

The Regulations Act, 1995

Repealed

by Chapter L-10.2 of *The Statutes of Saskatchewan, 2019*
(effective May 15, 2019).

Formerly

Chapter R-16.2 of the *Statutes of Saskatchewan, 1995*
(effective March 1, 1997) as amended by the *Regulations of
Saskatchewan, 1997, c.R-16.2 Reg. 1*; and by the *Statutes of
Saskatchewan, 2000, c.C-42.1*.

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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SCHEDULE 1

CHAPTER R-16.2

An Act respecting Regulations

Short title

1 This Act may be cited as *The Regulations Act, 1995*.

Interpretation

2 In this Act:

“**file**” means file pursuant to section 4; (*«déposer»*)

“**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned; (*«ministre»*)

“**publish**” means publish in the Gazette in accordance with section 6; (*«publier»*)

“**registrar**” means the Registrar of Regulations appointed pursuant to section 3 and includes any Deputy Registrar of Regulations; (*«registraire»*)

“**regulation**” means a regulation, as defined in *The Interpretation Act, 1995*, that is:

- (a) made pursuant to a power in a public Act where the word “regulation” or “regulations” is used in conferring that power; or
- (b) identified in Schedule 1;

but does not include:

- (c) a regulation adopted by reference;
- (d) a regulation, as defined in *The Interpretation Act, 1995*, that is made by a corporation, unless:
 - (i) that regulation is identified in Schedule 1; or
 - (ii) all the members of the corporation or all the members of the board of directors or board of management of the corporation are appointed pursuant to an Act or by the Lieutenant Governor in Council and the regulation complies with clause (a); (*«règlement»*)

“**regulation adopted by reference**” means a regulation, as defined in *The Interpretation Act, 1995*, a code or a document that is adopted or incorporated by reference by a regulation but that is not attached to, or does not accompany, that regulation. (*«règlement adopté par renvoi»*)

Registrar

3 The minister may appoint:

- (a) a Registrar of Regulations; and
- (b) one or more deputy registrars of regulations.

1995, c.R-16.2, s.3.

Regulation has no effect unless filed

- 4(1)** A regulation has no effect unless it or a copy of it is filed with the registrar.
- (2) Every authority making a regulation, other than the Lieutenant Governor in Council, shall certify that every copy of the regulation that is filed is a true copy.
- (3) The registrar shall make every filed regulation available for public inspection at the registrar's office during the registrar's regular office hours.
- (4) On application to the registrar and payment of any fee prescribed pursuant to section 18, a person may obtain a copy of a regulation filed with the registrar.

1995, c.R-16.2, s.4.

When regulations come into force

5 A regulation or part of a regulation comes into force on the date of its filing unless:

- (a) a later date is specified in the regulation; or
- (b) an earlier date is specified in the regulation and the Act pursuant to which the regulation is made authorizes the regulation to come into force on the earlier date.

1995, c.R-16.2, s.5.

Publication

- 6(1)** The registrar shall publish each filed regulation in the Gazette within 30 days after the date of its filing.
- (2) The minister may extend, by regulation, the time prescribed in subsection (1) for publication of a filed regulation.

1995, c.R-16.2, s.6.

Exemption from publication

7(1) The registrar may exempt a regulation from publication in the Gazette if the registrar considers that the regulation:

- (a) is or will be available to persons who are likely to be affected by it; and
- (b) is of a length or size to render publication in the Gazette impractical or unduly expensive.

(2) Where a regulation includes a map, illustration, plan, diagram, photograph, graph, table, agreement or any other similar record or thing, the registrar may exempt that part of the regulation from publication.

(3) Where the registrar exempts a regulation or part of a regulation from publication, the registrar shall publish a notice in the Gazette:

- (a) stating that the regulation or part of the regulation has been exempted from publication; and
- (b) indicating where and when the exempted regulation or part of the regulation may be inspected.

1995, c.R-16.2, s.7.

Consequence of not publishing

8 No person shall be convicted of an offence against an unpublished regulation unless it is shown that reasonable steps had been taken by the time of the offence to bring the substance of the regulation to the notice of the public, of persons likely to be affected by it or of the person charged.

1995, c.R-16.2, s.8.

When section 8 does not apply

9 If a notice is published in the Gazette pursuant to section 7 exempting a regulation or part of a regulation from publication, section 8 does not apply to the regulation or the part of the regulation.

1995, c.R-16.2, s.9.

Judicial notice of published regulations

10 A regulation that is published shall be judicially noticed.

1995, c.R-16.2, s.10.

Evidence of filing

11(1) A certificate purporting to be signed by the registrar stating that a regulation was filed with the registrar on a date specified is admissible in evidence as proof, in the absence of evidence to the contrary, that the regulation was filed on the date specified.

(2) A certificate mentioned in subsection (1) is admissible without proof of the appointment or signature of the registrar.

1995, c.R-16.2, s.11.

Correction of errors

12(1) Where an error occurs in the printing of a regulation in the Gazette, the registrar shall publish in the Gazette an errata notice that clearly identifies and corrects the error.

(2) A correction made in accordance with subsection (1) is effective on and from the date of the Gazette in which the errata notice effecting the correction is published.

1995, c.R-16.2, s.12.

Repeal of regulations

13 The Lieutenant Governor in Council may repeal, by regulation, any regulation where:

- (a) in the process of preparing a consolidation and revision of regulations, it is considered desirable to repeal the regulation; or
- (b) it is considered appropriate to repeal the regulation and there is, in the opinion of the Lieutenant Governor in Council, no authority in an Act to effect that repeal.

1995, c.R-16.2, s.13.

Errors in regulations

14 Where errors are discovered in a revision of regulations, the Lieutenant Governor in Council may amend, by regulation, the regulations to correct those errors.

1995, c.R-16.2, s.14.

Copies to Clerk of the Legislative Assembly

15 The registrar shall furnish the Clerk of the Legislative Assembly with a copy of every filed regulation.

1995, c.R-16.2, s.15.

Permanent reference to committee of Legislative Assembly

16 Every filed regulation stands permanently referred to any committee that the Legislative Assembly may appoint for any purpose directed by the Legislative Assembly.

1995, c.R-16.2, s.16.

Procedure if disapproved by committee

17(1) The Legislative Assembly may, by resolution:

- (a) disapprove of a regulation or any part of a regulation; or
 - (b) require a regulation or any part of a regulation to be repealed or amended.
- (2) Where the Legislative Assembly disapproves of a regulation or part of a regulation or requires a regulation or part of a regulation to be repealed or amended, the Clerk of the Legislative Assembly shall forward the resolution to:
- (a) the authority making the regulation; or
 - (b) in the case of a regulation made by the Lieutenant Governor in Council, the member of the Executive Council to whom for the time being the administration of the regulation is assigned.
- (3) On receipt of the resolution, the authority making the regulation or the Lieutenant Governor in Council, as the case may be, shall repeal or amend the regulation or part of the regulation as required by the resolution.

1995, c.R-16.2, s.17.

Regulations

18 The Lieutenant Governor in Council may make regulations:

- (a) prescribing the form, numbering, citation and arrangement of regulations;
- (b) prescribing fees for copies of regulations provided by the registrar;
- (c) authorizing and respecting the consolidation, revision and republication of regulations;
- (d) adding to Schedule 1.

1995, c.R-16.2, s.18.

Repeal

19 *The Regulations Act, 1989* is repealed.

1995, c.R-16.2, s.19.

SCHEDULE 1

- (a) **Repealed.** 2000, c.C-42.1, s.27.

7 Mar 97, c.R-16.2 Reg 1, s.9; 2000, c.C-42.1, s.27.

