

PART II

REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER A-8.1 REG 3

The Agricultural Credit Corporation of Saskatchewan Act

Section 26

Order in Council 413/94, dated June 28, 1994

(Filed June 29, 1994)

Title

- 1** These regulations may be cited as *The Agri-Food Equity Fund Regulations*.

Interpretation

- 2** In these regulations:

- (a) “**Act**” means *The Agricultural Credit Corporation of Saskatchewan Act*;
- (b) “**Agri-Food Equity Fund**” means the division of the corporation known as the Agri-Food Equity Fund;
- (c) “**committee**” means the Investment Review Committee established by resolution of the corporation;
- (d) “**designated agricultural enterprise**” means an undertaking or enterprise that meets the criteria set out in section 3;
- (e) “**equity**” means any combination of the following that, when acquired, result in the corporation having a role in the decision-making activities of the designated agricultural enterprise that issued them:
 - (i) shares;
 - (ii) unsecured bonds, debentures and other securities.

Agricultural enterprises designated

- 3** Undertakings or enterprises that meet all of the following criteria are designated as a category of agricultural enterprise within the meaning of clause 2(a) of the Act:

- (a) the undertaking or enterprise is registered as a corporation pursuant to Part II of *The Business Corporations Act*;
- (b) the undertaking or enterprise, at the time of the initial investment by the corporation:
 - (i) intends to commence operations within the next 12 months; or
 - (ii) intends, within the next 12 months to expand its operations;
- (c) if the undertaking or enterprise has commenced operations at the time of the initial investment by the corporation, its average gross annual sales during the time it has been operating or during the previous three years, whichever is less, are or are projected to be less than \$10,000,000;
- (d) the undertaking or enterprise has its head office in Saskatchewan;
- (e) the undertaking or enterprise has not accepted, and does not intend to accept, a loan or combination of loans in excess of 49% of its total borrowing from any of the following or any combination of the following:

- (i) the Government of Saskatchewan;
- (ii) any agency of the Government of Saskatchewan;
- (iii) any Saskatchewan Crown Corporation;
- (f) the undertaking or enterprise has not sold, and does not intend to sell, shares in excess of 49% of its total shares issued to any government, government agency or crown corporation, or any combination of governments, government agencies or crown corporations;
- (g) the undertaking or enterprise has as its primary business or proposed primary business:
 - (i) the processing of primary agricultural products into secondary agricultural products;
 - (ii) the marketing and distribution of secondary agricultural products produced from primary agricultural products; or
 - (iii) the supplying of products or services not currently produced, marketed or distributed in Saskatchewan that are intended to be used by persons or businesses engaged in the production of primary agricultural products.

Corporation may acquire shares

- 4(1)** The acquisition of equity in designated agricultural enterprises that are in the early stages of operation or expansion is a prescribed purpose for which the corporation may acquire shares, bonds debentures and other securities within the meaning of section 5.1 of the Act.
- (2) Subject to the other provisions of this section, for the purpose set out in subsection (1), the corporation may acquire, by purchase or otherwise, equity in a designated agricultural enterprise.
- (3) The corporation may only acquire equity pursuant to subsection (2) with the approval of the committee.
- (4) In deciding whether to approve an acquisition of equity, the committee will consider:
- (a) whether the proposed acquisition will allow the corporation to have a role in the decision-making activities of the designated agricultural enterprise;
 - (b) whether, in the opinion of the committee, the designated agricultural enterprise has the potential to be economically viable; and
 - (c) whether, in the opinion of the committee, the proposed acquisition will result in the corporation having a risk equal to or less than that of the other investors in the designated agricultural enterprise.
- (5) Subject to subsection (6), the maximum amount of the common voting shares of a designated agricultural enterprise that the corporation may hold is an amount equal to 49% of the issued common voting shares of the designated agricultural enterprise.

(6) The maximum investment that the corporation may make in the equity of a designated agricultural enterprise is \$500,000.

(7) Notwithstanding subsections (5) and (6), the corporation may acquire, by purchase or otherwise, additional equity in the designated agricultural enterprise that would result in the corporation exceeding the totals imposed by subsections (5) and (6) if:

(a) the corporation is of the opinion that it is in danger of losing its investment in a designated agricultural enterprise in which the corporation already holds equity if the acquisition is not made; and

(b) the acquisition is recommended by the committee and approved by the board.

Restrictions on use of moneys

5(1) The corporation may use moneys advanced to the corporation for use in the Agri-Food Equity Fund for the purposes set out in these regulations, or repay the unused portion of those moneys to the Government of Saskatchewan, and may not use those moneys for any other purpose.

(2) When the corporation sells or otherwise disposes of or realizes on any equity acquired pursuant to these regulations, the corporation may use any proceeds realized by the corporation for purposes set out in these regulations, or pay the proceeds to the Government of Saskatchewan, and may not use the proceeds for any other purpose.

Coming into force

6 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

CHAPTER A-15.2 REG 4

The Agri-Food Act

Section 4

Order in Council 411/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Beef Development Plan Regulations*.

Interpretation

2 In these regulations:

(a) “**board**” means the Beef Development Board established pursuant to section 7;

(b) “**fund**” means the Beef Development Fund established pursuant to section 6;

(c) “**plan**” means the Beef Development Plan established pursuant to section 3.

Plan established

3 The Beef Development Plan is established.

Purpose

4(1) The purpose of the plan is to provide for the enhancement of the Saskatchewan beef and beef cattle industry through research, development and promotional activities that the board considers to be in the best interests of the industry.

(2) Without limiting the generality of subsection (1), the specific purposes of the plan are:

- (a)** to promote and develop the beef and beef cattle industry in Saskatchewan;
- (b)** to develop procedures to maximize returns to producers of beef cattle;
- (c)** to encourage the production of uniform, high-quality beef and beef products;
- (d)** to conduct or encourage research into the production, marketing, processing and consumption of beef and beef products;
- (e)** to promote and improve understanding among individuals in the beef and beef cattle industry;
- (f)** to work in co-operation with any person or organization having objectives similar to those of the plan.

Extra-provincial funds

5 Where a regional or national beef development fund has been established, the board may:

- (a)** recommend to the minister that Saskatchewan participate in the regional or national fund; and
- (b)** subject to the approval of the minister, transfer assets from the Beef Development Fund to the regional or national fund.

Fund established

6 The Beef Development Fund is established, consisting of all moneys received by the board for the purposes of the plan.

Board established

7(1) The Beef Development Board is established as a development commission pursuant to *The Agri-Food Act*, consisting of six persons appointed as provided for in these regulations.

(2) The board shall administer the plan.

(3) The members of the board are the persons set out in the Appendix to these regulations.

(4) The members of the board hold office for the term provided for in the Appendix to these regulations.

Powers of the board

8(1) The board may:

- (a)** deposit the moneys of the fund in a bank or credit union;

- (b) purchase, or acquire by any other means, in the open market or otherwise, shares, bonds, debentures or other securities of any incorporated company, if a trustee would be permitted to invest in those shares, bonds debentures or securities pursuant to *The Trustee Act*;
- (c) hold, sell, transfer, or otherwise deal with any of the shares, bonds, debentures and securities mentioned in clause (b) and exercise any rights as owner of those shares, bonds, debentures or other securities, including the right to vote;
- (d) provide loans or grants out of the fund to persons, organizations, agencies, governments or corporations where the board considers it appropriate to do so to promote the objectives of the plan, subject to any reasonable conditions imposed by the board;
- (e) charge fees set by the board for goods, services or materials provided by the board to persons engaged in the production or marketing of beef or beef cattle;
- (f) purchase, take on lease or exchange, or otherwise acquire real and personal property related to the activities of the plan;
- (g) sell or otherwise dispose of real or personal property;
- (h) employ any officers and other employees that it considers necessary to administer the plan and to determine their respective:
 - (i) duties;
 - (ii) conditions of employment; and
 - (iii) remuneration;
- (i) draw, make, accept, endorse, execute, issue, hypothecate or assign:
 - (i) promissory notes;
 - (ii) bills of exchange; or
 - (iii) other negotiable or transferable instruments;
- (j) enter into any agreement with any person, agency, organization, institution or body within or outside Saskatchewan for any purpose related to:
 - (i) the exercise of any of the powers; or
 - (ii) the carrying out of any of the duties;of the board in relation to the plan;
- (k) make any orders that are considered by the board as necessary or advisable to carry out the purposes of the plan;
- (l) amend or revoke any of the orders mentioned in clause (k);
- (m) carry out functions related to the beef and beef cattle industry that may be assigned to it by the Lieutenant Governor in Council and that are not inconsistent with the Act and these regulations.

