

The Transitional Employment Allowance Regulations, 2005

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Chapter S-8 Reg 6 (effective May 6, 2005) as amended by Saskatchewan Regulations [99/2005](#), [124/2005](#), an [Errata notice](#) published in the Gazette January 20, 2006, [34/2006](#), [68/2006](#), [42/2008](#), [82/2017](#), [33/2018](#) and [45/2019](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-8 REG 6
The Saskatchewan Assistance Act

Title

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

Interpretation

2 In these regulations:

- (a) **“Act”** means *The Saskatchewan Assistance Act*;
- (b) **Repealed.** 5 Jly 2019 SR 45/2019 s3.
- (c) **“category A client”** means an individual whose eligibility for a transitional employment allowance is determined pursuant to subsection 5(4);
- (d) **“category B client”** means an individual whose eligibility for a transitional employment allowance is determined pursuant to subsection 5(5);
- (e) **“child”** means an individual who is under 18 years of age, and includes an individual who attains the age of 18 years during the entire month in which the individual attains that age;
- (f) **“client”** means an individual who has been determined to be eligible for a transitional employment allowance;
- (g) **“eligible family member”** means, with respect to an individual, a member of the family unit of the individual who is determined pursuant to section 6 to be an eligible family member;
- (h) **“excess asset”** means:
 - (i) residential property other than the principal residence of the individual; or
 - (ii) real or personal property used in a farming or business operation of the individual or a member of the individual’s family unit other than property that, in the opinion of a unit administrator, is essential to the farming or business operation;
- (i) **“family unit”** means, with respect to an individual:
 - (i) the individual;
 - (ii) the individual’s spouse, if any; and
 - (iii) the children, if any, of the individual or the individual’s spouse, including any children to whom the individual or the individual’s spouse stands *in loco parentis*;

- (j) **“liquid asset”** means:
- (i) cash on hand;
 - (ii) an amount on deposit in a financial institution;
 - (iii) the realizable value of:
 - (A) a stock, bond or other security;
 - (B) a mortgage or agreement for sale;
 - (C) an insurance policy;
 - (D) a bequest pursuant to a will;
 - (E) an award of damages pursuant to a court decision;
 - (F) a settlement of a claim;
- (k) **“participating spouse”** means a spouse who has been assessed by a unit administrator as being able to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service;
- (l) **“pre-employment service”** means a service not necessarily related to employment that, if received by an individual, is likely to assist the individual in becoming able to obtain employment;
- (m) **“SAP regulations”** means *The Saskatchewan Assistance Regulations, 2014*;
- (n) **“self-sufficient”** means not eligible to receive:
- (i) a transitional employment allowance; or
 - (ii) assistance pursuant to the SAP regulations;
- (o) **“spouse”** means:
- (i) the legal spouse of an individual; or
 - (ii) if an individual does not have a legal spouse or is living separate and apart from his or her legal spouse, another individual who:
 - (A) has cohabited with the individual for a period of not less than three months and shares financial resources with the individual;
 - (B) represents himself or herself as the spouse of the individual or as a parent of a child of the individual;
 - (C) is a parent of a child of the individual; or
 - (D) for any purpose identifies the individual or a child of the individual as his or her dependant;
- (p) **“transitional employment allowance”** means a transitional employment allowance described in section 15.

Program continued

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

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

6 May 2005 cS-8 Reg 6 s3.

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.

5 Jly 2019 SR 45/2019 s4.

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.

5 Jly 2019 SR 45/2019 s5.

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.

