

# *The Saskatchewan Student Direct Loans Regulations*

*being*

Chapter S-61.1 Reg 1\* (effective August 2, 2001) as amended by Saskatchewan Regulations [13/2002](#), [42/2002](#), [76/2002](#), [84/2004](#), [39/2005](#), [80/2005](#), [61/2006](#), [65/2009](#), [79/2010](#), [54/2012](#), [59/2019](#), [112/2020](#) and [58/2022](#).

**\*NOTE:** The Chapter number of this regulation was changed by a Notice published in *The Saskatchewan Gazette* on September 21, 2001.

## **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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Repealed

## CHAPTER S-61.1 REG 1

### *The Student Assistance and Student Aid Fund Act, 1985*

#### PART I

#### Title and Interpretation

##### Title

**1** These regulations may be cited as *The Saskatchewan Student Direct Loans Regulations*.

##### Interpretation

**2(1)** In these regulations:

- (a) **“Act”** means *The Student Assistance and Student Aid Fund Act, 1985*;
- (b) **“borrower”** means an individual who has received a Saskatchewan student direct loan or other financial assistance pursuant to these regulations;
- (c) **“Canada direct loan”** means a loan that is made pursuant to the *Canada Student Financial Assistance Regulations*, being SOR/95-329;
- (d) **“certificate of eligibility”** means a valid certificate of eligibility issued by the minister pursuant to these regulations;
- (e) **“consolidation”** means the change in status of a Saskatchewan student direct loan resulting in the borrower being obligated to make payments on the loan;
- (f) **“course”** means a part of a program of studies, where the course has a duration of at least six weeks and not more than 52 weeks;
- (g) **“designated educational institution”** means an educational institution that is approved by the minister pursuant to section 18;
- (h) **“enrolled”** means:
  - (i) registered in a course; or
  - (ii) qualified for and intending to register in a course;
- (i) **“family unit”** means:
  - (i) the borrower;
  - (ii) the borrower’s spouse;
  - (iii) any dependent children of the borrower, the borrower’s spouse or the borrower and the borrower’s spouse; and
  - (iv) any persons who, in the opinion of the minister, are wholly dependent on the borrower, the borrower’s spouse or the borrower and the borrower’s spouse;

- (j) **“full-time student”** means an individual:
  - (i) subject to subsection (2), who is confirmed by a designated educational institution as being enrolled in courses that constitute at least 60% of a course load recognized by that designated educational institution as constituting a full-time course load for a program of studies; and
  - (ii) whose primary occupation during the confirmed period mentioned in subclause (i) is the pursuit of studies in the courses mentioned in that subclause;
- (k) **“in default”** means in default of making a payment due on a loan for a period of at least 90 days;
- (l) **Repealed.** 14 Aug 2009 SR 65/2009 s3.
- (m) **“interest-free certificate”** means an interest-free certificate that is submitted to the minister pursuant to section 11 and that is used to maintain or reinstate the interest free status of a Saskatchewan student direct loan;
- (n) **“interest free status”** means, with respect to a Saskatchewan student direct loan that is not in consolidation, that a full-time student or borrower is not required to make payments on the principal or interest of the Saskatchewan student direct loan;
- (n.1) **“ministry”** means the ministry over which the minister presides;
- (o) **Repealed.** 14 Aug 2009 SR 65/2009 s3.
- (p) **Repealed.** 14 Aug 2009 SR 65/2009 s3.
- (q) **“parent”** includes a step-parent or legal custodian of a child;
- (r) **“past Saskatchewan student loan”** means a loan governed pursuant to *The Student Assistance and Student Aid Fund Regulations, 2001* or *The Lender-financed Saskatchewan Student Loans Regulations*;
- (s) **“period of study end date”** means the last day of the month in which a full-time student ceases to be a full-time student and that is confirmed by a certificate of eligibility, by an interest-free certificate or by notice to the minister;
- (t) **“period of study start date”** means the date that a full-time student is enrolled in a designated educational institution and that is confirmed by a certificate of eligibility, by an interest-free certificate or by notice to the minister;
- (u) **“permanent disability”** means any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment, or a functional limitation that:
  - (i) restricts the ability of a person to perform the daily activities necessary to pursue studies at a post-secondary school level or to participate in the labour force; and
  - (ii) is expected to remain with the person for the person=s expected life;

