

## EXPLANATORY NOTES

### B I L L

No. 164

#### An Act to amend The Statute Law

#### **Clause of Bill**

1 *The Statute Law Amendment Act, 2018 (No. 3)*

2 **Existing Provision**

*The Agricultural Implements Act.*

#### **Interpretation**

#### **2 In this Act:**

(e) “**financial institution**” means any of the following institutions if the legislation of the jurisdiction where the institution is incorporated or continued authorizes the institution to engage in financial leasing and the institution’s constating documents or bylaws do not prohibit it from engaging in financial leasing:

(i) a bank to which the *Bank Act* (Canada) applies;

(ii) an entity licensed pursuant to *The Trust and Loan Corporations Act, 1997*, including a financial leasing corporation as defined in that Act;

2003, c.5, s.3; 2016, c28, s.2.

#### **Explanation**

Section 2 amends clause 2(e) of *The Agricultural Implements Act* to update the definition of “financial institution”. The references to banks and credit union are simplified, as both “bank” and “credit union” are already defined by *The Interpretation Act, 1995*.

3 **Existing Provision**

*The Agricultural Leaseholds Act.*

#### **Interpretation**

**2** In this Act:

(d) **“lease”** means any agreement creating a *bona fide* tenancy between a landlord and tenant, in respect of agricultural land, which provides for payment of the rent reserved, or any part thereof, or for payment in lieu of rent, by the tenant delivering to the landlord or to his order a share of the crop grown or to be grown on such land, or the proceeds of such share.

1969, c.3, s.2; R.S.S. 1978, c.A-12, s.2.

**Right of tenant whose lease has expired to re-enter for harvesting purposes**

**3(1)** Notwithstanding anything in any Act or law, or in any agreement, but subject to the provisions of this Act, where by reason of:

- (a) unfavourable weather conditions;
- (b) shortage of crop storage accommodation;
- (c) impossibility of sale; or
- (d) any other cause designated by regulation of the Lieutenant Governor in Council;

the harvesting of any crop grown by a tenant during the final year or season of a lease held by him has not been fully completed by the date of termination of the lease, the tenant may thereafter, by himself or his agent duly authorized in writing, re-enter upon the demised land, with necessary assistants, vehicles, animals, implements, equipment and supplies, and without unnecessary delay, and without causing avoidable damage, complete such harvesting.

(2) Re-entry by the tenant under subsection (1) may only be made upon and following the giving of not less than seven days' prior written notice of his intention to do so to the occupant of the land or, where the land is unoccupied, to the owner thereof.

(6) Where a tenant gives notice of intention to make re-entry in accordance with the provisions of this Act, the owner as well as the occupant of the land shall afford him every reasonable opportunity to complete the work of harvesting as specified in such notice.

1969, c.3, s.3; R.S.S. 1978, c.A-12, s.3; 1989-90, c.54, s.4.

### **Liability of owner or occupant who fails to observe terms of Board's order**

**7** Where on an application under section 5 or 6 the Provincial Mediation Board orders that the tenant or his agent be permitted to enter the land and to exercise the rights conferred by subsection (1) of section 3 and the owner or occupant of the land hinders or prevents the tenant or his agent from so doing, the owner or occupant, as the case may be, is guilty of an offence and liable on summary conviction to the penalties provided by section 20 of *The Provincial Mediation Board Act*; and in case of a conviction the convicting judge or justice of the peace shall order the person convicted to allow the tenant or his agent to enter upon the land along with all necessary assistants, vehicles, animals, implements, equipment and supplies and to exercise the rights conferred by subsection (1) of section 3.

1969, c.3, s.7; R.S.S. 1978, c.A-12, s.7; 2016, c28, s.3.

### **Penalty**

**10** Where the crop grown by a tenant has not been fully harvested prior to the termination of his lease, any person who, within the time as provided in this Act or in any order made by the Board under clause (a) of section 6 giving the tenant the right to complete the harvesting, wilfully causes or permits the crop or any part thereof to be damaged or destroyed, in addition to any other liability for such damage or destruction, is guilty of an offence and liable on summary conviction to a fine not exceeding \$250 and in default of payment to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

1969, c.3, s.10; R.S.S. 1978, c.A-12, s.10.

### **Explanation**

Proposed section 3 amends *The Agricultural Leaseholds Act* in clause 2(d), subsections 3(1), (2) and (6), and sections 7 and 10 to implement gender-neutral language and make other minor housekeeping updates.

## **4 Existing Provision**

### ***The Ambulance Act.***

#### **Air ambulance**

**41** The minister may, subject to this Act and the regulations, alone or in conjunction with any other department or agency of the government or with any other person, provide ambulance services and air ambulance services to any

person.

1986, c.A-18.1, s.41.

**Explanation**

Proposed section 4 amends section 41 of *The Ambulance Act* by replacing a reference to “department” with “ministry”.

**5 Existing Provision**

*The Child and Family Services Act.*

**Child in need of protection**

**11** A child is in need of protection if:

(c) the child is less than 12 years of age and:

(i) there are reasonable and probable grounds to believe that:

(A) the child has committed an act that, if the child were 12 years of age or more, would constitute an offence under the *Criminal Code* or the *Controlled Drugs and Substances Act* (Canada); and

1989-90, c C-7.2, s.11; 1999, c.14, s.3; 2018, c 8, s.8.

**Explanation**

Proposed section 5 amends paragraph 11(c)(i)(A) of *The Child and Family Services Act* to:

- Add a reference to the federal *Cannabis Act*; and
- Update the formatting of the provision.

**6 Existing Provision**

*The Coroners Act, 1999.*

**Area may be cordoned off and preserved**

**12** (3) A coroner may:

(b) place peace officers in charge of the area to prevent disturbance of the area until the coroner has made any examination that the coroner considers necessary.

1999, c.C-38.01, s.12.

**Explanation**

Proposed section 6 updates clause 12(3)(b) of *The Coroners Act, 1999* by updating the wording from “prevent disturbance” to “prevent any disturbance.”

**7 Existing Provision**

*The Correctional Services Act, 2012.*

**Agreements**

**5** Subject to *The Federal-Provincial Agreements Act* and sections 17 and 17.1 of *The Government Organization Act*, the minister may enter into agreements, on behalf of the Government of Saskatchewan for any purpose related to the exercise of any powers or the carrying out of any of the responsibilities assigned or transferred to the minister by or pursuant to this Act or any other Act or law, with:  
2012, c.C-39.2, s.5.

**Explanation**

Proposed section 7 amends section 5 of *The Correctional Services Act, 2012* by replacing an outdated reference to *The Government Organization Act* with *The Executive Government Administration Act*.

**8 Existing Provision**

*The Crop Payments Act.*

**Leases**

**3** In all cases in which a *bona fide* lease has been made and a *bona fide* tenancy created between a landlord and tenant providing for payment of the rent reserved or any part thereof, or for payment in lieu of rent, by the tenant delivering to the landlord a share of the crop grown or to be grown on the demised premises, or the proceeds of such share, then, notwithstanding anything in *The Personal Property Security Act, 1993*, or in any other statute, or in the common law, the lessor, his personal representative and assigns shall, without registration, have a right to the crops or the proceeds thereof to the extent of the share or interest reserved or agreed to be paid or delivered to him under the terms of such lease, in priority to the interest of the lessee in the crops or the proceeds thereof, and to the interest of any person claiming through or under the lessee, whether as execution creditor, purchaser, mortgagee or otherwise.