5 Jly 2019 SR 45/2019 s5.

Budget deficit

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

- (a) shall, in accordance with section 8, determine the combined income of the individual and all eligible family members of the individual for the previous 30 days;
- (b) shall determine the total of all allowances to which the individual and the eligible family members of the individual would be entitled pursuant to these regulations if the individual were entitled to a transitional employment allowance;
- (c) shall determine the total of all liquid assets owned by the individual and the eligible family members of the individual;
- (d) shall determine whether the individual or any eligible family member of the individual owns excess assets; and

- (e) may review the circumstances surrounding a disposal of assets or an unusual expenditure by the individual or an eligible family member of the individual within the six calendar months, or any greater period the minister considers appropriate, immediately preceding the calendar month in which the individual's application for a transitional employment allowance was made.
- (1.1) The minister may pay the reasonable fees charged by any financial institution that provides information to the minister in relation to the performance of his or her duties and responsibilities or the exercise of his or her powers pursuant to subsection (1).
- (2) Subject to subsections (3) and (4), an individual has a budget deficit if the combined income determined pursuant to clause (1)(a) is less than the total of allowances determined pursuant to clause (1)(b).
- (3) An individual does not have a budget deficit if:
- (a) in the case of an individual with no eligible family members, the total value of the liquid assets of the individual is greater than \$1,500; or
 - (b) in the case of an individual with one or more eligible family members, the total value of the liquid assets of the individual and the eligible family members is greater than \$3,000 for the individual and one eligible family member, plus \$500 for each additional eligible family member.
- (4) An individual does not have a budget deficit if the minister is satisfied that:
- (a) the individual or an eligible family member of the individual's family unit owns excess assets;
 - (b) a disposal of assets or an unusual expenditure, within the six calendar months, or any greater period the minister considers appropriate, immediately preceding the calendar month in which the individual's application for a transitional employment allowance was made, was carried out for the purpose of causing the individual to have a budget deficit; or
 - (c) in the case of an individual who is determined to be not eligible to receive a benefit pursuant to section 18 of the SAP regulations, within the number of months immediately preceding the calendar month in which that determination was made, if the period the individual is not eligible to receive a benefit exceeds six months.
- (5) Notwithstanding any other provision of these regulations, the minister may, in a particular case, do any of the following:
- (a) exclude from a determination pursuant to clause (1)(a) any amount of income that, in the minister's opinion, should not be included;
 - (b) exclude from a determination pursuant to clause (1)(c) any liquid asset that, in the minister's opinion, should not be included, or include in a determination pursuant to that clause any liquid asset that, in the minister's opinion, should be included;
 - (c) exclude from a determination pursuant to clause (1)(d) any asset that, in the minister's opinion, should not be considered an excess asset.

Income

8(1) In this section, “**overpayment**” means an overpayment to an individual of an amount in excess of the individual’s entitlement under a program established pursuant to an Act or regulation of the Government of Saskatchewan, the Government of Canada or the government of any other province or territory of Canada.

(2) Subject to subsections (3) to (8), the income of an individual is the net amount of moneys due to the individual from all sources other than the following:

- (a) **Repealed.** 4 Aug 2017 SR 82/2017 s5.
- (b) the SES benefit, as defined in *The Employment Supplement Regulations*;
- (c) **Repealed.** 4 Aug 2017 SR 82/2017 s5.
- (d) the RHS benefit, as defined in *The Rental Housing Supplement Regulations*;
- (e) the DHS benefit, as defined in *The Disability Housing Supplement Regulations*;
- (f) a payment by the minister pursuant to *The Child and Family Services Act* or by an agency with which the minister has entered into an agreement pursuant to section 61 of that Act;
- (g) a payment made by the minister with respect to a young person committed to open custody in a place or facility of open custody within the meaning of *The Youth Justice Administration Act*;
- (h) a payment made by Indigenous and Northern Affairs (Canada) for the foster care of children;
- (i) the Canada Child Benefit, within the meaning of the *Income Tax Act* (Canada);
- (j) a refund of the goods and services tax credit within the meaning of the *Income Tax Act* (Canada);
- (k) a refund of the Saskatchewan sales tax credit within the meaning of section 39 of *The Income Tax Act, 2000*;
- (l) the amount of any rebate, grant or allowance from the Government of Canada or the Government of Saskatchewan for the purpose of alleviating hardship resulting from high utility costs;
- (m) a payment of compensation that is related to a claim with respect to abuse sustained while attending an Indian residential school;
- (n) a payment of compensation, other than a payment for lost income, that is related to a claim with respect to child abuse, other than a claim to which clause (m) applies;
- (o) the amount determined by the Canada Revenue Agency as the amount to which an individual is entitled pursuant to the *Universal Child Care Benefit Act* (Canada).
- (p) a payment of compensation to the individual that is related to a claim for the loss of culture and identity with respect to the practice of removing Aboriginal children from their families and placing them for adoption in non-Aboriginal homes, commonly known as the Sixties Scoop;

