

The Saskatchewan Income Plan Act

being

Chapter S-25.1 of the *Statutes of Saskatchewan, 1986*
(effective January 1, 1987) as amended by the *Statutes of
Saskatchewan, 1988-89, c.42; 1996, c.20; and 2000, c.50.*

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-25.1

An Act respecting the Payment of Benefits to or on behalf of Certain Senior Citizens

Short title

1 This Act may be cited as *The Saskatchewan Income Plan Act*.

Interpretation

2 In this Act:

- (a) “**benefit**” means a monthly allowance paid pursuant to section 3;
- (b) “**department**” means the department over which the minister presides;
- (c) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (d) “**pension**” means the monthly pension paid pursuant to the *Old Age Security Act* (Canada), as amended from time to time;
- (e) “**resident**” means a person who makes his home and is ordinarily in Saskatchewan and does not include a tourist, transient or visitor to Saskatchewan;
- (f) “**supplement**” means the monthly Guaranteed Income Supplement paid pursuant to the *Old Age Security Act* (Canada), as amended from time to time.

1986, c.S-25.1, s.2; 1988-89, c.42, s.94.

Power to pay benefits

3 The minister shall, out of moneys appropriated by the Legislature for the purpose, pay benefits, in the amounts and manner prescribed in the regulations, to every person who meets the requirements set out in section 4 or to a trustee administering a benefit on behalf of such a person.

1986, c.S-25.1, s.3.

Eligibility

4 Any person who:

- (a) is a resident of Saskatchewan;
- (b) is in receipt of a pension and a supplement; and
- (c) meets the requirements prescribed in the regulations;

is eligible to receive a benefit.

1986, c.S-25.1, s.4.

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Application

5 An application for a benefit shall be made in accordance with the regulations.

1986, c.S-25.1, s.5.

Frequency of payment

6 Payment of benefits shall be made monthly.

1986, c.S-25.1, s.6.

Termination of benefits

7 Payment of a benefit to a person ceases:

- (a) subject to the regulations, when that person ceases to be eligible to receive a supplement;
- (b) on payment to that person of a supplement being effected in another province; or
- (c) in any case specified in the regulations.

1986, c.S-25.1, s.7.

Alienation of benefits prohibited

8(1) No benefit shall be assigned, charged, attached, anticipated or given as security, and any transaction purporting to assign, charge, attach, anticipate or give as security a benefit is void.

(2) Notwithstanding subsection 20(1) of *The Enforcement of Maintenance Orders Act*, the Crown shall not be named as garnishee for the purpose of garnishment, pursuant to that Act, of moneys due to a person pursuant to this Act.

1986, c.S-25.1, s.8.

Overpayment

9 An overpayment of a benefit to a person is a debt due to Her Majesty and, in addition to any other manner in which it may be recovered, may be recovered by deducting the amount of overpayment from any future payment of a benefit to that person.

1986, c.S-25.1, s.9.

10 Repealed. 2000, c.50, s.25.

Agreement

10.1(1) Subject to subsection (2), the minister may enter into an agreement with the Government of Canada:

- (a) authorizing the Government of Canada, on behalf of the minister:
 - (i) to administer the payment of benefits pursuant to this Act in conjunction with the payment of pensions and supplements;
 - (ii) to make payments of benefits pursuant to this Act to persons who are eligible to receive benefits; and
 - (iii) to recover overpayments of benefits pursuant to section 9; and
- (b) authorizing the communication to the Government of Canada of personal information respecting persons who are eligible to receive benefits for the purpose of enabling the Government of Canada to carry out its undertakings pursuant to the agreement.

(2) An agreement contemplated by subsection (1) shall not be entered into unless the financial arrangements have been approved by the Minister of Finance, the transfer of personal information arrangements have been approved by the Minister of Health and the terms of the agreement have been approved by the Lieutenant Governor in Council.

1996, c.20, s.3.

Regulations

11(1) The Lieutenant Governor in Council may make regulations:

- (a) respecting the form or manner in which an application for a benefit shall be made;
- (b) respecting the amount of benefits that may be given;
- (c) prescribing conditions of eligibility to receive a benefit;
- (d) prescribing the manner in which an applicant for a benefit shall be informed as to whether his application has been granted or refused;
- (e) prescribing the time and manner in which benefits shall be paid;
- (f) respecting the termination of payment of benefits;
- (g) respecting any matter or thing that is required or authorized by this Act to be prescribed in the regulations.

(2) A regulation made pursuant to this Act may be made retroactive.

(3) The Lieutenant Governor in Council may, in the regulations, delegate any of the powers set out in clauses (1)(a) to (f) to the minister or to a person specified in an agreement made pursuant to section 10.1.

1986, c.S-25.1, s.11; 1996, c.20, s.4.

