

The Athletics Commission Act

being

[Chapter A-31.1](#) of *The Statutes of Saskatchewan, 2014*
(effective March 9, 2015).

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.

Table of Contents

	PART I	PART IV
	Preliminary Matters	Enforcement
1	Short title	
2	Interpretation	
	PART II	DIVISION 1
	Commission	Inspections and Investigations
3	Commission established	26 Interpretation of Division
4	Responsibilities of commission	27 Persons authorized to conduct inspections and investigations
5	Powers of commission	28 Inspection
	PART III	29 Investigations
	Licensing and Event Permits	DIVISION 2
		Administrative Penalties
	DIVISION 1	30 Administrative penalty
	Licences	DIVISION 3
6	Licence required	Offences and Penalties
7	Application for licence	31 Offences and penalties
8	Issuance and renewal of licence	
9	Refusal to issue or renew licence	PART V
10	Suspension or cancellation of licence	Appeals
11	Terms and conditions of a licence	32 Adjudicators
12	Licence not transferable	33 Adjudicator – duties
13	Expiry and renewal of licence	34 Appeals
14	Licensee to notify commission if circumstances change	35 Selection of adjudicator
	DIVISION 2	36 Procedures on appeals
	Event Permit	37 Powers of adjudicator
15	Event permit required	38 Decision of adjudicator
16	Application for event permit	39 Written decisions
17	Issuance of event permit	40 Right to appeal adjudicator's decision to court
18	Refusal to issue event permit	
19	Suspension or cancellation of event permit	PART VI
20	Terms and conditions of an event permit	General
21	Event permit not transferable	41 Minister may apply for compliance order
22	Expiry of event permit	42 Immunity
23	Security for event permits	43 Service of notice or documents
24	Gross gate receipts	44 Regulations
	DIVISION 3	PART VII
	Notification by Commission	Coming into Force
25	Notification by commission	45 Coming into force

CHAPTER A-31.1

An Act respecting the Athletics Commission and Professional Contests or Exhibitions

PART I Preliminary Matters

Short title

1 This Act may be cited as *The Athletics Commission Act*.

Interpretation

2 In this Act:

- (a) **“adjudicator”** means an adjudicator appointed pursuant to section 32;
- (b) **“applicant”** means a person who applies for a licence or an event permit;
- (c) **“business day”** means a day other than a Saturday, Sunday or holiday;
- (d) **“commission”** means the Athletics Commission established pursuant to section 3;
- (e) **“court”** means the Court of Queen’s Bench;
- (f) **“event permit”** means an event permit issued pursuant to section 17;
- (g) **“gross gate receipts”** means the revenue derived from admission fees to a professional contest or exhibition, after the deduction of taxes, and, if prescribed, includes revenue derived from the sale of broadcast rights or closed circuit distribution rights;
- (h) **“licence”** means a licence issued pursuant to section 8;
- (i) **“matchmaker”** means a person who arranges professional contests between particular professional athletes for a professional contest or exhibition;
- (j) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (k) **“ministry”** means the ministry over which the minister presides;
- (l) **“official”** means a person who participates in a professional contest or exhibition:
 - (i) as a referee, judge or timekeeper; or
 - (ii) in a prescribed capacity;
- (m) **“prescribed”** means prescribed in the regulations;
- (n) **“professional athlete”** means a person who participates as a contestant in a professional contest or exhibition;

(o) “**professional contest or exhibition**” means a contest or exhibition of professional boxing, mixed martial arts or another prescribed sport;

(p) “**second**” means a person who assists a professional athlete between rounds in the course of a professional contest or exhibition.

2014, c.A-31.1, s.2.

PART II Commission

Commission established

3(1) The Athletics Commission is established.

(2) The commission is to consist of an employee of the ministry who is to be appointed by the minister and who is to serve as chairperson of the commission.

(3) The commission may delegate to any person the exercise of any powers given to the commission and the fulfilling of any responsibilities imposed on the commission pursuant to this Act.

(4) The commission may impose any terms and conditions on a delegation pursuant to this section that the commission considers appropriate.

2014, c.A-31.1, s.3.