- (q) a payment of compensation to a class member pursuant to a plan approved by the Ontario Superior Court of Justice in the matter of *Parsons v Canadian Red Cross Society*, decided on October 22, 1999 (Court file numbers 98-CV-141369 and 98-CV-146405), not including any payments for lost income or loss of support;
 - (r) the Climate Action Incentive payment within the meaning of the *Income Tax Act* (Canada).
- (3) Any employment income of an individual who is a child shall not be included as part of the individual's income.
 - (4) If an individual receives revenue for providing room and board in the individual's home to a person who is not a member of the individual's family unit, not more than \$25 per month of that revenue shall be considered as income for the purposes of subsection (2).
 - (5) If an individual receives revenue for providing accommodation without board in the individual's home to a person who is not a member of the individual's family unit, not more than \$75 per month of that revenue shall be considered as income for the purposes of subsection (2).
 - (6) If an individual's income is subject to attachment or garnishment or other similar process, the amount attached or garnished shall not be deducted from the individual's income for the purposes of subsection (2).
 - (7) The amount of any overpayment recovered from an individual by set-off or any other means shall be considered as income for the purposes of subsection (2).
 - (8) Subsection (7) does not apply to the amount of an overpayment recovered by set-off or any other means from the amount of an income tax refund due to the individual.

6 May 2005 cS-8 Reg 6 s8; 25 Nov 2005 SR
124/2005 s3; 21 Apr 2006 SR 34/2006 s2; 7 Jly
2006 SR 68/2006 s2; 4 Aug 2017 SR 82/2017
s5; 11 May 2018 SR 33/2018 s2 5 Jly 2019 SR
45/2019 s6.

Duration of allowance – category A clients

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

- (a) the client becomes self-sufficient;
- (b) the client ceases to participate in a pre-employment program and is not actively seeking employment;
- (c) the client ceases to receive a pre-employment service and is not actively seeking employment;
- (d) the client ceases to seek employment;
- (e) if the client's spouse is a participating spouse:
 - (i) the spouse ceases to participate in a pre-employment program and is not actively seeking employment;

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- (ii) the spouse ceases to receive a pre-employment service and is not actively seeking employment; or
- (iii) the spouse ceases to seek employment; or
- (f) the client's entitlement to receive payments is terminated pursuant to section 28.

6 May 2005 cS-8 Reg 6 s9.

Duration of allowance – category B clients

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

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

6 May 2005 cS-8 Reg 6 s10.

Duration of allowance – family members

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

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

6 May 2005 cS-8 Reg 6 s11.

12 Repealed. 5 Jly 2019 SR 45/2019 s7.

13 Repealed. 5 Jly 2019 SR 45/2019 s7.

Effect of eligibility on payment of assistance

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

6 May 2005 cS-8 Reg 6 s14.

Amount of transitional employment allowance

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

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

6 May 2005 cS-8 Reg 6 s15.

Allowances for general living expenses

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

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

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

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

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

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

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

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

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

Northern food allowance

17(1) In addition to any allowance that may be provided to a client pursuant to section 16, a northern food allowance may be provided to a client who resides north of the fifty-fourth parallel of latitude, in the Northern Village of Cumberland House or in the communities of Pemmican Portage or Barthel.