(u.1) **“persistent or prolonged disability”** means any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment, or a functional limitation that:

- (i) restricts the ability of a person to perform the daily activities necessary to pursue studies at a post-secondary school level or to participate in the labour force; and
- (ii) has lasted, or is expected to last, for a period of at least 12 months, but is not expected to remain with the person for the person=s expected life;

(v) **“prime rate”** means the annual rate of interest calculated in accordance with subsection (3);

(w) **“program of studies”** means a program of post-secondary studies that:

- (i) leads to a degree, diploma or certificate;
- (ii) is taken at a designated educational institution; and
- (iii) lasts at least 12 weeks within a period of 15 consecutive weeks;

(x) **“provincial loan agreement”** means an agreement between the minister and a full-time student or borrower for a Saskatchewan student direct loan that is entered into:

- (i) after July 31, 2012; or
- (ii) between August 1, 2001 and July 31, 2012;

and includes any consents, authorizations and certificates that the minister may require pursuant to the agreement;

(y) **“Saskatchewan student direct loan”** means a loan granted pursuant to Part II of these regulations;

(z) **“sponsor”** means a person who sponsors an application by an immigrant pursuant to the *Immigration Act* (Canada);

(aa) **“spouse”** means, with respect to a full-time student or borrower:

- (i) the person to whom the full-time student or borrower is legally married; or
- (ii) another person with whom the full-time student or borrower is cohabiting and has cohabited as a spouse continuously for at least one year;

(bb) **Repealed.** 14 Aug 2009 SR 65/2009 s3.

(2) Notwithstanding subclause (1)(j)(i), a person may elect to be considered as a full-time student if the person:

- (a) satisfies the minister that the person has:
  - (i) a permanent disability; or
  - (ii) a persistent or prolonged disability; and

- (b) is confirmed by a designated educational institution as being enrolled in courses that constitute at least 40% but less than 60% of a course load recognized by the designated educational institution as constituting a full-time course load for a program of studies.
- (3) For the purposes of these regulations, the minister shall calculate the prime rate by:
  - (a) using the variable reference rates of interest that:
    - (i) are determined by the Minister as defined in the *Canada Student Loans Act* or the *Canada Student Financial Assistance Act*; and
    - (ii) are based on the variable reference rates of interest declared by the five largest Canadian financial institutions;
  - (b) ignoring the highest and lowest of the five rates of interest mentioned in clause (a); and
  - (c) taking the average of the remaining three rates of interest.

10 Aug 2001 cS-61.1 Reg 1 s2; 6 Sep 2002 SR 76/2002 s3; 24 Sept 2004 SR 84/2004 s3; 5 Aug 2005 SR 80/2005 s3; 30 Jne 2006 SR 61/2006 s3; 14 Aug 2009 SR 65/2009 s3; 6 Aug 2010 SR 79/2010 s3; 20 Jly 2012 SR 54/2012 s3; 29 Jly 2022 SR 58/2022 s3.

## PART II

### Saskatchewan Student Direct Loans

#### Application for loans

- 3(1) A full-time student may apply to the minister for a Saskatchewan student direct loan on a form provided by the minister.
- (2) A full-time student who applies pursuant to subsection (1) shall:
  - (a) provide the minister with any information that the minister considers necessary to determine whether or not the full-time student is eligible for a Saskatchewan student direct loan; and
  - (b) sign any consents allowing the minister, third parties or both to obtain, use, release or provide information about the full-time student that the minister may require:
    - (i) to determine whether or not the full-time student is eligible for a Saskatchewan student direct loan; or
    - (ii) to administer these regulations.

