

# *The Electrical Licensing Act*

*being*

Chapter E-7.2 of the *Statutes of Saskatchewan, 1988-89* (effective July 1, 1988) as amended by the *Statutes of Saskatchewan, 1998*, c.P-42.1; 1999, c.A-22.2; 2014, c.19; 2018, c.42; 2019, c.A-22.3 and c.13; and 2020, c.31.

**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-7.2

### An Act respecting the Licensing of Persons who Perform Work of Electrical Installation or Sell Electrical Equipment

#### SHORT TITLE

##### Short title

- 1 This Act may be cited as *The Electrical Licensing Act*.

#### INTERPRETATION AND APPLICATION

##### Interpretation

- 2 In this Act:

- (a) **“apprentice”** means an apprentice as defined in *The Apprenticeship and Trade Certification Act, 2019*;
- (b) **“approved”** means approved in accordance with *The Electrical Inspection Act, 1993* or the regulations made pursuant to that Act;
- (c) **“chief inspector”** means the chief inspector appointed pursuant to *The Electrical Inspection Act, 1993*;
- (d) **“contractor”** means any person performing or engaged to perform any work of electrical installation or any other work to which this Act applies either for his own or another’s use or benefit, with or without remuneration or gain, but does not include a person performing any work of electrical installation on premises that he owns and occupies as his residence;
- (e) **Repealed.** 2020, c 31, s.4-2.
- (f) **“director”** means the director of licensing appointed pursuant to section 5;
- (g) **“distribution system”** means a system for the supply of electrical energy by an electric utility to the premises of its customers, and includes all wiring and equipment owned by the utility which may be located on the premises of its customers;
- (h) **“electric utility”** means a person who owns or operates equipment or facilities in Saskatchewan for the production, generation, transmission, sale, delivery or furnishing of electrical power for compensation to two or more premises, and includes a lessee, trustee, receiver or liquidator of that person;

(i) **“electrical equipment”** means any apparatus, appliance, device, instrument, fitting, fixture, machinery, material or thing used, or capable of being used, in or for:

(i) the generation, transformation, transmission, distribution, supply or utilization of electric power or energy; or

(ii) the protection of buildings or premises from damage by lightning;

and includes any assemblage or combination of materials or things used, or capable of being used or adapted, to serve or perform any purpose or function when connected to an electrical installation, notwithstanding that any of the materials or things may be mechanical, metallic or nonelectric in origin;

(j) **“electrical installation”** includes electrical equipment and any connected wiring;

(k) **“employer”** means a person who employs one or more journeymen in:

(i) his business;

(ii) a building or premises he owns or occupies;

(iii) a municipal, provincial or federal building or plant;

(iv) an assembly or public building;

(v) an apartment, commercial, industrial, institutional, storage or mixed-occupancy building;

(vi) a radio broadcasting station;

(vii) a mine or quarry;

(viii) a travelling show;

(ix) a building or plant of a railway, express or telegraph company; or

(x) any other prescribed premises;

but does not include the holder of a contractor’s licence, a restricted contractor’s licence or a limited contractor’s licence;

(l) **“inspector”** means an inspector appointed pursuant to *The Electrical Inspection Act, 1993* and includes the chief inspector;

(m) **“journeyman”** means an individual who:

(i) installs, repairs or alters any electrical installation that conveys or uses electricity for light, heat or power or for signal or communication systems; and

(ii) holds a journeyman’s licence;

- (n) **“licence”** means a valid licence issued pursuant to this Act or the regulations that has not been suspended or revoked and is not expired;
- (o) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (o.1) **“ministry”** means the ministry over which the minister presides;
- (p) **“person”** includes a firm, partnership, society or any other organization;
- (q) **“prescribed”** means prescribed in the regulations;
- (r) **“supply house”** means a manufacturer, jobber or wholesale vendor or a manufacturer’s agent dealing in electrical equipment;
- (s) **“work of electrical installation”** means the installation of any electrical equipment, in or on any land, building or premises, from the point where electrical power or energy is delivered to the point where the power or energy can be used, and includes the maintenance, connection, alteration, extension and repair of electrical installations.

1988-89, c.E-7.2, s.2; 1993, c.E-6.3, s.39; 1999, c.A-22.2, s.63; 2019, c.A-22.3, s.64; 2020, c31, s.4-2.

