

The Ambulance Act

being

Chapter A-18.1 of the *Statutes of Saskatchewan, 1986* (effective July 1, 1989), as amended by the *Statutes of Saskatchewan, 1988-89, c.35 and 42; 1989-90, c.54; 1990-91, c.L-10.1; 1992, c.A-24.1; 2002, c.C-11.1; 2004, c.10; 2007, c.P-0.1; 2009, c.8; 2013, c.S-15.1; 2018, c.42; and 2019, c.25.*

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 I		PART IV	
Short Title and Interpretation		Operators and Employees	
1	Short title	30	Licence required
2	Interpretation	31	Licence
PART II		32	Issuance of licence
Districts and Boards		32.1	Prohibition
DISTRICTS		33	Amendment, suspension, cancellation of licences
Repealed		34	Licence not transferable
BOARDS		35	Reviews
6	Repealed	36	Inspection
7	Repealed	37	Platoons
8	Repealed	38	Period of rest
9	Repealed	39	Disaster
10	General powers	40	Conflict with <i>The Saskatchewan Employment Act</i>
11	Rates	41	Air ambulance
12	Repealed	PART V	
13	Repealed	General	
14	Repealed	42	Repealed
15	Repealed	43	Regulations
16	Repealed	44	Offence and penalty
17	Repealed	45	Repealed
18	Contractual disputes		
PART III			
Emergency Medical Assistants			
Repealed			

CHAPTER A-18.1

An Act respecting the Provision of Ambulance Services in Saskatchewan

PART I

Short Title and Interpretation

Short title

- 1 This Act may be cited as *The Ambulance Act*.

Interpretation

- 2 In this Act:

- (a) **“air ambulance service”** means a service using aircraft for the conveyance and stabilization of patients;
- (b) **“ambulance”** means a conveyance used or intended to be used in an ambulance service for the transportation of patients;
- (c) **“ambulance licence”** means an ambulance licence issued pursuant to section 32;
- (d) **“ambulance service”** means a service held out as available for the conveyance and stabilization of patients and includes the dispatching of ambulances but does not include air ambulance services;
- (e) **“board”** means the board of a regional health authority;
- (f) **Repealed.** 2009, c.8, s.4.
- (g) **“contract”** means a contract between a board and an operator with respect to the provision of ambulance services;
- (h) **Repealed.** 2009, c.8, s.4.
- (i) **Repealed.** 2009, c.8, s.4.
- (i.1) **“health region”** means a health region as defined in *The Regional Health Services Act*;
- (j) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (k) **“operator”** means a person who is licensed pursuant to section 32 to operate an ambulance service;

c. A-18.1

AMBULANCE

(l) “**patient**” means a person who is sick, injured, wounded or otherwise incapacitated or in need of medical attention and who may require stabilization as well as transportation;

(l.1) “**regional health authority**” means a regional health authority as defined in *The Regional Health Services Act*;

(m) **Repealed.** 2009, c.8, s.4.

1986, c.A-18.1, s.2; 1988-89, c.35, s.2; 2002,
c.C-11.1, s.368; 2009, c.8, s.4.

PART II
Districts and Boards
DISTRICTS

3 to 5 Repealed. 2009, c.8, s.5.

BOARDS

6 to 9 Repealed. 2009, c.8, s.5.

General powers

10(1) A board:

- (a) shall ensure that the health region receives adequate ambulance services:
 - (i) through the direct operation, maintenance and provision of ambulance services; or
 - (ii) by entering into a contract with any person for the operation, maintenance and provision of ambulance services;
- (b) may acquire by purchase, lease or otherwise anything that it considers necessary for the efficient operation of its business and affairs and sell, lease or otherwise dispose of anything that it considers to be no longer necessary for its purposes;
- (c) may receive gifts, devises and bequests and dispose of anything received by it as a gift, devise or bequest, subject to the terms of the gift, devise or bequest, in any manner and on any terms that it considers advisable;
- (d) may hire any staff or technical personnel that may be required for the purposes of assisting it in the discharge of its responsibilities and determine the remuneration and reimbursement for expenses to which they are entitled; and
- (e) may determine the remuneration and reimbursement for expenses to be paid to each member of the board and each member of any of its committees and subcommittees,
- (f) **Repealed.** 1988-89, c.35, s.4.

