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PART II/PARTIE II

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REVISED REGULATIONS OF SASKATCHEWAN

SASKATCHEWAN REGULATIONS 52/2004*The Freedom of Information and Protection of Privacy Act*

Section 69

Order in Council 480/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Freedom of Information and Protection of Privacy Amendment Regulations, 2004*.

R.R.S. 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 4 amended

3 Section 4 is amended:

- (a) by striking out “and” after clause (b);
- (b) by adding “and” after clause (c); and
- (c) by adding the following clause after clause (c):

“(d) in the case of a corporation sole prescribed as a government institution pursuant to clause 3(a), the individual that constitutes the corporation sole is prescribed as the head of that government institution”.

Section 12 amended

4 Section 12 is amended:

- (a) in clause (e) by adding “and *The Income Tax Act, 2000*” after “*The Income Tax Act*”; and
 - (b) by adding the following clause after clause (e):
- “(f) section 32 of *The Safer Communities and Neighbourhoods Act*”.

Section 14 amended

5 The following clauses are added after clause 14(k):

“(l) the Saskatchewan Financial Services Commission with respect to the conduct of an investigation pursuant to any financial services legislation, as defined in *The Saskatchewan Financial Services Commission Act*, or pursuant to any law of Canada that is enforced by the officers and employees of the Saskatchewan Financial Services Commission;

“(m) the Director of Community Operations and the inspectors appointed pursuant to *The Safer Communities and Neighbourhoods Act* with respect to the conduct of an investigation pursuant to that Act”.

Section 16 amended

6 Section 16 is amended:

- (a) in clause (h) in the portion preceding subclause (i) by striking out “, the Saskatchewan Economic Development Corporation, the Department of Education and the Department of Post-Secondary Education and Skills Training” and substituting “and the Department of Learning”;

(b) in clause (h.1):

(i) in the portion preceding subclause (i) by striking out “Social Services” and substituting “Community Resources and Employment”;

(ii) in subclause (i) by striking out “Social Services” and substituting “Community Resources and Employment”; and

(iii) in subclause (ii) by striking out “government” and substituting “Government of Saskatchewan”;

(c) in paragraph (h.2)(ii)(A) by striking out “government” and substituting “Government of Saskatchewan”;

(d) by adding the following clause after clause (h.2):

“(h.3) in the case of credit information, by the Department of Justice or its agent, to a credit reporting agency that is licensed pursuant to *The Credit Reporting Agencies Act*, if:

(i) there is an arrangement between the Department of Justice or its agent and the credit reporting agency for the exchange of information; and

(ii) the information:

(A) relates to a debt, fine, penalty, surcharge or late payment charge that is owing:

(I) to the Government of Saskatchewan, its agencies, Crown corporations or other institutions;

(II) to the Government of Canada, its agencies, Crown corporations or other institutions and that is being collected by the Government of Saskatchewan; or

(III) to a municipality and that is being collected by the Government of Saskatchewan; and

(B) is being disclosed for the purpose of facilitating the collection of that debt, fine, penalty, surcharge or late payment charge”;

(e) in clause (l.1) by striking out “district health board within the meaning of *The Health Districts Act*” and substituting “regional health authority within the meaning of *The Regional Health Services Act*”;

(f) by repealing clause (o); and

(g) by adding the following clauses after clause (p):

“(q) to the Children’s Advocate appointed pursuant to *The Ombudsman and Children’s Advocate Act* for the purpose of carrying out an investigation pursuant to that Act;

“(r) to an officer as defined in *The Child and Family Services Act* for the purpose of managing case files, including:

- (i) carrying out an investigation pursuant to *The Child and Family Services Act*;
- (ii) carrying out an investigation pursuant to any other Act or regulations governing that officer; and
- (iii) carrying out an investigation pursuant to any Act or regulation of the Parliament of Canada governing that officer;

“(s) to the Conflict of Interest Commissioner for the purposes of *The Members’ Conflict of Interest Act*”.

