

The Saskatchewan Telecommunications Superannuation Act

Repealed

by Chapter S-35.2 of the *Statutes of Saskatchewan, 1998*
(effective January 1, 1999).

Formerly

Chapter S-35 of *The Revised Statutes of Saskatchewan, 1978*
(effective February 26, 1979) as amended by the *Statutes of
Saskatchewan, 1983, c.29; 1983-84, c.54; 1986-87-88, c.27
and 32; 1988-89, c.42 and 44; 1989-90, c.54; 1990-91, c.C-8.1;
1992, c.P-6.001; and 1993, c.45 and 52.*

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-35

An Act respecting the Superannuation of Employees of Saskatchewan Telecommunications

SHORT TITLE

Short title

1 This Act may be cited as *The Saskatchewan Telecommunications Superannuation Act*.

INTERPRETATION

Interpretation

2 In this Act:

- (a) “**board**” means the Saskatchewan Telecommunications Superannuation Board mentioned in section 3;
- (b) “**corporation**” means Saskatchewan Telecommunications;
- (c) “**department**” means the Department of Telephones;
- (d) “**employee**” means an employee of the corporation or the department, permanently employed and required during the hours or period of his active employment to devote his constant attention to the duties of his position, but does not include local agents receiving an operating commission or a stated salary in lieu of such commission;
- (e) “**minister**” means the Minister of Telephones or any other member of the Executive Council to whom the Lieutenant Governor in Council may for the time being assign the administration of *The Saskatchewan Telecommunications Act*.

R.S.S. 1978, c.S-35, s.2.

ADMINISTRATION

Saskatchewan Telecommunications Superannuation Board

3(1) The Saskatchewan Government Telephones Superannuation Board is continued under the name of Saskatchewan Telecommunications Superannuation Board, subject to such changes in personnel as may be made from time to time by the Lieutenant Governor in Council, and this Act shall be administered by the board.

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(2) The board shall consist of five members appointed by the Lieutenant Governor in Council, one of whom shall be nominated as chairperson, one of whom shall be an employee and representative of the employees, and one of whom shall be a superannuate under the plan established pursuant to this Act.

(3) The expenses of administration of this Act shall be a charge upon and paid out of the revenues of the corporation.

R.S.S. 1978, c.S-35, s.3; 1993, c.52, s.3.

Powers and duties of board

3.1 Where an employee elects at any time to take an early retirement and the corporation agrees to pay to that employee an allowance or any other amount in addition to the employee's superannuation allowance calculated in accordance with this Act, in addition to the powers and duties of the board as provided in this Act, the board shall have the power to receive from the corporation those funds that the corporation considers necessary for the purpose of the board making the payments mentioned in this section.

1993, c.52, s.4.

SALARY

Certain salary deemed to be received

4(1) Notwithstanding anything in this Act, where the salary authorized to be paid to an employee for services rendered:

(a) during any period after the thirty-first day of March, 1957, and before the first day of May, 1969, exceeds salary at the rate of \$10,000 a year, the employee shall for all purposes of this Act be deemed to have been in receipt of a salary at the rate of \$10,000 a year during that period;

(b) during any period after the thirtieth day of April, 1969, and before the first day of May, 1970, exceeds salary at the rate of \$11,500 a year, the employee shall for all purposes of this Act be deemed to have been in receipt of a salary at the rate of \$11,500 a year during that period;

(c) during any period after the thirtieth day of April, 1970, and before the first day of May, 1972, exceeds salary at the rate of \$16,000 a year, the employee shall for all purposes of this Act be deemed to have been in receipt of salary at the rate of \$16,000 a year during that period; and

(d) during any period after the thirtieth day of April, 1972, and before the first day of May, 1973, exceeds salary at the rate of \$18,000 a year, the employee shall for all purposes of this Act be deemed to have been in receipt of salary at the rate of \$18,000 a year during that period.

(2) Notwithstanding anything in this or any other Act, the salary of an employee for services rendered by him during any period commencing on or after the first day of May, 1973, shall, for all purposes of this Act, be the salary actually received by the employee.

R.S.S. 1978, c.S-35, s.4.

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Election to contribute on higher salary in certain cases

5(1) Notwithstanding anything in this or any other Act, an employee who has been continuously employed in the service of the corporation during the period from the first day of May, 1968, to the first day of May, 1972, may on or before the first day of May, 1973, by notice in writing to the board elect to contribute on a higher rate of salary which rate of salary shall be the actual rate of salary received by him or salary at the rate of \$16,000 per annum, whichever rate is the lesser, in respect of all or any portion of the period during which he was under the age of sixty-five years after the thirtieth day of April, 1968, and before the first day of May, 1970.

