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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

CHAPTER A-20.2 REG 15

The Animal Products Act

Section 18

Order in Council 671/2014, dated December 18, 2014

(Filed December 18, 2014)

PART I

Preliminary Matters

Title

1 These regulations may be cited as *The Milk Products Compositional Standards Regulations, 2014*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Animal Products Act*;
- (b) “**approved laboratory**” means a laboratory approved by an inspector;
- (c) “**bacterial culture**” means a growth of harmless acid and aroma producing bacteria;
- (d) “**business day**” means a day other than a Saturday, Sunday or holiday;
- (e) “**butterfat**” or “**milk fat**” means the fat of milk;
- (f) “**compositional standards**” means:
 - (i) the compositional standards for milk products set out in the federal regulations mentioned in clause 11(1)(a); and
 - (ii) the compositional standards set out in the Appendix;
- (g) “**cream**” means the fatty liquid prepared from milk by separating milk constituents in a manner that increases the milk fat content;
- (h) “**fluid milk**” means any milk product that is marketed or offered for sale in Saskatchewan in fluid form other than reconstituted, evaporated or condensed milk;
- (i) “**improperly branded milk products**” means milk products that are marketed with a false or misleading description, name or statement;
- (j) “**licence**” means a valid licence issued pursuant to these regulations;
- (k) “**manufacturing**” or “**processing**” means changing the nature, quality or condition of milk and includes pasteurizing, standardizing, dehydrating or ultrafiltering milk;

- (l) **“milk”** means the lacteal secretion, free of colostrum, obtained from the mammary gland of a cow;
- (m) **“milk product”** means any milk product or dairy product manufactured or processed wholly or primarily from milk;
- (n) **“processing establishment”** means a building or a collection of buildings where milk is received, processed into a milk product, cooled, stored, packaged or otherwise prepared for sale for human consumption;
- (o) **“processor”** means any person engaged in the business of manufacturing or processing milk;
- (p) **“reconstituted milk”** means milk resulting from combining whole milk powder or skim milk powder with water.

Application of regulations

3(1) These regulations apply:

- (a) throughout Saskatchewan; and
- (b) to all persons engaged in the manufacturing, sale or processing of milk products in Saskatchewan.

(2) These regulations do not apply to category II milk plants as defined in *The Milk Pasteurization Regulations*.

PART II
Licensing

Licence to act as processor required

- 4(1) No person shall, except under the authority of a licence issued pursuant to these regulations, carry on business or operate as a processor.
- (2) Every licence continues in force indefinitely unless it is suspended or cancelled in accordance with these regulations.
- (3) A separate licence is required for each location of a processing establishment at which a person carries on business or operates as a processor, and every person who holds a licence is deemed to be a separate processor with respect to each location.

Application for licence

5 Every applicant for a licence shall:

- (a) apply to the minister in the form provided by the minister;
- (b) submit to the minister a \$300 non-refundable application fee, payable to the Minister of Finance; and
- (c) provide the minister with any other information or material that the minister may reasonably require.

Issuance of licence

6(1) The minister may:

- (a) issue a licence to an applicant if the minister:
 - (i) receives an application together with the application fee pursuant to section 5; and
 - (ii) is satisfied that the applicant has complied with the Act and these regulations; or
- (b) subject to section 10, refuse to issue a licence.

(2) Not more than one processing establishment shall be maintained under the same licence, but the minister may issue more than one licence to the same applicant or licensee who applies in accordance with these regulations.

Effect of licence

7 A licence authorizes the licensee to carry on business or operate as a processor at the processing establishment location specified in the licence.

Terms and conditions

8(1) In this section, “**milk pasteurization licence**” means a licence issued pursuant to section 6 of *The Milk Pasteurization Regulations*.

(2) Subject to section 10, at the time a licence is issued, the minister may impose any terms and conditions that the minister considers necessary.

(3) Subject to section 10, at any time after a licence is issued, the minister may do all or any of the following:

- (a) amend, modify or vary terms and conditions imposed on a licence;
- (b) impose new terms and conditions on a licence;
- (c) repeal terms and conditions imposed on a licence and substitute new terms and conditions in their place.

(4) Every licensee shall:

- (a) comply with the Act and these regulations;
- (b) in the case of a processing establishment engaging in interprovincial trade, be registered in accordance with section 10 of the *Dairy Products Regulations* (Canada);
- (c) hold a valid milk pasteurization licence;
- (d) inform the minister of any change to the status of the federal registration or milk pasteurization licence within 48 hours after the change;
- (e) provide a list of all processing procedures used in the manufacturing of milk products to ensure the processing establishment is in compliance with the compositional standards set out in these regulations;

- (f) provide a list of all milk products produced in the processing establishment during the previous year by January 31 of each year;
- (g) inform the minister of any change to the types of products produced by the processing establishment within 10 business days after the change;
- (h) provide the minister with any other information or material that the minister may reasonably require; and
- (i) comply with any additional terms and conditions imposed on the licensee's licence.

Suspension or cancellation of licence

9(1) Subject to section 10, the minister may suspend or cancel a licence if the licensee:

- (a) has failed to comply with any provision of the Act or of these regulations;
- (b) has made a material misstatement in the application for the licensee's licence; or
- (c) has been guilty of misrepresentation, fraud or dishonesty.

(2) If the minister considers it appropriate to do so, the minister may reinstate a licence that has been suspended.

Opportunity to be heard

10(1) Before the minister takes any action pursuant to clause 6(1)(b) or subsection 8(2), (3) or 9(1), the minister shall provide the person affected with:

- (a) written notice of the minister's intended action and the reasons for that intended action; and
- (b) an opportunity to make written representations to the minister, within a period set by the minister, as to why the intended action should not be taken.

(2) The minister is not required to give an oral hearing to any person to whom a notice has been provided pursuant to subsection (1).

(3) After considering the representations mentioned in subsection (1), the minister shall issue a written decision and shall serve a copy of the decision on the person as soon as is practicable after the decision is made.

(4) Notwithstanding subsection (1), if the minister considers that it is necessary to protect the public interest, the minister may immediately take any action described in subsection 8(3) or 9(1) without giving the person an opportunity to be heard, but the minister shall give the person an opportunity to be heard within 20 business days after the date on which the minister takes the action.

(5) Every notice or decision required to be given by the minister pursuant to this section is to be served:

- (a) personally; or
- (b) by ordinary or registered mail to the last known address of the person being served.

(6) A document served by ordinary mail or registered mail is deemed to have been received on the fifth business day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of the person, he or she did not receive the document or that he or she received it at a later date.

(7) Irregularity in the service of a notice or decision does not affect the validity of an otherwise valid notice or decision.

PART III Administration

Processors to comply with compositional standards

11(1) Every processor shall ensure that all milk products manufactured or processed for sale in Saskatchewan by the processor comply with:

- (a) the compositional standards for milk products set out in:
 - (i) the *Dairy Products Regulations* (Canada); and
 - (ii) Division 8 of Part B of the *Food and Drug Regulations* (Canada); and
- (b) the applicable compositional standards set out in the Appendix.

(2) If there is a conflict or inconsistency between a provision of the federal regulations mentioned in clause (1)(a) and a compositional standard set out in the Appendix, the compositional standard set out in the Appendix prevails.

(3) In manufacturing or processing any fluid milk, no processor shall remove or break down any constituents from the fluid milk other than butterfat, water or lactose to the extent required or permitted by these regulations.

(4) On the request of the minister or an inspector, a processor shall provide evidence satisfactory to the minister or inspector that any milk product manufactured or processed for sale in Saskatchewan by the processor complies with the applicable compositional standards.

Sale of non-compliant and improperly branded milk products prohibited

12 No person shall market or possess for sale in Saskatchewan:

- (a) any milk products not in compliance with the applicable compositional standards;
- (b) any improperly branded milk products; or
- (c) any cream that does not identify the percentage of butterfat on the container.

Sample testing

13(1) On the request of an inspector, a processor shall:

- (a) submit to an approved laboratory for testing a representative sample of any milk products produced at the processing establishment; and
- (b) direct the approved laboratory to provide a copy of the complete report from the laboratory as soon as possible after completion of the report to:
 - (i) the processor who submitted the sample; and
 - (ii) the inspector.

(2) Notwithstanding subsection (1), an inspector:

- (a) may, from time to time, submit to an approved laboratory for testing a representative sample of the following:
 - (i) milk products produced at a processing establishment;
 - (ii) milk products sold or offered for sale in Saskatchewan;
- (b) shall, on submitting a sample pursuant to clause (a), notify the processor as soon as possible:
 - (i) that testing is being conducted on one or more milk products from the processor's processing establishment; and
 - (ii) of the address of the approved laboratory at which the testing is being performed; and
- (c) shall, as soon as possible after receiving a copy of the complete report from the approved laboratory, provide a written copy of the complete report to the processor.

Failed compositional tests

14(1) If a report from an approved laboratory pursuant to section 13 shows that a compositional standard set out in subsection 11(1) is not met, the processor shall take any action required by the inspector, including any or all of the following:

- (a) submit additional milk products for sampling;
- (b) recall all milk products produced in the same production batch as the sample that failed to meet the compositional standards;
- (c) segregate the milk products not in compliance with the requirements of these regulations, including all other milk products produced in the same production batch, from all other products produced;
- (d) destroy the milk products not in compliance with the requirements of these regulations in the manner required by the inspector;
- (e) any other action specified by the minister or the inspector.