Appendix, Part I amended

7 Part I of the Appendix is amended:

- (a) **by striking out** “Advisory Board of the Public Employees (Government Contributory) Superannuation Plan”;
- (b) **by striking out** “Automobile Injury Appeal Committee” **and substituting** “Automobile Injury Appeal Commission”;
- (c) **by striking out** “Education Infrastructure Corporation” **and substituting** “Education Infrastructure Financing Corporation”;
- (d) **by listing** “Geographic Names Board” **after** “First Nations and Métis Peoples and Justice Reform Commission”;
- (e) **by listing** “Government House Foundation” **after** “Geographic Names Board”;
- (f) **by adding** “of Saskatchewan” **after** “Information Services Corporation”;
- (g) **by listing** “Investment Saskatchewan Inc.” **after** “Information Services Corporation of Saskatchewan”;
- (h) **by adding** “of Saskatchewan” **after** “Municipal Financing Corporation”; **and**
- (i) **by listing** “Public Guardian and Trustee of Saskatchewan” **after** “Public Disclosure Committee”.

Coming into force

8(1) Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Clause 4(b) of these regulations, and clause 14(m) of *The Freedom of Information and Protection of Privacy Regulations* as enacted by section 5 of these regulations, come into force on the day on which section 1 of *The Safer Communities and Neighbourhoods Act* comes into force.

SASKATCHEWAN REGULATIONS 53/2004*The Local Authority Freedom of Information and
Protection of Privacy Act*

Section 57

Order in Council 481/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Local Authority Freedom of Information and Protection of Privacy Amendment Regulations, 2004*.

R.R.S. c.L-27.1 Reg 1, section 9 amended

2 **The following clauses are added after clause 9(k) of *The Local Authority Freedom of Information and Protection of Privacy Regulations*:**

“(l) the Saskatchewan Financial Services Commission with respect to the conduct of an investigation pursuant to any financial services legislation, as defined in *The Saskatchewan Financial Services Commission Act*, or pursuant to any law of Canada that is enforced by the officers and employees of the Saskatchewan Financial Services Commission;

“(m) the Director of Community Operations and the inspectors appointed pursuant to *The Safer Communities and Neighbourhoods Act* with respect to the conduct of an investigation pursuant to that Act”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) Clause 9(m) of *The Local Authority Freedom of Information and Protection of Privacy Regulations* as enacted by section 2 of these regulations comes into force on the day on which section 1 of *The Safer Communities and Neighbourhoods Act* comes into force.

SASKATCHEWAN REGULATIONS 54/2004*The Child Care Act*

Section 27

Order in Council 482/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Child Care Amendment Regulations, 2004*.

R.R.S. c.C-7.3 Reg 2, section 78 amended

2(1) Section 78 of *The Child Care Regulations, 2001* is amended in the manner set forth in this section.

(2) Subsection (2) is amended:

- (a)** in clause (a) by striking out “\$258.33” and substituting “\$261.67”;
- (b)** in clause (b) by striking out “\$155.00” and substituting “\$157.00”;
- (c)** in clause (c) by striking out “\$77.50” and substituting “\$78.50”;
- and
- (d)** in clause (d) by striking out “\$51.67” and substituting “\$52.33”.

(3) Subsection (3) is amended:

- (a)** in clause (a) by striking out “\$322.91” and substituting “\$327.09”;
- (b)** in clause (b) by striking out “\$193.75” and substituting “\$196.25”;
- (c)** in clause (c) by striking out “\$96.88” and substituting “\$98.13”;
- and
- (d)** in clause (d) by striking out “\$64.58” and substituting “\$65.41”.

(4) Subsection (4) is amended:

- (a)** in clause (a) by striking out “\$387.50” and substituting “\$392.51”;
- (b)** in clause (b) by striking out “\$232.50” and substituting “\$235.50”;
- (c)** in clause (c) by striking out “\$116.25” and substituting “\$117.75”;
- and
- (d)** in clause (d) by striking out “\$77.50” and substituting “\$78.50”.

Coming into force

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

SASKATCHEWAN REGULATIONS 55/2004*The Department of Health Act*

Section 10

Order in Council 483/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Chiropody Services Amendment Regulations, 2004*.

R.R.S. c.D-17 Reg 5 amended

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

Section 2 amended

3 Section 2 is amended:

(a) by repealing clause (c.1);

(b) by adding the following clause after clause (f):

“(f.1) ‘**regional health authority**’ means a regional health authority as defined in *The Regional Health Services Act*”;

(c) by repealing clause (g) and substituted:

“(g) ‘**registered nurse**’ means a nurse who is registered pursuant to *The Registered Nurses Act, 1988*”; and

(d) by repealing clause (i).