(2) Where an election is made under subsection (1) by an employee who has contributed for thirty-five years or more, his contributions in respect of any period selected by him under subsection (1) shall be equal to the difference between:

(a) the amount that he previously contributed in respect of his salary during that period or would have contributed had he not ceased to be a contributor; and

(b) the amount payable at his regular rate of contribution as a percentage of his higher rate of salary during that period as provided for in subsection (1).

(3) Where an election is made under subsection (1) by a person who has not contributed for thirty-five years or more, his contribution in respect of any period selected by him under subsection (1) shall be equal to the difference between:

(a) the amount that he previously contributed in respect of that period; and

(b) the amount payable at his regular rate of contribution as a percentage of his higher rate of salary during that period as provided in subsection (1).

(4) Any amount payable to the board as a result of an election made under subsection (1):

(a) is deemed to have become due and payable to the board on the last day of the year, as defined in subsection (5), in which the salary upon which the contributions have been made was received or deemed to have been received under this section;

(b) shall bear interest at the rate of five per cent per annum compounded annually from the day fixed by clause (a) to the day the written notice is received by the board; and

(c) may be paid by instalments over a period not to exceed twelve months together with interest at the rate of six per cent per annum compounded annually on that portion of the amount that remains unpaid from time to time.

(5) For the purposes of clause (a) of subsection (4), "year" means the period of twelve months commencing on the first day of May and ending at midnight on the thirtieth day of April of the year next following.

(6) Upon payment of the contribution and interest thereon required by this section an employee shall be deemed to have been in receipt of salary during any period at the rate upon which he has made contributions pursuant to this section and salary at such rate shall be taken into account in calculating any allowance payable to him.

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Compulsory retirement

6 Subject to the other provisions of this Act, every employee shall retire from the service of the corporation at the end of the last day of the month in which he attains the age of sixty-five years.

R.S.S. 1978, c.S-35, s.6.

Optional retirement between ages sixty and sixty-five

7 An employee who has attained the age of sixty years and has served at least fifteen years continuously may be retired at his option and shall on retirement be entitled to the superannuation allowance provided for in section 17.

R.S.S. 1978, c.S-35, s.7.

Optional retirement

8 An employee who:

- (a) has attained the age of sixty years; and
- (b) has served at least twenty years continuously;

may be retired at his option and shall on retirement be entitled to a superannuation allowance.

R.S.S. 1978, c.S-35, s.8.

Same

9(1) An employee who:

- (a) was an employee on the thirty-first day of March, 1952; and
- (b) has served continuously for thirty-five years or more exclusive of service reckoned under section 47;

may be retired at his option before he attains the age of sixty years and shall on retirement be entitled to a superannuation allowance.

(2) Notwithstanding subsection (1), a female employee who has attained the age of fifty-five years and who was an employee on the thirty-first day of March, 1955, may be retired under this section.

R.S.S. 1978, c.S-35, s.9.

Retirement at option of corporation

10(1) Where the corporation is of the opinion that an employee is not able to meet the requirements of his employment and the employee has served at least 15 years continuously with the corporation, the employee may be retired at the option of the corporation and shall, on retirement, be entitled to a proportionately reduced superannuation allowance.

(2) The amount of the reduction to a superannuation allowance payable pursuant to subsection (1) shall be such as may be determined by the board, and subsection 16(3) regarding minimum allowances shall not apply.

1986-87-88, c.32, s.2.

Retention after the age of retirement

11(1) When the corporation decides that it is in its interest to retain the services of an employee who has attained the age of retirement, the services of that employee may be retained for a further period not exceeding five years, upon such terms as may be deemed expedient.

(2) The superannuation allowance payable to that employee shall be calculated to the end of the last day of the month in which he attains the age of sixty-five years and an extension of his service under this section shall not affect the amount of the allowance or any allowance payable to his widow or children.

(3) Where an employee has prior to the first day of April, 1955, been granted an extension or extensions, any period of service pursuant thereto shall be taken into account in calculating an allowance payable to him or to his widow or children; but no period of service pursuant to an extension granted on or after the said date shall affect the amount of any allowance or alter the maximum yearly allowance applicable to that employee.

