

BILL

No. 95

An Act respecting the Operation of Public Registry Statutes, establishing the Office of Public Registry Administration and making consequential and related amendments to other Acts

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OPERATION OF PUBLIC REGISTRY STATUTES

59 Section 201 amended
 60 Section 204 amended
 61 Section 214 amended
 62 Heading struck out and section 215 repealed
 63 Section 217 amended
 64 New section 219
 65 Section 220 amended
 66 Section 223 amended
 67 New sections 240 to 240.3
 68 Section 244 amended
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 70 Section 245 repealed

DIVISION 5

The Condominium Property Act, 1993

71 S.S. 1993, c.C-26.1 amended
 72 Section 112.1 amended

DIVISION 6

***The Enforcement of Money
 Judgments Act***

73 S.S. 2010, c.E-9.22 amended
 74 Section 28 amended
 75 Section 108 amended
 76 Section 124 amended

DIVISION 7

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 Facilitation Act***

77 S.S. 1999, c.L-3.01 amended
 78 Sections 32 to 34 repealed

DIVISION 8

The Land Surveys Act, 2000

79 S.S. 2000, c.L-4.1 amended
 80 Section 2 amended
 81 Section 5 amended
 82 New section 5.1
 83 Section 6 amended
 84 Section 7 amended
 85 Section 8 amended
 86 Sections 8.1 and 9 repealed
 87 Section 46 amended
 88 Section 61 amended
 89 Section 81 amended
 90 Section 84 amended

DIVISION 9

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91 S.S. 2000, c.L-5.1 amended
 92 Section 2 amended
 93 Section 6 amended
 94 New section 6.1
 95 Section 7 amended
 96 Section 8 amended
 97 Section 9 amended
 98 Section 10 repealed
 99 Section 70 amended
 100 Section 85 amended
 101 Section 90 amended
 102 Section 93 amended
 103 Section 96.1 amended
 104 Section 106.1 repealed
 105 Section 107 amended
 106 New section 118
 107 Section 122 amended

DIVISION 10

The Libel and Slander Act

108 R.S.S. 1978, c.L-14 amended
 109 Section 2 amended
 110 Section 21 amended
 111 New section 23

DIVISION 11

The Names of Homes Act

112 R.S.S. 1978, c.N-1 amended
 113 Section 2 amended
 114 Section 4 amended
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 116 New section 16

DIVISION 12

The New Generation Co-operatives Act

117 S.S. 1999, c.N-4.001 amended
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 119 Section 5 amended
 120 Section 11 amended
 121 Section 242 amended
 122 Section 307 amended
 123 Section 312 amended
 124 Section 315.3 amended
 125 Section 331 amended
 126 Section 332 amended
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131 R.S.S. 1978, c.P-3 amended
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 135 Section 92 amended
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 138 Section 105 amended
 139 New section 106
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143 S.S. 1993, c.P-6.2 amended
 144 Section 2 amended
 145 New section 2.1
 146 New section 42
 147 New sections 42.2 to 42.4
 148 Section 43 amended
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 150 New section 52
 151 Section 53 amended
 152 Section 54 amended
 153 Sections 54.1 and 54.2 repealed
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| | <i>The Personal Property Security Amendment Act, 2000</i> | 159 | Section 8 repealed |
| 155 | S.S. 2000, c.21, sections 12 to 15 repealed | 160 | New section 9 |
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| 156 | S.S. 2008, c.V-7.3 amended | 163 | New section 15.1 |
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| | | 164 | Coming into force |

(Assented to _____)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

PART I Preliminary Matters

Short title

1 This Act may be cited as *The Operation of Public Registry Statutes Act*.

Interpretation

2(1) In this Act:

- (a) **“contractor”** means, with respect to a public registry statute, a person with whom the minister has entered into a service agreement;
- (b) **“deputy registry officer”** means a deputy registry officer appointed pursuant to a public registry statute and includes any other prescribed person;
- (c) **“ISC”** means the Information Services Corporation of Saskatchewan incorporated pursuant to *The Crown Corporations Act, 1993* as that corporation existed before the coming into force of *The Information Services Corporation Act*;
- (d) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (e) **“ministry”** means the ministry over which the minister presides;
- (f) **“Office”** means the Office of Public Registry Administration established pursuant to section 7;
- (g) **“prescribed”** means prescribed in the regulations made pursuant to this Act;
- (h) **“public registry statute”** means:
 - (i) an Act designated pursuant to subsection (2) with respect to which a service agreement has been entered into and includes the regulations made pursuant to that Act; or
 - (ii) an Act for which a contractor is authorized to exercise powers or fulfil duties in accordance with subsection 10(1) and includes the regulations made pursuant to that Act;

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- (i) **“registry”** means a registry established or continued pursuant to a public registry statute and includes information provided to, and the data created or maintained in the operation of, a public registry statute;
- (j) **“registry officer”** means the following persons who perform duties pursuant to a public registry statute:
- (i) the Director of Corporations;
 - (ii) the registrar as defined in *The Companies Act*;
 - (iii) the registrar as defined in *The Co-operatives Act, 1996*;
 - (iv) the Registrar of Titles appointed pursuant to *The Land Titles Act, 2000*;
 - (v) the Controller of Surveys appointed pursuant to *The Land Surveys Act, 2000*;
 - (vi) the Registrar of Personal Property Security appointed pursuant to *The Personal Property Security Act, 1993*;
 - (vii) any other prescribed person;
- (k) **“service agreement”** means an agreement entered into pursuant to section 4.
- (2) Subject to the regulations, for the purposes of clause (1)(h), the following are designated as Acts with respect to which a service agreement may be entered into:
- (a) *The Business Corporations Act*;
 - (b) *The Business Names Registration Act*;
 - (c) *The Business Statutes Administration Transfer Act*;
 - (d) *The Companies Act*;
 - (e) *The Condominium Property Act, 1993*;
 - (f) *The Co-operatives Act, 1996*;
 - (g) *The Enforcement of Money Judgments Act*;
 - (h) *The Land Information Services Facilitation Act*;
 - (i) *The Land Surveys Act, 2000*;
 - (j) *The Land Titles Act, 2000*;
 - (k) *The Libel and Slander Act*;
 - (l) *The Names of Homes Act*;
 - (m) *The New Generation Co-operatives Act*;
 - (n) *The Non-profit Corporations Act, 1995*;
 - (o) *The Partnership Act*;
 - (p) *The Personal Property Security Act, 1993*;
 - (q) any other prescribed Act.

Crown bound

- 3 The Crown is bound by this Act.

PART II**Service Agreements****Service agreement**

4(1) Notwithstanding any other Act or law but subject to the approval of the Lieutenant Governor in Council and to the other provisions of this Act and the regulations, the minister, on behalf of the Government of Saskatchewan, may enter into a service agreement with a contractor respecting a public registry statute.

(2) Notwithstanding any other Act or law, if a service agreement is entered into respecting a public registry statute, the contractor shall manage and operate the registry established or continued pursuant to the public registry statute, provide the registry services and functions pursuant to the public registry statute and exercise the powers and duties delegated to the contractor, as the case may be, in accordance with:

- (a) this Act;
- (b) the public registry statute; and
- (c) the service agreement.

(3) A service agreement for a public registry statute may include provisions that specify all of the following:

- (a) the expected outcomes to be achieved by the contractor in its management and operation of the public registry statute;
- (b) the performance objectives of the contractor;
- (c) the acceptance by the contractor of its responsibility to exercise the powers and fulfil the duties and functions under the public registry statute and the service agreement;
- (d) the relationship between the contractor and a registry officer under the public registry statute and the service agreement;
- (e) the relationship between the contractor and the Government of Saskatchewan under the public registry statute and the service agreement;
- (f) the relationship between the contractor and the public under the public registry statute and the service agreement;
- (g) the establishment of fees to be charged for services and functions required to be provided pursuant to the public registry statute and the procedures for reviewing those fees;
- (h) the rights of access, use and disclosure of the contractor or the Government of Saskatchewan to information and records that are created by the contractor or the Government of Saskatchewan and that relate to the public registry statute or the service agreement;
- (i) the rights of access by the public to records created by the contractor;
- (j) the requirements for records management by the contractor;
- (k) conflict of interest requirements for any employees of the Government of Saskatchewan or of the contractor acting pursuant to this Act, the public registry statute or the service agreement;

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- (l) the requirement that the contractor report to the Government of Saskatchewan any matters with respect to the exercise by it of the powers and the fulfilment by it of any duties or functions as set out in the service agreement;
 - (m) the requirement that the contractor carry adequate insurance;
 - (n) any indemnification between the contractor and the Government of Saskatchewan;
 - (o) remedies for non-compliance with the terms of the service agreement, including the obligations of the parties and penalties for non-compliance;
 - (p) the obligations of the parties during any suspension of registry services or functions pursuant to section 15;
 - (q) the obligations of the parties during the appointment of any temporary administrator pursuant to section 16;
 - (r) if powers and duties have been delegated to the contractor pursuant to subsection 10(1), the additional powers and things the contractor may exercise or do in relation to those delegated powers and duties;
 - (s) the obligations of the parties if the service agreement is terminated;
 - (t) the period of the service agreement or the procedure for the review of the agreement by the contractor and the Government of Saskatchewan;
 - (u) the settlement of disputes;
 - (v) a specification of the liability of the contractor and of the Government of Saskatchewan arising out of the contractor carrying out the provisions of the service agreement;
 - (w) other matters that the minister and the contractor consider appropriate;
 - (x) any additional prescribed matters.
- (4) In accordance with *The Tabling of Documents Act, 1991*, the minister shall lay before the Legislative Assembly every service agreement entered into by the minister within 90 days after the agreement is entered into.