Section 2.1 amended

4(1) Subsection 2.1(1) is amended by striking out “district health boards” and substituting “regional health authorities”.

(2) Subsection 2.1(2) is amended by striking out “district health board” and substituting “regional health authority”.

Section 3 amended

5 Section 3 is amended:

(a) in subclause (a)(ii):

(i) by striking out “that person’s name”; and

(ii) by striking out “for the purposes of *The Saskatchewan Hospitalization Act* or *The Saskatchewan Medical Care Insurance Act*” and substituting “pursuant to section 6.5 of *The Department of Health Act*”; and

(b) in subclause (b)(ii) by striking out “district health board” wherever it appears and in each case substituting “regional health authority”.

Section 4 amended

6(1) Subsection 4(3) is repealed.

(2) Subsection 4(4) is amended:

(a) **by striking out** “on and after April 1, 1995” **and substituting** “in the period commencing on April 1, 1995 and ending on June 30, 2004”; **and**

(b) **by adding** “or regional health authority” **after** “district health board”.

(3) The following subsection is added after subsection 4(4):

“(5) With respect to services provided pursuant to subsection (1) on and after July 1, 2004, a regional health authority may charge the person to whom the services are provided a fee of \$60 for each occasion on which the person is seen by a chiroprapist for the provision of a service”.

Section 6 repealed

7 Section 6 is repealed.

Section 8 amended

8(1) Subsection 8(1) is repealed and the following substituted:

“(1) Every beneficiary who receives a service pursuant to these regulations shall pay to the regional health authority that provided the service a patient participation fee in the amount of \$30”.

(2) Subsection 8(2) is amended by striking out “district health board” **and substituting** “regional health authority”.

Coming into force

9(1) Subject to subsection (2), these regulations come into force on July 1, 2004.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2004, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 56/2004*The Prescription Drugs Act*

Section 9

Order in Council 484/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Prescription Drugs Amendment Regulations, 2004 (No. 2)*.

R.R.S. c.P-23 Reg 3 amended

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

Section 2 amended**3 Subsection 2(1) is amended:****(a) by repealing clause (g) and substituting the following:**

“(g) **‘interchangeable group’** means a group of drugs that:

(i) are interchangeable pharmaceutical products as defined in section 2 of *The Pharmacy Act, 1996*; and

(ii) are identified in the formulary as being interchangeable with each other”; **and**

(b) by adding the following clause before clause (i):

“(h.1) **‘maximum allowable cost group’** means a group of drugs designated as a maximum allowable cost group by the minister pursuant to subsection 3.2(1);

“(h.2) **‘maximum allowable cost per unit’** means the maximum allowable cost per unit designated by the minister pursuant to subsection 3.2(2) for drugs in a maximum allowable cost group”.

New section 3.2**4 The following section is added after section 3.1:****“Maximum allowable cost groups**

3.2(1) The minister may, from time to time, in the formulary designate groups of drugs as maximum allowable cost groups if, on the advice of persons with relevant expert knowledge, the minister is satisfied that each of the drugs in the group is of similar therapeutic effect.

(2) The minister shall, in the formulary, designate a maximum allowable cost per unit for drugs in a maximum allowable cost group designated pursuant to subsection (1)”.

New section 4**5 Section 4 is repealed and the following substituted:****“Recognized drug price calculation**

4(1) If a drug dispensed is not part of an interchangeable group or a maximum allowable cost group, the recognized drug price for the drug dispensed is the amount RDP calculated in accordance with the following formula:

$$\text{RDP} = (\text{N} \times \text{AP}) + \text{M} + \text{ADF}$$

where:

N is the number of units of the drug dispensed;

AP is the actual price per unit charged by the person operating the participating pharmacy for the brand of drug dispensed, to a maximum of the price per unit indicated for that drug in the formulary;

M is the maximum mark-up that a person operating a participating pharmacy may charge, in accordance with an agreement mentioned in section 5 of the Act, on the number of units of the brand of drug dispensed; and

ADF is the actual dispensing fee charged by the person operating the participating pharmacy for the brand of drug dispensed, to a maximum of the maximum dispensing fee that may be charged in accordance with an agreement mentioned in section 5 of the Act.

