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## PART II/PARTIE II

### REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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**REVISED REGULATIONS OF SASKATCHEWAN**

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**CHAPTER S-8 REG 6***The Saskatchewan Assistance Act*

## Section 14

Order in Council 343/2005, dated April 26, 2005

(Filed April 27, 2005)

**Title**

**1** These regulations may be cited as *The Transitional Employment Allowance Regulations, 2005*.

**Interpretation**

**2** In these regulations:

- (a) **“Act”** means *The Saskatchewan Assistance Act*;
- (b) **“applicant”** means an individual who applies for a transitional employment allowance;
- (c) **“category A client”** means an individual whose eligibility for a transitional employment allowance is determined pursuant to subsection 5(4);
- (d) **“category B client”** means an individual whose eligibility for a transitional employment allowance is determined pursuant to subsection 5(5);
- (e) **“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 month in which the individual attains that age;
- (f) **“client”** means an individual who has been determined to be eligible for a transitional employment allowance;
- (g) **“eligible family member”** means, with respect to an individual, a member of the family unit of the individual who is determined pursuant to section 6 to be an eligible family member;
- (h) **“excess asset”** means:
  - (i) residential property other than the principal residence of the individual;  
or
  - (ii) real or personal property used in a farming or business operation of the individual or a member of the individual’s family unit other than property that, in the opinion of a unit administrator, is essential to the farming or business operation;
- (i) **“family unit”** means, with respect to an individual:
  - (i) the individual;
  - (ii) the individual’s spouse, if any; and
  - (iii) the children, if any, of the individual or the individual’s spouse, including any children to whom the individual or the individual’s spouse stands *in loco parentis*;

- (j) **“liquid asset”** means:
- (i) cash on hand;
  - (ii) an amount on deposit in a financial institution;
  - (iii) the realizable value of:
    - (A) a stock, bond or other security;
    - (B) a mortgage or agreement for sale;
    - (C) an insurance policy;
    - (D) a bequest pursuant to a will;
    - (E) an award of damages pursuant to a court decision;
    - (F) a settlement of a claim;
- (k) **“participating spouse”** means a spouse who has been assessed by a unit administrator as being able to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service;
- (l) **“pre-employment service”** means a service not necessarily related to employment that, if received by an individual, is likely to assist the individual in becoming able to obtain employment;
- (m) **“SAP regulations”** means The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66;
- (n) **“self-sufficient”** means not eligible to receive:
- (i) a transitional employment allowance; or
  - (ii) assistance pursuant to the SAP regulations;
- (o) **“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 a parent of a child of the individual;
    - (C) is a parent 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;
- (p) **“transitional employment allowance”** means a transitional employment allowance described in section 15.

**Program continued**

**3** The Transitional Employment Allowance Program is continued to provide a transitional employment allowance to persons in need who:

- (a) are participating in, or are eligible to participate in, pre-employment programs approved by a unit administrator;
- (b) are receiving, or are eligible to receive, pre-employment services approved by a unit administrator;
- (c) are able to accept employment and are actively seeking employment; or
- (d) have a reasonable expectation of becoming self-sufficient.

**Eligibility for allowance**

**4** A transitional employment allowance may be paid to an applicant who is determined to be eligible pursuant to section 5, with respect to any allowances for which the applicant and any eligible family members of the applicant may be eligible pursuant to sections 16 to 21.

**Eligibility of applicant**

**5(1)** Subject to subsections (2) to (5), to be eligible for a transitional employment allowance:

- (a) an applicant:
  - (i) must be a Saskatchewan resident;
  - (ii) must have a budget deficit determined in accordance with section 7;
  - (iii) must satisfy a unit administrator that the means and resources of the applicant's family unit are not adequate to provide for one or more of the needs described in sections 16 to 21; and
  - (iv) must satisfy a unit administrator that the applicant has explored every possibility of providing for the needs of the applicant's family unit, including applying for any benefits, provided in Saskatchewan by any department or agency of any government or by any Crown corporation, for which the applicant or any other member of the applicant's family unit may be eligible; and
- (b) subject to subsection (3), the applicant and the applicant's spouse, if any, must not be receiving, or must not be eligible to receive, assistance pursuant to the SAP regulations, a training allowance pursuant to *The Training Allowance Regulations* or other similar benefits.

