

The Saskatchewan Assured Income for Disability Regulations, 2012

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[Chapter S-8 Reg 11](#) (effective December 6, 2012) as amended by Saskatchewan Regulations [111/2014](#), [68/2016](#), [11/2017](#), [81/2017](#), [31/2018](#), [46/2019](#), [36/2021](#), [40/2022](#), [97/2022](#), [93/2023](#) and [116/2023](#).

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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CHAPTER S-8 REG 11
The Saskatchewan Assistance Act

PART I
Preliminary Matters

Title

1 These regulations may be cited as *The Saskatchewan Assured Income for Disability Regulations, 2012*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Saskatchewan Assistance Act*;
- (b) **“appeal board”** means the Social Services Appeal Board established pursuant to subsection 10(2) of *The Social Services Administration Act*;
- (c) **“appeal committee”** means an appeal committee established pursuant to subsection 10(1) of *The Social Services Administration Act*;
- (d) **“applicant”** means an individual who or family unit that applies for a benefit or on whose behalf an application for a benefit has been made;
- (e) **“benefit”** means a benefit provided in accordance with these regulations;
- (f) **“child”** means an individual who is under 18 years of age, and includes an individual who attains the age of 18 years during the entire calendar month in which the individual attains that age;
- (g) **“disability assessment”** means an assessment of disability conducted pursuant to section 9;
- (g.1) **“earned income”** means, with respect to an individual, all or any of the following:
 - (i) payment for services received by the individual from an employer;
 - (ii) payment received by the individual under a contract of service;
 - (iii) subject to subsection (2), in the case of an individual who is self-employed, the income received from self-employment after deductions for reasonable self-employment expenditures that are determined by the minister;
- (h) **“eligible beneficiary”** means an individual or family unit whose application for a benefit has been approved pursuant to section 16 and includes an individual who was deemed to be an eligible beneficiary pursuant to *The Saskatchewan Assured Income for Disability Regulations*, as those regulations existed before the coming into force of these regulations;
- (i) **“eligible family member”** means a family member described in clause 7(2)(a);

- (j) **“excess asset”** means:
 - (i) any real property of an applicant or eligible beneficiary other than the principal residence of an applicant or eligible beneficiary; or
 - (ii) any real or personal property used for a farming or business operation of an applicant or eligible beneficiary other than:
 - (A) the quarter section on which the applicant’s or eligible beneficiary’s principal residence is located; and
 - (B) any property that, in the opinion of the minister, is essential to the farming or business operation;
- (k) **“family member”** means a member of a family unit;
- (l) **“family unit”** means a unit composed of the following members:
 - (i) an individual;
 - (ii) the spouse, if any, of the individual mentioned in subclause (i); and
 - (iii) the children, if any, of the individual mentioned in subclause (i) or the individual’s spouse mentioned in subclause (ii), including any children to whom the individual or the individual’s spouse stands in the place of a parent but not including children who:
 - (A) are living separate and apart from the individual and the individual’s spouse; or
 - (B) are not dependent on the individual and the individual’s spouse for support;
- (m) **“financial institution”** means:
 - (i) a bank to which the *Bank Act* (Canada) applies;
 - (ii) a credit union incorporated or continued pursuant to *The Credit Union Act, 1998*; or
 - (iii) a corporation licensed pursuant to *The Trust and Loan Corporations Act, 1997*;
- (n) **“financial resources”** means, with respect to an individual, the individual’s monthly income, liquid assets and excess assets as determined in accordance with these regulations;
- (o) **“individual with a significant and enduring disability”** means an individual who is determined by the minister pursuant to section 9 to have a significant and enduring disability;
- (p) **“inheritance”** means any real or personal property, including any liquid asset, that is received from the estate of a decedent and includes:
 - (i) the proceeds of a life insurance policy; and
 - (ii) lump sum payments and transfers of property received pursuant to section 7 of *The Dependant’s Relief Act, 1996*;
- (q) **“liquid asset”** includes:
 - (i) cash on hand;

- (ii) an amount on deposit in a financial institution or held by a third party that must be paid to a household member on demand;
 - (iii) a debt held by a third party that must be paid to a household member on demand;
 - (iv) the realizable value of:
 - (A) a stock, bond, share in a corporation or other security;
 - (B) a mortgage or agreement for sale;
 - (C) a bequest pursuant to a will;
 - (D) an award of damages pursuant to a court decision;
 - (E) a settlement of a claim;
 - (F) a pension fund that is not locked-in;
 - (G) a registered retirement savings plan as defined in section 146 of the *Income Tax Act* (Canada);
 - (H) a registered retirement income fund as defined in section 146.3 of the *Income Tax Act* (Canada); and
 - (I) a beneficial interest in an asset that is held in trust; and
 - (v) the cash surrender value of a life insurance policy in excess of \$1,500;
- (q.1) **“post-secondary program”** includes any post-secondary program that is available from a post-secondary institution in Saskatchewan but does not include a post-graduate program offered by a university or an approved program described in section 28.3;
- (r) **“program”** means the Saskatchewan Assured Income for Disability Program continued pursuant to section 3;
- (r.1) **“provincial health authority”** means the provincial health authority within the meaning of *The Provincial Health Authority Act*;
- (s) **“resident of a facility”** means:
- (i) an individual who resides in:
 - (A) a facility designated as a special-care home in accordance with *The Facility Designation Regulations*;
 - (B) a mental health approved home as defined in *The Mental Health Services Act*;
 - (C) a personal care home for which a licence is issued pursuant to *The Personal Care Homes Act*; or
 - (D) a care facility as defined in *The Residential Services Act, 2019*;
 - (E) **Repealed.** 6 Oct 2023 SR 93/2023 s3.
 - (ii) a patient in a facility designated as a hospital in accordance with *The Facility Designation Regulations*, or a hospital operated by the Athabasca Health Authority, who, by reason of receiving long-term care, is being assessed a resident charge; or

- (iii) an individual who resides with a relative, as defined in clause 2(f) of *The Personal Care Homes Act*, and who requires supervision and assistance with personal care;
- (t) **“significant and enduring disability”** means a disability that, in accordance with section 9:
 - (i) is assessed to be permanent; and
 - (ii) is assessed as, either periodically or continuously:
 - (A) having a substantial impact on the individual’s daily living activities; and
 - (B) causing the individual to require support in the form of an assistive device, the assistance of another individual, a service animal, a modified environment or other accommodation;
- (u) **“spouse”** means:
 - (i) the legal spouse of an individual; or
 - (ii) if an individual does not have a legal spouse or is living separate and apart from his or her legal spouse, another individual who:
 - (A) has cohabited with the individual for a period of not less than three months and shares financial resources with the individual;
 - (B) represents himself or herself as the spouse of the individual or as the father or mother of a child of the individual;
 - (C) is the father or mother of a child of the individual; or
 - (D) for any purpose identifies the individual or a child of the individual as his or her dependant.
- (2) For the purposes of subclause (1)(g.1)(iii), deductions are only to be applied to, and must not exceed, the amount of income received from self-employment.

14 Dec 2012 cS-8 Reg 11 s2; 12 Aug 2016 SR
68/2016 s3; 5 Jly 2019 SR 46/2019 s3; 9 Apr
2021 SR 36/2021 s3; 27 May 2022 SR 40/2022
s3; 6 Oct 2023 SR 93/2023 s3.

Program continued

- 3(1) The Saskatchewan Assured Income for Disability Program is continued.
- (2) The purpose of the program is to provide long-term income support for individuals who:
 - (a) have significant and enduring disabilities, irrespective of whether the disabilities are physical, psychiatric, cognitive or intellectual in nature;
 - (b) do not have sufficient income from employment or other sources to permit self-sufficiency; and
 - (c) are not expected, based on available treatments or support, to attain long-term financial self-sufficiency through employment or self-employment.

14 Dec 2012 cS-8 Reg 11 s3.

PART II
Application, Eligibility and Approval

DIVISION 1
Application

Application

4(1) In this section:

- (a) **“health services number”** means the unique number assigned to an individual who is registered as a beneficiary to receive insured services pursuant to *The Saskatchewan Medical Care Insurance Act*;
 - (b) **“social insurance number”** means a valid social insurance number assigned pursuant to the authority of any Act of the Parliament of Canada.
- (2) An applicant may apply to the minister for a benefit in any manner acceptable to the minister.
- (3) An applicant shall:
- (a) provide the minister with the information required by these regulations and any additional information that the minister considers reasonably necessary to establish:
 - (i) the eligibility of the applicant for a benefit; and
 - (ii) the amount of a benefit to which the applicant may be entitled;
 - (b) subject to subsections (4) and (5), provide the minister with the social insurance numbers and health services numbers of:
 - (i) in the case of an application by or on behalf of an individual, the applicant and the applicant’s spouse, if any; or
 - (ii) in the case of an application by or on behalf of a family unit, each individual in the family unit other than any dependent children; and
 - (c) provide to the minister a consent to use the social insurance numbers and health services numbers mentioned in clause (b):
 - (i) in the case of the social insurance numbers, to verify the eligibility of the applicant; and
 - (ii) in the case of the health services numbers, for the purposes of nominating the applicant to receive supplementary health benefits specified in the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66.
- (4) For the purposes of an application, if an individual or an individual’s spouse has applied for a health services number or social insurance number but has not yet received it, the minister may accept evidence of that application as supplied by the individual.
- (5) In lieu of a social insurance number, the minister may accept:
- (a) documents provided by Immigration, Refugees and Citizenship Canada establishing that the individual:
 - (i) has made a claim for refugee protection that has not been rejected; and
 - (ii) is not able to obtain a social insurance number; or

- (b) any other documents the minister considers appropriate, if the applicant does not meet any residency requirement set out in subsection 5(1).
- (6) On receipt of an application pursuant to this section, the minister shall:
 - (a) review the application; and
 - (b) determine whether the applicant has a budget shortfall and meets the other criteria set out in Division 2.

14 Dec 2012 cS-8 Reg 11 s4; 12 Aug 2016 SR
68/2016 s4; 6 Oct 2023 SR 93/2023 s4.

DIVISION 2 Eligibility

Interpretation of Division

5(1) In this Division:

- (a) **“residency requirements”** means, with respect to an individual, that the individual:
 - (i) is a Canadian citizen;
 - (ii) is authorized pursuant to an Act of the Parliament of Canada to take up permanent residence in Canada;
 - (iii) is determined pursuant to the *Immigration and Refugee Protection Act* (Canada) or the *Immigration Act* (Canada) to be a Convention refugee;
 - (iv) is in Canada under a temporary resident permit issued pursuant to the *Immigration and Refugee Protection Act* (Canada) or on a minister’s permit issued pursuant to the *Immigration and Refugee Protection Act* (Canada);
 - (v) is in the process of having the individual’s claim for refugee protection, or application for protection, determined or decided pursuant to the *Immigration and Refugee Protection Act* (Canada); or
 - (vi) is subject to a removal order pursuant to the *Immigration and Refugee Protection Act* (Canada) that cannot be executed;
- (b) **“Saskatchewan resident”** means, with respect to an individual or family member, an individual or family member who is ordinarily present in Saskatchewan.
- (2) An applicant who does not meet any residency requirement set out in subsection (1) may be eligible for benefits if the minister is satisfied:
 - (a) that the applicant or a dependant of the applicant is being treated for a medical condition and is unable to leave Saskatchewan;
 - (b) that the applicant or a dependant of the applicant died while in Saskatchewan; or
 - (c) that exceptional circumstances exist.
- (3) An applicant who is not a Saskatchewan resident may be eligible for benefits if the minister is satisfied that there are compassionate, compelling or medical reasons.

14 Dec 2012 cS-8 Reg 11 s5; 12 Aug 2016 SR
68/2016 s5; 23 Dec 2022 SR 97/2022 s3.

Eligibility criteria – individuals

- 6(1)** This section applies to an applicant who is an individual.
- (2) An applicant who is an individual may be approved as an eligible beneficiary only if the application made by or on behalf of the individual complies with section 4 and the individual:
- (a) is a Saskatchewan resident;
 - (b) is 18 years of age or older;
 - (c) meets the residency requirements;
 - (d) is an individual with a significant and enduring disability;
 - (e) is determined pursuant to this Division to have a budget shortfall; and
 - (f) satisfies the minister that the individual has explored every reasonable possibility of providing for his or her needs and the needs of his or her family unit, if any, including applying for any benefits provided by the Government of Canada, the Government of Saskatchewan or any other government, or any agency of that government, for which the individual or any member of the individual's family unit may be eligible.
- (3) Notwithstanding any other provision of these regulations, no benefit is to be paid to or on behalf of an individual who does not meet the criteria set out in this section.

14 Dec 2012 cS-8 Reg 11 s6.

Eligibility criteria - family units

- 7(1)** This section applies to an applicant that is a family unit.
- (2) A family unit may be approved as an eligible beneficiary only if the application by or on behalf of the family unit complies with section 4 and:
- (a) at least one of the family members:
 - (i) is a Saskatchewan resident;
 - (ii) is 18 years of age or older;
 - (iii) meets the residency requirements; and
 - (iv) is an individual with a significant and enduring disability;
 - (b) the family unit is determined pursuant to this Division to have a budget shortfall; and
 - (c) the family unit satisfies the minister that it has explored every reasonable possibility of providing for its needs, including applying for any benefits provided by the Government of Canada, the Government of Saskatchewan or any other government, or any agency of that government, for which the family unit may be eligible.
- (3) Subject to any other provision of these regulations, if a family unit includes an individual who does not meet the residency requirements, that individual's income and assets may be included in determining the income and assets of the family unit for the purposes of determining whether the family unit has a budget shortfall.
- (4) Notwithstanding any other provision of these regulations, no benefit is to be paid to or on behalf of a family unit that does not meet the criteria set out in this section.