(2) If a report from an approved laboratory pursuant to section 13 shows that the milk products that were tested are improperly branded milk products, the inspector may require any person marketing or possessing the milk products for sale in Saskatchewan to take any action required by the inspector, including any or all of the actions mentioned in subsection (1).

(3) If the inspector finds that a milk product is not in compliance with the requirements of these regulations as determined by any test approved by the inspector that the inspector may cause to be performed in accordance with subsection 13(2), the inspector:

(a) shall provide the processor or the person marketing or possessing the milk products for sale in Saskatchewan with a notice in writing prohibiting the selling, supplying or offering for sale of the milk products not in compliance with the requirements of these regulations; and

(b) may, in the notice mentioned in clause (a), set any terms and conditions for the actions described in section 13.

(4) No person to whom notice has been given pursuant to this section shall fail to take the action required by the inspector.

PART IV

Repeal and Coming into Force

R.R.S. c.A-20.2 Reg 14 repealed

15 *The Milk Products Compositional Standards Regulations* are repealed.

Coming into force

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

Appendix

[Clause 11(1)(b)]

Milk Product	Compositional Standard
1. buttermilk or cultured buttermilk	a milk product containing not more than 3.25% milk fat and not less than 0.7% lactic acid
2. 2% partly or partially skimmed milk	fluid milk containing not less than 1.9% and not more than 2.1% butterfat and not less than 8.25% non-fat milk solids
3. 1% partly or partially skimmed milk	fluid milk containing not less than 0.9% and not more than 1.1% butterfat and not less than 8.25% non-fat milk solids
4. whipping cream	fluid milk containing not less than 32% butterfat
5. whole milk	fluid milk containing not less than 3.25% butterfat and not less than 8.0% non-fat milk solids

CHAPTER S-8 REG 12*The Saskatchewan Assistance Act*

Section 14

Order in Council 669/2014, dated December 18, 2014

(Filed December 18, 2014)

PART I

Preliminary Matters**Title****1** These regulations may be cited as *The Saskatchewan Assistance Regulations, 2014*.**Interpretation****2(1)** In these regulations:

- (a) **“Act”** means *The Saskatchewan Assistance Act*;
- (b) **“appeal board”** means an 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 is made;
- (e) **“benefit”** means a benefit provided in accordance with these regulations;
- (f) **“child”** means:
 - (i) a person under 18 years of age; or
 - (ii) a person who is 18 years of age or over but under 19 years of age and who is in attendance at a secondary educational institution;and includes a stepchild or child with respect to whom a person stands in the place of a parent;
- (g) **“dependant”** means:
 - (i) the spouse of a recipient, unless that spouse is living separate and apart from the recipient; and
 - (ii) any child of a recipient or of his or her spouse, unless that child is living separate and apart from the recipient or unless that child is not dependent on the recipient and his or her spouse for support;
- (h) **“eligible family member”** means a family member described in clause 6(2)(a);
- (i) **“eligible recipient”** means an individual or family unit whose application for a benefit has been approved pursuant to section 14;

- (j) **“excess asset”** means:
 - (i) any real property of an applicant or eligible recipient other than the principal residence of an applicant or eligible recipient;
 - (ii) any real or personal property used for a farming or business operation of an applicant or eligible recipient other than:
 - (A) the quarter section on which the applicant’s or eligible recipient’s principal residence is located; and
 - (B) any property that, in the opinion of the minister, is essential to the farming or business operation;
 - (iii) any personal property that, in the opinion of the minister, is not essential to the health and safety of the applicant or eligible recipient;
- (k) **“family member”** means a member of the 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);
 - (iii) the children, if any, of the individual mentioned in subclause (i) or the individual’s spouse mentioned in subclause (ii), 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 resources”** means, with respect to an individual, the individual’s monthly income, liquid assets and excess assets as determined in accordance with these regulations;
- (n) **“fully employable person”** means a person who, as determined by the minister, is capable of working at least 36 hours per week;
- (o) **“liquid asset”** includes:
 - (i) cash;
 - (ii) an amount on deposit in a financial institution;
 - (iii) the cash surrender value of an insurance policy; and
 - (iv) the realizable value of:
 - (A) a stock, bond or other security;
 - (B) an investment certificate;
 - (C) a bequest pursuant to a will;
 - (D) an award for damages pursuant to a court order; and
 - (E) a settlement of a claim;

- (p) **“partially employable person”** means a person who, as determined by the minister, is not capable of full-time employment but who is able to work on a part-time or casual basis;
- (q) **“person with a disability”** means a person whose major reason for requiring assistance is, as determined by the minister, a physical or mental disability;
- (r) **“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) an 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*;
 - (D) a residential-service facility for which a licence is issued pursuant to *The Residential Services Act*; or
 - (E) a private-service home for which a certificate of approval is issued pursuant to *The Residential Services Act*;
 - (ii) a patient in a facility designated as a hospital in accordance with *The Facility Designation Regulations*, or a hospital operated by 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;
- (s) **“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;
- (t) **“Table”** means a table set out in the Appendix;
- (u) **“unemployable person”** means a person who, as determined by the minister, is not capable of employment.

- (2) Subject to subsection (3):
- (a) for the purposes of subclause (2)(f)(i), a person is deemed to be under 18 years of age during the entire month in which the person attains the age of 18 years; and
 - (b) for the purposes of subclause (2)(f)(ii), a person is deemed to be under 19 years of age during the entire month in which the person attains the age of 19 years.
- (3) A person with respect to whom services are being provided pursuant to *The Child and Family Services Act* may apply for assistance in his or her own right pursuant to these regulations on or after the person's eighteenth birthday.

PART II
Application, Eligibility and Approval

DIVISION 1
Application

Application

- 3(1) In this section, “**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*.
- (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 that 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:
- (a) accept documents provided by Citizenship and Immigration 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) accept any other documents the minister considers appropriate if the applicant does not satisfy the residency requirement as set out in section 4.
- (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 as determined pursuant to section 8 and meets the other criteria set out in Division 2.
- (7) An application for assistance for a family unit must be made by the head of a family unless the minister is satisfied that the head of a family is unable, for a valid reason, to make the application, in which case the application may be made by another member of the family or by some other responsible person on behalf of the family.
- (8) Notwithstanding subsection (7), a person with a disability who is 18 years of age or older may apply for assistance in his or her own right even if he or she continues to reside with his or her parent or parents.
- (9) An individual may apply for assistance in his or her own right if he or she:
- (a) is living apart from his or her spouse due to illness or institutionalization; and
 - (b) resides in an institution or by himself or herself in his or her own home.

DIVISION 2

Eligibility

Interpretation of Division

4(1) In this Division, “**residency requirement**” means, with respect to an individual, that the individual:

- (a) is a Canadian citizen;
- (b) is authorized pursuant to an Act of the Parliament of Canada to take up permanent residence in Canada;
- (c) is determined pursuant to the *Immigration and Refugee Protection Act* (Canada) or the *Immigration Act* (Canada) to be a Convention refugee;
- (d) 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);

(e) is in the process of having his or her claim for refugee protection, or application for protection, determined or decided pursuant to the *Immigration and Refugee Protection Act* (Canada); or

(f) is subject to a removal order pursuant to the *Immigration and Refugee Protection Act* (Canada) that cannot be executed.

(2) An applicant who does not satisfy the residency requirement 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.

Eligibility criteria - individuals

5(1) This section applies to an applicant who is an individual.

(2) An applicant who is an individual may be approved as an eligible recipient only if the application made by or on behalf of the individual complies with section 3 and the individual:

(a) is a Saskatchewan resident;

(b) is 18 years of age or older;

(c) meets the residency requirement;

(d) is determined pursuant to section 8 to have a budget shortfall;

(e) 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; and

(f) participates in periodic case planning.

Eligibility criteria - family units

6(1) This section applies to an applicant that is a family unit.

(2) A family unit applicant may be approved as an eligible recipient only if the application made by or on behalf of the family unit complies with section 3 and:

(a) at least one of the family members:

(i) is a Saskatchewan resident;

(ii) is 18 years of age or older; and

(iii) meets the residency requirement;

(b) the family unit is determined pursuant to section 9 to have a budget shortfall;

(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; and

(d) the family unit participates in periodic case planning.

(3) Subject to any other provision of these regulations, if a family unit includes an individual who does not meet the residency requirement, 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.

Ineligible individuals

7(1) Notwithstanding sections 5 and 6, 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*;
- (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);
- (c) is ordinarily resident on an Indian reserve as defined in the *Indian Act* (Canada); or
- (d) is a student who is enrolled full-time in a post-secondary program, unless the student is:
 - (i) a person with a disability for whom post-secondary training that is not a university post-graduate program offers the only reasonable prospect for employment and leads to a vocational goal approved by the minister; or
 - (ii) a person who does not have a disability and who:
 - (A) is enrolled in a post-secondary program leading to a vocational goal that is not a university post-graduate program;
 - (B) has been receiving benefits for the 12-month period preceding his or her attendance at an educational institution; and
 - (C) supports a spouse who is a person with a disability.