R.S.S. 1978, c.C-48, s.3; 1979-80, c.21, s.4;  
1993, c.P-6.2, s.75.

**Sales**

**4** When land has been sold under an agreement for sale providing for payment of the purchase money or part thereof by the purchaser delivering to the vendor a share of the crops grown on the land or paying to the vendor the proceeds of such share, then, notwithstanding anything in *The Personal Property Security Act, 1993* or in any other statute, or in the common law, the vendor, his personal representatives and assigns shall, without registration, have a right to the crops of the proceeds thereof to the extent of the share or interest agreed to be delivered or paid over, in priority to the interest of the purchaser, his personal representatives or assigns in such crops or the proceeds thereof, and to the interest of any other persons claiming through or under the purchaser, his personal representatives or assigns, whether as execution creditor, purchaser, mortgagee or otherwise.

R.S.S. 1978, c.C-48, s.4; 1979-80, c.21, s.5;  
1993, c.P-6.2, s.75.

**Special interest of lessor, vendor or mortgagee**

**6(1)** In the case of any *bona fide* lease, agreement for sale or mortgage as set forth in sections 2, 3, 4 and 5, from the moment of the sowing of the crop until delivery to or receipt by the lessor, vendor or mortgagee of his share, an undivided interest in the crop to the extent of the share agreed to be delivered, or to the extent of a one third share in the crop, whichever shall be the less, shall vest in the lessor, vendor or mortgagee, as the case may be; but the crop shall for all purposes remain at the risk of the lessee, purchaser or mortgagor until actual delivery or receipt as aforesaid, and until such delivery or receipt the lessee, purchaser or mortgagor shall hold such undivided interest in trust for the lessor, vendor or mortgagee.

R.S.S. 1978, c.C-48, s.6.

**Explanation**

Proposed section 8 amends *The Crop Payments Act*.

The proposed amendments to sections 3 and 4 splits the section into several subsections to make the provisions clearer and make a number of other housekeeping updates, such as implementing gender-neutral language.

The proposed change to subsection 6(1) implements gender-neutral language.

**9 Existing Provision**

*The Dental Disciplines Act.*

**Bylaws**

**15** (3) Subject to this Act, the council of the College of Dental Surgeons of Saskatchewan may make:

(a) administrative bylaws permitting the College of Dental Surgeons of Saskatchewan to establish dental services plans to be operated by the College of Dental Surgeons of Saskatchewan directly or through a non-profit corporation controlled by it for the purposes of providing dental services in conjunction with:

(iv) any board of education, conseil scolaire or the conseil général; or

**Limitations on certain authorized practices**

**25**(1) For the purposes of this section, “**employer**” means:

(h) a board of education, conseil scolaire or the conseil général within the meaning of *The Education Act, 1995*;

1997, c.D-4.1, s.25; 2002, c.R-8.1, s.72; 2014, c.17, s.6; 2014, c.S-32.21, s.34; 2017, c P-30.3, s.11-1.

**Explanation**

Proposed section 9 amends *The Dental Disciplines Act* in subclause 15(3)(a)(iv) and clause 25(1)(h) by removing outdated references to the conseil général.

**10 Existing Provision**

*The Expropriation Procedure Act.*

**Continuation, powers and duties, etc.**

**6**(10) For the purposes of giving effect to the employment of employees and determining the duties, powers and conditions of employment and remuneration of persons employed pursuant to this section:

(a) the board is deemed to be a department within the meaning of *The Public Service Act, 1998*; and

R.S.S. 1978, c.E-16, s.6; 1998, c.P-42.1, s.42;  
2014, c.E-13.1, s.62.

**Explanation**

Proposed section 10 amends *The Expropriation Procedure Act* to replace a reference to “department” with “ministry.”

**11 Existing Provision**

*The Financial Administration Act, 1993*

**Road-use fuel tax accountability report**

**18.1(1)** In this section:

- (a) “**provincial transportation expenditures**” means the total of moneys appropriated by the Legislature for a fiscal year for the ministry over which the minister responsible for *The Highways and Transportation Act, 1997* presides, and expended for the fiscal year by that ministry, less:

2007, c.F-23.01, s.3; 2010, c.12, s.2.

**Explanation**

Proposed section 11 amends clause 18.1(1)(a) of *The Financial Administration Act, 1993* by updating the phrase “the minister responsible for *The Highways and Transportation Act, 1997*” to “the minister responsible for the administration of *The Highways and Transportation Act, 1997*.”

**12 Existing Provision**

*The Funeral and Cremation Services Act.*

**Authorized decision-maker**

**91 (5)** If the identity of the deceased is not known, or no one is willing to act, the Minister of Community Resources and Employment may designate a person to be the authorized decision-maker with the right to control the disposition by burial of the deceased person.

1999, c.F-23.3, s.91; 2004, c.65, s.9.

**Explanation**

Proposed section 12 amends subsection 91(5) of *The Funeral and Cremation Services Act* by replacing a reference to “Minister of Community Resources and Employment” with “minister responsible for the administration of *The Social Services Administration Act*.”



**13 Existing Provision**

*The Income Tax Act, 2000.*

**Manufacturing and processing exporter hiring incentive**

**64.3(1)** In this section:

(b) “**certificate of eligibility**” means a certificate provided by the minister responsible for *The Economic and Co-operative Development Act* approving the corporation as an eligible corporation;

2015, c.13, s.14; 2016, c.3, s.9; 2017, c 14, s.22.

**Manufacturing and processing exporter head office incentive**

**64.4(1)** In this section:

(b) “**certificate of eligibility**” means a certificate provided by the minister responsible for *The Economic and Co-operative Development Act* approving the corporation as an eligible corporation;

2015, c.13, s.14; 2016, c.3, s.10; 2017, c 14, s.23.

**Explanation**

Proposed section 13 amends *The Income Tax Act, 2000* in clauses 64.3(1)(b) and 64.4(1)(b) by updating the phrase “minister responsible for *The Economic and Co-operative Development Act*” with “minister responsible for the administration of *The Economic and Co-operative Development Act*.”

**14 Existing Provision**

*The Interprovincial Subpoena Act.*

**Interpretation**

**2** In this Act:

(b) province. means any province of Canada and includes the Yukon Territory and the Northwest Territories;

R.S.S. 1978 (Supp.), c.I-12.1, s.2; 1992, c.70, s.3.

**Proceedings in Saskatchewan**

**6(1)** Where a party to a proceeding before any court in Saskatchewan causes a

subpoena to be issued for service in another province, the party may attend upon a judge of Her Majesty's Court of Queen's Bench for Saskatchewan who shall hear and examine the party or his counsel, if any, and, upon being satisfied that the attendance in Saskatchewan of the person required as a witness:

R.S.S. 1978 (Supp.), c.I-12.1, s.6; 1979-80, c.92, s.40; 1992, c.70, s.7.

**No submission to jurisdiction**

**7** A person required to attend before a court in Saskatchewan by a subpoena adopted by a court outside Saskatchewan shall be deemed, while within Saskatchewan in answer to the subpoena, not to have submitted to the jurisdiction of the courts of Saskatchewan other than as a witness in the proceeding in which he is subpoenaed and shall be immune from seizure of goods, service of process, execution of judgment, garnishment, imprisonment or molestation of any kind relating to any legal or judicial right, cause, action, proceeding or process within the jurisdiction of the Legislature of Saskatchewan except those proceedings grounded on events occurring during or after the required attendance of the person Saskatchewan.

