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## PART II/PARTIE II

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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 2019/ Règlements Révisés de la Saskatchewan 2019

July 5, 2019

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**CHAPTER S-8 REG 13***The Saskatchewan Assistance Act*

## Section 14

Order in Council 278/2019, dated June 24, 2019

(Filed June 25, 2019)

## PART 1

**Preliminary Matters****Title**

**1-1** These regulations may be cited as *The Saskatchewan Income Support Regulations*.

**Definitions**

**1-2** In these regulations:

“**Act**” means *The Saskatchewan Assistance Act*;

“**appeal board**” means a provincial appeal board established pursuant to subsection 10(2) of *The Social Services Administration Act*;

“**appeal committee**” means an appeal committee established pursuant to subsection 10(1) of *The Social Services Administration Act*;

“**applicant**” means, except in sections 3-12 to 3-14, 4-12 and 4-15, an individual who applies for a benefit on behalf of the individual’s household, or on whose behalf the application for a benefit is made, and who meets the requirements set out in subsection 2-1(3);

“**benefit**” means a benefit provided in accordance with these regulations;

“**case planning**” means any activities determined by the minister that may result in clients becoming as self-sufficient as possible;

“**child**” means an individual who is under 18 years of age, and includes an individual who attains the age of 18 years during the entire month in which the individual attains that age;

“**client**” means a household whose application for a benefit has been approved pursuant to these regulations;

“**dependant**” means:

(a) the spouse of an applicant or primary household member, unless that spouse is living separate and apart from the applicant or primary household member; and

(b) any child of an applicant or primary household member or of that individual’s spouse, unless that child is:

(i) living separate and apart from the applicant or primary household member; or

(ii) not dependent on the applicant or primary household member and that individual’s spouse for support;

**“excess asset”** means:

- (a) any real property of an applicant or client other than the principal residence of an applicant or client;
- (b) secondary or recreational vehicles with a total equity value exceeding \$5,000;

**“financial resources”** means, with respect to a household, the household’s monthly income, liquid assets and excess assets as determined in accordance with these regulations;

**“household”** means:

- (a) the primary household member;
- (b) the primary household member’s spouse, if any;
- (c) the children, if any, of the primary household member or the primary household member’s spouse, if any, including any children to whom the primary household member or the primary household member’s spouse stands in the place of a parent, but not including children who:
  - (i) are living separate and apart from the primary household member and the primary household member’s spouse, if any; or
  - (ii) are not dependent on the primary household member and the primary household member’s spouse, if any, for support; and
- (d) any other children who, in the minister’s opinion, are living with the primary household member and the primary household member’s spouse, if any, and are dependent on the primary household member and the primary household member’s spouse, if any, for support;

**“household member”** means a member of the household;

**“liquid asset”** means:

- (a) cash on hand;
- (b) an amount on deposit in a financial institution or held by a third party that must be paid to a household member on demand;
- (c) a debt held by a third party that must be paid to a household member on demand;
- (d) the realizable value of:
  - (i) a stock, bond, share in a corporation or other security;
  - (ii) a mortgage or agreement for sale;
  - (iii) a bequest pursuant to a will;
  - (iv) an award of damages pursuant to a court decision;
  - (v) a settlement of a claim;

- (vi) a pension fund that is not locked-in;
  - (vii) a registered retirement savings plan as defined in section 146 of the *Income Tax Act* (Canada);
  - (viii) a registered retirement income fund as defined in section 146.3 of the *Income Tax Act* (Canada);
  - (ix) a beneficial interest in an asset that is held in trust;
- (e) the cash surrender value of a life insurance policy in excess of \$1,500;

**“ministry”** means the ministry over which the minister presides;

**“Northern Saskatchewan Administration District”** means the Northern Saskatchewan Administration District within the meaning of *The Northern Municipalities Act, 2010*;

**“overpayment”** means, except in section 2-7, a payment of an amount in excess of a client’s entitlement under a program established pursuant to the Act;

**“primary household member”** means an individual who meets the criteria as set out in subsection 2-1(3) and who is making an application for a benefit;

**“provincial health authority”** means the provincial health authority within the meaning of *The Provincial Health Authority Act*;

**“residency requirement”** means, with respect to an applicant or primary household member, that the applicant or primary household member:

- (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 that Act;
- (e) is in the process of having a 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;

**“secondary vehicle”** means a motor vehicle, as defined in *The Traffic Safety Act*, that is not used as the primary mode of transportation by the applicant or client;

**“spouse”** means:

- (a) the spouse, as defined in *The Family Maintenance Act, 1997*, of a primary household member; or

(b) if a primary household member does not have a spouse as described in clause (a) or is living separate and apart from a spouse described in that clause, another individual who:

(i) cohabits with the primary household member for a period of not less than 3 months and shares financial resources with the primary household member;

(ii) represents himself or herself as the spouse of the primary household member or as a parent of a child of the primary household member;

(iii) is a parent of a child of the primary household member; or

(iv) for any purpose identifies the primary household member or a child of the primary household member as his or her dependant.

## PART 2

### Application, Eligibility and Approval

#### Application

2-1(1) In this section:

**“health services number”** means a unique number assigned to an individual who is registered as a beneficiary to receive insured services pursuant to *The Saskatchewan Medical Care Insurance Act*;

**“social insurance number”** means a valid social insurance number assigned pursuant to the authority of any Act of the Parliament of Canada.

(2) An applicant may apply to the minister for a benefit in any manner acceptable to the minister.

(3) An applicant must:

(a) be a Saskatchewan resident;

(b) be 18 years of age or older; and

(c) meet the residency requirement.

(4) An applicant shall:

(a) provide the minister with the information that is necessary to establish:

(i) the eligibility of the applicant and members of the applicant's household to receive benefits in accordance with these regulations;

(ii) the amount of benefits to which the household may be entitled; and

(iii) the identity of the primary household member and the primary household member's spouse, if any;

(b) subject to subsections (5) and (6):

(i) provide the social insurance numbers of the primary household member and the primary household member's spouse, if any, and give consent to their use to verify the eligibility to receive benefits of the primary household member and the primary household member's spouse, if any; and

- (ii) provide the health services numbers of the primary household member, the primary household member's spouse, if any, and any other household member for the purposes of nominating the applicant and members of the applicant's household for benefits pursuant to section 4-17.
- (5) If a primary household member or the primary household member's spouse, if any, does not possess a health services number or a social insurance number, the minister may accept evidence of their applications for either or both documents for a maximum of 30 days after the date of the application.
- (6) In lieu of a social insurance number, the minister may:
- (a) accept documents provided by Immigration, Refugees and Citizenship Canada establishing that the primary household member or the primary household member's spouse, if any, or that each of them:
    - (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 either the primary household member or the primary household member's spouse, if any, does not satisfy the residency requirement.
- (7) In the circumstances described in subsection (5), after receiving a health services number or a social insurance number, as the case may be, the primary household member or the primary household member's spouse, if any, shall provide that health services number or social insurance number to the minister within a reasonable time.

**Approval or denial**

- 2-2(1)** On receipt of an application pursuant to subsection 2-1(2), the minister shall:
- (a) review the application;
  - (b) request, if necessary, any additional information to determine eligibility, which may include confirming the application pursuant to subsection (5);
  - (c) determine whether the household has a budget deficit as determined pursuant to section 2-6 and meets the other criteria pursuant to this Part; and
  - (d) approve or deny the application.
- (2) 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.
- (3) If the minister denies an application, the minister shall, in addition to providing the reasons pursuant to subsection (2), inform the applicant of the applicant's right to an appeal and a reconsideration pursuant to sections 3-12 to 3-14.
- (4) If the minister is satisfied that the primary household member is unable, for a valid reason, to make an application for benefits, the application may be made by a responsible person on behalf of the household.

