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## REVISED REGULATIONS OF SASKATCHEWAN

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This Part of the Gazette contains revised regulations, and amendments to those regulations, which are part of *The Revised Regulations of Saskatchewan* being compiled over the next few years. Amendments to existing regulations, which are not yet revised, are printed in Part III.

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### CHAPTER E-0.1 REG 11

*The Education Act*  
Section 372

Order in Council 190/91, dated March 6, 1991.

(Filed February 7, 1991)

#### ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Education, pursuant to section 372 of *The Education Act*, makes *The Independent Schools Regulations* in accordance with the attached Schedule.

#### SCHEDULE

##### PART I

##### Title and Interpretation

- 1 These regulations may be cited as *The Independent Schools Regulations*. Title
- 2 In these regulations:
- (a) "accredited independent school" means an independent school that holds a valid and subsisting certificate of accreditation that is issued pursuant to section 31 or 33 and that is not under suspension; "accredited independent school"
  - (b) "accredited teacher" means an independent school teacher who holds a valid and subsisting certificate of accreditation that is issued pursuant to section 14 and that is not under suspension; "accredited teacher"
  - (c) "Act" means *The Education Act*; "Act"
  - (d) "alternative independent school" means an accredited independent school that has a valid and subsisting certificate of accreditation that is issued pursuant to section 33 and that is not under suspension; "alternative independent school"
  - (e) "approved" means approved by the minister; "approved"

- "associate school" (f) "associate school" means an independent school that has a subsisting agreement with a board of education to operate in association with that board;
- "certificate issuing official" (g) "certificate issuing official" means the certificate issuing official as defined in *The Teacher Certification and Classification Regulations*;
- "certified teacher" (h) "certified teacher" means an independent school teacher who holds a valid and subsisting certificate of qualification to teach in a school or independent school that:
  - (i) is issued pursuant to *The Teacher Certification and Classification Regulations* or section 11; and
  - (ii) is not under suspension;
- "course" (i) "course" means a statement of:
  - (i) aims and objectives and scope and sequence of content; and
  - (ii) the nature of the material;
 to be studied in a given subject or area of study in a given year at the secondary level;
- "goals of education for Saskatchewan" (j) "goals of education for Saskatchewan" means the official goals of education prepared and published by the minister pursuant to clause 9(d) of the Act;
- "historical high school" (k) "historical high school" means:
  - (i) Athol Murray College of Notre Dame;
  - (ii) Caronport High School;
  - (iii) College Mathieu (High School);
  - (iv) Luther College (High School);
  - (v) Lutheran Collegiate Bible Institute;
  - (vi) Rivier Academy;
  - (vii) Rosthern Junior College; or
  - (viii) St. Angela's Academy;
- "independent school director" (l) "independent school director" means a person appointed by a registered independent school board pursuant to section 9;
- "independent school principal" (m) "independent school principal" means an independent school teacher appointed by a registered independent school board to perform the duties of the principal;
- "independent school teacher" (n) "independent school teacher" means a person employed by a registered independent school board to:
  - (i) oversee the provision of instruction to pupils;
  - (ii) provide instruction to pupils; or
  - (iii) do both of the things mentioned in subclauses (i) and (ii);
 in the independent school;

- (o) “independent school teacher aide” means a person who: “independent school teacher aide”
- (i) is employed to assist; or
  - (ii) voluntarily assists;
- in the work of a registered independent school under the direction and oversight of an independent school principal or independent school teacher;
- (p) “inspection”: “inspection”
- (i) includes checking compliance with the Act, these regulations and the criteria for registration on an ongoing and collaborative basis with a registered independent school;
  - (ii) includes observing any aspect of the educational activities and educational operations in an independent school in order to protect the societal interest of educating the pupils in the school;
  - (iii) may include non-directive and unobtrusive supervision of the educational operations of an independent school;
  - (iv) includes a recognition of the separate authority of church and state with respect to the operation of independent schools and schools;
  - (v) does not include responsibility for the recruitment and dismissal of independent school teachers, or the selection of programs and courses in an independent school; and
  - (vi) includes an appreciation and recognition of the distinct philosophical orientation of each independent school;
- (q) “letter of eligibility to teach” means a valid and subsisting letter of eligibility to teach in a religiously-based registered independent school that is issued pursuant to section 12 and that is not under suspension; “letter of eligibility to teach”
- (r) “locally developed course” means a course that: “locally developed course”
- (i) is developed by a board of education or an independent school board; and
  - (ii) is approved;
- (s) “modified course” means a course that: “modified course”
- (i) is developed by the department and modified by a board of education or an independent school board; and
  - (ii) is approved;
- (t) “Probationary ‘B’ Teaching Certificate” means a valid and subsisting Probationary “B” Teaching Certificate that is issued by the certificate issuing official pursuant to section 11 and that is not under suspension; “Probationary ‘B’ Teaching Certificate”

- "program" (u) "program" means a statement of:  
 (i) aims and objectives and scope and sequence of content; and  
 (ii) the nature of the material;  
 to be studied in a given subject or area of study in a given year or years at the elementary or middle levels;
- "recognized" (v) "recognized" means recognized by the minister;
- "registered independent school" (w) "registered independent school" means an independent school that:  
 (i) holds a valid and subsisting certificate of registration that is issued pursuant to section 4 and that is not under suspension; or  
 (ii) is deemed to hold a certificate of registration pursuant to section 5 or 6 and that is not under suspension;
- "religiously-based independent school" (x) "religiously-based independent school" means an independent school that:  
 (i) is owned or operated by a non-profit corporation; and  
 (ii) has, as its principal object, the advancement of education from a religiously-based philosophical perspective;
- "special needs pupil" (y) "special needs pupil" means:  
 (i) a disabled pupil within the meaning of section 48 or 49 of *The Education Regulations, 1986*; or  
 (ii) a pupil who is, in the opinion of the minister, at risk of not being able to achieve the pupil's potential through regular education courses and programs;
- "supervision" (z) "supervision" means an ongoing process aimed at improving instruction in an independent school that:  
 (i) includes inspection;  
 (ii) includes evaluating and enhancing the performance of independent school teachers;  
 (iii) includes a recognition of the separate authority of church and state with respect to the operation of independent schools and schools;  
 (iv) does not include responsibility for the recruitment and dismissal of independent school teachers, or the selection of programs and courses in independent schools; and  
 (v) includes an appreciation and recognition of the distinct philosophical orientation of each independent school.

PART II  
Registration

3(1) In this Part, “eligible independent school” means an independent school that: Application for registration

- (a) is owned or operated by a corporation incorporated or continued in Saskatchewan;
- (b) has a board that:
  - (i) exercises powers similar to those of a board of education; and
  - (ii) comprises a minimum of three adults, representing three different family units;
- (c) has enrolled or intends to enrol pupils between the ages of 6 and 21 from a minimum of two different family units;
- (d) has school facilities that meet recognized safety, health and construction standards;
- (e) has goals of education that are, in the opinion of the minister, not inconsistent with the goals of education for Saskatchewan;
- (f) is not owned or operated by, or for the benefit of pupils from, an Indian Band within the meaning of the *Indian Act* (Canada), as amended from time to time; and
- (g) has a name that, in the opinion of the minister:
  - (i) is distinct from the names of other existing educational institutions;
  - (ii) reflects the level of educational programming offered or proposed to be offered by the independent school; and
  - (iii) does not inaccurately reflect the location or geographical area to be served by the independent school.

(2) An eligible independent school may apply for a certificate of registration by applying to the minister on a form that:

- (a) is provided by the minister; and
- (b) requests with respect to the independent school:
  - (i) its name;
  - (ii) its location;
  - (iii) the name of its owner;
  - (iv) if the operator of the school is not the owner, the name of its operator;
  - (v) the name of the chairperson of its board;
  - (vi) the name of its independent school director;
  - (vii) if the independent school principal is not the independent school director, the name of its independent school principal; and

(viii) any other information that the minister may request respecting its educational activities and educational operations.

Independent  
school  
registration

**4(1) Where the minister:**

- (a) receives an application pursuant to section 3; and
- (b) is satisfied that the applicant is an eligible independent school and that the application is complete;

the minister shall issue a certificate of registration to the applicant on any terms and conditions the minister considers advisable.

**(2) The minister shall consider each application made pursuant to section 3 in accordance with the principles of:**

- (a) freedom of conscience and religion in education; and
- (b) fundamental justice.

**(3) Where an eligible independent school commences operations subsequent to the coming into force of these regulations, the minister may issue a certificate of registration prior to the date of its commencing operations if the applicant:**

- (a) meets the criteria for registration; and
- (b) provides the minister with a written notice of intent to comply with the regulations on commencing operations.

**(4) The minister may issue a certificate of registration mentioned in subsection (3) that:**

- (a) is conditional on the school commencing operations;
- (b) is conditional on the school complying with these regulations once commencing operations; and
- (c) has an effective date of the commencement of the school's operations.

**(5) Where the minister does not issue a certificate of registration pursuant to this section, the minister shall:**

- (a) notify, in writing, the applicant of that fact; and
- (b) provide the applicant with written reasons for the non-issuance.

Historical  
high school  
registration

**5 Each historical high school:**

- (a) is deemed to hold a certificate of registration on the day these regulations come into force; and
- (b) is subject to all the other provisions of these regulations as if it had been issued a certificate of registration pursuant to these regulations.

**6(1) Each associate school:**

Associate  
school  
registration

- (a) is deemed to hold a certificate of registration while its agreement with the board of education is subsisting; and
- (b) while its agreement is subsisting, is subject to all the other provisions of these regulations, except sections 9, 16, 25 and 28, as if it had been issued a certificate of registration pursuant to these regulations.

(2) At the request of the minister, an associate school shall promptly provide the minister with a copy of its agreement with the board of education.

(3) If the agreement mentioned in subsection (1) is amended or terminated, the associate school shall immediately:

- (a) give the minister written notice of that fact; and
- (b) supply the minister with any information respecting the agreement or its amendment or termination the minister may request.

**7(1) No person, other than a registered independent school, may:**

Prohibition

- (a) refer to itself; or
- (b) advertise itself;

as a registered independent school.

(2) Subject to subsection (3), no person purporting to provide its pupils of compulsory school age with an exemption from attendance at a school pursuant to clause 156(a.1) of the Act shall operate an independent school without being a registered independent school.

