

The Non-profit Corporations Regulations, 1997

Repealed

by [Saskatchewan Regulations 92/2022](#) (effective March 12, 2023).

Formerly

[Chapter N-4.2 Reg 1](#) (effective February 19, 1997) as amended by Saskatchewan Regulations [84/1999](#), [83/2000](#), [77/2005](#), [57/2006](#), [71/2013](#), [53/2016](#), [59/2020](#) and [13/2021](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	PART I	4	Format of documents
	Title and Interpretation	5	Repealed
1	Title	6	Resident Canadian
2	Interpretation	7	Use of names
	PART II	8	Refusal of names
	General	9	Amalgamated corporations
3	Interpretation of Part	10	Financial statements
3.1	Articles of incorporation	10.1	Qualifications of auditors and persons conducting reviews of financial statements
3.11	Initial notice of registered office	10.2	Contents of financial review report
3.12	Notice of change of registered office	10.3	Contents of audit report
3.2	Articles of amendment	11	Repealed
3.21	Initial notice of directors and officers	12	Repealed
3.22	Notice of change of directors and officers	13	Definitions
3.23	Restated articles of incorporation	13.01	Repealed
3.24	Articles of amalgamation		
3.3	Articles of continuance		
3.31	Articles of reorganization		
3.32	Articles of arrangement		
3.33	Articles of revival		
3.34	Articles of dissolution		
3.4	Statement of intent to dissolve		
3.41	Application for registration of an extraprovincial corporation		
3.42	Power of attorney		
3.5	Application to restore name to register		
3.51	Annual return		
3.52	Request for name availability		
3.53	Application for exemption		
3.54	Application for authorization to continue in another jurisdiction		
3.6	General rules re notices, etc.		
			PART III
			Electronic Documents
		13.02	Place of meetings
		13.1	Interpretation and application of Part
		13.2	No requirement to create or provide electronic documents
		13.3	Information may be provided by electronic documents
		13.4	Requirement for information to be in writing
		13.5	Electronic statutory declarations and signatures
		13.6	Providing electronic documents
		13.7	Providing and receiving electronic documents
		13.8	Exemption from Part
		14	Sask. Reg. 260/79 repealed
			Appendix
			PART I
			Repealed
			PART II
			Fees
			Repealed

CHAPTER N-4.2 REG 1
The Non-profit Corporations Act, 1995

PART I
Title and Interpretation

Title

1 These regulations may be cited as *The Non-profit Corporations Regulations, 1997*.

Interpretation

2 In these regulations, “**Act**” means *The Non-profit Corporations Act, 1995*.

7 Mar 97 cN-4.2 Reg 1 s2.

PART II
General

Interpretation of Part

3 In this Part:

“**home jurisdiction**”, with respect to an extraprovincial corporation, means the jurisdiction in which the extraprovincial corporation is incorporated, continued or amalgamated; (« *territoire d’attache* »)

“**signature**” includes a signature that consists of one or more letters, characters, numbers or other symbols in digital form that is incorporated in, attached to or associated with a form, notice, document or other information required to be provided or submitted in accordance with this Part. (« *signature* »).

30 Jne 2016 SR 53/2016 s3.

Articles of incorporation

3.1(1) For the purposes of section 6 of the Act, the form of articles of incorporation is provided in this section.

(2) Articles of incorporation must include the following:

(a) if the Director has reserved a name for the corporation in accordance with subsection 11(1) of the Act:

- (i) the reserved name;
- (ii) the name reservation number; and
- (iii) any conditions imposed by the Director in the name reservation;

- (b) if the name of the corporation is a designating number assigned in accordance with subsection 11(2) of the Act:
 - (i) one of the words or abbreviations required pursuant to subsection 10(1) of the Act; and
 - (ii) a description of the main activity of the corporation;
- (c) the proposed incorporation date, if a specified future date is requested;
- (d) the fiscal year end of the corporation;
- (e) the classes of membership interest, including the name of each class, and:
 - (i) if there are two or more classes of membership interest, the rights, privileges, restrictions and conditions attaching to the membership interest of each class; and
 - (ii) if a class of membership interest may be issued in subdivisions, the authority given to the directors to determine the designation of and the rights, privileges, restrictions and conditions attaching to the membership interest of each subdivision;
- (f) if a right to transfer a membership interest of a corporation is to be permitted, a statement that the right to transfer a membership interest is permitted and the conditions relating to that transfer;
- (g) one of the following:
 - (i) the number of directors of the corporation;
 - (ii) the minimum and maximum number of directors of the corporation;
- (h) an indication that the corporation is one of the following:
 - (i) a membership corporation;
 - (ii) a charitable corporation;
- (i) any restrictions on the following:
 - (i) the activities that the corporation may carry on;
 - (ii) the powers that the corporation may exercise;
- (j) if the corporation is a membership corporation, an indication as to whether any remaining property of the corporation on liquidation or dissolution is to be transferred in accordance with subsection 209(3) of the Act;
- (k) if the corporation is a charitable corporation, an indication as to whether any remaining property of the corporation on liquidation or dissolution is to be transferred in accordance with subsection 209(5) of the Act and, if that is the case, which of the following is to receive a transfer:
 - (i) a charitable corporation;

- (ii) a registered charity within the meaning of the *Income Tax Act* (Canada);
- (iii) a municipality;
- (iv) the Government of Canada or a government of any province or territory of Canada or an agency of any of those governments;
- (v) a combination of the bodies described in subclauses (i) to (iv);
- (l) if the incorporator is an individual, the name and address of the individual;
- (m) if the incorporator is a person that is not an individual:
 - (i) the name and address of the person; and
 - (ii) the number assigned to the person by the Director, if the person is registered in Saskatchewan;
- (n) the name and contact information of the individual submitting the articles of incorporation;
- (o) a statement by the individual submitting the articles of incorporation that the contents of the articles of incorporation are true and that:
 - (i) the individual is the incorporator; or
 - (ii) the individual is authorized by the incorporator to file the articles of incorporation with the Director;
- (p) the signature of the individual submitting the articles of incorporation.

30 Jne 2016 SR 53/2016 s3.

Initial notice of registered office

3.11(1) For the purposes of subsection 19(2) of the Act, the form of an initial notice of registered office is provided in this section.

- (2) An initial notice of registered office must include the following:
 - (a) the physical address of the registered office, consisting of:
 - (i) the street address of the registered office, if any; or
 - (ii) if there is no street address, a legal land description of the land on which the registered office is located, including the rural municipality name and number;
 - (b) the mailing address of the registered office, if different from the physical address;
 - (c) subject to subsection 3.6(4), the email address of the corporation, if any;
 - (d) the name and contact information of the individual submitting the initial notice of registered office;

- (e) a statement by the individual submitting the initial notice of registered office that:
 - (i) the contents of the initial notice of registered office are true; and
 - (ii) the individual has authority to file the initial notice of registered office with the Director;
- (f) the signature of the individual submitting the initial notice of registered office.

30 Jne 2016 SR 53/2016 s3.

Notice of change of registered office

3.12(1) For the purposes of subsection 19(4) of the Act, the form of a notice of change of registered office is provided in this section.