- (2) The board may:
 - (a) determine its own rules and procedures;
 - (b) establish procedures and priorities respecting the work of the plan.
- (3) The board shall maintain any books and records that may be required for the proper administration of the fund.

Annual report

- 9(1)** The fiscal year of the board is the period commencing on April 1 in one year and ending on March 31 in the following year.
- (2) In each fiscal year, the board shall prepare and submit to the Agricultural and Food Products Development and Marketing Council an annual report containing:
 - (a) a copy of the audited financial statement of the board for its previous fiscal year;
 - (b) an account of the activities of the board for the previous fiscal year; and
 - (c) a list of the names and addresses of the members of the board.

Disestablishment of plan

- 10** When the plan is disestablished, any assets of the board remaining after all the liabilities of the board have been settled are to be distributed to a research institute that, in the opinion of the board, will use those assets to contribute to the development of the beef and beef cattle industry in the province.

Remuneration of board members

- 11(1)** Members of the board are entitled to remuneration out of the fund for attending meetings and otherwise attending to the work of the plan at the rate of:
 - (a) \$155 per day for the chairperson; and
 - (b) \$110 per day for the other members.
- (2) Members of the board are entitled to be reimbursed out of the fund for travel and other expenses related to the work of the plan in accordance with the tariff of travel and sustenance expenses approved pursuant to *The Public Service Act* for employees in the public service.

Duration of plan

- 12** The plan remains in force until these regulations are repealed.

Coming into force

- 13** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

MEMBERS OF BOARD

The members of the board, who hold office until January 1, 1996 or until their successors are appointed by amendment to these regulations, are:

Keith Howse, Chairperson, Pangman;
George Siemens, Vice-Chairperson, Fiske;
Calvin Knoss, Rockglen;
Sandra Schneider, Medstead;
Harold Yelland, Porcupine Plain; and
Lorne Cholin, Kerrobert.

CHAPTER C-39.1 REG 1

The Correctional Services Act

Section 57

Order in Council 406/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Correctional Services Trust Account Regulations*.

Interpretation

2 In these regulations:

- (a) “**collective trust account**” means a trust account administered for the collective benefit of offenders in a correctional facility;
- (b) “**individual trust account**” means a trust account administered for the benefit of an individual offender in a correctional facility.

Opening of accounts

3 For the purpose of administering a collective trust account and individual trust accounts at a correctional facility, the minister may request that the Minister of Finance open accounts for the facility:

- (a) with any chartered bank or credit union that the minister may designate; and
- (b) on any terms that the minister considers appropriate.

Minister or designate is trustee

4(1) The minister or any person designated by the minister shall be the trustee of the collective trust account and the individual trust accounts of a correctional facility.

(2) The minister may delegate the minister's powers as trustee to any person or persons the minister considers appropriate.

Purpose of collective trust account

5 Money in the collective trust account may be used for:

- (a) acquisition of property for the benefit of offenders;

- (b) advances to offenders for clothing and supplies;
- (c) projects, services, programs and activities for or on behalf of offenders;
- (d) offender-directed programs and activities;
- (e) gifts and donations to individuals, groups or organizations on behalf of offenders;
- (f) repairs and maintenance of any collective trust account asset;
- (g) anything that is approved by the trustee and is not prohibited by these regulations.

Purpose of individual trust account

6(1) Money in an individual trust account may be used by the trustee for:

- (a) payment of any fee, board and room, or other charges that an offender in a program authorized pursuant to the Act may be required to pay;
- (b) payments to a specified person as authorized by the offender;
- (c) payments for damage to any property as assessed pursuant to the inmate disciplinary procedure;
- (d) payment of any judgment debt or obligations to pay pursuant to *The Enforcement of Maintenance Orders Act*.

(2) For the purpose of facilitating re-integration of the offender into the community on release from the correctional facility, the trustee may retain up to 25% of an allowance paid to an offender pursuant to *The Correctional Services Act*.

(3) The trustee shall pay the amount of money in the offender's individual trust account to the offender at the time that the offender is released from the correctional facility.

Losses

7(1) Any loss in connection with the use of a collective trust account is to be charged against the funds not required to pay obligations of that correctional facility's collective trust account after obtaining approval to do so from Treasury Board.

(2) No loss that is attributable to proven misappropriation may be charged pursuant to this section without first attempting to gain restitution from the person or persons responsible for the misappropriation.

Accounting records

8 The accounting records for each facility's collective trust account and individual trust accounts are to include a current record of inventory and of the increases and decreases in each account.

Department records

9 The trustee shall maintain records of each monetary transaction that takes place concerning every collective trust account and every individual trust account.

Audit

10 The Provincial Auditor, or any other auditor or auditors appointed by the Lieutenant Governor in Council, shall periodically audit the records, accounts and financial statements of the trust accounts.

Dissolution of facility

11 Where a correctional facility ceases to operate, any property purchased by a collective trust account and any money remaining in the account are to be disposed of in any manner that the trustee considers appropriate.

Transitional

12(1) All assets and liabilities as of July 31, 1994 in any of the following accounts at each correctional facility are transferred to and become assets and liabilities of the collective trust account in that facility:

- (a) the Correctional Centre's Handicraft Account;
- (b) The Northern Correctional Facilities Trust Account;
- (c) the Correctional Facility Inmate Benefit Trust Fund.

(2) All assets and liabilities as of July 31, 1994 in the Community-Training Residence Joint Trust Account in each community-training residence are transferred to and become the assets and liabilities of the collective trust account of the correctional facility.

(3) Any assets and liabilities as of July 31, 1994 in the Inmate Trust Account of an individual offender at each correctional facility are transferred to and become the assets and liabilities of the individual trust account for that offender in that facility.

(4) The following accounts and funds cease to exist as of August 1, 1994:

- (a) Correctional Centres' Handicraft Accounts;
- (b) Northern Correctional Facilities Trust Account;
- (c) Correctional Facility Inmate Benefit Trust Fund;
- (d) Inmate Trust Account;
- (e) Community-Training Residences' Joint Trust Accounts.

Repeals

13 The following regulations are repealed:

- (a) Saskatchewan Regulations 244/73;
- (b) Saskatchewan Regulations 245/73;
- (c) *The Provincial Correctional Facility Inmate Benefit Trust Fund Regulations*;
- (d) *The Northern Correctional Facilities Trust Account Regulations*.

Coming into force

14 These regulations come into force on August 1, 1994.

CHAPTER C-39.1 REG 2

The Correctional Services Act

Section 57

Order in Council 405/94, dated June 28, 1994

(Filed June 29, 1994)

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Correctional Services Administration, Discipline and Security Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Correctional Services Act*;
- (b) “**administrator**” means the administrator of a correctional facility other than a correctional centre;
- (c) “**chief executive officer**” means the chief executive officer of a correctional centre;
- (d) “**Class A contravention**” means the contravention of any provision of:
 - (i) the *Criminal Code*;
 - (ii) an Act of the Parliament of Canada for which a penalty is prescribed; or
 - (iii) an Act of the Legislative Assembly for which a penalty is prescribed.
- (e) “**Class B contravention**” means the contravention of any rule prescribed in section 10;
- (f) “**Class C contravention**” means the contravention of any disciplinary rule established by the chief executive officer or administrator pursuant to section 4;
- (g) “**designated person**” means an employee or other person designated by a chief executive officer or administrator;
- (h) “**discipline charge report**” means the report mentioned in sections 9 and 11;
- (i) “**discipline panel**” means the panel established pursuant to section 7;
- (j) “**employee**” means an employee of the department who is providing a correctional service;
- (k) “**panel chairperson**” means the chairperson of a discipline panel.

PART II

Discipline

Chief executive officer responsible

3 The chief executive officer or administrator is responsible for the overall management of the disciplinary system of a correctional facility and may assign specific tasks and duties to designated persons.

Rules respecting correctional facility

4 The chief executive officer of a correctional centre or administrator of a correctional facility may establish disciplinary rules and disciplinary procedures.

Purposes of discipline

5 Disciplinary rules and disciplinary procedures are to be established only for the following purposes:

- (a) the maintenance of the law;
- (b) the protection of individual rights and personal safety and the security of offenders, employees and persons providing a correctional service;
- (c) the maintenance of the security of a correctional facility;
- (d) the promotion of the orderly operation and effective delivery of programs and services;
- (e) the protection of personal property and correctional facility property.

Offenders to be advised of disciplinary rules

6(1) As soon as possible after an offender is admitted to or otherwise confined in a correctional facility, the offender is to be advised orally and in writing of the disciplinary rules and disciplinary procedures of the facility by:

- (a) the chief executive officer;
- (b) the administrator; or
- (c) a designated person.