(2) The minister may waive the requirement set out in paragraph (1)(d)(ii)(B) if the minister determines it is appropriate to do so.

Budget shortfall - individuals

8(1) This section applies to an applicant who is an individual.

(2) Subject to subsections (3) to (5) and section 10, 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 11 and subsection 13(3);
- (b) shall determine the monthly total of the benefits to which the individual would be entitled if he or she were an eligible recipient;
- (c) shall determine the total of all liquid assets owned by the individual in accordance with section 12;
- (d) shall determine whether the individual owns excess assets in accordance with section 13; and
- (e) may review the circumstances surrounding a disposal of assets or an unusual expenditure by the individual within the six months preceding the month in which his or her application was made.

(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 11 and subsection 13(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 cost 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.

Budget shortfall - family units

9(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 11, 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 6(3), section 11 and subsection 13(3);
- (b) shall determine the monthly total of the benefits to which the family unit would be entitled if it were an eligible recipient;

- (c) shall determine the total of all liquid assets owned by the family unit in accordance with section 12;
 - (d) shall determine whether the family unit owns excess assets in accordance with section 13; 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 6(3), section 11 and subsection 13(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 cost 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 an amount equal to the sum of:
- (a) \$1,500 for the first family member;
 - (b) \$1,500 for the second family member; and
 - (c) \$500 for each family member in addition to those mentioned in clauses (a) and (b).

Other rules respecting budget shortfalls

10(1) Subject to subsection (2) and to section 11, 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 not converting the liquid asset into cash or for delaying the conversion.
- (3) Notwithstanding any other provision of these regulations, the minister may, in a particular case, 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.

Determining monthly income

11(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 (15), the monthly income of an individual or family member is the net amount of moneys due to him or her from all sources as determined by the minister other than the items set out in Table 1.
- (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) Any amount that an eligible recipient receives for board, room and personal allowance pursuant to these regulations for the care of a relative, as defined in clause 2(f) of *The Personal Care Homes Act*, that exceeds the amount established pursuant to item 7(a) of section 4 of Table 2 is not to be included in determining monthly income.
- (6) Subject to subsection (7), 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.
- (7) No eligible recipient is to be charged with room only or room and board income:
- (a) with respect to children who are attending university, technical or vocational courses and who are not entitled to benefits;
 - (b) with respect to other eligible recipients who are residing with the eligible recipient and who are receiving benefits pursuant to item 1 of section 4 of Table 2; or
 - (c) if two or more eligible recipients are sharing living accommodation under a shared-cost agreement and benefits are being granted to each eligible recipient on the basis of his or her share of the cost.

(8) 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.

(9) Subject to subsection (10), if an applicant receives any proceeds under a contract of insurance as a result of fire, theft or property damage in circumstances that require the insured property to be replaced or repaired, the payment is not to be included as income in determining eligibility for benefits.

(10) If the proceeds mentioned in subsection (9) are not used to repair or replace the insured property, the proceeds are to be considered a resource available to the applicant for his or her current maintenance.

(11) If an individual's or a family member's income is subject to seizure or other similar process, the amount seized is not to be deducted when determining monthly income.

(12) If an applicant receives income in cash or in kind or in services from an individual, benevolent organization or other similar agency, the applicant shall indicate what requirements of the family unit the income is designed to meet and any conditions under which it is extended.

(13) If the requirement met as indicated pursuant to subsection (12):

(a) is considered a basic need, the estimated value of the income is to be considered income according to Part III and Table 2;

(b) is not considered a basic need, the estimated value of the income is not to be considered when determining eligibility for benefits.

(14) 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.

(15) In subsection (14), "**overpayment**" means a payment of an amount in excess of the individual's or family member'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 a regulation made pursuant to an Act of the legislature of another province or territory of Canada.

Determining liquid assets

12(1) In determining an applicant's liquid assets, the minister may allow the applicant a period, not to exceed 90 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 a liquid asset that cannot be converted into cash within the 90-day period mentioned in subsection (1) is to be included in determining the applicant's monthly income pursuant to section 11.

(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, 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:
 - (A) in the case of an individual, \$1,500; or
 - (B) in the case of a family unit, the sum of:
 - (I) \$1,500 for the first family member;
 - (II) \$1,500 for the second family member; and
 - (III) \$500 for each family member in addition to those mentioned in subparagraphs (I) and (II);
- (h) the cash surrender value of any policy of life insurance but not the amount of any benefits paid pursuant to a policy of life insurance during the lifetime of the policyholder;
- (i) prepaid funeral expenses not exceeding \$7,500.

Determining excess assets

13(1) In determining an applicant's excess assets, the minister may allow the applicant a period, not to exceed 90 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 not converting the asset into cash or for delaying the conversion.

(3) If the minister permits an applicant to retain an excess asset mentioned in paragraph 2(1)(j)(i) or an excess asset that is real property mentioned in paragraph 2(1)(j)(ii), 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 8(3)(d).

(5) An applicant may use the proceeds of the sale of property used as the applicant's principal residence or the proceeds from a family property settlement to purchase another principal residence if:

(a) the purchase is made within four months after the receipt of the proceeds; and

(b) the home purchased by the applicant is suitable to the applicant's needs and in accordance with the standard of living that the applicant can reasonably expect to maintain.

(6) Any portion of the proceeds of the sale of a principal residence not used pursuant to subsection (5) must be included as an excess asset.

(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 to the new principal residence if the renovations are completed within 12 months from the date on which the proceeds are received.

(8) If an applicant purchases a home while receiving benefits and, in the opinion of the minister, the home exceeds the reasonable needs of the applicant, the minister may grant minimal benefits to the applicant or require the applicant to sell the home and use the proceeds for current living needs.

DIVISION 3

Approval or Denial

Approval or denial of application

14(1) The minister may:

(a) approve the applicant as an eligible recipient 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 in person 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, other than a member mentioned in subclause 2(1)(f)(ii), 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 a reconsideration pursuant to sections 35 to 37.

PART III Benefits

Temporary benefit

- 15(1)** Notwithstanding any other provision of these regulations, the minister may provide a benefit to an applicant pursuant to this Part on a temporary basis if:
- (a) the applicant is awaiting the outcome of an appeal to a committee pursuant to section 36 or to the appeal board pursuant to section 37; or
 - (b) the minister is satisfied that the applicant is urgently in need of that benefit.
- (2) Notwithstanding section 20, the amount of a benefit provided pursuant to subsection (1) is the amount that the minister determines the applicant requires to meet immediate needs until eligibility is determined or the appeal is completed.

Benefit to be provided in accordance with this Part

16(1) Subject to sections 17 and 18, the minister may provide a benefit to an eligible recipient in accordance with this Part and Table 2.

(2) Subject to subsection (3), the type and amount of benefits for special needs is to be established by one of the following methods:

- (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 used to calculate the amount of a benefit.
- (3) The amount of a benefit for special needs is not to exceed:
- (a) the amount determined in accordance with the methods mentioned in subsection (2); or
 - (b) if the item of special needs is not addressed by the methods mentioned in subsection (2), the actual cost of the item.

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

17(1) The minister may refuse to provide a benefit to an eligible recipient for the period calculated in accordance with subsection 18(2) if the minister is satisfied that:

- (a) the eligible recipient disposed of assets or had an unusual expenditure for the purpose of causing the eligible recipient to be eligible or to continue to be eligible for a benefit; or
 - (b) the eligible recipient's failure to realize on an agreement for sale, mortgage or other security caused the eligible recipient to be eligible or to continue to be eligible for a benefit.
- (2) If the minister refuses to provide a benefit to an eligible recipient 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 18(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 18(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 18(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 18(2); or

(e) exceptional circumstances result in an immediate threat to the health and safety of the eligible recipient or any member of the eligible recipient's family unit.

(3) An eligible recipient is not eligible to receive a benefit during the period mentioned in this section.

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

18(1) If an eligible recipient receives income in the form of a lump sum payment, the eligible recipient 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 recipient would otherwise receive for a month; and

I is the eligible recipient's monthly income, determined pursuant to section 11 but without taking into account the lump sum payment.

(2) For the purposes of subsection 17(1), if the minister is satisfied that the disposal of an asset or an unusual expenditure by an eligible recipient has caused the eligible recipient to be eligible or to continue to be eligible for a benefit or the failure of an eligible recipient to realize on an agreement for sale, mortgage or other security has caused the eligible recipient to be eligible or to continue to be eligible for a benefit, the eligible recipient 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 recipient'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 recipient would otherwise receive for a month; and

I is the eligible recipient's monthly income, determined pursuant to section 11 but without taking into account the amount V.

Date benefits commence

19(1) An eligible recipient is eligible for a benefit calculated from the date on which the eligible recipient's application was received by the minister, if the eligible recipient was then eligible.

(2) If the eligible recipient was not eligible for a benefit at the time his or her application was received by the minister, the benefit is to be calculated from the date on which eligibility is established.

