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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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and

The Economic and Co-operative Development Act

Section 8

Order in Council 128/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Tourism Sector Support Program Regulations (No. 2)*.

Definitions and interpretation

2(1) In these regulations:

“accommodation sector businesses” means:

- (a) businesses that provide accommodation or bed and breakfast services;
- (b) businesses that operate a full service hotel or a motel;
- (c) outfitter businesses;
- (d) seasonal resort businesses, including those operating in any park in Saskatchewan;
- (e) businesses that operate a campground or RV park; or
- (f) any other businesses that satisfy the minister that they provide accommodation services in the tourism sector;

but does not include:

- (g) businesses or operations that the minister is satisfied are leveraging their personal assets to earn revenue by sharing or granting access to but not ownership of their assets;
- (h) oil and gas mining camps;
- (i) home or condo rental businesses;
- (j) campgrounds or RV parks owned and operated by municipal, provincial or federal government entities;
- (k) hostels;
- (l) hospices; or
- (m) businesses or operations owned or controlled by Government of Saskatchewan entities;

“applicant” means a tourism business that applies for financial assistance pursuant to these regulations;

“attraction or tour sector businesses” means businesses:

- (a) that are travel agents;
- (b) that provide bus tours, guided tours or houseboat rentals; or
- (c) that provide attractions that the minister is satisfied:
 - (i) are attractions that fall within the purpose for which the program was established;
 - (ii) normally bring visitors from outside the community in which the attraction is located and for which at least 20% of the visitors normally come from a distance of at least 40 kilometres; and
 - (iii) could not or may not occur during the eligibility period due to public gathering restrictions, or may occur in a manner that considers public health precautions and incurs expenses associated with compliance;

but does not include halls, retail businesses or restaurants;

“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
- (c) any co-operative incorporated, continued or registered pursuant to *The Co-operatives Act, 1996*;

“eligibility period” means the period commencing on October 1, 2020 and ending on September 30, 2021;

“eligible tourism business” means a tourism business that meets the criteria set out in subsection 4(2) or (3);

“emergency declaration” means the emergency declaration made on March 18, 2020, pursuant to *The Emergency Planning Act* and renewed from time to time;

“employee” means a person who was employed full-time or part-time by an eligible tourism business or who the minister is satisfied worked at the eligible tourism business based on information provided by the owner or operator of the eligible tourism business;

“event sector business” means a business, including without limitation a member of the Saskatchewan Association of Agricultural Societies and Exhibitions, that meets the following criteria:

- (a) it has hosted a live or in-person tourism or business event for more than one year in Saskatchewan;

- (b) the event mentioned in clause (a):
- (i) attracts attendees from outside the community in which the event is located and for which at least 20% of the visitors normally come from a distance of at least 40 kilometres; and
 - (ii) has been or will be cancelled in the eligibility period or will take place with additional public health precautions and expenses due to restrictions on public gatherings;

but does not include:

- (c) charity fund raisers;
- (d) anniversaries, weddings or reunions;
- (e) Canada Day celebrations;
- (f) homecomings;
- (g) seminars or clinics; or
- (h) religious and political gatherings;

“major event sector business facility” means the EA Rawlinson Centre, Evraz Place, TCU Place, Persephone Theatre, Globe Theatre, Affinity Place, Prairieland Park, Ness Creek Festival Site, Innovation Credit Union Plex, Gallagher Centre, Mosaic Place, SaskTel Centre, Dekker Centre for the Performing Arts, Brandt Centre or any similar facility that the minister is satisfied hosts major events;

“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 Tourism Sector Support Program (No. 2) established pursuant to section 3;

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

“public health order” means a public health order made pursuant to section 38 and subsection 45(2) of *The Public Health Act, 1994* and that is related to the emergency declaration;

“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 tourism business derives from all business activities, including from the sale of goods and services;

“seasonal business” means a tourism business that carries on business for at least one full month in a year but not during the full year;

“tourism business” means a business that is:

- (a) an accommodation sector business;
- (b) an attraction or tour sector business;
- (c) an event sector business;
- (d) the owner or operator of a major event sector business facility; or
- (e) a business other than one mentioned in clauses (a) to (d) that satisfies the minister that it is primarily engaged in the tourism sector.

(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 is not incorporated, continued or registered pursuant to *The Co-operatives Act, 1996* 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 tourism business.

