

General Laws

Introduction

Ministries and other government organizations are subject to applicable general laws as specified in the particular law. General laws provide broad powers and duties to government officials and groups, which impact ministries and other government organizations. Some general laws in Saskatchewan are listed below.

DISCLAIMER: The following summaries provided as general information. They do not contain a comprehensive discussion of the provisions of these Acts. In addition, the contents are not to be accepted or construed as a substitute for the provisions of legislation.

Appropriation Act(s)

The Appropriation Act is the legal authorization to spend moneys from the [General Revenue Fund](#) for the purposes and time period identified in *The Appropriation Act* and the [Estimates](#). There is usually more than one Appropriation Act for a fiscal year.

The Archives and Public Records Management Act

The Archives and Public Records Management Act (APRMA) establishes the [Provincial Archives of Saskatchewan](#) and provides for the appointment of the Provincial Archivist. The APRMA sets out their powers and duties and the requirements for the proper disposal of public records.

The Builders' Lien Act

The Builders' Lien Act (BLA) provides for members of the construction industry to claim and register a builder's lien to secure payment for work or services performed or materials provided. The BLA requires owners to establish a "hold-back trust account" which is to hold 10 percent of the value of the work done, services rendered or materials supplied. The hold-back is required for all contracts.

The Crown Corporations Act, 1993

The Crown Corporations Act, 1993 (CCA) sets out the objects, purposes and powers of the [Crown Investments Corporation \(CIC\)](#), which is the holding company for [subsidiary Crown corporations](#) and which makes and administers investments authorized by the CCA. It also sets out powers of [CIC Crown corporations](#) and the [Treasury Board Crown corporations](#) that fall under the CCA.

The Crown Employment Contracts Act

The Crown Employment Contracts Act (CECA) governs [Crown employment contracts](#) as defined in the CECA (i.e., employment contracts for certain employees of a Crown employer). For example, it does not apply to employees covered by a collective bargaining

agreement. Crown employment contracts are to be filed with the Clerk of the Executive Council and are deemed to be public documents available for public disclosure in accordance with the CECA.

The Enforcement of Money Judgments Act

The Enforcement of Money Judgments Act (EMJA) provides for a comprehensive money judgment enforcement process. Under the EMJA, registration of a notice of judgment in the Personal Property Registry is required. Under the EMJA, the Government may be served with notices of seizure of employee remuneration and Crown accounts (e.g., amounts owing to a supplier).

The Executive Government Administration Act

The Executive Government Administration Act (EAA) centralizes administrative powers within one Act, including:

- appointing Cabinet;
- determining the organizational structure of government and assigning to ministers and transferring from one minister to another, the administration of specific [Acts](#) or portions of Acts;
- establishing Cabinet committees and appointing [legislative secretaries](#);
- hiring advisors and appointing advisory committees (advisory committees require an Order in Council);
- specifying requirements for an Order in Council for payments over \$50,000 in a fiscal year;
- establishing the Office of the Executive Council, including the [Deputy Minister to the Premier](#), the Cabinet Secretary and the [Clerk of the Executive Council](#);
- requirements for tabling of documents before the [Legislative Assembly](#).

The Financial Administration Act, 1993

The Financial Administration Act, 1993 (FAA) encompasses the financial administration of the Government of Saskatchewan, including powers and duties of [Treasury Board](#), the Minister of Finance, and the [Provincial Comptroller](#). It continues the [General Revenue Fund](#) (GRF) and includes provisions regarding GRF revenues, expenses, assets and liabilities. It requires summary financial statements to be prepared and specifies the Public Accounts requirements.

The Freedom of Information and Protection of Privacy Act

The Freedom of Information and Protection of Privacy Act (FIPPA) provides for the appointment of the [Information and Privacy Commissioner](#) and sets out the commissioner's powers and duties. The FIPPA sets out procedures with respect to requests for access to records in the possession or under the control of government institutions (i.e., government ministries and entities that are prescribed in regulations to the FIPPA) and with respect to the collection, use and disclosure of personal information by those government institutions. The FIPPA also sets out procedures for review and appeal.

Part: **Appendices**
 Section: **General Laws**

Number: **G**
 Date: **2019-12-06**
 Page: **3 of 5**

The Legislation Act

The Legislation Act (LeA) establishes general rules that govern the interpretation of all enactments (Acts and statutory instruments, such as regulations and Orders in Council). The LeA outlines corporate rights and powers that are applicable to corporations that are established by Acts, other than those established pursuant to *The Business Corporations Act*, *The Non-profit Corporations Act, 1995*, *The Co-operatives Act, 1996*, *The New Generation Cooperatives Act*, *The Credit Union Act, 1998*, or *The Crown Corporations Act, 1993* and duty of care for officers and directors. The LeA also provides definitions of terms that are commonly used in Acts and statutory instruments.

The LeA also provides for the appointment of a Registrar of Regulations and describes procedures with respect to implementation and publication of regulations (e.g., filing, coming into force, amendment and repeal and the publication in [The Saskatchewan Gazette](#)). This does not include a statutory instrument made by a corporation unless all the members of the corporation or all the members of the board of directors are appointed pursuant to an Act or by the [Lieutenant Governor in Council](#) and the regulation is made pursuant to a power in a public Act if the word “regulation(s)” is used in conferring that power.

The Legislative Assembly Act, 2007

The Legislative Assembly Act, 2007 (LAA) provides for the operation of the [Legislative Assembly](#) and the remuneration of the [Members of the Legislative Assembly](#) (MLAs). The LAA provides for the [Legislative Assembly Service](#), which includes the Speaker, the [Clerk of the Legislative Assembly](#), the Clerks-at-the-Table, the Sergeant-at-Arms, the Law Clerk and Parliamentary Counsel and the Legislative Librarian and employees that may be required by the Clerk, the Law Clerk and Parliamentary Counsel and the Legislative Librarian. It also establishes and sets out the powers and duties of the [Board of Internal Economy](#).