Matters arising from a service agreement

5 Notwithstanding any other Act or law, if the minister and a contractor enter into a service agreement respecting a public registry statute, all actions taken by the contractor or an employee of the contractor in accordance with the public registry statute, this Act or a service agreement are deemed, for all purposes, to be taken by and on behalf of the Government of Saskatchewan.

Fees

6(1) Subject to subsections (2) to (5), for the purposes of this Act and the public registry statute for which the contractor is providing services or performing functions, the contractor may, in accordance with the service agreement, establish and charge a fee for any service or function it provides or performs pursuant to the public registry statute or for any other matter governed by the public registry statute.

- (2) The contractor is not required to provide or perform the service or function until:
- (a) the fee mentioned in subsection (1) is paid; or
 - (b) arrangements satisfactory to the contractor have been made to pay the fee mentioned in subsection (1).

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- (3) A contractor shall cause the fees it establishes pursuant to a service agreement to be made public:
- (a) in the manner specified by the service agreement pursuant to which it is providing services or performing functions; and
 - (b) in any other manner that the contractor considers appropriate to bring the fees to the attention of the public.
- (4) Notwithstanding any provision in the public registry statute or in any other Act or law:
- (a) the fees established pursuant to the service agreement are the fees that must be paid to the contractor;
 - (b) any fees established pursuant to the public registry statute do not apply; and
 - (c) the fees mentioned in clause (a) are the property of the contractor.
- (5) If the registry officer considers it appropriate or necessary, the registry officer may, with respect to any individual transaction pursuant to the public registry statute:
- (a) waive any fees, in whole or in part; or
 - (b) direct the contractor to refund any fees, in whole or in part.
- (6) Until fees are established pursuant to a service agreement, the fees that the contractor may charge for any service or function it provides or respecting any matter governed by a public registry statute are the fees that were payable respecting that service, function or matter on the day before the day on which this Act comes into force.

PART III

Office of Public Registry Administration

Office of Public Registry Administration established

- 7(1) The Office of Public Registry Administration in the ministry is established.
- (2) The minister may provide any technical, clerical and other assistance that the Office may reasonably require.
- (3) The Office consists of the registry officers and any other employees who are necessary to fulfil the functions of the Office.

Status of registry officers

- 8(1) Notwithstanding any other provision of this Act or any other Act or any provision of a service agreement:
- (a) a registry officer is an employee and agent of the Government of Saskatchewan for all purposes related to a public registry statute and registry services; and
 - (b) all actions of a registry officer taken pursuant to this Act or a public registry statute are deemed to be taken on behalf of the Government of Saskatchewan.
- (2) Any activity undertaken by or on behalf of a registry officer and not completed before the coming into force of this Act may be continued by the registry officer after the coming into force of this Act as if it had been undertaken by the registry officer after the coming into force of this Act.

(3) No person shall attempt to direct a registry officer in the performance of any statutory duty imposed on the registry officer by this Act, a public registry statute or any other Act.

(4) A registry officer shall immediately report to the Minister of Justice and Attorney General any business or practice of a contractor or of any other person that, in the opinion of the registry officer, impairs the registry officer's ability to carry out his or her powers, or to fulfil his or her duties or functions, imposed by this Act or a public registry statute.

Acts applicable to registry officers

9 The following Acts apply to registry officers:

- (a) *The Public Service Act, 1998*;
- (b) *The Public Service Superannuation Act*;
- (c) *The Public Employees Pension Plan Act*;
- (d) *The Superannuation (Supplementary Provisions) Act*.

Delegation of powers

10(1) A registry officer may delegate any powers given or any duties imposed on the registry officer by an Act:

- (a) to any employee or agent of the Government of Saskatchewan; or
- (b) to the contractor or any employee of the contractor who is providing services for the Act.

(2) The registry officer may impose any terms and conditions on a delegation pursuant to subsection (1) that the registry officer considers appropriate.

(3) Any decision or action of a delegate taken in relation to the exercise or performance of any power or duty delegated to that delegate pursuant to subsection (1) is deemed to be a decision or action of the registry officer.

(4) Notwithstanding that a registry officer has delegated a power or a duty pursuant to this section, the registry officer may continue to exercise that power or fulfil that duty.

PART IV

Matters respecting Information, Immunity and Liability

Ownership of and access to information and records

11(1) All information and records in the registries are the property of the Government of Saskatchewan.

(2) Access to, and use and disclosure of, information and records in a registry is to be provided only in accordance with this Act, the relevant public registry statute and the relevant service agreement.

Immunity

12(1) No action or proceeding lies or shall be commenced against the Government of Saskatchewan, the minister, the minister responsible for the administration of a public registry statute, a contractor, a registry officer, a deputy registry officer, the Office, any officer, employee or agent of the Government of Saskatchewan or the Office or a contractor for anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by a public registry statute, this Act or the regulations or in the carrying out or supposed carrying out of any order or direction made pursuant to a public registry statute, this Act or the regulations or any duty imposed by a public registry statute, this Act or the regulations.

(2) No action or proceeding lies or shall be commenced against the Government of Saskatchewan, the minister, the minister responsible for the administration of a public registry statute, a contractor, a registry officer, a deputy registry officer, the Office, any officer, employee or agent of the Government of Saskatchewan or the Office or a contractor because of the enactment of this Act.

(3) If an action or proceeding may lie or may be commenced against the Government of Saskatchewan for anything done, caused, permitted or authorized to be done, attempted to be done or omitted to be done by a contractor or any of a contractor's officers, agents or employees on behalf of the Government of Saskatchewan pursuant to a public registry statute, this Act or the regulations or a service agreement, no action or proceeding lies or shall be commenced against the contractor or any of the contractor's officers, agents or employees for the thing done, caused, permitted or authorized to be done, attempted to be done or omitted to be done on behalf of the Government of Saskatchewan.

Transfer of liability

13(1) No action, appeal, application or other proceeding being carried on or power or remedy being exercised with respect to a public registry statute or a registry is discontinued or abated on account of this Act, but may be continued in the name of the Government of Saskatchewan, and the Government of Saskatchewan has the same rights, is subject to the same liabilities, and shall pay or receive the same costs as if the action, appeal, application or other proceeding had been commenced or defended in the name of the Government of Saskatchewan.

(2) The Government of Saskatchewan is responsible for all liabilities of ISC with respect to the administration of a public registry statute or registry before the coming into force of this section, and nothing in this Act affects the rights of any person having a claim against ISC with respect to those liabilities and all those rights may be asserted against the Government of Saskatchewan.

(3) With respect to the things and matters mentioned in subsections (1) and (2), the Government of Saskatchewan may bring, maintain and exercise in its own name any action, appeal, application or other proceeding, or exercise any power, right or remedy that ISC could have brought, maintained or exercised.

Indemnification

14 Subject to the provisions of the service agreement that applies to a contractor, the Government of Saskatchewan is entitled to indemnification from the contractor for any liability that is incurred by the Government of Saskatchewan as a result of the actions of the contractor or as a result of the actions of an employee or agent of the contractor if those actions occur on or after the coming into force of this Act.

PART V

**Matters respecting Operation of Registries
and Temporary Administrator****Temporary suspension of services**

15(1) Notwithstanding any other Act or law, if, in the opinion of a registry officer or the minister, the circumstances are such that it is not practical to provide one or more registry services or functions, a registry officer or the minister may, by order, suspend all or any registry services or functions for the period during which, in the opinion of the registry officer or the minister, those circumstances prevail.

- (2) An order of a registry officer or the minister made pursuant to subsection (1):
 - (a) is to identify the registry services or functions that are being suspended and the date and time that the registry services or functions are suspended;
 - (b) is to be published in the Gazette as soon as is reasonably possible after it is made; and
 - (c) notwithstanding any other provision of this Act, any public registry statute or any other Act or law, may suspend registry services or functions as at a date not more than 30 days before the day the order is made.
- (3) A registry officer or the minister may, by order, recommence all or any suspended registry services or functions effective as at any date and time the registry officer or the minister considers appropriate.
- (4) An order of a registry officer or the minister made pursuant to subsection (3):
 - (a) is to identify the registry services or functions that are being recommenced and the date and time that the registry services or functions are recommenced; and
 - (b) is to be published in the Gazette as soon as is reasonably possible after it is made.
- (5) Subject to subsection (6), an order made pursuant to this section comes into force on the day it is made.
- (6) In the case of an order that suspends registry services or functions as at a date before the order is made, the order may be made retroactive to a date not more than 30 days before the day the order is made and, in that case, the order is deemed to have been in force on and from that date.
- (7) The registry officer or the minister shall take any steps the registry officer or the minister considers necessary to bring an order of the registry officer or the minister to the attention of the public.
- (8) If there is any conflict between an order made pursuant to this section and a provision of this Act, the regulations, other than regulations made pursuant to clause 17(1)(d), any public registry statute or any other Act, regulations or law, the order prevails.

