

*The
Teachers'
Superannuation and
Disability Benefits
Regulations*

being

[Chapter T-9.1 Reg 1](#) (effective October 11, 2006).

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 T-9.1 REG 1

The Teachers Superannuation and Disability Benefits Act

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Teachers' Superannuation and Disability Benefits Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Teachers Superannuation and Disability Benefits Act*;
- (b) “**contributions**”, except in Part IV, means the contributions required to be made by a teacher to the Teachers' Superannuation Fund pursuant to subsection 11(1) of the Act;
- (c) “**executive director**” means the executive director employed by the commission pursuant to subsection 7(1) of the Act.

20 Oct 2006 cT-9.1 Reg 1 s2.

PART II

Procedures of the Commission

Meetings

- 3(1)** The commission shall meet as often as it requires to transact its business.
- (2) Meetings of the commission are to be called by the chairperson or fixed by resolution of the commission.
- (3) The executive director shall provide every member of the commission with written notice of the date and time of a meeting of the commission.
- (4) Notwithstanding subsection (3), a special or emergency meeting may be held without written notice.

20 Oct 2006 cT-9.1 Reg 1 s3.

Meetings closed

- 4(1) Meetings of the commission are not open to the public.
- (2) Notwithstanding subsection (1), a teacher, or a person acting on a teacher's behalf, may make a representation in person before the commission.
- (3) No commissioner shall communicate any statement of the business of the commission:
- (a) except to another commissioner; or
 - (b) unless authorized by the commission.

20 Oct 2006 cT-9.1 Reg 1 s4.

Questions before the commission

- 5(1) All questions are to be submitted to the commission on the motion of the chairperson or any other commissioner, and no seconder is required.
- (2) All questions submitted to the commission are to be decided by a majority of votes, but in the case of a tie vote, the motion is deemed to be lost.
- (3) The chairperson has the right to vote on all questions before the commission.

20 Oct 2006 cT-9.1 Reg 1 s5.

Duties of executive director

- 6 The executive director shall:
- (a) keep a full and accurate record of the proceedings of every commission meeting;
 - (b) conduct and preserve the correspondence of the commission and deal with routine correspondence in any manner that may be directed by the commission;
 - (c) keep a file and complete record for every person eligible for benefits pursuant to the Act;
 - (d) keep any books and records that the Provincial Auditor may require;
 - (e) prepare the annual report required pursuant to section 49 of the Act and any other reports or statements that the commission may require; and
 - (f) perform any other duties that the commission may assign.

20 Oct 2006 cT-9.1 Reg 1 s6.

PART III

Teaching Service

Teaching service

- 7(1) Service by a member with the Canadian Teachers' Federation or the Saskatchewan High Schools Athletic Association in a position that is approved by the commission is deemed to be contributory service if:
- (a) the member, or any person acting on the member's behalf, pays the contributions required pursuant to section 11 of the Act; and

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- (b) the Canadian Teachers' Federation or the Saskatchewan High Schools Athletic Association makes a matching contribution.
- (2) The contributions mentioned in subsection (1) are to be based on the annual salary received by the member for providing service to the Canadian Teachers' Federation or the Saskatchewan High Schools Athletic Association.
- (3) The interest on contributions mentioned in subsection (1) is at the rates prescribed in subsection 11(8) of the Act.

20 Oct 2006 cT-9.1 Reg 1 s7.

Service as a Saskatchewan teacher

8 If a member provides service in a school operated by the Department of National Defence in Saskatchewan or outside Canada, by the Canadian International Development Agency, or by the Northern Teacher Education Program, the contributions required for the member are to be based on the annual salary received by the member while providing that service.

20 Oct 2006 cT-9.1 Reg 1 s8.

Service in special education

9(1) Service by a Saskatchewan teacher in a special educational capacity that is not otherwise recognized as teaching service under the Act or these regulations is deemed to be teaching service for all the purposes of the Act if the employment is with an institution recognized by the department.

(2) The contributions required for a teacher described in subsection (1) are to be based on the annual salary received by the teacher in that teacher's last year of employment with a board in the province.