R.S.S. 1978, c.S-35, s.11.

Special provisions re early retirement

11.1(1) In this section:

(a) **“employee”** means an employee of the corporation or the Saskatchewan Telecommunications Holding Corporation to whom this Act or *The Superannuation (Supplementary Provisions) Act* applies whose:

- (i) age is greater than 60 years;
- (ii) years of service is greater than 30 years;
- (iii) age, together with years of service, is not less than 80 years; or
- (iv) age and years of service meet any criteria established by the Lieutenant Governor in Council;

on the day on which the person retires;

(b) **“years of service”** means the total of an employee’s:

- (i) period of employment in respect of which the employee is eligible for superannuation under a superannuation Act as that term is defined in *The Superannuation (Supplementary Provisions) Act*; and
- (ii) period of participation in the Public Employees (Government Contributory) Superannuation Plan established pursuant to section 38 of *The Superannuation (Supplementary Provisions) Act*.

(2) Notwithstanding any other provision of this Act or *The Superannuation (Supplementary Provisions) Act*, an employee may, subject to subsection (3), be retired at the employee’s option and is, on retirement, entitled:

- (a) to a superannuation allowance calculated in accordance with the provisions of this Act and *The Superannuation (Supplementary Provisions) Act* without diminution, or to an annuity in accordance with section 44 of *The Superannuation (Supplementary Provisions) Act*, as the case may require; and

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- (b) in addition to the superannuation allowance or annuity to which the employee is entitled pursuant to clause (a), a monthly allowance, a lump sum payment, or a combination of a monthly allowance and a lump sum payment, in an amount to be determined by the Lieutenant Governor in Council and to be paid by the corporation.
- (3) The Lieutenant Governor in Council may determine:
- (a) which employees are eligible to elect to be retired pursuant to this section; and
- (b) the time period during which an early retirement program may be offered to employees pursuant to this section.
- (4) The option provided pursuant to subsection (2) to an employee must be exercised by the employee within 30 days of the employee becoming entitled to retire, unless otherwise provided by the Lieutenant Governor in Council.
- (5) An employee who exercises an option pursuant to subsection (2) shall retire within 30 days of having exercised that option unless otherwise provided by the Lieutenant Governor in Council.
- (6) The corporation shall pay an amount to be determined by the Lieutenant Governor in Council into the Public Employees (Government Contributory) Superannuation Fund established pursuant to section 38 of *The Superannuation (Supplementary Provisions) Act* to the credit of an employee who exercises the option pursuant to subsection (2) and who is contributing to that fund.
- (7) Any early retirement program conducted by the corporation, including the terms and conditions, eligibility requirements and any payments made, is deemed to have been determined, made and conducted in accordance with the terms of this Act.

1993, c.52, s.5.

CONTRIBUTIONS

Contributions by employees

- 12(1) Subject to section 5, no further contributions shall be made by an employee who:
- (a) has made contributions for a period of thirty-five years; or
- (b) has contributed to the end of the last day of the month in which he attains the age of sixty-five years.
- (2) If a person who heretofore ceased or hereafter ceases to be an employee has again become or again becomes an employee the percentage for his contribution shall be determined by his age when he last entered or re-enters continuous employment with the corporation.
- (3) The age for determining the percentage for the contribution to be made by an employee who elects to count prior temporary service under subsection (1) of section 28 shall not be changed by the election and shall continue to be his age at the time he became permanently employed.

(4) The age for determining the percentage for the contribution to be made by an employee to whom section 47 applies shall be his age at the time he became an employee and not his age at the commencement of the period of service reckoned as such under section 47.

(5) The corporation shall deduct the amount of contributions from the employee's salary payments.

(6) Subject to subsection (7), where an employee has been granted leave of absence without pay, or is on a lay-off list for a period not exceeding one year, the sums that would have been deducted had his salary been paid during the period of absence or lay-off, shall be deducted from the payments of salary made after his return to active employment and during the absence or lay-off he shall be deemed to be an employee for the purposes of this Act at the salary he was receiving at the time the absence or lay-off commenced. If an allowance becomes payable under this Act before the expiration of the period of absence or lay-off those sums shall be deducted from the allowance in such manner as the board may determine.

