

# *The Traffic Safety Court of Saskatchewan Regulations*

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Chapter T-19.1 Reg 1 (effective May 1, 1989) as amended by Saskatchewan Regulations 56/91, 61/92, 39/94, 8/95, 93/97, 7/1999, 79/1999, 87/2000, 82/2001, 56/2002, 48/2003, 108/2005, 86/2006, 74/2007, 75/2008, 22/2011 and 57/2012.

## **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 T-19.1 REG 1

### *The Traffic Safety Court of Saskatchewan Act, 1988*

#### **Title**

**1** These regulations may be cited as *The Traffic Safety Court of Saskatchewan Regulations*.

#### **Interpretation**

**2** In these regulations:

“**Act**” means *The Traffic Safety Court of Saskatchewan Act, 1988*; («*Loi*»)

“**chief judge**” means Chief Judge of the Provincial Court of Saskatchewan; («*juge en chef*»)

“**fiscal year**” means the period commencing on April 1 in one year and ending on March 31 in the following year; («*exercice*»)

“**public service**” means public service as defined in *The Public Service Act*. («*fonction publique*»)

5 May 89 cT-19.1 Reg 1 s2.

#### **Salary**

**3(1)** For the purposes of clause 5(7)(a) of the Act, a traffic justice is entitled to be paid, for each month of service by the traffic justice, a salary of:

- (a) \$4,185 per month for the period ending on June 30, 1990;
- (b) \$4,352 per month for the period commencing on July 1, 1990 and ending on June 30, 1991;
- (c) \$4,526 per month for the period commencing on July 1, 1991 and ending on June 30, 1994;
- (d) \$4,617 per month commencing on July 1, 1994 and ending on June 30, 1997;
- (e) \$4,663 per month commencing on July 1, 1997 and ending on June 30, 1998;
- (f) \$4,804 for the period commencing on July 1, 1998 and ending on June 30, 1999;
- (g) \$4,900 for the period commencing on July 1, 1999 and ending on June 30, 2000;
- (h) \$4,998 for the period commencing on July 1, 2000 and ending on March 31, 2001;
- (i) \$5,583 for the period commencing on April 1, 2001 and ending on March 31, 2002;
- (j) \$5,923 for the period commencing on April 1, 2002 and ending on March 31, 2003;

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(k) \$6,272 for the period commencing on April 1, 2003 and ending on June 30, 2005;

(l) \$6,335 for the period commencing on July 1, 2005 and ending on June 30, 2006;

(m) \$6,513 for the period commencing on July 1, 2006 and ending on June 30, 2007;

(n) \$6,916 for the period commencing on July 1, 2007 and ending on March 31, 2008;

(o) \$7,193 for the period commencing on April 1, 2008 and ending on March 31, 2009;

(p) \$7,517 for the period commencing on April 1, 2009 and ending on March 31, 2010;

(q) \$7,630 for the period commencing on April 1, 2010 and ending on March 31, 2011;

(r) \$7,783 for the period commencing on April 1, 2011 and ending on March 31, 2012;

(s) \$7,939 for the period commencing on April 1, 2012.

(2) Where a traffic justice serves for a period of less than one month, the traffic justice is entitled to a salary for that period equal to the product of:

(a) the salary prescribed in subsection (1); and

(b) the ratio of the number of working days in that period to the number of working days in the month.

(3) Notwithstanding subsections (1) and (2), a traffic justice appointed pursuant to section 6 of the Act is entitled to be paid a fee in an amount equal to:

(a) 1/248 of the current annual salary payable to a traffic justice appointed pursuant to section 5 of the Act for each day of service; and

(b) half of the amount mentioned in clause (a) for each half day of service.

5 May 89 cT-19.1 Reg 1 s3; 2 Aug 91 SR 56/91 s3;  
24 Jly 92 SR 61/92 s2; 10 Feb 95 SR 8/95 s2; 10  
Oct 97 SR 93/97 s3; 29 Jan 99 SR 7/1999 s2; 5  
Nov 99 SR 79/1999 s2; 3 Nov 2000 SR 87/2000 s2;  
16 Nov 2001 SR 82/2001 s2; 12 Jly 2002 SR 56/  
2002 s2; 6 Jne 2003 SR 48/2003 s2; 7 Oct 2005 SR  
108/2005 s2; 15 Sep 2006 SR 86/2006 s2; 24 Aug  
2007 SR 74/2007 s2; 5 Sep 2008 SR 75/2008 s2;  
20 May 2011 SR 22/2011 s2; 10 Aug 2012 SR 57/  
2012 s2.