- (5) If an application is made, the applicant and the applicant's spouse, if any, shall, on the request of the ministry, confirm the application in person by:
- (a) meeting with a representative of the ministry;
  - (b) reviewing the information provided by the applicant as set out in that application;
  - (c) correcting any errors in the information mentioned in clause (b); and
  - (d) making a statutory declaration respecting the correctness of the information.
- (6) If an application is not confirmed pursuant to subsection (5) within 15 days after the request by the ministry to confirm the application, the application is discontinued and will not be processed unless, in the opinion of the minister, exceptional circumstances exist.
- (7) The application pursuant to subsection 2-1(2) must include:
- (a) a declaration that the applicant and the applicant's spouse, if any, are aware of the obligation to report any changes in circumstances that affect the eligibility of the household to receive a benefit or the amount of a benefit to which the client is entitled; and
  - (b) the consent of the applicant and the applicant's spouse, if any, to the disclosure to the ministry of personal information with respect to the household in the records of government ministries and agencies and other bodies for the purpose of determining which members of the household are eligible to receive benefits.

**Eligibility**

**2-3(1)** Subject to sections 3-2 and 3-3, a benefit may be paid to a household that is determined to be eligible pursuant to section 2-4 in accordance with Part 4.

(2) Subject to sections 3-2 and 3-3, a benefit may be paid to a client that is determined to be eligible pursuant to clause 2-4(a) and subclauses 2-4(b)(i) to (iii) in accordance with section 4-12 or 4-15.

**Eligibility criteria**

**2-4** Subject to section 2-5, for a household to be eligible for a benefit:

- (a) the applicant must:
  - (i) submit an application;
  - (ii) satisfy the minister that the household has a budget deficit in accordance with section 2-6; and
  - (iii) satisfy the minister that the financial resources of the household as determined in accordance with this Part are not adequate to provide for one or more of the needs described in Part 4;
- (b) the applicant and the applicant's spouse, if any, must:
  - (i) on request, provide any consent necessary to allow the minister to confirm eligibility for any benefits or the amount of any benefits to which the household may be entitled, in the form approved by the minister;



(ii) satisfy the minister that the applicant and the applicant's spouse, if any, have explored every possibility of providing for the needs of the household, including applying for any benefits provided by any ministry or agency of any government or by any Crown corporation, to which the applicant or the applicant's spouse, if any, may be eligible, even if being granted early access to those benefits has the effect of reducing the amount of benefits;

(iii) not be receiving:

(A) a benefit pursuant to *The Saskatchewan Assistance Regulations, 2014*;

(B) a transitional employment allowance pursuant to *The Transitional Employment Allowance Regulations, 2005*;

(C) a benefit pursuant to *The Saskatchewan Assured Income for Disability Regulations, 2012*;

(D) financial assistance from the Government of Canada under a resettlement assistance program within the meaning of the regulations made pursuant to *The Immigration and Refugee Protection Act (Canada)*; or

(E) other similar benefits; and

(iv) participate in case planning.

**Ineligible individuals**

**2-5** Notwithstanding section 2-4, no benefit is to be paid to or on behalf of a household member 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 a reserve as defined in the *Indian Act (Canada)*;

(d) has been absent from Saskatchewan for more than 30 continuous days or up to 6 months for compassionate, compelling or medical reasons;

(e) is an adult student who is enrolled full-time in a post-secondary program; or

(f) is determined to be not eligible to receive a benefit as a result of the circumstances described in section 18 of *The Saskatchewan Assistance Regulations, 2014* or section 20 of *The Saskatchewan Assured Income for Disability Regulations, 2012*, within the period, expressed in calendar months, as determined pursuant to those regulations, as applicable, following the calendar month in which that determination was made.

**Budget deficit**

**2-6(1)** For the purposes of determining that the household has a budget deficit, the minister:

- (a) shall, subject to sections 2-7, 2-8 and 2-10, determine the combined income of the primary household member and the primary household member's spouse, if any, for the previous 30 days;
  - (b) shall, subject to sections 2-8 and 2-10, determine the total of all liquid assets owned by the primary household member and the primary household member's spouse, if any;
  - (c) shall, subject to sections 2-9 and 2-10, determine whether the primary household member and the primary household member's spouse, if any, owns excess assets;
  - (d) shall determine the total of all benefits to which the household would be entitled pursuant to these regulations if the applicant were entitled to benefits; and
  - (e) may review the circumstances surrounding a disposal of assets or an unusual expenditure by the household within the 6 calendar months, or any greater period the minister considers appropriate, preceding the calendar month in which the applicant's application for benefits was made.
- (2) The minister may pay the reasonable fees charged by any financial institution that provides information to the minister in relation to the performance of the minister's duties and responsibilities or the exercise of the minister's powers pursuant to subsection (1).
- (3) Subject to subsections (4) and (5), a household has a budget deficit if the combined income determined pursuant to clause (1)(a) is less than the total of benefits determined pursuant to clause (1)(d).
- (4) A household does not have a budget deficit if, subject to sections 2-8 and 2-9, the total value of the liquid assets at the time of application is greater than \$1,500 per household member.
- (5) A household does not have a budget deficit if the minister is satisfied that:
- (a) subject to section 2-10, the household owns excess assets as determined in accordance with clause (1)(c); or
  - (b) there was a disposal of assets or an unusual expenditure that was carried out for the purpose of causing the household to have a budget deficit within the 6 calendar months, or any greater period the minister considers appropriate, preceding the calendar month in which the applicant's application for benefits was made.
- (6) For the purposes of this section, if the minister determines that an applicant or client may be entitled to a supplementary health benefit pursuant to section 4-17, the minister shall:
- (a) determine the health services that would be required over 12 months;
  - (b) include the costs for the health services mentioned in clause (a) that the minister is satisfied are reasonably anticipated;

(c) determine the applicant's or client's needs based on whether the applicant's or client's monthly income, as determined in accordance with sections 2-7 and 2-8, will be sufficient to cover the costs of the health services mentioned in clause (b); and

(d) if the minister is satisfied that the applicant's or client's monthly income is not sufficient to cover the cost of the health services, declare that the applicant or client has a budget deficit for the purposes of supplementary health benefits only.

(7) Notwithstanding clause 2-5(c), the minister may consider an applicant or client for a benefit pursuant to subsection (6) if the applicant or client meets the criterion specified in that clause and is not eligible for health benefits provided through Indigenous Services Canada.

(8) Subject to any other provision of these regulations, if a household 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 an applicant or client for the purposes of determining whether the applicant or client has a budget deficit.

#### **Income and asset exemptions**

**2-7(1)** In this section, "**overpayment**" means an overpayment to an individual of an amount in excess of the individual's entitlement under a 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.

(2) For the purposes of section 2-6, the income of a primary household member and primary household member's spouse, if any, is the net amount of money due to the primary household member and primary household member's spouse, if any, from all sources other than the following:

(a) a household's earned income, being the net income earned from wages or the gross income received from self-employment, as follows:

(i) a maximum of \$325 per month for a household that is a single individual;

(ii) a maximum of \$425 per month for a household that is an individual and the individual's spouse;

(iii) a maximum of \$500 per month for a household that comprises:

(A) either of the households mentioned in subclause (i) or (ii); and

(B) a dependent child of an individual mentioned in subclause (i) or (ii);

(b) a payment from a municipal, provincial or the federal government, an agency of any of those governments or a corporation owned by any of those governments, as compensation for pain and suffering;