(7) Where an employee is granted leave of absence without pay for the purpose of working in an official capacity with the union that, at the time the leave is granted, is the recognized collective bargaining agent on behalf of the employees, then:

(a) he may continue to make the contributions payable under this Act for the period of the leave of absence and during that period shall, subject to clauses (b) to (g), be entitled to all the benefits of this Act;

(b) if he is in default with respect to any periodic contribution for more than fifteen days from the day on which it is due, he shall not longer be entitled to the benefits of this Act while on such leave of absence and, in that case, he shall be entitled to a refund of his contributions and accrued interest but he may elect to leave his contributions in the superannuation fund, in which event no additional interest shall be payable thereon;

(c) if he returns to active employment with the corporation within or at the end of the period of the leave of absence, he shall be entitled to the benefits of this Act provided that:

(i) if he received a refund under clause (b), he repays the contributions and interest so refunded, together with interest thereon at four per cent per annum, compounded annually and computed from the time the refund was made; and

(ii) if he has not made the contributions payable with respect to all or any part of the period mentioned in clause (a), he makes such contributions, together with interest thereon at four per cent per annum, compounded annually and computed from the day each contribution was payable;

and the period in respect of which he is entitled to make contributions under clauses (a) and (e) shall, if such contributions are made, be deemed to be continuous with his subsequent continuous service with the corporation for the purposes of this Act;

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(d) no leave of absence in excess of one year shall be taken into account for the purposes of this Act unless there is paid into the fund, in addition to and concurrently with the employee's contributions and interest payable under this subsection, an amount equal to the employer's contribution in respect of the period of the leave of absence that exceeds one year;

(e) where the leave of absence was granted prior to the coming into force of this subsection and was, for that reason, not permitted to be taken into account for the purposes of this Act, the employee may, by notice in writing delivered to the corporation before the first day of July, 1977, elect to pay into the fund:

(i) the contributions payable under this Act for the period of the leave of absence; and

(ii) an amount equal to the employer's contribution as mentioned in clause (d);

together with interest thereon at the rate of four per cent per annum, compounded annually and computed from the day each contribution would have been payable, and those amounts may be paid in a lump sum or in instalments in such amounts and at such times as the board may direct;

(f) the amounts required to be paid as mentioned in clauses (d) and (e) shall be deemed to be periodic contributions for the purposes of clause (b);

(g) if he does not return to active employment with the corporation at the end of the period of the leave of absence, he shall be deemed to have resigned from the corporation and shall be entitled to a refund of his contributions and accrued interest or to such deferred allowance or other allowance as the board may determine that he is entitled to receive under this Act.

(8) For the purposes of subsection (7):

(a) an employee on leave of absence shall be deemed to have received a salary equal to that payable from time to time during the leave of absence in respect of the office or job held by him immediately prior to the commencement of the leave of absence or payable in respect of the office or job held by him with the union during the leave of absence, whichever is the greater;

(b) "**employer's contribution**" means the amount which would have been contributed to the fund by the corporation in respect of the employee for the period of the leave of absence if the employee had not been on leave of absence, but shall not be less than the amount of the contributions plus interest required to be paid or repaid by the employee in respect of such period in accordance with subsection (7).

(9) For the purpose of determining salaries for deduction of contributions from the wages of employees paid on a daily or hourly basis, the daily or hourly wage shall be multiplied by the regular number of days or hours worked per month and shall not include any extra or overtime employment. In the event of any disagreement or dispute as to the salary of such employees the decision of the board shall be final.

(10) When in addition to a cash salary an employee enjoys living or residential allowances or other emoluments, perquisites or privileges incidental to his office, the board shall determine the value of those allowances or other emoluments, perquisites or privileges.

(11) Where an employee has been absent from work as the result of an accident arising out of and in the course of his employment and has received compensation under *The Workmen's Compensation (Accident Fund) Act*, and where that employee has paid to the superannuation fund five per cent, six per cent, seven per cent or eight per cent, whichever is the contribution percentage payable by him under this section, of the amount that he would have received as salary if he had not been absent on account of the accident, the amount that he would have so received as salary shall be reckoned for the purposes of this Act.

R.S.S. 1978, c.S-35, s.12.

SUPERANNUATION ALLOWANCE

Employees entitled to allowance

13 Subject to the provisions of this Act and the regulations a yearly superannuation allowance shall be granted to:

- (a) every employee who, having attained the age of retirement and having served at least ten years continuously, retires from the service of the corporation;
- (b) every employee:
 - (i) to whom section 45 or 47 does not apply, who, having served at least fifteen years continuously;
 - (ii) to whom section 45 or 47 applies, who, having served at least ten years continuously exclusive of war service reckoned under those sections;

retires from the service of the corporation on account of ill health or physical or mental incapacity and who is declared by the board to be entitled to superannuation; provided that in the case of an employee to whom section 45 or 47 applies, the period of continuous service required under this clause shall be ten years, exclusive of service reckoned under section 45 or 47, instead of fifteen years.