(2) The chief executive officer or administrator shall ensure that an appropriate number of copies of the disciplinary rules and disciplinary procedures are available at locations determined by the chief executive officer or administrator that are accessible to all offenders.

Discipline panel

7(1) A chief executive officer shall:

- (a) establish a discipline panel for the correctional centre that consists of three employees for the purpose of hearing and determining charges of alleged Class B contraventions against offenders; and
- (b) designate one of the three employees to act as chairperson.

(2) An administrator shall:

- (a) either:
 - (i) act as the discipline panel for the correctional facility; or

(ii) establish a discipline panel for the correctional facility consisting of at least one employee; and

(b) where the discipline panel consists of more than one person, designate the chairperson of the panel.

Contraventions prohibited

8 No offender shall commit a Class A, Class B or Class C contravention.

Class A contravention

9(1) An employee, or person providing a correctional service, who has observed an alleged Class A contravention by an offender shall:

(a) prepare a written discipline charge report containing:

(i) the time, place and nature of the alleged contravention;

(ii) the names of any persons involved;

(iii) the names of any witnesses; and

(iv) any other facts relevant to the alleged contravention;

(b) sign the report; and

(c) provide a copy of the report to the offender and to a designated person.

(2) The designated person, after reviewing the report and conducting any further investigation the designated person considers necessary, shall:

(a) refer the matter to the police;

(b) charge the offender with a Class B contravention; or

(c) take no further proceedings.

Class B contraventions

10 The following are Class B contraventions:

(a) disobeying any lawful order given by an employee;

(b) being impaired by alcohol or a drug;

(c) being in an unauthorized place;

(d) fighting with another offender;

(e) obstructing or interfering with any authorized security measure or procedure;

(f) destroying, defacing or tampering with government property, offender property or employee property;

(g) violating the conditions of any authorized absence granted to the offender;

(h) transferring without authorization, whether for personal gain or not, any personal or government property;

(i) possessing unauthorized articles or attempting or conspiring to bring those articles into a correctional facility;

(j) refusing or neglecting to perform assigned work or duties;

- (k) leaving a work area without the authorization of an employee;
- (l) providing false information to employees respecting any matter;
- (m) counselling or aiding another person to do anything in contravention of the correctional facility's rules and regulations;
- (n) verbally or physically threatening another offender, an employee or a member of the public;
- (o) manufacturing or attempting to manufacture alcohol or a drug;
- (p) using medication in an unauthorized manner or abusing medication;
- (q) participating in any gambling activity that involves the exchange or expected exchange of money, property, canteen or other goods, personal possessions or services;
- (r) behaving indecently;
- (s) making unauthorized communications with another offender or a member of the public;
- (t) refusing to provide a urine sample within two hours as required by section 35;
- (u) possessing, using or abusing a contraband substance;
- (v) behaving in a manner disruptive to the good order and discipline of the correctional facility.

Procedure on Class B and C contraventions

11(1) An employee, or person providing a correctional service, who has observed an alleged Class B or Class C contravention may charge the offender with the contravention by:

- (a) preparing a written discipline charge report containing:
 - (i) the time, place and nature of the alleged contravention;
 - (ii) the names of any persons involved;
 - (iii) the names of any witnesses; and
 - (iv) any other facts relevant to the alleged contravention;
 - (b) signing the report;
 - (c) providing a copy of the report to the offender and the designated person in the case of a Class B contravention; and
 - (d) following the procedures established by the chief executive officer or the administrator in the case of a Class C contravention.
- (2) Where, after following the procedures for a Class C contravention, an offender is found to have contravened the disciplinary rules, the chief executive officer or the administrator may impose one or more of the following sanctions that he or she considers appropriate in the circumstances:

- (a) reprimand;
- (b) loss of specified privileges or suspended loss of specified privileges for a definite period not exceeding seven days;
- (c) restitution, in an amount not greater than \$25.

Restrictions on discipline panel representation

12 No person who has signed a discipline charge report or has reviewed a discipline charge report pursuant to subsection 9(2) shall sit on the discipline panel that deals with that report.

Hearing to be within 48 hours

13 Where an offender is charged with a Class B contravention, the discipline panel shall hold a hearing within 48 hours of the occurrence of the alleged contravention, Saturdays, Sundays and holidays excluded.

Full and fair hearing

14 In all disciplinary proceedings, the discipline panel shall:

- (a) provide the offender with a full and fair hearing; and
- (b) conduct a thorough and objective inquiry into all matters relating to the alleged contravention.

Offender's rights

15 An offender charged with a Class B contravention has a right:

- (a) to be present at the hearing;
- (b) to be advised as to the nature and factual basis of any charge laid against the offender;
- (c) to speak to the charge;
- (d) to present information relevant to a defence of the charge; and
- (e) to retain counsel within a reasonable time and be represented by counsel at the hearing.

Interpreter to be provided

16 If an offender charged with a Class B contravention cannot understand English or is hearing impaired, the panel chairperson shall appoint an interpreter or other person to assist the offender.

Adjournment

17(1) The discipline panel may adjourn a hearing if:

- (a) in the opinion of the panel, further investigation is needed;
 - (b) the offender requests an adjournment; or
 - (c) an adjournment is necessary to permit a witness, employee or person providing a correctional service to attend.
- (2) Where a hearing is adjourned, the panel shall advise the offender of:
- (a) the reason for the adjournment; and
 - (b) the date when the hearing will resume.
- (3) Every adjournment is to be noted on the discipline charge report.

Witnesses at Class B contravention hearing

18(1) An offender charged with a Class B contravention may request the panel chairperson to allow a person having information relevant to the charge to attend a hearing and present the information to the discipline panel.

(2) The panel chairperson may require the offender to reveal the nature of the information to be presented and to establish its relevance to the charge.

(3) The panel chairperson may deny a request pursuant to this section if, in the chairperson's opinion, the nature of the information is irrelevant, frivolous or vexatious, or may jeopardize the safety of another offender.

(4) If a request is denied, the panel chairperson shall inform the offender of the reasons for the denial and record the reasons in the written record of the proceedings.

Evidence

19 The discipline panel may accept any evidence that it considers appropriate and is not bound by the rules of law concerning evidence.

Employee to attend hearing

20 If the person who submitted the discipline charge report is unavailable at the time of the hearing, the panel chairperson may proceed with the consent of the offender or may adjourn the hearing to permit that person to attend.

Panel to make decision

21 At the conclusion of the hearing the discipline panel shall:

- (a) find that the offender committed the disciplinary offence; or
- (b) dismiss the charge.

Where charge dismissed

22 Where a charge is dismissed, the discipline panel shall restore any privileges suspended as a result of the charge and record the dismissal on the offender's file.

Where disciplinary offence committed

23(1) Where the discipline panel finds that the offender committed a Class B contravention, it shall:

- (a) inform the offender of the panel's decision, the reasons for the decision and the offender's right of appeal; and
- (b) impose one or more of the following sanctions that it considers appropriate in the circumstances:
 - (i) reprimand;
 - (ii) loss of specified privileges for a definite period not to exceed 30 days;
 - (iii) confinement to a cell, unit or security area for a period of up to 10 days;
 - (iv) restitution in an amount not exceeding \$200 respecting property damage;
 - (v) loss of up to 15 days remission.

(2) The discipline panel may suspend the loss of remission imposed pursuant to subsection (1).

Multiple charges

24 Where there are multiple charges arising from one incident and the offender is found to have committed a disciplinary offence on more than one charge, the cumulative effect of the sanction imposed is not to exceed the maximum sanction for any one violation.

Decision to be recorded

25 The discipline panel shall:

- (a) record its decision on the discipline charge report;
- (b) submit a copy of its decision and reasons to the chief executive officer or administrator; and
- (c) provide a copy of its decision and reasons to the offender.

Appeal

26(1) Within seven days of a discipline panel's decision, an offender may appeal the decision to:

- (a) the chief executive officer or administrator; or
- (b) if the chief executive officer or administrator was a member of the discipline panel, to the chief executive officer's or administrator's immediate supervisor.

(2) An offender may appeal the decision on the basis of:

- (a) the conduct of the disciplinary proceedings;
- (b) the determination of the discipline panel that an offender committed the disciplinary offence; or
- (c) the sanction imposed by the discipline panel.

(3) Where an appeal is made to the chief executive officer's or administrator's immediate supervisor, all references to the chief executive officer or administrator in sections 27 and 28 are to be considered references to the supervisor.

Procedure on appeal

27(1) On receipt of an appeal, the chief executive officer or administrator shall:

- (a) review the record relating to the contravention; and
- (b) arrange a time for hearing the offender's appeal.