- (c) honoraria paid by a ministry or agency of the Government of Saskatchewan or a Crown corporation;
- (d) the Canada Child Benefit and Canada Child Disability Benefit within the meaning of the *Income Tax Act* (Canada);
- (e) a payment made by the Government of Canada or the government of another province or territory for the foster care of children;
- (f) a refund of goods and services tax credit within the meaning of the *Income Tax Act* (Canada);
- (g) an income tax refund within the meaning of the *Income Tax Act* (Canada);
- (h) payments made in accordance with the Government of Canada's Working Income Tax Benefit Program;
- (i) any employment income of a dependent child;
- (j) any amount received for the care of a relative, as defined in clause 2(f) of *The Personal Care Homes Act*, who receives a benefit pursuant to item 9(d) of section 4 of Table 2 in *The Saskatchewan Assistance Regulations, 2014*, or item 13 of section 4 of Table 2 in *The Saskatchewan Assured Income for Disability Regulations, 2012*;
- (k) an SES benefit, as defined in *The Employment Supplement Regulations*, paid to the applicant or client;
- (l) financial assistance payments from any provincial disaster assistance program established pursuant to *The Emergency Planning Act* in a municipality that has been designated as a result of substantial loss or damage caused by a natural disaster to uninsurable, essential property;
- (m) contributions received for funeral costs that are not otherwise covered in section 4-15;
- (n) scholarships, fellowships and non-government bursaries except for the value of room and board provided as part of a scholarship, fellowship or non-government bursary;
- (o) money paid by a board of education or the conseil scolaire for costs associated with home schooling a child within the household who is enrolled in a registered home-based education program within the meaning of *The Education Act, 1995*;
- (p) money held in or withdrawn from a Registered Education Savings Plan that is used for the benefit of the beneficiary of the plan;
- (q) a payment by the minister to a primary household member or the primary household member's spouse, if any, in that individual's 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) under 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*;
  - (r) moneys received from a lending institution for the purposes of home repairs, if used for home repairs within a reasonable time;
  - (s) subject to subsection (5), any proceeds received by an applicant or client 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, if the replacement is secured or the repairs are made within a reasonable time;
  - (t) subject to subsection (5), the proceeds of the sale of property used as the applicant's or client's principal residence to purchase another principal residence;
  - (u) 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);
  - (v) the Climate Action Incentive payment within the meaning of the *Income Tax Act* (Canada);
  - (w) a payment made through the Autism Spectrum Disorder Individualized Funding program;
  - (x) any other payment received from the government of another province or territory or the Government of Canada to the extent exempted by the minister.
- (3) In determining the net income earned from wages for the purposes of clause (2)(a), the following deductions are allowed:
- (a) income tax;
  - (b) Canada Pension Plan premiums;
  - (c) Employment Insurance premiums;
  - (d) deductions required by an employer as a condition of employment.
- (4) In determining the gross income received from self-employment for the purposes of clause (2)(a), deductions are allowed for reasonable expenditures that are determined by the minister to be essential to the self-employment.
- (5) If any portion of the proceeds mentioned in clause (2)(s) or (t) is not used in accordance with that clause, the proceeds are to be included in the calculation of the household's liquid assets.
- (6) A liquid asset acquired by a primary household member or a primary household member's spouse, if any, after the date of the application is deemed, for the purposes of section 2-6, to be income of the primary household member and primary household member's spouse, if any, in the month following the month in which the liquid asset was acquired.
- (7) The amount of any overpayment recovered from an applicant or client by set-off or any other means is to be included when determining monthly income.

**Determining liquid assets**

**2-8(1)** Subject to section 2-7, in determining the liquid assets of a primary household member and the primary household member's spouse, if any, the minister may allow the primary household member or the primary household member's spouse, if any, a period not to exceed 180 days after the date on which the application is received by the minister to convert a liquid asset that is not in the form of cash into cash.

(2) Any payment received on a liquid asset that cannot be converted into cash within the 180-day period mentioned in subsection (1) is to be included in determining the applicant's monthly income pursuant to section 2-7.

(3) Any assets excluded in section 2-7 are not to be included in determining liquid assets, unless otherwise provided in that section.

**Determining excess assets**

**2-9(1)** In this section, "**farm land**" means real property in Saskatchewan that is situated outside a city, town, village, hamlet or resort village or the Northern Saskatchewan Administration District and that is used or is capable of being used for the purposes of farming.

(2) In determining the excess assets of a primary household member or the primary household member's spouse, if any, the minister may, subject to subsection (3), allow the primary household member or the primary household member's spouse, if any, a period not to exceed 180 days after the date on which the application is received by the minister to convert an excess asset into cash, either by using it as security for borrowing or by selling it.

(3) In the case of an excess asset that is farm land, the minister may allow the primary household member or the primary household member's spouse, if any, a period not to exceed 24 months after the date on which the application is received by the minister to convert that farm land into cash, either by using it as security for borrowing or by selling it.

**Minister's powers re eligibility**

**2-10** Notwithstanding any other provision of these regulations, the minister may do any of the following:

(a) in determining whether the household has a budget deficit pursuant to section 2-6:

(i) exclude from the determination pursuant to clause 2-6(1)(a) any amount of income that, in the minister's opinion, should not be included;

(ii) exclude from the determination pursuant to clause 2-6(1)(b) any liquid asset that, in the minister's opinion, should not be included, or include in the determination pursuant to that clause any liquid asset that, in the minister's opinion, should be included;

(iii) exclude from the determination pursuant to clause 2-6(1)(c) any asset that, in the minister's opinion, should not be considered an excess asset;

(b) for the purposes of section 2-8, exclude an asset from the determination of the liquid assets of a primary household member or the primary household member's spouse, if any, if the minister is satisfied that, for reasons beyond the control of the primary household member or the primary household member's spouse, if any, the individual is unable to access the realizable value of the asset within the period mentioned in subsection 2-8(1);

- (c) for the purposes of section 2-9, decide not to consider an asset as an excess asset if the minister is satisfied that the primary household member or primary household member's spouse, if any, has genuine social or economic reasons for not converting the asset into cash or for delaying the conversion;
- (d) waive the residency requirement with respect to an applicant if there are compassionate, compelling or medical reasons.

### PART 3 Stipulations Concerning Benefits

#### Amount of benefits

- 3-1(1)** Subject to subsections (2) to (5), the amount of a benefit that may be paid to a client is the total of all benefits for which the household is determined to be eligible in accordance with Part 4 minus the amount of income determined in accordance with sections 2-6 and 2-7.
- (2) Subject to sections 2-7, 3-2 and 3-3, the amount of a benefit that may be paid to a client for a month is to be reduced by the amount of any income that is received by the client in the previous month.
- (3) The amount of the benefit described in sections 4-2 to 4-4 and 4-6 to 4-14 is the amount determined in accordance with the schedule of rates established by the minister.
- (4) The amount of the benefit described in sections 4-5, 4-15 and 4-16 is the amount approved by the minister.
- (5) For the benefits described in Part 4, the minister may establish rates that vary in accordance with all or any of the following:
- (a) household size;
  - (b) geographic location of the client's residence;
  - (c) the date the application is received by the minister;
  - (d) any other criteria that the minister considers appropriate.

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

- 3-2(1)** The minister may refuse to provide a benefit to a household for the period calculated in accordance with subsection 3-3(1) if the minister is satisfied that:
- (a) a member of the household disposed of assets or had an unusual expenditure for the purpose of causing the household to be eligible or to continue to be eligible for a benefit; or
  - (b) the failure of a member of the household to realize on an agreement for sale, mortgage or other security caused the household to be eligible or to continue to be eligible for a benefit.
- (2) If the minister refuses to provide a benefit to a household 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 value that may have been originally calculated pursuant to subsection 3-3(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 value that may have been originally calculated pursuant to subsection 3-3(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 value that may have been originally calculated pursuant to subsection 3-3(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 value that may have been originally calculated pursuant to subsection 3-3(2); or
  - (e) exceptional circumstances result in an immediate threat to the health and safety of any member of the household.
- (3) A household is not eligible to receive a benefit during the period mentioned in this section.

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

**3-3(1)** If a primary household member or the primary household member's spouse, if any, receives income in the form of a lump sum payment, the household 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 household would otherwise receive for a month; and

I is the household's monthly income determined pursuant to section 2-7, but without taking into account the lump sum payment.

