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## PART II/PARTIE II

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## PART II/PARTIE II

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

#### TABLE OF CONTENTS/TABLE DES MATIÈRES

E-13.1 Reg 17	<i>The Saskatchewan Temporary Wage Supplement Program Regulations .....</i>	361
SR 55/2020	<i>The Election Act Amendment Regulations, 2020 (No. 2) .....</i>	364
SR 56/2020	<i>The Personal Property Security Amendment Regulations, 2020 .....</i>	366
SR 57/2020	<i>The Real Estate (Miscellaneous) Amendment Regulations, 2020 .....</i>	370
SR 58/2020	<i>The Co-operatives Amendment Regulations, 2020 .....</i>	372
SR 59/2020	<i>The Non-profit Corporations Amendment Regulations, 2020 .....</i>	372
SR 60/2020	<i>The Condominium Property Amendment Regulations, 2020 .....</i>	373
SR 61/2020	<i>The New Generation Co-operatives Amendment Regulations, 2020 .....</i>	373
SR 62/2020	<i>The Employment Standards (Public Emergencies) Amendment Regulations, 2020 (No. 2) .....</i>	374
SR 63/2020	<i>The Milk Marketing Plan Amendment Regulations, 2020 .....</i>	376
SR 64/2020	<i>The Saskatchewan Crop Insurance Corporation (Public Emergencies) Amendment Regulations, 2020 .....</i>	384

# Revised Regulations of Saskatchewan 2020/ Règlements Révisés de la Saskatchewan 2020

## April 3, 2020

<i>The Electronic Information and Documents (Public Emergencies) Regulations .....</i>	E-7.22 Reg 2
<i>The New Home Construction Rebate (Provincial Sales Tax) Remission Regulations .....</i>	F-13.4 Reg 43
<i>The Powers of Attorney (Public Emergencies) Regulations .....</i>	P-20.3 Reg 2
<i>The Pension Benefits Amendment Regulations, 2020.....</i>	SR 29/2020
<i>The Land Titles (Public Emergencies) Amendment Regulations, 2020.....</i>	SR 30/2020
<i>The Summary Offences Procedure (Emergency Planning) Amendment Regulations, 2020.....</i>	SR 31/2020
<i>The Revenue Collection Administration Amendment Regulations, 2020 .....</i>	SR 32/2020
<i>The Provincial Sales Tax (Miscellaneous) Amendment Regulations, 2020.....</i>	SR 33/2020
<i>The Wildlife Amendment Regulations, 2020 .....</i>	SR 34/2020
<i>The Fisheries Amendment Regulations, 2020.....</i>	SR 35/2020

## April 9, 2020

<i>The Self-isolation Support Program Regulations.....</i>	E-13.1 Reg 14
--	---------------

## April 17, 2020

<i>The Disease Control Amendment Regulations, 2020.....</i>	SR 36/2020
<i>The Wanuskewin Heritage Park Amendment Regulations, 2020.....</i>	SR 37/2020
<i>The Cannabis Control (Saskatchewan) Amendment Regulations, 2020.....</i>	SR 38/2020
<i>The Open Seasons Game Amendment Regulations, 2020 .....</i>	SR 39/2020

## April 24, 2020

<i>The Saskatchewan Small Business Emergency Payment Regulations .....</i>	E-13.1 Reg 16
<i>The Wills (Public Emergencies) Regulations .....</i>	L-10.2 Reg 1
<i>The Legal Profession Regulations .....</i>	Correcting Notice
<i>The Pension Benefits (Restrictions on Transfers and Payments) Amendment Regulations, 2020.....</i>	SR 40/2020
<i>The Training Allowance (Public Emergencies) Amendment Regulations, 2020 .....</i>	SR 41/2020
<i>The Water Power Rental Amendment Regulations, 2020.....</i>	SR 42/2020
<i>The Waterworks and Sewage Works Amendment Regulations, 2020.....</i>	SR 43/2020
<i>The Crown Corporations Amendment Regulations, 2020.....</i>	SR 44/2020

## May 1, 2020

<i>The Business Names Registration Regulations, 2020 .....</i>	B-11 Reg 3
<i>The Residential Tenancies Amendment Regulations, 2020 .....</i>	SR 45/2020
<i>The Business Corporations Amendment Regulations, 2020 .....</i>	SR 46/2020
<i>The Co-operatives (Designated Extra-provincial Co-operatives) Amendment Regulations, 2020.....</i>	SR 47/2020
<i>The New Generation Co-operatives (Designated Extra-provincial Co-operatives) Amendment Regulations, 2020 .....</i>	SR 48/2020
<i>The Partnership (Designated Extraprovincial Limited Liability Partnerships) Amendment Regulations, 2020 .....</i>	SR 49/2020

## May 8, 2020

<i>The Apprenticeship and Trade Certification Commission Regulations, 2020 .....</i>	A-22.3 Reg 1
<i>The Fire Safety Amendment Regulations, 2020 .....</i>	SR 50/2020
<i>The Saskatchewan Small Business Emergency Payment Amendment Regulations, 2020 .....</i>	SR 51/2020

## May 15, 2020

<i>The Apprenticeship and Trade Certification Regulations, 2020.....</i>	A-22.3 Reg 2
<i>The Cancer Agency (Public Emergencies) Amendment Regulations, 2020.....</i>	SR 52/2020
<i>The Ambulance (Public Emergencies) Amendment Regulations, 2020 .....</i>	SR 53/2020
<i>The Dedicated Lands Amendment Regulations, 2020.....</i>	SR 54/2020