R.S.S. 1978 (Supp.), c.I-12.1, s.7.

**Order for additional witness fees and expenses**

**8** Where a person is required to attend before a court in Saskatchewan by a subpoena adopted by a court outside Saskatchewan, he may request the court in Saskatchewan to order additional fees and expenses to be paid in respect of his attendance as a witness, and the court, if it is satisfied that the amount of fees and expenses previously paid to the person in respect of his attendance is insufficient, may order the party who obtained the subpoena to pay the person as soon as possible such additional fees and expenses as the court considers sufficient, and amounts paid pursuant to an order made under this section are disbursements in the cause.

R.S.S. 1978 (Supp.), c.I-12.1, s.8.

**Explanation**

Proposed section 14 amends *The Interprovincial Subpoena Act*.

The proposed change to clause 2(b) adds a reference to Nunavut to the definition of "province."

The proposed changes to subsection 6(1) and section 7 implements gender-neutral language.

The proposed changes to section 8:

- Split the section into two subsections to make it easier to understand; and
- Implement gender-neutral language.

**15 Existing Provision**

*The League of Educational Administrators, Directors and Superintendents Act, 1991.*

**Interpretation**

**2** In this Act:

(c) “**board of education**” means a board of education as defined in *The Education Act*;

(d.1) “**conseil scolaire**” means a conseil scolaire as defined in *The Education Act*;

1990-91, c.L-9.02, s.2; 1993, c.55, s.178.

**Required membership**

**25(1)** No person shall be appointed or employed by or continue employment with a board of education or a conseil scolaire as:

(2) No person shall be employed by, or continue employment with, the Government of Saskatchewan as a Regional Director of Education assigned to a region of the Department of Education unless that person is a member of or has applied for membership in the league and maintains membership in the league.

(3) No person who:

(a) has a Professional Teaching Certificate;

(b) has been appointed by a board of education or a conseil scolaire to a supervisory or administrative position pursuant to section 106 of *The Education Act*; and

(c) has been designated by the Educational Relations Board pursuant to section 261 of *The Education Act* as not being a teacher;

shall continue to be employed in the position mentioned in clause (b) by that board of education or conseil scolaire unless that person is a member of or has applied for membership in the league and maintains membership in the league.

1990-91, c.L-9.02, s.25; 1993, c.55, s.178.

**Eligibility for membership**

**28(2)** The following persons are eligible for associate membership in the league on payment of the fee and other assessments that may be prescribed in the bylaws for associate members:

- (a) individuals employed in supervisory or consultative positions by the Department of Education, a board of education, or a conseil scolaire who are not otherwise eligible for membership;

1990-91, c.L-9.02, s.28; 1993, c.55, s.178.

**Membership fees**

**30 (2)** The treasurer of each school division and the treasurer of each conseil scolaire, or the employer, including Her Majesty the Queen in right of Saskatchewan, of any individual who is required by this Act to pay membership fees, on request from the league, may deduct from the salary payable to that individual each month and shall transmit to the league, on behalf of that individual, any assessments that the bylaws may require with respect to:

1990-91, c.L-9.02, s.30; 1993, c.55, s.178.

**Explanation**

Proposed section 15 amends *The League of Educational Administrators, Directors and Superintendents Act, 1991*.

The proposed changes to section 2:

- Replace an outdated reference to *The Education Act* in clauses (c) and (d); and
- Update the reference to “a” conseil scolaire to “the” conseil scolaire in clause (d) to reflect that there is only one conseil.

The proposed change to subsection 25(1) updates the reference to “a” conseil scolaire to “the” conseil scolaire.

The proposed change to subsection 25(2) replaces a reference to the “Department of Education” with the “ministry over which the minister presides.”

The proposed amendments to subsection 25(3):

- update references to “a” conseil scolaire with “the” conseil scolaire;
- update outdated references to *The Education Act*.

The proposed change to clause 28(2)(a) replaces the phrase “Department of Education, a board of education, or a conseil scolaire” with “ministry over which the minister presides, a board of education or the conseil scolaire”.

The proposed change to subsection 30(2) replaces the phrase “each conseil scolaire” with “the conseil scolaire.”

**16 Existing Provision**

*The Pest Control Products (Saskatchewan) Act.*

**Prohibition against applying pesticides into body of water without permit**

**5** Subject to section 39 of *The Environmental Management and Protection Act*, no person shall apply a pesticide in an open body of water unless he is the holder of a subsisting permit to do so issued to him pursuant to this Act.

R.S.S. 1978, c.P-8, s.5; 1988-89, c.42, s.73.

**Prohibition against selling or applying pesticide without licence**

**10** Except as otherwise provided in the regulations but subject to section 39 of *The Environmental Management and Protection Act*, no person, unless the person holds a subsisting licence to do so issued pursuant to the Act, shall:

1992, c.33, s.3.

**Explanation**

Proposed section 16 amends *The Pest Control Products (Saskatchewan) Act*.

The proposed amendments to section 5:

- replace an outdated cross-reference to *The Environmental Management and Protection Act*;
- implement gender-neutral language; and
- make other minor housekeeping updates.

The proposed amendment to section 10 replaces an outdated cross-reference to *The Environmental Management and Protection Act*.

**17 Existing Provision**

*The Planning and Development Act, 2007.*

**Interpretation**

2(1) In this Act:

(rr) “**provincial highway**” means a public highway, or a proposed public highway:

(i) with respect to which there is a plan that is in the department over which the minister responsible for the administration of *The Highways and Transportation Act, 1997* presides; and

2007, c.P-13.2, s.2; 2010, c.N-5.2, s.460; 2012, c.28, s.3; 2013, c.23, s.3; 2014, c.19, s.47; 2015, c.30, s.5-2; 2018, c 27, s.3.

**Municipality bound by plan**

40 (2) The adoption of an official community plan does not commit the municipality, any person, association or organization or any department or agency of the Government of Saskatchewan to undertake any of the projects outlined or proposed in that plan.

2007, c.P-13.2, s.40.

**Subdivision approval required**

121(7) A department, board, commission or other agency of the Government of Saskatchewan submitting a plan to the Controller of Surveys shall, if required pursuant to this Part:

2007, c.P-13.2, s.121.

**Notice to municipality required**

123(4) Subsections (2) and (3) do not apply to a department, board, commission or other agency of the Government of Saskatchewan making a submission pursuant to subsection 121(7).

2007, c.P-13.2, s.123; 2012, c.28, s.27.

**Regulations controlling subdivisions**

125(1) The minister may make regulations:

(b) prescribing the time within which comments are required to be submitted by any council, planning district, government department or any other agency or person to whom the request for comments is made by the approving authority;

2007, c.P-13.2, s.125.

**Decision of approving authority**

131 (2) The approving authority shall send copies of its decision to:

(c) any department, agency or person who or that the approving authority considers to have a direct interest in the proposed subdivision.

2007, c.P-13.2, s.131.

**Public roadways, utilities**

**202** (3) Subject to subsection (4), the minister may, by letter or agreement, assign to another department of the Government of Saskatchewan the responsibility to control the uses on Crown-owned dedicated lands that are located within areas administered pursuant to *The Forest Resources Management Act*, *The Parks Act*, *The Provincial Lands Act, 2016* or *The Regional Parks Act, 2013*.