Responsibilities of commission

4 Under the direction of the minister, the commission is responsible for the following:

(a) regulating and supervising professional contests or exhibitions in accordance with this Act and the regulations;

(b) licensing and permitting pursuant to this Act;

(c) enforcing this Act and the regulations.

2014, c.A-31.1, s.4.

Powers of commission

5 The commission may:

(a) issue licences and event permits in accordance with this Act and the regulations;

(b) conduct any investigations the commission or the minister considers necessary respecting professional contests or exhibitions or respecting the enforcement and administration of this Act and the regulations;

(c) collect data, conduct research, and request or prepare and publish reports respecting professional boxing, mixed martial arts or prescribed sports, or professional contests or exhibitions;

- (d) perform any other duties that may be designated by the Lieutenant Governor in Council; and
- (e) do any other things the commission considers advisable or necessary for the purpose of carrying out the intent of this Act.

2014, c.A-31.1, s.5.

PART III Licensing and Event Permits

DIVISION 1 Licences

Licence required

6 Subject to the regulations, no person shall do any of the following unless the person holds a valid licence authorizing the activity:

- (a) promote, conduct or hold a professional contest or exhibition;
- (b) participate as a contestant in a professional contest or exhibition;
- (c) provide services as a matchmaker, official or second with respect to a professional contest or exhibition;
- (d) engage in any other prescribed activity.

2014, c.A-31.1, s.6.

Application for licence

7 A person may apply to the commission for a licence by:

- (a) submitting to the commission:
 - (i) the prescribed information, authorizations and records;
 - (ii) any information, application form and other records required by the commission; and
 - (iii) the prescribed fees or other payments required; and
- (b) complying with any additional prescribed requirements.

2014, c.A-31.1, s.7.

Issuance and renewal of licence

8 The commission may issue a licence to an applicant, or renew the licence of an applicant, if the commission:

- (a) receives an application pursuant to section 7; and
- (b) is satisfied that the applicant has complied with this Act and the regulations.

2014, c.A-31.1, s.8.

Refusal to issue or renew licence

9 Subject to section 25, on receipt of an application pursuant to section 7, the commission may refuse to issue or renew a licence if:

- (a) the applicant or licensee or any of the officers, directors or representatives of the applicant or licensee:
 - (i) has contravened this Act, the regulations or the terms and conditions of a licence; or
 - (ii) fails to meet or no longer meets the requirements for the licence; or
- (b) the commission has reasonable grounds to believe that:
 - (i) based on the past conduct of the applicant or licensee, or any officers, directors or representatives of the applicant or licensee, the applicant or licensee will not carry on business with honesty and integrity and in accordance with this Act, the regulations or any term or condition of the licence;
 - (ii) the applicant or licensee has made a false or misleading statement, with respect to any matter that the commission considers material, in an application pursuant to section 7 or in any of the information or material submitted to the commission in support of an application; or
 - (iii) it is not in the public interest to issue or renew the licence.

2014, c.A-31.1, s.9.

Suspension or cancellation of licence

10(1) Subject to section 25, the commission may suspend or cancel a licence on any ground on which the commission might have refused to issue or renew the licence pursuant to section 9.

(2) If the commission considers it appropriate to do so, and on receipt of any prescribed reinstatement fee, the commission may reinstate a licence that has been suspended.

2014, c.A-31.1, s.10.

Terms and conditions of a licence

11(1) On issuing, renewing or reinstating a licence, the commission may include any terms and conditions that the commission considers appropriate.

(2) Subject to section 25, at any time after a licence is issued, renewed or reinstated, the commission may amend the terms and conditions of the licence or impose new terms and conditions.

2014, c.A-31.1, s.11.

Licence not transferable

12 A licence is not transferable.

2014, c.A-31.1, s.12.

Expiry and renewal of licence

13 Unless renewed pursuant to section 8 or cancelled pursuant to section 10 or 14, a licence expires on the expiration of the prescribed period.

2014, c.A-31.1, s.13.

Licensee to notify commission if circumstances change

14(1) Within 30 days after a prescribed change in circumstances, an applicant or licensee shall notify the commission in writing of the change.

(2) Subject to section 25, after receiving information that there has been a change in circumstances in accordance with subsection (1), the commission may:

- (a) refuse to issue or renew a licence;
- (b) suspend or cancel a licence; or
- (c) amend the terms and conditions of a licence or impose new terms and conditions.

