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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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CHAPTER E-13.1 REG 16*The Executive Government Administration Act*

Section 17

and

The Economic and Co-operative Development Act

Section 8

Order in Council 169/2020, dated April 15, 2020

(Filed April 16, 2020)

Title

1 These regulations may be cited as *The Saskatchewan Small Business Emergency Payment Regulations*.

Definitions and interpretation

2(1) In these regulations:

“**applicant**” means an eligible small business that applies for financial assistance pursuant to these regulations;

“**eligible small business**” means a small business that meets the criteria set out in subsection 4(2);

“**emergency declaration**” means the emergency declaration made on March 20, 2020 pursuant to *The Emergency Planning Act* and renewed from time to time;

“**minister**” means the Minister of Finance;

“**ministry**” means the ministry over which the minister presides;

“**participant**” means an applicant whose application has been approved by the minister pursuant to section 6;

“**permanent establishment**” means a permanent establishment as defined in *The Income Tax Act, 2000*;

“**program**” means the Saskatchewan Small Business Emergency Payment Program established pursuant to section 3;

“**public emergency period**” means the period during which the emergency declaration is in force;

“**record**” includes any document or information that is recorded or stored in any medium or by means of any device, including a computer and its hard drive or any electronic media;

“**sales revenue**” means the income that a small business derives from all business activities, including from the sale of goods and services;

“**small business**” means, subject to subsection (2):

(a) any person or partnership registered pursuant to *The Business Names Registration Act*;

(b) any corporation incorporated, continued or registered pursuant to *The Business Corporations Act* or *The Non-profit Corporations Act, 1995*; or

(c) any co-operative incorporated, continued or registered pursuant to *The Co-operatives Act*.

(2) The minister may approve a person, partnership, corporation or co-operative as a participant in the program pursuant to section 6 notwithstanding that the person, partnership, corporation or co-operative is not registered pursuant to *The Business Names Registration Act*, is not incorporated, continued or registered pursuant to *The Business Corporations Act* or *The Non-profit Corporations Act, 1995* or is not incorporated, continued or registered pursuant to *The Co-operatives Act* if the minister is satisfied that the person, partnership or corporation:

- (a) carries on business in Saskatchewan; and
- (b) is otherwise eligible pursuant to these regulations to be approved as a participant.

(3) Any person, partnership, corporation or co-operative approved by the minister pursuant to subsection (2) is deemed to be a small business.

Program established

3 The Saskatchewan Small Business Emergency Payment Program is established to provide financial assistance to eligible small businesses that were ordered as a result of the emergency declaration to temporarily suspend or substantially curtail operations during the public emergency period.

Application and eligibility

4(1) An applicant for financial assistance pursuant to these regulations must apply to the minister in a form and manner satisfactory to the minister.

(2) An application pursuant to subsection (1) must include evidence satisfactory to the minister of all of the following:

- (a) that the applicant is a small business;
- (b) that the applicant maintains a permanent establishment in Saskatchewan;
- (c) that the applicant was carrying on business in Saskatchewan on February 29, 2020;
- (d) that the applicant is subject to the emergency declaration and, as a result, has been ordered to temporarily suspend or substantially curtail operations during the public emergency period;
- (e) that the applicant has experienced a loss of sales revenue that affects the applicant's ability to pay for its fixed costs;
- (f) that the applicant had fewer than 500 employees:
 - (i) for the year before the year in which the emergency declaration was made; or
 - (ii) when averaged for the 3 years before the year in which the emergency declaration was made;
- (g) that the applicant has committed to restart the applicant's operations after the public emergency period ends;
- (h) that the applicant has not received any payments or amounts from any other sources, including insurance, to replace or compensate for the loss of sales revenue other than amounts from other government assistance programs.

Time limit for submitting applications

5(1) Subject to subsection (2), an application must be received by the minister on or before July 31, 2020.

(2) The minister may consider an application received after July 31, 2020 if the minister is satisfied that extenuating circumstances made it unreasonable or impossible for the application to have been received by July 31, 2020.