(4) The authority to lease, exchange or sell dedicated lands assigned to another department of the Government of Saskatchewan pursuant to subsection (3) remains with the minister responsible for the administration of this Act.

2007, c.P-13.2, s.202; 2013, c.R-9.11, s.39; 2016, c P-31.1, s.11-21; 2018, c 27, s.39.

**Explanation**

Proposed section 17 amends *The Planning and Development Act, 2007* in subclause 2(1)(rr)(i), subsections 40(2), 121(7) and 123(4), clauses 125(1)(b), 131(2)(c), and subsections 202(3) and 202(4) to replace references to “department” with “ministry” and make other minor housekeeping updates.

**18 Existing Provision**

*The Police Act, 1990.*

**Order respecting incompetence or unsuitability**

**60**(1) Subject to subsections (3) and (4), the chief may do any of the things mentioned in subsection (2) if, in the opinion of the chief, a member:

(a) has rendered himself or herself unsuitable for police service by having been found guilty of an offence pursuant to:

(i) the *Criminal Code* (Canada);

2011, c.12, s.16.

**Explanation**

Proposed section 18 amends subclause 60(1)(a)(i) of *The Police Act, 1990* by removing the reference to “Canada” after the *Criminal Code*.

**19 Existing Provision**

*The Power Corporation Act.*

**Power to place poles, etc., on highways outside cities, etc.**

**31(1)** Subject to subsection (2) of this section and clause 4(1)(e) of *The Highways and Transportation Act, 1997*, the corporation may construct or place poles, structures, wires, conduits or pipes on or under any provincial highway wherever situated, or on or under any other highway, road allowance, road, street, lane or other public place vested in Her Majesty, and not situated in a city, a town, a village, a hamlet in a rural municipality or the part of a municipal district that is prescribed in the regulations; and may carry its wires, conduits or pipes along or across the provincial highway or other highway, road allowance, road, street, lane or public place; and the corporation may also take down, remove or take up such poles, structures, wires, conduits or pipes.

(3) When it becomes necessary, for the purpose of construction, reconstruction, alteration or improvement of any highway, road allowance, road, street, lane or other public place vested in Her Majesty, and not situated in a city, a town, a village, a hamlet in a rural municipality or that part of a municipal district that is prescribed in the regulations, to take down, remove or take up any poles, structures, wires, conduits or pipes constructed or placed thereon or thereunder and belonging to the corporation, the costs and expenses incurred in the work shall be apportioned between the corporation and the Department of Highways and Transportation, in such manner as may be mutually agreed on.

R.S.S. 1978, c.P-19, s.31; 1979-80, c.M-32.01, s.43; 1983-84, c.6, s.14; 1988-89, c.46, s.12; 2013, c.25, s.15; 2014, c.19, s.48.

**Power to place poles, etc. on highways, in cities, etc.**

**32(1)** Subject to subsection (2), the corporation may construct or place poles, structures, wires, conduits or pipes on or under any highway, road, street, lane or other public place vested in Her Majesty and situated in a city, a town, a village, a hamlet in a rural municipality or that part of a municipal district that is prescribed in the regulations, and may carry its wires, conduits or pipes along or across the highway, road, street, lane or other public place, and may also take down, remove or take up the same.

R.S.S. 1978, c.P-19, s.32; 2013, c.25, s.16; 2014, c.19, s.48.



**Explanation**

Proposed section 19 amends *The Power Corporation Act*.

The proposed changes to subsection 31(1) and 32(1) replace references to “Her Majesty” with “the Crown.”

The proposed changes to subsection 31(3):

- Replace a reference to “Her Majesty” with “the Crown”;
- Replace a reference to “the Department of Highways and Transportation” with “the ministry over which the minister responsible for the administration of *The Highways and Transportation Act, 1997* presides”;
- and
- Make other minor housekeeping updates.

**20 Existing Provision**

*The Provincial Sales Tax Act.*

**Exemptions**

8(1) The following classes of tangible personal property and taxable services are exempt from the tax imposed by this Act:

(ii.1) sand or gravel purchased for use by a municipality or by the Department of Highways and Transportation;

R.S.S. 1978, c.E-3, s.8; 1979, c.23, s.4; 1979-80, c.48, s.6; 1983, c.11, s.25 and c.40, s.4; 1983-84, c.38, s.5; 1984-85-86, c.76, s.5; 1986, c.5, s.5; 1986, c.30, s.2; 1986, c.31, s.5; 1988-89, c.42, s.34; 1990-91, c.4, s.4 and c.32, s.5; 1991, c.2, s.2; 1992, c.48, s.4; 1993, c.48 s.4; 1996, c.46, s.5; 1997, c.9, s.6; 1999, c.17, s.5; 2000, c.41, s.9; 2004, c.65, s.25; 2017, c 24, s.8; 2018, c. 30, s.5 and c 42, s.41.

**Explanation**

Proposed section 20 amends clause 8(1)(ii.1) of *The Provincial Sales Tax Act* by replacing a reference to the “Department of Highways and Transportation” with the “ministry over which the minister responsible for the administration of *The Highways and Transportation Act, 1997* presides.”

**21 Existing Provision**

*The Public Health Act, 1994.*

**Responsibilities**

14(3) Before a day is prescribed pursuant to subsection (2), the minister shall carry out consultations in the manner and to the extent that the minister considers appropriate:

(a) with respect to a northern settlement, with the minister responsible for *The Northern Municipalities Act, 2010*; and

(b) with respect to a northern village or a northern hamlet, with the council of the northern village or northern hamlet and with the minister responsible for *The Northern Municipalities Act, 2010*.

1994, c.P-37.1, s.14; 2004, c.46, s.6; 2005, c.M-36.1, s.458; 2010, c.N-5.2, s.449 & 465.

**Explanation**

Proposed section 21 amends clauses 14(3)(a) and (b) of *The Public Health Act, 1994* by updating references to “the minister responsible for *The Northern Municipalities Act, 2010*” to “the minister responsible for the administration of *The Northern Municipalities Act, 2010*.”

**22 Existing Provision**

*The Public Officials Security Act.*

**Interpretation**

2 In this Act “**public official**” means a person appointed to an office or employment by or under the Government of Saskatchewan, wherein he is concerned in the collection, receipt, disbursement or expenditure of public money.

R.S.S. 1978, c.P-41, s.2.

**Public officials to furnish security**

3(1) Subject to the provisions hereinafter contained, every public official shall, within one month after notice of his appointment if he is then in Saskatchewan or within three months if he is absent therefrom, unless he sooner arrives therein and then within one month after arrival give and enter into a bond or other security for the due performance of the trust reposed in him and for his duly accounting for all public moneys entrusted to him or placed under his control or that may come into his hands.

(2) The Lieutenant Governor in Council may direct that the bond or policy of guarantee of any incorporated joint stock company empowered to grant guarantees, bonds, covenants or policies for the integrity and faithful accounting of public officers or for other like purpose, or the bond or policy of guarantee of The Saskatchewan Government Insurance Office, if that office is so empowered, shall be accepted as such security upon such terms as the Lieutenant Governor in Council deems advisable.

R.S.S. 1978, c.P-41, s.3.

**Blanket bonds**

4 The Lieutenant Governor in Council may accept the bond or guarantee policy of any such company or of The Saskatchewan Government Insurance Office as a guarantee for the due accounting and due performance of the duties of their respective offices by all public officials, or by the members of any class or classes of public officials; and in such case, unless otherwise directed by the Lieutenant Governor in Council, it shall not be necessary for an official whose conduct in office has been so guaranteed to comply with the requirements of section 3.