**Interpretation and administration of Act – safety standards agreements**

**2.1(1)** In this section, **“safety standards agreement”** means a safety standards agreement entered into pursuant to *The Technical Safety Authority of Saskatchewan Act* respecting this Act.

(2) Notwithstanding any other provision of this Act or the regulations or of any other Act or law, this Act and the regulations are to be interpreted subject to the provisions of *The Technical Safety Authority of Saskatchewan Act* and the safety standards agreement.

2020, c 31, s.4-3.

**Application**

**3(1)** This Act applies to:

- (a) all work of electrical installation;
- (b) the sale of electrical equipment.

(2) Notwithstanding subsection (1), this Act does not apply to:

- (a) the work of electrical installation:
  - (i) in power houses, substations or other places where electricity is produced, but this Act does apply to any buildings and structures to which the public, other than employees, has free access or entry;

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- (ii) on railway cars or locomotives or street railway cars or locomotives;
- (iii) on transmission lines and distribution systems of electric utilities; or
- (iv) on elevators as defined in *The Passenger and Freight Elevator Act*;
- (b) the insertion or replacement of:
  - (i) approved lamps in sockets or receptacles; or
  - (ii) approved fuses, rated at less than 750 volts, controlling circuits or equipment;
- (c) the carboning, trimming or operation of arc lamps;
- (d) the connection, use or operation of small portable electrical equipment to supply circuits by means of attachment plugs, if the connection does not overload the circuit conductors;
- (e) any prescribed work of electrical installation or electrical equipment.

1988-89, c.E-7.2, s.3.

**Act binds Crown**

4 The Crown is bound by this Act.

1988-89, c.E-7.2, s.4.

## DIRECTOR

**Appointment**

5(1) A director of licensing and any authorized representatives of the director necessary for the purposes of this Act may be appointed.

(2) No individual who is interested, either directly or indirectly, in the sale of electrical equipment or in the work of electrical installation shall be appointed to the office of director or authorized representative of the director.

1988-89, c.E-7.2, s.5; 1998, c.P-42.1, s.42; 2020, c31, s.4-4.

**Identification card**

6(1) The minister shall furnish the director and every authorized representative of the director with an identification card.

(2) When requested, the director or an authorized representative of the director shall produce his identification card when he applies for admission to any premises.

1988-89, c.E-7.2, s.6.

**Power**

7(1) The director or an authorized representative of the director may:

- (a) at any reasonable time, enter land or premises for the purpose of enforcing this Act or the regulations;
- (b) make any examination and investigation that may be necessary to ascertain whether or not this Act or the regulations are being complied with;

(c) order, in writing, the production of or inspect and make copies of any books, records or documents, or any entry in any book, record or document, relating to any matter within the scope of this Act or the regulations.

(2) A justice of the peace or a judge of the Provincial Court of Saskatchewan, if satisfied by the oath or affirmation of the director or any authorized representative of the director that there are reasonable grounds for believing that a contravention of this Act, the regulations, or a notice, order, decision, requirement or direction of the director made pursuant to this Act or the regulations, has occurred and that there is evidence to be found at the place to be searched, may issue a warrant authorizing the person named in the warrant to enter the place named in the warrant and every part of the place named in the warrant and of the premises connected with that place to:

- (a) examine the place and connected premises; and
- (b) search for and seize and take possession of any records, designs, plans or other documents or other property that the director has reasonable grounds to believe may constitute evidence of a contravention of this Act, the regulations or a notice, order, decision, requirement or direction of the director made pursuant to this Act.

1988-89, c.E-7.2, s.7; 2020, c31, s.4-5.

## LICENCES

### Licence required

**8(1)** Subject to subsection (2), no person shall do any work of electrical installation unless he holds a licence.

(2) Subsection (1) does not apply to a person who does any work of electrical installation on premises that he owns and occupies as his residence, but he shall, before doing any work of electrical installation, obtain any permit and pay any fees required by *The Electrical Inspection Act, 1993* or the regulations made pursuant to that Act.

1988-89, c.E-7.2, s.8; 1993, c.E-6.3, s.39.

### Duration of licence

**9(1)** Every licence issued under this Act is to be issued for a prescribed period.

(2) Every licence remains the property of the ministry and, if suspended or revoked, the holder of the licence shall immediately return it to the ministry after its suspension or revocation.