14 Dec 2012 cS-8 Reg 11 s7; 12 Aug 2016 SR
68/2016 s6.

Ineligible individuals

8(1) Notwithstanding sections 6 and 7, no benefit is to be paid to or on behalf of an individual who:

- (a) is detained under a sentence of imprisonment of more than 30 days in:
 - (i) a correctional facility as defined in *The Correctional Services Act, 2012*; or
 - (ii) a custody facility as defined in *The Youth Justice Administration Act, 2019*;
- (b) is an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);
- (b.1) has been absent from Saskatchewan for more than 30 continuous days, unless the minister is satisfied that the absence is for compassionate, compelling or medical reasons;
- (c) is ordinarily resident on an Indian reserve as defined in the *Indian Act* (Canada); or
- (d) is a student, unless the student is:
 - (i) enrolled full-time in a post-secondary program and is:
 - (A) a person with a significant and enduring disability for whom training in a post-secondary program offers the only reasonable prospect for employment and leads to a vocational goal approved by the minister; or
 - (B) a person who does not have a significant and enduring disability and who:
 - (I) is enrolled in a post-secondary program leading to a vocational goal that is not a university post-graduate program;
 - (II) has been receiving benefits for the 12-month period preceding his or her attendance at an educational institution; and
 - (III) supports a spouse who is a person with a significant and enduring disability; or
 - (ii) enrolled in an approved program described in section 28.3;
- (e) **Repealed.** 11 May 2018 SR 31/2018 s3.
- (1.1) **Repealed.** 5 Jly 2019 SR 46/2019 s4.
- (1.2) **Repealed.** 5 Jly 2019 SR 46/2019 s4.
- (2) The minister may waive the requirement set out in subparagraph (1)(d)(i)(B)(II) if the minister determines it is appropriate to do so.

14 Dec 2012 cS-8 Reg 11 s8; 12 Aug 2016 SR 68/2016 s7; 4 Aug 2017 SR 81/2017 s3; 11 May 2018 SR 31/2018 s3; 5 Jly 2019 SR 46/2019 s4; 27 May 2022 SR 40/2022 s4; 23 Dec 2022 SR 97/2022 s4; 6 Oct 2023 SR 93/2023 s5.

Assessment for eligibility

9(1) For the purposes of determining whether an individual is an individual with a significant and enduring disability, the minister shall:

- (a) establish acceptable methods and procedures for conducting disability assessments to determine the functional impact of a disability;
- (b) determine the qualifications of persons who may conduct disability assessments; and
- (c) establish a minimum disability assessment threshold that is to be determined through the disability assessment mentioned in clause (a).

(2) The minister shall determine whether or not an individual has a disability that is:

- (a) significant based on a disability assessment conducted in accordance with subsection (1); and
- (b) enduring based on medical documentation and other information that is satisfactory to the minister that the disability is permanent.

(3) If the minister determines that an individual does not have a significant and enduring disability, the minister shall also inform the individual of the individual's right to an appeal and reconsideration pursuant to sections 37 to 40.

12 Aug 2016 SR 68/2016 s8.

Budget shortfall – individuals

10(1) This section applies to an applicant who is an individual.

(2) Subject to subsections (3) to (5) and section 12, an individual has a budget shortfall if the individual's monthly income determined pursuant to clause (3)(a) is less than the monthly total of benefits to which the individual would be entitled as determined pursuant to clause (3)(b).

(3) For the purposes of determining if an individual has a budget shortfall, the minister:

- (a) shall determine the individual's monthly income in accordance with section 13 and subsection 15(3);
- (b) shall determine the monthly total of the benefits to which the individual would be entitled if he or she were an eligible beneficiary;
- (c) shall determine the total of all liquid assets owned by the individual in accordance with section 14;
- (d) shall determine whether the individual owns excess assets in accordance with section 15; and
- (e) may review the circumstances surrounding a disposal of assets or an unusual expenditure by the individual:
 - (i) within the six months preceding the month in which his or her application was made; or

- (ii) within the number of months preceding the month in which his or her application was made that an eligible beneficiary is determined to be not eligible to receive a benefit pursuant to section 20, if that determination was made and the period the eligible beneficiary is not eligible to receive a benefit exceeds six months.
- (4) For the purposes of this section, if the minister determines that an individual would be entitled to a benefit only with respect to health services, the minister shall:
 - (a) determine the health services that would be required over 12 months;
 - (b) include any costs for the health services mentioned in clause (a) that the minister is satisfied are reasonably anticipated;
 - (c) determine the individual's needs based on whether the individual's monthly income, as determined in accordance with section 13 and subsection 15(3), will be sufficient to cover the costs of the health services mentioned in clause (b); and
 - (d) if the minister is satisfied that the individual's monthly income is not sufficient to cover the costs of the health services, declare that the individual has a budget shortfall for the purposes of these regulations.
- (5) An individual does not have a budget shortfall if, at the time of his or her application, the total value of the individual's liquid assets is greater than \$1,500.

14 Dec 2012 cS-8 Reg 11 s10; 12 Aug 2016 SR
68/2016 s9.

Budget shortfall – family units

- 11(1) In this section, “**family unit’s monthly income**” means the monthly income of all of its family members.
- (2) This section applies to an applicant that is a family unit.
- (3) Subject to subsections (4) to (6) and section 12, a family unit has a budget shortfall if the family unit’s monthly income determined pursuant to clause (4)(a) is less than the monthly total of benefits to which the family unit would be entitled as determined pursuant to clause (4)(b).
- (4) For the purposes of determining if a family unit has a budget shortfall, the minister:
 - (a) shall determine the family unit’s monthly income in accordance with subsection 7(3), section 13 and subsection 15(3);
 - (b) shall determine the monthly total of the benefits to which the family unit would be entitled if it were an eligible beneficiary;
 - (c) shall determine the total of all liquid assets owned by the family unit in accordance with section 14;
 - (d) shall determine whether the family unit owns excess assets in accordance with section 15; and
 - (e) may review the circumstances surrounding a disposal of assets or an unusual expenditure by the family unit within the six months preceding the month in which its application was made.

- (5) For the purposes of this section, if the minister determines that a family unit would be entitled to a benefit only with respect to health services, the minister shall:
- (a) determine the health services that would be required over 12 months;
 - (b) include any costs for the health services mentioned in clause (a) that the minister is satisfied are reasonably anticipated;
 - (c) determine the family unit's needs based on whether the family unit's monthly income, as determined in accordance with subsection 7(3), section 13 and subsection 15(3), will be sufficient to cover the costs of the health services mentioned in clause (b); and
 - (d) if the minister is satisfied that the family unit's monthly income is not sufficient to cover the costs of the health services, declare that the family unit has a budget shortfall for the purposes of these regulations.
- (6) A family unit does not have a budget shortfall if, at the time of its application, the total value of the family unit's liquid assets is greater than \$1,500 per household member.

14 Dec 2012 cS-8 Reg 11 s11; 23 Dec 2022 SR
97/2022 s5.

Other rules respecting budget shortfalls

- 12(1)** Subject to subsection (2) and to section 13, an applicant does not have a budget shortfall if the minister is satisfied that:
- (a) the applicant owns excess assets; or
 - (b) a disposal of assets or an unusual expenditure, within the six months preceding the month in which the applicant's application was made, was carried out for the purpose of causing the applicant to have a budget shortfall.
- (2) The minister may decide not to consider a liquid asset as a financial resource if the minister is satisfied that the applicant has genuine reasons for delaying or not converting the liquid asset into cash.
- (3) Notwithstanding any other provision of these regulations, the minister may, in a particular case or with respect to a category or class of individuals, do any of the following:
- (a) when determining monthly income, exclude any amount of income that, in the minister's opinion, should not be included;
 - (b) when determining liquid assets:
 - (i) exclude any liquid asset that, as determined by the minister, should not be included; or
 - (ii) include any liquid asset that, as determined by the minister, should be included;
 - (c) when determining excess assets, exclude any asset that, as determined by the minister, should not be considered an excess asset.

14 Dec 2012 cS-8 Reg 11 s12; 12 Aug 2016 SR
68/2016 s10; 23 Dec 2022 SR 97/2022 s6.

Determining monthly income

13(1) This section applies to determining the monthly income of:

- (a) an applicant who is an individual; and
 - (b) each family member of an applicant that is a family unit.
- (2) Subject to subsections (3) to (8), the monthly income of an individual or family member is the amount of moneys that the individual or family member received or was eligible to receive from all sources as determined by the minister other than the items set out in Table 1 of the Appendix.
- (3) The minister shall determine monthly income pursuant to this section:
- (a) based on the individual's or family member's monthly income for the month before the date on which the application was received by the minister; or
 - (b) if the minister is satisfied that the individual or family member has an irregular or fluctuating monthly income, based on what the minister is satisfied is his or her average monthly income over a period not to exceed 12 months before the date on which the application was received by the minister.
- (4) Any employment income of a child attending school is not to be included in determining monthly income.
- (5) If an applicant receives revenue for providing room only or room and board in the applicant's principal residence to a person who is not a member of the applicant's family unit, 25% of that revenue, but not less than \$25 per month is to be included in determining monthly income.
- (6) If an applicant receives revenue for renting a self-contained suite in the applicant's principal residence to a person who is not a member of the applicant's family unit, 40% of that revenue, but not less than \$40 per month is to be included in determining monthly income.
- (7) If an individual's or family member's income is subject to attachment or garnishment or other similar process, the amount attached or garnished is not to be deducted when determining monthly income.
- (8) The amount of any overpayment recovered from an individual or family member by set-off or any other means is to be included when determining monthly income.
- (9) In subsection (8), "**overpayment**" means a payment to an individual of an amount in excess of the individual's entitlement pursuant to a funding program that is established pursuant to another Act or regulation, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada, an Act of the legislature of another province or territory of Canada or the regulations made pursuant to an Act of the legislature of another province or territory of Canada.

14 Dec 2012 cS-8 Reg 11 s13; 6 Oct 2023 SR
93/2023 s6.

Determining liquid assets

14(1) In determining an applicant's liquid assets, the minister may allow the applicant a period, not to exceed 180 days after the date on which the application is received by the minister, to convert a liquid asset that is not in the form of cash into cash.

- (2) Any payment received on an a liquid asset that cannot be converted into cash within the 180 day period mentioned in subsection (1) is to be included in determining the applicant's monthly income pursuant to section 13.
- (3) The following are not to be included in determining an applicant's liquid assets:
- (a) money held in trust pursuant to a registered education savings plan within the meaning of the *Income Tax Act* (Canada);
 - (b) contributions made to the Saskatchewan Pension Plan to a maximum yearly amount established by the Saskatchewan Pension Plan by or on behalf of:
 - (i) if the applicant is an individual, the applicant; or
 - (ii) if the applicant is a family unit, the members of the family unit on whose behalf the application is made;
 - (c) the capital and income from a trust fund established pursuant to subsection 9(2) of *The Dependants' Relief Act, 1996*;
 - (d) funds held in, or money withdrawn from, a registered disability savings plan within the meaning of section 146.4 of the *Income Tax Act* (Canada);
 - (e) funds held in a discretionary trust for the benefit of:
 - (i) if the applicant is an individual, the applicant; or
 - (ii) if the applicant is a family unit, the members of the family unit on whose behalf the application is made;
 - (f) a payment from a discretionary trust mentioned in clause (e) if:
 - (i) the payment is contributed as soon as is practicable to a registered disability savings plan mentioned in clause (d);
 - (ii) with the approval of the minister, the payment is used for an expense that is related to the applicant's disability; or
 - (iii) with the approval of the minister, the payment is used for an expense that is not provided for pursuant to these regulations;
 - (g) subject to subsection (2), an amount saved from a benefit payment provided to the applicant that:
 - (i) is held in an account or invested with a financial institution or is held in a trust account; and
 - (ii) does not exceed \$1,500 per household member;
 - (h) prepaid funeral expenses.
- (4) The limits mentioned in clause (3)(g) do not apply to an applicant if the amount saved:
- (a) is contributed to a registered disability savings plan within the meaning of section 146.4 of the *Income Tax Act* (Canada); or
 - (b) with the approval of the minister, is used as to meet costs related to the applicant's disability.

Determining excess assets

15(1) In determining an applicant's excess assets, the minister may allow the applicant a period, not to exceed 180 days after the date on which the application is received by the minister, to convert an excess asset into cash, either by using it as security for borrowing or by selling it.

(2) The minister may decide not to consider an asset as an excess asset if the minister is satisfied that the applicant has genuine social or economic reasons for delaying or not converting the asset into cash.

(3) If the minister permits an applicant to retain an excess asset, the net income from that excess asset is to be included when determining the applicant's monthly income.

(4) If an applicant has as a principal residence a property acquired by inheritance, the property is not to be considered as an excess asset pursuant to clause 10(3)(d).

(5) An applicant may sell property used as the applicant's principal residence and use the proceeds of the sale for any or all of the following:

(a) to purchase another principal residence if the proceeds are used to purchase the new principal residence within 12 months after the receipt of the proceeds;

(b) to contribute as soon as is practicable to a registered disability savings plan;

(c) with the approval of the minister, to pay an expense related to the applicant's disability.