R.S.S. 1978, c.P-41, s.4.

**Interim receipt**

7 The interim receipt of a guarantee company or of The Saskatchewan Government Insurance Office may be accepted in lieu of a formal security, but the formal security shall be completed within one month from the date of the receipt.

R.S.S. 1978, c.P-41, s.7.

**Explanation**

Proposed section 22 amends *The Public Officials Security Act*.

The proposed change to section 2 implements gender-neutral language.

The proposed changes to subsection 3(1) implement gender-neutral neutral language and make other housekeeping updates.

The proposed changes to subsection 3(2) and sections 4 and 7 replace outdated references to the “Saskatchewan Government Insurance Office” with “Saskatchewan Government Insurance.”

**23 Existing Provision**

*The Registered Teachers Act.*

**Review by Legislative Assembly**

**52(1)** One copy of every bylaw and amendment filed with the Director of Corporations pursuant to section 17 or 18 is to be laid before the Legislative Assembly by the minister responsible for *The Business Corporations Act* in accordance with section 13 of *The Executive Government Administration Act*.

2015, c.R-15.1, s.52.

**Explanation**

Proposed section 23 amends *The Registered Teachers Act* by updating the phrase “minister responsible for *The Business Corporations Act*” to read “minister responsible for the administration of *The Business Corporations Act*.”

**24 Existing Provision**

*The Rehabilitation Act*.

**Additional powers of minister**

**5** Subject to the approval of the Lieutenant Governor in Council, the minister may:

- (c) purchase, lease or otherwise acquire any real property that the minister deems necessary for the purpose of exercising any of his powers under this Act;

R.S.S. 1978, c.R-17, s.5; 1983-84, c.54, s.18.

**Personal property**

**6** The minister may purchase or otherwise acquire any personal property that he deems necessary for the purpose of exercising any of his powers under this Act and may sell, exchange, rent, lend or otherwise deal with such personal property.

R.S.S. 1978, c.R-17, s.6.

**Regulations**

**10 (2)** The Lieutenant Governor in Council may, in the regulations, delegate any of the powers set out in clauses (1)(a) to (f) to the minister, to any official of the Department of Community Resources and Employment or to a committee appointed to carry out any responsibilities in administering any program respecting the rehabilitation of disabled persons.

R.S.S. 1978, c.R-17, s.10; 1980-81, c.77, s.2;  
2004, c.65, s.28.

**Explanation**

Proposed section 24 amends *The Rehabilitation Act*.

The proposed change to clause 5(c) implements gender-neutral language.

The proposed changes to section 6 implement gender-neutral language and make other minor housekeeping updates.

The proposed change to subsection 10(2) replaces a reference to “Department of Community Resources and Employment” with “ministry over which the minister responsible for the administration of *The Social Services Administration Act* presides.”

**25 Existing Provision**

*The Research Council Act*.

**Regulations**

**22** The Lieutenant Governor in Council may make regulations:

- (b) respecting any matter or thing that he considers necessary to carry out the intent of this Act.

1988-89, c.22, s.7.

**Explanation**

Proposed section 25 amends clause 22(b) of *The Research Council Act* by implementing gender-neutral language.

**26 Existing Provision**

*The Saskatchewan Assistance Act*.

**Interpretation**

**2** In this Act:

- (b) “**department**” means the Department of Community Resources and Employment;

- (h) “**unit**” means:

(i) a unit of the department; or

R.S.S. 1978, c.S-8, s.2; 1979-80, c.M-32.01, s.61;  
1983, c.77, s.68; 1994, c.9, s.3; 1997, c.49, s.3;  
2004, c.65, s.30; 2014, c.19, s.53.

**Administration by director, etc.**

4(2) The minister may authorize any officer of the department to perform any of the duties or to exercise any of the powers that are by this Act imposed or conferred upon the minister, and in such case the designated officer shall perform such duties and may exercise such powers subject to the direction of the minister.

R.S.S. 1978, c.S-8, s.4; 1997, c.49, s.5.

**Interdelegation agreement**

8.1 (2) An agreement contemplated by subsection (1) shall not be entered into unless the financial arrangements have been approved by the Minister of Finance, the transfer of personal information arrangements have been approved by the ministers responsible for the departments or agencies that hold the personal information and the terms of the agreement have been approved by the Lieutenant Governor in Council.

1998, c.33, s.3

**Regulations**

14(1) The Lieutenant Governor in Council may make such regulations not inconsistent with this Act as are deemed necessary to carry out its provisions according to their intent or to meet cases which may arise from time to time and for which no provision is made therein and without restricting the generality of the foregoing, may make regulations:

(p) providing for the inspection and supervision by officers of the department authorized by the minister of the administration of assistance in any unit and prescribing the times at which the books, records and accounts of the unit shall be open to their inspection;

(1.1) The Lieutenant Governor in Council may, in the regulations, delegate any of the powers set out in subsection (1) to the minister, a unit administrator, any official of the department or any unit.

R.S.S. 1978, c.S-8, s.14; 1980-81, c.79, s.2;  
1989-90, c.54, s.5 and 6; 1994, c.9, s.9; 1997,  
c. 19, s.9 and c.49, s.10; 1998, c.33, s.4.

**Members of Legislative assembly not disqualified by certain actions**

**24** Nothing in *The Legislative Assembly Act* shall be deemed to disqualify a person as a member of the Legislative Assembly by reason of his being concerned or interested in any bargain or contract entered into by or on behalf of a unit, a unit administrator or a program manager respecting the provision of assistance.

R.S.S. 1978, c.S-8, s.24; 1994, c.9, s.14; 1997, c.49, s.16.

**Penalty for giving false information and for receiving assistance when ineligible**

**28(1)** A person who knowingly gives false information, or conceals information, for the purpose of obtaining or causing to be obtained assistance for himself or any other person is guilty of an offence and liable on summary conviction to a fine not exceeding \$200 and in default of payment to imprisonment for a term not exceeding six months.

(3) A person who receives assets while in receipt of assistance and continues to receive assistance when he ought reasonably to know that he is no longer eligible for such assistance, is guilty of an offence and liable on summary conviction to a fine not exceeding \$200 and in default of payment to imprisonment for a term not exceeding six months.

R.S.S. 1978, c.S-8, s.28; 1997, c.49, s.17.

**Explanation**

Proposed section 26 amends *The Saskatchewan Assistance Act*.

The proposed changes to section 2:

- Delete the definition for “department” and replace it with a definition for “ministry”; and
- Replace a reference to “department” with “ministry” under the definition of “unit”.

The proposed changes to subsections 4(2) and 8.1(2), clause 14(1)(p), and subsection 14(1.1) replace references to “department” with “ministry.”

The proposed changes to section 24 implement gender-neutral language and make other minor housekeeping updates.

The proposed changes to subsections 28(1) and (3) implement gender-neutral language.

**27 Existing Provision**

*The Saskatchewan 4-H Foundation Act.*

**Bylaws or rules**

**8** The trustees shall have power to make bylaws or rules for

(c) the remuneration for services rendered by those of the trustees who are not employees of the University of Saskatchewan or the Department of Agriculture, Food and Rural Revitalization and for allowances for their travelling and other expenses;

R.S.S. 1978, c.S-18, s.8; 1989-90, c.54, s.4; 2003, c.11, s.6.

