

The Accessible Saskatchewan Act

being

Chapter 19 of the *Statutes of Saskatchewan, 2023*
(effective December 3, 2023).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

PART 1		5-8	Classes of persons, activities or aspects of built environment
Preliminary Matters		5-9	May define a class
1-1	Short title	5-10	More than one accessibility standard may apply
1-2	Definitions	PART 6	
1-3	Purposes	Compliance and Enforcement	
1-4	Act binds the Crown	6-1	Definitions for Part
1-5	Conflict	6-2	Director may appoint re compliance and enforcement
1-6	Minister's responsibilities	6-3	Inspections
1-7	Annual report	6-4	Powers of inspector
PART 2		6-5	Obtaining information
Sign Language, Accessibility Plans		6-6	Inspector may be accompanied
2-1	Recognition of sign languages	6-7	Entry on land
2-2	Accessibility plans	6-8	Prohibition against obstructing inspector
2-3	Accessible format	6-9	Order or finding of inspector
PART 3		6-10	Review of inspector's order
Saskatchewan Accessibility Office		6-11	Director may apply for compliance order
3-1	Establishment and responsibilities	PART 7	
3-2	Director	Offences, Administrative Penalties and Appeals	
3-3	Responsibilities	7-1	Offences
PART 4		7-2	Limitation on prosecutions
Accessibility Advisory Committee		7-3	Administrative penalty
4-1	Appointment and purpose	7-4	Appeal to Court of King's Bench
4-2	Membership	7-5	Appeal operates as stay
4-3	Restrictions re appointments	PART 8	
4-4	Role	General	
4-5	Remuneration and reimbursement	8-1	Immunity
PART 5		8-2	Service of notice or documents
Accessibility Standards		8-3	Regulations
5-1	Regulations re accessibility standards	8-4	Review of Act
5-2	Consideration re United Nations Convention on the Rights of Persons with Disabilities	PART 9	
5-3	Proposed standards to be made publicly available; comment period	Coming into Force	
5-4	Engagement	9-1	Coming into force
5-5	Contents of accessibility standards		
5-6	Application may be general or specific		
5-7	Application to persons		

CHAPTER 19

An Act respecting Accessibility in Saskatchewan

PART 1

Preliminary Matters

Short title

1-1 This Act may be cited as *The Accessible Saskatchewan Act*.

Definitions

1-2 In this Act:

“**accessibility plan**” means an accessibility plan described in section 2-2;

“**barrier**” means anything that hinders or challenges the full and equal participation in society of persons with disabilities, and includes a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice;

“**built environment**” means the built environment as defined in the regulations;

“**committee**” means, except where the context otherwise requires, the Accessibility Advisory Committee appointed pursuant to section 4-1;

“**Director**” means the Director of the Saskatchewan Accessibility Office appointed pursuant to section 3-2;

“**disability**” means any impairment that, in interaction with a barrier, hinders an individual’s full and equal participation in society, and includes:

- (a) a physical, mental, intellectual, cognitive, learning, communication or sensory impairment; and
- (b) a functional limitation;

whether permanent, temporary or episodic in nature, or evident or not;

“**Government of Saskatchewan**” means the office of Executive Council or any ministry, secretariat or other similar agency of the executive government of Saskatchewan;

“**inspector**” means a person appointed pursuant to subsection 6-2(1);

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

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

“**person**” includes an unincorporated association, partnership or other organization;

“**prescribed**” means prescribed in the regulations;

“**public sector body**” means a prescribed public sector body;

“**Saskatchewan Accessibility Office**” or “**SAO**” means the Saskatchewan Accessibility Office established pursuant to section 3-1.

2023, c 19, s.1-2.

Purposes

1-3 The purposes of this Act are to:

(a) improve accessibility within Saskatchewan by preventing and removing barriers that disable people with respect to:

- (i) the built environment;
- (ii) information and communications;
- (iii) employment;
- (iv) transportation;
- (v) service animals;
- (vi) procurement;
- (vii) service delivery; and
- (viii) any other prescribed activities or undertakings;

(b) provide for the involvement of persons with disabilities, the public sector and other stakeholders in the development and implementation of accessibility standards; and

(c) monitor, review and encourage compliance with accessibility standards.

2023, c 19, s.1-3.

Act binds the Crown

1-4 This Act binds the Crown.

2023, c 19, s.1-4.