## May 22, 2020

<i>The Saskatchewan Temporary Wage Supplement Program Regulations .....</i>	E-13.1 Reg 17
<i>The Election Act Amendment Regulations, 2020 (No. 2).....</i>	SR 55/2020
<i>The Personal Property Security Amendment Regulations, 2020 .....</i>	SR 56/2020
<i>The Real Estate (Miscellaneous) Amendment Regulations, 2020.....</i>	SR 57/2020
<i>The Co-operatives Amendment Regulations, 2020 .....</i>	SR 58/2020
<i>The Non-profit Corporations Amendment Regulations, 2020.....</i>	SR 59/2020
<i>The Condominium Property Amendment Regulations, 2020.....</i>	SR 60/2020
<i>The New Generation Co-operatives Amendment Regulations, 2020.....</i>	SR 61/2020
<i>The Employment Standards (Public Emergencies) Amendment Regulations, 2020 (No. 2) .....</i>	SR 62/2020
<i>The Milk Marketing Plan Amendment Regulations, 2020.....</i>	SR 63/2020
<i>The Saskatchewan Crop Insurance Corporation (Public Emergencies) Amendment Regulations, 2020 .....</i>	SR 64/2020

**CHAPTER E-13.1 REG 17***The Executive Government Administration Act*

Section 17

and

*The Economic and Co-operative Development Act*

Section 8

Order in Council 226/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

**1** These regulations may be cited as *The Saskatchewan Temporary Wage Supplement Program Regulations*.

**Definitions and interpretation**

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

**“applicant”** means an eligible worker who applies for financial assistance pursuant to these regulations;

**“eligible worker”** means a worker who meets the criteria set out in subsection 4(2);

**“essential care facility”** means:

- (a) a special-care home designated pursuant to *The Provincial Health Authority Act*;
- (b) a residential-services facility governed by *The Residential Services Act*;
- (c) a facility licensed pursuant to *The Personal Care Homes Act*;
- (d) a facility as defined in *The Provincial Health Authority Act* or any other place where the services mentioned in clause 5(f) or (i) of *The Saskatchewan Aids to Independent Living Regulations*, being Sask Reg 292/76, are provided to a beneficiary;
- (e) a facility as defined in *The Child Care Act, 2014*;
- (f) a group home governed by *The Adult and Youth Group Homes Regulations*;
- (g) a transition shelter governed by *The Residential Services Act*;
- (h) an emergency shelter operated by a non-profit or community organization;

and includes a facility providing integrated health care that is governed by the Provincial Health Authority but does not include an acute-care facility, such as a hospital, that is operated by the Provincial Health Authority or its affiliates as defined in *The Provincial Health Authority Act*;

**“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;

**“program”** means the Saskatchewan Temporary Wage Supplement Program established pursuant to section 3;

**“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.

(2) The minister may approve a facility or place as an essential care facility notwithstanding that the facility or place is not described within any of clauses (a) to (h) of the definition of “essential care facility” if the minister is satisfied that:

- (a) the facility or place:
  - (i) carries on business or operates in Saskatchewan; and
  - (ii) provides a health care or support service similar to one provided by the facilities mentioned in the definition of “essential care facility”; and
- (b) it is otherwise appropriate and consistent with the purpose of the program to approve the facility or place as an essential care facility.

(3) Any facility or place approved by the minister pursuant to subsection (2) is deemed to be an essential care facility.

**Program established**

**3** The Saskatchewan Temporary Wage Supplement Program is established to provide financial assistance to eligible workers for the purpose of encouraging them to continue working rather than applying for the Canada Emergency Response Benefit established by the Government of Canada.

**Application and eligibility**

**4(1)** An applicant for financial assistance pursuant to these regulations must apply to the minister for each 4-week period commencing March 15, 2020 and ending July 4, 2020 in a form and manner satisfactory to the minister.

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

- (a) the applicant is employed by the owner or operator of an essential care facility;

- (b) the applicant is not a person who provides services on a fee-for-service or contractual basis to an essential care facility, other than one mentioned in clause (d) of the definition of “essential care facility”; and
- (c) the applicant’s current gross salary from all sources is less than:
  - (i) \$2,500 per month; and
  - (ii) \$24.00 per hour.

**Time limit for submitting applications**

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

(2) The minister may consider an application received after August 1, 2020 if the minister is satisfied that extenuating circumstances made it unreasonable or impossible for the application to have been received by August 1, 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 The amount of financial assistance that the minister may provide to a participant is \$400 per 4-week period for a maximum of 16 weeks commencing March 15, 2020 and ending on July 4, 2020.

**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 an applicant pursuant to these regulations to be an overpayment if, in the opinion of the minister:

- (a) the applicant 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 applicant 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; or
- (c) the applicant 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 applicant 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*.

