

The Saskatchewan Pension Plan Act

being

Chapter S-32.2 of the *Statutes of Saskatchewan, 1986* (consult Table of Saskatchewan Statutes for effective dates) as amended by the *Statutes of Saskatchewan*, 1986-87-88, c.5; [1988-89, c.53](#); [1989-90, c.24](#); [1992, c.77](#); [1996, c.15](#) and [60](#); [1997, c.20](#) and [T-22.2](#); [1998, c.C-45.2](#) and [P-42.1](#); [2000, c.27](#); [2001, c.50](#) and [51](#); [2002, c.10](#); [2008, c.16](#); [2012, c.14](#); [2013, c.31](#); [2014, c.E-13.1](#); and [2015, c.20](#) and [c.21](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

1	Short title	12.2	Transfers into fund
2	Interpretation	13	Payment on retirement
3	Plan established	13.1	Repealed
3.1	Pooled registered pension plans	14	Pension benefits
4	Board	15	Repealed
5	Duties of board	16	Death of participant
6	Decision of board final	17	Repealed
7	Fund	18	Information and statements
8	Eligibility to contribute	19	Benefits not assignable
9	Repealed	19.1	Division on breakdown of spousal relationship
10	Repealed	19.2	Objection to division
11	Contributions	19.3	Amounts payable to persons who cannot be located
12	Contributions permanently vested	20	Fiscal year; tabling of documents
12.1	Withdrawal from plan	20.1	Audit
		21	Regulations
		Table 1	Repealed

CHAPTER S-32.2

An Act respecting The Saskatchewan Pension Plan

Short title

- 1 This Act may be cited as *The Saskatchewan Pension Plan Act*.

Interpretation

- 2 In this Act:

- (a) **“board”** means the Saskatchewan Pension Plan Board of Trustees continued pursuant to section 4;
- (b) **“fund”** means the Saskatchewan Pension Plan Fund established pursuant to section 7;
- (c) **“life annuity”** means an annuity that continues for the duration of the life of the annuitant, whether or not after the life of the annuitant it is continued to some other person;
- (d) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (e) **“normal form of pension”** means an annuity under which payments are made during the lifetime of the annuitant and terminate on the annuitant’s death;
- (f) **“participant”** means a person who has contributed to the plan or has applied to participate in the plan in the form specified by the board;
- (g) **“pension benefit”** means the moneys pursuant to this Act that a participant is entitled to receive on retirement or to which any other person is entitled by virtue of the participant’s death after retirement;
- (h) **“plan”** means the Saskatchewan Pension Plan established pursuant to section 3;
- (i) **“prescribed pension benefit”** means a pension benefit that is prescribed in the regulations as a pension benefit that may be purchased or provided;
- (j) **“spouse”** means:
 - (i) a person who is legally married to a participant; or
 - (ii) if a participant is not married, a person with whom the participant is cohabiting as a spouse at the relevant time and who has been cohabiting continuously with the participant as his or her spouse for at least one year before the relevant time.

c. S-32.2**SASKATCHEWAN PENSION PLAN****Plan established**

- 3(1)** The Saskatchewan Pension Plan is established.
- (2) The costs of establishing the plan shall be paid for by the Minister of Finance.
- (3) The costs of implementing changes to the plan caused by the enactment of *The Saskatchewan Pension Plan Amendment Act, 1992* shall be paid for by the Minister of Finance.

1986, c.S-32.2, s.3; 1992, c.77, s.5.

Pooled registered pension plans

- 3.1(1)** Subject to the approval of the Lieutenant Governor in Council, the board may establish one or more pooled registered pension plans within the meaning of *The Pooled Registered Pension Plans (Saskatchewan) Act* in accordance with this section.
- (2) Subject to subsection (3), the board may cause to be incorporated pursuant to *The Non-profit Corporations Act* a corporation for the purpose of acting as the administrator of a pooled registered pension plan mentioned in subsection (1).
- (3) A corporation established pursuant to subsection (2) shall be limited by its articles of incorporation:
 - (a) to being a membership corporation whose sole member is the board;
 - (b) to carrying on business only as the administrator of the pooled registered pension plan for which it was established;
 - (c) on dissolution, to distributing its remaining property for the benefit of the members of the pooled registered pension plan for which it was established, in accordance with *The Pooled Registered Pension Plans (Saskatchewan) Act*; and
 - (d) respecting any other matter or thing prescribed in the regulations.
- (4) The administrator of a pooled registered pension plan established pursuant to subsection (1):
 - (a) shall place the moneys that it holds in trust for the members of the pooled registered pension plan in the fund or in one or more funds created from the fund; and
 - (b) may establish investment goals and policies to be followed by the board with respect to the investment of the moneys of the pooled registered pension plan by the board.
- (5) A member of a pooled registered pension plan established pursuant to subsection (1) is not, solely by reason of that membership, a participant in the Saskatchewan Pension Plan.

