

EXPLANATORY NOTES

B I L L

No. 27

An Act to amend the Statute Law

Clause of Bill

1 *The Statute Law Amendment Act, 2025*

2 Existing Provision

The Alcohol and Gaming Regulation Act, 1997

Interpretation

2 In this Act:

...

“**dentist**” means the holder of a valid licence issued pursuant to *The Dental Profession Act, 1978*; («*dentiste*»)

...

“**pharmacist**” means the holder of a valid licence issued pursuant to *The Pharmacy Act, 1996*; («*pharmacien*»)

...

1997, cA-18.011, s2; 2000, c36, s3; 2002, c42, s3; 2003, c15, s3; 2004, c67, s2; 2005, c21, s2; 2005, c3, s3 and s4; 2007, c10, s3; 2008, c8, s3; 2013, c2, s3; 2014, c7, s3; 2016, c4, s3; 2022, c25, s22-3; 2023, c14, s3 and c35, s2.

Certain interests prohibited

24 A member of the commission, as owner, part owner, partner, member of a syndicate, shareholder, agent or employee, whether for his or her own benefit or in a fiduciary capacity for another person, shall not:

...

(d) be directly or indirectly interested or engaged in any business or undertaking that is associated with Lotteries and Gaming Saskatchewan, the Saskatchewan Gaming Corporation, Western Canada Lotteries Corporation or the Saskatchewan Indian Gaming Authority;

...

1997, cA-18.011, s24; 2002, c42, s7; 2003, c15, s4; 2014, ch.7, s7; 2023, c35, s2.

Explanation

The Alcohol and Gaming Regulation Act, 1997 is amended to update the definitions for “dentist” and “pharmacist” and to replace references to old legislation with the current versions. It also corrects the spelling of the name of a corporation.

3 Existing Provision

The Constitutional Questions Act, 2012

Reference pursuant to taxation agreement

16(1) If pursuant to an agreement with the Government of Canada entered into pursuant to *The Income Tax Act* or *The Income Tax Act, 2000*, or an agreement of a like nature and having like purposes, a matter is to be referred to the Court of Appeal, it shall be referred to the Court of Appeal and the form and terms of the reference shall be those that may be agreed on by the parties to the agreement, or, if they cannot agree, the form and terms shall be determined by the Chief Justice of Saskatchewan on the application of either party.

2012, c.C-29.01, s.16.

Explanation

The Constitutional Questions Act, 2012 is amended to remove a reference to *The Income Tax Act*, which was repealed in 2018.

4 Existing Provision

The Enforcement of Maintenance Orders Act, 1997

Interpretation

35(1) In this section and in sections 36 to 40:

“**pension plan**” means a pension plan governed by an Act that permits a pension entitlement to be attached and includes:

(a) benefits;

(a.1) funds in a pooled registered pension plan account;

(b) moneys that have been transferred to another plan, to a prescribed RRSP or to any other prescribed retirement plan that is registered pursuant to the *Income Tax Act* (Canada), including moneys transferred before January 1, 1993; and

(c) moneys earned by those transferred moneys mentioned in clause (b).
(«*réime de pension*»)

1997, c.E-9.21, s.35; 2009, c.17, s.24; 2013, c.24, s.2.

Explanation

The Enforcement of Maintenance Orders Act, 1997 is amended to correct the spelling of a French word in the English version only.

5 Existing Provision

The Family Maintenance Act, 1997

Application for calculation

27.2(3) No application for calculation shall be made unless the following requirements are met:

...

(b) there is no order, agreement or calculation decision in effect respecting the amount of child support payable with respect to the child;

...

2023, c26, s.19.

Explanation

The Family Maintenance Act, 1997 is amended to refer to a defined term in the Act in both the English and French versions.

6 Existing Provision

The International Child Abduction Act, 1996 / Loi de 1996 sur l'enlèvement international d'enfants.

Accès aux renseignements

7(1) Dans la mesure où il est nécessaire de savoir ou de confirmer où se trouve une personne afin de donner effet à la Convention, le ministre peut demander à toute personne ou à tout organisme public, notamment à Sa Majesté la Reine du chef de la Saskatchewan, qu'il lui fournisse les renseignements dont il a la possession ou la responsabilité concernant le lieu où se trouve cette personne ou son adresse.