(2) In determining an appeal, the chief executive officer or administrator shall consider the decision of the discipline panel and the verbal or written submissions, if any, of the offender and may:

- (a) confirm or reverse the decision of the discipline panel; or
- (b) reduce the sanction imposed.

(3) The chief executive officer or administrator shall ensure that his or her written decision, including written reasons, is provided to the offender:

- (a) within seven days after the receipt of the appeal or, if it is not reasonably possible to provide the decision within seven days, as soon as is possible; or
 - (b) in the case of an offender who has been confined to a cell or special security area of the facility as a result of the subject of the appeal, within 48 hours from the date that the chief executive officer or administrator received the appeal, excluding Saturday, Sunday and holidays.
- (4) If there is a delay beyond the seven days mentioned in clause (3)(a), the chief executive officer or administrator shall advise the offender, in writing, of the reason for the delay.

Appeal to court

28 A decision of the chief executive officer or administrator pursuant to section 27 may be appealed to a judge of the Provincial Court of Saskatchewan on a question of law or jurisdiction.

Record of decisions to be kept

29 A record of all decisions of the discipline panel and the chief executive officer or administrator respecting an offender is to be kept on the offender's file.

PART III
Searches

Non-intrusive search

30 A non-intrusive search may be conducted by a designated person with the use of a metal detector, an x-ray machine or any other device approved by the chief executive officer or administrator.

Frisk search

31 A designated person may conduct a frisk search of a person's:

- (a) body;
- (b) clothing; and
- (c) personal possessions.

Strip search

32(1) For the purposes of a strip search, a designated person may require the person being strip searched to:

- (a) remove all clothing;
- (b) display his or her anus;
- (c) display her vagina;
- (d) open his or her mouth;
- (e) display the soles of his or her feet;
- (f) display open hands;
- (g) do anything else necessary for the purpose of the strip search.

- (2) During the course of a strip search, a designated person may conduct a frisk search of the person's clothing and personal possessions.

Conduct of strip search

33(1) A designated person shall conduct a strip search, to the extent possible, in a manner and location that respects the dignity and privacy of the person being searched.

- (2) A designated person who is male shall not conduct a strip search of a female.

- (3) A designated person who is female may conduct a strip search of a male where:

- (a) the search is immediately required; and
- (b) there are reasonable grounds to believe that a designated person who is male is not available.

Segregation

34 Where an offender refuses to submit to a frisk search, non-intrusive search or strip search, that offender may be placed in segregation until:

- (a) he or she submits to the search; or
- (b) there is no longer a need for the search to be conducted.

Urinalysis

35(1) Where a designated person is of the opinion that a urinalysis should be conducted respecting an offender, that person shall:

- (a) advise the offender of the reason for the urinalysis;
- (b) advise the offender of the consequences of not providing a urine sample for the urinalysis; and
- (c) provide the offender with an opportunity to object.

- (2) Where the offender objects to providing a urine sample:

- (a) the designated person shall report the objection to the chief executive officer, the administrator or a designated person; and
- (b) the chief executive officer, the administrator or designated person shall consider the reasons for the objection and determine whether or not a urine sample should be provided.

- (3) An offender is to provide a urine sample within two hours of being advised that a urine sample is to be provided, and the offender may be placed in segregation for those two hours.

Visitors

36 Where a visitor is requested to submit to a search pursuant to the Act or these regulations and refuses, a designated person may:

- (a) restrict the visitor to a non-contact visit with an offender; or
- (b) require the visitor to leave the correctional facility.

Reports

37(1) A report prepared by a person who seizes any contraband or evidence during a search or as the result of a urinalysis is to be in Form A as set out in the Appendix and is to contain:

- (a) the name of the person searched;
- (b) the date, time and place of the search;
- (c) the reason for the search;
- (d) the name of the person who conducted the search;
- (e) the names of the witnesses, if any;
- (f) the manner in which the search was conducted;
- (g) a description of any property seized; and
- (h) a description of any property damaged in the search.

(2) Any person who conducts a strip search where no contraband or evidence is seized shall submit, as soon as is practicable, a report to the chief executive officer or administrator containing:

- (a) the name of the person searched;
- (b) the date, time and place of the search;
- (c) the reason for the search;
- (d) the name of the person conducting the search;
- (e) the names of the witnesses, if any; and
- (f) the manner in which the search was conducted.

Offender to be informed

38 Where any contraband belonging to or in the possession of any offender is seized or damaged as a result of a search being conducted or property being taken without the knowledge of the offender, the chief executive officer or administrator shall inform the offender.

Return of property seized

39(1) Any property seized pursuant to these regulations must be returned as soon as is practicable to the person from whom it was seized unless it:

- (a) is contraband;
- (b) is required as evidence in a criminal or disciplinary proceeding; or
- (c) belongs to another person.

(2) Where any property is not the property of the person from whom it was seized, the property shall be returned to the owner where:

- (a) the owner may lawfully possess it; and
- (b) the property is not required as evidence in a criminal or disciplinary proceeding.

- (3) Where the owner of the property does not claim the property within 90 days, the Crown may dispose of the property as the Crown sees fit.

PART IV
Administration in Correctional Centres

Application

- 40** This Part applies only to correctional centres.

Admissions

- 41(1)** Persons are to be admitted to a correctional centre as offenders from Monday to Friday between 8:00 a.m. and 6:00 p.m.

- (2) No person is to be admitted as an offender of a correctional centre on:

- (a) New Year's Day;
- (b) Good Friday;
- (c) Victoria Day;
- (d) Canada Day;
- (e) Labour Day;
- (f) Remembrance Day;
- (g) Christmas Day;
- (h) Boxing Day;
- (i) any day designated pursuant to an Act of the Parliament of Canada or an Act of the Legislative Assembly as a holiday; or
- (j) any day designated as a holiday for the public service of Saskatchewan pursuant to *The Public Service Act*.

- (3) Only a chief executive officer or a designated person shall admit an offender.

Release of body

- 42(1)** Subject to *The Coroners Act*, a chief executive officer shall arrange to release the body of a deceased offender to an appropriate person claiming the body.

- (2) Where no claim is made pursuant to subsection (1), a chief executive officer shall arrange to deal with the body in an appropriate manner.

Communications

- 43(1)** Where the chief executive officer considers it necessary or desirable for the purpose of rehabilitation of an offender or to ensure the security and good order of the correctional centre, the chief executive officer may order either or both of the following:

- (a) that the offender's communication be censored, monitored or restricted;
- (b) that the offender's visits be supervised.

- (2) Where the offender's communications are subject to censorship, monitoring or restriction, no employee shall, on behalf of an offender:

- (a) write a letter;
- (b) make a telephone call; or
- (c) in any other manner relay or convey a written or verbal message to any person.

Access privileges

44 It is an offence for an unauthorized person to enter the premises or be on the premises of a correctional facility.

Security review panel

45(1) The chief executive officer shall establish a security review panel to determine the level of offender security required to maintain the security and good order of a correctional centre.

- (2) The security review panel is to consist of one or more persons.
- (3) The security review panel may order an increase or decrease in the level of security respecting an offender.
- (4) The security review panel may order that an offender be segregated from other offenders where it is satisfied that segregation is necessary:
 - (a) for the maintenance of good order and discipline in the facility; or
 - (b) for the best interests of the offender.
- (5) The security review panel shall:
 - (a) review the continued segregation of an offender at least every 21 days; and
 - (b) inform the chief executive officer of its order.
- (6) The security review panel or a person designated by the security review panel shall inform an offender of every order to segregate or continue to segregate the offender.
- (7) An offender may appeal to the chief executive officer any order of the security review panel to segregate or continue to segregate the offender.
- (8) On an appeal pursuant to subsection (7), the chief executive officer shall give the offender an opportunity to make oral or written submissions.
- (9) If, on appeal, the chief executive officer decides that the offender should be segregated or continue to be segregated from other offenders, the chief executive officer shall provide the offender with oral or written reasons for the decision.

PART V
General

Responsibilities of employees and other persons

46(1) Every employee and every person providing a correctional service is responsible to the chief executive officer or administrator for any aspect of the management, operation, discipline, security and programs of the correctional facility that the chief executive officer or administrator assigns to that employee or person.

(2) In emergency situations, the chief executive officer or administrator may direct an employee or person providing a correctional service to perform duties in addition to his or her regular duties, and that employee or person shall perform those duties.

Complaints by offenders

47(1) Any offender may make a complaint about the administration of the correctional facility by writing directly to the chief executive officer, administrator or a designated person.

(2) On receipt of a complaint, the person to whom the complaint was made shall make a decision respecting the complaint.

(3) In the course of making a decision, the chief executive officer, administrator or designated person mentioned in subsection (2) shall review any appropriate records and may conduct an investigation or hold a hearing that the person considers appropriate.

