprenant à domicile ne fait pas des progrès satisfaisants relativement au plan éducatif écrit doit :

- a) fournir à l'éducateur à domicile des preuves du manque de progrès satisfaisants;
- b) communiquer avec l'éducateur à domicile pour discuter de l'établissement d'un plan de redressement.

Plan de redressement

13(1) L'autorité inscriptrice qui démontre qu'un apprenant à domicile n'a pas réalisé des progrès satisfaisants par rapport au plan éducatif écrit et par rapport à son âge et à ses capacités doit, par écrit, aviser l'éducateur à domicile que des changements doivent être apportés au programme de scolarisation à domicile inscrit de l'apprenant à domicile.

(2) Sous réserve du paragraphe (3), dans les 30 jours suivant la réception, par l'éducateur à domicile, de l'avis écrit mentionné au paragraphe (1), l'éducateur à domicile doit fournir à l'autorité inscriptrice un plan de redressement qui répond aux conditions énoncées dans les politiques établies par le ministre.

(3) L'éducateur à domicile ou l'autorité inscriptrice peut, par avis écrit donné à l'autre partie, soumettre les désaccords ou conflits qui suivent au mode de règlement des différends :

- a) l'éducateur à domicile n'admet pas la nécessité d'un plan de redressement;
- b) l'éducateur à domicile et l'autorité inscriptrice ne réussissent pas à s'entendre sur un plan de redressement.

Annulation d'un programme de scolarisation à domicile inscrit

14(1) Une autorité inscriptrice peut annuler l'inscription d'un programme de scolarisation à domicile en conformité avec le présent article, si elle peut démontrer l'exactitude d'une ou de plusieurs des allégations suivantes :

- a) l'éducateur à domicile a obtenu l'inscription du programme de scolarisation à domicile à l'aide de renseignements faux ou fallacieux;
- b) l'éducateur à domicile n'observe pas la Loi, le présent règlement ou les politiques et procédures mentionnées aux sous-alinéas 15a)(ii) et (iii);
- c) l'éducateur à domicile a omis d'élaborer et de mettre en œuvre un plan de redressement malgré l'ordre reçu en application de l'article 13;
- d) l'apprenant à domicile ne réalise pas des progrès satisfaisants par rapport :
 - (i) soit au plan éducatif écrit ou au plan de redressement,
 - (ii) soit à son âge et à ses capacités.

- (2) If a registering authority intends to cancel the registration of a home-based education program, the registering authority shall immediately:
- (a) notify the home-based educator, in writing, of:
 - (i) the registering authority's intention to cancel the registration; and
 - (ii) the reasons for the intended cancellation; and
 - (b) meet with the home-based educator to attempt to resolve any difference or conflict.
- (3) If a board of education or the conseil scolaire, as the registering authority, and the home-based educator fail to resolve the difference or conflict, the board of education or conseil scolaire shall give the home-based educator written notice of:
- (a) the procedures established by the board of education or conseil scolaire, as the case may be, pursuant to section 148 of the Act for resolving the difference or conflict; and
 - (b) the home-based educator's right to refer the difference or conflict to the dispute resolution process.
- (4) If the home-based educator decides not to use the procedures mentioned in clause (3)(a) or is dissatisfied with the decision resulting from using those procedures, the home-based educator may apply to refer the difference or conflict to the minister pursuant to subsection 21(2).
- (5) A home-based educator shall apply to refer a difference or conflict to the dispute resolution process within 30 days after the later of:
- (a) the date on which the home-based educator received the written notice mentioned in subsection (3); and
 - (b) the date of a decision using the procedures established pursuant to section 148 of the Act.
- (6) If the home-based educator does not apply to refer the difference or conflict to the dispute resolution process within the period mentioned in subsection (5) or if the basis for the cancellation is not remedied through the dispute resolution process, the board of education or conseil scolaire, as the registering authority, may cancel the registration of the home-based education program.
- (7) If a registering authority cancels the registration of a home-based education program in accordance with this section, it shall give the home-based educator, within 15 days after the cancellation:
- (a) written notice of the cancellation; and
 - (b) written reasons for the cancellation.
- (8) The cancellation of a home-based education program pursuant to subsection (7) is not referable to the dispute resolution process.

(2) L'autorité inscriptrice qui entend annuler l'inscription d'un programme de scolarisation à domicile doit sans délai :

- a) aviser l'éducateur à domicile, par écrit, de ce qui suit :
 - (i) son intention d'annuler l'inscription,
 - (ii) les motifs de l'annulation projetée;
- b) rencontrer l'éducateur à domicile pour tenter de résoudre tout désaccord ou conflit.

(3) Si une commission scolaire ou le conseil scolaire, en qualité d'autorité inscriptrice, et l'éducateur à domicile ne parviennent pas à résoudre le désaccord ou le conflit, la commission scolaire ou le conseil scolaire doit, par écrit, donner avis à l'éducateur à domicile de ce qui suit :

- a) les procédures établies par la commission scolaire ou le conseil scolaire, selon le cas, en vertu de l'article 148 de la Loi, pour résoudre le désaccord ou le conflit;
- b) le droit de l'éducateur à domicile de soumettre le désaccord ou le conflit au mode de règlement des différends.

(4) L'éducateur à domicile qui choisit de ne pas recourir aux procédures mentionnées à l'alinéa (3)a) ou qui est insatisfait de la décision obtenue au moyen de ces procédures peut demander que le désaccord ou le conflit soit déféré au ministre en vertu du paragraphe 21(2).

(5) L'éducateur à domicile qui souhaite soumettre un désaccord ou un conflit au mode de règlement des différends a 30 jours pour le faire à partir de la plus tardive des dates suivantes :

- a) la date à laquelle il a reçu l'avis écrit mentionné au paragraphe (3);
- b) la date de la décision obtenue au moyen des procédures visées à l'article 148 de la Loi.

(6) Si l'éducateur à domicile omet de demander que le désaccord ou le conflit soit soumis au mode de règlement des différends dans le délai mentionné au paragraphe (5), ou si le recours au mode de règlement des différends ne réussit pas à résoudre le problème à la source de l'annulation, la commission scolaire ou le conseil scolaire peut, en sa qualité d'autorité inscriptrice, annuler l'inscription du programme de scolarisation à domicile.

(7) L'autorité inscriptrice qui annule l'inscription d'un programme de scolarisation à domicile en vertu du présent article doit donner à l'éducateur à domicile, dans les 15 jours suivant l'annulation :

- a) avis écrit de l'annulation;
- b) les motifs écrits de l'annulation.

(8) L'annulation d'un programme de scolarisation à domicile visée au paragraphe (7) n'est pas susceptible de soumission au mode de règlement des différends.

PART III
Responsibilities of Home-Based Educators

Responsibilities of home-based educators

15 A home-based educator:

- (a) shall comply with:
 - (i) the Act and these regulations;
 - (ii) any policies established by the minister; and
 - (iii) if the home-based education program is registered with a board of education or the conseil scolaire, the policies and procedures established by the board of education or conseil scolaire; and
- (b) is responsible for the education of the home-based learner in accordance with the written education plan or improvement plan, as the case may be.

Portfolio of work

16 For each home-based learner, the home-based educator shall:

- (a) maintain a portfolio of work that contains the information required by the minister pursuant to the policies established by the minister; and
- (b) preserve the portfolio of work for at least two calendar years after the end of the calendar year in which the work was created.

Annual progress report

17 Every home-based educator shall submit to the appropriate registering authority, in the form and within the period required by the minister, an annual progress report with respect to the home-based learner in the registered home-based education program.

Language of instruction

18(1) Subject to subsection (2), the language of instruction in a registered home-based education program must be English or French.

(2) With the approval of the registering authority, a home-based educator may use a language other than English or French as a language of instruction to a maximum of 50% of the instructional time.

(3) If the language of instruction is other than English, the home-based educator shall provide instruction in English language arts, commencing not later than the date on which the home-based learner turns eight years of age.

Termination of program by home-based educator

19(1) If a home-based educator wishes to terminate a registered home-based education program during the year in which it is registered, the home-based educator shall notify the registering authority, in writing, in accordance with the policies established by the minister.

PARTIE III
Responsabilités des éducateurs à domicile

Responsabilités des éducateurs à domicile

15 Les éducateurs à domicile :

- a) doivent observer :
 - (i) la Loi et le présent règlement,
 - (ii) les politiques établies par le ministre, le cas échéant,
 - (iii) les politiques et procédures établies par la commission scolaire ou le conseil scolaire, si le programme de scolarisation à domicile est inscrit auprès de l'un d'eux;
- b) sont chargés de la scolarisation de l'apprenant à domicile conformément au plan éducatif écrit ou au plan de redressement, selon le cas.

Portfolio des travaux

16 Les éducateurs à domicile sont tenus de faire ce qui suit à l'égard de chaque apprenant à domicile :

- a) tenir un portfolio de leurs travaux qui contient les renseignements demandés par le ministre dans les politiques qu'il établit;
- b) conserver le portfolio des travaux pour une période minimale de deux années civiles après la fin de l'année civile au cours de laquelle les travaux ont été réalisés.

Rapport d'étape annuel

17 Les éducateurs à domicile remettent chaque année à l'autorité inscriptrice compétente, en la forme et dans le délai prescrit par le ministre, un rapport d'étape sur l'avancement de l'apprenant à domicile dans le programme de scolarisation à domicile inscrit.

Langue d'enseignement

18(1) Sous réserve du paragraphe (2), la langue d'enseignement, dans un programme de scolarisation à domicile inscrit, doit être le français ou l'anglais.

(2) Sur approbation de l'autorité inscriptrice, l'éducateur à domicile peut employer une langue autre que le français ou l'anglais comme langue d'enseignement jusqu'à concurrence de 50 % du temps d'enseignement.

(3) Si la langue d'enseignement n'est pas l'anglais, l'éducateur à domicile doit dispenser à l'apprenant à domicile, au plus tard à partir de huit ans, un enseignement sur les moyens d'expression de l'anglais.

