



## Saskatchewan Technology Fund: Governance, Administration and Operations Standard

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## 1.0 Introduction

The Saskatchewan Technology Fund was established in law through section 23.1 of *The Management and Reduction of Greenhouse Gases Act, 2018* (the Act). The legislative and regulatory framework for the Fund is established through the Act and *The Management and Reduction of Greenhouse Gases (Standards and Compliance) Regulations* (the Regulations). This standard prescribes further detail respecting the governance, administration and operations of the Fund, within the parameters of that legal framework. This standard may be subject to annual revision, as determined by the Government of Saskatchewan.

### 1.1 Fund Overview

With the 2017 launch of *Prairie Resilience: A Made-in-Saskatchewan Climate Change Strategy*, the province committed to developing a Saskatchewan Technology Fund (the Fund).

The Fund obtains its funding from two principal sources: first, compliance payments from regulated emitters under the Ministry of Environment's output-based performance standards (OBPS) program (enabled by the Regulation); and second, penalty payments from emitters under *The Oil and Gas Emissions Management Regulations* (OGEMR), administered by the Ministry of Energy and Resources. Deposits from other payment sources enabled by the Act may be added to this standard in the future.

It should be noted that this standard only applies to the OBPS portion of the Fund. The OGEMR portion is held separately from the rest of the Fund and administered by the Ministry of Energy and Resources.

For the OBPS pool, the Fund is both a compliance mechanism and a funding program available to large industrial emitters, under the Regulation. Those regulated emitters who exceed their permitted emissions have the option to meet their compliance obligation by making a payment into the Fund at the rate established for that year. Moneys from the Fund are then made available to regulated emitters under the Regulation to support qualified projects that lead to mitigation, sequestration or capture of greenhouse gasses (GHGs).

### 1.2 Governance Structure

The Ministry of Environment maintains regulatory and policy oversight of the Fund under the Act and Regulation. The Saskatchewan Technology Fund Advisory Committee (the Advisory Committee) provides general advice on the governance and administration of the Fund, as well as future recommendations on changes to the program. More information on the responsibilities and functions of the Advisory Committee is provided in section 4.0: Advisory Committee Terms of Reference.