Approval

6(1) If the minister receives an application pursuant to section 4 and is satisfied that the application is complete, that the applicant meets the criteria set out in these regulations and that it is appropriate to do so, the minister may approve the application.

(2) If the minister approves an application pursuant to subsection (1), the minister may provide financial assistance to the participant.

Amount of financial assistance

7(1) In this section, “**monthly sales revenues**”, with respect to a participant, means the amount the participant satisfies the minister that the participant derived from sales revenue in Saskatchewan.

(2) Subject to subsection (3), the amount of financial assistance that the minister may provide to a participant is the greater of:

- (a) 15% of the applicant’s monthly sales revenues for April 2019; or
- (b) 15% of the applicant’s monthly sales revenues for February 2020.

(3) The maximum amount of financial assistance for a participant is \$5,000.

Audit

8 Every participant who receives financial assistance pursuant to these regulations shall provide, at the minister’s request and within the period specified by the minister, any information or record that the minister may require to audit the participant’s financial affairs.

Overpayment

9(1) The minister may declare all or any part of a payment made to a participant pursuant to these regulations to be an overpayment if, in the opinion of the minister:

- (a) the participant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or record provided to the minister pursuant to these regulations;
- (b) the participant has omitted to make a statement or to provide any information or record to the minister pursuant to these regulations that results in a statement with respect to a material fact being misleading;
- (c) the participant has failed, without a reasonable excuse, to restart operations within 90 days after the public emergency period ends; or
- (d) the participant has failed to comply with these regulations.

(2) If the minister declares a payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Crown in right of Saskatchewan and may be recovered from the participant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

Minister's powers re audits and overpayments

10 For the purposes of performing audits and collecting overpayments pursuant to these regulations, the minister may exercise any powers that the minister may exercise pursuant to *The Revenue and Financial Services Act*.

Service

11(1) Any notice, decision or other document required to be given or served may be served:

- (a) by personal service;
- (b) by regular mail or registered mail sent to the person's last address known to the ministry; or
- (c) by email sent to an email address provided by the person to the ministry.

(2) If service is made by regular mail, the document is deemed to have been served on the fifth day after the date of its mailing.

(3) If service is made by registered mail, the document is deemed to have been served on the delivery date shown on the signed post office acknowledgment of receipt.

(4) If service is made by email, the document is deemed to have been served at the time it is sent.

Immunity

12(1) No action or proceeding lies or shall be commenced against the Government of Saskatchewan, the minister, the ministry or any officer or employee of the ministry or administrator or agent of the minister, if that person is acting pursuant to the authority of these regulations, for anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by these regulations or in the carrying out or supposed carrying out of any duty imposed by these regulations.

(2) The decisions or actions of any of the persons mentioned in subsection (1) are final and conclusive and are not reviewable by any court of law or restrained by any injunction, prohibition, mandamus, *certiorari* or other proceeding whatsoever.

Coming into force

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

CHAPTER L-10.2 REG 1*The Wills Act, 1996*

Section 7

and

The Legislation Act

Section 3-5

Order in Council 168/2020, dated April 15, 2020

(Filed April 16, 2020)

Title

1 These regulations may be cited as *The Wills (Public Emergencies) Regulations*.

Definitions

2 In these regulations:

“**Act**” means *The Wills Act, 1996*;

“**electronic means of communication**” means an electronic means by which the testator of a will and the witnesses are able, at all times, to see and hear each other;

“**public emergency period**” means the period during which an emergency declaration ordered pursuant to *The Emergency Planning Act*, or an order of the chief medical health officer pursuant to *The Public Health Act, 1994* respecting quarantines, travel restrictions or another form of isolation, is in force.