Cessation du programme par l'éducateur à domicile

19(1) L'éducateur à domicile qui souhaite mettre fin à un programme de scolarisation à domicile inscrit en cours d'année doit en aviser par écrit l'autorité inscriptrice, conformément aux politiques établies par le ministre.

(2) On receipt of a notice pursuant to subsection (1), the registering authority shall cancel the registration of the home-based education program, effective on the date of termination specified in the notice.

(3) If the registration of a home-based education program is terminated at the request of a home-based educator pursuant to this section, the home-based educator is not entitled to register a home-based education program for that pupil until the school year following the school year in which the registered home-based education program is terminated.

PART IV Dispute Resolution Process

Interpretation of Part

20 In this Part, “**home-based educator**” includes, as the case requires, the parent or parents of a pupil who are seeking to register a home-based education program for the pupil.

Dispute resolution process

21(1) If a difference or conflict arises between a home-based educator and a board of education or the conseil scolaire with respect to a registered home-based education program or the registering of a home-based education program, the home-based educator is entitled to use the procedures established by the board of education or conseil scolaire in accordance with section 148 of the Act for the purposes of investigation and mediation of the difference or conflict.

(2) If the difference or conflict mentioned in subsection (1) arises from an action or decision of the board of education or conseil scolaire concerning any of the matters mentioned in subsection (3), the home-based educator may apply to the minister for a review of the action or decision:

(a) if the home-based educator has decided not to use the procedures for resolving a difference or conflict that the board of education or conseil scolaire has established pursuant to section 148 of the Act; or

(b) if the home-based educator is dissatisfied with any action or decision made following the procedures established pursuant to section 148 of the Act.

(3) An application may be made to the minister pursuant to subsection (2) with respect to an action or decision of the board of education or conseil scolaire concerning any of the following matters:

(a) the development or content of a written education plan pursuant to subsection 4(3);

(b) the monitoring of the registered home-based education program by the registering authority pursuant to section 12;

(c) the development or content of an improvement plan pursuant to section 13;

(2) Sur réception de l'avis visé au paragraphe (1), l'autorité inscriptrice annule l'inscription du programme de scolarisation à domicile à partir de la date de cessation précisée dans l'avis.

(3) Si l'inscription d'un programme de scolarisation à domicile est annulée à sa demande en vertu du présent article, l'éducateur à domicile ne peut inscrire un programme de scolarisation à domicile pour le même élève avant l'année scolaire suivante.

PARTIE IV

Mode de règlement des différends

Définition

20 Dans la présente partie, « **éducateur à domicile** » s'étend, s'il y a lieu, au parent ou aux parents d'un élève qui sollicitent pour lui l'inscription d'un programme de scolarisation à domicile.

Mode de règlement des différends

21(1) En cas de désaccord ou de conflit entre un éducateur à domicile et une commission scolaire ou le conseil scolaire à l'égard d'un programme de scolarisation à domicile inscrit ou de l'inscription d'un programme de scolarisation à domicile, l'éducateur à domicile peut avoir recours aux procédures établies par la commission scolaire ou le conseil scolaire en matière d'enquête et de médiation en vertu de l'article 148 de la Loi.

(2) Si le désaccord ou le conflit mentionné au paragraphe (1) découle d'un acte ou d'une décision de la commission scolaire ou du conseil scolaire qui concernent l'un des points énumérés au paragraphe (3), l'éducateur à domicile peut demander au ministre de revoir l'acte ou la décision dans les cas suivants :

- a) l'éducateur à domicile a choisi de ne pas avoir recours aux procédures de résolution des conflits établies par la commission scolaire ou le conseil scolaire en vertu de l'article 148 de la Loi;
- b) l'éducateur à domicile est insatisfait d'un acte ou d'une décision intervenus à la suite des procédures visées à l'article 148 de la Loi.

(3) La demande présentée au ministre en vertu du paragraphe (2) peut viser des actes ou des décisions qui concernent les points suivants :

- a) l'élaboration ou le contenu du plan éducatif écrit mentionné au paragraphe 4(3);
- b) la surveillance du programme de scolarisation à domicile inscrit effectuée par l'autorité inscriptrice en application de l'article 12;
- c) l'élaboration ou le contenu du plan de redressement visé à l'article 13;

- (d) subject to subsection 14(5), the intention to cancel a registered home-based education program pursuant to section 14;
 - (e) any home-based learner assessment undertaken or to be undertaken by the registering authority with respect to the home-based learner.
- (4) An application pursuant to subsection (2) must be received by the minister within 30 days after the date of the written notice of the registering authority respecting the action or decision that has given rise to the difference or conflict.
- (5) On receipt of an application pursuant to subsection (2), the minister may appoint a person:
- (a) to review the difference or conflict; and
 - (b) to provide recommendations to the registering authority and the home-based educator to resolve the difference or conflict.

Minister as registering authority

- 22(1)** If a board of education or the conseil scolaire, as the registering authority, complies with the recommendations provided pursuant to clause 21(5)(b), the home-based educator shall not apply to the minister to register the home-based education program.
- (2) If a board of education or the conseil scolaire, as the registering authority, fails to comply with the recommendations provided pursuant to clause 21(5)(b), the home-based educator may give the minister notice of his or her intention to register the home-based education program with the minister.
- (3) At the time notice is given pursuant to subsection (2), the home-based educator shall give the minister a written education plan that is consistent with the policies established by the minister.
- (4) On receipt of a notice of intent pursuant to subsection (2), the minister shall:
- (a) register the home-based education program if the minister is satisfied that the home-based educator has complied with the Act, these regulations and the policies established by the minister respecting the registration of the home-based education program; or
 - (b) deny registration of the home-based education program if the minister is satisfied that the home-based educator has failed to comply with the Act, these regulations or the policies established by the minister respecting the registration of the home-based education program.
- (5) If, pursuant to clause (4)(b), the minister denies registration of a home-based education program, the minister shall notify the home-based educator, in writing, of the minister's decision to deny registration, with reasons.

d) sous réserve du paragraphe 14(5), l'intention d'annuler un programme de scolarisation à domicile inscrit en vertu de l'article 14;

e) toute évaluation d'apprenant à domicile effectuée ou à effectuer par l'autorité inscriptrice à l'endroit de l'apprenant à domicile.

(4) La demande prévue au paragraphe (2) doit parvenir au ministre dans les 30 jours qui suivent la date de l'avis écrit de l'autorité inscriptrice faisant état de l'acte ou de la décision à la source du désaccord ou du conflit.

(5) Sur réception de la demande prévue au paragraphe (2), le ministre peut charger une personne :

a) d'examiner le désaccord ou le conflit;

b) de présenter des recommandations à l'autorité inscriptrice et à l'éducateur à domicile dans le but de résoudre le désaccord ou le conflit.

Le ministre en tant qu'autorité inscriptrice

22(1) Lorsqu'une commission scolaire ou le conseil scolaire, en sa qualité d'autorité inscriptrice, suit les recommandations présentées par application de l'alinéa 21(5)b), l'éducateur à domicile n'est pas libre de s'adresser au ministre pour inscrire le programme de scolarisation à domicile.

(2) Si les recommandations présentées par application de l'alinéa 21(5)b) ne sont pas suivies par la commission scolaire ou le conseil scolaire, en sa qualité d'autorité inscriptrice, l'éducateur à domicile peut aviser le ministre de son intention d'inscrire le programme de scolarisation à domicile auprès de lui.

(3) L'avis d'intention prévu au paragraphe (2) est accompagné d'un plan éducatif écrit qui est conforme aux politiques établies par le ministre.

(4) Sur réception de l'avis d'intention prévu au paragraphe (2), le ministre doit :

a) soit inscrire le programme de scolarisation à domicile, s'il constate que l'éducateur à domicile s'est conformé à la Loi, au présent règlement et aux politiques établies par le ministre en matière d'inscription de programmes de scolarisation à domicile;

b) soit refuser d'inscrire le programme de scolarisation à domicile, s'il constate que l'éducateur à domicile ne s'est pas conformé à la Loi, au présent règlement ou aux politiques établies par le ministre en matière d'inscription de programmes de scolarisation à domicile.

(5) Si le ministre refuse d'inscrire le programme de scolarisation à domicile en vertu de l'alinéa (4)b), il avise l'éducateur à domicile, par écrit, de sa décision, motifs à l'appui.

PART V
Prohibition

Prohibition

23(1) Subject to subsections (2) and (3), no person purporting to provide a pupil of compulsory school age with an exemption from attendance at a school pursuant to clause 157(1)(c) of the Act shall operate a home-based education program unless it is a registered home-based education program.

(2) If, in accordance with section 4 or 22, a person provides a notice of intent to the proper registering authority to register a proposed home-based education program, the person is not liable to prosecution for a contravention of subsection (1) for the period between:

- (a) the date on which the notice of intent is given pursuant to section 4 or 22, as the case may be; and
- (b) the date on which the person is advised that the registration:
 - (i) has been granted; or
 - (ii) has been denied, and no further review or appeal of that decision may be taken.

(3) If, in accordance with section 14, a registering authority notifies a home-based educator of the registering authority's intention to cancel the registration of a home-based education program, the home-based educator is not liable to prosecution for a contravention of subsection (1) while he or she is, in an attempt to resolve the difference or conflict, using:

- (a) the procedures established by the board of education or conseil scolaire, as the case may be, pursuant to section 148 of the Act; or
- (b) the dispute resolution process.

PART VI
Repeal, Transitional and Coming into Force

R.R.S. c.E-0.2 Reg 22 repealed

24 *The Home-based Education Program Regulations, 2013* are repealed.

Transitional

25 The registration of any home-based education program continued or registered pursuant to *The Home-based Education Program Regulations, 2013* is continued pursuant to these regulations and is to be dealt with as if the home-based education program had been registered pursuant to these regulations.

