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PART II/PARTIE II

REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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CHAPTER E-13.1 REG 15*The Executive Government Administration Act*

Section 17

and

The Human Resources, Labour and Employment Act

Section 4.01

Order in Council 170/2021, dated March 31, 2021

(Filed April 1, 2021)

PART 1

Preliminary Matters**Title**

1 These regulations may be cited as *The Employment Program Regulations, 2021*.

Definitions

2 In these regulations:

“agreement” means an agreement entered into between the minister and an applicant pursuant to section 6;

“applicant” means, a person that applies for financial assistance pursuant to section 4;

“approved project” means a project that has been approved pursuant to these regulations and for which an agreement has been or will be signed;

“employer” means an employer as defined in Part II of *The Saskatchewan Employment Act*;

“employer-related support” means any support that is for the benefit of an employer and:

(a) is based on the skills gap and labour market adjustment needs of the employer; or

(b) is intended to maximize the potential of the employers to prepare for, develop, recruit or retain workers;

and includes labour market research, needs assessments, strategic workforce planning and human resource strategies;

“employment-related support” means any support that:

(a) is for the benefit of a participant;

(b) is based on the needs of the participant; and

(c) is intended to maximize the potential of the participant to prepare for, attain or maintain employment or self-employment;

and includes mentoring, translation services, job coaching and equipment;

“**fiscal year**” means the period commencing April 1 in one year and ending on March 31 of the following year;

“**minister**” means the member of the Executive Council to whom for the time being the administration of these regulations is assigned;

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

“**participant**” means a person who:

- (a) meets the requirements in section 3; and
- (b) takes part in an approved project;

“**personal information**” means personal information as defined in *The Freedom of Information and Protection of Privacy Act*;

“**personal health information**” means personal health information as defined in *The Health Information Protection Act*;

“**project**” means a project, service or activity and includes employer-related supports, employment-related supports and training;

“**record**” includes any information that is recorded or stored in any medium or by means of any device, including a computer or electronic media.

PART 2

Application and Basic Requirements

Eligibility re participants

3 To be a participant in an approved project and be eligible to receive or benefit from financial assistance pursuant to Part 3, a person must:

- (a) be legally entitled to work in Saskatchewan;
- (b) be one of the following:
 - (i) a Canadian Citizen;
 - (ii) a permanent resident as defined in the *Immigration and Refugee Protection Act (Canada)*;
 - (iii) if approved by the minister, a person in Canada under a temporary resident permit issued pursuant to the *Immigration and Refugee Protection Act (Canada)*; and
- (c) meet any other eligibility criteria required by an applicable program established pursuant to section 4.01 of *The Human Resources, Labour and Employment Act*.

Application

4(1) An applicant who wishes to receive financial assistance pursuant to Part 3 shall:

- (a) apply to the minister for financial assistance in a form and manner satisfactory to the minister;

- (b) provide the minister with any information that the minister may reasonably require to:
 - (i) confirm the applicant's eligibility; and
 - (ii) determine whether the applicant's proposed project meets the purposes of Part 3;
 - (c) meet any eligibility criteria required by an applicable program established pursuant to section 4.01 of *The Human Resources, Labour and Employment Act*; and
 - (d) provide evidence satisfactory to the minister that:
 - (i) the applicant is capable of successfully carrying out the project for which financial assistance will be provided; and
 - (ii) it is in the public interest for the minister to approve the applicant's application for financial assistance.
- (2) In addition to the requirements set out in subsection (1), when applying for financial assistance pursuant to Part 3, an applicant shall do any or all of the following if applicable:
- (a) agree to any audit procedures that the minister requires before, during or after the proposed project;
 - (b) agree to comply with all applicable labour legislation, including maintaining coverage pursuant to *The Workers' Compensation Act, 2013*;
 - (c) agree to disclose any funding received or that may be received pursuant to another program of the Government of Saskatchewan, the Government of Canada or any other source with respect to the same project for which financial assistance is being applied for pursuant to these regulations, including a list of costs covered by the financial assistance received or that may be received pursuant to the other program;
 - (d) agree to proceed with the project only after the project is approved;
 - (e) agree to contribute to any fees, expenses and other eligible costs in the manner and amount required by the minister;
 - (f) provide the minister with informed consent from each participant for provision of personal information respecting that participant to the minister;
 - (g) provide the minister with informed consent from each participant for provision of personal health information to the minister for the purposes of clause 8(f) or (k).