Program established

3 The Saskatchewan Tourism Sector Support Program (No. 2) is established to provide financial assistance to eligible tourism businesses that have experienced a loss of sales revenues during the eligibility period due to the economic effects caused by the COVID-19 pandemic.

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) Subject to subsection (3), an application pursuant to subsection (1) must include an attestation satisfactory to the minister of all of the following:

- (a) that the applicant is a tourism business;
- (b) that the applicant maintains a permanent establishment in Saskatchewan and allocates income to the Province of Saskatchewan for the purposes of *The Income Tax Act, 2000*;
- (c) that the applicant was carrying on business in Saskatchewan on October 1, 2020;
- (d) in the case of:
 - (i) a tourism business, including a seasonal business, that is not an event sector business, that the applicant has experienced a loss of annual sales revenue in 2020 of at least 30% when compared to the applicant’s annual sales revenue in 2019;

-
- (ii) an event sector business, that the applicant's planned event has been cancelled or will be curtailed by ongoing public health order requirements during the eligibility period; or
 - (iii) a business mentioned in clause (e) of the definition of "tourism business", that the applicant has experienced or will experience a significant loss of bookings or sales revenues as a result of the COVID-19 pandemic and that the applicant's financial situation is one that falls within the purpose for which the program was established;
- (e) that the applicant intends to restart or carry on, as the case may be, its business operations after the public emergency period ends;
 - (f) that the applicant does not receive funding from the Government of Saskatchewan to cover its core costs of maintaining the applicant, including costs related to staffing, administrative, accounting, audit and other professional fees, costs related to building maintenance and operations and costs related to equipment, utilities and communications.
- (3) In the case of a tourism business that was not owned or operated by the applicant or carrying on business for a period of at least 6 months before the application was submitted, the applicant must include evidence satisfactory to the minister of all of the following:
- (a) that the applicant is a tourism business;
 - (b) that the applicant maintains a permanent establishment in Saskatchewan and allocates income to the Province of Saskatchewan for the purposes of *The Income Tax Act, 2000*;
 - (c) that the applicant intends to carry on its business operations after the public emergency period ends;
 - (d) that the applicant does not receive funding from the Government of Saskatchewan to cover its core costs of maintaining the applicant, including costs related to staffing, administrative, accounting, audit and other professional fees, costs related to building maintenance and operations and costs related to equipment, utilities and communications;
 - (e) that the applicant has experienced or will experience a significant loss of bookings or sales revenues as a result of the COVID-19 pandemic and that the applicant's financial situation is one that falls within the purpose for which the program was established.
- (4) In addition to any other requirement of this section, if requested by the minister to do so, an applicant must demonstrate to the satisfaction of the minister that the applicant has complied and will comply with the emergency declaration and any public health order.
- (5) Notwithstanding any other provision of these regulations:
- (a) an applicant is not eligible to receive financial assistance in accordance with the program with respect to an event that was cancelled in the period commencing on October 1, 2020 and ending on December 31, 2020 if the applicant received financial assistance with respect to that event pursuant to *The Saskatchewan Tourism Sector Support Program Regulations*; and

- (b) an applicant is eligible to receive financial assistance in accordance with the program with respect to only one event in the circumstances described clause (b) of the definition of “event sector business” during the eligibility period.

Time limit for submitting applications

5(1) Subject to subsection (2), an application must be received by the minister on or before April 30, 2021.

(2) The minister may consider an application received after April 30, 2021 if the minister is satisfied that extenuating circumstances made it unreasonable or impossible for the application to have been received by April 30, 2021.

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 derived in a month from sales revenue in Saskatchewan, as approved by the minister in accordance with section 6.

(2) Subject to subsections (3), (7), (8), (9), (10) and (11), the amount of a financial assistance that the minister may provide to an accommodation sector business or the owner or operator of a major event sector business facility is the greater of:

- (a) 30% of the participant’s average monthly sales revenues for each full month of operation in 2018; and

- (b) 30% of the participant’s average monthly sales revenues for each full month of operation in 2019.

(3) The maximum amount of financial assistance for an accommodation sector business or major event sector business facility is \$50,000.

(4) Subject to subsection (9), the amount of financial assistance that the minister may provide to an attraction or tour sector business is:

- (a) \$7,500 to a participant with 1 to 4 employees;

- (b) \$10,000 to a participant with 5 to 10 employees; or

- (c) \$15,000 to a participant with more than 10 employees.