10 Aug 2001 cS-61.1 Reg 1 s3.

**Eligibility for loans**

4 In order to be eligible for a Saskatchewan student direct loan, a full-time student must:

- (a) be eligible for a Canada direct loan;
- (b) not be in default on any past Saskatchewan student loan, any loan made pursuant to the *Canada Student Financial Assistance Act* or the *Canada Student Loan Act* or any Saskatchewan student direct loan; and
- (c) in the opinion of the minister, be in need of financial assistance after taking into account the following:
  - (i) the income, assets and expenses of the full-time student and the full-time student's spouse to the extent and in any amounts that the minister considers appropriate; and
  - (ii) the income of the full-time student's parents or sponsor to the extent and in any amounts that the minister considers appropriate;
  - (iii) any other criteria that the minister considers necessary.

10 Aug 2001 cS-61.1 Reg 1 s4.

**Health card numbers required**

4.1(1) In this section, "**Saskatchewan Health Services card**" means a card, known as a Saskatchewan Health Services card, issued pursuant to section 6.5 of *The Department of Health Act*.

(2) For the purpose of determining the amount of a Saskatchewan student direct loan or other financial assistance for which a full-time student may be eligible pursuant to these regulations, the minister may require the full-time student to provide to the ministry the family/beneficiary number and personal health number as set out on a valid Saskatchewan Health Services card for the full-time student and for each person whom the full-time student claims as a dependant.

24 Sept 2004 SR 84/2004 s4; 6 Aug 2010 SR 79/2010 s4.

**Provincial loan agreement and certificate of eligibility**

5(1) On receipt of an application pursuant to section 3, if the minister is satisfied that the full-time student applicant has complied with these regulations and is eligible for a Saskatchewan student direct loan and that it is not contrary to the purposes of the Act or the public interest to grant the loan, the minister may:

- (a) enter into a provincial loan agreement with the full-time student; and
- (b) issue a certificate of eligibility to the full-time student.

(2) Notwithstanding clause (1)(a), if, on receipt of a prior application pursuant to section 3, the minister entered into a provincial loan agreement with the full-time student, on receipt of a subsequent application by the full-time student pursuant to section 3, the minister may issue a further certificate of eligibility to the full-time student in accordance with clause (1)(b) without entering into another provincial loan agreement with the full-time student.

- (3) A certificate of eligibility is:
- (a) to be in any form that the minister considers appropriate;
  - (b) to indicate the period of study start date and period of study end date for the full-time student; and
  - (c) to set out the amount of a Saskatchewan student direct loan for which the full-time student is eligible.

20 Jly 2012 SR 54/2012 s4.

**Confirmation of enrolment**

**5.1(1)** After the minister issues a certificate of eligibility pursuant to section 5, the minister must receive confirmation of the full-time student's enrolment from the designated educational institution where the full-time student is enrolled before the minister may grant a Saskatchewan student direct loan to the full-time student.

- (2) For the purposes of subsection (1), confirmation of enrolment must:
- (a) be in a form acceptable to the minister; and
  - (b) be received by the minister within 30 days after the date on which the designated educational institution confirmed the full-time student's enrolment and before the full-time student's period of study end date.

20 Jly 2012 SR 54/2012 s4.

**Granting of loan**

**6(1)** On confirmation of the full-time student's enrolment pursuant to section 5.1, the minister may grant a Saskatchewan student direct loan to the full-time student in the amount set out in the certificate of eligibility.

- (2) The minister may determine the maximum amount of a Saskatchewan student direct loan that may be provided to a student.

10 Aug 2001 cS-61.1 Reg 1 s6; 20 Jly 2012 SR 54/2012 s5.

**Reduction of loan**

**7(1)** The minister may reduce the amount of a Saskatchewan student direct loan granted to a full-time student where:

- (a) there is a change in any information concerning the full-time student that would result in the full-time student being eligible for a reduced loan;