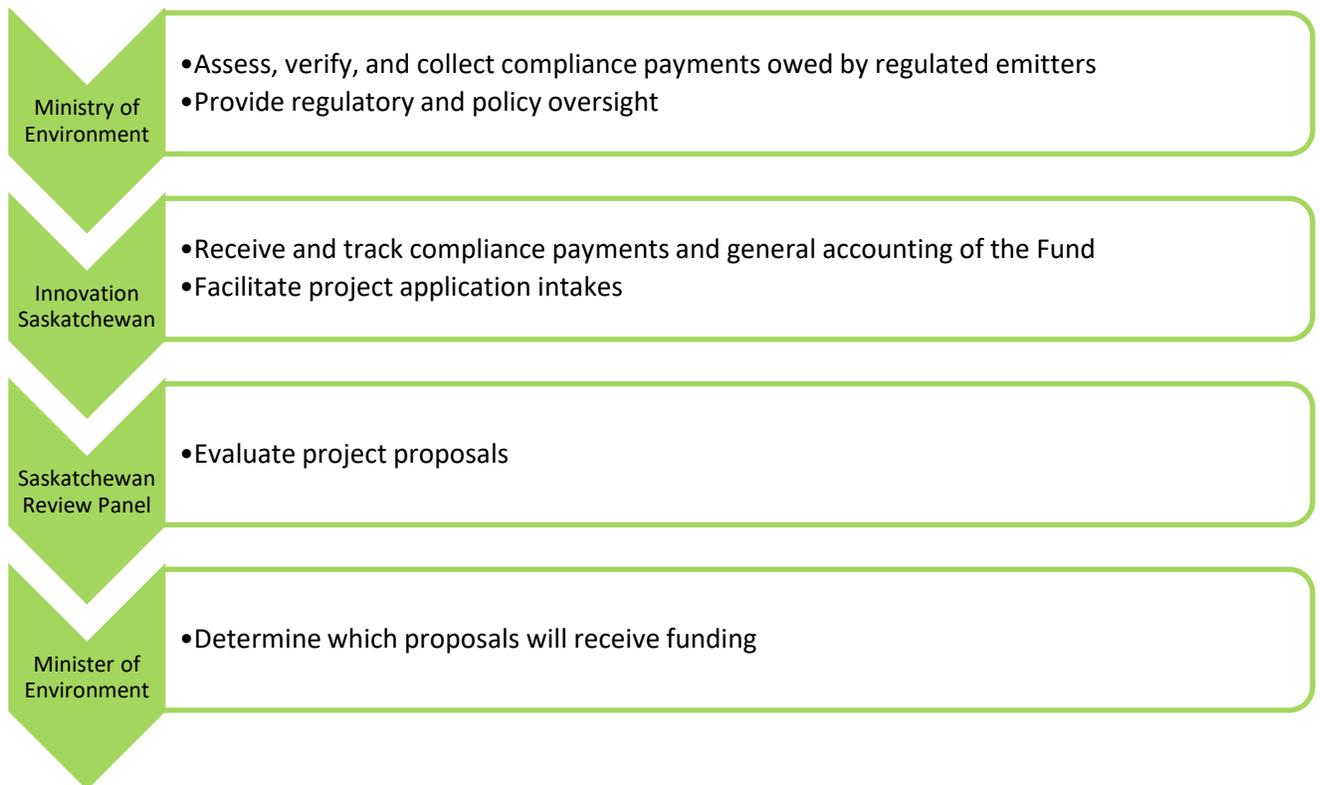
The Ministry of Environment provides secretariat support to the Advisory Committee. The ministry is also regulator of the provincial OBPS program and ensures that compliance obligations owed by regulated emitters under the Regulations are fulfilled.

The Saskatchewan Review Panel, made up of Government of Saskatchewan officials, has the role of reviewing projects and providing recommendations for funding to the Minister of Environment.

Innovation Saskatchewan provides general accounting services for the Fund as well as program administration, including management of application intake, evaluation of expressions of interest and communication with successful and unsuccessful applicants. Innovation Saskatchewan arranges appointment of technical and scientific sub-committees as needed. See section 2.1 for more details on roles and responsibilities of Innovation Saskatchewan and the Ministry of Environment.

A graphical representation of the Fund governance and approval structure is provided in Figure 1 below.

**Figure 1. Technology Fund Governance and Approvals Structure**



## 2.0 Administration

Authority and parameters respecting administration of the Fund is provided in Part VI.1 (sections 23.1 to 23.5) of the Act, and Part 6 (sections 24 to 27) of the Regulation (see Appendix A). Key provisions are as follows:

- Section 23.1 of the Act enables the Minister of Environment to delegate the administration of all or any portion of Part VI.1 of the Act (which covers the Fund) to another person, subject to approval of the Lieutenant Governor in Council.
  - Administration of the Fund was delegated to Innovation Saskatchewan in November 2019 through Order in Council (OC 471/2019).
  - Administration of the OGEMR portion was delegated to the Ministry of Energy and Resources in June 2020 (OC 253/2020).
- Section 23.2 of the Act enables the Minister of Environment to appoint an Advisory Committee, subject to Lieutenant Governor in Council approval, to provide advice respecting the use and administration of the Fund.
  - The Advisory Committee was established in December 2019 (OC 522/2019) for a period of five years.
- Section 23.3 of the Act specifies that deposits made to the Fund are not part of the General Revenue Fund.

## 2.1 Roles and Responsibilities

A Memorandum of Understanding (MOU) between Innovation Saskatchewan, the Ministry of Environment, and the Ministry of Energy and Resources establishes terms of service, functions, roles and responsibilities respecting Fund administration.