- (2) A notice of change of registered office must include the following:
 - (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) the updated physical address of the registered office, consisting of:
 - (i) the updated street address of the registered office, if any; or
 - (ii) if there is no street address, an updated legal land description of the land on which the registered office is located, including the rural municipality name and number;
 - (d) the mailing address of the registered office, if different from the updated physical address;
 - (e) the date on which the change of registered office becomes effective;
 - (f) subject to subsection 3.6(4), the email address of the corporation, if any;
 - (g) the name and contact information of the individual submitting the notice of change of registered office;
 - (h) a statement by the individual submitting the notice of change of registered office that:
 - (i) the contents of the notice of change of registered office are true; and
 - (ii) the individual has authority to file the notice of change of registered office with the Director;
 - (i) the signature of the individual submitting the notice of change of registered office.
- (3) Notwithstanding subsection (2), if the physical address of the registered office of the corporation is other than the physical address where the corporation carries on its activities, a person at the physical address of the registered office may:
 - (a) send to a director, pursuant to section 238 of the Act, a notice that the address will cease to be the registered office of the corporation 30 days after the date of the notice; and

- (b) send to the Director a notice of change of registered office containing the following:
- (i) the name of the corporation;
 - (ii) the number assigned to the corporation by the Director;
 - (iii) the date of the notice given in accordance with clause (a);
 - (iv) an attached copy of the notice mentioned in clause (a);
 - (v) the information required by clauses (2)(g) to (i).
- (4) A corporation that receives a notice mentioned in clause (3)(a) shall take those steps that are set out in the Act to change the address of its registered office to another address.
- (5) If a corporation receives a notice mentioned in clause (3)(a) and fails to comply with subsection (4), the registered office is deemed to be the address in Saskatchewan of any of the directors that the Director may assign until the time that the corporation changes its registered office to another address in accordance with the Act.

30 June 2016 SR 53/2016 s3.

Articles of amendment

- 3.2(1)** For the purposes of section 164 of the Act, the form of articles of amendment is provided in this section.
- (2) Articles of amendment must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) if the name of the corporation is being changed to a name that has been reserved in accordance with subsection 11(1) of the Act:
 - (i) the reserved name;
 - (ii) the name reservation number; and
 - (iii) any conditions imposed by the Director in the name reservation;
 - (d) if the name of the corporation is being changed to a designating number assigned in accordance with subsection 11(2) of the Act:
 - (i) one of the words or abbreviations required pursuant to subsection 10(1) of the Act; and
 - (ii) a description of the main activity of the corporation;
 - (e) the new mailing name of the corporation, if applicable;
 - (f) the information required in clauses 3.1(2)(e) to (k), as amended by the articles of amendment;

- (g) if a charitable corporation is amending its articles to become a membership corporation, confirmation that the corporation:
 - (i) was defined as a charitable corporation by reason only of the fact that it was designated as a charitable corporation in its articles in error;
 - (ii) carries on activities primarily for the benefit of its members;
 - (iii) does not solicit and has not solicited donations or gifts of money or property from the public;
 - (iv) does not receive and has not received any grant of money or property from a government or government agency in any fiscal year of the corporation that is in excess of 10% of the corporation's total income for that fiscal year; and
 - (v) is not a registered charity within the meaning of the *Income Tax Act* (Canada);
- (h) if a charitable corporation that solicits money or property from the public is amending its articles to add, change or remove any restriction on the activities that the corporation may carry on, confirmation that a copy of the court order approving that amendment in accordance with subsections 161(4) and (6) of the Act is attached;
- (i) the proposed date on which the articles of amendment become effective, if a specified future date is requested;
- (j) the name and contact information of the individual submitting the articles of amendment;
- (k) a statement by the individual submitting the articles of amendment that:
 - (i) the contents of the articles of amendment are true; and
 - (ii) the individual has authority to file the articles of amendment with the Director;
- (l) the signature of the individual submitting the articles of amendment.

30 Jne 2016 SR 53/2016 s3.

Initial notice of directors and officers

3.21(1) For the purposes of section 93 of the Act, the form of an initial notice of directors and officers is provided in this section.

- (2) An initial notice of directors and officers must include the following:
 - (a) for each officer of the corporation:
 - (i) his or her full name;
 - (ii) his or her physical address;
 - (iii) his or her mailing address, if different from the physical address;

- (iv) his or her email address, if any; and
- (v) the name or title of the office held by him or her;
- (b) for each director of the corporation:
 - (i) the information mentioned in subclauses (a)(i) to (iv);
 - (ii) the name or title of any office held by the director; and
 - (iii) confirmation of whether or not the director is a resident Canadian;
- (c) the name and contact information of the individual submitting the initial notice of directors and officers;
- (d) a statement by the individual submitting the initial notice of directors and officers that:
 - (i) the contents of the initial notice of directors and officers are true; and
 - (ii) the individual has authority to file the initial notice of directors and officers with the Director;
- (e) the signature of the individual submitting the initial notice of directors and officers.

30 Jne 2016 SR 53/2016 s3.

Notice of change of directors and officers

3.22(1) For the purposes of section 100 of the Act, the form of a notice of change of directors and officers is provided in this section.

- (2) A notice of change of directors and officers must include the following:
 - (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) with respect to any change made regarding the corporation's directors or officers, or the name or address of a director or officer, the information required by subsection (3) or (4);
 - (d) the name and contact information of the individual submitting the notice of change of directors and officers;
 - (e) a statement by the individual submitting the notice of change of directors and officers that:
 - (i) the contents of the notice of change of directors and officers are true; and
 - (ii) the individual has authority to file the notice of change of directors and officers with the Director;
 - (f) the signature of the individual submitting the notice of change of directors and officers.

(3) For each director or officer who is added or with respect to whom a change is made, a notice of change of directors and officers must include the following:

- (a) his or her full name;
- (b) if applicable:
 - (i) confirmation that the director or officer is added as a director or officer of the corporation;
 - (ii) confirmation that there has been a change to his or her name or to any of the information mentioned in subclauses (iii) to (v);
 - (iii) the physical address of the director or officer;
 - (iv) the mailing address of the director or officer, if different from the physical address;
 - (v) the email address of the director or officer, if any;
- (c) the date on which the addition or change becomes effective;
- (d) in the case of an officer mentioned in subclause (b)(i), the name or title of the office held by him or her;
- (e) in the case of a director mentioned in subclause (b)(i):
 - (i) the name or title of any office held by the director; and
 - (ii) confirmation of whether or not the director is a resident Canadian.

(4) For each director or officer who is removed or who resigns, a notice of change of directors and officers must include the following:

- (a) his or her full name;
- (b) confirmation that:
 - (i) the director or officer is removed as a director or officer of the corporation; or
 - (ii) the director or officer has resigned as a director or officer of the corporation;
- (c) in the case of a director who has resigned pursuant to section 95 of the Act, a copy of the written resignation;
- (d) the date on which the removal or resignation becomes effective.