(5) Subject to subsection (9), the amount of financial assistance that the minister may provide to an event sector business is:

- (a) \$7,500 to a participant whose event typically attracts less than 2,500 attendees;

- (b) \$10,000 to a participant whose event typically attracts 2,500 to 5,000 attendees; or

- (c) \$15,000 to a participant whose event typically attracts more than 5,000 attendees.

(6) Subject to subsections (3) and (9), in the case of a seasonal business that is an accommodation sector business or major event sector facility business, the amount of financial assistance that the minister may provide to the seasonal business is the greater of:

(a) 30% of the participant's average monthly sales revenues for each full month of operation in 2018 based on the full months that the business carried on operations in 2018; and

(b) 30% of the participant's average monthly sales revenues for each full month of operation in 2019 based on the full months that the business carried on operations in 2019.

(7) Subject to subsection (9), the amount of financial assistance that the minister may provide to a tourism business mentioned in subsection 4(3) is an amount determined by the minister:

(a) if the tourism business is an event sector business or attraction or tour sector business, to a maximum amount of \$15,000; or

(b) if the tourism business is an accommodation sector business or major event sector facility business, to the maximum amount set out in subsection (3).

(8) If a participant fits within more than one category of tourism businesses, the participant may apply for financial assistance for only one of those categories, and the minister shall provide financial assistance to the participant under only one of those categories.

(9) The amount of financial assistance that the minister may provide to a participant that is a tourism business mentioned in subsection (2), (4), (5), (6), (7), (10) or (11), as the case may be, must not exceed an amount equivalent to that participant's annual sales revenue in 2019.

(10) In the case of a tourism business mentioned in clause (e) of the definition of "tourism business", the minister may provide financial assistance in an amount determined by the minister:

(a) if the minister considers that the tourism business is similar to one in a category mentioned in this section, using the criteria set out in this section for that category;

(b) if the minister considers that the tourism business is not similar to one in a category mentioned in this section, using the criteria the minister considers appropriate to meet the purposes of these regulations.

(11) The maximum amount of financial assistance to be provided to a tourism business mentioned in subsection (10) is \$15,000 or, if the minister is satisfied that its business is providing accommodation, \$50,000.

More than one location

8 If an applicant operates its tourism business at more than one fixed location:

(a) the applicant may make a separate application for financial assistance with respect to each fixed location; and

(b) the minister may make a payment to the applicant in accordance with these regulations for each fixed location as if each were a separate tourism business.

Audit

9 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

10(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 to comply with these regulations; or
- (d) the participant has been convicted of failing to comply with, or has pleaded guilty to failing to comply with, the emergency declaration or any public health order.

(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

11 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

12(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

13(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.

Provision of records

14(1) If the minister receives a request from any person for a copy of any of the following information respecting the program and considers it appropriate and in the public interest to do so, the minister may, on any terms that the minister considers appropriate, provide that information to that person:

- (a) the number of payments made pursuant to the program;
- (b) the minimum and maximum payments made pursuant to the program;
- (c) the average payment made pursuant to the program.

(2) Information respecting the names of individual applicants is not to be disclosed.

Coming into force

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

SASKATCHEWAN REGULATIONS 21/2021*The Executive Government Administration Act*

Section 17

and

The Economic and Co-operative Development Act

Section 8

Order in Council 120/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Temporary Wage Supplement Program (Provision of Records) Amendment Regulations, 2021*.

RRS c E-13.1 Reg 17, new section 11.1

2 *The Saskatchewan Temporary Wage Supplement Program Regulations are amended by adding the following section after section 11:*

“Provision of records

11.1(1) If the minister receives a request from any person for information pertaining to the program and considers it appropriate and in the public interest to do so, the minister may, on any terms that the minister considers appropriate, provide the following information to that person:

- (a) the number of payments made pursuant to the program;
- (b) the minimum and maximum amount of payments made pursuant to the program;
- (c) the average amount of payments made pursuant to the program.

(2) Information respecting the names of individual applicants is not to be disclosed”.

Coming into force

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

SASKATCHEWAN REGULATIONS 22/2021*The Executive Government Administration Act*

Section 17

and

The Health Administration Act

Section 6

Order in Council, 121/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Self-isolation Support Program (Provision of Records) Amendment Regulations, 2021*.

