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## PART II/PARTIE II

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

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## REVISED REGULATIONS OF SASKATCHEWAN

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### CHAPTER A-20.2 REG 18

#### *The Animal Products Act*

Sections 15 and 18

Order in Council 568/2017, dated December 6, 2017

(Filed December 7, 2017)

#### Title

1 These regulations may be cited as *The Fur Farming Regulations, 2017*.

#### Definitions

2 In these regulations:

“**Act**” means *The Animal Products Act*;

“**fur farm**” means a location where fur farm animals are held for commercial purposes;

“**fur farm animal**” means a member of the following species, raised in captivity primarily for the harvest of its pelt and not for display and public viewing:

- (a) bobcat having the scientific name *Lynx rufus*;
- (b) coyote having the scientific name *Canis latrans*;
- (c) Eurasian lynx having the scientific name *Lynx lynx*;
- (d) fisher having the scientific name *Martes pennanti*;
- (e) fox having the scientific name *Vulpes vulpes*;
- (f) lynx having the scientific name *Lynx canadensis*;
- (g) mink having the scientific name *Neovison vison*;
- (h) timber wolf having the scientific name *Canis lupus*;
- (i) wolverine having the scientific name *Gulo gulo*;

“**fur farm animal product**” includes the carcass or any part of the carcass, including the pelt, of a fur farm animal;

“**licence**” means a valid licence issued pursuant to these regulations;

“**named disease**” means:

- (a) a reportable disease as defined in the *Reportable Diseases Regulations* (Canada), SOR/91-2; or
- (b) a disease designated by the minister and the minister responsible for the administration of *The Wildlife Act, 1998* pursuant to subsection 15(1);

“**pelt**” means the skin or hide of a fur farm animal;

“**trade**” means offer for sale, expose for sale, advertise for sale, sell, buy, barter, exchange, deal or solicit;

“**veterinarian**” means a registered member of the Saskatchewan Veterinary Medical Association who is in good standing and who is licensed to practise veterinary medicine in Saskatchewan;

“**wildlife officer**” means a wildlife officer as defined in *The Wildlife Act, 1998*.

**Licence required**

3 Unless that person holds a licence, no person shall:

- (a) establish or operate a fur farm; or
- (b) trade fur farm animals or fur farm animal products.

**Application**

4(1) Every person wishing to obtain a licence shall apply to the minister in a form satisfactory to the minister.

(2) On receiving an application pursuant to subsection (1), the minister may approve the application if:

- (a) the applicant pays a fee of \$500; and
- (b) the minister is satisfied that:
  - (i) the applicant has the ability to care for the fur farm animals in compliance with these regulations;
  - (ii) the fur farm at which the fur farm animals will be kept meets the standards set out in these regulations; and
  - (iii) the applicant has complied with the Act, these regulations and any policies that the minister has established with respect to fur farms.

(3) The minister shall cause any policies established for the purposes of subsection (2) to be made public in any manner that the minister considers appropriate, including by publishing them on the ministry’s website.

(4) For the purposes of subsection (2), the minister may require an inspection of the proposed fur farm in order to be satisfied that the conditions mentioned in that subsection have been met.

(5) If the minister does not approve an application for a licence, the minister shall provide the applicant with written notice of the decision together with reasons.

**Issuance**

5(1) Subject to subsection (4), the minister may issue a licence to an applicant if the minister:

- (a) receives the application and fee mentioned in section 4; and
- (b) is satisfied that the applicant has complied with the Act, these regulations and any policies that the minister has established with respect to fur farms.

(2) The minister may impose any terms or conditions that the minister considers appropriate on a licence issued pursuant to subsection (1).

(3) No licence holder shall fail to comply with any term or condition imposed on his or her licence.

(4) Notwithstanding subsection (1), no licence shall be issued for or with respect to Eurasian lynx other than to a person who:

- (a) on the coming into force of these regulations holds a licence with respect to lynx; or
- (b) is a transferee of a licence that was originally issued to a person mentioned in clause (a).

**Transfer**

**6(1)** It is a condition of every licence that the licence may be transferred only with the prior written approval of the minister.

(2) On an application by a licence holder, the minister may approve the transfer if:

- (a) the licence holder pays a fee of \$500; and
- (b) the minister is satisfied that:
  - (i) the person to whom the licence is being transferred has the ability to care for the fur farm animals in compliance with these regulations;
  - (ii) the fur farm at which the fur farm animals will be kept meets the standards set out in these regulations; and
  - (iii) the person to whom the licence is being transferred will comply with the Act, these regulations and any policies that the minister has established with respect to transfers.

(3) The minister shall cause any policies established for the purposes of subsection (2) to be made public in any manner that the minister considers appropriate, including by publishing them on the ministry's website.

(4) For the purposes of subsection (2), the minister may require an inspection of the fur farm at which the fur farm animals will be kept in order to be satisfied that the conditions mentioned in that subsection have been met.

(5) If the minister does not approve a transfer, the minister shall provide the applicant with written notice of the decision together with reasons.

**Expiry and renewal**

**7(1)** Unless renewed pursuant to subsection (2), a licence expires on December 31 of the year of its issuance or renewal, as the case may be.

(2) The minister may renew the licence, if the licence holder:

- (a) satisfies the minister that he or she continues to meet the criteria set out in section 4; and
- (b) pays a fee of \$500.

(3) A person mentioned in subsection 5(4) who has a licence for or with respect to lynx and who holds Eurasian lynx may renew that licence.

**Suspension or cancellation**

**8(1)** The minister may suspend, for any period that the minister considers appropriate, or cancel a licence if the holder of the licence fails to comply with:

- (a) the Act, these regulations or any other regulations made pursuant to the Act;

- (b) *The Animal Protection Act, 1999*; or
  - (c) any term or condition of the licence.
- (2) The minister shall not suspend or cancel a licence without giving the licence holder an opportunity to make written representations.
- (3) Notwithstanding subsection (2), if the minister considers that it is necessary to act to protect the public interest, the minister may immediately suspend or cancel a licence without giving the licence holder an opportunity to make written representations, but shall give the holder of the licence:
- (a) written notice of the suspension or cancellation; and
  - (b) an opportunity to make written representations within 15 days after the date on which the minister takes any of those actions.
- (4) The suspension or cancellation of a licence pursuant to this section is in addition to any other penalty that may be imposed pursuant to any Act or law.
- (5) Within 180 days after the cancellation or expiry of a licence:
- (a) the pelts of any remaining fur farm animals must be harvested; or
  - (b) any remaining fur farm animals must be transferred or sold:
    - (i) within Saskatchewan, to a person authorized to hold that species of fur farm animal, including a licensed fur farm or a person licensed pursuant to *The Wildlife Act, 1998*; or
    - (ii) outside of Saskatchewan.

**Fur farming - other native wildlife species**

**9** A licence holder may request that the minister permit fur farming with respect to a species of animal other than a fur farm animal if:

- (a) the animal is currently a native wildlife species in Saskatchewan; and
- (b) the licence holder files a development plan with the minister satisfactory to the minister in the form required by the minister that includes the following:
  - (i) design specifications of the proposed enclosures for the species to be farmed;
  - (ii) a description of animal care and welfare practices that will be used that meet an accepted standard;
  - (iii) information with respect to the source of the animals;
  - (iv) information concerning the commercial viability of farming the species.

**Obtaining fur farm animals**

**10** No person shall obtain a fur farm animal unless:

- (a) the fur farm animal is obtained from a person who holds:
  - (i) a licence; or
  - (ii) both:
    - (A) a valid licence issued pursuant to subsection 4(2) of *The Captive Wildlife Regulations* for the purposes of clause 4(1)(a) of those regulations; and

(B) the written approval of the minister responsible for the administration of *The Wildlife Act, 1998*; or

(b) the fur farm animal is imported into Saskatchewan in accordance with section 13.

**Prohibitions**

**11** No person shall:

- (a) display a fur farm animal for public viewing; or
- (b) hunt or permit hunting of fur farm animals.

**Escape from captivity**

**12(1)** Subject to subsection (2), no licence holder who holds fur farm animals shall allow those fur farm animals to:

- (a) roam free;
- (b) escape from captivity; or
- (c) be released to the wild.

(2) Every licence holder whose fur farm animal escapes from captivity shall:

- (a) immediately make all reasonable efforts to restore the escaped fur farm animal to captivity; and
- (b) report the full details of the escape to an inspector and to a wildlife officer.

**Import**

**13(1)** In this section, “**import restriction or protocol**” means an import restriction or protocol imposed by the minister and the minister responsible for the administration of *The Wildlife Act, 1998* pursuant to:

- (a) *The Diseases of Animals Act* and any regulations made pursuant to that Act; or
- (b) *The Wildlife Act, 1998* and any regulations made pursuant to that Act.

(2) The minister shall cause any import restrictions or protocols imposed by the minister and the minister responsible for the administration of *The Wildlife Act, 1998* to be made public in any manner that the minister considers appropriate, including by publishing them on the ministry’s website.

(3) Without obtaining an import licence pursuant to *The Wildlife Act, 1998* and without complying with any import restrictions or protocols and unless the minister considers that it is not contrary to the public interest, no person shall import any of the following into Saskatchewan:

- (a) live fur farm animals;
- (b) fur farm animal semen;
- (c) fur farm animal embryos.

(4) Every person who imports a fur farm animal that dies within 30 days after its acquisition shall:

- (a) immediately report that death to an inspector; and

- (b) on request of an inspector:
  - (i) have the dead fur farm animal examined by a veterinarian; and
  - (ii) report the findings of the examination mentioned in subclause (i) to the minister.
- (5) No person shall import Eurasian lynx.

**Transport**

14(1) Every person who transports fur farm animals or fur farm animal products, whether or not for export, within Saskatchewan shall hold in his or her immediate possession at all times during the transport:

- (a) a copy of the licence issued to the licence holder with respect to the fur farm animals; or
- (b) if the fur farm animals are being transferred or sold, a copy of the transfer or bill of sale that includes the following:
  - (i) the date on which the transfer or sale occurred;
  - (ii) the name and address of the licence holder from whom the fur farm animals or the fur farm animal products were obtained;
  - (iii) the name and address of the person to whom the fur farm animals or fur farm animal products are being transferred or sold;
  - (iv) a description of the fur farm animals or fur farm animal products, including species, product and amount;
  - (v) the signature of the licence holder from whom the fur farm animals or the fur farm animal products were obtained.
- (2) A person who wishes to obtain an export certificate from the minister for the purpose of transporting fur farm animals or fur farm animal products for export shall:
  - (a) apply to the minister in the form required by the minister;
  - (b) provide the minister with any information that the minister may reasonably require; and
  - (c) pay a fee of \$50.

(3) On receipt of the application, any required information and the fee mentioned in subsection (2), the minister may issue an export certificate to the applicant.

**Named diseases and their control**

15(1) The minister and the minister responsible for the administration of *The Wildlife Act, 1998* may designate a disease that presents a threat of epidemic in fur farm animals as a named disease.

(2) If a named disease is designated pursuant to subsection (1), the minister shall cause that named disease to be published, as soon as is reasonably practicable, in the Gazette and to be posted on the ministry's website.

(3) The minister and the minister responsible for the administration of *The Wildlife Act, 1998* may authorize a veterinarian to conduct examinations of diseased fur farm animals pursuant to subsections (5) and (6).



- (4) The minister and the minister responsible for the administration of *The Wildlife Act, 1998* may:
- (a) order the fur farm where a named disease is found to have infected a fur farm animal to be quarantined until they are satisfied that the disease is under control; or
  - (b) order any fur farm animal that they believe to be infected with a named disease to be destroyed.
- (5) Every licence holder who holds a fur farm animal that he or she:
- (a) knows or suspects is infected with a named disease shall immediately report that fact to the minister; or
  - (b) knows or suspects has been in contact with an animal infected with a named disease shall immediately report that fact to the minister.
- (6) Every licence holder who holds a fur farm animal that he or she suspects may have died from a named disease shall:
- (a) have the dead fur farm animal examined by a veterinarian; and
  - (b) report the findings of the examination to the minister.

**Care and handling**

- 16(1)** No licence holder who holds fur farm animals shall fail to:
- (a) provide adequate feed, water and shelter for the fur farm animals;
  - (b) handle the fur farm animals in a humane manner; and
  - (c) maintain the fur farm animals in a manner consistent with *The Animal Protection Act, 1999*.
- (2) No licence holder who transports fur farm animals shall fail to transport the fur farm animals in a covered vehicle.
- (3) No licence holder who destroys fur farm animals shall fail to destroy them in as painless and humane a manner as possible.

**Enclosures and prohibition**

- 17(1)** Every licence holder who holds a fur farm animal in an enclosure shall ensure that the enclosure:
- (a) in the case of a bobcat or lynx, meets the standards specified for bobcats set out in E.A. Miller, ed, *Minimum Standards for Wildlife Rehabilitation, 4th edition*, (2012), published by the National Wildlife Rehabilitators Association and the International Wildlife Rehabilitation Council;
  - (b) in the case of a fox, meets the standards for new or modified pens set out in the *Code of Practice for the Care and Handling of Farmed Fox (Vulpes vulpes)* (2013), published by the National Farm Animal Care Council;
  - (c) in the case of a mink, meets the standards for new or modified pens set out in the *Code of Practice for the Care and Handling of Farmed Mink* (2013), published by the National Farm Animal Care Council; and

(d) in the case of a coyote, fisher, wolf or wolverine meets the standards specified for that species set out in E.A. Miller, ed, *Minimum Standards for Wildlife Rehabilitation, 4th edition*, 2012, published by the National Wildlife Rehabilitators Association and the International Wildlife Rehabilitation Council.

(2) No licence holder who holds a fur farm animal shall fail to ensure that the fur farm animal is held in an enclosure that:

- (a) prevents the fur farm animal's escape; and
- (b) provides for the safety and protection of the public.

**Inspection**

**18** Every licence holder who holds fur farm animals shall make those fur farm animals available for inspection by an inspector at all reasonable times.

**Records**

**19(1)** Every licence holder who operates a fur farm shall maintain for that fur farm a written record that complies with this section with respect to that fur farm accounting for all:

- (a) births, deaths, purchases, transfers and sales of fur farm animals; and
- (b) purchases, transfers and sales of fur farm animal products.

(2) Every licence holder shall ensure that the record maintained pursuant to subsection (1):

- (a) covers a period equivalent to the taxation year that applies to that person;
- (b) is retained for 1 year after the expiration of the taxation year mentioned in clause (a); and
- (c) is available for inspection by an inspector at all reasonable times.

**RSS c A-20.2 Reg 6 repealed**

**20** *The Fur Farming Regulations* are repealed.

**Coming into force**

**21(1)** Subject to subsections (2) and (3), these regulations come into force on January 1, 2018.

(2) Subsection 17(1) comes into force on January 1, 2021.