(6) Subject to subsection (6.1), any portion of the proceeds from the sale of a principal residence not used pursuant to clauses (5)(a) to (c) must be included as an excess asset.

(6.1) If the applicant's principal residence was acquired by inheritance after January 31, 2011, the portion of the proceeds of the sale of the principal residence that, when combined with other amounts inherited, does not exceed \$100,000 is not to be considered as an excess asset pursuant to clause 10(3)(d).

(7) Notwithstanding subsection (6), with the prior approval of the minister, an applicant may use any portion of the proceeds of the sale of the applicant's principal residence that remains after the purchase of another principal residence for the purpose of reasonable renovations or accessibility modifications to the new principal residence if the renovations or accessibility modifications are completed within 24 months from the date on which the proceeds are received.

(8) If the family home, or the value of the family home, of an applicant is distributed between the applicant and the applicant's spouse pursuant to an interspousal contract or a family property order within the meaning of *The Family Property Act*, the applicant may use an amount equal to the value of the applicant's share of the distribution for any or all of the following:

(a) to purchase a principal residence if the proceeds are used to purchase the principal residence within 12 months after the receipt of the distribution;

- (b) to contribute as soon as is practicable to a registered disability savings plan;
 - (c) with the approval of the minister, to pay an expense related to the applicant's disability.
- (9) Any portion of the distribution mentioned in subsection (8) received by the applicant that is not used pursuant to clauses (8)(a) to (c) must be included as an excess asset.
- (10) Notwithstanding subsection (9), with the prior approval of the minister, an applicant may use any portion of the distribution mentioned in subsection (8) that remains after the purchase of a principal residence for the purpose of reasonable renovations or accessibility modifications to the principal residence if the renovations or accessibility modifications are completed within 24 months after the date on which the distribution is received.

14 Dec 2012 cS-8 Reg 11 s15; 12 Aug 2016 SR
68/2016 s11; 23 Dec 2022 SR 97/2022 s8.

DIVISION 3

Approval or Denial

Approval or denial

16(1) The minister may:

- (a) approve the applicant as an eligible beneficiary if the minister is satisfied that the applicant has a budget shortfall and meets the other criteria set out in Division 2; or
 - (b) deny the application.
- (2) For the purposes of making a decision pursuant to this section, the minister may require an applicant to confirm the information provided in the application by:
- (a) meeting with a representative of the ministry;
 - (b) reviewing the information supplied by the applicant as set out in a form supplied by the minister;
 - (c) correcting any errors in the information mentioned in clause (b); and
 - (d) making a statutory declaration respecting the correctness of the information.
- (3) The form mentioned in clause (2)(b) must include:
- (a) a declaration that the applicant is aware of the obligation to report any changes in circumstances that affect the eligibility of the applicant to receive a benefit or the amount of the benefit to which the applicant is entitled; and
 - (b) if the application is made by or on behalf of a family unit, a consent by all members of the family unit who are 18 years of age or older to the disclosure to the minister of personal information with respect to the members of the family unit in the records of other ministries and agencies and other bodies for the purpose of determining the eligibility of the family unit for a benefit and the amount of that benefit.

(4) The minister shall notify an applicant in writing of the minister's decision as soon as possible after making the decision and provide the applicant with written reasons for the decision.

(5) If the minister denies an application, the minister shall also inform the applicant of the applicant's right to an appeal and reconsideration pursuant to sections 37 to 40.

14 Dec 2012 cS-8 Reg 11 s16; 23 Dec 2022 SR
97/2022 s9.

PART III Benefits

Temporary benefit

17(1) Subject to subsections (2) and (3), the minister may provide a benefit to an applicant on a temporary basis if:

- (a) either:
 - (i) the minister is satisfied that the applicant is likely to be eligible for that benefit, but the applicant's eligibility cannot be determined immediately on receipt of the application; or
 - (ii) the applicant is awaiting the outcome of:
 - (A) an appeal to an appeal committee pursuant to section 38 or to the appeal board pursuant to section 39; or
 - (B) a review by an adjudicator appointed pursuant to section 40; and
 - (b) the minister is satisfied that the applicant is urgently in need of that benefit.
- (2) Subject to subsection (3), *The Saskatchewan Income Support Regulations* apply, with any necessary modification, to an applicant mentioned in subsection (1) with respect to:
- (a) whether the applicant is eligible for a temporary benefit; and
 - (b) if the applicant is eligible pursuant to clause (a), the amount of the temporary benefit.

(3) In the case of an application for a benefit made pursuant to section 4 that has been received by the minister but neither approved nor denied in accordance with section 16 before the day on which *The Saskatchewan Assured Income for Disability (Miscellaneous) Amendment Regulations, 2022* come into force, the minister may provide a benefit to the applicant on a temporary basis in accordance with this section as it existed on the day before the coming into force of *The Saskatchewan Assured Income for Disability (Miscellaneous) Amendment Regulations, 2022*.

23 Dec 2022 SR 97/2022 s10.

Benefit to be provided in accordance with this Part and Table 2

18 Subject to sections 19 and 20, the minister may provide a benefit to an eligible beneficiary in accordance with this Part, Part III.1 and Table 2 of the Appendix.

14 Dec 2012 cS-8 Reg 11 s18; 27 May 2022 SR
40/2022 s5.

When no benefit is to be provided – disposal of assets, unusual expenditures

19(1) The minister may refuse to provide a benefit to an eligible beneficiary for the period calculated in accordance with subsection 20(2) if the minister is satisfied that:

- (a) the eligible beneficiary disposed of assets or had an unusual expenditure for the purpose of causing the eligible beneficiary to be eligible or to continue to be eligible for a benefit; or
 - (b) the eligible beneficiary's failure to realize on an agreement for sale, mortgage or other security caused the eligible beneficiary to be eligible or to continue to be eligible for a benefit.
- (2) If the minister refuses to provide a benefit to an eligible beneficiary pursuant to subsection (1) for a period, the minister may reduce the period if the minister is satisfied that:
- (a) the proceeds of the disposal of an asset mentioned in clause (1)(a) can be recovered and that the proceeds of disposition will be less than the amount that may have been originally calculated pursuant to subsection 20(2);
 - (b) an asset acquired as a result of a transaction mentioned in clause (1)(a) can be disposed of, that proceeds can be obtained from the disposition and that the proceeds of disposition will be less than the amount that may have been originally calculated pursuant to subsection 20(2);
 - (c) income can be obtained from an asset acquired as a result of a transaction mentioned in clause (1)(a) and that the income from the asset will be less than the amount that may have been originally calculated pursuant to subsection 20(2);
 - (d) proceeds or income can be obtained by realizing on the agreement for sale, mortgage or other security mentioned in clause (1)(b) and that the proceeds obtained by the realization will be less than the amount that may have been originally calculated pursuant to subsection 20(2); or
 - (e) exceptional circumstances result in an immediate threat to the health and safety of the eligible beneficiary or any member of the eligible beneficiary's family unit.
- (3) An eligible beneficiary is not eligible to receive a benefit during the period mentioned in this section.

14 Dec 2012 cS-8 Reg 11 s19.

When no benefit to be provided – period of self-support

20(1) If an eligible beneficiary receives income in the form of a lump sum payment, the eligible beneficiary is not eligible to receive a benefit for the period T, expressed in months, determined in accordance with the following formula:

$$T = \frac{L}{(115\% \times N) - I}$$

where:

L is the amount of the lump sum payment;

N is the total of the benefits that the eligible beneficiary would otherwise receive for a month; and

I is the eligible beneficiary's monthly income, determined pursuant to section 13 but without taking into account the lump sum payment.

(2) For the purposes of subsection 19(1), if the minister is satisfied that the disposal of an asset or an unusual expenditure by an eligible beneficiary has caused the eligible beneficiary to be eligible for a benefit or the failure of an eligible beneficiary to realize on an agreement for sale, mortgage or other security has caused the eligible beneficiary to be eligible for a benefit, the eligible beneficiary is not entitled to receive benefits for the period T, expressed in months, determined in accordance with the following formula:

$$T = \frac{V}{(115\% \times N) - I}$$

where:

V is the market value, as determined by the minister, of:

- (a) the asset disposed of;
- (b) the amount of the unusual expenditure; or
- (c) the amount of the eligible beneficiary's equity in the agreement for sale, mortgage or other security not realized, as the case may be;

N is the total of the benefits that the eligible beneficiary would otherwise receive for a month; and

I is the eligible beneficiary's monthly income, determined pursuant to section 13 but without taking into account the amount V.

14 Dec 2012 cS-8 Reg 11 s20.

Date benefits commence

21(1) An eligible beneficiary is eligible for a benefit calculated from the date on which the eligible beneficiary's application was received by the minister.

(2) In the case of an eligible beneficiary who is receiving temporary benefits in the circumstances set out in subclause 17(1)(a)(i) or (ii), as the case may be, the minister shall, with respect to the period of those temporary benefits, also provide to the eligible beneficiary an amount equal to the positive difference, if any, between the benefits calculated pursuant to section 22 and the amount of the temporary benefits provided pursuant to section 17.

23 Dec 2022 SR 97/2022 s11.

Amount of benefits payable

22 Notwithstanding any other provision of these regulations, the amount of benefits that may be paid to an eligible beneficiary pursuant to this Part is the amount of total benefits TB calculated in accordance with the following formula:

$$TB = AB - PMI$$

where:

AB is total of all benefits for which the eligible beneficiary is determined to be eligible in accordance with this Part and Table 2 of the Appendix; and

PMI is the amount of any income determined in accordance with Division 2 that is received by the eligible beneficiary in the previous month.

14 Dec 2012 cS-8 Reg 11 s22.

Emergency benefits

23(1) An emergency benefit may be provided to an eligible beneficiary with respect to any of the following:

(a) provision of temporary accommodation and other benefits determined by the minister to be essential to health and safety of eligible beneficiaries:

(i) whose accommodation has been destroyed by fire or other disaster; and

(ii) who satisfy the minister that they have no resources available to pay for temporary accommodation;

(b) **Repealed.** 4 Aug 2017 SR 81/2017 s4.

(c) pest control.

(2) The amount of the benefit pursuant to this section is the actual and reasonable amount the minister is satisfied is required to cover the costs associated with the immediate threat.

14 Dec 2012 cS-8 Reg 11 s23; 4 Aug 2017 SR
81/2017 s4.

Funeral expenses benefits

24(1) On an application pursuant to this section, the minister may provide a benefit for funeral expenses respecting an eligible beneficiary or an eligible family member.

(2) An application for the purposes of this section must be made in accordance with the following rules:

- (a) it must be made by:
 - (i) the eligible beneficiary or eligible family member; or
 - (ii) if the funeral is for that individual or eligible family member, by any other person;
 - (b) it must be made in any manner acceptable to the minister; and
 - (c) it must be made within 90 days after the date of the funeral or any longer period that the minister may allow if the minister is satisfied that there are reasonable grounds for not submitting the application within the 90-day period.
- (3) On receipt of an application pursuant to this section, the minister may approve the application if the minister is satisfied that it is reasonable to do so.
- (4) The amount of the benefit for funeral expenses pursuant to this section is the sum of:
- (a) the actual and reasonable amount the minister is satisfied is required to cover the costs of a funeral of a deceased individual whose estate is insufficient to cover the costs of burial or cremation to a maximum amount determined by the minister; and
 - (b) the costs that the minister is satisfied are reasonable with respect to transportation for a funeral service or for the transportation of the deceased individual.

14 Dec 2012 cS-8 Reg 11 s24.

Benefits re services of advocate

25(1) Subject to subsection (2), a benefit may be provided to an eligible beneficiary or eligible family member with respect to the services of a person chosen by the eligible beneficiary or eligible family member to act as an advocate on his or her behalf for the purposes of:

- (a) subject to subsection (4), a hearing conducted with respect to an application for an order pursuant to *The Residential Tenancies Act, 2006* determining the disposition of a security deposit; or
 - (b) a hearing of an appeal pursuant to these regulations.
- (2) No benefit is to be provided pursuant to this section with respect to an advocate who is:
- (a) the spouse or a dependent child of the eligible beneficiary or eligible family member; or
 - (b) an employee or agent of an organization that receives funding from the ministry to provide advocacy services.

(3) The amount of a benefit that may be provided pursuant to subsection (1) is not to exceed the sum of:

- (a) a hearing fee in an amount approved by the minister; and
 - (b) an amount to reimburse the advocate's travel expenses in relation to the hearing, calculated in accordance with the amounts approved for employees in the classified division of the public service of Saskatchewan.
- (4) Only one hearing fee is to be provided with respect to a hearing conducted pursuant to *The Residential Tenancies Act, 2006*.
- (5) Only one hearing fee is to be provided with respect to a hearing of an appeal pursuant to these regulations.

14 Dec 2012 cS-8 Reg 11 s25.

Northern living supplement benefits

26(1) In addition to any other benefit that may be provided to an eligible beneficiary, a benefit in the form of a northern living supplement may be provided to an eligible beneficiary who resides north of the fifty-fourth parallel of latitude, in the Northern Village of Cumberland House or in the communities of Pemmican Portage or Barthel.