(3) Subject to section 25, if an applicant or licensee fails to comply with subsection (1), the commission may:

- (a) refuse to issue or renew a licence;
- (b) suspend or cancel a licence; or
- (c) amend the terms and conditions of a licence or impose new terms and conditions.

2014, c.A-31.1, s.14.

DIVISION 2 Event Permit

Event permit required

15 Subject to the regulations, no person shall promote, conduct or hold a professional contest or exhibition unless the person holds a valid event permit authorizing the contest or exhibition.

2014, c.A-31.1, s.15.

Application for event permit

16 A person may apply to the commission for an event permit by:

- (a) submitting to the commission:
 - (i) the prescribed information, authorizations and records;
 - (ii) any information, application form and other records required by the commission; and
 - (iii) the prescribed fees or other payments required; and
- (b) complying with any additional prescribed requirements.

2014, c.A-31.1, s.16.

Issuance of event permit

17 The commission may issue an event permit to an applicant if the commission:

- (a) receives an application pursuant to section 16; and
- (b) is satisfied that the applicant has complied with this Act and the regulations.

2014, c.A-31.1, s.17.

Refusal to issue event permit

18 Subject to section 25, on receipt of an application pursuant to section 16, the commission may refuse to issue an event permit if:

- (a) the applicant or any of the officers, directors or representatives of the applicant:
 - (i) has contravened this Act, the regulations or the terms and conditions of an event permit; or
 - (ii) fails to meet or no longer meets the requirements for the event permit; or
- (b) the commission has reasonable grounds to believe that:
 - (i) based on the past conduct of the applicant, or any officers, directors or representatives of the applicant, the applicant will not carry on business with honesty and integrity and in accordance with this Act, the regulations or any term or condition of the event permit;
 - (ii) the applicant has made a false or misleading statement, with respect to any matter that the commission considers material, in an application pursuant to section 7 or 16 or in any of the information or material submitted to the commission in support of an application; or
 - (iii) it is not in the public interest to issue the event permit.

2014, c.A-31.1, s.18.

Suspension or cancellation of event permit

19 Subject to section 25, the commission may suspend or cancel an event permit on any ground on which the commission might have refused to issue or renew the event permit pursuant to section 18.

2014, c.A-31.1, s.19.

Terms and conditions of an event permit

20(1) On issuing an event permit, the commission may include any terms and conditions that the commission considers appropriate.

(2) Subject to section 25, at any time after an event permit is issued, the commission may amend the terms and conditions of the event permit or impose new terms and conditions.

2014, c.A-31.1, s.20.

Event permit not transferable

21 An event permit is not transferable.

2014, c.A-31.1, s.21.

Expiry of event permit

22 Unless cancelled pursuant to section 19, an event permit expires on the expiration of the prescribed period.

2014, c.A-31.1, s.22.

Security for event permits

23 Before issuing an event permit, the commission may require the applicant to post security, in accordance with the regulations, to ensure compliance with this Act, the regulations and the terms and conditions of the event permit.

2014, c.A-31.1, s.23.

Gross gate receipts

24(1) An event permit holder shall pay to the commission a prescribed fee in an amount not greater than 5% of the gross gate receipts for the professional contest or exhibition that is the subject of the event permit.

(2) The commission may accept a lesser amount than the amount mentioned in subsection (1) that the commission considers appropriate in the circumstances if the commission is satisfied that:

- (a) the entire proceeds of a professional contest or exhibition will be used for charitable purposes; or
- (b) the location or other circumstances of a professional contest or exhibition make it inappropriate to impose the fee in the amount prescribed for the purposes of subsection (1).

(3) An event permit holder shall pay the fee prescribed for the purposes of subsection (1) to the commission in accordance with the regulations.

(4) If the fee payable pursuant to this section is not paid as required pursuant to subsection (3):

- (a) the amount of the fee constitutes a debt payable to the Crown in right of Saskatchewan; and
- (b) the amount of the fee may be recovered by the Crown in right of Saskatchewan in any manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

2014, c.A-31.1, s.24.

