

The Building and Accessibility Standards Administration Regulations

being

Chapter U-1.2 Reg 6 (effective May 16, 1997) as amended by Saskatchewan Regulations [93/98](#), [11/2001](#), [29/2001](#), [70/2001](#), [109/2002](#), [118/2004](#), [18/2005](#), [54/2005](#), [104/2005](#), [26/2007](#), [13/2009](#), [40/2010](#), [65/2014](#) and [56/2018](#); and by *The Statutes of Saskatchewan*, 2012, c.34.

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 U-1.2 REG 6

The Uniform Building and Accessibility Standards Act

Title

1 These regulations may be cited as *The Building and Accessibility Standards Administration Regulations*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Uniform Building and Accessibility Standards Act*;
- (b) **“Building Code Training for Canadians”** means the program of home study courses developed as a partnership program of the Saskatchewan Building Officials Association Inc. and the Southeast Regional College;
- (c) **“Code”** means the edition and provisions of the National Building Code of Canada, including revisions, variations and modifications to it, declared to be in force pursuant to the Act and *The Uniform Building and Accessibility Standards Regulations*;
- (d) **“inspection”** means:
 - (i) the inspection of ongoing or incomplete building construction, materials of construction or building systems; or
 - (ii) the inspection of completed or existing building construction, materials of construction or building systems;

to ascertain whether the Act and *The Uniform Building and Accessibility Standards Regulations* have been or are being complied with;

(d.1) **“licence”** means a Building Official’s licence issued pursuant to section 9;

(e) **“plan review”** means the examination of building drawings and related documents to ascertain whether they meet the requirements of the Act and *The Uniform Building and Accessibility Standards Regulations*.

(2) Subject to the Act, *The Uniform Building and Accessibility Standards Regulations* and these regulations, words, symbols and abbreviations defined in the Code apply to these regulations.

LICENSING OF BUILDING OFFICIALS

Classes of licence

3 The following classes of licence are established:

- (a) Building Official Class 1, which entitles the holder to:
 - (i) complete plan reviews and inspections respecting residential buildings that contain one or two dwelling units, including residential buildings in which the one or two dwelling units contain a secondary suite; and
 - (ii) take any action that a building official is authorized by the Act to take respecting residential buildings that contain one or two dwelling units, including residential buildings in which one or two dwelling units contain a secondary suite;
- (b) Building Official Class 2, which entitles the holder to:
 - (i) complete plan reviews and inspections respecting buildings that are within the scope of Part 9 of the Code; and
 - (ii) take any action that a building official is authorized by the Act to take, respecting buildings that are within the scope of Part 9 of the Code;
- (c) Building Official Class 3, which entitles the holder to:
 - (i) complete plan reviews and inspections respecting buildings that are within the scope of the Code; and
 - (ii) take any action that a building official is authorized by the Act to take, respecting buildings that are within the scope of the Code;
- (d) Building Official Temporary and Building Official Restricted, which entitle the holder to take any actions stipulated by the chief building official in the licence, but no others.

30 May 97 cU-1.2 Reg 6 s3; 24 Aug 2018 SR
56/2018 s4.

Application for licence

4(1) Subject to subsections 9(2) and (3), a person who wishes to obtain a licence shall:

- (a) apply in writing to the chief building official on a form supplied by the department;
- (b) provide evidence of qualification for candidacy, including information regarding education, training and employment required pursuant to section 5;
- (c) provide evidence of having passed the appropriate examination described in section 6; and
- (d) pay the appropriate fee set out in Table 1 of the Appendix based on the number of years or the period for which the applicant is applying to have the licence issued.

(2) Where any false or misleading statement is made in an application or evidence of qualification mentioned in subsection (1), the chief building official may disqualify the candidate from holding or applying for a licence for a period of one year from the date of disqualification.

(3) An applicant may apply for a licence, other than a Building Official Temporary licence or Building Official Restricted licence, for a period of one or five years.