Interpretation of section 7 of Act

3 For the purposes of clauses 7(1)(c) and (d) of the Act, during a public emergency period, “**in the presence of**” includes attendance through an electronic means of communication if all of the following conditions are met:

(a) either:

(i) the public emergency period is in effect in the location where the testator is located; or

(ii) the testator is subject to a quarantine, travel restriction or other form of isolation in accordance with an order issued by the chief medical health officer pursuant to *The Public Health Act, 1994*;

(b) one of the witnesses is a lawyer;

(c) the lawyer who is witnessing the will takes all reasonable steps through the electronic means of communication to verify the identity of the testator and confirm the contents of the will and complies with any requirement established by the Law Society of Saskatchewan;

(d) the lawyer who is witnessing the will complies with any requirement established by the Law Society of Saskatchewan related to the witnessing of documents through the electronic means of communication.

Witnessing under the Act

4 During a public emergency period, the witnessing of an alteration of a will mentioned in subsection 11(2) of the Act, a revocation of a will mentioned in clause 16(c) of the Act or a revival of a will mentioned in section 20 of the Act may be made through an electronic means of communication if all of the following conditions are met:

- (a) either:
 - (i) the public emergency period is in effect in the location where the testator who is altering, revoking or reviving the will is located; or
 - (ii) the testator who is altering, revoking or reviving the will is subject to a quarantine, travel restriction or other form of isolation in accordance with an order issued by the chief medical health officer pursuant to *The Public Health Act, 1994*;
- (b) one of the witnesses is a lawyer;
- (c) the lawyer who is witnessing the alteration, revocation or revival of the will takes all reasonable steps through the electronic means of communication to verify the identity of the testator and confirm the contents of the will as altered, revoked or revived and complies with any requirement established by the Law Society of Saskatchewan;
- (d) the lawyer who is witnessing the alteration, revocation or revival of the will complies with any requirement established by the Law Society of Saskatchewan related to the witnessing of documents through the electronic means of communication.

Extension of application of these regulations

5(1) The minister may, by order, extend the application of these regulations for a further period, not to exceed 30 days, after the date on which the public emergency period ends.

(2) If the minister issues an order pursuant to subsection (1), the minister shall cause the order:

- (a) to be published in the Gazette; and
- (b) to be made public in any other manner the minister considers necessary, including publishing it on the Government of Saskatchewan's website.

Coming into force

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

CORRECTING NOTICE

Pursuant to the authority given to me by section 7 of *The Regulations Act Regulations, 1997, The Legal Profession Regulations*, as published in Part II of the Gazette on May 26, 2017 are corrected by:

- (a) **cancelling the regulation number “L-10.2 Reg 1”;** and
- (b) **assigning the regulation number “L-10.1 Reg 1”.**

Dated at Regina, this 14th day of April, 2020.

Paul Crozier
Registrar of Regulations

SASKATCHEWAN REGULATIONS 40/2020

The Pension Benefits Act, 1992

Section 69

Order in Council 167/2020, dated April 15, 2020

(Filed April 16, 2020)

Title

1 These regulations may be cited as *The Pension Benefits (Restrictions on Transfers and Payments) Amendment Regulations, 2020*.

RRS c P-6.001 Reg 1, new section 28.1

2 **The following section is added after section 28 of *The Pension Benefits Regulations, 1993*:**

“Certain transfers and payments limited

28.1(1) Notwithstanding any other provision of these regulations, an administrator must obtain the prior written consent of the superintendent to do any of the following if, in the superintendent’s opinion, the transfer or payment would impair the solvency of the pension fund:

- (a) transfer moneys or make a payment out of a defined benefit plan pursuant to section 20, 31, 32, 33 or 48 of the Act or section 26.1;
- (b) transfer moneys or make a payment out of a defined benefit plan to purchase a life annuity.

(2) The superintendent may, in writing, consent to or direct a full or partial transfer or payment mentioned in subsection (1) on terms and conditions the superintendent considers appropriate in the circumstances”.