Coming into force

26(1) Subject to subsection (2), these regulations come into force on the day on which section 3 of *The Education Amendment Act, 2015* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 3 of *The Education Amendment Act, 2015* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

PARTIE V Interdiction

Interdiction

23(1) Sous réserve des paragraphes (2) et (3), il est interdit, dans le but de permettre à un élève d'âge scolaire d'être excusé de l'obligation de fréquenter l'école en vertu de l'alinéa 157(1)c) de la Loi, d'exploiter un programme de scolarisation à domicile autre qu'un programme de scolarisation à domicile inscrit.

(2) La personne qui présente à l'autorité inscriptrice compétente, en vertu des articles 4 ou 22, un avis d'intention d'inscrire un projet de programme de scolarisation à domicile est à l'abri de toute poursuite pour infraction au paragraphe (1) entre les dates suivantes :

- a) la date à laquelle l'avis d'intention est donné en vertu des articles 4 ou 22, selon le cas;
- b) la date à laquelle elle est avisée :
 - (i) soit que l'inscription a été accueillie,
 - (ii) soit que l'inscription a été refusée irrévocablement, sans autre recours en révision ou en appel de cette décision.

(3) Lorsque, conformément à l'article 14, une autorité inscriptrice avise un éducateur à domicile de son intention d'annuler l'inscription d'un programme de scolarisation à domicile, l'éducateur à domicile est à l'abri de toute poursuite pour infraction au paragraphe (1) pendant qu'il a recours, pour essayer de résoudre le désaccord ou le conflit :

- a) soit aux procédures établies par la commission scolaire ou le conseil scolaire, selon le cas, en vertu de l'article 148 de la Loi;
- b) soit au mode de règlement des différends.

PARTIE VI Abrogation, disposition transitoire et entrée en vigueur

Abrogation du Règl. 22 des R.R.S. ch. E-0.2

24 *Le Règlement de 2013 sur les programmes d'études à domicile est abrogé.*

Disposition transitoire

25 L'inscription de tout programme d'études à domicile prorogé ou inscrit sous le régime du *Règlement de 2013 sur les programmes d'études à domicile* est prorogée en tant qu'inscription de programme de scolarisation à domicile sous le régime du présent règlement et doit être traitée comme si elle était intervenue sous le régime du présent règlement.

Entrée en vigueur

26(1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le jour de l'entrée en vigueur de l'article 3 de la *Loi de 2015 modifiant la Loi de 1995 sur l'éducation*.

(2) Si le présent règlement est déposé auprès du registraire des règlements après la date d'entrée en vigueur de l'article 3 de la *Loi de 2015 modifiant la Loi de 1995 sur l'éducation*, il entre en vigueur à la date de son dépôt.

CHAPTER T-2 REG 2*The Tax Enforcement Act*

Section 37.1

Order in Council 416/2015, dated August 20, 2015

(Filed August 21, 2015)

Title

1 These regulations may be cited as *The Tax Enforcement Regulations, 2015*.

Interpretation

2 In these regulations, “**Act**” means *The Tax Enforcement Act*.

Sum added for advertising

3 The sum added, for the cost of advertising the list of arrears pursuant to section 4 of the Act, to the amount of arrears of taxes charged against a parcel is not to exceed:

- (a) if the list of arrears is with respect to only one parcel of land, the actual cost of advertising; or
- (b) if the list of arrears is with respect to two or more parcels of land, the actual cost of advertising divided by the number of parcels of land that are on the list of arrears.

Form of tax lien

4 Form A of the Appendix is the prescribed form for the purposes of section 10 of the Act.

Form of discharge of tax lien

5 Form B of the Appendix is the prescribed form for the purposes of section 13 and subsection 19(1) of the Act.

Form of notice

6 Form C of the Appendix is the prescribed form for the purposes of subsection 23(2) of the Act.

Form of certificate as to assessed owner and value

7 Form D of the Appendix is the prescribed form for the purposes of subsection 23(4) of the Act.

Form of declaration of other services made

8 Form E of the Appendix is the prescribed form for the purposes of subsections 23(6) and 24(4) of the Act.

Form of affidavit of personal service

9 Form F of the Appendix is the prescribed form for the purposes of subsections 23(14) and 24(8) of the Act.

Form of final notice pursuant to *The Tax Enforcement Act*

10 Form G of the Appendix is the prescribed form for the purposes of subsection 24(2) of the Act.

Form of request to registrar to register transfer of title

11 Form H of the Appendix is the prescribed form for the purposes of sections 26 and 26.1 of the Act.

Prescribed amount re law firm or collection agent

12 For the purposes of subclause 19(1)(a)(vi) of the Act, the prescribed maximum amount required to be paid to the treasurer of the municipality is \$0 respecting any legal and administrative costs incurred by the municipality in connection with a law firm or collection agency, unless the costs have been incurred:

- (a) with respect to an individual step taken in the tax enforcement proceedings and the law firm or collection agency has billed the municipality for that step; or
- (b) after the amount of arrears of taxes and other expenses listed in subsection 19(1) have been collected.

Prescribed amount re parcel value

13(1) In this section, “**value**” means the taxable assessment of a parcel, determined in accordance with sections 196 and 197 of *The Municipalities Act*.

(2) For the purposes of subsection 26(1) of the Act, the maximum amount of the value of a parcel is \$17,500.

R.R.S. c.T-2 Reg 1 repealed

14 *The Tax Enforcement Regulations* are repealed.

Coming into force

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

AppendixFORM A
[Section 4]TAX LIEN
The Tax Enforcement Act

Registrar of Titles:

Take notice that all parcels of land specified below are subject to a tax lien pursuant to *The Tax Enforcement Act*._____
(Legal description of lands, including title number(s))

Dated this _____ day of _____, _____.

(Seal of the municipality)

(Treasurer, Clerk, Administrator
or Collector of Taxes)_____
(Name and address of municipality)FORM B
[Section 5]DISCHARGE OF TAX LIEN
The Tax Enforcement Act

Registrar of Titles:

Take notice that the interest based on the tax lien registered as Interest
Number _____ against _____

(Legal description of lands, including title number(s))

pursuant to *The Tax Enforcement Act* is discharged.

Dated this _____ day of _____, _____.

(Seal of the municipality)

(Treasurer, Clerk, Administrator
or Collector of Taxes)_____
(Name and address of municipality)

FORM C
[Section 6]

NOTICE
The Tax Enforcement Act

TAKE NOTICE that the _____
(Name of municipality)

intends to be registered pursuant to the above Act as owner of the land described below.

The municipality claims title to the land by virtue of an interest based on the tax lien registered against the existing title to the land in the Land Titles Registry as Interest Number _____, and you are required to TAKE NOTICE that unless you contest the claim of the municipality or redeem the land pursuant to the provisions of the above Act within six months from the service of this notice on you and, subject to the further provisions of *The Tax Enforcement Act*, a title will be issued to the applicant. On and after the date that the title is issued to the applicant, you will be forever estopped and debarred from setting up any claim to, or with respect to, the land.

The amount required to redeem the land may be ascertained on application to the Clerk, Treasurer or Administrator of the municipality.

Dated this _____ day of _____, _____.

(Seal)

(Treasurer)

(Name of assessed owner)

(Legal description of lands, including title number(s))

FORM D
[Section 7]

(Name of municipality)

CERTIFICATE AS TO ASSESSED OWNER AND VALUE

I, _____, Treasurer of the
Municipality of _____ No. _____ certify
that the name of the assessed owner of the following land in
Saskatchewan, that is to say:

Separate
certificate required
for each parcel

as that name appears on the last revised assessment roll of the
municipality, is _____
whose address according to that roll is _____
AND I certify that the assessed value of the land, according to that
assessment roll is _____ dollars (\$ _____).

This means
last revised
assessment roll
as of the date of
the resolution
passed pursuant
to subsection 22(1)
of the Act

Dated this _____ day of _____, _____.

(Treasurer)

SEAL

FORM E
[Section 8]

DECLARATION OF OTHER SERVICES MADE

CANADA

To Wit:

I, _____, of _____, in the Province of _____, do solemnly declare:

That I did serve the attached Final Notice Pursuant to *The Tax Enforcement Act* in Form G/Request to Registrar to Issue Title in Form H by mailing in a registered letter, postage prepaid, at the Post Office of _____, a true copy of that notice to the persons mentioned below at the addresses and on the dates stated below, and that annexed to this document are the Postmaster's receipts for those letters.

NAME	ADDRESS	DATE OF MAILING
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

And I make this solemn declaration, conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the _____
of _____, in Saskatchewan
this _____ day of _____, ____.

} _____

A Commissioner for Oaths for
Saskatchewan or Notary Public

My commission/appointment expires on the _____ day
of _____, _____.

FORM F
[Section 9]

AFFIDAVIT OF PERSONAL SERVICE

I, _____, of _____, in
Saskatchewan, _____, make
(occupation)

oath and say:

THAT I did, on _____, the _____ day of _____, _____,
personally serve on _____ a true copy of the attached notice marked
as Exhibit "A" to this my Affidavit, by delivering it to and leaving it with the previously
mentioned _____.

Sworn before me at the _____
of _____, in Saskatchewan
this _____ day of _____, _____.

A Commissioner for Oaths for
Saskatchewan or Notary Public

My commission/appointment expires on the _____ day
of _____, _____.

(Note: The following exhibit stamp must be stamped on the Notice.)

This is Exhibit "A" referred to in the affidavit of _____
sworn before me at the _____ of _____, in Saskatchewan,
this _____ day of _____, _____.

A Commissioner for Oaths for
Saskatchewan or Notary Public

My commission/appointment expires on the _____ day
of _____, _____.

FORM G
[Section 10]

FINAL NOTICE PURSUANT TO *THE TAX ENFORCEMENT ACT*

TAKE NOTICE that the Municipality of _____ intends, on the expiration of 30 days from the date set out below, to request the Registrar of Titles to issue title to the land described below by virtue of an interest based on a tax lien registered against the existing title to that land in the Land Titles Registry on the _____ day of _____, _____, as Interest Number _____ UNLESS you redeem that land pursuant to the provisions of the Act within 30 days from the date set out below, and that on issue of title for that land to the Municipality of _____ pursuant to that request, you will thereafter be forever estopped and debarred from setting up any claim to or with respect to that land.

