

1989

CHAPTER 35

An Act to amend The Department of Justice Act

(Assented to August 25, 1989)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title1 This Act may be cited as The Department of Justice Amendment Act, 1989.

S.S. 1983, c.D-18.2 amended, new section 14.1

2 The following section is added after section 14 of The Department of Justice Act:

Revolving fund"14.1(1) In this section:

(a) 'correctional facility' means a correctional facility as defined in The Corrections Act;

(b) 'offender' means a person confined to a correctional facility.

"(2) The revolving fund called the Correctional Facilities Industries Revolving Fund is established, and the minister shall administer the revolving fund.

"(3) The minister may use the revolving fund:

(a) to operate work programs intended to reduce the costs of operating, maintaining and repairing correctional facilities;

(b) to operate industries that are:

(i) wholly owned and operated by the Crown;

(ii) jointly owned and operated by the Crown and another person; or

(iii) owned and operated in whole or in part by a person other than the Crown.

"(4) Subject to subsection (11), the Minister of Finance shall pay out of the consolidated fund on behalf of the revolving fund any moneys the minister may require:

(a) to purchase, maintain, repair or trade any equipment or materials that are, in the minister's opinion, necessary for the operation of an industry in a correctional facility;

(b) to purchase or lease any equipment required for the production of goods or services through an industry in a correctional facility;

(c) to purchase any material or supplies necessary for the operation, maintenance or repair of the machinery and equipment mentioned in clause (a) or (b);

(d) to fulfil any agreements the minister has made respecting:

(i) consulting fees for an industry in a correctional facility; or

(ii) freight, shipping and transportation costs respecting an industry in a correctional facility;

(e) to purchase, rent or lease any motor vehicles that are, in the minister's opinion, necessary for an industry in a correctional facility and to pay for:

(i) any supplies that are necessary for the operation of those motor vehicles; and

(ii) the cost of necessary repairs to those motor vehicles;

(f) to pay for labour costs associated with:

(i) the provision of services by, and operation of, an industry in a correctional facility;

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- (ii) work allowances, wages and benefits for offenders who are employed in an industry;
  - (iii) the payments to the correctional facility's offender benefit accounts for the good of the offenders;
  - (iv) income tax, unemployment insurance and other employee remittances;
  - (g) to pay for supervisory and administrative costs associated with:
  - (i) the production of goods and services through an industry in a correctional facility;
  - (ii) the administration of the revolving fund;
  - (h) to pay for overhead costs of an industry in a correctional facility, including rent charges, utility costs, office supplies and equipment.
- "(5) The minister shall pay to the consolidated fund all or any part of any surplus in the revolving fund that Treasury Board may direct.
- "(6) Where the minister provides goods or services through the revolving fund, the minister may charge a fee to recover amounts incurred by the revolving fund to provide those goods or services.
- "(7) Where the minister charges a fee pursuant to subsection (6), the minister shall include any additional amounts that Treasury Board may direct.
- "(8) Subject to any terms and conditions that Treasury Board may impose, the minister may sell, rent, lease or otherwise dispose of property and assets acquired by the minister through the revolving fund.
- "(9) Subject to subsection (10), all amounts received pursuant to this section are to be paid to the Minister of Finance and credited to the revolving fund.
- "(10) Any amounts received pursuant to subsection (7) are to be paid to the Minister of Finance and credited to the consolidated fund.
- "(11) The sum of:
- (a) all liabilities due to the Minister of Finance from the revolving fund on the day this section comes into force; and
  - (b) any payments made by the Minister of Finance on behalf of the revolving fund;
- less any amounts credited to the revolving fund is not to exceed an amount that may be set by order of the Lieutenant Governor in Council.
- "(12) Notwithstanding any other Act or law:
- (a) all moneys deposited in the consolidated fund to the credit of the revolving fund before the coming into force of this section are deemed to have been credited pursuant to the authority of this section;
  - (b) all moneys paid out of the consolidated fund for the purposes of the revolving fund or advanced from the consolidated fund to the revolving fund before the coming into force of this section are deemed to have been paid out or advanced pursuant to the authority of this section;
  - (c) all fees charged to provide goods and services through the revolving fund before the coming into force of this section are deemed to have been charged pursuant to the authority of this section".

Coming into force3 This Act comes into force on the day of assent, but is retroactive  
and is deemed to have been in force on and from  
April 1, 1989.