(4) The chief executive officer or administrator shall ensure that a decision pursuant to this section is:

- (a) in writing; and
- (b) accompanied by written reasons.

(5) The chief executive officer or administrator shall ensure that a decision pursuant to this section or a report respecting the status of the complaint is conveyed to the offender within seven days of the date the complaint is received.

Persons excluded from premises

48 No person, including an employee, is to be allowed on the premises of a correctional facility if, in the opinion of the chief executive officer, administrator or a designated person, the person is under the influence of alcohol or a drug.

PART VI
Repeal and Coming into Force

R.R.S. c.C-40 Reg 5 repealed

49 *The Correctional Facilities Administration Regulations, 1990* are repealed.

Coming into force

50 These regulations come into force on the day on which *The Correctional Services Act* comes into force.

JULY 8, 1994

Appendix

FORM A
[Section 37]

REPORT OF: _____ A. Contraband seized
_____ B. Evidence seized
_____ C. Urinalysis

INFORMATION

1. Person from whom contraband or evidence was seized or urine sample obtained:

(name and status - offender, visitor, employer)

2. Information Relating to the Search or urinalysis:

(a) the name of the person searched or from whom urine sample was taken:

(b) the name of the person who conducted the search or supervised the taking of the urine sample: _____

(c) the names of witnesses, if any: _____

(d) the date, time and place:

(i) of the search; or _____

(ii) urine sample obtained _____

(e) the reason for the search or the request for a urine sample: _____

(f) the type of search conducted: _____

the manner in which the search was conducted: _____

(g) description of items seized: _____

(h) if any property was damaged in the search (detail - what? and how?): _____

3. Comments of the designated person who conducted the search or obtained the urine sample: _____

CHAPTER E-0.01 REG 4

The Ecological Reserves Act

Section 4

Order in Council 397/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Buffalograss Provincial Ecological Reserve Designation Regulations*.

Ecological reserve designated

2 The land described in the Appendix to these regulations is designated as the Buffalograss Provincial Ecological Reserve.

Coming into force

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

[Section 2]

Buffalograss Provincial Ecological Reserve

That portion of Parcel B as shown on Plan of Record No. 92R05224 in the Land Titles Office for the Regina Land Registration District described as follows:

(a) that portion of the north-west quarter of Section 18 enclosed by a boundary commencing at a point on the north boundary of that quarter section 400 metres east of the north-west corner of that quarter section, then westerly along the north boundary to the north-west corner, then southerly along the west boundary of that quarter section to a point 347.1 metres from the north-west corner of that quarter section, then easterly perpendicular to the west boundary 304.8 metres, then north-easterly in a straight line to the point of commencement;

(b) the entire width of those portions of the road allowance west of and adjacent to the north-west quarter of Section 18 measured from the north-west corner on the west boundary of that quarter section:

(i) extending southerly 347.1 metres; and

(ii) extending northerly 30.175 metres;

(c) the entire width of the westerly 400 metres of the road allowance north of and adjacent to the north-west quarter of Section 18, measured from the north-west corner of that quarter section;

all in Township 2, in Range 8, West of the Second Meridian.

CHAPTER F-13.4 REG 6

The Financial Administration Act, 1993

Subsection 71(1)

Order in Council 408/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Income Tax (Gross Revenue Insurance Plan Overpayment) Remission Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Income Tax Act*;
- (b) “**gross revenue insurance plan**” means the gross revenue insurance plan established pursuant to the *Farm Income Protection Act* (Canada);
- (c) “**taxation year**” means taxation year as defined in the Act;
- (d) “**taxpayer**” means taxpayer as defined in the Act.

Remission

3 Subject to section 4, a remission is granted to each taxpayer for the taxpayer's 1992 taxation year in an amount equal to the amount, if any, by which the taxes, interest and penalties payable by the taxpayer pursuant to the Act exceed the taxes, interest and penalties that would have been payable pursuant to the Act for that taxation year if that portion of each payment received by the taxpayer in 1992 pursuant to the gross revenue insurance plan that is required to be and is repaid pursuant to that plan were not included in computing the income of the taxpayer pursuant to the Act for the 1992 taxation year.

Conditions

4(1) The remission granted pursuant to section 3 is subject to the condition that the taxpayer shall file with the Minister of National Revenue an undertaking in accordance with this section.

(2) The undertaking must be in a form acceptable to the Minister of National Revenue.

(3) In the undertaking, the taxpayer shall:

- (a) agree, when computing the taxpayer's income pursuant to the Act in any taxation year, to not deduct the amount of the payments received by the taxpayer in 1992 pursuant to the gross revenue insurance plan that are required to be and are repaid pursuant to that plan; and
- (b) waive all rights of objection or appeal pursuant to the Act relevant to the payments mentioned in clause (a).

Coming into force

5 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

CHAPTER G-5.1 REG 67

The Government Organization Act

Sections 19 and 24

Order in Council 414/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Saskatchewan Partnerships Program Regulations, 1994*.

Interpretation

2(1) In these regulations:

(a) **“academic year”** means:

(i) with respect to a secondary educational institution, the period commencing on July 1 in one year and ending on June 30 in the following year;

(ii) with respect to a post-secondary educational institution, the period determined by the post-secondary educational institution;

(b) **“department”** means the department over which the minister presides;

(c) **“eligibility period”** means the period commencing on May 1, 1994 and ending on September 30, 1994;

(d) **“eligible employee”** means an individual who is:

(i) a permanent resident;

(ii) at least 16 years of age; and

(iii) a student:

(A) who was enrolled full time:

(I) in the 12th grade of a secondary educational institution during the 1993-94 academic year and who intends to enrol full time in a post-secondary educational institution for the 1994-95 academic year;

(II) in a secondary educational institution during the 1993-94 academic year and who produces evidence satisfactory to the minister that he or she has been accepted as a full-time student in a post-secondary educational institution for the 1994-95 academic year; or

(III) in a post-secondary educational institution during the 1993-94 academic year and who intends to enrol full time in a post-secondary educational institution for the 1994-95 academic year; or

(B) with a mental disability who was enrolled full time in a secondary educational institution during the 1993-94 academic year and who intends to enrol full time in a secondary educational institution for the 1994-95 academic year;

and includes a person deemed to be an eligible employee pursuant to section 12;

(e) **“eligible employer”** means:

- (i) a corporation, partnership or proprietorship that carries on business in Saskatchewan;
- (ii) subject to subsection (2), a farmer;
- (iii) a regional park authority constituted or continued pursuant to *The Regional Parks Act, 1979*;
- (iv) a municipality;
- (v) the council of a band within the meaning of the *Indian Act* (Canada);
- (vi) a non-profit organization that carries on activities in Saskatchewan;

(f) **“grant”** means a grant payable pursuant to section 3;

(g) **“minister”** means the member of the Executive Council to whom for the time being the administration of these regulations is assigned;

(h) **“permanent resident”** means an individual who is a resident within the meaning of *The Saskatchewan Hospitalization Act*;

(i) **“post-secondary educational institution”** means:

- (i) The University of Regina;
- (ii) The University of Saskatchewan;
- (iii) an educational institution established, supervised or administered pursuant to *The Institute Act*, *The Private Vocational Schools Regulation Act* or *The Regional Colleges Act*;
- (iv) an educational institution devoted primarily to religious studies where students are enrolled full time; or
- (v) an educational institution established outside Saskatchewan that is similar to one described in subclause (i), (ii), (iii) or (iv);

(j) **“secondary educational institution”** means:

- (i) an educational institution, whether publicly funded or privately operated, that offers a course of study at the Secondary Level authorized pursuant to *The Education Act*; or
- (ii) an educational institution outside Saskatchewan that offers a course of study that is similar to a course of study at the Secondary Level authorized pursuant to *The Education Act*.

(2) If the minister is of the opinion that any person is not engaged in the business of farming, the minister may deem that person not to be a farmer for the purposes of these regulations.

(3) For the purposes of clauses (1)(d) and (i) and 12(c) and (d), “**enrolled full time**” or “**full-time**” means taking at least 60% of a full academic course load as defined by the secondary or post-secondary educational institution at which the individual is enrolled.

Power to make grants

3 The minister may provide financial assistance, in the form of grants, to eligible employers who apply for a grant, employ eligible employees and submit a claim in accordance with these regulations.

Application

4(1) An eligible employer who wishes to obtain a grant shall apply, on a form provided by the department, on or before the application deadline date to be determined by the minister.