### *Administrator (Innovation Saskatchewan)*

Innovation Saskatchewan is the Fund administrator. In that capacity, Innovation Saskatchewan is responsible for managing or facilitating the following activities:

- the application process and intake periods;
- initial screening of applications for eligibility;
- communication with applicants (successful and unsuccessful);
- finalize contracts/agreements with successful applicants; and
- general accounting of the Fund, including invoicing and tracking compliance payments made to the Fund.

### *Regulator (Ministry of Environment)*

As regulator, the Ministry of Environment is responsible for:

- assessing compliance payments owed to the Fund by regulated emitters;
- enforcing compliance;
- providing regulatory and policy oversight; and
- reporting (from projects as well as public reporting on fund activities).

The Ministry of Environment also provides administrative and governance support to the Advisory Committee. Key responsibilities include:

- preparing an annual report for tabling in the Legislature as required by Section 23.5 of the Act;
- organizing meetings and preparing meeting materials;
- paying per diems, travel, meal, and other approved expenses for Advisory Committee members, unless otherwise directed by the Minister of Environment; and
- communicating deliverables and outcomes to the public.

From time to time, the regulator and administrator may cooperate in the delivery of their respective functions in order to minimize costs and improve efficiency.

### *Advisory Committee*

Functions, roles, and responsibilities of the Advisory Committee are outlined in the Advisory Committee Terms of Reference (Section 4) of this standard.

## 2.2 Accounting

The Technology Fund shall maintain separate accounting records for each funding stream as well as consolidated records. Reporting must be available by program for all assets, liabilities, equity, revenues and expenses. Interest earned on accumulated funds will be allocated to the respective program.

Administration costs to operate the Fund will be paid from money held within the Fund. All expenses incurred in the administration of the Fund will be administered in accordance with the Financial Administration Manual guidelines. Innovation Saskatchewan will keep copies of all invoices, receipts, statements, and other records for the period of time established by the Provincial Archives of Saskatchewan. These records shall be made available to parties to the MOU and their auditors upon request.

### 2.2.1 Investments

Section 23.4 of the Act enables the Minister to invest any moneys in the Fund not presently required for the purposes of the Technology Fund in any class of investments authorized by *The Financial Administration Act, 1993*. Any investments pursuant to section 23.4 will follow the requirements for the investment of funds as established in [section 3410.06](#) of the Financial Administration Manual (FAM).

### 2.2.2 Winding Down of Fund

In the event the OBPS portion of the Fund is wound down, moneys in the Fund may be used for the following purposes, in order of priority:

1. to pay any debts owed by the Fund;
2. to cover administrative expenses associated with winding down the Fund; and
3. dispersal of any remaining balance as directed by the Minister of Environment.

In the event that the OGEMR portion of the Fund is wound down, the remaining balance will be used as directed by the Minister of Energy and Resources.

## 2.3 Reporting

### 2.3.1 Requirement to Report to the Legislative Assembly

Pursuant to section 23.5 of the Act, the Minister of Environment must annually provide audited financial statements and a report on the business of the Fund for the preceding fiscal year to the Legislative Assembly. In accordance with section 13 of *The Executive Government Administration Act*, the annual report and audited financial statements must be laid before the Legislative Assembly within 120 days after fiscal year end and provided to the Minister of Environment at least 30 days before the tabling date.

### 2.3.2 Content of Annual Report and Financial Statements

The annual report of the Fund may include:

- a letter from the Minister of Environment;
- a letter from the Chair of the Advisory Committee;
- a list of Advisory Committee members;
- overview of funded projects;
- performance measures and metrics on project outcomes;
- audited financial statements; and
- any other information pertinent to the business of the Fund.

### 2.3.3 Process for Annual Report and Financial Statements

Annual reporting is required following establishment of the Fund in law. Audited financial statements are required annually by the reporting date after the first fiscal year in which payments are made into the Fund. Review of the annual report is required by the Ministry of Finance (Provincial Comptroller's Office) prior to tabling of the annual report in the Legislature.