Amount of benefits payable

20 The amount of benefits that may be paid to an eligible recipient pursuant to this Part is the amount of total benefits TB calculated in accordance with the following formula:

$$TB = AB - PMI$$

where:

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

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

Emergency benefits

21(1) An emergency benefit may be provided to an eligible recipient with respect to any of the following:

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

(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) essential repairs to a home owned by, and used as the principal residence of, an eligible recipient;

(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 circumstance.

Funeral expenses benefits

22(1) On an application pursuant to this section, the minister may provide a benefit for funeral expenses respecting an eligible recipient.

(2) An application for the purposes of this section must be made:

(a) in any manner acceptable to the minister; and

(b) 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 that, in the opinion of the minister, 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, in the opinion of the minister, are reasonable with respect to transportation for a funeral service or for the transportation of the deceased individual.

Benefits re services of advocate

- 23(1)** Subject to subsection (2), a benefit may be provided to an eligible recipient with respect to the services of a person chosen by the eligible recipient 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 recipient; 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 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.

Northern living supplement benefits

- 24(1)** In addition to any other benefit that may be provided to an eligible recipient, a benefit in the form of a northern living supplement may be provided to an eligible recipient 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 recipient's family unit;
- (b) the number of children in an eligible recipient's family unit;
- (c) the municipality in which the eligible recipient's accommodation is situated;
- (d) the date on which the eligible recipient'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 recipient 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 recipient 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.

Special circumstances benefits

25 If the minister is satisfied that special circumstances exist, the minister may provide a benefit to an eligible recipient for an item of special need not otherwise provided for in this Part, subsection 40(2) or Table 2.

Benefit re security deposits

26(1) In this section, "**shelter allowance**" means an approved shelter allowance mentioned in item 11 of Table 2.

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

- (a) in the amount of the eligible recipient's shelter allowance 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 recipient 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 recipient was receiving or was eligible to receive a benefit; and
- (b) the eligible recipient was a tenant of the premises that are the subject of the order.

(4) The amount to be paid on behalf of an eligible recipient pursuant to subsection 13.1(2) or (3) of the Act is not to exceed the amount applicable to the eligible recipient that is established pursuant to the schedule of rates mentioned in section 2 of Table 2 or the amount of the eligible recipient's shelter allowance 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 recipient 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 recipient moves to commence employment or to take up an opportunity for training;
- (b) the eligible recipient moves because of family violence;
- (c) the eligible recipient dies.

PART IV Payment of Benefits

Payment to trustee

27(1) This section applies to an eligible recipient 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 recipient 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 recipient.

(4) Payment of a benefit to a trustee on behalf of an eligible recipient is a valid discharge of the minister's obligation with respect to the payment of that benefit to the eligible recipient.

(5) The minister may:

- (a) enter into an agreement with a trustee acting for an eligible recipient 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.

Payment of benefits to family units

28 If a benefit is payable to an eligible recipient that is a family unit, the minister may designate the family member to whom the benefit is to be paid.

PART V
Report of Changes, Reviews and Appeals

Report of changes

29 An eligible recipient or eligible family member shall report immediately to the minister:

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

Reviewing financial eligibility criteria

30(1) The minister shall review whether an eligible recipient continues to meet the eligibility criteria set out in Part II and the amount of any benefit provided pursuant to Part III:

- (a) at any time that the minister is satisfied a significant change in the eligible recipient's circumstances has occurred; and
 - (b) at least once every year.
- (2) For the purposes of determining whether an eligible recipient continues to meet the eligibility criteria set out in Part II, that Part applies 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 recipient's file.
- (4) Notwithstanding clause (1)(b), if the minister is satisfied that the circumstances of an eligible recipient are unlikely to change for a period of a year or more, the minister may review the eligible recipient's circumstances with the eligible recipient at intervals that the minister considers appropriate to determine if the eligible recipient is still eligible and the amount of benefits to which the eligible recipient may be entitled.

Changes in benefit amounts

31(1) In this section, "**change in the eligible recipient's circumstances**" means a change in:

- (a) the eligible recipient's financial resources;
- (b) the eligible recipient's needs; or
- (c) the number of the eligible recipient's dependants.

(2) If the minister is satisfied that there is a change in the eligible recipient's circumstances, the minister shall vary the amount of a benefit provided to an eligible recipient in accordance with the change in the eligible recipient's circumstances:

- (a) as of the day on which the minister is advised of the change in the eligible recipient's circumstances; or
- (b) if the minister is satisfied that special circumstances so warrant, as of the day on which the eligible recipient's circumstances changed.

Alienation or transfer of benefits

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

Suspension or cancellation of benefits

33 Notwithstanding any other provision of these regulations, the minister may suspend or cancel the provision of a benefit to an eligible recipient if:

- (a) changes in circumstances affect the eligibility of the eligible recipient to receive the benefit or, after a review pursuant to section 30, the minister is satisfied that the eligible recipient no longer has a budget shortfall or no longer meets the other eligibility criteria set out in Part II;
- (b) the eligible recipient relocates outside Saskatchewan;
- (c) the eligible recipient refuses or neglects:
 - (i) to comply with any provision of these regulations;
 - (ii) to furnish any information that is required by the minister; or
 - (iii) to cooperate as is reasonably required by the minister; or
- (d) employment that the eligible recipient is capable of performing is available.

Review with eligible recipient before taking certain actions

34 Before varying, suspending, cancelling or reinstating a benefit, the minister shall:

- (a) whenever reasonably possible, either:
 - (i) review the eligible recipient's circumstances with the eligible recipient; or
 - (ii) in lieu of a review pursuant to subclause (i) and with the eligible recipient's knowledge, make any inquiry and obtain any information that the minister is satisfied is necessary; and
- (b) notify in writing the eligible recipient of the minister's decision and inform the eligible recipient of the eligible recipient's right to an appeal and a reconsideration pursuant to sections 35 to 37.

Appeals and reconsideration

35(1) Within 30 days after the date of a decision with respect to any of the following matters, an applicant or eligible recipient may appeal, in writing, the decision to the minister:

- (a) a decision disallowing an application or reapplication for benefits;
 - (b) a request for benefits or an increase in benefits was not dealt with within a reasonable time;
 - (c) a determination of eligibility;
 - (d) a variation, suspension or cancellation of entitlement to receive a benefit;
 - (e) the assessment of an overpayment;
 - (f) a decision respecting the amount of a benefit.
- (2) On receipt of a request pursuant to subsection (1), 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 recipient with a written decision as soon as is reasonably possible.
- (3) If an applicant or eligible recipient 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 a regional health authority or a community-based organization and he or she subsequently applies for benefits pursuant to these regulations, there is no appeal pursuant to subsection (1) 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, regional health authority or community-based organization.

Appeal with regard to benefits

36(1) Following an appeal pursuant to section 35, 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 recipient is not possible; and
 - (b) the applicant or eligible recipient 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 matters mentioned in subsection 35(1).
- (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 recipient making the appeal in writing of:
- (a) the date, time and place of the hearing; and
 - (b) the right of the applicant or eligible recipient:
 - (i) to present supporting evidence and witnesses at the hearing; and
 - (ii) to designate a representative or advocate.

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- (5) The testimony of the applicant or eligible recipient and any other witnesses at the hearing must relate to the issue under appeal.
- (6) A hearing pursuant to this section shall be conducted in an informal manner and the appeal committee is not bound by rules of law concerning evidence.
- (7) Recording devices must not be used at a hearing.
- (8) The minister must be given the opportunity to present additional evidence and to question the applicant or eligible recipient or his or her representative or advocate.
- (9) The applicant or eligible recipient, 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.
- (10) The appeal committee or its representative may:
- (a) examine:
 - (i) the applicant or eligible recipient or his or her representative or advocate;
 - (ii) the minister;
 - (iii) any other witnesses; and
 - (b) inspect any document submitted at the hearing.
- (11) The appeal committee may adjourn a hearing from time to time for a period not to exceed 30 days.
- (12) On completing the hearing, the appeal committee shall briefly summarize the issues and evidence and policies relating to those issues.
- (13) If an applicant or eligible recipient 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 recipient; and
 - (b) make a decision on the basis of the written statement of the applicant or eligible recipient and the evidence provided by the minister.
- (14) The appeal committee may make an immediate decision on the conclusion of the hearing.
- (15) The appeal committee shall, no later than 30 days following the date of the hearing, give a written decision and reasons for the decision to:
- (a) the applicant or eligible recipient; and
 - (b) the minister.

(16) If the appeal committee is unable to make a decision within seven days after the hearing, it shall notify the applicant or eligible recipient in writing of that fact.

(17) The written decision mentioned in subsection (15) must advise the applicant or eligible recipient of the right to appeal to the appeal board.

(18) A quorum of the appeal committee is three members.

(19) 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

37(1) An applicant or eligible recipient who is dissatisfied with the decision of an appeal committee made pursuant to section 36 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 recipient 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 decision is given in writing.

(3) If the minister is dissatisfied with the decision of the appeal committee made pursuant to section 36, 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 recipient 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 decision is given in writing.

(5) If the minister is notified of an appeal by the applicant or eligible recipient 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 recipient, 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 36(15); 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.