Approval

5(1) On receipt of an application pursuant to section 4, the minister may:

- (a) approve the application; or

(b) subject to subsection (2), refuse to approve the application if the minister determines that it is appropriate to do so, including for the following reasons:

(i) the applicant has not met the requirements set out in these regulations;

(ii) the information provided by the applicant to the minister is incomplete, inaccurate or is not provided to the minister within the period specified by the minister;

(iii) the applicant has not provided the minister with any required forms or records related to a previously approved project for which an agreement was signed;

(iv) the applicant has not met any or all obligations to the Government of Saskatchewan pursuant to any Act or regulation.

(2) If the minister refuses to approve an application pursuant to clause (1)(b), the minister shall provide the applicant with written notice of the decision together with reasons.

Agreements

6(1) For the purposes of these regulations, the minister may enter into agreements with applicants.

(2) Following approval of an application pursuant to section 5, the applicant shall enter into an agreement with the minister with respect to the approved project.

(3) Every agreement between the minister and an applicant must:

(a) be in writing;

(b) be signed by the applicant and the minister;

(c) set out the amounts, including any maximum limits, of the financial assistance to be paid to the applicant;

(d) set out in detail the terms and conditions necessary for the payment of the financial assistance;

(e) provide for a payment schedule, that may include advance or interim payments and that sets out the terms and conditions for the advance or interim payments;

(f) provide for an on-site monitoring visit by a representative of the minister during the term of the agreement or a reasonable alternative as determined by the minister;

(g) provide for the applicant to make any audited financial records and statements that may reasonably be required by the minister to be made available to the minister;

(h) set out the details of the approved project to be completed or provided and any other details that may be required by the minister;

(i) set out either or both the results and outcomes that the approved project is intended to achieve and provide for methods satisfactory to the minister of measuring the results and outcomes; and

(j) contain any other terms and conditions that the minister may determine that are consistent with the purpose and intent of these regulations.

PART 3
Training, Supports and Employment Partnerships

Criteria for this Part

7 Subject to the other provisions of these regulations, the minister may provide financial assistance pursuant to this Part for the following purposes:

- (a) to improve or strengthen participants' employability including helping participants prepare for, attain or maintain employment or self-employment;
- (b) to assist employers with the development, recruitment or retention of workers.

Amount of financial assistance and eligible costs

8 The amount of financial assistance that the minister may pay to an applicant with respect to an approved project that is the subject of a written agreement is an amount equal to the amount that the minister considers necessary to cover the following costs:

- (a) any instructor or mentor salaries, including any mandatory employer costs related to employing an instructor or mentor;
- (b) any administrative costs;
- (c) any costs associated with facility and equipment rentals required for the approved project;
- (d) any costs associated with project development;
- (e) any costs respecting learning materials, including costs related to supplies, textbooks, software, equipment or any other required materials;
- (f) any costs associated with acquiring employment-related supports reasonably required by participants;
- (g) any costs associated with acquiring employer-related supports;
- (h) any costs associated with services provided to participants by persons other than those employed or engaged by the applicant;
- (i) any costs for insurance to cover the applicant and participants;
- (j) any costs to subsidize the wage or salary of participants;
- (k) any costs incurred by the participant for dependent care, disability needs, transportation and other special needs;
- (l) any costs associated with travel, meals or accommodations reasonably required in delivering the approved project;
- (m) tuition fees, examination fees, mandatory student fees or fees charged by a training provider;
- (n) any costs associated with the delivery of outcomes mentioned in clause 6(3)(i);
- (o) any other costs similar to those mentioned in clauses (a) to (n) that the minister considers appropriate.

Liability insurance

9 Applicants who receive financial assistance pursuant to this Part must ensure that participants are covered by adequate liability insurance in the event of damage or injury as a result of participating in the approved project.

**PART 4
Administration**

Limits on financial assistance

10 Notwithstanding any other provision of these regulations, if the minister considers it appropriate, the minister may do either or both of the following:

- (a) limit funding in any area, region, sector or respecting any project initiative;
- (b) limit the total amount of financial assistance paid to any applicant or participant.

Payment

11(1) Subject to the other provisions of these regulations and the terms and conditions of the agreement, financial assistance is payable when the minister is satisfied that the applicant has complied with all of the requirements of these regulations and the agreement.

(2) The minister may withhold any payments if the applicant has not complied with the requirements set out in these regulations or the agreement.