(3) No person who has applied to the minister for registration pursuant to section 3 is liable to prosecution pursuant to subsection (2) of this section for the period of time the minister is considering the application and until the minister:

- (a) issues a certificate of registration; or
- (b) responds in writing pursuant to subsection 4(5).

**8(1) Notwithstanding sections 4 to 6, where the minister is satisfied that:**

Suspension or  
cancellation

- (a) a registered independent school:
  - (i) in the case of an independent school that was issued a certificate of registration pursuant to section 4:
    - (A) obtained its certificate of registration through providing the minister with false or misleading information; or
    - (B) has breached a term or condition of its certificate of registration;



- (ii) has violated the Act or these regulations; or
- (iii) has ceased to meet the criteria of eligibility for registration; or

(b) it is not in the public interest that an independent school's certificate of registration or status as a registered independent school remain outstanding;

the minister may suspend, for a period of time the minister considers appropriate, or cancel the certificate of registration or suspend, for a period of time the minister considers appropriate, or cancel the independent school's status as a registered independent school, as the case may be.

(2) The minister shall not suspend or cancel a certificate of registration or a status as a registered independent school pursuant to subsection (1) without giving the holder an opportunity to be heard.

(3) Notwithstanding subsection (2), where the minister considers it necessary in the public interest, the minister may immediately suspend or cancel a certificate of registration or a status as a registered independent school but shall give the holder an opportunity to be heard within 15 days of the suspension or cancellation.

(4) Where the minister suspends or cancels a certificate of registration or a status as a registered independent school, the minister shall immediately:

- (a) notify, in writing, the independent school of the suspension or cancellation; and
- (b) provide the independent school with written reasons for the suspension or cancellation.

### PART III

#### **Independent School Staff**

Independent  
school director

**9(1)** Each registered independent school board shall appoint an independent school director.

(2) The independent school director shall be designated as the chief executive officer of the registered independent school.

(3) The registered independent school board may appoint the principal of the registered independent school as the independent school director.

(4) The registered independent school board shall prescribe the powers and duties of the independent school director.

(5) The independent school director shall:

- (a) comply with the duties prescribed by the registered independent school board;



(b) be responsible for preparing and transmitting to the department any reports and returns that:

- (i) the minister may request; and
- (ii) relate to the registered independent school's educational activities and educational operations;

(c) be responsible for ensuring that the registered independent school is conducted in accordance with the Act, these regulations and the policies of the independent school board; and

(d) be responsible for the general management of the registered independent school and its staff.

**10(1)** Each registered independent school shall only employ independent school teachers: Employment criteria for teachers

- (a) who are certified teachers; or
- (b) who hold a letter of eligibility to teach.

(2) A registered independent school has the right to restrict employment to independent school teachers who share the faith and practice of the owner or operator of the independent school.

**11(1)** A registered independent school board may apply, on a form provided by the minister, to the certificate issuing official for a Probationary "B" Teaching Certificate on behalf of a person: Probationary "B" certificate

- (a) whom the board proposes to employ as an independent school teacher; and
- (b) who is not qualified for a permanent or provisional teacher's certificate pursuant to *The Teacher Certification and Classification Regulations*.

(2) On receipt of an application pursuant to subsection (1), the certificate issuing official may issue, on any terms and conditions that the certificate issuing official considers appropriate, a Probationary "B" Teaching Certificate to a person who:

- (a) holds a teacher's certificate from another province or territory of Canada or recognized jurisdiction;
- (b) holds a degree from a recognized university or college;
- (c) holds a teaching degree from a denominationally-based college;
- (d) holds a degree or diploma from a theological seminary, Bible school or Bible training centre;
- (e) has taught successfully for the equivalent of five years or more in the independent school or system of independent schools in which the person will be teaching; or

(f) in the opinion of the certificate issuing official, possesses other appropriate qualifications including professional experience, vocational experience or special skills.

(3) The certificate issuing official may refuse to issue a Probationary “B” Teaching Certificate to a person who:

(a) has had a teacher’s certificate suspended or cancelled by a Canadian education authority; or

(b) has been convicted under the *Criminal Code* (Canada), as amended from time to time, of a sexual offence or an offence involving a minor.

(4) Where the certificate issuing official does not issue a Probationary “B” Teaching Certificate, the certificate issuing official shall:

(a) notify, in writing, the registered independent school board that made the application of that fact; and

(b) provide the registered independent school board with written reasons for the non-issuance.

Letter of  
eligibility

**12(1)** A religiously-based registered independent school board may apply, on a form provided by the minister, to the minister for a letter of eligibility to teach on behalf of a person whom the board intends to employ as an independent school teacher.

(2) Subject to subsection (4), the minister may issue a letter of eligibility to teach to an independent school teacher in a religiously-based registered independent school on any terms or conditions the minister considers appropriate.

(3) Subject to subsection (4), there are no minimum requirements for a letter of eligibility to teach.

(4) The minister may refuse to issue a letter of eligibility to teach to a person who:

(a) has had a teacher’s certificate suspended or cancelled by a Canadian education authority; or

(b) has been convicted under the *Criminal Code* (Canada), as amended from time to time, of a sexual offence or an offence involving a minor.

(5) Where the minister does not issue a letter of eligibility to teach, the minister shall:

(a) notify, in writing, the registered independent school board that made the application of that fact; and

(b) provide the registered independent school board with written reasons for the non-issuance.

**13(1)** Where the minister is satisfied that:

Suspension or  
cancellation

(a) the holder of a Probationary "B" Teaching Certificate or a letter of eligibility to teach:

- (i) obtained the certificate or letter by providing the minister with false or misleading information;
- (ii) has violated the Act or these regulations;
- (iii) has breached a term or condition of the certificate or letter; or
- (iv) has ceased to meet the criteria for the certificate or letter; or

(b) it is not in the public interest that a holder's Probationary "B" Certificate or letter of eligibility to teach remain outstanding;

the minister may suspend, for any period of time the minister considers appropriate, or cancel the Probationary "B" Teaching Certificate or the letter of eligibility to teach.

(2) The minister shall not suspend or cancel a Probationary "B" Teaching Certificate or letter of eligibility to teach without giving the holder an opportunity to be heard.

(3) Notwithstanding subsection (2), where the minister considers it necessary in the public interest, the minister may immediately suspend or cancel a Probationary "B" Teaching Certificate or a letter of eligibility to teach but shall give the holder an opportunity to be heard within 15 days of the suspension or cancellation.

(4) Where the minister suspends or cancels a Probationary "B" Teaching Certificate or letter of eligibility to teach, the minister shall immediately:

- (a) notify, in writing:
  - (i) the holder of the certificate or letter of the suspension or cancellation; and
  - (ii) the board of the registered independent school that applied for the certificate or the letter;
- (b) provide the holder and the board of the registered independent school with written reasons for the suspension or cancellation.

**14(1)** An independent school teacher may apply to the minister to become an accredited teacher.

Teacher  
accreditation

(2) Where:

- (a) the minister receives an application pursuant to subsection (1);

- (b) the independent school teacher meets the requirements for teacher accreditation established by the department and set out in the department's policy on teacher accreditation; and
- (c) the independent school teacher is under the supervision of:
  - (i) the department; or
  - (ii) an approved person;

the minister may issue a certificate of accreditation.

#### PART IV Inspection and Administration

**Inspection**    **15(1)** The minister shall cause all registered independent schools, other than associate schools, to be inspected.

**(2)** The minister shall appoint, designate or employ as inspectors of registered independent schools only persons who meet the qualifications of a director of education for a board of education prescribed in section 5 of *The Education Regulations, 1986*.

**School to permit inspection and provide records**    **16** Each registered independent school shall:

- (a) permit inspection of:
  - (i) the independent school's facilities;
  - (ii) the conduct of the independent school's educational activities and educational operations; and
  - (iii) the independent school's records that relate to the registered independent school's educational activities and educational operations;

by the department at all reasonable times;

- (b) submit an annual return, on the form provided by the minister, within the time period prescribed by the minister; and

- (c) promptly provide to the minister copies of any records or any information that:

- (i) are requested by the minister; and
- (ii) relate to the registered independent school's educational activities and educational operations.

**School year and hours**    **17(1)** Each registered independent school shall have:

- (a) a school year that, in the opinion of the minister, is consistent with section 164 of the Act; and
- (b) hours of instruction that, in the opinion of the minister, are consistent with section 165 of the Act.

(2) A registered independent school board has the same powers as those of a board of education pursuant to sections 164 and 165 of the Act.

**18(1)** Each registered independent school has the freedom to add to the goals of education for Saskatchewan and to define responsibility for their achievement among the school, the home, the church and the community. Goals of education

(2) Subject only to such reasonable limits prescribed by law that can be demonstrably justified in a free and democratic society, clause 3(1)(e) is not intended to diminish or infringe on the religious conscience of the owner or operator of any registered independent school.

**19(1)** Each registered independent school shall provide instruction in the required areas of study, as determined by the minister. Instruction

(2) The instruction mentioned in subsection (1) shall be:

- (a) appropriate for the age and ability of its pupils;
- (b) comparable in quality to that of schools; and
- (c) consistent with generally accepted teaching principles with respect to academic content and teaching methods.

(3) Each registered independent school board may authorize and approve its own programs and courses of instruction in the required areas of study.

**20(1)** Each registered independent school board may submit to the minister for approval: Approval of courses and programs

- (a) programs at the elementary and middle levels;
- (b) locally developed courses;
- (c) modified courses; or
- (d) regular courses originating from independent schools that:
  - (i) reflect the religious or philosophical base of the registered independent school; and
  - (ii) are academically equivalent to provincially developed courses designated 10, 20 or 30.

(2) A regular course originating from an independent school and approved by the minister shall:

- (a) be designated 10I, 20I or 30I; and
- (b) qualify pupils for secondary level credits on the same basis as provincially developed courses designated 10, 20 and 30.

**Language of instruction** **21(1)** Subject to subsection (2), English is the language of instruction in a registered independent school.

(2) Where:

- (a) a registered independent school board passes a resolution declaring that a language other than English is to be the principal language of instruction in the registered independent school; and
- (b) the minister gives written approval to the resolution mentioned in clause (a);

the language prescribed in the resolution is to be the principal language of instruction in the registered independent school.

**Religious instruction** **22(1)** Where authorized by a registered independent school board, non-credit religious instruction may be given for a period not exceeding two and one-half hours per week within the regular hours of instruction pursuant to clause 17(1)(b).