As the Fund is a single entity, the annual report and audited financial statements will cover both OBPS and OGEMR activities.

## 3.0 Program Guidelines

### 3.1 Objectives

The objectives of the Saskatchewan Technology Fund are to:

- receive payments from regulated emitters for purposes of fulfilling compliance obligations or administrative penalties owed under the Act or Regulation; and
- through a competitive process, support industry-driven technology, innovation and improvement projects that reduce the GHG emissions intensity of regulated emitters.

### 3.2 Funding Structure

Money deposited pursuant to *The Oil and Gas Emissions Management Regulations* are not administered under this standard. All other monies deposited pursuant to section 23.3 of the Act are considered part of the Fund and subject to this standard, unless otherwise directed by the Government of Saskatchewan.

Money deposited in the Fund are held in a single pool and disbursed to successful projects through the competitive application process outlined in this standard.

#### *Funding Rules: Caps and Stacking Policy*

Money from the Fund can be combined with other provincial government funding to a maximum of 50 per cent funding of the project.

A maximum of 85 per cent of money held in the Fund will be available for project funding in a given year.

Individual projects can be funded up to a maximum of 50 per cent of available funds, with a cap of \$25 million per project.

Successful project proponents will sign a funding agreement with the Government of Saskatchewan. Disbursal of payments is based on project milestones achieved and the submission of progress reports, with final payment being released after receipt of an approved final report. Requirements for project and progress reporting will be clearly outlined in funding agreements. Agreements will include specific provisions that outline penalties for missed milestones.

Funding of projects is limited to applicants who are regulated emitters under the Regulations.

### 3.3 Eligibility

The Fund supports eligible projects that reduce GHG emission intensity while strengthening our resilience to climate change. Priority will therefore be given to projects that are market-ready and do not require further research and development before deployment.

#### 3.3.1 Application

Applications to the Fund must meet the following criteria to be eligible for funding:

- The proponent must be a regulated emitter under the Regulation;
- The proposal must clearly demonstrate that the project will support reductions in GHG emissions intensity. The project or the emissions reductions achieved by the project must occur at a facility (or facilities), with an established baseline, under the ownership/operation of the Regulated Emitter; and
- The project boundary must be wholly within Saskatchewan.

#### 3.3.2 Eligible Projects

- Facility-scale GHG reduction initiatives (process or regulated emissions) relating to scope 1 (direct emissions) or scope 2 (indirect emissions associated with electricity, steam, heating or cooling) emission;
- Industrial process modifications;
- Equipment replacement, upgrades or modifications;
- Energy efficiency projects; and
- Improvement in metering, monitoring, and other energy management information system components at site.

#### 3.3.3 Ineligible Projects

- Facility expansions that do not result in emission intensity reductions;
- Projects outside of Saskatchewan;
- Project assessments;
- Research and development projects;
- Engineering studies;
- Energy management initiatives (e.g. funding to adopt management practices); and
- Activities that are required under government regulations.

### 3.3.4 Eligible Costs/Expenses

Money received through the Fund may be used to cover the following project-related expenses:

- capital expenditures (e.g. equipment purchase);
- contracted services (e.g. construction/installation labour);
- intellectual property generation and protection;
- salaries related to project; and
- Project costs incurred after the date of funding approval.

Eligibility of other costs may be considered on a case-by-case basis.

### 3.3.5 Ineligible Costs/Expenses

Money received through the Fund may not be used for costs that are not related to achieving GHG reductions or that are not critical to the project, including:

- marketing;
- purchase of real estate;
- salaries not related to the project;
- membership fees and dues;
- hospitality/entertainment expenses;
- project costs incurred prior to the date of funding approval;
- fees and expenses incurred in relation to lobbying or government relations activities;
- contingency fees;
- legal and financing fees and costs not associated with intellectual property;
- general overhead costs, including operating expenses;
- decommissioning costs; and
- capital costs associated with ongoing scientific or technical activities.

