The Government Organization Act

Repealed
by Chapter E-13.1* of the *Statutes of Saskatchewan, 2014*
(effective August 15, 2014).

Formerly
Chapter G-5.1 of the *Statutes of Saskatchewan 1986-87-88* (effective January 15, 1987) as amended by the *Statutes of Saskatchewan,* 1989-90, c.54; 1996, c.28; 2004, c.10 and 41; 2005, c.L-11.2; and 2007, c.6.

NOTE:
This consolidation is not official and is subject to House amendments and Law Clerk and Parliamentary Counsel changes to Separate Chapters that may be incorporated up until the publication of the annual bound volume. Amendments have been incorporated for convenience of reference and the official Statutes and Regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the official Statutes and Regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER G-5.1

An Act respecting the Organization of the Executive Government of Saskatchewan

SHORT TITLE AND INTERPRETATION

Short title

1 This Act may be cited as *The Government Organization Act*.

Interpretation

2 In this Act:

(a) **"adjusted amount"** means the adjusted amount as defined and calculated in accordance with the regulations;

(b) **"department"** means a department, secretariat, office or other similar agency of the executive government;

(c) **"executive council"** means the Executive Council of the Province of Saskatchewan continued pursuant to section 3;

(d) **"executive government"** means the executive government of Saskatchewan;

(e) **"legislative secretary"** means a legislative secretary appointed pursuant to section 9;

(f) **"minister"** means a member of the executive council and includes the President of the Executive Council.

1986-87-88, c.G-5.1, s.2; 2005, c.L-11.2, s.99.

EXECUTIVE COUNCIL

Executive council continued

3 The Executive Council of the Province of Saskatchewan is continued and consists of its present members and any other persons that the Lieutenant Governor may appoint.

1986-87-88, c.G-5.1, s.3.

Ministerial appointments

4(1) The Lieutenant Governor may appoint, under the Great Seal, from among the members of the executive council, the following officers to hold office during pleasure:

(a) a President of the Executive Council;

(b) ministers to preside over the departments of the executive government and to exercise any powers and perform any duties or functions that the Lieutenant Governor in Council may assign or transfer pursuant to section 5;

(c) ministers, in addition to those appointed pursuant to clause (b), to exercise any powers and perform any duties or functions that the Lieutenant Governor in Council may assign or transfer pursuant to section 5.

(2) The Lieutenant Governor in Council may determine the titles by which the ministers appointed pursuant to subsection (1) shall be known.

1986-87-88, c.G-5.1, s.4.

Transfer of powers, etc.

5(1) The Lieutenant Governor in Council may, on the recommendation of the President of the Executive Council:

(a) assign to any minister any power, duty or function conferred or imposed by law on a minister;

(b) transfer any power, duty or function assigned to a minister under clause (a) to any other minister;

(c) transfer any power, duty or function that is conferred or imposed by law:

(i) on any minister, to any other minister;

(ii) on any department, to any minister or other department;

either absolutely or limited for any period and in respect of any purpose or area of Saskatchewan that may be specified by the Lieutenant Governor in Council.

(2) Without limiting the generality of subsection (1), the Lieutenant Governor in Council may assign to any minister or transfer from one minister to another the administration of:

(a) any Act or portion of an Act;

(b) any part of the public service;

either absolutely or limited for any period and in respect of any purpose or area of Saskatchewan that may be specified by the Lieutenant Governor in Council.

(3) Where the administration of an Act or portion of an Act or a part of the public service is transferred to a minister under subsection (2), the Lieutenant Governor in Council may also transfer to the minister for administration the whole or any part of the moneys appropriated in respect of that Act or part of the public service.

1986-87-88, c.G-5.1, s.5.

Committees

6(1) The Lieutenant Governor in Council may:

(a) establish one or more committees to the executive council, each consisting of a minister, who shall preside over the committee, and any other persons that the Lieutenant Governor in Council may appoint; and

(b) determine the duties and functions of each committee established pursuant to clause (a).

(2) Each committee established pursuant to clause (1)(a) may prescribe its own rules and methods of procedure.

