

The Health Services Act

being

Chapter H-1 of *The Revised Statutes of Saskatchewan, 1978*
(effective February 26, 1979).

NOTE:

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

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CHAPTER H-1

An Act respecting the Provision of Health Services.

Short title

1 This Act may be cited as *The Health Services Act*.

R.S.S. 1978, c.H-1, s.1.

Interpretation

2(1) In this Act:

“council”

(a) “**council**” means the council of a municipality;

“department”

(b) “**department**” means the Department of Health;

“elector”

(c) “**elector**” means a person entitled to vote in the annual municipal elections and, in the case of a local improvement district, any person of the full age of eighteen years who has resided in the district for the period of six months immediately preceding the date on which a vote of the electors is taken in the district pursuant to this Act;

“fiscal year”

(d) “**fiscal year**” means a period commencing on the first day of January and ending on the thirty-first day of December next following;

“general tax”

(e) “**general tax**” means a tax levied upon the taxable assessments in a municipality or local improvement district;

“health district”

(f) “**health district**” means any part of a health region heretofore established as a health district or established as a health district by the minister pursuant to subsection (3) of section 3;

“health region”, “region”

(g) “**health region**” or “**region**” means a health region heretofore established or established under the authority of this Act:

“health services”

(h) “**health services**” means services provided by a hospital or services provided by a licensed medical practitioner or dentist, a registered nurse or any other qualified person, and includes drugs, appliances and treatment prescribed by such medical practitioner or dentist or other qualified person;

“hospital”

(i) “**hospital**” means a hospital, nursing home or institution heretofore or hereafter approved under any *Hospital Standards Act*;

“indigent person”

(j) “**indigent person**” means a person who is actually destitute of means from his own resources of obtaining necessary medical attendance and treatment;

“local governing authority”

(k) “**local governing authority**” means a council in the case of a municipality, and the Minister of Municipal Affairs in the case of a local improvement district;

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“local improvement district”

(l) **“local improvement district”** means a local improvement district heretofore or hereafter constituted under any *Local Improvement Districts Act*;

“medical health officer”

(m) **“medical health officer”** means a medical health officer appointed under this Act or *The Public Health Act* or any former *Health Services Act* or *Public Health Act*;

“medical practitioner”

(n) **“medical practitioner”** means a medical practitioner registered under *The Medical Profession Act*;

“minister”

(o) **“minister”** means the Minister of Health;

“municipality”

(p) **“municipality”** means a city, town, village, rural municipality or The Municipal Corporation of Uranium City and District;

“public health services”

(q) **“public health services”** means preventive health services approved by the minister;

“regional board”

(r) **“regional board”** means a regional health board heretofore established or established under this Act;

“resident”

(s) **“resident”**, when used with reference to a municipality or local improvement district or portion thereof, means a person who has resided therein for the previous thirty days and, when used with reference to a health region, means:

- (i) a person who resides in the health region and has resided in Saskatchewan for the previous ninety days; or
- (ii) any other person declared by the Lieutenant Governor in Council to be a resident;

“resident ratepayer”

(t) **“resident ratepayer”** means a person who is a resident within a municipality, is of the full age of eighteen years and is qualified to vote as a burgess therein, and in the case of a local improvement district a person who is a resident therein, is of the full age of eighteen years and:

- (i) is assessed upon the last revised assessment roll of the district and is not exempt from taxation; or
- (ii) is a shareholder in a duly incorporated co-operative association which is engaged in farming and which is assessed upon the said roll in respect of real property not exempt from taxation.

(2) Where in this Act a reference to:

- (a) a local improvement district;
- (b) the Minister of Municipal Affairs; or

(c) *The Local Improvement Districts Act*;

is made, the reference shall, with respect to the Northern Saskatchewan Administration District or part thereof, be deemed to include a reference respectively to:

- (d) the Northern Saskatchewan Administration District;
- (e) the Minister of Northern Saskatchewan; or
- (f) *The Northern Administration Act*.

R.S.S. 1965, c.252, s.2; 1970, c.26, s.2; R.S.S.
1978, c.H-1, s.2.

PART I

Health Regions

Establishment of regions

3(1) The minister may divide the province into health regions and establish such regions, designating them by name and number, for the administration of *The Public Health Act* or of health services under this Act, or both.

(2) Notice of the establishment of a health region shall be published by the minister in *The Saskatchewan Gazette* and such publication shall be conclusive evidence of the establishment of the region and that all the necessary formalities have been complied with.

(3) In every health region the minister shall establish such health districts as he may deem necessary.

(4) The minister may, upon the request of the regional board of a health region, designate another name and number for that health region and shall cause notice of the designation to be published in the *Gazette*.

(5) A designation made under subsection (4) shall have force and effect on and from the date of the publication in the *Gazette* unless the minister specifies a later date on, from and after which the designation is to have force and effect, in which case the designation shall have force and effect on and from that later date.

R.S.S. 1965, c.252, s.3; 1966, c.43, s.2; R.S.S.
1978, c.H-1, s.3.

Boundary lines

4(1) For the purposes of this Act, when a health region is established under section 3 and is wholly or in part described as comprising certain townships, parts of townships or sections in accordance with the system of Saskatchewan lands survey, the boundary lines of the health region, except as varied by the description given in the notice required by section 3, shall be the posted side of the road allowance between adjoining sections or townships, except in case of correction lines where the south side of the road allowance shall be the boundary.

(2) Notwithstanding anything contained herein, a road allowance between an Indian reserve and a health region shall be deemed to be in the health region.

(3) Notwithstanding anything contained herein, in the case of a health region bordering upon the Province of Manitoba, one-half of the roadway lying to the east of the region shall be deemed to be included within its boundaries.

(4) This section applies *mutatis mutandis* with respect to the boundary lines of health regions established under this Act or any former *Health Services Act*.

R.S.S. 1965, c.252, s.4; R.S.S. 1978, c.H-1, s.4.

Submission to electors

5(1) The minister may, if he deems it advisable to do so, provide for the taking of a poll of the electors on the question of the establishment of a health region and may pay the costs of taking a poll out of moneys appropriated by the Legislature for health services.

(2) For the purpose of the submission the minister may fix a date for taking the poll and may provide for the appointment of returning officers, deputy returning officers and other necessary officials; the division of the municipalities or local improvement districts, or portions of either affected, into polling subdivisions; the place where, and the day and hour when the returning officer will appoint persons to attend at the various polling stations and at the final summing up of the votes on behalf of the persons voting in the affirmative on the question and on behalf of the persons voting in the negative on the question; the place where, and the day and hour when the votes of the persons entitled to vote will be summed up, and the result of voting declared by the returning officer; and may also provide for such other matters concerning the procedure to be followed before, during and after the poll as he deems necessary.

R.S.S. 1965, c.252, s.5; R.S.S. 1978, c.H-1, s.5.

Regional board

6(1) A regional board shall be established in each region, in accordance with the regulations, to supervise the health services of the region.

(2) A regional board shall be a body corporate under the name of "The Board of Health Region Number _____", the blank being filled in to correspond with the number of the health region.

R.S.S. 1965, c.252, s.6; 1970, c.26, s.3; R.S.S. 1978, c.H-1, s.6.

Health Services

7(1) Subject to the approval of the minister, a regional board may:

(a) erect, own, rent or lease, operate and maintain, on behalf of the region, hospitals, health centres, diagnostic and therapeutic clinics and such other property as the board deems necessary for the provision of health services;

(b) make arrangements with hospitals, medical practitioners, dentists, nurses and other personnel to provide health services designated by the board for residents of the region or any portion thereof, and may pay for such services.