(3) If these regulations are filed with the Registrar of Regulations after January 1, 2018, sections 1 to 16, subsection 17(2) and sections 18 to 20 come into force on the day on which they are filed with the Registrar of Regulations.

**CHAPTER E-4.01 REG 1***The Education Property Tax Act*

## Section 23

Order in Council 573/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

- 1 These regulations may be cited as *The Education Property Tax Regulations*.

**Definitions**

- 2 In these regulations:

“**Act**” means *The Education Property Tax Act*;

“**business**” means business as defined in a municipal Act;

“**improvement**” means an improvement as defined in a municipal Act;

“**land**” means land as defined in a municipal Act;

“**mineral**” means any non-viable substance formed by the processes of nature, irrespective of chemical or physical state and both before and after extraction, but does not include:

- (a) surface or ground water;
- (b) agricultural soil; or
- (c) sand or gravel;

“**mineral resource**” means any mineral deposit that may be found on, in or under any lands in Saskatchewan, including any reservoir of oil, gas, or oil and gas and any ore body containing any mineral;

“**occupant**” means an occupant as defined in a municipal Act;

“**parcel**” means parcel as defined in *The Condominium Property Act, 1993*;

“**parcel of land**” means a parcel of land as defined in a municipal Act;

“**pipeline**” means a pipeline as defined in a municipal Act;

“**railway roadway**” means a railway roadway as defined in a municipal Act;

“**railway superstructure**” means a railway superstructure as defined in a municipal Act.

**Property classes**

- 3 The following property classes are established for the purposes of the definition of “property class” in section 2 of the Act:

(a) agricultural, which includes land and improvements, other than occupied dwellings, that are classified as:

- (i) non-arable (range) land and improvements in which:

(A) the predominant potential use is as range land or pasture land, determined by the assessor as the best use that could reasonably be made of the majority of the surface area; or

- (B) the majority of the surface area of the land or improvement:
  - (I) is not developed for any use;
  - (II) has been left in or is being returned to its native state; or
  - (III) cannot be used for agricultural purposes; or
- (ii) other agricultural land and improvements:
  - (A) in which the predominant potential use is cultivation, determined by the assessor as the best use that could reasonably be made of the majority of the surface area;
  - (B) that are used for dairy production, raising poultry or livestock, producing poultry or livestock products, bee-keeping, seed growing or growing plants in an artificial environment; or
  - (C) that are used for other agricultural purposes, except for land and improvements classified as non-arable (range) land and improvements;
- (b) commercial and industrial, which includes:
  - (i) land and improvements used or intended to be used:
    - (A) for business purposes, including land and improvements for office, wholesale, retail, service, hotel, motel, industrial and manufacturing activities, transportation, communications and utilities; or
    - (B) for institutional, government, recreational or cultural purposes;
  - (ii) elevators, which include only:
    - (A) land and improvements designed and used for receiving, processing and shipping grains, oilseeds and special forages, and licensed by the Canadian Grain Commission; and
    - (B) land and improvements used in conjunction with the land and improvements described in paragraph (A);
  - (iii) railway rights of way, which include only railway roadways and railway superstructures; or
  - (iv) land and improvements not specifically included in any other property class;
- (c) resource, which includes:
  - (i) land and improvements designed, built, being built, used or intended to be used for the extraction of a mineral resource, including land and improvements associated with petroleum oil wells and gas wells, batteries, satellites, gas plants and compressor stations, whether or not the property is in operation; or
  - (ii) a pipeline and other land and improvements used in conjunction with a pipeline;

- (d) residential, which includes land and improvements classified as:
  - (i) residential, which, except for land and improvements classified as multi-unit residential or seasonal residential, includes only land and improvements used or intended to be used for, or in conjunction with, a residential purpose, including vacant land subdivided into lots for residential use, provided that where land is used as a yardsite in conjunction with a purpose mentioned in subclause (a)(i) or (ii), 3 acres of that land is to be classified as residential;
  - (ii) multi-unit residential, which includes only:
    - (A) land and improvements designed and used for or intended to be used for, or in conjunction with a residential purpose and to accommodate 4 or more self-contained dwelling units within a parcel, or in the case of a condominium, any part of a parcel within the meaning of *The Condominium Property Act, 1993* that is used for a residential purpose; and
    - (B) vacant land zoned for use for multiple dwelling units; or
  - (iii) seasonal residential, which includes:
    - (A) land and improvements:
      - (I) used or intended to be used for, or in conjunction with, both residential and recreational purposes;
      - (II) located in communities predominantly of a resort nature, in parks, or in rural areas, a recreational subdivision or the Northern Saskatchewan Administration District outside the boundaries of towns, northern villages, northern hamlets and northern settlements;
      - (III) normally used for a maximum of 6 months in any year, as determined by the assessor; and
      - (IV) not being the principal residence in Canada of the occupant; and
    - (B) land and improvements for seasonal camps.

**Multiple-use property**

4(1) If a use of any property is clearly distinct from the property's predominant use and is not integrated with or directly related to the property's predominant use, the assessor may:

- (a) determine that portions of the property that include more than 1 use, or portions of the property's assessment that include more than 1 use, belong to different classes established pursuant to these regulations; and
- (b) apportion the assessed value of the property among those classes.

(2) Pursuant to section 175 of *The Cities Act*, section 205 of *The Municipalities Act* or section 226 of *The Northern Municipalities Act, 2010*, as the case requires, if the assessor determines that portions of any property, or portions of the property's assessment, belong to different classes established pursuant to these regulations, the property may be entered more than once in the assessment roll for the purpose of indicating the assessed value of each portion of the property within a class.

**Date of classification**

5(1) Subject to subsections (2) and (3), in each year as of January 1, properties and the assessments of properties are to be classified as belonging to the classes established pursuant to these regulations.

(2) A new improvement or a newly subdivided parcel is to be classified as of the date on which it is added to the assessment roll.

(3) If there is a change in the use of a property, the property is to be classified as of the date on which the change is made to the assessment roll.

**Separate school division bylaw to determine own levy**

6 A bylaw passed pursuant to *The Education Act, 1995* for the purposes of section 7 of the Act before January 1, 2018 continues to be in force until the bylaw is repealed.

**Interest rate**

7 The interest rate for the purposes of sections 9, 12, 16, 17, 18 and 19 of the Act must be calculated in accordance with sections 57 and 58 of *The Revenue and Financial Services Act* and the regulations made pursuant to that Act.

**Penalty**

8 A municipality that fails to file a return within the time required is liable to pay to the Crown a penalty pursuant to subsection 57(1.1) of *The Revenue and Financial Services Act* and the regulations made pursuant to that Act.

**Exemption, abatement, cancellation, reduction, refund or deferral of taxes**

9(1) In this section and in sections 10 to 12, "**abatement**" includes cancellation, reduction, refund, deferral and compromise.

(2) For the purposes of section 21 of the Act, a municipality may abate or exempt school taxes in accordance with the following limits and principles:

(a) if the amount of the abatement or exemption is less than \$25,000, it does not need to be approved by the minister;

(b) subject to clauses (c) to (e), before the approval of municipal council and application to the tax roll, a municipality shall annually submit a request to the minister to abate or exempt any amount of school taxes for a parcel or parcel of land for a single tax year if the amount of the abatement or exemption equals or is greater than \$25,000;

(c) subject to clause (e), no municipality shall abate or exempt school taxes that are collectively equal to or greater than 5% of the municipality's total school tax levy without the prior approval of the minister on an annual basis;

(d) clauses (b) and (c) apply to an agreement made pursuant to section 11 unless otherwise specified in the agreement;

- (e) subject to clause (f), a municipality may enter into a multi-year agreement with the Government of Saskatchewan to abate or exempt school taxes as approved pursuant to clauses (b) and (c), in accordance with the following:
  - (i) the agreement must be for not more than 5 years;
  - (ii) the agreement must fall within 1 or more of the categories mentioned in subsection 11(2); and
  - (iii) the municipality shall annually submit to the Government of Saskatchewan any information requested in the agreement;
- (f) the Government of Saskatchewan may terminate the agreement entered into pursuant to clause (e) at any time if:
  - (i) the municipality fails to comply with the terms or conditions of the agreement; or
  - (ii) the minister considers it necessary or appropriate and in the public interest to do so and has given the municipality prior notice of the proposed termination and reasons for the proposed termination.

**Reporting re abatements and exemptions**

- 10(1)** For purposes of subsection 15(2) of the Act, municipalities shall include in their annual return information regarding all abatements and exemptions of school taxes given by the municipality in the preceding year, including information on the amounts and the parties to whom the abatements and exemptions are given.
- (2) In addition to the information provided pursuant to subsection (1), the minister may at any time, in writing, request a municipality to provide a report setting out information respecting all abatements and exemptions of school taxes by the municipality during the period set out in the written request including information on the amounts and the parties to whom the abatements and exemptions are given.
- (3) A municipality shall provide the report requested pursuant to subsection (2) within the period specified by the minister in the written request.

**Review by minister**

- 11(1)** For the purposes of section 9, a municipality shall submit a request to the minister to abate or exempt school taxes in the form and manner specified by the minister.
- (2) The reason for every request submitted pursuant to this section must fall within 1 of the following categories:
- (a) economic development;
  - (b) housing;
  - (c) non-profit or community-based organization; or
  - (d) other.
- (3) If a request falls within more than 1 of the categories mentioned in subsection (2) the municipality shall select the primary reason for the request.
- (4) The minister may approve the request submitted pursuant to this section if the minister is satisfied that the municipality has met the criteria established by the minister and that it is in the public interest to do so.

(5) Subject to subsection (6), the minister may refuse a request submitted pursuant to this section if the minister is satisfied the municipality has failed to meet the criteria established by the minister.

(6) If the minister refuses a request pursuant to subsection (5), the minister shall provide written notice to the municipality of the refusal along with written reasons.

**Tax collection agreements**

**12(1)** A municipality may enter into an agreement mentioned in subsection 6(4) of the Act with the Government of Saskatchewan for the purposes of education property tax collection and payment.

(2) The agreement may establish:

- (a) penalties for non-compliance;
- (b) rules regarding the abatement or exemption of school taxes or tax arrears;
- (c) the process for collecting school tax arrears;
- (d) how payments will be made to the Government of Saskatchewan;
- (e) a deadline for submission of payments to the Government of Saskatchewan;
- (f) rules for adjustment of revenue;
- (g) terms or conditions with respect to the continuation, amendment or termination of the agreement; and
- (h) any other provisions the municipality and the Government of Saskatchewan agree would be necessary or beneficial for the agreement.

**Separate school divisions**

**13** In the case of a separate school division that has passed a bylaw determining its own separate school division tax pursuant to sections 6 and 7 of the Act:

- (a) every municipality in which a separate school division is established shall submit to the minister any information requested by the minister with respect to the separate school division tax; and
- (b) the municipality shall pay all proceeds of the separate school division tax in accordance with section 10 of the Act.

**Coming into force**

**14(1)** Subject to subsection (2), these regulations, come into force on the day on which section 1 of *The Education Property Tax Act* comes into force.

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



**CHAPTER E-10.22 REG 7***The Environmental Management and Protection Act, 2010*

Sections 46 and 98

Order in Council 569/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

**1** These regulations may be cited as *The Used Petroleum and Antifreeze Products Stewardship Regulations*.

**Definitions**

**2** In these regulations:

“**Act**” means *The Environmental Management and Protection Act, 2010*;

“**antifreeze**” means ethylene or propylene glycol used as an engine coolant but does not include antifreeze used for the following:

- (a) plumbing;
- (b) windshield washers;
- (c) lock de-icing;
- (d) fuel lines;
- (e) aircraft de-icing;

“**approval**” means approval of a product stewardship program by the minister pursuant to subsection 5(3);

“**collection depot**” means a collection depot that complies with section 8;

“**container**” means a container with a capacity of 50 litres or less that is manufactured for the purpose of holding oil, diesel exhaust fluid or antifreeze;

“**diesel exhaust fluid**” means an aqueous urea solution consisting of urea and de-ionized water the purpose of which is to lower diesel engine exhaust emissions;

“**diesel fuel filter**” means any spin-on or element style diesel fuel filter used in diesel engine applications;

“**first seller**” means a person who:

- (a) is a manufacturer or distributor of, or owner or licensee of intellectual property rights in, oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze that is sold, offered for sale or otherwise distributed into or in Saskatchewan;
- (b) is a vendor of oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze outside of Saskatchewan and who, as an ordinary part of the vendor’s business, solicits and sells oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze to consumers in Saskatchewan;

(c) imports oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze into Saskatchewan for resale in Saskatchewan;

(d) purchases oil, oil filters, diesel exhaust fluid, diesel fuel filters or antifreeze outside of Saskatchewan for use in Saskatchewan;

**“oil”** means any petroleum or synthetic oil that is recoverable for other uses and that is used for the purposes of insulation, lubrication, hydraulics or heat transfer and includes vegetable oil used for lubricating purposes;

**“oil filter”** means any spin-on or element style oil filter that is used in hydraulic, transmission or internal combustion engine applications;

**“product stewardship program”** or **“program”** means a program that provides for the collection, transportation and final treatment of used oil, used oil filters, used diesel fuel filters, used antifreeze and containers;

**“used antifreeze”** means antifreeze that through use, storage or handling can no longer be used for its original purpose;

**“used diesel fuel filter”** means a diesel fuel filter that through use, storage or handling can no longer be used for its original purpose;

**“used oil”** means oil that through use, storage or handling can no longer be used for its original purpose;

**“used oil filter”** means an oil filter that through use, storage or handling can no longer be used for its original purpose.

#### **Prescribed products**

**3** The following are prescribed products for the purposes of clause 46(a) of the Act:

- (a) oil;
- (b) oil filters;
- (c) diesel fuel filters;
- (d) antifreeze;
- (e) containers.

#### **Product stewardship programs**

**4(1)** No first seller shall fail to:

- (a) operate a product stewardship program approved by the minister; or
- (b) enter into an agreement with a person to operate, on the first seller’s behalf, a product stewardship program approved by the minister.

**(2)** No first seller who operates a product stewardship program shall fail to operate the product stewardship program in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

**(3)** No person who has entered into an agreement to operate a product stewardship program on a first seller’s behalf shall fail to operate the product stewardship program in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

(4) No first seller who has entered into an agreement to have a product stewardship program operated on the first seller's behalf shall fail to ensure that the product stewardship program is being operated in accordance with:

- (a) the program as approved by the minister; and
- (b) these regulations.