(2) For the purposes of subsection (1), the minister may establish rates that vary in accordance with all or any of the following:

- (a) the number of adults in an eligible beneficiary's family unit;
 - (b) the number of children in an eligible beneficiary's family unit;
 - (c) the municipality in which the eligible beneficiary's accommodation is situated;
 - (d) the date on which the eligible beneficiary's application for a benefit was received by the minister.
- (3) The amount of a northern living supplement that may be provided to an eligible beneficiary is to be calculated in accordance with the following rules:
- (a) subject to clause (b), the benefit is to be calculated from the date on which the application was received by the minister;
 - (b) if the application was received by the minister after the start of a month, the benefit for the first month must be prorated based on the number of days in the month for which the eligible beneficiary is eligible to receive the benefit.
- (4) For the purposes of subsection (3), the number of days in a month is deemed to be 30.

14 Dec 2012 cS-8 Reg 11 s26.

Extraordinary circumstances benefits

27 If the minister is satisfied that extraordinary circumstances exist, the minister may provide a benefit to an eligible beneficiary for an item of exceptional need not otherwise provided for in this Part.

14 Dec 2012 cS-8 Reg 11 s27.

Benefit re security deposits

28(1) In this section, “**living income benefit**” means a benefit mentioned in item 1 of section 4 of Table 2 of the Appendix.

(2) Pursuant to *The Residential Tenancies Act, 2006*, a benefit in the form of a security deposit guarantee may be provided to an eligible beneficiary:

- (a) in the amount of the accommodation portion of the eligible beneficiary’s living income benefit that is approved by the minister; or
- (b) in any other case, the amount of the shelter cost that is approved by the minister.

(3) If an order is made pursuant to *The Residential Tenancies Act, 2006* against an eligible beneficiary who is a tenant, the minister shall pay all or part of the security deposit pursuant to subsection 13.1(2) of the Act only if:

- (a) the events with respect to which the order is made occurred while the eligible beneficiary was receiving or was eligible to receive a benefit; and
- (b) the eligible beneficiary was a tenant of the premises that are the subject of the order.

(4) The amount to be paid on behalf of an eligible beneficiary pursuant to subsection 13.1(2) or (3) of the Act is not to exceed the amount applicable to the eligible beneficiary that is established pursuant to the schedule of rates mentioned in section 2 of Table 2 of the Appendix or the actual amount of the accommodation portion of the eligible beneficiary’s benefit that is approved by the minister.

(5) For the purposes of subsection 13.1(5) of the Act, a payment by the minister pursuant to subsection 13.1(2) or (3) of the Act is deemed not to be an overpayment if the eligible beneficiary is unable to give the appropriate notice of termination of the tenancy in accordance with *The Residential Tenancies Act, 2006* because of any of the following circumstances:

- (a) the eligible beneficiary moves based on a requirement for accessible or modified accommodation due to the impact of the eligible beneficiary’s disability;
- (b) the eligible beneficiary moves to commence employment or to take up an opportunity for training;
- (c) the eligible beneficiary moves because of family violence;
- (d) the eligible beneficiary dies.

14 Dec 2012 cS-8 Reg 11 s28.

No benefit re medical expenses

28.1(1) Subject to subsection (3) but notwithstanding any other provision of these regulations, the minister shall not provide a benefit for expenses related to:

- (a) drugs or other substances used for medical or therapeutic purposes; and
- (b) equipment, supplies, materials or services used to produce or administer the items mentioned in clause (a).

- (2) Without limiting the generality of subsection (1), no benefit shall be provided for:
- (a) a drug within the meaning of *The Pharmacy and Pharmacy Disciplines Act*;
 - (b) cannabis or a cannabis accessory within the meaning of the *Cannabis Act* (Canada) and the regulations made pursuant to that Act;
 - (c) **Repealed.** 6 Oct 2023 SR 93/2023 s7.
 - (d) a natural health product within the meaning of the *Natural Health Products Regulations* (Canada).
- (3) For the purposes of item 18 in section 4 of Table 2 of the Appendix, the minister shall not provide a benefit for expenses related to cannabis within the meaning of the *Cannabis Act* (Canada).

5 Jly 2019 SR 46/2019 s5; 6 Oct 2023 SR
93/2023 s7.

PART III.1 Education and Training Incentive, Continued Program Benefit

Definitions for Part

28.11 In this Part:

“approved program” means a training, employment or education program that has been approved by the Minister of Immigration and Career Training;

“continued program benefit” means the benefit described in section 28.7;

“education and training incentive” means a benefit paid to an eligible beneficiary pursuant to this Part for the purposes of pursuing an approved program;

“program provider” means any of the persons or entities mentioned in subsection 28.3(2) that offers a program that is approved by the Minister of Immigration and Career Training pursuant to subsection 28.3(1).

27 May 2022 SR 40/2022 s6.

Minister may provide education and training incentive

28.2 The minister may provide an education and training incentive to an eligible beneficiary in accordance with this Part.

27 May 2022 SR 40/2022 s6.

Approved programs

28.3(1) The Minister of Immigration and Career Training may approve programs for which the minister may pay an education and training incentive to persons attending those approved programs.

(2) The Minister of Immigration and Career Training may approve a program on the condition that the program is offered by a particular educational institution, community-based organization, government agency, employer or any other person that the Minister of Immigration and Career Training may determine.

27 May 2022 SR 40/2022 s6.

Eligibility for education and training incentive

28.4(1) In addition to the requirements set out in section 6 or 7, as the case may be, an applicant must, subject to subsection (3), be enrolled in full-time studies in an approved program.

(2) Subject to subsection (3), no applicant is eligible for the education and training incentive if the applicant has received the education and training incentive for at least 36 months in the applicant's lifetime.

(3) The minister may, on the recommendation of the program provider, grant the education and training incentive to an applicant on compassionate, compelling or medical grounds if the applicant's circumstances are such that:

- (a) the applicant is only reasonably able to participate in part-time studies due to disability; or
- (b) the applicant requires a period longer than the period set out in subsection (2) to complete the approved program.

27 May 2022 SR 40/2022 s6.

Agreements with program providers

28.5 The minister may enter into agreements with program providers for the purposes of acquiring any information required by the minister with respect to the eligibility of persons for any of the benefits described in this Part.

27 May 2022 SR 40/2022 s6.

Suspension or cancellation of education and training incentive

28.6 The minister may, in addition to the circumstances set out in section 35, suspend or cancel the provision of an education and training incentive to an eligible beneficiary in all or any of the following circumstances:

- (a) the eligible beneficiary withdraws from the approved program;
- (b) the eligible beneficiary no longer meets any other eligibility criterion as set out in these regulations and as determined by the minister.

27 May 2022 SR 40/2022 s6.

Continued program benefit

28.7(1) In this section and in section 28.9, **"continuous approved program"** means a program:

- (a) that was approved pursuant to *The Training Allowance Regulations*; and
- (b) for which the course of study is in progress for any period commencing on or after January 1, 2022 and ending on a date that is no later than December 31, 2024.

(2) An eligible beneficiary who is enrolled, as determined by a program provider, in a continuous approved program may, in accordance with this section and subject to sections 28.8 and 28.9, be eligible for a continued program benefit.

(3) For greater certainty, an eligible beneficiary is, for the purposes of subsection (1), deemed to be enrolled in a continuous approved program:

- (a) if the eligible beneficiary was receiving a training allowance pursuant to *The Training Allowance Regulations* at any time during the period mentioned in clause (1)(b); and
 - (b) notwithstanding that a term, semester or other period of instruction for that program ended on or before June 30, 2022, as long as the eligible beneficiary's enrolment in that program continues after that date.
- (4) Subject to subsection (5), an eligible beneficiary mentioned in subsection (2) may receive a continued program benefit in an amount determined in accordance with the schedule of rates established by the minister.
- (5) Subject to section 28.9, payment of the continued program benefit is to cease effective the month after the eligible beneficiary completes the continuous approved program.

27 May 2022 SR 40/2022 s6.

Change in circumstances

28.8 Notwithstanding a change in the eligible beneficiary's circumstances, any reassessment conducted by the minister pursuant to section 33 is not to affect the amount of the continued program benefit as determined in accordance with section 28.7.

27 May 2022 SR 40/2022 s6.

Termination of continued program benefit

28.9(1) The minister may suspend or cancel the provision of the continued program benefit in any of the following circumstances:

- (a) the eligible beneficiary is discontinued from the continuous approved program;
 - (b) the eligible beneficiary no longer meets any other eligibility criterion as set out in these regulations and as determined by the minister.
- (2) No eligible beneficiary is eligible for a continued program benefit if the eligible beneficiary, after completing the continuous approved program, enrolls in a subsequent approved program.

27 May 2022 SR 40/2022 s6.

PART IV
Payment of Benefits

Payment to trustee

29(1) This section applies to an eligible beneficiary who is an individual.

(2) The minister may direct that a benefit be paid to a trustee designated by the minister if the minister is satisfied that the eligible beneficiary is incapable of managing his or her own affairs.

- (3) A trustee to whom a benefit is paid pursuant to subsection (2) shall administer that benefit in the best interests of the eligible beneficiary.
- (4) Payment of a benefit to a trustee on behalf of an eligible beneficiary is a valid discharge of the minister's obligation with respect to the payment of that benefit to the eligible beneficiary.
- (5) The minister may:
- (a) enter into an agreement with a trustee acting for an eligible beneficiary pursuant to this section that sets out the responsibilities of the trustee; and
 - (b) pay fees to the trustee for the provision of the trustee's services at a rate established by the minister.
- (6) Notwithstanding any other provision of this section, Part I and sections 7, 8 and 9 of *The Trustee Act, 2009* apply to a trustee mentioned in this section.

14 Dec 2012 cS-8 Reg 11 s29; 23 Dec 2022 SR
97/2022 s12.

Payment of benefits to family units

- 30** If a benefit is payable to an eligible beneficiary that is a family unit, the minister may designate the family member to whom the benefit is to be paid.

14 Dec 2012 cS-8 Reg 11 s30.

PART V
Report of Changes, Reviews and Appeals

Report of changes

- 31** An eligible beneficiary or eligible family member shall report immediately to the minister:

- (a) any changes in the composition of the eligible beneficiary's or eligible family member's family unit;
- (b) any changes in:
 - (i) the financial resources of:
 - (A) the eligible beneficiary or eligible family member; or
 - (B) the spouse of the eligible beneficiary or eligible family member;
 - (ii) the place of residence or the mailing address of the eligible beneficiary or eligible family member;
 - (iii) the type of the eligible beneficiary's or eligible family member's accommodation; or
 - (iv) the number or type of utilities that the eligible beneficiary or eligible family member pays for; and
- (c) a significant change in the health condition or disability of the eligible beneficiary or eligible family member.

14 Dec 2012 cS-8 Reg 11 s31.

Reviewing financial eligibility criteria

32(1) The minister shall review whether an eligible beneficiary continues to meet the eligibility criteria set out in Parts II and III.1 and the amount of any benefit provided pursuant to Parts III and III.1:

- (a) at any time that the minister is satisfied a significant change in the eligible beneficiary's circumstances has occurred; and
 - (b) at least once every three years.
- (2) For the purposes of determining whether an eligible beneficiary continues to meet the eligibility criteria set out in Parts II and III.1, those Parts apply with any necessary modification to the determination.
- (3) A record of each review carried out pursuant to this section must be entered in the eligible beneficiary's file.

14 Dec 2012 cS-8 Reg 11 s32; 27 May 2022 SR
40/2022 s7.

Changes in benefit amounts

33(1) In this section and in section 28.8, "**change in the eligible beneficiary's circumstances**" means a change in:

- (a) the eligible beneficiary's financial resources;
 - (b) the eligible beneficiary's needs; or
 - (c) the number of the eligible beneficiary's dependants.
- (2) If the minister is satisfied that there is a change in the eligible beneficiary's circumstances, the minister shall vary the amount of a benefit provided to an eligible beneficiary in accordance with the change in the eligible beneficiary's circumstances:
- (a) as of the day on which the minister is advised of the change in the eligible beneficiary's circumstances; or
 - (b) if the minister is satisfied that special circumstances so warrant, as of the day on which the eligible beneficiary's circumstances changed.

14 Dec 2012 cS-8 Reg 11 s33; 27 May 2022 SR
40/2022 s8.

Alienation or transfer of benefits

34 A benefit is not subject to alienation or transfer by an eligible beneficiary, to attachment or seizure in satisfaction of any claim nor to any judgment enforcement measure pursuant to *The Enforcement of Money Judgments Act*.

14 Dec 2012 cS-8 Reg 11 s34.

Suspension or cancellation of benefits

35 Notwithstanding any other provision of these regulations, the minister may, subject to section 36, suspend or cancel the provision of a benefit to an eligible beneficiary if:

- (a) changes in circumstances affect the eligibility of the eligible beneficiary to receive the benefit or, after a review pursuant to section 32, the minister is satisfied that the eligible beneficiary no longer has a budget shortfall or no longer meets the other eligibility criteria set out in Part II;

- (b) the eligible beneficiary relocates outside Saskatchewan; or
- (c) the eligible beneficiary refuses or fails:
 - (i) to comply with any provision of these regulations;
 - (ii) to provide any information that is required by the minister; or
 - (iii) to cooperate as is reasonably required by the minister.

6 Oct 2023 SR 93/2023 s8.

Review with eligible beneficiary before taking certain actions

36(1) The minister, before varying, suspending, cancelling or reinstating a benefit:

(a) shall make reasonable efforts to review the eligible beneficiary's circumstances with the eligible beneficiary; and

(b) may, in the circumstances described in clause 35(c) and with the eligible beneficiary's knowledge, make any inquiry and obtain any information that the minister is satisfied is necessary.