## 3.4 Project Selection Criteria

Applications to the Fund will be screened against project selection criteria. A scoring matrix has been developed that prioritizes projects based upon the key considerations:

- technology is based on scientifically-sound principles;
- proposed technology represents a good opportunity to address an identified technology gap;
- proposed technology proposes a meaningful solution to address a GHG challenge within Saskatchewan;
- scale of GHG reduction potential;
- additional economic, social, or non-GHG environmental benefits;

- technical and management expertise within the project team to carry out the proposed project;
- project objective and plan are achievable and well developed;
- project plan includes the critical elements necessary to achieve the proposed outcomes; and
- Applicant can access capital required for the project.

### 3.5 Application Process

The number of approved projects will be based on available funds.

For more information on the application process, please visit [Innovation Saskatchewan](#).

### 3.6 Evaluation Process

#### 3.6.1 Expression of Interest Review and Proposal Refinement

Applicants are first required to submit an Expression of Interest (EOI) before the EOI deadline to be considered for funding. The EOI scoring matrix is included in Appendix B.

Where warranted and necessary, the project proponent will be given 30 calendar days to revise the EOI proposal to address any issues or concerns identified by the Fund's administrator.

If the EOI is successful, the applicant will be invited to submit a more substantive project proposal.

The Full Project Proposal scoring matrix is included in Appendix C.

#### 3.6.2 Technical and Financial Review

Innovation Saskatchewan may contract independent external subject matter experts to assess the technical and financial feasibility of proposals on an as-needed basis. These independent external reviewers may evaluate:

- technical claims;
- accuracy of cost projections;
- feasibility of anticipated results;
- proponents' technical capacity to carry out the project;
- proponent's financial health and capacity to carry out the project; and
- business case/feasibility.

### 3.6.3 Saskatchewan Review Panel Assessment

Qualified full project proposals, which may or may not have been assessed by external technical experts, are reviewed by the Saskatchewan Review Panel. The panel will meet at least once per year after an intake and decide which projects to recommend to the Minister for approval.

### 3.6.4 Minister's Review

The Minister of Environment is responsible for selecting projects to receive funding. Approval of projects may depend on the amount of funding available.

## 3.7 Funding Agreements

After a project has been approved for funding by the Minister of Environment, Innovation Saskatchewan will develop and administer a funding agreement with the successful applicant. Funding is contingent upon the proponent meeting the conditions as stated and agreed to in the funding agreement. Failure to meet these conditions could nullify approval of the project and project funding, including:

- the proponent's failure to execute the agreement following notification that the project has been approved;
- the proponent's failure to provide the Government of Saskatchewan with project data as required in the agreement\*; and
- the proponent's failure to submit progress reports as required in the funding agreement.

\*Note: An application may be made to keep confidential any sensitive data and information related to the project, within the scope of section 61 of the Act and section 30 of the Regulation.

### *Termination of Contract*

The administrator may terminate contracts and discontinue funding for reasons including but not limited to the following:

- change in project objectives;
- extended delays or deviations from the project objectives and milestones established in the funding agreement;
- changes to or dissolution of the project group (if multiple partners);
- failure to honour key provisions within the funding agreement, including but not limited to the failure to submit progress reports on time, failure to meet project milestones, and/or other requirements of the agreement and terms of funding.

### 3.8 Saskatchewan Review Panel

Officials from the Government of Saskatchewan will review project proposals using the scoring criteria outlined in Appendix C. Following review, the panel will make its recommendations to the Minister of Environment who will determine which projects will receive funding.

### 3.9 Other information for approved projects

#### *Intellectual Property*

- Innovation Saskatchewan and the Government of Saskatchewan will not assume ownership of any intellectual property (IP) resulting from funded projects.
- An IP agreement must be in place between project partners before funding is approved.
- NB: An application may be made to Innovation Saskatchewan and the Ministry of Environment to keep confidential any sensitive data and information related to the project, within the scope of section 61 of the Act and section 30 of the Regulation.

