BILL

No. 71

An Act to amend *The Personal Care Homes Act*

(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 Personal Care Homes (Safer Homes for Seniors) Amendment Act, 2026*.

SS 1989-90, c P-6.01 amended

2 *The Personal Care Homes Act* is amended in the manner set forth in this Act.

Section 2 amended

3 Section 2 is amended:

(a) by repealing clause (a.2); and

(b) by adding the following clause after clause (d):

"(d.1) **'ministry'** means the ministry over which the minister presides**".**

Section 4 amended

4 Clause 4(a) is amended by striking out "department**" and substituting "**ministry**".**

Section 5 amended

5 Subsection 5(1) is amended in the portion preceding clause (a) by striking out "department**" and substituting "**ministry**".**

Section 8.1 amended

6 Subclause 8.1(9)(a)(ii) is amended by striking out "department**" and substituting "**ministry**".**

New sections 13.1 to 13.7

7 The following sections are added after section 13:

"Power of minister to order compliance

13.1(1) The minister may issue an order pursuant to subsection (2) in any of the following circumstances:

(a) a person is not complying with this Act or the regulations;

(b) the minister considers it in the public interest to issue the order.

(2) Subject to section 13.3, in any of the circumstances mentioned in subsection (1), the minister may order a person to do any of the following:

(a) cease doing, attempting to do or omitting to do an act;

(b) comply with this Act or the regulations;

(c) remedy any contravention of this Act or the regulations.

(3) Notwithstanding section 13.3, if the minister considers that it is necessary and in the public interest to take immediate action, the minister:

(a) may immediately make an order pursuant to subsection (2) without giving the person who is subject to the order an opportunity to make written representations; and

(b) must give the person who is subject to the order an opportunity to make written representations within 15 days after the date on which the minister made the order.

(4) An order pursuant to this section may specify one or more deadlines or periods for complying with the order.

"Administrative penalties

13.2(1) Subject to section 13.3, the minister may assess an administrative penalty against a person for failure to comply with an order of the minister issued pursuant to section 13.1 or for any other contravention of this Act or the regulations.

(2) The administrative penalty assessed by the minister may consist of:

(a) a single monetary amount not exceeding $5,000;

(b) a daily amount not exceeding $1,000 for each day or part of a day during which the contravention continues; or

(c) a combination of clauses (a) and (b).

(3) No administrative penalty is to be assessed by the minister more than 3 years after the act or omission that renders the person liable for an administrative penalty first came to the knowledge of the minister.

(4) The written notice required to be served on the person pursuant to subsection 13.3(2) must, in addition to the requirements set out in that subsection:

(a) set out the reasons for the administrative penalty; and

(b) specify the amount of the administrative penalty.

(5) After considering any written representations made pursuant to section 13.3, the minister, in addition to the requirements set out in subsection 13.3(7), may:

(a) assess an administrative penalty in the amount set out in the notice provided pursuant to subsection 13.3(2) and set a date by which the administrative penalty is to be paid in full;

(b) assess a revised administrative penalty and set a date by which the administrative penalty is to be paid in full; or

(c) determine that no administrative penalty should be assessed.

(6) The minister shall serve a copy of the decision pursuant to subsection (5) on the person who is the subject of the assessment.

(7) The minister may assess an administrative penalty pursuant to this section notwithstanding that the facts and circumstances giving rise to the administrative penalty arose due to the actions of an employee, helper, contractor, partner, affiliate or agent of the person required to pay the administrative penalty.

(8) If a corporation commits a contravention mentioned in subsection (1), the minister may, in accordance with this section, assess an administrative penalty against any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the contravention, whether or not the minister has assessed an administrative penalty against the corporation.

"Opportunity to make written representations

13.3(1) In this section, **'action'** means an order that the minister may make pursuant to subsection 13.1(2) or an assessment of an administrative penalty that the minister may make pursuant to subsection 13.2(1).

(2) Before taking an action, the minister shall serve notice, in writing, on the person who is the subject of the action:

(a) setting out the action proposed to be taken by the minister and the grounds that, in the minister's opinion, justify the action; and

(b) informing the person of the person's right to make written representations to the minister respecting the action.

(3) A person who is the subject of an action may, within 15 days after receiving the notice pursuant to subsection (2), advise the minister that the person wishes to make written representations to the minister respecting the action.

(4) Written representations pursuant to subsection (3) must be received by the minister within 30 days after the person receives the notice pursuant to subsection (2).

(5) The minister may take the action stated in the notice without considering any written representations if the person who is the subject of the action fails to:

(a) advise the minister in accordance with subsection (3); or

(b) submit any written representations within the 30-day period mentioned in subsection (4).

(6) The minister may extend the periods mentioned in this section and in clause 13.1(3)(b) if, in the minister's opinion, it is appropriate to do so.

(7) On receiving a person's written representations pursuant to this section, the minister shall, within a reasonable period:

(a) consider the submissions and make a decision;

(b) notify the person, in writing, of the minister's decision;

(c) provide written reasons for the minister's decision; and

(d) if an administrative penalty has been assessed pursuant to section 13.2, provide the person with information respecting the right of appeal pursuant to section 13.5.