RRS c E-13.1 Reg 14, new section 10.1

2 *The Self-isolation Support Program Regulations* are amended by adding the following section after section 10:

“Provision of records

10.1(1) If the minister receives a request from any person for information pertaining to the Self-isolation Support Program and considers it appropriate and in the public interest to do so, the minister may, on any terms that the minister considers appropriate, provide the following information to that person:

- (a) the total number of applications that have been approved;
- (b) a summary of the reasons for self-isolation with respect to the approved applications.

(2) Information respecting the names of individual applicants is not to be disclosed”.

Coming into force

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

SASKATCHEWAN REGULATIONS 23/2021*The Traffic Safety Act*

Section 287

Order in Council 122/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Traffic Safety Act Fees Amendment Regulations, 2021*.

RRS c T-18.1 Reg 3, new section 27.2

2 **The following section is added after section 27.1 of *The Traffic Safety Act Fees Regulations*:**

“Fee for class 1 driver training accessed through the administrator

27.2 The fee for the classroom portion of the class 1 driver training program that is required pursuant to subsection 11(9.1) of *The Driver Licensing and Suspension Regulations, 2006* and that is accessed by means of the administrator’s website and completed online is \$650.00”.

Coming into force

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

SASKATCHEWAN REGULATIONS 24/2021*The Education Act, 1995*

Sections 3 and 370

and

The Executive Government Administration Act

Section 17

Order in Council 123/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Education Emergency Pandemic Support Program Amendment Regulations, 2021*.

RRS c E-0.2 Reg 30 amended

2 *The Education Emergency Pandemic Support Program Regulations* are amended in the manner set forth in these regulations.

Section 2 amended

3 **In section 2, the definition of “program payment” is amended by adding “or 9.1” after “section 9”.**

New section 9.1

4 **The following section is added after section 9:**

“Program payment for 2021-2022 school year

9.1(1) If there are moneys remaining in the program after moneys have been allocated pursuant to the program for the 2020-2021 school year, every eligible applicant that was approved for a program payment for the 2020-2021 school year is eligible to receive a program payment for the 2021-2022 school year, for approved eligible expenses, in the amount:

- (a) recommended by the minister; and
- (b) authorized by the Minister of Finance.

(2) The amount of an eligible applicant’s program payment for the 2021-2022 school year is to be calculated based on the eligible applicant’s proportionate share of budgeted operating grants paid by the minister for the 2020-2021 school year.

(3) Unless requested by the minister, no further application is required for an applicant to be eligible to receive a program payment for the 2021-2022 school year”.

Coming into force

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

SASKATCHEWAN REGULATIONS 25/2021*The Pension Benefits Act, 1992*

Section 69

Order in Council 124/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Pension Benefits (Saskatchewan Teachers' Retirement Plan) Amendment Regulations, 2021*.

RRS c P-6.001 Reg 1 amended

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

Section 2 amended

3 Subsection 2(1) is amended:

(a) in clause (i.1) by striking out “section 36.7” and substituting “section 36.7 or 36.991”;

(b) in clause (j.1) by adding “or a plan to which section 36.991 applies, as the case may be” after “plan”; and

(c) in clause (r) by striking out “or subsection 36.98(4)” and substituting “, subsection 36.98(4), clause 36.991(3)(b), (c) or (d), clause 36.991(4)(c), (d) or (e) or subsection 36.991(5)”.

Section 10 amended

4 Subsection 10(2) is amended:

(a) in clause (l) by adding “and” after subclause (iii);

(b) by striking out “and” after clause (l); and

(c) by adding the following clause after clause (m):

“(n) with respect to the plan to which subsection 36.991(3) or (4) applies:

(i) the equity allocation of the plan;

(ii) the PfAD liabilities, if any;

(iii) the PfAD as it relates to the PfAD liabilities, if any; and

(iv) the PfAD as it relates to the normal actuarial cost of the plan”.

Section 13 amended

5 Subsection 13(1) is amended:

(a) in clause (g.2) by striking out “in the case of a limited liability plan” and substituting “in the case of a plan to which subsection 40(5) of the Act applies”; and

(b) in subclause (h)(ii) by striking out “or 36.98(7)” and substituting “, 36.98(7) or 36.991(7)”.