(2) If a drug dispensed is part of an interchangeable group and is not part of a maximum allowable cost group, the recognized drug price for the drug dispensed is the amount RDP calculated in accordance with the following formula:

$$\text{RDP} = (\text{N} \times \text{APB}) + \text{MIC} + \text{ADF}$$

where:

N is the number of units of the drug dispensed;

APB is the actual price per unit charged by the person operating the participating pharmacy for the brand of drug dispensed, to a maximum of the price per unit for the lowest priced brand of drug in the same interchangeable group as the drug dispensed;

MIC is the maximum mark-up that could be charged by a person operating a participating pharmacy, in accordance with an agreement mentioned in section 5 of the Act, if, rather than dispensing the brand of drug dispensed, the person operating the pharmacy had dispensed the lowest priced brand of drug in the same interchangeable group as the drug prescribed in the same number of units as the drug prescribed; and

ADF is the actual dispensing fee charged by the person operating the participating pharmacy, for the brand of drug dispensed, to a maximum of the maximum dispensing fee that may be charged in accordance with an agreement mentioned in section 5 of the Act.

(3) If a drug dispensed is part of a maximum allowable cost group, the recognized drug price for the drug dispensed is the amount RDP calculated in accordance with the following formula:

$$\text{RDP} = (\text{N} \times \text{APC}) + \text{MMAC} + \text{ADF}$$

where:

N is the number of units of the drug dispensed;

APC is the actual price per unit charged by the person operating the participating pharmacy for the brand of drug dispensed, to a maximum determined in accordance with subsection (4);

MMAC is the maximum mark-up that could be charged by a person operating a participating pharmacy, in accordance with an agreement mentioned in section 5 of the Act, if, rather than dispensing the brand of drug dispensed, the person operating the pharmacy had dispensed, in a quantity having the same therapeutic effect as the number of units of the drug prescribed, a drug that did not exceed the maximum allowable cost per unit for the maximum allowable cost group to which the drug prescribed belongs; and

ADF is the actual dispensing fee charged by the person operating the participating pharmacy, for the brand of drug dispensed, to a maximum of the maximum dispensing fee that may be charged in accordance with an agreement mentioned in section 5 of the Act.

(4) For the purposes of subsection (3), the maximum value of APC is the lowest of the following values, as of the date on which the drug was dispensed:

- (a) the maximum allowable cost per unit for drugs in the maximum allowable cost group to which the drug dispensed belongs;
- (b) the maximum price per unit indicated in the formulary for the drug dispensed;
- (c) if the drug dispensed is also a member of an interchangeable group, the maximum price per unit for the lowest priced brand of drug in the interchangeable group to which the drug dispensed belongs”.

Coming into force

6(1) Subject to subsection (2), these regulations come into force on July 1, 2004.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2004, these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from July 1, 2004.

SASKATCHEWAN REGULATIONS 57/2004

The Municipal Employees' Pension Act

Section 57

Order in Council 485/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Municipal Employees' Pension Amendment Regulations, 2004*.

R.R.S. c.M-26 Reg 1, Appendix amended

2 The Appendix to *The Municipal Employees' Pension Regulations* is amended:

- (a) in Column 1 by adding the entry “Prince Albert Rural Water Utility” after “Northern Teacher Education Management Board”; and
- (b) in Column 2 by adding the entry “July 1, 2004” opposite the entry in Column 1 added by clause (a).

Coming into force

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

SASKATCHEWAN REGULATIONS 58/2004*The Parks Act*

Sections 27 and 35

Order in Council 486/2004, dated June 29, 2004

(Filed June 30, 2004)

Title**1** These regulations may be cited as *The Parks Amendment Regulations, 2004*.**R.R.S. c.P-1.1 Reg 6 amended****2** *The Parks Regulations, 1991* 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 (d):**

“(d.1) **‘building’** means any structure used or occupied or intended for supporting or sheltering any use or occupancy, and includes a trailer, mobile home or portable shack that is situated within park land for a period of more than 30 days and not in storage”;

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

“(i.1) **‘improvement’** means:

(i) a building or structure erected or placed on, over or under land or over or under water, but does not include machinery and equipment unless the machinery and equipment are used to service the building or structure; and

(ii) anything affixed to land or incorporated in a building or structure affixed to land, but does not include machinery and equipment unless the machinery and equipment are used to service the building or structure;

“(i.2) **‘improvement assessment’** means the value of an improvement as determined by the Saskatchewan Assessment Management Agency”;

(c) by repealing clause (j) and substituting the following:

“(j) **‘land assessment’** means the value of land as determined by the Saskatchewan Assessment Management Agency”;

(d) by repealing clause (l.1) and substituting the following:

“(l.1) **‘permanent resident’** means a holder of a recreational lease of park land who is authorized pursuant to the lease to occupy the leased land on a year-round basis”; and

(e) by adding the following clause after clause (p):

“(p.1) **‘Saskatchewan Assessment Management Agency’** means the Saskatchewan Assessment Management Agency established pursuant to *The Assessment Management Agency Act*”.