30 May 97 cU-1.2 Reg 6 s4; 24 Aug 2018 SR
56/2018 s5.

Qualifications of candidates

5(1) A person may be accepted as a candidate for a Building Official Class 1 licence if he or she has completed a minimum of two years of full-time work, or equivalent, in a related occupation and:

- (a) holds a diploma of technology in architecture, engineering, or a related program;
- (b) holds a Journeyperson Certificate of Qualification in a designated trade, within the meaning of *The Apprenticeship and Trade Certification Act* and the regulations made pursuant to that Act, that is related to building construction;
- (c) is an engineer or is eligible for registration as an engineer;
- (d) is an architect or is eligible for registration as an architect;
- (e) has a minimum of five years' experience as an inspector appointed pursuant to the Act before the coming into force of these regulations; or
- (f) has completed the Building Code Training for Canadians Series I course or any other equivalent course acceptable to the chief building official.

(2) The chief building official may accept a candidate for a Building Official Class 1 licence who does not meet the requirements of subsection (1) if satisfied, on the basis of an application submitted in writing, that the candidate has qualifications equivalent to those set out in subsection (1).

(3) Any person who holds a valid Building Official Class 1 licence may be accepted as a candidate for a Building Official Class 2 licence.

(4) Any person who holds a valid Building Official Class 2 licence may be accepted as a candidate for a Building Official Class 3 licence.

30 May 97 cU-1.2 Reg 6 s5; 4 Jly 2014 SR
65/2014 s3; 24 Aug 2018 SR 56/2018 s6.

Examinations

6(1) The examination for a Building Official Class 1 licence is to consist of questions relating to the Act, regulations pursuant to the Act, and provisions of the Code respecting residential buildings that contain one or two dwelling units.

(2) The examination for a Building Official Class 2 licence is to consist of questions relating to the Act, regulations pursuant to the Act, and provisions of the Code respecting buildings that are within the scope of Part 9 of the Code, with the focus on buildings within the scope of Part 9 of the Code other than buildings that contain one or two dwelling units.

(3) The examination for a Building Official Class 3 licence is to consist of questions relating to the Act, regulations pursuant to the Act, and provisions of the Code respecting buildings that are within the scope of the Code, with the focus on buildings within the scope of Part 3 of the Code.

(4) Every examination is to be a written examination.

(5) Subject to subsection 8(2), a candidate for an examination shall pay the appropriate fee set out in Table 1 of the Appendix.

30 May 97 cU-1.2 Reg 6 s6.

Passing grade

7(1) To qualify for a licence, a candidate must receive not less than 80% of the total marks allotted for an examination.

(2) An examination may be re-marked if the candidate requests a re-marking and, subject to subsection 8(2), pays the appropriate fee set out in Table 1 of the Appendix.

(3) A candidate who fails to receive 80% or more of the total marks allotted for an examination is not entitled to be examined again within three months after the date of writing the examination.

30 May 97 cU-1.2 Reg 6 s7.

Examinations conducted other than by department

8(1) On the recommendation of the chief building official, the department may arrange for examinations to be prepared, scheduled, held, marked and otherwise administered by an educational or other institution acceptable to the department, in lieu of having examinations administered by the department.

(2) When an educational or other institution administers examinations pursuant to subsection (1), no examination or re-marking fee is payable to the department, but the candidate is liable to pay any fee charged by the educational or other institution.

(3) The chief building official may accept successful completion of a Building Code Training for Canadians course or any other equivalent course as being the equivalent of successful completion of an examination pursuant to these regulations.

30 May 97 cU-1.2 Reg 6 s8; 4 Jly 2014 SR
65/2014 s4.

Issuance of licence

9(1) The chief building official may issue a licence of an appropriate class to a candidate who establishes to the satisfaction of the chief building official that the candidate has met the competencies and requirements for licensing pursuant to these regulations.