Section 14 amended

6 Clause 14(1)(g.1) is amended by striking out “in the case of a limited liability plan” **and substituting** “in the case of a plan to which subsection 40(5) of the Act applies”.

Section 15 amended

7 Clause 15(1)(g.1) is amended by striking out “in the case of a limited liability plan” **and substituting** “in the case of a plan to which subsection 40(5) of the Act applies”.

Section 16 amended

8 Clause 16(1)(e) is amended by striking out “in the case of a limited liability plan” **and substituting** “in the case of a plan to which subsection 40(5) of the Act applies”.

Section 36 amended

9(1) Subsection 36(1.1) is amended by striking out “or 36.98” **and substituting** “, 36.98 or 36.991”.

(2) Clause 36(2)(b) is amended by striking out “and 36.98” **and substituting** “, 36.98 and 36.991”.

Section 36.98 amended

10 Subsection 36.98(13) is amended by striking out “in accordance with subsection (12)” **and substituting** “in accordance with subsection (10)”.

New section 36.99

11 Section 36.99 is repealed and the following substituted:

“Determination of PfAD

36.99(1) In this section:

- (a) **‘equity allocation’** means the percentage of the assets of the plan that is invested in equities; and
 - (b) **‘equity percentage’** means the equity allocation of the plan, rounded to the nearest 10%, as of the review date.
- (2) This section applies only to limited liability plans and the plan to which section 36.991 applies.
- (3) The PfAD is the percentage shown in Column 2 of Table 2 in Part II of the Appendix that is set out opposite the equity percentage shown in Column 1”.

New section 36.991

12 The following section is added after section 36.99:

“The Saskatchewan Teachers’ Retirement Plan

36.991(1) In this section:

- (a) **‘initial actuarial valuation report’** means the first actuarial valuation report filed respecting the plan that has a review date that is on or after July 1, 2020;
- (b) **‘plan’** means the Saskatchewan Teachers’ Retirement Plan, registered pursuant to the Act as number 0689075.

(2) Until the initial actuarial valuation report is filed, notwithstanding that the plan is not a specified plan within the meaning of clause 36.7(1)(b), subsections (3) to (15) do not apply to the plan and section 36.7 continues to apply to the plan as if the plan were a specified plan within the meaning of clause 36.7(1)(b).

(3) Subject to subsection (5), on the filing of the initial actuarial valuation report, the employer shall pay into the plan:

(a) with respect to current employment, an amount of employer contributions on at least a monthly basis equal to the normal actuarial cost allocated to the employer, as stated in the initial actuarial valuation report;

(b) if the plan has an unfunded liability that was established in an actuarial valuation report and cost certificate with a review date before December 31, 2012, payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability;

(c) if the plan has an unfunded liability that was established in an actuarial valuation report and cost certificate with a review date on or after December 31, 2012 but before July 1, 2020, payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 10 years from the review date relating to the establishment of the unfunded liability; and

(d) if the plan has an unfunded liability that was established in the initial actuarial valuation report:

(i) subject to subclause (ii), payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 15 years from the review date of the initial actuarial valuation report; or

(ii) if an amendment to which subsection (14) applies has been filed for the plan, payments consisting of equal payments made at least monthly that are sufficient to amortize:

(A) any portion of the unfunded liability that relates to the amendment mentioned in subsection (14), without including PfAD liabilities, if any, over a period not exceeding 5 years from the review date of the initial actuarial valuation report; and

(B) any remaining portion of the unfunded liability over a period not exceeding 15 years from the review date of the initial actuarial valuation report.

(4) Subject to subsection (5), with respect to an actuarial valuation report or cost certificate that is filed after the filing of the initial actuarial valuation report, the employer shall pay into the plan:

(a) with respect to current employment, an amount of employer contributions on at least a monthly basis equal to the normal actuarial cost allocated to the employer, as stated in the most recent actuarial valuation report or cost certificate filed;