(2) For the purposes of subsection 3-2(1), if the minister is satisfied that the disposal of an asset or an unusual expenditure by the household has caused the household to be eligible or to continue to be eligible for a benefit or the failure of a member of the household to realize on an agreement for sale, mortgage or other security has caused the household to be eligible or to continue to be eligible for a benefit, the household 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 household member'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 household would otherwise receive for a month; and

I is the household's monthly income determined pursuant to section 2-7, but without taking into account the amount V.

**No benefit re medical expenses**

**3-4(1)** Subject to section 4-6 but notwithstanding any other provision in these regulations, the minister shall not provide a benefit for expenses related to:

- (a) drugs or other substances used for medical or therapeutic purposes; and
  - (b) equipment, supplies, materials or services used to produce or administer the items mentioned in clause (a).
- (2) Without limiting the generality of subsection (1), no benefit shall be provided for:
- (a) a drug within the meaning of *The Pharmacy and Pharmacy Disciplines Act*;
  - (b) cannabis or a cannabis accessory within the meaning of the *Cannabis Act* (Canada) and the regulations made pursuant to that Act;
  - (c) a drug within the meaning of the *Food and Drugs Act* (Canada); or
  - (d) a natural health product within the meaning of the *Natural Health Products Regulations* (Canada).
- (3) For the purposes of section 4-6, the minister shall not provide a benefit for expenses related to cannabis within the meaning of the *Cannabis Act* (Canada).

**Date benefits commence**

**3-5(1)** A client is eligible for a benefit calculated from the date on which the client's application was received by the minister, if the client was then eligible.

- (2) If the household was not eligible for a benefit at the time the applicant's application was received by the minister, the benefit is to be calculated from the date on which eligibility is established.

**Payment of benefits to third parties**

**3-6(1)** In circumstances in which the minister is satisfied that a client is incapable of managing the client's affairs, the minister may direct that a benefit be paid to a trustee designated by the minister.

- (2) A trustee to whom a benefit is paid pursuant to subsection (1) shall administer that benefit in the best interests of the client.
- (3) The payment of a benefit to a trustee on behalf of a client is a valid discharge of the minister's obligation with respect to the payment of that benefit to the client.
- (4) The minister may:
- (a) enter into an agreement with a trustee acting for a client 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.

(5) The minister may pay any necessary and reasonable fees in relation to goods or services provided with respect to funeral benefits mentioned in section 4-15 to a third party who provided those goods or services.

**Payment of benefits to a household**

**3-7** If a benefit is payable to a client that has more than one household member, the minister may designate the household member to whom the benefit is to be paid.

**Report of changes**

**3-8** A client shall report immediately to the minister all or any of the following:

- (a) any changes in the composition of the client's household;
- (b) any changes in:
  - (i) the financial resources of:
    - (A) the primary household member; or
    - (B) the primary household member's spouse, if any;
  - (ii) the place of residence or the mailing address of the client; or
  - (iii) the type of the client's accommodation;
- (c) any other information the minister determines to be appropriate.

**Reassessment**

**3-9(1)** In this section and in section 3-10, "**change in the client's circumstances**" means a change in:

- (a) the client's financial resources;
  - (b) the client's needs; or
  - (c) the number of the client's dependants.
- (2) The minister must, in accordance with subsection (3), reassess the amount of benefits to be paid to a client if a change in the client's circumstances affects the amount of benefits to which the client is entitled.
- (3) A reassessment mentioned in subsection (2) is to be done:
- (a) at any time that the minister is satisfied a change in the client's circumstances has occurred; and
  - (b) at intervals the minister considers appropriate.
- (4) Subject to subsections (5) and (6), if the minister is satisfied that there is a change in the client's circumstances, the minister shall vary the amount of a benefit provided to the client in accordance with the change in the client's circumstances:
- (a) as of the day on which the minister is advised of the change in the client's circumstances; or
  - (b) if the minister is satisfied that special circumstances so warrant, as of the day on which the client's circumstances changed.
- (5) If the minister is satisfied that the change in the client's circumstances is the result of a decrease in the number of household members, the minister shall vary the amount of the benefit mentioned in section 4-3:
- (a) as of the day that is 3 months after the minister is advised of the change in the client's circumstances; or

(b) if the minister is satisfied that special circumstances so warrant, as of the day following the expiration of up to an additional 3 months after the day mentioned in clause (a).

(6) If the minister is satisfied that the change in the client's circumstances is the result of an increase in the number of household members, the minister shall vary the amount of the benefit mentioned in section 4-3 as of the day on which the minister is advised of the change in the client's circumstances.

#### **Termination of benefits**

**3-10** Notwithstanding any other provision of these regulations, the minister may suspend or cancel the provision of a benefit to a client if:

- (a) a reassessment pursuant to section 3-9 results in the minister determining that the client is no longer eligible for a benefit;
- (b) the client is no longer eligible for a benefit pursuant to section 2-4 or 2-5;
- (c) the client refuses or neglects:
  - (i) to comply with any provision of these regulations;
  - (ii) to provide information to the minister regarding a change in the client's circumstances; or
  - (iii) to cooperate as is reasonably required by the minister;
- (d) the primary household member or the primary household member's spouse, if any, refuses or neglects to accept employment that the primary household member or the primary household member's spouse, if any, is capable of performing; or
- (e) the primary household member or the primary household member's spouse, if any, revokes a consent that was provided pursuant to clause 2-4(b).

#### **Review with client before certain actions taken**

**3-11** Before varying, suspending, cancelling or reinstating a benefit, the minister shall:

- (a) whenever reasonably possible, either:
  - (i) review the client's circumstances with the client; or
  - (ii) in lieu of a review pursuant to subclause (i) and with the client's knowledge, make any inquiry and obtain any information that the minister is satisfied is necessary; and
- (b) notify the client in writing of the minister's decision and inform the client of the client's right to an appeal and a reconsideration pursuant to sections 3-12 to 3-14.

#### **Appeals and reconsideration**

**3-12(1)** Within 15 days after the date of a decision with respect to any of the following matters, an applicant or client 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 7 days after receiving the request and provide the applicant or client with a written decision as soon as is reasonably possible.
- (3) If an applicant or client has been denied benefits or services pursuant to a plan or program administered by another ministry or agency of the Government of Saskatchewan or by the provincial health authority or a community-based organization and the applicant or client 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, provincial health authority or community-based organization.

**Appeal with regard to benefits**

**3-13(1)** Following an appeal pursuant to section 3-12, 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 client is not possible; and
  - (b) the applicant or client notifies the minister that the applicant or client 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 3-12(1).
- (3) A hearing respecting an appeal pursuant to this section must be commenced with an appeal committee in private within 15 days after the date on which the minister notifies the appeal committee of the appeal.
- (4) The minister shall, in writing, advise the applicant or client making the appeal of:
- (a) the date, time and place of the hearing; and
  - (b) the right of the applicant or client:
    - (i) to present supporting evidence and witnesses at the hearing; and
    - (ii) to designate a representative or advocate.
- (5) The testimony of the applicant or client and any other witnesses at the hearing must relate to the issue under appeal.
- (6) A hearing pursuant to this section must 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.

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- (8) The minister must be given the opportunity to present additional evidence and to question the applicant or client or a representative or advocate for the applicant or client.
- (9) The applicant or client, or the representative or advocate mentioned in subsection (8), 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 client or the representative or advocate mentioned in subsection (8);
    - (ii) the representative of 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 client 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 client; and
  - (b) make a decision on the basis of the written statement of the applicant or client and the evidence provided by the minister.
- (14) The appeal committee may make an immediate decision at the conclusion of the hearing.
- (15) If the appeal committee is unable to make a decision within 7 days after the hearing, it shall notify the applicant or client in writing of that fact.
- (16) 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 the minister and to the applicant or client.
- (17) The written decision mentioned in subsection (16) must advise the applicant or client of the right to appeal to the appeal board.
- (18) A quorum of the appeal committee is 3 members.
- (19) The chairperson of the appeal committee may designate a member of the appeal committee to act in the chairperson's absence.