Dated at _____, in Saskatchewan, this _____ day of _____, _____.

(Seal)

(Treasurer)

(Name of assessed owner)

(Legal description of lands, including title number(s))

NOTE - This Notice must be mailed or delivered on the same day it is dated.

FORM H
[Section 11]

REQUEST TO REGISTRAR TO ISSUE TITLE

Registrar of Titles:

The _____
(Name of municipality)

requests to be registered as owner pursuant to the provisions of *The Tax Enforcement Act*, of the following land in Saskatchewan and being composed of:

by virtue of tax lien proceedings with respect to the above-mentioned land under the interest based on a tax lien registered against the existing title to that land in the Land Titles Registry as Interest Number _____, the land not having been redeemed.

Dated at _____, in Saskatchewan, this ___ day of _____, _____.

(Treasurer)

SEAL

AFFIDAVIT OF VALUE
 [To form part of Form H]

CANADA
 PROVINCE OF SASKATCHEWAN
 To Wit:

I, _____, of the _____ of _____,
 in Saskatchewan, _____,
 (occupation)

make oath and say:

1. I am _____,
 of the _____.
 (name of municipality)

2. The value of each parcel of land mentioned in the within request, together with all buildings and other improvements on each parcel, is in my opinion as follows, and no more:

Separate valuation required for each parcel	Legal Description of Each Parcel	Value
---	----------------------------------	-------

More than one parcel may only be included in certain circumstances

Delete and initial if taxable assessment greater than the prescribed amount

3. The taxable assessment of each parcel of land, according to the last revised assessment roll, is:

Identify Parcel	Taxable Assessment
-----------------	--------------------

Delete and initial if not applicable

4. The arrears of taxes imposed against each parcel have not been paid and no payment of taxes has been made on the parcels in the two years preceding the service of the notice mentioned in subsection 26(1) of *The Tax Enforcement Act*.

Delete and initial if not applicable

5. No person is residing on any of the parcels.

Sworn before me at the _____
 of _____, in Saskatchewan
 this _____ day of _____, _____.

} _____

 A Commissioner for Oaths for
 Saskatchewan or Notary Public

My commission/appointment expires on the _____ day
 of _____, _____.

SASKATCHEWAN REGULATIONS 69/2015*The Child Care Act, 2014*

Section 30

Order in Council 411/2015, dated August 20, 2015

(Filed August 21, 2015)

Title

1 These regulations may be cited as *The Child Care Amendment Regulations, 2015*.

R.R.S. c.C-7.31 Reg 1, section 83 amended

2 **Subsections 83(2) to (4) of *The Child Care Regulations, 2015* are repealed and the following substituted:**

(2) The maximum grant that may be made pursuant to subsection (1) to the licensee of a full-time centre or a teen student support centre is:

- (a) \$656.67 per month per infant child care space;
- (b) \$394 per month per toddler child care space;
- (c) \$197 per month per preschool child care space; and
- (d) \$131.33 per month per school-age child care space.

(3) The maximum grant that may be made pursuant to subsection (1) to the licensee of an extended hours centre that operates less than 120 hours per week is:

- (a) \$820.83 per month per infant child care space;
- (b) \$492.50 per month per toddler child care space;
- (c) \$246.25 per month per preschool child care space; and
- (d) \$164.17 per month per school-age child care space.

(4) The maximum grant that may be made pursuant to subsection (1) to the licensee of an extended hours centre that operates 120 hours per week or more is:

- (a) \$985 per month per infant child care space;
- (b) \$591 per month per toddler child care space;
- (c) \$295.50 per month per preschool child care space; and
- (d) \$197 per month per school-age child care space”.

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from April 1, 2015.

RÈGLEMENT DE LA SASKATCHEWAN 69/2015*Loi de 2014 sur les garderies d'enfants*

Article 30

Décret 411/2015, en date du 20 août 2015

(Déposé le 21 août 2015)

Titre**1** *Règlement de 2015 modifiant le Règlement de 2015 sur les garderies d'enfants.***Modification de l'article 83 des R.R.S. ch. C-7.31 Règl. 1****2 Les paragraphes 83(2) à (4) du Règlement de 2015 sur les garderies d'enfants sont abrogés et remplacés par ce qui suit :**

« (2) La subvention maximale qui peut être accordée en vertu du paragraphe (1) au licencié d'une garderie non résidentielle à plein temps ou d'une garderie non résidentielle pour le soutien aux élèves adolescents est :

- a) 656,67 \$ par mois par place pour enfant en bas âge;
- b) 394 \$ par mois par place pour tout-petit;
- c) 197 \$ par mois par place pour enfant d'âge préscolaire;
- d) 131,33 \$ par mois par place pour enfant d'âge scolaire.

« (3) La subvention maximale qui peut être accordée en vertu du paragraphe (1) au licencié d'une garderie non résidentielle à ouverture étendue qui est ouverte moins de 120 heures par semaine est :

- a) 820,83 \$ par mois par place pour enfant en bas âge;
- b) 492,50 \$ par mois par place pour tout-petit;
- c) 246,25 \$ par mois par place pour enfant d'âge préscolaire;
- d) 164,17 \$ par mois par place pour enfant d'âge scolaire.

« (4) La subvention maximale qui peut être accordée en vertu du paragraphe (1) au licencié d'une garderie non résidentielle à ouverture étendue qui est ouverte au moins 120 heures par semaine est :

- a) 985 \$ par mois par place pour enfant en bas âge;
- b) 591 \$ par mois par place pour tout-petit;
- c) 295,50 \$ par mois par place pour enfant d'âge préscolaire;
- d) 197 \$ par mois par place pour enfant d'âge scolaire ».

Entrée en vigueur**3** Le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements, mais est rétroactif et est réputé en vigueur depuis le 1^{er} avril 2015.

SASKATCHEWAN REGULATIONS 70/2015*The Adoption Act, 1998*

Section 43

Order in Council 413/2015, dated August 20, 2015

(Filed August 21, 2015)

Title**1** These regulations may be cited as *The Adoption Amendment Regulations, 2015*.**R.R.S. c.A-5.2 Reg 1, section 51 amended****2** Subsection 51(4) of *The Adoption Regulations, 2003* is amended by **striking out** “, and that review will be carried out through a home visit if possible”.**Coming into force****3(1)** Subject to subsection (2), these regulations come into force on October 1, 2015.**(2)** If these regulations are filed with the Registrar of Regulations after October 1, 2015, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

RÈGLEMENT DE LA SASKATCHEWAN 70/2015

Loi de 1998 sur l'adoption

Article 43

Décret 413/2015, en date du 20 août 2015

(Déposé le 21 août 2015)

Titre

1 *Règlement de 2015 modifiant le Règlement de 2003 sur l'adoption.*

Modification de l'article 51 du Règl. 1 des R.R.S. ch. A-5.2

2 **Le paragraphe 51(4) du *Règlement de 2003 sur l'adoption* est modifié par suppression de « , et cette révision s'effectuera si possible lors d'une visite du foyer ».**

Entrée en vigueur

3(1) Sous réserve du paragraphe (2), le présent règlement entre en vigueur le 1^{er} octobre 2015.

(2) Le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements, si ce dépôt intervient après le 1^{er} octobre 2015.

SASKATCHEWAN REGULATIONS 71/2015*The Saskatchewan Assistance Act*

Section 14

Order in Council 414/2015, dated August 20, 2015

(Filed August 21, 2015)

Title

1 These regulations may be cited as *The Employment Supplement Amendment Regulations, 2015*.

R.R.S. c.S-8 Reg 3 amended

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

Section 2 amended

3(1) Clause 2(1)(c) is repealed and the following substituted:

“(c) ‘**child**’ means:

- (i) an individual who is under 13 years of age;
- (ii) an individual who is under 18 years of age and who:
 - (A) was older than 12 years of age on the day on which *The Employment Supplement Amendment Regulations, 2015* came into force; and
 - (B) subject to subsection (4), was a member of an eligible family unit that received an SES benefit the month before the day on which *The Employment Supplement Amendment Regulations, 2015* came into force; or
- (iii) any other individual who is between the ages of 13 and 18 whom the minister determines to be a child for the purposes of these regulations”.

(2) The following subsections are added after subsection 2(3):

“(4) An individual described in paragraph (1)(c)(ii)(B) is not a child for the purposes of these regulations if, after the coming into force of *The Employment Supplement Amendment Regulations, 2015*, the individual’s family unit’s entitlement to receive payments of the SES benefit is terminated pursuant to section 23.

“(5) Notwithstanding subsection (4), an individual mentioned in that subsection is a child for the purposes of these regulations if the individual’s family unit’s entitlement to receive payments of the SES benefit is terminated because the individual:

- (a) has been apprehended and is in the care of the minister pursuant to *The Child and Family Services Act*; or
- (b) is in the custody of the minister as a result of an order made pursuant to *The Child and Family Services Act*”.

Section 5 amended

4 Clause 5(a) is amended by striking out “Department” and substituting “Ministry”.

Section 7 amended

5 Subsection 7(4) is amended:

(a) in clause (a) by striking out “*The Correctional Services Act*” and substituting “*The Correctional Services Act, 2012*”;

(b) in clause (b) by striking out “*The Young Offenders Services Act*” and substituting “*The Youth Justice Administration Act*”; and

(c) by repealing clause (g) and substituting the following:

“(g) an individual whose application to remain in Canada as a permanent resident was sponsored in accordance with the regulations made pursuant to section 13 of the *Immigration and Refugee Protection Act* (Canada), during the period of sponsorship”.

Section 8 amended

6 Clause 8(2)(a) is amended by striking out “department” and substituting “ministry”.

Section 10 amended

7(1) Subsection 10(1) is amended by striking out “department”:

(a) in clause (a); and

(b) in clause (b);

and in each case substituting “ministry”.