**(2)** The following individuals are not eligible for a transitional employment allowance:

- (a) an individual who is sentenced to a term of imprisonment of more than 30 days in:
  - (i) a correctional facility as defined in *The Correctional Services Act*; or
  - (ii) a custody facility as defined in *The Youth Justice Administration Act*;

- (b) an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);
  - (c) an individual who is not a Canadian citizen and who, pursuant to the *Immigration and Refugee Protection Act* (Canada), is not eligible to work in Canada;
  - (d) an individual who is a full-time student in a post-secondary educational program;
  - (e) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program.
- (3) The granting to an individual of a limited amount of assistance in circumstances of emergency assistance for a very short period pursuant to the SAP regulations does not disqualify the individual from eligibility for a transitional employment allowance.
- (4) To qualify as a category A client:
- (a) an applicant:
    - (i) must be determined by a unit administrator:
      - (A) to be available for employment; and
      - (B) to have a reasonable expectation of becoming self-sufficient;
    - (ii) must be:
      - (A) participating in, or eligible to participate in, a pre-employment program approved by a unit administrator;
      - (B) receiving, or eligible to receive, a pre-employment service approved by a unit administrator; or
      - (C) actively seeking employment; and
  - (b) if the applicant has a spouse who is determined by a unit administrator as being able to accept employment, participate in a pre-employment program or receive a pre-employment service, the spouse of the applicant must be:
    - (i) participating in, or eligible to participate in, a pre-employment program approved by a unit administrator;
    - (ii) receiving, or eligible to receive, a pre-employment service approved by a unit administrator; or
    - (iii) actively seeking employment.
- (5) To qualify as a category B client, an applicant must establish, to the satisfaction of a unit administrator, that he or she has a reasonable expectation of becoming self-sufficient within three calendar months after the month of the application.

**Eligible family members**

6(1) Subject to subsection (2), eligible family members of an individual are:

- (a) the spouse of the individual unless the spouse is living separate and apart from the individual; and
- (b) the children of the individual or the individual's spouse, including any children to whom the individual or the individual's spouse stands *in loco parentis*, other than children who:
  - (i) are living separate and apart from the individual; or
  - (ii) are not dependent on the individual and the individual's spouse for support.

(2) A spouse or child of an individual is not an eligible family member of the individual if the spouse or child is any of the following:

- (a) an individual who is sentenced to a term of imprisonment of more than 30 days in:
  - (i) a correctional facility as defined in *The Correctional Services Act*; or
  - (ii) a custody facility as defined in *The Youth Justice Administration Act*;
- (b) an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);
- (c) a full-time student in a post-secondary educational program;
- (d) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program.

**Budget deficit**

7(1) For the purposes of assessing the eligibility of an individual for a transitional employment allowance, a unit administrator:

- (a) shall, in accordance with section 8, determine the combined income of the individual and all eligible family members of the individual for the previous 30 days;
- (b) shall determine the total of all allowances to which the individual and the eligible family members of the individual would be entitled pursuant to these regulations if the individual were entitled to a transitional employment allowance;
- (c) shall determine the total of all liquid assets owned by the individual and the eligible family members of the individual;
- (d) shall determine whether the individual or any eligible family member of the individual owns excess assets; and
- (e) may review the circumstances surrounding a disposal of assets or an unusual expenditure by the individual or an eligible family member of the individual within the six calendar months immediately preceding the calendar month in which the individual's application for a transitional employment allowance was made.

- (2) Subject to subsections (3) and (4), an individual has a budget deficit if the combined income determined pursuant to clause (1)(a) is less than the total of allowances determined pursuant to clause (1)(b).
- (3) An individual does not have a budget deficit if:
- (a) in the case of an individual with no eligible family members, the total value of the liquid assets of the individual is greater than \$1,500; or
  - (b) in the case of an individual with one or more eligible family members, the total value of the liquid assets of the individual and the eligible family members is greater than \$3,000 for the individual and one eligible family member, plus \$500 for each additional eligible family member.
- (4) An individual does not have a budget deficit if a unit administrator is satisfied that:
- (a) the individual or an eligible family member of the individual's family unit owns excess assets; or
  - (b) a disposal of assets or an unusual expenditure, within the six calendar months immediately preceding the calendar month in which the individual's application for a transitional employment allowance was made, was carried out for the purpose of causing the individual to have a budget deficit.
- (5) Notwithstanding any other provision of these regulations, the minister may, in a particular case, do any of the following:
- (a) exclude from a determination pursuant to clause (1)(a) any amount of income that, in the minister's opinion, should not be included;
  - (b) exclude from a determination pursuant to clause (1)(c) any liquid asset that, in the minister's opinion, should not be included, or include in a determination pursuant to that clause any liquid asset that, in the minister's opinion, should be included;
  - (c) exclude from a determination pursuant to clause (1)(d) any asset that, in the minister's opinion, should not be considered an excess asset.