1986-87-88, c.G-5.1, s.6.

Great Seal

7 The Lieutenant Governor in Council shall designate a minister to be the keeper of the Great Seal and the minister so designated shall issue under the Great Seal all documents authorized or required by law to be issued under the Great Seal and countersign them.

1986-87-88, c.G-5.1, s.7.

Salaries and expenses

8(1) Each minister, other than the President of the Executive Council, shall be paid a salary at the rate of the adjusted amount of $20,500 per annum.

(2) The President of the Executive Council shall be paid a salary at the rate of the adjusted amount of $27,250 per annum.

(3) The salaries of the President of the Executive Council and ministers shall be paid out of the general revenue fund in monthly instalments.

(4) The Lieutenant Governor in Council may make regulations providing for the payment to a minister of reasonable travelling and other expenses incurred by him in the discharge of his duties.

1986-87-88, c.G-5.1, s.8; 2004, c.10, s.17.

LEGISLATIVE SECRETARIES

Appointment

9(1) The Lieutenant Governor in Council may appoint, under the Great Seal, one or more members of the Assembly to be legislative secretaries to ministers.

(2) The appointment of a legislative secretary terminates:

(a) on December 31 in the year in which the appointment is made;

(b) when he ceases to be a member of the Assembly; or

(c) on cancellation of the appointment;

whichever occurs first.

1986-87-88, c.G-5.1, s.9.

Duties

10 A legislative secretary appointed to assist a minister shall assist the minister in any manner that the minister may direct.

1986-87-88, c.G-5.1, s.10.

Salary and expenses

11(1) **Repealed.** 2004, c.41, s.7.

(2) The salary of a legislative secretary as determined in accordance with *The Legislative Assembly and Executive Council Act, 2007* shall be paid out of the general revenue fund in monthly instalments.

(3) The Lieutenant Governor in Council may make regulations providing for the payment to a legislative secretary of reasonable travelling and other expenses incurred by him in the discharge of his duties:

(a) while away from Regina during a session of the Legislature; or

(b) while away from his ordinary place of residence during the period when the Legislature is not in session.

1986-87-88, c.G-5.1, s.11; 2004, c.41, s.7; 2007, c.6, s.3.

GOVERNMENT DEPARTMENTS

Organization of executive government

12(1) Notwithstanding any Act or other law, but subject to the other provisions of this Act, the Lieutenant Governor in Council may, by regulation, on the recommendation of the President of the Executive Council, determine the organization of the executive government and of its various departments, and for that purpose may:

(a) establish, continue or vary any department and determine the objects and purposes of the department;

(b) disestablish any department;

(c) determine or change the name of any department.

(2) **Repealed.** 1989-90, c.54, s.5.

1986-87-88, c.G-5.1, s.12; 1989-90, c.54, s.4 and 5.

Seal

13(1) The Lieutenant Governor in Council may create a seal for a department established or continued pursuant to section 12 and may, in his discretion, alter or modify the seal.

(2) If, on the coming into force of this section, a seal is in existence for and in use by any department, that seal continues to be the seal of the department until otherwise ordered by the Lieutenant Governor in Council.

1986-87-88, c.G-5.1, s.13.

Staff

14 The staff of a department consists of a deputy minister or other head as determined by the Lieutenant Governor in Council and any other employees that are required for the proper conduct of the business of the department, and their duties and functions include those that are prescribed by law and that are assigned to them by the minister who presides over the department.

1986-87-88, c.G-5.1, s.14.

Advisors, etc.

15 For the purposes of exercising any of the powers or performing any of the duties or functions conferred or imposed on him by or pursuant to this Act or any other law, a minister may engage the services of or retain any technical, professional or other advisors, specialists or consultants that he considers necessary.

1986-87-88, c.G-5.1, s.15.

Advisory committees

16(1) For the purposes of exercising any of the powers or performing any of the duties or functions conferred or imposed on him by or pursuant to this Act or any other law, a minister may appoint one or more advisory committees for a specific period and for a specific purpose.