(1.1) Where a board has entered into a contract pursuant to subclause (1)(a)(ii), the contract shall contain, in addition to any operational considerations agreed to between the operator and the board:

- (a) a clause stating that there shall be no termination of the contract by the board without just cause;
- (b) a clause providing for a contract term of not less than three years;
- (c) a clause stating that the operator may terminate the contract without cause by giving notice of not less than 120 days to the board; and
- (d) an indemnity clause, which shall indemnify the board from and against all claims, damages, expenses and costs incurred by the board and arising out of any action taken or claim made as a result of any act or omission on the part of the operator or any of his employees or agents.

(2) Where a board resolves to terminate a contract, it shall:

- (a) immediately notify the minister who shall make any recommendations to the board that he considers appropriate; and
- (b) not terminate the contract until it has received the recommendations of the minister pursuant to clause (a).

(3) Where an operator who has entered into a contract with a board pursuant to subclause (1)(a)(ii) fails to maintain current licensed status, the contract is deemed to be terminated:

- (a) subject to clause (b), on the expiry of his licence; or
- (b) in any case to which subsection 35(1) applies:
 - (i) if no request for a review is made pursuant to subsection 35(2), on the expiry of the period prescribed in that subsection; or
 - (ii) if a request for a review is made within the period prescribed in subsection 35(2), on the confirmation by the minister of the action or decision in relation to which the review was requested.

(4) Contracts entered into pursuant to subclause (1)(a)(ii) are assignable by either party to the contract with the consent of the other party, which consent is not to be unreasonably withheld.

(5) Subject to subsections (3) and (6) to (8), a contract entered into pursuant to subclause (1)(a)(ii) is, on expiry of the term of the contract, deemed to be renewed for a further term of the same length.

(6) A board shall not unreasonably refuse to renew a contract mentioned in subsection (5).

(7) The parties to a contract entered into pursuant to clause (1)(a)(ii) may, on the expiry of the term of the contract, agree:

- (a) not to renew the contract; or
- (b) to renew the contract for a further term of a different length.

(8) Subject to subsection 18(12), a contract entered into pursuant to clause (1)(a)(ii) is not deemed to be renewed if, within 120 days before the expiry of the contract:

- (a) the operator gives written notice to the board of his intention to refuse to renew the contract; or
- (b) the board:
 - (i) has reasonable reasons for refusing to renew the contract; and
 - (ii) gives written notice to the operator of its intention to refuse to renew the contract.

1986, c.A-18.1, s.10; 1988-89, c.35, s.4; 2009, c.8, s.6.

Rates

11 Subject to the regulations, each board may establish the charges to be paid by patients to operators for ambulance services in its health region.

1986, c.A-18.1, s.11; 2009, c.8, s.7.

12 to 17 Repealed. 2009, c.8, s.8.

Contractual disputes

18(1) Where a board has entered into a contract pursuant to subclause 10(1)(a)(ii) and:

- (a) the parties to the contract are unable to agree on the interpretation or application of any of the provisions of the contract or of any of the provisions of this Act or the regulations pertaining to the contract;
- (b) the board has terminated the contract for what the operator considers to be unjust reasons; or
- (c) the board has:
 - (i) given notice pursuant to subsection 10(8); or
 - (ii) refused to renew the contract;

for what the operator considers to be unreasonable reasons;

either party may serve notice on the other party and the minister to the effect that the disagreement or the termination shall be referred to a mediator in accordance with this section.

(2) The notice required pursuant to subsection (1) shall be served personally or by registered mail.

(3) On receipt of the notice pursuant to subsection (1), the minister shall:

- (a) appoint a mediator; and
- (b) advise both parties in writing of the appointment.

(4) The mediator shall conduct a hearing with respect to the matter referred to him, at which each of the parties may present evidence and argument.

- (5) Where the mediator determines that:
- (a) he cannot resolve the dispute between the parties; or
 - (b) either or both of the parties refuse to participate in the mediation process provided in this section or in the resolution of the dispute;

the mediator shall report his findings to the minister.

- (6) Where:
- (a) the minister receives a report pursuant to subsection (5); and
 - (b) the mediator states in his report pursuant to subsection (5) that the mediation process will not resolve the dispute between the parties;

the minister shall appoint a single arbitrator to determine the dispute in accordance with *The Arbitration Act, 1992*.

- (7) The notice required pursuant to subsection (1) is deemed to be an arbitration agreement for the purposes of *The Arbitration Act, 1992*.

- (8) Where the arbitrator determines that a board has:

- (a) terminated a contract for unjust reasons; or
- (b) refused to renew a contract for unreasonable reasons;

the arbitrator may order that the contract be continued in force for any term that he may direct and may make any other order respecting the terms and conditions of the contract that he considers appropriate.