**Income**

- 8(1) In this section, "**overpayment**" means an overpayment to an individual of an amount in excess of the individual's entitlement under a program established pursuant to an Act or regulation of the Government of Saskatchewan, the Government of Canada or the government of any other province or territory of Canada.
- (2) Subject to subsections (3) to (7), the income of an individual is the net amount of moneys due to the individual from all sources other than the following:
- (a) the Saskatchewan Child Benefit, as defined in *The Child Benefit Regulations, 2001*;
  - (b) the SES benefit, as defined in *The Employment Supplement Regulations*;
  - (c) a benefit adjustment within the meaning of *The Benefit Adjustment Regulations*;



- (d) the RHS benefit, as defined in *The Rental Housing Supplement Regulations*;
  - (e) the DHS benefit, as defined in *The Disability Housing Supplement Regulations*;
  - (f) a payment by the minister 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;
  - (g) a payment made by the minister 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*;
  - (h) a payment made by the Department of Indian Affairs and Northern Development (Canada) for the foster care of children;
  - (i) the Canada Child Tax Benefit, within the meaning of the *Income Tax Act* (Canada);
  - (j) a refund of the goods and services tax credit within the meaning of the *Income Tax Act* (Canada);
  - (k) a refund of the Saskatchewan sales tax credit within the meaning of section 39 of *The Income Tax Act, 2000*.
- (3) Any employment income of an individual who is a child shall not be included as part of the individual's income.
- (4) If an individual receives revenue for providing room and board in the individual's home to a person who is not a member of the individual's family unit, not more than \$25 per month of that revenue shall be considered as income for the purposes of subsection (2).
- (5) If an individual receives revenue for providing accommodation without board in the individual's home to a person who is not a member of the individual's family unit, not more than \$75 per month of that revenue shall be considered as income for the purposes of subsection (2).
- (6) If an individual's income is subject to attachment or garnishment or other similar process, the amount attached or garnished shall not be deducted from the individual's income for the purposes of subsection (2).
- (7) The amount of any overpayment recovered from an individual by set-off or any other means shall be considered as income for the purposes of subsection (2).

**Duration of allowance – category A clients**

**9** A category A client is eligible to receive a transitional employment allowance commencing on the date of the client's application and ending when:

- (a) the client becomes self-sufficient;
- (b) the client ceases to participate in a pre-employment program and is not actively seeking employment;
- (c) the client ceases to receive a pre-employment service and is not actively seeking employment;

- (d) the client ceases to seek employment;
- (e) if the client's spouse is a participating spouse:
  - (i) the spouse ceases to participate in a pre-employment program and is not actively seeking employment;
  - (ii) the spouse ceases to receive a pre-employment service and is not actively seeking employment; or
  - (iii) the spouse ceases to seek employment; or
- (f) the client's entitlement to receive payments is terminated pursuant to section 28.

**Duration of allowance – category B clients**

**10** A category B client is eligible to receive a transitional employment allowance commencing on the date of the client's application and ending on the last day of the third calendar month following the month of application unless, before the expiry of that period:

- (a) the client becomes self-sufficient; or
- (b) the client's entitlement to receive payments is terminated pursuant to section 28.

**Duration of allowance – family members**

**11** A client is eligible to receive a transitional employment allowance with respect to a member of a client's family unit while:

- (a) the client continues to be eligible pursuant to section 9 or 10; and
- (b) the family member continues to be an eligible family member.

**Application**

**12(1)** An applicant who wishes to obtain a transitional employment allowance must apply to the department and:

- (a) provide the information requested by a unit administrator that is necessary to establish:
  - (i) the eligibility of the applicant and members of the applicant's family unit to receive a transitional employment allowance; and
  - (ii) the types of allowances to which the applicant and members of the applicant's family unit may be entitled; and
- (b) subject to subsection (2), provide the social insurance numbers and health services numbers of the applicant and the applicant's spouse, if any, and give consent to their use:
  - (i) in the case of the social insurance numbers, to verify the eligibility of the applicant and the applicant's spouse; and
  - (ii) in the case of the health services numbers, for the purposes of nominating the applicant and members of the applicant's family unit pursuant to section 24 to receive supplementary health benefits.