**Recreation leave**

4(1) Subject to subsection (3), a traffic justice is entitled to annual recreation leave in each fiscal year of:

(a) where the traffic justice has served less than eight years, 15 working days;

(b) where the traffic justice has served eight years or more but less than 15 years, 20 working days;

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- (c) where the traffic justice has served 15 years or more but less than 25 years, 25 working days;
  - (d) where the traffic justice has served 25 years or more, 30 working days.
- (2) Subject to subsection (3), if a traffic justice is entitled to annual recreation leave for a period that is less than a full fiscal year, the traffic justice is entitled to recreation leave:
- (a) if the traffic justice has served less than eight years, at the rate of one and one-quarter working days for each month of service in that period;
  - (b) if the traffic justice has served eight years or more but less than 15 years, at the rate of one and two-thirds working days for each month of service in that period;
  - (c) if the traffic justice has served 15 years or more but less than 25 years, at the rate of two working days for each month of service in that period;
  - (d) if the traffic justice has served 25 years or more, at the rate of two and one-half working days for each month of service in that period.
- (3) A traffic justice who works less than a full month is entitled to be paid an amount for recreation leave for that month equal to the product of:
- (a) if the traffic justice has served:
    - (i) less than eight years, 0.06;
    - (ii) eight years or more but less than 15 years, 0.08;
    - (iii) 15 years or more but less than 25 years, 0.10;
    - (iv) 25 years or more, 0.12;
  - (b) the ratio of the number of days he actually worked in that month to the number of working days in that month; and
  - (c) the salary to which he would be entitled if he worked a full month.
- (4) Where a traffic justice accumulated unused recreation leave prior to the coming into force of the Act, the traffic justice is entitled to that recreation leave in addition to any other recreation leave earned pursuant to the Act.
- (5) Subject to the prior approval of the chief judge, a traffic justice may carry-over a maximum of 15 days unused recreation leave from one fiscal year to the next.
- (6) A traffic justice shall obtain the prior approval of the chief judge for the period the traffic justice intends to take recreation leave.
- (7) Notwithstanding subsection (5), a traffic justice who, immediately prior to his appointment, was in the public service is entitled to carry over all unused recreation leave from that employment.

**T-19.1 REG 1 TRAFFIC SAFETY COURT OF SASKATCHEWAN****Scheduled days off**

**4.1(1)** A traffic justice is entitled to take 12 working days each fiscal year, to be entitled scheduled days off, as paid leave.

(2) The entitlement to scheduled days off described in subsection (1) is to be calculated as and from May 1, 1989 or any later day on which a traffic justice is appointed to office.

(3) If a traffic justice is entitled to scheduled days off for a period that is less than a full fiscal year, the scheduled days off to which the traffic justice is entitled is equal to the product of:

- (a) the number of days actually worked by the traffic justice in the fiscal year; and
- (b) 0.04615;

rounded to the nearest half day.

(4) Subject to the prior approval of the chief judge, a traffic justice may carry-over a maximum of 10 days of unused scheduled days off from one fiscal year to the next.

(5) Subject to the prior approval of the chief judge, a traffic justice may bank a maximum of 12 days of unused scheduled days off in each fiscal year, to a maximum total bank of 20 days.

(6) A traffic justice shall obtain the prior approval of the chief judge for any day the traffic justice intends to take as a scheduled day off.

2 Aug 91 SR 56/91 s5.

**Statutory holidays**

**5** In addition to his annual recreation leave, a traffic justice is entitled to leave of absence with pay for each statutory holiday.

5 May 89 cT-19.1 Reg 1 s5.

**Sick leave**

**6(1)** Subject to subsection (2), a traffic justice is entitled to sick leave calculated at a rate of 1 and 1/4 days for each month of service.

(2) A traffic justice who works less than a full month is entitled to sick leave for that month equal to the product of:

- (a) the number of days to which he would be entitled pursuant to subsection (1) if he worked a full month; and
- (b) the ratio of the number of days he actually worked in that month to the number of working days in that month.

(3) A traffic justice is entitled to carry over unused sick leave from one fiscal year to the next.

(4) Where a traffic justice accumulated unused sick leave prior to the coming into force of the Act, the traffic justice is entitled to that sick leave in addition to any other sick leave earned pursuant to the Act.