**Explanation**

Proposed section 27 amends *The Saskatchewan 4-H Foundation Act* by replacing a reference to the “Department of Agriculture, Food and Rural Revitalization” with the “ministry over which the minister responsible for the administration of *The Agriculture Administration Act* presides.”

**28 Existing Provision**

*The Saskatchewan Housing Corporation Act*

**Corporation may enter into agreements**

**14** For the purposes of this Act, except as otherwise provided herein, the corporation may, subject to any regulations that may be made by the Lieutenant Governor in Council, enter into agreements with:

- (a) the Government of Saskatchewan or any department, board, commission or agent thereof;
- (b) the Government of Canada;
- (c) the federal corporation;
- (d) a municipality;



- (e) a public housing authority established under section 18;
- (f) other agencies, associations, organizations or persons;
- (g) all or any one or more of them;

with respect to any of the matters referred to in section 15.

R.S.S. 1978, c.S-24, s.14.

**Power of municipality to enter into agreements**

**26** Notwithstanding anything in any other Act, a municipality may enter into agreements with:

- (a) the corporation;
- (b) the Government of Saskatchewan or any department, board, commission or agent thereof;
- (c) the Government of Canada;
- (d) the federal corporation;
- (e) a housing authority established under section 18;
- (f) a non-profit corporation;
- (g) a limited-dividend housing company;
- (h) an association;
- (i) another municipality;

or any one or more of them for the purpose of undertaking any project contemplated by this Act or the federal Act.

R.S.S. 1978, c.S-24, s.26.

**Power to borrow, etc.**

**31(1)** Subject to section 241 of *The Urban Municipality Act*, but otherwise notwithstanding the provisions of the relevant municipal Act, a municipality may, subject to the approval of the Saskatchewan Municipal Board:

- (a) contract debts not payable within the current year;
- (b) borrow moneys; and
- (c) issue debentures;

for any purpose authorized by this Act.

R.S.S. 1978, c.S-24, s.31; 1989-90, c.5, s.10.

### **Explanation**

Proposed section 28 amends *The Saskatchewan Housing Corporation Act*.

The proposed changes to section 14:

- Replace a reference to “department” with “ministry”;
- Update the format of the section; and
- Make other minor housekeeping changes.

The proposed changes to section 26:

- Update the formatting of the section; and
- Replace a reference to “department” with “ministry.”

The proposed changes to subsection 31(1):

- Replace an outdated reference to *The Urban Municipality Act*; and
- Update the formatting of the subsection.

## **29 Existing Provision**

*The Saskatchewan Medical Care Insurance Act.*

### **Interpretation**

2 In this Act:

- (e.1) “**department**” means the Department of Health;
- (i) “**minister**” means the Minister of Health;

R.S.S. 1978, c.S-29.1, s.2; 1983, c.77, s.72; 1984-85-86, c.83, s.3; 1986-87-88, c.56, s.3; 1988-89, c.55, s.29; 1992, c.75, s.3; 2000, c.15, s.14; 2002, c.23, s.3; 2014, c.19, s.55.

**Minister to act as agent of departments of Government, etc.**

**20(1)** Notwithstanding anything in this or any other Act, the minister may act as the agent of any department or agency of the Government of Saskatchewan or the Government of Canada, or of any Crown corporation, for the purpose of arranging, tendering and making payment in respect of any medical care or treatment or related service provided to any person, whether or not the medical care or treatment or the related service is an insured service.

(2) A Crown corporation or any department or agency mentioned in subsection (1) may appoint the minister as agent for the purposes mentioned in that subsection.

R.S.S. 1978, c.S-29.1, s.20; 1979, c.67, s.3; 1986- 87-88, c.56, s.17.

**Joint medical profession review committee**

**49.2 (4)** A notice pursuant to subsection (3) is to be served personally or by registered mail sent to the address of the physician as shown on the department's files, in which case it is deemed to have been received by the physician seven days after it was mailed.

(9) An order made pursuant to subsection (5) or (7) is to be served on the physician who is the subject of the order either personally or by registered mail to the address of the physician as shown on the department's files, in which case it is deemed to have been received by the physician seven days after it was mailed, but failure to serve an order pursuant to this subsection does not affect its validity or its ability to be enforced.

1986-87-88, c.56, s.32.

**Recovery of amount owing**

**49.3(1)** An amount to be recovered from a physician pursuant to section 49.2 or 49.22 is a debt owing to the minister by the physician and may be recovered from the physician by:

(b) set-off, including the set-off of payments for insured services and the set-off of any amounts owed to the physician by any other department or agency of the Government of Saskatchewan.

(4) The demand in writing referred to in subsection (3) may be served on the physician either personally or by registered mail to the address of the physician as shown on the department's files, in which case it is deemed to have been received by the physician seven days after it was mailed.

1986-87-88, c.56, s.32; 2000, c.15, s.14; 2002, c.23, s.5.

### **Explanation**

Proposed section 29 amends *The Saskatchewan Medical Care Insurance Act*.

The proposed changes to section two:

- Replace the definition of “department” with a new definition for “ministry”; and
- Update the definition of “minister” to remove the express reference to the “Minister of Health.”

The proposed changes to subsections 20(1) and (2), 49.2(4) and (9), and 49.3(1) and (4) replace references to “department” with “ministry.”

## **30 Existing Provision**

*The Saskatchewan Telecommunications Act*.

### **Powers of corporation to prescribe rates, etc.**

9(1) The purposes and powers of the corporation are:

(d.6) to make payments from the Sask911 account in accordance with any directions from the minister responsible for *The Emergency 911 System Act*;

R.S.S. 1978, c.S-34, s.9; 1979-80, c.95, s.4; 1982-83, c.22, s.8; 1984-85-86, c.84, s.4; 1986-87-88, c.29, s.8; 1989-90, c.59, s.3; 1996, c.E-7.3, s.13.

### **Sask911 account**

45.1 (6) Moneys in the Sask911 account may be used:

(b) with the approval of the minister responsible for *The Emergency 911 System Act*, to pay for costs associated with administering the Sask911 account.

(7) The corporation shall make payments out of the Sask911 account at the time and in the manner directed by the minister responsible for *The Emergency 911 System Act*.

(10) The corporation shall prepare a report and financial statement respecting the Sask911 account for the minister responsible for *The Emergency 911 System Act* in the manner and at the times required by that Act.

1996, c.E-7.3, s.13.

**Explanation**

Proposed section 30 amends *The Saskatchewan Telecommunications Act* in clauses 9(1)(d.6) and 45.1(6)(b), and subsections 45.1(7) and (10) by updating the phrase “the minister responsible for *The Emergency 911 System Act*” to “the minister responsible for the administration of *The Emergency 911 System Act*.”

**31 Existing Provision**

***The SaskTel Pension Implementation Act.***

R.S.S. 1978, c.S-35, repeal and transitional  
6 (2) Notwithstanding the repeal of section 57 of *The Saskatchewan Telecommunications Superannuation Act*, the corporation shall prepare and transmit to the minister responsible for that Act a report setting out the matters described in that section for the portion of a calendar year that ends on the day on which the pension plan is registered pursuant to *The Pension Benefits Act, 1992*.

1998, c.S-35.2, s.6.

**Explanation**

Proposed section 31 amends subsection 6(2) of *The SaskTel Pension Implementation Act* by updating the phrase “the minister responsible for [*The Saskatchewan Telecommunications Superannuation Act*]” to the minister “responsible for the administration” of that Act.