2013, c.31, s.3.

Board

- 4(1) The Saskatchewan Pension Plan Board of Trustees is continued.
- (2) The board consists of not less than three members appointed by the Lieutenant Governor in Council.
- (3) At least one-third of the members appointed pursuant to subsection (2) must be participants in the plan, and each of those members must have contributed to the fund with respect to the year in which, or the year previous to the year in which, he or she was appointed.
- (4) The Lieutenant Governor in Council shall designate a member of the board to be the chairperson.
- (5) If the chairperson is absent or unable to act, or the office of chairperson is vacant, the members of the board may designate another member of the board to act as chairperson.
- (6) Subject to any regulations, the board may determine the procedures for carrying out its functions and duties.

2015, c 20, s.4.

Duties of board

- 5(1) The board shall administer the plan and act as trustee of the fund.
- (2) The board may:
 - (a) enter into contracts for the provision of administrative services and delegate to a person with whom a contract has been entered any powers and duties that the board may, from time to time, direct;
 - (b) employ any staff and acquire any goods, services, accommodation and facilities that the board may require in connection with the administration of the plan;
 - (c) invest all or any part of the moneys standing to the credit of the fund in any securities authorized for investment of moneys pursuant to *The Pension Benefits Act, 1992*;
 - (d) dispose of any securities in which any part of the fund has been invested in any manner and on any terms that the board considers expedient;
 - (e) enter into any agreement, engage the services of or retain any technical, professional or other adviser, specialist or consultant or do any other things that the board considers necessary for the purposes of managing, investing or disposing of all or any part of the assets of the fund;
 - (e.1) provide prescribed pension benefits that may be purchased by participants with amounts standing to their credit in the fund;
 - (f) charge a fee for any service provided by the board;
 - (g) establish policies for:
 - (i) the investment of the assets of the fund;
 - (ii) the calculation and allocation of revenues accruing to the fund; and
 - (iii) the calculation of the amounts in the fund standing to the credit of a participant;

- (h) **Repealed.** 2015, c20, s.5.
 - (i) determine rates of interest for the purpose of calculating any amounts payable into or out of the fund;
 - (j) set the terms for the annuities underwritten by the fund;
 - (k) provide administrative services to the administrator of a pooled registered pension plan established pursuant to section 3.1.
- (3) Employees of the board are subject to *The Public Service Act, 1998* and *The Super-annuation (Supplementary Provisions) Act*.

1986, c.S-32.2, s.5; 1998, c.P-42.1, s.42; 2000, c.27, s.4; 2002, c.10, s.3; 2013, c.31, s.4; 2015, c20, s.5.

Decision of board final

- 6** The board may determine any question respecting the application, interpretation or intent of a provision of this Act or the regulations, and the decision of the board is final.

2015, c20, s.6.

Fund

- 7(1)** The Saskatchewan Pension Plan Fund is established.
- (2) The board shall administer the fund.
- (3) The fund consists of:
- (a) moneys paid into the fund by participants;
 - (b) moneys paid into the fund by the Minister of Finance;
 - (b.1) moneys paid into the fund by the administrator of a pooled registered pension plan established pursuant to section 3.1; and
 - (c) earnings accruing from the investment of moneys in the fund.
- (3.1) Subject to the approval of the Lieutenant Governor in Council, the board may:
- (a) establish one or more specialty funds by allocating part of the assets of the fund to the amounts standing to the credit of participants who elect to participate in a specialty fund; and;
 - (b) designate one of the specialty funds as the default fund in which participants who have not made an election with respect to participation in a specialty fund shall participate.
- (3.11) The board may:
- (a) calculate the amounts in a specialty fund standing to the credit of participants who participate in the specialty fund, having regard to the value of the assets allocated to the specialty fund pursuant to subsection (3.1) and the revenue and other earnings accruing from the investment of the assets allocated to the specialty fund;

- (b) designate categories of participants who may participate in a specialty fund;
 - (c) designate categories of investments in which the assets allocated with respect to participants who participate in a specialty fund will be invested;
 - (d) permit participants to elect to participate in one or more specialty funds; and
 - (e) establish different investment policies for assets allocated to each specialty fund.
- (3.2) If a specialty fund has been established pursuant to subsection (3.1) for the purpose of establishing annuities, any amount by which the liabilities of that fund exceed the assets of that fund is a charge on, and payable out of, the general revenue fund.
- (4) Subject to subsection (5) and subsections 3(2) and (3), the costs of administration of the plan and the fund are a charge on and shall be paid from the fund.
- (5) If the board considers it appropriate to do so, the board may require a participant to pay a fee with respect to administrative costs in the amount prescribed by the board.