Restated articles of incorporation

3.23(1) For the purposes of section 167 of the Act, the form of restated articles of incorporation is provided in this section.

(2) Restated articles of incorporation must include the following:

- (a) the name of the corporation;
- (b) the number assigned to the corporation by the Director;
- (c) the information required in clauses 3.1(2)(e) to (k), as amended by any articles of amendment of the corporation filed in accordance with section 3.2;
- (d) the name and contact information of the individual submitting the restated articles of incorporation;
- (e) a statement by the individual submitting the restated articles of incorporation that:
 - (i) the restated articles of incorporation correctly restate, without substantive change, the articles of incorporation, as amended, and supersede the original articles of incorporation and all amendments to them; and
 - (ii) the individual has authority to file the restated articles of incorporation with the Director;
- (f) the signature of the individual submitting the restated articles of incorporation.

30 Jne 2016 SR 53/2016 s3.

Articles of amalgamation

3.24(1) For the purposes of section 172 of the Act, the form of articles of amalgamation is provided in this section.

(2) Articles of amalgamation must include the following:

- (a) for each of the amalgamating corporations:
 - (i) the name of the corporation; and
 - (ii) the number assigned to the corporation by the Director;
- (b) confirmation that the amalgamation has been approved pursuant to section 170 or subsection 171(1) or (2) of the Act;
- (c) confirmation that a statutory declaration of a director or officer of each amalgamating corporation in accordance with subsection 172(2) of the Act has been attached;
- (d) if the name of the amalgamated corporation has been reserved in accordance with subsection 11(1) of the Act:
 - (i) the reserved name;
 - (ii) the name reservation number; and
 - (iii) any conditions imposed by the Director in the name reservation;

- (e) if the name of the amalgamated corporation is a designating number assigned in accordance with subsection 11(2) of the Act:
 - (i) one of the words or abbreviations required pursuant to subsection 10(1) of the Act; and
 - (ii) a description of the main activity of the amalgamated corporation;
- (f) if the name of the amalgamated corporation is to be the name of one of the amalgamating corporations, confirmation of that fact and a description of the main activity of the amalgamated corporation;
- (g) if the amalgamated corporation is to adopt the articles of incorporation of one of the amalgamating corporations that are current as of the date of amalgamation, confirmation of that fact;
- (h) the proposed amalgamation date, if a specified future date is requested;
- (i) with respect to the amalgamated corporation, the information required in clauses 3.1(2)(d) to (k);
- (j) the name and contact information of the individual submitting the articles of amalgamation;
- (k) a statement by the individual submitting the articles of amalgamation that:
 - (i) the contents of the articles of amalgamation are true; and
 - (ii) the individual has authority to file the articles of amalgamation with the Director;
- (l) the signature of the individual submitting the articles of amalgamation.

30 Jne 2016 SR 53/2016 s3.

Articles of continuance

- 3.3(1)** For the purposes of this section, “**body corporate**” means a body corporate applying to the Director for a certificate of continuance pursuant to subsection 174(1) of the Act.
- (2) For the purposes of sections 174 and 250 of the Act, the form of articles of continuance is provided in this section.
- (3) Articles of continuance for a body corporate other than an extraprovincial corporation must include the following:
- (a) if the name of the body corporate has been reserved in accordance with subsection 11(1) of the Act:
 - (i) the reserved name;
 - (ii) the name reservation number; and
 - (iii) any conditions imposed by the Director in the name reservation;

- (b) if the name of the body corporate is a designating number assigned in accordance with subsection 11(2) of the Act:
 - (i) one of the words or abbreviations required pursuant to subsection 10(1) of the Act;
 - (ii) a description of the main activity of the body corporate;
 - (iii) the current name of the body corporate; and
 - (iv) the number assigned to the body corporate by the Director;
 - (c) the information required in clauses 3.1(2)(d) to (k);
 - (d) an attached copy of a special resolution pursuant to subsection 250(2) of the Act or of any authorization required pursuant to subsection 250(3) of the Act, as the case may be;
 - (e) the proposed date on which the certificate of continuance becomes effective, if a specified future date is requested;
 - (f) the name and contact information of the individual submitting the articles of continuance;
 - (g) a statement by the individual submitting the articles of continuance that:
 - (i) the contents of the articles of continuance are true; and
 - (ii) the individual has authority to file the articles of continuance with the Director;
 - (h) the signature of the individual submitting the articles of continuance.
- (4) Articles of continuance for a body corporate that is an extraprovincial corporation must include the following:
- (a) if the name of the body corporate has been reserved in accordance with subsection 11(1) of the Act:
 - (i) the reserved name;
 - (ii) the name reservation number; and
 - (iii) any conditions imposed by the Director in the name reservation;
 - (b) if the name of the body corporate is a designating number assigned in accordance with subsection 11(2) of the Act:
 - (i) one of the words or abbreviations required pursuant to subsection 10(1) of the Act; and
 - (ii) a description of the main activity of the body corporate;
 - (c) if the body corporate was previously registered in Saskatchewan, the number assigned to the body corporate by the Director;

- (d) if the body corporate was not previously registered in Saskatchewan:
 - (i) the name of the body corporate in its home jurisdiction;
 - (ii) the home jurisdiction of the body corporate before continuance; and
 - (iii) the date of incorporation or amalgamation of the body corporate;
- (e) the information required in clauses 3.1(2)(d) to (k);
- (f) a certificate or letter of authorization that includes the expiry date of the authorization from the body corporate's home jurisdiction;
- (g) the proposed date on which the certificate of continuance becomes effective, if a specified future date is requested;
- (h) the name and contact information of the individual submitting the articles of continuance;
- (i) a statement by the individual submitting the articles of continuance that:
 - (i) the contents of the articles of continuance are true; and
 - (ii) the individual has authority to file the articles of continuance with the Director;
- (j) the signature of the individual submitting the articles of continuance.

30 Jne 2016 SR 53/2016 s3.

Articles of reorganization

3.31(1) For the purposes of section 182 of the Act, the form of articles of reorganization is provided in this section.

- (2) Articles of reorganization must include the following:
 - (a) the current name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) if the name of the corporation is being changed to a name that has been reserved in accordance with subsection 11(1) of the Act:
 - (i) the reserved name;
 - (ii) the name reservation number; and
 - (iii) any conditions imposed by the Director in the name reservation;
 - (d) the new mailing name of the corporation, if applicable;
 - (e) if the name of the corporation is a designating number assigned in accordance with subsection 11(2) of the Act:
 - (i) one of the words or abbreviations required pursuant to subsection 10(1) of the Act; and
 - (ii) a description of the main activity of the corporation;

- (f) the information required in clauses 3.1(2)(e) to (k) of these regulations, as amended by any court order made pursuant to section 182 of the Act;
- (g) an attached copy of any court order made pursuant to section 182 of the Act;
- (h) an attached copy of any plan of arrangement, if not included as part of the court order mentioned in clause (g);
- (i) the proposed date on which the articles of reorganization become effective, if a specified date is requested or ordered;
- (j) the name and contact information of the individual submitting the articles of reorganization;
- (k) a statement by the individual submitting the articles of reorganization that:
 - (i) the contents of the articles of reorganization are true; and
 - (ii) the individual has authority to file the articles of reorganization with the Director;
- (l) the signature of the individual submitting the articles of reorganization.