New sections 9.1 and 9.2**4 The following sections are added after section 9:****“Campfire permit required**

9.1(1) No person shall set, light or maintain a fire on park land without:

- (a) a valid campfire permit issued pursuant to section 9.2; or
- (b) the prior written consent of the minister.

(2) No person shall use on park land any firewood provided by the minister without:

- (a) a valid campfire permit issued pursuant to section 9.2; or
- (b) the prior written consent of the minister.

(3) Nothing in subsection (1) prohibits a person from using a gas-fired or charcoal-fired stove or barbeque on park land.

(4) Subsection (1) does not apply to a person who holds a recreational lease for park land.

“Issuance of campfire permit

9.2(1) The minister may:

- (a) issue a campfire permit to an applicant who pays the fee set by the minister; and
- (b) include in the campfire permit any terms and conditions that the minister considers appropriate.

(2) A campfire permit is valid only:

- (a) for the period specified in the permit; and
- (b) for the campsite, fireplace, pit or other facility specified in the permit.

(3) The holder of a campfire permit shall:

- (a) keep the permit available for inspection at all times; and
- (b) produce the permit for inspection when requested by an enforcement officer”.

Section 10 amended

5 Section 10 is amended in the portion preceding clause (a) by striking out “or a facility-use permit” and substituting “, a facility-use permit or a campfire permit”.

Section 36 amended

6 Clause 36(b) is repealed and the following substituted:

“(b) the fire is in a fireplace, pit or other facility provided or approved by the minister for the purpose and the person holds a valid campfire permit issued pursuant to section 9.2 for that fireplace, pit or other facility”.

Appendix amended**7 Item 3 of Table 1 of the Appendix is repealed and the following substituted:****“3. Recreational Lease Fees:**

(a) Subject to clauses (b) to (d), the annual lease fee for a recreational lease is the sum of:

(i) the land assessment multiplied by 4.58%; and

(ii) the improvement assessment multiplied by:

(A) 3.78%, in the case of a lease held by a permanent resident; or

(B) 2.904%, in the case of a lease held by a person who is not a permanent resident.

(b) The minimum annual lease fee for a recreational lease is \$400.

(c) The maximum annual lease fee for a recreational lease is:

(i) \$4,000, in the case of a lease held by a permanent resident; or

(ii) \$3,000 in the case of a lease held by a person who is not a permanent resident.

(d) The maximum increase in the annual lease fee for a recreational lease from the previous fiscal year is \$600.

NOTE: If no land assessment exists, the annual rental fees are the fees determined in accordance with *The Crown Resource Land Regulations* for a lease of land for a recreational purpose”.

Coming into force

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

SASKATCHEWAN REGULATIONS 59/2004*The Municipal Revenue Sharing Act*

Section 13

Order in Council 487/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Urban Municipalities Revenue Sharing Amendment Regulations, 2004*.

R.R.S. c.M-32.1 Reg 2, new sections 9 and 9.01

2 Sections 9 and 9.01 of *The Urban Municipalities Revenue Sharing Regulations, 1981* are repealed and the following substituted:

“Total unconditional grants

9(1) Subject to subsection (2) but notwithstanding any other provision of these regulations, the total amount of unconditional grants that may be paid to each urban municipality for the 2004-2005 fiscal year is to be equal to the total amount of grants that the urban municipality was paid for the 2003-2004 fiscal year, plus a per capita amount determined by multiplying the population of the urban municipality by \$10.13.