(2) Notwithstanding any other provision of these regulations, the chief building official may issue a licence of an appropriate class to a person who was appointed by a local authority as an inspector pursuant to the Act before these regulations came into force, on receipt of:

- (a) a written request from the local authority that made the appointment;
- (b) satisfactory evidence of appointment and identity; and
- (c) payment of the appropriate fee set out in Table 1 of the Appendix.

(3) Notwithstanding any other provision of these regulations, the chief building official shall issue a licence of the appropriate class to a person who is a resident in another province or territory of Canada and who has not otherwise met the competencies and requirements for licensing pursuant to these regulations if the person produces evidence to the chief building official that the person:

- (a) possesses a licence, certification or accreditation in good standing from another province or territory of Canada that is equivalent to a licence issued pursuant to these regulations;
- (b) demonstrates to the satisfaction of the chief building official a sufficient knowledge of the Act, the regulations made pursuant to the Act and the Code, including those provisions of the Code that are amended by Saskatchewan; and
- (c) has paid the appropriate fee set out in Table 1 of the Appendix.

(4) Notwithstanding subsections (1) to (3) but subject to subsections (5) to (7), the chief building official may issue a Building Official Temporary licence or Building Official Restricted licence to practise to a person who:

- (a) does not fully meet the competencies and requirements mentioned in subsection (1);
- (b) agrees to practise in accordance with the conditions or restrictions specified on the Building Official Temporary licence or the Building Official Restricted licence; and
- (c) has paid the appropriate fee set out in Table 1 of the Appendix.

(5) The chief building official may issue a Building Official Temporary licence or Building Official Restricted licence if the chief building official is satisfied that the circumstances mentioned in subsection (4) are met and that it is appropriate to do so.

(6) A Building Official Temporary licence may be issued for a period of not more than one year and may be renewed only once in accordance with these regulations.

(7) A Building Official Restricted licence may be issued for a period of not more than five years and may not be renewed.

Renewal and expiry of licences

- 10(1)** Except as otherwise provided in this section, a licence expires on the date set out on the licence, unless it is renewed in accordance with this section.
- (2) A licence holder may apply to renew a licence, other than a Building Official Temporary licence or Building Official Restricted licence, for a period of one or five years.
- (3) Any person who wishes to renew a licence shall:
- (a) apply in writing to the chief building official on a form supplied by the chief building official at least 15 days before the licence expires;
 - (b) provide evidence of qualification for renewal required pursuant to subsection (4); and
 - (c) pay the appropriate fee set out in Table 1 of the Appendix based on the number of years or the period for which the licence holder is applying to have the licence renewed.
- (4) If any false or misleading statement is made in an application or in evidence of qualification mentioned in subsection (3), the chief building official may reject the application.
- (5) To qualify for renewal of a licence, the licence holder must hold a valid licence, and:
- (a) provide evidence acceptable to the chief building official that the licence holder has, during the period of the licence that is to be renewed:
 - (i) completed related training courses acceptable to the chief building official;
 - (ii) demonstrated to the satisfaction of the chief building official a sufficient knowledge of the Code, including those provisions of the Code that are amended by Saskatchewan;
 - (iii) attended information sessions acceptable to the chief building official on changes to the Code;
 - (iv) been a member of a Code development committee acceptable to the chief building official; or
 - (v) participated in other related activities that are acceptable to the chief building official; or
 - (b) provide peer and client references acceptable to the chief building official and relating to services performed during the period of the licence that is to be renewed to satisfy the chief building official that the licence holder has the qualifications, skill and experience to hold the licence.
- (6) A valid licence that is in force on the day on which this section comes into force expires, unless it is renewed in accordance with this section:
- (a) on the date stated on the licence; or
 - (b) if the licence holder has not paid the fee required by these regulations for a year, on the December 31 of the last year for which the fee was paid.