R.S.S. 1978, c.S-35, s.13.

Power of board to review cases of superannuation on account of ill health

14(1) The board may review from time to time the case of an employee superannuated on account of ill health or physical or mental incapacity, and where the employee recovers the board shall report his case to the corporation which may offer him further employment. If employment is not available his allowance shall continue, subject to subsections (4) and (5).

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- (2) When an employee who has been superannuated on account of ill health or physical or mental incapacity is offered upon recovery, but does not accept, re-employment, the board may discontinue his allowance, but in that case he shall be paid a sum equal to the amount of his contributions with accrued interest less the total sums paid to him on account of his superannuation allowance.
- (3) When an employee who has been superannuated on account of ill health or physical or mental incapacity is re-employed, his allowance shall be suspended during the period of his re-employment and the time during which the re-employment continues shall be counted in determining the superannuation allowance to which he is entitled on his final retirement.
- (4) Every employee to whom an allowance has been heretofore or is hereafter granted under clause (b) of section 13, who has heretofore become or hereafter becomes engaged in any employment, shall notify the board of that fact, forthwith after the commencement of the employment, giving full particulars of the employment including the remuneration received therefor; and every female employee to whom such an allowance has been heretofore or is hereafter granted, who has heretofore married or remarried or hereafter marries or remarries, shall notify the board of her marriage or remarriage, forthwith after the date of the marriage or remarriage.
- (5) Upon receipt of a notification under subsection (4), or if a person fails to give notification as required by that subsection or gives such notification but fails to furnish within a specified time such further information as the board may require, the board may in its discretion cancel or suspend payment of the allowance or reduce the amount thereof, and its decision shall be final.

R.S.S. 1978, c.S-35, s.14.

DEFERRED SUPERANNUATION ALLOWANCE

Employees entitled to deferred superannuation allowance

- 15(1)** Subject to the provisions of this Act and the regulations, an employee who, having attained the age of thirty years and having served at least ten years continuously, separates from the service may, at his option, to be exercised within one year from the date of separation, be granted a deferred yearly superannuation allowance.
- (2) A deferred yearly superannuation allowance granted under this section shall:
- (a) be calculated on the total number of years of continuous service of the employee on the day of his separation, in the manner provided in section 16;
 - (b) become payable to the employee commencing on the day on which he attains the age of sixty-five years.
- (3) A person to whom a deferred superannuation allowance has been granted may, at any time before he has received a payment on account thereof, request a return of his contributions, and upon receipt by the board of such a request the board shall cancel the deferred superannuation allowance and thereupon all contributions paid by that person shall be refunded to him together with accrued interest calculated up to the date of the request.

(4) Where a person to whom a deferred yearly superannuation allowance has been granted under subsection (1), whether before or after the coming into force of this subsection, dies, sections 20, 21, 23, 24, 25 and 26 apply *mutatis mutandis* with respect to that allowance.

R.S.S. 1978, c.S-35, s.15.

AMOUNTS OF ALLOWANCES

Computation

16(1) Except as provided in section 17 and subject to the other provisions of this section, a superannuation allowance shall be calculated upon the average yearly salary of the employee during the six consecutive years of highest salary and shall be one-fiftieth part of such salary multiplied by the total number of his years of continuous service and any fraction of a year.

(2) No more than thirty-five years of service shall be included for the purpose of a calculation under subsection (1).

(3) No yearly allowance payable under this section shall be less than \$360.

R.S.S. 1978, c.S-35, s.16.

Allowance on retirement between ages sixty and sixty-five

17(1) Subject to subsection (2), an employee who, having served at least fifteen years continuously and having attained the age of sixty years, retires from the service of the corporation under section 7 shall receive a yearly allowance calculated in the manner provided in section 16 and reduced in accordance with the regulations.

(2) If the amount of the allowance for an employee who retires under section 7, calculated in the manner provided in section 16 and reduced in accordance with the regulations, exceeds the maximum yearly allowance applicable to him under section 16 the yearly allowance shall be the said maximum yearly allowance.