(2) Subsection 10(2) is amended by striking out “department” and substituting “ministry”.

(3) Clause 10(3)(a) is amended by striking out “the department of personal information with respect to the family unit in the records of government departments” and substituting “the ministry of personal information with respect to the family unit in the records of ministries”.

Section 11 amended

8 Clause 11(3)(a) is amended by striking out “department” and substituting “ministry”.

Section 13 amended

9 Subsection 13(1) is amended:

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

(b) in clause (c) by striking out “*The Workers’ Compensation Act, 1979*” and substituting “*The Workers’ Compensation Act, 2013*”.

Section 17 amended

10(1) Subsection 17(1) is amended by striking out “department” and substituting “ministry”.

(2) Subsection 17(1.1) is amended by striking out “Department” and substituting “Ministry”.

Section 18 amended

11 Subsection 18(3) is amended by striking out “department” and substituting “ministry”.

Section 20 amended

12(1) Subsection 20(3) is amended by striking out “department or received by the department from the Department of Health” and substituting “ministry or received by the ministry from the Ministry of Health”.

(2) Subsection 20(4) is amended:

(a) in clause (a) by striking out “department” and substituting “ministry”; and

(b) by repealing clause (b) and substituting the following:

“(b) the program manager or the program manager’s designate is satisfied that the underpayment is the result of an error made by an applicant or client as a result of difficulty in providing information and, in the opinion of the program manager or the program manager’s designate, it would be inappropriate not to make a payment with respect to the underpayment”.

Section 37 amended

13 Subsection 37(2) is amended by striking out “department” and substituting “ministry”.

Section 38 amended

14(1) Subsection 38(1) is amended by striking out “department” and substituting “ministry”.

(2) Subsection 38(1.1) is amended by striking out “department” and substituting “ministry”.

Section 40.1 repealed

15 Section 40.1 is repealed.

Section 40.2 amended

16 Section 40.2 is amended by striking out “An amount paid to a client pursuant to subsection 40.1(1) and any other” and substituting “Any”.

Coming into force

17(1) Subject to subsection (2), these regulations come into force on October 1, 2015.

(2) If these regulations are filed with the Registrar of Regulations after October 1, 2015, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 72/2015*The Consumer Protection and Business Practices Act*

Sections 74 and 113

Order in Council 415/2015, dated August 20, 2015

(Filed August 21, 2015)

Title

1 These regulations may be cited as *The Consumer Protection and Business Practices Amendment Regulations, 2015*.

R.R.S. c.C-30.2 Reg 1 amended

2 *The Consumer Protection and Business Practices Regulations* are amended in the manner set forth in these regulations.

Section 3-4 amended

3(1) Clause 3-4(2)(g) is repealed and the following substituted:

“(g) Part V of these regulations”.

(2) The following subsections are added after subsection 3-4(4):

“(5) In subsection (6), ‘**public utility**’ means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- (a) water;
- (b) sewage disposal;
- (c) drainage;
- (d) electrical power;
- (e) heat;
- (f) natural or manufactured gas;
- (g) waste management;
- (h) residential street or road lighting.

“(6) This Division does not apply to an internet sales contract, a future performance contract or a remote contract for the supply of public utilities by a Crown corporation, municipality or municipal district pursuant to:

- (a) *The Cities Act*;
- (b) *The Municipalities Act*;
- (c) *The Northern Municipalities Act, 2010*;
- (d) *The Power Corporation Act*; or
- (e) *The SaskEnergy Act*”.

New heading for Part V

4 The heading preceding section 5-1 is struck out and the following substituted:

**“PART V
Designated Activities and Licensing**

**DIVISION 1
General”.**

New sections 5-3 to 5-6

5 The following sections are added after section 5-2:

“Fees

5-3 Subject to any contrary provision in any Division of this Part, the fees for an initial application for a licence for a designated activity and for each annual return with respect to that licence are:

- (a) \$300 per year for a business with employees or agents who are licensed;
- (b) \$600 per year for a business with:
 - (i) employees or agents who are exempt from licensing; or
 - (ii) no employees; and
- (c) \$125 per year for an individual employee or agent licence.

“Duration of licence

5-4(1) Each licence issued pursuant to this Part continues in force unless it is suspended or cancelled in accordance with the Act or this Part.

- (2) Every licence is the property of the director.
- (3) The licensee must return to the director any licence issued to the licensee that is cancelled.

“Annual return

5-5(1) Every licensee must submit to the director an annual return on or before the anniversary date of the issuance of the licensee’s licence in accordance with this section.

- (2) The annual return mentioned in subsection (1) must, with respect to the previous year:
 - (a) report any change in the information required to be provided to the director pursuant to sections 58 and 70 of the Act that has not already been reported;
 - (b) include a declaration that the licensee has complied with the Act and these regulations during the period since the previous annual return;
 - (c) include confirmation, verified by the declaration mentioned in clause (b), that the information in the annual return is true; and
 - (d) include any other information required by the director.

- (3) A declaration mentioned in clause (2)(b) must be completed:
- (a) in the case of a licensee that is a sole proprietor, by the sole proprietor;
 - (b) in the case of a licensee that is a partnership, by any partner;
 - (c) in the case of a licensee that is a corporation, by a director.
- (4) The fee for an annual return mentioned in subsection (1) must be paid to the director on or before the date mentioned in that subsection.

“Notice of cancellation

5-6(1) Subject to any contrary provision in any Division of this Part, a consumer may cancel a contract pursuant to this Part on giving a notice of cancellation in accordance with this section.

(2) A notice of cancellation of a contract may be expressed in any way as long as it indicates the intention of the consumer to cancel the contract.

(3) A notice of cancellation:

- (a) may be given by a consumer to a supplier by any means, including:
 - (i) personal service;
 - (ii) registered mail;
 - (iii) courier;
 - (iv) telephone;
 - (v) fax;
 - (vi) email; and
- (b) is deemed to be given at the time it is sent or transmitted, as the case may be”.

New Division 2 of Part V

6 The following Division is added after section 5-6:

**“DIVISION 2
Vehicle Dealers**

*Subdivision 1
General*

“Interpretation of Division

5-7 In this Division:

- (a) **‘broker’** means a person whose business is restricted to the buying and selling of vehicles exclusively for dealers, or any person who holds himself or herself out as a broker;

- (b) **'consignment'** means an arrangement under which a vehicle is entrusted by a consignor to a dealer:
- (i) to facilitate a sale between a consignor and a purchaser;
 - (ii) under a conditional sale to the dealer for the purpose of resale; or
 - (iii) to display for sale by the dealer;
- (c) **'consignor'** means a consumer who makes a consignment;
- (d) **'consumer'** means a person who buys, leases or otherwise acquires a vehicle from a dealer;
- (e) **'dealer'** means a person carrying on the business of a dealership or who holds himself or herself out as a dealer, whether on the person's own account or on the account of any other person, and includes, when the context requires:
- (i) a broker;
 - (ii) a person who is in the business of selling repossessed vehicles, whether on his or her own behalf or on behalf of another owner;
 - (iii) a vehicle rental company;
- (f) **'dealership'** means a business that:
- (i) sells or leases vehicles or offers vehicles for sale or lease; or
 - (ii) takes vehicles on consignment pursuant to section 5-27;
- (g) **'fleet vehicles'** means vehicles owned by a business or government agency and used by the employees of the business or government agency for business purposes;
- (h) **'lease'** means an arrangement in which a consumer acquires the right to take possession of a vehicle from a dealer but does not acquire ownership of the vehicle;
- (i) **'repossess'** means to retake possession of a vehicle when a purchaser defaults on payments;
- (j) **'sale'** includes a disposition or acquisition of a vehicle by exchange, trade or consignment;
- (k) **'salesperson'** means an individual who sells, leases or offers for sale or lease, or solicits orders for the future delivery of, vehicles for or on behalf of a dealer;
- (l) **'vehicle'** means any self-propelled vehicle that is required to be registered pursuant to The Traffic Safety Act and includes a snowmobile;
- (m) **'vehicle contract'** means an agreement for the sale or lease of a vehicle;
- (n) **'vehicle rental company'** means a person or partnership whose business is renting vehicles on a short-term basis to consumers.

“Selling or leasing vehicles as a designated activity

5-8 For the purposes of section 55 of the Act, the selling or leasing of vehicles by a dealer is designated as a business to which Part VII of the Act applies.

“Exemptions

5-9(1) This Division does not apply to the following:

- (a) a person, other than a broker, who only sells vehicles to dealers;
- (b) an auction sales company licensed pursuant to *The Auctioneers Act* that, on behalf of others, sells at auction only vehicles owned by others and not owned by itself;
- (c) the sale of vehicles by Saskatchewan Government Insurance or an insurer licensed pursuant to The Saskatchewan Insurance Act as a result of administering an insurance claim;
- (d) subject to subsection (2), a person:
 - (i) who trades in vehicles solely for the purpose of providing or facilitating financing for the purchase or lease of a vehicle;
 - (ii) who sells a vehicle to a dealer that the person has repossessed or seized under a security agreement; or
 - (iii) whose dealings in vehicles are incidental to his or her ordinary business of lending money or dealing in financial contracts or instruments;
- (e) a secured creditor enforcing his or her security interest;
- (f) an unpaid commercial lien claimant within the meaning of *The Commercial Liens Act* who sells a vehicle to satisfy a lien, unless that person is otherwise a dealer;
- (g) a business or government agency selling fleet vehicles if the vehicles have been owned by the business or government agency for more than one year;
- (h) subject to subsection (2), a trustee in bankruptcy, receiver, liquidator, sheriff, collateral recovery agent or person acting under an order of a court or by statutory authority or an executor, estate trustee or other trustee or a lawyer who sells a vehicle in the course of the person's duties or professional capacity;
- (i) a manufacturer, exporter, importer or distributor of vehicles that sells vehicles only to a licensed dealer or to a person who sells vehicles to a licensed dealer;
- (j) the lease of a vehicle for a term of less than 120 days.