(2) When a registered independent school board passes a resolution in accordance with subsection 21(1), the religious instruction mentioned in subsection (1) may be given in a language other than English.

(3) Notwithstanding any other provision of these regulations, non-credit religious instruction mentioned in subsection (1) may be provided by any person who meets the qualifications prescribed by the registered independent school board.

**Eligibility for credit** **23** Without restricting the eligibility of a pupil to obtain secondary level credits in accordance with *The Education Regulations, 1986*, a pupil enrolled in a course in a registered independent school is eligible for secondary level credit in this course if:

- (a) the course has been approved by the minister;
- (b) the teacher of the course is a certified teacher; and
- (c) the instruction is under the supervision of:
  - (i) the department; or
  - (ii) an approved person.

**Pupil records** **24(1)** Each registered independent school shall:

- (a) maintain for each enrolled pupil a record indicating:
  - (i) the pupil's name and any other names by which the pupil is known;
  - (ii) the pupil's address and telephone number;
  - (iii) the pupil's sex and date of birth;
  - (iv) the name, address and telephone number of the pupil's parent or guardian;



- (v) the school division, if any, of which the pupil is a resident;
  - (vi) the pupil's citizenship; and
  - (vii) where a pupil is not entitled to remain permanently in Canada, the type of visa held by the pupil and its expiry date; and
- (b) maintain records of pupil enrolment and attendance in a form acceptable to the minister.
- (2) Subject to subsection (3), each registered independent school shall keep all records relating to a pupil confidential.
- (3) Subject to subsection (4), each registered independent school shall grant access to records relating to a pupil to:
- (a) subject to clause (c), the pupil to whom the records relate and whose parent or guardian is in attendance when access is granted;
  - (b) the pupil's parent or guardian where the pupil to whom the records relate is not living independently of the parent or guardian;
  - (c) the pupil to whom the records relate where the pupil is:
    - (i) 16 or 17 years of age and living independently of his or her parents or guardian; or
    - (ii) 18 years of age or older;
  - (d) an official of the department duly authorized by the minister to have access;
  - (e) a person who is authorized by law to have access to the records;
  - (f) a school or a registered independent school where:
    - (i) in the case of pupil mentioned in clause (c), the pupil; or
    - (ii) in the case of a pupil mentioned in clause (b), the parent or guardian;
- authorizes access to or the provision of information from the records of the pupil.
- (4) A registered independent school board may pass a resolution prescribing the conditions, including the hours and manner of inspection, under which the access mentioned in subsection (3) is to be granted.
- (5) For the purposes of this section, a "registered independent school" includes a former independent school that:
- (a) held a certificate of registration at any time within the 15 years prior to the date of a request for access to its pupil records pursuant to this section but has closed; and
  - (b) has informed the minister pursuant to subsection 27(4) that it has retained its pupil records.

Notice of enrolment

**25(1)** Subject to subsection (2), each parent or guardian of a child of compulsory school age who enrolls that child in a registered independent school shall be responsible for providing written notice of the enrolment:

- (a) to the principal of the school in which that child was enrolled; or
- (b) to the director of the school division in which that child resides.

(2) The requirement to provide written notice pursuant to subsection (1) does not apply where the child was enrolled in the registered independent school in the preceding school year.

Restrictive enrolment policy

**26** The board of an independent school may follow a restrictive policy with respect to enrolment on the basis of sex, creed, religion or physical disability, where the school:

- (a) enrolls pupils of a particular sex, creed or religion exclusively;
- (b) in the case of religion,
  - (i) is operated by a religious order, society or non-profit corporation; and
  - (ii) has, as its principal object, the advancement of education from a religiously-based philosophical perspective; or
- (c) in the case of physical disability, enrolls pupils who have physical disabilities.

School closure

**27(1)** Subject to subsections (2) to (5), a registered independent school may close the independent school or discontinue one or more of the levels taught in the school.

(2) Where a registered independent school proposes to close or discontinue one or more levels taught in the school pursuant to subsection (1), the registered independent school director shall:

- (a) notify, in writing:
  - (i) the minister;
  - (ii) the director of education of the school division in which the registered independent school is situated; and
  - (iii) in the case of:
    - (A) closure of the school, the parent or guardian of each pupil enrolled in the school;
    - (B) discontinuance of a level, the parent or guardian of each pupil enrolled in that level of the school proposed to be discontinued; and

(b) consult with the parents or guardians mentioned in subclause (a)(iii) with respect to educational services for the pupils.

(3) A registered independent school may not close or discontinue any level pursuant to subsection (1) less than 30 days from the date on which the minister and the director of education receive notice pursuant to subsection (2).

(4) Where a registered independent school closes or discontinues any level, the board of the registered independent school shall send a written notice to the minister:

(a) confirming the closure or discontinuance; and

(b) in the case of closure, informing the minister that the owner or operator of the independent school:

(i) proposes to retain the pupil records required pursuant to section 24; or

(ii) requests the minister to provide for retention of the pupil records mentioned in subclause (i).

(5) On receipt of a written notice confirming closure of an independent school pursuant to subsection (4), the minister:

(a) shall cancel the independent school's certificate of registration, and section 8 does not apply to that cancellation; and

(b) if the minister is requested to provide for retention of pupil records pursuant to subclause (4)(b)(ii), shall cause the records to be placed for safekeeping with:

(i) the department;

(ii) another registered independent school; or

(iii) any other person, authority or body that the minister considers appropriate.

**28** Each registered independent school that is not accredited shall notify the parents or guardians of present or prospective pupils in the school: Notice of non-accreditation

(a) that the school is not accredited; and

(b) of the reasons why the school is not accredited.

**29(1)** In this section, "registered independent school" does not include an associate school. Duties of the minister

(2) The minister shall:

(a) inform, in any manner the minister considers appropriate, registered independent schools of changes in curriculum policy and of curriculum development in Saskatchewan;

- (b) invite registered independent schools to participate in in-service training programs related to the implementation of new programs and courses under the authority of clause 9(f) of the Act;
- (c) supervise, at the expense of the department, any registered independent school that requests supervision;
- (d) ensure that the attendance provisions of the Act are met by pupils enrolled in registered independent schools;
- (e) provide or arrange, at the expense of the department, for diagnostic and assessment services for special needs pupils in registered independent schools.

**PART V  
Accreditation**

Application  
for  
accreditation

**30(1)** In this Part, “eligible registered independent school” means a registered independent school that:

- (a) conforms to provincial curriculum policy, as determined by the minister, with respect to:
    - (i) required areas of study;
    - (ii) common essential learnings;
    - (iii) locally-determined options;
    - (iv) adaptive dimension; and
    - (v) time and credit allocations;
  - (b) provides approved programs and approved courses of study in accordance with provincial curriculum policy, as determined by the minister;
  - (c) employs as independent school teachers only certified teachers;
  - (d) is or has agreed to be supervised by:
    - (i) the department; or
    - (ii) an approved person;
  - (e) has lawfully operated, whether before or after the coming into force of these regulations, for at least one full year immediately before making its application for a certificate of accreditation; and
  - (f) in the opinion of the minister, subscribes to the goals of education for Saskatchewan.
- (2)** An eligible registered independent school may apply for a certificate of accreditation by:
- (a) applying to the minister on a form provided by the minister; and
  - (b) including in the application any information that the minister requests.

**31(1)** Where the minister:

- (a) receives an application pursuant to section 30; and
- (b) is satisfied that the applicant is an eligible registered independent school and that the application is complete;

the minister may issue a certificate of accreditation to the applicant on any terms and conditions the minister considers advisable.

(2) The minister shall consider each application pursuant to section 30 in accordance with the principles of:

- (a) freedom of conscience and religion in education; and
- (b) fundamental justice.

(3) The minister may issue a certificate of accreditation to an eligible registered independent school for a series of consecutive grades comprising a minimum of:

- (a) the elementary level;
- (b) the middle level; or
- (c) the secondary level.

(4) Where the minister does not issue a certificate of accreditation, the minister shall:

- (a) notify, in writing, the applicant of that fact; and
- (b) provide the applicant with written reasons for the non-issuance.

**32(1)** In this Part, “eligible applicant” means a registered independent school that:

- (a) conforms to provincial curriculum policy, as determined by the minister, with respect to alternative education;
- (b) provides approved programs and approved courses of study in accordance with provincial curriculum policy, as determined by the minister;
- (c) appoints and employs as independent school teachers only certified teachers;
- (d) is or has agreed to be supervised by:
  - (i) the department; or
  - (ii) an approved person;
- (e) in the opinion of the minister, subscribes to the goals of education for Saskatchewan;
- (f) accepts or proposes to accept as pupils those who are placed by:
  - (i) boards of education;
  - (ii) independent school boards;

- (iii) the Department of Social Services;
- (iv) the Saskatchewan Department of Justice;
- (v) the Department of Indian and Northern Affairs (Canada); or
- (vi) with the approval of the minister, the pupil's parent or guardian; and
- (g) offers or proposes to offer to special needs pupils courses and programs that, in the opinion of the minister, are qualitatively different from regular education courses and programs.

(2) An eligible applicant may apply for a certificate of accreditation as an alternative independent school by:

- (a) applying to the minister on a form provided by the minister; and
- (b) including in the application any information that the minister may request.

Accreditation  
as an  
alternative  
school

**33(1)** Where the minister:

- (a) receives an application pursuant to section 32; and
- (b) is satisfied that the applicant is an eligible applicant and that the application is complete;

the minister may issue a certificate of accreditation as an alternative independent school to the eligible applicant on any terms and conditions the minister considers advisable.

(2) Where the minister does not issue a certificate of accreditation as an alternative independent school, the minister shall:

- (a) notify the applicant of that fact; and
- (b) provide the applicant with written reasons for the non-issuance.

Prohibition

**34(1)** No person other than an accredited independent school shall:

- (a) refer to itself or any portion of itself that is not accredited as being accredited; or
- (b) advertise itself or any portion of itself that is not accredited as being accredited.

(2) No person other than an alternative independent school shall:

- (a) refer to itself; or
- (b) advertise itself;

as an alternative independent school.



**35(1)** Where the minister is satisfied that:

Suspension or  
cancellation

- (a) an accredited independent school:
  - (i) obtained its certificate of accreditation through providing false or misleading information to the minister;
  - (ii) has violated the Act or these regulations;
  - (iii) has breached a term or condition of its accreditation; or
  - (iv) has ceased to meet the criteria of eligibility for accreditation; or
- (b) it is not in the public interest that an independent school's certificate of accreditation remain outstanding;

the minister may suspend, for any period of time the minister considers appropriate, or cancel the certificate of accreditation.