30 Jne 2016 SR 53/2016 s3.

Articles of arrangement

3.32(1) For the purposes of section 183 of the Act, the form of articles of arrangement is provided in this section.

- (2) Articles of arrangement must include the following:
 - (a) the current name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) an attached copy of any court order made pursuant to section 183 of the Act;
 - (d) an attached copy of any plan of arrangement, if not included as part of the court order mentioned in clause (c);
 - (e) the proposed date on which the articles of arrangement become effective, if a specified date is requested or ordered;
 - (f) the name and contact information of the individual submitting the articles of arrangement;
 - (g) a statement by the individual submitting the articles of arrangement that:
 - (i) the contents of the articles of arrangement are true; and
 - (ii) the individual has authority to file the articles of arrangement with the Director;
 - (h) the signature of the individual submitting the articles of arrangement.

30 Jne 2016 SR 53/2016 s3.

Articles of revival

3.33(1) For the purposes of section 191 of the Act, the form of articles of revival is provided in this section.

- (2) Articles of revival must include the following:
- (a) the name of the corporation;
 - (b) the number previously assigned to the corporation by the Director;
 - (c) if applicable:
 - (i) the name reservation number; and
 - (ii) any conditions imposed by the Director in the name reservation;
 - (d) the proposed date on which the certificate of revival becomes effective, if a specified future date is requested;
 - (e) the fiscal year end of the corporation;
 - (f) a description of the reason the corporation was dissolved;
 - (g) a description of the interest of the person submitting the articles of revival in the revival of the corporation;
 - (h) the name and contact information of the individual submitting the articles of revival;
 - (i) a statement by the individual submitting the articles of revival that:
 - (i) the contents of the articles of revival are true; and
 - (ii) the individual has authority to file the articles of revival with the Director;
 - (j) the signature of the individual submitting the articles of revival.

30 Jne 2016 SR 53/2016 s3.

Articles of dissolution

3.34(1) For the purposes of sections 192 and 195 of the Act, the form of articles of dissolution is provided in this section.

- (2) Articles of dissolution must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) the proposed date on which the dissolution becomes effective, if a specified future date is requested;
 - (d) confirmation of one of the following:
 - (i) that the corporation has no property and no liabilities, has not issued any membership interests or other securities and is dissolved by a resolution of all of the directors pursuant to subsection 192(1) of the Act;

- (ii) that the corporation has no property and no liabilities and is dissolved by a special resolution of the members of each class, whether or not they are otherwise entitled to vote, pursuant to subsection 192(2) of the Act;
- (iii) that the corporation has distributed its property and discharged its liabilities pursuant to a special resolution of the members of each class, whether or not they are otherwise entitled to vote, in accordance with subsection 192(3) of the Act;
- (iv) that the corporation has sent a statement of intent to dissolve to the Director pursuant to section 3.4, which has not been revoked, and has discharged its obligations, distributed its remaining property and has otherwise complied with subsection 193(7) of the Act;
- (e) if a corporation mentioned in subclause (d)(iii) or (iv) is a charitable corporation, confirmation that the property of the corporation has been distributed in accordance with one of the following:
 - (i) its articles;
 - (ii) an attached court order obtained pursuant to section 201 of the Act;
- (f) the name and contact information of any person who has been granted custody of the documents and records of the corporation pursuant to section 210 of the Act;
- (g) the name and contact information of the individual submitting the articles of dissolution;
- (h) a statement by the individual submitting the articles of dissolution that:
 - (i) the contents of the articles of dissolution are true; and
 - (ii) the individual has authority to file the articles of dissolution with the Director;
- (i) the signature of the individual submitting the articles of dissolution.

30 June 2016 SR 53/2016 s3.

Statement of intent to dissolve

3.4(1) For the purposes of sections 193 and 194 of the Act, the form of a statement of intent to dissolve and a statement of revocation of intent to dissolve is provided in this section.

- (2) A statement of intent to dissolve and a statement of revocation of intent to dissolve must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) confirmation that:
 - (i) the corporation intends to liquidate and dissolve; or
 - (ii) the corporation revokes its statement of intent to dissolve;

- (d) an attached copy of the special resolution required pursuant to subsection 193(3) or 194(3) of the Act, as the case may be;
- (e) the name and contact information of the individual submitting the statement of intent to dissolve or the statement of revocation of intent to dissolve;
- (f) a statement by the individual submitting the statement of intent to dissolve or the statement of revocation of intent to dissolve that:
 - (i) the contents of the statement of intent to dissolve or the statement of revocation of intent to dissolve are true; and
 - (ii) the individual has authority to file the statement of intent to dissolve or the statement of revocation of intent to dissolve with the Director;
- (g) the signature of the individual submitting the statement of intent to dissolve or the statement of revocation of intent to dissolve.

30 Jne 2016 SR 53/2016 s3.

Application for registration of an extraprovincial corporation

3.41(1) For the purposes of section 254 of the Act, the form of an application for registration of an extraprovincial corporation is provided in this section.

(2) An application for registration of an extraprovincial corporation must include the following:

- (a) one of the following name types for the corporation:
 - (i) a reserved name in accordance with subsection 11(1) of the Act, including:
 - (A) the name reservation number; and
 - (B) any conditions imposed by the Director in the name reservation;
 - (ii) a numbered name assigned to the corporation in its home jurisdiction, together with a description of the main activity of the corporation;
- (b) the home jurisdiction of the corporation;
- (c) any unique identification number or code assigned to the corporation in its home jurisdiction;
- (d) the date of incorporation or amalgamation of the corporation in its home jurisdiction;
- (e) the proposed registration date, if a specified future date is requested;
- (f) for each officer of the corporation:
 - (i) his or her full name;
 - (ii) his or her physical address;

- (iii) his or her mailing address, if different from the physical address;
 - (iv) his or her email address, if any; and
 - (v) the name or title of the office held by him or her;
- (g) for each director of the corporation:
- (i) the information mentioned in subclauses (f)(i) to (iv); and
 - (ii) the name or title of any office held by the director;
- (h) the physical address of the registered office in Saskatchewan or in its home jurisdiction, consisting of:
- (i) the street address of the registered office, if any; or
 - (ii) if there is no street address, a legal land description of the land on which the registered office is located, including the rural municipality name and number;
- (i) the mailing address of the registered office, if different from the physical address;
- (j) subject to subsection 3.6(4), the email address of the corporation, if any;
- (k) if the corporation was incorporated or amalgamated in its home jurisdiction more than six months before registering in Saskatchewan, an attached copy of a certificate of status or certificate of compliance from the home jurisdiction;
- (l) a copy of the incorporation or amalgamation documents and any amendments filed in the corporation's home jurisdiction;
- (m) confirmation that a necessary review of the corporate history has been conducted and the corporation is eligible to be extraprovincially registered in Saskatchewan;
- (n) the name and contact information of the individual submitting the application for registration of an extraprovincial corporation;
- (o) a statement by the individual submitting the application for registration of an extraprovincial corporation that the individual acknowledges that:
- (i) the Director must be notified of any change to the corporation's status in its home jurisdiction; and
 - (ii) if the corporation is struck off the register in its home jurisdiction, it must be restored to the register in that jurisdiction in order to continue to remain extraprovincially registered in Saskatchewan;
- (p) a statement by the individual submitting the application for registration of an extraprovincial corporation that:
- (i) the contents of the application for registration of an extraprovincial corporation are true; and
 - (ii) the individual has authority to file the application for registration of an extraprovincial corporation with the Director;
- (q) the signature of the individual submitting the application for registration of an extraprovincial corporation.