(2) A person who is in the business of selling vehicles for or on behalf of the entities mentioned in clauses (1)(d) and (h) is a dealer for the purposes of this Division.

Subdivision 2
Licensing

“Activities for which licence required

5-10(1) Every dealer shall hold a valid licence to sell or lease vehicles.

(2) Subject to subsection (3), for the purposes of section 57 of the Act, a separate licence is required for each location from which a person carries on business as a dealer.

(3) Subsection (2) does not apply to a dealer:

(a) whose locations have the same business name, are within one kilometre of each other and form part of the same business; or

(b) who carries on business from a separate location other than the main location for not more than 30 days in any calendar year.

(4) Clauses 5-12(1)(d), (h) and (i), sections 5-13 and 5-14, subsections 5-21(2), 5-22(2), 5-23(1) and 5-24(1) do not apply to a dealer who is a broker.

(5) Subsection 5-14(3), clause 5-25(2)(j), subsection 5-25(4) and sections 5-26 to 5-29 do not apply to a dealer that is a vehicle rental company.

“Fees

5-11 Subject to section 5-30, the fee for an application for a licence and for each annual return with respect to that licence is:

(a) \$300;

(b) \$400, effective January 1, 2016;

(c) \$500, effective January 1, 2017;

(d) \$600, effective January 1, 2018.

“Application requirements

5-12(1) In an application for a licence, an applicant for a licence must provide:

(a) the name of a contact person for the licensee;

(b) a business phone number registered in the name of the licensee;

(c) an email address where notices and other documents required to be delivered or sent to the licensee may be sent;

(d) evidence that the dealer meets the requirements set out in section 5-14;

(e) subject to subsection (3), a criminal record check dated no earlier than three months before the date of the application with respect to the following:

(i) in the case of a corporation, all directors and officers of the corporation;

(ii) in the case of a partnership, all partners;

(iii) in the case of a sole proprietorship, the sole proprietor;

- (f) fees as set out in section 5-11;
- (g) financial security as set out in section 5-15;
- (h) a copy of the vehicle contract used by the dealer that complies with section 5-25;
- (i) a copy of the consignment contract, if any, used by the dealer that complies with section 5-27;
- (j) a declaration verifying the information in the application; and
- (k) any other information that the director directs.

(2) Subject to subsection (3), for the purposes of clause (1)(e), if a partner of a partnership is a corporation, all directors and officers of the corporate partner must provide a criminal record check.

(3) The director may exempt any person from the requirement to provide a criminal record check.

“Filing of vehicle contract

5-13(1) Every dealer shall file with the director two copies of each form of contract for sale, lease or consignment that he or she uses or proposes to use when entering into an agreement with a consumer.

(2) No dealer shall use a form of contract for sale, lease or consignment unless:

- (a) the form of contract complies with section 5-25 or 5-27, as the case may be; and
- (b) a copy of the form of contract has been returned to him or her bearing an endorsement by the director to the effect that the form has been accepted for filing.

(3) The director may refuse to accept for filing any form of contract for sale, lease or consignment that the director determines to be objectionable.

(4) If the director refuses to accept a form of contract for filing, the director shall, on request, specify the reason for that refusal.

“Premises

5-14(1) Subject to subsection (2), a dealer must have:

- (a) land designated for vehicle display and storage that meets zoning requirements and is capable of holding a minimum of six vehicles;
- (b) a structure where business is conducted that meets the requirements of the director;
- (c) a permanent sign that meets the director’s requirements;

- (d) a salesperson:
 - (i) who is in attendance at the premises mentioned in clause (a) to deal with consumers during normal hours of operation; or
 - (ii) who, if the premises mentioned in clause (a) are operated on an appointment basis only, is made available by the dealer at those premises:
 - (A) for an appointment within three business days after a consumer's request for an appointment; and
 - (B) for a reasonable amount of time;
 - (e) any other thing respecting premises that is required by the director.
- (2) Subsection (1) does not apply to a business outside Saskatchewan that leases fleet vehicles to persons in Saskatchewan.
- (3) A dealer must designate a facility that is available to make repairs to vehicles sold or leased by the dealer.
- (4) The director may exempt any person from any of the requirements of subsection (1).

“Financial security

5-15 Each applicant for a dealer licence must provide financial security in accordance with section 59 of the Act in an amount determined by the director that is not less than \$25,000 per licence.

“Criminal record check to be updated

5-16(1) A dealer shall provide to the director an updated criminal record check before the fifth anniversary of the date of the criminal record check provided pursuant to clause 5-12(1)(e) and before every subsequent fifth anniversary of that date.

(2) Clause 5-12(1)(e) applies to a criminal record check that is to be provided pursuant to subsection (1).

Subdivision 3
Specific Requirements for Vehicle Dealers

“Interpretation of Subdivision

5-17 In this Subdivision:

(a) **‘drive-away price’** means the total charges, not including taxes payable pursuant to *The Provincial Sales Tax Act* and Part IX of the *Excise Tax Act* (Canada) or financing charges, that the consumer, if paying cash without a trade, would be required to pay to conclude a transaction, including:

- (i) the price of the vehicle; and
- (ii) charges for freight, inspection before delivery of the vehicle, fees and levies;

(b) **'stock number'** means the number or symbol that the dealer uses to identify a specific vehicle in the dealer's inventory;

(c) **'VIN'** means the vehicle identification number, the vehicle information number or, in the case of a snowmobile, the serial number, that is unique to the vehicle.

"Production of licence

5-18 Every dealer must, when requested to do so by any of the following, produce the dealer's licence for inspection:

- (a) a consumer or potential consumer of the dealer;
- (b) a consignor or potential consignor;
- (c) the director, an inspector or an investigator;
- (d) a bylaw enforcement officer appointed pursuant to section 337 of *The Cities Act*, section 373 of *The Municipalities Act* or section 394 of *The Northern Municipalities Act, 2010*;
- (e) a member of:
 - (i) the Royal Canadian Mounted Police; or
 - (ii) a police service as defined in *The Police Act, 1990*.

"Record-keeping requirements

5-19(1) Every dealer shall keep a record of all vehicles purchased, sold, leased or taken on consignment by the dealer in any manner that will readily identify those vehicles.

(2) The records mentioned in subsection (1) must be maintained separately from any other records of the dealer that are not related to the business for which the licence was granted.

(3) Every dealer shall enter in the record mentioned in subsection (1):

- (a) in the case of a vehicle purchased or acquired by the dealer:
 - (i) the name and address of the person from whom the vehicle was purchased or acquired;
 - (ii) the date on which the vehicle was purchased or acquired;
 - (iii) an accurate description of the vehicle, including its year of manufacture, VIN, model and details of extra equipment;
 - (iv) in the case of a trade-in, the allowance made; and
 - (v) the odometer reading at the time of purchase or acquisition;
- (b) in the case of a vehicle taken on consignment by the dealer:
 - (i) the name and address of the person from whom the vehicle was taken on consignment;
 - (ii) the date on which the vehicle was taken on consignment;
 - (iii) an accurate description of the vehicle, including its year of manufacture, VIN, model and details of extra equipment;

- (iv) a description of all fees or charges payable by the consignor to the dealer in connection with the consignment contract; and
 - (v) the odometer reading at the time that the vehicle was taken on consignment; and
- (c) in the case of a vehicle sold or leased by the dealer:
- (i) the name and address of the purchaser or lessee;
 - (ii) the date on which the vehicle was sold or leased;
 - (iii) an accurate description of the vehicle, including its year of manufacture, VIN, model and details of extra equipment;
 - (iv) the sale price or lease terms;
 - (v) the terms and method of payment;
 - (vi) if another vehicle is accepted as a trade-in or other property is given in exchange, a description of that vehicle or other property, including, as applicable, its year of manufacture, VIN, model and amount of trade-in or exchange allowance;
 - (vii) the stock number;
 - (viii) the odometer reading at the time of sale or lease; and
 - (ix) the name of the salesperson.
- (4) The dealer must keep a copy of every contract entered into in the course of the dealer's business for which the licence has been granted.
- (5) The dealer must keep a record of every advertisement that lists a price of a specific vehicle.
- (6) For the purposes of subsection 73(2) of the Act, the prescribed period is the longer of:
- (a) five years; or
 - (b) if the dealer provides financing to the purchaser, the period of the loan agreement.

“Prohibited sales

- 5-20(1)** No dealer shall sell a vehicle to a person who is not licensed pursuant to this Division if the dealer knows or should reasonably be expected to know that the person is in the business of purchasing vehicles for the purpose of resale.
- (2) No dealer shall sell or lease to a consumer a vehicle that is not equipped as required by section 114 of *The Traffic Safety Act* unless:
- (a) the dealer has identified on the vehicle contract that the vehicle is not equipped as required by that section; and
 - (b) the consumer has acknowledged in writing that he or she does not intend to drive the vehicle on a highway until the vehicle is equipped as required by that Act.

(3) No dealer shall sell a used vehicle to a consumer unless the dealer has provided information with respect to the availability of and information that can be obtained from a search of other jurisdictions, including jurisdictions outside Canada, for vehicle damage information.

“Advertising

5-21(1) No dealer or salesperson shall publish or cause to be published in a newspaper or other printed or electronic publication an advertisement for the sale of a vehicle unless the advertisement contains:

- (a) the name of the dealer; or
- (b) the words ‘Dealer Licence Number’ or the initials ‘DL’ followed by the number of the licence issued to the dealer pursuant to this Division.