Appointment of temporary administrator

16(1) The Lieutenant Governor in Council may appoint an administrator for a term specified by the Lieutenant Governor in Council to discharge the powers, duties and functions of the board of directors of a contractor with respect to the management and operation of a registry or the provision of registry services and functions in accordance with this Act, a public registry statute or a service agreement if the minister is of the opinion that there is an immediate and direct threat that could significantly compromise the management and operation of the registry or the provision of the registry services or functions.

(2) On the appointment of an administrator, the members of the board of the contractor cease to hold office unless otherwise ordered by the Lieutenant Governor in Council.

(3) During the term of the administrator, the powers of any members of the board of the contractor who continue to hold office are suspended unless otherwise provided by the Lieutenant Governor in Council.

(4) The Lieutenant Governor in Council may specify one or more of the following:

- (a) the powers, duties and functions of an administrator appointed pursuant to this section;
- (b) the process to be followed to appoint members of the board of the contractor on the termination of the administrator's appointment.

PART VI**General****Regulations**

17(1) The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) for the purposes of subsection 2(2):
 - (i) excluding Acts designated in that subsection from the category of public registry statutes; or
 - (ii) adding Acts to the category of public registry statutes;
- (c) for the purposes of clause 4(3)(x), prescribing additional matters to be included in service agreements;
- (d) respecting the suspension of registry services or functions and the recommencement of registry services or functions, including:
 - (i) prescribing procedures, in addition to those set out in this Act, for suspending registry services or functions and recommencing registry services or functions; and
 - (ii) prescribing any other matter or thing that the Lieutenant Governor in Council considers necessary respecting suspension of registry services or functions or recommencement of registry services or functions;
- (e) prescribing any other matter or thing required or authorized by this Act to be prescribed in the regulations;
- (f) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary or appropriate to carry out the intent of this Act.

(2) Notwithstanding any other Act or law, the Lieutenant Governor in Council may make regulations, pursuant to the authority of this section, amending regulations made pursuant to any other Act for the purpose of amending, correcting or repealing provisions in, or adding provisions to, those regulations so that those regulations conform to this Act.

(3) A regulation made pursuant to this section may be made retroactive to a day not earlier than the day on which section 1 of this Act comes into force.

PART VII

Related and Consequential Amendments

DIVISION 1

The Business Corporations Act

R.S.S. 1978, c.B-10 amended

18 *The Business Corporations Act* is amended in the manner set forth in this Division.

Section 2 amended

19 Clause 2(1)(j) is amended by striking out “, other than in section 279,”.

Section 101 amended

20 Clause 101(8)(a) is amended by striking out “general”.

Section 246 repealed

21 Section 246 is repealed.

Section 255 amended

22 Clause 255(2)(b) is amended in the portion preceding subclause (i) by striking out “and the prescribed fees”.

Section 259 amended

23 Subsection 259(4) is repealed.

Section 262 amended

24 Clause 262(2)(a) is amended by striking out “, estate”.

Section 263 amended

25 Clause 263(a) is repealed.

Section 264 amended

26 Subsection 264(1) is amended by striking out “together with the prescribed fee”.

Section 271 amended

27 Subsection 271(1) is amended in the portion preceding clause (a) by striking out “, together with the prescribed fee,”.

Section 273 amended

28 Section 273 is amended by striking out “, together with the prescribed fee”.

New sections 279 to 279.3**29 Section 279 is repealed and the following substituted:****“Appointment of Director**

279(1) The minister may, by order, appoint:

- (a) a Director; and
 - (b) one or more Deputy Directors.
- (2) The Director shall:
- (a) under the direction of the minister, supervise the operation of the register; and
 - (b) perform any additional functions or responsibilities assigned to the Director by this Act, the regulations, any other Act or the minister.
- (3) The Director is an employee and agent of the Crown and all actions taken by the Director pursuant to this Act, the regulations or any other Act are taken on behalf of the Crown.
- (4) A Deputy Director shall act under the direction of the Director.
- (5) If the Director is absent or unable to act or the office of the Director is vacant, a Deputy Director may exercise all the powers and shall perform all of the functions or responsibilities of the Director, including any statutory duties imposed on the Director by this Act or any other Act.
- (6) The Director may, in writing, authorize any person to perform any of the functions or responsibilities imposed, including statutory duties, or to exercise any of the powers conferred on the Director by this Act or any other Act.
- (7) The performance or exercise by a person authorized pursuant to subsection (6) of the functions or responsibilities imposed or powers conferred on the Director by this Act or any other Act is deemed to be a performance or exercise by the Director.
- (8) The Director may, in writing, set any limit or condition on an authorization pursuant to this section that the Director considers reasonable.
- (9) No person shall seek to direct the Director in the performance of any statutory duty imposed on the Director by this Act or any other Act.
- (10) No authorization pursuant to subsection (6) prevents the exercise of any power, function or responsibility by the Director.

“Fees and charges of Director

279.1(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act or provided by the Director pursuant to any other Act; and
 - (b) the method of payment of those fees, charges and taxes.
- (2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.
- (3) Notwithstanding subsection (1), the Director may enter into an agreement with a person to provide a special service to that person if, in the opinion of the Director, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the Director to provide that service to the person.

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- (4) If the Director considers it appropriate or necessary, the Director may:
- (a) waive any fees, charges or taxes, in whole or in part; or
 - (b) refund any fees, charges or taxes, in whole or in part.
- (5) The Director is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.
- (6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Crown, unless the Lieutenant Governor in Council directs otherwise.

“Transitional—activities

279.2(1) In this section, ‘**former Director**’ means the person who was the Director before the coming into force of this section and includes any person appointed as a Deputy Director pursuant to this Act before the coming into force of this section.

(2) Any activity undertaken by the former Director and not completed before the coming into force of this section may be continued by the Director or any Deputy Director after the coming into force of this section as if it had been undertaken by the Director after the coming into force of this section.

(3) Every number, certificate, order, approval, notice and other document that was issued by the former Director, and every registration, decision or other action made or taken by the former Director, pursuant to this Act or any other Act that imposes or confers a duty, power or function on the former Director before the coming into force of this section that is valid on the day before the coming into force of this section is continued and may be dealt with as if it were issued, made or taken by the Director.

“Immunity

279.3 Except as otherwise provided in this Act, no action or proceeding lies or shall be commenced against the Crown, the minister, the Director, any Deputy Director, any other person authorized to act on behalf of the Director pursuant to subsection 279(6) or any employee of the Crown if that person is acting pursuant to the authority of this Act, the regulations or any other Act, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act, the regulations or any other Act or in the carrying out or supposed carrying out of any responsibility imposed by this Act, the regulations or any other Act”.

Section 282 amended

30 Section 282 is amended:

- (a) by renumbering it as subsection 282(1); and
- (b) by adding the following subsections after subsection (1):

“(2) The register mentioned in subsection (1) is a public registry of the people of Saskatchewan.

“(3) All information in the register is the property of the Government of Saskatchewan”.

Section 284 amended

31 Section 284 is amended in the portion preceding clause (a) by striking out “Upon payment of the prescribed fee, a person” and substituting “A person”.

Section 287 amended

32 Subsections 287(3) and (4) are repealed.

Section 290 amended

33(1) Subsection 290(1) is amended:

(a) in clause (a) by striking out “prescribed”; and

(b) by repealing clause (i).

(2) Subsection 290(5) is amended by striking out “and upon payment of the prescribed fee”.

Section 292 amended

34 Section 292 is amended by striking out “and upon payment of the prescribed fee”.

Section 294.1 amended

35 Clause 294.1(4)(a) is amended by striking out “and pays the prescribed fee”.

Section 298.3 amended

36 Clause 298.3(g) is repealed.

Section 304 amended

37 Clause 304(b) is repealed.

DIVISION 2

The Business Names Registration Act

R.S.S. 1978, c.B-11 amended

38 *The Business Names Registration Act* is amended in the manner set forth in this Division.

Section 4 amended

39 The following subsections are added after subsection 4(2):

“(2.1) The business names registered pursuant to subsections (1) and (2) form a public registry of the people of Saskatchewan.

“(2.2) All information in the registry is the property of the Government of Saskatchewan”.

Section 7 amended

40 Section 7 is amended by striking out “and the fee prescribed in the regulations”.

Section 8.1 amended

41 Subsection 8.1(2) is amended in the portion preceding clause (a) by striking out “and on payment of the fee prescribed in the regulations”.