- (9) A decision or order of the arbitrator may, with leave of a judge of the Court of Queen's Bench, be enforced in the same manner as a judgment or order of the court.

- (10) The arbitrator may make any order as to costs between the parties to an arbitration pursuant to this section that the arbitrator considers appropriate.

- (11) Either party to a dispute may appeal a decision or order of an arbitrator made pursuant to this section to a judge of the Court of Queen's Bench by notice of motion within:

- (a) 30 days after the day on which the decision was made; or
- (b) any further time that the judge may allow.

- (12) Notwithstanding the referral of any dispute to mediation or arbitration pursuant to this section, the contract between the parties is deemed to continue as it existed when notice was served on the minister pursuant to subsection (1) until:

- (a) the dispute is resolved; or
- (b) the appeal period set forth in subsection (11) expires.

PART III
Emergency Medical Assistants

Repealed. 2007, c.P-0.1, s.55.

PART IV
Operators and Employees

Licence required

30 No person shall operate an ambulance service unless he holds a valid and subsisting ambulance licence issued by the minister.

1986, c.A-18.1, s.30.

Licence

31 An applicant for an ambulance licence shall:

- (a) submit his application to the minister in a form prescribed by the minister; and
- (b) include with his application:
 - (i) evidence of his ability to operate an ambulance service; and
 - (ii) any other relevant information and material that the minister may request.

1986, c.A-18.1, s.31.

Issuance of licence

32(1) Subject to subsection (2), where an application for an ambulance licence, including any information or material requested, is received pursuant to section 31 and the minister is satisfied that the applicant meets the requirements of this Act and the regulations, the minister shall:

- (a) issue the ambulance licence, subject to any terms and conditions that he considers appropriate; or
- (b) refuse to issue the ambulance licence.

(2) The minister shall not issue any licence to operate an ambulance service unless, after consulting with the board or boards in the health region or regions where the applicant proposes to operate, the minister is satisfied that there is a need for an ambulance service or for an additional ambulance service in the health region or regions.

(3) A decision of the minister pursuant to subsection (1) is to be communicated to the applicant in writing.

1986, c.A-18.1, s.32; 1988-89, c.35, s.12; 2009,
 c.8, s.9.

Prohibition

32.1 No person to whom an ambulance licence is issued shall fail to comply with a term or condition to which his licence is subject.

1988-89, c.35, s.13.

Amendment, suspension, cancellation of licences

33(1) Where the minister considers it to be necessary in the public interest, he may amend, suspend or cancel an ambulance licence.

(2) Without restricting the generality of the foregoing, the minister may amend, suspend or cancel an ambulance licence where he is satisfied that:

- (a) the licensee is in breach of the terms or conditions of his licence;
- (b) the licensee is incompetent;
- (c) the licensee is guilty of negligence or misconduct in the provision of ambulance services;
- (d) the licensee is for any reason unsuitable to be licensed pursuant to this Part.

1986, c.A-18.1, s.33.

Licence not transferable

34 An ambulance licence may not be transferred.

1986, c.A-18.1, s.34.

Reviews

35(1) Where the minister:

- (a) issues an ambulance licence;
- (b) refuses to issue an ambulance licence;
- (c) amends, suspends or cancels an ambulance licence;

the applicant for the ambulance licence or the person to whom the ambulance licence is issued, as the case may be, may request a review:

- (d) in the circumstances described in clause (a), of any terms and conditions contained in the ambulance licence;
- (e) in the circumstances described in clause (b), of the refusal to issue the ambulance licence;
- (f) in the circumstances described in clause (c), of the amendment, suspension or cancellation of the ambulance licence.

(2) A request for a review is to be submitted in writing to the minister within 30 days of the date on which the action or decision in relation to which the review is requested was taken or made.

(3) A request for a review does not stay or otherwise affect the validity of the action or decision in relation to which the review is requested.

c. A-18.1**AMBULANCE**

(4) On receiving a request for a review, the minister shall investigate the situation and allow the person requesting the review an opportunity to make representations personally or with the assistance of counsel.

(5) On completing the review, the minister may confirm, reverse or vary the action or decision in relation to which the review was requested.

1986, c.A-18.1, s.35.

Inspection

36(1) The minister or any person designated by him for the purpose may at any reasonable time enter any building or place that is used in connection with an ambulance service, with any personnel or equipment that he considers necessary, for the purpose of inspecting the building or place or any ambulance or ambulance equipment, securing information, data or samples or otherwise enforcing this Act or the regulations.