- (b) the full-time student ceases to be a full-time student before the full-time student's period of study end date;
  - (c) the full-time student or the full-time student's spouse, parent or sponsor has provided false or misleading information to the minister; or
  - (d) the full-time student fails to comply with any provision of these regulations, any terms and conditions of the provincial loan agreement, any provision of *The Lender-financed Saskatchewan Student Loans Regulations*, *The Student Assistance and Student Aid Fund Regulations, 1990* or *The Student Assistance and Student Aid Fund Regulations, 2001* or any direction of the minister issued pursuant to these regulations.
- (2) If the minister reduces the amount of a Saskatchewan student direct loan pursuant to subsection (1), the minister may:
- (a) direct the full-time student to immediately repay any excess amount granted to the full-time student; or
  - (b) deduct the excess amount from any subsequent Saskatchewan student direct loan disbursements or future Saskatchewan student direct loans that are made or granted to the full-time student.
- (3) A full-time student to whom a direction is made pursuant to clause (2)(a) shall comply with that direction within the time period that the minister may set out in the direction.
- (4) The minister may increase the amount of a Saskatchewan student direct loan granted to a full-time student where there is a change in any information concerning the full-time student that would result in the full-time student being eligible for an increased loan.
- (5) If the minister increases the amount of a Saskatchewan student direct loan to a full-time student pursuant to subsection (4), the minister may issue a certificate of eligibility to the full-time student that authorizes the amount of the increased loan.
- (6) After the minister issues a certificate of eligibility pursuant to subsection (5), the minister must receive confirmation of the full-time student's enrolment from the designated educational institution where the full-time student is enrolled before the minister may grant the increased Saskatchewan student direct loan to the full-time student.
- (7) For the purposes of subsection (6), confirmation of enrolment must:
- (a) be in a form acceptable to the minister; and
  - (b) be received by the minister within 30 days after the date on which the designated educational institution confirmed the full-time student's enrolment and before the full-time student's period of study end date.

(8) On confirmation of the full-time student's enrolment pursuant to subsection (6), the minister may grant the increased Saskatchewan student direct loan to the full-time student in the amount set out in the certificate of eligibility.

10 Aug 2001 cS-61.1 Reg 1 s7; 20 Jly 2012 SR 54/2012 s6.

**Loan disbursements rules**

**8** Notwithstanding any other provision of these regulations or the provisions of a provincial loan agreement, the minister shall not make any disbursements under the Saskatchewan student direct loan before the full-time student's period of study start date or after the full-time student's period of study end date.

10 Aug 2001 cS-61.1 Reg 1 s8.

### **PART III**

#### **Interest free Status**

**Interest free status**

**9** For the purposes of these regulations, if a Saskatchewan student direct loan has an interest free status, no interest is payable on the Saskatchewan student direct loan and no interest is to accumulate on the loan during the period that the Saskatchewan student direct loan has the interest free status.

10 Aug 2001 cS-61.1 Reg 1 s9.

**Students with certificate of eligibility**

**10** Subject to section 12, where the minister issues a certificate of eligibility to a full-time student pursuant to section 5 or subsection 7(5), the full-time student's Saskatchewan student direct loan has an interest free status during the period:

- (a) commencing on the later of:
  - (i) the period of study start date indicated on the certificate of eligibility; and
  - (ii) the date on which the minister receives confirmation of the full-time student's enrolment pursuant to section 5.1 or subsection 7(6), as the case may be; and
- (b) ending on the period of study end date as indicated in the certificate of eligibility.

10 Aug 2001 cS-61.1 Reg 1 s10; 15 Feb 2002 SR 13/2002 s3; 20 Jly 2012 SR 54/2012 s7.

**With interest-free certificate**

**11(1)** Subject to section 12, a full-time student whose Saskatchewan student direct loan does not have an interest free status may apply to the minister for interest free status by submitting to the minister an interest-free certificate in a form provided by or acceptable to the minister.

- (2) An interest-free certificate submitted pursuant to subsection (1) must:
  - (a) include confirmation, in a form acceptable to the minister, of the full-time student's enrolment from the designated educational institution where the full-time student is enrolled; and
  - (b) be received by the minister within 30 days after the date on which the designated educational institution confirmed the full-time student's enrolment and before the full-time student's period of study end date.
- (3) On receipt of an interest free certificate and confirmation of enrolment, if the minister is satisfied that the full-time student has complied with these regulations and that it is not contrary to the purposes of the Act or the public interest to do so, the minister may grant interest free status to the full-time student's Saskatchewan student direct loan.
- (4) If the minister grants interest free status to a full-time student's Saskatchewan student direct loan, the interest free status is in effect during the period:
  - (a) commencing on the later of:
    - (i) the period of study start date indicated on the interest-free certificate; and
    - (ii) the date on which the minister receives confirmation of the full-time student's enrolment pursuant to subsection (2); and
  - (b) ending on the period of study end date as indicated on the interest-free certificate.