**Appeals to the appeal board**

3-14(1) An applicant or client who is dissatisfied with the decision of an appeal committee made pursuant to section 3-13 may notify the minister in writing of:

- (a) the individual's intention to appeal the appeal committee's decision to the appeal board; and
  - (b) the grounds of the appeal.
- (2) An applicant or client who intends to appeal to the appeal board shall provide the written notice pursuant to subsection (1) within 15 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 3-13, 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 client 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 15 days after the appeal committee's decision is given in writing.
- (5) If the minister is notified of an appeal by the applicant or client 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 client, 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 3-13(16); and
    - (iii) promptly on its receipt pursuant to subsection (6), a summary of the issues and evidence presented before the appeal committee; and
  - (c) notify the appeal committee of the appeal.
- (6) On being notified pursuant to subsection (5), the appeal committee shall promptly provide to the minister a summary of the issues and evidence presented before the appeal committee.
- (7) The appeal board shall 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 5 days' written notice of the date, time and place of the hearing to the minister and the applicant or client.
- (9) All hearings pursuant to this section are to be held in private.

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- (10) A hearing pursuant to this section must 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 client 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 client or the representative or advocate of the applicant or client.
- (14) The applicant or client, or the representative or advocate mentioned in subsection (13), 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 client or the representative or advocate mentioned in subsection (13);
    - (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 client in writing of the adjournment.
- (17) If an applicant or client 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 client; and
  - (b) make a decision on the basis of the written statement of the applicant or client and the evidence provided by the minister.
- (18) On completing the hearing, the appeal board shall briefly summarize the issues and evidence and policies relating to those issues.
- (19) If the appeal board is unable to make a decision within 7 days after the hearing, it shall notify the minister and the applicant or client of that fact.
- (20) 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 to the applicant or client.

- (21) The decision of the appeal board on an appeal pursuant to this section is final.
- (22) A quorum of the appeal board is 3 members.
- (23) The chairperson of the appeal board may designate a member of the appeal board to act in the chairperson's absence.

#### PART 4 Description of Benefits

##### General provisions re Part 4

4-1 The minister may provide a benefit to a client in accordance with this Part, and Part 3 applies, with any necessary modification, with respect to determining the eligibility for and the amount of a benefit.

##### Adult basic benefit

4-2 A monthly benefit with respect to the costs of basic food, clothing, household expenses, personal needs and travel expenses may be provided to a client.

##### Shelter benefit

4-3 A monthly benefit with respect to the costs of shelter and utilities may be provided to a client.

##### Excess shelter benefit

4-4(1) In this section, “**shelter need**” means accommodation that:

- (a) is suitable for the household's health or medical needs; or
- (b) requires alternative heating sources because natural gas is inaccessible.

(2) A monthly benefit with respect to additional shelter needs, as determined by the minister, may be provided to a client if the client requires support in addition to that mentioned in section 4-3 for housing that meets an exceptional circumstance as contemplated in the definition in subsection (1).

##### Security deposits

4-5(1) A periodic benefit for a security deposit up to the amount of the maximum shelter benefit pursuant to section 4-3 may be provided to a client in order to secure rental accommodations.

(2) Subject to subsection (3), the benefit mentioned in subsection (1) is to be repaid to the ministry as an overpayment.

(3) The minister may waive recovery of the overpayment mentioned in subsection (2) in exceptional circumstances.

##### Prescribed diet benefit

4-6 A periodic benefit may be provided to a client if the primary household member or the primary household member's spouse, if any, has special dietary requirements as a result of a specific medical condition, confirmed by a physician or nurse practitioner on a form approved by the minister.

##### Northern Saskatchewan Administration District benefit

4-7 A monthly benefit may be provided to a client who resides in the Northern Saskatchewan Administration District with respect to each member of the household.



**Child care allowance**

**4-8** A periodic benefit may be provided to a client for child care costs in an unlicensed setting, in emergency situations related to health and safety or in order to pursue actions in the case plan if:

- (a) in the household, a dependent child or dependent children require care; and
- (b) no adult members of the household are able to care for the child or children.

**Children's basic benefit**

**4-9(1)** A benefit may be provided in the month in which a child is born into the household for the purpose of meeting the needs of the child.

(2) A monthly benefit is to be provided with respect to each child of a client determined to be residing in the Northern Saskatchewan Administration District:

- (a) in the case of a client who resides in the Northern Saskatchewan Administration District on the date on which the application was submitted, effective as of that date; or
- (b) in the case of a client who has relocated to the Northern Saskatchewan Administration District after the date on which the application was submitted, effective as of the date the client relocated.

(3) If a child of a client has been in the care of the ministry and, during that time, the ministry has received the Canada Child Benefit within the meaning of the *Income Tax Act* (Canada) in relation to the child, on the return of the child to the client's care from the ministry, a benefit may be provided to the client in the month in which the child is returned.

(4) Subject to subsection (5), if a client is in the circumstances set out in clause (a) or (b), a benefit may be provided with respect to each child for whom the Canada Child Benefit within the meaning of the *Income Tax Act* (Canada) is not being provided on account of those circumstances:

- (a) the client is in the process of having a claim for refugee protection, or application for protection, determined or decided pursuant to the *Immigration and Refugee Protection Act* (Canada);
- (b) the client is subject to a removal order pursuant to the *Immigration and Refugee Protection Act* (Canada) that cannot be executed.

(5) The benefit mentioned in subsection (4), if provided, is effective as of the date on which the client's application is submitted to the minister.

**Employment and training benefit**

**4-10** A benefit may be provided to a household once per year with respect to each adult household member who requires assistance with expenses associated with training that supports the goals of the case plan or commencing employment.

**Relocation benefit**

**4-11** A periodic benefit may be provided to a client for costs associated with moving:

- (a) when health and safety is a concern;
- (b) to commence confirmed employment;

- (c) to move to more affordable accommodations; or
- (d) in exceptional circumstances beyond the control of the client.

**Emergency assistance**

**4-12(1)** In this section and in section 4-15, “**applicant**” means an individual who applies for a benefit pursuant to this section or section 4-15 or on whose behalf an application for that benefit is made.

- (2) An applicant may apply to the minister for a benefit described in this section in any manner acceptable to the minister.
- (3) On receipt of an application pursuant to this section, the minister shall:
  - (a) review the application;
  - (b) request, if necessary, any additional information to determine eligibility for a benefit mentioned in this section, which may include confirming the application pursuant to subsection (6);
  - (c) determine whether the household has a budget deficit pursuant to section 2-6 and meets the other criteria pursuant to this section; and
  - (d) approve or deny the application.
- (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 3-12 to 3-14.
- (6) If an application is made pursuant to this section, the applicant and the applicant’s spouse, if any, shall, on the request of the ministry, confirm the application in person by:
  - (a) meeting with a representative of the ministry;
  - (b) reviewing the information provided by the applicant as set out in that application;
  - (c) correcting any errors in the information mentioned in clause (b); and
  - (d) making a statutory declaration respecting the correctness of the information.
- (7) Subject to subsection (8), if the minister is satisfied that there is a threat to the health and safety of the household, an emergency benefit may be provided periodically to an applicant or client with respect to any of the following:
  - (a) provision of temporary accommodation;
  - (b) meals;
  - (c) travel costs by the most reasonable and economical means to travel to a destination in Canada;
  - (d) benefits pursuant to section 4-17.

(8) Subsections 2-1(4) and 2-2(4), clause 2-4(a) and subclauses 2-4(b)(i) to (iii) apply, with any necessary modification, to an applicant or client mentioned in subsection (7).