(2) If an applicant or an applicant's spouse has applied for a health services number or social insurance number but has not yet received it, a unit administrator may accept evidence of that application, supplied by the applicant.

(3) An applicant may apply:

- (a) by telephone; or
- (b) in writing using a form supplied by the department.

**Confirmation of application, consent**

**13(1)** If an application is made, the applicant and the applicant's spouse, if any, must confirm the application in person by:

- (a) meeting with a representative of the department;
- (b) reviewing the information supplied by the applicant as set out in a form supplied by the department;
- (c) correcting any errors in the information mentioned in clause (b); and
- (d) making a statutory declaration respecting the correctness of the information.

(2) If an application is not confirmed in accordance with subsection (1) within 15 days after the application is made, the application is discontinued and will not be processed unless, in the opinion of a unit administrator, exceptional circumstances exist.

(3) The form mentioned in subsection (1) must include:

- (a) a declaration that the applicant and the applicant's spouse, if any, are aware of the obligation to report any changes in circumstances that affect the eligibility of the client to receive a transitional employment allowance or the amount of the transitional employment allowance to which the client is entitled; and
- (b) the consent of the applicant and the applicant's spouse, if any, to the disclosure to the department of personal information with respect to the family unit in the records of government departments and agencies and other bodies for the purpose of determining which members of the family unit are eligible family members.

**Effect of eligibility on payment of assistance**

**14** Except for a limited amount of assistance granted in circumstances of emergency for a very short period, assistance pursuant to the SAP regulations shall not be paid to a client with respect to any period for which the client is eligible to receive a transitional employment allowance.

**Amount of transitional employment allowance**

**15(1)** Subject to subsection (2), the amount of a transitional employment allowance that may be paid to a client is the total of all allowances for which the client is determined to be eligible in accordance with sections 16 to 21.

(2) The amount of a transitional employment allowance that may be paid to a client for a month is to be reduced by the amount of any income that is received by the client or any eligible family member of the client in the previous month.

**Allowances for general living expenses**

**16(1)** A general living allowance with respect to the costs of accommodation, food, clothing, household expenses, personal needs and incidental expenses that are essential to minimum living requirements may be provided to a client who lives in accommodation for which the client pays an amount that does not include the provision of food.

(2) A board and room general living allowance with respect to the costs of accommodation, food, clothing, personal needs and incidental expenses that are essential to minimum living requirements may be provided to a client who lives in accommodation for which the client pays an amount that includes the provision of food.

(3) A personal living allowance with respect to the costs of clothing, personal needs and incidental expenses that are essential to minimum living requirements may be provided to a client who lives in accommodation in which the client receives accommodation and food without payment or with only a token payment.

(4) The amounts of the allowances described in subsections (1) to (3) are to be determined in accordance with a schedule of rates established by the minister in accordance with subsection (5).

(5) For the allowances described in subsections (1) to (3), the minister may establish rates that vary in accordance with any of the following:

- (a) the number of adults in a client's family unit who are eligible family members;
- (b) the number of children in a client's family unit who are eligible family members;
- (c) the locality in which a client's accommodation is situated;
- (d) the date of a client's application for a transitional employment allowance.

(6) Notwithstanding any other provision of this section, if a client establishes his or her eligibility for an allowance pursuant to subsection (1), the allowance to which the client is entitled is to be calculated in accordance with the following rules:

- (a) subject to clauses (b) and (c), the allowance is to be calculated from the date of his or her application;
- (b) if the allowance is applied for after the start of a month and the client has paid his or her accommodation costs for that month before making the application, the allowance for the first month must be prorated based on the number of days in the month for which the client is eligible to receive the allowance;
- (c) if the allowance is applied for after the start of a month and the client has not paid his or her accommodation costs for that month before making the application, the allowance for the first month must be reduced by an amount, as set out in the schedule of rates established by the minister pursuant to subsection (5), for each day in the month before the client applied for the allowance.

(7) For the purposes of subsection (6), the number of days in a month is deemed to be 30.

**Northern food allowance**

**17(1)** In addition to any allowance that may be provided to a client pursuant to section 16, a northern food allowance may be provided to a client 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 any of the following:

- (a) the number of adults in a client's family unit who are eligible family members;
- (b) the number of children in a client's family unit who are eligible family members;
- (c) the locality in which a client's accommodation is situated;
- (d) the date of a client's application for a transitional employment allowance.