#### *Media Releases*

- Innovation Saskatchewan or the Government of Saskatchewan may make public media statements on funding decisions.
- Proponents will be notified and consulted with prior to media releases being made.
- Personal, confidential or commercially-sensitive information will not be disseminated without consent from the proponent.

## 4.0 Advisory Committee Terms of Reference

### 4.1 Authority

Section 23.2 of the Act enables the Minister of Environment to appoint an Advisory Committee to advise the minister on the use, administration and general matters respecting the Fund. The Fund Advisory Committee was established through Order in Council on December 4, 2019 (OC 522/2019).

### 4.2 Purpose

The Advisory Committee will provide advice to the Minister of Environment respecting general matters of the Saskatchewan Technology Fund. Final decision-making rests with the Minister of Environment.

## 4.3 Structure and Membership

The Advisory Committee is comprised of no more than eight persons that include:

- Six (6) voting members that represent the diversity of regulated emitters.
- Two (2) non-voting members, one official each from the Ministry of Environment and Innovation Saskatchewan.

An alternate may be appointed for each member of the committee. Members and alternates are appointed by order of the Minister of Environment and will serve a term of one to three years, as determined by the minister. The minister may review membership annually and shall invite participation from regulated emitters to ensure balanced representation.

### 4.3.1 Appointing Members

The appointment of voting members to the Advisory Committee is completed by Minister's Order. The Ministry of Environment provides support for this process.

## 4.4 Duties and Responsibilities

The principal duties of the committee are to:

- review and recommend a standard establishing the design for Fund governance and administration;
- monitor, review and recommend annual reports and other disclosure documents to the Minister of Environment; and
- prepare and maintain a record of committee proceedings and recommendations.

In performing the duties and responsibilities of the committee, committee members shall:

- act honestly and in good faith towards the best interests of the Saskatchewan Technology Fund, in consideration of the public policy direction and objectives that have been established for that fund by the Government of Saskatchewan;
- comply with the committee's terms of reference;
- exercise care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances;
- prepare for each meeting by reading any background material;
- make every effort to attend all committee meetings;
- base discussions and decisions on facts and reliable information;
- take care to be properly informed before acting;
- actively participate in meetings in a collegial and collaborative manner and seek to understand differing viewpoints;

- place the interests of the Saskatchewan Technology Fund ahead of personal and corporate interests;
- disclose in writing any potential conflict of interest to the committee, abstain from voting on the matter, and consult with the committee on how to best deal with the conflict; and
- comply with other measures as laid out in the Code of Conduct for committee members.

#### 4.4.1 Role of the Chair

The principal duties of the Chair are to:

- assume primary responsibility for the function of the Advisory Committee under these Terms of Reference;
- provide effective leadership and oversight;
- set the agenda and schedule meetings;
- ensure that accurate meeting minutes are prepared and maintained;
- facilitate and maintain open dialogue for the Advisory Committee; and
- act as liaison between the Advisory Committee and the Government of Saskatchewan.

Unless otherwise appointed by the Minister of Environment or the Lieutenant Governor in Council, the Chair will be selected by the voting members from among the Advisory Committee's membership.

#### 4.5 Meetings

The Advisory Committee will meet at the call of the Chair.

There will be one intake period per year, with the option of a secondary intake if deemed necessary. Timing and location of meetings will be determined by the Chair and may occur online, through other remote access options, or in person.

#### 4.6 Remuneration

Any payments, including reimbursement and remuneration, will be provided only for either the member or the alternate per each meeting of the committee.

For the purposes of subsection 23.2(3)(a) of the Act, the rate of remuneration for committee members is the medium level of responsibility established through [Section 5005](#) of the [Financial Administration Manual](#) (FAM), as updated from time to time.