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- (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 hear an appeal 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 recipient.
- (9) All hearings pursuant to this section are to be held in private.
- (10) A hearing pursuant to this section shall be conducted in an informal manner and the appeal board is not bound by rules of law concerning evidence.
- (11) Recording devices must not be used at hearings.
- (12) The testimony of the applicant or eligible recipient and any other witnesses at the hearing must relate to the issue under appeal.
- (13) The minister must be given the opportunity to present additional evidence and to question the applicant or eligible recipient or his or her representative or advocate.
- (14) The applicant or eligible recipient, 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.
- (15) The appeal board or its representative may:
- (a) examine:
 - (i) the applicant or eligible recipient 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.
- (16) The appeal board:
- (a) may adjourn a hearing from time to time for a period not to exceed 30 days; and
 - (b) if a hearing is adjourned, shall notify the applicant or eligible recipient in writing of the adjournment.

(17) If an applicant or eligible recipient 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 recipient; and
- (b) make a decision on the basis of the written statement of the applicant or eligible recipient and the evidence provided by the minister.

(18) The decision of the appeal board on an appeal pursuant to this section is final.

(19) On completing the hearing, the appeal board shall briefly summarize the issues and evidence and policies relating to those issues.

(20) 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 recipient of that fact.

(21) The appeal board shall, no later than 30 days following the date of the hearing, give a written decision and reasons for the decision to the minister and the applicant or eligible recipient.

(22) A quorum of the appeal board is three members.

(23) The chairperson of the appeal board may designate a member of the appeal board as the acting chairperson in the chairperson's absence.

PART VI

Other

Emergency payments - where previous benefit not applied to purpose

38(1) Notwithstanding any other provision of these regulations, the minister may provide a benefit to an eligible recipient in the following circumstances:

- (a) a benefit was paid to the eligible recipient with respect to a need or purpose mentioned in Part III or Table 2;
- (b) the eligible recipient 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 recipient or a member of the eligible recipient's family unit resulting from not meeting that need or purpose; and
 - (ii) the eligible recipient 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 recipient;
- (b) declaring the benefit to be an overpayment for the purposes of section 29.3 of the Act.

Recovery of payment - special benefits for children

39(1) Any person who is receiving or who has received benefits pursuant to item 24(b) or (c) of section 4 of Table 2 may be required to repay to the minister the amount of benefits provided.

(2) The minister may require an applicant, an eligible recipient or an eligible family member, as a condition of eligibility for a benefit set out in item 24(b) or (c) of section 4 of Table 2, to repay the minister the amount of the benefits provided.

(3) The minister may take an assignment of the eligible recipient's benefits for the purposes of subsection (1) and in that case section 43 applies, with any necessary modification.

(4) An amount payable pursuant to this section is a debt due to and recoverable by the Crown in right of Saskatchewan and may be recovered in any manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law.

Rules re other benefits

40(1) An eligible recipient is not entitled to benefits pursuant to *The Saskatchewan Assured Income for Disability Regulations, 2012* or *The Transitional Employment Allowance Regulations, 2005*.

(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 recipient.

Minister may set schedule of rates

41 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.

Maintaining eligibility

42(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 recipient shall:

(a) assign in writing any of the eligible recipient's rights with respect to a maintenance order to the minister; or

(b) ensure that any of the eligible recipient's dependants with respect to whom a maintenance order mentioned in clause (a) is to be pursued or enforced assigns his or her rights to the minister.

(3) If an assignment is made pursuant to subsection (2), the eligible recipient or the eligible recipient's dependants, as the case may be, shall:

- (a) supply to the minister any information the minister may require; and
- (b) cooperate 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 recipient's benefits if the eligible recipient does not comply with this section.

Assignment of other payments to minister

43(1) Subject to subsections (2) and (3), if required to do so by the minister, an eligible recipient 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 recipient receives benefits.

(2) The total amount recovered during a period by the minister by an assignment pursuant to subsection (1) must not exceed the total amount of the benefits paid to the eligible recipient 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 recipient.

PART VII

Repeal and Coming into Force

Sask. Reg. 78/66 repealed

44 The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66, are repealed.

Coming into force

45(1) Subject to subsection (2), these regulations come into force on March 1, 2015.

(2) If these regulations are filed with the Registrar of Regulations after March 1, 2015, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

TABLE 1
Income and Asset Exemptions
[Subsection 11(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 11 of the regulations, the following items are to be excluded when determining the monthly income:
 - (a) an amount of earned income and honoraria in the month received by the individual with a disability equal to:
 - (i) \$200 if the individual has one or more dependent children but no dependent spouse;
 - (ii) \$200 if the individual has one or more dependent children and a dependent spouse;
 - (iii) \$200 plus 25% of the remaining monthly earned income and honoraria, to a maximum exemption of \$325 per month, if the individual has no dependants; and
 - (iv) \$250 plus 25% of the remaining monthly earned income and honoraria, to a maximum exemption of \$425 per month, if the individual has a dependent spouse but no dependent children;
 - (b) an amount of earned income and honoraria in the month received by the individual who does not have a disability equal to:
 - (i) \$125 if the individual has one or more dependent children but no dependent spouse;
 - (ii) \$125 if the individual has one or more dependent children and a dependant spouse;
 - (iii) \$50 plus 25% of the remaining monthly earned income and honoraria, to a maximum exemption of \$200 per month, if the individual has no dependants; and
 - (iv) \$75 plus 25% of the remaining monthly earned income and honoraria, to a maximum exemption of \$275 per month, if the individual has a dependent spouse but no dependent children;

- (c) any amount received by the individual for work performed for a nonprofit organization or institution in a program that is educational, therapeutic or rehabilitative and to which subsection 3(2) of *The Employment Standards Regulations* applies;
- (d) honoraria paid to the individual by the ministry;
- (e) the total of all amounts received by a recipient and the recipient's dependants as a result of inheritances, bequests and devises not exceeding the amount of:
 - (i) \$1,500 for a recipient with no dependants; or
 - (ii) \$3,000 for a recipient with one dependant, plus \$500 for each additional dependant;
- (f) investment income, to a maximum of \$100 per year per member of the family unit actually earning the investment income;
- (g) 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:
 - (A) made by an insurance company, whether or not the insurance company is:
 - (I) licensed pursuant to *The Saskatchewan Insurance Act*; and
 - (II) 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;
 - (B) ordered by the Workers' Compensation Board pursuant to *The Workers' Compensation Act, 2013*;
 - (C) granted pursuant to *The Victims of Crime Act, 1995*; or
 - (D) ordered pursuant to *The Victims of Domestic Violence Act*; and
 - (iii) does not exceed the amount of \$10,000;
- (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 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;

- (i) 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;
- (j) 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 total of \$10,000 times the number of members in the individual's family unit;
- (k) 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*;
- (l) a payment of compensation to the individual that is related to a claim with respect to abuse sustained while attending an Indian residential school;
- (m) 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 (l) applies;
- (n) a Saskatchewan Employment Supplement benefit, as defined in *The Employment Supplement Regulations*, paid to the individual;
- (o) subject to subsection (4), a RHS benefit, as defined in *The Rental Housing Supplement Regulations*, provided to the individual;
- (p) subject to subsection (4), a DHS benefit, as defined in *The Disability Housing Supplement Regulations*, provided to the individual;
- (q) an amount provided to the individual pursuant to *The Rehabilitation Act* for individual supports for persons with a cognitive disability;
- (r) individualized funding for support services provided by a regional health authority to the individual;
- (s) a respite benefit payment received by the individual from the Community Living Services Division pursuant to *The Rehabilitation Act* and section 5 of *The Child and Family Services 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) the active families benefit amounts provided to the individual or a member of the individual's family unit pursuant to *The Active Families Benefit Act* and *The Income Tax Act, 2000*;
- (w) a benefit payment made to the individual pursuant to *The Saskatchewan Income Plan Act*;
- (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 Tax Benefit within the meaning of the *Income Tax Act* (Canada) paid to the individual, with the exception of any amount that the eligible recipient is required to repay pursuant to section 39 of the regulations;
- (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*; or
 - (v) pursuant to section 50 of *The Adoption Regulations, 2003*;
- (aa) a payment to the individual made by the Department of Aboriginal Affairs and Northern Development (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 maintenance payments to the individual that:
 - (i) is specified in an order or agreement for special or extraordinary expenses, as defined by 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) a payment to the individual made pursuant to the *Universal Child Care Benefit Act* (Canada);
- (ee) the amount of a Canada Student Grant for Persons with Permanent Disabilities paid to the individual;
- (ff) the amount of a Canada/Saskatchewan Student Grant for Services and Equipment for Persons with Permanent 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) payments to the individual made under the Government of Canada's Working Income Tax Benefit Program;
- (mm) payments to the individual of the Guaranteed Income Supplement top-up benefit provided through the *Supporting Vulnerable Seniors and Strengthening Canada's Economy Act* pursuant to the *Old Age Security Act* (Canada);
- (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 per member of the family unit;
- (pp) subject to subsection (5), 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 (6), 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 times \$200;
 - (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) contributions, other than contributions for items described in Part II of the regulations and Table 2, made to an eligible recipient or a member of the family unit who requires special care as a result of disability.
- (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.
- (4) If an eligible recipient is receiving a shelter allowance pursuant to item 11 of section 4 of Table 2 that exceeds the amount in the schedule of rates mentioned in item 11(b) of column 3 of the rate schedule, and he or she is also receiving a benefit mentioned in clause (2)(o) or (p), the exclusions for the purposes of calculating monthly income mentioned in those clauses are reduced by the amount by which the shelter allowance exceeds the amount in the schedule of rates.
- (5) 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.
- (6) 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.
- (7) For the purposes of clause (2)(b), an applicant is not eligible to use the exemption with respect to earned income if the person is considered a fully employable person and has not been receiving benefits for at least the previous three consecutive months.

