

The Ethanol Fuel (General) Regulations

being

[Chapter E-11.1 Reg 1](#) (effective October 24, 2002) as amended by Saskatchewan Regulations [115/2002](#), [11/2004](#), [41/2004](#), [113/2005](#), [58/2006](#), [111/2006](#), [1/2015](#), [27/2020](#) and [87/2022](#).

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.

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CHAPTER E-11.1 REG 1

The Ethanol Fuel Act

Title

- 1 These regulations may be cited as *The Ethanol Fuel (General) Regulations*.

Interpretation

- 2 In these regulations:

(a) “**Act**” means *The Ethanol Fuel Act*;

(a.1) “**ethanol producer**” means an ethanol producer whose production facilities are located within Saskatchewan;

(b) **Repealed.** 18 Jne 2004 SR 41/2004 s3.

1 Nov 2002 cE-11.1 Reg 1 s2; 18 Jne 2004 SR 41/2004 s3; 13 Feb 2015 SR 1/2015 s3.

- 3 **Repealed.** 2 Apr 2004 SR 11/2004 s3.

Prescribed date

- 3 For the purposes of subsection 4(1) of the Act, the prescribed date is November 1, 2005.

18 Jne 2004 SR 41/2004 s4; 4 Nov 2005 SR 113/2005 s3.

To what fuels the Act does not apply

- 4 For the purposes of subsection 4(2) of the Act, the Act does not apply to any fuel other than unleaded automotive gasoline fuel.

18 Jne 2004 SR 41/2004 s5.

Manner of blending

- 5(1) **Repealed.** 2 Apr 2004 SR 11/2004 s4.

- (1) Subject to subsection (1.1), a distributor shall:

(a) blend or cause to be blended on its behalf ethanol with unleaded automotive gasoline fuel in a manner that results in the average volume of ethanol-blended fuel that the distributor intends to make available for distribution in Saskatchewan having a composition of at least:

(i) in the period commencing on November 1, 2005 and ending on January 14, 2007, 1.0% ethanol;

(ii) in the period commencing on January 15, 2007 and ending on December 31, 2007, 7.5% ethanol; and

(iii) in every one-year period commencing on January 1, 2008, 7.5% ethanol; or

(b) acquire unleaded automotive gasoline fuel that has been blended with ethanol in a manner that complies with the requirements of clause (a).

(1.1) Subject to subsections (1.2) and (1.3), for the purposes of blending ethanol with unleaded automotive gasoline fuel, at least 30% of the total ethanol to be used in blending by a distributor in the period commencing on April 1, 2015 and ending on December 31, 2030 must be ethanol from ethanol producers whose design capacity to produce ethanol is equal to or less than 25 million litres per year.

(1.2) Subsection (1.1) does not apply to a distributor that is also an ethanol producer if the distributor satisfies the minister that all or substantially all of the ethanol-blended fuel that it makes available for retail sale at its retail outlets is blended with the ethanol that it has produced.

(1.3) The minister may exempt a distributor from complying with subsection (1.1) for a period not exceeding one year if the distributor satisfies the minister that:

- (a) the distributor is unable to comply with that subsection for that period because the distributor is unable to acquire ethanol of sufficient quality or in sufficient volume from an ethanol producer mentioned in that subsection; and
- (b) the distributor is otherwise in compliance with these regulations.

(2) A distributor shall comply with *The Fuel Tax and Road Use Charge Act* when blending fuel.

(3) A distributor shall provide the minister with evidence satisfactory to the minister to establish that it has complied with this section during any period that the minister may determine.

(3.1) Subject to subsection (3.2), every distributor shall:

- (a) keep and make available to the minister the following records:
 - (i) with respect to ethanol used by the distributor to blend with fuel:
 - (A) the name and address of the person from whom the distributor obtained the ethanol;
 - (B) the volume, expressed in litres, of ethanol obtained; and
 - (C) the date the ethanol was obtained;
 - (ii) with respect to the blending of fuel and ethanol:
 - (A) the volume, expressed in litres, of fuel and ethanol blended and the volume, expressed in litres, of the ethanol-blended fuel produced;
 - (B) a description of the ethanol-blended fuel produced, with the ethanol expressed as a percentage of the total ethanol-blended fuel; and
 - (C) the date the ethanol-blended fuel became available for distribution in Saskatchewan;
 - (iii) with respect to each sale or disposition of ethanol-blended fuel by the distributor:
 - (A) except in the case of sales to consumers as defined in *The Fuel Tax and Road Use Charge Act*, the name and address of the person to whom the ethanol-blended fuel was sold or disposed of;

- (B) a description of the ethanol-blended fuel sold or disposed of;
 - (C) the volume, expressed in litres, of ethanol-blended fuel sold or disposed of; and
 - (D) the date of the sale or disposition;
- (b) retain the records mentioned in clause (a) for at least six years after the date that the information in the records relates to; and
- (c) do any other things that the minister may reasonably require for the purposes of these regulations.
- (3.2) The minister may exempt a distributor from complying with subsection (3.1) if the distributor satisfies the minister that:
- (a) the fuel sold by the distributor is fuel with respect to which another distributor is required to provide the information set out in that subsection; and
 - (b) the distributor is otherwise in compliance with these regulations.
- (4) If a distributor has complied with this section, all unleaded automotive gasoline fuel sold by the distributor during the period that the distributor has complied with this section is deemed to be ethanol-blended fuel for the purposes of the Act and these regulations.

1 Nov 2002 cE-11.1 Reg 1 s5; 13 Dec 2002 SR 115/2002 s2; 2 Apr 2004 SR 11/2004 s4; 18 Jne 2004 SR 41/2004 s6; 4 Nov 2005 SR 113/2005 s4; 23 Jne 2006 SR 58/2006 s.2; 22 Dec 2006 SR 111/2006 s2; 13 Feb 2015 SR 1/2015 s4; 27 Mar 2020 SR 27/2020 s2; 9 Dec 2022 SR 87/2022 s3.

Enforcement officers

6 The following are prescribed as enforcement officers:

- (a) persons who are enforcement officers for the purposes of *The Fuel Tax and Road Use Charge Act*;
- (b) employees of the department over which the minister presides who are designated by the minister.

1 Nov 2002 cE-11.1 Reg 1 s6; 9 Dec 2022 SR 87/2022 s4.

Coming into force

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

1 Nov 2002 cE-11.1 Reg 1 s7.