(2) No person shall obstruct any person who is authorized to make an entry pursuant to this section.

1986, c.A-18.1, s.36; 1988-89, c.35, s.14.

Platoons

37(1) In this section, “**work**” means the period during which an employee is required or permitted to be at the disposal of his employer, but does not include periods when the employee is on call.

(2) An operator may divide his employees into platoons for work in accordance with one of the following systems:

(a) under which one platoon is not on duty for work for more than 12 consecutive hours in each 24 hours and the other is not on duty for work for more than 12 consecutive hours in each 24 hours, with the average number of hours of work of each platoon over a period of 16 weeks not to exceed 42 hours per week and each platoon to alternate at least once every seven days from day work to night work or from night work to day work; or

(b) under which one platoon is not on duty for day work for more than 10 consecutive hours in each 24 hours and the other is not on duty for night work for more than 14 consecutive hours in each 24 hours, with the average number of hours of work of each platoon over a period of 16 weeks not to exceed 42 hours per week and each platoon to alternate at least once in every seven days from day work to night work or from night work to day work.

1986, c.A-18.1, s.37.

Period of rest

38 Every employee is entitled to a period of rest of at least 24 consecutive hours in every period of seven days.

1986, c.A-18.1, s.38.

Disaster

39 An operator may require the attendance at work of all of his employees in the case of a major emergency or disaster.

1986, c.A-18.1, s.39.

Conflict with *The Saskatchewan Employment Act*

40 If any provision of this Part conflicts with Part II of *The Saskatchewan Employment Act* or the regulations made pursuant to that Part, this Part prevails.

2013, c.S-15.1, s.10-13.

Air ambulance

41 The minister may, subject to this Act and the regulations, alone or in conjunction with any other ministry or agency of the government or with any other person, provide ambulance services and air ambulance services to any person.

1986, c.A-18.1, s.41; 2019, c.25, s.4.

PART V General

42 Repealed. 2009, c.8, s.10.

Regulations

43 The Lieutenant Governor in Council may make regulations:

(a) respecting the minimum and maximum rates that may be charged for ambulance services or classes of ambulance services in Saskatchewan or any part of Saskatchewan and regulating the timing and amounts of changes in those rates;

(a.1) **Repealed.** 2009, c.8, s.11.

(a.2) governing practice and procedure before mediators appointed pursuant to section 18;

(b) **Repealed.** 2007, c.P-0.1, s.55.

(c) **Repealed.** 2007, c.P-0.1, s.55.

(d) **Repealed.** 2007, c.P-0.1, s.55.

(e) **Repealed.** 2007, c.P-0.1, s.55.

(f) **Repealed.** 2007, c.P-0.1, s.55.

(g) **Repealed.** 2007, c.P-0.1, s.55.

(h) prescribing standards for ambulance vehicles and equipment used in ambulance services and for their maintenance and repair;

(i) **Repealed.** 2009, c.8, s.11.

(j) governing the management, operation and use of ambulance services and vehicles, including insurance against liability in connection with their operation;

(k) **Repealed.** 2009, c.8, s.11.

(l) prescribing the qualifications required of persons employed in ambulance services including their testing and examination, physical or otherwise;

(m) requiring the payment of fees in connection with licences required pursuant to this Act and applications for such licences and respecting the amounts of such fees;

(n) **Repealed.** 2009, c.8, s.11.

(o) providing for the design, implementation, maintenance and regulation of a communications system for ambulance services and air ambulance services in Saskatchewan;

(o.1) **Repealed.** 2009, c.8, s.11.

(o.2) **Repealed.** 2009, c.8, s.11.

(o.3) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;

(p) respecting any other matter that he considers necessary for carrying out this Act according to its intent.

1986, c.A-18.1, s.43; 1988-89, c.35, s.16; 2007, c.P-0.1, s.55; 2009, c.8, s.11.

Offence and penalty

44 Every person who contravenes this Act or the regulations is guilty of an offence and liable on summary conviction:

(a) in the case of an individual, to a fine of not more than \$1,000 and to a further fine of not more than \$50 for each day during which the offence continues; and

(b) in the case of a corporation, to a fine of not more than \$5,000 and to a further fine of not more than \$500 for each day during which the offence continues.

1986, c.A-18.1, s.44.

45 **Repealed.** 2009, c.8, s.12.