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- (b) with respect to current employment, an amount of employer contributions on at least a monthly basis equal to the product of the PfAD multiplied by the amount in clause (a);
- (c) if the plan has an unfunded liability that was established in an actuarial valuation report and cost certificate with a review date before December 31, 2012, payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability;
- (d) if the plan has an unfunded liability that was established in an actuarial valuation report and cost certificate with a review date on or after December 31, 2012 but before July 1, 2020, payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 10 years from the review date relating to the establishment of the unfunded liability; and
- (e) if the plan has an unfunded liability that was established in the initial actuarial valuation report or an actuarial valuation report or a cost certificate that is filed after the filing of the initial actuarial valuation report:
- (i) subject to subclause (ii), payments consisting of equal payments made at least monthly that are sufficient to amortize the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability; or
 - (ii) if the plan has filed an amendment to which subsection (14) applies, payments consisting of equal payments made at least monthly that are sufficient to amortize:
 - (A) any portion of the unfunded liability that relates to the amendment mentioned in subsection (14) over a period not exceeding 5 years from the review date relating to the establishment of that unfunded liability; and
 - (B) any remaining portion of the unfunded liability over a period not exceeding 15 years from the review date relating to the establishment of the unfunded liability.
- (5) Instead of the special payments mentioned in clauses (3)(b), (c) and (d) or clauses (4)(c), (d) and (e), the employer may elect to make at least monthly payments expressed in such a manner that:
- (a) each payment is a constant percentage of the future payroll of the members projected as of the date of the original establishment of the unfunded liability; and
 - (b) the actuarial present value of all of the payments over the period selected for the purposes of clauses (3)(b), (c) and (d) or clauses (4)(c), (d) and (e) is equal to that unfunded liability.
- (6) Each unfunded liability must be funded separately and not combined with any other unfunded liability.

(7) If an actuarial valuation report with a review date of July 1, 2020 or later is filed, or if a cost certificate with respect to an actuarial valuation report with a review date of July 1, 2020 or later is filed:

- (a) clauses 36(3)(c) and 36.2(4)(d) do not apply to the plan;
- (b) any solvency deficiency established in that actuarial valuation report or cost certificate or in any previous actuarial valuation report or cost certificate does not need to be amortized; and
- (c) any special payments that would have been required to be paid pursuant to clause 36(3)(c) are not required to be paid.

(8) Notwithstanding subsection (7), if an actuarial valuation report with a review date of July 1, 2020 or later is filed, or if a cost certificate with respect to an actuarial valuation report with a review date of July 1, 2020 or later is filed, the administrator shall ensure that:

- (a) any solvency deficiency and the solvency ratio of the plan continue to be determined and reported in an actuarial valuation report or cost certificate prepared in accordance with clauses 10(2)(d) and (e); and
- (b) the plan continues to comply with the other provisions of the Act and these regulations.

(9) Notwithstanding clause 10(2)(d), if an actuarial valuation report or a cost certificate mentioned in subsection (8) is filed, the plan is not required to provide a schedule of the special payments that would have otherwise been required to amortize that deficiency if not for this section.

(10) If an actuarial valuation report with a review date of July 1, 2020 or later is filed, or if a cost certificate with respect to an actuarial valuation report with a review date of July 1, 2020 or later is filed, and if the actuarial valuation report or cost certificate reveals that the plan has surplus assets:

- (a) the surplus assets must be used to reduce the outstanding balance of any unfunded liability, with the oldest established unfunded liabilities being amortized or reduced before later ones; and
- (b) further special payments may be reduced on a prorated basis over the remainder of the applicable period mentioned in subsection (3) or (4).

(11) The rate of amortization of an unfunded liability established pursuant to clause (3)(b), (c) or (d) or clause (4)(c), (d) or (e) may be increased at any time by:

- (a) increasing the amount of special payments;
- (b) making special payments in advance; or
- (c) making additional payments of any kind.

(12) If, with respect to a fiscal year, the rate of amortization mentioned in subsection (11) is increased in accordance with that subsection or if any surplus assets are used to reduce or amortize an unfunded liability in accordance with subsection (10), the amount of special payments for a subsequent fiscal year may be reduced to take into account the reduction in the amortization of the unfunded liability.

(13) Notwithstanding subsection (3) or (4) or subsection 8(3), if a plan is reviewed or the latest review is revised pursuant to subsection 8(3), the amortization period mentioned in clause (3)(b), (c) or (d) or clause (4)(c), (d) or (e) must be treated as beginning on the date on which the amendment is made.

(14) The administrator shall not file an amendment to the plan that improves the amount of pension being paid pursuant to the plan unless the going concern valuation reported in the actuarial valuation report or cost certificate most recently filed respecting the plan includes PfAD liabilities.