**Requirements for product stewardship programs**

5(1) A first seller who operates or intends to operate a product stewardship program, or a person who operates or intends to operate a product stewardship program on a first seller's behalf, shall:

- (a) apply to the minister for approval of the program, in a form acceptable to the minister; and
  - (b) submit any additional information or material to the minister that the minister requests and considers relevant to the application.
- (2) The minister shall not approve a product stewardship program unless the product stewardship program:
- (a) contains details of the management structure of the product stewardship program; and
  - (b) provides details respecting all of the following:
    - (i) the composition of the board of directors of the product stewardship program, including details satisfactory to the minister that there will be, in the minister's opinion, sufficient Saskatchewan representation;
    - (ii) the creation of an advisory committee to the operator of the product stewardship program;
    - (iii) the role of the advisory committee in relation to the operation of the program;
    - (iv) the manner in which Saskatchewan interests will be represented on the advisory committee;
    - (v) the manner in which used oil, used oil filters, used diesel fuel filters, used antifreeze and containers will be collected in all areas of Saskatchewan;
    - (vi) recycling options for used oil, used oil filters, used diesel fuel filters, used antifreeze and containers, listed in descending order of preference;
    - (vii) the policies and procedures to be followed by any person processing used oil, used oil filters, used diesel fuel filters, used antifreeze and containers collected pursuant to the program;
    - (viii) the manner in which the program will be funded;
    - (ix) the quality control and assurance aspects of the program, including tracking and auditing mechanisms;
    - (x) the public education or public awareness and communication strategy for the program;

(xi) the management of contracts with collectors, processors and other third party contractors, including the policies and procedures to be followed to ensure that all contracted parties comply with all municipal, provincial and federal legislation;

(xii) the manner in which the program will manage greenhouse gas emissions related to the collection, transportation and final treatment of used oil, used oil filters, used diesel fuel filters, used antifreeze and containers.

(3) If the minister is satisfied that a proposed product stewardship program complies with the Act and these regulations and is otherwise in the public interest, the minister may approve the product stewardship program on any terms and conditions that the minister considers appropriate.

(4) The minister shall cause notice of the approval of any product stewardship program to be published on the ministry's website and to be made public in any other manner that the minister considers appropriate.

**Level of service**

**6** Every person who operates a product stewardship program shall ensure that the product stewardship program:

(a) has at least 1 collection depot in each oil zone identified in Table 1 of the Appendix; and

(b) has an educational and informational component that states the environmental and economic benefits of the product stewardship program.

**Products to be accepted at collection depots**

**7(1)** Every collection depot in a product stewardship program must:

(a) accept used oil, regardless of origin, up to a maximum of 500 litres per delivery, without charge;

(b) accept used antifreeze, regardless of origin, up to a maximum of 100 litres per delivery, without charge;

(c) accept containers, regardless of origin, without charge;

(d) accept used oil filters or used diesel fuel filters, regardless of origin, without charge.

(2) A person operating a product stewardship program may refuse to accept any used oil or used antifreeze that he or she believes, on reasonable grounds, is mixed with any substance that prevents the used oil or used antifreeze from being recovered for other uses.

**Requirements for collection depots**

**8(1)** Every collection depot in a product stewardship program must:

(a) have attendants at the site while the site is open;

(b) have educational information respecting the product stewardship program readily available for the public;

(c) have equipment capable of transferring used oil or used antifreeze from drums;

- (d) operate for a minimum of 10 hours per week and during that period be capable of accepting containers, used oil, used oil filters, used diesel fuel filters and used antifreeze;
  - (e) for used oil, use a storage tank that has a minimum total volume of 2,000 litres;
  - (f) for used oil filters or used diesel fuel filters, use storage receptacles that are manufactured to prevent liquids from leaking out of the receptacle;
  - (g) for used antifreeze, use storage receptacles that have a minimum total volume of 400 litres;
  - (h) be secure against unauthorized access;
  - (i) for containers, use storage receptacles that are manufactured to prevent liquids from leaking out of the receptacle; and
  - (j) display a sign that includes the hours of operation and the products accepted.
- (2) A collection depot is to be open during hours that fall between 7:00 a.m. and 7:00 p.m.

**Review of product stewardship program**

**9** Every 5 years after the date of the approval of the product stewardship program, every person who operates a product stewardship program shall review the approved program and:

- (a) request approval from the minister of any proposed amendments to the approved product stewardship program; or
- (b) notify the minister in writing that no amendments to the approved product stewardship program are proposed.

**Changes to product stewardship program**

**10** No person operating a product stewardship program shall make any changes to the program without obtaining the minister's prior written approval of the proposed changes.

**Amendment, suspension or cancellation**

**11(1)** Subject to subsection (2), if, in the minister's opinion, a product stewardship program is not being operated in accordance with the Act, these regulations or the terms and conditions of the approval, or if, in the minister's opinion, it is in the public interest to do so, the minister may:

- (a) amend the approval by imposing new or additional terms and conditions; or
- (b) suspend or cancel the approval.

(2) Before amending, suspending or cancelling an approval pursuant to subsection (1), the minister shall provide the person who operates the product stewardship program with:

- (a) written notice of the minister's intended action and the reasons for that intended action; and
- (b) an opportunity to make written representations to the minister, within 30 days after the written notice mentioned in clause (a) is served or a longer period set by the minister, as to why the intended action should not be taken.

- (3) The minister is not required to give an oral hearing to any person to whom a notice has been provided pursuant to subsection (2).
- (4) After considering the representations mentioned in subsection (2), the minister shall:
- (a) issue a written decision, with reasons for the decision; and
  - (b) serve a copy of the decision on the person operating the product stewardship program.
- (5) Notwithstanding subsection (2), if the minister considers that it is necessary in order to protect the public interest, the minister may immediately amend, suspend or cancel an approval without giving the person mentioned in subsection (2) an opportunity to make written representations, but the minister shall give that person an opportunity to make written representations within 15 days after the date on which the minister takes any of those actions.
- (6) The minister shall cause notice of the suspension or cancellation of any product stewardship program to be published on the ministry's website and to be made public in any other manner that the minister considers appropriate.

**Annual reporting**

**12(1)** In this section, “**reporting period**” means:

- (a) the period commencing on January 1 in one year and ending on December 31 of that year; or
  - (b) if a product stewardship program has not been operated for the period set out in clause (a), the period commencing on the date on which the minister approved the program and ending on December 31 of that year.
- (2) On or before May 1 in each year, every person who operates a product stewardship program shall prepare and send to the minister a written annual report that describes the activities of the product stewardship program during the previous reporting period, and that contains the information mentioned in subsection (3).
- (3) A written report mentioned in subsection (2) must include:
- (a) the volume of oil, diesel exhaust fluid or antifreeze sold;
  - (b) the number of oil filters or diesel fuel filters sold;
  - (c) the volume of used oil or used antifreeze collected;
  - (d) the weight of used oil filters or used diesel fuel filters collected;
  - (e) the weight of containers collected;
  - (f) the location of alternative facilities where return options are offered;
  - (g) the types of educational information made available and the strategies adopted under the educational and informational component of the product stewardship program;
  - (h) the total amount of recycling fees collected to fund the program in Saskatchewan;

- (i) the amount spent to operate the program in Saskatchewan;
- (j) the amount paid out as recycling incentives, if any;
- (k) the costs incurred to administer the program;
- (l) the amount spent on public education or public awareness and communication; and
- (m) any other information that the minister may reasonably require.

**Prohibition**

**13** Unless otherwise authorized by the Act or any other Act, no person shall dispose of or discharge used oil, used oil filters, used diesel fuel filters, used antifreeze or containers by:

- (a) spreading them on roads;
- (b) placing them in landfills;
- (c) pouring them in sewers;
- (d) dumping them;
- (e) open burning;
- (f) using deep well injection; or
- (g) using any other method.

**RSS c E-10.21 Reg 6 repealed**

**14** *The Used Petroleum and Antifreeze Products Collection Regulations* are repealed.

**Transitional**

**15** Notwithstanding any other provision of these regulations, if a product management program was approved pursuant to *The Used Petroleum and Antifreeze Products Collection Regulations*, as those regulations existed on the day before the day on which these regulations come into force, and the approval for that product management program is valid and not under suspension or cancellation on the day on which these regulations come into force:

- (a) the product management program is deemed to be an approved product stewardship program for the purposes of these regulations until June 30, 2018; and
- (b) the product management program may be dealt with pursuant to these regulations as if it had been approved pursuant to these regulations, and is subject to the same terms and conditions that were imposed pursuant to *The Used Petroleum and Antifreeze Products Collection Regulations* and that were in place on the day before the day on which these regulations came into force.

**Coming into force**

**16(1)** Subject to subsection (2), these regulations come into force on January 1, 2018.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2018, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**Appendix**

**TABLE 1**  
**[Clause 6(a)]**

**Oil Zones**

OIL ZONE	ZONE DESCRIPTION
1	Rural Municipalities: 1, 2, 3, 31, 32, 33, 61, 63
2	Rural Municipalities: 4, 5, 6, 34, 35, 36, 64, 65
3	Rural Municipalities: 7, 8, 37, 38, 66, 67, 68, 96, 97, 98
4	Rural Municipalities: 9, 10, 39, 40, 69, 70, 99, 100
5	Rural Municipalities: 11, 12, 42, 43, 44, 71, 72, 73, 74, 101, 102, 103, 104
6	Rural Municipalities: 45, 46, 75, 76, 105
7	Rural Municipalities: 17, 18, 19, 49, 77, 78, 79, 108, 109
8	Rural Municipalities: 51, 110, 111, 141, 142, 171
9	Rural Municipalities: 229, 230, 231, 232
10	Rural Municipalities: 106, 107, 135, 136, 137, 138, 139, 165, 166, 167, 168, 169
11	Rural Municipalities: 131, 132, 133, 134, 161, 162, 163, 164, 191, 193, 194
12	Rural Municipalities: 126, 127, 128, 129, 130, 157, 158, 159, 160, 189, 190, 219, 220
13	Rural Municipalities: 94, 95, 124, 125, 154, 155
14	Rural Municipalities: 91, 92, 93, 121, 122, 123, 151
15	Rural Municipalities: 152, 153, 181, 183, 184
16	Rural Municipalities: 156, 185, 186, 187, 216, 217, 218, 246, 247, 248
17	Rural Municipalities: 221, 222, 223, 224, 250, 251, 252, 253
18	Rural Municipalities: 225, 226, 254, 255, 256, 283, 284, 285, 315
19	Rural Municipalities: 228, 257, 286, 287, 288
20	Rural Municipalities: 259, 260, 261, 290, 292, 319, 320, 321, 322
21	Rural Municipalities: 350, 351, 352, 379, 380, 381, 382, 409, 410, 411, 440
22	Rural Municipalities: 316, 317, 318, 346, 347, 349, 376, 377, 378
23	Rural Municipalities: 313, 314, 343, 344, 345, 372, 373, 402, 403, 404, 405, 434
24	Rural Municipalities: 279, 280, 281, 282, 310, 312, 341, 342
25	Rural Municipalities: 276, 277, 278, 307, 308, 309, 336, 337, 338, 366, 367
26	Rural Municipalities: 211, 213, 214, 215, 241, 243, 244, 245, 271, 273, 274, 275
27	Rural Municipalities: 301, 303, 304, 305, 331, 333, 334, 335
28	Rural Municipalities: 394, 395
29	Rural Municipalities: 397, 398, 399, 426, 427, 428, 429, 430, 458, 459
30	Rural Municipalities: 339, 340, 368, 369, 370, 371, 400, 401
31	Rural Municipalities: 431, 460, 461, 463, 464, 490, 491, 493, 520, 521
32	Rural Municipalities: 406, 408, 435, 436, 437, 438, 439, 466, 467, 468, 469, 470, 497, 498
33	Rural Municipalities: 442, 471, 472, 499, 501, 502
34	Rural Municipalities: 561, 588, 622
35	Rural Municipalities: 494, 496, 555
36	Rural Municipalities: 456, 457, 486, 487, 488
37	WEST: LONG-104, EAST: Northern Saskatchewan Administration District Eastern Boundary, NORTH: LAT-60, SOUTH: Northern Saskatchewan Administration District Southern Boundary
38	WEST: LONG-107, EAST: LONG-104, NORTH: LAT-60, SOUTH: Northern Saskatchewan Administration District South Boundary
39	WEST: LONG-110, EAST: LONG-107, NORTH: LAT-60, SOUTH: Northern Saskatchewan Administration District South Boundary



**CHAPTER M-2.01 REG 1***The Management and Reduction of Greenhouse Gases Act*

Section 84

Order in Council 570/2017, dated December 6, 2017

(Filed December 7, 2017)

## PART 1

**Preliminary Matters****Title**

1 These regulations may be cited as *The Management and Reduction of Greenhouse Gases (General and Electricity Producer) Regulations*.

**Definitions**

2(1) In these regulations:

“**Act**” means *The Management and Reduction of Greenhouse Gases Act*;

“**IPP**” or “**independent power producer**” means, subject to section 3, a person who:

(a) produces greenhouse gases in excess of 10 000 tonnes per year by generating electricity from a generator, other than by means of biomass or the burning of:

(i) flare gas;

(ii) vented gas; or

(iii) any other collected or captured gas that would otherwise have been released into the atmosphere; and

(b) sells or otherwise delivers the electricity mentioned in clause (a) to a regulated emitter.

(2) For the purposes of the Act and in these regulations, “**regulated emitter**” means a person who produces greenhouse gases in excess of 1 500 000 tonnes per year by generating electricity from a gas or coal-fired generator.

**Application of regulations to IPPs**

3(1) In this section, “**cogeneration facility**” means a facility that simultaneously generates electric energy and produces thermal energy for industrial purposes from the same fuel source.

(2) These regulations do not apply to an IPP with respect to emissions by it from a facility that becomes a cogeneration facility after the date on which these regulations come into force.

## PART 2

**General Provisions respecting Greenhouse Gases and Emissions****Emissions to be measured in tonnes, etc., of CO<sub>2</sub>e**

4 For the purposes of the Act and these regulations, greenhouse gas emissions must be measured, calculated and expressed in tonnes (t), kilotonnes (kt) or megatonnes (Mt) of CO<sub>2</sub>e.

**Certain other greenhouse gases prescribed**

5(1) For the purposes of subclause 2(j)(iv) of the Act, the prescribed hydrofluorocarbons are those listed in Part 1 of the Appendix.

(2) For the purposes of subclause 2(j)(v) of the Act, the prescribed perfluorocarbons are those listed in Part 2 of the Appendix.

**Global warming potential and CO<sub>2</sub>e of greenhouse gases**

6(1) The global warming potential for a greenhouse gas is the 100-year time horizon global warming potential value as established in the Fourth Assessment Report (AR4) issued by the Intergovernmental Panel on Climate Change.