The Lobbyists Act

The Lobbyists Act (LA) establishes rules and requirements with respect to lobbying by in-house or consultant lobbyists. The purpose of the LA is to provide increased transparency and accountability to the public.

“[Lobbying](#)” is to communicate with a public office holder (e.g., member of Executive Council, MLA, employees of a ministry, persons appointed by Lieutenant Governor in Council) in an attempt to influence their decisions.

In addition, the LA also requires the Minister of Finance to publish information relating to payments made by ministries to lobbyists.¹ In accordance with The Lobbyists Regulations, if there are

¹ While it is unlikely that there will be any payments to lobbyists, the Corporate Services Branch of the Ministry of Finance should be advised of any payments made to the lobbyists.

Part:	Appendices	Number:	G
Section:	General Laws	Date:	2019-12-06
		Page:	4 of 5

payments in a fiscal year, they must be disclosed in the Gazette within 120 days after the end of the fiscal year to which the information relates.

The Local Authority Freedom of Information and Protection of Privacy Act

The Local Authority Freedom of Information and Protection of Privacy Act (LAFIPPA) sets out procedures with respect to requests for access to records in the possession or under the control of local authorities (i.e., authorities that are outlined in the LAFIPPA or prescribed in regulations to the LAFIPPA) and to the collection and disclosure of personal information by those authorities. The LAFIPPA also sets out procedures for review and appeal.

The Ombudsman Act, 2012 and The Advocate for Children and Youth Act

The Ombudsman Act, 2012 provides for the appointment of the [Ombudsman](#) as an officer of the [Legislative Assembly](#) and sets out the Ombudsman's powers and duties. The Ombudsman has the authority to investigate complaints received from members of the public who believe they were unfairly dealt with by the government administration, including ministries, boards, agencies or commissions that are responsible to the Crown and any public servant in Saskatchewan.

The Advocate for Children and Youth Act provides for the appointment of the [Advocate for Children and Youth](#), who is also an officer of the Legislative Assembly, and sets out the Advocate's powers and duties. The Advocate has the authority to promote the interests of, and act as a voice for children and youth when there are concerns about provincial government services.

The Proceedings Against the Crown Act, 2019

The Proceedings Against the Crown Act, 2019 (PACA) covers legal proceedings against the Crown (i.e., the Crown in right of Saskatchewan). Nothing in the PACA subjects the Crown to proceedings under the PACA in respect of a cause of action that is enforceable against a Crown corporation or other Crown agency.

The Provincial Auditor Act

The Provincial Auditor Act provides for the appointment of the [Provincial Auditor](#) and sets out powers and duties of the Provincial Auditor. Responsibilities of [appointed auditors](#) are also set out.

The Provincial Sales Tax Act

The Provincial Sales Tax Act (PSTA) provides for the Provincial Sales Tax that applies to the purchase, importation, or rental of certain goods and services. The PSTA also requires businesses that sell taxable foods or services in the Province to obtain a Provincial Sales Tax vendor's licence.

Part: **Appendices**
 Section: **General Laws**

Number: **G**
 Date: **2019-12-06**
 Page: **5 of 5**

The Public Service Act, 1998

The Public Service Act, 1998 (PSA) continues the [Public Service Commission](#) and sets out its powers and duties. The PSA provides for two divisions of the [public service](#), the [classified](#) and [unclassified divisions](#).

The Public Works and Services Act

The Public Works and Services Act (PWSA) provides the Minister responsible for the PWSA with a number of powers, including the power to acquire property for the use or purposes of the Government of Saskatchewan, public agencies or public institutions and to dispose of that property. The PWSA also provides the Minister with the powers to develop, construct, alter, maintain, manage and operate property for and provide services, accommodation and facilities to the Government of Saskatchewan, public agencies, public institutions or participating jurisdictions.

The Purchasing Act, 2004

The Purchasing Act, 2004 (PA) provides the authority for the appointment of the Director of Purchasing and sets out the responsibilities and duties of the position. It governs the acquisition and disposition of supplies by a [public agency](#) pursuant to the PA. It also provides for the acquisition and disposal of supplies for public institutions and participating jurisdictions on request.

The Revenue and Financial Services Act

The Revenue and Financial Services Act (RFSA) continues the [Board of Revenue Commissioners](#) and sets out its powers and duties. It also provides for revenue officers and includes provisions relating to revenue collection under various revenue Acts (e.g., [The Provincial Sales Tax Act](#)).

The Saskatchewan Human Rights Code, 2018

The Saskatchewan Human Rights Code, 2018 (SHRC) and the federal *Charter of Rights and Freedoms* (which is part of the Constitution) are general laws with respect to protecting the privileges of being a citizen. The SHRC sets out the procedure for filing a complaint of discrimination with the Saskatchewan Human Rights Commission.

The Workers' Compensation Act, 2013

The Workers' Compensation Act, 2013 (WCA) applies to all employers and workers in Saskatchewan, except those in farming and ranching and those specifically excluded by regulation. It applies to the Government of Saskatchewan and those employed by the Government. The WCA provides for the Injury Fund to which is credited all moneys collected from employers under the WCA. The Workers' Compensation Board, which is established pursuant to the WCA, may expend money from the Fund for the administration of the WCA and for compensation of workers and dependents, assistance to dependent spouses of deceased workers and other costs as outlined in the WCA.