(2) A regional board may:

(a) make such investigations as it deems necessary in order to assess in detail the hospital facilities and health services available in the region, and the needs for such services and facilities;

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- (b) prepare plans for the improvement of hospital facilities and health services;
- (c) make expenditures for facilitating the provision of health services in the health region or any part thereof;
- (d) make such expenditures as are deemed necessary for conducting the business of the board and its committees, including payment of members for their attendance at meetings and for their expenses;
- (e) receive money for the provision of health services from departments of the provincial government, municipal councils or other persons;
- (f) employ such persons as may be deemed necessary for carrying out the work of the board, define their powers and duties and provide such office space as may be required for the proper administration of the regional health services;
- (g) appoint a chairman and vice-chairman and a secretary, whose terms of office shall expire at the end of the then current fiscal year;
- (h) appoint committees and define their powers and duties;
- (i) establish a reserve fund;
- (j) provide for the deposit and disbursement of the funds of the board and generally for all matters relating to its financial affairs;
- (k) make such recommendations to the minister as it may see fit;
- (l) subject to the approval of The Local Government Board and to such regulations as may be made by that board, invest surplus funds of the region in the stock, bonds or securities of the Government of Canada or of Saskatchewan, and sell, pledge, hypothecate or otherwise deal with such stock, bonds or securities.

R.S.S. 1965, c.242, s.7; 1966, c.43, s.3; R.S.S. 1978, c.H-1, s.7.

Poll on health services scheme

- 8(1) The regional board may arrange for any poll of the electors on a health services scheme.
- (2) The poll shall be taken in each municipality and portion thereof and in each local improvement district and portion thereof within the health region, and all proceedings thereat and preliminary and subsequent thereto shall, subject to the provisions of this Act and to any directions given by the regional board or regulations made by it, be conducted as to municipalities and portions thereof in the same manner, as nearly as may be, as at the annual municipal elections, and as to local improvement districts and portions thereof in the same manner, as nearly as may be, as at annual elections in rural municipalities.
- (3) A person entitled to vote shall not vote more than once on the scheme.
- (4) A person who votes more than once is guilty of an offence and liable on summary conviction to a fine of \$50.
- (5) The cost of taking the poll may be included in and form part of the estimates mentioned in section 9.

R.S.S. 1965, c.252, s.8; R.S.S. 1978, c.H-1, s.8.

c. H-1**HEALTH SERVICES****Submission by board to minister of estimates of expenditures**

9(1) The regional board shall:

(a) as soon as possible in the year in which the first expenditures are to be made prepare in detail estimates of the probable net expenditure of the region for the remainder of the current fiscal year for:

(i) health services for the residents of the region or the portion thereof in which health services are to be provided;

(ii) expenditures for facilitating health services; and

(iii) any other expenditures authorized by this Act or the regulations;

(b) on or before the thirtieth day of September of each year prepare in detail estimates of the probable net expenditure of the region for the ensuing year for:

(i) health services for the residents of the region or the portion thereof in which health services are to be provided;

(ii) expenditures for facilitating health services;

(iii) any other expenditures authorized by this Act or the regulations; and

(iv) meeting any outstanding indebtedness of the health region incurred by it through the provision of health services during any of the preceding years or meeting such portion of such indebtedness as the minister may approve;

and forward the estimates, together with a statement showing the nature of the levies by which revenues are to be secured, to the minister for his approval.

(2) The minister may approve the estimates as presented, or with modifications, or may return them for complete revision.

(3) No levy shall be made until the minister has signified his approval.

R.S.S. 1965, c.252, s.9; R.S.S. 1978, c.H-1, s.9.

Registration of residents

10 After the minister's approval of the institution of the provision of health services in a health region has been received by the regional board, the regional board may, subject to the approval of the minister, make regulations governing registration of residents of the health region, and without prejudice to the foregoing general power:

(a) requiring each resident entitled to health services to register with his local governing authority;

(b) concerning the manner and form in which and the time or times during which residents shall register;

(c) requiring each local governing authority to forward the list of registered persons to such person or persons as are designated by the regional board; and

(d) imposing a penalty for failure to register provided that, if a fine by way of summary conviction is imposed, the fine shall not exceed \$25.

R.S.S. 1965, c.252, s.10; R.S.S. 1978, c.H-1, s.10.

General tax

11(1) Where all or any portion of the estimated expenditure is to be raised by means of a general tax, the proportion to be borne by each local governing authority in the region shall be determined by The Local Government Board.

(2) Upon the basis of the apportionment determined by The Local Government Board the regional board shall, as soon as possible in the year in which the first expenditures are to be made and on or before the first day of March in each year thereafter, transmit a requisition to each local governing authority affected for its share of the estimated expenditure or the portion thereof to be raised by a general tax, as approved by the minister.

(3) Upon receipt of a requisition from the regional board each local governing authority shall include the required sum in its general levy or levy a special tax for the purpose of raising the required sum. Where, in the year in which the first expenditures are to be made, a local governing authority receives a requisition after its general levy has been made and tax notices have been mailed it shall levy a special tax for the purpose of raising the required sum and mail supplementary tax notices to the persons liable for payment of the tax.

(4) If the sum required to be raised by a local governing authority is included in its general levy the sum shall be paid to the regional board or its designated officer on or before the thirty-first day of December in the current year less the amount of discounts that have been allowed by the local governing authority in accordance with the appropriate municipal Act for prompt payment of current taxes up to the time the payment is made.

(5) If the sum required to be raised by a local governing authority is raised by the levy of a special tax, the tax shall be collected in the same manner as other levies, and all the provisions of the relevant Acts respecting the assessment and collection of taxes, including penalties for non-payment and provisions for enforcing payment, and *The Tax Enforcement Act* shall apply to the tax in the same manner and to the same extent as if it were part of the general tax levy.

(6) The proceeds of the special tax shall be paid over to the regional board or its designated officer forthwith after collection or at such intervals as the regional board may determine.

(7) All taxes actually collected by the municipality shall be a debt due by the municipality to the regional board and may be recovered by action at the suit of the board.

(8) Where the council of a municipality receives a requisition transmitted pursuant to subsection (2) and fails to make payment, in accordance with subsection (4), of the required sum, or fails to levy a special tax for the purpose of raising the required sum, the sum shall be a debt due by the municipality to the regional board and may be recovered by action at the suit of the board.

Liability for personal tax

12 Subject to any regulations made under section 62 exempting persons from payment of the personal tax, where all or any portion of the estimated expenditure is to be raised by means of a personal tax, each resident of the health region or the portion thereof in which health services are to be provided who is supporting himself shall be personally liable for payment of the tax and shall also be liable for payment of the tax in respect of each resident of the health region or the said portion thereof dependent upon him for maintenance.

R.S.S. 1965, c.252, s.12; R.S.S. 1978, c.H-1, s.12.

Collection of personal tax

13(1) Each municipality shall be the collector to collect the personal tax from the residents of the health region, or the portion thereof in which health services are to be provided, residing in the municipality and the Minister of Municipal Affairs shall be the collector to collect the tax from the residents of the health region, or the portion thereof in which health services are to be provided, residing in a local improvement district.

(2) The personal tax payable by residents of a municipality may be collected in the same manner as municipal taxes and may be recovered by distress and sale of goods and chattels in accordance with the provisions of *The Urban Municipality Act* or *The Rural Municipality Act*, as the case may require, and in the manner thereby provided, or may be recovered on summary conviction with costs against a person failing to pay the same.

(3) The personal tax payable by residents of a local improvement district may be collected in the same manner as other taxes collected in a local improvement district or may be recovered on summary conviction with costs against a person failing to pay on time.

(4) The collector may demand from the employer of a person liable to pay the personal tax, whether on the person's own account or in respect of others dependent upon him for maintenance, payment of the tax or taxes owing by the employee, in which case the employer shall deduct the same from the salary or wages that are then or shall first thereafter become owing by him to the employee, and shall pay the same to the collector as soon as the amount of the tax or taxes for which the employee is liable is earned by the employee; and in default the employer may, on summary conviction, be ordered to pay the tax or taxes then unpaid, together with costs.

R.S.S. 1965, c.252, s.13; R.S.S. 1978, c.H-1, s.13.

Payment by collectors to regional board

14(1) The proceeds of the tax shall be paid over to the regional board or its designated officer forthwith after collection or at such intervals as the board may determine.

(2) All taxes actually collected by a municipality shall be a debt due by the municipality to the regional board and may be recovered by action at the suit of the board.

(3) Subject only to any tax cancellations made under subsection (4), on or before the thirty-first day of December of each year each municipality and the Minister of Municipal Affairs on behalf of each local improvement district within the health region shall forward to the regional board an amount equivalent to the total amount of uncollected taxes for the year, and may continue to collect the tax and to enforce payment of the tax in the same manner as payment of other taxes may be enforced and may obtain reimbursements from collections made thereafter for the amounts so paid to the board.