(2) The CO<sub>2</sub>e for a greenhouse gas must be quantified in accordance with the following formula:

$$\text{CO}_2\text{e} = \text{GHG} \times \text{GWP}$$

where:

GHG is the mass of the greenhouse gas; and

GWP is the 100-year time horizon global warming potential value for the greenhouse gas.

**When annual returns must be submitted**

7 A regulated emitter shall submit its annual return required by section 19 of the Act on or before June 1 of the year following the year to which the annual return relates.

**Administrative penalties**

8(1) For the purposes of section 78 of the Act, the minister may assess a penalty for a contravention of a provision of the Act or these regulations set out in Part 3 of the Appendix.

(2) An administrative penalty may be imposed only on:

- (a) a regulated emitter; or
- (b) an IPP.

(3) The maximum penalty the minister may assess with respect to each contravention is \$10,000.

**PART 3****Matters respecting Gas and Coal-Fired Generators****Definitions for Part**

9(1) In this Part, “**fleet**” means all facilities owned or operated by a regulated emitter and all its IPPs.

(2) For the purpose of applying the Act to this Part and in this Part, “**facility**” means the physically connected equipment within a gas or coal-fired generator that operates together to produce electricity by thermal means, including boilers and other combustion devices, gasifiers, reactors, turbines and generators.

**Qualified person**

10 A person is prescribed as a qualified person for the purposes of applying the Act to this Part and for the purposes of this Part if the person:

- (a) is licensed to practise professional engineering or professional geoscience pursuant to *The Engineering and Geoscience Professions Act*; and
- (b) is certified by the Standards Council of Canada (SCC) or the Canadian Standards Association (CSA Group) in Greenhouse Gas Inventory Quantification and Reporting or Greenhouse Gas Verification.

**Determining emissions by regulated emitter**

11 A regulated emitter shall determine emissions of CO<sub>2</sub> from:

- (a) coal and natural gas burned at a facility by using a fuel-based method described in these regulations; and
- (b) other fossil fuels burned at the facility.

**Determining emissions from coal**

12(1) A regulated emitter shall determine the quantity of CO<sub>2</sub> emissions from coal burned at a facility by analysing the coal in accordance with the following methods:

- (a) if the fuel-based method used is based on the quantity of carbon in the fossil fuel, the carbon content of the fuel must be determined in accordance with:
  - (i) the current version of ASTM D7582 entitled Standard Test Methods for Proximate Analysis of Coal and Coke by Macro Thermogravimetric Analysis; or
  - (ii) the current version of ASTM D5373 entitled Standard Test Methods for Instrumental Determination of Carbon, Hydrogen and Nitrogen in Laboratory Samples of Coal;
- (b) if the fuel-based method used is based on the high heating value of the fuel, the carbon content of the fuel must be determined in accordance with the current version of ASTM D5865 entitled Standard Test Method for Gross Calorific Value of Coal and Coke.

(2) A regulated emitter shall conduct a monthly analysis of the coal burned at a facility in accordance with subsection (1) from samples taken from each facility at a minimum of twice per week, with each sample being taken not less than 48 hours after the previous sample, from the coal that was fed for combustion during that week.

**Determining emissions from natural gas**

13 A regulated emitter shall determine the quantity of CO<sub>2</sub> emissions from natural gas burned at a facility:

- (a) by using an emission factor for natural gas equal to 1.829 kg CO<sub>2</sub>/m<sup>3</sup> for Saskatchewan as found in Table A6 -1 of the most recent National Inventory Report: Greenhouse Gas Sources and Sinks in Canada, as amended from time to time; or
- (b) by determining the quantity of carbon in the natural gas taken and analysed by the supplier of the natural gas.

**Baseline emissions based on fleet**

14 A regulated emitter shall establish its baseline emission level for its fleet.

**Manner of establishing baseline emissions – based on fleet**

15(1) A regulated emitter shall establish its baseline emission level based on the greenhouse gas emissions from its fleet for the 2010 year.

(2) A regulated emitter shall, within 60 days after the coming into force of these regulations, apply to the minister to have its baseline emission level approved.

**Emission reduction obligations**

16(1) In this section, “**Table**” means a Table in Part 4 of the Appendix.

(2) Subject to subsection (3), a regulated emitter shall reduce its greenhouse gas emissions within a compliance period as set out in Column 2 of Table 1 so that the emissions from its fleet do not exceed the cumulative emissions cap set out in Column 3 of Table 1 for that compliance period.

(3) If on or before January 1, 2024 a regulated emitter constructs a carbon capture unit on Boundary Dam Units 4 and 5, the regulated emitter shall reduce its greenhouse gas emissions within a compliance period as set out in Column 2 of Table 2 so that the emissions from its fleet do not exceed the cumulative emissions cap set out in Column 3 of Table 2 for that compliance period.

**First annual return**

17 Notwithstanding section 7, a regulated emitter shall submit its first annual return for the calendar year 2018 on or before June 1, 2019.

**Allowed deductions**

18(1) Subject to subsections (2) and (3), when completing its annual return for a year, a regulated emitter:

(a) may only deduct any performance credits approved by the minister for the regulated emitter, on matters related to its fleet; and

(b) shall indicate in the annual return the amount of the deductions claimed in the return.

(2) If a regulated emitter has any unused performance credits approved by the minister that it does not deduct when completing an annual report for a year, it may carry the deductions forward and deduct them when completing an annual report for a subsequent year.

(3) A regulated emitter shall not include in its annual return emissions that are captured and sequestered in accordance with the laws of Saskatchewan.

**IPP required to provide information when requested**

19 If requested to do so by the minister, an IPP shall provide information respecting its emissions in the form and format and within the period specified by the minister in the request.

## PART 4 Coming into force

**Coming into force**

20(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Management and Reduction of Greenhouse Gases Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Management and Reduction of Greenhouse Gases Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**Appendix**  
**PART 1**  
**Hydrofluorocarbons**  
*[Subsection 5(1)]*

Greenhouse Gas	Chemical Formula
HFC-23	$\text{CHF}_3$
HFC-32	$\text{CH}_2\text{F}_2$
HFC-41	$\text{CH}_3\text{F}$
HFC-43-10mee	$\text{C}_5\text{H}_2\text{F}_{10}$
HFC-125	$\text{C}_2\text{HF}_5$
HFC-134	$\text{C}_2\text{H}_2\text{F}_4$
HFC-134a	$\text{CH}_2\text{FCF}_3$
HFC-152a	$\text{C}_2\text{H}_4\text{F}_2$
HFC-143	$\text{C}_2\text{H}_3\text{F}_3$
HFC-143a	$\text{C}_2\text{H}_3\text{F}_3$
HFC-227ea	$\text{C}_3\text{HF}_7$
HFC-236fa	$\text{C}_3\text{H}_2\text{F}_6$
HFC-245ca	$\text{C}_3\text{H}_3\text{F}_5$

**PART 2**  
**Perfluorocarbons**  
*[Subsection 5(2)]*

Greenhouse Gas	Chemical Formula
Perfluoromethane	$\text{CF}_4$
Perfluoroethane	$\text{C}_2\text{F}_6$
Perfluoropropane	$\text{C}_3\text{F}_8$
Perfluorobutane	$\text{C}_4\text{F}_{10}$
Perfluorocyclobutane	$\text{c-C}_4\text{F}_8$
Perfluoropentane	$\text{C}_5\text{F}_{12}$
Perfluorohexane	$\text{C}_6\text{F}_{14}$

**PART 3**  
**Provisions for which Administrative Penalty May be Imposed**  
*[Subsection 8(1)]*

Item Column 1	Description of Contravention Column 2	Provision of Act or regulations Column 3
1	Failure to apply to the minister by prescribed date to have baseline emission level approved by the minister	17(3) of the Act
2	Failure to include an opinion from a qualified person verifying the accuracy of the calculation of the baseline emission level	17(4) of the Act
3	Failure to submit an annual return on or before the prescribed date	19(2) of the Act
4	Failure to submit with the first annual return an opinion from a qualified person	19(3) Of the Act
5	Failure to submit an opinion from a qualified person when required by the minister	19(4), (5) and (6) of the Act
6	Failure to provide information when requested by the minister	19 of the regulations

**PART 4**  
**Emission Reduction Obligations**

TABLE 1  
*[Subsection 16(2)]*

Column 1 Compliance Period	Column 2 Compliance Period -Years	Column 3 CO <sub>2</sub> e Cumulative Emissions Cap for All Facilities in Saskatchewan
1	2018-2019	33 500 000 tonnes
2	2020-2024	77 000 000 tonnes
3	2025-2029	64 500 000 tonnes

TABLE 2  
*[Subsection 16(3)]*

Column 1 Compliance Period	Column 2 Compliance Period -Years	Column 3 CO <sub>2</sub> e Cumulative Emissions Cap for All Facilities in Saskatchewan
1	2018-2019	33 500 000 tonnes
2	2020-2024	82 000 000 tonnes
3	2025-2029	64 500 000 tonnes

**CHAPTER M-34 REG 1***The Municipal Tax Sharing (Potash) Act*

## Section 13

Order in Council 577/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

1 These regulations may be cited as *The Municipal Tax Sharing (Potash) Regulations, 2017*.

**Definitions**

2 In these regulations:

“**area of influence**” means the area in square miles in Saskatchewan that lies within the circumference of a circle having as its centre the geographic centre of the section on which a potash head frame and mine shaft, or load out and production facility, is located and having a radius of 20 miles;

“**eligible municipality**” means:

- (a) a rural municipality in which all or a portion of the municipality falls within an area of influence; and
- (b) an urban municipality with a population of less than 5000, any portion of which is within an area of influence;

“**head frame**” means a piece of mine resource production equipment used to lift items from the subsurface or to send items down to the subsurface;

“**load out**” means a building with storage tanks inside to hold potash before it is loaded into railway cars;

“**mine shaft**” means a vertical or sloping passageway made in the earth for finding or mining ore and ventilating underground excavations;

“**production facility**” means a large group of buildings used for the production of potash from raw ore or the solution brought up from the subsurface in solution mines;

“**unit**” means the total area for each individual municipality that is found within one or more areas of influence of a potash mine or potash mines.

**Divisions within an area of influence**

3(1) Each area of influence for any potash mine as determined according to the definition of “area of influence” must consist of 2 distinct portions calculated as follows:

- (a) that portion in square miles in Saskatchewan that lies within the circumference of a circle having as its centre the geographic centre of the section on which the potash head frame and mine shaft, or load out and production facility, is located and having a radius of 10 miles from that centre;
- (b) that portion in square miles in Saskatchewan outside of the area described in clause (a), but within the circumference of a circle having the same centre as described in clause (a), but having a radius of 20 miles from that centre.

(2) If, because of the close proximity of potash mines, there is an overlap of areas within the 10 mile radius or within the 20 mile radius, the area in each case must only be counted once as a unit in calculating the points for both urban and rural municipalities.

**Point calculation for rural municipalities in a unit**

4(1) The total points for each rural municipality in an area of influence are considered to be a unit and are to be calculated in accordance with the following formula:

$$TP = (RMAa \times 4) + (RMAb \times 1)$$

where:

TP is the total of all points for the rural municipality;

RMAa is the rural municipality's area mentioned in clause 3(1)(a);

RMAb is the rural municipality's area mentioned in clause 3(1)(b).

(2) The total of the points for all units in an area of influence is the total rural points for that area of influence.

(3) Notwithstanding subsections (1) and (2), when a new potash mine enters into production, only the rural municipality's area in which the mine is located in and mentioned in clause 3(1)(a) is to be used in calculating the rural municipality's total points respecting that new potash mine, and the calculation pursuant to subsection (1) is to be made in accordance with the following rules:

(a) for the first year the mine assessment is included with the municipal potash tax sharing calculations, RMAa in the formula mentioned in subsection (1) is to be multiplied by 6;

(b) for the second year the mine assessment is included with the municipal potash tax sharing calculations, RMAa in the formula mentioned in subsection (1) is to be multiplied by 5;

(c) for the third and subsequent years the mine assessment is included with the municipal potash tax sharing calculations, RMAa in the formula mentioned in subsection (1) is to be multiplied by 4.

**Point calculation for urban municipalities in a unit**

5(1) The board shall record the name of each urban municipality in an area of influence together with its population:

(a) as recorded by Statistics Canada from the most recent Canadian Census; or

(b) as established by the urban municipality in a manner approved by the board.



(2) The total points for an urban municipality in the area of influence must be calculated in accordance with the following formula:

$$P = (A \times 1) + (B \times .5) + (C \times -.5) + (D \times -1)$$

where:

P is the points for the urban municipality;

A is the first 1000 of the urban municipality's population or portion of that 1000;

B is the next 1500 population of the urban municipality's population or portion of the next 1500;

C is the next 1500 population of the urban municipality's population or portion of the next 1500;

D is the next 1000 population of the urban municipality's population or portion of the next 1000.

(3) The total points for the urban municipality is the amount P calculated accordance with subsection (2) multiplied by:

(a) 4 if all or a portion of the urban municipality is located within the 10 mile radius of the section on which the potash head frame and mine shaft, or load out and production facility, is located; or

(b) 1 if all or a portion of the urban municipality is located outside the 10 mile radius but within the 20 mile radius of the section on which the potash head frame and mine shaft, or load out and production facility, is located.

(4) The total of the points for all the urban municipalities in an area of influence represents the total urban points for that area of influence.

**Method of raising funds for distribution**

6(1) In each year, the administrator of each rural municipality having a potash mine in production shall levy a mill rate for municipal taxation purposes as set by the board or by the Lieutenant Governor in Council pursuant to the Act on the assessment of that potash mine.

(2) After the amount of tax mentioned in subsection (1) is collected and after allowing for statutory municipal discounts, the administrator shall remit the amount to the board:

(a) by September 30 of the year in which the taxes are levied; or

(b) immediately on receipt of by the rural municipality if received after September 30.

(3) The amounts received by the board pursuant to subsection (2):

(a) constitute the funds available for distribution for the year and for expenditures pursuant to section 11; and

(b) must be deposited in the name of the board in a chartered bank or credit union.

(4) In each year, the board shall not make expenditures pursuant to section 11 from the amounts deposited pursuant to subsection (2) in excess of 0.5% of those amounts to a maximum of \$35,000.

**Distribution of funds**

7(1) For each year, the funds available for distribution to municipalities in each area of influence, less any amounts expended pursuant to section 11, must be disbursed to the municipalities in the area of influence in the following manner:

- (a) 90% to the rural municipalities in the area of influence;
- (b) 10% to the urban municipalities in the area of influence.