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- (5) A traffic justice may use his accumulated sick leave, to a maximum of 12 consecutive months, for each period of illness.
- (6) Where a traffic justice has used all of his accumulated sick leave and requires additional days of sick leave, the minister may approve up to 30 days of additional sick leave for the traffic justice.
- (7) The chief judge may request a medical certificate from any traffic justice who is absent from judicial duties because of illness.
- (8) On receiving a request of the chief judge pursuant to subsection (7), the traffic justice shall promptly furnish the chief judge with the medical certificate.
- (9) A traffic justice who, immediately prior to his appointment, was in the public service is entitled to carry over all unused sick leave from that employment.

5 May 89 cT-19.1 Reg 1 s6.

**Leave of absence**

- 7(1) Where the minister considers it in the best interests of the administration of justice, the minister may grant a leave of absence to a traffic justice.
- (2) The minister may grant a leave of absence pursuant to this section:
- (a) without pay;
  - (b) with pay; or
  - (c) with partial pay.
- (3) A traffic justice who is granted a leave of absence with pay shall continue to make the required contribution from his salary pursuant to *The Public Service Superannuation Act* for the period of his leave of absence.
- (4) A traffic justice who:
- (a) is granted leave of absence without pay or with partial pay; and
  - (b) signifies in writing to the chief judge, within 30 days of the date of his return to duties, that he wishes the period of his leave of absence to be pensionable service;

shall make the required contribution from his salary pursuant to *The Public Service Superannuation Act* in an amount equal to the sums which would have been deducted had his salary been paid in full during the period of his leave of absence.

- (5) A leave of absence granted pursuant to this section is deemed to be pensionable service only if the traffic justice makes the required contributions from his salary pursuant to *The Public Service Superannuation Act*.

5 May 89 cT-19.1 Reg 1 s7.

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**8** In accordance with any guidelines that the chief judge may establish and subject to the prior approval of the chief judge, a traffic justice may use his accumulated sick leave to take a leave of absence with pay for reasons of pressing necessity.

5 May 89 cT-19.1 Reg 1 s8.

**Absence from judicial duties**

**9(1)** A traffic justice shall promptly provide a report to the chief judge at any time that the traffic justice is absent from his judicial duties.

(2) A traffic justice who is absent from his judicial duties without the prior approval of the chief judge is deemed to be on a leave of absence without pay.

5 May 89 cT-19.1 Reg 1 s9.

**Records**

**10** The chief judge shall cause to be kept adequate records of the work days, sick leave and recreation leave of all traffic justices.

5 May 89 cT-19.1 Reg 1 s10.

**Expenses away from home**

**11(1)** A traffic justice who, for the purpose of performing any judicial duty, attends at any place other than the place where he is appointed to act, is entitled to be paid the amount of any actual and reasonable travelling and sustenance expenses that he incurs as a result of his attendance in accordance with rates established for employees in the public service.

(2) A traffic justice who is required to move his permanent residence from one place to another is entitled to be paid his moving expenses, including reasonable relocation costs, as if the traffic justice were an employee in the public service.

(3) A traffic justice who attends a function:

- (a) at the request of; or
- (b) with the permission of;

the minister is entitled to be paid the amount of any actual or reasonable travelling and sustenance expenses that he incurs as a result of his attendance as if the traffic justice were an employee in the public service.

5 May 89 cT-19.1 Reg 1 s11.

**Contributions to life insurance**

**12** Every traffic justice shall contribute to a group life insurance plan established for the employees in the public service.

5 May 89 cT-19.1 Reg 1 s12.

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**Dental plan**

**13** Every traffic justice shall participate in the Public Employees Dental Plan established for the employees in the public service.

5 May 89 cT-19.1 Reg 1 s13.

**Disability Income Plan**

**13.1** Every traffic justice shall contribute to and is eligible to receive benefits from the Government of Saskatchewan Disability Income Plan that is established for employees in the public service of the Government of Saskatchewan.

10 Oct 97 SR 93/97 s4.

**Extended Health Care Plan**

**13.2** Every traffic justice is eligible to receive benefits pursuant to the Extended Health Care Plan that is established for employees in the public service of the Government of Saskatchewan who are not subject to a collective agreement.

10 Oct 97 SR 93/97 s4.

**Deduction of overpayments from superannuation**

**14** The Government of Saskatchewan may deduct from any pension contribution refunds or superannuation payments of a traffic justice who retires, resigns or is removed from office any overpayments made to the traffic justice in the form of advances of unearned recreation or sick leave.

5 May 89 cT-19.1 Reg 1 s14.

**Reports**

**15(1)** A traffic justice shall:

- (a) prepare a report showing the disposition of every matter commenced, tried, heard or adjudicated on, by or before the traffic justice;
- (b) at the end of each month with respect to which the report is prepared, forward a copy of the report mentioned in clause (a) to the minister; and
- (c) cause the original signed report mentioned in clause (a) to be retained in the court office in which the document pertaining to the matters reported are filed.