(2) The minister shall not suspend or cancel a certificate of accreditation pursuant to subsection (1) without giving the holder an opportunity to be heard.

(3) Notwithstanding subsection (2), where the minister considers it necessary in the public interest, the minister may immediately suspend or cancel a certificate of accreditation but shall give the holder an opportunity to be heard within 15 days of the suspension or cancellation.

(4) Where the minister suspends or cancels a certificate of accreditation, the minister shall immediately:

- (a) notify, in writing, the accredited independent school of the suspension or cancellation; and
- (b) provide the accredited independent school with written reasons for the suspension or cancellation.

**36(1)** Each accredited independent school has the freedom to add to the goals of education for Saskatchewan and to define responsibility for their achievement among the school, the home, the church and the community.

Goals of  
education

(2) Subject only to such reasonable limits prescribed by law that can be demonstrably justified in a free and democratic society, clause 30(1)(f) is not intended to diminish or infringe on the religious conscience of the owner or operator of any accredited independent school.

**37** The minister may appoint, designate, employ or approve as supervisors of registered or accredited independent schools only persons who meet the qualifications of a director of education for a board of education prescribed in section 5 of *The Education Regulations, 1986*.

Supervision

Approved  
program  
participation

**38** An accredited independent school may participate in approved training programs for the education and training of teachers.

**PART VI  
General**

Power to  
delegate

**39** The minister may delegate any of the powers, duties or responsibilities given or imposed by these regulations on the minister to any officer or employee of the department.

**PART VII  
Coming Into Force**

Coming into  
force

**40(1)** Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and deemed to have been in force on and from January 1, 1991.

(2) Clause 3(1)(e), subsections 7(2) and 10(1) and section 19 come into force on September 1, 1991.

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**CHAPTER M-9.1 REG 1**

*The Medical Laboratory Licensing Act*  
Section 21

Order in Council 183/91, dated March 6, 1991.

(Filed February 7, 1991)

**ORDER**

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to section 21 of *The Medical Laboratory Licensing Act*, makes *The Medical Laboratory Licensing Regulations* in accordance with the attached Schedule.

**SCHEDULE**

Title

**1** These regulations may be cited as *The Medical Laboratory Licensing Regulations*.

Interpretation

**2(1)** In these regulations:

“Act”

(a) “Act” means *The Medical Laboratory Licensing Act*;

“certified  
combined  
laboratory and  
X-ray  
technician”

(b) “certified combined laboratory and X-ray technician” means a person who has successfully completed a program for the education and training of certified combined laboratory and X-ray technicians offered by an educational institution funded by the Government of Saskatchewan or an equivalent program;

- (c) "college" means the College of Physicians and Surgeons of the Province of Saskatchewan; "college"
- (d) "council" means the council of the college; "council"
- (e) "department" means the department over which the minister presides; "department"
- (f) "differential diagnosis" means the determination of which one of two or more diseases or conditions a patient is suffering from by systematically comparing and contrasting the clinical findings; "differential diagnosis"
- (g) "internal quality control program" means a program in which the reliability of test results performed in a medical laboratory is continually monitored; "internal quality control program"
- (h) "medical laboratory technologist" means a person who: "medical laboratory technologist"
- (i) has successfully completed a medical laboratory technology education program that is accredited by the Conjoint Committee for the Accreditation of Educational Programs in Allied Medical Disciplines; and
- (ii) qualifies for certified membership in:
- (A) the Canadian Society of Laboratory Technologists; and
- (B) the Saskatchewan Society of Medical Laboratory Technologists;
- (i) "proficiency testing program" means a program in which specimens of quality control materials are sent periodically to a medical laboratory for analysis and comparison of the results of that medical laboratory with the results of other laboratories for the purpose of ensuring that the processes and activities of that medical laboratory meet acceptable standards; "proficiency testing program"
- (j) "quality assurance program" means an organized system for continuously studying the processes and activities of a medical laboratory for the purpose of ensuring that those processes and activities meet acceptable standards; "quality assurance program"
- (k) "Saskatchewan health services number" means the number assigned by the department for the purpose of administering *The Saskatchewan Hospitalization Act* and *The Saskatchewan Medical Care Insurance Act*; "Saskatchewan health services number"
- (l) "satellite laboratory" means a medical laboratory affiliated with a main laboratory: "satellite laboratory"
- (i) that is in a category established pursuant to section 6 other than Category I, II or XI; and
- (ii) the manager of which is responsible for the satellite laboratory.

(2) For the purposes of subclause 2(e)(iv) of the Act and in these regulations, laboratories and portions of laboratories that are used exclusively for medical or scientific research are not medical laboratories.

Consultation  
by board



**3(1)** The board shall consult with and consider the recommendations of the minister and the council on all matters that come before it with respect to:

- (a) the issuance of licences;
- (b) the imposition of terms and conditions of licences;
- (c) the suspension, amendment or cancellation of licences; and
- (d) the establishment and regulation of quality assurance programs.

(2) The board may consult with the council on any matter that comes before the board, and the council may refer any matter on which it is consulted to a committee of the college.

Assessment of  
need

**4** For the purposes of paragraph 9(1)(a)(i)(A) of the Act, the board shall, in assessing the need for a medical laboratory or a test to be performed in a medical laboratory, consider:

- (a) whether existing medical laboratories are capable of meeting any need for additional testing, or would be capable of meeting that need if they were expanded, having regard to:
  - (i) the types and number of tests performed in existing medical laboratories;
  - (ii) the number of specimens collected, transported and referred by existing medical laboratories;
  - (iii) the availability of facilities to transport persons and specimens to medical laboratories in the geographic area of concern;
  - (iv) the proficiency testing record of existing medical laboratories;
- (b) the costs of providing additional testing:
  - (i) in existing medical laboratories; and
  - (ii) in the proposed new medical laboratory;
- (c) whether a new medical laboratory or additional testing would result in an unnecessary duplication of services;
- (d) in the case of an application to perform a test, the medical relevancy of the test;
- (e) the quality of patient care;
- (f) the convenience of patients; and
- (g) any other criteria that the board considers relevant.

**5(1)** Except as provided in subsection (2), a member of the board shall keep confidential any information with respect to:

Confidentiality

- (a) the licensing or proposed licensing of any laboratory; and
- (b) the operation of any medical laboratory;

that comes to the attention of the member while carrying out any duties pursuant to the Act or the regulations.

(2) A member of the board may disclose information described in subsection (1) if:

- (a) the member is authorized by the board or the minister to do so;
- (b) the member is required by law to do so;
- (c) the disclosure is made for the purpose, and in anticipation, of a judicial proceeding;
- (d) the disclosure is necessary for the administration of the Act or these regulations;
- (e) the disclosure is made on the request or with the written approval of the person to whom the information relates; or
- (f) the disclosure is made to any official in the department.

(3) Subject to subsection (4), the council and every member of a committee of the college mentioned in subsection 3(2) shall keep confidential any information that comes to their attention as a result of a consultation pursuant to section 3.

(4) Subsection (2) applies, with any necessary modification, to the council and to every member of a committee of the college mentioned in subsection 3(2).

**6** The following categories of medical laboratories are established:

Categories of laboratories

- (a) Category I, comprising the medical laboratories that are List 1 Laboratories in the physician payment schedule within the meaning of *The Medical Care Insurance Payment Regulations*, as amended from time to time;
- (b) Category II, comprising the medical laboratories that are List 2 Laboratories in the physician payment schedule within the meaning of *The Medical Care Insurance Payment Regulations*, as amended from time to time;
- (c) Category III, comprising the medical laboratories that are List 3 Laboratories in the physician payment schedule within the meaning of *The Medical Care Insurance Payment Regulations*, as amended from time to time;
- (d) Category IV, comprising the medical laboratories that are satellite laboratories;

- (e) Category V, comprising the medical laboratories in the hospitals that are set out in Part I of the Appendix;
- (f) Category VI, comprising the medical laboratories in the hospitals that are set out in Part II of the Appendix;
- (g) Category VII, comprising the medical laboratories in the hospitals that are set out in Part III of the Appendix;
- (h) Category VIII, comprising the medical laboratories in the hospitals that are set out in Part IV of the Appendix;
- (i) Category IX, comprising the medical laboratories established and operated pursuant to subsection 8(1) of *The Department of Health Act*;
- (j) Category X, comprising the medical laboratories operated by the Canadian Red Cross Society;
- (k) Category XI, comprising the medical laboratories:
  - (i) in which tests are performed on specimens for purposes other than the diagnosis, prophylaxis or treatment of a person by a duly qualified medical practitioner; and
  - (ii) that are not within the scope of any category of medical laboratory described in clauses (a) to (j).

**Application** **7** An application for a licence pursuant to section 8 of the Act is to be in writing on a form supplied by the board.

**Manager** **8** No licensee shall employ as manager of a medical laboratory a person who is not a qualified professional within the meaning of section 9.

**Qualified professional** **9(1)** With respect to Category I and Category II medical laboratories, a duly qualified medical practitioner is a qualified professional.

**(2)** With respect to Category III and Category IV medical laboratories:

(a) a duly qualified medical practitioner who has been granted certification by the Royal College of Physicians and Surgeons of Canada in:

- (i) general pathology;
- (ii) haematological pathology;
- (iii) medical biochemistry;
- (iv) medical microbiology;
- (v) anatomical pathology; or
- (vi) neuropathology; or

(b) a duly qualified medical practitioner who:

- (i) has been granted certification by the Royal College of Physicians and Surgeons of Canada in:



- (A) haematology;
  - (B) infectious diseases; or
  - (C) clinical immunology and allergy; and
- (ii) has at least two years' experience in laboratory medicine;

is a qualified professional.

(3) With respect to Category V and Category XI medical laboratories:

- (a) duly qualified medical practitioners; and
- (b) medical laboratory technologists;

are qualified professionals.

(4) With respect to Category VI medical laboratories:

- (a) duly qualified medical practitioners; and
- (b) persons who hold academic doctorate degrees in relevant chemical, physical or biological sciences as approved in the licence;

are qualified professionals.