(2) Subject to subsection (3), for each year, the amount payable to each rural municipality in an area of influence must be calculated in accordance with the following formula:

$$\text{RMAMT} = \frac{\text{RF}}{\text{TRP}} \times \text{RMP}$$

where:

RMAMT is the amount payable to the rural municipality;

RF is the rural funds available for all rural municipalities in the area of influence as determined pursuant to clause (1)(a);

TRP is the total of all rural points for the area of influence in accordance with subsection 4(2);

RMP is the value of total points for the rural municipality as determined pursuant to subsections 4(1) and (3).

(3) The minimum sharing in tax revenue from potash mine assessments to a rural municipality having a potash mine is the greatest of the following:

- (a) \$30,000;
- (b) the amount determined by applying the mill rate set by the board to an assessment of \$1,000,000;
- (c) any amount that may be set by the board.

(4) For each year, the amount payable to each urban municipality in an area of influence must be calculated in accordance with the following formula:

$$\text{UMAMT} = \frac{\text{UF}}{\text{TUP}} \times \text{UMP}$$

where:

UMAMT is the amount payable to the urban municipality;

UF is the urban funds available for all urban municipalities in the area of influence as determined pursuant to clause (1)(b);

TUP is the total of all urban points for the area of influence in accordance with subsections 5(2) and (3);

UMP is the value of total points for the urban municipality as determined pursuant to subsections 5(2) and (3).

**Expanded rural municipalities**

8(1) Notwithstanding any other provision of these regulations, if an eligible urban municipality is dissolved and the area of the eligible urban municipality is included in a rural municipality, for the 3-year period determined pursuant to section 10 following the dissolution of the eligible urban municipality, the rural municipality is entitled to the sum of:

- (a) the amount otherwise prescribed for the rural municipality pursuant to these regulations; and
- (b) the amount last paid to the eligible urban municipality pursuant to these regulations before the dissolution of the eligible urban municipality.

(2) The amount payable to a rural municipality pursuant to clause (1)(b) must be paid from the 10% share to be disbursed to urban municipalities pursuant to clause 7(1)(b).

(3) On the expiration of the 3-year period determined pursuant to section 10, the rural municipality is entitled only to any amount prescribed for the rural municipality in sections 4 and 7 and is no longer entitled to the amount mentioned in clause (1)(b).

**Restructured municipalities**

9(1) Notwithstanding any other provision of these regulations, if 2 or more municipalities amalgamate or restructure to form a new urban municipality or a new rural municipality, and if 1 or more of the amalgamating or restructuring municipalities was an eligible municipality immediately before the amalgamation or restructuring, for the 3-year period determined pursuant to section 10 following the amalgamation or restructuring, the new municipality is entitled to an amount that is the greater of:

- (a) the amount prescribed for the new municipality in sections 4, 5 and 7; and
- (b) the total amount last paid to the amalgamating or restructuring eligible municipalities pursuant to these regulations before the amalgamation or restructuring.

(2) The amount payable to a new municipality pursuant to clause (1)(b) must be paid:

- (a) in the case of each eligible amalgamating or restructuring rural municipality that becomes part of the new municipality, from the 90% share to be disbursed to rural municipalities pursuant to clause 7(1)(a); and
- (b) in the case of each eligible amalgamating or restructuring urban municipality that becomes part of the new municipality, from the 10% share to be disbursed to urban municipalities pursuant to clause 7(1)(b).

(3) On the expiration of the 3-year period determined pursuant to section 10, the new municipality is entitled only to any amount prescribed for the new municipality in sections 4, 5 and 7 and is no longer entitled to the amount mentioned in clause (1)(b).

**Calculation of 3-year period**

**10** For the purposes of calculating the 3-year period mentioned in sections 8 and 9:

(a) if the dissolution, amalgamation or restructuring occurs between January 1 and October 15 in any year, the amount payable pursuant to section 8 or 9 must be paid:

(i) in the year in which the dissolution, amalgamation or restructuring occurred; and

(ii) in each of the 2 years following the year in which the dissolution, amalgamation or restructuring occurred; and

(b) if the dissolution, amalgamation or restructuring occurs between October 16 and December 31 in any year, the amount payable pursuant to section 8 or 9 must be paid in each of the 3 years following the year in which the dissolution, amalgamation or restructuring occurred.

**Administration**

**11(1)** The board shall appoint a secretary-treasurer to hold office during the pleasure of the board.

(2) The secretary-treasurer shall perform the administrative duties that are required by the board.

(3) The board shall ensure that it has a bond or policy of guarantee from a corporation empowered to grant securities, bonds or policies or from a self-insurance plan within Saskatchewan for the integrity and faithful accounting of the secretary-treasurer in the amount of \$20,000.

(4) The board may provide out of the moneys deposited pursuant to section 6 the following:

(a) amounts to pay the remuneration or honorarium to the secretary-treasurer in the amount that is set by the board;

(b) amounts to pay for the purchase of office supplies that are necessary for the proper administration of *The Municipal Tax Sharing (Potash) Act*; and

(c) amounts to pay for other expenses that are authorized by the board, including the payment of remuneration and expenses of board members.

(5) All payments and disbursements must be made by the board by cheque or electronically and must be authorized by the chairperson or vice-chairperson of the board and the secretary-treasurer.

(6) The board shall maintain a record of authorization for each transaction.

(7) Any moneys from time to time to the credit of the board in the bank or credit union account set up for the purposes of clause 6(3)(b) may, pending disbursement, be invested in short term securities.

(8) The secretary-treasurer may carry out investments made pursuant to subsection (7) and the redemption or renewal of those investments in any security or class of securities authorized for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993*.

(9) The certificates or other evidence of short-term investments must, during their currency, be retained by the bank or credit union for the credit of the board.

(10) The interest earned on any short-term investments made pursuant to subsection (7) must be deposited to the credit of the board in the account in which moneys are deposited pursuant to section 6.

**Sask Reg 318/68 repealed**

**12** Saskatchewan Regulations 318/68 are repealed.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 124/2017**

*The Freedom of Information and Protection of Privacy Act*

Section 69

Order in Council 564/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

**1** These regulations may be cited as *The Freedom of Information and Protection of Privacy Amendment Regulations, 2017*.

**RRS c F-22.01 Reg 1 amended**

**2** *The Freedom of Information and Protection of Privacy Regulations* are amended in the manner set forth in these regulations.

**Section 6 amended**

**3 Subsection 6(1) is amended:**

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

“(b.1) for electronic copies, the actual cost of the portable storage device provided to the applicant”;

**(b) by repealing clauses (c) to (k); and**

**(c) in clause (l) by striking out “(a) to (k)” and substituting “(a) to (b.1)”.**

**Section 7 amended**

**4 Subsection 7(1) is amended by striking out “\$50” and substituting “\$100”.**

**New section 9**

**5 Section 9 is repealed and the following substituted:**

**“Waiver of fees**

**9(1)** For the purposes of subsection 9(5) of the Act, the following circumstances are prescribed as circumstances in which a head may waive payment of fees:

(a) if payment of the prescribed fees will cause a substantial financial hardship for the applicant and, in the opinion of the head, giving access to the record is in the public interest;

(b) if the application involves the personal information of the applicant;

(c) if the prescribed fee or actual cost for the service is \$100 or less.

(2) For the purposes of clause 9(1)(a), substantial financial hardship includes circumstances in which the applicant:

- (a) is receiving assistance pursuant to *The Saskatchewan Assistance Act* as an individual or as part of a family unit;
- (b) is receiving assistance pursuant to *The Training Allowance Regulations*; or
- (c) is receiving legal assistance or representation from any of the following organizations, including any of the same organizations operating from time to time under another name:
  - (i) The Saskatchewan Legal Aid Commission;
  - (ii) Pro Bono Law Saskatchewan;
  - (iii) Community Legal Assistance Services for Saskatoon Inner City Inc. (CLASSIC)".

**Section 12 amended**

**6 Section 12 is amended:**

- (a) by repealing clause (b);**
- (b) by repealing clause (g);**
- (c) by repealing clause (k); and**
- (d) by adding the following clauses after clause (o):**
  - “(p) section 22 of *The Witness Protection Act*;
  - “(q) subsections 39(5) and (6) and subsection 56(9.2) of *The Police Act, 1990*;
  - “(r) Part IV of *The Police Act, 1990* as it relates to a complaint concerning the actions of a member”.

**New section 13.1**

**7 The following section is added after section 13:**

**“Agreement between government institution and information management service provider**

**13.1** For the purposes of clause 24.2(2)(c) of the Act, a written agreement that is entered into between a government institution and an information management service provider must include:

- (a) a description of the specific service the information management service provider will deliver;
- (b) provisions setting out the obligations of the information management service provider respecting the security and safeguarding of personal information; and
- (c) provisions for the destruction of the personal information, if applicable”.

**Section 14 amended**

**8 Section 14 is amended:**

- (a) in clause (o) by adding “the inspector,” before “sheriffs, deputy sheriffs and sheriff’s bailiffs”; and**

**(b) by adding the following clauses after clause (q)”**

“(r) the military police with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers and employees;

“(s) investigators of the Special Investigations Unit of Saskatchewan Government Insurance with respect to the conduct of investigations pursuant to their appointment as special constables pursuant to section 76 of *The Police Act, 1990*;

“(t) the public complaints commission established pursuant to section 16 of *The Police Act, 1990*;

“(u) a board as defined in *The Police Act, 1990*”.

**Section 16 amended**

**9 Section 16 is amended:**

**(a) by adding the following clause after clause (g.1):**

“(g.2) to the Chief Electoral Officer as defined in *The Election Act, 1996* for the purpose of establishing, maintaining or revising the register of voters as defined in that Act”;

**(b) by adding the following after clause (h.3):**

“(h.4) in the case of credit information, by SaskTel to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act*, if:

(i) there is an arrangement between SaskTel and the credit reporting agency for the exchange of information; and

(ii) the information relates to a debt owing to SaskTel and is being disclosed for the purpose of facilitating the collection of those payments”;

**and**

**(c) by repealing clause (l.1).**

**New section 18**

**10 Section 18 is repealed and the following substituted:**

**“Consent**

**18(1)** If consent is required by the Act for the collection, use or disclosure of personal information, the consent:

(a) must relate to the purpose for which the information is required;

(b) must be informed;

(c) must be given voluntarily; and

(d) must not be obtained through misrepresentation, fraud or coercion.

(2) A consent to the collection, use or disclosure of personal information is informed if the individual who gives the consent is provided with the information that a reasonable person in the same circumstances would require in order to make a decision about the collection, use or disclosure of personal information.

- (3) A consent may be given that is effective for a limited period.
- (4) A consent may be express or implied unless otherwise provided.
- (5) An express consent need not be in writing.
- (6) A government institution, other than the government institution that obtained the consent, may act in accordance with an express consent in writing or a record of an express consent having been given without verifying that the consent meets the requirements of subsection (1) unless the government institution that intends to act has reason to believe that the consent does not meet those requirements”.

**Appendix, Part I amended**

**11 Part I of the Appendix is amended:**

- (a) **by striking out** “Enterprise Saskatchewan”;
- (b) **by adding** “Provincial Capital Commission” **in alphabetical order**;
- (c) **by striking out** “Saskatchewan Grain Car Corporation”;
- (d) **by striking out** “Saskatchewan Transportation Company”; **and**
- (e) **by striking out** “Wascana Centre Authority”.

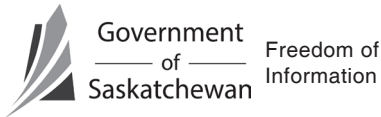


Appendix, new Part II

**12 Part II of the Appendix is repealed and the following substituted:**

**“PART II  
Forms**

**“Form A  
[Section 5]**



**Access to  
Information  
Request Form**

FREEDOM OF INFORMATION  
AND PROTECTION OF PRIVACY  
Form A  
[Section 5]

Personal information and personal health information on this form is collected under *The Freedom of Information and Protection of Privacy Act* and *The Health Information Protection Act* and will be used or disclosed only as necessary to respond to your request.

**INFORMATION ABOUT YOU**

Last Name  First Name

Name of Company or Organization (if applicable - optional)

Address  City  Province  Postal Code

Day Phone Number  Alternate Number  Fax Number  Email

**INFORMATION ABOUT THE RECORDS YOU ARE REQUESTING**

**Are you requesting:**

your own personal information.

personal information about someone other than yourself (*attach proof that you have authority to receive the information requested*).

general information.

**To which government institution are you making your request?** *Enter the name of the government institution that you believe has the records you are requesting.*

**What records do you wish to access?** *Please provide a detailed description of the records you wish to access. This information will help locate the records.*

**What is the time period for the records you are requesting (if applicable)?**

The person managing your request may contact you to seek clarification or to discuss aspects of the request, including the application of fees if necessary. Should fees be necessary, you may request a fee waiver but you may be required to provide evidence of substantial financial hardship among other factors (see section 9 of the regulations).

Please keep a copy of this request for your records.

Check if requesting waiver of processing fee:

I request that payment of the processing fee related to this request be waived because payment will cause me substantial financial hardship. Details are as follows: *(Use reverse of form if additional space is required.)*

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*Signature of Applicant*

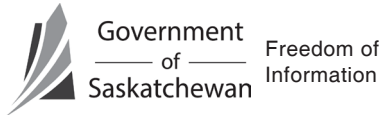
**FOR OFFICE USE ONLY**

Date Received

Application Number

30-Day Response Date

**“Form B**  
[Section 20]



**Request For  
Review Form**

FREEDOM OF INFORMATION  
AND PROTECTION OF PRIVACY  
Form B  
[Section 20]

**INFORMATION ABOUT YOU**

Last Name  First Name

Name of Company or Organization (if applicable - optional)

Address  City  Province  Postal Code

Day Phone Number  Alternate Number  Fax Number  Email

**INFORMATION ABOUT THE RECORDS YOU REQUESTED**

**Did you request:**

- your own personal information.
- personal information about someone other than yourself (*attach proof that you have authority to receive the information requested – see instructions*).
- general information.

**To which government institution are you making your request?**

**What records do you wish to access?** *Please provide a detailed description of the records you wish to access.*

**REASON FOR REQUEST**

- I have been refused access to all or part of the record.
- I have been notified that the record does not exist/cannot be found.
- I have been notified that the existence of the record shall neither be confirmed nor denied.
- I have not received a reply to my application, which I submitted \_\_\_\_\_ days ago.
- I disagree with the need to extend the 30-day response period.
- My correction to a personal information record was not accepted as correct/verifiable.
- I am a third party, and I wish to request a review of a decision to give access to a record that affects my interests.
- I disagree with my request being transferred.
- I disagree with the manner of providing access.
- I disagree with the fees estimated.
- I disagree with the decision not to grant my fee waiver.
- I disagree with the collection of my personal information.
- I disagree with the use of my personal information.
- I disagree with the disclosure of my personal information.