**32**     **Existing Provision**

*The Statistics Act.*

**Interpretation**

**2** In this Act:

- (a) “**department**” includes a department, board, commission or agency of the Government of Saskatchewan;

R.S.S. 1978, c.S-58, s.2.

**Explanation**

Proposed section 32 amends *The Statistics Act*.

The proposed changes to clause 2(a) replace a reference to “department” with “ministry.”

**33**     **Existing Provision**

*The Tax Enforcement Act.*

**Distribution**

**33(1)** The proceeds of the sale of land shall be distributed in the following order:

- (c) in the discharge, or where necessary the *pro rata* discharge, of all taxes including penalties due in respect of the land;

- (d) in the discharge, or where necessary the *pro rata* discharge, of all municipal liens and charges upon the land;

- (d.1) where an undertaking has been required pursuant to clause 8(1)(b) of *The Provincial Mediation Board Act*, and that undertaking has not ceased to be binding pursuant to subsection 31(1.1), in the discharge, or where necessary the *pro rata* discharge, of all taxes, including penalties due and municipal liens and charges, on other lands whose owners are identical to the former owners of the land;

- (e) in the discharge, or where necessary the *pro rata* discharge, of moneys due to the Crown in right of the province and charged against the land;

R.S.S. 1978, c.T-2, s.33; 1973-74, c.110, s.4; 1988-

89, c.57, s.20; 1996, c.63, s.18; 2002, c.R- 8.2, s.96.

**Explanation**

Proposed section 33 updates subsection 33(1) of *The Tax Enforcement Act* by replacing references to “*pro rata*” with “prorated.”

**34 Existing Provision**

*The Teachers’ Dental Plan Act.*

**Interpretation**

**2** In this Act:

(f) “teacher” means a teacher as defined in *The Education Act, 1995* who has entered into a contract of employment with:

(ii) a school where:

(A) the school receives operating funding, directly or indirectly, from the Department of Education;

(B) the school is a registered independent school or is otherwise recognized by the Department of Education; and

1984-85-86, c.T-6.1, s.2; 1988-89, c.33, s.3;  
1993, c.55, s.190; 1998, c.37, s.3; 2001, c.44, s.3.

**Explanation**

Proposed section 34 amends subclause 2(f)(ii) of *The Teachers’ Dental Plan Act* by replacing references to the “Department of Education” with the “ministry over which the minister responsible for the administration of *The Education Act, 1995* presides.”

**35 Existing Provision**

*The Teachers’ Life Insurance (Government Contributory) Act.*

**Interpretation**

**1.1** In this Act, “teacher”, in the case of a board of education as defined in *The Education Act, 1995* and in the case of a conseil scolaire as defined in *The Education Act, 1995*, includes all persons employed on a full-time basis by the board or the conseil scolaire, as the case may be:

1983-84, c.57, s.3; 1993, c.55, s.192; 1998, c.38, s.3; 2016, c28, s.23.

### **Application of Act**

**2** This Act applies to:

(a) boards of education and conseils scolaires, as defined in *The Education Act, 1995*, with respect to all teachers employed on a full-time basis by a board of education or a conseil scolaire, as the case may be;

(b) teachers employed on a full-time basis in teaching or in the supervision of teaching in a school under *The Education Act, 1995* or in a school in respect of which the Department of Education has made or undertaken to make a grant in respect of the period in which the teacher is employed in the school;

(d.1) all persons employed on a full-time basis by a board of education or a conseil scolaire as defined in *The Education Act, 1995*:

(d.2) all temporary teachers, as defined in *The Education Act, 1995*, who are employed by a board of education or a conseil scolaire under a contract for a term of at least 20 full or partial teaching days;

1979-80, c.7, s.3; 1983-84, c.57, s.4; 1984-85-86, c.107, s.2; 1988-89, c.20, s.6 and c.59, s.3; 1993, c.55, s.192; 1998, c.38, s.4; 2014, c.S-32.21, s.37; 2016, c28, s.23.

### **Transfer or withholding of teachers' premiums**

**7** The Minister of Education shall:

(a) request a board of education or a conseil scolaire to transfer to the commission the amount of the portion of the premium payable pursuant to section 6 by each teacher employed by the board of education or by the conseil scolaire, as the case may be, and the board of education or the conseil scolaire, as the case may be, shall forthwith comply with the request; or

(b) cause such amounts to be withheld from the grants payable to a board of education or to a conseil scolaire, and the amount transferred or withheld shall be paid over in satisfaction of the liability of the teacher for that portion of the premium.

R.S.S. 1978, c.T-8, s.7; 1993, c.55, s.192.



**Deduction of teachers' shares of premiums from salaries**

**8** The treasurer of a board of education or a conseil scolaire employing a teacher shall deduct from the teacher's salary the amount payable by the teacher in any year pursuant to section 6 in equal instalments commencing with the month of September in one year and ending with the month of June in the next year.

1979-80, c.7, s.5; 1993, c.55, s.192.

**Regulations**

**11** (2) Without limiting the generality of subsection (1) the Lieutenant Governor in Council may make regulations:

(b) requiring any board of education or any conseil scolaire to which this Act applies to make returns with respect to teachers employed by the board of education or the conseil scolaire;

(d) prescribing the terms and conditions on which this Act shall apply to a teacher who is absent for the purpose of pursuing a course of study that is directly related to the work of a teacher, or who is absent from teaching on account of ill health, or who is serving as an exchange or special teacher outside Saskatchewan under a plan recognized by the Department of Education, or who in the opinion of The Teachers' Superannuation Commission is engaged in other work requiring the professional qualifications and experience of a teacher, and prescribing the manner in which premiums payable by the teacher shall be paid;

(e) prescribing the forms to be used by a board of education, a conseil scolaire, or The Teachers' Superannuation Commission for the purposes of this Act or the regulations;

R.S.S. 1978, c.T-8, s.11; 1993, c.55, s.192.

**Explanation**

Proposed section 35 amends *The Teachers' Life Insurance (Government Contributory) Act*.

The proposed amendments to section 1.1, clauses 2(a), (d.1) and (d.2), sections 7 and 8 and clauses 11(2)(b) and (e) update references to "a" conseil scolaire to "the" conseil scolaire.

The proposed amendments to clauses 2(b) and 11(2)(d) replace references to the "Department of Education" with "the ministry over which the minister responsible for the administration of *The Education Act, 1995* presides."

**36 Existing Provision*****The Teachers Superannuation and Disability Benefits Act.*****Eligibility service counted**

**17** (2.1) On producing any evidence of having provided the service that the commission may require, a member may count the following periods of service as eligibility service:

- (d) a period of employment with the Department of Learning or any former department of the Government of Saskatchewan that was responsible for elementary and secondary education but only if that service required that the member hold a valid teacher's certificate

1994, c.T-9.1, s.17; 1996, c.65, s.2; 2003, c.12, s.4; 2015, c.R-15.1, s.63.

**Regulations**

**46** For the purpose of carrying out this Act according to its intent, the commission may, subject to the approval of the Lieutenant Governor in Council, make regulations:

- (i) providing for the reciprocal transfer of the rights and obligations of members pursuant to teachers' retirement plans and for making any adjustments that are necessary or advisable in connection with a reciprocal transfer, authorizing the commission to enter into agreements with:

- (v) a department, board, agency or other body that administers a pension or superannuation plan under the control of the Government of Saskatchewan;

1994, c.T-9.1, s.46; 1998, c.39, s.18; 2001, c.45, s.7; 2003, c.12, s.10; 2015, c.21, s.64.