**Immunity**

**11(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**

**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 55/2020***The Election Act, 1996*

Section 287

Order in Council 218/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

**1** These regulations may be cited as *The Election Act Amendment Regulations, 2020* (No. 2).

**RRS cE-6.01 Reg 1, section 2 amended**

**2** Section 2 of *The Election Act Regulations* 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 the Act and in these regulations:

(a) ‘adapt any other provision of this Act’ includes the power to implement adaptations at any time and at one or more locations in Saskatchewan, including adapting all or any of the following:

(i) all or any voting procedures or methods or any manner of voting established in the Act;

(ii) all or any timelines, deadlines or time requirements in the Act, including expanding, abridging or extending those timelines, deadlines or time requirements except the matters mentioned in subclauses 7(1)(a)(i) to (iii) of the Act;

(iii) imposing any restriction or taking any measure that the Chief Electoral Officer considers necessary or advisable to protect the health and safety of anyone involved in the election process or to reduce a health risk to the public;

(b) **‘emergency order’** includes:

(i) an emergency declaration ordered pursuant to *The Emergency Planning Act*; or

(ii) an order of the chief medical health officer declaring:

(A) that a public health emergency exists in Saskatchewan; and

(B) that individuals in Saskatchewan must take measures to prevent or reduce the spread of disease, including isolating themselves from other individuals;

(c) **‘an emergency exists’** includes a situation in which:

(i) either:

(A) an emergency order was declared at any time before, during or after an election; or

(B) the Chief Electoral Officer is of the opinion that it is necessary to decrease or eliminate a risk to the public presented by a disease; and

(ii) as a result of the circumstance mentioned in subclause (i), the Chief Electoral Officer considers it necessary or advisable to do all or any of the things mentioned in section 7 of the Act to safely prepare for or conduct an election or complete proceedings after voting”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 56/2020***The Personal Property Security Act, 1993*

## Section 71

Order in Council 219/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

**1** These regulations may be cited as *The Personal Property Security Amendment Regulations, 2020*.

**RRS c P-6.2 Reg 1 amended**

**2** *The Personal Property Security Regulations* are amended in the manner set forth in these regulations.

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

(a) in clause (f) in the portion preceding subclause (i) by striking out “where” and substituting “if”;

(b) in clause (h):

(i) in the portion preceding subclause (i) by striking out “where” and substituting “if”; and

(ii) by adding the following subclause after subclause (v.1):

“(v.2) respecting an order of exclusive possession pursuant to *The Family Property Act*, the spouse that is not given the order of exclusive possession”;

(c) in clause (k) by striking out “where” and substituting “if”;

(d) in clause (l) by striking out “where” and substituting “if”;

(e) in clause (r) by striking out “where” and substituting “if”;

(f) by adding the following subclause after subclause (r.1)(xii):

“(xiii) an order of exclusive possession with respect to household goods pursuant to subsection 9(3) of *The Family Property Act*”; and

(g) in clause (t):

(i) in the portion preceding subclause (i) by striking out “where” and substituting “if”; and

(ii) by adding the following subclause after subclause (vi):

“(vii) authorized pursuant to *The Family Property Act*, the spouse that is given the order of exclusive possession”.

**Section 3 amended**

**4(1)** Clause 3(1)(b) is amended by striking out “where” and substituting “if”.

**(2)** Subsection 3(2) is amended by striking out “Where” and substituting “If”.

**(3)** Subsection 3(5) is amended by striking out “where” and substituting “if”.



**Section 3.1 amended**

**5** Clause 3.1(3)(c) is amended by striking out “advisable” and substituting “necessary”.

**Section 4 amended**

**6(1)** Subsection 4(1) is amended by striking out “*The Sale of Goods Act* or *The Factors Act*” and substituting “*The Sale of Goods Act, The Factors Act* or *The Family Property Act*”.

**(2)** Subsection 4(9) is amended:

**(a)** by striking out “When” and substituting “If”; and

**(b)** by striking out “*The Sale of Goods Act* or *The Factors Act*” and substituting “*The Sale of Goods Act, The Factors Act* or *The Family Property Act*”.

**Section 10 amended**

**7** Subsection 10(4) is amended in the portion preceding clause (a) by striking out “Where” and substituting “If”.

**Section 11 amended**

**8(1)** Subsection 11(1) is amended by striking out “Where” and substituting “If”.

**(2)** Subsection 11(2) is amended in the portion preceding clause (a) by striking out “where:” and substituting “if:”.

**(3)** Subsection 11(4) is amended in the portion preceding clause (a) by striking out “Where” and substituting “If”.

**(4)** Subsection 11(6) is amended by striking out “Where” and substituting “If”.

**(5)** Subsection 11(7) is amended by striking out “Where” and substituting “If”.

**(6)** Subsection 11(10) is amended by striking out “Where” and substituting “If”.

**Section 12 amended**

**9(1)** Subsection 12(1) is repealed and the following substituted:

“(1) If a registration respecting a security interest in goods that are serial numbered goods is to be effected, the goods may be described in accordance with section 13 or 14”.

**(2)** Subsection 12(2) is amended by striking out “Where” and substituting “If”.

**Section 13 amended**

**10** Subsection 13(2) is amended:

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

“(ii) not referred to in subclause (i) is the serial number marked on or attached to the boat by the manufacturer”; and

**(b)** in clause (g) by striking out “where” and substituting “if”.

**Section 14 amended****11(1) Subsection 14(1) is repealed and the following substituted:**

“(1) Collateral that is not a serial numbered good, and collateral that is a serial numbered good but not described in accordance with section 13, is to be described in accordance with subsections (2) and (3)”.