Conflict

1-5 If a provision of this Act or the regulations conflicts with a provision of any other Act, regulations made pursuant to any other Act or a municipal bylaw, the provision of this Act or the regulations prevails unless the other provision requires a higher level of accessibility for persons with disabilities.

2023, c 19, s.1-5.

Minister's responsibilities

1-6(1) The minister is responsible for raising awareness of how barriers hinder the full and equal participation in society of persons with disabilities and promoting accessibility for persons disabled by barriers.

(2) Without limiting the generality of subsection (1), the minister shall:

(a) appoint members of the Accessibility Advisory Committee to advise the minister with respect to accessibility standards; and

(b) ensure that persons with disabilities are provided the opportunity to be engaged in the development and implementation of accessibility standards.

2023, c 19, s.1-6.

Annual report

1-7 In each fiscal year, the minister, in accordance with section 13 of *The Executive Government Administration Act*, shall lay before the Assembly a report of the minister's administration of this Act for the preceding fiscal year.

2023, c 19, s.1-7.

PART 2**Sign Language, Accessibility Plans****Recognition of sign languages**

2-1 Sign languages are recognized as the primary languages for communication by deaf persons in Saskatchewan, including, without limitation:

(a) American Sign Language; and

(b) Indigenous sign languages.

2023, c 19, s.2-1.

Accessibility plans

2-2(1) Each of the following entities must develop an accessibility plan that identifies, removes and prevents barriers to individuals who are in, or interacting with, that entity:

(a) Government of Saskatchewan;

(b) public sector bodies;

(c) any other prescribed person.

(2) An entity required to develop an accessibility plan pursuant to subsection (1) must review its accessibility plan at least once every 3 years.

(3) The Government of Saskatchewan and any public sector body must, in developing and updating their accessibility plans:

(a) consult with persons with disabilities; and

- (b) consider the following principles:
 - (i) inclusion;
 - (ii) adaptability;
 - (iii) diversity;
 - (iv) collaboration;
 - (v) self-determination;
 - (vi) universal design.
- (4) Two or more public sector bodies may, with the consent of the minister, agree to develop and update a joint accessibility plan.
- (5) An initial accessibility plan is to be made publicly available by way of a website or other suitable electronic means or in any other format that the Director may authorize:
 - (a) in the case of the Government of Saskatchewan, by no later than 1 year after the coming into force of this Act; and
 - (b) in the case of a public sector body, by no later than 2 years after the coming into force of this Act, unless otherwise specified in the regulations.
- (6) The Government of Saskatchewan and any public sector body must establish processes for receiving comments from the public with respect to their accessibility plans.
- (7) If the Director becomes aware of a deficiency with respect to an accessibility plan of a public sector body to which this section applies, the Director may:
 - (a) provide that public sector body with notice of the deficiency; and
 - (b) in the notice mentioned in clause (a), direct that the deficiency be remedied within a specified period.
- (8) If the public sector body fails to remedy the deficiency within the period specified in clause (7)(b), the Director may impose an administrative penalty pursuant to section 7-3.

2023, c 19, s.2-2.

Accessible format

2-3 The Government of Saskatchewan shall, on request, make available in an accessible format any record that it is required to make publicly available pursuant to this Act.

2023, c 19, s.2-3.

PART 3
Saskatchewan Accessibility Office

Establishment and responsibilities

3-1(1) The Saskatchewan Accessibility Office is established.

(2) The Saskatchewan Accessibility Office is responsible for supporting the administration of this Act and the regulations.

2023, c 19, s.3-1.

Director

3-2(1) The minister shall appoint an employee of the ministry as the Director of the Saskatchewan Accessibility Office to carry out the duties and exercise the powers of the Director pursuant to this Act.

(2) The Director may delegate to any person the exercise of any powers given to the Director and the carrying out of any duties imposed on the Director pursuant to this Act.

(3) The Director may impose any terms and conditions on a delegation pursuant to this section that the Director considers appropriate.

(4) The exercise of any of the Director's powers or the carrying out of any of the Director's duties by a person to whom they are delegated is deemed to be the exercise or the carrying out by the Director.

(5) The Director is, by virtue of the office, a non-voting member of the Accessibility Advisory Committee.

2023, c 19, s.3-2.