(2) The form of the report required by this section is to:

- (a) be in the form determined by the minister; and
- (b) contain, with respect to each matter:
  - (i) the name of the accused;
  - (ii) designation of the offence by section number and statute or bylaw;
  - (iii) the date of the hearing; and
  - (iv) the disposition of the matter.

(3) All entries on the report required by this section are to be made immediately after the happening of the event with respect to which the information is to be entered.

5 May 89 cT-19.1 Reg 1 s15.

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**16** Every traffic justice shall forward to the minister, at the times required by the minister, all unclaimed money for which no proper disposition can be made.

5 May 89 cT-19.1 Reg 1 s16.

**Application of the Act**

**17** The Act applies to the cities of Regina and Saskatoon.

5 May 89 cT-19.1 Reg 1 s17.

**Offences to which Act applies**

**18** The Act applies only to offences mentioned in section 7 of the Act that are alleged to have been committed within any of the following areas:

- (a) the municipal boundaries of the city of Regina;
- (b) the boundaries of the Regina Detachment of the R.C.M.P. west of the Second Meridian, commencing at the south-west corner of Section 6, in Township 15, in Range 15; north for 12 miles to the north-east quarter of Section 36, in Township 16, in Range 16; west for two miles to the south-west quarter of Section 2, in Township 17, in Range 16; north for 12 miles to the north-west quarter of section 35, in Township 18, in Range 16; east for one mile to the north-east quarter of Section 35, in Township 18, in Range 16; north to the north-east quarter of Section 24, in Township 20, in Range 16; west for one mile; north for two miles to the south boundary of the Muscowpetung Indian Reserve; west for 11 miles to the Piapot Indian Reservation; south for two miles; west along the south boundary of the Piapot Indian Reservation to the south-west quarter of Section 25, in Township 20, in Range 20; south for 10 miles to the south-west quarter of Section 1, in Township 19, in Range 20; west for 19 miles to the north-west quarter of Section 34, in Township 18, in Range 23; south for 20 miles to the south-west quarter of Section 27, in Township 15, in Range 23; on a diagonal to the south-west quarter of Section 34, in Township 14, in Range 22; east to the south-west quarter of Section 36, in Township 14, in Range 16; north for one mile to the north-west quarter of Section 36, in Township 14, in Range 16; east to the point of commencement;
- (c) the municipal boundaries of the city of Saskatoon;
- (d) the boundaries of the Saskatoon Detachment of the R.C.M.P. west of the Third Meridian, commencing at the north-west quarter of Section 6, in Township 33, in Range 9; east to the north-west quarter of Section 1, in Township 33, in Range 6 at the east shore of the South Saskatchewan River; south along the east shore of the South Saskatchewan River to the south-west quarter of Section 35, in Township 32, in Range 6; east to the south-east quarter of Section 31, in Township 32, in Range 5; north to the north-east quarter of Section 6, in Township 34, in Range 5; west to the north-west quarter of Section 6, in Township 34, in Range 5; north to the north-west quarter of Section 31, in Township 34, in Range 5; west to the north-west quarter of Section 6, in Township 34, in Range 5; north to the north-west quarter of Section 31, in Township 34, in Range 5; east to the north-east quarter of Section 36, in Township 34, in Range 5; south along the Dundurn

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Military Camp border to the north-east quarter of Section 32, in Township 33, in Range 4; east to the north-west quarter of Section 31, in Township 33, in Range 1; north to the north-west quarter of Section 31, in Township 37, in Range 1; west to the north-west quarter of Section 31, in Township 37, in Range 3; north to the north-west quarter of Section 31, in Township 38, in Range 3; west to the east shore of the South Saskatchewan River at the north-west quarter of Section 36, in Township 38, in Range 4; north-east along the east shore of the South Saskatchewan River to the north-east quarter of Section 36, in Township 40, in Range 3; west to the north-west quarter of section 35, in Township 40, in Range 7; at the east shore of the North Saskatchewan River, follow the North Saskatchewan River shore south-west to the west bank of Eagle Creek to the south-west quarter of Section 4, in Township 38, in Range 10; east to the south-west quarter of Section 6, in Township 38, in Range 9; south to the south-west quarter of Section 6, in Township 33, in Range 9;

- (e) the Rural Municipality of Corman Park, No. 344;
- (f) the town of Dalmeny;
- (g) the town of Martinsville.