(4) When for any reason the personal tax payable by a resident of the health region has heretofore become or hereafter becomes uncollectable, the council of the municipality if the resident resided within a municipality, or the Minister of Municipal Affairs if the resident resided within a local improvement district, may with the approval of the regional board cause the personal tax to be cancelled.

(5) Each municipality may borrow such sums as may be necessary to pay the board the total amount of uncollected taxes, as provided in subsection (3) and may repay such loans from its general funds or from the remaining tax collections to be made thereafter.

R.S.S. 1965, c.252, s.14; R.S.S. 1978, c.H-1, s.14.

Payment of personal tax for indigent and other persons

15(1) The personal tax payable in respect of each indigent person who is resident within the health region shall be paid by the responsible local governing authority.

(2) A municipality may pay the personal tax on behalf of any resident, whether on such person's own account or in respect of others dependent upon him for maintenance, in which case the amount of the tax so paid may be recovered as provided by *The Urban Municipality Act* or by *The Rural Municipality Act*, as the case may require.

R.S.S. 1965, c.252, s.15; R.S.S. 1978, c.H-1, s.15.

Borrowing powers of regional boards

16(1) The regional board may by resolution authorize the chairman and treasurer, or chairman and secretary treasurer, to borrow from any person, bank or corporation such sums as may be required to meet the current expenditures of the health region until the taxes for the current year are available. The resolution shall regulate the amount to be borrowed and the rate of interest to be paid.

(2) A loan under subsection (1) shall be a first charge upon the revenues of the region from taxes levied for general health region purposes in the year in which the loan is made, and may be secured by promissory note of the chairman and treasurer, or chairman and secretary treasurer, on behalf of the regional board, and by the hypothecation of moneys receivable from local governing authorities or the province.

(3) In any calendar year the total amount of all loans so made shall not exceed sixty per cent of the total taxes levied or the estimated total of taxes to be levied for general health region purposes in that year.

R.S.S. 1965, c.252, s.16; R.S.S. 1978, c.H-1, s.16.

Annual financial statements

17(1) Each regional board shall on or before the first day of March in each year transmit to the minister a financial statement for the preceding fiscal year audited by a member of The Institute of Chartered Accountants of Saskatchewan, and shall transmit to the minister such other financial data as may be required by him.

(2) Each regional board shall submit to the minister, on forms prescribed by him, such monthly and annual reports of services rendered as may be required by him.

R.S.S. 1965, c.252, s.17; R.S.S. 1978, c.H-1, s.17.

Regional committees

18(1) Subject to any regulations made under this Act, the regional board may establish subcommittees and technical advisory committees in any region and prescribe their duties.

(2) The regional board shall confer with any technical advisory committee established under subsection (1) on matters affecting the technical aspects of the health services rendered, and any technical advisory committee may advise the board, not only on matters referred to it, but also on any matter within its jurisdiction on which it considers it expedient to express its expert opinion.

R.S.S. 1965, c.252, s.18; R.S.S. 1978, c.H-1, s.18.

Regulations

19 Subject to the approval of the minister a regional board may make regulations governing the provision of any health services to residents of the health region, and prescribing the conditions on which payments may be made by the regional board for health services, and such other regulations as the board deems necessary to carry out the purposes of this Part and, without prejudice to the foregoing general power, may make regulations governing:

(a) the amount and nature of the tax to be levied in the health region for the provision of health services; provided that, if a personal tax is to be levied upon the residents of the health region, the total annual levy shall not exceed \$50 in respect of any person, his spouse and the following dependents, namely:

(i) his dependents under eighteen years of age;

(ii) his children of the age of eighteen years or over but dependent by reason of physical or mental infirmity; and

(iii) his dependents of the age of eighteen years or over but under twenty-one years of age and attending a secondary school, university or other educational institution, or training at a school of nursing approved by the minister;

(b) the manner in which and times at which any personal tax being levied will be payable;

(c) the amount of the commission to be paid for registrations and personal tax collections made in the health region;

(d) the manner in which payment shall be made for services rendered to residents of the health region;

(e) the manner and form in which accounts shall be rendered and any other information submitted to the regional board;

- (f) the kind of information relating to medical and personal histories that shall be considered confidential and need not be divulged;
- (g) payment for services rendered outside the health region to residents of the health region;
- (h) the provision of health services to and the amount, manner and time of payment of the personal tax by a person who becomes a resident of the health region during the fiscal year;
- (i) the refunding of any part of the personal tax to a resident of the health region who ceases to be a resident of the health region during the fiscal year.

R.S.S. 1965, c.252, s.19; R.S.S. 1978, c.H-1, s.19.

Evidence of regulation and approval thereof

20 A copy of any regulation made under section 10 or 19, written or printed, and under the seal of the regional board and certified by the chairman and the secretary of the board to be a true copy and purporting to have been approved under the signature of the minister or his deputy shall be *prima facie* evidence of its due passing and approval and of the contents thereof without proof of the election or appointment of those persons or of their signatures.

R.S.S. 1965, c.252, s.20; R.S.S. 1978, c.H-1, s.20.

Disposal of surplus upon dissolution of board

21 Where a health region is being disorganized and the regional board dissolved, the regional board may, after all the debts have been paid, dispose of any remaining surplus in such manner and for such purpose as may be approved by the minister.

1966, c.43, s.4; R.S.S. 1978, c.H-1, s.21.

PART II

COMMITTEES, CONSULTANTS, GRANTS, ETC.

Powers of minister

22 The minister may:

- (a) appoint committees, consultants and technical personnel from the staff of the department or from the public and assign to them such duties as he deems advisable;
- (b) make payment of such *per diem* allowances, travelling expenses and other remuneration as he deems advisable to the members of committees, consultants and technical personnel appointed under clause (a);
- (c) make grants, subsidies or loans:
 - (i) to assist persons to provide health services or to receive instruction or training with respect to health services;
 - (ii) for any other purpose relating to the provision of health services.

R.S.S. 1965, c.252, s.21; 1973, c.43, s.2; R.S.S. 1978, c.H-1, s.22.

PART III

MUNICIPAL SCHEMES

Interpretation

23 In this Part:

“medical care”

(a) **“medical care”** means care provided by a general practitioner, and excludes major surgery;

“surgical care”

(b) **“surgical care”** means major surgery.

R.S.S. 1965, c.252, s.22; R.S.S. 1978, c.H-1, s.23.

Bylaws for medical, surgical or hospital care

24(1) Subject to the following provisions the council of a municipality may pass a bylaw authorizing the council to provide medical, surgical or hospital care, or any combination thereof, to the residents or to the residents and the non-resident ratepayers of the municipality or any part thereof.

(2) A bylaw passed under subsection (1) shall provide for the financing of these services through a general tax, personal tax or combination of the two, and shall also provide that the liability of the municipality for providing such services shall not in any year exceed a stated amount.

(3) Before being read a third time the bylaw shall, if approved by the minister pursuant to section 27, be submitted to a vote as set forth in sections 28 and 29.

(4) The bylaw shall be in the form set forth in schedule A or in that form with such additions as are authorized by this Part.

(5) On receipt of a petition to that effect signed by ten per cent of the electors of the municipality or portion thereof included in the proposed scheme, or one hundred electors, whichever is the lesser figure, a bylaw as referred to in subsection (1) shall be introduced and given its first and second readings within two months of the receipt of the petition, and the council shall submit the bylaw to be voted upon as set forth in sections 28 and 29.

(6) Notwithstanding the foregoing subsections but subject to the approval of the minister, a council that has heretofore passed or hereafter passes a bylaw under subsection (1) providing for the financing of the health services through a general tax may pass a bylaw, which need not be submitted to a vote, excluding from such health services such classes of persons who are not ratepayers as may be designated in the last mentioned bylaw, and such bylaw shall provide that the classes of persons not entitled to health services may, upon payment of a stated annual personal tax, receive such services at such times and subject to such conditions as may be stated therein.