1988-89, c.E-7.2, s.9; 2020, c31, s.4-6.

### Refusal of licence or permit

**10** The director may refuse to issue a licence to:

- (a) any person who has not paid any fee required by:
  - (i) this Act or the regulations;

(i.1) *The Electrical Inspection Act, 1993* or the regulations made pursuant to that Act;

(ii) **Repealed.** 2020, c.31, s.4-7.

(iii) **Repealed.** 2020, c.31, s.4-7.

(b) any person who has work of electrical installation that is identified by an inspector as defective pursuant to *The Electrical Inspection Act, 1993* and that has not been rectified at the time of the person's application for a licence;

(c) any person whose licence is suspended or revoked;

(d) any person with respect to whom the minister has prescribed a further period pursuant to subsection 11(2).

1988-89, c.E-7.2, s.10; 1993, c.E-6.3, s.39; 2020, c.31, s.4-7.

#### **Suspension and revocation**

**11(1)** On the recommendation of the director, the minister may suspend a licence for cause and for any period that he considers necessary.

(2) Where:

(a) a person's licence is suspended; and

(b) in the opinion of the minister, the period between the date of suspension of the licence and the date of its expiry is not sufficient for the purposes of subsection (1);

the minister may prescribe a further period during which the director may refuse pursuant to clause 10(d) to issue a licence to that person.

(3) Without limiting the general power of suspension conferred by subsection (1):

(a) the holder of a contractor's licence, a limited contractor's licence or a restricted contractor's licence who fails to:

(i) comply with this Act, the regulations, *The Electrical Inspection Act, 1993*, the regulations made pursuant to that Act or any municipal bylaw relating to the work of contractors;

(ii) comply with the requirements of a permit issued pursuant to *The Electrical Inspection Act, 1993*;

(iii) rectify defective electrical installations as required by an inspector pursuant to *The Electrical Inspection Act, 1993*; or

(iv) pay any fee required by this Act, the regulations, *The Electrical Inspection Act, 1993* or the regulations made pursuant to that Act; or

(b) a journeyman who:

(i) performs, or has a person under his supervision who performs, consistently poor work of electrical installation;



(ii) engages in the business of a contractor, or advertises or holds himself out as a contractor, without holding a valid and subsisting contractor's licence; or

(iii) where he holds a restricted journeyman's licence, performs any work of electrical installation other than that specified in the licence;

may have his licence suspended.

- (4) A licence may be revoked by the director where:
- (a) the licence has been suspended twice;
  - (b) the licence was issued in error;
  - (c) the licensee makes a misleading or erroneous statement on a material point in his application for the licence;
  - (d) it is a contractor's licence, a restricted contractor's licence or a limited contractor's licence and the holder uses it for an improper or fraudulent purpose;
  - (e) it is a contractor's licence and the holder no longer holds a journeyman's licence or employs at least one individual who:
    - (i) has held a journeyman's licence for two years; and
    - (ii) is not employed by any licence holder, other than the holder of a supply house licence;
  - (f) it is a restricted contractor's licence and the holder no longer holds a restricted journeyman's licence or employs at least one individual who:
    - (i) holds a restricted journeyman's licence; and
    - (ii) is not employed by any licence holder, other than the holder of a supply house licence;
  - (g) it is a contractor's licence, restricted contractor's licence or limited contractor's licence and the holder is a journeyman who is employed by or commences employment with a contractor or employer;
  - (h) it is a contractor's licence, restricted contractor's licence or limited contractor's licence and the holder no longer holds a valid, prescribed guarantee bond;
  - (i) it is a restricted contractor's licence and the holder commences employment with a contractor, restricted contractor or employer;
  - (j) it is an employer's licence and the holder no longer employs at least one journeyman who is not employed by any other holder of a licence, other than the holder of a supply house licence;
  - (k) it is a supply house licence and the holder fails to sell only approved electrical equipment.

**Public notice**

**12** Notice of administrative penalties, discipline orders, court-ordered compliance, revocation or suspension of a licence, or any other orders made pursuant to this Act may be published in any manner that the minister considers necessary to protect the public, including posting the notice on the ministry's website.

2019, c 13, s.4.

**CONTRACTORS****Prohibition**

**13** No person shall advertise as, or engage in the business of, a contractor unless he holds a contractor's licence, restricted contractor's licence or limited contractor's licence.

1988-89, c.E-7.2, s.13.