Section 12 amended**42 Subsection 12(1) is repealed and the following substituted:**

“(1) If there is a change in the membership of a firm, other than a sole proprietorship, and the business of the firm is being carried on under the same name, the firm shall, within 30 days after the date of the change, forward to the registrar a notice, signed by all members of the firm, to amend the registration that clearly states the nature of the change and the resulting membership of the firm”.

Section 13 amended**43 Subsection 13(3) is amended by striking out “and the fee prescribed in the regulations”.****Section 21.1 amended****44 Subsection 21.1(2) is amended:**

- (a) by adding “and” after clause (a);
- (b) by striking out “and” after clause (b); and
- (c) by repealing clause (c).

Section 21.7 amended**45 Clause 21.7(g) is repealed.****Section 22 amended****46 Subsection 22(1) is amended in the portion preceding clause (a) by striking out “Upon payment of the prescribed fee, a person” and substituting “A person”.****Section 24 amended****47 Clause 24(d) is repealed.****New section 25****48 The following section is added after section 24:****“Fees and charges of registrar**

25(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and
 - (b) the method of payment of those fees, charges and taxes.
- (2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.
- (3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.
- (4) If the registrar considers it appropriate or necessary, the registrar may:
- (a) waive any fees, charges or taxes, in whole or in part; or
 - (b) refund any fees, charges or taxes, in whole or in part.

(5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

(6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Crown, unless the Lieutenant Governor in Council directs otherwise”.

DIVISION 3

*The Business Statutes Administration Transfer Act***S.S. 2010, c.B-12 amended**

49 *The Business Statutes Administration Transfer Act* is amended in the manner set forth in this Division.

Section 2 amended

50 Clause 2(c) is repealed.

Sections 3 to 6 repealed

51 Sections 3 to 6 are repealed.

Section 7 amended

52 Section 7 is amended by striking out “to the corporation and those officers, employees and agents of the corporation who are under the direction of the corporation” and substituting “to business statute officials”.

DIVISION 4

*The Companies Act***R.S.S. 1978, c.C-23 amended**

53 *The Companies Act* is amended in the manner set forth in this Division.

Section 3 amended

54 Clause 3(1)(r) is amended by striking out “or assistant deputy registrar”.

Section 35 amended

55 Subsection 35(3) is amended by striking out “*The Securities Act*” and substituting “*The Securities Act, 1988*”.

Section 38 amended

56 Subsection 38(2) is amended by striking out “*The Securities Act*” and substituting “*The Securities Act, 1988*”.

Section 54 amended

57 Subsection 54(3) is amended by striking out “and the proper fees paid to him; and when the resolution has been so filed and the fees paid” and substituting “, and when the resolution has been filed”.

Section 200 repealed

58 Section 200 is repealed.

Section 201 amended

59 Subsection 201(3) is amended by striking out “, and upon payment of the proper fees”.

Section 204 amended

60 Subsection 204(1) is amended:

- (a) **by striking out “, and upon receipt of the fee prescribed therefor,”; and**
- (b) **by striking out “, with the approval of the Provincial Secretary,”.**

Section 214 amended

61(1) Subsection 214(2) is amended by striking out “upon payment of the prescribed fees”.

(2) Subsection 214(4) is repealed.

Heading struck out and section 215 repealed

62 The heading before section 215 is struck out and section 215 is repealed.

Section 217 amended

63 Section 217 is amended in the portion following clause (c) by striking out “on payment of such fees as are prescribed in the regulations for that purpose; in which” and substituting “, in which”.

New section 219

64 Section 219 is repealed and the following substituted:

“Companies failing to pay fees

219(1) Subject to subsection (2), if any fee payable to the registrar is not paid by the date on which the fee is due, the registrar:

- (a) **may send a registered letter to the company in default notifying it of its liability;**
- (b) **may, at the expiration of a period of one month, if the fee remains unpaid, without further notice, cause the name of the company to be struck off the register; and**
- (c) **shall, if the registrar takes the action mentioned in clause (b), publish a notice in the Gazette.**

(2) If the registrar takes the actions mentioned in clauses (1)(b) and (c), the liability of every director or officer or member of the company continues and may be enforced as if the name of the company had not been struck off the register”.

Section 220 amended

65 Subsection 220(3) is amended by striking out “on payment of such fees as are prescribed in the regulations for that purpose”.

Section 223 amended

66 Subsection 223(2) is amended in the portion following clause (b) by striking out “on payment of such fees as are prescribed in the regulations for that purpose”.

New sections 240 to 240.3**67 Section 240 is repealed and the following substituted:****“Appointment of Registrar**

240(1) The minister may, by order, appoint:

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

(2) The registrar shall:

- (a) under the direction of the minister, supervise the operation of the register; and
- (b) perform any additional functions or responsibilities assigned to the registrar by this Act, the regulations or the minister.

(3) The registrar is an employee and agent of the Government of Saskatchewan and all actions taken by the registrar pursuant to this Act or the regulations are taken on behalf of the Government of Saskatchewan.

(4) A deputy registrar shall act under the direction of the registrar.

(5) If the registrar is absent or unable to act or the office of the registrar is vacant, a deputy registrar may exercise all the powers and shall perform all of the functions and responsibilities of the registrar, including any statutory duties imposed on the registrar by this Act.

(6) The registrar may, in writing, authorize any person to perform any of the functions or responsibilities imposed, including statutory duties, or to exercise any of the powers conferred on the registrar by this Act.

(7) The performance or exercise by a person authorized pursuant to subsection (6) of the functions or responsibilities imposed or powers conferred on the registrar by this Act is deemed to be a performance or exercise by the registrar.

(8) The registrar may, in writing, set any limit or condition on an authorization pursuant to this section that the registrar considers reasonable.

(9) No person shall seek to direct the registrar in the performance of any statutory duty imposed on the registrar by this Act.

(10) No authorization pursuant to subsection (6) prevents the exercise of any power, function or responsibility by the registrar.

“Fees and charges of registrar

240.1(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and
- (b) the method of payment of those fees, charges and taxes.

(2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

(3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.

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- (4) If the registrar considers it appropriate or necessary, the registrar may:
- (a) waive any fees, charges or taxes, in whole or in part; or
 - (b) refund any fees, charges or taxes, in whole or in part.
- (5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.
- (6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Government of Saskatchewan, unless the Lieutenant Governor in Council directs otherwise.

“Transitional—activities

240.2(1) In this section, ‘**former registrar**’ means the person who was the registrar before the coming into force of this section and includes any person appointed as a deputy registrar pursuant to this Act before the coming into force of this section.

(2) Any activity undertaken by the former registrar and not completed before the coming into force of this section may be continued by the registrar or any deputy registrar after the coming into force of this section as if it had been undertaken by the registrar after the coming into force of this section.

(3) Every number, certificate, order, approval, notice and other document that was issued by the former registrar, and every registration, decision or other action made or taken by the former registrar, pursuant to this Act before the coming into force of this section that is valid on the day before the coming into force of this section is continued and may be dealt with as if it were issued, made or taken by the registrar.

“Immunity

240.3 Except as otherwise provided in this Act, no action or proceeding lies or shall be commenced against the Government of Saskatchewan, the minister, the registrar, a deputy registrar, any other person authorized to act on behalf of the registrar pursuant to subsection 240(6) or any employee of the Government of Saskatchewan if that person is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any responsibility imposed by this Act or the regulations”.

Section 244 amended

68 Subsection 244(1) is amended by striking out “On payment of the proper fee a person” and substituting “A person”.

Heading struck out

69 The heading before section 245 is struck out.

Section 245 repealed

70 Section 245 is repealed.

DIVISION 5

*The Condominium Property Act, 1993***S.S. 1993, c.C-26.1 amended**

71 *The Condominium Property Act, 1993* is amended in the manner set forth in this Division.

Section 112.1 amended

72(1) **Clause 112.1(2)(d) is repealed.**

(2) The following subsections are added after subsection 112.1(2):

“(3) The minister may, by order, establish:

(a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and

(b) the method of payment of those fees, charges and taxes.

“(4) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (3) to be published in the Gazette.

“(5) Notwithstanding subsection (3), the Director may enter into an agreement with a person to provide a special service to that person if, in the opinion of the Director, a fee, charge or tax mentioned in subsection (3) is not adequate to allow the Director to provide that service to the person.

“(6) If the Director considers it appropriate or necessary, the Director may:

(a) waive any fees, charges or taxes, in whole or in part; or

(b) refund any fees, charges or taxes, in whole or in part.

“(7) The Director is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

“(8) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Crown, unless the Lieutenant Governor in Council directs otherwise”.

DIVISION 6

*The Enforcement of Money Judgments Act***S.S. 2010, c.E-9.22 amended**

73 *The Enforcement of Money Judgments Act* is amended in the manner set forth in this Division.

Section 28 amended

74 **Clause 28(5)(c) is repealed and the following substituted:**

“(c) any fee required by the Registrar of Personal Property Security”.