Cancellation or suspension of licence

11(1) Subject to subsection (2), the chief building official may cancel or suspend any licence issued pursuant to these regulations if satisfied that the licence holder:

- (a) made any false or misleading statement in an application or in presenting evidence of qualifications;
- (b) cheated on an examination or removed from the examination room any question or copy of a question given in an examination;
- (c) undertook to complete or completed work outside of the authorized scope of his or her licence;
- (d) has been convicted of an offence in connection with work performed under the licence;
- (e) performed any other action in connection with work performed under the licence that, in the opinion of the chief building official, is negligent or malicious; or
- (f) has engaged in any other activities or has done or failed to do any other thing that, in the opinion of the chief building official, makes it in the public interest to cancel or suspend a licence.

(2) The chief building official shall not cancel or suspend a licence until:

- (a) the licence holder has been notified in writing by registered mail of the chief building official's intent to cancel or suspend the licence;
- (b) the licence holder has been given the opportunity to be heard by the chief building official regarding the cancellation or suspension; and
- (c) 30 days have elapsed from the date of service of the notice issued pursuant to clause (a).

(3) A notice issued pursuant to clause (2)(a) is deemed to have been served on the fifth day after it is mailed.

30 May 97 cU-1.2 Reg 6 s11; 24 Aug 2018 SR
56/2018 s9.

Advisory committees

12(1) The chief building official may establish advisory committees to:

- (a) assist in the development and revision of the program for licensing building officials;
- (b) provide guidelines for the evaluation of candidates' experience and training;
- (c) assist in the assessment of a candidate's past experience and training;
- (d) assist in the development and revision of examinations;
- (e) assist in the assessment of a candidate's activities to support renewal of a licence;

- (f) assist in the assessment of educational institutions for the purpose of section 8;
 - (g) make recommendations respecting amendments to these regulations and new regulations; and
 - (h) make recommendations respecting any matter relating to the administration of these regulations.
- (2) The advisory committees must include:
- (a) at least one representative of the department;
 - (b) at least one representative of building officials;
 - (c) at least one representative of municipalities;
 - (d) at least one representative of the construction industry; and
 - (e) any other persons considered necessary by the chief building official.
- (3) A representative of the department is to be the chairperson of an advisory committee.

30 May 97 cU-1.2 Reg 6 s12.

Fees

- 13(1)** The fee payable to the department for an examination, the re-marking of an examination, a licence or a duplicate of a licence is set out in Table 1 of the Appendix.
- (2) The fee payable to the department for a Building Official Class 1 licence, a Building Official Class 2 licence or a Building Official Class 3 licence to be issued or renewed may be paid:
- (a) on an annual basis; or
 - (b) for the full five-year term of the licence.
- (3) The licence fee is payable in addition to any other fees provided for in any Act or regulation.

30 May 97 cU-1.2 Reg 6 s13.

RESOLUTIONS OF RURAL MUNICIPALITIES

- 14 Repealed.** 2012, c.34, s.5.

BUILDING AND ACCESSIBILITY
STANDARDS ADMINISTRATION

U-1.2 REG 6

REPEAL AND COMING INTO FORCE

R.R.S. c.U-1.2 Reg 3 repealed

15 *The Rural Municipalities Building Standards Resolution Regulations* are repealed.

30 May 97 cU-1.2 Reg 6 s15.

R.R.S. c.U-1.2 Reg 4 repealed

16 *The Building and Accessibility Standards Enforcement Assistance Fees Regulations* are repealed.

30 May 97 cU-1.2 Reg 6 s16.

Appendix

Table 1
[Section 13]

Examination and Licence Fees

| <i>Item</i> | <i>Fee</i> |
|---|--|
| 1. Building Official Class 1, 2 or 3 examination..... | \$200 |
| 2. Building Official Class 1, 2 or 3 re-marking of examination... | 50 |
| 3. Building Official Class 1 licence..... | 50 for one year, 200 for five years |
| 4. Building Official Class 2 licence..... | 50 for one year, 200 for five years |
| 5. Building Official Class 3 licence..... | 50 for one year, 200 for five years |
| 6. Building Official Temporary licence..... | 50 per year |
| 7. Building Official Restricted licence..... | 50 per year |
| 8. Duplicate licence..... | 25 |

24 Aug 2018 SR 56/2018 s10.