(2) Without limiting the generality of subsection (1):

(a) the eligible beneficiary shall respond to a request made by the minister for the purposes of clause (1)(a) within 30 days after that request is sent;

(b) the minister may exercise the power described in clause (1)(b) if the eligible applicant refuses or fails, within the period mentioned in clause (a), as the case may be:

- (i) to comply with any provision of these regulations;
- (ii) to provide any information that is required by the minister; or
- (iii) to cooperate as is reasonably required by the minister; and

(c) the eligible beneficiary is deemed to have knowledge of the minister's making an inquiry and obtaining information for the purposes of clause (1)(b) if the eligible beneficiary:

- (i) provided consent to minister's exercise of the powers mentioned in that clause at the time of the application for a benefit in accordance with section 4; and
- (ii) has not revoked the consent mentioned in subclause (i).

(3) The minister is not required to give an oral hearing to an eligible beneficiary who has received a request mentioned in clause (2)(a) or with respect to whom the minister is exercising the minister's powers pursuant to clause (2)(b).

(4) The minister may extend the period mentioned in clause (2)(a) or (b) if the minister is satisfied that extenuating circumstances exist making it unreasonable or impossible for the eligible beneficiary to do the thing requested by the minister.

(5) The minister shall, after doing the things mentioned in clauses (1)(a) and (b), notify in writing the eligible beneficiary of the minister's decision with respect to varying, suspending, cancelling or reinstating a benefit and inform the eligible beneficiary of the eligible beneficiary's right to an appeal and a reconsideration pursuant to sections 37 to 40.

6 Oct 2023 SR 93/2023 s8.

Appeals and reconsideration

37(1) In this section and in sections 38 to 40, “**eligible beneficiary**” includes a former eligible beneficiary.

(2) Within 30 days after the date of a decision with respect to any of the following matters, an applicant or eligible beneficiary may appeal, in writing, the decision to the minister:

- (a) a decision disallowing an application or reapplication for benefits;
 - (a.1) a request for benefits or for an increase in benefits that was not dealt with within a reasonable period;
 - (a.2) a determination of financial eligibility;
- (b) a variation, suspension or cancellation of entitlement to receive a benefit;
- (c) the assessment of an overpayment, except with respect to overpayments of the Provincial Training Allowance and the Skills Training Benefit;
- (d) a decision respecting the amount of a benefit;
- (e) in the case of an applicant, a decision respecting the assessment of a significant and enduring disability.

(3) On receipt of a request pursuant to subsection (2), the minister shall reconsider the decision that is the subject of the request within 10 days after receiving the request and provide the applicant or eligible beneficiary with a written decision as soon as is reasonably possible.

(4) If an applicant or eligible beneficiary has been denied benefits or services pursuant to a plan or program administered by another ministry or agency of the Government of Saskatchewan or by the provincial health authority or a community-based organization and the applicant or eligible beneficiary subsequently applies for benefits pursuant to these regulations, there is no appeal pursuant to subsection (2) of a decision to deny benefits with respect to an element of need that is analogous to the need contemplated by the plan or program administered by the ministry, agency, provincial health authority or community-based organization.

14 Dec 2012 cS-8 Reg 11 s37; 12 Aug 2016 SR
68/2016 s12; 5 Jly 2019 SR 46/2019 s6; 6 Oct SR
93/2023 s9.

Appeal with regard to financial benefits

38(1) Following an appeal pursuant to section 37, the minister shall arrange for an appeal hearing if:

- (a) on the reconsideration, the minister determines that no error has been made with respect to the decision or that an adjustment to the satisfaction of the applicant or eligible beneficiary is not possible; and
- (b) the applicant or eligible beneficiary notifies the minister that he or she would like to appeal the decision.

(2) An appeal pursuant to this section may be made only with respect to any of the following matters:

- (a) a determination of financial eligibility;
- (b) a variation, suspension or cancellation of entitlement to receive a benefit;

- (c) an assessment of an overpayment;
 - (d) a decision respecting the amount of a benefit.
- (2.1) An appeal committee does not have the jurisdiction to hear any ground of appeal:
 - (a) that may require a decision or determination concerning the constitutional validity, applicability or operability of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;
 - (a.1) that, pursuant to section 52 of *The Saskatchewan Human Rights Code, 2018*, may require a decision or determination concerning the operability of the Act or these regulations;
 - (b) that may require a remedy pursuant to subsection 24(1) of the *Canadian Charter of Rights and Freedoms* or pursuant to *The Saskatchewan Human Rights Code, 2018*; or
 - (c) that may require a review of an opinion of the minister that is provided pursuant to these regulations.
- (3) A hearing respecting an appeal pursuant to this section must be commenced with an appeal committee in private within 20 days after the date on which the minister notifies the appeal committee of the appeal.
- (4) The minister shall advise the applicant or eligible beneficiary making the appeal in writing of:
 - (a) the date, time and place of the hearing; and
 - (b) the right of the applicant or eligible beneficiary:
 - (i) to present supporting evidence and witnesses at the hearing; and
 - (ii) to designate a representative or advocate.
- (5) The testimony of the applicant or eligible beneficiary and any other witnesses at the hearing must relate to the issue under appeal.
- (5.1) A hearing pursuant to this section must be conducted in an informal manner and the appeal committee is not bound by the rules of law concerning evidence.
- (5.2) Recording devices must not be used at a hearing.
- (6) The minister must be given the opportunity to present additional evidence and to question the applicant or eligible beneficiary or his or her representative or advocate.
- (7) The applicant or eligible beneficiary, or his or her representative or advocate, must be given the opportunity:
 - (a) to question the representative of the minister who attends the hearing and witnesses of the minister; and
 - (b) to examine any documents submitted by the minister.

- (8) The appeal committee or its representative may:
- (a) examine:
 - (i) the applicant or eligible beneficiary or his or her representative or advocate;
 - (ii) the minister;
 - (iii) any other witnesses; and
 - (b) inspect any document submitted at the hearing.
- (9) The appeal committee may adjourn a hearing from time to time, but the period of any adjournment must not exceed 30 days.
- (10) On completing the hearing, the appeal committee shall briefly summarize the issues and evidence and policies relating to those issues.
- (a) may adjourn a hearing from time to time, but the period of any adjournment must not exceed 30 days; and
 - (b) if a hearing is adjourned, shall notify the applicant or eligible beneficiary in writing of the adjournment.
- (11) If an applicant or eligible beneficiary fails to appear in person or by a representative or advocate on the date and at the time and place set out in clause (4)(a), the appeal committee may:
- (a) proceed in the absence of the applicant or eligible beneficiary; and
 - (b) make a decision on the basis of the written statement of the applicant or eligible beneficiary and the evidence provided by the minister.
- (12) The appeal committee may make an immediate decision on the conclusion of the hearing.
- (13) The appeal committee shall, no later than 30 days following the conclusion of the hearing, give a written decision and reasons for the decision to:
- (a) the applicant or eligible beneficiary; and
 - (b) the minister.
- (14) If the appeal committee is unable to make a decision within seven days after the hearing, it shall notify the applicant or eligible beneficiary in writing of that fact.
- (15) The written decision mentioned in subsection (13) must advise the applicant or eligible beneficiary of the right to appeal to the appeal board.
- (16) A quorum of the appeal committee is three members.
- (17) The chairperson of the appeal committee may designate a member of the appeal committee as the acting chairperson in the chairperson's absence.

Appeals to the appeal board

39(1) An applicant or eligible beneficiary who is dissatisfied with the decision of an appeal committee made pursuant to section 38 may notify the minister in writing of:

- (a) his or her intention to appeal the appeal committee's decision to the appeal board; and
- (b) the grounds of the appeal.

(2) An applicant or eligible beneficiary who intends to appeal to the appeal board shall provide the written notice pursuant to subsection (1) within 20 days after the appeal committee's written decision is received by the applicant or eligible beneficiary.

(2.1) An appeal board does not have the jurisdiction to hear any ground of appeal:

- (a) that may require a decision or determination concerning the constitutional validity, applicability or operability of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;
 - (a.1) that, pursuant to section 52 of *The Saskatchewan Human Rights Code, 2018*, may require a decision or determination concerning the operability of the Act or these regulations;
- (b) that may require a remedy pursuant to subsection 24(1) of the *Canadian Charter of Rights and Freedoms* or pursuant to *The Saskatchewan Human Rights Code, 2018*; or
- (c) that may require a review of an opinion of the minister that is provided pursuant to these regulations.

(3) If the minister is dissatisfied with the decision of the appeal committee made pursuant to section 38, the minister:

- (a) may notify, in writing, the secretary of the appeal board that the minister intends to appeal the decision to the appeal board and the grounds of the appeal; and
- (b) if the minister provides notice pursuant to clause (a), shall promptly provide a written copy of the notice to the applicant or eligible beneficiary who is the subject of the decision.

(4) A notice to the secretary of the appeal board pursuant to subsection (3) must be provided within 20 days after the appeal committee's written decision is received by the minister.

(5) If the minister is notified of an appeal by the applicant or eligible beneficiary pursuant to subsection (1) or if the minister intends to appeal pursuant to subsection (3), the minister shall:

- (a) in the case of an appeal by an applicant or eligible beneficiary, send the notice of appeal and the grounds of appeal to the secretary of the appeal board;
- (b) transmit to the secretary of the appeal board:
 - (i) any documents and records in the possession of the minister relating to the matter under appeal;

- (ii) a copy of the written decision and reasons of the appeal committee received pursuant to subsection 38(13); and
 - (iii) promptly on their being received pursuant to subsection (6), a summary of the issues and evidence presented before the appeal committee; and
- (c) notify the appeal committee of the appeal.
- (6) On being notified pursuant to subsection (5), the appeal committee shall promptly provide to the minister a summary of the issues and evidence presented before the appeal committee.
- (7) The appeal board shall commence an appeal hearing within 30 days after receipt of the notice of appeal by the secretary of the appeal board.
- (8) The appeal board shall give not less than five days' written notice of the date, time and place of the hearing to the minister and the applicant or eligible beneficiary.
- (9) All hearings pursuant to this section are to be held in private.
- (9.1) A hearing pursuant to this section must be conducted in an informal manner and the appeal board is not bound by the rules of law concerning evidence.
- (9.2) Recording devices must not be used at hearings.
- (9.3) The testimony of the applicant or eligible beneficiary and any other witnesses at the hearing must relate to the issue under appeal.
- (9.4) The minister must be given the opportunity to present additional evidence and to question the applicant or eligible beneficiary or his or her representative or advocate.
- (9.5) The applicant or eligible beneficiary, or his or her representative or advocate, must be given the opportunity:
 - (a) to question the representative of the minister who attends the hearing and the minister's witnesses;
 - (b) to examine any documents submitted by the minister; and
 - (c) to present additional evidence related to the issue under appeal.
- (9.6) The appeal board or its representative may:
 - (a) examine:
 - (i) the applicant or eligible beneficiary or his or her representative or advocate;
 - (ii) the representative of the minister who attends the hearing;
 - (iii) any other witness; and
 - (b) inspect any document submitted at the hearing.
- (10) The appeal board:
 - (a) may adjourn a hearing from time to time, but the period of any adjournment must not exceed 30 days; and

- (b) if a hearing is adjourned, shall notify the applicant or eligible beneficiary in writing of the adjournment.
- (11) If an applicant or eligible beneficiary fails to appear in person or by a representative or advocate on the date and at the time and place set out in subsection (8), the appeal board may:
 - (a) proceed in the absence of the applicant or eligible beneficiary; and
 - (b) make a decision on the basis of the written statement of the applicant or eligible beneficiary and the evidence provided by the minister.
- (12) The decision of the appeal board on an appeal pursuant to this section is final.
- (12.1) On completing the hearing, the appeal board shall briefly summarize the issues and evidence and policies relating to those issues.
- (12.2) If the appeal board is unable to make a decision within seven days after the hearing, it shall notify the minister and the applicant or eligible beneficiary of that fact.
- (13) The appeal board shall, no later than 30 days following the conclusion of the hearing, give a written decision and reasons for the decision to the minister and the applicant or eligible beneficiary.
- (14) A quorum of the appeal board is three members.
- (15) The chairperson of the appeal board may designate a member of the appeal board as the acting chairperson in the chairperson's absence.

14 Dec 2012 cS-8 Reg 11 s39; 12 Aug 2016 SR
68/2016 s14; 9 Apr 2021 SR 36/2021 s5; 6 Oct
2023 SR 93/2023 s11.

Appeal of disability assessment

- 40(1)** In this section, “**adjudicator**” means an individual who is appointed to the list of adjudicators established pursuant to subsection (2).
- (2) The minister may establish a list of adjudicators composed of individuals who:
- (a) have an understanding of the essential elements for the conduct of a fair and objective appeal;
 - (b) are not employees, or have not been employees within the past six months, in the ministry;
 - (c) do not have a personal, professional, financial or other interest in matters coming before adjudicators that would cause a reasonably informed person to have a reasonable perception that the adjudicators would not be independent and impartial; and
 - (d) have demonstrated experience and qualifications in performing disability assessments.