Section 108 amended

75 **Subsection 108(3) is amended:**

(a) **by striking out “and” after clause (a); and**

(b) **by adding the following after clause (a):**

“(a.1) by the sheriff for a period not exceeding a prescribed period in the prescribed circumstances; and”.

Section 124 amended

76 Subsection 124(1) is amended by striking out “, the Registrar of Personal Property Security or the Information Services Corporation” and substituting “or the Registrar of Personal Property Security”.

DIVISION 7

The Land Information Services Facilitation Act**S.S. 1999, c.L-3.01 amended**

77 *The Land Information Services Facilitation Act* is amended in the manner set forth in this Division.

Sections 32 to 34 repealed

78 Sections 32 to 34 are repealed.

DIVISION 8

The Land Surveys Act, 2000**S.S. 2000, c.L-4.1 amended**

79 *The Land Surveys Act, 2000* is amended in the manner set forth in this Division.

Section 2 amended

80 Clause 2(d) is repealed.

Section 5 amended

81(1) Subsection 5(1) is repealed and the following substituted:

“(1) Subject to subsection (2), the minister may, by order, appoint a Controller of Surveys”.

(2) Subsection 5(3) is amended:

(a) in clause (b) by striking out “and the corporation”; and

(b) in clause (c) by striking out “, the minister or the corporation” and substituting “or the minister”.

(3) Subsection 5(4) is amended by striking out “of the corporation and an agent” and substituting “and agent”.

(4) Subsections 5(6) and (7) are repealed.

(5) Subsection 5(8) is amended by adding “or any other Act” after “this Act”.

(6) Subsections 5(9) and (10) are repealed.

New section 5.1

82 The following section is added after section 5:

“Transitional—activities

5.1(1) In this section, ‘former Controller’ means the person who was the Controller before the coming into force of this section and includes any person appointed as a Deputy Controller pursuant to this Act before the coming into force of this section.

(2) Any activity undertaken by the former Controller and not completed before the coming into force of this section may be continued by the Controller or any Deputy Controller after the coming into force of this section as if it had been undertaken by the Controller after the coming into force of this section.

(3) Every number, certificate, order, approval, notice and other document that was issued by the former Controller, and every registration, decision or other action made or taken by the former Controller, pursuant to this Act or any other Act that imposes or confers a duty, power or function on the former Controller before the coming into force of this section that is valid on the day before the coming into force of this section is continued and may be dealt with as if it were issued, made or taken by the Controller”.

Section 6 amended

83(1) Subsection 6(1) is repealed and the following substituted:

“(1) The minister may, by order, appoint one or more Deputy Controllers of Surveys to assist the Controller”.

(2) Subsection 6(3) is repealed.

Section 7 amended

84(1) Subsections 7(1) and (2) are repealed and the following substituted:

“(1) The Controller may, in writing, authorize any person to perform any of the functions or responsibilities imposed, including statutory duties, or to exercise any of the powers conferred on the Controller by this Act or any other Act.

“(2) The performance or exercise by a person authorized pursuant to subsection (1) of the responsibilities imposed or powers conferred on the Controller by this Act or any other Act is deemed to be a performance or exercise by the Controller”.

(2) The following subsection is added after subsection 7(3):

“(4) No authorization pursuant to subsection (1) prevents the exercise of any power, function or responsibility by the Controller”.

Section 8 amended

85 Section 8 is amended in the portion preceding clause (a) by striking out “, any officer or employee of the corporation who is performing a responsibility or exercising a power pursuant to section 7 shall,” and substituting “nor any person operating under authorization from the Controller shall, in conflict with his or her duties pursuant to this Act or”.

Sections 8.1 and 9 repealed

86 Sections 8.1 and 9 are repealed.

Section 46 amended

87 Subsection 46(2) is amended by striking out “corporation” and substituting “Crown”.

Section 61 amended

88(1) Subsection 61(3) is amended by striking out “corporation” and substituting “Crown”.

(2) Subsection 61(4) is amended by striking out “corporation” and substituting “Crown”.

Section 81 amended**89(1) Subsection 81(1) is repealed and the following substituted:**

“(1) The minister may, by order, establish:

(a) the fees, charges and taxes payable with respect to functions of the Controller, the Registrar of Titles pursuant to this Act, and the land surveys directory; and

(b) the method of payment of those fees, charges and taxes.

“(1.1) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

“(1.2) Notwithstanding subsection (1), the Controller may enter into an agreement with a person to provide a special service to that person if, in the opinion of the Controller, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the Controller to provide that service to the person”.

(2) Subsection 81(4) is repealed and the following substituted:

“(4) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Crown, unless the Lieutenant Governor in Council directs otherwise”.

Section 84 amended**90 Subsection 84(1) is repealed and the following substituted:**

“(1) Except as otherwise provided in this Act, no action or proceeding lies or shall be commenced against the Crown, the minister, the Controller, a Deputy Controller, the Registrar of Titles, any other person authorized to act on behalf of the Controller pursuant to subsection 7(1) or on behalf of the Registrar of Titles pursuant to subsection 8(1) of *The Land Titles Act, 2000* or any employee of the Crown if that person is acting pursuant to the authority of this Act, the regulations or any other Act, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act, the regulations or any other Act or in the carrying out or supposed carrying out of any responsibility imposed by this Act, the regulations or any other Act”.

DIVISION 9

The Land Titles Act, 2000**S.S. 2000, c.L-5.1 amended**

91 *The Land Titles Act, 2000* is amended in the manner set forth in this Division.

Section 2 amended

92 Clause 2(1)(h) is repealed.

Section 6 amended**93(1) Subsection 6(1) is repealed and the following substituted:**

“(1) Subject to subsection (2), the minister may, by order, appoint a Registrar of Titles”.

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- (2) **Subsection 6(3) is amended:**
- (a) **in clause (a) by striking out “and the corporation”;**
 - (b) **in clause (b) by striking out “by the corporation”; and**
 - (c) **in clause (d) by striking out “, the minister or the corporation” and substituting “or the minister”.**
- (3) **Subsection 6(4) is amended by striking out “of the corporation and an agent” and substituting “and agent”.**
- (4) **Subsections 6(6) and (7) are repealed.**
- (5) **Subsections 6(9) and (10) are repealed.**

New section 6.1

94 The following section is added after section 6:

“Transitional—activities

6.1(1) In this section, **‘former Registrar’** means the person who was the Registrar before the coming into force of this section and includes any person appointed as a Deputy Registrar pursuant to this Act before the coming into force of this section.

(2) Any activity undertaken by the former Registrar and not completed before the coming into force of this section may be continued by the Registrar or any Deputy Registrar after the coming into force of this section as if it had been undertaken by the Registrar after the coming into force of this section.

(3) Every number, certificate, order, approval, notice and other document that was issued by the former Registrar, and every registration, decision or other action made or taken by the former Registrar, pursuant to this Act or any other Act that imposes or confers a duty, power or function on the former Registrar before the coming into force of this section that is valid on the day before the coming into force of this section is continued and may be dealt with as if it were issued, made or taken by the Registrar”.

Section 7 amended

95(1) Subsection 7(1) is repealed and the following substituted:

“(1) Subject to subsection (2), the minister may, by order, appoint one or more Deputy Registrars of Titles to assist the Registrar”.

(2) **Subsection 7(3) is repealed.**

Section 8 amended

96(1) Subsection 8(1) is repealed and the following substituted:

“(1) The Registrar may, in writing, authorize any person to perform any of the functions or responsibilities imposed, including statutory duties, or to exercise any of the powers conferred on the Registrar by this Act or any other Act”.

(2) **Subsection 8(2) is amended by striking out “an officer or employee” and substituting “a person”.**

(3) **The following subsection is added after subsection 8(3):**

“(4) No authorization pursuant to subsection (1) prevents the exercise of any power, function or responsibility by the Registrar”.

Section 9 amended**97(1) Subsection 9(1) is amended:**

(a) **in the portion preceding clause (a) by striking out** “any officer or employee of the corporation shall, in conflict with his or her duties to the corporation” **and substituting** “any person operating under authorization from the Registrar shall, in conflict with his or her duties pursuant to this Act or other than in an official capacity”;

(b) **by adding “or” after clause (c);**

(c) **by striking out “or” after clause (d); and**

(d) **by repealing clause (e).**

(2) **Subsection 9(2) is repealed.**

Section 10 repealed

98 Section 10 is repealed.

Section 70 amended

99 Subsection 70(4) is amended by striking out “, the corporation, the minister, the Registrar, any Deputy Registrar, or any other officer or employee of the corporation” **and substituting** “, the minister, the Registrar, any Deputy Registrar, any other person authorized to act on behalf of the Registrar pursuant to subsection 8(1) or any other officer or employee of the Crown”.

Section 85 amended

100 Section 85 is amended:

(a) **in clause (o) by striking out** “by the corporation”; **and**

(b) **in clause (p) by striking out** “by the corporation”.