(5) With respect to Category VII, Category VIII and Category IX medical laboratories:

(a) a duly qualified medical practitioner who has been granted certification by the Royal College of Physicians and Surgeons of Canada in:

- (i) general pathology;
- (ii) haematological pathology;
- (iii) medical biochemistry;
- (iv) medical microbiology;
- (v) anatomical pathology; or
- (vi) neuropathology;

(b) a duly qualified medical practitioner who:

(i) has been granted certification by the Royal College of Physicians and Surgeons of Canada in:

- (A) haematology;
- (B) infectious diseases; or
- (C) clinical immunology and allergy; and

(ii) has at least two years' experience in laboratory medicine; or

(c) a person who holds an academic doctorate degree in a relevant chemical, physical or biological science as approved in the licence;

is a qualified professional.

(6) With respect to Category X medical laboratories, a duly qualified medical practitioner who has been granted certification by the Royal College of Physicians and Surgeons of Canada in a branch of medicine mentioned in subsection (2) is a qualified professional.

(7) With respect to a particular medical laboratory, a person who possesses the qualifications specified by the board in the licence is a qualified professional.

**Prohibition** **10** No licensee shall cause or permit an individual to be the manager of more than one medical laboratory without the approval of the board.

**Staff** **11(1)** Subject to subsection 12(4), no licensee shall employ a person to perform tests in a medical laboratory unless that person:

- (a) possesses the qualifications set out in section 12; or
- (b) is a student and is employed for the purpose of acquiring training that leads to the acquisition of the qualifications set out in section 12.

(2) For the purposes of subsection (1), a person who performs some portion of a test under the supervision of a person who:

- (a) possesses the qualifications set out in section 12; and
- (b) is responsible for the performance of the test;

is not, while performing that portion of a test, a person employed to perform tests in a medical laboratory.

**Qualifications of technical staff** **12(1)** A person employed to perform tests in a Category II, Category IV or Category V medical laboratory is to be:

- (a) a laboratory technologist currently eligible for certified practising membership in the Canadian Society of Laboratory Technologists; or
- (b) a certified combined laboratory and X-ray technician.

(2) A person employed to perform tests in a Category III medical laboratory is to be a laboratory technologist currently eligible for certified practising membership in the Canadian Society of Laboratory Technologists.

(3) A person employed to perform tests in a Category VI, Category VII, Category VIII, Category IX or Category X medical laboratory is to be:

- (a) a laboratory technologist currently eligible for certified practising membership in the Canadian Society of Laboratory Technologists; or

(b) the holder of an academic bachelor's, master's or doctorate degree in a relevant chemical, physical or biological science as approved in the licence.

(4) A person employed to perform tests in a Category XI medical laboratory is to have the qualifications specified in the licence.

(5) Notwithstanding subsections (1) to (4), a medical laboratory may continue to employ a person who was employed in the medical laboratory on March 31, 1991 and who does not possess the required qualifications if the person has:

- (a) experience in performing the tests that the person will be performing in the medical laboratory; and
- (b) the ability to perform those tests proficiently.

**13** A licensee of a Category I, Category II, Category V, Category VI, Category VII, Category VIII or Category IX medical laboratory that does not employ a pathologist in the medical laboratory shall obtain the services of a pathologist to:

Consultation services

- (a) provide education to employees in the medical laboratory;
- (b) assist the medical laboratory in maintaining an adequate level of performance; and
- (c) whenever the results of the proficiency testing program described in section 27 indicate that the medical laboratory is not performing adequately, assist the medical laboratory to become proficient.

**14** A licensee shall ensure that a medical laboratory has space, facilities, equipment and supplies that are adequate for the performance of the work that comes to the medical laboratory with accuracy, precision and efficiency in a manner that meets generally accepted standards.

Adequacy

**15** A licensee shall ensure that:

Proper condition

- (a) all equipment and instruments are maintained so that they operate within the manufacturer's specifications at all times;
- (b) a preventive maintenance schedule is developed and maintained for all equipment and instruments in use in the laboratory; and
- (c) all supplies are suitable and acceptable for the purposes for which they are used.

**16(1)** A licensee shall ensure that:

Methods and procedures

- (a) subject to subsection (2), only standard methods and procedures that are generally accepted by the medical profession are used in the medical laboratory; and

(b) a written manual setting out all procedures performed in the medical laboratory is developed and maintained.

(2) Where a licensee uses a method or procedure other than one described in clause (1)(a), the licensee shall, on the request of the board or a designate of the board, furnish proof that the method or procedure is accurate.

Tests to be requested

**17** A licensee shall ensure that, except in the case of Category XI medical laboratories, no tests, examinations or procedures are performed unless:

(a) they are requested by a duly qualified medical practitioner or a dentist or dental surgeon who holds a valid and subsisting licence pursuant to *The Dental Profession Act*;

(b) the manager requires further tests to reach a differential diagnosis; or

(c) the licensee has been authorized by the board in the licence to accept tests from a person other than a person mentioned in clause (a).

Collection of specimens

**18** A licensee of a medical laboratory where specimens are to be collected shall ensure that the medical laboratory is equipped to provide for:

(a) the comfort, safety and privacy of patients; and

(b) the identification of specimens taken from patients.

Identification of specimens

**19(1)** A licensee shall ensure that every test result can be correctly attributed to the person from whom the specimen was taken.

(2) A licensee shall ensure that every unit of blood, blood component or blood product that is cross-matched or administered to a patient is traceable to the patient and that patient's physician.

Transportation of specimens

**20** A licensee shall use methods for transporting specimens to the licensee's medical laboratory or to any other medical laboratory that will ensure that the physical integrity and composition of the specimens remain intact.

Condition of specimens

**21(1)** Subject to subsection (2), a licensee shall ensure that no specimen is tested if the specimen is unsuitable for testing for any reason that may be sufficient to render the test results of doubtful validity.

(2) A licensee may permit the testing of a specimen that is unsuitable for testing for the reason set out in subsection (1) if the licensee ensures that the deficiencies in the specimen are identified in the records kept with respect to that specimen.

**22** Whenever a licensee becomes aware of the occurrence of any significant serological transfusion effect or notifiable infectious disease suffered by a patient as a result of a transfusion of blood or blood products, the licensee shall immediately notify the Canadian Red Cross Society of the occurrence.

Ill effects from transfusions

**23(1)** A licensee shall ensure that a system of clear, concise records is established and maintained and that this system includes records of the continuity of specimens.

Records required

(2) A licensee shall ensure that each specimen that it refers to another laboratory is accompanied by the name, month and year of birth, sex and Saskatchewan health services number of the patient from whom the specimen was collected.

(3) A licensee shall ensure that all records, including worksheets, are kept for a period of not less than 25 months.

**24** A licensee shall ensure that accurate and reliable test results are produced in the medical laboratory under the supervision of the manager.

Supervision

**25** A licensee shall establish a quality assurance program that:

Quality assurance program

(a) meets generally accepted standards; and

(b) includes the programs required by sections 26 and 27.

**26(1)** A licensee shall establish and operate an internal quality control program that includes:

Internal quality control program

(a) the selection of appropriate test methods;

(b) the prescribing of acceptable levels of variation of test results;

(c) the prescribing of appropriate actions that are to be taken before acceptance or rejection of batches or analytical runs;

(d) the development and maintenance of current procedure manuals; and

(e) the making of records of all quality control test results at the time when the test results are obtained.

(2) A licensee shall ensure that the records mentioned in clause (1)(e) are retained for a period of not less than one year.

**27(1)** A licensee shall ensure that the medical laboratory participates, in accordance with this section, in a proficiency testing program conducted by the board.

Proficiency testing

(2) The board may submit specimens to a medical laboratory for the purposes of proficiency testing.

(3) The licensee of a medical laboratory that receives specimens pursuant to subsection (2) shall:

- (a) ensure that, during normal working hours:
  - (i) the specimens are accepted;
  - (ii) the required tests are performed on the specimens in the medical laboratory;
  - (iii) the persons who, in the ordinary course of their work, perform tests in the medical laboratory participate equally in the testing of the specimens; and
  - (iv) the specimens are tested using the same methods used in testing ordinary clinical specimens;
- (b) report the results of the tests promptly to the board on their completion; and
- (c) ensure that the name of the person who performs each test appears legibly on the report.

Lack of proficiency

**28(1)** Where the results of proficiency testing of a medical laboratory are, in the opinion of the board, unsatisfactory, the board shall notify the licensee in writing of those unsatisfactory results and specify the nature of the problem.

(2) A licensee who has received a notice pursuant to subsection (1) shall:

- (a) take all practicable steps to rectify the problem; and
- (b) co-operate with the board in rectifying the problem.

(3) A licensee shall, within 14 days after receiving the notice mentioned in subsection (1), provide the board with a written statement setting out all the measures that the licensee has employed or intends to employ in the medical laboratory to rectify the problem.

(4) If:

- (a) the board is not satisfied that the measures set out in the statement mentioned in subsection (3) will be sufficient to rectify the problem; or
- (b) the licensee fails to furnish a statement in accordance with subsection (3);

the board may direct the licensee to take any measures that the board considers necessary to rectify the problem.

(5) A licensee shall comply promptly with any direction of the board pursuant to subsection (4).

Forms

**29** A licensee shall ensure that all test requisition forms and report forms used in the medical laboratory are forms that are approved by the board.