**Bond and licence**

**14(1)** The director may issue a contractor's licence, restricted contractor's licence or limited contractor's licence to a person who intends to engage in business as a contractor.

(2) Every person who applies for a contractor's licence, restricted contractor's licence or limited contractor's licence shall furnish the minister with a guarantee bond in the prescribed form and amount and containing prescribed obligations.

1988-89, c.E-7.2, s.14; 2020, c31, s.4-9.

**Contractor's licence**

**15(1)** No contractor's licence is to be issued to a person unless he:

- (a) has held a journeyman's licence for a period of at least two years and is not employed by the holder of a licence, other than the holder of a supply house licence; or
- (b) employs at least one individual who:
  - (i) has held a journeyman's licence for a period of at least two years; and
  - (ii) is not employed by the holder of a licence other than the applicant, unless that other holder holds a supply house licence.

(2) No holder of a contractor's licence shall require or permit any apprentice, employee or other person who does not hold a journeyman's licence to perform any work of electrical installation except as an assistant to, or under the supervision of, a journeyman continuously engaged on the same piece of work.

(3) No person other than a journeyman shall perform any work of electrical installation for a holder of a contractor's licence except as an assistant to, and under the supervision of, a journeyman continuously engaged on the same piece of work.

(4) No holder of a contractor's licence shall require or permit the number of unlicensed persons assisting each journeyman in doing the work of electrical installation at any job site to exceed one.

1988-89, c.E-7.2, s.15.

**Restricted contractor's licence**

**16(1)** No restricted contractor's licence is to be issued to a person unless he:

- (a) holds a restricted journeyman's licence and is not employed by the holder of a licence, other than the holder of a supply house licence; or
- (b) employs at least one individual who:
  - (i) holds a restricted journeyman's licence; and
  - (ii) is not employed by the holder of a licence other than the applicant, unless that other holder holds a supply house licence.

(2) No holder of a restricted contractor's licence shall require or permit any apprentice, employee or other person who does not hold a journeyman's licence or a restricted journeyman's licence to perform any work of electrical installation except as an assistant to, and under the supervision of, a holder of a restricted journeyman's licence who is continuously engaged on the same piece of work.

(3) No person, other than the holder of a journeyman's licence or a restricted journeyman's licence, shall perform any work of electrical installation for a holder of a restricted contractor's licence except as an assistant to, and under the supervision of, a holder of a restricted journeyman's licence who is continuously engaged on the same piece of work.

(4) No holder of a restricted contractor's licence shall require or permit the number of unlicensed persons assisting each restricted journeyman in doing the work of electrical installation at any job site to exceed one.

(5) The director may determine the restrictions that may be placed in a licence pursuant to this section, and those restrictions are to be stated in the licence.

1988-89, c.E-7.2, s.16.

**Limited contractor's licence**

**17(1)** A limited contractor's licence may be issued to a person who is not the holder of a contractor's licence or a restricted contractor's licence.

(2) Where the director is satisfied that an applicant is competent to carry on the business of a contractor in a satisfactory manner, he may issue a limited contractor's licence to the applicant.

(3) The director may determine the limits that may be placed in a limited contractor's licence pursuant to this section, and those limits are to be stated in the licence.

(4) Subject to subsection (5), a holder of a limited contractor's licence may carry on the business of a contractor in the town, village or the prescribed part of a municipal district in which the holder resides and in any place within a radius of 80 kilometres from that town, village or prescribed part of that municipal district.

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- (5) No holder of a limited contractor's licence shall carry on business within a city.
- (6) No holder of a limited contractor's licence shall require or permit any person other than a journeyman to perform any work of electrical installation except as an assistant to, and under the supervision of, the holder of the limited contractor's licence who is continuously engaged on the same piece of work.
- (7) No person other than a journeyman shall perform any electrical work for a holder of a limited contractor's licence except as an assistant to, and under the supervision of, the holder of the limited contractor's licence who is continuously engaged on the same piece of work.
- (8) No holder of a limited contractor's licence shall require or permit the number of unlicensed persons assisting each holder of a limited contractor's licence in doing the work of electrical installation at any job site to exceed one.

1988-89, c.E-7.2, s.17; 2014, c.19, s.38.