(7) Notwithstanding the foregoing subsections but subject to the approval of the minister, a council that has heretofore passed or hereafter passes a bylaw under subsection (1) providing for the financing of the health services through a personal tax may pass a bylaw, which need not be submitted to a vote, excluding such classes of persons in respect of whom the personal tax has not been paid from such health services as may be designated in the last mentioned bylaw and prescribing the times at which and the conditions to be met before persons so excluded may receive health services following payment of the personal tax.

(8) Notwithstanding the foregoing subsections but subject to the approval of the minister, a council that has heretofore passed or hereafter passes a bylaw under subsection (1) authorizing the providing of certain services to the residents and the non-resident ratepayers of the municipality or any part thereof may pass a bylaw, which need not be submitted to a vote, excluding from such services such classes of non-resident ratepayers as may be designated in the last mentioned bylaw.

R.S.S. 1965, c.252, s.23; R.S.S. 1978, c.H-1, s.24.

Repealing bylaws

25(1) The council of a municipality may submit to be voted upon at any annual election a bylaw repealing any bylaw providing for any health services passed under section 24 or heretofore passed under any other Act.

(2) The repealing bylaw shall be in the form set forth in schedule B.

(3) Upon receipt, before the first day of October in any year, of a petition to that effect, signed by ten per cent of the electors of the municipality or portion thereof included in the scheme, or one hundred electors, whichever is the lesser figure, the council shall submit to be voted upon at the then next ensuing annual election a bylaw repealing any bylaw providing for any health services passed under section 24 or heretofore passed under any other Act. The repealing bylaw shall receive its first and second reading within two months after the receipt of the petition.

(4) The repealing bylaw shall be in the form set forth in schedule B.

R.S.S. 1965, c.252, s.24; R.S.S. 1978, c.H-1, s.25.

Travelling expenses and office accomodation of medical practitioner

26 A bylaw under section 24 may also authorize the council to pay to any medical practitioner engaged pursuant to the bylaw his reasonable travelling expenses and to make provision for office accommodation necessary for the performance of his duties as medical practitioner for the municipality.

R.S.S. 1965, c.252, s.25; R.S.S. 1978, c.H-1, s.26.

Previous approval of bylaw by minister

27(1) The council shall, at least one month before a bylaw is submitted to a vote, forward a certified copy thereof in duplicate to the minister for his approval, together with a statement showing the health services to be provided, the amount of the tax to be levied in respect of each resident of the area covered by the bylaw, or the mill rate to be levied, the estimated number of persons in respect of whom the tax is to be levied, the estimated total amount of the tax, the total assessment of the area included, the salary or salaries or fees proposed to be paid to medical practitioners, the proposed arrangement with a hospital or hospitals, the existing medical facilities and containing such other information as the minister may require.

(2) The minister may approve the bylaw without modification or with such modifications as the minister deems expedient.

(3) Evidence of approval shall consist of one copy of the bylaw returned to the council as approved by the minister.

R.S.S. 1965, c.252, s.26; R.S.S. 1978, c.H-1, s.27.

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28(1) The bylaw shall, after being approved by the minister, be submitted to a vote before the third reading.

(2) Where the bylaw provides for a general tax, it shall be submitted to the resident ratepayers and where the bylaw provides for a personal tax or combination of the two, it shall be submitted to the electors.

(3) Where the bylaw refers to a portion of a municipality only, the resident ratepayers or electors, as the case may be, of that portion only shall vote on the bylaw.

(4) In this section “resident ratepayers” includes a woman who is the wife, or a man who is the husband, of a resident ratepayer, and who is of the full age of eighteen years and resides with her husband or his wife on land in the municipality or portion affected.

R.S.S. 1965, c.252, s.27; R.S.S. 1978, c.H-1, s.28.

Voting procedure

29(1) The vote upon a bylaw shall be taken in the same manner as the vote upon a debenture bylaw, and the applicable provisions of *The Rural Municipality Act* or *The Urban Municipality Act*, as the case may require, shall apply thereto *mutatis mutandis* except that the form of notice mentioned therein need not be prescribed or approved by The Local Government Board and except that the bylaw shall require the assent only of a majority of the persons voting.

(2) The notice of poll shall state that the bylaw was approved by the minister and the date of approval, and no bylaw submitted without such approval shall be valid unless approved by the minister under section 55.

R.S.S. 1965, c.252, s.28; R.S.S. 1978, c.H-1, s.29.

Agreements with other municipalities

30(1) The council of a municipality that has passed a bylaw under this Part may enter into an agreement with one or more municipalities which have passed a similar bylaw, respecting the joint provision of health services to residents of the said municipalities or parts thereof; and an agreement may be so entered into with respect to a part of a municipality notwithstanding that the bylaw applies to the whole municipality.

(2) The costs of the services to be borne by the co-operating municipalities or by the parts thereof affected by the agreement shall on the request of the municipalities concerned be apportioned by The Local Government Board.

(3) Where an agreement has been entered into under the provisions of subsection (1) the scheme provided for by the agreement shall be administered by a joint board, to be known as a “Municipal Health Services Board”, which shall be appointed in accordance with and may exercise the powers and shall perform the duties prescribed by such regulations as may be made by the Lieutenant Governor in Council for the purpose. Such regulations may be made with respect to a particular scheme or may be of general application.

R.S.S. 1965, c.252, s.29; R.S.S. 1978, c.H-1, s.30.

Apportionment of remuneration between medical practitioners

31(1) Where pursuant to a bylaw under section 24 the council of a municipality engages the services of more than one medical practitioner the council may apportion any aggregate sum payable to the medical practitioners on the basis of the services to be rendered by them respectively or on such other basis as the council may determine.

Continuing authority under bylaw

(2) The authority given to the council by a bylaw under section 24 shall be a continuing authority until the bylaw has been repealed under section 25 and the council or councils acting thereunder may engage one or more medical practitioners, either individually or collectively, upon such terms and conditions as may be agreed upon for the purpose of providing the medical or surgical care specified in the agreement or agreements to residents of the municipality or the portion thereof affected by the bylaw, and may also enter into an agreement or agreements with one or more hospital boards for the hospital services specified therein to residents of the municipality or the said portion thereof or may enter into an agreement with any association incorporated under *The Mutual Medical and Hospital Benefit Associations Act*, or any former *Mutual Medical and Hospital Benefit Associations Act*, for the health services specified in the agreement to residents of the municipality or the said portion thereof.

R.S.S. 1965, c.252, s.30; R.S.S. 1978, c.H-1, s.31.

Health services in portion of municipality under bylaw affecting whole municipality

32 The council of a municipality in which a bylaw under section 24 or a bylaw mentioned in section 64 is in force may, notwithstanding that the bylaw affects the whole municipality, enter into a contract with one or more medical practitioners for the provision of the services stated in the bylaw to the residents of any portion of the municipality.

R.S.S. 1965, c.252, s.31; R.S.S. 1978, c.H-1, s.32.

Taxation

33(1) Sums required for the purposes of a bylaw under section 24 may be raised by a general tax, a personal tax under Part IV, or a combination of the two.

(2) Sums required by way of general tax may be included in the general municipal levy or may be raised by special levy. In the latter case the tax shall be levied in the same manner as general municipal rates, and all the provisions of the relevant Acts respecting the assessment and collection of taxes, including penalties for non-payment and provisions for enforcing payment of the same, and *The Tax Enforcement Act* shall apply to the tax in the same manner and to the same extent as if it were part of the general municipal levy.

(3) Where the sum required by way of general tax is raised by special levy the council may by bylaw prescribe a minimum tax not exceeding \$20, and if the tax payable by any person is less than the minimum prescribed the amount to be entered in the tax roll as payable by such person shall equal the minimum.

(4) Every bylaw to be passed under the authority of subsection (3) shall, before being given its third reading, be submitted in duplicate to the minister for his approval, and no such bylaw shall have any effect unless one copy of the bylaw is returned approved by the minister.

R.S.S. 1965, c.252, s.32; R.S.S. 1978, c.H-1, s.33.