Power of attorney

3.42(1) For the purposes of section 260 of the Act, the form of a power of attorney is provided in this section.

- (2) A power of attorney must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) any unique identification number or code assigned to the corporation in its home jurisdiction;
 - (d) for each attorney appointed for the corporation:
 - (i) the full name of the attorney and the name of his or her firm, if applicable;
 - (ii) the physical address of the attorney;
 - (iii) the mailing address of the attorney, if different from the physical address;
 - (iv) the email address of the attorney, if any; and
 - (v) a signed declaration of the attorney, declaring that he or she has consented to act as attorney pursuant to subsection 260(6) of the Act;
 - (e) the date on which the power of attorney becomes effective, if applicable;
 - (f) the name and contact information of the individual submitting the power of attorney;
 - (g) a statement by the individual submitting the power of attorney that:
 - (i) the contents of the power of attorney are true; and
 - (ii) the individual has authority to file the power of attorney with the Director;
 - (h) the signature of the individual submitting the power of attorney.
- (3) For each attorney who is added or with respect to whom a change is made, a notice of change of power of attorney must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) any unique identification number or code assigned to the corporation in its home jurisdiction;
 - (d) the full name of the attorney and the name of his or her firm, if applicable;
 - (e) if applicable:
 - (i) confirmation that the person is added as an attorney for the corporation;

- (ii) confirmation that there has been a change to the attorney's name or to any of the information mentioned in subclauses (iii) to (v);
 - (iii) the physical address of the attorney;
 - (iv) the mailing address of the attorney, if different from the physical address;
 - (v) the email address of the attorney, if any;
 - (vi) a signed declaration of the attorney, declaring that he or she has consented to act as attorney pursuant to subsection 260(6) of the Act;
 - (f) the date on which the addition or change becomes effective;
 - (g) the name and contact information of the individual submitting the notice of change of power of attorney;
 - (h) a statement by the individual submitting the notice of change of power of attorney that:
 - (i) the contents of the notice of change of power of attorney are true; and
 - (ii) the individual has authority to file the notice of change of power of attorney with the Director;
 - (i) the signature of the individual submitting the notice of change of power of attorney.
- (4) For each attorney who is removed or who resigns, a notice of change of power of attorney must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) any unique identification number or code assigned to the corporation in its home jurisdiction;
 - (d) the full name of the attorney and the name of his or her firm, if applicable;
 - (e) confirmation that:
 - (i) the attorney is removed as an attorney for the corporation; or
 - (ii) the attorney has resigned as an attorney for the corporation;
 - (f) in the case of an attorney who has resigned, a copy of the written resignation pursuant to subsection 260(5) of the Act;
 - (g) the date on which the removal or resignation becomes effective;
 - (h) the name and contact information of the individual submitting the notice of change of power of attorney;

- (i) a statement by the individual submitting the notice of change of power of attorney that:
 - (i) the contents of the notice of change of power of attorney are true; and
 - (ii) the individual has authority to file the notice of change of power of attorney with the Director;
- (j) the signature of the individual submitting the notice of change of power of attorney.

30 Jne 2016 SR 53/2016 s3.

Application to restore name to register

3.5(1) For the purposes of subsection 272(5) of the Act, the form of an application to restore the name of a corporation to the register is provided in this section.

(2) An application to restore the name of a corporation, other than an extraprovincial corporation, to the register must include the following:

- (a) the name of the corporation;
- (b) the number previously assigned to the corporation by the Director;
- (c) if applicable:
 - (i) the name reservation number; and
 - (ii) any conditions imposed by the Director in the name reservation;
- (d) the new fiscal year end of the corporation;
- (e) the number of members in each class of membership interest in the corporation;
- (f) attached financial statements of the corporation, in accordance with section 10, for each fiscal year since the last financial statement was filed with the Director;
- (g) the information required pursuant to clauses 3.51(2)(b) and (c);
- (h) the proposed restoration date, if a specified future date is requested;
- (i) the name and contact information of the individual submitting the application to restore the name of a corporation to the register;
- (j) a statement by the individual submitting the application to restore the name of a corporation to the register that:
 - (i) the contents of the application to restore the name of a corporation to the register are true; and
 - (ii) the individual has authority to file the application to restore the name of a corporation to the register with the Director;
- (k) the signature of the individual submitting the application to restore the name of a corporation to the register.

- (3) An application to restore the name of an extraprovincial corporation to the register must include the following:
- (a) the name of the corporation;
 - (b) the number previously assigned to the corporation by the Director;
 - (c) if applicable:
 - (i) the name reservation number; and
 - (ii) any conditions imposed by the Director in the name reservation;
 - (d) the information required pursuant to clauses 3.51(3)(a) and (b);
 - (e) the proposed restoration date, if a specified future date is requested;
 - (f) the name and contact information of the individual submitting the application to restore the name of a corporation to the register;
 - (g) a statement by the individual submitting the application to restore the name of a corporation to the register that:
 - (i) the corporation is active in its home jurisdiction;
 - (ii) the contents of the application to restore the name of a corporation to the register are true; and
 - (iii) the individual has authority to file the application to restore the name of a corporation to the register with the Director;
 - (h) the signature of the individual submitting the application to restore the name of a corporation to the register.

30 Jne 2016 SR 53/2016 s3.

Annual return

- 3.51(1)** For the purposes of sections 245 and 263 of the Act, the form of an annual return is provided in this section.
- (2) An annual return for a corporation, other than an extraprovincial corporation, must include the following:
- (a) the number of members in each class of membership interest in the corporation;
 - (b) subject to subsection (4), confirmation that the Director has current and accurate records regarding the following:
 - (i) the registered office of the corporation, as required by sections 3.11 and 3.12;
 - (ii) the directors and officers of the corporation, as required by sections 3.21 and 3.22;
 - (iii) the main activity of the corporation;