(15) The plan must be administered in accordance with the Act, these regulations and the plan documents, as amended from time to time, that are mentioned in section 16 of the Act”.

Part II of Appendix amended

13(1) Table 1 in Part II of the Appendix is amended by repealing item 11 – Saskatchewan Teachers’ Retirement Plan.

(2) The heading for Table 2 in Part II of the Appendix is amended by striking out “ – Limited Liability Plans”.

Coming into force

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

SASKATCHEWAN REGULATIONS 26/2021*The Freedom of Information and Protection of Privacy Act*

Section 69

Order in Council 125/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Freedom of Information and Protection of Privacy Amendment Regulations, 2021*.

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 12 amended**3 Section 12 is amended:**

(a) in the portion preceding clause (a) by striking out “clauses 23(3)(l) and (m)” and substituting “clauses 23(3)(m) and (n)”; and

(b) by adding the following clauses after clause (s):

“(t) section 12.1 of *The Saskatchewan Small Business Emergency Payment Regulations*;

“(u) section 14 of *The Saskatchewan Small Business Emergency Payment Regulations, 2020 (No. 2)*;

“(v) section 11.1 of *The Saskatchewan Temporary Wage Supplement Program Regulations*;

“(w) section 13 of *The Saskatchewan Temporary Wage Supplement (Seniors Care Workers) Program Regulations*;

“(x) section 13.1 of *The Saskatchewan Tourism Sector Support Program Regulations*;

“(y) section 14 of *The Saskatchewan Tourism Sector Support Program Regulations (No. 2)*;

“(z) section 10.1 of *The Self-isolation Support Program Regulations*;

“(aa) section 14 of *The Strong Recovery Adaptation Rebate Regulations*”.

Section 14 amended**4 The following clause is added after clause 14(x):**

“(y) investigators of the Internal Audit Unit of the Workers’ Compensation Board with respect to the conduct of investigations pursuant to their appointment as special constables pursuant to section 76 of *The Police Act, 1990*”.

Appendix amended**5 Part I of the Appendix is amended by striking out “Water Appeal Board”.****Coming into force**

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

SASKATCHEWAN REGULATIONS 27/2021*The Executive Government Administration Act*

Section 17

and

The Economic and Co-operative Development Act

Section 8

Order in Council 126/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Small Business Emergency Payment (Provision of Records) Amendment Regulations, 2021*.

RRS c E-13.1 Reg 16, new section 12.1

2 *The Saskatchewan Small Business Emergency Payment Regulations are amended by adding the following section after section 12:*

“Provision of records

12.1(1) If the minister receives a request from any person for information pertaining to the program and considers it appropriate and in the public interest to do so, the minister may, on any terms that the minister considers appropriate, provide the following information to that person:

- (a) the number of payments made pursuant to the program;
- (b) the minimum and maximum amount of payments made pursuant to the program;
- (c) the average amount of payments made pursuant to the program.

(2) Information respecting the names of individual applicants is not to be disclosed”.

Coming into force

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

SASKATCHEWAN REGULATIONS 28/2021*The Executive Government Administration Act*

Section 17

and

The Economic and Co-operative Development Act

Section 8

Order in Council 127/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Tourism Sector Support Program (Provision of Records) Amendment Regulations, 2021*.

RRS c E-13.1 Reg 18, new section 13.1

2 *The Saskatchewan Tourism Sector Support Program Regulations* are amended by adding the following section after section 13:

“Provision of records

13.1(1) If the minister receives a request from any person for information pertaining to the program and considers it appropriate and in the public interest to do so, the minister may, on any terms that the minister considers appropriate, provide the following information to that person:

- (a) the number of payments made pursuant to the program;
- (b) the minimum and maximum amount of payments made pursuant to the program;
- (c) the average amount of payments made pursuant to the program.

(2) Information respecting the names of individual applicants is not to be disclosed”.

Coming into force

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

SASKATCHEWAN REGULATIONS 29/2021*The Saskatchewan Crop Insurance Corporation Act*

Section 34

Order in Council 129/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Crop Insurance Corporation Amendment Regulations, 2021*.

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 20 amended

3(1) The following clause is added after clause 20(1)(b):

“(c) **‘tame hay’** means acres of any of the following crops if grown for harvested fodder production:

- (i) alfalfa;
- (ii) dehydrated alfalfa;
- (iii) alfalfa-grass mixtures;
- (iv) perennial grasses; and
- (v) sweet clover”.