**FOR OFFICE USE ONLY**

Date Received

Application Number – OIPC Number



”.

**Coming into force**

**13(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Freedom of Information and Protection of Privacy Amendment Act, 2017* comes into force.

(2) If section 1 of *The Freedom of Information and Protection of Privacy Amendment Act, 2017* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 125/2017***The Local Authority Freedom of Information and  
Protection of Privacy Act*

## Section 57

Order in Council 565/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

1 These regulations may be cited as *The Local Authority Freedom of Information and Protection of Privacy Amendment Regulations, 2017*.

**RRS c L-27.1 Reg 1 amended**

2 *The Local Authority Freedom of Information and Protection of Privacy Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

3 Section 2 is amended:

- (a) by renumbering it as subsection 2(1); and
- (b) by adding the following subsection after subsection (1):

“(2) For the purposes of subclause 2(f)(iv) of the Act, ‘**committee of a council**’ includes a board as defined in *The Police Act, 1990*”.

**Section 5 amended**

4 **Subsection 5(2) is amended:**

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

“(b.1) for electronic copies, the actual cost of the portable storage device provided to the applicant”;

(b) **by repealing clauses (c) to (k); and**

(c) **in clause (l) by striking out “clauses (a) to (k)” and substituting “clauses (a) to (b.1)”.**

**Section 6 amended**

5 **Subsection 6(1) is amended by striking out “\$50” and substituting “\$100”.**

**New section 8**

6 **Section 8 is repealed and the following substituted:**

**“Waiver of fees**

8(1) For the purposes of subsection 9(5) of the Act, the following circumstances are prescribed as circumstances in which a head may waive payment of fees:

- (a) with respect to the fees set out in subsection 5(1), if the application involves the personal information of the applicant;
- (b) with respect to the fees set out in subsections 5(2) to 5(4), if payment of the prescribed fees will cause a substantial financial hardship for the applicant and, in the opinion of the head, giving access to the record is in the public interest;
- (c) if the prescribed cost or actual cost for the service is \$100 or less.

(2) For the purposes of clause (1)(b) substantial financial hardship includes circumstances in which the applicant:

- (a) is receiving assistance pursuant to *The Saskatchewan Assistance Act*, as an individual or as part of a family unit;
- (b) is receiving assistance pursuant to *The Training Allowance Regulations*;
- (c) is receiving legal assistance or representation from any of the following organizations, including any of the same organizations operating from time to time under another name:
  - (i) The Saskatchewan Legal Aid Commission;
  - (ii) Pro Bono Law Saskatchewan;
  - (iii) Community Legal Assistance Services for Saskatoon Inner City Inc. (CLASSIC)".

**Section 8.1 amended**

**7 Section 8.1 is amended:**

- (a) **by repealing clause (b) and substituting the following:**  
“(b) section 30.5 of *The Mental Health Services Regulations*”; **and**
- (b) **by adding the following clauses after clause (d):**  
“(e) subsections 39(5) and (6) and subsection 56(9.2) of *The Police Act, 1990*;  
“(f) Part IV of *The Police Act, 1990* as it relates to a complaint concerning the actions of a member”.

**New section 8.2**

**8 The following section is added after section 8.1:**

**“Agreement between local authority and information management service provider**

**8.2** For the purposes of clause 23.2(2)(c) of the Act, a written agreement that is entered into between a local authority and an information management service provider must include:

- (a) a description of the specific service the information management service provider will deliver;
- (b) provisions setting out the obligations of the information management service provider respecting the security and safeguarding of personal information; and
- (c) provisions for the destruction of the personal information, if applicable”.

**Section 9 amended**

**9 Section 9 is amended:**

- (a) **by repealing clause (l) and substituting the following:**  
“(l) the Financial and Consumer Affairs Authority of Saskatchewan with respect to the conduct of an investigation pursuant to any financial services legislation or consumer protection legislation, as those terms are defined in *The Financial and Consumer Affairs Authority of Saskatchewan Act*, or pursuant to any law of Canada that is enforced by the officers and employees of the Financial and Consumer Affairs Authority of Saskatchewan”; **and**

**(b) by adding the following clauses after clause (n):**

“(o) the inspector, sheriffs, deputy sheriffs and sheriff’s bailiffs appointed pursuant to *The Court Officials Act, 2012*;

“(p) Investigative Services of the Ministry of Government Services with respect to the conduct of investigations pursuant to clause 4(2)(h) of *The Public Works and Services Act*;

“(q) the Canada Border Services Agency established pursuant to the *Canada Border Services Agency Act* with respect to the conduct of investigations pursuant to the *Customs Act (Canada)* and the *Immigration and Refugee Protection Act (Canada)*;

“(r) the military police with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers and employees;

“(s) investigators of the Special Investigations Unit of Saskatchewan Government Insurance with respect to the conduct of investigations pursuant to their appointment as special constables pursuant to section 76 of *The Police Act, 1990*;

“(t) the public complaints commission established pursuant to section 16 of *The Police Act, 1990*;

“(u) the Saskatchewan Police Commission;

“(v) the director appointed pursuant to *The Seizure of Criminal Property Act, 2009* for the purposes of bringing an application pursuant to that Act;

“(w) a board as defined in *The Police Act, 1990*;

“(x) the investigative services branch or security intelligence unit of the Ministry of Justice for the purpose of an investigation pursuant to section 104 or 105 of *The Correctional Services Act, 2012*;

“(y) the director pursuant to *The Witness Protection Act* for the purpose of an investigation pursuant to section 4 of that Act”.

**Section 10 amended**

**10 The following clause is added after clause 10(m):**

“(n) to the investigation observer appointed pursuant to section 91.1 of *The Police Act, 1990*”.

**New section 11****11 Section 11 is repealed and the following substituted:****“Consent**

**11(1)** If consent is required by the Act for the collection, use or disclosure of personal information, the consent:

- (a) must relate to the purpose for which the information is required;
- (b) must be informed;
- (c) must be given voluntarily; and
- (d) must not be obtained through misrepresentation, fraud or coercion.

(2) A consent to the collection, use or disclosure of personal information is informed if the individual who gives the consent is provided with the information that a reasonable person in the same circumstances would require in order to make a decision about the collection, use or disclosure of personal information.

(3) A consent may be given that is effective for a limited period.

(4) A consent may be express or implied unless otherwise provided.

(5) An express consent need not be in writing.

(6) A local authority, other than the local authority that obtained the consent, may act in accordance with an express consent in writing or a record of an express consent having been given without verifying that the consent meets the requirements of subsection (1) unless the local authority that intends to act has reason to believe that the consent does not meet those requirements”.

**Appendix, Part II amended****12 Part II of the Appendix is amended:**

- (a) **by repealing item 1;**
- (b) **in item 5 by striking out “The”;**
- (c) **in item 6 by striking out “The”; and**
- (d) **by repealing item 9 and substituting the following:**
  - “9. Saskatchewan Impaired Driver Treatment Centre”.



Appendix, new Part III

13 Part III of the Appendix is repealed and the following substituted:

“PART III

Forms

“Form A

[Clause 6(1)(a) of the Act]



Government  
of  
Saskatchewan  
Freedom of  
Information

Access to  
Information  
Request Form

LOCAL AUTHORITY FREEDOM OF  
INFORMATION AND PROTECTION  
OF PRIVACY

Form A  
[Clause 6(1)(a)]

Personal information and personal health information on this form is collected under *The Local Authority Freedom of Information and Protection of Privacy Act* and *The Health Information Protection Act* and will be used or disclosed only as necessary to respond to your request.

**INFORMATION ABOUT YOU**

Last Name

First Name

Name of Company or Organization (if applicable - optional)

Address

City

Province

Postal Code

Day Phone Number

Alternate Number

Fax Number

Email

**INFORMATION ABOUT THE RECORDS YOU ARE REQUESTING**

Are you requesting:

- your own personal information.
- personal information about someone other than yourself (*attach proof that you have authority to receive the information requested*).
- general information.

**To which local authority are you making your request?** *Enter the name of the local authority that you believe has the records you are requesting.*

**What records do you wish to access?** *Please provide a detailed description of the records you wish to access. This information will help locate the records.*

**What is the time period for the records you are requesting (if applicable)?**

There is a processing fee of \$20 payable to the local authority. The person managing your request may contact you to seek clarification or to discuss aspects of the request, including the application of additional fees if necessary. You may request a waiver of the processing fee or additional fees, but may be required to provide evidence of substantial financial hardship (see section 8 of the regulations).

Please keep a copy of this request for your records.

Check if requesting waiver of processing fees:

I request that payment of the fees related to this request be waived because payment will cause me substantial financial hardship. Details are as follows: *(Use reverse of form if additional space is required.)*

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*Signature of Applicant*

**FOR OFFICE USE ONLY**

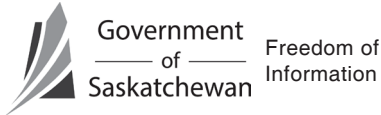
Date Received

Application Number

30-Day Response Date

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**“Form B**  
*[Subsection 38(1) and (3) of Act]*



**Request For  
 Review Form**

FREEDOM OF INFORMATION  
 AND PROTECTION OF PRIVACY  
 Form B  
*[Subsections 38(1) and (3) of Act]*

**INFORMATION ABOUT YOU**

Last Name  First Name

Name of Company or Organization (if applicable - optional)

Address  City  Province  Postal Code

Day Phone Number  Alternate Number  Fax Number  Email

**INFORMATION ABOUT THE RECORDS YOU REQUESTED**

- Did you request:**
- your own personal information.
  - personal information about someone other than yourself (*attach proof that you have authority to receive the information requested – see instructions*).
  - general information.

**To which local government authority did you make your request?**

**What records did you wish to access?** *Please provide a detailed description of the records you wished to access.*

**REASON FOR REQUEST**

- I have been refused access to all or part of the record.
- I have been notified that the record does not exist/cannot be found.
- I have been notified that the existence of the record shall neither be confirmed nor denied.
- I have not received a reply to my application, which I submitted \_\_\_\_\_ days ago.
- I disagree with the need to extend the 30-day response period.
- My correction to a personal information record was not accepted as correct/verifiable.
- I am a third party, and I wish to request a review of a decision to give access to a record that affects my interests.
- I disagree with my request being transferred.
- I disagree with the manner of providing access.
- I disagree with the fees estimated.
- I disagree with the decision not to grant my fee waiver.
- I disagree with the collection of my personal information.
- I disagree with the use of my personal information.
- I disagree with the disclosure of my personal information.

**FOR OFFICE USE ONLY**

Date Received

Application Number – OIPC Number



”.

**Coming into force**

**14(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Local Authority Freedom of Information and Protection of Privacy Amendment Act, 2017* comes into force.

(2) If section 1 of *The Local Authority Freedom of Information and Protection of Privacy Amendment Act, 2017* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 126/2017***The Animal Products Act*

Sections 15 and 18

Order in Council 566/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

1 These regulations may be cited as *The Domestic Game Farm Animal Amendment Regulations, 2017*.

**RRS c A-20.2 Reg 10 amended**

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

**Section 2 amended****3 Section 2 is amended:**

- (a) **by repealing clause (c.5);**
- (b) **by repealing paragraph (e)(ii)(E) and substituting the following:**
  - “(E) the species of musk deer having the scientific name *Moschus* spp.”;
- (c) **in clause (j) by striking out “*The Wildlife Act, 1997*” and substituting “*The Wildlife Act, 1998*”;**
- (d) **by repealing clause (k);**
- (e) **by repealing clause (m); and**
- (f) **by repealing clause (o).**

**New section 7****4 Section 7 is repealed and the following substituted:****“Suspension of licence**

7(1) Subject to subsection (2), the minister may suspend a domestic game farm licence if a domestic game farm operator fails to comply with:

- (a) the Act, these regulations or any other regulations made pursuant to the Act;
- (b) *The Diseases of Domestic Game Farm Animals Regulations*; or
- (c) section 32, 33, 43 or 44 of *The Wildlife Act, 1998*.

(2) The minister shall not suspend a domestic game farm licence without giving the domestic game farm operator an opportunity to make written representations.

(3) Notwithstanding subsection (2), if the minister considers that it is necessary to act to protect the public interest, the minister may immediately suspend a licence without giving the holder of the licence an opportunity to make written representations, but shall give the holder an opportunity to make written representations within 15 days after the date on which the minister takes that action.

- (4) If the minister suspends a domestic game farm licence pursuant to this section:
- (a) the licence is suspended until the minister is satisfied that the domestic game farm operator has complied with the Act, the regulations mentioned in clauses (1)(a) and (b) and the provisions mentioned in clause (1)(c); and
  - (b) the minister may prohibit the domestic game farm operator from doing any or all of the following during the suspension period:
    - (i) buying domestic game farm animals or products;
    - (ii) selling domestic game farm animals or products;
    - (iii) trading domestic game farm animals or products;
    - (iv) moving domestic game farm animals or products.
- (5) Notwithstanding any other provision of these regulations, if the minister suspends a domestic game farm licence pursuant to this section, the domestic game farm operator is not required to dispose of his or her domestic game farm animals and is not in contravention of section 3 for keeping domestic game farm animals during the suspension period.
- (6) The suspension of a domestic game farm licence pursuant to this section is in addition to any other penalty that may be imposed pursuant to any Act or law”.

**Section 8 amended**

**5 Subsection 8(1) is amended by striking out “*The Provincial Lands Act*” and substituting “*The Provincial Lands Act, 2016*”.**

**Section 11 amended**

**6(1) Subsections 11(3) and (4) are repealed and the following substituted:**

“(3) A domestic game farm operator who finds a big game animal in an enclosure, after stocking the enclosure with domestic game farm animals in accordance with this section, shall deal with the big game animal in accordance with section 13.

“(4) If a dispute with respect to stocking an enclosure with domestic game farm animals arises between the domestic game farm operator and an inspector, the domestic game farm operator may refer the dispute, in writing, to the minister for resolution”.

**(2) Subsection 11(5) is repealed.**

**(3) Subsection 11(6) is repealed and the following substituted:**

“(6) Within 14 days after receiving written notification of the dispute, the minister shall render a written decision with respect to the dispute”.