**30** These regulations come into force on the day on which section 21 of *The Medical Laboratory Licensing Act* comes into force. Coming into  
force

APPENDIX

PART I

*(clause 6(e))*

Category V Laboratories (Rural Hospitals)

Arborfield Union Hospital  
Assiniboia Union Hospital  
Balcarres Union Hospital  
Beechy Union Hospital  
Bengough Union Hospital  
Bienfait Coalfields Union Hospital  
Big River Union Hospital  
Biggar Union Hospital  
Birch Hills Memorial Union Hospital  
Borden Union Hospital  
Border Union Hospital, Climax  
Broadview Union Hospital  
Brock Union Hospital, Arcola  
Cabri Union Hospital  
Canora Union Hospital  
Carrot River Union Hospital  
Central Butte Union Hospital  
Coronach Union Hospital  
Craik and District Health Centre  
Cupar Union Hospital  
Cut Knife Union Hospital  
Davidson Union Hospital  
Dinsmore Union Hospital/Prairie Manor Health Care Centre  
Doddsland Union Hospital  
The Eastend Union Hospital  
Eatonia Union Hospital  
Elrose Union Hospital  
Eston Union Hospital  
Evergreen Health Centre, Leoville  
Fillmore Union Health Centre Integrated Facility  
Foam Lake Union Hospital  
Fort Qu'Appelle Indian Hospital  
Gainsborough and Area Union Hospital  
L. Gervais Memorial Health Centre, Goodsoil  
Grenfell Union Hospital  
Gull Lake Union Hospital  
Hafford Union Hospital  
Herbert Morse Union Hospital  
Hudson Bay Union Hospital  
Indian Head Union Hospital  
Invermay Canora Union Hospital  
Ituna Union Hospital  
Kamsack Union Hospital  
Kelvington Union Hospital  
Kerrobert Union Hospital  
Kincaid Union Hospital  
Kindersley Union Hospital  
Kinistino Union Hospital  
Kipling Memorial Union Hospital  
Kyle and District Health Centre

Lady Minto Union Hospital, Edam  
Lafleche Union Hospital  
Lampman Union Hospital  
Langenburg Union Hospital  
Lanigan Union Hospital  
La Ronge Hospital  
Leader Union Hospital  
Long Lake Valley Integrated Facility, Imperial  
Loon Lake Union Hospital and Special Care Home  
Lucky Lake Health Centre  
Maidstone Union Hospital  
Maple Creek Union Hospital  
Meadow Lake Union Hospital  
Midale Union Hospital  
Milden Union Hospital  
Montmartre Union Hospital  
Moosomin Union Hospital  
Neilburg and District Hospital  
Nokomis Health Centre  
Norquay Canora Union Hospital  
Outlook Union Hospital  
Oxbow Union Hospital  
Pangman Union Hospital  
Paradise Hill Union Hospital  
Ponteix Union Hospital  
Porcupine Carragana Union Hospital  
Prairie View Health Centre, Mankota  
Preeceville Union Hospital  
Rabbit Lake Integrated Facility  
Radville Community Hospital  
Redvers Union Hospital  
Riverside Memorial Union Hospital, Turtleford  
Rockglen Union Hospital  
Rose Valley Integrated Care Facility  
Rosetown Union Hospital  
Rosthern Union Hospital  
St. Anthony's Hospital, Esterhazy  
St. Joseph's Hospital, Gravelbourg  
St. Joseph's Hospital, Ile a la Crosse  
St. Joseph's Hospital, Macklin  
St. Joseph's Union Hospital, Lestock  
St. Martin's Hospital, La Loche  
St. Michael's Hospital, Cudworth  
St. Walburg Union Hospital  
Shaunavon Union Hospital  
Shellbrook Union Hospital  
Smeaton Union Hospital  
Spalding Union Hospital  
Spiritwood Union Hospital  
Theodore Union Hospital/Heritage Special Care Home Inc.  
Tisdale Union Hospital  
Unity Union Hospital  
Uranium City Hospital  
Vanguard Union Hospital  
Wadena Union Hospital  
Wakaw Union Hospital  
Watrous Union Hospital  
Watson Union Hospital  
Wawota Memorial Union Hospital  
Whitewood Moosomin Union Hospital  
Wilkie Union Hospital

MARCH 15, 1991

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Wolseley Memorial Union Hospital  
Wynyard Union Hospital

PART II

[clause 6(f)]

Category VI Laboratories (Large Community Hospitals)

Lloydminster Hospital  
Melfort Union Hospital  
Nipawin Union Hospital  
St. Elizabeth's Hospital, Humboldt  
St. Joseph's General Hospital, Estevan  
St. Peter's Hospital, Melville  
Weyburn Union Hospital

PART III

[clause 6(g)]

Category VII Laboratories (Regional Hospitals)

Battlefords Union Hospital, North Battleford  
Holy Family Hospital, Prince Albert  
Moose Jaw Union Hospital  
Providence Hospital, Moose Jaw  
Swift Current Union Hospital  
Victoria Union Hospital, Prince Albert  
Yorkton Union Hospital  
Wascana Rehabilitation Centre, Regina

PART IV

[clause 6(h)]

Category VIII Laboratories (Urban Hospitals)

Pasqua Hospital, Regina  
Plains Health Centre, Regina  
Regina General Hospital  
Royal University Hospital, Saskatoon  
St. Paul's Hospital, Saskatoon  
Saskatoon City Hospital

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**CHAPTER P-23 REG 2**

*The Prescription Drugs Act*  
Sections 3 and 9

Order in Council 187/91, dated March 6, 1991.

(Filed February 7, 1991)

ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to sections 3 and 9 of *The Prescription Drugs Act*, makes *The Prescription Drugs Regulations, 1991* in accordance with the attached Schedule.

SCHEDULE

- Title **1** These regulations may be cited as *The Prescription Drugs Regulations, 1991*.
- Interpretation **2**(1) In these regulations:
- “Act” (a) “Act” means *The Prescription Drugs Act*;
- “benefit period” (b) “benefit period” means a period commencing on January 1 in one year and ending on December 31 in the same year;
- “drug” (c) “drug” means a drug or medicine that is listed in the formulary;
- “family” (d) “family” means:
- (i) a person;
  - (ii) the spouse of the person mentioned in subclause (i); and
  - (iii) any dependent child of the person mentioned in subclause (i) or of the spouse mentioned in subclause (ii):
    - (A) whose principal residence is the same as that of the person mentioned in subclause (i); and
    - (B) who:
      - (I) is less than 18 years of age; or
      - (II) during the period ending on December 31 next following the dependent child’s eighteenth birthday, is 18 years of age;
- “Northern Saskatchewan” (e) “Northern Saskatchewan” means the Northern Saskatchewan Administration District and includes the Town of Creighton, the Town of La Ronge and the Town of Uranium City;
- “participating pharmacy” (f) “participating pharmacy” means a pharmacy with respect to which there is a subsisting agreement pursuant to section 5 of the Act between the minister and the person who operates the pharmacy;
- “prescription charge” (g) “prescription charge” means an amount that a person who operates a participating pharmacy is charging persons who obtain drugs in the pharmacy in accordance with the agreement mentioned in clause (f);
- “spouse” (h) “spouse” means, in relation to a person:
- (i) the person’s legal spouse, other than a legal spouse who is living separate and apart from that person; or
  - (ii) a person of the opposite sex who lives with that person and manifests an intention of continuing to live together with that person as husband and wife.
- (2) Notwithstanding clause (1)(d), a spouse mentioned in subclause (1)(d)(ii) may elect to be treated as a person mentioned in subclause (1)(d)(i).

**3** Residents who are entitled or eligible to receive or to have payment made for drugs they require from:

Non-application to certain residents

- (a) the Government of Saskatchewan or any agency of it, other than pursuant to the Act;
- (b) the Government of Canada or any agency of it; or
- (c) the government of any other province or territory of Canada or any agency of it;

are excluded from obtaining benefits under the program established pursuant to the Act.

**4(1)** Subject to sections 5 to 13, where the total amount paid by all members of a family for drugs obtained from a participating pharmacy during the period commencing on July 1, 1987 and ending on December 31, 1987 exceeds \$62.50, the family is entitled to receive from the minister a reimbursement of 80% of the amount by which the total amount paid exceeds \$62.50.

Basic entitlement of family

(2) Subject to sections 5 to 13, where the total amount paid by all members of a family for drugs obtained from a participating pharmacy during a benefit period commencing on or after January 1, 1988 exceeds \$125, the family is entitled, with respect to that benefit period, to a payment on the family's behalf equal to, or a reimbursement of:

- (a) for the period ending on March 7, 1991, 80%; and
- (b) for the period commencing on March 8, 1991, 75%;

of the amount by which the total amount paid exceeds \$125.

(3) Where one member of a family has received payment for a benefit pursuant to these regulations, no other member of the same family is entitled to a payment for the same benefit.

**5(1)** With respect to a resident who:

- (a) is the sole member of a family; and
- (b) was 65 years of age or reached that age during the period commencing on July 1, 1987 and ending on December 31, 1987;

Basic entitlement of individual senior

where the total amount paid by the resident for drugs obtained from a participating pharmacy during that period exceeds \$25, the resident is entitled to receive from the minister a reimbursement of 80% of the amount by which the total amount paid exceeds \$25.

(2) With respect to a resident who is the sole member of a family and who is 65 years of age or reaches that age during a benefit period commencing on or after January 1, 1988, where the total amount paid by the resident for drugs obtained from a

participating pharmacy during a benefit period commencing on or after that day exceeds \$50, the resident is entitled, with respect to that benefit period, to a payment on the resident's behalf equal to, or a reimbursement of:

- (a) for the period ending on March 7, 1991, 80%; and
- (b) for the period commencing on March 8, 1991, 75%;

of the amount by which the total amount paid exceeds \$50.

Basic  
entitlement of  
family with  
senior

6(1) With respect to a family that consists of two or more members, one of whom was 65 years of age or reached that age during the period commencing on July 1, 1987 and ending on December 31, 1987, where the total amount paid by all members of the family for drugs obtained from a participating pharmacy during that period exceeds \$37.50, the family is entitled to receive from the minister a reimbursement of 80% of the amount by which the total amount paid exceeds \$37.50.

(2) With respect to a family that consists of two or more members, one of whom is 65 years of age or reaches that age during a benefit period commencing on or after January 1, 1988, where the total amount paid by all members of the family for drugs obtained from a participating pharmacy during a benefit period commencing on or after that day exceeds \$75, the family is entitled, with respect to that benefit period, to a payment on the family's behalf equal to, or a reimbursement of:

- (a) for the period ending on March 7, 1991, 80%; and
- (b) for the period commencing on March 8, 1991, 75%;

of the amount by which the total amount paid exceeds \$75.

(3) If the family member who is 65 years of age or reaches that age during a benefit period dies, the entitlement of the family pursuant to subsection (1) or (2) remains unchanged during the benefit period in which the family member died.

Plan One  
entitlement

7 Residents who are eligible to receive benefits pursuant to *The Saskatchewan Assistance Plan Supplementary Health Benefits Regulations* and spouses of those residents are entitled to:

- (a) obtain a drug from a participating pharmacy on payment to the pharmacy of a prescription charge not exceeding \$2; and
- (b) obtain insulin, oral hypoglycemics, injectable vitamin B-12 and birth control pills from a participating pharmacy without payment of a prescription charge where those products are drugs that are listed in the formulary.