(2) A dealer must ensure that every advertisement for a dealer’s business that promotes the purchase or lease of a vehicle from the dealer:

- (a) does not misrepresent, through statements or omissions, a vehicle’s mechanical or structural condition;
- (b) uses descriptions and makes promises only in accordance with actual conditions, situations and circumstances;
- (c) does not use a font that due to its size or other visual characteristics is likely to materially impair the legibility or clarity of the advertisement;
- (d) does not use the words, or words similar to, ‘demonstrator vehicle’ or ‘demo vehicle’ unless the vehicle in question was purchased new by the dealer and used primarily for sales demonstrations by the dealer;
- (e) does not use the words, or words similar to, ‘savings’, ‘discount’, ‘percentage off the purchase price’, ‘free’, ‘invoice price’, ‘below invoice’, ‘dealer’s cost’, ‘at cost’, or ‘employee pricing’ or show a price that is a specified amount above or below invoice or cost unless the claims represented by the words, or the price shown, can be substantiated;
- (f) does not use the words, or words similar to, ‘wholesale’, ‘take over payments’ or ‘repossession’ unless the claims represented by the words can be substantiated;
- (g) does not imply that a warranty exists with respect to a vehicle or a repair or service unless that warranty with respect to the vehicle, repair or service exists and is available at the price advertised;
- (h) does not make comparisons or claims of superiority unless the results of the comparisons or the claims can be substantiated; and
- (i) if a specific vehicle is advertised as being available at the time the advertisement is placed and if the dealer lists the price of the vehicle, whether or not the advertisement contains a picture of the vehicle, includes the drive-away price and the stock number.

(3) Subsection (2) applies notwithstanding that a dealer’s advertisement is shown in association with a national advertisement placed by a person who is exempt from licensing pursuant to this Division.

(4) If a vehicle is displayed for sale at the dealer's premises and the price of the vehicle is displayed, the price displayed must be the drive-away price.

(5) A dealer who advertises a periodic payment for a vehicle that is to be financed on approved credit must include in the advertised price the total charges that the consumer would pay if credit is approved, not including taxes payable pursuant to *The Provincial Sales Tax Act* and Part IX of the *Excise Tax Act* (Canada).

“Disclosure

5-22(1) In this section, ‘**material fact**’ means information that is known to the dealer or that the dealer should reasonably be expected to know that could reasonably be expected to influence a reasonable consumer’s decision to buy or lease, or refuse to buy or lease, a vehicle from the dealer, and includes:

- (a) in the case of a new vehicle, whether the vehicle has sustained damage requiring repairs costing more than 20% of the asking price of the vehicle;
 - (b) in the case of a used vehicle:
 - (i) a current printed VIN search result provided by Saskatchewan Government Insurance;
 - (ii) whether the vehicle has been used as a taxi, police or emergency vehicle or in organized racing;
 - (iii) if the vehicle has been owned by a vehicle rental company within the previous 24 months;
 - (iv) if the vehicle was previously registered in a jurisdiction other than a jurisdiction in Canada within the previous 36 months;
 - (v) whether the vehicle has been brought into Canada specifically for the purpose of resale;
 - (vi) that the odometer of the vehicle:
 - (A) does not accurately record the true distance travelled by the vehicle; or
 - (B) has been replaced or altered;
 - (c) in the case of a new or used vehicle, the location mentioned in subsection 5-14(3), if the facility is more than 80 kilometres from the dealer’s premises.
- (2) Every dealer must disclose in writing the following to the prospective purchaser or lessee before the contract of sale or lease is entered into by the purchaser or lessee:
- (a) all material facts, as known by the dealer or that the dealer should reasonably be expected to know at the time the vehicle contract is entered into;
 - (b) all of the elements of a vehicle contract as set out in subsection 5-25(2) except clauses (b), (i), (j) and (l);
 - (c) if a drive-away price has been advertised or displayed, the drive-away price.

“Remedy for non-disclosure

5-23(1) If, at the time the vehicle contract is entered into, a dealer does not provide disclosure as required by subsection 5-22(2), or provides disclosure that the dealer knows or should reasonably be expected to know is false or misleading and if:

(a) the failure to disclose or the false or misleading disclosure is remediable and not of a substantial character, the consumer may, at his or her option, recover damages for losses that he or she has suffered and that were reasonably foreseeable as liable to result from the failure to disclose or the false or misleading disclosure; or

(b) the failure to disclose or the false or misleading disclosure is of a substantial character, the consumer, at his or her option, may reject the vehicle and in that case, the consumer is entitled:

(i) to recover the purchase price from the dealer; and

(ii) to recover damages or any other losses that the consumer has suffered and that were reasonably foreseeable as liable to result from the failure to disclose or the false or misleading disclosure.

(2) If clause (1)(b) applies and the consumer rejects the vehicle, subsections 28(2) and (3) of the Act apply.

(3) Subsection (1) does not apply to a dealer who leases a new vehicle to a consumer and who, during or at the end of the term of the lease, enters into a contract with the consumer to sell the vehicle.

“Return of deposit

5-24(1) A dealer shall accept a deposit from a consumer before entering into a vehicle contract only in accordance with this section.

(2) No dealer shall require or accept a deposit that is greater than 2% of the purchase price of the vehicle.

(3) If a consumer does not enter into a vehicle contract for the vehicle for which the deposit mentioned in subsection (1) was given, no dealer shall retain a deposit given by the consumer unless the deposit was used to defray an actual expense to acquire a vehicle that was not in the possession of the dealer at the time the deposit was taken.

(4) On or before the payment of a deposit by the consumer, the terms and conditions of the deposit taken by the dealer must be provided to the consumer in writing and must include conditions for the return of the deposit.

(5) Any deposit that is returned to the consumer must be in the same form as it was provided.

(6) A consumer is entitled to the return of the full deposit if the dealer fails to comply with this section.

“Vehicle contract requirements

5-25(1) On the sale or lease of a vehicle, the dealer must complete a form of vehicle contract that meets the requirements of this section and that has been filed with the director pursuant to section 5-13.

- (2) Each vehicle contract must contain, at a minimum:
- (a) the names and addresses of the purchaser or lessee and the dealer;
 - (b) the date of the contract;
 - (c) the make, model and year of the vehicle and any specific model identifier;
 - (d) the VIN;
 - (e) particulars of extra equipment or accessories to be provided;
 - (f) the odometer reading;
 - (g) if the vehicle’s odometer is broken or faulty, has been replaced, has been rolled back or is in miles, a statement to that effect;
 - (h) the selling price, or if sold at an auction, the final bid price;
 - (i) the actual amount of the down payment or deposit, if any;
 - (j) details of trade-in or exchange, if any, including the amount of any outstanding security relating to the trade-in or exchange;
 - (k) additional warranties, if any;
 - (l) if the dealer financed the purchase or lease, a statement to that effect; and
 - (m) the name of the salesperson.
- (3) If a vehicle is sold by a dealer at an auction, the auctioneer must provide the winning bidder with the name and address of the dealer.
- (4) In addition to the requirements of subsection (2), a vehicle contract that is for the lease of a vehicle must contain, at a minimum:
- (a) the amount due at lease signing or delivery;
 - (b) the monthly payment and the date in each month that the monthly payment is due;
 - (c) any other charges that the lessee is to pay;
 - (d) the amount of total payments that will be made over the term of the lease;
 - (e) the portion of the total payments mentioned in clause (d) that constitutes finance charges;
 - (f) a calculation of how the monthly payment is determined;
 - (g) a statement of the rights and obligations of the lessee in the event of early termination of the lease;
 - (h) the amount to be paid by the lessee in the event of early termination of the lease;

- (i) an explanation of what constitutes normal wear and tear, including details regarding any obligations the lessee may have for payment for excessive wear and tear;
 - (j) the amount to be paid by the lessee for excessive mileage;
 - (k) the lessee's responsibilities respecting maintenance of the vehicle;
 - (l) the lessee's responsibility to maintain insurance, including insurance against a stolen or destroyed vehicle, and details of the payee of the insurance proceeds;
 - (m) the lessee's option to purchase at the end of the lease; and
 - (n) the lessee's option to purchase before the end of the lease, if any.
- (5) The dealer shall ensure that there is a separate vehicle contract for each vehicle that the dealer sells or leases.
- (6) If two or more persons jointly purchase or lease a vehicle, they must all be shown as owners or lessees on the vehicle contract.
- (7) For each vehicle contract mentioned in subsection (1) entered into by the dealer, the dealer shall ensure that:
- (a) the contract is signed by the parties; and
 - (b) the purchaser or lessee receives a copy of the contract immediately after signing it.
- (8) The director may require that a standard form of vehicle contract containing the elements mentioned in subsections (1) and (2) be used by any or all dealers.
- (9) Nothing contained in a vehicle contract mentioned in this section prevents a consumer in an action on the contract from raising a representation made by the dealer or a salesperson.

“Consignment contracts

5-26(1) In this section and in section 5-27, **‘consignment contract’** means a contract between a dealer and a consignor for the sale by the dealer of a vehicle owned by the consignor that is in a form that:

- (a) meets the requirements of section 5-27; and
 - (b) has been filed with the director pursuant to section 5-13.
- (2) Subsection (1) and section 5-27 do not apply if the consignor is a dealer.

“Form of consignment contract

5-27(1) If a consignment is negotiated between a dealer and a consignor, the dealer must prepare a consignment contract and provide the consignor with a copy of the consignment contract at the time of signing by the consignor.

- (2) The consignment contract must contain, at a minimum:
- (a) the names and addresses of the consignor and the dealer;
 - (b) the commencement date and the termination date of the consignment;
 - (c) a complete description of the vehicle being consigned, including the year, make, model, VIN and odometer reading;

- (d) confirmation from the consignor that the consignor owns the vehicle and has the right to sell the vehicle;
- (e) confirmation from the consignor that the consignor will not take any action that affects his or her authority to sell the vehicle until it is sold pursuant to the consignment agreement or the consignment agreement is otherwise terminated;
- (f) confirmation that any outstanding liens will be discharged at the time of sale;
- (g) the minimum price the consignor will accept for the sale of the vehicle;
- (h) a description of all fees or charges payable by the consignor to the dealer in connection with the consignment contract;
- (i) a description of any warranty or guarantee assignable by the consignor;
- (j) a statement of the responsibilities of both the consignor and the dealer with respect to insurance coverage on the vehicle during the period of the consignment; and
- (k) a statement allowing for or restricting the use of the vehicle during the period of the consignment.