Overpayment

12(1) If an applicant contravenes any provision of these regulations or the agreement, the minister may declare that any payments received by the applicant pursuant to these regulations are overpayments.

(2) Any overpayment made to an applicant is a debt due to the Crown and may be recovered in any manner authorized by law.

**PART 5
Repeal, Transitional and Coming into Force**

RRS c G-5.1 Reg 83 repealed

13 *The Employment Program Regulations* are repealed.

Transitional re agreements and applications

14(1) In this section, “**former regulations**” means *The Employment Program Regulations* as they existed on the day before the coming into force of these regulations.

(2) Any agreement entered into pursuant to the former regulations is deemed to be an agreement entered into by the minister pursuant to these regulations and may be dealt with pursuant to these regulations.

(3) Any application for financial assistance made pursuant to the former regulations, but not completed before the coming into force of these regulations, is continued and is to be dealt with pursuant to these regulations as if it were made pursuant to these regulations.

Coming into force

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

SASKATCHEWAN REGULATIONS 34/2021*The Municipal Employees' Pension Act*

Section 57

Order in Council 168/2021, dated March 31, 2021

(Filed April 1, 2021)

Title

1 These regulations may be cited as *The Municipal Employees' Pension (Contribution Rates) Amendment Regulations, 2021*.

RRS c M-26 Reg 1, section 5.1 amended

2 **Subsection 5.1(2) of *The Municipal Employees' Pension Regulations* is amended:**

(a) **in clause (e) by striking out “December 31, 2021” and substituting “December 31, 2023”; and**

(b) **in clause (f) by striking out “January 1, 2022” and substituting “January 1, 2024”.**

Coming into force

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

SASKATCHEWAN REGULATIONS 35/2021*The Saskatchewan Telecommunications Act*

Section 46

Order in Council 169/2021, dated March 31, 2021

(Filed April 1, 2021)

Title

1 These regulations may be cited as *The Sask911 Fees Amendment Regulations, 2021*.

RRS c S-34 Reg 5 amended

2 *The Sask911 Fees Regulations, 2003* are amended in the manner set forth in these regulations.

Section 2 amended

3 **Section 2 is amended by adding the following definitions in alphabetical order:**

“**consumer price index**” means the annual average of the all-items Consumer Price Index for Saskatchewan for a calendar year, as released by Statistics Canada;

“**fee period**” means the period commencing on April 1 of one year and ending on March 31 of the following year”.

New section 3**4 Section 3 is repealed and the following substituted:****“Requirement to pay Sask911 fee**

3(1) In this section, ‘**adjusted Sask911 fee**’ means the Sask911 fee set out in Table 1 of the Appendix with respect to the services specified in Table 1 as adjusted in accordance with subsections (3) to (6).

(2) Each month, every connected customer is required to pay the adjusted Sask911 fee.

(3) For the purposes of this section, the annual change in the consumer price index for a specified year is the value C calculated in accordance with the following formula:

$$C = (\text{CPI}_1 \div \text{CPI}_2) - 1$$

where:

C is the annual change in the consumer price index;

CPI_1 is the consumer price index for the specified year; and

CPI_2 is the consumer price index for the year preceding the specified year.

(4) Subject to subsections (5) and (6), for the purposes of this section, the adjusted Sask911 fee for a fee period is the amount ASF calculated in accordance with the following formula:

$$\text{ASF} = (\text{C} \times \text{SF}) + \text{SF}$$

where:

ASF is the adjusted Sask911 fee for the fee period;

C is amount C calculated pursuant to subsection (3) for the year in which the fee period commenced; and

SF is the adjusted Sask911 fee for the previous fee period.

(5) The adjusted Sask911 fee calculated pursuant to subsection (4) is to be rounded to the nearest cent, and, if the annual change in the consumer price index is less than 0, the annual change is deemed to be 0.

(6) The Lieutenant Governor in Council may, by order, declare that the adjusted Sask911 fee for a fee period is to remain the same as the adjusted Sask911 fee for the previous fee period.

(7) Every telecommunications service provider that provides services in Saskatchewan is required to charge its connected customers the adjusted Sask911 fees payable pursuant to subsection (2).

(8) A telecommunications service provider other than SaskTel must within 30 days after the end of each month for which services are provided to connected customers:

(a) remit to SaskTel Carrier Services Group all adjusted Sask911 fees required to be charged pursuant to subsection (2) for the month whether or not the fees were collected; and

(b) provide to SaskTel Carrier Services Group a statement of the number of the telecommunications service provider’s working lines and telephone numbers for which an adjusted Sask911 fee was payable for the month.