**Explanation**

Proposed section 36 amends clause 17(2.1)(d) and subclause 46(i)(v) of *The Teachers Superannuation and Disability Benefits Act* to replace language respecting departments with language respecting ministries.

**37 Existing Provision**

*The Time Act.*

**Interpretation**

**2** In this Act:

(c) “**eastern Saskatchewan**” means:

(vii) The Borderland School Division No. 68 of Saskatchewan;

as altered from time to time under *The Education Act*, and includes that portion of Saskatchewan outside the Northern Saskatchewan Administration District, not included in the school divisions mentioned in subclauses (i) to (vii), that lies east of the third meridian in the system of Dominion land surveys;

(h) “**school division**” means a school division within the meaning of *The Education Act*;

R.S.S. 1978, c.T-14, s.2; 1979-80, c.45, s.3; 1983, c.77, s.79; 1983-84, c.49, s.13; 1986-87-88, c.35, s.3; 1996, c.E-6.01, s.288.

**Taking a vote**

**10(1)** When requested to do so:

(c) by an order of the Minister of Municipal Government in respect of any area in northwestern Saskatchewan that is not in a school division; or

(d) by an order of the Minister of Municipal Government in respect of a time option area established under subsection 9(3) within which there is no school division;

(2) Subject to section 28, a resolution or order requesting the taking of a vote pursuant to subsection (1):

(a) may be passed by the board or made by the Minister of Municipal Government, as the case may require, at any time;

(b) shall be passed by the board or made by Minister of Municipal Government, as the case may require, within thirty days after the day on which the board or minister receives a petition signed by:

R.S.S. 1978, c.T-14, s.10; 1979-80, c.45, s.6 and c.M-32.01, s.72; 1983, c.11, s.87; 1983-84, c.49,

s.13; 1996, c.32, s.14.

**Date for vote and order for issue of writ**

**11** The Lieutenant Governor in Council shall fix the date and order the issue of writs in Her Majesty's name for the taking of the vote mentioned in subsection (1) of section 10.

R.S.S. 1978, c.T-14, s.11.

**Explanation**

Proposed section 37 amends *The Time Act*.

The proposed changes to clauses 2(c) and (h) replace outdated references to "*The Education Act*" with "*The Education Act, 1995*."

The proposed changes to subsections 10(1) and (2) replace references to the "Minister of Municipal Government" with the "member of the Executive Council to whom for the time being the administration of this Act is assigned."

The proposed changes to section 11 update a reference to "Her Majesty" with "the Crown."

**38 Existing Provision**

*The University of Regina Act*.

**Guarantee by the province**

**72** (3) The guarantee shall be signed by the Minister of Finance or by such other official of the Department of Finance as may be designated by the Lieutenant Governor in Council for that purpose, and on being so signed, the Province of Saskatchewan in case of default by the university shall become liable for the payment of the principal and interest of the loans and notes, bonds, debentures or other securities guaranteed according to the tenor thereof; and a guarantee so signed is conclusive evidence that the terms of this section have been complied with.

R.S.S. 1978, c.U-5, s.72; 1983, c.29, s.52; 1988-89, c.42, s.106; 2004, c.10, s.17 and 18.

**Explanation**

Proposed section 38 amends subsection 72(3) of *The University of Regina Act* to update a reference to "Minister of Finance or by such other official of the

Department of Finance as” to the “minister responsible for the administration of *The Financial Administration Act, 1993* or by any other official of the ministry over which that minister presides that.”

**39 Existing Provision**

*The Veterinary Services Act.*

**Interpretation**

**2** In this Act:

(c) “**minister**” means the Minister of Agriculture;

R.S.S. 1978, c.V-6, s.2.

**Veterinary service boards**

**5(1)** Subject to subsections (2) and (3), there shall be a veterinary service board for each district, consisting of:

(c) an employee of the Department of Agriculture, designated by the minister.

(2) Where a district consists only of one municipality or part of a municipality the board shall consist of:

(b) an employee of the Department of Agriculture, designated by the minister.

R.S.S. 1978, c.V-6, s.6; 1970, c.80, s.2.

**Acquisition of property**

**7 (4)** Where the board gives security for a loan made by it, the execution of the instrument evidencing such security shall be attested by two members of the board, one of whom shall be the employee of the Department of Agriculture designated a member of the board pursuant to section 5.

R.S.S. 1978, c.V-6, s.7.

**Explanation**

Proposed section 40 amends *The Veterinary Services Act*.

The proposed changes to section 2:

- update the definition of “minister” to refer to the member of the Executive Council to whom the administration of the Act is assigned; and
- add a new definition for “ministry”.

The proposed changes to clauses 5(1)(c) and (2)(b) and subsection 7(4) replace references to “Department of Agriculture” with “ministry.”

**40**     **Existing Provision**

*The Water Security Agency Act.*

**Publication of notice**

**61** (2) If, in the corporation’s opinion, the works proposed in an application filed with the corporation may impair the environment or have an impact on natural resources, the corporation may forward a copy of the application to the minister responsible for *The Environmental Management and Protection Act, 2010*.

2005, c.S-35.03, s.61; 2010, c.E-10.22, s.105.

**Offence and penalty**

**90** (3) Every director, officer or agent of a body corporate who directed, authorized, assented to or acquiesced in or participated in an act or omission of the body corporate that would constitute an offence by the body corporate is guilty of that offence and is liable on summary conviction to the penalties provided for that offence, whether or not the body corporate has been prosecuted or convicted.

2005, c.S-35.03, s.90; 2017, c 27, s.10.

**Explanation**

Proposed section 40 amends *The Water Security Agency Act*.

The proposed change to subsection 61(2) updates the reference “the minister responsible for *The Environmental Management and Protection Act, 2010*” to “the minister responsible for the administration of *The Environmental Management and Protection Act, 2010*.”

The proposed changes to subsection 90(3) update provisions respecting corporate offences to match current drafting standards. This change is housekeeping in nature and does not alter the liability of corporate officers for corporate offences.

**41**     **Existing Provision**

*The White Cane Act.*

**Interpretation**

2 In this Act:

(a) “**blind person**” means a person who:

(iv) is certified by a duly qualified medical practitioner or by an optometrist or optician who is the holder of a valid and subsisting licence issued under *The Optometry Act* as having visual acuity after correction through the use of proper refractive lens of not more than 6/60 Snellen or a field of vision in each eye of less than ten degrees;

R.S.S. 1978, c.W-13, s.2.

**Application of Act**

4(2) Where in a prosecution the person charged with a violation of section 3 alleges that he is not a resident of Saskatchewan, the burden of proving the allegation shall be upon him.

R.S.S. 1978, c.W-13, s.4.

**Explanation**

Proposed section 41 amends *The White Cane Act*.

The proposed changes to subclause 2(a)(iv) replace a reference to *The Optometry Act* with *The Optometry Act, 1985* and remove a reference to opticians.

The proposed changes to subsection 4(2) implement gender-neutral language and make other minor housekeeping updates.

**42 Existing Provision**

New

**Explanation**

Proposed Schedule 1 replaces “consolidated fund” with “general revenue fund” across numerous pieces of legislation.

**43 Coming into force**