(2) When applying for a grant, an eligible employer shall:

- (a) certify that no permanent employee has been or will be displaced, in whole or in part, by an eligible employee;
- (b) provide any information with respect to the proposed employment or special needs of the proposed employee that the minister may require;
- (c) agree to any audit procedures that the minister requires during or after the period of employment;
- (d) agree to pay each eligible employee at a rate that is not less than the minimum wage established pursuant to *The Labour Standards Act*; and
- (e) agree not to apply for or receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that subsidizes wages with respect to the same employees who are eligible employees pursuant to these regulations.

Special circumstances

5 In approving applications made pursuant to section 4, the minister may give preference to applications from eligible employers who indicate, on the grant application form, a willingness to hire eligible employees who:

- (a) are persons of aboriginal ancestry; or
- (b) are persons with disabilities.

Terms of employment

6(1) An eligible employer shall employ an eligible employee:

- (a) for a minimum of 300 hours during the eligibility period; and
- (b) for an average minimum of 35 hours per week.

(2) Notwithstanding subsection (1), the minister may designate a lower minimum number of hours or a lower average number of hours per week, as the case may require, with respect to the employment of an eligible employee if an eligible employer submits information that satisfies the minister that the eligible employee whom the eligible employer proposes to employ cannot, for medical reasons, work for:

- (a) the minimum number of hours required pursuant to clause (1)(a); or
 - (b) the average minimum number of hours per week required pursuant to clause (1)(b).
- (3) An eligible employer mentioned in subsection (2) shall employ the eligible employee for the period and the number of hours per week designated by the minister.
- (4) An eligible employer shall pay an eligible employee at a rate that is not less than the minimum wage established pursuant to *The Labour Standards Act*.

Calculation of grant

7(1) Subject to subsection (2), the amount of a grant that may be paid to an eligible employer is the amount calculated in accordance with the following formula:

$$G = \$1.20 \times HW$$

where:

G is the amount of the grant payable;

HW is the number of hours worked by the employee.

- (2) The maximum amount of a grant payable to an eligible employer is \$480.

Claim required

8 An eligible employer shall submit a claim to the department on a form provided by the department for payment of a grant that may be authorized pursuant to these regulations.

Less than required hours

9 Notwithstanding section 6, if an eligible employer has employed an eligible employee for less than the minimum number of hours per week specified in subsection 6(1) or designated by the minister pursuant to subsection 6(2), the minister may make a grant to that eligible employer if the minister is satisfied that the eligible employer:

- (a) has made all reasonable efforts to comply with section 6; and
- (b) has complied with the other requirements of these regulations.

Payment of grant

10(1) A grant is payable when:

- (a) the eligible employer has submitted an application pursuant to subsection 4(1) and that application has been approved by the minister;
- (b) the period of employment with respect to which the grant is payable has ended;
- (c) the eligible employer has submitted a claim pursuant to section 8;
- (d) the eligible employer has certified that:
 - (i) all wages or salaries of eligible employees for the period covered by the grant have been paid;

- (ii) eligible employees have been paid at a rate not less than the minimum wage established pursuant to *The Labour Standards Act*; and
 - (iii) no eligible employee of the eligible employer has been employed during the period covered by the grant by another eligible employer who has been approved by the minister to receive a grant; and
 - (e) the minister is satisfied that the eligible employer has complied with all other requirements of these regulations.
- (2) Each grant is to be paid in a single payment.

Special needs funding

11(1) Where the minister is satisfied that an eligible employee proposed to be employed by an eligible employer has special environmental, technical or personal needs related to the proposed employment, the minister may:

- (a) make an additional grant to the eligible employer to assist in meeting the special needs of the eligible employee;
 - (b) make the grant for any amount that the minister considers appropriate; and
 - (c) place any conditions on the use or payment of the grant.
- (2) Notwithstanding section 10, a grant made pursuant to subsection (1) is payable when the eligible employer has:
- (a) submitted a claim to the department on a form provided by the department; and
 - (b) satisfied the minister that:
 - (i) the expenditures for which the grant was made have been incurred and paid; and
 - (ii) the conditions, if any, that were placed on the grant pursuant to clause (1)(c) have been complied with.

Exemption from certain requirements

12 If an eligible employer submits information that satisfies the minister that the eligible employer, after making an effort to do so, has been unable to employ an individual who meets the criteria prescribed in clause 2(1)(d), the minister may deem an individual to be an eligible employee where that individual:

- (a) is a permanent resident;
- (b) is at least 16 years of age;
- (c) is a student who was enrolled full time in a secondary educational institution during the 1993-94 academic year;
- (d) intends to enrol full time at a secondary educational institution and attend that institution on the basis of that enrollment during the 1994-95 academic year; and
- (e) is to be employed by the eligible employer during the eligibility period.

Overpayment

13(1) If an eligible employer contravenes any provision of these regulations, the minister may declare that any payment received by the eligible employer pursuant to these regulations is an overpayment.

(2) Any overpayment made to an eligible employer is a debt due to the Crown and may be recovered in any manner authorized by law.

R.R.S. c.G-5.1 Reg 63 repealed

14 *The Saskatchewan Partnerships Program Regulations, 1993* are repealed.

Coming into force

15 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

CHAPTER I-12 REG 2

The Interprovincial Lotteries Act, 1984

Section 4

Order in Council 399/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Interprovincial Lotteries Regulations, 1994*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Interprovincial Lotteries Act, 1984*;
- (b) “**designated organization**” means the non-profit organization designated by the minister pursuant to clause 3(c) of the Act;
- (c) “**distributor**” means a person engaged by the designated organization pursuant to subsection 5(1) to distribute lottery tickets to retail agents;
- (d) “**Indian band**” means a band as defined in the *Indian Act* (Canada) and includes the council of a band;
- (e) “**net profits of a lottery scheme**” means the amount of the net sales of a lottery scheme that remains after deducting from those sales the total of the costs incurred by the Western Canada Lottery Corporation for prizes and for administering and marketing the lottery scheme;
- (f) “**net sales of a lottery scheme**” means the amount of the proceeds from the sale of lottery tickets from a lottery scheme less the total of the amounts attributed to free tickets given as prizes;
- (g) “**non-profit organization**” means a corporation to which Part I of *The Non-Profit Corporations Act* applies;
- (h) “**retail agent**” means a person appointed by the designated organization to sell lottery tickets to the public;
- (i) “**trust account**” means the trust account continued pursuant to subsection 7(1);

- (j) **“Western Canada Lottery Corporation”** means the corporation designated by the minister to conduct and manage a lottery scheme on behalf of the Government of Saskatchewan.

Video lottery scheme

3(1) In this section:

- (a) **“video lottery scheme”** means any lottery scheme that is operated on or through a video lottery terminal;
- (b) **“video lottery terminal”** means a machine or device that:
- (i) allows a person to play a game in which, through the insertion of money or other payment of lawful currency, a person may play a game in which by chance the person may receive a credit that may be redeemed for further play or money; and
 - (ii) is a slot machine within section 198 of the *Criminal Code*.

(2) These regulations do not apply to a video lottery scheme.

Restriction

4 The designated organization shall market only lottery schemes that:

- (a) are offered by the Western Canada Lottery Corporation and the Interprovincial Lottery Corporation; and
- (b) are acceptable to the minister.

Selling agents

5(1) The designated organization may engage its members, employees or other non-profit organizations as distributors to distribute lottery tickets to retail agents.

(2) Subject to subsections (3) and (4) and to the approval of the minister, the Western Canada Lottery Corporation may determine:

- (a) the distribution of a sales commission between a distributor and a retail agent who sells a lottery ticket; and
- (b) the amount of a sales commission to be paid to a distributor and a retail agent.

(3) No distributor shall retain as a commission more than 10% of the sale price of each lottery ticket.

(4) No retail agent shall retain as a commission more than 10% of the sale price of each lottery ticket.

Minister may make agreements

6 The minister may enter into agreements:

- (a) with the designated organization:
 - (i) for the marketing of lottery tickets that are part of a lottery scheme; and
 - (ii) for the distribution of the net profits of the lottery scheme marketed by the designated organization to organizations, agencies and persons who are eligible pursuant to section 12; and

- (b) with any organizations, agents or persons mentioned in subclause (a)(ii) for the use of the net profits of the lottery scheme.

Trust account

- 7(1) The trust account established by the designated organization pursuant to *The Interprovincial Lotteries Regulations* is continued.
- (2) All the net profits of the lottery scheme are to be credited to the trust account.
- (3) The trust account is to be administered in accordance with the policy directions given by the minister.
- (4) Any payments necessary as the result of an agreement entered into by the minister pursuant to section 6 are to be paid out of the trust account.