- (3) Following a reconsideration pursuant to section 37 of a decision respecting a disability assessment, the minister shall arrange for a review of the decision by an adjudicator if:
- (a) on the reconsideration, the minister determines that no error has been made with respect to the decision or that an adjustment to the satisfaction of the applicant or eligible beneficiary is not possible; and
 - (b) the applicant or eligible beneficiary notifies the minister that he or she would like to appeal the decision to an adjudicator.
- (4) A request pursuant to subsection (3) must be made to the minister orally or in writing.
- (5) If the minister receives a request pursuant to subsection (4), the minister shall select an adjudicator from the list of adjudicators to conduct the review.
- (6) In conducting a review of an assessment decision, the adjudicator may:
- (a) ask the applicant, eligible beneficiary or eligible family member and the minister for further information, including medical documentation confirming a permanent disability, and, on receipt of that request, the applicant, eligible beneficiary or eligible family member or the minister shall provide the requested information within the period set by the adjudicator; and
 - (b) require a new disability assessment of the applicant that the adjudicator considers necessary and, for that purpose, section 9 applies with any necessary modification.
- (7) The adjudicator shall:
- (a) subject to subsection (8), make a decision within 20 days after the day on which the request was received by the adjudicator; and
 - (b) provide the applicant, eligible beneficiary or eligible family member and the minister with a written copy of the decision and the reasons for the decision.
- (8) If the adjudicator has requested further information pursuant to clause (6)(a) or has required that a new disability assessment of the applicant be made pursuant to clause (6)(b), the adjudicator may wait for a reasonable period after receiving that information or disability assessment until making a decision.
- (8.1) The adjudicator:
- (a) may adjourn the review of an assessment decision from time to time for a period not to exceed 30 days; and
 - (b) shall, if the review of an assessment decision is adjourned, notify the applicant in writing of the adjournment.
- (9) The decision of the adjudicator is final.

PART VI
Other**Emergency payments – where previous benefit not applied to purpose**

41(1) Notwithstanding any other provision of these regulations, the minister may provide a benefit to an eligible beneficiary in the following circumstances:

- (a) a benefit was paid to the eligible beneficiary with respect to a need or purpose mentioned in Part III or Table 2 of the Appendix;
 - (b) the eligible beneficiary did not use the benefit for that need or purpose; and
 - (c) the minister is satisfied that:
 - (i) there is a threat to the health and safety of the eligible beneficiary or a member of the eligible beneficiary's family unit resulting from not meeting that need or purpose; and
 - (ii) the eligible beneficiary cannot otherwise meet the need or fulfil that purpose.
- (2) If the minister provides an amount pursuant to subsection (1), the minister may recover that amount by either or all of the following:
- (a) deducting it from any future benefit that may be provided to the eligible beneficiary;
 - (b) declaring the benefit to be an overpayment for the purposes of section 29.3 of the Act.

14 Dec 2012 cS-8 Reg 11 s41.

41.1 Repealed. 12 Aug 2016 SR 68/2016 s16.

Rules re other benefits

42(1) An eligible beneficiary is not entitled to benefits pursuant to *The Saskatchewan Income Support Regulations*.

(2) Supplementary health benefits specified in the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66, may be provided to an eligible beneficiary.

14 Dec 2012 cS-8 Reg 11 s42; 23 Dec 2022 SR
97/2022 s13.

Minister may set schedule of rates

43 The minister may establish a schedule of rates for the purposes of determining the amount of any benefit pursuant to these regulations for which the amount of the benefit or the manner of determining the amount of the benefit is not otherwise provided.

14 Dec 2012 cS-8 Reg 11 s43.

Maintaining eligibility

44(1) In this section:

- (a) **“maintenance order”** means a maintenance order as defined in *The Enforcement of Maintenance Orders Act, 1997*;
 - (b) **“rights with respect to a maintenance order”** means the rights set out in section 6 of *The Enforcement of Maintenance Orders Act, 1997*.
- (2) If required to do so by the minister, an eligible beneficiary shall:
- (a) assign in writing any of the eligible beneficiary’s rights with respect to a maintenance order to the minister; or
 - (b) ensure that any of the eligible beneficiary’s dependants with respect to whom a maintenance order mentioned in clause (a) is to be pursued or enforced assign his or her rights to the minister.
- (3) If an assignment is made pursuant to subsection (2), the eligible beneficiary or the eligible beneficiary’s dependants, as the case may be, shall:
- (a) supply to the minister any information the minister may require; and
 - (b) co-operate with the minister in any manner the minister considers necessary to give effect to the assignment.
- (4) The minister may suspend or cancel an eligible beneficiary’s benefits if the eligible beneficiary does not comply with this section.

14 Dec 2012 cS-8 Reg 11 s44.

Assignment of other payments to minister

- 45(1) Subject to subsections (2) and (3), if required to do so by the minister, an eligible beneficiary shall assign to the minister payments from any person, including any department or agency of the government of Canada or the government of any province or territory of Canada, during the period in which the eligible beneficiary receives benefits.
- (2) The total amount recovered during a period by the minister by an assignment pursuant to subsection (1) shall not exceed the total amount of the benefits paid to the eligible beneficiary during that period.
- (3) Subsection (1) does not apply to a benefit that was taken into account in determining eligibility or calculating the income of the eligible beneficiary.

14 Dec 2012 cS-8 Reg 11 s45.

PART VII
Repeal and Coming into Force

R.R.S. c.S-8 Reg 9 repealed

46 *The Saskatchewan Assured Income for Disability Regulations* are repealed.

14 Dec 2012 cS-8 Reg 11 s46.

Coming into force

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

14 Dec 2012 cS-8 Reg 11 s47.

Appendix

TABLE 1
Income and Asset Exemptions
[Subsection 13(2)]

- (1) In this Table:
- (a) **“combined amount”** means an amount determined in accordance with subsection (3);
 - (b) **“Federal Child Support Guidelines”** means the Federal Child Support Guidelines established pursuant to section 26.1 of the *Divorce Act* (Canada).
- (2) For the purposes of section 13 of the regulations, the following items are to be excluded when determining the monthly income of an individual:
- (a) an amount of earned income and honoraria in the calendar year received by the individual, prorated as may be necessary based on the month during which the individual becomes eligible for a benefit, equal to:
 - (i) \$8,500 if the individual has one or more dependent children but no dependent spouse;
 - (ii) \$8,500 if the individual has one or more dependent children and a dependent spouse;
 - (iii) \$6,000 if the individual has no dependants; and
 - (iv) \$7,200 if the individual has a dependent spouse but no dependent children;
 - (b) any amount received by the individual for work performed for a non-profit organization or institution in a program that is educational, therapeutic or rehabilitative and to which subsection 3(2) of *The Employment Standards Regulations* applies;
 - (c) honoraria paid to the individual by the ministry;
 - (d) the portion of all amounts received after January 31, 2011 by the individual as a result of inheritances that does not exceed the combined amount of \$100,000;
 - (e) interest earned on an inheritance by the individual if:
 - (i) the total amount of the inheritance and interest earned on the inheritance does not exceed the combined amount mentioned in clause (d);
 - (ii) the interest is contributed as soon as is practicable to a registered disability savings plan; or
 - (iii) with the approval of the minister, the interest is used for an expense related to the disability of the individual or member of the individual’s family unit;
 - (e.1) investment income earned on an investment of funds other than funds received as a result of an inheritance:
 - (i) subject to subclauses (ii) and (iii), to a maximum of \$100 per year per member of the family unit who earns that income;

- (ii) to a maximum of the full amount earned if the investment income is contributed as soon as is practicable to a registered disability savings plan; or
 - (iii) with the approval of the minister, to a maximum of the full amount earned if the investment income is used for an expense related to the disability of the individual or member of the individual's family unit;
- (e.2) a payment from a municipal, provincial or the federal government, an agency of any of those governments or a corporation owned by any of those governments, as compensation for pain and suffering;
- (f) the portion of payments of compensation received by the individual after the date on which the application is received by the minister, other than payments for lost income, that:
- (i) is related to a claim for pain and suffering and out-of-pocket expenses incurred as a result of a personal injury, other than out-of-pocket expenses with respect to which benefits pursuant to these regulations have been provided;
 - (ii) is made by an insurance company other than an insurance company that is an agency of or owned by any of the governments mentioned in clause (e.2), whether or not the insurance company is:
 - (A) licensed pursuant to *The Saskatchewan Insurance Act*; and
 - (B) making the payment in accordance with the terms of a contract of insurance entered into with the person who suffered the personal injury or who caused the personal injury;
 - (iii) does not exceed the amount of \$10,000;
- (g) the portion of payments of compensation received by the individual after the date on which the application is received by the minister in the form of a lump sum for permanent impairment pursuant to Division 6 of Part VIII of *The Automobile Accident Insurance Act* that does not exceed the total of \$10,000 times the number of family members in the individual's family unit;
- (h) the portion of payments of compensation received by the individual after the date on which the application is received by the minister in the form of a death benefit pursuant to Division 5 of Part VIII of *The Automobile Accident Insurance Act* for a deceased victim within the meaning of section 145 of that Act that does not exceed the total of \$10,000 times the number of family members in the individual's family unit;
- (i) the portion of payments of compensation received by the individual after the date on which the application is received by the minister, other than payments for lost income, that:
- (i) is related to a claim arising from a contravention of:
 - (A) *The Saskatchewan Human Rights Code* or similar legislation of any other province or territory of Canada;
 - (B) the *Canadian Human Rights Act*; or
 - (C) the *Employment Equity Act* (Canada); and
 - (ii) does not exceed the product of \$10,000 and the number of members in the individual's family unit;

- (j) payments of compensation to the individual, other than payments for rent or a security deposit, that are:
 - (i) related to a residential tenancy dispute; and
 - (ii) ordered pursuant to *The Residential Tenancies Act, 2006*;
- (k) a payment of compensation to the individual that is related to a claim with respect to abuse sustained while attending an Indian residential school;
- (l) a payment of compensation to the individual, other than a payment for lost income, that is related to a claim with respect to child abuse, other than a claim to which clause (k) applies;
- (m) a Saskatchewan Employment Supplement benefit, as defined in *The Employment Supplement Regulations*, paid to the individual;
- (n) **Repealed.** 2 Jan 2015 SR 111/2014 s3.
- (o) subject to subsections (6), (7) and (8), a Rental Housing Supplement benefit, as defined in *The Rental Housing Supplement Regulations*, provided to the individual;
- (p) subject to subsections (6), (7) and (8), a Disability Housing Supplement benefit, as defined in *The Disability Housing Supplement Regulations*, provided to the individual;
- (q) an amount provided to the individual made pursuant to *The Rehabilitation Act* for individual supports for persons with a cognitive disability;
- (r) individualized funding for support services provided by the provincial health authority to the individual;
- (s) a respite benefit payment received by the individual pursuant to *The Rehabilitation Act* and section 5 of *The Child and Family Services Act*;
- (s.1) a payment made through the Autism Spectrum Disorder – Individualized Funding program pursuant to *The Rehabilitation Act*;
- (t) rebate payments to the individual for Saskatchewan auto insurance premiums received from Saskatchewan Government Insurance;
- (u) a refund to the individual of Saskatchewan Pension Plan contributions due to over contributions if the refunded amount is deposited in a long-term investment;
- (v) **Repealed.** 12 Aug 2016 SR 68/2016 s17.
- (w) **Repealed.** 12 Aug 2016 SR 68/2016 s17.
- (x) financial assistance payments to the individual or a member of the individual's family unit from the Provincial Disaster Assistance Program pursuant to *The Emergency Planning Act* to eligible individuals in a municipality that has been designated as a result of substantial loss or damage caused by a natural disaster to uninsurable, essential property;

- (y) a Canada Child Benefit within the meaning of the *Income Tax Act* (Canada) paid to the individual;
- (z) a payment by the minister to the individual in his or her capacity as the primary caregiver:
 - (i) pursuant to *The Child and Family Services Act* or by an agency with which the minister has entered into an agreement pursuant to section 61 of that Act;
 - (ii) pursuant to an agreement made pursuant to section 10 of *The Child and Family Services Act*;
 - (iii) with respect to a child placed in the custody of a person having a sufficient interest in the child pursuant to clause 37(1)(b) of *The Child and Family Services Act*;
 - (iv) with respect to a young person committed to open custody in a place or facility of open custody within the meaning of *The Youth Justice Administration Act, 2019*; or
 - (v) pursuant to section 50 of *The Adoption Regulations, 2003*;
- (aa) a payment to the individual made by the Indigenous Services Canada for the foster care of children;
- (bb) maintenance payments received by the individual as a parent pursuant to *The Family Maintenance Act, 1997* or the *Divorce Act* (Canada) with respect to a son or daughter who is no longer considered a child pursuant to these regulations;
- (cc) the portion of payments received as maintenance payments for child support up to \$600 per month per household and the portion of maintenance payments to the individual that:
 - (i) is specified in an order or agreement for special or extraordinary expenses, as defined in section 7 of the Federal Child Support Guidelines; and
 - (ii) is not related to or is over and above the amount set out in the Tables to the Federal Child Support Guidelines as determined based on:
 - (A) the number of children to whom the order or agreement relates; and
 - (B) the annual income of the parent who is required by the order or agreement to make those payments;
- (dd) **Repealed.** 12 Aug 2016 SR 68/2016 s17.
- (ee) the amount of a Canada Student Grant for Students with Disabilities paid to the individual;
- (ff) the amount of a Canada/Saskatchewan Student Grant for Services and Equipment for Persons with Disabilities paid to the individual;
- (gg) scholarships, fellowships and non-government bursaries received by the individual, other than the value of free room and board provided as part of a scholarship, fellowship or non-government bursary;

(hh) money paid to the individual by a board of education or the conseil scolaire for costs associated with home schooling a child within the family unit who is enrolled in a registered home-based education program, within the meaning of *The Education Act, 1995*;

(ii) a refund to the individual of the Saskatchewan low-income tax credit within the meaning of section 39 of *The Income Tax Act, 2000*;

(jj) a refund to the individual of the goods and services tax credit within the meaning of the *Income Tax Act (Canada)*;

(kk) an income tax refund within the meaning of the *Income Tax Act (Canada)* paid to the individual;

(ll) a Canada Workers Benefit within the meaning of the *Income Tax Act (Canada)* paid to the individual;

(mm) **Repealed.** 12 Aug 2016 SR 68/2016 s17.