**Limits on partners of firms**

**18** No person who is a partner of a firm holding a contractor's licence, a limited contractor's licence or a restricted contractor's licence, other than a journeyman shall perform any work of electrical installation, except as an assistant to, and under the supervision of, a journeyman who is continuously engaged on the same piece of work.

1988-89, c.E-7.2, s.18.

**Engaging in business in an unauthorized place**

**19** No person shall engage in the business of a contractor, or advertise or hold himself out as the holder of a contractor's licence, restricted contractor's licence or limited contractor's licence:

- (a) in a city, town, village, prescribed part of a municipal district or other place in which he is not entitled by his licence to engage in the business of a contractor; or
- (b) with respect to any work of electrical installation that he is not authorized by his licence to perform.

1988-89, c.E-7.2, s.19; 2014, c.19, s.38.

**JOURNEYMEN****Prohibition**

**20** No individual shall work as a journeyman unless he holds a journeyman's licence.

1988-89, c.E-7.2, s.20.

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**Journeyman's licence**

**21** Where an individual satisfies the director that he is qualified to perform the work of a journeyman, the director may issue a journeyman's licence to that individual.

1988-89, c.E-7.2, s.21; 2020, c31, s.4-10.

**Restricted journeyman's licence**

**22(1)** Where an individual satisfies the director that he is competent to perform the work of electrical installation with respect to which he has applied for a licence, the director may issue a restricted journeyman's licence or a temporary restricted journeyman's licence to that individual.

(2) No individual who is issued a restricted journeyman's licence or a temporary restricted journeyman's licence shall do any work of electrical installation except the work that is specified in the licence.

(3) The director may determine the restrictions that may be placed in a licence pursuant to this section, and those restrictions are to be stated in the licence.

1988-89, c.E-7.2, s.22; 2020, c31, s.4-11.

## EMPLOYERS

**Licence**

**23(1)** No employer shall do any work of electrical installation unless he holds an employer's licence.

(2) An employer's licence may be issued to a person who employs at least one individual who:

(a) holds a journeyman's licence; and

(b) is not employed by the holder of a licence other than the applicant, unless that other holder holds a supply house licence;

to perform the work of electrical installation on premises owned or occupied by him.

(3) No employer shall require or permit any apprentice or other unlicensed individual to perform any work of electrical installation except as an assistant to, and under the supervision of, a journeyman.

(4) No employer shall require or permit the number of unlicensed individuals assisting each journeyman in doing the work of electrical installation at any job site to exceed one.

1988-89, c.E-7.2, s.23.

## SUPPLY HOUSE

**Supply house**

**24** No person shall engage in the business of a supply house, or advertise or hold himself out as operating a supply house, unless he holds a supply house licence.

1988-89, c.E-7.2, s.24.

## DEFECTS

**Recourse to guarantee bond**

**25(1)** Where an inspector finds that work of electrical installation done or electrical equipment supplied by a contractor does not comply with *The Electrical Inspection Act, 1993*, the regulations made pursuant to that Act, *The Electrical Inspection Act* or the regulations made pursuant to that Act, the chief inspector may:

- (a) send a notice of the defective work or equipment to the surety under the contractor's guarantee bond; and
- (b) specify in the notice a reasonable time within which the defects are to be remedied.

(2) Where defects are not remedied within the time specified in the notice sent pursuant to subsection (1), the chief inspector may cause the necessary corrective work to be done, or the electrical equipment to be supplied, by another contractor, and the cost of the work or electrical equipment is to be charged against the amount of the guarantee bond and is to be paid immediately by the surety to the minister.

(3) The chief inspector shall:

- (a) send a copy of the notice mentioned in subsection (1) to the director; and
- (b) give notice to the director of any corrective work done or electrical equipment supplied pursuant to subsection (2).

(4) **Repealed.** 2020, c31, s.4-12.

1988-89, c.E-7.2, s.25; 1993, c.E-6.3, s.39; 2020, c31, s.4-12.

## REPORTS

**Reports**

**26(1)** The chief inspector shall provide the director with reports respecting inspection activities carried out pursuant to *The Electrical Inspection Act, 1993* and the work of persons licensed under this Act observed in the course of inspections.

(2) Reports mentioned in subsection (1) shall be made at any intervals and in any form that the director may request.

1988-89, c.E-7.2, s.26; 1993, c.E-6.3, s.39.