**(2) Subsection 14(2) is amended:**

**(a) in clause (a) by striking out “‘security’” and substituting “‘investment property’”; and**

**(b) in clause (c) by striking out “‘security’” and substituting “‘investment property’”.**

**New section 15****12 Section 15 is repealed and the following substituted:****“Description of proceeds**

**15** If collateral is proceeds that are described pursuant to clause 28(2)(a) or subsection 28(3) of the Act:

- (a) if the proceeds are serial numbered goods, the goods may be described:
  - (i) pursuant to section 13; or
  - (ii) pursuant to section 14, but the description is to be preceded by the word ‘proceeds’; or
- (b) if the proceeds are collateral other than serial numbered goods, the collateral is to be described pursuant to clause 14(2)(a) and subsection 14(3), but the description is to be preceded by the word ‘proceeds’ ”.

**New section 18****13 Section 18 is repealed and the following substituted:****“Registrations pursuant to certain Acts**

**18** If a registration authorized pursuant to *The Sale of Goods Act*, *The Factors Act*, *The Family Property Act*, *The Commercial Liens Act* or Part V.1 of *The Summary Offences Procedure Act, 1990* is to be effected:

- (a) goods that are serial numbered goods are to be described pursuant to section 13;
- (b) goods other than serial numbered goods are to be described by item or kind; and
- (c) household goods as defined in *The Family Property Act* are to be described as ‘household goods’ ”.

**Section 19 amended****14 Section 19 is amended by striking out “Where” and substituting “If”.****Section 20 amended**

**15(1) Subsection 20(1) is amended by striking out “When” and substituting “If”.**

**(2) Subsection 20(2) is amended by striking out “When” and substituting “If”.**

**Section 20.1 amended**

**16(1) Subsection 20.1(1) is amended by striking out “When” and substituting “If”.**

**(2) Subsection 20.1(2) is amended by striking out “When” and substituting “If”.**

**(3) Subsection 20.1(3) is repealed and the following substituted:**

“(3) If a registration is totally discharged by the registrar, the registrar may send to the registrant and to all the secured parties named in the registration, by any method determined by the registrar, a notice of the total discharge”.

**Section 20.3 amended**

**17 Section 20.3 is amended by striking out “When” and substituting “If”.**

**Section 24 amended**

**18 Subsection 24(1) is amended in the portion preceding clause (a) by striking out “Where” and substituting “If”.**

**Section 31 amended**

**19 Clause 31(b) is amended by striking out “where” and substituting “if”.**

**Section 32 amended**

**20 Clause 32(b) is amended by striking out “where” and substituting “if”.**

**Section 38 amended**

**21 Clause 38(4)(f) is amended by adding “, if applicable” after “assigned”.**

**Section 42 amended**

**22 Subsection 42(2) is amended in the portion preceding clause (a) by striking out “When” and substituting “If”.**

**Section 43 amended**

**23 Section 43 is amended in the portion preceding clause (a) by striking out “When” and substituting “If”.**

**Coming into force**

**24(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Personal Property Security Amendment Act, 2019* comes into force.

**(2)** If section 1 of *The Personal Property Security Amendment Act, 2019* 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 57/2020***The Real Estate Act*

## Section 83

Order in Council 220/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

**1** These regulations may be cited as *The Real Estate (Miscellaneous) Amendment Regulations, 2020*.

**RRS c R-1.3 Reg 1 amended**

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

**New heading and new section 15.1**

**3 The following heading and section are added after section 15:**

**“TRADING PRACTICES****“Witness not required**

**15.1** The requirement to be signed or executed in the presence of a witness does not apply to the following, if executed in accordance with the bylaws respecting electronic signatures:

- (a) an agency agreement pursuant to subsection 57(1) of the Act;
- (b) an offer to purchase obtained by a registrant pursuant to clause 58(1)(a) of the Act;
- (c) an acceptance of an offer pursuant to clause 58(3)(a) of the Act”.

**New heading and new sections 19.1 and 19.2**

**4 The following heading and sections are added after section 19:**

**“DISCIPLINARY POWERS****“Restitution**

**19.1(1)** An order for restitution pursuant to clause 38(1)(e) of the Act may only be made if, in the opinion of the Commission, the value of the loss suffered by a person as a result of the registrant’s professional incompetence or professional misconduct can be calculated without expert evidence.

(2) Subject to subsection (3), an order for restitution pursuant to clause 38(1)(e) of the Act must not exceed \$30,000.

(3) If an order for restitution pursuant to clause 38(1)(e) of the Act is made to replace a buyer’s deposit, the order must not exceed the amount of the buyer’s deposit.

**“Special penalties**

**19.2(1)** The Commission may assess a special penalty pursuant to section 89.1 of the Act for contraventions of the following provisions of the Act or these regulations in the amounts set out below:

Provision	First contravention (\$)	Subsequent contravention within 10 years (\$)
33(1) of the Act	1,500	3,000
33(2) of the Act	1,500	3,000
33(3) of the Act	1,500	3,000
54(2) of the Act	1,500	3,000
57 of the Act	1,500	3,000
58 of the Act	1,500	3,000
71(1)(a) of the Act	1,500	3,000
8(4) of the Regulations	1,500	3,000
18.1(2) of the Regulations	1,500	3,000

(2) If more than 1 contravention has occurred within a 10-year period, the Commission may assess a special a penalty for each subsequent contravention”.