**Section 13 amended**

**7(1) Subsection 13(1) is amended by striking out “*The Wildlife Act, 1997*” and substituting “*The Wildlife Act, 1998*”.**

**(2) Subsection 13(2) is amended by striking out “*The Wildlife Act, 1997*” and substituting “*The Wildlife Act, 1998*”.**

**Section 14 amended**

**8 Subclause 14(1)(b)(ii) is amended by striking out “producer association” and substituting “a person approved by the minister to issue identification tags”.**

**Section 14.2 amended**

**9 Subsection 14.2(2) is amended by striking out “department” and substituting “ministry”.**

**Section 14.5 amended**

**10 Subsection 14.5(3) is amended by striking out “department or agency” and substituting “ministry, department or agency”.**

**Section 22 repealed**

**11 Section 22 is repealed.**

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 127/2017***The Diseases of Animals Act*

## Section 5

Order in Council 567/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

**1** These regulations may be cited as *The Diseases of Domestic Game Farm Animals Amendment Regulations, 2017*.

**RRS c D-30 Reg 1 amended**

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

**Section 2 amended**

**3 Clause 2(g) is repealed.**

**Section 3 amended**

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

“(3) For the purposes of designating diseases pursuant to subsection (1) or establishing import restrictions or protocols pursuant to subsection (2), the minister shall consider:

(a) available scientific information respecting diseases in domestic game farm animals or in big game animals that may threaten domestic game farm animals; and

(b) information respecting diseases in domestic game farm animals, or in big game animals that may threaten domestic game farm animals, obtained through consultations with the minister responsible for the administration of *The Wildlife Act, 1998*”.

**Section 5 amended**

**5 Clause 5(c) is amended by striking out “section 14” and substituting “sections 14 and 14.1”.**

**Section 7 amended**

**6 Subsection 7(2) is amended by striking out “, after consultation with the industry consultation committee,”.**

**Coming into force**

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

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## **SASKATCHEWAN REGULATIONS 128/2017**

### *The Uniform Building and Accessibility Standards Act*

Sections 8 and 11

Order in Council 571/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

**1** These regulations may be cited as *The Uniform Building and Accessibility Standards (Adoption of Codes) Amendment Regulations, 2017*.

**RRS c U- 1.2 Reg 5 amended**

**2** *The Uniform Building and Accessibility Standards Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

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

“(b) **‘Code’** means the edition and provisions of The National Building Code of Canada, with the amendments set out in the Appendix to these regulations incorporated into it, that is in force pursuant to section 3”.

**New section 3**

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

**“Codes adopted**

**3(1)** In this section, **‘work’** means any construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

(2) Subject to subsections (4) to (7), The National Building Code of Canada, 2015, including the errata and revisions issued by the Canadian Commission on Building and Fire Codes from time to time and with the amendments set out in the Appendix, is declared in force except for:

- (a) subject to subsection (3), Clause d) of Sentence 3.1.2.5(2) of Division B; and
- (b) subject to subsection (4), Section 9.36 of Division B.



- (3) Notwithstanding subsection (1), with respect to work:
- (a) for which a permit is issued before the day on which an edition of The National Building Code of Canada is declared to be in force or any amendment to subsection (1) comes into force; and
  - (b) that is not completed on the day on which that edition is declared to be in force;
- the edition of The National Building Code of Canada that was in force on the day on which the permit was issued is deemed to be in force.
- (4) For the purposes of these regulations:
- (a) each of the subsequent editions of The National Building Code of Canada is deemed to be adopted on the date that is one year after the date of its being issued; and
  - (b) subject to the other provisions of these regulations, any previous edition of The National Building Code of Canada does not apply to any work for which a permit is issued on or after the date mentioned in clause (a).
- (5) No person shall fail to comply with the edition of The National Building Code of Canada that is in force at the time the permit for the work to be undertaken was issued.
- (6) Clause d) of Sentence 3.1.2.5.(2) of Division B of The National Building Code of Canada, 2015 is declared to be in force on April 1, 2019.
- (7) Section 9.36 of Division B of The National Building Code of Canada, 2015 is declared to be in force on January 1, 2019.
- (8) The National Energy Code of Canada for Buildings, 2015, including the errata and revisions issued by the Canadian Commission on Building and Fire Codes from time to time, is declared to be in force on January 1, 2019.
- (9) No person who is required to comply with the Act and these regulations shall fail to comply with The National Energy Code of Canada for Buildings, 2015 on and after the day that it is declared to be in force pursuant to this section.
- (10) With respect to the editions of The National Building Code of Canada that are adopted pursuant to this section, the minister shall cause information respecting the editions of the Code that are in force, the periods for which they are in force and where those editions may be accessed:
- (a) to be posted on the website of the ministry; and
  - (b) to be made public in any other manner that the minister considers appropriate”.

**New Appendix****5 The Appendix is repealed and the following substituted:****“Appendix****Amendments to The National Building Code of Canada 2015**

[Subsection 3(1)]

“1 The National Building Code of Canada, 2015 is amended in the manner set forth in this Appendix.

“2 Sentence 1.1.1.1.(3) of Division A is repealed.

“3 Article 1.4.1.2. of Division A is amended:

(a) by adding the following definition after the definition of *Alteration*:

‘*Alternative family care home* means a *dwelling unit* used as a single housekeeping unit where *care* is provided to the residents,

- that provides sleeping accommodation for not more than 10 occupants, and
- that is in a *building* where:
  - the occupancy of the building is either *residential occupancy* or *care occupancy*, and
  - there is not more than one other *dwelling unit* (See Note A-1.4.1.2.(1)); and

(b) by adding the following definition after the definition of *Caisson*:

‘*Capable of self-preservation* means that a person is capable of recognizing and responding to an emergency given his or her physical, cognitive and behavioural abilities, and is able to arise and walk, or transfer from a bed or chair to a means of mobility, and leave the *building* or move to a safe location on his or her own without the assistance of another person’.

“4 Sentence A-1.4.1.2.(1) of the Notes to Part 1 of Division A is amended by adding the following information after the second paragraph of the definition of Care Occupancy:

‘Care occupancies include occupancies within the following:

- the following buildings that are governed by *The Mental Health Services Act*:
  - an approved home
  - an approved facility providing care service without treatment
  - an in-patient facility providing care service without treatment
- the following buildings that are governed by *The Personal Care Homes Act*:
  - a convalescent home
  - a hospice home
  - a personal care home

- the following buildings that are governed by *The Residential Services Act*:
  - an approved private-service home
  - an approved home
  - a boarding home
  - a custodial residence
  - a detoxification home without treatment
  - an emergency shelter
  - a group home
  - a group living home
  - a maternity home
  - the North View Home
  - a nursing home
  - a palliative care facility
  - the South View Home
  - a private-service home
  - a residential service facility
  - a respite home
  - a special-care home
  - a transition house
- the following buildings that are governed by *The Youth Justice Administration Act*:
  - a custodial home
  - a place of open custody
- the following buildings that are governed by *The Youth Drug Detoxification and Stabilization Act*:
  - a detoxification home without treatment
  - a detoxification facility without treatment
- Any other home or other building similar to those mentioned above where care is provided’.

“5 Article 1.3.1.1. of Division B is repealed and the following is substituted:

**1.3.1.1. Effective Date**

- 1) Except as provided in Sentences (2) and (3) or otherwise in this Code, the documents referenced in this Code shall include all amendments, revisions, reaffirmations, reapprovals, addenda and supplements effective to 30 June 2014.

2) All references to CSA B149.1 'Natural Gas and Propane Installation Code' will be a reference to the latest edition adopted pursuant to *The Gas Inspection Regulations*.

3) All references to CSA C22.1 'Canadian Electrical Code, Part 1' will be a reference to the latest edition adopted pursuant to *The Electrical Inspection Regulations*.

“6 The following entry is added to Table 1.3.1.2. of Division B where it would appear alpha-numerically:

“ULC            CAN/ULC-S132-93    Standard for Emergency Exit and Emergency  
Fire Exit Hardware 3.4.6.15.(2)’.

“7 Article 3.1.2.5. of Division B is repealed and the following substituted:

**‘3.1.2.5. Alternative Family Care Homes**

1) *Alternative family care homes* with 5 or fewer occupants-in-care and 10 or fewer total occupants are permitted to be classified as *residential occupancies* within the application of Part 9, but only if:

- a) interconnected *smoke alarms* are installed in accordance with Article 9.10.19.3.,
- b) carbon monoxide alarms are installed in accordance with Article 9.32.3.9., and
- c) emergency lighting is provided in accordance with Subsection 3.2.7.

2) *Alternative family care homes* with 6 or more occupants-in-care and 10 or fewer total occupants are permitted to be classified as *residential occupancies* within the application of Part 3, but only if:

- a) interconnected *smoke alarms* are installed in accordance with Article 9.10.19.3.,
- b) carbon monoxide alarms are installed in accordance with Article 9.32.3.9.,
- c) emergency lighting is provided in accordance with Subsection 3.2.7., and
- d) either:
  - i) the occupants are *capable of self-preservation*, or
  - ii) the *building* is *sprinklered* throughout’.

“8 Sentence 3.2.5.12.(2) of Division B is repealed and the following substituted:

‘2) Instead of the requirements of Sentence (1), NFPA 13R, ‘Installation of Sprinkler Systems in Low-Rise Residential Occupancies,’ is permitted to be used for the design, construction and installation of an automatic sprinkler system installed

- a) in a *building* of *residential occupancy* throughout that
  - i) is not more than 4 *storeys* in *building height* and conforms to Articles 3.2.2.47., 3.2.2.48., 3.2.2.50., or 3.2.2.53., or
  - ii) is not more than 3 *storeys* in *building height* and conforms to Article 9.10.1.3., or

- b) in a *building of care occupancy* provided
  - i) it contains not more than 2 *suites of care occupancy*,
  - ii) it has not more than 10 occupants in each *suite*, and
  - iii) is not more than 3 *storeys in building height* and conforms to Articles 3.2.2.42. to 3.2.2.46.

(See Note A-3.2.5.12(2)).

“9 Sentence 3.2.5.12.(3) of Division B is repealed and the following substituted:

‘3) Instead of the requirements of Sentence (1), NFPA 13D, ‘Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes,’ is permitted to be used for the design, construction and installation of an automatic sprinkler system installed

- a) in a *building of residential occupancy* throughout that contains not more than 2 *dwelling units*, or
- b) in a *building of care occupancy*, provided
  - i) it contains not more than 1 *suite of care occupancy*, the *suite* has not more than 10 occupants and a 30-minute water supply demand can be met, or
  - ii) it contains not more than 2 *suites of care occupancy*, it has not more than 5 occupants in each *suite* and a 30-minute water supply demand can be met.

(See Note A-3.2.5.12(2)).

“10 Clause 3.2.7.9.(1)(b) of Division B is amended by adding the words ‘and the *building* is within the scope of Subsection 3.2.6.’ after ‘supplied to the *building*’.

“11 Sentence 3.3.2.7.(1) of Division B is amended by adding the words ‘locking or’ before the word ‘latching’ and by adding the words ‘lock or’ before the word ‘latch’.

“12 Sentence 3.4.6.16.(2) of Division B is amended by striking out the words ‘If a door is equipped with a latching mechanism, a device that will release the latch and allow the door to swing wide open’ and replacing them with the words ‘If a door is equipped with a locking or latching mechanism, a device that complies with ULC-S132 ‘Standard for Emergency Exit and Emergency Fire Exit Hardware’ and that will release the lock or latch and allow the door to swing wide open’.

“13 Sentence 3.4.6.16.(3) of Division B is amended by adding the words ‘lock or’ before each occurrence of the word ‘latch’.

“14 Sentence 3.5.4.1.(1) of Division B is amended by adding the words ‘that is more than three *storeys in building height*’ after ‘If one or more elevators are provided in a *building*’.

“15 The following Article is added after Article 3.8.1.5. of Division B:

**‘3.8.1.6. Residential Occupancies**

1) Notwithstanding Clause 3.8.2.3.(2)(a), in a *building of residential occupancy*, except where *dwelling units* are intended to be individually controlled by separate owners, at least the greater of

- a) one, or
- b) 5%

of the *suites* required to be accessible by a *barrier-free* path of travel shall be *barrier-free* in conformance with Article 3.8.3.18. (See Article 9.5.2.3.)’.

“16 Clause 3.8.2.3.(2)(a) of Division B is amended by adding the words ‘except as required in Article 3.8.1.6.’ after ‘a suite of *residential occupancy* or a *suite of care occupancy*’.

“17 The following Article is added after Article 3.8.3.17. of Division B:

**‘3.8.3.18. Residential Occupancies**

1) Except as provided in this Article, *suites* within a *residential occupancy* that are required to be *barrier-free* shall conform to the applicable requirements of this Article.

2) In washrooms there shall be

- a) a floor space of at least 1 500 mm by 1 500 mm with no encroachment other than the water closet,
- b) a door that
  - i) swings outward, unless sufficient room is provided within the washroom to permit the door to be closed without interfering with a wheelchair,
  - ii) slides, or
  - iii) is a solid folding door,
- c) a water closet that conforms to Clauses 3.8.3.8.(1)(c) and (d) and Article 3.8.3.9.,
- d) a lavatory that conforms to Article 3.8.3.11.,
- e) where a bathtub is provided, a bathtub equipped with
  - i) faucet handles of the lever type without spring loading,
  - ii) a pressure equalizing valve or an automatic thermostatic mixing valve controlled by a lever or other device operable with a closed fist from the seated position,
  - iii) a recessed soap holder that is within reach of a person in a seated position,
  - iv) an integral slip-resistant bottom,

- v) grab bars that have
  - A) a horizontal section not less than 900 mm in length mounted on the back wall not less than 150 mm nor more than 300 mm above the rim of the bathtub, and
  - B) a vertical section continued from the horizontal section to rise not less than 600 mm from the horizontal section and located not less than 275 mm nor more than 325 mm from the end of the bathtub at which the controls are located, and
- vi) where a shower is provided, a shower equipped
  - A) without shower doors, and
  - B) with a hand-held shower head with not less than 1 500 mm of flexible hose, located adjacent to the faucets and controls so that it can be reached from the seated position and equipped with a support so that it can operate as a fixed shower head.
- 3) In kitchens there shall be
  - a) a clearance of not less than 1 500 mm between counters and all opposing base cabinets, countertops, appliances or walls, and
  - b) a clear turning circle of not less than 1 500 mm in diameter below countertop height.
- 4) In sleeping rooms there shall be a clear turning circle of not less than 1 500 mm in diameter on one side of the bed.
- 5) Balconies shall be *barrier-free* and shall conform to the size requirements of Sentence 3.3.1.7.(5).
- 6) Kitchen sinks, laundry sinks and other types of sinks shall have
  - a) faucet handles of the lever type without spring loading,
  - b) no sharp edges or rough corners, and
  - c) all exposed pipes 1 200 mm or less above the floor insulated or otherwise protected where they may constitute a burn hazard'.