1986, c.S-32.2, s.7; 1986-87-88, c.5, s.3; 1989-90, c.24, s.4; 1992, c.77, s.6; 1996, c.60, s.4; 2013, c.31, s.5; 2015, c20, s.7.

Eligibility to contribute

- 8(1) A person who is at least 18 years of age may apply to participate in the plan by completing an application in the form specified by the board.
- (1.1) Subject to subsection (2), a participant may contribute to the fund in accordance with this Act.
- (1.2) **Repealed.** 1992, c.77, s.7.
- (2) No person is eligible to contribute to the fund:
- (a) in the years after the year in which, pursuant to the *Income Tax Act* (Canada), the date occurs on which retirement benefits must commence to be paid to the participant; or
 - (b) subject to subsection (2.2), who is in receipt of pension benefits.
- (2.1) **Repealed.** 1988-89, c.53, s.3.
- (2.2) Clause (2)(b) does not apply to a person who is receiving a pension benefit designated in any regulations.
- (3) **Repealed.** 2015, c20, s.8.
- (3.1) **Repealed.** 2015, c20, s.8.
- (4) **Repealed.** 2015, c20, s.8.

1986, c.S-32.2, s.8; 1986-87-88, c.5, s.4; 1988-89, c.53, s.3; 1989-90, c.24, s.5; 1992, c.77, s.7; 1996, c.60, s.5; 1997, c.20, s.3 and c.T-22, s.90; 1998, c.C-45.2, s.476; 2008, c.16, s.4; 2015, c20, s.8.

9 Repealed. 1992, c.77, s.8.

10 Repealed. 1992, c.77, s.8.

Contributions

11(1) Subject to subsection (2) and subsections 16(3) and (4), the aggregate of all contributions to the fund by or on behalf of a participant with respect to a year shall not exceed \$600 or any other amount that may be prescribed in the regulations.

(2) With respect to the year 1992, the aggregate of all contributions to the fund by or on behalf of a participant shall not exceed \$600 plus any amounts that the participant may be entitled to pursuant to:

(a) section 10, as that section existed on May 6, 1992; and

(b) subsection 19(1) of *The Saskatchewan Pension Plan Amendment Act, 1992*.

(3) Contributions made within 60 days of the end of the previous year are deemed to have been made in the previous year unless, at the time when the contributions are made, the participant elects in writing to have the contributions apply for the year in which they are made.

1992, c.77, s.9; 1996, c.60, s.6; 1997, c.20, s.4.

Contributions permanently vested

12(1) Subject to subsection (2), section 12.1, subsection 13(5) and sections 14, 16 and 19.1, all contributions made by or on behalf of a participant pursuant to this Act, other than overcontributions, together with the accumulated earnings on those contributions, are permanently vested and shall be used for the sole purpose of providing a life annuity or other prescribed pension benefit to the participant pursuant to section 13.

(2) The Lieutenant Governor in Council may, by order, authorize the Minister of Finance to enter into agreements with any body that administers a pension plan to provide for the transfer of the moneys in the fund standing to the credit of the participant to any other pension plan on any terms and conditions that may be specified in the relevant agreement.

1986, c.S-32.2, s.12; 1988-89, c.53, s.7; 1989-90, c.24, s.9; 1992, c.77, s.10; 1996, c.60, s.7; 2015, c.20, s.9.

Withdrawal from plan

12.1(1) A participant may elect in writing to withdraw from the plan in accordance with the conditions prescribed in the regulations.

(2) A participant who withdraws from the plan pursuant to subsection (1) is entitled to receive a refund of an amount determined in accordance with the regulations, subject to any conditions that are prescribed in the regulations.

1992, c.77, s.11.

Transfers into fund

12.2(1) Subject to subsection (2) and the regulations, a participant may transfer into the fund moneys from other pension plans of which the participant is a member or moneys from any of the participant's retirement savings plans that are registered pursuant to the *Income Tax Act* (Canada).