(2) Notwithstanding any other provision of these regulations, the total amount of unconditional grants that may be paid to each city for the 2004-2005 fiscal year is the amount determined by multiplying the population of the city by:

- (a) for the City of Saskatoon, \$53.00;
- (b) for the City of Regina, \$53.35;
- (c) for the City of Prince Albert, \$61.10;
- (d) for the City of North Battleford, \$61.85; and
- (e) for the cities of Estevan, Humboldt, Lloydminster, Melfort, Melville, Moose Jaw, Swift Current, Weyburn and Yorkton, \$65.50.

“Total unconditional grants for restructured urban municipalities

9.01 If, on or after April 1, 2004, two or more municipalities amalgamate or restructure to form a new urban municipality, the total amount of unconditional grants that the new urban municipality may be paid for any fiscal year after its incorporation is the greater of:

- (a) the total amount of unconditional grants prescribed in these regulations for the new urban municipality for that fiscal year; and
- (b) the total amount of unconditional grants prescribed in these regulations that would be paid to the municipalities for that fiscal year had the municipalities not amalgamated or restructured to form the new urban municipality”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on the day on which *The Municipal Revenue Sharing Amendment Act, 2004* comes into force but are retroactive and are deemed to have been in force on and from April 1, 2004.

(2) If these regulations are filed with the Registrar of Regulations after the day on which *The Municipal Revenue Sharing Amendment Act, 2004* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from April 1, 2004.

SASKATCHEWAN REGULATIONS 60/2004*The Department of Justice Act*

Section 14.1

Order in Council 488/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Mediation Services Fees Amendment Regulations, 2004*.

R.R.S. c.D-18.2 Reg 3 amended

2 Section 6 of *The Mediation Services Fees Regulations, 1994* is amended by striking out “\$90” and substituting “\$120”.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on July 1, 2004.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2004, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 61/2004*The Queen's Bench Act, 1998*

Section 109

Order in Council 489/2004, dated June 29, 2004

(Filed June 30, 2004)

Title

1 These regulations may be cited as *The Queen's Bench Amendment Regulations, 2004*.

R.R.S. c.Q-1.01 Reg 1 amended

2 *The Queen's Bench Regulations* are amended in the manner set forth in these regulations.

Section 3 amended

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

Section 5 amended

4 **The following clause is added after clause 5(2)(h):**

“(i) a class action pursuant to *The Class Actions Act*”.

Section 6 amended

5(1) **Subsection 6(1) is amended by striking out “non-attendance” and substituting “non-compliance”.**

(2) **Subsection 6(2) is amended by striking out “completion” and substituting “compliance”.**

Section 7 amended

6(1) **Subsection 7(1) is repealed.**

(2) **Subsection 7(2) is amended by striking out “The application” and substituting “An application pursuant to subsection 42(1.2) of the Act”.**

RÈGLEMENT DE LA SASKATCHEWAN 61/2004*Loi de 1998 sur la Cour du Banc de la Reine*

Article 109

Décret 489/2004, en date du 29 juin 2004

(déposé 30 juin 2004)

Titre**1** *Règlement de 2004 modifiant le Règlement sur la Cour du Banc de la Reine.***Modification du Règl. 1 des R.R.S., ch. Q-1.01****2** *Le Règlement sur la Cour du Banc de la Reine est modifié de la manière ci-énoncée.***Modification de l'article 3****3** **L'alinéa 3a) est abrogé.****Modification de l'article 5****4** **L'alinéa qui suit est ajouté après l'alinéa 5(2)h) :**« i) un recours collectif intenté sous le régime de la *Loi sur les recours collectifs* ».**Modification de l'article 6****5(1)** **Le paragraphe 6(1) est modifié par suppression des mots « d'absence » et leur remplacement par les mots « de non-participation ».****(2)** **Le paragraphe 6(2) est modifié par suppression des mots « d'achèvement » et leur remplacement par les mots « de participation ».****Modification de l'article 7****6(1)** **Le paragraphe 7(1) est abrogé.****(2)** **Le paragraphe 7(2) est modifié par suppression des mots « La demande » et leur remplacement par les mots « Une demande présentée en vertu du paragraphe 42(1.2) de la Loi ».**

Part I of Appendix amended

7 Forms A and B of Part I of the Appendix are repealed and the following substituted:

“FORM A
[Subsection 6(1)]

Certificate of Non-compliance

[insert style of cause]

For the purposes of subsection 42(3) of *The Queen’s Bench Act, 1998*, this is to certify that _____, a party

[name of party]

to the action, has failed to comply with the requirements for mediation in this action.