“Responsibilities of dealer

5-28 If a consigned vehicle is sold:

- (a) the dealer must notify the consignor of the sale of the consigned vehicle no later than one business day after the sale of the consigned vehicle; and
- (b) disbursement of the sale proceeds must take place within 30 days after the sale of the consigned vehicle unless the consignor specifically waives this right, in writing, after the sale.

“Warranty

5-29(1) In this section, **‘power train’** means the engine, transmission, drive shafts, differential and the components required to deliver torque to the drive wheels of a vehicle.

(2) For any sale or lease of a used vehicle by a dealer, if the vehicle has been driven a distance less than 200 000 kilometres, the dealer must provide a minimum warranty on the power train for 30 days or 1 000 kilometres, whichever occurs first.

(3) Subject to subsection (4), for the purposes of subsection (2), if any component of the power train fails during the warranty period, it is deemed to be a breach of substantial character within the meaning of clause 28(1)(b) of the Act.

(4) The dealer may require the consumer to pay a maximum of \$200 towards the cost of repair of the vehicle or recovery pursuant to clause 28(1)(b) of the Act.

(5) The warranty provided by subsection (2) does not diminish any other warranty provided by the Act, the dealer, the manufacturer or any other party.

- (6) The warranty provided by subsection (2) does not apply if:
- (a) it can be demonstrated that, during the minimum warranty period, the vehicle was used or misused in a manner that was not reasonably intended when it was sold; or
 - (b) the problem with the component that resulted in the failure was disclosed in writing to the consumer before or at the time the consumer signed the vehicle contract and the consumer acknowledged the disclosure in writing.

“Transitional

5-30(1) In this section, **‘former Act’** means *The Motor Dealers Act* as that Act existed before the coming into force of section 120 of the Act.

(2) A licensee who was licensed pursuant to the former Act is not required to submit an annual return pursuant to section 5-5 until the first anniversary date of the issuance of the licensee’s licence that occurs at least six months after the day on which section 5 of *The Consumer Protection and Business Practices Amendment Regulations, 2015* comes into force.

(3) A licensee who was licensed pursuant to the former Act is not required to submit a vehicle contract for filing pursuant to section 5-12 until the date that is six months after the day on which section 5 of *The Consumer Protection and Business Practices Amendment Regulations, 2015* comes into force.

(4) A licensee who was licensed pursuant to the former Act is not required to meet the requirements set out in section 5-14 with respect to its premises until the date that is six months after the day on which section 5 of *The Consumer Protection and Business Practices Amendment Regulations, 2015* comes into force.

(5) A licensee who was licensed pursuant to the former Act is required to provide to the director an updated criminal record check at the time the licensee is required to file an annual return pursuant to subsection (2).

(6) A licensee who was licensed pursuant to the former Act is not required to meet the requirements set out in section 5-19 with respect to the keeping of records until the date that is six months after the day on which section 5 of *The Consumer Protection and Business Practices Amendment Regulations, 2015* comes into force.

(7) A licensee who was licensed pursuant to the former Act is not required to meet the requirements of section 5-15 with respect to financial security until the date that is six months after the day on which section 5 of *The Consumer Protection and Business Practices Amendment Regulations, 2015* comes into force”.

Coming into force

7(1) Subject to subsections (2) and (3), these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations.

(2) Subject to subsection (3), subsection 3(1) and sections 4 to 6 come into force on the day on which section 120 of *The Consumer Protection and Business Practices Act* comes into force.

(3) If section 120 of *The Consumer Protection and Business Practices Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, subsection 3(1) and sections 4 to 6 come into force on the day on which these regulations are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 73/2015*The Agri-Food Act, 2004*

Sections 7, 8 and 43

Order in Council 417/2015, dated August 20, 2015

(Filed August 21, 2015)

Title

1 These regulations may be cited as *The Flax Development Plan Amendment Regulations, 2015*.

R.R.S. c.A-15.21 Reg 20 amended

2 *The Flax Development Plan Regulations* are amended in the manner set forth in these regulations.

Section 34 amended

3(1) Clause 34(1)(a) is amended by striking out “three” and substituting “four”.

(2) Subsection 34(3) is amended by striking out “one year has” and substituting “two years have”.

New heading preceding section 37

4 The heading “Repeal and Coming into Force” preceding section 37 is struck out and the heading “Repeal, Transitional and Coming into Force” is substituted.

New section 37.1

5 The following section is added after section 37:

“Transitional - extension of term of certain directors

37.1(1) On the coming into force of *The Flax Development Plan Amendment Regulations, 2015*, the commission consists of the following directors:

- (a) Erwin Hanley, Regina;
- (b) Shane Stokke, Watrous;
- (c) Nancy Johns, Watrous;
- (d) Jordon Hillier, Southey;
- (e) David Sefton, Broadview;
- (f) Greg Sundquist, Watrous.

(2) Notwithstanding any other provision of these regulations:

- (a) the director mentioned in clause (1)(a) holds office for his current term and that term is extended for a further two years beyond that current term and until a successor is elected or appointed;
- (b) the directors mentioned in clauses (1)(b), (c), (d) and (e) hold office for their current terms and those terms are extended for a further one year beyond those current terms and until a successor is elected or appointed; and
- (c) the director mentioned in clause (1)(f) holds office for his current term and that term is not extended beyond that current term”.

Coming into force

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

SASKATCHEWAN REGULATIONS 74/2015

The Agri-Food Act, 2004

Sections 7, 8 and 43

Order in Council 418/2015, dated August 20, 2015

(Filed August 21, 2015)

Title

1 These regulations may be cited as *The Sheep Development Plan Amendment Regulations, 2015*.

R.R.S. c.A-15.21 Reg 16, section 19 amended

2 Clause 19(1)(a) of *The Sheep Development Plan Regulations, 2013* is repealed and the following substituted:

“(a) is to be held in each year within five months after the end of the board’s fiscal year”.

Coming into force

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

SASKATCHEWAN REGULATIONS 75/2015*The Wildlife Habitat Protection Act*

Section 3

Order in Council 419/2015, dated August 20, 2015

(Filed August 21, 2015)

Title

1 These regulations may be cited as *The Wildlife Habitat and Ecological Lands Designation Amendment Regulations, 2015 (No. 5)*.

R.R.S. c.W-13.2 Reg 4, Appendix amended

2 *The Wildlife Habitat and Ecological Lands Designation Regulations* are amended in the Appendix:

(a) by repealing item 154;

(b) by repealing item 244 and substituting the following:

“244 All those lands in Township 37, in Range 8, west of the Second Meridian, described as follows:

- (a) the north-east quarter of Section 13;
- (b) the north-west quarter of Section 14;
- (c) the north-east quarter of Section 15;
- (d) the north half of Section 16;
- (e) the north half of Section 17;
- (f) the west half of Section 18;
- (g) the south-east quarter of Section 22;
- (h) the west half of Section 23;
- (i) the east half and south-west quarter of Section 36”;

(c) by repealing item 623 and substituting the following:

“623 All those lands in Township 32, in Range 26, west of the Second Meridian, described as follows:

- (a) the south-west quarter of Section 14;
- (b) the south-west quarter of Section 16 and that portion of the north-east quarter of Section 16 not covered by the waters of Little Manitou Lake;
- (c) that portion of the north half of Section 17 not covered by the waters of Little Manitou Lake;
- (d) the east half of Section 18;
- (e) the south-east quarter of Section 19;
- (f) that portion of the south half of Section 20 not covered by the waters of Little Manitou Lake;

- (g) that portion of the south-west quarter of Section 21 not covered by the waters of Little Manitou Lake;
- (h) that portion of the south half of Section 22 not covered by the waters of Little Manitou Lake;
- (i) that portion of the south half of Section 23 not covered by the waters of Little Manitou Lake;
- (j) that portion of the south half of Section 24 not covered by the waters of Little Manitou Lake”;

(d) by repealing item 703 and substituting the following:

“703 All those lands in Township 5, in Range 30, west of the Second Meridian, described as follows:

- (a) the north-east quarter of Section 17;
- (b) the north-east quarter of Section 20;
- (c) the north-east quarter of Section 22;
- (d) the north-east quarter of Section 23;
- (e) the north half and south-east quarter of Section 27;
- (f) the north half and south-west quarter of Section 28;
- (g) the east half of Section 29;
- (h) the east half of Section 32;
- (i) Section 33;
- (j) Section 34”;

(e) by repealing item 1029 and substituting the following:

“1029 All those lands in Township 49, in Range 12, west of the Third Meridian, described as follows:

- (a) the north half and south-east quarter of Section 15;
- (b) the north-west quarter of Section 19;
- (c) the north half and south-west quarter of Section 21;
- (d) the north half and south-west quarter of Section 27;
- (e) the south half of Section 28;
- (f) Section 29;
- (g) Section 30;
- (h) Section 31;
- (i) the north-east quarter of Section 33;
- (j) the south-west quarter of Section 34”;

(f) by repealing item 1033 and substituting the following:

“1033 That portion of the west half of Section 5 not covered by the waters of Barnes Lake, in Township 53, in Range 12, west of the Third Meridian”; **and**

(g) by repealing item 1328 and substituting the following:

“1328 All those lands in Township 6, in Range 22, west of the Third Meridian, described as follows:

- (a) the north-west quarter of Section 14;
- (b) the north half of Section 15;
- (c) the north half of Section 16;
- (d) the north half of Section 17;
- (e) Section 18;
- (f) the north half of Section 19;
- (g) the west half and north-east quarter of Section 20;
- (h) the east half of Section 23;
- (i) the north-west quarter of Section 24;
- (j) that portion of Section 25 that is Crown owned;
- (k) the south half and Legal Subdivisions 9 and 10 of Section 26;
- (l) the north-west quarter of Section 27;
- (m) the north half and south-west quarter of Section 28;
- (n) the south half of Section 29;
- (o) the south half of Section 30;
- (p) the south-east quarter of Section 33;
- (q) the south-west quarter of Section 34;
- (r) that portion of the east half of Section 35 that is Crown owned”.

Coming into force

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