(2) A minister shall obtain the approval of the Lieutenant Governor in Council before appointing an advisory committee for a period of longer than one year.

1986-87-88, c.G-5.1, s.16.

Agreements

17(1) Subject to *The Federal-Provincial Agreements Act*, to subsection (2) and to any restriction that may be prescribed in regulations by the Lieutenant Governor in Council, a 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 or functions assigned or transferred to the minister by or pursuant to this Act or any other Act or law, with:

(a) the Government of Canada or the government of any other province or territory of Canada or a minister, agent or official of that government;

(b) the government of any other country or any jurisdiction within that country; or

(c) any person, agency, organization, association, enterprise, institution or body within or outside Saskatchewan.

(2) A minister shall obtain the approval of the Lieutenant Governor in Council before entering into any agreement pursuant to subsection (1) where the Government of Saskatchewan is liable to make any expenditure that is greater than $50,000 in any fiscal year, other than an agreement pursuant to section 15 or 16.

1996, c.28, s.3.

Notice of certain agreements

17.1(1) Before entering into an agreement with any government, minister, agent or official pursuant to clause 17(1)(a) or (b), or with any person, agency, organization, association, enterprise, institution or body outside Canada pursuant to clause 17(1)(c), a minister shall give notice to the Minister of Intergovernmental Affairs of the minister's intention to enter into that agreement.

(2) The failure by a minister to give the notice required by subsection (1) to the Minister of Intergovernmental Affairs does not invalidate the agreement.

1996, c.28, s.3.

Grants

18(1) Subject to subsection (2), a minister may, for any purpose relating to any matter under his administration or for which he is responsible, make grants on any terms or conditions that he may prescribe, to any person, agency, organization, association, institution or body within or outside Saskatchewan.

(2) A minister shall obtain the approval of the Lieutenant Governor in Council before making any grant under subsection (1) that is in excess of $50,000 in any fiscal year.

1986-87-88, c.G-5.1, s.18; 1996, c.28, s.4.

Financial assistance

19 A minister may, for any purpose relating to any matter under his administration or for which he is responsible, provide financial assistance by way of grant, loan, guarantee or other similar means, in accordance with any terms or conditions that are prescribed in regulations made by the Lieutenant Governor in Council, to any person, agency, organization, association, institution or body within or outside Saskatchewan.

1986-87-88, c.G-5.1, s.19.

Certain other powers not affected

20 The powers of a minister under sections 15 to 19 do not limit in any way similar powers conferred on a minister by any other Act or law.

1986-87-88, c.G-5.1, s.20.

Annual report

21 Each minister shall, in each fiscal year, in accordance with *The Tabling of Documents Act*:

(a) prepare and submit to the Lieutenant Governor in Council a report respecting the work performed by each department over which he presides; and

(b) lay before the Legislative Assembly each report prepared pursuant to clause (a).

1986-87-88, c.G-5.1, s.21.

Effect of transfer of powers, etc.

22 On and from the date that a transfer pursuant to subsection 5(1) or (2) becomes effective, the minister or department to which the power, duty, function or administration is transferred and the appropriate officers of the department:

(a) have and may exercise the respective powers, duties and functions that formerly belonged to or were exercisable by; and

(b) in relation to the exercise of the respective powers, duties and functions shall, in any Act, regulation, order or document, be substituted for;

the minister or department and the respective officers of the department from which the power, duty, function or administration is transferred.

1986-87-88, c.G-5.1, s.22.

Power to exclude certain provisions

23 The Lieutenant Governor in Council may by regulation determine that any of the provisions of sections 13 to 19 and 21 do not apply in respect of a minister or department or for any purpose that is specified in the order.

1986-87-88, c.G-5.1, s.23.

GENERAL

Regulations

24 For the purpose of carrying out the provisions of this Act according to their intent the Lieutenant Governor in Council may make regulations respecting any matter or thing required or authorized by this Act to be prescribed in the regulations by the Lieutenant Governor in Council.

1986-87-88, c.G-5.1, s.24.

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