(2) Par dérogation à toute autre loi ou règle de droit limitant la communication de renseignements, toute personne ou tout organisme public, notamment Sa Majesté la Reine du chef de la Saskatchewan, qui reçoit une demande visée au paragraphe (1) est tenu de fournir les renseignements demandés qu'il a en sa possession.

(3) Sur demande présentée à cette fin, le juge de la Cour du Banc du Roi qui est convaincu que le ministre s'est vu refuser la communication de renseignements demandés sous le régime du paragraphe (1) peut, par dérogation à toute autre loi ou règle de droit limitant la communication de renseignements, ordonner à toute personne ou à tout organisme public, notamment à Sa Majesté la Reine du chef de la Saskatchewan, de remettre au ministre les renseignements demandés dont le ministre a la responsabilité.

1996, ch.I-10,11, art.7; 2023, ch28, art.17-13.

Explanation

The International Child Abduction Act, 1996 is amended to change references to "the Queen" and replace them with "the Crown" in the French version only.

7 **Existing Provision**

The King’s Bench Act

Definitions

1-2 In this Act:

...

“**associate chief justice**” means the Associate Chief Justice of the King’s Bench mentioned in subsection 2-2(1); (« *juge en chef adjoint* »)

“**chief justice**” means the Chief Justice of the King’s Bench mentioned in subsection 2-2(1); (« *juge en chef* »)

2023, c28, s1-2.

Judges

2-2(1) The court consists of:

(a) a chief justice, who is styled the Chief Justice of the King’s Bench;

(b) an associate chief justice, who is styled the Associate Chief Justice of the King’s Bench; and

...

2023, c28, s2-2.

Explanation

The King’s Bench Act is amended to update the titles of the chief justice and the associate chief justice to include the word “Court of” before “King’s Bench” in the English version only.

8 **Existing Provision**

The Legislation Act

General definitions

2-29 In an enactment:

...

“**duly qualified medical practitioner**” means a person registered pursuant to *The Medical Profession Act, 1981*, other than a person registered pursuant to section 42.1 of that Act, whose registration is not under suspension; (« *médecin qualifié* »)

...

2019, cL-10.2, s.2-29; 2022, c19, s.8; 2021, c7, s.3;
2023, c28, s.17-9 and c31, s.3.

Explanation

The Legislation Act is amended to update a cross-reference in both the English and French versions.

9 Existing Provision

The Non-profit Corporations Act, 2022 / Loi de 2022 sur les organisations sans but lucratif.

Approbation des états financiers

13-3(1) Les états financiers visés à l’article 13 1 doivent recevoir l’approbation du conseil d’administration; l’approbation doit être attestée par la signature d’un ou plusieurs administrateurs.

2022, ch25, art.13-3.

Explanation

The Non-profit Corporations Act, 2022 is amended to correct a section reference in subsection 13-3(1) of the French version only.

10 Existing Provision

The Small Claims Act, 2016

Application of Act

3(3) Subject to subsections (4) and (5) and section 4, but notwithstanding clause 2(1)(o) of *The Saskatchewan Insurance Act*, actions by or against an insurer may be brought pursuant to this Act in any situation in which there is a disagreement between the insured and the insurer.

(4) If a contract of insurance or *The Saskatchewan Insurance Act* requires an appraisal before there can be any recovery, the procedures for an appraisal set out in the contract or *The Saskatchewan Insurance Act*, including, if applicable, submission to an umpire, must be completed before an action may be brought.

(5) If a contract of insurance or *The Saskatchewan Insurance Act* allows but does not require an appraisal, an action may be brought whether or not the procedures for an appraisal set out in the contract or *The Saskatchewan Insurance Act* have been completed.

(6) For the purposes of subsection (4), “**requires an appraisal**” includes a situation in which a contract of insurance or *The Saskatchewan Insurance Act* provides an insured or an insurer with the right to require an appraisal and the insured or insurer has exercised that right.

2016, cS-50.12, s.3.

Explanation

The Small Claims Act, 2016 is amended to update references to the repealed *Saskatchewan Insurance Act* with the current *Insurance Act* in both the English and French versions.