DIVISION 3
Notification by Commission

Notification by commission

25(1) The commission shall not do any or all of the following without providing written notice to the applicant, licensee or event permit holder and giving the applicant, licensee or permit holder an opportunity to make written representations:

- (a) refuse to issue or renew a licence;
- (b) refuse to issue an event permit;
- (c) suspend or cancel a licence or an event permit;
- (d) amend the terms and conditions of a licence or event permit or impose new terms and conditions.

(2) Notwithstanding subsection (1), if the commission considers that it is necessary and in the public interest to take immediate action, the commission may immediately suspend or cancel a licence or an event permit without providing written notice to the licensee or event permit holder and giving the licensee or event permit holder an opportunity to make written representations, but the commission shall give the licensee or event permit holder an opportunity to make written representations within 15 days after the date on which the commission suspends or cancels a licence or event permit.

(3) On receiving the written representations of an applicant, licensee or event permit holder pursuant to this section, the commission shall, within 10 business days after receiving the written representations:

- (a) consider the submissions and make a decision;
- (b) notify the applicant, licensee or event permit holder, in writing, of the commission's decision;
- (c) provide written reasons for the commission's decision; and
- (d) provide the applicant, licensee or event permit holder with information respecting the right of appeal pursuant to Part V.

2014, c.A-31.1, s.25.

PART IV
Enforcement

DIVISION 1
Inspections and Investigations

Interpretation of Division

26 In this Division:

- (a) **“commission”** includes any person authorized by the commission pursuant to section 27;
- (b) **“record”** means a book, paper, document or thing, whether in electronic form or otherwise, that may contain information respecting the finances or business of a licensee or an event permit holder.

2014, c.A-31.1, s.26.

Persons authorized to conduct inspections and investigations

27 The commission may authorize any person that the commission considers appropriate to conduct any inspection or investigation and to exercise any of the commission's powers pursuant to this Division.

2014, c.A-31.1, s.27.

Inspection

28(1) Subject to subsection 29(4), the commission may enter any premises or other place where a licensee or an event permit holder carries on business or retains records and conduct an inspection for the purpose of determining whether there is compliance with this Act, the regulations or the terms and conditions of any licence or event permit.

- (2) An inspection may be conducted at any reasonable time.
- (3) When conducting an inspection in accordance with subsection (1), the commission may do all or any of the following things:
 - (a) make any inquiry the commission considers appropriate;
 - (b) require the production of, inspect and make copies of any records or of any entry in those records required to be kept by this Act or the regulations;
 - (c) require any person to deliver any information and records that the commission considers necessary to ascertain whether this Act, the regulations or the terms and conditions of any licence or event permit are being or have been complied with:
 - (i) within a period stated by the commission;
 - (ii) at a place designated by the commission; and
 - (iii) in a form acceptable to the commission;
 - (d) require any person to provide the commission with all reasonable assistance, including using any computer hardware or software or any other data storage, processing or retrieval device or system to produce information;
 - (e) in order to produce information and records mentioned in this subsection, use any computer hardware or software or any other data storage, processing or retrieval device or system that is used by the person required to deliver the information and records;
 - (f) subject to subsection (4), remove any records examined pursuant to this section for the purpose of making copies where a copy is not readily available, if a receipt is given.
- (4) If the commission removes any records pursuant to this section for the purpose of making copies, the commission shall:
 - (a) make those copies as soon as is reasonably possible; and
 - (b) promptly return the records from which the copies were made to:
 - (i) the place from which they were removed; or
 - (ii) any other place that may be agreed to by the commission and the person who produced them.

2014, c.A-31.1, s.28.

Investigations

29(1) If a justice or a provincial court judge is satisfied by information under oath that there are reasonable grounds to believe that an offence against this Act or the regulations has occurred and that evidence of that offence is likely to be found, the justice or the provincial court judge may issue a warrant to do all or any of the following:

- (a) enter and search any place, premises or vehicle named in the warrant;
 - (b) stop and search any vehicle;
 - (c) seize and remove from any place, premises or vehicle searched anything that may be evidence of an offence against this Act or the regulations;
 - (d) carry out any other activities mentioned in subsection (2).
- (2) With a warrant issued pursuant to subsection (1), the commission may:
- (a) enter at any time and search any place, premises or vehicle named in the warrant;
 - (b) require the production of and examine any records or property that the commission believes, on reasonable grounds, may contain information related to an offence against this Act or the regulations; and
 - (c) remove, for the purpose of making copies, any records examined pursuant to this section.
- (3) Subject to subsection (4), the commission may exercise all or any of the powers mentioned in subsection (2) without a warrant issued pursuant to subsection (1) if:
- (a) the conditions for obtaining a warrant exist; and
 - (b) the commission has reasonable grounds to believe that the delay necessary to obtain a warrant would result in the loss, removal or destruction of evidence.
- (4) The commission shall not enter premises that are ordinarily occupied as a private residence without a warrant issued pursuant to this section unless the occupant of those premises consents to the entry.

2014, c.A-31.1, s.29.

DIVISION 2
Administrative Penalties

Administrative penalty

30(1) The commission may assess a penalty in an amount not greater than the prescribed maximum amount against a licensee or an event permit holder for prescribed contraventions of this Act or the regulations.

- (2) Before assessing a penalty, the commission shall provide notice to the licensee or event permit holder:
- (a) setting out the facts and circumstances that, in the commission's opinion, render the person liable to a penalty;

- (b) specifying the amount of the penalty that the commission considers appropriate in the circumstances; and
 - (c) informing the licensee or event permit holder of his or her right to make representations to the commission.
- (3) No penalty is to be assessed by the commission more than three years after the act or omission that renders the person liable to a penalty first came to the knowledge of the commission.
- (4) A person to whom notice is sent pursuant to subsection (2) may make representations to the commission respecting whether or not a penalty should be assessed and the amount of any penalty.
- (5) Representations pursuant to subsection (4) must be made within 30 days after the person received the notice pursuant to subsection (2).
- (6) After considering any representations, the commission may:
- (a) assess a penalty and set a date by which the penalty is to be paid in full; or
 - (b) determine that no penalty should be assessed.
- (7) The commission shall serve a copy of its decision pursuant to subsection (6) on the person who made the representations.
- (8) If no appeal respecting the assessment of a penalty has been made pursuant to Part V within the time set out in that Part or if an appeal has been made and dismissed, the commission may file in the court a certificate signed by the chairperson and setting out:
- (a) the amount of the penalty assessed pursuant to subsection (6); and
 - (b) the person from whom the penalty is to be recovered.
- (9) A certificate filed pursuant to this section has the same force and effect as if it were a judgment obtained in the court for the recovery of a debt in the amount set out in the certificate, together with reasonable costs and charges with respect to its filing.
- (10) The commission may assess a penalty pursuant to this section notwithstanding that the facts and circumstances giving rise to the penalty arose due to the actions of an employee, helper, contractor or agent of the person required to pay the penalty.

2014, c.A-31.1, s.30.

DIVISION 3 Offences and Penalties

Offences and penalties

- 31(1)** No person shall fail to comply with any provision of this Act or the regulations.
- (2) No licensee shall fail to comply with the terms and conditions of the licence issued to him or her.
- (3) No event permit holder shall fail to comply with the terms and conditions of the event permit issued to him or her.

- (4) Every person who contravenes subsection (1), (2) or (3) is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine not exceeding \$10,000, to imprisonment for a term not exceeding one year or to both; or
 - (b) in the case of a corporation, to a fine not exceeding \$25,000.
- (5) If a corporation commits an offence pursuant to this Act, any officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.
- (6) No prosecution for a contravention of this Act or the regulations is to be commenced more than two years after the facts on which the alleged contravention is based first came to the knowledge of the commission.

2014, c.A-31.1, s.31.

PART V Appeals

Adjudicators

- 32(1)** After any consultation by the minister that the minister considers appropriate with persons involved in promoting, conducting, holding or participating in professional contests or exhibitions, the Lieutenant Governor in Council may appoint as adjudicators for the purpose of hearing appeals or conducting hearings pursuant to this Part one or more individuals who possess the prescribed qualifications.
- (2) An adjudicator appointed pursuant to subsection (1):
- (a) holds office at pleasure for a term not exceeding three years and until a successor is appointed; and
 - (b) may be reappointed.
- (3) If the appointment of an adjudicator ends after the adjudicator has begun hearing a matter but before the hearing is completed, the adjudicator may continue with the hearing as if his or her appointment had not ended, and the decision is effective as though he or she still held office.
- (4) Adjudicators are to be paid:
- (a) remuneration for their services at the rates approved by the Lieutenant Governor in Council; and
 - (b) reimbursement for their expenses incurred in the performance of their responsibilities at rates approved for members of the public service.