For the purposes of subsection 23.2(3)(b) of the Act, the rate(s) of reimbursement for expenses incurred by committee members in the performance of their responsibilities is consistent with the rates paid to members of the public service of Saskatchewan, consistent with [Section 5010](#) of FAM, as updated from time to time.

## 5.0 Confidentiality

Information relevant to the Fund will be accepted in confidence, as they may contain financial, commercial, scientific, technical and/or labour relations information. The confidentiality of such information will be maintained, except as otherwise required by law or by order of a court or tribunal, or by regulatory order of the Government of Saskatchewan, including but not limited to, the Crown Investment Corporation of Saskatchewan and other agencies or ministries of government including its boards, commissions or panels. Applicants are particularly advised that the Saskatchewan Technology Fund is subject to legal requirements that may require disclosure of project proposal information including, without limitation, under [The Freedom of Information and Protection of Privacy Act](#) (Saskatchewan). Notwithstanding the foregoing, reporting requirements may result in the public disclosure of dollars paid to successful applicants from the Saskatchewan Technology Fund.

Applicants are advised that their project proposals will, as necessary, be disclosed, on a confidential basis, to advisers retained by the Saskatchewan Technology Fund, and/or to Crown corporations (as defined in *The Crown Corporations Act, 1993*) and Government of Saskatchewan agencies or ministries, including its boards, commissions or panels, to advise or assist with the evaluation of project proposals.

# Appendix A: Fund Provisions from the Act and Regulations

## **1. The Management and Reduction of Greenhouse Gases Act**

### PART VI.1

#### **Saskatchewan Technology Fund**

##### **Saskatchewan Technology Fund established**

**23.1(1)** The Saskatchewan Technology Fund is established.

(2) Subject to the regulations, the minister may use the technology fund:

- (a) to support initiatives in Saskatchewan that lead to mitigation, sequestration or capture of greenhouse gases;
- (b) to undertake the prescribed programs and fulfil the prescribed purposes;
- (c) to pay the expenses of administering the technology fund;
- (d) to undertake any other program or do any other thing that the Lieutenant Governor in Council may direct.

(3) The minister shall administer the technology fund in accordance with this Part.

(4) Subject to the approval of the Lieutenant Governor in Council, the minister may delegate the administration of all or any portion of this Part to another person, other than the power to delegate pursuant to this section.

(5) If the minister delegates to a person pursuant to subsection (4), that person, subject to the terms and conditions of the delegation, may exercise the powers of the minister and shall perform the duties of the minister pursuant to this Part.

(6) The fiscal year of the technology fund is the period commencing on April 1 in one year and ending on March 31 in the following year.

2018, c 48, s.13.

##### **Advisory committee**

**23.2(1)** Subject to the approval of the Lieutenant Governor in Council, the minister may appoint an advisory committee, which shall meet on the request of the minister, to advise the minister respecting the use and administration of the technology fund.

(2) The advisory committee shall act in an advisory capacity to the minister on matters of general interest respecting the provisions of this Part.

(3) The members of the advisory committee are entitled to:

- (a) except in the case of those members who are also members of the public service of Saskatchewan, remuneration for their services at the rates established by Treasury Board; and
- (b) reimbursement for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan.

2018, c 48, s.13.

**What technology fund consists of**

**23.3** Notwithstanding *The Financial Administration Act, 1993*, the following shall be deposited in the technology fund and not in the general revenue fund:

- (a) payments made pursuant to this Act to fulfil a compliance obligation or to satisfy a debt associated with a compliance obligation, including interest payments at the prescribed rate;
- (b) administrative penalties assessed pursuant to section 78;
- (c) all moneys acquired through gift, donation, grant or bequest;
- (d) all moneys appropriated by the Legislature for the purposes of the technology fund;
- (e) any other moneys collected by the Government of Saskatchewan that are related to limiting, mitigating, reducing or managing greenhouse gases and that the regulations, another Act or the regulations made pursuant to another Act direct are to be deposited in the technology fund.