"Enforcement of administrative penalty

13.4(1) The minister may file in the court a certificate signed by the minister and setting out:

(a) the amount of the administrative penalty assessed pursuant to section 13.2; and

(b) the person from whom the administrative penalty is to be recovered.

(2) A certificate filed pursuant to this section has the same force and effect as if it were a judgment obtained in the court for the recovery of a debt in the amount set out in the certificate, together with reasonable costs and charges with respect to its filing.

(3) Any administrative penalty payable pursuant to this section is a debt due to and recoverable by the Crown in right of Saskatchewan and may be recovered in the manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

"Appeal to court re administrative penalty

13.5(1) Any person aggrieved by a decision of the minister to assess an administrative penalty against that person pursuant to section 13.2 may appeal that decision on a question of law to a judge of the court within 30 days after the date of service of the minister's decision pursuant to section 13.2 or 13.3, as the case may be.

(2) The record of an appeal pursuant to subsection (1) consists of:

(a) the minister's decision;

(b) any written representations made to the minister by the person named in the decision;

(c) the notice of application commencing the appeal;

(d) any other prescribed documents or materials; and

(e) any other material that the court may require.

(3) On hearing an appeal pursuant to this section, the judge of the court may issue an order:

(a) confirming the administrative penalty;

(b) amending the amount of the administrative penalty; or

(c) quashing the minister's decision to assess an administrative penalty.

"Minister may apply for compliance order

13.6(1) The minister may apply to a judge of the court for any of the following:

(a) an order compelling a person to comply with this Act, the regulations or an order issued pursuant to this Act or the regulations;

(b) an order enjoining any person from proceeding contrary to this Act, the regulations or an order issued pursuant to this Act or the regulations.

(2) On an application pursuant to this section, the judge of the court may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate.

(3) The minister may apply for an order pursuant to subsection (1) whether or not an order pursuant to this Act has been issued with respect to the matter.

"Public notice

13.7 Notice of administrative penalties, court-ordered compliance, cancellation, revocation or suspension of a licence, or any other orders made pursuant to this Act may be published in any manner that the minister considers necessary, including posting the notice on the government's website**".**

Section 14.1 amended

8 Subclause 14.1(1)(a)(ii) is amended by striking out "department**" and substituting "**ministry**".**

Section 14.11 amended

9 Subclause 14.11(3)(a)(ii) is amended by striking out "department**" and substituting "**ministry**".**

Section 16 amended

10 Section 16 is amended by striking out "department**" wherever it appears and in each case substituting "**ministry**".**

New section 18.1

11 The following section is added after section 18:

"Service

18.1(1) Any notice or other document that is required to be served pursuant to this Act or regulations or in any proceeding or matter under the jurisdiction of the minister may be served:

(a) by personal service made:

(i) in the case of an individual, on that individual;

(ii) in the case of a partnership, on any partner;

(iii) in the case of a corporation, on any officer or director of the corporation;

(b) by registered mail addressed to the last address of the person to be served known to the minister;

(c) in the case of a notice to the public, or to persons who are too numerous to be served individually, by publishing the notice in any manner that the minister may direct; or

(d) by any other prescribed means.

(2) A notice or document sent by registered mail is deemed to have been served on the fifth business day after the date of its mailing unless the person to whom it was mailed establishes that, through no fault of that person, the person did not receive the notice or document or received it at a later date.

(3) Service of a notice or document by any other prescribed means is to be proved in the prescribed manner.

(4) A notice or other document required to be served on the minister may be served:

(a) by leaving it at the office of the minister with any person appearing to have authority to accept the notice or document;

(b) by registered mail addressed to the address of the office of the minister; or

(c) by any other prescribed means.

(5) Any person entitled to be served a notice or a document may at any time waive, in writing, service of the notice or document**".**

Section 19 amended

12 Section 19 is amended:

(a) by adding the following clause after clause (e.3):

"(e.4) prescribing documents or materials for the purposes of clause 13.5(2)(d)**"; and**

(b) by adding the following clause after clause (o):

"(o.1) respecting the service of documents**".**

New section 20

13 Section 20 is repealed and the following substituted:

"Offence and penalties

20(1) Every person who contravenes any provision of this Act or the regulations is guilty of an offence and is liable on summary conviction to a fine of:

(a) in the case of an individual, not more than $10,000, and to a further fine of not more than $2,000 for each day or part of a day during which the offence continues; and

(b) in the case of a corporation, not more than $25,000, and to a further fine of not more than $5,000 for each day or part of a day during which the offence continues.

(2) If a corporation commits an offence mentioned in subsection (1), any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties provided pursuant to clause (1)(a) for the offence, whether or not the corporation has been prosecuted or convicted**".**

Coming into force

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

THIRD SESSION

Thirtieth Legislature

SASKATCHEWAN

BILL

No. 71

An Act to amend *The Personal Care Homes Act*

Received and read the

First time

Second time

Third time

And passed

Honourable Lori Carr

Printed under the authority of
The Speaker of the Legislative Assembly
of Saskatchewan
2026