

# BILL

No. 99

## An Act to amend *The Emergency 911 System Act* and to make consequential amendments to other Acts

(Assented to \_\_\_\_\_)

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

### Short title

**1** This Act may be cited as *The Emergency 911 System Amendment Act, 2022*.

### SS 1996, c E-7.3 amended

**2** *The Emergency 911 System Act* is amended in the manner set forth in this Act.

### Section 2 amended

**3 Section 2 is amended:**

**(a) by adding the following clause before clause (c):**

“(b.1) ‘**dispatch**’ means coordinating the emergency services with appropriate emergency service providers after receiving information from the public safety answering point”;

**(b) by repealing clause (c) and substituting the following:**

“(c) ‘**emergency 911 telecommunication**’ means an emergency telephone call placed to a public safety answering point by means of dialling the telephone digits 911 or by other means supported by the public safety answering point”;

**(c) by repealing clause (i) and substituting the following:**

“(i) ‘**public safety answering point**’ means a telecommunication answering point that receives emergency 911 telecommunications and:

(i) directs those telecommunications to appropriate emergency service providers; or

(ii) dispatches those telecommunications for the appropriate emergency service providers”;

**(d) by repealing clause (j);**

**(e) by adding the following clause before clause (k):**

“(j.1) ‘**Sask911 fee**’ means a prescribed fee”;

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**(f) by repealing clause (k) and substituting the following:**

“(k) ‘**Sask911 system**’ means a province-wide emergency telecommunications service that connects a person making an emergency 911 telecommunication to emergency service providers through a public safety answering point, and includes:

- (i) the province-wide radio communication network to be used by emergency service providers; and
- (ii) any other prescribed service, activity or undertaking”; **and**

**(g) by adding the following clauses after clause (m):**

“(n) ‘**telecommunications**’ means the emission, reception, transmission, switching, storage, compilation, transformation or manipulation of information or intelligence of any nature and includes any means by which communication, video, computer or data services are provided;

“(o) ‘**telecommunications service provider**’ or ‘**telco**’ means a provider of local telephone services that is recognized by the Canadian Radio-television and Telecommunications Commission pursuant to the *Telecommunications Act* (Canada)”.

## New section 3

**4 Section 3 is repealed and the following substituted:****“Purposes**

**3** The purposes of this Act are:

- (a) to provide for the development, implementation, enhancement and operation of the Sask911 system; and
- (b) any other prescribed purpose”.

## Section 4 amended

**5 Section 4 is amended by adding “, enhancement” after “implementation”.**

## Section 5 amended

**6 Section 5 is amended:**

- (a) in clause (a) by striking out “SaskTel” and substituting “telcos”;
- (b) in clause (d) by adding “, enhancement” after “implementation”;
- (c) by striking out “and” after clause (d); and
- (d) by adding the following after clause (d):

“(d.1) subject to the regulations, establish the Sask911 fee and charge the Sask911 fee to those classes of customers of telcos who have the ability to place emergency 911 telecommunications;

“(d.2) subject to the regulations, collect Sask911 fees;

“(d.3) subject to the regulations, set and charge other fees, rates and other charges for Sask911 system services as it considers appropriate to fulfil the objects and purposes of the Sask911 system and this Act;

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“(d.4) establish, develop, or operate any program or undertaking that SPSA considers will be conducive to the Sask911 system;

“(d.5) prepare and administer policies, programs, standards, guidelines, objectives, codes of practice, protocols, systems, procedures and directives for the purposes of the administration and enforcement of this Act and the regulations; and”.

**Section 7 repealed****7 Section 7 is repealed.****New sections 7.1 and 7.2****8 The following sections are added before section 8:****“Sask911 expenses**

**7.1** SPSA may pay for costs associated with the purposes of this Act, including the associated administration costs, with funds and revenue from:

- (a) Sask911 fees paid to SPSA;
- (b) revenue earned from Sask911 system activities, including but not limited to:
  - (i) dispatching;
  - (ii) partnership funding;
  - (iii) service fees;
  - (iv) equipment leasing; and
  - (v) any other prescribed activities;
- (c) other SPSA funds; and
- (d) any funds appropriated by the Legislature for the purposes.

**“Sask911 fees**

**7.2(1)** If a Sask911 fee has been prescribed:

- (a) SPSA shall charge the Sask911 fee to telcos and their customers who are required by the regulations to pay the Sask911 fee; and
- (b) the telcos and their customers mentioned in clause (a) shall pay the Sask911 fee.

(2) Notwithstanding any other Act or any contract, every telco that provides services in Saskatchewan shall, in every month, inform SPSA of the average number of the telco’s working telecommunications lines that have the capacity to place emergency 911 telecommunications through SaskTel’s telecommunications system or any other record or information requested by SPSA.