2018, c 48, s.13.16

**Investments**

**23.4(1)** The minister may invest any moneys in the technology fund not presently required for the purposes of the technology fund in any class of investments authorized for the investment of money in the general revenue fund pursuant to *The Financial Administration Act, 1993*.

(2) Profits or interest earned on money invested pursuant to subsection (1) shall be deposited to the technology fund.

(3) The minister may dispose of any securities in which any part of the technology fund has been invested pursuant to subsection (1), subject to the terms of the investment, in any manner and on any terms that the minister considers advisable.

2018, c 48, s.13.

**Reports and audit**

**23.5(1)** With respect to each fiscal year of the technology fund, the minister shall, in accordance with section 13 of *The Executive Government Administration Act*, submit to the Lieutenant Governor in Council:

- (a) a report on the business of the technology fund for the preceding fiscal year; and
- (b) a financial statement showing the business of the technology fund for the preceding fiscal year, in any form that Treasury Board may require.

(2) The minister must, in accordance with section 13 of *The Executive Government Administration Act*, lay before the Legislative Assembly each report and statement mentioned in subsection (1).

(3) The Provincial Auditor or any other auditor or firm of auditors that the Lieutenant Governor in Council may appoint shall audit the accounts and transactions of the technology fund:

- (a) annually; and
- (b) at any other times that the Lieutenant Governor in Council may require.

2018, c 48, s.13.

## **2. The Management and Reduction of Greenhouse Gases (Standards and Compliance) Regulations**

### **PART 6 Technology Fund**

#### **Applications for money in the technology fund**

- 24(1)** A regulated emitter may apply to the minister to obtain a payment of moneys from the technology fund.
- (2) An application must be made in accordance with an applicable standard and contain the information required by an applicable standard.

14 Dec 2018, c.M-2.01 Reg 3 s24; 13 Dec 2019 SR 91/2019 s21.18

#### **M-2.01 REG 3**

##### **Payments from the fund**

- 25(1)** If the minister is satisfied that an application by a regulated emitter is made for a purpose of the fund as set out in section 23.1 of the Act and that it is in the public interest to do so, the minister may approve the application and pay moneys from the technology fund to the regulated emitter.
- (2) Moneys from the technology fund may be paid in the form of a grant, loan or other form of financial assistance, other than an equity investment, that the minister considers appropriate.
- (3) If the minister does not approve an application, the minister shall provide a written notice of the minister's decision along with reasons for the decision to the regulated emitter who submitted the application.
- (4) The minister may impose any terms and conditions on the use of moneys paid pursuant to this section, and every regulated emitter on whom terms and conditions are imposed shall comply with those terms and conditions.

14 Dec 2018, c.M-2.01 Reg 3 s25; 13 Dec 2019 SR 91/2019 s22.

##### **Reports**

- 26(1)** Every regulated emitter to whom moneys are paid from the technology fund shall submit a report to the minister respecting the use of those moneys.
- (2) A report required pursuant to this section must:
- (a) contain the information required by the minister; and
  - (b) be submitted in the manner and on or before the date required by the minister.

14 Dec 2018, c.M-2.01 Reg 3 s26.

##### **Overpayments**

- 27(1)** The minister may declare all or any portion of a payment made to a regulated emitter pursuant to this Part to be an overpayment if the minister is satisfied that:
- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
  - (b) the applicant has knowingly omitted to make a statement or to provide any information or document if the omission results in a statement with respect to a material fact being misleading; or
  - (c) the regulated emitter has failed to comply with the Act, these regulations or the requirements of an applicable standard.
- (2) If the minister declares all or any portion of a payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Government of Saskatchewan and may be recovered from the regulated emitter in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

14 Dec 2018, c.M-2.01 Reg 3 s27; 13 Dec 2019 SR 91/2019 s23.