(3) The amount of a northern food allowance to which a client is entitled is to be calculated in accordance with the following rules:

- (a) subject to clause (b), the allowance is to be calculated from the date of his or her application;
- (b) if the allowance is applied for after the start of a month, the allowance for the first month must be prorated based on the number of days in the month for which the client is eligible to receive the allowance.

(4) For the purposes of subsection (3), the number of days in a month is deemed to be 30.

**Utilities allowance**

**18(1)** A utilities allowance may be provided to a client who is eligible for a general living allowance pursuant to subsection 16(1) if the client pays for any of the following utilities:

- (a) telephone;
- (b) electricity;
- (c) home heating;
- (d) sewer and water.

(2) A utilities allowance with respect to a telephone utility may be provided to a client who is eligible for a board and room general living allowance pursuant to subsection 16(2) if the client pays for the telephone utility.

(3) The amount of a utilities allowance mentioned in subsection (1) or (2) is to be determined in accordance with a schedule of rates established by the minister in accordance with subsection (4).

(4) For the purposes of subsection (3), the minister may establish rates that vary in accordance with the following:

- (a) the number and type of utilities that a client pays for;

- (b) the number of persons with respect to whom the general living allowance is being provided;
  - (c) the locality in which the client's accommodation is situated.
- (5) Notwithstanding any other provision of this section, if a client establishes his or her eligibility for an allowance pursuant to subsection (1) or (2), the allowance to which the client is entitled is to be calculated in accordance with the following rules:
- (a) subject to clauses (b) and (c), the allowance is to be calculated from the date of his or her application;
  - (b) if the allowance is applied for after the start of a month and the client has paid his or her utility costs for that month before making the application, no allowance for the first month is payable to the client;
  - (c) if the allowance is applied for after the start of a month and the client has not paid his or her utility costs for that month before making the application, the allowance for the first month is the amount for the month as set out in the schedule of rates established by the minister.
- (6) For the purposes of subsection (5), the number of days in a month is deemed to be 30.

**Allowance for employment-related costs**

**19(1)** In this section, "**employment-related costs**" means any employment-related expenditures, including travel costs but not including relocation costs or child care costs, that, in the opinion of a unit administrator, are necessary to enable an individual to accept employment, participate in a pre-employment program or receive a pre-employment service.

(2) If, in the opinion of a unit administrator, it is unlikely that an individual would be able to accept employment, participate in a pre-employment program or receive a pre-employment service without additional assistance, a unit administrator may approve payment of allowances not exceeding amounts determined by the minister with respect to employment-related costs of:

- (a) a client; and
- (b) a client's spouse, if the spouse is a participating spouse.

**Allowance for relocation costs**

**20** A unit administrator may approve payment of an allowance not exceeding an amount determined by the minister with respect to relocation costs if, in the opinion of the unit administrator:

- (a) the relocation costs are employment-related; or
- (b) exceptional circumstances exist.

**Allowance for child care costs**

**21(1)** In this section, "**child care costs**" means any child care expenditures that, in the opinion of a unit administrator, are necessary to enable an individual to accept employment, actively seek employment, participate in a pre-employment program or receive a pre-employment service.

(2) Subject to subsection (3), if, in the opinion of a unit administrator, it is unlikely that an individual would be able to accept employment, actively seek employment, participate in a pre-employment program or receive a pre-employment service without additional assistance, a unit administrator may approve payments of allowances not exceeding amounts determined by the minister with respect to child care costs for each half day or full day in which a client incurs child care costs and works, actively seeks employment, participates in a pre-employment program or receives a pre-employment service while remaining eligible for a transitional employment allowance.

(3) In the case of a client with a participating spouse, an allowance with respect to child care costs is to be paid only if the client and the spouse are both working, actively seeking employment, engaged in a pre-employment program or receiving a pre-employment service.

**Payment of allowance**

**22(1)** The payment of a transitional employment allowance may be made to a client by direct deposit to an account of the client with a financial institution or by cheque payable to the client.

(2) After the first payment, a transitional employment allowance may be paid twice monthly or monthly while the client remains eligible.

(3) A written statement of transitional employment allowance payments will be provided to a client.

**Lost, stolen or forged cheques**

**23(1)** A client may apply to a unit administrator for a cheque to replace a cheque payable to the client for a transitional employment allowance:

- (a) that the client alleges has been lost or stolen; or
- (b) on which the client alleges his or her signature has been forged.