Coming into force

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

SASKATCHEWAN REGULATIONS 41/2020*The Executive Government Administration Act*

Clause 32(d)

and

The Human Resources, Labour and Employment Act

Section 4.01

Order in Council 170/2020, dated April 15, 2020

(Filed April 16, 2020)

Title

1 These regulations may be cited as *The Training Allowance (Public Emergencies) Amendment Regulations, 2020*.

RRS c G-5.1 Reg 80, new section 14.1

2 ***The Training Allowance Regulations* are amended by adding the following section after section 14:**

“Additional living allowance re public emergency period

14.1(1) In this section, ‘**public emergency period**’ means the period during which an emergency declaration ordered pursuant to *The Emergency Planning Act*, or an order of the chief medical health officer pursuant to *The Public Health Act, 1994* respecting quarantines, travel restrictions or other forms of isolation, is in force.

(2) If the minister considers it necessary to support persons during the public emergency period and for any months during the public emergency period, an additional \$50 per month is allowed as a living allowance in addition to each amount mentioned in clauses 14(2.9)(a) to (f)”.

Coming into force

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

SASKATCHEWAN REGULATIONS 42/2020*The Water Power Act*

Section 16

Order in Council 171/2020, dated April 15, 2020

(Filed April 16, 2020)

Title

1 These regulations may be cited as *The Water Power Rental Amendment Regulations, 2020*.

RRS c W-6 Reg 4, new Appendix

2 **The Appendix to *The Water Power Rental Regulations, 2018* is repealed and the following substituted:**

“Appendix

<i>Item #</i>	<i>Effective Date</i>	<i>Amount per megawatt hour of power generated from the water used for the purpose of producing water power (\$)</i>
1.	January 1, 2017	5.54438
2.	April 1, 2018	5.68299
3.	April 1, 2019	5.82506
4.	April 1, 2020	5.91535

”.

Coming into force

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

SASKATCHEWAN REGULATIONS 43/2020*The Environmental Management and Protection Act, 2010*

Section 98

Order in Council 172/2020, dated April 15, 2020

(Filed April 16, 2020)

Title

1 These regulations may be cited as *The Waterworks and Sewage Works Amendment Regulations, 2020*.

RRS c E-10.22 Reg 3 amended

2 *The Waterworks and Sewage Works Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Subsection 2(1) is amended:**

(a) **by repealing subclause (g)(ii) and substituting the following:**

“(ii) pipes connected to a collection system owned or operated by a permittee if the pipes are located under the surface of the property on which the premises served by the collection system are located”;

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

“(i) **‘distribution system’** means that portion of a waterworks, including water pipes, storage reservoirs, valves, hydrants and associated components, that is designed or used to convey water for human consumptive use or hygienic use to a service connection, but does not include:

- (i) plumbing within a building or structure;
- (ii) pipes connected to a distribution system owned or operated by a permittee if the pipes are located under the surface of the property on which the premises served by the distribution system are located; or
- (iii) tank fill drop tubes, bulk water loading stations, surface piping or hoses”; **and**

(c) in clause (cc):

(i) in subclause (i) by striking out “collect and treat” and substituting “collect or treat”; and

(ii) in subclause (ii) in the portion preceding paragraph (A) by striking out “collect and treat” and substituting “collect or treat”.

New section 5**4 Section 5 is repealed and the following substituted:****“Designation of sewage works**

5(1) Subject to subsection (2), for the purposes of this Part, the following are designated as sewage works for the purposes of subclause 2(1)(ee)(ii) of the Act and these regulations:

- (a) all municipal sewage works;
- (b) all regional sewage works;
- (c) all sewage works, other than those mentioned in clause (a) or (b):
 - (i) with a design flow exceeding 18 cubic metres in any 24-hour period; and
 - (ii) that collect or treat sewage with properties equivalent or similar to sewage from municipal sources.

(2) For the purposes of this Part, the following are not designated as sewage works for the purposes of subclause 2(1)(ee)(ii) of the Act and these regulations:

- (a) pipes connected to a collection system owned or operated by a permittee if the pipes are located under the surface of the property on which the premises served by the collection system are located;
- (b) piping or fixtures that constitute the plumbing within a building”.

Section 17 amended**5 Subsection 17(2) is amended:**

- (a) in clause (a) by striking out “pipes in a distribution system” and substituting “pipes connected to a distribution system”; and
- (b) in clause (b) by adding “or” after “piping”.