(2) For the purposes of subsection (1), the minister may establish rates that vary in accordance with any of the following:

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

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

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

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

6 May 2005 cS-8 Reg 6 s17.

Utilities allowance

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

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

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

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

- (4) For the purposes of subsection (3), the minister may establish rates that vary in accordance with the following:
- (a) the number and type of utilities that a client pays for;
 - (b) the number of persons with respect to whom the general living allowance is being provided;
 - (c) the locality in which the client's accommodation is situated.
- (5) Notwithstanding any other provision of this section, if a client establishes his or her eligibility for an allowance pursuant to subsection (1) or (2), the allowance to which the client is entitled is to be calculated in accordance with the following rules:
- (a) subject to clauses (b) and (c), the allowance is to be calculated from the date of his or her application;
 - (b) if the allowance is applied for after the start of a month and the client has paid his or her utility costs for that month before making the application, no allowance for the first month is payable to the client;
 - (c) if the allowance is applied for after the start of a month and the client has not paid his or her utility costs for that month before making the application, the allowance for the first month is the amount for the month as set out in the schedule of rates established by the minister.
- (6) For the purposes of subsection (5), the number of days in a month is deemed to be 30.

6 May 2005 cS-8 Reg 6 s18.

Allowance for employment-related costs

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

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

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

6 May 2005 cS-8 Reg 6 s19.

Allowance for relocation costs

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

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

6 May 2005 cS-8 Reg 6 s20.

Allowance for child care costs

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

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

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

6 May 2005 cS-8 Reg 6 s21.

Payment of allowance

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

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

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

6 May 2005 cS-8 Reg 6 s22.

Lost, stolen or forged cheques

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

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

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

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

6 May 2005 cS-8 Reg 6 s23.

Supplementary health benefits

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

6 May 2005 cS-8 Reg 6 s24.

Temporary assistance in special circumstances

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

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

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

6 May 2005 cS-8 Reg 6 s25.

School expenses allowance

25.1 (1) A school expenses allowance may be provided annually to a client with respect to each child who, as of August 1 in a calendar year:

- (a) is an eligible family member of the client's family unit; and
- (b) is enrolled in a school or a registered independent school within the meaning of *The Education Act, 1995*.

(2) The amount of a school expenses allowance that may be provided with respect to a child is:

- (a) \$50 if the child is less than six years of age;
- (b) \$85 if the child is six years of age or older but less than 14 years of age; or
- (c) \$130 if the child is 14 years of age or older.

16 Sep 2005 SR 99/2005 s3.

Temporary energy cost allowance

25.2 For the period commencing on December 1, 2005 and ending on April 30, 2006, a temporary energy cost allowance in the amount of \$20 per month may be provided, for the purpose of alleviating hardship resulting from high energy costs, to a client who is receiving a general living allowance pursuant to subsection 16(1).

25 Nov 2005 SR 124/2005 s4.

Report of changes

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

- (a) any changes in the composition of the client's family unit or in the factors relating to the eligibility of family members;
- (b) any offer of employment received by the client or the client's spouse;
- (c) any changes in:
 - (i) the income of the client or the client's spouse;
 - (ii) the place of residence or the mailing address of the client;
 - (iii) the type of the client's accommodation; or
 - (iv) the number or type of utilities that the client pays for; or
- (d) the ceasing of the client or the client's spouse to work, to actively seek employment, to participate in a pre-employment program or to receive a pre-employment service.

(2) A client must, from time to time in accordance with subsections (3) and (4), submit a report to the ministry:

- (a) with respect to the occurrence of any of the matters described in subsection (1); or
- (b) if none of the matters described in subsection (1) has occurred, with respect to that fact.

(3) A unit administrator shall determine an appropriate reporting period for a client and shall give written notice to the client of the client's reporting period and the first reporting date at least 15 days before the first reporting date.

(4) A client shall submit a report described in subsection (2):

- (a) on or before the first reporting date; and
- (b) after the first reporting date, not later than the last day of the reporting period mentioned in subsection (3).