(nn) the amount of any rebate, grant or allowance from the Government of Canada or the Government of Saskatchewan for the purpose of alleviating hardship resulting from high utility costs paid to the individual;

(oo) the portion of gifts received by the individual in the 12 months before the date on which the determination of income is made that does not exceed the combined amount of \$200;

(pp) subject to subsection (4), the amount of prizes and winnings received by the individual in the 12 months before the date on which the determination of income is made that does not exceed the amount of \$200;

(qq) contributions received by the individual with respect to the costs of funerals of members of the individual's family unit, unless the contribution is made by the surviving spouse or the parent of a deceased child;

(rr) subject to subsection (5), the portion of Federated Cooperative patronage dividends received by the individual in the 12 months before the date on which the determination of income is made that does not exceed the number of members in the individual's family unit;

(ss) awards to the individual for meritorious conduct or service;

(tt) the portion of all amounts received by the individual pursuant to an agreement with respect to the settlement of an outstanding treaty land entitlement claim or other land claim of an Indian band that does not exceed:

(i) if the individual has no other members in his or her family unit, the combined amount of \$1,500; or

(ii) if the individual has at least one other member in his or her family unit, the combined amount equal to the sum of:

(A) \$3,000 for the individual and one other member in the family unit; and

(B) \$500 for each additional member of the family unit;

- (uu) a payment of compensation to the individual that is related to a claim for the loss of culture and identity with respect to the practice of removing Aboriginal children from their families and placing them for adoption in non-Aboriginal homes, commonly known as the Sixties Scoop;
 - (vv) a payment of compensation to a class member pursuant to a plan approved by the Ontario Superior Court of Justice in the matter of *Parsons v Canadian Red Cross Society*, decided on October 22, 1999 (Court file numbers 98-CV-141369 and 98-CV-146405), not including any payments for lost income or loss of support;
 - (ww) the Climate Action Incentive payment within the meaning of the *Income Tax Act* (Canada);
 - (xx) monthly payments to the dependent children of disabled contributors or deceased contributors within the meaning of the *Canada Pension Plan Act*.
- (3) If an amount in a clause of subsection (2) is stated to be a combined amount, the combined amount is to be determined by adding:
- (a) all amounts described in that clause that are received by the individual; and
 - (b) all amounts described in that clause that are received by all other members of the individual's family unit.
- (3.1) **Repealed.** 17 Feb 2017 SR 11/2017 s2.
- (4) For the purposes of clause (2)(pp), if the amount of prizes and winnings received by any member of the individual's family unit in the 12 months before the date on which the determination of income is made exceeds \$200, the amount in excess of \$200 must be added to the individual's income.
- (5) For the purposes of clause (2)(rr), if the portion of Federated Cooperative patronage dividends received by any member of the individual's family unit in the 12 months before the date on which the determination of income is made exceeds \$200, the amount in excess of \$200 must be added to the individual's income.
- (6) If an eligible beneficiary is receiving an excess living income benefit pursuant to item 34 of section 4 of Table 2, and he or she begins receiving a benefit mentioned in clause (2)(o) or (p), the exclusions for the purposes of calculating monthly income mentioned in clause (2)(o) or (p) are reduced by the amount by which the shelter allowance exceeds the amount in the schedule of rates.
- (7) If an eligible beneficiary is receiving a benefit mentioned in clause (2)(o) or (p) and he or she begins receiving an excess living income benefit pursuant to item 34 of section 4 of Table 2, the exclusions for the purposes of calculating monthly income mentioned in clause (2)(o) or (p) are reduced by the amount by which the shelter allowance exceeds the amount in the schedule of rates.

(8) If an eligible beneficiary was, on September 30, 2016, entitled to receive and was receiving an excess living income benefit pursuant to item 34 of section 4 of Table 2 and he or she is eligible for and receiving a Rental Housing Supplement benefit, as defined in *The Rental Housing Supplement Regulations* or a Disability Housing Supplement benefit, as defined in *The Disability Housing Supplement Regulations*, the respective supplement is excluded for the purposes of calculating the monthly income of the individual until the individual moves to a different residence or is no longer eligible for benefits pursuant to these regulations.

(9) If an eligible beneficiary was, on August 31, 2016, entitled to receive and was receiving both a benefit pursuant to these regulations and a benefit payment pursuant to *The Saskatchewan Income Plan Act*, the payment pursuant to *The Saskatchewan Income Plan Act* is excluded for the purposes of calculating the monthly income of the individual until the individual is no longer eligible to receive a benefit payment pursuant to that Act or is no longer eligible for benefits pursuant to these regulations.

(10) If an eligible beneficiary was, on August 31, 2016, entitled to receive and was receiving both a benefit pursuant to these regulations and a monthly Guaranteed Income Supplement top-up benefit provided pursuant to section 12.1 of the *Old Age Security Act* (Canada), the Guaranteed Income Supplement top-up benefit is excluded for the purposes of calculating the monthly income of the individual until the individual is no longer eligible to receive a benefit payment pursuant to section 12.1 of the *Old Age Security Act* (Canada) or is no longer eligible for benefits pursuant to these regulations.

(11) Savings that are the result of an earned income exemption mentioned in clause (2)(a):

(a) are, at the time of the application, to be excluded from the determination of liquid assets as described in subsection 14(3) of the regulations; and

(b) are to be excluded, for the purposes of section 13 of the regulations, in determining the monthly income of an individual.

12 Aug 2016 SR 68/2016 s17; 17 Feb 2017 SR
11/2017 s2; 11 May 2018 SR 31/2018 s4; 5 Jly
2019 SR 46/2019 s7; 9 Apr 2021 SR 36/2021
s6; 23 Dec 2022 SR 97/2022 s14; 6 Oct 2023 SR
93/2023 s12; 8 Dec 2023 SR 116/2023 s2.

TABLE 2
Benefits
[Section 18]

General provisions re Table 2

- 1(1) The minister may provide a benefit to an eligible beneficiary in accordance with this Table.
- (2) In this Table:
- (a) column 1 sets out the type of benefit and when it is payable;
 - (b) column 2 sets out the criteria that must be met to be eligible for the benefit and the purpose of the benefit; and
 - (c) column 3 sets out the amount of the benefit.
- (3) No type of benefit is payable unless the minister is satisfied that the criteria set out in column 2 for that type of benefit has been met.
- (4) In column 1, if a benefit is stated to be paid:
- (a) monthly, the benefit is to be paid:
 - (i) in accordance with the monthly schedule of payments established by the minister and posted on the ministry's website; or
 - (ii) if the minister considers it appropriate to do so, at any other intervals that the minister may determine; or
 - (b) periodically, the benefit is to be paid at those intervals that the minister may determine.

Schedule of rates and rules for living income and personal benefits

- 2(1) For a benefit described in items 1 to 4 of the Table, the minister may establish a schedule of rates that vary in accordance with all or any of the following:
- (a) the number of adults in an eligible beneficiary's family unit;
 - (b) the number of children in an eligible beneficiary's family unit;
 - (c) the municipality in which an eligible beneficiary's accommodation is situated;
 - (d) the date on which the eligible beneficiary's application for a benefit was received by the minister.
- (2) If an eligible beneficiary establishes eligibility for a benefit mentioned in items 1 to 4 of the Table, the benefit that may be paid to the eligible beneficiary is to be calculated in accordance with the following rules:
- (a) subject to clauses (b) and (c), the benefit is to be calculated from the date on which the eligible beneficiary's application was received by the minister;
 - (b) if the application for the benefit is received by the minister after the start of a month and the eligible beneficiary has paid accommodation costs for that month before making the application, the benefit for the first month must be prorated based on the number of days in the month for which the eligible beneficiary is eligible to receive the benefit;

- (c) if the application for the benefit is received by the minister after the start of a month and the eligible beneficiary has not paid accommodation costs for that month before making the application:
 - (i) with respect to the accommodation portion of the living income benefit as set out in item 1 of this Table, the minister may pay the full amount as set out in the schedule of rates established by the minister for that month; and
 - (ii) with respect to the remaining portions of the living income benefit as set out in item 1 of this Table, the minister may pay a prorated amount for that month based on the number of days in the month for which the eligible beneficiary is eligible to receive benefits.
- (3) For the purposes of subsection (2), the number of days in a month is deemed to be 30.

Schedule of rates and rules for laundry and utilities benefits

- 3(1)** For a benefit described in item 6 of the Table, the minister may establish a schedule of rates that vary in accordance with all or any of the following:
- (a) the number and type of utilities that an eligible beneficiary pays for;
 - (b) the number of members of the eligible beneficiary's family unit with respect to whom the benefit is being provided;
 - (c) the municipality in which the eligible beneficiary's accommodation is situated.
- (2) The rate paid for utilities described in subsection (1) may be either the actual amount of the utility cost or a fixed-rate amount determined by a schedule of rates approved by the minister.
- (3) If an eligible beneficiary establishes eligibility for a benefit described in item 6 of the Table, the benefit that may be provided to the eligible beneficiary is to be calculated in accordance with the following rules:
- (a) subject to clauses (b) and (c), the benefit is to be calculated from the date on which the eligible beneficiary's application was received by the minister;
 - (b) if the application for the benefit is received by the minister after the start of a month and the eligible beneficiary has paid the utilities costs for that month before making the application, no benefit is payable to the eligible beneficiary for the first month;
 - (c) if the application for the benefit is received by the minister after the start of a month and the eligible beneficiary has not paid the utility costs for that month before making the application, the benefit for the first month is the amount for the month as set out in the schedule of rates established by the minister.
- (4) For the purposes of subsection (3), the number of days in a month is deemed to be 30.
- (5) If the minister is satisfied that an eligible beneficiary had the resources to pay for the utilities that are in arrears at the time of the eligible beneficiary's application, the amount of any benefit provided pursuant to item 9 of the Table to pay the arrears is deemed to be excess assistance for the purposes of section 29.3 of the Act.

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Benefit amounts

4 Benefits may be paid in accordance with the following items:

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
Living income and Personal Benefits		
1 Living income benefit (monthly)	<p>Criteria: eligible beneficiary who lives in self-contained accommodation that has its own bathroom and cooking facilities for which the eligible beneficiary pays an amount that does not include the provision of food</p> <p>Purpose: to pay the costs of accommodation, food, clothing, household expenses, transportation, personal needs and incidental expenses</p>	amount approved by the minister in accordance with the schedule mentioned in section 2 of this Table
2 Modified living income benefit (monthly)	<p>Criteria: eligible beneficiary who:</p> <ul style="list-style-type: none"> (a) lives in board and room accommodation where the beneficiary receives food; or (b) lives in accommodation where the eligible beneficiary rents a room and no food is provided <p>Purpose: to pay for the costs of accommodation, food, clothing, transportation, personal needs and incidental expenses</p>	amount approved by the minister in accordance with the schedule mentioned in section 2 of this Table

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
3 Personal living benefit (monthly)	<p>Criteria: an eligible beneficiary who:</p> <ul style="list-style-type: none"> (a) is a resident of a facility; (b) is residing in a hotel room where restaurant meals are required; (c) is residing in a long-term residence that provides partial personal supports and is approved by the minister for the purposes of this clause; (d) is residing in a temporary residential facility or treatment centre; (e) is residing with a relative, as defined in <i>The Personal Care Homes Act</i>, and is provided with supervision and assistance with personal care; or (f) is residing in other accommodation approved by the minister. <p>Purpose: to pay for the costs of clothing, personal needs and incidental expenses</p>	amount approved by the minister in accordance with the schedule mentioned in section 2 of this Table
4 Meals and accommodation away from principal residence (periodically)	<p>Criteria: eligible beneficiary or eligible family member away from principal residence</p> <p>Purpose: to pay for meals and accommodation</p>	amount determined in accordance with the schedule of rates established by the minister

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<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
5 Meal allowance (monthly)	<p>Criteria: (1) eligible beneficiary is an individual who rents a room with no access to cooking facilities and the eligible beneficiary eats meals in a restaurant; or</p> <p>(2) eligible beneficiary is an individual who rents a room with access to cooking facilities but is not capable of safely cooking meals</p> <p>Purpose: to pay for meals</p>	amount determined in accordance with the schedule of rates established by the minister
Utilities and laundry benefits		
6 Utilities benefit (monthly)	<p>Criteria: eligible beneficiary is eligible for a living income benefit mentioned in item 1 and pays for the utilities mentioned below</p> <p>Purpose: to pay for all or any of the following utilities:</p> <p>(a) electricity;</p> <p>(b) home heating;</p> <p>(c) sewer and water;</p> <p>(d) Repealed. 12 Aug 2016 SR 68/2016 s17.</p> <p>(e) Repealed. 12 Aug 2016 SR 68/2016 s17.</p>	<p>at the option of the eligible beneficiary, either</p> <p>(a) an amount determined in accordance with the schedule mentioned in section 3 of this Table; or</p> <p>(b) the actual cost of the utility.</p>