**Section 29 amended****5 The following subsection is added after subsection 29(3):**

“(4) Notwithstanding subsections 53(2) and 61(1) of the Act, a registrant may trade in real estate other than for or on behalf of the brokerage with which that registrant is registered if:

- (a) the registrant:
  - (i) is an owner of the real estate;
  - (ii) has an interest in the real estate; or
  - (iii) is submitting an offer for an interest in the real estate;
- (b) the trade in real estate is done through a brokerage;
- (c) the registrant does not accept a commission for the trade in real estate; and
- (d) the brokerage does not act on behalf of another party to the trade in real estate”.

**Coming into force**

**6(1)** Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Real Estate Amendment Act, 2019* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Real Estate Amendment Act, 2019* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 58/2020***The Co-operatives Act, 1996*

Section 285

Order in Council 221/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

1 These regulations may be cited as *The Co-operatives Amendment Regulations, 2020*.

**RRS c C-37.3 Reg 1, new section 18.1**

2 *The Co-operatives Regulations, 1998* are amended by adding the following section after section 18:

**“Definition re annual meetings**

18.1 For the purposes of section 103 of the Act, ‘**hold an annual general meeting**’, unless prohibited by the bylaws or articles of a co-operative, includes holding an annual general meeting by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting”.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 59/2020***The Non-profit Corporations Act, 1995*

Section 283

Order in Council 222/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

1 These regulations may be cited as *The Non-profit Corporations Amendment Regulations, 2020*.

**RRS c N-4.2 Reg 1, new section 13.01**

2 *The Non-profit Corporations Regulations, 1997* are amended by adding the following section after section 13:

**“Definition re place of meetings**

13.01 For the purposes of section 122 of the Act, ‘**held at the place**’, unless prohibited by the articles or bylaws of a corporation, includes holding a meeting of members of the corporation by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting”.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 60/2020***The Condominium Property Act, 1993*

Section 112

Order in Council 223/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

1 These regulations may be cited as *The Condominium Property Amendment Regulations, 2020*.

**RRS c C-26.1 Reg 2, new section 62.01**

2 *The Condominium Property Regulations, 2001* are amended by adding the following section after section 62:

**“Interpretation re section 40 of the Act**

**62.01** For the purposes of section 40 of the Act, ‘**convene an annual general meeting**’, unless prohibited by the bylaws of a corporation, includes convening an annual general meeting of the owners by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting”.

**Coming into force**

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

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**SASKATCHEWAN REGULATIONS 61/2020***The New Generation Co-operatives Act*

Section 350

Order in Council 224/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

1 These regulations may be cited as *The New Generation Co-operatives Amendment Regulations, 2020*.

**RRS c N-4.001 Reg 1, new section 12.1**

2 *The New Generation Co-operatives Regulations* are amended by adding the following section after section 12:

**“Definition re annual meetings**

**12.1** For the purposes of section 192 of the Act, ‘**hold an annual general meeting**’, unless prohibited by the bylaws or articles of a co-operative, includes holding an annual general meeting by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 62/2020***The Saskatchewan Employment Act*

Section 2-99

Order in Council 225/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

1 These regulations may be cited as *The Employment Standards (Public Emergencies) Amendment Regulations, 2020 (No. 2)*.

**RRS c S-15.1 Reg 5, new Part IX.1**

2 **Part IX.1 of *The Employment Standards Regulations* is repealed and the following substituted:**

**“PART IX.1  
Public Emergencies**

**“Definition for Part**

**44.2** In this Part, ‘**public emergency period**’ means the period during which an order of the chief medical health officer issued pursuant to subsection 2-59.1(2) of the Act, or an emergency declaration ordered pursuant to *The Emergency Planning Act*, is in force.

**“Certain provisions do not apply during public emergency period**

**44.3(1)** During a public emergency period, employers and employees are exempt from the provisions of, and employees are not entitled to the protections provided by, sections 2-60 and 2-61 of the Act respecting layoffs.

(2) After the date on which the public emergency period is no longer in force, an employer continues to be exempt from the provisions of sections 2-60 and 2-61 of the Act respecting layoffs for a further period of two weeks.

(3) After the expiry of the two-week period mentioned in subsection (2):

- (a) the employer must schedule any laid off employees to work with the employer;
- (b) if any employees have not been scheduled to work with the employer, the employees:
  - (i) are deemed to be terminated; and
  - (ii) are entitled to pay instead of notice in accordance with sections 2-60 and 2-61 of the Act to be calculated from the original date on which the employer laid off the employees; and
- (c) if any employees have been scheduled to work with the employer but do not return to work, the employees are deemed to have resigned.



**“Group termination notices during public emergency period**

**44.4** During a public emergency period, in the circumstances mentioned in section 2-62 of the Act employers:

- (a) are exempt from providing the required notice to the employees whose employment will be terminated and to the union that is the bargaining agent of any employees whose employment will be terminated; but
- (b) must provide the required notice to the minister as soon as reasonably possible after the termination.

**“Matters re public emergency leave**

**44.5** For the purposes of section 2-59.1 of the Act:

- (a) that section is deemed to apply to an employee who is required to provide care and support to the employee’s adult family member who is affected by a direction or order of the Government of Saskatchewan or an order of the chief medical health officer;
- (b) the opinion of a duly qualified medical practitioner, the Government of Saskatchewan or the chief medical health officer prevails if there is a conflict of opinion between:
  - (i) the employer of the employee; and
  - (ii) the duly qualified medical practitioner as expressed in an opinion, the Government of Saskatchewan as expressed in an order or direction or the chief medical health officer as expressed in an order; and
- (c) that section does not apply to employees who have been informed, in writing, by their employer that they are necessary to provide critical public health and safety services”.