(5) **Repealed.** 20 Jne 2008 SR 42/2008 s3.

(6) Subject to subsections (7) and (8), a report required by this section may be made by telephone or in writing.

(7) Subject to subsection (8), if a client makes a report by telephone, the client must confirm that report in writing and submit documents verifying the changes, if any, within 15 days after making the report by telephone unless the unit administrator waives the requirement.

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

6 May 2005 cS-8 Reg 6 s26; 20 Jne 2008 SR 42/2008 s3; 4
Aug 2017 SR 82/2017 s8.

Reassessment

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

6 May 2005 cS-8 Reg 6 s27.

Termination

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

- (a) the client or the client's spouse obtains employment and fails to report that fact to the ministry;
- (b) the unit administrator is satisfied that:
 - (i) employment of a type that the client is capable of undertaking is available; and
 - (ii) the client is refusing, without reasonable excuse, to accept that employment; or
- (c) in the case of a client with a participating spouse, the unit administrator is satisfied that:
 - (i) employment of a type that the participating spouse is capable of undertaking is available; and
 - (ii) the participating spouse is refusing, without reasonable excuse, to accept that employment.

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

- (a) the client fails to submit a report in accordance with subsection 26(1) or (2);
- (b) the client fails to confirm a report in accordance with subsection 26(7);
- (c) changes in circumstances affect the eligibility of the client to receive a transitional employment allowance;
- (d) the unit administrator determines that the client is not able to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service;
- (e) the client fails to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service;

- (f) if the client's spouse is a participating spouse:
 - (i) the unit administrator determines that the spouse is not able to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service; or
 - (ii) the spouse fails to work, actively seek employment, participate in a pre-employment program or receive a pre-employment service.

(3) **Repealed.** 20 Jne 2008 SR 42/2008 s4.

6 May 2005 cS-8 Reg 6 s28; 20 Jne 2008 SR
42/2008 s4; 4 Aug 2017 SR 82/2017 s9.

Notice of change in amount, termination

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

6 May 2005 cS-8 Reg 6 s29; 4 Aug 2017 SR
82/2017 s10.

Reconsideration

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

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

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

6 May 2005 cS-8 Reg 6 s30; 5 Jly 2019 SR
45/2019 s8.

Appeal

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

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

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

(3) Section 36 of the SAP regulations applies, with any necessary modification, to an appeal pursuant to subsection (1).

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

6 May 2005 cS-8 Reg 6 s31; 4 Aug 2017 SR
82/2017 s11; 5 Jly 2019 SR 45/2019 s9.

Further appeal

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

(2) Section 37 of the SAP regulations applies, with any necessary modification, to an appeal pursuant to subsection (1).

6 May 2005 cS-8 Reg 6 s32; 4 Aug 2017 SR
82/2017 s12; 5 Jly 2019 SR 45/2019 s10.

Interim allowance pending appeal

33(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) The amount of an interim allowance is:

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

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(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.

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

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

6 May 2005 cS-8 Reg 6 s33; 5 Jly 2019 SR
45/2019 s11.

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

34 *The Transitional Employment Allowance Regulations* are repealed.

6 May 2005 cS-8 Reg 6 s34.

Transitional

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

(1.1) A school expenses allowance may be provided in accordance with section 25.1 to an individual to whom subsection (1) applies.

(1.2) A temporary energy cost allowance may be provided in accordance with section 25.2 to an individual to whom subsection (1) applies and who is receiving a general living allowance pursuant to subsection 16(1).

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

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

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

6 May 2005 cS-8 Reg 6 s35; 16 Sep 2005 SR
99/2005 s4; 25 Nov 2005 SR 124/2005 s5.

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.

5 Jly 2019 SR 45/2019 s12.

Coming into force

- 36(1)** Subject to subsection (2), these regulations come into force on May 1, 2005.
- (2) If these regulations are filed with the Registrar of Regulations after May 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

6 May 2005 cS-8 Reg 6 s36.