Section 90 amended

101 Subsections 90(2) and (3) are repealed and the following substituted:

“(2) If an agreement is entered into pursuant to subsection (1):

(a) for compensation, the Registrar must certify to the Minister of Finance that the claimant is entitled to compensation, expenses and interest as set out in the agreement;

(b) the claimant’s claim for compensation is deemed to be fully satisfied; and

(c) the claimant is entitled to receive the compensation, expenses and interest provided for in the agreement.

“(3) Before entering into an agreement pursuant to subsection (1), if compensation, including expenses and interest, is to exceed the prescribed amount, the Registrar shall obtain the approval of the minister”.

Section 93 amended**102(1) Subsection 93(1) is repealed and the following substituted:**

“(1) The Minister of Finance, on receipt of either of the following documents, shall pay to the person to be compensated the amount of any compensation, expenses, costs and interest stipulated in the document:

- (a) a certificate of the Registrar pursuant to clause 90(2)(a);
- (b) a judgment of the court pursuant to section 92”.

(2) Subsections 93(3) and (4) are repealed.**Section 96.1 amended**

103 Clause 96.1(2)(b) is amended by striking out “the corporation or the Crown or any other” and substituting “the Crown or any”.

Section 106.1 repealed

104 Section 106.1 is repealed.

Section 107 amended

105 Section 107 is amended:

- (a) by renumbering it as subsection 107(1); and**
- (b) by adding the following subsections after subsection (1):**

“(2) Any person applying to the court pursuant to clause (1)(b) or (c) shall notify the Registrar of the application, in writing, at the time the application is made.

“(3) The Registrar may apply to the court to be joined as a party in any application commenced pursuant to subsection (1)”.

New section 118

106 Section 118 is repealed and the following substituted:

“Fees and charges of Registrar

118(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and
- (b) the method of payment of those fees, charges and taxes.

(2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

(3) Notwithstanding subsection (1), the Registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the Registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the Registrar to provide that service to the person.

(4) If the Registrar considers it appropriate or necessary, the Registrar may:

- (a) waive any fees, charges or taxes, in whole or in part; or
- (b) refund any fees, charges or taxes, in whole or in part.

(5) The Registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

(6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Crown, unless the Lieutenant Governor in Council directs otherwise”.

Section 122 amended

107 Subsection 122(1) is repealed and the following substituted:

“(1) Except as otherwise provided in this Act, no action or proceeding lies or shall be commenced against the Crown, the minister, the Registrar, any Deputy Registrar, any other person authorized to act on behalf of the Registrar pursuant to subsection 8(1) or any employee of the Crown if that person is acting pursuant to the authority of this Act, the regulations or any other Act, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act, the regulations or any other Act or in the carrying out or supposed carrying out of any responsibility imposed by this Act, the regulations or any other Act”.

DIVISION 10

The Libel and Slander Act

R.S.S. 1978, c.L-14 amended

108 *The Libel and Slander Act* is amended in the manner set forth in this Division.

Section 2 amended

109 Section 2 is amended:

(a) **by repealing clause (a); and**

(b) **by adding the following clause before clause (a.1):**

“(a.01) ‘**minister**’ means the member of the Executive Council to whom for the time being the administration of this Act is assigned”.

Section 21 amended

110 Section 21 is amended:

(a) **by renumbering it as subsection 21(1); and**

(b) **by adding the following subsections after subsection (1):**

“(2) The register of newspapers is a public registry of the people of Saskatchewan.

“(3) All information in the register of newspapers is the property of the Government of Saskatchewan”.

New section 23

111 Section 23 is repealed and the following substituted:

“Fees and charges of Director of Corporations

23(1) The minister may, by order, establish:

(a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and

(b) the method of payment of those fees, charges and taxes.

(2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

(3) Notwithstanding subsection (1), the Director of Corporations may enter into an agreement with a person to provide a special service to that person if, in the opinion of the Director of Corporations, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the Director of Corporations to provide that service to the person.

(4) If the Director of Corporations considers it appropriate or necessary, the Director of Corporations may:

(a) waive any fees, charges or taxes, in whole or in part; or

(b) refund any fees, charges or taxes, in whole or in part.

(5) The Director of Corporations is not required to perform any function pursuant to this Act until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

(6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Government of Saskatchewan, unless the Lieutenant Governor in Council directs otherwise”.

DIVISION 11

The Names of Homes Act

R.S.S. 1978, c.N-1 amended

112 *The Names of Homes Act* is amended in the manner set forth in this Division.

Section 2 amended

113 The following clause is added after clause 2(a):

“(a.1) ‘**minister**’ means the member of the Executive Council to whom for the time being the administration of this Act is assigned”.

Section 4 amended

114 Section 4 is amended by striking out “, accompanied by the fee prescribed in the regulations.”.

Section 5 amended**115 Section 5 is amended:**

- (a) by renumbering it as subsection 5(1); and
- (b) by adding the following subsections after subsection (1):

“(2) The book mentioned in subsection (1) is a public registry of the people of Saskatchewan.

“(3) All information in the book mentioned in subsection (1) is the property of the Government of Saskatchewan”.

New section 16**116 Section 16 is repealed and the following substituted:****“Fees and charges of registrar**

16(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and
- (b) the method of payment of those fees, charges and taxes.

(2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

(3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.

(4) If the registrar considers it appropriate or necessary, the registrar may:

- (a) waive any fees, charges or taxes, in whole or in part; or
- (b) refund any fees, charges or taxes, in whole or in part.

(5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

(6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Government of Saskatchewan, unless the Lieutenant Governor in Council directs otherwise”.

DIVISION 12

The New Generation Co-operatives Act**S.S. 1999, c.N-4.001 amended**

117 *The New Generation Co-operatives Act* is amended in the manner set forth in this Division.

Section 2 amended**118 The following clause is added after clause 2(1)(aa):**

“(aa.1) ‘**minister**’ means the member of the Executive Council to whom for the time being the administration of this Act is assigned”.

Section 5 amended

119 Subsection 5(2) is amended:

- (a) by adding “and” after clause (b);
- (b) by striking out “and” after clause (c); and
- (c) by repealing clause (c).

Section 11 amended

120 Section 11 is amended by striking out “and the prescribed fee”.

Section 242 amended

121(1) Subsection 242(1) is amended:

- (a) by adding “and” after clause (a);
- (b) by striking out “and” after clause (b); and
- (c) by repealing clause (c).

(2) Subsection 242(3) is repealed.

Section 307 amended

122 Clause 307(a) is amended by striking out “and pays the prescribed fee”.

Section 312 amended

123 Subsection 312(1) is amended by striking out “, together with the prescribed fee,”.

Section 315.3 amended

124 Clause 315.3(g) is repealed.

Section 331 amended

125 The following subsections are added after subsection 331(2):

“(3) The register of co-operatives is a public registry of the people of Saskatchewan.

“(4) All information in the register is the property of the Government of Saskatchewan”.

Section 332 amended

126 Section 332 is amended in the portion preceding clause (a) by striking out “On payment of the prescribed fee, a person” and substituting “A person”.

Section 338 amended

127 Subsection 338(3) is amended in the portion preceding clause (a) by striking out “and the prescribed fees”.

Section 346 amended

128 Subsection 346(4) is amended in the portion preceding clause (a) by striking out “and on payment of the prescribed fee”.

Section 350 amended

129 Clause 350(b) is repealed.

New section 350.1

130 The following section is added after section 350:

“Fees and charges of registrar

350.1(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and
 - (b) the method of payment of those fees, charges and taxes.
- (2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.
- (3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.
- (4) If the registrar considers it appropriate or necessary, the registrar may:
- (a) waive any fees, charges or taxes, in whole or in part; or
 - (b) refund any fees, charges or taxes, in whole or in part.
- (5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.
- (6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Government of Saskatchewan, unless the Lieutenant Governor in Council directs otherwise”.

DIVISION 13

The Partnership Act**R.S.S. 1978, c.P-3 amended**

131 *The Partnership Act* is amended in the manner set forth in this Division.

Section 2 amended

132 Section 2 is amended:

(a) **by adding the following clause after clause (f):**

“(f.1) ‘**minister**’ means the member of the Executive Council to whom for the time being the administration of this Act is assigned”; **and**

(b) **by adding the following clause after clause (g):**

“(h) ‘**registrar**’ means the Director of Corporations”.

Section 78 amended

133 Clause 78(g) is repealed.

Section 86 amended

134 Subsection 86(4) is amended:

- (a) **by adding “and” after clause (f);**
- (b) **by striking out “and” after clause (g); and**
- (c) **by repealing clause (h).**

Section 92 amended

135(1) Subsection 92(1) is amended by striking out “, accompanied by the prescribed fee”.

(2) Subsection 92(2) is repealed and the following substituted:

“(2) Within 30 days after any changes in the information mentioned in clauses 86(4)(a) to (g), the limited liability partnership shall file with the registrar a notice in a form acceptable to the registrar setting out the changes and the effective date of the changes”.

New section 93

136 Section 93 is repealed and the following substituted:

“Periodic reports

93 A limited liability partnership shall file with the registrar at the times prescribed in the regulations a report containing the information required by the regulations”.