TABLE 2
Benefits
[Section 16]

General provisions re Table 2

- 1(1) The minister may provide a benefit to an eligible recipient in accordance with this Table and Part III of the regulations applies, as necessary, with respect to determining the eligibility for and the amount of a benefit.
- (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:
- (a) the applicable provisions of Part III of the regulations have been complied with; and
 - (b) the criteria set out in column 2 for that type of benefit have 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; 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 shelter allowances

- 2(1) For a benefit described in item 11 of section 4 of this 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 recipient's family unit;
 - (b) the number of children in an eligible recipient's family unit;
 - (c) the municipality in which an eligible recipient's accommodation is situated;
 - (d) the date on which the eligible recipient's application for a benefit was received by the minister.
- (2) If an eligible recipient establishes eligibility for a benefit mentioned in item 11 of section 4 of this Table, the benefit that may be paid to the eligible recipient 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 recipient'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 recipient has paid accommodation costs for that month before making the application, the eligible recipient is not entitled to the benefit 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 recipient has not paid accommodation costs for that month before making the application, the minister may pay the full amount as set out in the schedule of rates established by the minister for that month.
- (3) If an eligible recipient owns his or her own home, a benefit shall be paid that is sufficient to cover current taxes, fire insurance and other assessments, but only if the total benefit is not in excess of the shelter allowance that would otherwise be provided.
- (4) If an eligible recipient is buying his or her own home, a benefit may be paid that is sufficient to cover current taxes, principal and interest payments on a mortgage, fire insurance and other assessments, but only if the total benefit for these items is not in excess of the shelter allowance that would otherwise be provided.

Schedule of rates and rules for laundry and utilities benefits

3(1) For a benefit described in item 12 of section 4 of this 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 recipient pays for;
 - (b) the number of members of the eligible recipient'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 recipient establishes eligibility for a benefit described in item 12 of section 4 of this Table, the benefit that may be provided to the eligible recipient 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 recipient'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 recipient has paid the utilities costs for that month before making the application, no benefit is payable to the eligible recipient 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 recipient 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 recipient had the resources to pay for the utilities that are in arrears at the time of the eligible recipient's application, the amount of any benefit provided pursuant to item 13 of section 4 of this Table to pay the arrears is deemed to be excess assistance for the purposes of section 29.3 of the Act.

Benefits amounts

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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
A. Adult Allowance, Disability Allowance, Room and Board and Personal Allowance Benefits		
1. Adult allowance (monthly)	<p>Criteria: an allowance is provided to eligible adult recipients and dependent children in the family unit described in subclause 2(1)(f)(ii) of the regulations</p> <p>Purpose: to pay for the costs of basic food, clothing, household expenses, personal needs and incidental travel expenses</p>	<p>(a) amount approved by the minister;</p> <p>(b) if the minister considers it necessary, the minister may issue a portion of the amount mentioned in clause (a) for clothing and household items, for any period that the minister considers appropriate</p>
2. Disability allowance (monthly)	<p>Criteria: eligible recipient who is a person with a disability and receives an allowance pursuant to item 1</p> <p>Purpose: to pay for the additional costs associated with a disability for food, clothing, personal needs and incidental travel expenses</p>	\$50 for each adult recipient in the family unit

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
3. Personal allowance (monthly)	<p>Criteria: an eligible recipient 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 and personal needs</p>	amount approved by the minister
4. Personal allowance (monthly)	<p>Criteria: an eligible recipient who has entered into an agreement pursuant to section 10 of <i>The Child and Family Services Act</i> and the agreement has expired because the person has attained the age of 18 years</p> <p>Purpose: to pay for the costs of clothing, personal needs and incidental expenses</p>	amount approved by the minister
5. Meals and accommodation away from principal residence (periodically)	<p>Criteria: eligible recipient or eligible family member away from principal residence</p> <p>Purpose: to pay for meals and accommodation</p>	<p>(a) for meals:</p> <ul style="list-style-type: none"> (i) breakfast - \$5.00; (ii) dinner - \$6.00; (iii) supper - \$9.00; <p>(b) for accommodation, the actual and reasonable cost</p>

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
6. Meal allowance (monthly)	<p>Criteria: (1) eligible recipient is an individual who rents a room with no access to cooking facilities and the eligible recipient eats meals in a restaurant; or</p> <p>(2) eligible recipient 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>	\$10 per day
7. Board, room and personal allowance (monthly)	<p>Criteria: eligible recipient who lives in board and room accommodation where the recipient receives meals</p> <p>Purpose: to pay for the costs of accommodation, food, clothing, personal needs and incidental expenses</p>	<p>(a) \$330 for each adult in the family unit;</p> <p>(b) \$440 for one adult in the family unit and one dependent child;</p> <p>(c) \$745 for two adults in the family unit and one dependent child;</p> <p>(d) \$85 for each additional child;</p> <p>(e) \$20 for each adult in the family unit who is a person with a disability and who is receiving a board and room allowance;</p> <p>(f) an amount determined by the minister may be provided until the end of the first month following the completion of the school year in which the eligible recipient who had entered into an agreement pursuant to section 10 of <i>The Child and Family Services Act</i> that has expired attained the age of 18 years</p>

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
8. Board, room and personal allowance (monthly)	<p>Criteria: eligible recipient who lives in board and room accommodation where the recipient receives meals and one or more of the adult recipients with dependent children obtains board and room from the parents of one of the adult recipients</p> <p>Purpose: to pay for the costs of accommodation, food, clothing, personal needs and incidental expenses</p>	<p>(a) \$330 for one adult in the family unit and one or more dependent children;</p> <p>(b) \$660 for two adults in the family unit and one or more dependent children;</p> <p>(c) \$20 for each adult in the family unit who is a person with a disability and who is receiving a board and room allowance</p>
9. Residential support (monthly)	<p>Criteria: eligible recipient or eligible family member resides in:</p> <p>(a) an approved home as defined in <i>The Mental Health Services Act</i>;</p> <p>(b) a private-service home for which a certificate of approval is issued pursuant to <i>The Residential Services Act</i>;</p> <p>(c) a personal care home for which a licence is issued pursuant to <i>The Personal Care Homes Act</i>;</p> <p>(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</p> <p>(e) a residential-service facility for which a licence is issued pursuant to <i>The Residential Services Act</i></p> <p>Purpose: to assist with payment for residential costs</p>	an amount calculated in accordance with a schedule of rates established by the minister

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
10. Special care facility benefit (monthly)	<p>Criteria: eligible recipient or eligible family member:</p> <p>(a) is residing in a facility designated as a special-care home pursuant to <i>The Facility Designation Regulations</i>; or</p> <p>(b) is in long-term care in a special-care program in a hospital within the meaning of subclause 2(r)(ii) of the regulations</p> <p>Purpose: to pay for special-care and special-care programming</p>	<p>(a) an amount not to exceed the amount being charged to the residents of the special-care home or to individuals in the special-care program;</p> <p>(b) the minister may authorize payment to a special-care facility in accordance with clause (a) for a period not exceeding seven days after the death of an eligible recipient who received care in the special-care facility before his or her death.</p>
B. Shelter allowances		
11. Shelter allowances (monthly)	<p>Criteria: provided to an eligible recipient on the basis of:</p> <p>(a) actual rent being paid;</p> <p>(b) the current rent schedule, applicable to the area in which the accommodation is situated, that the minister may establish having regard to the criteria set out in subsection 2(1) of this Table</p> <p>Purpose: to pay shelter costs</p>	<p>(a) amount not exceeding the actual rent being paid; or</p> <p>(b) amount determined by a schedule of rates established by the minister</p>

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
C. Utilities and laundry benefits		
12. Utility benefits (monthly)	<p>Criteria: an allowance may be granted to an eligible recipient with respect to each of the utilities that the recipient is required to pay for, mentioned below.</p> <p>Purpose: to pay for all or any of the following utilities:</p> <ul style="list-style-type: none"> (a) electricity; (b) home heating; (c) sewer and water; (d) telephone; (e) water heater; (f) water softener; (g) laundry 	<ul style="list-style-type: none"> (a) an amount determined in accordance with the schedule mentioned in section 3 of this Table; or (b) the actual cost of the utility
13. Arrears of utilities (periodic)	<p>Criteria: minister is satisfied that there is a threat to the health and safety of an eligible recipient resulting from the disconnection or imminent disconnection of a utility mentioned in item 12</p> <p>Purpose: to pay for arrears</p>	the amount of arrears that accrued before the date on which the eligible recipient's application was received by the minister
D. Special health-related supports benefits		
14. Clothing benefit (monthly)	<p>Criteria: clothing is recommended by a health care professional recognized by the minister</p> <p>Purpose: to pay for clothing</p>	amount approved by the minister