Disposal of proceeds of taxes upon discontinuance of health services

34(1) Subject to subsection (2), where services provided by the council of a municipality under a bylaw passed under section 24 or mentioned in section 64 have been financed by a general tax raised by a special levy, and the provision of services under the bylaw has been discontinued, the net proceeds of the special levy, after all outstanding claims against the municipality in respect of the provisions of services under the bylaw have been paid, shall, whether the special levy has been made throughout the whole municipality or throughout only a portion of the municipality, be deposited in the general account of the municipality and become part of its general funds.

(2) Where the special levy has been made throughout only a portion of the municipality there shall, at the time the next tax levies are made throughout that portion for general municipal purposes, be credited against each of those levies a sum that bears the same ratio to the total amount of the net proceeds mentioned in subsection (1) as the amount of the levy bears to the total amount of all of those levies.

(3) Subsections (1) and (2) apply *mutatis mutandis* where a special levy has been made in a local improvement district pursuant to section 35 and the provision of services in respect of which the levy was made has been discontinued.

R.S.S. 1965, c.252, s.33; R.S.S. 1978, c.H-1, s.34.

Procedure on petition in local improvement districts

35(1) Upon receipt of a petition to that effect signed by twenty-five per cent of the resident ratepayers or one hundred residents eighteen years of age or over of a local improvement district or portion thereof, whichever is the lesser figure, the minister may submit to a vote of the persons entitled to vote thereon the question as to whether the minister, on behalf of the Minister of Municipal Affairs, may enter into an agreement for providing medical or surgical care, or hospital services or any combination thereof, to the residents of the district or the portion thereof referred to in the petition.

(2) The petition shall request that the services sought shall be financed through a general tax, a personal tax or combination of the two, and may request that the liability of the local improvement district under a contract shall not exceed a stated amount.

(3) Each person signing a petition shall do so in the presence of a witness who shall attest the signature.

(4) The persons entitled to vote upon the question shall be the resident ratepayers in case of a general tax scheme, or the electors in case of a personal tax scheme or a combination of the two schemes.

(5) For the purpose of a vote "resident ratepayer" means:

(a) a man or woman of the full age of eighteen years whose name appears on the assessment roll of the local improvement district and who resides in the district or portion thereof affected;

(b) a man or woman of the full age of eighteen years who resides in the district or portion thereof affected and is a shareholder in a duly incorporated co-operative association that is engaged in farming and that is assessed upon the said roll in respect of real property not exempt from taxation;

- (c) a woman who is the wife, or a man who is the husband, of a person qualified under clause (a) or (b), and who is of the full age of eighteen years and resides with her husband or his wife on land in the district or portion affected;
- (d) the chief resident officer of a corporation and a nominated resident representative of a church or other religious organization that is assessed upon the said roll in respect of real property not exempt from taxation, whose name is not otherwise on the list, and the resident wife or husband of such officer or representative if the wife or husband is of the full age of eighteen years.
- (6) Every person who presents himself for the purpose of voting on a question shall be required before he is handed a ballot to sign a declaration in a form to be prescribed by the minister, and the deputy returning officer shall permit every person who signs the declaration to vote and shall record in the poll book the name of each person who so signs. A person signing the declaration who therein makes a false statement is guilty of an offence and liable on summary conviction to a fine not exceeding \$20.
- (7) For the purpose of the submission the minister may by regulation fix a date for taking the poll and provide for the appointment of a returning officer, deputy returning officers and other necessary officials; the division of the district or of the portion thereof affected into polling subdivisions; the place where, and the day and hour when the returning officer will appoint persons to attend at the various polling stations and at the final summing up of votes on behalf of the persons voting in the affirmative on the question and on behalf of the persons voting in the negative on the question; the place where, and the day and hour when the votes of the persons entitled to vote will be summed up, and the result of voting declared by the returning officer, and may also provide for such other matters concerning the procedure to be followed before, during and after the poll as the minister deems necessary.
- (8) If a majority of the persons voting on a question of the provision of medical or surgical care or medical and surgical care vote in the affirmative, the minister on behalf of the Minister of Municipal Affairs may enter into an agreement engaging the services of one or more legally qualified medical practitioners at the expense of the district or of the portion thereof affected.
- (9) If a majority of the persons voting on a question of the provision of hospital care and treatment vote in the affirmative, the minister on behalf of the Minister of Municipal Affairs may enter into an agreement with one or more hospitals for the provision of such hospital care and treatment at the expense of the district or of the portion thereof affected as he may deem expedient.
- (10) Any agreement between the minister and a medical practitioner or between the minister and a hospital shall be in writing signed and sealed by the parties thereto.
- (11) Sums required for the purposes of this section shall be raised by general tax, personal tax or a combination of the two. A general tax shall be levied as a special levy and in the same manner as other taxes are levied by the Minister of Municipal Affairs in the district, and all the provisions of *The Local Improvement Districts Act* respecting the assessment and collection of taxes, including penalties for non-payment and provisions for enforcing payment of the same, shall apply to the tax in the same manner and to the same extent as if it were part of the general levy. If a personal tax is to be levied, Part IV shall apply *mutatis mutandis*.

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(12) The expenses of taking a vote shall be payable in the first instance by the department, and upon receipt from the minister of a requisition for such expenses the Minister of Municipal Affairs may make a special levy to meet the required amount or may include that amount in the next general levy, in the local improvement district or portion thereof affected.

(13) The minister shall advance to the Minister of Municipal Affairs moneys deemed necessary to meet sums payable by the minister to any medical practitioner whose services are engaged pursuant to an agreement entered into under subsection (8).

(14) The Minister of Municipal Affairs shall keep a separate record for each local improvement district showing:

- (a) the sums received by him under subsection (13);
- (b) any other sums received from the minister for the purpose mentioned in subsection (13); and
- (c) sums received in payment of taxes levied under this section;

and out of moneys so received the Minister of Municipal Affairs shall pay, as they become due, all sums payable by the minister to the medical practitioner pursuant to such agreement.

R.S.S. 1965, c.252, s.34; R.S.S. 1978, c.H-1, s.35.

Reports by medical practitioners

36 Every medical practitioner engaged under any provision of this Part shall, at dates specified by the minister, furnish the local governing authority with a written report in such form and containing such information as may be prescribed by the minister, and shall forward to him a copy of the report.

R.S.S. 1965, c.252, s.35; R.S.S. 1978, c.H-1, s.36.

Expenses of vote and administration

37 The council of a municipality may pay from the general funds of the municipality necessary expenses incurred in taking a vote on a bylaw under this Part, and, if it deems fit, any necessary expenses in connection with the administration of the medical or hospital services or both.

R.S.S. 1965, c.252, s.36; R.S.S. 1978, c.H-1, s.37.

Powers of council to make regulations

38(1) Subject to the provisions of this Act and any regulations made thereunder, the council of a municipality may make rules and regulations relating to medical, surgical or hospital care or any combination thereof to be provided pursuant to a bylaw under this Part, and limiting or curtailing the services authorized by the bylaw.

(2) No such rules or regulations shall have any effect unless they have been submitted in duplicate to the minister and unless one copy has been returned approved by the minister. The minister may approve or disapprove any proposed rules or regulations or may approve them subject to such modifications as he deems expedient.

R.S.S. 1965, c.252, s.37; R.S.S. 1978, c.H-1, s.38.

Joint secretary

39(1) Local governing authorities that have entered into an agreement with other local governing authorities for medical, surgical or hospital care and treatment may jointly appoint a secretary to perform necessary clerical and other duties in connection with the administration of health services.

(2) The secretary may be paid from the general funds of the municipalities and local improvement districts concerned, and the cost shall be borne by the co-operating municipalities and local improvement districts in the proportion prescribed by The Local Government Board under subsection (2) of section 29.

R.S.S. 1965, c.252, s.38; R.S.S. 1978, c.H-1, s.39.

Evidence of bylaw and approval thereof

40(1) A copy of any bylaw or resolution written or printed and under the seal of the municipality and certified to be a true copy by the mayor, overseer or reeve and by the clerk or secretary treasurer shall be *prima facie* evidence of its due passing and of the contents thereof without proof of the election or appointment of those persons or of their signatures.