(9) If a benefit is provided pursuant to subsection (7), the minister may recover the amount of that benefit by declaring it to be an overpayment in the following circumstances:

- (a) the client had already received another benefit with respect to a similar need or purpose mentioned elsewhere in this Part;
- (b) the client did not use the benefit mentioned in clause (a) for the need or purpose mentioned in that clause.

**Household health and safety benefit**

**4-13** A periodic benefit to pay for the purchase, repair or replacement of essential household furnishings and supplies may be provided to a client if, in the opinion of the minister:

- (a) there are health and safety concerns; and
- (b) there are extraordinary circumstances.

**Travel benefit**

**4-14** A periodic benefit may be provided for travel by a household member outside of the household's community of residence for medical, employment or other purposes, as determined as part of a case plan or in exceptional circumstances.

**Funeral benefits**

**4-15(1)** Subject to subsection (2), the minister may provide a periodic benefit for funeral expenses respecting:

- (a) an applicant or the child or spouse of an applicant; or
- (b) a client.

(2) Subsections 2-1(4) and 2-2(4), clause 2-4(a) and subclauses 2-4(b)(i) to (iii) apply, with any necessary modification, to an applicant or a client mentioned in subsection (1).

(3) 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.

(4) 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.

(5) 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 readily available assets are 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.

**Temporary benefit**

**4-16(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:
  - (i) the outcome of an appeal to an appeal committee pursuant to section 3-13 or to the appeal board pursuant to section 3-14; or
  - (ii) the determination of the applicant's eligibility; and
- (b) the minister is satisfied that the applicant is urgently in need of that benefit.

(2) Notwithstanding section 3-1, 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 mentioned in subclause (1)(a)(i) is completed.

**Supplementary health benefits**

**4-17** Supplementary health benefits specified in the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66, may be provided to a client.

**PART 5**  
**Coming into Force**

**Coming into force**

**5-1(1)** Subject to subsection (2), these regulations come into force on July 15, 2019.

(2) If these regulations are filed with the Registrar of Regulations after July 15, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 44/2019***The Saskatchewan Assistance Act*

## Section 14

Order in Council 275/2019, dated June 24, 2019

(Filed June 25, 2019)

**Title**

**1** These regulations may be cited as *The Saskatchewan Assistance Amendment Regulations, 2019*.

**RRS c S-8 Reg 12 amended**

**2** *The Saskatchewan Assistance Regulations, 2014* are amended in the manner set forth in these regulations.

**Section 2 amended****3 Subsection 2(1) is amended:**

**(a) by repealing clause (d);**

**(b) by adding the following clause before clause (e):**

“(d.1) **‘application’** means an application for a benefit made pursuant to section 3, as that section existed on the day before the coming into force of *The Saskatchewan Assistance Amendment Regulations, 2019*”;

**(c) in clause (i) by adding “**, as that section existed on the day before the coming into force of *The Saskatchewan Assistance Amendment Regulations, 2019*” **after “section 14”;**

**(d) by repealing clause (j) and substituting the following:**

“(j) **‘excess asset’** means:

(i) any real property of an eligible recipient other than the principal residence of an eligible recipient;

(ii) any real or personal property used for a farming or business operation of an eligible recipient other than:

(A) the quarter section on which the 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 eligible recipient”; **and**

**(e) by adding the following clause after clause (q):**

“(q.1) **‘provincial health authority’** means the provincial health authority within the meaning of *The Provincial Health Authority Act*”.

**Division 1 of Part II repealed**

**4 Division 1 of Part II is repealed.**

**Section 4 amended**

**5 Subsection 4(2) is amended by striking out “applicant” wherever it appears and in each case substituting “eligible recipient”.**

**New section 5**

**6 Section 5 is repealed and the following substituted:**

**“Eligibility criteria – individuals**

**5(1) This section applies to an eligible recipient who is an individual.**

**(2) An individual is an eligible recipient only if 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 the individual’s needs and the needs of the individual’s 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”.**

**Section 6 amended**

**7(1) Subsection 6(1) is amended by striking out “applicant” and substituting “eligible recipient”.**

**(2) Subsection 6(2) is amended by striking out the portion preceding clause (a) and substituting the following:**

**“A family unit is an eligible recipient only if:”.**

**Section 8 amended**

**8(1) Subsection 8(1) is amended by striking out “applicant” and substituting “eligible recipient”.**

**(2) Subsection 8(2) is amended by striking out “to (5)” and substituting “and (4)”.**

**(3) Subsection 8(3) is amended:**

- (a) by adding “and” after clause (c);**
- (b) by striking out “and” after clause (d); and**
- (c) by repealing clause (e).**

**(4) Subsection 8(5) is repealed.**

**Section 9 amended**

**9(1) Subsection 9(2) is amended by striking out “an applicant that is”.**

**(2) Subsection 9(3) is amended by striking out “to (6)” and substituting “and (5)”.**

- (3) **Subsection 9(4) is amended:**
- (a) **by adding “and” after clause (c);**
  - (b) **by striking out “and” after clause (d); and**
  - (c) **by repealing clause (e).**
- (4) **Subsection 9(6) is repealed.**

**Section 10 amended**

**10 Subsection 10(1) is repealed and the following substituted:**

“(1) Subject to subsection (2) and to section 11, an eligible recipient does not have a budget shortfall if the minister is satisfied that the eligible recipient owns excess assets”.

**Section 11 amended**

**11(1) Subsection 11(1) is amended by striking out “applicant” and substituting “eligible recipient” in each of the following provisions:**

- (a) **clause (a);**
- (b) **clause (b).**

**(2) Subsection 11(6) is repealed and the following substituted:**

“(6) Subject to subsection (7), if an eligible recipient receives revenue for providing room only or room and board in the eligible recipient’s principal residence to a person who is not a member of the eligible recipient’s family unit, 25% of that revenue, but not less than \$25 per month, is to be included in determining monthly income”.

**(3) Subsection 11(8) is repealed and the following substituted:**

“(8) If an eligible recipient receives revenue for renting a self-contained suite in the eligible recipient’s principal residence to a person who is not a member of the eligible recipient’s family unit, 40% of that revenue, but not less than \$40 per month, is to be included in determining monthly income”.

**(4) Subsection 11(9) is amended by striking out “applicant” and substituting “eligible recipient”.**

**(5) Subsection 11(10) is amended by striking out “applicant” and substituting “eligible recipient”.**

**(6) Subsection 11(12) is amended by striking out “applicant” wherever it appears and in each case substituting “eligible recipient”.**

**Section 12 amended**

**12(1) Subsection 12(1) is repealed and the following substituted:**

“(1) In determining an eligible recipient’s liquid assets, the minister may allow the eligible recipient 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) Subsection 12(2) is amended by striking out “applicant’s” and substituting “eligible recipient’s”.**

**(3) Subsection 12(3) is repealed and the following substituted:**

“(3) The following are not to be included in determining an eligible recipient’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 eligible recipient is an individual, the eligible recipient; or
  - (ii) if the eligible recipient 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 an eligible family member or eligible recipient;
- (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 eligible recipient 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”.

**Section 13 amended**

**13(1) Subsection 13(1) is repealed and the following substituted:**

“(1) In determining an eligible recipient’s excess assets, the minister may allow the eligible recipient 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) Subsection 13(2) is amended by striking out “applicant” and substituting “eligible recipient”.**

**(3) Subsection 13(3) is repealed and the following substituted:**

“(3) If the minister permits an eligible recipient to retain an excess asset mentioned in subclause 2(1)(j)(i) or an excess asset that is real property mentioned in subclause 2(1)(j)(ii), the net income from that excess asset is to be included when determining the eligible recipient’s monthly income”.

**(4) Subsection 13(4) is amended by striking out “applicant” and substituting “eligible recipient”.**

**(5) Subsection 13(5) is repealed and the following substituted:**

“(5) An eligible recipient may use the proceeds of the sale of property used as the eligible recipient’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 eligible recipient is suitable to the eligible recipient’s needs and in accordance with the standard of living that the eligible recipient can reasonably expect to maintain”.