- (c) if applicable, notice in an attached form acceptable to the Director of any receiver, receiver-manager or liquidator of the corporation;
 - (d) attached financial statements of the corporation, in accordance with section 10, for the previous fiscal year;
 - (e) the name and contact information of the individual submitting the annual return;
 - (f) a statement by the individual submitting the annual return that:
 - (i) the contents of the annual return are true; and
 - (ii) the individual has authority to file the annual return with the Director;
 - (g) the signature of the individual submitting the annual return.
- (3) An annual return for an extraprovincial corporation must include the following:
- (a) subject to subsection (5), confirmation that the Director has current and accurate records regarding the following:
 - (i) the registered office of the corporation;
 - (ii) the directors and officers of the corporation;
 - (iii) any power of attorney of the corporation, as required by section 3.42;
 - (iv) the main activity of the corporation;
 - (b) if applicable, notice in an attached form acceptable to the Director of any receiver, receiver-manager or liquidator of the corporation;
 - (c) the name and contact information of the individual submitting the annual return;
 - (d) a statement by the individual submitting the annual return that:
 - (i) the corporation is active in its home jurisdiction;
 - (ii) the contents of the annual return are true; and
 - (iii) the individual has authority to file the annual return with the Director;
 - (e) the signature of the individual submitting the annual return.
- (4) If the Director does not have current and accurate records respecting one or more of the items mentioned in clause (2)(b), the corporation must include with the annual return any of the following that is necessary to ensure that the Director has current and accurate records for all of those items:
- (a) a notice of change of registered office, in accordance with section 3.12;
 - (b) a notice of change of directors and officers, in accordance with section 3.22;
 - (c) a description of any changes to the main activity of the corporation.

- (5) If the Director does not have current and accurate records respecting one or more of the items mentioned in clause (3)(a), the extraprovincial corporation must include with the annual return any of the following that is necessary to ensure that the Director has current and accurate records for all of those items:
- (a) a notice of change of registered office;
 - (b) a notice of change of directors and officers;
 - (c) a power of attorney, in accordance with section 3.42;
 - (d) a description of any changes to the main activity of the corporation.
- (6) The annual return of a corporation:
- (a) must be sent to the Director not later than the last day of the month following the month of the last anniversary date of incorporation, continuance or amalgamation, unless a different date has been designated by the Director; and
 - (b) must contain the information as it existed on:
 - (i) the last anniversary date of incorporation, continuance or amalgamation;
 - (ii) a later date indicated on the annual return; or
 - (iii) a date designated by the Director.

30 Jne 2016 SR 53/2016 s3.

Request for name availability

3.52 For the purposes of subsection 11(1) of the Act, before a name is reserved for an intended corporation or for a corporation about to change its name, the person requesting a name reservation shall:

- (a) request that the Director conduct a name search; and
- (b) provide the Director with any information in a form suitable to the Director that is necessary to:
 - (i) conduct a name search; and
 - (ii) ensure that the name meets the requirements of the Act and these regulations.

30 Jne 2016 SR 53/2016 s3.

Application for exemption

3.53(1) For the purposes of subsections 2(8) and (10), sections 22 and 143 and subsection 159(2) of the Act, the form of an application for exemption is provided in this section.

- (2) An application for exemption must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;

- (c) confirmation that the application for exemption relates to one or more of the following:
 - (i) distribution to the public pursuant to subsection 2(8) of the Act;
 - (ii) charitable corporation status pursuant to subsection 2(10) of the Act;
 - (iii) supplying a basic or supplemental list pursuant to section 22 of the Act;
 - (iv) financial disclosure pursuant to section 143 of the Act;
 - (v) audit committee pursuant to subsection 159(2) of the Act;
- (d) a description of the reasons why the corporation is applying for the exemption;
- (e) the name and contact information of the individual submitting the application for exemption;
- (f) a statement by the individual submitting the application for exemption that:
 - (i) the contents of the application for exemption are true; and
 - (ii) the individual has authority to file the application for exemption with the Director;
- (g) the signature of the individual submitting the application for exemption.

30 Jne 2016 SR 53/2016 s3.

Application for authorization to continue in another jurisdiction

3.54(1) For the purposes of section 175 of the Act, an application for authorization to continue in another jurisdiction must be provided to the Director in accordance with this section.

- (2) An application for authorization to continue in another jurisdiction must include the following:
- (a) the name of the corporation;
 - (b) the number assigned to the corporation by the Director;
 - (c) the jurisdiction in which the corporation intends to apply for continuance;
 - (d) notification of any actions or proceedings pending against the corporation or any unsatisfied judgments or any outstanding orders against the corporation, together with any details as required by the Director;
 - (e) a declaration stating that:
 - (i) the corporation is not in default in filing any annual returns or notices pursuant to the Act;
 - (ii) a notice of meeting of members, in accordance with subsection 175(2) of the Act, has been sent to each member;

- (iii) the members authorized the corporation to request continuance pursuant to the laws of the jurisdiction mentioned in clause (c), in accordance with subsection 175(4) of the Act;
 - (iv) the proposed continuance will not adversely affect creditors or members of the corporation;
 - (v) the corporation reasonably believes that the laws of the jurisdiction mentioned in clause (c):
 - (A) permit a Saskatchewan corporation to apply to that jurisdiction for continuance; and
 - (B) meet the requirements set out in subsection 175(9) of the Act; and
 - (vi) in the event that any action or proceeding has been initiated against the corporation, the corporation:
 - (A) will not raise as a defence the fact that it has continued in another jurisdiction; and
 - (B) will admit that it is the same corporation against which the action or proceeding was commenced;
 - (f) the name and contact information of the individual submitting the application for authorization to continue in another jurisdiction;
 - (g) a statement by the individual submitting the application for authorization to continue in another jurisdiction that:
 - (i) the contents of the application for authorization to continue in another jurisdiction are true; and
 - (ii) the individual has authority to file the application for authorization to continue in another jurisdiction with the Director;
 - (h) the signature of the individual submitting the application for authorization to continue in another jurisdiction.
- (3) If a corporation incorporated or continued pursuant to the Act is continued pursuant to the laws of another jurisdiction:
- (a) the corporation is deemed to be registered as an extraprovincial corporation for a period of 60 days after the date of its continuance pursuant to the laws of that other jurisdiction; and
 - (b) unless the corporation submits to the Director a completed power of attorney in accordance with section 3.42, the Director shall, on the expiration of the 60-day period mentioned in clause (a), strike the name of the corporation from the register.

General rules re notices, etc.

- 3.6(1)** If a person is required to provide two or more notices or other documents to the Director at the same time in accordance with the Act and these regulations, the Director may require the prescribed contents of the notices or other documents to be provided within a single, consolidated form.
- (2) A requirement to provide information in a notice or other document in accordance with these regulations, other than a signature or statement by the individual submitting the notice or document, is satisfied by providing the information as an attachment to the notice or document in a manner that is satisfactory to the Director.
- (3) A requirement that a signature is to be provided according to this Part is satisfied if it meets the requirements, if any, of the Director as to the method of making the signature and as to the reliability of the signature.
- (4) Any notice or other document required by the Act or these regulations to be provided to the Director must contain a statement that, if a corporate email address is provided in the notice or other document, the Director may use the email address for the purpose of providing any notice or document required to be sent by the Director, by the Act or these regulations, except:
- (a) a notice of default pursuant to subsection 272(2) of the Act sent by the Director in accordance with subsection 272(3) of the Act; or
 - (b) if the corporation notifies the Director that it wishes to receive notices and documents in a non-electronic form.
- (5) Nothing in these regulations prohibits the Director from requiring additional information or documentation to be submitted with a notice or other document if that information or documentation is necessary to directly support any information that is required in the notice or other document in accordance with these regulations.