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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
20. Activity benefit (monthly)	<p>Criteria: eligible recipient or eligible family member who is a resident of a facility as described in paragraph 2(1)(r)(i)(B), (C), (D) or (E) of the regulations</p> <p>Purpose: to pay for activities</p>	amount approved by the minister
21. Respite care (monthly)	<p>Criteria: eligible recipient or spouse of the eligible recipient requires temporary care due to a disability at an adult day program or a respite facility</p> <p>Purpose: to pay for adult day programs or respite care</p>	amount approved by the minister
22. Specially trained service animals (monthly)	<p>Criteria: eligible recipient or eligible family member requires a specially trained animal to enable him or her to live independently</p> <p>Purpose: to pay for food, veterinary and hygienic grooming cost for specially trained animals</p>	amount approved by the minister
23. Repair of mobility aids, devices and equipment (periodic)	<p>Criteria: mobility aids, devices and equipment repairs</p> <p>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 a regional health authority or by a community-based organization</p>	amount and type approved by the minister

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
E. Special benefits for children		
24. Transition benefit for children (monthly)	<p>Criteria: A benefit may be provided to an eligible recipient 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 Tax Benefit payment;</p> <p>(b) before the eligible recipient begins to receive payments of the Canada Child Tax Benefit; or</p> <p>(c) in any other circumstances approved by the minister.</p> <p>Purpose: to pay for child costs</p>	<p>(a) with respect to clause (a) of the Criteria, \$160 per child per month, or if the period before the eligible recipient is eligible to receive payments of the Canada Child Tax Benefits is less than a month, the portion of that amount that is proportionate to the number of days in the month before eligibility for those payments begins;</p> <p>(b) with respect to clause (b) or (c) of the Criteria, the amount of a benefit is an amount the minister considers reasonable in the circumstances, to a maximum of \$160 per child per month</p> <p>If the transition benefit for children has been paid to an eligible recipient pursuant to clause (b) or (c) of the Criteria and the eligible recipient receives a retroactive payment of the Canada Child Tax Benefit with respect to the same period, the amount of the transition benefit for children that was paid may be recoverable by the minister pursuant to section 39 of the regulations.</p>
25. School expenses (periodic)	<p>Criteria: child of eligible recipient 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>	<p>(a) \$50 if the child is less than six years of age;</p> <p>(b) \$85 if the child is six years of age or older but less than 14 years of age; or</p> <p>(c) \$130 if the child is 14 years of age or older</p>

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
26. Special school fees (periodic)	<p>Criteria: child of eligible recipient 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 courses</p>	not more than the actual and verified costs
27. Child care (monthly)	<p>Criteria: eligible recipient 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 for which the child is unable to accompany the adult <p>Purpose: to pay for child care costs</p>	amount approved by the minister

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
28. 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
29. Child access (periodic)	<p>Criteria: eligible recipient or eligible family member has access rights to a child and child is staying with eligible recipient or eligible family member</p> <p>Purpose: to pay for costs associated with the child</p>	<p>amount approved by the minister to a maximum of:</p> <p>(a) for a visit of at least one month, \$160 per child for each full month; and</p> <p>(b) for a visit of at least 24 hours but for less than one month, the portion of \$160 that is proportionate to the number of days of the visit</p>
F. Transportation benefits		
30. Transportation benefits (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 recipient or eligible family member for any of the following:</p> <p>(a) medical treatment;</p> <p>(b) attendance at day programs;</p> <p>(c) attendance by children at school;</p> <p>(d) attendance at a funeral;</p> <p>(e) attendance at work;</p> <p>(f) any reason other than one described in clauses (a) to (e) that the minister considers appropriate</p> <p>Purpose: to pay for transportation</p>	amount determined in accordance with the schedule of rates established by the minister

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
G. Housing supports benefits		
31. Arrears in shelter payments (periodic)	<p>Criteria: eligible recipient has accumulated arrears of shelter payments and the minister is satisfied that:</p> <p>(a) the health and safety of the eligible recipient or the eligible recipient's family unit are threatened; and</p> <p>(b) the failure to pay the arrears was because of lack of resources</p> <p>Purpose: to pay for arrears of shelter payments</p>	the amount the minister is satisfied is the minimum amount to prevent eviction from shelter
32. Security deposit (periodic)	<p>Criteria: individual has ceased to be an eligible recipient and the minister is satisfied that it is appropriate to provide this benefit</p> <p>Purpose: to pay security deposit on behalf of individual</p>	an amount not exceeding half of the maximum monthly shelter allowance approved by the minister
33. Purchase, repair or replacement of equipment, furniture, furnishings and supplies (periodic)	<p>Criteria: eligible recipient requires assistance to purchase, repair or replace equipment, furniture, furnishings and supplies for the eligible recipient's principal residence</p> <p>Purpose: to pay for the costs mentioned above</p>	amount approved by the minister
34. Moving expenses (periodic)	<p>Criteria: the minister is satisfied that a change of the eligible recipient's principal residence is necessary</p> <p>Purpose: to pay for moving expenses</p>	amount approved by the minister

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
H. Employment, training and transitions benefits		
35. Training or graduation clothing (periodic)	<p>Criteria: an eligible recipient or eligible family member is in training or graduating from training</p> <p>Purpose: to pay for training or graduation clothing costs</p>	amount approved by the minister
36. Commencement of employment costs (periodic)	<p>Criteria: an eligible recipient 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
37. Transition allowance to attend a training program or secondary or post-secondary education (monthly)	<p>Criteria: an eligible recipient, or the spouse of an eligible recipient or an eligible recipient's child who is 18 years of age or older but under the age of 19, is attending:</p> <p>(a) a training program approved by the minister;</p> <p>(b) a secondary educational institution; or</p> <p>(c) a post-secondary educational institution</p> <p>Purpose: to assist with the costs to attend training or secondary or post-secondary education</p>	amount approved by the minister

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Type and when payable	Criteria and Purpose	Amount
38. School supplies (periodic)	<p>Criteria: an eligible recipient or eligible family member, or the spouse of an eligible recipient 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>	\$130 per year for each individual mentioned in this item who attends the training program or secondary educational institution

SASKATCHEWAN REGULATIONS 108/2014

The Election Act, 1996

Section 30

Order in Council 666/2014, dated December 18, 2014

(Filed December 18, 2014)

Title

1 These regulations may be cited as *The Enumeration Repeal Regulations*.

R.R.S. c.E-6.01 Reg 3 repealed

2 *The Enumeration Regulations* are repealed.

Coming into force

3(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Election Amendment Act, 2014* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Election Amendment Act, 2014* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 109/2014*The Traffic Safety Act*

Section 287

Order in Council 667/2014, dated December 18, 2014

(Filed December 18, 2014)

Title

1 These regulations may be cited as *The Vehicle Impoundment (General) Amendment Regulations, 2014*.

R.R.S. c.T-18.1 Reg 17 amended

2 *The Vehicle Impoundment (General) Regulations, 2014* are amended in the manner set forth in these regulations.

Section 20 amended

3(1) Clause 20(1)(c) is repealed and the following substituted:

“(c) the peace officer has issued an offence notice or summons pursuant to *The Summary Offences Procedure Act, 1990* to the driver:

(i) for an offence pursuant to section 32.1 of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:

(A) an offence pursuant to that section; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;

(ii) for an offence pursuant to section 57 of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:

(A) an offence pursuant to that section; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;

(iii) for an offence pursuant to subsection 199(2.2) of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

(iv) for an offence pursuant to section 213 of the Act and that driver has been convicted on at least two prior occasions during the previous 12 months of:

(A) an offence pursuant to that section; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;

(v) for an offence pursuant to subsection 214(2) of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection; or

(vi) for an offence pursuant to subsection 241.1(2) of the Act and that driver has been convicted on at least one prior occasion during the previous 12 months of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection”.

(2) Clauses 20(3)(b), (c) and (d) are repealed and the following substituted:

“(b) if the vehicle is seized and impounded pursuant to subclause (1)(c)(i) or (v), for three days;

“(c) if the vehicle is seized and impounded pursuant to subclause (1)(c)(ii), (iii), (iv) or (vi) or subclause (1)(d)(i) or (ii), for seven days;

“(d) if the vehicle is seized and impounded pursuant to clause (1)(b) or subclause (1)(d)(iii), for 30 days”.

New sections 23 to 23.2

4 Section 23 is repealed and the following substituted:

“Review of impoundments

23(1) In this section and in sections 23.1 and 23.2:

(a) **‘appellant’** means a person described in subsection (2) or subsection 23.1(1) who appeals to the board for a review of an impoundment;

(b) **‘commercial vehicle’** means any of the following vehicles:

(i) a vehicle that:

(A) is registered in Class A, C or D or that would be registered in Class A, C or D if that vehicle was registered in Saskatchewan; and

(B) has a registered gross vehicle weight of 5 000 kilograms or greater;

(ii) a vehicle that:

(A) is registered in Class F or LV or that would be registered in Class F or LV if that vehicle was registered in Saskatchewan; and

(B) is being used for a commercial purpose;

(iii) a vehicle that is registered in Class GC, PT, PB, PC or PS or that would be registered in Class GC, PT, PB, PC or PS if that vehicle was registered in Saskatchewan;

(iv) any vehicle registered to a corporation, partnership, sole proprietorship or unincorporated body that is being used for a commercial purpose;

(v) any vehicle that has been provided a permit by the administrator to allow that vehicle to operate in Saskatchewan as if it were a Class A, C or D vehicle.

