

The Energy Code Regulations

being

[Saskatchewan Regulations 125/2021](#) (effective January 1, 2022) as amended by Saskatchewan Regulations [118/2023](#).

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.

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SASKATCHEWAN REGULATIONS 125/2021

The Construction Codes Act

PART 1

Preliminary Matters

Title

- 1 These regulations may be cited as *The Energy Code Regulations*.

Definitions and interpretation

- 2(1) In these regulations:

“**Act**” means *The Construction Codes Act*;

“**addition**” means any new construction expanding an existing building, either horizontally or vertically, that is a conditioned space and increases the building’s floor surface area by more than 10 square metres;

“**existing building**” means a building:

- (a) on which work was commenced or completed before June 6, 1988; or
- (b) on which work was not commenced but for which a valid building permit was issued before June 6, 1988 pursuant to a bylaw of the appropriate local authority;

“**NECB**” means the edition and provisions of the National Energy Code of Canada for Buildings, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and these regulations;

“**owner’s representative**” means any person, corporation, employee or contractor who has authority to act on behalf of an owner;

“**permit**” means a permit issued pursuant to *The Construction Codes Act*;

“**work**” means any design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

- (2) Words, phrases, symbols or abbreviations used in the NECB that are not defined in the Act, regulations pursuant to the Act or the NECB have the meanings that are commonly assigned to them in the context in which they are used in the NECB, taking into account the specialized use of terms within the various trades and professions to which the words and phrases apply.

- (3) For the purposes of these regulations, the Provincial Capital Commission is a local authority.

PART 2
Adoption and Application of Energy Codes

Code

3(1) The National Energy Code of Canada for Buildings 2020 is declared to be in force, including:

- (a) the amendments set out in the Appendix; and
- (b) revisions and errata issued by Codes Canada of the National Research Council from time to time.

(1.1) For the purpose of applying the NECB, Tier One of NECB Division B, Part 10 is adopted as the minimum standard effective January 1, 2024.

(1.2) For the purpose of all provisions and tables of the NECB referencing heating-degree day categories, climate zone 7A applies to all buildings within Saskatchewan.

(2) Notwithstanding subsection (1) but subject to subsection (4), the edition of the NECB that was in force on the day that the permit was issued applies to any work:

- (a) for which a permit is issued before the day on which an edition of the NECB is declared to be in force or any revisions, errata or amendments come into force; and
- (b) that is not completed on the day on which that edition is declared to be in force.

(3) No person shall fail to comply with the edition of the NECB that is in force at the time the permit for the work to be undertaken was issued.

(4) Notwithstanding any other provision of this section, the NECB does not apply to the addition alteration, repair, renovation or relocation of a building to which construction standards apply and for which construction began before January 1, 2019.

(5) With respect to the edition of the NECB that is adopted pursuant to this section, the minister shall cause information respecting the edition of the NECB that is in force, the period for which the NECB is in force and where that edition may be accessed:

- (a) to be posted on the website of the ministry; and
- (b) to be made public in any other manner that the minister considers appropriate.

Compliance with *The Building Code Regulations*

4 Any person to whom or corporation to which the Act and these regulations apply shall also comply with the requirements of *The Building Code Regulations* with respect to work on a proposed or existing building to which the NECB applies.

10 Dec 2021 SR 125/2021 s4.

Permits

5 Part 3 of *The Building Code Regulations* applies, with any necessary modification, to a permit issued pursuant to the Act with respect to work to which the NECB applies.

10 Dec 2021 SR 125/2021 s5.

PART 3
Owner's Responsibilities

Review by architect or engineer

6 An owner who undertakes to construct or have constructed a building within the scope of the NECB shall have an architect or engineer complete:

- (a) the design or design review of the structure;
- (b) an inspection of construction of the structure to ensure compliance with the design; and
- (c) the reviews required by the NECB.

10 Dec 2021 SR 125/2021 s6.

Compliance with NECB

7 No owner or owner's representative shall allow or cause a building that is subject to the NECB to cease to comply with the edition of the NECB that applies to that building as a result of subsequent work on or to that building.

10 Dec 2021 SR 125/2021 s7.

PART 4
Coming into Force

Coming into force

8(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Construction Codes Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the date on which section 1 of *The Construction Codes Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

10 Dec 2021 SR 125/2021 s8.

Appendix

Saskatchewan Amendments to the National Energy Code of Canada for Buildings 2020

1 The National Energy Code of Canada for Buildings 2020 is amended in the manner set forth in this Appendix.

2 Division A, Article 1.2.1.1. is repealed and the following substituted:

“1) Compliance with this Code shall be achieved, effective January 1, 2024, by:

a) complying with the applicable acceptable solutions in Division B (see Note A-1.2.1.1.(1)(a)) for the Tier 1 requirements of Part 10 for climate zone 7A; or

b) using alternative solutions that will achieve at least the minimum level of performance required for the Tier 1 requirements of Division B for climate zone 7A in the areas defined by the objective and functional statements attributed to the applicable acceptable solutions (see Note A-1.2.1.1.(1)(b)).

“2) For the purposes of compliance with this Code as required in Clause (1)(b), the objective and functional statements attributed to the acceptable solutions in Division B shall be the objective and functional statements referred to in subsection 1.1.2 of Division B.”

3 Division B, Article 10.1.2.1. is repealed and the following substituted:

“1) Compliance with this Part shall be achieved by designing and constructing *buildings* in accordance with the Energy Performance Tier 1 specified in Table 10.1.2.1., for climate zone 7A corresponding to:

a) the *annual energy consumption* of the proposed *building*, expressed as a percent *building energy target*; or

b) the percentage of improvement of the *annual energy consumption* of the proposed *building* relative to the *building energy target* of the reference *building*, expressed as a percent improvement.

“2) Compliance of the proposed *building* with the Energy Performance Tier 1 specified in Table 10.1.2.1. for climate zone 7A shall be determined by modeling the proposed and reference *buildings* in accordance with Part 8 to establish the *annual energy consumption* of the proposed *building* and the *building energy target* of the reference *building* then:

a) dividing the *annual energy consumption* of the proposed *building* by the *building energy target* of the reference *building* to derive the percent *building energy target*; or

b) subtracting the *annual energy consumption* of the proposed *building* from the *building energy target* of the reference *building* and dividing the result by the *building energy target* of the reference *building* to derive the percent improvement.

(See Note A-10.1.2.1.(2).)”.

8 Dec 2023 SR 118/2023 s4.