**(6) Subsection 13(7) is repealed and the following substituted:**

“(7) Notwithstanding subsection (6), with the prior approval of the minister, an eligible recipient may use any portion of the proceeds of the sale of the eligible recipient’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”.

**(7) Subsection 13(8) is amended by striking out “applicant” wherever it appears and in each case substituting “eligible recipient”.**

**Division 3 of Part II repealed**

**14 Division 3 of Part II is repealed.**

**Section 15 repealed**

**15 Section 15 is repealed.**

**New section 26.1**

**16 The following section is added after section 26:**

**“No benefit re medical expenses**

**26.1(1)** Subject to subsection (3) but notwithstanding any other provision of these regulations, the minister shall not provide a benefit for expenses related to:

- (a) drugs or other substances used for medical or therapeutic purposes; and
  - (b) equipment, supplies, materials or services used to produce or administer the items mentioned in clause (a).
- (2) Without limiting the generality of subsection (1), no benefit shall be provided for:
- (a) a drug within the meaning of *The Pharmacy and Pharmacy Disciplines Act*;
  - (b) cannabis or a cannabis accessory within the meaning of the *Cannabis Act* (Canada) and the regulations made pursuant to that Act;

- (c) a drug within the meaning of the *Food and Drugs Act* (Canada); or
  - (d) a natural health product within the meaning of the *Natural Health Products Regulations* (Canada).
- (3) For the purposes of item 15 in section 4 of Table 2 of the Appendix, the minister shall not provide a benefit for expenses related to cannabis within the meaning of the *Cannabis Act* (Canada)”.

**Section 35 amended**

**17(1) Subsection 35(1) is amended:**

- (a) in the portion preceding clause (a) by striking out “applicant or”;  
and
  - (b) by repealing clause (a).
- (2) Subsection 35(2) is amended by striking out “applicant or”.
- (3) Subsection 35(3) is repealed and the following substituted:

“(3) If an 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 the provincial health authority or a community-based organization and the eligible recipient 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, provincial health authority or community-based organization”.

**Section 36 amended**

**18(1) Subsection 36(1) is amended by striking out “applicant or”:**

- (a) in clause (a); and
  - (b) in clause (b).
- (2) Subsection 36(4) is amended:
- (a) in the portion preceding clause (a) by striking out “applicant or”;  
and
  - (b) in the portion of clause (b) preceding subclause (i) by striking out “applicant or”.
- (3) Subsection 36(5) is amended by striking out “applicant or”.
- (4) Subsection 36(8) is amended by striking out “applicant or”.
- (5) Subsection 36(9) is amended in the portion preceding clause (a) by striking out “applicant or”.
- (6) Subclause 36(10)(a)(i) is amended by striking out “applicant or”.
- (7) Subsection 36(13) is repealed and the following substituted:

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

- (8) Clause 36(15)(a) is amended by striking out “applicant or”.
- (9) Subsection 36(16) is amended by striking out “applicant or”.
- (10) Subsection 36(17) is amended by striking out “applicant or”.

Section 37 amended

- 19(1) Subsection 37(1) is amended in the portion preceding clause (a) by striking out “applicant or”.
- (2) Subsection 37(2) is amended by striking out “applicant or”.
- (3) Clause 37(3)(b) is amended by striking out “applicant or”.
- (4) Subsection 37(5) is amended:
  - (a) in the portion preceding clause (a) by striking out “applicant or”; and
  - (b) in clause (a) by striking out “applicant or”.
- (5) Subsection 37(8) is amended by striking out “applicant or”.
- (6) Subsection 37(12) is amended by striking out “applicant or”.
- (7) Subsection 37(13) is amended by striking out “applicant or”.
- (8) Subsection 37(14) is amended in the portion preceding clause (a) by striking out “applicant or”.
- (9) Subclause 37(15)(a)(i) is amended by striking out “applicant or”.
- (10) Clause 37(16)(b) is amended by striking out “applicant or”.
- (11) Subsection 37(17) is repealed and the following substituted:
  - “(17) If an 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 eligible recipient; and
    - (b) make a decision on the basis of the written statement of the eligible recipient and the evidence provided by the minister”.
- (12) Subsection 37(21) is amended by striking out “applicant or”.

New section 44.1

**20 The following section is added after section 44:**

“Transitional

**44.1** Notwithstanding any other provision of these regulations:

- (a) an application received by the minister on or before the day before the coming into force of *The Saskatchewan Assistance Amendment Regulations, 2019* is to be considered by the minister on the basis of these regulations as they existed on the day before the coming into force of *The Saskatchewan Assistance Amendment Regulations, 2019*; and

(b) if the application mentioned in clause (a) is approved by the minister, the individual or family unit who made the application, or on whose behalf the application was made, is to be provided a benefit in accordance with these regulations, and Part V applies, with any necessary modification”.

**Appendix, Table 1 amended**

**21(1)** Table 1 of the Appendix is amended in the manner set forth in this section.

**(2) Subsection (2) is amended:**

**(a) in clause (r) by striking out “a regional health authority” and substituting “the provincial health authority”; and**

**(b) by adding the following clause after clause (ww):**

“(xx) the Climate Action Incentive payment within the meaning of the *Income Tax Act* (Canada)”.

**(3) Subsection (7) is repealed.**

**Appendix, Table 2 amended**

**22(1)** Section 4 of Table 2 of the Appendix is amended in the manner set forth in this section.

**(2) Item 16 is amended in the “Criteria” portion of Column 2 by striking out “a regional health authority” and substituting “the provincial health authority”.**

**(3) Item 17 is amended:**

**(a) in Column 1 by striking out “a regional health authority” and substituting “the provincial health authority”; and**

**(b) in the “Criteria” portion of Column 2 by striking out “a regional health authority” and substituting “the provincial health authority”.**

**(4) Item 23 is amended in the “Purpose” portion of Column 2 by striking out “a regional health authority” and substituting “the provincial health authority”.**

**Coming into force**

**23(1)** Subject to subsection (2), these regulations come into force on July 15, 2019.

(2) If these regulations are filed with the Registrar of Regulations after July 15, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 45/2019***The Saskatchewan Assistance Act*

## Section 14

Order in Council 276/2019, dated June 24, 2019

(Filed June 25, 2019)

**Title**

1 These regulations may be cited as *The Transitional Employment Allowance Amendment Regulations, 2019*.

**RRS c S-8 Reg 6 amended**

2 *The Transitional Employment Allowance Regulations, 2005* are amended in the manner set forth in these regulations.

**Section 2 amended**

3 **Clause 2(b) is repealed.**

**New section 4**

4 **Section 4 is repealed and the following substituted:**

**“Eligibility for allowance**

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

**New sections 5 and 6**

5 **Sections 5 and 6 are repealed and the following substituted:**

**“Eligibility of client**

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

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

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

- (a) an individual who is sentenced to a term of imprisonment of more than 30 days in:
  - (i) a correctional facility as defined in *The Correctional Services Act, 2012*; or
  - (ii) a custody facility as defined in *The Youth Justice Administration Act*;
- (b) an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);
- (c) an individual who is not a Canadian citizen and who, pursuant to the *Immigration and Refugee Protection Act* (Canada), is not eligible to work in Canada;
- (d) an individual who is a full-time student in a post-secondary educational program;
- (e) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program.

(3) The granting to an individual of a limited amount of assistance in circumstances of emergency assistance for a very short period pursuant to the SAP regulations does not disqualify the individual from eligibility for a transitional employment allowance.