(3) Every telco in Saskatchewan shall register with the minister by providing the prescribed information within the prescribed periods”.

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## Section 8 amended

**9(1) Clause 8(1)(b) is repealed and the following substituted:**

“(b) assisting in the development of policies, programs, standards, guidelines, objectives, codes of practice, protocols, systems, procedures and directives”.

**(2) Subsection 8(2) is repealed and the following substituted:**

“(2) When requested by the minister, a council of a municipality, the provincial health authority or an emergency service provider, a telco, a ministry, an agency or a Crown corporation of the Government of Saskatchewan shall participate in the development, implementation, enhancement and operation of the Sask911 system”.

**(3) Subsection 8(3) is repealed and the following substituted:**

“(3) Subsection (2) does not apply to the Royal Canadian Mounted Police or to any telco, other than SaskTel, that is governed by the *Telecommunications Act* (Canada), but any of them may agree to participate in the development, implementation, enhancement and operation of the Sask911 system”.

**(4) Subsection 8(4) is amended in the portion preceding clause (a) by striking out “telecommunications service provider” and substituting “telco”.****(5) Subsection 8(5) is repealed and the following substituted:**

“(5) The minister may establish an advisory committee, which may include representatives from any organization, government or Indian band requested to participate pursuant to subsection (2), to advise and recommend on the development, implementation, enhancement and operation of the Sask911 system”.

## New section 9

**10 Section 9 is repealed and the following substituted:****“Immunity**

**9** No action lies or shall be instituted against the Crown, the minister, a municipality, an Indian band, a telco, an emergency service agency or provider, a government organization, a public safety answering point, or an operator, responder or employee engaged by any of them, a volunteer or a volunteer organization by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done by any of them in carrying out or in the supposed carrying out of any responsibility, duty or power while:

- (a) responding to an emergency 911 telecommunication;
- (b) acting at the request of an emergency service provider who is responding to an emergency 911 telecommunication;
- (c) operating a public safety answering point; or
- (d) carrying out any responsibility or duty or exercising any power pursuant to this Act”.

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**Section 10 amended****11(1) Subsection 10(1) is amended:**

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

(b) by repealing clause (b) and substituting the following:

“(b) place or permit another person to place a false, frivolous or vexatious emergency 911 telecommunication; or

“(c) use or permit another person to use any other prescribed technology or telecommunications device to access the Sask911 system”.

**(2) Subsection 10(2) is amended:**

(a) in clause (a) by striking out “\$2,000” and substituting “\$5,000”; and

(b) in clause (b) by striking out “\$5,000” and substituting “\$10,000”.

**(3) The following subsection is added after subsection 10(2):**

“(3) No person employed or volunteering to receive an emergency 911 telecommunication shall use that person’s position or the information received in that position to financially benefit that person or a corporation, agency or any other organization with which that person is associated in a financial capacity”.

**New section 11.1****12 The following section is added after section 11:****“Confidentiality**

**11.1(1)** Subject to subsections (2) and (3), all personal information received by a public safety answering point about a person:

(a) making an emergency 911 telecommunication in good faith; or

(b) for whose benefit an emergency 911 telecommunication is made;

is confidential.

(2) No person shall make use of or disclose any of the information mentioned in subsection (1) except as may be necessary for the safe and effective operation of the Sask911 system and in a manner that respects to the greatest degree possible the privacy of the persons mentioned in clauses (1)(a) and (b).

(3) Subject to the regulations, subsections (1) and (2) do not apply to the disclosure to:

(a) an emergency service provider; or

(b) any other prescribed group or category of persons”.

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## Section 12 amended

**13 Section 12 is amended:**

- (a) in clause (b) by adding “, enhancing” after “implementing”;**
- (b) by adding the following clause after clause (b):**
  - “(b.1) prescribing purposes for the purpose of section 3”;
- (c) in clause (c) by adding “, enhancing” after “implementing”;**
- (d) in clause (d) by adding “, enhancement” after “implementation”;**
- (e) by adding the following clauses after clause (d):**
  - “(d.1) prescribing the amount of the Sask911 fee;
  - “(d.2) prescribing the classes of telcos that are required to pay the Sask911 fee and prescribing different Sask911 fees for different classes of telcos;
  - “(d.3) for the purposes of clause 10(1)(c), prescribing technology or telecommunications devices prohibited or restricted from accessing the Sask911 system”;
- (f) in clause (e) by adding “, enhancing” after “implementing”;**
- (g) by repealing clause (f) and substituting the following:**
  - “(f) respecting the confidentiality of information acquired for the development, implementation, enhancement and operation of the Sask911 system, including:
    - (i) setting out the circumstances under which that information may be disclosed; and
    - (ii) prescribing groups or categories of persons to whom subsections 11.1(1) and (2) do not apply”; **and**
- (h) by repealing clause (g) and substituting the following:**
  - “(g) excluding any council of a municipality, the provincial health authority, an emergency service provider, a telco, a ministry, an agency or a Crown corporation of the Government of Saskatchewan, or any class of municipal councils, emergency service providers, telcos, ministries, agencies or Crown corporations of the Government of Saskatchewan from the application of section 6;
  - “(g.1) respecting the establishment and collection of fees for any service or material provided or required in the administration of this Act”.