Additional information:

Mediation Services

“FORM B
[Subsection 6(2)]

Certificate of Compliance

[insert style of cause]

For the purposes of subsection 42(4) of *The Queen’s Bench Act, 1998*, this is to certify that, as of _____, 20 __, the requirements for mediation in this

[insert date]

action have been met.

Additional information:

Mediation Services”.

Modification de la partie I de l'appendice

7 Les formules A et B de la partie I de l'appendice sont abrogées et remplacées par ce qui suit :

« FORMULE A
[paragraphe 6(1)]

Certificat de non-participation

[insérer l'intitulé de cause]

Pour l'application du paragraphe 42(3) de la *Loi de 1998 sur la Cour du Banc de la Reine*, le présent certificat a pour objet d'attester que _____ ,
[nom de la partie]

partie à l'action, ne s'est pas conformé aux exigences relatives à la médiation en l'espèce.

Renseignements supplémentaires

Services de médiation

« FORMULE B
[paragraphe 6(2)]

Certificat de participation

[insérer l'intitulé de cause]

Pour l'application du paragraphe 42(4) de la *Loi de 1998 sur la Cour du Banc de la Reine*, le présent certificat a pour objet d'attester qu'étaient remplies, au _____ 20 _____ , les exigences relatives à la médiation en l'espèce.
[insérer la date]

Renseignements supplémentaires

Services de médiation ».

Part II of Appendix amended

8(1) Table 1 of Part II of the Appendix is amended in the manner set forth in this section.

(2) Clause (a) of item 1 is amended by striking out “\$130” and substituting “\$200”.

(3) Clause (a) of item 2 is amended by striking out “60” and substituting “100”.

(4) The following item is added after item 21:

“22 Receiving a faxed document for filing from a lawyer or party or sending a faxed copy of a court document at the request of a lawyer or party:

- | | |
|---|-----------------|
| (a) for in-province transmissions | 1.00 per page |
| (b) for out-of-province transmissions | 1.25 per page”. |

Coming into force

9(1) Subject to subsections (2) to (4), these regulations come into force on July 1, 2004.

(2) Subject to subsections (3) and (4), if these regulations are filed with the Registrar of Regulations after July 1, 2004, these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations.

(3) Subject to subsection (4), sections 5 to 7 of these regulations come into force on the day on which *The Queen’s Bench Amendment Act, 2004* comes into force.

(4) If *The Queen’s Bench Amendment Act, 2004* comes into force before these regulations are filed with the Registrar of Regulations, sections 5 to 7 of these regulations come into force on the day on which these regulations are filed with the Registrar of Regulations.

Modification de la partie II de l'appendice

8(1) Le barème I de la partie II de l'appendice est modifié de la manière énoncée au présent article.

(2) L'alinéa a) du point 1 est modifié par suppression du montant « 130 \$ » et son remplacement par le montant « 200 \$ ».

(3) L'alinéa a) du point 2 est modifié par suppression du montant « 60 \$ » et son remplacement par le montant « 100 \$ ».

(4) Le point qui suit est ajouté après le point 21 :

« 22 Réception d'un document télécopié pour dépôt émanant d'un avocat ou d'une partie ou envoi d'une télécopie d'un document judiciaire à la demande d'un avocat ou d'une partie :

- a) pour les transmissions dans la province 1 \$ la page
- b) pour les transmissions hors de la province 1,25 \$ la page ».

Entrée en vigueur

9(1) Sous réserve des paragraphes (2) à (4), le présent règlement entre en vigueur le 1^{er} juillet 2004.

(2) Sous réserve des paragraphes (3) et (4), le présent règlement entre en vigueur le jour de son dépôt auprès du registraire des règlements, si ce dépôt intervient après le 1^{er} juillet 2004.

(3) Sous réserve du paragraphe (4), les articles 5 à 7 du présent règlement entrent en vigueur le jour de l'entrée en vigueur de la *Loi de 2004 modifiant la Loi de 1998 sur la Cour du Banc de la Reine*.

(4) Si la *Loi de 2004 modifiant la Loi de 1998 sur la Cour du Banc de la Reine* entre en vigueur avant le dépôt du présent règlement auprès du registraire des règlements, les articles 5 à 7 du présent règlement entrent en vigueur le jour de ce dépôt.