(4) To qualify as a category A client:

- (a) a client:
  - (i) must be determined by a unit administrator:
    - (A) to be available for employment; and
    - (B) to have a reasonable expectation of becoming self-sufficient;
  - (ii) must be:
    - (A) participating in, or eligible to participate in, a pre-employment program approved by a unit administrator;
    - (B) receiving, or eligible to receive, a pre-employment service approved by a unit administrator; or
    - (C) actively seeking employment; and
- (b) if the client has a spouse who is determined by a unit administrator as being able to accept employment, participate in a pre-employment program or receive a pre-employment service, the spouse of the client must be:
  - (i) participating in, or eligible to participate in, a pre-employment program approved by a unit administrator;
  - (ii) receiving, or eligible to receive, a pre-employment service approved by a unit administrator; or
  - (iii) actively seeking employment.

(5) To qualify as a category B client, a client must establish, to the satisfaction of a unit administrator, that the client has a reasonable expectation of becoming self-sufficient within three calendar months after the month of the application.

**“Eligible family members**

**6(1)** Subject to subsection (2), eligible family members of a client are:

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

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

- (a) an individual who is sentenced to a term of imprisonment of more than 30 days in:
  - (i) a correctional facility as defined in *The Correctional Services Act, 2012*; or
  - (ii) a custody facility as defined in *The Youth Justice Administration Act*;
- (b) an inmate as defined in the *Corrections and Conditional Release Act* (Canada) or a prisoner as defined in the *Prisons and Reformatories Act* (Canada);
- (c) a full-time student in a post-secondary educational program;
- (d) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program”.

**Section 8 amended**

**6** The following clause is added after clause 8(2)(q):

“(r) the Climate Action Incentive payment within the meaning of the *Income Tax Act* (Canada)”.

**Sections 12 and 13 repealed**

**7** Sections 12 and 13 are repealed.

**Section 30 amended**

**8(1)** Subsection 30(1) is amended:

- (a) in the portion preceding clause (a) by striking out “an applicant or client” and substituting “a client”; and
- (b) in clause (a) by striking out “assessment or”.

(2) Subsection 30(2) is amended by striking out “applicant or”.

**Section 31 amended**

**9** Subsection 31(1) is amended in the portion preceding clause (a) by striking out “an applicant or client” and substituting “a client”.

**Section 32 amended**

**10** Subsection 32(1) is amended by striking out “an applicant or client” and substituting “a client”.

**Section 33 amended****11(1) Subsection 33(1) is repealed and the following substituted:**

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

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

**(2) Subsection 33(3) is repealed and the following substituted:**

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

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

**New section 35.1****12 The following section is added after section 35:****“Transitional (2019) – applications**

**35.1** Notwithstanding any other provision of these regulations:

- (a) an application received by the minister on or before the day before the coming into force of *The Transitional Employment Allowance Amendment Regulations, 2019* is to be considered by the minister on the basis of these regulations as they existed on the day before the coming into force of *The Transitional Employment Allowance Amendment Regulations, 2019*; and
- (b) if the application mentioned in clause (a) is approved by the minister, the individual or family unit who made the application, or on whose behalf the application was made, is to be provided a transitional employment allowance in accordance with these regulations, and sections 26 to 33 apply, with any necessary modification”.

**Coming into force**

**13(1)** Subject to subsection (2), these regulations come into force on July 15, 2019.

(2) If these regulations are filed with the Registrar of Regulations after July 15, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.



**SASKATCHEWAN REGULATIONS 46/2019***The Saskatchewan Assistance Act*

## Section 14

Order in Council 277/2019, dated June 24, 2019

(Filed June 25, 2019)

**Title**

**1** These regulations may be cited as *The Saskatchewan Assured Income for Disability Amendment Regulations, 2019*.

**RRS 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.

**Section 2 amended**

**3 The following clause is added after clause 2(r):**

“(r.1) ‘**provincial health authority**’ means the provincial health authority within the meaning of *The Provincial Health Authority Act*”.

**Section 8 amended**

**4 Subsections 8(1.1) and (1.2) are repealed.**

**New section 28.1**

**5 The following section is added after section 28:**

**“No benefit re medical expenses**

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

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

(2) Without limiting the generality of subsection (1), no benefit shall be provided for:

- (a) a drug within the meaning of *The Pharmacy and Pharmacy Disciplines Act*;
- (b) cannabis or a cannabis accessory within the meaning of the *Cannabis Act* (Canada) and the regulations made pursuant to that Act;
- (c) a drug within the meaning of the *Food and Drugs Act* (Canada); or
- (d) a natural health product within the meaning of the *Natural Health Products Regulations* (Canada).

(3) For the purposes of item 18 in section 4 of Table 2 of the Appendix, the minister shall not provide a benefit for expenses related to cannabis within the meaning of the *Cannabis Act* (Canada)”.

**Section 37 amended****6 Subsection 37(4) is repealed and the following substituted:**

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

**Appendix, Table 1 amended****7(1) Table 1 of the Appendix is amended in the manner set forth in this section.****(2) Subsection (2) is amended:****(a) by repealing clause (a) and substituting the following:**

“(a) an amount of earned income and honoraria in the calendar year received by the individual, prorated as may be necessary based on the month during which the individual becomes eligible for a benefit, equal to:

- (i) \$8,500 if the individual has one or more dependent children but no dependent spouse;
- (ii) \$8,500 if the individual has one or more dependent children and a dependent spouse;
- (iii) \$6,000 if the individual has no dependants; and
- (iv) \$7,200 if the individual has a dependent spouse but no dependent children”;

**(b) in subclause (f)(ii):****(i) by repealing paragraph (B) and substituting the following:**

“(B) ordered by the Workers’ Compensation Board pursuant to *The Workers’ Compensation Act, 2013*”; and

**(ii) by repealing paragraph (D) and substituting the following:**

“(D) ordered pursuant to *The Victims of Interpersonal Violence Act*”;

**(c) in clause (r) by striking out “a regional health authority” and substituting “the provincial health authority”; and****(d) by adding the following clause after clause (vv):**

“(ww) the Climate Action Incentive payment within the meaning of the *Income Tax Act (Canada)*”.

**Appendix, Table 2 amended**

8(1) Section 4 of Table 2 of the Appendix is amended in the manner set forth in this section.

**(2) Item 19 is amended in the “Criteria” portion of Column 2 by striking out “a regional health authority” and substituting “the provincial health authority”.**

**(3) Item 20 is amended:**

**(a) in Column 1 by striking out “a regional health authority” and substituting “the provincial health authority”; and**

**(b) in the “Criteria” portion of Column 2 by striking out “a regional health authority” and substituting “the provincial health authority”.**

**(4) Item 25 is amended in the “Purpose” portion of Column 2 by striking out “a regional health authority” and substituting “the provincial health authority”.**

**Coming into force**

9(1) Subject to subsection (2), these regulations come into force on July 1, 2019.

(2) If these regulations are filed with the Registrar of Regulations after July 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 47/2019***The Saskatchewan Assistance Act*

## Section 14

Order in Council 279/2019, dated June 24, 2019

(Filed June 25, 2019)

**Title**

**1** These regulations may be cited as *The Employment Supplement Amendment Regulations, 2019*.

**RRS c S-8 Reg 3, section 6 amended**

**2(1)** Section 6 of *The Employment Supplement Regulations* is amended in the manner set forth in this section.

**(2) Subsection (1) is amended by in the portion preceding clause (a) by striking out “In order” and substituting “Subject to subsection (4), in order”.**

**(3) The following subsection is added after subsection (3):**

“(4) A family unit is not an eligible family unit if:

(a) the applicant or client or the spouse, if any, of the applicant or client has employment income, farming income or self-employment income for the previous month; and

(b) either:

(i) the family unit is receiving benefits as an eligible beneficiary pursuant to *The Saskatchewan Assured Income for Disability Regulations, 2012*; or

(ii) the family unit is receiving benefits as a household pursuant to *The Saskatchewan Income Support Regulations*”.

**Coming into force**

**3(1)** Subject to subsection (2), these regulations come into force on July 1, 2019.

**(2)** If these regulations are filed with the Registrar of Regulations after July 1, 2019, these regulations come into force on the day on which they are filed with the Registrar of Regulations.