2014, c.A-31.1, s.32.

Adjudicator – duties

33 An adjudicator shall:

- (a) hear and decide appeals pursuant to this Part; and
- (b) carry out any other prescribed duties.

2014, c.A-31.1, s.33.

Appeals

34(1) A person who is the subject of a decision or order of the commission may appeal the decision or order to an adjudicator by filing a written notice of appeal with the minister.

(2) The written notice of appeal filed pursuant to subsection (1) must:

- (a) set out the grounds of the appeal; and
- (b) set out the relief requested.

(3) A written notice of appeal must be filed within 30 days after service of a decision or order of the commission.

(4) Notice of an appeal is to be served on the commission and any other person that the adjudicator may order.

(5) Unless the adjudicator orders otherwise, an appeal to the adjudicator does not stay the effect of the commission's decision being appealed.

2014, c.A-31.1, s.34.

Selection of adjudicator

35 On receiving a written notice of appeal pursuant to section 34, the minister shall select an adjudicator.

2014, c.A-31.1, s.35.

Procedures on appeals

36(1) After an adjudicator is selected pursuant to section 35, the adjudicator shall:

- (a) in consultation with the commission and the appellant, set a time, day and place for the hearing of the appeal; and
- (b) give written notice of the time, day and place for the appeal to the commission and the appellant.

(2) An adjudicator may determine the procedures by which the appeal is to be conducted.

(3) An adjudicator is not bound by the rules of law concerning evidence and may accept any evidence that the adjudicator considers appropriate.

(4) An adjudicator may determine any question of fact that is necessary to the adjudicator's jurisdiction.

- (5) A technical irregularity does not invalidate a proceeding before or by an adjudicator.
- (6) Notwithstanding that a person who is directly affected by an appeal is neither present nor represented, if notice of the appeal has been given to the person pursuant to subsection (1), the adjudicator may proceed with the appeal and make any decision as if that person were present.

2014, c.A-31.1, s.36.

Powers of adjudicator

37 In conducting an appeal pursuant to this Part, an adjudicator has the following powers:

- (a) to require any party to provide particulars before or during an appeal;
- (b) to require any party to produce documents or things that may be relevant to a matter before the adjudicator and to do so before or during an appeal;
- (c) to do all or any of the following to the same extent as those powers are vested in the court for the trial of civil actions:
 - (i) to summon and enforce the attendance of witnesses;
 - (ii) to compel witnesses to give evidence on oath or otherwise;
 - (iii) to compel witnesses to produce documents or things;
- (d) to administer oaths and affirmations;
- (e) to receive and accept any evidence and information on oath, affirmation, affidavit or otherwise that the adjudicator considers appropriate, whether admissible in a court of law or not;
- (f) to conduct any appeal using a means of telecommunication that permits the parties and the adjudicator to communicate with each other simultaneously;
- (g) to adjourn or postpone the appeal.

2014, c.A-31.1, s.37.

Decision of adjudicator

38 The adjudicator shall:

- (a) do one of the following:
 - (i) dismiss the appeal;
 - (ii) allow the appeal;
 - (iii) vary the decision being appealed; and
- (b) provide written reasons for the decision to the commission and the appellant.

2014, c.A-31.1, s.38.

Written decisions

39(1) An adjudicator shall serve the written reasons for the decision required pursuant to clause 38(b) within 60 days after the date the hearing of the appeal is completed.

(2) A failure to comply with subsection (1) does not affect the validity of a decision.

2014, c.A-31.1, s.39.

Right to appeal adjudicator's decision to court

40(1) The commission or any other person who is directly affected by a decision of an adjudicator on an appeal pursuant to this Part may appeal the decision to the court on a question of law only.

(2) A person intending to make an appeal to the court shall file the appeal within 30 days after the date of service of the decision of the adjudicator.