Section 98 amended

137 Subsection 98(3) is amended:

- (a) by adding “and” after clause (h);**
- (b) by striking out “and” after clause (i); and**
- (c) by repealing clause (j).**

Section 105 amended

138(1) Subsection 105(1) is amended by striking out “, accompanied by the prescribed fee”.

(2) Subsection 105(2) is repealed and the following substituted:

“(2) Within 30 days after any changes in the information mentioned in clauses 98(3)(a) to (i), the extraprovincial limited liability partnership shall file with the registrar a notice in a form acceptable to the registrar setting out the changes and the effective date of the changes”.

New section 106

139 Section 106 is repealed and the following substituted:

“Periodic reports

106 An extraprovincial limited liability partnership shall file with the registrar at the times prescribed in the regulations a report containing the information required by the regulations”.

Section 110.1 amended

140 Clause 110.1(d) is repealed.

Section 110.3 amended

141 Clause 110.3(g) is repealed.

New sections 112 to 115**142 Section 112 is repealed and the following substituted:****“Fees and charges of registrar**

112(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and
- (b) the method of payment of those fees, charges and taxes.

(2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

(3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.

(4) If the registrar considers it appropriate or necessary, the registrar may:

- (a) waive any fees, charges or taxes, in whole or in part; or
- (b) refund any fees, charges or taxes, in whole or in part.

(5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

(6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Government of Saskatchewan, unless the Lieutenant Governor in Council directs otherwise.

“Transitional—activities

113(1) In this section, **‘former registrar’** means the person who was the registrar before the coming into force of this section.

(2) Any activity undertaken by the former registrar and not completed before the coming into force of this section may be continued by the registrar after the coming into force of this section as if it had been undertaken by the registrar after the coming into force of this section.

(3) Every number, certificate, order, approval, notice and other document that was issued by the former registrar, and every registration, decision or other action made or taken by the former registrar, pursuant to this Act or any other Act that imposes or confers a duty, power or function on the former registrar before the coming into force of this section that is valid on the day before the coming into force of this section is continued and may be dealt with as if it were issued, made or taken by the registrar.

“Immunity

114 Except as otherwise provided in this Act, no action or proceeding lies or shall be commenced against the Crown, the minister, the registrar, any other person authorized to act on behalf of the registrar or any employee of the Crown if that person is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any responsibility imposed by this Act or the regulations.

“Registry

115(1) The documents kept, filed or registered pursuant to this Act form a public registry of the people of Saskatchewan.

(2) All information in the registry mentioned in subsection (1) is the property of the Government of Saskatchewan”.

DIVISION 14

The Personal Property Security Act, 1993**S.S. 1993, c.P-6.2 amended**

143 *The Personal Property Security Act, 1993* is amended in the manner set forth in this Division.

Section 2 amended

144 **Subsection 2(1) is amended:**

(a) **by repealing clause (l.1); and**

(b) **in clause (ll) by striking out “section 42” and substituting “section 42.2”.**

New section 2.1

145 **Section 2.1 is repealed and the following substituted:**

“Fees and charges of registrar

2.1(1) The minister may, by order, establish:

(a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and

(b) the method of payment of those fees, charges and taxes.

(2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.

(3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.

(4) If the registrar considers it appropriate or necessary, the registrar may:

(a) waive any fees, charges or taxes, in whole or in part; or

(b) refund any fees, charges or taxes, in whole or in part.

(5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.

(6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Crown, unless the Lieutenant Governor in Council directs otherwise”.

New section 42

146 Section 42 is repealed and the following substituted:

“Registry

42 The Personal Property Registry is continued for the purposes of registration pursuant to this Act, *The Personal Property Security Act* and any other Act that requires or permits a registration to be made in the registry”.

New sections 42.2 to 42.4

147 The following sections are added after section 42.1:

“Appointment of Registrar of Personal Property Security

42.2(1) The minister may, by order, appoint:

- (a) a Registrar of Personal Property Security; and
 - (b) one or more deputy registrars.
- (2) The registrar shall:
- (a) under the direction of the minister, supervise the operation of the registry; and
 - (b) perform any additional functions or responsibilities assigned to the registrar by this Act, the regulations, any other Act or the minister.
- (3) The registrar is an employee and agent of the Crown and all actions taken by the registrar pursuant to this Act or the regulations are taken on behalf of the Crown.
- (4) A deputy registrar shall act under the direction of the registrar.
- (5) If the registrar is absent or unable to act or the office of the registrar is vacant, a deputy registrar may exercise all the powers and shall perform all of the functions or responsibilities of the registrar, including any statutory duties imposed on the registrar by this Act or any other Act.
- (6) The registrar may, in writing, authorize any person to perform any of the functions or responsibilities imposed, including statutory duties, or to exercise any of the powers conferred on the registrar by this Act or any other Act.
- (7) The performance or exercise by a person authorized pursuant to subsection (6) of the functions or responsibilities imposed or powers conferred on the registrar by this Act or any other Act is deemed to be a performance or exercise by the registrar.
- (8) The registrar may, in writing, set any limit or condition on an authorization pursuant to this section that the registrar considers reasonable.
- (9) No person shall seek to direct the registrar in the performance of any statutory duty imposed on the registrar by this Act or any other Act.
- (10) No authorization pursuant to subsection (6) prevents the exercise of any power, function or responsibility by the registrar.

“Transitional—activities

42.3(1) In this section, **‘former registrar’** means the person who was the registrar before the coming into force of this section and includes any person appointed as a deputy registrar pursuant to this Act before the coming into force of this section.

(2) Any activity undertaken by the former registrar and not completed before the coming into force of this section may be continued by the registrar or any deputy registrar after the coming into force of this section as if it had been undertaken by the registrar after the coming into force of this section.

(3) Every number, certificate, order, approval, notice and other document that was issued by the former registrar, and every registration, decision or other action made or taken by the former registrar, pursuant to this Act or any other Act that imposes or confers a duty, power or function on the former registrar before the coming into force of this section that is valid on the day before the coming into force of this section is continued and may be dealt with as if it were issued, made or taken by the registrar.

“Suspension of registry functions

42.4(1) In this section and in subsection 71(1):

(a) **‘recommencement of registry functions’** means the recommencement of all or any registry functions pursuant to subsection (4);

(b) **‘registry functions’** means:

- (i) registering financing statements;
- (ii) accepting requests for search results; and
- (iii) any other functions or services of the registry;

(c) **‘suspension of registry functions’** means the suspension of all or any registry functions pursuant to subsection (2).

(2) Notwithstanding any regulation made pursuant to this Act or any other Act providing for registration in the registry, if, in the opinion of the registrar or the minister, the circumstances are such that it is not practical to provide one or more registry functions, the registrar or the minister may, by order, suspend all or any registry functions for the period during which, in the opinion of the registrar or the minister, those circumstances prevail.

(3) An order of the registrar or the minister made pursuant to subsection (2):

(a) is to identify the registry functions that are being suspended and the date and time that the registry functions are suspended;

(b) is to be published in the Gazette as soon as is reasonably possible after it is made; and

(c) notwithstanding any other provision of this Act or any other Act or law, may suspend registry functions as at a date not more than 30 days before the day the order is made.

(4) The registrar or the minister may, by order, recommence all or any suspended registry functions effective as at any date and time the registrar or minister considers appropriate.

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- (5) An order of the registrar or minister made pursuant to subsection (4):
- (a) is to identify the registry functions that are being recommenced and the date and time that the registry functions are recommenced; and
 - (b) is to be published in the Gazette as soon as is reasonably possible after it is made.
- (6) Subject to subsection (7), an order made pursuant to this section comes into force on the day it is made.
- (7) In the case of an order that suspends registry functions as at a date before the order is made, the order may be made retroactive to a date not more than 30 days before the day the order is made and, in that case, the order is deemed to have been in force on and from that date.
- (8) The registrar or the minister shall take any steps the registrar or the minister considers necessary to bring an order of the registrar or the minister to the attention of the public.
- (9) If there is any conflict between an order made pursuant to this section and a provision of this Act, the regulations, other than regulations made pursuant to clause 71(1)(p.2), or any other Act, regulations or law, the order prevails”.

Section 43 amended

148 Subsection 43(3) is amended by striking out “prescribed”.

Section 43.1 amended

149 Section 43.1 is amended:

- (a) by renumbering it as subsection 43.1(1); and**
- (b) by adding the following subsections after subsection (1):**
 - “(2) Notwithstanding the requirements of this Act or the regulations, the registrar may refuse or discharge any registration if the registration is inconsistent with the purpose and intent of this Act.
 - “(3) The registrar shall give reasons for the refusal or discharge of a registration pursuant to subsection (2)”.

New section 52

150 Section 52 is repealed and the following substituted:

“Action against Crown

52(1) A person may bring an action against the Crown to recover loss or damage suffered by that person because of an error or omission in the operation of the registry if the loss or damage resulted:

- (a) from reliance on a printed search result issued by the registry; or
- (b) except as provided in subsections 42.4(2), 43(3) and 43(10) and section 43.1, from the failure of the registrar to register a printed financing statement submitted for registration pursuant to section 43.