20 Jly 2012 SR 54/2012 s8.

**Rules respecting interest free status**

- 12(1)** If the period of study end date as shown on a full-time student's certificate of eligibility or interest-free certificate changes, the interest free status of the full-time student's Saskatchewan student direct loan ends on the new period of study end date.
- (2) Notwithstanding sections 10 and 11, no full-time student is entitled to interest free status on a Saskatchewan student direct loan if the student:
  - (a) is in default on a loan pursuant to these regulations, *The Lender-financed Saskatchewan Student Loans Regulations, The Student Assistance and Student Aid Fund Regulations, 1990* or *The Student Assistance and Student Aid Fund Regulations, 2001*; or
  - (b) in the opinion of the minister, it is not in the public interest to grant interest free status.
- (3) The minister may terminate a full-time student's or borrower's interest free status where:
  - (a) the full-time student or borrower or the full-time student's or borrower's spouse, parent or sponsor has provided false or misleading information to the minister;

- (b) the full-time student or borrower fails to comply with any provision of these regulations, the Saskatchewan student direct loan, *The Lender-financed Saskatchewan Student Loans Regulations, The Student Assistance and Student Aid Fund Regulations, 1990* or *The Student Assistance and Student Aid Fund Regulations, 2001*; or
  - (c) the minister considers that it is in the public interest to do so.
- (4) Notwithstanding that the period of study end date as stated on a full-time student's or borrower's previous certificate of eligibility or interest-free certificate has been reached, the full-time student's or borrower's Saskatchewan student direct loan remains in interest free status during the period between the previous period of study end date and next period of study start date as shown on the full-time student's or borrower's current certificate of eligibility or interest-free certificate if:
- (a) the period between the previous period of study end date and next period of study start date as shown on the full-time student's or borrower's current certificate of eligibility or interest-free certificate is less than six months; and
  - (b) the full-time student or borrower delivers the current certificate of eligibility or interest-free certificate to the minister within the six month period mentioned in clause (a).

10 Aug 2001 cS-61.1 Reg 1 s12.

#### PART IV

#### **Repayment and Financial Assistance during Repayment**

##### **Consolidation**

- 13(1)** For the purposes of these regulations, when a borrower's Saskatchewan student direct loan is consolidated, the borrower is obliged to make payments on the principal and interest of the Saskatchewan student direct loan in accordance with the terms of these regulations and the borrower's provincial loan agreement.
- (2) A borrower's Saskatchewan student direct loan is consolidated on the earlier of:
- (a) the date communicated to the minister by the borrower; and
  - (b) the first day of the seventh month following the borrower's last period of study end date.
- (3) A borrower shall pay a minimum monthly amount on a consolidated Saskatchewan student direct loan as directed by the minister.
- (4) A borrower shall make payments on a consolidated Saskatchewan student direct loan at the place, in the manner and to the persons that the minister may direct in writing.
- (5) The minister shall apply any payments from the borrower:
- (a) first to any outstanding service charges and interest on the Saskatchewan student direct loan; and
  - (b) if any amounts remain after the application mentioned in clause (a), to any outstanding principal.

10 Aug 2001 cS-61.1 Reg 1 s13; 20 Jly 2012 SR  
54/2012 s9.

**Repayment assistance**

**14(1)** A borrower may apply to the minister to reduce the borrower's indebtedness to the minister respecting the borrower's Saskatchewan student direct loan and any past Saskatchewan student loans.

(2) Part V of the *Canada Student Financial Assistance Regulations*, SOR/95-329, as that Part exists on August 1, 2009, applies, with any necessary modification, for the purposes of applying for and granting repayment assistance with respect to Saskatchewan student direct loans.