Responsibilities

3-3 Without limiting the generality of subsection 3-1(2), the SAO is responsible for the following:

- (a) advising the minister with respect to:
 - (i) the development and review of accessibility legislation and standards; and
 - (ii) compliance and enforcement matters;
- (b) public awareness and education, including:
 - (i) increasing awareness with respect to this Act and the regulations;
 - (ii) researching and providing training and resources to organizations respecting their compliance with this Act and the regulations; and
 - (iii) advising the minister with respect to the preparation of the annual report mentioned in section 1-7;

- (c) monitoring inspector visits, orders issued, Director reviews, administrative penalties imposed and appeals;
- (d) receiving complaints with respect to non-compliance.

2023, c 19, s.3-3.

PART 4 Accessibility Advisory Committee

Appointment and purpose

4-1 The minister shall, in accordance with section 4-2 and the regulations, appoint a committee to be called the Accessibility Advisory Committee:

- (a) to advise the minister, on the request of the minister, with respect to any matter related to the administration of this Act and the regulations; and
- (b) to perform any other prescribed functions.

2023, c 19, s.4-1.

Membership

4-2(1) Subject to the regulations, the committee is to consist of at least 9 and not more than 15 members.

(2) Subject to the regulations, individuals may apply for appointment in a form and manner approved by the minister.

(3) At least one-half of the members of the committee are to be:

- (a) persons with disabilities; or
- (b) persons employed by or associated with organizations that support persons with disabilities.

(4) Subject to subsections (5) and (6), an individual appointed as a member of the committee:

- (a) holds office at pleasure for a term not exceeding 2 years and until a successor is appointed; and
- (b) is eligible for reappointment.

(5) No member of the committee is eligible to be appointed for more than 2 consecutive terms.

(6) If a member of the committee dies or resigns, the individual ceases to be a member on the date of death or on the date on which the resignation is received by the minister, as the case may be.

(7) Notwithstanding section 4-4:

- (a) the minister shall set out the powers and duties of the committee; and
- (b) before the minister revises the powers or duties as set out in accordance with clause (a), the minister shall consult the committee.

- (8) The Director is:
- (a) notwithstanding subsection (1), not to be included for the purpose of determining the minimum and maximum number of members of the committee set out in that subsection; and
 - (b) notwithstanding subsections (4) and (5), exempt from the term limits set out in those subsections.

2023, c 19, s.4-2.

Restrictions re appointments

4-3(1) In this section, “**capacity**” means the ability:

- (a) to understand information relevant to making a decision; and
 - (b) to appreciate the reasonably foreseeable consequences of making or not making a decision.
- (2) An individual is disqualified from being appointed and from acting as a member of the committee if that individual:
- (a) lacks capacity;
 - (b) is a minor; or
 - (c) fails to meet any other prescribed condition for being appointed or for acting as a member.
- (3) If a member who is disqualified from acting as a member of the committee does not resign, the minister may remove that member from the committee.

2023, c 19, s.4-3.

Role

4-4(1) On the request of the minister, the committee is to provide advice to the ministry with respect to the following:

- (a) proposed accessibility standards;
 - (b) whether a standards development committee is necessary to provide assistance respecting proposed standards for the matters mentioned in clause 1-3(a);
 - (c) public awareness and education initiatives;
 - (d) any other matter relating to accessibility for which the minister seeks advice.
- (2) For the purposes of developing proposed accessibility standards mentioned in clause (1)(a), the committee, in collaboration with the SAO, is to engage with the persons set out in section 5-4.

2023, c 19, s.4-4.

Remuneration and reimbursement

4-5(1) The members of the committee are entitled to:

- (a) subject to subsection (2), remuneration for their services at the rates approved by the Lieutenant Governor in Council; and
 - (b) reimbursement for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan.
- (2) Clause (1)(a) does not apply with respect to a member of the committee:
- (a) who is a member of the public service of Saskatchewan and who is acting within the scope of the member's employment; or
 - (b) in all other cases, whose participation on the committee is within the scope of the responsibilities assigned to the member by the member's employer.

2023, c 19, s.4-5.

PART 5
Accessibility Standards

Regulations re accessibility standards

5-1(1) The Lieutenant Governor in Council may make regulations respecting the identification, removal or prevention of barriers.

(2) Without limiting the generality of subsection (1), the Lieutenant Governor in Council may make regulations respecting:

- (a) the built environment;
- (b) information and communications;
- (c) employment;
- (d) transportation;
- (e) service animals;
- (f) procurement;
- (g) service delivery; and
- (h) any other prescribed activities or undertakings.

2023, c 19, s.5-1.