(2) A bylaw or resolution that requires the approval of the minister, and that purports to have been approved under the signature of the minister or his deputy, shall be *prima facie* evidence that the bylaw or resolution has been so approved, without proof of the appointment or signature of the minister or deputy minister.

R.S.S. 1965, c.252, s.39; R.S.S. 1978, c.H-1, s.40.

Health services for non-residents

41 Subject to the approval of the minister, the council may, on a voluntary payment basis, provide health services for non-residents on such terms as the council deems fit.

R.S.S. 1965, c.252, s.40; R.S.S. 1978, c.H-1, s.41.

 PART IV

PERSONAL TAX

Estimate of cost of services and amount of tax

42(1) Where a municipality passes a bylaw providing that any health services for its residents shall be financed in whole or in part through a personal tax, the council shall prepare, in such detail and form as the minister may prescribe, an estimate of the amount required to meet the cost of the services mentioned in the bylaw for the remaining portion of the fiscal year in which the bylaw is passed, and shall as soon thereafter as practicable determine the amount of the tax to be levied in respect of each resident of the municipality for that fiscal year.

- (2) On or before the first day of October in each year the council shall submit, in duplicate, to the minister for his approval, a copy of a resolution passed by the council setting forth in detail the services to be provided under the bylaw for the next succeeding fiscal year, and specifying, with respect to that fiscal year, the salaries or estimated amounts to be paid to physicians or surgeons, the estimated amounts to be paid to hospitals, the administration expenses, the number of persons in respect of whom the tax is to be levied, the amount of the tax to be levied, in respect of each resident of the area covered by the bylaw, the total amount of the tax in that area and the estimated total amount of uncollectable taxes, the estimated amount of the deficit, if any, for the current fiscal year, and containing such other information as the minister may require. No such resolution shall have any effect unless it has been submitted in duplicate to the minister and one copy of the resolution has been returned approved by the minister.
- (3) The amount of the tax shall be subject to the approval of the minister; provided that the total personal tax shall not exceed \$50 per annum in respect of any person, his spouse and the following dependents, namely:
- (a) his dependents under eighteen years of age;
 - (b) his children of the age of eighteen years or over but dependent by reason of physical or mental infirmity; and
 - (c) his dependents of the age of eighteen years or over but under twenty-one years of age and attending a secondary school, university or other educational institution, or training at a school of nursing approved by the minister.
- (4) Subject to any orders or regulations made under section 58 or section 62 exempting persons from payment of the personal tax, each resident of the municipality who is supporting himself shall be personally liable for payments of the tax and shall also be liable for payment of the tax in respect of each resident of the municipality dependent upon him for maintenance.
- (5) Where the bylaw affects the whole municipality, and a person becomes a resident thereof after the thirty-first day of January in any fiscal year, or where the bylaw affects only a portion of the municipality and a person becomes a resident of that portion after the thirty-first day of January in any fiscal year, he shall be required, in respect of that fiscal year, to pay the tax only for the portion thereof during which he is so resident.
- (6) Where the bylaw affects the whole municipality, and a person ceases to be a resident thereof before the expiration of any fiscal year, or where the bylaw affects only a portion of the municipality and a person ceases to be a resident of that portion before the expiration of any fiscal year, and that person has paid the tax for the fiscal year, the council shall refund to him the part of the tax that is in the same proportion to the tax paid as the portion of the year during which he was not a resident bears to the whole year; provided that no refund shall be made where the sum refundable is less than \$1, and provided further that no refund shall be made in the case of a person who has received health services in that year.
- (7) The tax shall not be less than \$2 in the case of an employee engaged in mining, seeding, harvesting or threshing operations, and shall be payable on demand irrespective of the period of his residence in the municipality, and when the tax so demanded is paid by or on behalf of the employee or deducted from his salary or wages pursuant to a demand made under subsection (4) of section 45, the employee shall, from the time of the payment or deduction, be entitled to the health services to which residents are entitled.

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(8) When, in the opinion of the council, the tax payable by any person has heretofore become or hereafter becomes uncollectable because he has moved or moves out of the municipality, or for any other reason, the council may by resolution cause the tax to be cancelled.

(9) Where the amount of taxes collected in any fiscal year is not sufficient to meet the necessary expenditures, the council may, with the consent of the Minister of Municipal Affairs, pay the deficit from the general funds of the municipality. The amount of such payment shall be deemed to be a loan from the general funds and shall be repaid from the moneys first thereafter collected under this Act.

R.S.S. 1965, c.252, s.41; R.S.S. 1978, c.H-1, s.42.

Instalments of tax

43 The council may by resolution provide for payment of the tax in monthly or other instalments, as it deems advisable.

R.S.S. 1965, c.252, s.42; R.S.S. 1978, c.H-1, s.43.

Payment of tax in advance

44(1) Notwithstanding any other provision of this Act, the council may by resolution provide that taxes shall be paid in advance of the period during which health services are to be furnished by the municipality or a health region, and may by the resolution prescribe the time and manner of payment.

(2) The council may also by the same or another resolution provide that the tax shall be paid by the employer out of the wages or salary of the person liable to pay the tax.

R.S.S. 1965, c.252, s.43; R.S.S. 1978, c.H-1, s.44.

Notice and collection of tax

45(1) The assessor, clerk or secretary treasurer shall mail to each person liable for payment of the tax a notice of the amount due by him.

(2) The tax may be collected in the same manner as other municipal taxes and may be recovered by distress and sale of goods and chattels in accordance with the provisions of *The Urban Municipality Act* or *The Rural Municipality Act*, as the case may require, and in the manner thereby provided, or may be recovered on summary conviction with costs against a person neglecting or refusing to pay the same.

(3) The council may appoint one or more collectors to collect taxes due to the municipality under this Act.

(4) A collector so appointed may demand from the employer of a person liable to pay the tax, whether on the person's own account or in respect of others dependent upon him for maintenance, payment of the tax or taxes owing by the employee, in which case the employer shall deduct the same from the salary or wages that are then or shall first thereafter become owing by him to the employee, and shall pay the same to the collector as soon as the amount of the tax or taxes for which the employee is liable is earned by the employee; and in default the employer may, on summary conviction, be ordered to pay the tax or taxes then unpaid, together with costs.

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(5) Where, pursuant to section 44, the council has by resolution provided that the tax shall be paid in advance, and that it shall be paid by the employer of the person liable to pay the tax, the collector shall forthwith mail to each employer a schedule showing the amount of the tax to be collected. Upon receipt of the schedule, the employer shall deduct the tax from the salary or wages then or thereafter owing by him to employees who have been resident in the municipality for at least thirty days, and the provisions of subsection (4) governing payment by the employer to the collector and recovery from the employer shall apply.

R.S.S. 1965, c.252, s.44; R.S.S. 1978, c.H-1, s.45.

Registration of residents

46(1) A registration of all the residents of the municipality or portion thereof affected shall be made within thirty days after the passing of the bylaw and at such other times as the council may direct.

(2) The council shall publish within fifteen days after the passing of the bylaw, in at least one issue of a newspaper circulating within the municipality, a notice setting forth the provisions of this section.

(3) Each resident of the municipality or portion affected shall register with the clerk or secretary of the municipality and shall also register those residents of the municipality or portion affected who are dependent upon him for maintenance.

(4) Every person who is self-supporting, and who becomes a resident of a municipality or portion affected after the time for making the initial registration has expired, shall register himself and each of his dependents who are residing within the municipality or portion affected with the clerk or secretary of the municipality within fifteen days from the date of his arrival.

(5) A person who fails to comply with any provision of this section is guilty of an offence and liable on summary conviction to a fine not exceeding \$25.

R.S.S. 1965, c.252, s.45; R.S.S. 1978, c.H-1, s.46.

Local improvement districts

47 The Minister of Municipal Affairs may levy a personal tax for health services on residents of local improvement districts or parts thereof and this Part shall apply *mutatis mutandis*.

R.S.S. 1965, c.252, s.46; R.S.S. 1978, c.H-1, s.47.