## OFFENCES AND PENALTIES

**Administrative penalties**

**26.1(1)** The director may assess a penalty against a person for contraventions of this Act or the regulations or for failure to comply with an order pursuant to this Act.

(2) The penalty may consist of:

- (a) a single monetary amount not exceeding \$5,000;

- (b) a daily amount not exceeding \$1,000 for each day the infraction continues; or
  - (c) a combination of clauses (a) and (b).
- (3) Before assessing a penalty, the director shall provide notice to the person:
- (a) setting out the facts and circumstances that, in the director's opinion, render the person liable to a penalty;
  - (b) specifying the amount of the penalty that the director considers appropriate in the circumstances; and
  - (c) informing the person of the person's right to make representations to the director.
- (4) No penalty is to be assessed by the director more than three years after the act or omission that renders the person liable to a penalty first came to the knowledge of the director.
- (5) A person to whom notice is sent pursuant to subsection (3) may make representations to the director respecting whether a penalty should be assessed and the amount of any penalty.
- (6) Representations pursuant to subsection (5) must be made within 30 days after the person received the notice.
- (7) After considering any representations, the director may:
- (a) assess a penalty in the amount set out in the notice and set a date by which the penalty is to be paid in full;
  - (b) assess a revised penalty and set a date by which the penalty is to be paid in full; or
  - (c) determine that no penalty should be assessed.
- (8) The director shall serve a copy of the decision pursuant to subsection (7), with reasons, on the person who made the representations.
- (9) The director may assess a penalty pursuant to this section notwithstanding that the facts and circumstances giving rise to the penalty arose due to the actions of an employee, helper, contractor or agent of the person required to pay the penalty.
- (10) If a corporation commits a contravention mentioned in subsection (1), the director may, in accordance with this section, assess a penalty against an officer, director or other person of the corporation who authorized, permitted or acquiesced in the contravention, even though the corporation is liable for or pays an administrative penalty.

2019, c 13, s.4.

**Enforcement of administrative penalty**

**26.2(1)** The director may file in the Court of Queen's Bench a certificate signed by the director and setting out:

- (a) the amount of the penalty assessed pursuant to subsection 26.1(7); and
- (b) the person from whom the penalty is to be recovered.

(2) A certificate filed pursuant to this section has the same force and effect as if it were a judgment obtained in the Court of Queen's Bench for the recovery of a debt in the amount set out in the certificate, together with reasonable costs and charges with respect to its filing.

2019, c 13, s.4.

**Appeal to Court of Queen's Bench re administrative penalty**

**26.3(1)** Any person aggrieved by a decision of the director to assess a penalty against that person pursuant to section 26.1 may appeal that decision on a question of law to a judge of the Court of Queen's Bench within 30 days after the date of service of the director's decision.

(2) The record of an appeal pursuant to subsection (1) consists of:

- (a) the director's decision;
- (b) any written representations made to the director by the person named in the decision;
- (c) the notice of motion commencing the appeal;
- (d) any other prescribed documents or material; and
- (e) any other material that the Court of Queen's Bench may require.

(3) On hearing an appeal pursuant to this section, the judge of the Court of Queen's Bench may issue an order:

- (a) confirming the penalty;
- (b) amending the amount of the penalty; or
- (c) quashing the director's decision to assess a penalty.

2019, c 13, s.4.

**Discipline order**

**26.4(1)** In this section, "**regulated work**" means any work, process or activity respecting electrical installations and electrical equipment.

(2) The director may issue a discipline order pursuant to this section against any person who:

- (a) is in contravention of this Act or the regulations;
- (b) fails to comply with a compliance order pursuant to clause 7(1)(c);
- (c) fails to comply with a term or condition of a licence; or
- (d) is performing work regulated by this Act for which the person is not licensed, or undertakes regulated work that the person is not qualified to undertake.



- (3) A discipline order mentioned in subsection (2) must:
- (a) be in writing and in the form approved by the minister;
  - (b) contain a description of the action to be undertaken by the person;
  - (c) cite the contravened provision of this Act or of the regulations;
  - (d) subject to subsection (5), require the person to undertake the action within a period specified in the order that is not less than 30 days from the time the person receives the order; and
  - (e) be served on the person to whom the order is directed as soon as is practicable after it is issued.
- (4) The penalty may consist of any sanction the director considers necessary, including the following:
- (a) that specified training or education be completed within a specified period;
  - (b) that practices involving the regulated work be stopped or modified;
  - (c) that advertising, display or disposal of regulated work be stopped or modified;
  - (d) that advertising or display of regulated work be reported to the director for a specified period;
  - (e) that any person performing regulated work act only under supervision or as directed in the order;
  - (f) that any other action by a person be taken, modified or stopped if necessary to prevent, avoid or reduce risk of personal injury or damage to property;
  - (g) that reports on any of the actions listed in the discipline order be made to the director.
- (5) For the purposes of clause (3)(d), if the action requires ongoing reporting to the director, the order must set a period of not more than one year in which the reporting of the action must be completed.