Consideration re United Nations Convention on the Rights of Persons with Disabilities

5-2 In developing a proposed accessibility standard, the committee must take into consideration the United Nations Convention on the Rights of Persons with Disabilities.

2023, c 19, s.5-2.

Proposed standards to be made publicly available; comment period

5-3(1) The minister shall cause proposed accessibility standards to be made available to the public in any manner that the minister considers appropriate, including by publishing the proposed standards on the ministry's website.

(2) Any person may, within 60 days after proposed accessibility standards are made available to the public pursuant to subsection (1) or any longer period specified by the minister, submit comments with regard to the proposed standards to the minister.

2023, c 19, s.5-3.

Engagement

5-4(1) Notwithstanding section 5-3, the committee shall engage Saskatchewan residents and organizations with respect to the development of proposed accessibility standards, including:

- (a) individuals with disabilities;
- (b) individuals and other persons that support individuals with disabilities; and
- (c) persons that are likely to be subject to the accessibility standards.

(2) In carrying out the engagements mentioned in subsection (1), the committee shall consider the demographic and experiential diversity of Saskatchewan people.

(3) Subject to the regulations, the minister may determine the remuneration and reimbursement for expenses payable to the residents and organizations mentioned in subsection (1) for attending meetings and other activities related to their engagement with the committee.

2023, c 19, s.5-4.

Contents of accessibility standards

5-5 An accessibility standard may:

- (a) specify the persons who are subject to the standard;
- (b) set out measures, policies, practices and other requirements for:
 - (i) identifying and removing barriers; and
 - (ii) preventing barriers from being established; and
- (c) require the persons who are subject to the standard to implement those measures, policies, practices and other requirements within the period specified in the standard.

2023, c 19, s.5-5.

Application may be general or specific

5-6 An accessibility standard may be general or specific in its application and may be limited as to time and place.

2023, c 19, s.5-6.

Application to persons

5-7 Accessibility standards may apply to persons who:

- (a) employ others;
- (b) offer accommodation;
- (c) own, operate, maintain or control an aspect of the built environment other than a private residence with 3 or fewer dwelling units;
- (d) provide goods, services or information to the public; or
- (e) engage in a prescribed activity or undertaking or meet other prescribed requirements.

2023, c 19, s.5-7.

Classes of persons, activities or aspects of built environment

5-8 An accessibility standard may apply to different classes of persons or aspects of the built environment and, without limiting the generality of the foregoing, may apply to classes with respect to any attribute, quality or characteristic, or any combination of those things, including:

- (a) the number of employees employed by a person or the annual revenue of that person;
- (b) the type of activity or undertaking in which a person is engaged or the sector of the economy of which a person is a part; and
- (c) a particular characteristic of an aspect of the built environment, such as the type of infrastructure or the size of a building, a structure or premises, that is owned, operated, maintained or controlled by a person.

2023, c 19, s.5-8.

May define a class

5-9 An accessibility standard may define a class to include or exclude a person, or an aspect of the built environment, having the same or different attributes, qualities or characteristics.

2023, c 19, s.5-9.

More than one accessibility standard may apply

5-10 A person may be subject to more than one accessibility standard.

2023, c 19, s.5-10.

PART 6
Compliance and Enforcement

Definitions for Part**6-1** In this Part:

“**property**” includes computer hardware and any other electronic equipment used to store information;

“**records**” includes books, papers, documents, information, computer software and electronic records.

2023, c 19, s.6-1.

Director may appoint re compliance and enforcement

6-2(1) The Director may appoint any person as an inspector to carry out any responsibility imposed on the Director pursuant to this Act or the regulations or to exercise any of the powers conferred on the Director pursuant to this Act or the regulations that the Director believes may be more conveniently carried out or exercised by that person.

(2) The Director may impose any limitations or terms and conditions that the Director considers appropriate on an appointment pursuant to subsection (1).

(3) The exercise of any of the Director’s powers or the carrying out of any of the Director’s responsibilities by a person appointed pursuant to subsection (1) is deemed to be the exercise or the carrying out by the Director.

2023, c 19, s.6-2.

Inspections

6-3 An inspector may, at all reasonable times, for purposes related to the administration or enforcement of this Act or the regulations, exercise the powers set out in section 6-4.

2023, c 19, s.6-3.

Powers of inspector

6-4(1) Subject to subsection (4), an inspector may enter any premises, place of employment, worksite or vehicle and conduct an inspection for the purpose of determining whether there is compliance with this Act or the regulations.