11 Existing Provision

The Vital Statistics Act, 2009

Additional information

15(1) If the registrar is not satisfied as to the truth or sufficiency of a statement submitted for registration or is not satisfied that a statement was submitted in good faith, the registrar may, for the purpose of obtaining additional evidence or information respecting the event, do any of the following:

- (a) require the attendance at his or her office of the person who signed the statement, or of any other person, and examine that person respecting any matter pertaining to the registration of the event;

...

2009, c.V-7.21, s.15.

Registration of abandoned newborn child

26(5) After registering the live birth of a child pursuant to this section, the registrar shall send a certified copy of the statement and a copy of all other documents submitted respecting the child pursuant to this section to the minister responsible for *The Child and Family Services Act*.

(6) If, at any time after registering the live birth of a child pursuant to this section, the identity of the child is established to the satisfaction of the registrar or the registrar receives further information respecting the live birth of the child, the registrar shall:

...

(b) notify the minister responsible for *The Child and Family Services Act* with respect to that amendment.

2009, c.V-7.21, s.26.

Change of sex designation

31(1) In this section, “health care professional” means a physician, psychologist or member of a prescribed category of health care professionals who:

...

(b) is in good standing with the authority responsible for the regulation of his or her health care profession in the jurisdiction in which he or she practises.

2016, c.7, s.3.

Interim medical certificate of death

36(1) A physician or prescribed practitioner who is awaiting the results of an autopsy, or a coroner to whom a death has been reported but who has not completed his or her responsibilities with respect to the death, may complete an interim medical certificate of death, in a form approved by the registrar, for the purpose of enabling a person to obtain a burial permit pursuant to section 42.

2009, c.V-7.21, s.36; 2015, c.26, s.9.

Completion of statement, medical certificate of death – human skeletal remains found

38(1) If, after making an investigation or holding an inquest pursuant to *The Coroners Act, 1999* with respect to human skeletal remains found within Saskatchewan, a coroner is satisfied that a death of a human occurred:

...

(b) the coroner must, to the best of his or her ability, complete a statement and a medical certificate of death with respect to the subject individual; and

...

2009, c.V-7.21, s.38.

Interim medical certificate of stillbirth

50(1) A physician or prescribed practitioner who is awaiting the results of an autopsy, or a coroner to whom a stillbirth has been reported but who has not completed his or her responsibilities with respect to the stillbirth, may complete an interim medical certificate of stillbirth, in a form approved by the registrar, for the purpose of enabling a person to obtain a burial permit pursuant to section 56.

2009, c.V-7.21, s.50; 2015, c.26, s.12.

Application for search, certificate, etc.

69(4) If the registrar is not satisfied with respect to any of the matters set out in subsection (3) or has reason to believe that the application was made for an unlawful or improper purpose, the registrar may do any or all of the following:

(a) to obtain any necessary additional evidence or information:

(i) require the attendance at his or her office of the applicant and examine the applicant respecting any matter pertaining to the application;

...

2009, c.V-7.21, s.69.

Providing false or misleading information

93 No person shall, for the purpose of procuring the registration of an event, the carrying out of a search or the issuance of a certificate, copy or extract for himself or herself or for any other person:

(a) make a written or an oral statement that he or she knows is false or misleading; or

...

2009, c.V-7.21, s.93.

False statements of live birth, stillbirth, marriage, death

94 No person shall:

...

(b) without lawful excuse, have in his or her possession a false document that purports to be a statement of live birth, a statement of stillbirth, a statement of marriage or a statement of death; or

...

2009, c.V-7.21, s.94.

False certificates, copies, extracts

95(2) No person shall, on his or her own behalf, use, deal with or act on a certificate, copy or extract issued pursuant to this Act or a former Act with respect to another person.

2009, c.V-7.21, s.95.

Offences – unlawful use or disclosure

108(3) No person who is aware, or should reasonably be aware, that he or she has received vital statistics information in contravention of this Act shall use or disclose the information.

2009, c.V-7.21, s.108.

Explanation

The Vital Statistics Act, 2009 is amended to modernizes language and to insert missing words in the title of the minister in the English version.

12 Coming into force.