2019, c 13, s.4.

**Appeal to director**

- 26.5(1)** A person who is subject to an order pursuant to section 26.4 may, within 15 days after being served with the order, appeal the order to the director.
- (2) An appeal pursuant to this section must be made by filing a notice of appeal with the director.
- (3) The notice of appeal mentioned in subsection (2) must:
- (a) be in writing; and
  - (b) set out the reasons for the appeal.

**c. E-7.2****ELECTRICAL LICENSING**

- (4) The director shall consider the appeal within 30 days after the notice of appeal is filed with the director and may confirm, modify or revoke the order being appealed.
- (5) The director shall cause a copy of the director's decision, with reasons, to be served on the appellant as soon as is practicable after the decision is made.
- (6) An appeal made pursuant to this section does not operate as a stay of the decision being appealed unless the director, on an application by the appellant, decides otherwise.

2019, c 13, s.4.

**Court-ordered compliance**

**26.6(1)** The director may apply to a judge of the Court of Queen's Bench for all or any of the following:

- (a) an order compelling a person to comply with this Act, the regulations, an order issued pursuant to this Act or the regulations, or the terms and conditions of a licence;
  - (b) an order enjoining any person from proceeding contrary to this Act, the regulations, an order issued pursuant to this Act or the regulations, or the terms and conditions of a licence.
- (2) On an application pursuant to this section, the judge of the Court of Queen's Bench may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate.
- (3) The director may apply for an order pursuant to subsection (1) regardless of whether an order pursuant to this Act or the regulations has been issued with respect to the matter.

2019, c 13, s.4.

**Offences and penalties**

**27(1)** No person shall:

- (a) contravene any provision of this Act or the regulations;
- (b) obstruct or hinder the director or an authorized representative of the director in the performance of a duty conferred or imposed on him or her by this Act;
- (c) fail to comply with any order, notice, requirement or instructions given or made by the minister, the director, an authorized representative of the director or an inspector pursuant to this Act;
- (d) engage in the business of a contractor or a supply house or advertise or hold himself or herself out as a contractor or a supply house without holding a contractor's licence or supply house licence, as the case may require;
- (e) make an electrical installation that is not authorized by a licence held by that person or a partner or employee of that person;
- (f) work as a journeyman without holding a licence;
- (g) perform any work that is not authorized by a licence held by that person; or

- (h) employ on the person's staff, for the purpose of making an electrical installation, a person who is not the holder of a licence authorizing that person to make that installation, except under conditions of emergency.
- (2) Every person who contravenes any provision of subsection (1) is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$25,000 and, in the case of a continuing offence, to a further fine of not more than \$5,000 for each day or part of a day during which the offence continues; and
  - (b) in the case of a corporation, to a fine of not more than \$200,000 and, in the case of a continuing offence, to a further fine of not more than \$20,000 for each day or part of a day during which the offence continues.
- (3) If a person is found guilty of contravening any provision of subsection (1), the convicting judge may, in addition to any other penalty imposed, order the person to do any act or work, within the time specified by the judge in the order.
- (4) A person to whom an order is given pursuant to subsection (3) who fails to comply with the decision, order or directive within the specified time is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$5,000 for each day during which the non-compliance continues; and
  - (b) in the case of a corporation, to a fine of not more than \$10,000 for each day during which the non-compliance continues.

2019, c 13, s.4.

**Proof of licence**

**28** A certificate signed by the director certifying that:

- (a) a person is licensed or not licensed pursuant to this Act; or
- (b) the licence of a person was revoked, suspended or reinstated at a particular time;

is, without proof of the office or signature of the director, admissible in evidence as prima facie proof of the facts stated in the certificate for all purposes in any action, proceeding or prosecution.

1988-89, c.E-7.2, s.28.