(2) A participant shall not transfer into the fund any locked-in moneys if the retirement date associated with those moneys is earlier than the date on which he or she attained the age of 55 years.

(3) For the purposes of this section, money is locked-in if its withdrawal or surrender is prohibited.

2015, c 20, s.10.

Payment on retirement

13(1) Subject to subsections (2) to (5), a participant who applies to the board is entitled to retire and may elect to receive a life annuity or a prescribed pension benefit provided by the amount standing to the credit of the participant.

(2) A participant may retire on or after attaining the age of 55 years.

(3) **Not yet proclaimed.**

(4) If a participant has not retired before the date on which, pursuant to the *Income Tax Act* (Canada), retirement benefits must commence to be paid to the participant, the participant is deemed to have retired on December 31 of the year in which the date occurs and the board shall provide the participant with:

(a) a life annuity; or

(b) subject to any terms and conditions prescribed in the regulations, a prescribed pension benefit.

(5) If the monthly amount of a life annuity payable to a participant is less than the amount prescribed in the regulations for the purposes of this subsection, the amount standing to the credit of the participant may be paid to the participant, on the request of the participant, in one lump sum.

2015, c 20, s.11.

13.1 Repealed. 2002, c.10, s.5.**Pension benefits**

14(1) If a participant retires or is deemed to have retired pursuant to section 13, the participant is entitled to a monthly annuity or other prescribed pension benefit to be provided from the amount standing to the credit of the participant as of the participant's date of retirement.

(2) On and from May 7, 1992, a participant who retired or who is deemed to have retired before May 7, 1992:

- (a) is entitled to a monthly annuity in accordance with subsection (1); and
- (b) is not entitled to the guaranteed minimum monthly amount calculated in accordance with section 14 as that section existed on the day on which the participant retired or is deemed to have retired.

1992, c.77, s.13; 1996, c.60, s.10; 2015, c20, s.12.

15 Repealed. 2015, c20, s.13.

Death of participant

16(1) If a participant dies prior to becoming entitled to receive any pension benefits, the total amount of all contributions made to the fund by or on behalf of that participant, together with the accrued earnings on that amount, shall be refunded to his designated beneficiary or beneficiaries, and in the absence of a designated beneficiary, to his personal representative.

(2) If a designated beneficiary predeceases the participant, the amount to be paid pursuant to subsection (1) is to be paid:

- (a) on a pro rata basis to the remaining living designated beneficiaries; or
- (b) to the estate of the participant if there are no remaining living designated beneficiaries.

(3) A designated beneficiary who is entitled to a refund pursuant to subsection (1) may elect to transfer the amount of the refund or any part of that amount into his or her account if the designated beneficiary:

- (a) is a participant who has not retired pursuant to subsection 13(1) and has not been deemed to have retired pursuant to subsection 13(4); and
- (b) is a person to whom a transfer is permitted pursuant to the *Income Tax Act* (Canada).

(4) On the death of a participant who has elected to receive a prescribed pension benefit that includes a lump sum death benefit, a designated beneficiary who is entitled to the lump sum death benefit may elect to transfer all or any part of the death benefit into his or her account if the designated beneficiary:

- (a) is a participant who has not retired pursuant to subsection 13(1) and has not been deemed to have retired pursuant to subsection 13(4); and
- (b) is a person to whom a transfer is permitted pursuant to the *Income Tax Act* (Canada).

1986, c.S-32.2, s.16; 1989-90, c.24, s.11; 1992, c.77, s.14; 1996, c.60, s.11; 1997, c.20, s.6; 2001, c.50, s.16; 2002, c.10, s.6; 2015, c20, s.14.

17 Repealed. 2000, c.27, s.5.

Information and statements

18 The board shall provide information and annual statements to participants as prescribed in the regulations.

1986, c.S-32.2, s.18.

Benefits not assignable

19(1) Notwithstanding anything to the contrary in any other Act, but subject to subsections (2) to (4) and section 19.1, no amount standing to the credit of a participant and no pension benefit provided by an amount standing to the credit of a participant shall be transferred, assigned, charged, anticipated, seized, attached, given as security or surrendered, and any transaction purporting to transfer, assign, charge, anticipate, seize, attach, give as security or surrender any such moneys is void.