(9) If the minister responsible for the administration of *The Emergency 911 System Act* or any person authorized by that minister so requests, every telecommunications service provider mentioned in subsection (8) shall produce and make available to that minister or any person authorized by that minister, in any form and manner that minister or any person authorized by that minister considers satisfactory, any document, report, record, statement or other information relating to the billing, collection or payment of Sask911 fees or an amount with respect to those fees necessary for the purposes of:

- (a) reviewing or verifying an audit or financial statement or report mentioned in subsection 45.1(9) or (10) of the Act; or
- (b) budgeting, forecasting, planning or accounting related to the Sask911 system.

(10) Any information or document provided by a telecommunications service provider pursuant to subsection (9) is only to be used for the purposes intended by that subsection, and any person who in the course of that person's duties acquires or has access to that information or document shall keep that information or document confidential and not make any use or disclosures of that information or document without the written consent of the telecommunications service provider to which the information or document relates.

(11) For the purposes of clause 45.1(3)(a) of the Act:

- (a) **'all Sask911 fees collected by the corporation'** includes the fees remitted to the corporation pursuant to clause (8)(a); and
- (b) **'any reasonable amount the corporation may retain for collecting the Sask911 fees'** means \$0.07 per month for each working line and working telephone number for which fees are collected by the corporation.

(12) The adjusted Sask911 fee payable by a connected customer for service of less than a full month shall be prorated based on a 30-day month".

Appendix, new Table 1

5 Table 1 of the Appendix is repealed and the following substituted:

"TABLE 1
[Section 3]

Sask911 Fees

	Service	Fee
1	Local telephone services billed as residential or business access lines including multi-line outgoing access lines	\$1.88 per working line per month
2	Local telephone services billed as centrex service	\$1.88 per working telephone number per month
3	Wireless telephone access that is assigned a telephone number associated with Saskatchewan	\$1.88 per working telephone number per month

”.

Coming into force

6(1) Subject to subsection (2), these regulations come into force on April 7, 2021.

(2) If these regulations are filed with the Registrar of Regulations after April 7, 2021, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 36/2021*The Saskatchewan Assistance Act*

Section 14

Order in Council 171/2021, dated March 31, 2021

(Filed April 1, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Assured Income for Disability Amendment Regulations, 2021*.

RRS c S-8 Reg 11 amended

2 *The Saskatchewan Assured Income for Disability Regulations, 2012* are amended in the manner set forth in these regulations.

Section 2 amended**3 Section 2 is amended:****(a) by adding the following clause after clause (g):**

“(g.1) ‘**earned income**’ means, with respect to an individual, payment for services received by the individual from an employer and payment received by the individual under a contract of service”; **and**

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

“(q) ‘**liquid asset**’ includes:

- (i) cash on hand;
- (ii) an amount on deposit in a financial institution or held by a third party that must be paid to a household member on demand;
- (iii) a debt held by a third party that must be paid to a household member on demand;
- (iv) the realizable value of:
 - (A) a stock, bond, share in a corporation or other security;
 - (B) a mortgage or agreement for sale;
 - (C) a bequest pursuant to a will;
 - (D) an award of damages pursuant to a court decision;
 - (E) a settlement of a claim;
 - (F) a pension fund that is not locked-in;
 - (G) a registered retirement savings plan as defined in section 146 of the *Income Tax Act* (Canada);
 - (H) a registered retirement income fund as defined in section 146.3 of the *Income Tax Act* (Canada); and
 - (I) a beneficial interest in an asset that is held in trust; and
- (v) the cash surrender value of a life insurance policy in excess of \$1,500”.

Section 38 amended**4(1) The following subsection is added after subsection 38(2):**

“(2.1) An appeal committee does not have the jurisdiction to hear any ground of appeal:

(a) that may require a decision or determination concerning the constitutional validity, applicability or operability of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;

(b) that may require a remedy pursuant to subsection 24(1) of the *Canadian Charter of Rights and Freedoms*; or

(c) that may require a review of an opinion of the minister that is provided pursuant to these regulations”.

(2) Subsection 38(9) is repealed and the following substituted:

“(9) The appeal committee may adjourn a hearing from time to time, but the period of any adjournment must not exceed 30 days”.