(3) Unless a judge of the court orders otherwise, an appeal to the court does not stay the effect of the decision being appealed.

(4) On hearing an appeal, the court may:

- (a) dismiss the appeal;
- (b) allow the appeal;
- (c) allow the appeal subject to terms; or
- (d) make any other order that the court considers appropriate.

2014, c.A-31.1, s.40.

PART VI General

Minister may apply for compliance order

41(1) The minister may apply to a judge of the court for all or any of the following:

- (a) an order compelling a person to comply with this Act, the regulations, an order issued pursuant to this Act or the terms and conditions of a licence or event permit;
- (b) an order enjoining any person from proceeding contrary to this Act, the regulations, an order issued pursuant to this Act or the terms and conditions of a licence or event permit.

(2) On an application pursuant to this section, the judge of the court may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate.

(3) The minister may apply for an order pursuant to subsection (1) regardless of whether an order pursuant to this Act has been issued with respect to the matter.

2014, c.A-31.1, s.41.

Immunity

42 No action or proceeding lies or shall be commenced against the minister, the ministry, the commission, the chairperson of the commission or any other person acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by any of them pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

2014, c.A-31.1, s.42.

Service of notice or documents

43(1) Any notice, order, decision or other document required by this Act or the regulations to be given or served is to be served personally or mailed by ordinary or registered mail to the last known address of the person being served or by any other prescribed means.

(2) A document served by ordinary mail or registered mail is deemed to have been received on the tenth business day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of the person, he or she did not receive the document or that he or she received it at a later date.

(3) Irregularity in the service of a notice, order or decision does not affect the validity of an otherwise valid notice, order or decision.

2014, c.A-31.1, s.43.

Regulations

44 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) for the purposes of clause 2(g), prescribing circumstances when revenue derived from the sale of broadcast rights or closed circuit distribution rights is to be included with gross gate receipts;
- (c) for the purposes of subclause 2(l)(ii), prescribing capacities in which a person is deemed to be an official;
- (d) for the purposes of clause 2(o), prescribing a sport event as a professional contest or exhibition;
- (e) for the purposes of clause 6(d), prescribing activities for which a licence is required;
- (f) for the purposes of subclause 7(a)(i), prescribing information, authorizations and records that must be submitted with an application;
- (g) for the purposes of subclause 7(a)(iii), prescribing fees and other payments that must accompany an application;
- (h) for the purposes of clause 7(b), prescribing additional requirements that an applicant must meet in order to obtain a licence;

- (i) for the purposes of subsection 10(2), prescribing reinstatement fees;
- (j) for the purposes of section 13, prescribing the period after which a licence expires;
- (k) for the purposes of section 14, prescribing changes in circumstances respecting which an applicant or licensee must notify the commission;
- (l) for the purposes of subclause 16(a)(i), prescribing information, authorizations and records that must be submitted with an application;
- (m) for the purposes of subclause 16(a)(iii), prescribing fees and other payments that must accompany an application;
- (n) for the purposes of clause 16(b), prescribing additional requirements that an applicant must meet in order to obtain an event permit;
- (o) for the purposes of section 22, prescribing the period after which an event permit expires;
- (p) for the purposes of section 23, prescribing security required for an event permit, including prescribing the terms of the security, the conditions under which the security is forfeited to the Crown in right of Saskatchewan and the manner in which the security may be dealt with by the commission;
- (q) for the purposes of subsection 24(1), prescribing as a fee an amount of gross gate receipts that the holder of an event permit shall pay to the commission;
- (r) for the purposes of subsection 24(3), prescribing the period within which and the manner in which an event holder shall pay the fee required by that subsection;
- (s) for the purposes of section 30:
 - (i) prescribing the maximum amount of an administrative penalty that the commission may assess; and
 - (ii) prescribing the contraventions of this Act or the regulations for which an administrative penalty may be assessed;
- (t) for the purposes of section 43, prescribing other means of serving notices, orders, decisions or other documents;
- (u) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (v) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

2014, c.A-31.1, s.44.

PART VII Coming into Force

Coming into force

45 This Act comes into force on proclamation.

2014, c.A-31.1, s.45.