 PART V

HEALTH SERVICES ASSOCIATIONS

Interpretation

48 In sections 48 to 51:

“association”

(a) **“association”** means any non-profit association, corporation or other organization, heretofore or hereafter established, providing or purporting to provide health services to any group of persons upon payment by or on behalf of such persons at regular intervals of a premium or other consideration, but does not include an association incorporated under *The Mutual Medical and Hospital Benefit Associations Act* or any former *Mutual Medical and Hospital Benefit Associations Act*:

“bylaws”

(b) **“bylaws”** includes all bylaws, regulations and rules made or adopted by an association or the governing body thereof, affecting the administration of the affairs of the association or affecting the members thereof or any of them;

“secretary”

(c) **“secretary”** includes any person by whatever title performing the duties of a secretary.

R.S.S. 1965, c.252, s.47; R.S.S. 1978, c.H-1, s.48.

Bylaws

49(1) No bylaw and no amendment to a bylaw shall be adopted by an association or the governing body thereof unless the proposed bylaw or amendment has been forwarded to the minister at least thirty days before the proposed bylaw or amendment is to be passed by the association or the governing body thereof, as the case may be.

(2) The minister shall consider the proposed bylaw or amendment, and may if he deems advisable request the secretary of the association to call a meeting of the governing body of the association for the purpose of discussing with the minister the proposed bylaw or amendment.

R.S.S. 1965, c.252, s.48; R.S.S. 1978, c.H-1, s.49.

Returns

50(1) Where an association resolves to alter:

(a) the premium rate or rates or other consideration payable to the association by or on behalf of members and other persons entitled upon payment thereof to health services;

(b) the health services in respect of which the association receives premiums or other consideration; or

(c) the specified consideration agreed to be paid to duly qualified medical practitioners, dentists, nurses or other qualified persons for providing health services;

the association shall file with the minister a return, certified by the secretary of the association to be a true return, showing the premium rate or rates or other consideration to be charged or levied or the health services to be provided or the specified consideration to be paid to any qualified persons for providing health services, as the case may be; and no such alteration shall have any effect until the expiry of thirty days from the date upon which the return is filed.

(2) The minister shall consider the premium rate or rates or other consideration to be charged or levied, the health services to be provided, or the specified consideration to be paid to any qualified persons, as the case may be, and may if he deems advisable request the secretary of the association to call a meeting of the governing body of the association for the purpose of discussing with the minister the premium rate or rates or other consideration to be charged or levied, the health services to be provided, or the specified consideration to be paid to any qualified persons, as the case may be.

R.S.S. 1965, c.252, s.49; R.S.S. 1978, c.H-1, s.50.

Application of certain provisions

51 Sections 36, 37 and 38 of *The Mutual Medical and Hospital Benefit Associations Act* apply to every association.

R.S.S. 1965, c.252, s.50; R.S.S. 1978, c.H-1, s.51.

Board of directors

52 At least one-third of the members of the board of directors of the association shall be persons who are not medical practitioners.

R.S.S. 1965, c.252, s.51; R.S.S. 1978, c.H-1, s.52.

Refunds of certain premiums paid to associations

53(1) Where a premium paid by a person to an association in consideration of the provision by the association of health services that are insured services under *The Saskatchewan Medical Care Insurance Act*, or a portion thereof, is applicable to a period immediately following the day fixed by the Lieutenant Governor in Council under subsection (1) of section 18 of *The Saskatchewan Medical Care Insurance Act*, the association, upon the request of that person, shall, subject to subsection (2), refund him the premium paid by him or the portion thereof applicable to that period.

(2) Where a request for a refund pursuant to subsection (1) is not made until after the day fixed by the Lieutenant Governor in Council under subsection (1) of section 18 of *The Saskatchewan Medical Care Insurance Act*, the amount of the refund shall be the amount applicable to the period commencing on the first day of the month immediately following the month in which the request for a refund was made and ending on the last day of the period in respect of which the premium was paid.

R.S.S. 1965, c.252, s.52; R.S.S. 1978, c.H-1, s.53.

 PART VI

MISCELLANEOUS

Power of minister to make certain expenditures

54 Subject to any regulations made under this Act the minister may:

- (a) pay part or the whole of the cost of providing health services for such persons or such class or classes of persons as may be designated by the Lieutenant Governor in Council;
- (b) make grants or subsidies or loans to local governing authorities, hospital boards and health regions, or any of them, for the provision and operation of health services or public health services;
- (c) pay part or the whole of the cost of providing health services in any health region or part of a health region, in which such services are deemed by the minister to be required;
- (d) make grants or subsidies to any health agency, as he may deem necessary;

(e) make grants or subsidies for the purpose of stimulating and developing public health research and the conduct of surveys and studies in the field of public health.

R.S.S. 1965, c.252, s.53; 1970, c.26, s.4; 1973, c.43, s.3; R.S.S. 1978, c.H-1, s.54.

Power of minister to waive certain requirements

55 Notwithstanding sections 27, 28 and 29 the minister may waive the requirement that the bylaw be submitted to him for approval at least one month before the bylaw is submitted to a vote or may, if he believes that the situation warrants, approve a bylaw that was not submitted to him for approval until after the vote had taken place.

R.S.S. 1965, c.252, s.54; R.S.S. 1978, c.H-1, s.55.

Conditions governing agreements

56(1) Notwithstanding anything in any Act, no agreement shall be entered into for the provision of health services to the residents of a municipality, local improvement district or health region or any part thereof unless the agreement has been forwarded in duplicate to the minister and one copy has been returned approved by the minister.

(2) The minister shall consider the scope of the services to be provided and the financial soundness of the provisions of the proposed agreement, and may approve or disapprove it or may approve it subject to such modifications as he deems expedient.

(3) If an agreement, whether heretofore or hereafter entered into, provides that it may be terminated by either party at the end of any period during its lifetime, the agreement shall nevertheless not be so terminated unless with the previous approval of the minister.

(4) Any dispute between the parties to an agreement with respect to any question of fact relating to the services to be rendered under the agreement, whether heretofore or hereafter entered into, may be referred to the minister by any of the parties, and if so referred the decision of the minister shall be final and binding upon the parties to the agreement.

(5) The minister may make such inquiries as he deems expedient for the purpose of ascertaining whether any agreement, whether heretofore or hereafter entered into, is being carried out by the parties thereto in accordance with the terms thereof.

R.S.S. 1965, c.252, s.55; R.S.S. 1978, c.H-1, s.56.

Applications to Local Government Board

57 Where an apportionment of costs has been made by The Local Government Board under any provision of this Act, any local governing authority affected, or the regional board, may apply to The Local Government Board for a readjustment of the apportionment and The Local Government Board may, if it deems it expedient, make such readjustment.

R.S.S. 1965, c.252, s.56; R.S.S. 1978, c.H-1, s.57.

Exemption of certain persons from taxation

58(1) Notwithstanding anything in this or any other Act, persons who are designated, or belong to any class or classes of persons designated, by the Lieutenant Governor in Council under clause (a) of section 54 of this Act shall be exempt from taxation for any medical or hospital services or both, by a municipality or by the Minister of Municipal Affairs under any *Local Improvement Districts Act*, in respect of farm lands to the extent of one hundred and sixty acres, or the house and buildings and the lot or lots on which they are situated, owned and occupied by them, and no person shall be liable for payment of any taxes for any such services in respect of or on behalf of any such persons.

(2) The Lieutenant Governor in Council may exempt from the personal tax persons who receive health services at the expense of the Government of Canada.

R.S.S. 1965, c.252, s.57; R.S.S. 1978, c.H-1, s.58.

Expenditures payable from moneys appropriated

59 Except as herein otherwise provided, expenditures incurred by the department for the purposes of this Act shall be chargeable to and payable out of moneys appropriated by the Legislature for health services.

R.S.S. 1965, c.252, s.58; R.S.S. 1978, c.H-1, s.59.

Agreements with Government of Canada

60 The Lieutenant Governor in Council may enter into any agreement with the Government of Canada respecting health services or public health services, or health services and public health services, that that Government is authorized to make under any statute of Canada, and may receive moneys and grants from the Government of Canada under such terms and conditions as may be agreed upon.

R.S.S. 1965, c.252, s.59; 1970, c.26, s.5; R.S.S. 1978, c.H-1, s.60.

Agreements with other provinces, etc.