(2) A client who applies for a replacement cheque must make a statutory declaration in support of the application, setting out all relevant facts relating to the loss or theft of the cheque or the forgery of the client's signature that the unit administrator requests the client to set out.

(3) This section shall not be construed as providing expressly or by implication that a replacement cheque will be provided to a client who applies for a replacement cheque, and no replacement cheque is to be provided to a client unless the unit administrator is satisfied that it is appropriate to do so.

**Supplementary health benefits**

**24** Supplementary health benefits specified in the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66, may be provided to a client and eligible family members of a client.

**Temporary assistance in special circumstances**

**25(1)** If, in the opinion of a unit administrator, a client is experiencing circumstances that pose an immediate threat to the health or safety of the client or an eligible family member of the client, the unit administrator may grant to the client temporary assistance in an amount not exceeding \$1,000 approved by the unit administrator.

(2) Without limiting the generality of subsection (1), temporary assistance may be granted pursuant to subsection (1) with respect to any of the following:

- (a) travel required to obtain treatment for a serious medical condition;
- (b) provision of temporary accommodation to persons evicted with little or no notice or persons whose accommodation has been destroyed by fire or other disaster;
- (c) reinstatement of a utility service if the service is cut off, or continuation of a utility service if the service is about to be cut off.

**Report of changes**

**26(1)** A client must report immediately to the department:

- (a) any changes in the composition of the client's family unit or in the factors relating to the eligibility of family members;
  - (b) any offer of employment received by the client or the client's spouse;
  - (c) any changes in:
    - (i) the income of the client or the client's spouse;
    - (ii) the place of residence or the mailing address of the client;
    - (iii) the type of the client's accommodation; or
    - (iv) the number or type of utilities that the client pays for; or
  - (d) the ceasing of the client or the client's spouse to work, to actively seek employment, to participate in a pre-employment program or to receive a pre-employment service.
- (2) A category A client must, from time to time in accordance with subsections (3) and (4), submit a report to the department:
- (a) with respect to the occurrence of any of the matters described in subsection (1); or
  - (b) if none of the matters described in subsection (1) has occurred, with respect to that fact.
- (3) A unit administrator shall determine an appropriate reporting period for a category A client and shall give written notice to the client of the client's reporting period and the first reporting date at least 15 days before the first reporting date.
- (4) A category A client shall submit a report described in subsection (2):
- (a) on or before the first reporting date; and
  - (b) after the first reporting date, not later than the last day of the reporting period mentioned in subsection (3).
- (5) A category B client must report to the department any changes in circumstances that affect the eligibility of the client to receive the transitional employment allowance or the amount of the transitional employment allowance to which the client may be entitled as soon as is reasonably practicable after the changes occur.
- (6) Subject to subsections (7) and (8), a report required by this section may be made by telephone or in writing.



(7) Subject to subsection (8), if a client makes a report by telephone, the client must confirm that report in writing within 15 days after making the report by telephone.

(8) A report pursuant to subsection (2) made in writing or a written confirmation pursuant to subsection (7) of a report made by telephone must be on a form supplied by the department.

**Reassessment**

**27** A unit administrator must reassess the amount of a transitional employment allowance to be paid to a client if changes in circumstances affect the amount of the transitional employment allowance to which the client is entitled.

**Termination**

**28(1)** A unit administrator may terminate the payment of a transitional employment allowance to a client if:

- (a) the client or the client's spouse obtains employment and fails to report that fact to the department;
  - (b) the unit administrator is satisfied that:
    - (i) employment of a type that the client is capable of undertaking is available; and
    - (ii) the client is refusing, without reasonable excuse, to accept that employment; or
  - (c) in the case of a client with a participating spouse, the unit administrator is satisfied that:
    - (i) employment of a type that the participating spouse is capable of undertaking is available; and
    - (ii) the participating spouse is refusing, without reasonable excuse, to accept that employment.
- (2) A unit administrator may terminate the payment of a transitional employment allowance to a category A client if:
- (a) the client fails to submit a report in accordance with subsection 26(1) or (2);
  - (b) the client fails to confirm a report in accordance with subsection 26(7);
  - (c) changes in circumstances affect the eligibility of the client to receive a transitional employment allowance;
  - (d) the unit administrator determines that the client is not able to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service;
  - (e) the client fails to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service;

- (f) if the client's spouse is a participating spouse:
  - (i) the unit administrator determines that the spouse is not able to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service; or
  - (ii) the spouse fails to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service.
- (3) A unit administrator may terminate the payment of a transitional employment allowance to a category B client if:
  - (a) the client fails to submit a report in accordance with subsection 26(5); or
  - (b) the client fails to confirm a report in accordance with subsection 26(7).