30 Jne 2016 SR 53/2016 s3.

Format of documents

- 4(1) Repealed.** 30 Jne 2016 SR 53/2016 s4.
- (2) Numbers used in a form are to be expressed in Arabic numerals.
- (3) **Repealed.** 30 Jne 2016 SR 53/2016 s4.
- (4) **Repealed.** 30 Jne 2016 SR 53/2016 s4.
- (5) **Repealed.** 30 Jne 2016 SR 53/2016 s4.

7 Mar 97 cN-4.2 Reg 1 s4; 30 Jne 2016 SR 53/2016 s4.

- 5 Repealed.** 30 Jne 2016 SR 53/2016 s5.

Resident Canadian

6 For the purposes of clause (a) in the definition of “**resident Canadian**” in subsection 2(1) of the Act, the following classes of persons are prescribed as resident Canadians:

- (a) persons who reside outside Canada because of full-time employment with the government or an agency or crown corporation of:
 - (i) Canada;
 - (ii) any province or territory of Canada;
- (b) persons who reside outside Canada because of full-time employment with a corporation of which:
 - (i) more than 50% of the voting shares or membership interests are beneficially owned, or over which control or direction is exercised by resident Canadians; or
 - (ii) a majority of the directors of the corporation are resident Canadians;
- (c) persons who reside outside Canada because of full-time employment with an international association or organization of which Canada is a member;
- (d) persons who have resided outside Canada for fewer than 10 consecutive years and are full-time students at a university or other educational institution recognized by the educational authorities of a majority of the provinces or territories of Canada.

7 Mar 97 cN-4.2 Reg 1 s6.

Use of names

7 The name of a corporation must not:

- (a) be the same as or similar to the name of any other corporation, or to the name of any association, partnership or firm, if the use of that name would be likely to confuse or mislead, unless the corporation, association, partnership or firm consents in writing to the use of the name in whole or in part and, where required by the Director:
 - (i) in the case of a corporation, undertakes to dissolve or change its name to a dissimilar name within six months after filing the articles by which the name is acquired; or
 - (ii) in the case of an association, partnership or firm, undertakes to cease to carry on its business or activities, or to change its name to a dissimilar name, within six months after filing the articles by which the name is acquired;
- (b) suggest or imply a connection with any of the following persons, entities or groups unless consent in writing is obtained from that person, entity or group, as the case may be:
 - (i) the Crown;
 - (ii) the Government of Canada;
 - (iii) the government of any municipality, province or territory of Canada;

- (iv) any department, branch, bureau, service, agency or activity of the Government of Canada or the government of any municipality, province or territory;
 - (v) a political party;
 - (vi) a leader of a political party;
 - (vii) a university;
 - (viii) a professional association recognized by the laws of Canada or of a province or territory of Canada; or
- (c) be a name that is refused by the Director pursuant to section 8.

7 Mar 97 cN-4.2 Reg 1 s7.

Refusal of names

8(1) Unless an applicant establishes that a name has through use acquired and continues to have secondary meaning, the Director may refuse the name of a corporation if it is not distinctive because it is:

- (a) too general;
 - (b) descriptive only of the quality, function or other characteristic of the goods or services in which the corporation deals or is intended to deal;
 - (c) primarily or only a geographic name used alone.
- (2) The Director may refuse the name of a corporation if the name:
- (a) is deceptively inaccurate in describing:
 - (i) the activities, goods or services it is proposed to be associated with;
 - (ii) the conditions under which the goods or services will be produced or supplied;
 - (iii) the persons to be employed in the production or supply of those goods or services; or
 - (iv) the place or origin of those goods or services;
 - (b) is likely to be confused with a corporation that has been dissolved;
 - (c) is likely to be confused with any known corporation, association, partnership, society, club or firm;
 - (d) contains any words or phrases that imply a co-operative venture, including "credit union", "co-operative" or "co-op";
 - (e) contains the word "Canada" or the name of any province or territory;
 - (f) contains a word or phrase that is obscene or implies an undertaking that is scandalous, obscene or immoral; or
 - (g) is, in the opinion of the Director, objectionable for any reason.

7 Mar 97 cN-4.2 Reg 1 s8.

Amalgamated corporations

9(1) Where two or more corporations amalgamate, the amalgamated corporation may have:

- (a) the name of one of the amalgamating corporations;
- (b) a combination of the names of the amalgamating corporations; or
- (c) a distinctive new name that is not confusing.

(2) Clauses (1)(b) and (c) do not apply to an amalgamation mentioned in subsection 171(1) of the Act.

7 Mar 97 cN-4.2 Reg 1 s9.

Financial statements

10(1) The financial statements mentioned in clause 142(a) of the Act must include:

- (a) a statement of the assets and liabilities of the corporation in the form of a balance sheet; and
- (b) a statement of the revenue and expenditures of the corporation.

(1.1) Unless the Act or another provision of these regulations provides otherwise, the financial statements mentioned in clause 142(a) of the Act must be prepared in accordance with generally accepted accounting principles published by Chartered Professional Accountants of Canada, as amended from time to time.

(2) Where a corporation is required to send a copy of its financial statements to the Director pursuant to section 147 of the Act, the Director may:

- (a) accept the statements in the form in which they are sent; or
- (b) require any additional information that the Director considers appropriate.

7 Mar 97 cN-4.2 Reg 1 s10; 23 Jne 2006 SR
57/2006 s5; 30 Jne 2016 SR 53/2016 s6.

Qualifications of auditors and persons conducting reviews of financial statements

10.1(1) For the purposes of section 148 of the Act, the prescribed qualification that a person must meet to be an auditor is that:

- (a) the person must be a member in good standing of a recognized accounting profession that is regulated by an Act; or
- (b) the person must be approved by the Director to act as an auditor.

(2) For the purposes of sections 150 and 151 of the Act, the prescribed qualification that a person must meet to be appointed to conduct a review of the financial statements of a corporation is that:

- (a) the person must be a member in good standing of a recognized accounting profession that is regulated by an Act; or
- (b) the person must be approved by the Director to conduct the review.

23 Jne 2006 SR 57/2006 s6.

Contents of financial review report

10.2 Unless the Act or another provision of these regulations provides otherwise, for the purposes of sections 150 and 151 of the Act, a person conducting a review of the financial statements of a corporation must conduct a review and prepare a report based on that review in accordance with the generally accepted standards for review engagements published by Chartered Professional Accountants of Canada, as amended from time to time.

23 Jne 2006 SR 57/2006 s6; 30 Jne 2016 SR
53/2016 s7.

Contents of audit report

10.3 Unless the Act or another provision of these regulations provides otherwise, for the purposes of section 157 of the Act, an auditor who is required to make an examination must conduct the examination and prepare the report required by that section in accordance with the generally accepted auditing standards published by Chartered Professional Accountants of Canada, as amended from time to time.