(2) An inspection may be conducted at any reasonable time.

(3) When conducting an inspection in accordance with subsection (1), an inspector may do all or any of the following things:

(a) make any inquiry the inspector considers appropriate;

(b) require the use of any machinery, equipment, appliance or thing located at the place or premises to be demonstrated;

- (c) take one or more persons to any place to assist the inspector and make arrangements with the person in charge of the place for those persons to re-enter the place to perform specified duties;
 - (d) require the production of, inspect and make copies of any records or of any entry in those records required to be kept by this Act;
 - (e) require the production of, inspect and make copies of any existing records related to training workers on matters related to accessibility;
 - (f) subject to subsection (5), remove any books, records, papers or documents examined pursuant to this section for the purpose of making copies where a copy is not readily available, if a receipt is given;
 - (g) require any person whom the inspector finds in or at a place of employment to provide the inspector with any information the person has respecting the identity of the employer at that place of employment;
 - (h) require any person to provide the inspector with all reasonable assistance, including using any computer hardware or software or any other data storage, processing or retrieval device or system to produce information;
 - (i) in order to produce information and records mentioned in this subsection, use any computer hardware or software or any other data storage, processing or retrieval device or system that is used by the person required to deliver the information and records.
- (4) An inspector shall not enter a private dwelling unless the occupant of the dwelling consents to the entry.
- (5) If an inspector removes any books, records, papers or documents pursuant to this section for the purpose of making copies, the inspector shall:
- (a) make those copies as soon as is reasonably possible; and
 - (b) promptly return the books, records, papers or documents from which the copies were made to:
 - (i) the place from which they were removed; or
 - (ii) any other place that may be agreed to by the inspector and the person who produced them.

2023, c 19, s.6-4.

Obtaining information

6-5 For the purpose of obtaining any information that is required to determine compliance with this Act or that is otherwise required for the performance of the duties or the exercise of the powers of the Director, the Director may direct any person to provide an inspector with any information in any form and manner and within any time that the Director may specify.

2023, c 19, s.6-5.

Inspector may be accompanied

6-6 If an inspector is conducting an inspection pursuant to this Act, the inspector may be accompanied by a peace officer or by any other person who, in the opinion of the inspector, by virtue of the person's expertise in a particular field or knowledge of facts relevant to the matter being inspected, may assist the inspector in carrying out the inspector's duties.

2023, c 19, s.6-6.

Entry on land

6-7 An inspector and any person lawfully accompanying the inspector for the purposes of carrying out the inspector's duties may enter on or pass over any land, whether enclosed or not, without a warrant.

2023, c 19, s.6-7.

Prohibition against obstructing inspector

6-8 If an inspector and any person lawfully accompanying the inspector are carrying out the inspector's duties, no person shall:

- (a) fail to comply with any reasonable request of the inspector;
- (b) knowingly make any false or misleading statements to the inspector;
- (c) unless authorized by the inspector, remove, alter or interfere in any way with any item or thing removed pursuant to section 6-4; or
- (d) obstruct or interfere with the inspector or the person.

2023, c 19, s.6-8.

Order or finding of inspector

6-9(1) An inspector who finds that this Act or the regulations are being or have been contravened may issue an order, in a form approved by the Director, requiring the person responsible for the contravention to remedy it.

(2) If an inspector carries out an inspection and finds that this Act or the regulations are not being or have not been contravened, the inspector shall document the finding and any relevant information leading to the finding.

2023, c 19, s.6-9.

Review of inspector's order

6-10(1) A person named in an order made pursuant to subsection 6-9(1) may request the Director to review the order.

(2) A request mentioned in subsection (1) must be made, in writing, within 30 days after the order is issued and must include the prescribed information.

(3) The Director is not required to hold a hearing when a request for review is made.

(4) The Director shall, within 60 days after receiving a request made pursuant to subsection (1), review the order that is the subject of the request and provide the person with:

- (a) a copy of the Director's decision, with written reasons; and
- (b) notification of the right to appeal the decision to the Court of King's Bench pursuant to section 7-4.

(5) A request for review made in accordance with this section operates as a stay of the inspector's order pending the outcome of the review by the Director.

(6) If a request for review of an inspector's order is not received by the Director within 30 days after the order is issued, the inspector's order is final.

2023, c 19, s.6-10.

