

# BILL

No. 106

An Act to amend *The Police Act, 1990*

(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 Police Amendment Act, 2022*.

**SS 1990-91, c P-15.01 amended**

**2** *The Police Act, 1990* is amended in the manner set forth in this Act.

**Section 2 amended**

**3 Section 2 is amended:**

**(a) in clause (k):**

**(i) by striking out “and” after subclause (iv);**

**(ii) by adding “and” after subclause (v); and**

**(iii) by adding the following subclause after subclause (v):**

“(vi) any other individual or class of individuals prescribed in the regulations”; **and**

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

“(q) ‘**police service**’ means a police department, police service or police force established by:

(i) a board;

(ii) an authority or person designated in the regulations pursuant to section 24.1; or

(iii) any other person or entity prescribed in the regulations”.

**Section 24 amended**

**4 Clause 24(3)(a) is amended by adding “or transfer payable” after “grant payable”.**

## POLICE AMENDMENT ACT, 2022

## New section 24.1

**5 Section 24.1 is repealed and the following substituted:****“Designated authority or person may establish police service**

**24.1(1)** The Lieutenant Governor in Council may, by order, authorize any authority or person designated in the regulations to establish a police service to provide policing services on any terms and conditions the Lieutenant Governor in Council considers appropriate.

(2) An order made pursuant to subsection (1):

(a) shall include:

(i) the jurisdiction, including the territorial jurisdiction, of the police service; and

(ii) the duties and responsibilities of the chief of police, the police board or other governing body, if applicable, and the members of the police service established pursuant to this section; and

(b) may include:

(i) provisions respecting the establishment and ongoing membership of a police board or other governing body; and

(ii) the requirement to take and subscribe to oaths or affirmations by members of a police board or other governing body.

(3) A police board or other governing body, as the case may be, and a police service established pursuant to this section are subject to this Act, including Part IV, and the regulations except as specifically exempted from the application of any provision of the Act and regulations set out in the order made pursuant to subsection (1).

(4) No authority or person that has established a police service pursuant to this section shall withdraw the delivery of police services without the approval of the Lieutenant Governor in Council.

(5) If a police service is established pursuant to this section:

(a) the Lieutenant Governor in Council may make regulations respecting any matter mentioned in section 12; and

(b) any regulations made pursuant to clause (a) apply with respect to the police board or other governing body, as the case may be, and the police service in the place of any regulations made pursuant to section 12 respecting that matter”.

## POLICE AMENDMENT ACT, 2022

New sections 87.1 and 87.2

**6 The following sections are added after section 87:**

**“Steps by minister**

**87.1(1)** The minister may provide notification to a board and request the board to take any action the minister considers necessary if, in the opinion of the minister, a municipality is not:

- (a) providing or maintaining adequate and effective policing services within the municipality; or
- (b) complying with this Act or the regulations.

(2) Subject to the regulations, if the board does not comply with a request made pursuant to subsection (1), the minister may do any of the following:

- (a) appoint members or special constables for the purposes of providing policing services for that municipality;
- (b) request another police service to provide policing services to the municipality on an interim basis;
- (c) do any other thing necessary to create adequate and effective policing services within the municipality.

(3) If the minister appoints members or special constables pursuant to clause (2)(a), the minister may set the remuneration of the members or special constables in accordance with any collective agreement that has been entered into with respect to a police service.

(4) The remuneration of members or special constables appointed by the minister pursuant to subsection (2) and any other costs incurred as a result of the action taken by the minister in accordance with that subsection are to be paid by the municipality.

(5) If a municipality is in default of any payment required by subsection (4), the Lieutenant Governor in Council, by order, may direct the municipality to pay to the Government of Saskatchewan any amount that the Lieutenant Governor in Council considers necessary for any costs mentioned in subsection (4).

(6) If a municipality refuses or neglects to pay the amount required pursuant to subsection (5), that amount:

- (a) may be deducted from any grant payable or transfer payable by the Government of Saskatchewan to the municipality; or
- (b) may be recovered by an action in any court of competent jurisdiction as a debt due to the Crown in right of Saskatchewan.

(7) This section applies, with any necessary modification, to:

- (a) a police service established pursuant to section 24.1;
- (b) a regional police service established pursuant to section 28; and
- (c) any other entity prescribed in the regulations that is responsible for providing policing services in Saskatchewan.

## POLICE AMENDMENT ACT, 2022

**“Request for information by minister**

**87.2(1)** Subject to the regulations, the board or chief shall provide the minister with any information that the minister may request from time to time respecting the provision of policing services.

(2) The information requested pursuant to subsection (1) is to be provided in the form and manner and within the time specified by the minister.

(3) The board or chief is not required to provide information pursuant to this section in circumstances prescribed in the regulations”.

**Section 95 amended****7 Subsection 95(1) is amended:****(a) by adding the following clauses after clause (b):**

“(b.1) prescribing individuals or classes of individuals for the purposes of subclause 2(k)(vi);

“(b.2) prescribing persons or entities for the purposes of subclause 2(q)(iii)”; **and**

**(b) by adding the following clauses after clause (e.4):**

“(e.5) respecting any matters related to the exercise of the minister’s powers for the purposes of subsection 87.1(2);

“(e.6) prescribing entities for the purposes of subsection 87.1(7);

“(e.7) governing the providing of information to the minister by a board or chief for the purposes of section 87.2”.

**Coming into force**

**8** 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. 106

An Act to amend *The Police Act, 1990*

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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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