14 Aug 2009 SR 65/2009 s4.

**15 Repealed.** 14 Aug 2009 SR 65/2009 s5.

**Severe permanent disability**

**16(1)** In this section, “**severe permanent disability**” means any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment, or a functional limitation that:

- (a) prevents a person from performing the daily activities necessary to participate in the labour force in a manner that is substantially gainful, as defined in section 68.1 of the *Canada Pension Plan Regulations*; and
- (b) is expected to remain with the person for the person's expected life.

(2) All obligations of a borrower with respect to a Saskatchewan student direct loan terminate if the minister is satisfied, on the basis of information specified by the minister and provided by or on behalf of the borrower, that the borrower, by reason of the borrower's severe permanent disability, is unable to repay the loan and will never be able to repay it.

14 Aug 2009 SR 65/2009 s6; 2 Aug 2019 SR 59/2019 s2; 29 Jly 2022 SR 58/2022 s4.

**Death of borrower**

**16.1** All obligations of a borrower with respect to a Saskatchewan student direct loan terminate if the borrower dies.

14 Aug 2009 SR 65/2009 s6.

## PART IV.1

**Medical Leave and Parental Leave****Medical leave and parental leave**

**16.2(1)** In this section:

“**medical leave**” means a leave from studies taken by a borrower as a result of a medical issue that, in the opinion of a medical professional, would significantly interfere with the borrower's ability to pursue the borrower's program of studies;

**“parental leave”** means a leave from studies taken by a borrower as a result of the birth of a child of the borrower, the adoption of a child by the borrower, or the commencement of the guardianship or tutorship of a child by the borrower;

**“period of postponement of repayment”** means the period during which, by reason of medical leave or parental leave, a borrower is not required to repay the principal amount of a Saskatchewan student direct loan, and no interest is payable on the loan.

(2) A borrower who formally takes a leave from studies for medical or parental reasons on or after October 1, 2020 may apply, in the form and manner specified by the minister, for a period of postponement of repayment, by reason of medical leave or parental leave, respecting the borrower’s Saskatchewan student direct loan.

(3) Section 7.1 of the *Canada Student Financial Assistance Regulations*, SOR/95-329, applies, with any necessary modification, for the purposes of applying for and being granted a period of postponement of repayment of a Saskatchewan student direct loan pursuant to this section.

(4) If a borrower is granted a period of postponement of repayment of a Saskatchewan student direct loan pursuant to this section, for the period of postponement of repayment:

- (a) the loan has an interest free status; and
- (b) section 9 of these regulations applies to the loan.

2 Oct 2020 SR 112/2020 s2.

## PART V Miscellaneous

### Rules respecting interest payments

**17(1)** A borrower shall pay the interest described by this section as accruing on the borrower’s Saskatchewan student direct loan in accordance with the terms set out in these regulations and in the borrower’s provincial loan agreement.

(2) If a borrower fails to pay interest owed on a Saskatchewan student direct loan as required by subsection (1), the minister may, as a condition of providing any interest relief, any other financial assistance or benefits or any other Saskatchewan student direct loan, require the borrower to:

- (a) pay the accrued interest owing; or
- (b) capitalize the accrued interest owing by entering into an agreement with the minister that consolidates the Saskatchewan student direct loan and that adds the accrued interest to the principal amount payable on the Saskatchewan student direct loan.

(3) Interest accrues on a Saskatchewan student direct loan at a floating rate equal to the prime rate during the period between:

- (a) the date after the borrower’s last period of study end date; and
- (b) the date the Saskatchewan student direct loan is consolidated.

- (4) With respect to accrued interest mentioned in subsection (3), the borrower shall:
- (a) pay the accrued interest; or
  - (b) capitalize the accrued interest by entering into an agreement with the minister that adds the accrued interest to the principal amount payable on the Saskatchewan student direct loan.
- (5) After the completion of the period mentioned in subsection (3), interest accrues on the Saskatchewan student direct loan at:
- (a) a floating rate equal to the prime rate; or
  - (b) if requested by the borrower after the consolidation date, a fixed rate equal to the prime rate at the date of the request plus 2.5% per annum.