Director may apply for compliance order

6-11(1) The Director may apply to a judge of the Court of King's Bench for all or any of the following:

- (a) an order compelling a person to comply with this Act or the regulations;
- (b) an order enjoining any person from proceeding contrary to this Act or the regulations.

(2) On an application pursuant to this section, the judge of the Court of King's Bench may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate.

2023, c 19, s.6-11.

PART 7

Offences, Administrative Penalties and Appeals

Offences

7-1(1) No person shall:

- (a) make a false statement or provide false information to the minister, the Director, the ministry or any person acting on behalf of the minister or Director;
- (b) omit to state a fact that is required to be stated or that is necessary to make a statement not misleading in light of the circumstances in which it was made to the minister, the Director, the ministry or any person acting on behalf of the minister or Director;
- (c) resist, obstruct, hinder, interfere with or make false or misleading statements to an inspector or person lawfully accompanying the inspector who is carrying out duties pursuant to this Act or the regulations; or
- (d) contravene any provision of this Act or the regulations or an order made pursuant to this Act or the regulations.

(2) Subject to subsection (3), every person who contravenes a provision of this Act, the regulations or an order made pursuant to this Act for which no penalty is otherwise provided, is guilty of an offence and liable on summary conviction to a fine of not more than \$250,000.

(3) If a corporation commits an offence pursuant to this Act or the regulations, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties provided for the offence whether or not the corporation has been prosecuted or convicted.

2023, c 19, s.7-1.

Limitation on prosecutions

7-2 No prosecution for an alleged contravention of this Act or the regulations is to be commenced more than 2 years after the date on which the alleged contravention was committed or, in the case of a continuing contravention, the last date on which the alleged contravention was committed.

2023, c 19, s.7-2.

Administrative penalty

7-3(1) The Director may assess a penalty in the prescribed amount against a prescribed person, or prescribed class of persons, for prescribed contraventions of this Act or the regulations.

(2) Before assessing a penalty, the Director shall provide notice to the person:

- (a) setting out the facts and circumstances that, in the Director's opinion, render the person liable to a penalty;
- (b) specifying the amount of the penalty that the Director considers appropriate in the circumstances; and
- (c) informing the person of the person's right to make representations to the Director.

(3) No penalty is to be assessed by the Director more than 2 years after the act or omission that renders the person liable to a penalty first came to the knowledge of the Director.

(4) A person to whom notice is sent pursuant to subsection (2) may make representations to the Director respecting whether or not a penalty should be assessed and the amount of any penalty.

(5) Representations pursuant to subsection (4) must be made within 30 days after the person received the notice pursuant to subsection (2).

(6) After considering any representations, the Director may:

- (a) assess a penalty and set a date by which the penalty is to be paid in full; or
- (b) determine that no penalty should be assessed.

- (7) The Director shall serve a copy of the Director's decision pursuant to subsection (6) on the person who made the representations.
- (8) The Director may file in the Court of King's Bench a certificate signed by the Director and setting out:
- (a) the amount of the penalty assessed pursuant to clause (6)(a); and
 - (b) the person from whom the penalty is to be recovered.
- (9) A certificate filed pursuant to this section has the same force and effect as if it were a judgment obtained in the Court of King's Bench for the recovery of a debt in the amount set out in the certificate, together with reasonable costs and charges with respect to its filing.
- (10) The Director may assess a penalty pursuant to this section notwithstanding that the facts and circumstances giving rise to the penalty arose due to the actions of an employee, helper, contractor or agent of the person required to pay the penalty.

2023, c 19, s. 7-3.

Appeal to Court of King's Bench

- 7-4(1) Any person who is directly affected by a decision of the Director with respect to an order pursuant to section 6-10 or an administrative penalty pursuant to section 7-3 may appeal that decision to a judge of the Court of King's Bench.
- (2) An appeal may be made on the following grounds:
- (a) in the case of a decision pursuant to section 6-10, that the finding of a contravention of this Act or the regulations was incorrect; or
 - (b) in the case of an administrative penalty, that:
 - (i) the amount of the penalty was not determined in accordance with the regulations; or
 - (ii) the amount of the penalty is not justified in the public interest.
- (3) The record of an appeal pursuant to subsection (1) consists of:
- (a) the Director's decision;
 - (b) any written representations made to the Director by the person named in the decision;
 - (c) the notice of motion commencing the appeal;
 - (d) any other prescribed documents or material; and
 - (e) any other material that the Court of King's Bench may require.
- (4) On hearing an appeal pursuant to this section, the judge of the Court of King's Bench may:
- (a) confirm the order or decision;
 - (b) vary the order or decision, including with respect to the amount of a penalty;

- (c) dismiss the order or decision; or
 - (d) refer the matter back to the Director.
- (5) An appeal may not be commenced more than 30 days after the person receives a decision of the Director.