8(1) In this section:

- (a) "intensive personal care" means assistance with personal hygiene, dressing and grooming of a non-ambulatory person and other similar assistance;
- (b) "limited nursing care" means care beyond the giving of personal care services that an operator of a special-care home undertakes to provide to residents who are ambulant, semi-ambulant or non-ambulant, and includes bathing, giving enemas, giving minor treatments, administering medications, feeding, bed-positioning, ambulation and other simple activating procedures;
- (c) "limited personal care" means assistance with personal hygiene, dressing and grooming of an ambulatory person and other similar assistance;
- (d) "long-term care" means care that, because of injury, illness or disability, is required over a prolonged period and is carried out under continuing medical supervision or nursing supervision;
- (e) "unmarried woman" means a woman who:
  - (i) is not legally married; and
  - (ii) does not live with a man in circumstances that manifest an intention of continuing to live together as husband and wife.

(2) The following persons are entitled to obtain a drug from a participating pharmacy without payment of a prescription charge:

- (a) a person who is eligible to receive benefits pursuant to *The Saskatchewan Assistance Plan Supplementary Health Benefits Regulations* and who:
  - (i) is a resident and is:
    - (A) a member of a family the members of which obtain five or more drugs on an average monthly basis, as verified by a duly qualified medical practitioner, and are thereby required to pay a corresponding number of prescription charges per month; or
    - (B) an unmarried woman who is pregnant and expected to give birth within three months or who has given birth within the preceding three months; or
  - (ii) is not a resident;
- (b) a resident who is receiving rehabilitation services from the Department of Social Services;
- (c) a dependent child who is a member of the family of a person described in section 7;

- (d) a resident who is eligible to receive benefits pursuant to *The Saskatchewan Assistance Plan Supplementary Health Benefits Regulations* and who resides in:
- (i) a special care home for which a licence is issued pursuant to *The Housing and Special-care Homes Act*;
  - (ii) a private-service home or a residential-service facility for which a licence or certificate of approval is issued pursuant to *The Residential Services Act*; or
  - (iii) an approved home as defined in *The Mental Health Services Act*;
- (e) a resident who resides in a special-care home for which a licence is issued pursuant to *The Housing and Special-care Homes Act* and who:
- (i) requires:
    - (A) limited personal care;
    - (B) intensive personal care and limited nursing care;
    - or
    - (C) long-term care;
  - (ii) either:
    - (A) is receiving benefits pursuant to *The Saskatchewan Income Plan Act*; or
    - (B) has no income or has income in an amount that would make the resident eligible to receive benefits pursuant to *The Saskatchewan Income Plan Act*; and
  - (iii) in the opinion of the minister, requires the benefit described in this subsection;
- (f) a resident who is a child and who:
- (i) is the subject of an agreement made pursuant to section 9 of *The Child and Family Services Act*;
  - (ii) has been voluntarily committed to the Minister of Social Services pursuant to section 46 of *The Child and Family Services Act*; or
  - (iii) is described in subsection 52(1) of *The Child and Family Services Act*;
- (g) a resident who is:
- (i) a person who is being provided with services pursuant to section 56 of *The Child and Family Services Act*;
  - (ii) a child in relation to whom assistance is being provided pursuant to *The Adoption Assistance Regulations*; or
  - (iii) an inmate of a correctional facility within the meaning of *The Corrections Act*.

**9** For the period ending on March 7, 1991, a resident who resides in a special-care home that is licensed pursuant to *The Housing and Special-care Homes Act*, other than a resident to whom section 8 applies, is entitled to obtain a drug from a participating pharmacy on payment of a prescription charge not exceeding \$3.95. Special-care home resident entitlement

**10** A resident who resides in an area of Northern Saskatchewan in which, in the opinion of the minister, the services of a pharmacy licensed pursuant to *The Pharmacy Act* or licensed in another province pursuant to similar legislation: Northern resident entitlement

- (a) are not reasonably available; or
- (b) are reasonably available but no agreement pursuant to section 5 of the Act exists between the pharmacy and the minister;

is entitled to receive drugs without payment of a prescription charge.

**11** A resident: Special conditions

- (a) who:
  - (i) has cystic fibrosis, end-stage renal disease, a condition of paraplegia or any other illness or condition designated by the minister; and
  - (ii) possesses a written statement signed by an official of the department indicating that the resident has one of those illnesses or conditions; or
- (b) who:
  - (i) is under active palliative care; and
  - (ii) has been designated by the minister as a person who is entitled to have payment for drugs made on his or her behalf;

is entitled to receive drugs from a participating pharmacy without payment of a prescription charge.

**12(1)** A resident who has diabetes and requires: Products for diabetics

- (a) insulin;
- (b) urine testing agents; or
- (c) blood glucose testing agents;

listed in the formulary is entitled to obtain that insulin or those agents from a participating pharmacy on payment of a prescription charge in accordance with subsection (2).

(2) A prescription charge mentioned in subsection (1) is not to exceed:

- (a) \$1 per package in the case of insulin and urine testing agents; or

- (b) in the case of blood glucose testing agents:
  - (i) for the period ending on March 7, 1991, 20%; and
  - (ii) for the period commencing on March 8, 1991, 25%;of the total cost of the agent.

Drugs  
obtained from  
non-  
participating  
pharmacy

- 13(1)** Where a resident or a family obtains a drug:
- (a) within Saskatchewan from a pharmacy that is not a participating pharmacy; or
  - (b) within Canada but outside Saskatchewan;

the resident or family is entitled to receive from the minister a reimbursement of the amount that the minister would pay on behalf of the resident or family if the drug had been obtained within Saskatchewan from a participating pharmacy.

- (2) To receive a reimbursement pursuant to subsection (1), the resident or family shall submit any information that, in the opinion of the minister, is sufficient to establish the entitlement of the resident or family.

R.R.S.  
c.P.23 Reg 1  
repealed

- 14** *The Prescription Drugs 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 but are retroactive and are deemed to have been in force on and from July 1, 1987.

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## SASKATCHEWAN REGULATIONS 15/91

### *The Saskatchewan Medical Care Insurance Act* Sections 14 and 48

Order in Council 181/91, dated March 6, 1991.

(Filed February 7, 1991)

#### ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to sections 14 and 48 of *The Saskatchewan Medical Care Insurance Act*, makes *The Medical Care Insurance Payment Amendment Regulations, 1991* in accordance with the attached Schedule.

#### SCHEDULE

Title **1** These regulations may be cited as *The Medical Care Insurance Payment Amendment Regulations, 1991*.

R.R.S. c.S.29  
Reg 14  
amended

**2** *The Medical Care Insurance Payment Regulations* are amended in the manner set forth in these regulations.

(ii) for the period commencing on April 1, 1989 and ending on March 31, 1990, the schedule entitled 'Medical Care Insurance Branch Payment Schedule for Services Provided by a Physician, April 1, 1989';

(iii) for the period commencing on April 1, 1990 and ending on March 31, 1991, the schedule entitled 'Medical Care Insurance Branch Payment Schedule for Services Provided by a Physician, April 1, 1990' as amended by:

(A) the Medical Care Insurance Branch Bulletin to Physicians number 104, dated May 29, 1990;

(B) the Medical Care Insurance Branch Bulletin to Physicians number 106, dated October 25, 1990; and

(C) the Medical Care Insurance Branch Bulletin to Physicians number 108, dated December 6, 1990;

(iv) for the period commencing on April 1, 1991, the schedule entitled 'Medical Care Insurance Branch Payment Schedule for Services Provided by a Physician, April 1, 1991'.

Payment  
schedules for  
services  
provided  
outside  
Saskatchewan

“2.2(1) For the purposes of sections 5 and 7, with respect to services provided outside Saskatchewan:

(a) 'chiropractor payment schedule' means chiropractor payment schedule as defined in clause 2.1(a);

(b) 'dentist payment schedule' means dentist payment schedule as defined in clause 2.1(b);

(c) 'optometrist payment schedule' means optometrist payment schedule as defined in clause 2.1(c);

(d) 'physician payment schedule' means physician payment schedule as defined in clause 2.1(d).

“(2) For the purposes of this section:

(a) the schedule entitled 'Medical Care Insurance Branch Payment Schedule for Services provided by a Dentist, May 1, 1990', notwithstanding anything contained in that schedule, is effective on the day on which *The Medical Care Insurance Payment Amendment Regulations, 1991* are filed with the Registrar of Regulations and applies to services provided on and after that day;

(b) the Medical Care Insurance Branch Bulletin to Chiropractors number 29, dated September 21, 1990, notwithstanding anything contained in that bulletin, is effective on the day on which *The Medical Care Insurance Payment Amendment Regulations, 1991* are filed with the Registrar of Regulations and applies to services provided on and after that day;

3 Clauses 2(c), (d), (e) and (f) are repealed.

Section 2  
amended

4 The following is added after section 2:

New  
sections 2.1  
and 2.2

“2.1 For the purposes of sections 3 and 4, with respect to services provided in Saskatchewan:

Payment  
schedules for  
services in  
Saskatchewan

(a) ‘chiropractor payment schedule’ means the schedule that is adopted by the Medical Care Insurance Branch of the department for the payment of chiropractors for services provided within each of the following periods:

(i) for the period commencing on October 1, 1988 and ending on March 31, 1989, the schedule entitled ‘Medical Care Insurance Branch Payment Schedule for Services Provided by a Chiropractor, October 1, 1988’;

(ii) for the period commencing on April 1, 1989 and ending on March 31, 1990, the schedule entitled ‘Medical Care Insurance Branch Payment Schedule for Services Provided by a Chiropractor, April 1, 1989’;

(iii) for the period commencing April 1, 1990 and ending on March 31, 1991, the schedule entitled ‘Medical Care Insurance Branch Payment Schedule for Services Provided by a Chiropractor, April 1, 1990’, as amended by the Medical Care Insurance Branch Bulletin to Chiropractors number 29, dated September 21, 1990;

(iv) for the period commencing on April 1, 1991, the schedule entitled ‘Medical Care Insurance Branch Payment Schedule for Services Provided by a Chiropractor, April 1, 1991’;

(b) ‘dentist payment schedule’ means the schedule for payment of dentists for dentists’ services that is adopted by the Medical Care Insurance Branch of the department and entitled ‘Medical Care Insurance Branch Payment Schedule for Services Provided by a Dentist, May 1, 1990’;

(c) ‘optometrist payment schedule’ means the schedule for payment of optometrists for optometrists’ services that is adopted by the Medical Care Insurance Branch of the department and entitled ‘Medical Care Insurance Branch Payment Schedule for Services Provided by an Optometrist, 1989’;

(d) ‘physician payment schedule’ means the schedule that is adopted by the Medical Care Insurance Branch of the department for the payment of physicians for services provided within each of the following periods:

(i) for the period commencing on October 1, 1988 and ending on March 31, 1989, the schedule entitled ‘Medical Care Insurance Branch Payment Schedule for Services Provided by a Physician, October 1, 1988’;



(c) the Medical Care Insurance Branch Bulletin to Physicians number 104, dated May 29, 1990, notwithstanding anything contained in that bulletin, is effective on the day on which *The Medical Care Insurance Payment Amendment Regulations, 1991* are filed with the Registrar of Regulations and applies to services provided on and after that day;

(d) the Medical Care Insurance Branch Bulletin to Physicians number 106, dated October 25, 1990, notwithstanding anything contained in that bulletin, is effective on the day on which *The Medical Care Insurance Payment Amendment Regulations, 1991* are filed with the Registrar of Regulations and applies to services provided on and after that day;

(e) the Medical Care Insurance Branch Bulletin to Physicians number 108, dated December 6, 1990, notwithstanding anything contained in that bulletin, is effective on the day on which *The Medical Care Insurance Payment Amendment Regulations, 1991* are filed with the Registrar of Regulations and applies to services provided on and after that day”.