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- (2) The Crown or any person acting on behalf of the Crown is not liable, directly or vicariously, for loss or damage suffered by a person because of:
- (a) oral advice given by an agent or employee of the Crown with respect to this Act, the regulations or the operation of the registry, unless the person who brings the actions proves that the agent or employee was not acting in good faith; or
 - (b) a failure to register, or to register correctly, a financing statement in the form of electronic data that is transmitted to the registry for the purpose of effecting a registration.
- (3) For the purpose of applying *The Limitations Act* to a claim pursuant to subsection (1), the day on which the act or omission on which the claim is based takes place is:
- (a) the day on which the search result was issued, in the case of an action brought pursuant to clause (1)(a); or
 - (b) the day on which the financing statement was submitted for registration, in the case of an action brought pursuant to clause (1)(b).
- (4) Except as otherwise provided in this Act, no action or proceeding lies or shall be commenced against the Crown, the minister, the registrar, any deputy registrar, any other person authorized to act on behalf of the registrar pursuant to subsection 42.2(6) or any employee of the Crown if that person is acting pursuant to the authority of this Act, the regulations or any other Act, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act, the regulations or any other Act or in the carrying out or supposed carrying out of any responsibility imposed by this Act, the regulations or any other Act”.

Section 53 amended

151(1) Subsection 53(1) is amended by striking out “corporation”.

(2) Subsection 53(4) is amended by striking out “corporation”.

Section 54 amended

152(1) Subsection 54(2) is amended by striking out “corporation”.

(2) Subsection 54(3) is amended by striking out “corporation”.

(3) Subsection 54(4) is amended by striking out “corporation” wherever it appears.

(4) Subsection 54(5) is amended by striking out “corporation”.

Sections 54.1 and 54.2 repealed

153 Sections 54.1 and 54.2 are repealed.

Section 71 amended

154(1) Subsection 71(1) is amended:

(a) by repealing clause (d); and

(b) by repealing clause (p.3).

(2) Subsection 71(3) is amended by striking out “subsection 42(12)” and substituting “subsection 42.4(9)”.

DIVISION 15

*The Personal Property Security Amendment Act, 2000***S.S. 2000, c.21, sections 12 to 15 repealed**

155 Sections 12 to 15 of *The Personal Property Security Amendment Act, 2000* are repealed.

DIVISION 16

*The Vital Statistics Administration Transfer Act***S.S. 2008, c.V-7.3 amended**

156 *The Vital Statistics Administration Transfer Act* is amended in the manner set forth in this Division.

New sections 2 to 4

157 Sections 2 to 4 are repealed and the following substituted:

“Interpretation

2 In this Act:

(a) **‘CIC’** means the Crown Investments Corporation of Saskatchewan continued pursuant to *The Crown Corporations Act, 1993*;

(b) **‘corporation’** means e-Health Saskatchewan created by the Lieutenant Governor in Council as a Crown corporation pursuant to *The Crown Corporations Act, 1993*, through which the minister shall administer this Act, *The Vital Statistics Act, 2009* and *The Change of Name Act, 1995*;

(c) **‘ISC’** means Information Services Corporation of Saskatchewan incorporated pursuant to *The Crown Corporations Act, 1993* and continued pursuant to *The Business Corporations Act* by *The Information Services Corporation Act* as Information Services Corporation, and includes any continuation of it resulting from one or more amalgamations pursuant to *The Business Corporations Act*;

(d) **‘minister’** means the member of the Executive Council to whom for the time being the administration of this Act is assigned.

“Transfer of administration

3(1) The corporation is responsible to the minister in the performance of the duties imposed on the corporation and the exercise of the powers conferred on the corporation for the purpose of administering this Act, *The Vital Statistics Act, 2009* and *The Change of Name Act, 1995*.

(2) All revenues derived from fees, taxes, rates and other charges imposed or collected pursuant to this Act, *The Vital Statistics Act, 2009* or *The Change of Name Act, 1995* are to be paid to and are the property of the corporation, unless Treasury Board directs that all or any of the revenues be paid to the general revenue fund.

“Transfer of employees

4(1) Notwithstanding any other Act or law or provision of a contract, for the purpose of facilitating the administration of this Act, *The Vital Statistics Act, 2009* and *The Change of Name Act, 1995*, the president, chief executive officer or other head of ISC may, by agreement with the corporation, transfer any employees or class of employees of ISC to and cause them to become employees of the corporation.

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- (2) Notwithstanding any other Act or law or provision of a contract, any transfer described in subsection (1):
- (a) does not constitute the abolition or termination of any position or job;
 - (b) does not require any advance notice, including any notice that may be required pursuant to *The Trade Union Act* or *The Labour Standards Act*; and
 - (c) does not constitute constructive dismissal of any person or a breach of contract”.

New section 6**158 Sections 6 and 7 are repealed and the following substituted:****“Transfer of assets and liabilities**

- 6(1)** Notwithstanding any other Act or law, the Lieutenant Governor in Council or ISC may transfer to and vest in the corporation or CIC any assets, liabilities, contracts and causes of action of ISC respecting the operations of the Vital Statistics Registry or the Change of Name Registry or arising from the administration or enforcement of *The Vital Statistics Act, 2009* or *The Change of Name Act, 1995*, subject to any terms and conditions that the Lieutenant Governor in Council may set.
- (2) If any things and matters mentioned in subsection (1) are transferred to CIC, the Lieutenant Governor in Council or CIC may transfer those things or matters to the Government of Saskatchewan or the corporation subject to any terms and conditions that the Lieutenant Governor in Council or CIC may set.
- (3) If any things and matters mentioned in subsection (1) are transferred to the Government of Saskatchewan, the Lieutenant Governor in Council may transfer those things or matters to the corporation subject to any terms and conditions that the Lieutenant Governor in Council may set.
- (4) The corporation may exercise all the powers, rights and privileges over or with respect to the things and matters mentioned in subsection (1) that ISC could or might have exercised, and may:
- (a) sell, release, discharge, assign, transfer, convey, dispose of or otherwise deal with all or any of those things and matters;
 - (b) execute all requisite or proper assignments, transfers, discharges, releases, grants or other conveyances or documents that may be required; and
 - (c) exercise all powers in connection with those things and matters in the name of the corporation as if they stood in the name of, or had been made to or in favour of, the corporation.
- (5) No action, appeal, application or other proceeding being carried on or power or remedy being exercised with respect to the things and matters mentioned in subsection (1) is to be discontinued or abated on account of this Act, but may be continued in the name of the corporation, and the corporation has the same rights, is subject to the same liabilities, and shall pay or receive the same costs as if the action, appeal, application or other proceeding had been commenced or defended in the name of the corporation.

(6) With respect to the things and matters mentioned in subsection (1), the corporation may bring, maintain and exercise in its own name any action, appeal, application or other proceeding, or exercise any power, right or remedy that ISC could have brought, maintained or exercised.

(7) Subject to subsection (8), the corporation is responsible for all liabilities of ISC with respect to the matters and things mentioned in subsection (1), and nothing in this Act affects the rights of any person having a claim against ISC with respect to those matters and things, and all those rights may be asserted against the corporation.

(8) If a claim is made or an action is brought against the corporation respecting an error or omission made in the administration of *The Vital Statistics Act, 2009*, any former *Vital Statistics Act*, *The Change of Name Act, 1995*, any former *Change of Name Act* or a provision of any other Act that imposes a duty or confers a power on the Director of Vital Statistics, any payment to be made respecting the claim or action is to be made:

- (a) by the Minister of Finance from the general revenue fund if the error or omission occurred before the coming into force of this section; and
- (b) by the corporation if the error or omission occurred on or after the coming into force of this section”.

Section 8 repealed

159 Section 8 is repealed.

New section 9

160 Section 9 is repealed and the following substituted:

“Certain matters not affected

9 Any activity undertaken by the registrar or a deputy registrar and not completed before the coming into force of this section may be continued by the registrar or a deputy registrar after the coming into force of this section”.

Section 12 repealed

161 Section 12 is repealed.

New section 13

162 Section 13 is repealed and the following substituted:

“Regulations

13 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (c) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act”.

New section 15.1

163 The following section is added after section 15:

“Limitation of actions respecting amendments

15.1 No action or proceeding lies or shall be commenced against the Government of Saskatchewan, any member of the Executive Council, the corporation, CIC, ISC or any officer, employee or agent of the Government of Saskatchewan, the corporation, CIC or ISC because of the enactment of the amendments to this Act by *The Operation of Public Registry Statutes Act*”.

PART VIII

Coming into Force

Coming into force

164 This Act comes into force on proclamation.

SECOND SESSION

Twenty-seventh Legislature

SASKATCHEWAN

B I L L

No. 95

An Act respecting the Operation of Public Registry Statutes, establishing the Office of Public Registry Administration and making consequential and related amendments to other Acts

Received and read the

First time

Second time

Third time

And passed

Honourable Gordon Wyant