**Notice of change in amount, termination**

**29** If the amount of a client's transitional employment allowance is changed as a result of a reassessment pursuant to section 27 or a client's entitlement to receive a transitional employment allowance is terminated pursuant to section 28, written notice of the change or the termination is to be given to the client by the department.

**Reconsideration**

**30(1)** Within 15 days after the date of the decision, an applicant or client may request a unit administrator to reconsider a written decision with respect to any of the following matters:

- (a) assessment or reassessment of eligibility;
- (b) termination of entitlement to receive a transitional employment allowance;
- (c) assessment of an overpayment.

(2) A unit administrator who receives a request pursuant to subsection (1) must reconsider the decision that is the subject of the request within seven days after receiving the request and provide the applicant or client with a written decision as soon as is reasonably possible.

**Appeal**

**31(1)** Within 15 days after the date of the decision being appealed, an applicant or client may appeal a written decision of a unit administrator made on a reconsideration pursuant to section 30 with respect to any of the following matters:

- (a) assessment or reassessment of eligibility;
- (b) termination of entitlement to receive a transitional employment allowance.

(2) An appeal of a decision mentioned in subsection (1) may be made to an appeal committee established by the minister pursuant to subsection 10(1) of *The Department of Social Services Act*.

(3) Section 41 of the SAP regulations applies, with any necessary modification, to an appeal pursuant to subsection (1).

(4) A client may appeal a written decision of a unit administrator respecting the assessment of an overpayment in accordance with the Act.

**Further appeal**

**32(1)** Within 15 days after the date of the decision being appealed, an applicant or client or a unit administrator may appeal a decision of the appeal committee pursuant to section 31 to the Social Services Appeal Board established pursuant to section 10 of *The Department of Social Services Act*.

(2) Section 43 of the SAP regulations applies, with any necessary modification, to an appeal pursuant to subsection (1).

**Interim allowance pending appeal**

**33(1)** If an applicant or client requests a reconsideration of a decision pursuant to section 30, the unit administrator may grant to the applicant or client an interim allowance that is payable during the period commencing on the day on which the request for reconsideration is received by the unit administrator and ending on the earliest of the following:

- (a) the day on which the unit administrator, as a result of a reconsideration, reverses the original decision and makes a new decision in favour of the applicant or client;
- (b) the day on which the right to commence an appeal pursuant to section 31 expires with no appeal having been commenced;
- (c) the day on which a decision is made in favour of the applicant or client on an appeal pursuant to section 31;
- (d) the day on which the rights of the applicant or client and the unit administrator to commence a further appeal pursuant to section 32 expire with no appeal having been commenced;
- (e) the day on which a decision is made on a further appeal pursuant to section 32.

(2) The amount of an interim allowance is:

- (a) the total of:
  - (i) a general living allowance determined in accordance with subsection 16(1); and
  - (ii) a utilities allowance determined in accordance with subsection 18(1);  
or
- (b) a board and room general living allowance determined in accordance with subsection 16(2).

(3) Notwithstanding any other provision of this section, if an applicant or client is granted an interim allowance pursuant to subsection (1), the interim allowance to which the applicant or client is entitled is to be calculated in accordance with the following rules:

- (a) subject to clause (b), the interim allowance is to be calculated from the date of his or her application;
- (b) if the interim allowance is applied for after the start of a month, the interim allowance for the first month must be prorated based on the number of days in the month for which the applicant or client is eligible to receive the interim allowance.

(4) For the purposes of subsection (3), the number of days in a complete month is deemed to be 30.

(5) If, in the opinion of a unit administrator, exceptional circumstances exist, the unit administrator may grant, in addition to an interim allowance, an amount not exceeding \$500 that, in the opinion of the unit administrator, is necessary to meet those exceptional circumstances.

**R.R.S. c.S-8 Reg 5 repealed**

**34** *The Transitional Employment Allowance Regulations* are repealed.

**Transitional**

**35(1)** Subject to subsection (2), if, immediately before the coming into force of these regulations, an individual was eligible to receive a transitional employment allowance pursuant to *The Transitional Employment Allowance Regulations* as they existed immediately before the coming into force of these regulations, the individual is eligible to receive a transitional employment allowance pursuant to these regulations until the individual ceases to be eligible in accordance with these regulations or the individual's entitlement is terminated pursuant to section 28 of these regulations.