20 Oct 2006 cT-9.1 Reg 1 s9.

Contributions pursuant to certain Acts

10(1) Subject to subsection (2), a person may receive credit for service pursuant to the Act for the purpose of determining eligibility for an allowance if the person was a contributor pursuant to:

- (a) the *Public Service Superannuation Act* (Canada);
- (b) *The Liquor Board Superannuation Act*;
- (c) *The Municipal Employees' Pension Act*;
- (d) *The Power Corporation Superannuation Act*;
- (e) *The Public Service Superannuation Act*;
- (f) *The Saskatchewan Government Insurance Act, 1980*;
- (g) *The Saskatchewan Telecommunications Superannuation Act*;
- (h) *The Superannuation (Supplementary Provisions) Act*; or
- (i) *The Workers' Compensation Board Superannuation Act*.

(2) The credit for service mentioned in subsection (1) is to be allowed only if a person:

- (a) has 10 years of teaching service credited to him or her pursuant to the Act or these regulations; and
- (b) has contributions to his or her credit in the Teachers' Superannuation Fund.

20 Oct 2006 cT-9.1 Reg 1 s10.

PART IV Voluntary Contributions Fund

Voluntary Contributions Fund

11(1) In this section:

- (a) **“contribution”** means a voluntary contribution made by a teacher to the fund;
 - (b) **“fund”** means the Voluntary Contributions Fund continued pursuant to section 13 of the Act.
- (2) Subject to subsection (3), interest is credited on contributions in the fund after the end of each fiscal year at the rate earned by the fund during that fiscal year, and is compounded annually.
- (3) Interest is credited on amounts contributed during a fiscal year at the rate earned by the fund for that fiscal year and calculated from the date that the contribution was made.
- (4) If contributions are withdrawn from the fund during the fiscal year in which they were deposited in the fund, interest is credited on those amounts at the lesser of:
- (a) the three-month average rate on the bank account holding the fund; and
 - (b) the rate earned by the fund in the preceding fiscal year.
- (5) If contributions are withdrawn from the fund before the end of a fiscal year:
- (a) accrued interest is credited on those amounts to the end of the month in which payment is made; and
 - (b) interest for the fiscal year in which the contributions are withdrawn is credited at the lesser of:
 - (i) the three-month average rate on the bank account holding the fund; and
 - (ii) the rate earned by the fund in the preceding fiscal year.

20 Oct 2006 cT-9.1 Reg 1 s11.

PART V
Medical Examinations

Fees for medical examination

12(1) The commission may direct that any fee for a medical examination required pursuant to the Act or these regulations be paid by the teacher.

(2) Notwithstanding subsection (1), the commission may pay any sum it considers reasonable to the duly qualified medical practitioner who performs or authorizes the examination.

20 Oct 2006 cT-9.1 Reg 1 s12.

PART VI
Agreements

Agreements re reciprocal transfer of rights

13 The commission may enter into an agreement with any province or territory of Canada to provide for the reciprocal transfer of the rights and obligations of teachers pursuant to, or with respect to, teachers' retirement plans.

20 Oct 2006 cT-9.1 Reg 1 s13.

Agreements re Federal employment

14 The commission may enter into an agreement with the Government of Canada to provide for the transfer of rights and obligations of teachers pursuant to the Act or pursuant to any other superannuation Act covering teachers employed by the Government of Canada.

20 Oct 2006 cT-9.1 Reg 1 s14.

Agreements re transfer of rights under the Act

15(1) For the purposes of subclause 46(i)(v) of the Act and subsection (2), “**under the control of the Government of Saskatchewan**” includes a pension or superannuation plan that was under the control of the Government of Saskatchewan on the day that subclause 46(i)(v) of the Act came into force.

(2) The commission may enter into an agreement to provide for the transfer of rights and obligations of teachers pursuant to the Act with any of the following:

- (a) the Government of Canada;
- (b) the government of a province or territory of Canada;
- (c) the University of Saskatchewan;
- (d) The University of Regina;
- (e) a department, board, agency or other body that administers a pension or superannuation plan under the control of the Government of Saskatchewan;
- (f) an independent school in Saskatchewan that receives grants pursuant to *The Education Act, 1995*;
- (g) The Municipal Employees' Pension Commission continued pursuant to *The Municipal Employees' Pension Act*.