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RSS 1978, c S-34 amended

14(1) *The Saskatchewan Telecommunications Act* is amended in the manner set forth in this section.

**(2) Section 2 is amended:**

**(a) by repealing clause (a) and substituting the following:**

“(a) ‘**emergency 911 telecommunication**’ means an emergency telephone call placed to a public safety answering point by means of dialling the telephone digits 911 or by other means supported by the public safety answering point”;

**(b) by repealing clause (a.01) and substituting the following:**

“(a.01) ‘**public safety answering point**’ means a telecommunication answering point that receives emergency 911 telecommunications and:

(i) directs those telecommunications to appropriate emergency service providers; or

(ii) dispatches those telecommunications for the appropriate emergency service providers”; **and**

**(c) by repealing clauses (a.02) and (a.03).**

**(3) Subsection 9(1) is amended:**

**(a) in clause (d.2) by striking out “telephone calls” and substituting “telecommunications”;**

**(b) in clause (d.3) by striking out “telephone calls” wherever it appears and in each case substituting “telecommunications”; and**

**(c) by repealing clauses (d.4) to (d.6).**

**(4) Subsection 45.1(1) is amended:**

**(a) in the portion preceding clause (a) by striking out “clauses 9(1)(d.3) and (d.4)” and substituting “clause 9(1)(d.3)”;**

**(b) in subclause (a)(ii) by striking out “telephone calls” and substituting “telecommunications”; and**

**(c) by repealing clause (b).**

**(5) Subsections 45.1(2) to (10) are repealed.**

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**(6) Section 45.2 is repealed and the following substituted:****“911 telecommunication fees**

**45.2(1)** If a customer fails to pay a charge established pursuant to clause 9(1)(d.3) or 46(b) when required pursuant to this Act, the corporation may terminate the customer’s telecommunications services until the charge is paid in full.

(2) The charges established pursuant to clause 9(1)(d.3) or 46(b) are in addition to any sums due to the corporation from its customers pursuant to contracts in writing between the corporation and its customers.

(3) Notwithstanding any other Act or any contract, every customer shall, in every month, inform the corporation of the average number of its working telecommunications lines that have the capacity to place emergency 911 telecommunications through the corporation’s telecommunications system”.

**(7) Clauses 46(c) and (d) are repealed.****SS 1991, c S-34.1 amended**

**15(1)** *The Saskatchewan Telecommunications Holding Corporation Act* is amended in the manner set forth in this section.

**(2) Section 2 is amended:****(a) by repealing clause (i.1) and substituting the following:**

“(i.1) **‘public safety answering point’** means a telecommunication answering point that receives emergency 911 telecommunications and:

(i) directs those telecommunications to appropriate emergency service providers; or

(ii) dispatches those telecommunications for the appropriate emergency service providers”; **and**

**(b) by repealing clauses (i.2) and (i.3).****(3) Subsection 11(1) is amended:**

**(a) in clause (h.1) by striking out “telephone calls” and substituting “telecommunications”; and**

**(b) by repealing clause (h.2).**

**(4) Subsections 22.1(1) and (2) are repealed.****(5) Subsection 22.1(3) is repealed and the following substituted:**

“(3) If a customer fails to pay the charge mentioned in clause 11(1)(h.1) when required pursuant to this Act, the corporation may terminate the customer’s telecommunications services until the charge is paid in full”.

**(6) Subsection 22.1(4) is repealed and the following substituted:**

“(4) The charge mentioned in clause 11(1)(h.1) is in addition to any sums due to the corporation from its customers under contracts in writing between the corporation and its customers”.

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- (7) Subsection 22.1(5) is repealed.**
- (8) Section 23 is amended:**
  - (a) by repealing clause (a.1);**
  - (b) in clause (a.2) by striking out “telephone calls” and substituting “telecommunications”; and**
  - (c) by repealing clause (a.3).**

**Coming into force**

**16** This Act comes into force by order of the Lieutenant Governor in Council.

THIRD SESSION

# Twenty-ninth Legislature

SASKATCHEWAN

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## **BILL**

No. 99

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to make consequential amendments to other Acts

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Received and read the

First time

Second time

Third time

And passed

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Honourable Christine Tell

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