10 Aug 2001 cS-61.1 Reg 1 s17; 6 Aug 2010 SR  
79/2010 s5.

#### Designation of educational institutions

**18** For the purposes of approving an educational institution as a designated educational institution or revoking the designation of an educational institution and for the purposes of efficiently administering student loan programs jointly administered by the ministry and the Government of Canada, the minister may take into consideration:

- (a) whether or not the educational institution is designated as an educational institution for the purposes of Canada direct loans pursuant to sections 3 and 4 of the *Canada Student Financial Assistance Act*; and
- (b) whether or not the educational institution:
  - (i) offers a program of studies that:
    - (A) leads to a degree, diploma or certificate; and
    - (B) lasts at least 12 weeks within a period of 15 consecutive weeks;
  - (ii) in the case of vocational or technical programs, provides a minimum of 20 hours per week of student activity or participation;
  - (iii) has been in operation for at least 18 months and has graduated at least one class of students;
  - (iv) is authorized to operate pursuant to the appropriate legislation for that class of educational institution; and
  - (v) has entered into an agreement with the minister that establishes the terms and conditions with respect to maintaining its status as a designated educational institution pursuant to sections 3 and 4 of the *Canada Student Financial Assistance Act*.

30 Jne 2006 SR 61/2006 s4; 6 Aug 2010 SR  
79/2010 s6.

**Exemptions**

**19(1)** The minister may exempt a full-time student or borrower from any requirement set out in these regulations where, in the opinion of the minister:

- (a) one or more of the following applies:
    - (i) the non-compliance is due to a factor beyond the control of the full-time student or borrower;
    - (ii) the non-compliance is with respect to a minor detail;
    - (iii) the full-time student or borrower has proposed other conditions that meet or exceed the conditions with respect to which there is non-compliance;
  - (b) the full-time student or borrower is mainly in compliance with the requirements of these regulations; and
  - (c) it is not contrary to the public interest to grant the exemption.
- (2) After taking into consideration the general objectives of the Act, these regulations and student loan programs jointly administered by the ministry and the Government of Canada, the minister may, on any terms and conditions and in any amount that the minister may determine:
- (a) provide additional financial assistance and related benefits pursuant to these regulations to full-time students and borrowers or to classes of full-time students and borrowers; or
  - (b) abolish, restrict or modify financial assistance and related benefits otherwise available pursuant to these regulations to full-time students and borrowers or to classes of full-time students and borrowers.

10 Aug 2001 cS-61.1 Reg 1 s19; 24 Sept 2004 SR 84/2004 s8; 6 Aug 2010 SR 79/2010 s7.

**Reconsideration of determination**

**19.1(1)** The minister shall establish a review process for the reconsideration of any determination made by the minister with respect to a person's application for a Saskatchewan student direct loan or other financial assistance pursuant to these regulations.

(2) After receiving written notice from the minister advising of the minister's determination with respect to the person's application for a Saskatchewan student direct loan or other financial assistance pursuant to these regulations, the person may request that the minister reconsider the determination.

(3) A request for reconsideration of a determination must:

- (a) be in writing;
- (b) be made within the time set by the minister; and
- (c) set out the reasons why the person believes that the minister should reconsider his or her determination.



- (4) On receipt of a request made in accordance with this section, the minister shall:
- (a) reconsider his or her determination;
  - (b) cause the person who requested the reconsideration to be notified of the minister's decision on reconsideration; and
  - (c) provide the person notified pursuant to clause (b) with written reasons for the minister's decision on reconsideration.
- (5) Nothing in these regulations entitles a person to a hearing before the minister or the ministry.

24 Sept 2004 SR 84/2004 s9; 6 Aug 2010 SR 79/2010 s8.

Limitations exception

**19.2** Notwithstanding section 5 of *The Limitations Act*, no proceedings shall be commenced with respect to a claim respecting a loan made pursuant to these regulations after six years from the day on which the claim is discovered.

6 May 2005 SR 39/2005 s2.

## PART VI

### Coming into Force

Coming into force

**20** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

10 Aug 2001 cS-61.1 Reg 1 s20.

## APPENDIX

**Repealed.** 14 Aug 2009 SR 65/2009 s7.