20 Oct 2006 cT-9.1 Reg 1 s15.

Administration of reciprocal transfer agreements

16(1) In this section, “**reciprocal transfer agreement**” means an agreement entered into by the commission pursuant to section 13.

(2) For the purposes of the Act, contributory service and eligibility service of a teacher who becomes entitled to an allowance pursuant to the Act as a result of a transfer under a reciprocal transfer agreement must be calculated in accordance with this section.

(3) If a teacher becomes entitled to an allowance pursuant to the Act as a result of a transfer under a reciprocal transfer agreement between the commission and the administrator of a defined contribution pension plan:

(a) the eligibility service of the teacher for the purposes of the Act must be calculated as the period with respect to which the teacher made contributions to the defined contribution plan from which the transfer is being made;

(b) if the teacher had an amount standing to his or her credit in the defined contribution plan as a result of a prior transfer of contributions to that plan, the eligibility service of the teacher for the purposes of the Act must include any period that would have been counted as eligibility service had the prior transfer been made pursuant to a reciprocal transfer agreement with the commission;

(c) subject to clause (d) and subsections (5) and (6), the amount of contributory service for the purposes of the Act must be calculated as the period of contributory service to which the teacher would have been entitled pursuant to the Act if the teacher had made contributions pursuant to the Act for the period during which the teacher made contributions to the defined contribution plan; and

(d) if the teacher is required to make a contribution in order for a period of service to be counted as contributory service, only the service for which a contribution has been made will be counted.

(4) If a teacher becomes entitled to an allowance pursuant to the Act as a result of a transfer under a reciprocal transfer agreement between the commission and the administrator of a defined benefit pension plan:

(a) the eligibility service of the teacher for the purposes of the Act must be calculated as the period of service with respect to which the teacher made or is deemed to have made contributions to the defined benefit pension plan from which the transfer is being made;

(b) if the reciprocal transfer agreement provides for the calculation of contributory service on the basis of the amount of money transferred pursuant to the agreement, the contributory service to be counted for the purposes of the Act is the amount calculated pursuant to the reciprocal transfer agreement;

(c) subject to clause (d) and subsections (5) and (6), if the reciprocal transfer agreement provides for the calculation of contributory service for the purposes of the Act on the basis of the amount of service with respect to which contributions were made to the plan from which the transfer is made, the contributory service to be counted for the purposes of the Act is the amount of service recorded by the administrator of the plan from which the transfer was made; and

(d) if the teacher is required to make a contribution in order for a period of service to be counted as contributory service, only the service for which a contribution has been made will be counted.

(5) If the entitlement of a teacher to an allowance has been divided as a result of a division of the teacher's family property before the teacher becomes entitled to an allowance pursuant to the Act as a result of a transfer under a reciprocal transfer agreement, the amount of contributory service that is to be counted for the purposes of the Act with respect to the period of service before the effective date of the division must be calculated in accordance with the following formula:

$$CS = PTS \times P$$

where:

CS is the amount of contributory service to be counted for the purposes of the Act;

PTS is the amount of service that would have been counted as contributory service pursuant to the plan from which the transfer was made had there not been a division; and

P is the proportion, expressed as a percentage, by which the entitlement of the teacher with respect to the period of service before the effective date of the division was reduced in accordance with the family property division.

(6) If the amount of contributory service of a teacher has been reduced by reason of a division of the teacher's family property before the teacher becomes entitled to an allowance pursuant to the Act as a result of a transfer under a reciprocal transfer agreement, no part of the amount of service by which the teacher's contributory service was reduced:

- (a) may be counted as contributory service for the purposes of the Act; or
- (b) may be purchased as contributory service pursuant to the Act.

20 Oct 2006 cT-9.1 Reg 1 s16.

PART VII Repeal and Coming into Force

R.R.S. c.T-9 Reg 1 repealed

17 *The Teachers' Superannuation Regulations* are repealed.

20 Oct 2006 cT-9.1 Reg 1 s17.

Coming into force

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

20 Oct 2006 cT-9.1 Reg 1 s18.