“18 Article 6.2.4.1. of Division B is repealed and the following substituted:

**6.2.4.1. Carbon Monoxide Alarms**

- 1) This Article applies to every *building* that contains a *residential occupancy*, a *care occupancy* with individual *suites*, a *care occupancy* containing sleeping rooms not within a *suite*, a *treatment occupancy* or a *detention occupancy*, and that also contains
  - a) a fuel-burning *appliance*, or
  - b) a *storage garage*.

- 2) Carbon monoxide (CO) alarms required by this Article shall
- a) conform to CAN/CSA-6.19, 'Residential Carbon Monoxide Alarming Devices,'
  - b) be equipped with an integral alarm that satisfies the audibility requirements of CAN/CSA-6.19, 'Residential Carbon Monoxide Alarming Devices,'
  - c) have no disconnect switch between the overcurrent device and the CO alarm, where the CO alarm is powered by the electrical system serving the *suite* (see Appendix A), and
  - d) be mechanically fixed at a height above the floor as recommended by the manufacturer.
- 3) Where a fuel-burning *appliance* is installed in a *suite of residential occupancy*, a *suite of care occupancy*, a *treatment occupancy* or in a *detention occupancy*, a CO alarm shall be installed
- a) inside each bedroom, or
  - b) outside each bedroom, within 5 m of each bedroom door, measured following corridors and doorways.
- 4) Where a fuel-burning *appliance* is installed in a *service room* that is not in a *suite of residential occupancy*, a *suite of care occupancy*, a *treatment occupancy* or in a *detention occupancy*, a CO alarm shall be installed
- a) either inside each bedroom, or if outside, within 5 m of each bedroom door, measured following corridors and doorways, in every *suite of residential occupancy* or *suite of care occupancy* that shares a wall or floor/ceiling assembly with the *service room*, and
  - b) in the *service room*.
- 5) For each *suite of residential occupancy*, *suite of care occupancy*, *treatment occupancy* or *detention occupancy* that shares a wall or floor/ceiling assembly with a *storage garage* or that is adjacent to an attic or crawl space to which the *storage garage* is also adjacent, a CO alarm shall be installed
- a) inside each bedroom, or
  - b) outside each bedroom, within 5 m of each bedroom door, measured following corridors and doorways'.

“19 The following Article is added after Article 8.1.1.3. of Division B:

**8.1.1.4. Occupational Health and Safety**

- 1) In the case of conflict between the provisions of this part and *The Occupational Health and Safety Regulations, 1996*, the provisions of *The Occupational Health and Safety Regulations, 1996* govern'.

“20 Sentence 9.9.6.8.(1) of Division B is amended by adding the words 'lock or' before the word 'latch'.



“21 Article 9.10.2.2. of Division B is repealed and the following substituted:

**‘9.10.2.2. Alternative Family Care Homes**

1) *Alternative family care homes* are permitted to be classified as *residential occupancies* (Group C) provided that the home conforms to Article 3.1.2.5.’.

“22 Sentence 9.10.15.1.(1) of Division B is repealed and the following substituted:

‘1) This Subsection applies to

- a) *buildings* in which there is not more than one *dwelling unit* above another *dwelling unit*; and
- b) houses with a secondary suite including their common spaces.

(See Note A-9.10.15.1(1)).’.

“23 Sentence A-9.10.15.1.(1) of the Notes to Part 9 of Division B is repealed and replaced with the following:

**‘A-9.10.15.1.(1) Application of Subsection 9.10.15.**

The buildings to which Subsection 9.10.15. applies include:

- traditional individual detached houses with or without a secondary suite,
- semi-detached houses (doubles) where each house may contain a secondary suite,
- row houses, where any house may contain a secondary suite (see Sentence 9.10.11.2.(1)), and
- stacked dwelling units where one of them is a secondary suite.

Subsection 9.10.15. does not apply to stacked row houses or multiple unit residential buildings containing more than 4 total units including duplex units or secondary suites.’.

“24 Article 9.32.3.9. of Division B is repealed and the following substituted:

**‘9.32.3.9. Carbon Monoxide Alarms (See Appendix A)**

1) This Article applies to every *building* that contains a *residential occupancy*, a *care occupancy* with individual *suites*, a *care occupancy* containing sleeping rooms not within a *suite* or an *alternative family care home*, and that also contains

- a) a fuel-burning *appliance*, or
- b) a *storage garage*.

2) Carbon monoxide (CO) alarms required by this Article shall

- a) conform to CAN/CSA-6.19 ‘Residential Carbon Monoxide Alarming Devices,’
- b) be equipped with an integral alarm that satisfies the audibility requirements of CAN/CSA-6.19 ‘Residential Carbon Monoxide Alarming Devices,’

- c) have no disconnect switch between the overcurrent device and the CO alarm, where the CO alarm is powered by the *dwelling unit's* electrical system, and
  - d) be mechanically fixed at a height recommended by the manufacturer.
- 3)** Where a room contains a solid-fuel-burning *appliance*, a CO alarm conforming to CAN/CSA-6.19 'Residential Carbon Monoxide Alarming Devices' shall be mechanically fixed
- a) at the manufacturer's recommended height where these instructions specifically mention solid-fuel-burning *appliances*, or
  - b) in the absence of specific instructions related to solid-fuel-burning *appliances*, on or near the ceiling.
- 4)** Where a fuel-burning *appliance* is installed in a *suite of residential occupancy*, in a *suite of care occupancy* or in an *alternative family care home*, a CO alarm shall be installed
- a) inside each bedroom, or
  - b) outside each bedroom, within 5 m of each bedroom door, measured following corridors and doorways.
- 5)** Where a fuel-burning *appliance* is installed in a *service room* that is not in a *suite of residential occupancy*, a *suite of care occupancy* or an *alternative family care home*, a CO alarm shall be installed
- a) either inside each bedroom, or if outside, within 5 m of each bedroom door, measured following corridors and doorways, in every *suite of residential occupancy* or *suite of care occupancy* that shares a wall or floor/ceiling assembly with the *service room*, and
  - b) in the *service room*.
- 6)** For each *suite of residential occupancy*, a *suite of care occupancy* or an *alternative family care home* that shares a wall or floor/ceiling assembly with a *storage garage* or that is adjacent to an attic or crawl space to which the *storage garage* is also adjacent, a CO alarm shall be installed
- a) inside each bedroom, or
  - b) outside each bedroom, within 5 m of each bedroom door, measured following corridors and doorways.
- 7)** Where CO alarms are installed in a house with a *secondary suite*, including their common spaces, the CO alarms shall be wired so that the activation of any one CO alarm causes all CO alarms within the house with a *secondary suite*, including their common spaces, to sound'.".

**Coming into force**

**6(1)** Subject to subsection (2), these regulations come into force on January 1, 2018.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2018, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 129/2017***The Fire Safety Act*

## Section 51

Order in Council 572/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

**1** These regulations may be cited as *The Fire Safety (Adoption of Code) Amendment Regulations, 2017*.

**RRS c F-15.11 Reg 1 amended**

**2** *The Fire Safety Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

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

“(b) **‘Code’** means the edition of The National Fire Code of Canada, with the amendments set out in Appendix A, that is in force as set out pursuant to section 3”.

**New section 3**

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

**“National Fire Code**

**3(1)** The following editions of The National Fire Code of Canada, issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada, as amended from time to time, including any appendices, revisions and errata are adopted and declared to be in force, subject to the amendments set out in Appendix A:

- (a) The National Fire Code of Canada, 2015;
  - (b) any subsequent edition of The National Fire Code of Canada.
- (2) For the purposes of clause (1)(b):
- (a) a subsequent edition of the Code is deemed to be adopted on the date that is one year after the date of its being issued; and
  - (b) subject to the other provisions of these regulations, any previous edition of the Code does not apply to any activity, service or matter regulated by the Act undertaken on or after the date mentioned in clause (a).
- (3) Subject to subsection (3), no person shall fail to comply with the edition of the Code that is in force at the time the activity, service or matter regulated by the Act is undertaken.
- (4) These regulations are not to be interpreted as conflicting with a provision of any regulation made pursuant to any Act or with a provision of any municipal bylaw, made before the coming into force of these regulations, that permits a provision of the Code not to be complied with before a specified date.

(5) With respect to the editions of the Code that are adopted pursuant to this section, the minister shall cause information respecting the editions of the Code that are in force, the periods for which they are in force and where those editions may be accessed:

- (a) to be posted on the website of the ministry; and
- (b) to be made public in any other manner that the minister considers appropriate”.

**New Appendix A**

**5 Appendix A is repealed and the following substituted:**

**“Appendix A**

**Amendments to The National Fire Code of Canada 2015**

[*Subsection 3(1)*]

“1 The National Fire Code of Canada 2015 is amended in the manner set forth in this Appendix.

“2 Article 1.4.1.2. of Division A is amended:

(a) by adding the following definition after the definition of *Air-supported structure*:

*‘Alternative family care home* means a *dwelling unit* used as a single housekeeping unit where *care* is provided to the residents,

- that provides sleeping accommodation for not more than 10 occupants, and
- that is in a *building* where:
  - the occupancy of the building is either *residential occupancy* or *care occupancy*, and
  - there is not more than one other *dwelling unit*;

(See Note A-1.4.1.2.(1) of Division A, Part 1 of the National Building Code of Canada 2015); and

(b) by repealing the definition of *‘Building’* and substituting the following:

*‘Building* means a structure used or intended for supporting or sheltering any use or *occupancy*, and includes an addition built to an existing structure and, where applicable, the land adjoining a structure’; and

(c) by adding the following definition after the definition of *Business and personal services occupancy*:

*‘Capable of self-preservation* means that a person is capable of recognizing and responding to an emergency given his or her physical, cognitive and behavioural abilities, and is able to arise and walk, or transfer from a bed or chair to a means of mobility, and leave the building or move to a safe location on his or her own without the assistance of another person’.

“3 Sentence 1.3.1.1.(1) of Division B is repealed and the following is substituted:

**1.3.1.1. Effective Date**

1) Except as provided in Sentences (2), (3) and (4) or otherwise in this Code, the documents referenced in this Code shall include all amendments, revisions, reaffirmations, reapprovals, addenda and supplements effective to 30 June 2014.

2) All references to CSA B149.1-10 ‘Natural Gas and Propane Installation Code’ will be a reference to the latest edition adopted pursuant to *The Gas Inspection Regulations*.

3) All references to CSA B108-14 ‘Compressed Natural Gas Fuelling Station Installation Code’ will be a reference to the latest edition adopted pursuant to *The Gas Inspection Regulations*.

4) All references to CSA B149.2-10 ‘Natural Gas and Propane Installation Code’ will be a reference to the latest edition adopted pursuant to *The Gas Inspection Regulations*.

5) All references to CSA C22.1-12 ‘Canadian Electrical Code, Part 1’ will be a reference to the latest edition adopted pursuant to *The Electrical Inspection Regulations*’.

“4 Clause 2.8.3.2.(1)(a) of Division B is repealed and the following substituted:

‘a) in day-care centres, *alternative family care homes* and in Group B *major occupancies*, such drills shall be held at intervals not greater than one month’.

“5 Sentence 4.2.4.1.(1) of Division B is repealed and the following substituted:

‘1) This Subsection shall apply to the storage and handling of *flammable liquids* and *combustible liquids* in *buildings* classified as *assembly* or *residential occupancies*, including *alternative family care homes*, except that it shall not apply to nonresidential schools, universities or colleges covered in Subsection 4.2.6’.

“6 Sentence 4.2.4.5.(1) of Division B is repealed and the following substituted:

‘1) Not more than 30L of *flammable liquids* and *combustible liquids*, of which not more than 10L shall be Class I liquids, are permitted to be stored in each dwelling unit or *alternative family care home*.

(See Sentence 4.1.1.1.(3) for oil-burning *appliances*’.

“7 Subclause 5.5.5.1.(1)(b)(ii) of Division B is repealed and the following substituted:

‘ii) *alternative family care homes* and Group B *major occupancies*, the quantities of *flammable liquids* and *combustible liquids* permitted in Sentence 4.2.6.3.(1).

(See Note A-5.5.5.1.(1).)’.”.

**Coming into force**

6(1) Subject to subsection (2), these regulations come into force on January 1, 2018.

(2) If these regulations are filed with the Registrar of Regulations after January 1, 2018, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 130/2017***The Cities Act*

Section 359

Order in Council 574/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

1 These regulations may be cited as *The Cities (Education Property Tax) Amendment Regulations, 2017*.

**RRS c C-11.1 Reg 1 amended**

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

**Section 19 amended**

3 **Clause 19(1)(a) is amended by striking out** “on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Section 20 amended**

4 **Clause 20(a) is amended by striking out** “levies on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Section 21 amended**

5 **Clause 21(a) is amended by striking out** “levies on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Section 22 amended**

6 **Clause 22(a) is amended by striking out** “levies on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Coming into force**

7(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Education Property Tax Act* comes into force.

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

**SASKATCHEWAN REGULATIONS 131/2017***The Municipalities Act*

Section 403

Order in Council 575/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

1 These regulations may be cited as *The Municipalities (Education Property Tax) Amendment Regulations, 2017*.

**RRS c M-36.1 Reg 1 amended**

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

**Section 6.02 amended**

3 **Subsection 6.02(1) is amended:**

(a) **in clause (b) by striking out** “section 311 of the Act” **and substituting** “*The Education Property Tax Act*”; **and**

(b) **in clause (c) by striking out** “section 291 of *The Education Act, 1995*” **and substituting** “*The Education Property Tax Act*”.

**Section 47 amended**

4 **Clause 47(1)(a) is amended by striking out** “on behalf of a school division” **substituting** “in accordance with *The Education Property Tax Act*”.

**Section 48 amended**

5 **Clause 48(1)(a) is amended by striking out** “on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Section 49 amended**

6 **Clause 49(1)(a) is amended by striking out** “on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Coming into force**

7(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Education Property Tax Act* comes into force.

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

**SASKATCHEWAN REGULATIONS 132/2017***The Northern Municipalities Act, 2010*

Section 439

Order in Council 576/2017, dated December 6, 2017

(Filed December 7, 2017)

**Title**

1 These regulations may be cited as *The Northern Municipalities (Education Property Tax) Amendment Regulations, 2017*.

**RRS c N-5.2 Reg 1 amended**

2 *The Northern Municipalities Regulations* are amended in the manner set forth in these regulations.

**Section 35 amended**

3 **Clause 35(1)(a) is amended by striking out** “on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Section 36 amended**

4 **Clause 36(1)(a) is amended by striking out** “on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Section 39 amended**

5 **Subsection 39(1) is amended in the portion preceding clause (a) by striking out** “on behalf of a school division” **and substituting** “in accordance with *The Education Property Tax Act*”.

**Coming into force**

6(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Education Property Tax Act* comes into force.

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