(2) Subject to section 23.1, within three days after a vehicle is impounded pursuant to clause 20(1)(b), (c) or (d), any of the following persons may appeal the impoundment of the vehicle to the board:

(a) the owner of the vehicle;

(b) the driver of the vehicle;

(c) a person whose health would be seriously threatened by the continued impoundment;

(d) a person authorized by a person mentioned in clauses (a) to (c).

(3) The sole issue before the board on an appeal pursuant to this section is whether the board is satisfied that any of the following circumstances exist:

(a) that the vehicle was stolen at the time of the impoundment;

(b) that the continued impoundment of the vehicle would pose a serious threat to the health of any individual.

(4) If the board is satisfied that one of the circumstances mentioned in subsection (3) exists, the board may make an order:

(a) releasing the vehicle; or

(b) shortening the period of impoundment.

“Review of impoundments - commercial vehicles

23.1(1) If a commercial vehicle is impounded pursuant to subclause 20(1)(c)(iii), (v) or (vi) or 20(1)(d)(i) or (ii), only the owner of the commercial vehicle may appeal the impoundment of the vehicle to the board.

(2) An appeal pursuant to this section must be made within three days after the impoundment.

(3) The sole issue before the board on an appeal pursuant to this section is whether the board is satisfied that all of the following circumstances exist:

(a) the commercial vehicle was not being operated by the owner of the vehicle;

(b) the owner has a written policy concerning the use or operation of that owner's commercial vehicle and that policy prohibits any driver of the commercial vehicle from violating a provision of this Act, the regulations or a provision of the *Criminal Code* while operating the owner's commercial vehicle;

(c) the owner of the commercial vehicle has, in the 12 months before the date of the impoundment, obtained a copy of the driver's abstract prepared by the administrator with respect to the driver of the impounded vehicle;

(4) If the board is satisfied that the circumstances mentioned in subsection (3) exist, the board may make an order releasing the commercial vehicle.

“Procedures on appeals pursuant to section 23 or 23.1

23.2(1) If an appellant intends to have an oral hearing, the appellant shall request a date and time for an oral hearing and pay the oral hearing fee as prescribed in *The Traffic Safety Act Fees Regulations*.

(2) If an appellant does not request an oral hearing, the appeal must be accompanied by affidavit evidence or other information that the appellant intends the board to consider.

(3) An appeal to the board does not stay the impoundment.

(4) The board is not required to hold an oral hearing unless the appeal includes a request for an oral hearing and the oral hearing fee is paid.

(5) If an appellant requests an oral hearing but, without prior notice to the board, fails to appear on the date and at the time and place arranged for the hearing, the appellant is deemed to have waived the oral hearing, and the board shall conduct the appeal as if the appellant had not requested an oral hearing.

(6) On an appeal pursuant to this section, the board shall consider:

- (a) any affidavit evidence or other information provided by the appellant;
- (b) any documents or reports forwarded to the board by the administrator;
and
- (c) if an oral hearing is held, in addition to the evidence mentioned in clauses (a) and (b), any relevant evidence and information given or representations made at the oral hearing.

(7) The board shall:

- (a) render a decision in writing within seven days after the date of the hearing or after the date on which the information mentioned in clause (6)(a) is provided; and
- (b) serve the appellant with a written copy of its decision.

(8) The failure of the board to render a decision within the period mentioned in clause (7)(a) does not affect the jurisdiction of the board to consider or hear the appeal or make a decision with respect to the application”.

Section 24 amended**5 Clause 24(a) is repealed and the following substituted:**

“(a) if the peace officer has issued an offence notice or summons pursuant to *The Summary Offences Procedure Act, 1990* to the driver:

(i) for an offence pursuant to section 32.1 of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that section; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;

(ii) for an offence pursuant to section 57 of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that section; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that section;

(iii) for an offence pursuant to subsection 199(2.2) of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

(iv) for an offence pursuant to section 213 of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

(v) for an offence pursuant to subsection 214(2) of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection;

(vi) for an offence pursuant to subsection 241.1(2) of the Act, the previous occasions within the 12 months preceding the date on which the notice or summons was issued that the driver of the impounded vehicle has been convicted of:

(A) an offence pursuant to that subsection; or

(B) an offence pursuant to the laws of any other province of Canada or any state of the United States of America that is substantially similar to an offence pursuant to that subsection”.

Coming into force

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

SASKATCHEWAN REGULATIONS 110/2014*The Saskatchewan Assistance Act*

Section 14

Order in Council 668/2014, dated December 18, 2014

(Filed December 18, 2014)

Title**1** These regulations may be cited as *The Benefit Adjustment Repeal Regulations*.**R.R.S. c.S-8 Reg 4 repealed****2** *The Benefit Adjustment Regulations* are repealed.**Coming into force****3(1)** Subject to section (2), these regulations come into force on March 1, 2015.

(2) If these regulations are filed with the Registrar of Regulations after March 1, 2015, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 111/2014*The Saskatchewan Assistance Act*

Section 14

Order in Council 670/2014, dated December 18, 2014

(Filed December 18, 2014)

Title**1** These regulations may be cited as *The Saskatchewan Assured Income for Disability Amendment Regulations, 2014*.**R.R.S. c.S-8 Reg 11 amended****2** *The Saskatchewan Assured Income for Disability Regulations, 2012* are amended in the manner set forth in these regulations.**New section 41.1****3 The following section is added after section 41:****“Recovery of payment - transition benefit for children**

41.1(1) On and from the coming into force of this section, any person who is receiving or who has received benefits pursuant to item 26(b) or (c) of section 4 of Table 2 of the Appendix may be required to repay to the minister the amount of the benefits provided.

(2) The minister may require an applicant, an eligible beneficiary or an eligible family member, as a condition of eligibility for a benefit set out in item 26(b) or (c) of section 4 of Table 2 of the Appendix, to repay to the minister the amount of the benefits provided.

(3) The minister may take an assignment of the eligible beneficiary's benefits for the purposes of subsection (1) and in that case section 45 applies, with any necessary modification.

(4) An amount payable pursuant to this section is a debt due to and recoverable by the Crown in right of Saskatchewan and may be recovered in any manner authorized by *The Financial Administration Act, 1993* or in any other manner authorized by law”.

Appendix amended

4(1) Table 1 of the Appendix is amended:

(a) by repealing item (2)(n); and

(b) by repealing item (2)(y) and substituting the following:

“(y) a Canada Child Tax Benefit within the meaning of the *Income Tax Act* (Canada) paid to the individual, with the exception of any amount that the eligible beneficiary may be required to repay pursuant to section 41.1”.

(2) Section 4 of Table 2 of the Appendix is amended:

(a) in the Criteria portion of Column 2 in item 7 by striking out “item 3” and substituting “item 2”; and

(b) by repealing item 26 and substituting the following:

“

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 beneficiary is eligible to receive the Canada Child Tax Benefit payment;</p> <p>(b) before the eligible beneficiary begins to receive payments of the Canada Child Tax Benefit; or</p> <p>(c) in any other circumstances approved by the minister.</p> <p>Purpose: to pay for child costs</p>	<p>with respect to clause (a) of the Criteria, \$160 per child per month or if the period before the eligible beneficiary is eligible to receive payments of the Canada Child Tax Benefit is less than a month, the portion of that amount that is proportionate to the number of days in the month before eligibility for those payments begins;</p> <p>with respect to clause (b) or (c) of the Criteria, the amount of a benefit is an amount the minister considers reasonable in the circumstances, to a maximum of \$160 per child per month.</p> <p>if the transition benefit for children has been paid to an eligible beneficiary pursuant to clause (b) or (c) and the eligible beneficiary receives a retroactive payment of the Canada Child Tax Benefit with respect to the same period, the amount of the transition benefit for children that was paid may be recoverable by the minister pursuant to section 41.1.</p>
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Coming into force

5(1) Subject to subsection (2), these regulations come into force on March 1, 2015.

(2) If these regulations are filed with the Registrar of Regulations after March 1, 2015, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

SASKATCHEWAN REGULATIONS 112/2014*The Film Employment Tax Credit Act*

Section 24

Order in Council 672/2014, dated December 18, 2014

(Filed December 18, 2014)

Title

1 These regulations may be cited as *The Film Employment Tax Credit Amendment Regulations, 2014*.

R.R.S. c.F-13.11 Reg 1, section 7 amended

2 Subsection 7(4) of *The Film Employment Tax Credit Regulations* is amended:

- (a) by striking out “and” after clause (a);
- (b) by adding “and” after clause (b); and
- (c) by adding the following clause after clause (b):
“(c) not later than December 31, 2014”.

Coming into force

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