23 Jne 2006 SR 57/2006 s6; 30 Jne 2016 SR
53/2016 s8.

11 Repealed. 6 Sep 2013 SR 71/2013 s6.

12 Repealed. 30 Jne 2016 SR 53/2016 s9.

Definitions

13 For the purposes of section 234 of the Act:

“**loan company**” means a loan corporation as defined in *The Trust and Loan Corporations Act*;

“**trust company**” means a trust corporation as defined in *The Trust and Loan Corporations Act*.

7 Mar 97 cN-4.2 Reg 1 s13.

13.01 Repealed. 5 Mar 2021 SR 13/2021 s3.

PART III Electronic Documents

Place of meetings

13.02 For the purposes of section 122 of the Act, and unless the bylaws of a corporation provide otherwise, any person entitled to attend a meeting of members of the corporation may participate in the meeting by means of a telephonic, electronic or other communication facility that permits all participants to communicate adequately with each other during the meeting, if the corporation makes that communication facility available, and a person participating in a meeting by those means is deemed for the purposes of the Act to be present at the meeting.

5 Mar 2021 SR 13/2021 s3.

Interpretation and application of Part**13.1(1)** In this Part:

“**addressee**” means a person to whom information is to be sent pursuant to the Act or these regulations, but does not include the Director; (« *destinataire* »)

“**designated information system**” means, with respect to an addressee, an information system designated by the addressee pursuant to subclause 13.2(2)(a)(ii); (« *système d’information désigné* »)

“**electronic**” means created, recorded, transmitted or stored in digital or other intangible form by electronic, magnetic or optical means or by any other similar means; (« *electronique* »)

“**information**” includes information that the Act or these regulations require to be included in a notice or document; (« *information* »)

“**information system**” means a system used to generate, send, receive, store or otherwise process an electronic document; (« *système d’information* »)

“**originator**” means the person sending an electronic document. (« *expéditeur* »)

(2) This Part does not apply to information sent to or issued by the Director pursuant to the Act or these regulations.

23 Jne 2006 SR 57/2006 s7.

No requirement to create or provide electronic documents

13.2(1) No provision of the Act or these regulations is to be construed as requiring a person to create or provide an electronic document.

(2) A requirement in the Act or these regulations to provide information to an addressee is not satisfied by the provision of an electronic document to that addressee unless:

- (a) the addressee:
 - (i) consents in writing; and
 - (ii) designates an information system to receive the information; and
- (b) the electronic document is provided to the addressee’s designated information system.

(3) Notwithstanding clause (2)(b), but subject to subsection (4), an electronic document is not required to be provided to the addressee’s designated information system if:

- (a) the originator causes the electronic document to be posted on or made available through a generally accessible electronic source, including a website; and
- (b) the addressee is provided with notice in writing of the availability and location of the electronic document.

- (4) Information that is required by subsection 13.6(2) to be provided to an addressee's designated information system must be provided to that designated information system and not by the means mentioned in subsection (3).
- (5) An addressee may revoke the addressee's designation of an information system.
- (6) If an addressee wishes to revoke a designation of an information system, the revocation must be in writing.

23 Jne 2006 SR 57/2006 s7.

Information may be provided by electronic documents

13.3 A requirement in the Act or these regulations that information be created or provided is satisfied if:

- (a) the information is created or provided in an electronic document; and
- (b) the bylaws and the articles of the corporation do not prohibit the creation or provision of an electronic document for that information nor require that the information be provided in a form other than an electronic document.

23 Jne 2006 SR 57/2006 s7.

Requirement for information to be in writing

13.4(1) A requirement in the Act or these regulations that information be in writing is satisfied by the creation of an electronic document containing that information if, in addition to meeting the requirements of section 13.3:

- (a) the electronic document is accessible by the addressee to whom the information is to be sent or communicated so as to be usable for subsequent reference; and
- (b) the other requirements of this Part are met.

(2) A requirement in the Act or these regulations that information be provided in writing to an addressee is satisfied if:

- (a) the information is provided to that addressee in an electronic document;
- (b) the electronic document mentioned in clause (a):
 - (i) is accessible by the addressee; and
 - (ii) is capable of being retained by the addressee so as to be usable for subsequent reference; and
- (c) the other requirements of this Part are met.

23 Jne 2006 SR 57/2006 s7.

Electronic statutory declarations and signatures

13.5(1) In this section, "**electronic signature**" means, with respect to a person, one or more letters, characters, numbers or other symbols in electronic form that the person has created or adopted in order to sign a document and that is incorporated in, attached to or associated with an electronic document.

(2) Except with respect to a statutory declaration or an affidavit, a requirement in the Act and these regulations that a document be executed or a signature be incorporated in, attached to or associated with a document is satisfied with respect to an electronic document if:

- (a) the person signing the execution or providing the signature uses an electronic signature;
- (b) the technology or process used to generate the electronic signature mentioned in clause (a):
 - (i) results in an electronic signature that is unique to the person; and
 - (ii) can be used to identify the person providing the signature; and
- (c) the other requirements of this Part are met.

23 Jne 2006 SR 57/2006 s7.

Providing electronic documents

13.6(1) If information is provided to several addressees, the information must be provided to all of the addressees concurrently, regardless of the manner of provision.

(2) A requirement in the Act or these regulations that information be sent to a specific place is satisfied if an electronic document containing that information is sent to an information system designated for the receipt of that information.

23 Jne 2006 SR 57/2006 s7.

Providing and receiving electronic documents

13.7(1) For the purposes of this Part, an electronic document is considered to have been provided to an addressee when it leaves an information system that is within the control of:

- (a) the originator; or
- (b) another person who provided the electronic document on behalf of the originator.

(2) For the purposes of this Part, an electronic document is considered to have been received by an addressee:

- (a) when the electronic document enters the addressee's designated information system; or
- (b) if the electronic document is posted or made available through a generally accessible electronic source mentioned in clause 13.2(3)(a), when notice of the posting or availability is communicated to the addressee in accordance with clause 13.2(3)(b).

23 Jne 2006 SR 57/2006 s7.

Exemption from Part

13.8(1) A corporation that or a person who provides, provided or will provide information by way of an electronic document may apply to the Director for an exemption from all or any requirements of this Part with respect to a corporation.

(2) On an application pursuant to this section, the Director may exempt the corporation or the person from all or any requirements of this Part if the corporation or person supplies evidence satisfactory to the Director to establish that no member of the corporation that is the subject of the application has been or will be prejudiced by a decision to grant the requested exemption.

(3) An application for an exemption, and the Director's decision to exempt, pursuant to this section may be made before or after the electronic document is provided.

(4) The Director may impose any conditions on a decision to grant an exemption that the Director considers appropriate.

23 Jne 2006 SR 57/2006 s7.

Sask. Reg. 260/79 repealed

14 Saskatchewan Regulations 260/79 are repealed.

7 Mar 97 cN-4.2 Reg 1 s14.

Appendix**PART I****Forms**

Repealed. 30 Jne 2016 SR 53/2016 s10.

PART II**Fees**

[Section 11]

Repealed. 6 Sep 2013 SR 71/2013 s9.