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 63/2020***The Agri-Food Act, 2004*

Sections 7, 8 and 73

Order in Council 227/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

**1** These regulations may be cited as *The Milk Marketing Plan Amendment Regulations, 2020*.

**RRS c A-15.21 Reg 12 amended**

**2** *The Milk Marketing Plan Regulations* are amended in the manner set forth in these regulations.

**New section 2**

**3 Section 2 is repealed and the following substituted:**

**“Definitions**

**2** In these regulations:

‘**Act**’ means *The Agri-Food Act, 2004*;

‘**board**’ means the Saskatchewan Milk Marketing Board continued pursuant to section 6;

‘**director**’ means a director of the board elected or appointed in accordance with Part V;

‘**licence**’ means a valid licence issued pursuant to Part IV.1;

‘**licensed processor**’ means a processor to whom a licence has been issued and whose licence is in good standing;

‘**licensed producer**’ means a producer to whom a licence has been issued and whose licence is in good standing;

‘**licensed transporter**’ means a transporter to whom a licence has been issued and whose licence is in good standing;

‘**milk**’ means the lacteal secretion, free of colostrum, obtained from the mammary gland of an animal of the bovine species;

‘**milk product**’ means any product manufactured or processed wholly or primarily from milk;

‘**plan**’ means the Saskatchewan Milk Marketing Plan established pursuant to section 3;

‘**processing**’ means changing the nature, quality or condition of milk and includes pasteurizing, standardizing and dehydrating milk;

‘**processor**’ means any person engaged in the business of processing milk;

‘**producer**’ means any person engaged in the production of milk in Saskatchewan;

**‘production location’** means the location where a licensed producer produces milk as set out in the producer’s licence;

**‘quota’** means the amount of milk that a licensed producer is authorized to produce;

**‘transporter’** means a person who transports milk from a producer to a processor”.

**New section 6**

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

**“Board continued**

**6(1)** The Saskatchewan Milk Marketing Board is continued as a marketing board pursuant to the Act.

(2) Unless the number of directors is otherwise set by an order of the board, the board consists of a maximum of 9 directors elected in accordance with Part V.

(3) If less than 9 directors, or less than the number of directors set by an order of the board, are elected in accordance with Part V, the board may appoint as directors the licensed producers eligible to hold office that it considers necessary to fill these positions.

(4) The board shall administer the plan”.

**Section 7 amended**

**5 The following clauses are added after clause 7(1)(gg):**

“(hh) the power to set the number of directors elected to the board and the terms of office of those directors;

“(ii) the power to develop, deliver or develop and deliver traceability, animal welfare and food safety strategies, programs and initiatives”.

**Section 7.1 amended**

**6 Subsection 7.1(2) is repealed and the following substituted:**

“(2) The board shall make and maintain an order establishing rules respecting the purpose for which information respecting processors may be collected by the board and the persons who may access that information”.

**Section 8 amended**

**7 Subsection 8(4) is repealed and the following substituted:**

“(4) The board shall make the annual report available:

- (a) to the council;
- (b) to every licensed producer in attendance at the annual general meeting of licensed producers; and
- (c) on request to:
  - (i) any licensed producer;
  - (ii) any licensed processor; or
  - (iii) any other interested person”.

**New section 11****8 Section 11 is repealed and the following substituted:****“Executive**

**11(1)** At its first meeting in each year after new directors have been elected, the board, from among the directors:

- (a) shall elect a chairperson and a vice-chairperson; and
  - (b) may elect other executive members.
- (2) Members of the executive hold office at the pleasure of the board.
- (3) The chairperson, or in the absence of the chairperson another member of the executive, shall preside over all meetings of the board”.

**New section 13****9 Section 13 is repealed and the following substituted:****“Policies re conflict of interest and code of conduct**

**13** The board shall establish and maintain:

- (a) a conflict of interest policy for the directors; and
- (b) a policy respecting a code of conduct for the directors”.

**Section 19 amended****10(1) Subsection 19(1) is repealed and the following substituted:**

- “(1) An annual general meeting of licensed producers must be held:
- (a) in each year within 6 months after the end of the board’s fiscal year; and
  - (b) at a place and time determined by the board”.

**(2) Subsections 19(1.1) and 19(1.2) are repealed.****(3) Subsection 19(6) is repealed and the following substituted:**

“(6) Unless otherwise set by an order of the board, the quorum at an annual or special general meeting of licensed producers is 25 licensed producers”.

**(4) Subsection 19(9) is repealed and the following substituted:**

“(9) At an annual general meeting or special general meeting, licensed producers may debate and take a vote on any questions or resolutions respecting the purposes of the plan”.

**(5) Subsections 19(10) and (11) are repealed.****New sections 20.1 and 20.2****11 Sections 20.1 and 20.2 are repealed and the following substituted:****“Licence required**

**20.1(1)** No person shall produce milk unless that person:

- (a) is licensed pursuant to section 20.3; and
- (b) is a person to whom a quota has been allotted pursuant to Part IV.2.

(2) No person shall process milk unless that person is licensed pursuant to section 20.4.

(3) No person shall transport milk unless that person is licensed pursuant to section 20.4.