Minister may direct payments

- 8(1) The minister may direct the designated organization to pay out of the trust account to the Minister of Finance for deposit in the general revenue fund in each of the 1994-95 fiscal year of the Government of Saskatchewan and the two succeeding fiscal years, the sum of \$19,200,000.
- (2) The minister may direct the designated organization to pay out of the trust account to the Government of Canada the amounts the Government of Saskatchewan agreed to pay to the Government of Canada in consideration of the Government of Canada agreeing not to conduct lottery schemes in Saskatchewan.

Report and inspection

- 9 The designated organization shall:
 - (a) within 90 days of the close of its fiscal year, provide the minister with an annual statement of:
 - (i) the activities of the lottery scheme and trust account;
 - (ii) an audited statement of its accounts with respect to the lottery scheme and trust account;
 - (iii) a list of the organizations, agencies and persons who shared in the net profits of the scheme and the amounts they received;
 - (iv) the total amount paid out of the trust account; and
 - (v) the total amounts paid pursuant to section 8; and
 - (b) make available for inspection by the minister any documents with respect to the lottery scheme that the minister considers appropriate.

Report of recipients

- 10 Every organization, agency and person that shared in the net profit of a lottery scheme marketed by the designated organization and every distributor shall, within 90 days of the close of its fiscal year, provide the minister with an audited statement showing:
 - (a) with respect to an organization, agency or person, the amount of money it received from the trust account;
 - (b) with respect to a distributor, the amount of money he or she received as commissions from the sale of lottery tickets; and

- (c) the objects or uses for which the money was used and the amount of money expended for each object or use.

Minister may extend time

11 Notwithstanding sections 9 and 10, where the minister considers it appropriate, the minister may extend the period for filing a statement by the designated organization or an organization, agency, person or distributor.

Minister to determine eligibility

12(1) Subject to subsection (2), the minister shall determine the organizations, agencies and other persons who are eligible to share in the net profits of any lottery scheme marketed by the designated organization.

(2) No organization is eligible to share in the net profits of a lottery scheme marketed by the designated organization unless:

- (a) it is a non-profit organization that has as its object the promotion of sport, culture or recreation;
- (b) it is a municipality, or an Indian band, that is conducting or promoting programs for sport, culture or recreation; or
- (c) it is not for profit, and has as its primary purpose the promotion of sport, culture or recreation.

R.R.S. c.I-12 Reg 1 repealed

13 *The Interprovincial Lotteries Regulations* are repealed.

Coming into force

14 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

CHAPTER N-3.1 REG 1

The Natural Resources Act

Section 23

Order in Council 396/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Resource Protection and Development Services Regulations, 1994*.

Interpretation

2 In these regulations, “**Act**” means *The Natural Resources Act*.

Resource protection and development services

3 For the purposes of subclause 2(g)(i) of the Act, the following activities, provisions and services are determined to be necessary or incidental to or used for the protection, administration and management of Saskatchewan's natural resources:

- (a) the prevention, detection and suppression of prairie or forest fires;
- (b) the construction, maintenance, repair, alteration, extension or improvement of buildings, structures, recreation facilities, roads, dams, bridges, ditches, fireguards or other works of a similar nature;

- (c) the establishment, construction, maintenance and operation of a radio communications network;
- (d) the management, development or disposition of provincial forest lands and resource lands within the meaning of *The Resource Lands Regulations, 1989*;
- (e) the management of fisheries or enhancement of fish habitat;
- (f) the management of wildlife or enhancement of wildlife habitat;
- (g) the management of timber resources or other products of the forest and the enhancement of forest lands within the meaning of *The Forest Act*; and
- (h) the provision of any labour, housing, machinery, equipment, materials and supplies and any technical, supervisory and administrative services required for or necessarily incidental to any of the activities, provisions and services mentioned in clauses (a) to (g).

Provision of services

4 For the purposes of subclause 2(g)(ii) of the Act, the following activities, provisions and services are determined as activities, provisions and services that may be provided to persons, governments or agencies, including departments or agencies of the Government of Saskatchewan:

- (a) repair and maintenance services to resource protection aircraft on a fee-for-service or contractual basis;
- (b) radio communications services, electronics and avionics, including maintenance and repair services on a fee-for-service or contractual basis;
- (c) the lease or loan of resource protection aircraft owned by the Government of Saskatchewan on a fee-for-service or contractual basis;
- (d) the provision of any labour, housing, machinery, equipment, materials and supplies and any technical, supervisory and administrative services required for or necessarily incidental to any of the activities, provisions and services mentioned in clauses (a) to (c).

R.R.S. c.R-19.01 Reg 3 repealed

5 *The Resource Protection and Development Services Regulations* are repealed.

Coming into force

6 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

CHAPTER P-7 REG 4

The Pest Control Act

Section 32

Order in Council 412/94, dated June 28, 1994

(Filed June 29, 1994)

MINISTER'S ORDER

The Minister of Agriculture and Food, pursuant to section 3 of *The Pest Control Act*, makes section 3 of *The Bacterial Ring Rot Control Regulations* in accordance with the attached Schedule.

Dated at the City of Regina, this 28th of June, 1994.

Darrel Cunningham
Minister of Agriculture and Food

Certified True Copy

Darrel Cunningham
Minister of Agriculture and Food

Title

- 1** These regulations may be cited as *The Bacterial Ring Rot Control Regulations*.

Interpretation

- 2** For the purposes of these regulations:

- (a) **“bacterial ring rot”** means the plant disease caused by the bacterium *Clavibacter michiganense* ssp. *sepedonicum*, also known as *Corynebacterium sepedonicum*;
- (b) **“board”** means the board established by *The Vegetable Marketing and Development Plan Regulations*;
- (c) **“certified seed”** means seed potatoes that:
 - (i) have been inspected in the field by an inspector of Agriculture Canada and are of a class established and listed in section 47 of the *Seed Regulations*, C.R.C., c.1400; or
 - (ii) have been certified by a recognized certification agency in the United States and are of a certification class substantially the same as those established and listed in section 47 of the *Seed Regulations*, C.R.C. c.1400, specifically with respect to freedom from bacterial ring rot;
- (d) **“grower”** means any person producing potatoes;
- (e) **“officer”** means a person appointed pursuant to *The Pest Control Act* to enforce that Act;
- (f) **“potatoes”** means potatoes grown for commercial sale.

Pest declared

3 Bacterial ring rot is declared to be a pest for the purposes of *The Pest Control Act*.

Certified seed only

4 Every grower shall use only certified seed.

Records to be kept

5 Every grower shall:

- (a) maintain accurate records of all plantings including the date and location of plantings and the weight and class of certified seed used;
- (b) keep a copy of each bill of sale for the certified seed used in each planting; and
- (c) following each planting, forward a copy of those records and each bill of sale to the board.

Requirement to plant on land free of bacterial ring rot

6 No grower shall plant certified seed on land that, according to the records of the board, was infested with bacterial ring rot in the previous growing season.

Destruction of volunteer growth

7 Every person shall take measures to destroy any volunteer growth of potatoes on any land the person owns, occupies or controls that was infested with bacterial ring rot in the previous growing season.

Inspection of land and potatoes

8(1) For the purpose of ensuring compliance with these regulations, an officer may, at any reasonable time, enter a grower's land to inspect the grower's land and potatoes, whether harvested or not.

(2) Where a grower knows or suspects that the grower's land or potatoes, whether harvested or not, are infested with bacterial ring rot, the grower shall immediately notify an officer.

(3) On receiving notification pursuant to subsection (2), or where the officer reasonably believes that a grower's land or potatoes are infested with bacterial ring rot, the officer shall:

- (a) if no inspection has taken place, inspect the grower's land and potatoes, whether harvested or not; and
- (b) take for analysis specimens of any potatoes or debris infested or suspected of being infested with bacterial ring rot.

(4) Following the analysis of any specimens taken pursuant to clause (3)(b), the officer shall notify in writing the board and the grower of the results of the analysis.

Requirements for disposal

9(1) An officer may issue an order pursuant to section 19 of *The Pest Control Act* for the disposal of all potatoes that have tested positive for bacterial ring rot and all potatoes that have been or may have been in contact with those potatoes that have tested positive.

(2) Every order issued pursuant to subsection (1) that does not require the potatoes to be destroyed must require that the potatoes be treated in a manner ordered by the officer to prevent sprout development.

Requirements for cleanup

10 To prevent the infection of certified seed, all storage locations used by a grower, all loading, processing, transporting and field equipment, and all packaging material shall be cleaned and disinfected in a manner ordered by an officer pursuant to section 19 of *The Pest Control Act* where the locations, equipment and material have been used for the storage or production of potatoes that:

- (a) are infested with bacterial ring rot; or
- (b) have been or may have been in contact with potatoes that are infested with bacterial ring rot.