**Limitation of action**

**29** No prosecution in respect of an alleged offence under this Act or the regulations is to be commenced after:

- (a) one year from the date the alleged offence becomes known to the director; or
- (b) three years from the date of the commission of the alleged offence;

whichever is later.

1988-89, c.E-7.2, s.29.

**Liability for damages**

**30(1)** Nothing in this Act or the regulations is deemed to annul or lessen the responsibility of any person for damages in respect of a person killed or injured or any property destroyed or damaged.

(2) No action or proceeding lies or shall be commenced against the Government of Saskatchewan, the minister, any officer, inspector, director, employee of the ministry or any agent of the Government of Saskatchewan for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

1988-89, c.E-7.2, s.30; 2020, c31, s.4-13.

**Judicial review**

**31(1)** A person aggrieved by a notice, order, decision, requirement or direction of the director may apply to the Court of Queen's Bench for judicial review within 30 days of the director's notice, order, decision, requirement or direction.

(2) The Queen's Bench Rules respecting judicial review, other than Rules 664(2) and 667(2), apply to proceedings pursuant to this section to the extent that they are not inconsistent with this Act.

1988-89, c.E-7.2, s.31; 2018, c42, s.65.

## REGULATIONS

**Regulations**

**32** For the purpose of carrying out this Act according to its true intent, the Lieutenant Governor in Council may make regulations:

- (a) prescribing the form, amount and obligations contained in guarantee bonds given by contractors and the enforcement of guarantee bonds;
- (b) respecting the classification and issue of licences;
- (c) prescribing the period for which and conditions under which a licence or any class of licences may be issued;
- (d) fixing the fees to be paid for licences;
- (e) exempting from the application of all or any part of this Act any:
  - (i) electrical installation, part or type of a structure, building or class of buildings; or
  - (ii) work of electrical installation or operation, alteration or repair of electrical equipment;
- (f) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations.

1988-89, c.E-7.2, s.32.

## GENERAL

**Service of documents**

**33(1)** Any document required by this Act or the regulations to be given or served is, unless otherwise provided for, to be served personally or mailed by registered mail to the last known address of the person being served.

(2) A document served by registered mail is deemed to have been received on the seventh day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of his own, he did not receive the document or that he received it at a later date.

1988-89, c.E-7.2, s.33.

**Transitional**

**34** Notwithstanding the repeal of *The Electrical Inspection and Licensing Act, 1981*, as that Act existed on the day before the coming into force of this Act, pursuant to *The Electrical Inspection Act*:

(a) any valid and subsisting licence issued pursuant to *The Electrical Inspection and Licensing Act, 1981* continues in force and may be enforced and otherwise dealt with as if issued pursuant to this Act;

(b) any bond required pursuant to *The Electrical Inspection and Licensing Act, 1981* may be dealt with pursuant to this Act as if it were required pursuant to this Act; and

(c) a reference in a bond required pursuant to *The Electrical Inspection and Licensing Act, 1981* to:

(i) *The Electrical Inspection and Licensing Act, 1981* and the regulations made pursuant to that Act is deemed to be reference to:

(A) *The Electrical Inspection Act, 1993*, if the reference is to the standards of work, material or electrical equipment;

(B) *The Electrical Licensing Act*, if the reference is to the issuance or suspension of a licence or the requirement to furnish a bond;

(ii) the Electrical Safety Unit, the Government of Saskatchewan, the Department of Labour or any other department of the Government of Saskatchewan is deemed to be a reference to:

(A) the corporation, if the reference is to the standards of work, material or electrical equipment;

(B) the department, if the reference is to the issuance or suspension of a licence or the requirement to furnish a bond;

(iii) the chief inspector under that Act is deemed to be a reference to:

(A) the chief inspector, if the reference is to the standards of work, material or electrical equipment;

(B) the director, if the reference is to the issuance or suspension of a licence or to giving notice of termination of a suretyship under the bond;

(d) any recourse to bond taken pursuant to section 38 of *The Electrical Inspection and Licensing Act, 1981* may be continued pursuant to section 25 of this Act;

(e) section 47 of *The Electrical Inspection and Licensing Act, 1981* remains in force for the purpose of determining any appeal from a decision, order or directive made by an inspector pursuant to that Act.

1988-89, c.E-7.2, s.34; 1993, c.E-6.3, s.39.