(2) Subsection 20(2) is repealed and the following substituted:

“(2) An applicant may elect to participate in the forage rainfall insurance program with respect to acres of tame hay, native forage or grazed tame forage that are within an area covered by the program, as determined by the corporation”.

(3) The following subsections are added after subsection 20(4):

“(4.1) Acres that are insured pursuant to the forage rainfall insurance program are not eligible to be insured pursuant to any other program pursuant to a contract of crop insurance.

“(4.2) If an applicant elects to participate in the forage rainfall insurance program with respect to acres of tame hay, all of the applicant’s eligible acres of tame hay must be insured under the forage rainfall insurance program”.

(4) Subsection 20(8) is amended in the portion preceding clause (a) by striking out “grazed”.

(5) Subsection 20(18) is amended by striking out “grazed”.

New section 24.1

4 The following section is added after section 24:

“Commercial vegetable program

24.1(1) In this section:

- (a) **‘applicant’** means a person who:
 - (i) qualifies for insurance pursuant to a contract of crop insurance; and
 - (ii) elects to participate in the program pursuant to this section;

- (b) **‘eligible crop’** means a crop that has been designated by the corporation as qualifying for coverage under the program from among the vegetable crops listed in subsection 24(2);
- (c) **‘program’** means the commercial vegetable program administered by the corporation pursuant to this section.
- (2) An applicant may elect to participate in the program with respect to all eligible crops.
- (3) An election pursuant to subsection (2) must be made on or before March 31 in each year.
- (4) If an applicant elects to participate in the program pursuant to subsection (2), the applicant may not also insure the selected eligible crop under the vegetable acreage loss option pursuant to section 24.
- (5) The minimum number of acres to which an applicant may elect to have the program apply is 8 acres.
- (6) An applicant shall:
- (a) indicate the crops seeded by the applicant to which the program applies in a form designated by the corporation; and
 - (b) allow the corporation to have access to the applicant’s farm in order to measure the acres insurable under the program.
- (7) The coverage per acre for the program is the amount calculated in accordance with the following formula:
- $$C = N \times P$$
- where:
- C is the coverage per acre;
 - N is the standard number of plants per acre for the crop as determined by the corporation; and
 - P is the insured price for the crop as determined by the corporation.
- (8) The applicant shall pay a premium, as determined by the corporation, on all acres insured under the program.
- (9) Coverage provided under the program is to be in effect on or after June 21 until the termination date pursuant to subsection (10).
- (10) The termination date for coverage under the program is the earlier of:
- (a) the date of harvest; and
 - (b) the fall cut-off date for coverage for each crop, as determined by the corporation.

(11) The indemnity payable per acre under the program is the amount calculated in accordance with the following formula:

$$I = C \times (PL - D)$$

where:

I is the indemnity payable;

C is the coverage per acre determined pursuant to subsection (7);

PL is the percentage loss for the crop, as determined by the corporation; and

D is the percentage deductible for the crop, as determined by the corporation”.

Appendix, Form A amended

5 Paragraph 1(2)(d)(i)(BB) in Form A of the Appendix is amended:

- (a) in subparagraph (I) by striking out “35%” and substituting “60%”;**
- (b) in subparagraph (II) by striking out “50%” and substituting “30%”;**
- and**
- (c) by repealing subparagraph (III) and substituting the following:**
 - “(III) 10% Sample Account Green maximum 5% green 7 mm”.**

Coming into force

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

SASKATCHEWAN REGULATIONS 30/2021

The Water Power Act

Section 16

Order in Council 130/2021, dated March 11, 2021

(Filed March 11, 2021)

Title

1 These regulations may be cited as *The Water Power Rental Amendment Regulations, 2021*.

RRS c W-6 Reg 4, Appendix amended

2 **The Appendix to *The Water Power Rental Regulations, 2018* is amended by adding the following items after item 4:**

“

5.	April 1, 2021	6.00704
6.	April 1, 2022	6.10015
7.	April 1, 2023	6.19470

”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on April 1, 2021.

(2) If these regulations are filed with the Registrar of Regulations after April 1, 2021, these regulations come into force on the day on which they are filed with the Registrar of Regulations.