(2) Notwithstanding any other provision of this Act or any other Act, for the purpose of enforcing a maintenance order as defined in *The Enforcement of Maintenance Orders Act, 1997*:

(a) pension benefits, as they become payable, are subject to seizure pursuant to that Act; and

(b) the amount standing to the credit of the participant is subject to attachment pursuant to that Act.

(3) If an amount has been attached pursuant to subsection (2), the board shall deduct from the amount standing to the credit of the participant:

(a) the cost of complying with the attachment calculated in the prescribed manner;

(b) the total amount of taxes, if any, that are required to be deducted or withheld as a result of the attachment; and

(c) the lesser of:

(i) the amount attached; and

(ii) the amount standing to the credit of the participant.

(4) If an amount has been attached pursuant to subsection (2):

(a) the participant has no further claim or entitlement to any pension benefits pursuant to the plan respecting the amount attached;

(b) the amount standing to the participant's credit is reduced by the amount deducted pursuant to subsection (3); and

(c) neither the board nor the plan is liable to any person by reason of having made payment pursuant to an attachment mentioned in sub-section (2).

1986, c.S-32.2, s.19; 1992, c.77, s.15; 1996, c.15, s.11; 2012, c.14, s.10; 2015, c20, s.15.

Division on breakdown of spousal relationship

19.1(1) On the breakdown of the spousal relationship of a participant, the board may, in accordance with this section, divide the amount standing to the credit of the participant or the monthly annuity or other prescribed pension benefit of the participant in accordance with this section.

(2) Subject to subsection (3), the amount standing to the credit of, or the monthly annuity or other prescribed pension benefit payable to, the participant is to be divided:

(a) if a court has made an order for the division of family property pursuant to *The Family Property Act*, in accordance with that order; or

(b) if the participant and the participant's spouse have entered into an agreement to divide their property that is an interspousal contract within the meaning of *The Family Property Act*, in accordance with that agreement.

(3) If a division of the amount standing to the credit of a participant or of the monthly annuity or other prescribed pension benefit of a participant is to be made pursuant to subsection (2), the board may require the spouse to apply to participate in the plan by completing an application in the form specified by the board.

(4) On the written request of the participant, the participant's spouse or the lawyer of either of them, the board shall release to the person making the request information respecting:

(a) the amount standing to the credit of the participant; or

(b) the monthly annuity or other prescribed pension benefit of the participant.

(5) Neither the board nor the fund is liable to any person by reason of having complied with an order or agreement mentioned in this section.

2015, c 20, s.16.

Objection to division

19.2(1) Except where an order or agreement mentioned in subsection 19.1(2) has been filed with the board by the participant and the spouse or former spouse jointly, the board shall give a notice in writing to the participant that an order or agreement has been filed.

(2) Unless the board receives a notice in writing within 30 days after providing the notice mentioned in subsection (1) that the participant objects to the division on one of the grounds set out in subsection (3), the board shall comply with the order or agreement.

(3) The grounds for an objection pursuant to subsection (2) are:

(a) that the order or agreement has been varied or is of no force or effect;

(b) that the terms of the order or agreement have been or are being satisfied by other means;

(c) that proceedings have been commenced in a court of competent jurisdiction in Canada to appeal or review the order or to challenge the terms of the agreement.

- (4) A participant who submits a notice of objection pursuant to subsection (2) shall include with the notice documentary evidence to establish the grounds for objection.
- (5) If a notice of objection pursuant to subsection (2) is received by the board, the board may apply to the Court of Queen's Bench for direction and, subject to subsection (6), the court may make any order that it considers appropriate in the circumstances.
- (6) No order as to costs is to be made against the board or the fund.

2015, c 20, s.16.

Amounts payable to persons who cannot be located

19.3(1) If an amount becomes payable out of the fund to any person who cannot be located, the board may pay the amount into the general revenue fund and, subject to subsection (3), the amount becomes the property of the Crown.

(2) Before paying any amount into the general revenue fund pursuant to subsection (1), the board shall take reasonable steps to locate the person to whom the amount is payable.

(3) If a person claims to be entitled to any amount paid into the general revenue fund pursuant to subsection (1), the Minister of Finance may, on the recommendation of the board, pay to the claimant the amount claimed or any portion of that amount specified by the Minister of Finance, together with interest at any rate that the Minister of Finance may specify.

2015, c 20, s.16.

Fiscal year; tabling of documents

20(1) The fiscal year of the board and the fund is the period commencing on January 1 in one year and ending on December 31 in the same year.