**“Application for licence or renewal of licence**

**20.2(1)** A person may apply to the board to be issued a licence to produce, process or transport milk.

(2) Every applicant for a licence or a renewal of a licence shall:

- (a) apply to the board in the form provided by the board;
- (b) provide the board with any information or material that the board may reasonably require; and
- (c) submit to the board any fees required pursuant to a board order.

(3) A producer shall obtain a separate licence for each production location that is owned or operated by that producer.

(4) A processor shall obtain a separate licence for each processing location that is owned or operated by that processor in Saskatchewan”.

**New section 20.51**

**12 Section 20.51 is repealed and the following substituted:**

**“New entrants**

**20.51** The board shall establish and maintain a policy that will assist persons who are qualified to become licensed producers but who are not licensed producers to apply for licences to produce milk”.

**New section 21**

**13 Section 21 is repealed and the following substituted:**

**“Eligibility**

**21(1)** Every licensed producer is eligible to hold office as a director of the board.

(2) If a licensed producer is a corporation, partnership or other organization, it must appoint an individual who is a director, partner, shareholder, member, officer or employee as its representative.

(3) The appointment of a representative pursuant to subsection (2) must be:

- (a) in writing; and
- (b) filed with the board in a form and manner acceptable to the board.

(4) A corporation, partnership or other organization is entitled to vote or hold office only through a representative appointed pursuant to subsections (2) and (3).

(5) Except as provided in subsection (4), voting by proxy is prohibited.

(6) Every licensed producer is entitled to one vote”.

**Section 22 repealed**

**14 Section 22 is repealed.**

**Section 23 amended****15(1) Clause 23(2)(b) is repealed and the following substituted:**

“(b) at least 21 days before the last date for receipt of nominations, notify licensed producers that nominations are being accepted for the board and of the last date for receipt of nominations”.

**(2) Subsection 23(3) is repealed and the following substituted:**

“(3) Every nomination:

- (a) must be made in writing in the form required by the board;
- (b) must be signed by:
  - (i) 2 licensed producers;
  - (ii) 2 representatives of licensed producers appointed pursuant to subsection 21(2); or
  - (iii) any combination of the persons mentioned in subclauses (i) and (ii) totalling 2 persons;
- (c) at the option of the nominee, may include a candidate profile; and
- (d) must be delivered to the returning officer on or before the date fixed pursuant to clause (2)(a) as the last date for receipt of nominations.

“(4) Any information provided pursuant to subsection (3) must be considered confidential and must not be disclosed to any person until after the date fixed pursuant to clause (2)(a).

“(5) After the date fixed pursuant to clause (2)(a), the returning officer shall forward copies of all nominations to the board”.

**New sections 24 and 25****16 Sections 24 and 25 are repealed and the following substituted:****“Returning officer and scrutineers**

**24(1)** Subject to subsection (2), the board shall appoint a returning officer and a scrutineer to conduct an election pursuant to section 25.

(2) Producers, transporters, processors and officers and employees of the board are not eligible to be appointed pursuant to subsection (1).

(3) The returning officer appointed pursuant to subsection (1) is responsible for all administrative procedures relating to conducting an election.

(4) The scrutineer appointed pursuant to subsection (1) is responsible for scrutinizing all actions related to conducting an election.

(5) Any licensed producer nominated pursuant to section 23 may provide a scrutineer to scrutinize the ballot verification and vote count that follow the close of an election.

(6) Officers and employees of the board are not eligible to act pursuant to subsection (5) as scrutineers.

**“Conduct of elections**

**25(1)** If not more than the required number of candidates are nominated pursuant to section 23, the candidates nominated are deemed to be elected by acclamation.

(2) If more than the required number of candidates are nominated pursuant to section 23, the board shall:

- (a) fix a date for the completion of the election;
- (b) at least 15 business days before the date fixed pursuant to clause (a), provide to every licensed producer:
  - (i) a numbered ballot;
  - (ii) the candidate profiles, if any, submitted pursuant to clause 23(3)(c); and
  - (iii) a notice that states the date and time by which and place to which the ballot is to be returned; and
- (c) if the board provides ballots pursuant to subclause (b)(i) in paper form, provide an envelope with the ballot.

(3) Every licensed producer who wishes to vote in an election shall:

- (a) complete the ballot provided by the board; and
- (b) return the ballot to the returning officer in the manner stated in the notice sent pursuant to subclause (2)(b)(iii) by the date and time fixed for it to be returned.

(4) If a tie does not occur between candidates, the returning officer shall prepare and submit a written report to the chairperson that declares those candidates receiving the greatest number of votes, up to the number of director positions to be filled, to be directors.

(5) The ballot of a licensed producer is not valid if the voter failed to comply with the voting instructions provided, including if:

- (a) the licensed producer votes for more than the specified number of candidates;
- (b) it is defaced;
- (c) it is marked in any way other than to vote for candidates; or
- (d) it is not the original ballot provided by the board.

(6) If the number of candidates nominated pursuant to section 23 is greater than the number of director positions to be filled, the board shall not, during the period from the date fixed pursuant to clause 23(2)(a) to the date fixed pursuant to clause (2)(a), engage in any activity that is intended to promote or oppose, or that may be reasonably considered intended to promote or oppose, the election or re-election of any candidate”.

