

Exempt property

93(1) Subject to the regulations, the following personal property and land of a judgment debtor is exempt:

- (a) clothing, including jewelry, with a cumulative value that does not exceed the prescribed amount;
- (b) medical and dental aids or other devices required or ordinarily used by the judgment debtor or a dependant of the judgment debtor due to physical or mental disability;
- (c) household furnishings, utensils, equipment and appliances;
- (d) domestic animals that are kept solely as pets with a cumulative value that does not exceed the prescribed amount;
- (e) one motor vehicle with a value that does not exceed the prescribed amount;
- (f) items of tangible personal property, other than a motor vehicle, required for use by the judgment debtor to earn income for the support of the judgment debtor and his or her dependants;
- (g) money, and property or income acquired through the investment of money:
 - (i) that can be separately identified as being received or as having been received by the judgment debtor pursuant to a legal entitlement to compensation for physical or mental injury; and
 - (ii) that is being used or will be used to meet the reasonable and ordinary living expenses of the judgment debtor and his or her dependants or to provide medical or other care facilities for the judgment debtor or his or her dependants;
- (h) employment income in the amount set out in section 95;
- (i) prepaid funeral services for, or a burial plot intended for the interment of, the judgment debtor, a dependant of the judgment debtor or a member of the judgment debtor's family;
- (j) property of the judgment debtor that is of such a low value that the sheriff believes that the costs of seizure and sale are likely to be approximately equal to or greater than the amount of the proceeds that will be available for satisfaction of the amount recoverable;
- (k) **Not Yet Proclaimed.**
- (l) an interest in one house, house trailer or equivalent facility, and the land on which it is permanently situated, with a value that does not exceed the prescribed amount;

(m) if money or an account has been seized, the portion that, combined with income of the judgment debtor that is exempt pursuant to section 95 or 96, is required to maintain the judgment debtor and his or her dependants for a period of one month following the date of seizure, up to the prescribed amount.

(2) A house, house trailer or equivalent facility claimed pursuant to clause (1)(l) is exempt from seizure and sale pursuant to this Act for as long as it is maintained by the judgment debtor as an active residence.

(3) If a judgment debtor's property consists of more than one motor vehicle mentioned in clause (1)(e), the judgment debtor may select the motor vehicle for which he or she wishes to claim an exemption.

(4) If a judgment debtor fails to respond to a notice provided pursuant to subsection 90(2) within the period mentioned in subsection 90(3), or if a judgment debtor fails to indicate pursuant to subsection (3) which motor vehicle is claimed as exempt, the sheriff shall make the selection and that selection is deemed to have been made by the judgment debtor.

(5) The selection by a sheriff pursuant to subsection (4) is final and may not be appealed.

(6) If the sheriff seizes and sells a motor vehicle of the judgment debtor, the sheriff shall pay to the judgment debtor from the proceeds of the sale an amount not exceeding the prescribed amount mentioned in clause (1)(e).

(7) Notwithstanding clause (1)(e), on application by a judgment debtor, the court may permit the judgment debtor to retain a motor vehicle to meet the judgment debtor's or his or her dependants' reasonable educational or health needs, including a motor vehicle specially equipped to accommodate the needs of the judgment debtor or his or her dependants due to physical or mental disability.

(8) This section does not apply to any judgment debtor who is a farmer as that term is defined in Part V of *The Saskatchewan Farm Security Act*, 2010, c.E-9.22, s.93.

Prescribed amounts of exemptions

23(1) For the purposes of clause 93(1)(a) of the Act, the prescribed amount is \$7,500.

(2) For the purposes of clause 93(1)(d) of the Act, the prescribed amount is \$2,000.

(3) For the purposes of clause 93(1)(e) of the Act, the prescribed amount is \$10,000.

(4) For the purposes of clause 93(1)(l) of the Act, the prescribed amount is \$50,000.

(5) For the purposes of clause 93(1)(m) of the Act, the prescribed amount is \$1,500 plus \$300 for each dependant.

(6) For the purposes of clauses 94(6)(b) and (7)(c), subclause 94(8)(b)(ii) and clause 94(10)(b) of the Act, the prescribed amount is \$50,000.

(7) For the purposes of subsection 95(2) of the Act and subject to subsection (8), the employment remuneration of a judgment debtor that is exempt from seizure in a pay period is the greater of:

- (a) 70% of the employment remuneration of a judgment debtor; and
- (b) \$1,500 plus \$300 for each dependant.

(8) If the pay period mentioned in subsection (7) is other than a calendar month, the amount that is exempt from seizure bears the same proportion to the relevant amount in subsection (7) that the pay period bears to a calendar month.

(9) The exemption in clause 93(1)(e) of the Act does not apply if a vehicle has been seized pursuant to:

- (a) section 335.1 of *The Cities Act*;
- (b) *The Commercial Liens Act*;
- (c) section 371.1 of *The Municipalities Act*;
- (d) section 392 of *The Northern Municipalities Act, 2010*;
- (e) Part V.1, Division 3 of *The Summary Offences Procedure Act, 1990*; or
- (f) Part XV of *The Traffic Safety Act*.

(10) The exemption in clause 93(1)(l) of the Act does not apply if the house, house trailer or equivalent facility mentioned in that clause is not maintained by the judgment debtor as an active residence.