2023, c 19, s.7-4.

Appeal operates as stay

7-5 The commencement of an appeal pursuant to section 7-4 operates as a stay of the decision pending the outcome of the appeal.

2023, c 19, s.7-5.

PART 8 General

Immunity

8-1 No action or proceeding lies or shall be commenced against the Crown, the minister, the Saskatchewan Accessibility Office, the Director, an inspector or other person lawfully accompanying an inspector, or any employee of the ministry or the Saskatchewan Accessibility Office if that person is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or 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 this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

2023, c 19, s.8-1.

Service of notice or documents

8-2(1) In this section, “**business day**” means a day other than a Saturday, Sunday or holiday.

(2) Any notice, order or decision required by this Act or the regulations to be given or served is to be served:

- (a) personally;
- (b) by ordinary or registered mail to the last known address of the person being served; or
- (c) by any other prescribed means.

(3) A document served by ordinary mail or registered mail is deemed to have been received on the tenth business day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of the person, the document was not received or was received at a later date.

(4) Irregularity in the service of a notice, order or decision does not affect the validity of an otherwise valid notice, order or decision.

2023, c 19, s.8-2.

Regulations

8-3 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) prescribing public sector bodies;
- (c) for the purposes of subsection 2-2(1), prescribing persons who are required to develop accessibility plans;
- (d) for the purposes of clause 2-2(5)(b), specifying when a public sector body is to make its initial accessibility plan publicly available;
- (e) for the purposes of section 4-1:
 - (i) respecting the appointment of the committee; and
 - (ii) prescribing other functions that the committee is to perform;
- (f) for the purposes of section 4-2:
 - (i) respecting the minimum and maximum number of members of the committee; and
 - (ii) respecting the form and manner by which individuals may apply for appointment;
- (g) for the purposes of subsection 4-3(2), prescribing conditions for being appointed to or acting as a member of the committee;
- (h) for the purposes of section 5-1:
 - (i) respecting the identification, removal or prevention of barriers; and
 - (ii) prescribing activities or undertakings;
- (i) for the purposes of section 5-4, respecting the remuneration and reimbursement for expenses of residents and organizations engaged by the committee;
- (j) for the purposes of section 5-7:
 - (i) prescribing activities or undertakings to which accessibility standards apply; and
 - (ii) prescribing requirements to be met in order for accessibility standards to apply;
- (k) for the purposes of section 6-10, prescribing the information that is to be included in a request for a review of an inspector's order;

- (l) respecting administrative penalties, including:
 - (i) prescribing the contraventions of this Act or the regulations for which a penalty may be assessed; and
 - (ii) prescribing the amount of an administrative penalty and, for that purpose, may prescribe different amounts for different contraventions;
- (m) for the purposes of subsection 7-4(3), prescribing other documents or material that constitute the record of an appeal;
- (n) for the purposes of section 8-2, prescribing other means of serving notices, orders or decisions;
- (o) exempting any person or class of persons from this Act or any prescribed provision of this Act and, as a condition of the exemption, requiring any person or class of persons to comply with any prescribed term or condition, and prescribing the circumstances in which this Act or any prescribed provision of this Act does not apply;
- (p) with respect to any matter governed by this Act:
 - (i) adopting, as amended from time to time or otherwise, all or any part of any relevant code, standard or guideline;
 - (ii) amending for the purposes of this Act or the regulations any code, standard or guideline adopted pursuant to subclause (i);
 - (iii) requiring compliance with a code, standard or guideline adopted pursuant to subclause (i);
- (q) prescribing any matter or thing required or authorized by this Act to be prescribed;
- (r) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

2023, c 19, s.8-3.

Review of Act

8-4 The minister shall conduct a review of this Act:

- (a) in the case of the first review, within 7 years after the coming into force of this Act; and
- (b) in the case of a subsequent review, within 10 years after the completion of the previous review.

2023, c 19, s.8-4.

PART 9 Coming into Force

Coming into force

9-1 This Act comes into force by order of the Lieutenant Governor in Council.

2023, c 19, s.9-1.