**Section 27 amended****17(1) Subsection 27(1) is repealed and the following substituted:**

“(1) The chairperson shall read the written report prepared pursuant to subsection 25(4) at the first annual general meeting of licensed producers after the election”.

**(2) The following subsection is added after subsection 27(2):**

“(3) The board shall:

- (a) within 10 business days after receiving the written report of the returning officer prepared pursuant to subsection 25(4), provide to candidates the election results, including total vote counts for all candidates; and
- (b) make the written report of the returning officer available on request to any licensed producer”.

**Section 28 amended**

**18(1) Subsection 28(1) is amended by striking out “Subject to subsections (2), (3) and (6)” and substituting “Subject to subsection (6)”.**

**(2) Subsections 28(2) and (3) are repealed.****(3) Subsection 28(5) is repealed and the following substituted:**

“(5) Unless the term of office is otherwise set by an order of the board, if a director has completed 3 consecutive terms, the director is not eligible for re-election until 1 year has passed since the completion of the director’s third consecutive term”.

**(4) Subsection 28(7) is repealed and the following substituted:**

“(7) If the office of a director becomes vacant, the board may:

- (a) call a by-election;
- (b) leave the position vacant until the next scheduled election; or
- (c) appoint an interim director to serve until the next scheduled election is held and a successor is elected or appointed”.

**(5) Subsection 28(10) is repealed and the following substituted:**

“(10) Subject to subsection (6), a director elected at a by-election held pursuant to subsection (7) holds office commencing with the reading of the written report of the returning officer prepared pursuant to subsection 25(4) and until the director’s successor is elected or appointed at the expiry of the term of the director whose office became vacant”.

**New section 30****19 Section 30 is repealed and the following substituted:****“Retention of election documents**

**30(1) The returning officer shall:**

- (a) retain the ballots in the returning officer’s possession; and
- (b) subject to subsection (2), not destroy any ballot or other record respecting an election of directors until 35 days after the annual general meeting of licensed producers at which the results of the election were declared.



(2) If a licensed producer submits a written objection to the council pursuant to section 31, the period mentioned in clause (1)(b) is extended until the challenge has been determined”.

**Section 31 amended**

**20(1) Subsection 31(1) is repealed and the following substituted:**

“(1) Any licensed producer nominated pursuant to section 23 may submit a written objection to the council to challenge any of the following:

- (a) the results of an election of directors, as provided pursuant to clause 27(3)(a);
- (b) the results of a vote to break a tie, as declared by the returning officer pursuant to subsection 29(4)”.

**(2) Subsection 31(2) is repealed and the following substituted:**

“(2) A written objection submitted pursuant to subsection (1) must:

- (a) set out the grounds for the objection; and
- (b) be received by the council within 30 days after notification provided pursuant to clause 27(3)(a) or the declaration mentioned in subsection 29(4), as the case may be”.

**Section 31.1 amended**

**21(1) Subsection 31.1(2) is repealed.**

**(2) Subsection 31.1(3) is amended by striking out “subsection (1) or (2)” and substituting “subsection (1)”.**

**(3) Subsection 31.1(4) is amended by striking out “and to subsection 19(10)”.**

**(4) Subsection 31.1(5) is repealed and the following substituted:**

“(5) The board may use moneys paid as a promotional levy pursuant to subsection (4) for any or all of the following:

- (a) production and market research respecting milk and milk products;
- (b) promotional activities respecting milk and milk products;
- (c) market development activities;
- (d) administrative and salary costs associated with the activities mentioned in clauses (a) to (c)”.

**Sections 32 and 32.1 repealed**

**22 Sections 32 and 32.1 are repealed.**

**Coming into force**

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

**SASKATCHEWAN REGULATIONS 64/2020***The Saskatchewan Crop Insurance Corporation Act*

## Section 34

Order in Council 228/2020, dated May 13, 2020

(Filed May 14, 2020)

**Title**

**1** These regulations may be cited as *The Saskatchewan Crop Insurance Corporation (Public Emergencies) Amendment Regulations, 2020*.

**RRS c S-12.1 Reg 1 amended**

**2** *The Saskatchewan Crop Insurance Corporation Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

**3 The following clause is added after clause 2(j):**

“(j.1) ‘**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”.

**New section 14.1**

**4 The following section is added after section 14:**

**“Exemptions re public emergency period**

**14.1(1)** During a public emergency period, the minister may, if the minister considers it to be in the public interest, by order:

- (a) exempt any person or category of persons from complying with all or any provision of the Act or these regulations or the terms and conditions of the contract of crop insurance set out in Form A of the Appendix; and
- (b) set out provisions to replace any provisions for which an exemption has been ordered pursuant to clause (a).

(2) Without limiting the generality of subsection (1), an order issued pursuant to that subsection may extend the time allowed for all or any of the following:

- (a) the making of an application;
- (b) the filing of any report;
- (c) the giving of any notice;
- (d) the selection of crops to be insured;
- (e) the making of any election;
- (f) the payment of any premium.

(3) An order made pursuant to this section remains in force only during the public emergency period, but, if the minister considers it necessary, the minister may, by order, extend the application of the order for a further period not exceeding 30 days after the date on which the public emergency period ends.

(4) If an order is made pursuant to this section, the minister shall cause the order:

(a) to be published in the Gazette as soon as is reasonably practicable after the order is made; and

(b) to be made public in any other manner the minister considers necessary, including publishing it on the corporation's website."

**Coming into force**

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