(2) The amount of any income that is received by eligible family members other than the spouse of an individual to whom subsection (1) applies shall not be included in reducing the amount of the individual's transitional employment allowance pursuant to subsection 15(2).

(3) An appeal commenced pursuant to *The Transitional Employment Allowance Regulations* that has not been finally determined on the coming into force of these regulations is continued and shall be determined in accordance with those regulations.

(4) Sections 30 to 33 of these regulations apply, with any necessary modification, to decisions of a unit administrator pursuant to *The Transitional Employment Allowance Regulations* for which a right of appeal existed immediately before the coming into force of these regulations, but the rights of the appellant shall be determined in accordance *The Transitional Employment Allowance Regulations* as if they were still in force.

**Coming into force**

**36(1)** Subject to subsection (2), these regulations come into force on May 1, 2005.

(2) If these regulations are filed with the Registrar of Regulations after May 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 38/2005***The Parks Act*

Sections 27 and 35

Order in Council 344/2005, dated April 26, 2005

(Filed April 27, 2005)

**Title****1** These regulations may be cited as *The Parks Amendment Regulations, 2005*.**R.R.S. c.P-1.1 Reg 6 amended****2** *The Parks Regulations, 1991* are amended in the manner set forth in these regulations.**Section 14 amended****3 Subsection 14(3) is amended:**

(a) by striking out “or” after subclause (d)(iii);

(b) by adding “or” after clause (e); and

(c) by adding the following clause after clause (e):

“(f) fail to comply with any terms or conditions of a camping permit”.

**Section 55 amended****4(1) Clause 55(1)(a) is amended by adding “licence, permit,” after “application for a”.****(2) Subsection 55(2) is repealed and the following substituted:**

“(2) In addition to any penalty imposed by the Act, if a person supplies false or misleading information to the minister on an application for a licence, permit, disposition or consent, the minister may cancel the licence, permit, disposition or consent”.

**Appendix amended****5 The following Item is added after Item 3 in Table 1 of the Appendix:****3.1 Recreational Lease Fees – 2005-2006 fiscal year:**

Notwithstanding Item 3, recreation lease fees for a disposition in the fiscal year commencing April 1, 2005 are to be those that were payable for that disposition in the fiscal year ending March 31, 2005”.

**Coming into force****6** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 39/2005***The Student Assistance and Student Aid Fund Act, 1985*

## Section 10

Minister's Order, dated April 28, 2005

(Filed April 28, 2005)

**Title**

1 These regulations may be cited as *The Saskatchewan Student Direct Loans Amendment Regulations, 2005*.

**R.R.S. S-61.1 Reg 1, new section 19.2**

2 *The Saskatchewan Student Direct Loans Regulations* are amended by adding the following section after section 19.1:

**“Limitations exception**

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

**Coming into force**

3(1) Subject to subsection (2), these regulations come into force on the day on which *The Limitations Act* comes into force.

(2) If *The Limitations Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

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**SASKATCHEWAN REGULATIONS 40/2005***The Student Assistance and Student Aid Fund Act, 1985*

## Section 10

Minister's Order, dated April 28, 2005

(Filed April 28, 2005)

**Title**

1 These regulations may be cited as *The Lender-financed Saskatchewan Student Loans Amendment Regulations, 2005*.

**R.R.S. S-61.1 Reg 3, new section 32.01**

2 *The Lender-financed Saskatchewan Student Loans Amendment Regulations* are amended by adding the following section after section 32:

**“Limitations exception**

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

**Coming into force**

3(1) Subject to subsection (2), these regulations come into force on the day on which *The Limitations Act* comes into force.

(2) If *The Limitations Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 41/2005***The Student Assistance and Student Aid Fund Act, 1985*

## Section 10

Minister's Order, dated April 28, 2005

(Filed April 28, 2005)

**Title**

**1** These regulations may be cited as *The Student Assistance and Student Aid Fund Amendment Regulations, 2005*.

**R.R.S. S-61.1 Reg 5, new section 10.1**

**2** *The Student Assistance and Student Aid Fund Regulations, 2001* are amended by adding the following section after section 10:

**“Limitations exception**

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

**Coming into force**

**3(1)** Subject to subsection (2), these regulations come into force on the day on which *The Limitations Act* comes into force.

(2) If *The Limitations Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