61 Subject to the approval of the Lieutenant Governor in Council, the minister may, on behalf of the province, enter into agreements with the government of any other province or with a local governing authority, hospital board, regional board or other person with respect to the provision of health facilities or the provision of health services or public health services or the training of health personnel.

1970, c.26, s.6; R.S.S. 1978, c.H-1, s.61.

Regulations

62 The Lieutenant Governor in Council may make regulations:

- (a) governing the establishment, alteration or disorganization of health regions;
- (b) governing the provision of health services for which the minister is by this Act authorized to pay and prescribing the conditions on which payment may be made by the department for health services;
- (c) governing the making of grants or subsidies or loans authorized by this Act;
- (d) governing the payment by the minister of any part or the whole of the cost of providing health services in any region or part of a health region;

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- (e) governing the constitution of regional boards, district health councils and committees, the appointment or election of members thereof and defining the duties of such boards, councils and committees;
- (f) governing the employment of physicians, nurses, dentists or other staff, by municipal councils and regional boards, and the provision of health services by such councils and boards;
- (g) governing the information to be given to the minister by regional boards, hospital boards, physicians, nurses, dentists, municipal officials and other persons;
- (h) imposing penalties for violation of regulations made hereunder;
- (i) for the purpose of carrying out provisions of this Act as applied to local improvement districts;
- (j) exempting any class or classes of persons residing in a health region, municipality or local improvement district from the benefits being provided and from the personal tax being levied in the health region, municipality or local improvement district, as the case may be, or from either of them;
- (k) generally for the purpose of carrying out the provisions of this Act according to their true intent and of supplying any deficiency therein.

R.S.S, 1965, c.252, s.60; 1966, c.43, s.5; R.S.S.
1978, c.H-1, s.62.

Non-liability to certain actions for damages

63 No action lies against a regional board or local governing authority with respect to any act or omission of any medical practitioner, or of any corporation, partnership or person owning or operating a hospital, with whom the regional board or local governing authority enters into an agreement for the provision of health services pursuant to this Act, or with respect to any act or omission of any person in the employ of such medical practitioner or corporation, partnership or person.

R.S.S. 1965, c.252, s.61; R.S.S. 1978, c.H-1, s.63.

Continuing authority under existing bylaws

64(1) The authority given to a council by a bylaw authorizing provision for health services passed before the fourth day of April, 1946, under *The Municipal Medical and Hospital Services Act*, chapter 161 of *The Revised Statutes of Saskatchewan, 1940*, or any *Rural Municipality Act*, *Village Act* or *Town Act* shall be a continuing authority until the bylaw has been repealed in the manner herein provided or another bylaw has been made in its stead under this Act, and all agreements, contracts and regulations entered into or made before the said date pursuant to any such bylaw and now in effect shall remain in effect until they are terminated or others made in their stead, which termination or substitution is hereby authorized.

(2) The provisions of section 56 apply to every new or amending agreement.

(3) Subject to the approval of the minister, a council that passed a bylaw as mentioned in subsection (1) providing for the financing of the health services through a general tax may pass a bylaw, which need not be submitted to a vote, excluding from the health services such classes of persons who are not ratepayers as may be designated in the last mentioned bylaw, and such bylaw shall provide that the classes of persons not entitled to health services may, upon payment of a stated annual personal tax, receive such services at such times and subject to such conditions as may be stated therein.

(4) Subject to the approval of the minister, a council that passed a bylaw as mentioned in subsection (1) providing for the financing of the health services through a personal tax may pass a bylaw, which need not be submitted to a vote, excluding such classes of persons in respect of whom the personal tax has not been paid from such health services as may be designated in the last mentioned bylaw and prescribing the times at which and the conditions to be met before persons so excluded may receive health services following payment of the personal tax.

R.S.S. 1965, c.252, s.62; R.S.S. 1978, c.H-1, s.64.

Power to engage more than one medical practitioner under existing bylaws

65(1) Where, under any *Rural Municipality Act*, *Village Act* or *Town Act*, a council passed a bylaw before the fourth day of April, 1946, for engaging or for entering into an agreement with one or more municipalities for the engagement of the services of a medical practitioner, the council may engage or enter into an agreement with such municipality or municipalities for the engagement of the services of two or more medical practitioners.

(2) Subsection (1) shall not be construed as authorizing any expenditure not authorized by the bylaw.

R.S.S. 1965, c.252, s.63; R.S.S. 1978, c.H-1, s.65.

Power to pay fees of medical practitioners

66(1) Subject to subsection (2), a council that passed a bylaw before the fourth day of April, 1946, authorizing the hiring of a physician or surgeon, under any *Rural Municipality Act*, *Village Act* or *Town Act* may by bylaw, which need not be submitted to the electors, engage one or more medical practitioners on the basis of payment of fees for services rendered.

(2) Every bylaw to be passed under the authority of subsection (1) shall, before being given its third reading, be submitted in duplicate to the minister for his approval, and no such bylaw shall have any effect unless one copy of the bylaw is returned approved by the minister.

R.S.S. 1965, c.252, s.64; R.S.S. 1978, c.H-1, s.66.

Special provision respecting Health Region No. 1 (Swift Current)

67(1) Where the Saskatchewan Medical Care Insurance Commission has entered into an agreement with The Board of Health Region Number 1 with respect to payment for insured services provided to beneficiaries who are residents of Health Region No. 1 (Swift Current) nothing in *The Health Services Act* or in *The Saskatchewan Medical Care Insurance Act* precludes The Board of Health Region Number 1 from levying a personal tax under *The Health Services Act* in respect of each resident of the said health region or from making payment in respect of insured services provided to beneficiaries who are residents of the said health region out of revenues obtained through the levy of such a tax and out of sums paid to the board by the Saskatchewan Medical Care Insurance Commission pursuant to the agreement.

(2) For the purpose of subsection (1) the expression “insured services” and the word “beneficiaries” have respectively the same meanings as they have for the purpose of *The Saskatchewan Medical Care Insurance Act*, and the word “residents” has the same meaning as it has for the purpose of *The Health Services Act*.

R.S.S. 1965, c.252, s.65; R.S.S. 1978, c.H-1, s.67.

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SCHEDULE A

(Section 24)

Bylaw No. _____ of the (name of municipality).

A bylaw to authorize the council to provide for medical care (or surgical care or hospital care or medical and surgical care or medical and hospital care or surgical and hospital care or medical, surgical and hospital care, as the case may be) for the residents (or the residents and the non-resident ratepayers) of the municipality (or the portion of the municipality consisting of (here describe portion affected).

The council of the (name of municipality) enacts as follows:

1. The council of the municipality may, subject to the provisions of *The Health Services Act*, provide for medical care (or surgical care or hospital care or medical and surgical care or medical and hospital care or surgical and hospital care or medical, surgical and hospital care, as the case may be) for the residents (or the residents and the non-resident ratepayers) of the municipality (or the portion of the municipality consisting of (here describe portion affected), the expenses thereof to be borne by a general tax (or personal tax or combination of a general tax and a personal tax) and the liability of the municipality for providing such services during each year not to exceed _____ dollars.

Read a first time this _____ day of _____, 19____.

Read a second time this _____ day of _____, 19____.

Read a third time after having received the assent of the persons entitled to vote thereon and finally passed this _____ day of _____, 19____.

.....
Mayor (or Reeve or Overseer).

.....
Clerk (or Secretary).

[SEAL]

SCHEDULE B

(Section 25)

Bylaw No. _____ of the (*name of municipality*).

A bylaw to repeal a bylaw authorizing the council to provide for (*here state the object of the bylaw to be repealed*).

The council of the (*name of municipality*) enacts as follows:

1. A bylaw authorizing the council to provide for (*here state the object of the bylaw to be repealed*), which bylaw was read a third time after having received the assent of the persons entitled to vote thereon and finally passed at (*name of place*) on the _____ day of _____, 19____, is hereby repealed.

Read a first time this _____ day of _____, 19____.

Read a second time this _____ day of _____, 19____.

Read a third time after having received the assent of the persons entitled to vote thereon and finally passed this _____ day of _____, 19____.

.....
Mayor (or Reeve or Overseer).

.....
Clerk (or Secretary).

[SEAL]