Section 39 amended**5(1) The following subsection is added after subsection 39(2):**

“(2.1) An appeal board does not have the jurisdiction to hear any ground of appeal:

(a) that may require a decision or determination concerning the constitutional validity, applicability or operability of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;

(b) that may require a remedy pursuant to subsection 24(1) of the *Canadian Charter of Rights and Freedoms*; or

(c) that may require a review of an opinion of the minister that is provided pursuant to these regulations”.

(2) Clause 39(10)(a) is repealed and the following substituted:

“(a) may adjourn a hearing from time to time, but the period of any adjournment must not exceed 30 days”.

Appendix amended

6(1) Table 1 of the Appendix is amended in the manner set forth in this section.

(2) Subsection (2) is amended:

(a) in clause (b) by striking out “subsection 13(1) of *The Labour Standards Regulations, 1995*” **and substituting** “subsection 3(2) of *The Employment Standards Regulations*”; **and**

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

“(ll) a Canada Workers Benefit within the meaning of the *Income Tax Act* (Canada) paid to the individual”.

(3) The following subsection is added after subsection (10):

“(11) Savings that are the result of an earned income exemption mentioned in clause (2)(a):

(a) are, at the time of the application, to be excluded from the determination of liquid assets as described in subsection 14(3) of the regulations; and

(b) are to be excluded, for the purposes of section 13 of the regulations, in determining the monthly income of an individual”.

Coming into force

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

SASKATCHEWAN REGULATIONS 37/2021*The Saskatchewan Assistance Act*

Section 14

Order in Council 172/2021, dated March 31, 2021

(Filed April 1, 2021)

Title

1 These regulations may be cited as *The Saskatchewan Income Support Amendment Regulations, 2021*.

RRS c S-8 Reg 13 amended

2 *The Saskatchewan Income Support Regulations* are amended in the manner set forth in these regulations.

Section 2-7 amended

3(1) Subsection 2-7(1) is repealed and the following substituted:

“(1) In this section:

‘**earned income**’ means, with respect to an individual, payment for services received by the individual from an employer, payments received by the individual under a contract of service or the gross income received by the individual from self-employment;

‘**overpayment**’ means an overpayment to an individual of an amount in excess of the individual’s entitlement under a program that is established pursuant to another Act or regulation, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada, an Act of the legislature of another province or territory of Canada or a regulation made pursuant to an Act of the legislature of another province or territory of Canada”.

(2) Subsection 2-7(2) is amended:

(a) in clause (a) in the portion preceding subclause (i) by striking out “, being the net income earned from wages or the gross income received from self-employment,”;

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

“(h) a Canada Workers Benefit within the meaning of the *Income Tax Act* (Canada) paid to the individual”; **and**

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

“(w.1) a respite benefit payment received by the individual from the Community Living Services Division pursuant to *The Rehabilitation Act* and section 5 of *The Child and Family Services Act*”.

(3) Subsection 2-7(3) is amended in the portion preceding clause (a) by striking out “the net income earned from wages” **and substituting** “earned income from employment”.

Section 3-13 amended**4(1) The following subsection is added after subsection 3-13(2):**

“(2.1) An appeal committee does not have the jurisdiction to hear any ground of appeal:

(a) that may require a decision or determination concerning the constitutional validity, applicability or operability of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;

(b) that may require a remedy pursuant to subsection 24(1) of the *Canadian Charter of Rights and Freedoms*; or

(c) that may require a review of an opinion of the minister that is provided pursuant to subclause 2-10(a)(i) or subsection 4-15(5)”.

(2) Subsection 3-13(11) is repealed and the following substituted:

“(11) The appeal committee may adjourn a hearing from time to time, but the period of any adjournment must not exceed 30 days”.

Section 3-14 amended**5(1) The following subsection is added after subsection 3-14(2):**

“(2.1) An appeal board does not have the jurisdiction to hear any ground of appeal:

(a) that may require a decision or determination concerning the constitutional validity, applicability or operability of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;

(b) that may require a remedy pursuant to subsection 24(1) of the *Canadian Charter of Rights and Freedoms*; or

(c) that may require a review of an opinion of the minister that is provided pursuant subclause 2-10(a)(i) or subsection 4-15(5)”.

(2) Clause 3-14(16)(a) is repealed and the following substituted:

“(a) may adjourn a hearing from time to time, but the period of any adjournment must not exceed 30 days”.

Coming into force

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