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<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
7 Telephone (monthly)	<p>Criteria:</p> <p>(1) eligible beneficiary is eligible for a living income benefit mentioned in item 1 or a modified living income benefit mentioned in item 2 and pays for a telephone utility; or</p> <p>(2) eligible beneficiary is eligible for the residential support benefit mentioned in item 14 and is unable to access facility phones due to disability or unavailability.</p> <p>Purpose: to pay for the telephone utility.</p>	amount approved by the minister
8 Laundry benefit (monthly)	<p>Criteria: (1) the eligible beneficiary is an individual receiving a living income benefit mentioned in item 1;</p> <p>(2) laundry services are not part of the services for which the living income benefit is paid; and</p> <p>(3) minister is satisfied that any of the following circumstances exist:</p> <p style="padding-left: 40px;">(a) the eligible beneficiary lacks access to laundry facilities;</p> <p style="padding-left: 40px;">(b) the eligible beneficiary is required to pay for the use of laundry facilities.</p> <p>Purpose: to pay for laundry services</p>	amount determined in accordance with the schedule of rates established by the minister
9 Arrears of utilities (periodic)	<p>Criteria: the minister is satisfied that there is a threat to the health and safety of an eligible beneficiary resulting from the disconnection or imminent disconnection of a utility mentioned in item 6</p> <p>Purpose: to pay for arrears</p>	the amount of arrears that accrued before the date on which the eligible beneficiary's application was received by the minister

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<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
10 High utility cost benefit (monthly)	Criteria: the minister is satisfied that it is necessary to alleviate hardship resulting from high utility costs Purpose: to pay for utility costs	the amount determined by the minister
Disability income benefits		
11 Disability income benefit (monthly)	Criteria: the eligible beneficiary is an individual or, if the eligible beneficiary is a family unit, there is one member of the family unit who is assessed as being an individual with a significant and enduring disability. Purpose: to cover the costs of the impact of disability	amount determined in accordance with the schedule of rates established by the minister
12 Benefit to spouse (monthly)	Criteria: the spouse of eligible beneficiary or eligible family member who: (a) has a disability or medical condition that limits the spouse's ability for training or employment for a period of 12 months or longer; and (b) is not assessed as being an individual having a significant and enduring disability. Purpose: to support spouse	amount determined in accordance with the schedule of rates established by the minister

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
Family and residential supports		
13 Family care (monthly)	<p>Criteria: eligible beneficiary or eligible family member:</p> <ul style="list-style-type: none"> (a) requires supervision and assistance with personal care; and (b) resides with a spouse, son, daughter, sister, brother, parent, aunt, uncle, great aunt, great uncle, grandparent, great grandparent, cousin, nephew or niece, whether that person is related by blood or by marriage or as a result of adoption. <p>Purpose: to assist with care</p>	amount calculated in accordance with a schedule of rates established by the minister

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
14 Residential support (monthly)	<p>Criteria: eligible beneficiary or eligible family member resides in:</p> <ul style="list-style-type: none"> (a) a mental health approved home as defined in <i>The Mental Health Services Act</i>; (b) a care facility as defined in <i>The Residential Services Act, 2019</i>; (c) a personal care home for which a licence is issued pursuant to <i>The Personal Care Homes Act</i>; (d) the home of a relative, as defined in <i>The Personal Care Homes Act</i>, and is provided supervision and assistance with personal care; or (e) Repealed. 6 Oct 2023 SR 93/2023 s12. <p>Purpose: to assist with paying for residential costs</p>	amount calculated in accordance with a schedule of rates established by the minister
15 Special care facility benefit (monthly)	<p>Criteria: eligible beneficiary or eligible family member:</p> <ul style="list-style-type: none"> (a) is residing in a facility designated as special-care home pursuant to <i>The Facility Designation Regulations</i>; or (b) is in long-term care in a special-care program in a hospital within the meaning of subclause 2(s)(ii) of the regulations. <p>Purpose: to pay for special-care and special-care programming</p>	An amount not to exceed the amount being charged to residents of the special-care home or to individuals in the special-care program

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
Exceptional needs benefits		
16 Exceptional needs (periodic or monthly as approved by the minister)	<p>Criteria: the minister is satisfied that the eligible beneficiary or eligible family member has needs that are dictated by exceptional circumstances or considerations and are not provided for otherwise in these regulations</p> <p>Purpose: to pay for exceptional needs</p>	<p>(1) Subject to subsection (2), each of the items of the benefit for exceptional needs is to be established by one of the following methods:</p> <ul style="list-style-type: none"> (a) a benefit schedule established by the minister; (b) a range of amounts established by the minister; (c) a flat amount established by the minister; (d) a formula established by the minister by which the appropriate amount is computed for each case.
		<p>(2) The amount of a benefit for exceptional needs is not to exceed:</p> <ul style="list-style-type: none"> (a) the amount stated in the benefit schedule, range of amounts, flat amount or formula mentioned in subsection (1); or (b) the actual cost of the item of exceptional need if an amount is not stated in the benefit schedule, range of amounts, flat amount or formula mentioned in subsection (1).

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
Exceptional disability-related supports benefits		
17 Clothing benefit (monthly)	Criteria: clothing is recommended by a health care professional recognized by the minister Purpose: to pay for clothing	amount approved by the minister
18 Special food items (monthly)	Criteria: special food during pregnancy, lactation, convalescence or for treatment purposes is recommended by a health professional recognized by the minister Purpose: to pay for special food	amount approved by the minister not to exceed the actual cost of the food items
19 Home care services (monthly)	Criteria: minister is satisfied that home care services provided through the provincial health authority are necessary Purpose: to pay for home care	amount approved by the minister
20 Home care services provided other than through the provincial health authority (monthly)	Criteria: eligible beneficiary or eligible family member receives home care services other than through the provincial health authority and the minister is satisfied that exceptional circumstances exist Purpose: to pay for home care	amount approved by the minister
21 Exceptional laundry costs (monthly)	Criteria: unusual amounts of laundry are required because of a medical condition of the eligible beneficiary or eligible family member Purpose: to pay for laundry expenses	amount approved by the minister
22 Household tasks (monthly)	Criteria: required to enable the eligible beneficiary or eligible family member to pay for household tasks that he or she is unable to perform because of the disability Purpose: to pay for household tasks	amount approved by the minister

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
23 Specially trained service animals (monthly)	Criteria: eligible beneficiary or eligible family member requires a specially trained animal to enable him or her to live independently Purpose: to pay for food, veterinary and hygienic grooming costs for specially trained animals	amount approved by the minister
24 Respite care (monthly)	Criteria: eligible beneficiary or spouse of the eligible beneficiary requires assistance to attend an adult day program or a respite facility Purpose: to pay for adult day programs or respite care	amount approved by the minister
24.1 Activity benefit	Criteria: eligible beneficiary or eligible family member who is resident of a facility as described in paragraph 2(s)(i)(B), (C) or (E) of the regulations Purpose: to pay for activities.	amount approved by the minister
Disability related mobility aids, devices and equipment benefits		
25 Repair of mobility aids, devices and equipment (periodic)	Criteria: mobility aids, devices and equipment that require repairs Purpose: to pay for repair costs not covered by another plan or program administered by another ministry or agency of the Government of Saskatchewan, by the provincial health authority or by a community-based organization	amount and type approved by the minister

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
Special benefits for children		
26 Transition benefit for children (monthly)	<p>Criteria: A benefit may be provided to an eligible beneficiary with respect to each child in the family unit for the purpose of meeting the needs of the child:</p> <p>(a) for the period before the eligible recipient is eligible to receive the Canada Child Benefit payment;</p> <p>(b) in any other circumstances approved by the minister.</p> <p>Purpose: to pay for child costs.</p>	amount determined in accordance with the schedule of rates established by the minister
27 School expenses (periodic)	<p>Criteria: child of eligible beneficiary or eligible family member is enrolled, as of August 1, in a school or a registered independent school within the meaning of <i>The Education Act, 1995</i></p> <p>Purpose: to pay for associated school costs</p>	amount determined in accordance with the schedule of rates established by the minister
28 Special school fees (periodic)	<p>Criteria: child of eligible beneficiary or eligible family member is enrolled, as of August 1, in a school or a registered independent school within the meaning of <i>The Education Act, 1995</i></p> <p>Purpose: to pay for home economics, industrial and graphic arts projects and for-credit physical education classes</p>	not more than the actual and verified costs

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
29 Child care (monthly)	<p>Criteria: eligible beneficiary or eligible family member has a dependent child and no adult members of the family unit are able to care for the child due to:</p> <ul style="list-style-type: none"> (a) employment; (b) a medical condition, illness or disability; (c) hospitalization; (d) involvement in training or a structured program; (e) attendance in court; (f) attendance in court ordered programming; (g) attendance at an approved addictions treatment program; or (h) travel outside the community of residence in which the child is unable to accompany the adult. <p>Purpose: to pay for child care costs</p>	amount approved by the minister
30 Maternity and infants clothing (periodic)	<p>Criteria: clothing for maternity and infants and children is required and a benefit for that clothing is not provided for elsewhere in these regulations</p> <p>Purpose: to pay for clothing</p>	amount approved by the minister not to exceed the actual and reasonable costs of the clothing
31 Child access (periodic)	<p>Criteria: eligible beneficiary or eligible family member has access rights to a child and child is staying with eligible beneficiary or eligible family member</p> <p>Purpose: to pay for costs associated with the child</p>	amount determined in accordance with the schedule of rates established by the minister

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<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
Transportation benefits		
32 Transportation benefit (monthly)	<p>Criteria: a benefit for transportation expenses is not provided for elsewhere in these regulations and the minister is satisfied that the transportation is required by an eligible beneficiary or eligible family member for any of the following:</p> <ul style="list-style-type: none"> (a) medical treatment; (b) attendance at day programs; (c) attendance by children at school; (d) attendance at a funeral; (e) attendance at work; or (f) any reason other than one described in clauses (a) to (e) that the minister considers appropriate. <p>Purpose: to pay for transportation</p>	amount determined in accordance with the schedule of rates established by the minister
Housing supports benefits		
33 Arrears of shelter payments (periodic)	<p>Criteria: eligible beneficiary has accumulated arrears of shelter payments and the minister is satisfied that:</p> <ul style="list-style-type: none"> (a) the health and safety of the eligible beneficiary or the eligible beneficiary's family unit are threatened; and (b) the failure to pay the arrears was because of lack of resources. <p>Purpose: to pay for arrears of shelter payments</p>	the amount the minister is satisfied is the minimum amount to prevent eviction from the shelter

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
34 Excess living income benefit (monthly)	Criteria: provided to an eligible beneficiary on the basis of criteria set out in subsection 2(1) of this Table and any additional criteria that the minister may order. Purpose: to pay for shelter costs.	an amount determined by the criteria established by a schedule of rates and additional criteria that the minister may order, not to exceed the actual shelter costs being paid
35 Security deposit (periodic)	Criteria: individual has ceased to be an eligible beneficiary and the minister is satisfied that it is appropriate to provide this benefit Purpose: to pay security deposit on behalf of individual	an amount not exceeding the maximum monthly accommodation portion of the living income benefit that may be granted to an eligible beneficiary pursuant to section 18
36 Purchase, repair or replacement of household appliances, furniture, furnishings and supplies (periodic)	Criteria: eligible beneficiary requires assistance to purchase, repair or replace household appliances, furniture, furnishings and supplies for the eligible beneficiary's principal residence Purpose: to pay for the costs mentioned above	amount approved by the minister
37 Moving expenses (periodic)	Criteria: the minister is satisfied that a change of the eligible beneficiary's principal residence is necessary Purpose: to pay for moving expenses	amount approved by the minister
Employment, training and transitions benefits		
38 Training or graduation (periodic)	Criteria: an eligible beneficiary or eligible family member is in training or graduating from training Purpose: to pay for training or graduation costs	amount approved by the minister

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<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
39 Commencement of employment costs (periodic)	<p>Criteria: an eligible beneficiary or eligible family member is commencing employment and the minister is satisfied that other arrangements for meeting the expenses associated with commencing employment cannot be made</p> <p>Purpose: to pay for expenses necessary to commence employment, including costs associated with special clothing, mandatory licences, fees or permits, and minor essential tools</p>	amount approved by the minister
40 Participation costs to attend a training program or a secondary or post-secondary education (monthly)	<p>Criteria: an eligible beneficiary or eligible family member, or the spouse of an eligible beneficiary or eligible family member, is attending:</p> <ul style="list-style-type: none"> (a) a training program approved by the minister; (b) a secondary educational institution; or (c) a post-secondary educational institution. <p>Purpose: to assist with costs to attend training or secondary or post-secondary education</p>	amount determined in accordance with the schedule of rates established by the minister

<i>Column 1</i> Type and when payable	<i>Column 2</i> Criteria and Purpose	<i>Column 3</i> Amount
41 School supplies (periodic)	<p>Criteria: an eligible beneficiary or eligible family member, or the spouse of an eligible beneficiary or eligible family member is attending:</p> <p>(a) a training program approved by the minister; or</p> <p>(b) a secondary educational institution.</p> <p>Purpose: to pay for school supplies</p>	amount determined in accordance with the schedule of rates established by the minister

14 Dec 2012 cS-8 Reg 11; 12 Aug 2016 SR 68/2016 s17; 4 Aug 2017 SR 81/2017 s5; 5 Jly 2019 SR 46/2019 s8; 23 Dec 2022 SR 97/2022 s14.