5(1) Subject to subsections (2), (3), (4), (5) and (6), these regulations come into force on the day on which they are filed with the Registrar of Regulations. Coming into force

(2) Subclause 2.1(a)(iii) of *The Medical Care Insurance Payment Regulations* as being enacted by section 4 of these regulations comes into force on the day on which these regulations are filed with the Registrar of Regulations but is retroactive and is deemed to have been in force on and from October 1, 1990.

(3) Clause 2.1(b) of *The Medical Care Insurance Payment Regulations* as being enacted by section 4 of these regulations comes into force on the day on which these regulations are filed with the Registrar of Regulations but is retroactive and is deemed to have been in force on and from May 1, 1990.

(4) Paragraph 2.1(d)(iii)(A) of *The Medical Care Insurance Payment Regulations* as being enacted by section 4 of these regulations comes into force on the day on which these regulations are filed with the Registrar of Regulations, but is retroactive and is deemed to have been in force on and from April 1, 1990.

(5) Paragraph 2.1(d)(iii)(B) of *The Medical Care Insurance Payment Regulations* as being enacted by section 4 of these regulations comes into force on the day on which these regulations are filed with the Registrar of Regulations but is retroactive and is deemed to have been in force on and from November 1, 1990.

(6) Paragraph 2.1(d)(iii)(C) of *The Medical Care Insurance Payment Regulations* as being enacted by section 4 of these regulations comes into force on the day on which these regulations are filed with the Registrar of Regulations but is retroactive and is deemed to have been in force on and from January 1, 1991.

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## SASKATCHEWAN REGULATIONS 16/91

### *The Dental Care Act*

#### Section 8

Order in Council 182/91, dated March 6, 1991.

(Filed February 7, 1991)

#### ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to section 8 of *The Dental Care Act*, makes *The Dental Care Beneficiary Amendment Regulations, 1991* in accordance with the attached Schedule.

#### SCHEDULE

- |  |  |
|--|--|
| Title                                  | <b>1</b> These regulations may be cited as <i>The Dental Care Beneficiary Amendment Regulations, 1991</i> .                                  |
| R.R.S. c. D-4 Reg 3, section 2 amended | <b>2</b> Subsection 2(2) of <i>The Dental Care Beneficiary Regulations, 1987</i> is amended by striking out "first" and substituting "last". |
| Coming into force                      | <b>3</b> These regulations come into force on the day on which they are filed with the Registrar of Regulations.                             |
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## SASKATCHEWAN REGULATIONS 17/91

### *The Saskatchewan Medical Care Insurance Act*

#### Sections 15 and 48

Order in Council 184/91, dated March 6, 1991.

(Filed February 7, 1991)

#### ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to sections 15 and 48 of *The Saskatchewan Medical Care Insurance Act*, makes *The Medical Care Insurance Beneficiary and Administration Amendment Regulations, 1991* in accordance with the attached Schedule.

MARCH 15, 1991

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SCHEDULE

1 These regulations may be cited as *The Medical Care Insurance Beneficiary and Administration Amendment Regulations, 1991*. Title

2 The following section is added after section 14 of *The Medical Care Insurance Beneficiary and Administration Regulations*: R.R.S. c.S.29 Reg 13, new section 14.1

“14.1 Notwithstanding sections 12 and 14, where a service described in section 12 or a laboratory procedure described in section 14 is provided in a medical laboratory for which a licence is required pursuant to *The Medical Laboratory Licensing Act*, that service or procedure is not an insured service unless the operator of the medical laboratory holds a valid and subsisting licence issued pursuant to section 7 of that Act that:

Certain services and laboratory procedures not insured

- (a) is not suspended; and
- (b) does not prohibit the provision of that service or the performance of that laboratory procedure”.

3 These regulations come into force on the day on which *The Medical Laboratory Licensing Act* comes into force. Coming into force

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**SASKATCHEWAN REGULATIONS 18/91**

*The Saskatchewan Medical Care Insurance Act*  
Section 48

Order in Council 185/91, dated March 6, 1991.

(Filed February 7, 1991)

ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to section 48 of *The Saskatchewan Medical Care Insurance Act*, makes *The Medical Care Insurance Beneficiary and Administration Amendment Regulations, 1991 (No. 2)* in accordance with the attached Schedule.

SCHEDULE

1 These regulations may be cited as *The Medical Care Insurance Beneficiary and Administration Amendment Regulations, 1991 (No. 2)*. Title

R.R.S.  
c. S-29 Reg 13,  
section 3  
amended

**2** Clause 3(b) of *The Medical Care Insurance Beneficiary and Administration Regulations* is repealed and the following substituted:

“(b) a person whose principal place of residence is in Saskatchewan and who proves to the satisfaction of the minister that he or she is physically present in Saskatchewan for a period of at least six months of each year is a resident during that person’s absence from Saskatchewan”.

Coming into  
force

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

## SASKATCHEWAN REGULATIONS 21/91

### *The Trust and Loan Corporations Act*

#### Section 55

Order in Council 189/91, dated March 6, 1991.

(Filed February 7, 1991)

#### ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Justice, pursuant to section 55 of *The Trust and Loan Corporations Act*, makes *The Trust and Loan Corporations Amendment Regulations, 1991* in accordance with the attached Schedule.

#### SCHEDULE

Title

**1** These regulations may be cited as *The Trust and Loan Corporations Amendment Regulations, 1991*.

R.R.S.  
c. T-22.1 Reg 1,  
section 13  
amended

**2** The following is added after subsection 13(5) of *The Trust and Loan Corporations Regulations*:

“(6) Section 31 of the Act does not apply to a body corporate holding a valid and subsisting licence issued pursuant to *The Mortgage Brokers Act* with respect to activities that the body corporate is entitled to engage in pursuant to that licence”.

Coming into  
force

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

REGINA, SASKATCHEWAN  
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1991



PART III

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**REGULATIONS OF SASKATCHEWAN**

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The Regulations printed in this Part of the Gazette are new regulations and amendments to existing regulations which are not contained in *The Revised Regulations of Saskatchewan* printed in Part II.

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**SASKATCHEWAN REGULATIONS 19/91**

*The Saskatchewan Hospitalization Act*

Section 29

Order in Council 186/91, dated March 6, 1991.

(Filed February 7, 1991)

ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to section 29 of *The Saskatchewan Hospitalization Act*, makes *The Saskatchewan Hospitalization Amendment Regulations, 1991* in accordance with the attached Schedule.

SCHEDULE

1 These regulations may be cited as *The Saskatchewan Hospitalization Amendment Regulations, 1991*. Title

2 Clause 2(3)(b) of Saskatchewan Regulation 82/78 is repealed and the following substituted: Sask.  
Reg. 82/78,  
section 2  
amended

“(b) a person whose principal place of residence is in Saskatchewan and who proves to the satisfaction of the minister that he or she is physically present in Saskatchewan for a period of at least six months of each year is a resident during that person’s absence from Saskatchewan”.

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

**SASKATCHEWAN REGULATIONS 20/91**

*The Vital Statistics Act*  
Section 58

Order in Council 188/91, dated March 6, 1991.

(Filed February 7, 1991)

ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Health, pursuant to section 58 of *The Vital Statistics Act*, makes *The Vital Statistics Amendment Regulations, 1991* in accordance with the attached Schedule.

SCHEDULE

- |                           |   |
|---------------------------|---|
| Title                     | <b>1</b> These regulations may be cited as <i>The Vital Statistics Amendment Regulations, 1991</i> .  |
| Sask. Reg. 169/66 amended | <b>2</b> Saskatchewan Regulation 169/66 is amended in the manner set forth in these regulations.  |
| Section 32 amended        | <b>3</b> Section 32 is amended by striking out "\$15" and substituting "\$20".  |
| Section 33 amended        | <b>4</b> Section 33 is amended by striking out "\$15" and substituting "\$20".  |
| Section 34 amended        | <b>5</b> Section 34 is amended by striking out "\$15" and substituting "\$20".  |
| Section 35 amended        | <b>6</b> Section 35 is amended by striking out "\$15" and substituting "\$20".  |
| Section 36 amended        | <b>7</b> Section 36 is amended by striking out "\$15":<br>(a) in subsection (1); and<br>(b) in subsection (2);<br>and in each case substituting "\$20". |
| Coming into force         | <b>8</b> These regulations come into force on April 1, 1991.  |



MARCH 15, 1991

## SASKATCHEWAN REGULATIONS 22/91

*The Crown Minerals Act*  
Section 22

Order in Council 191/91, dated March 6, 1991.

(Filed February 7, 1991)

### ORDER

The Honourable Lieutenant Governor in Council, on the recommendation of the Minister of Energy and Mines, pursuant to section 22 of *The Crown Minerals Act*, makes *The Mineral Disposition Amendment Regulations, 1991* in accordance with the attached Schedule.

### SCHEDULE

**1** These regulations may be cited as *The Mineral Disposition Amendment Regulations, 1991*. Title

**2** Subsection 68(1) of *The Mineral Disposition Regulations, 1986* is amended by striking out "and any expenditures made on any lands forming part of the disposition lands while so designated shall not be applied toward any assessment work required by these regulations". Sask.  
Reg. 30/86,  
section 68  
amended

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



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