Section 24 amended**6 Clause 24(4)(a) is repealed and the following substituted:**

- “(a) be equipped with a tight fitting cover designed and maintained to prevent entry of water into the reservoir”.

New section 32**7 Section 32 is repealed and the following substituted:****“Assessment and audit of water - water for human consumptive use**

32(1) In this section, ‘**operating permit condition**’ means a condition imposed by the minister on a permit to operate a waterworks.

(2) Subject to subsection (4), the permittee of a waterworks supplying water intended or used for human consumptive use mentioned in subsection 17(1) shall ensure that an independent engineering assessment of the following respecting the waterworks is conducted as required by the minister as an operating permit condition:

- (a) the waterwork’s performance;
- (b) the waterwork’s condition;
- (c) the waterwork’s capacity;
- (d) the waterwork’s functionality;
- (e) the waterwork’s processes;
- (f) the waterwork’s optimization;
- (g) the waterwork’s sustainability;
- (h) the waterwork’s maintenance.

(3) Notwithstanding subsection (2) and subject to subsection (4), the minister may direct, in writing, one or more independent engineering assessments as an operating permit condition if the minister considers it necessary due to:

- (a) additional water demands on a waterworks;
- (b) limited existing capacity to provide water in accordance with the waterworks design standard;
- (c) anticipated or planned expansion of a waterworks; or
- (d) evidence that, in the opinion of the minister, indicates a potential problem.

- (4) Subsections (2) and (3) do not apply to:
- (a) waterworks mentioned in clause 17(1)(a) or (b) that:
 - (i) are served by a ground water treatment plant; and
 - (ii) serve fewer than 50 consumers; or
 - (b) waterworks mentioned in clause 17(1)(c) or (d) if the water pipeline serves fewer than 15 service connections.
- (5) An independent engineering assessment required pursuant to this section is to be done at the sole expense of the permittee of the waterworks.
- (6) The permittee of a waterworks supplying water intended or used for human consumptive use shall report the findings of an independent engineering assessment required by this section to the minister, in a form satisfactory to the minister, within 90 days after the completion of the assessment.
- (7) No permittee to whom a written direction is issued pursuant to subsection (3) shall fail to comply with the direction within the period specified in the direction.
- (8) Any requirement to complete an independent engineering assessment included as an operating permit condition that is in effect on the date on which *The Waterworks and Sewage Works Amendment Regulations, 2020* come into force is of no force and effect”.

Appendix amended

8 Tables 4 and 5 of the Appendix are repealed.

Coming into force

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

SASKATCHEWAN REGULATIONS 44/2020*The Crown Corporations Act, 1993*

Section 36

Order in Council 173/2020, dated April 15, 2020

(Filed April 16, 2020)

Title

1 These regulations may be cited as *The Crown Corporations Amendment Regulations, 2020*.

RRS c C-50.101 Reg 1 amended

2 *The Crown Corporations Regulations, 1993* are amended in the manner set forth in these regulations.

Section 3 amended

3 **Clause 3(d) is repealed.**

Section 3.1 repealed

4 **Section 3.1 is repealed.**

Section 4 amended

5(1) **Subsection 4(1) is repealed.**

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

(a) **by repealing clause (a.01);**

(b) **by repealing clause (e);**

(c) **by repealing subclause (i)(i) and substituting the following:**

“(i) all shares, bonds, debentures or other securities of any business organization acquired by Saskatchewan Government Insurance, if the total value at any time of all shares, bonds, debentures and other securities of the business organization so acquired does not exceed \$10,000,000”;

(d) **by repealing subclause (k)(iv);**

(e) **by repealing subclause (l)(iv) and substituting the following:**

“(iv) all shares, bonds, debentures or other securities of any business organization acquired by Saskatchewan Telecommunications Holding Corporation, if the total value at any time of all shares, bonds, debentures and other securities of the business organization so acquired does not exceed \$5,000,000”; **and**

(f) **by repealing clause (m).**

Coming into force

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