(2) The board shall, in each fiscal year, in accordance with section 13 of *The Executive Government Administration Act*, submit to the minister:

- (a) a report of the board on its business for the immediately preceding fiscal year; and
- (b) a financial statement showing the business of the board for that year, in any form that may be required by Treasury Board.

(3) The minister shall, in accordance with section 13 of *The Executive Government Administration Act*, lay before the Legislative Assembly each report and statement received by him under subsection (2).

(4) The report mentioned in subsection (2) is not required to specify the amount of pension benefits granted in each case to a named person.

1986, c.S-32.2, s.20; 1986-87-88, c.5, s.6; 2014, c.E-13.1, s.62.

Audit

20.1 The Provincial Auditor or any other auditor or firm of auditors that the board may appoint shall audit the accounts and financial statements of the board annually and at any other time requested by the Lieutenant Governor in Council.

2015, c 20, s.17.

Regulations

21(1) The Lieutenant Governor in Council may make regulations:

- (a) defining any word or expression used in this Act but not defined;
- (a.01) for the purposes of clause 3.1(3)(d), prescribing limits to be included in the articles of incorporation of a corporation established by the board to act as the administrator of a pooled registered pension plan;
- (a.1) **Repealed.** 2015, c 20, s.18.
- (a.2) **Repealed.** 1992, c.77, s.17.
- (b) **Repealed.** 1992, c.77, s.17.
- (c) **Repealed.** 2015, c 20, s.18.
- (d) **Repealed.** 2015, c 20, s.18.
- (e) prescribing the types of life annuities and other pension benefits that may be purchased or provided;
- (f) prescribing the circumstances under which a joint and survivor annuity shall be purchased or provided;
- (f.1) for the purposes of section 12.1:
 - (i) respecting the circumstances in which participants may elect to withdraw from the plan;
 - (ii) prescribing the manner of determining the amount of refunds;
 - (iii) prescribing conditions governing refunds;
- (f.2) governing the transfer of moneys into the fund pursuant to section 12.2;
- (g) respecting the manner in which an election to retire pursuant to section 13 is to be made;
- (g.1) for the purposes of subsection 13(5), prescribing the amount of a pension below which a pension is payable on a basis described in that subsection;
- (h) respecting the methods of computing pension benefit credits and pension benefits;
- (h.1) for the purposes of section 19, governing the manner of calculating the cost of complying with an attachment;
- (i) prescribing the manner of payment of annuities;
- (j) **Repealed.** 2015, c 20, s.18.

- (k) further limiting the assignment of life annuities or other benefits under this Act;
- (l) **Repealed.** 2015, c.20, s.18.
- (m) **Repealed.** 2015, c.20, s.18.
- (n) **Repealed.** 1992, c.77, s.17.
- (n.1) designating pension benefits for the purpose of subsection 8(2.2);
- (n.2) **Repealed.** 2002, c.10, s.7.
- (n.3) declaring that any provision of this Act that does not comply with the *Income Tax Act* (Canada) is inoperative to the extent that is necessary to comply with that Act;
- (n.4) respecting the manner in which the subject-matter of a provision that is declared inoperative by a regulation made pursuant to clause (n.3) is to be administered for the purpose of complying with the *Income Tax Act* (Canada);
- (o) prescribing any other matter or thing that is required or authorized by this Act to be prescribed in the regulations;
- (p) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.
- (1.1) The Lieutenant Governor in Council may make regulations:
 - (a) delegating to the board the exercise, by way of making policy directions, of any of the powers set out in subsection (1) except the powers set out in clauses (1)(a), (f.1), (k), (n.1), (n.3), (n.4), (o) and (p); and
 - (b) setting out any terms and conditions with respect to a delegation pursuant to clause (a) that the Lieutenant Governor in Council considers appropriate.
- (1.2) In the event of a conflict between a regulation made by the Lieutenant Governor in Council pursuant to subsection (1) and an order of the board or other action taken by the board pursuant to subsection (1.1), the regulation prevails.
- (2) A regulation made pursuant to this Act may be made retroactive to a date not earlier than August 1, 1986.

1986, c.S-32.2, s.21; 1986-87-88, c.5, s.7;
 1988-89, c.53, s.12; 1989-90, c.24, s.14; 1992,
 c.77, s.17; 1996, c.15, s.11 and c.60, s.13; 1997,
 c.20, s.7; 2002, c.10, s.7; 2013, c.31, s.6; 2015,
 c.20, s.18.

Table 1

Repealed. 1992, c.77, s.18.