Application

11 These regulations apply beginning with the 1995 crop year, commencing July 1, 1994.

Coming into force

12(1) Subject to subsection (2), these regulations come into force on July 1, 1994.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 1994, these regulations come into force on the day they are filed with the Registrar of Regulations.

CHAPTER Q-1 REG 4

The Queen's Bench Act

Section 52

Order in Council 403/94, dated June 28, 1994

(Filed June 29, 1994)

Title

1 These regulations may be cited as *The Judicial Centres Regulations, 1994*.

Judicial centre disestablished

2 The judicial centre of Moosomin is disestablished.

Transmittal of records, etc.

3 The records, documents and other material from the judicial centre of Moosomin shall be transmitted to the judicial centre of Weyburn.

Judicial centres, locations

4 The following are the 15 judicial centres in the province and each judicial centre is located on the quarter section of land set out opposite its name:

Assiniboia	SW 1/4 Sec. 10, Twp. 8, Rge. 30, W2nd M;
Battleford	NE 1/4 Sec. 25, Twp. 43, Rge. 17, W3rd M;
Estevan	SE 1/4 Sec. 22, Twp. 2, Rge. 8, W2nd M;
Humboldt	SE 1/4 Sec. 30, Twp. 37, Rge. 22, W2nd M;
Kerrobert	SW 1/4 Sec. 13, Twp. 34, Rge. 23, W3rd M;
Melfort	SW 1/4 Sec. 7, Twp. 45, Rge. 18, W2nd M;

Melville	NE 1/4 Sec. 29, Twp. 22, Rge. 6, W2nd M;
Moose Jaw	NE 1/4 Sec. 32, Twp. 16, Rge. 26, W2nd M;
Prince Albert	SW 1/4 Sec. 10, Twp. 48, Rge. 26, W2nd M;
Regina	SW 1/4 Sec. 19, Twp. 17, Rge. 19, W2nd M;
Saskatoon	NW 1/4 Sec. 28, Twp. 36, Rge. 5, W3rd M;
Swift Current	NE 1/4 Sec. 25, Twp. 15, Rge. 14, W3rd M;
Weyburn	NW 1/4 Sec. 21, Twp. 8, Rge. 14, W2nd M;
Wynyard	SE 1/4 Sec. 27, Twp. 32, Rge. 16, W2nd M;
Yorkton	SE 1/4 Sec. 2, Twp. 26, Rge. 4, W2nd M.

R.R.S. c.Q-1 Reg 3 repealed

5 *The Judicial Centres Regulations, 1993* are repealed.

Coming into force

6 These regulations come into force on July 1, 1994.

CHAPTER T-15.01 REG 1

The Tourism Authority Act

Section 22

Order in Council 389/94, dated June 28, 1994

(Filed June 29, 1994)

SHORT TITLE AND INTERPRETATION

Title

1 These regulations may be cited as *The Tourism Authority Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Tourism Authority Act*;
- (b) “**approved organization**” means an organization approved pursuant to section 4;
- (c) “**designated organization**” means an organization designated pursuant to section 3;
- (d) “**original member**” means, with respect to members, one of the first members to be selected after the coming into force of these regulations.

DESIGNATED AND APPROVED ORGANIZATIONS

Designated organizations

3 For the purposes of subsection 3(2) of the Act:

- (a) the organization that represents Saskatchewan’s tourism industry as a whole is the Tourism Industry Association of Saskatchewan;
- (b) the organization that represents Saskatchewan’s hotel and motel industry is the Hotels Association of Saskatchewan;

- (c) the organization that represents Saskatchewan's tourist outfitting industry is the Saskatchewan Outfitters Association;
- (d) the organization that represents Saskatchewan First Nations is the Federation of Saskatchewan Indian Nations;
- (e) the organization that represents Saskatchewan's Métis people is the Métis Nation of Saskatchewan;
- (f) the organizations that represent Saskatchewan's heritage, arts and multicultural communities are the Saskatchewan Council of Cultural Organizations and the Saskatchewan Arts Alliance;
- (g) the organization that represents Regina's tourism industry is Tourism Regina;
- (h) the organization that represents Saskatoon's tourism industry is Tourism Saskatoon;
- (i) the organizations that represent Saskatchewan's tourism regions are the following:
 - (i) The Heart of Canada's Old Northwest Tourism Marketing Association;
 - (ii) Horseshoe Region Tourism Association;
 - (iii) Great Trails Getaway Region Inc.;
 - (iv) Prairie Schooner;
 - (v) Central Regional Tourism Association Inc.;
 - (vi) Kelsey Country Tourism Region Inc.;
 - (vii) Northwest Tourism Development Group Inc.;
 - (viii) Northeast Tourism Inc.;
 - (ix) South East Regional Tourism Association Inc.

Approved organizations

4(1) When deciding to approve an organization pursuant to clause 3(2)(k) of the Act, the board shall consider whether, in its opinion, the organization fits into one or more of the following categories:

- (a) the organization is an organization whose activities directly have an impact on or support tourism development in Saskatchewan;
- (b) the organization is a tourism or convention bureau;
- (c) the organization is a regional or destination tourism association;
- (d) the organization is a department or agency of the Government of Canada, the Government of Saskatchewan or a municipal government whose programs and policies have an impact on tourism;
- (e) the organization is a tourism corridor association.

- (2) A majority of the board present at a board meeting must vote to approve an organization pursuant to clause 3(2)(k) of the Act.
- (3) The board may rescind its approval of an organization if:
 - (a) either:
 - (i) the member selected by that organization has failed to attend two consecutive general meetings of the authority; or
 - (ii) in the opinion of the board, the organization no longer falls into one of the categories mentioned in subsection (1);
 - (b) the board has given the organization an opportunity to be heard before voting to rescind the approval; and
 - (c) a majority of the board votes to rescind the approval.

MEMBERS

Terms of members

- 5(1) A person selected as a member by a designated organization holds office for a term not exceeding:
 - (a) three years, if the person is being appointed as one of the original members;
 - (b) two years in any other case.
- (2) A person selected as a member by an approved organization holds office for a term not exceeding two years.
- (3) If a member resigns or ceases to hold office for any reason, the organization that selected the member may:
 - (a) select another person to be a member for the duration of the term of the member who resigned or ceased to hold office; or
 - (b) choose to have the former member's position remain vacant until the end of the former member's term.
- (4) A member is eligible to be reselected, but no member may serve for more than three consecutive terms.

BOARD MEMBERS

Terms of board members

- 6(1) Subject to subsection (3), a board member holds office only while he or she serves as a member.
- (2) Subject to subsection (4), if a board member resigns as a member or ceases to be a member for any reason:
 - (a) that board member ceases to be a board member; and

- (b) the organization that selected the member may select another of its members to hold office as a board member for the duration of the term of the board member who resigned or ceased to hold office.
- (3) A board member elected in accordance with clause 11(1)(d) of the Act holds office for a term of one year.
- (4) If a board member mentioned in subsection (3) resigns as a board member or ceases to hold office for any reason, the office of that board member is to remain vacant until the next meeting of the authority at which board members are to be elected.
- (5) A board member is eligible to be reselected or re-elected, but no board member may serve for more than three consecutive terms.

COMING INTO FORCE

Coming into force

- 7(1) These regulations come into force on the day on which *The Tourism Authority Act* is proclaimed in force.
- (2) If *The Tourism Authority Act* is proclaimed in force before these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

CHAPTER W-13.1 REG 58

The Wildlife Act

Section 63

Order in Council 391/94, dated June 28, 1994

(Filed June 29, 1994)

Title

- 1 These regulations may be cited as *The Big Game Crop Damage Regulations*.

Interpretation

- 2 In these regulations, “**crops**” means field crops, other than forage crops, that were overwintered during the winter of 1993-94.

Minister may provide assistance

- 3(1) The minister may provide compensation to farmers:
- (a) whose crops were damaged in the field by mule deer, white-tailed deer, elk, moose, antelope or bears; and
 - (b) who have applied for compensation in a form acceptable to the minister on or before April 30, 1994.
- (2) Subject to subsections (4) and (5), the minister may provide compensation to a farmer pursuant to subsection (1) in an amount equal to 70% of the amount of the damage, based on the difference between the potential yield of the crops and the harvestable yield, as determined by the Saskatchewan Crop Insurance Corporation.

(3) Compensation is to be calculated based on the market value of the crops as determined by the Saskatchewan Crop Insurance Corporation.

(4) No compensation is payable where the amount of the damage is less than \$250.

(5) Individual payments made pursuant to these regulations for the amount of all claims received for damage may be prorated at the minister's discretion in proportion to the moneys appropriated for the purpose of these regulations.

Coming into force

4 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

REGINA, SASKATCHEWAN
Printed by the authority of
THE QUEEN'S PRINTER
1994