R.S.S. 1978, c.S-35, s.17.

Payment to certain employees retiring on account of ill health

18 An employee, other than an employee to whom section 45 or 47 applies, who, having served at least ten but less than fifteen years continuously, retires from the service of the corporation on account of ill health or physical or mental incapacity shall be paid in a lump sum his total contributions with accrued interest together with an amount equal to the said contributions and interest.

R.S.S. 1978, c.S-35, s.18.

Board to decide eligibility

19 No allowance shall be granted to an employee unless the board reports that he is eligible within the meaning of this Act.

R.S.S. 1978, c.S-35, s.19.

PAYMENTS TO FAMILY

Payments on death of superannuate

20(1) If a superannuate dies leaving a widow, one-half of the allowance to which he was entitled shall be paid to his widow for life or during widowhood; and there shall be paid to each child under the age of eighteen years, if any, until it attains that age, a sum equal to ten per cent of the allowance, the total amount payable to the children not to exceed one-quarter of the allowance and to be divided equally between them.

(2) If the superannuate's wife has predeceased him or if she, having survived him, dies or remarries, her one-half allowance shall be paid to those of his children, if any, who have not attained the age of eighteen years and shall be paid until they attain that age, in lieu of the sums to which they were entitled before the death or remarriage of their mother.

(3) When a superannuate dies before receiving an amount equal to one year's allowance, and leaving neither widow nor children, there shall be paid to his personal representative or nominee, or to a member of his family, as the board may direct, a sum equal to the remainder of that amount.

R.S.S. 1978, c.S-35, s.20.

Payments on death of employee

21(1) If an employee dies after having served for at least ten years continuously, and leaving a widow, one-half of the allowance to which he would have been entitled under section 16, had he been superannuated at the date of his death, calculated on the basis of his actual period of continuous service at the said date, shall be paid to the widow for life or during widowhood; and there shall be paid to each child under the age of eighteen years, if any, until it attains that age, a sum equal to ten per cent of the allowance, the total amount payable to the children not to exceed one-quarter of the allowance and to be divided equally between them.

(2) If the employee's wife has predeceased him or if she, having survived him, dies or remarries, her one-half allowance shall be paid to those of his children, if any, who have not attained the age of eighteen years and shall be paid until they attain that age, in lieu of the sums to which they were entitled before the death or remarriage of their mother.

(3) When an employee dies after having served for at least ten years continuously, and leaving neither widow nor children, there shall be paid to his personal representative or to a member of his family, as the board may direct, a lump sum not exceeding the contributions made by him during his lifetime with interest.

R.S.S. 1978, c.S-35, s.21.

Death before ten years' service

22 Where an employee, other than an employee to whom section 43 or 44 applies, dies before he has served for ten years continuously, there shall be granted to his widow, if any, or if no widow to those of his children, if any, who have not attained the age of eighteen years, a lump sum not exceeding his total contributions with accrued interest together with an amount equal to the said contributions and interest, or, if neither widow nor any such children, to his personal representative or to such of his next of kin, as the board may direct, a lump sum not exceeding his total contributions with accrued interest.

R.S.S. 1978, c.S-35, s.22.

Cases in which widow and children get no allowance

23(1) Subject to subsection (3), no allowance shall be granted to the widow or child of a superannuate or employee:

- (a) if the widow or child is in the opinion of the board unworthy of it; or
- (b) if the deceased married after superannuation; or
- (c) if the deceased married after the thirtieth day of April, 1928, being at the date of marriage over sixty years of age:

provided that a breach of the conditions as to the marriage shall not prejudice the right of a child of an earlier marriage to an allowance.

(2) Notwithstanding subsection (1), if an employee married after the first day of May, 1943, or hereafter marries, being at the date of marriage over fifty-five years of age and under sixty years of age, the allowance payable to the widow or a child under section 20 or 21 shall be reduced by such amount as the board may by order prescribe, provided that nothing in this subsection shall affect the amount of the allowance to a child of an earlier marriage.

(3) No allowance shall be granted to the adopted child of a superannuate or employee if the child:

- (a) was adopted after the superannuation of his adoptive father; or
- (b) was adopted after the thirtieth day of April, 1928, his adoptive father being at the time over sixty years of age; or
- (c) was adopted after the first day of May, 1943, his adoptive father being at the time over fifty-five years of age.

R.S.S. 1978, c.S-35, s.23; 1989-90, c.54, s.4.

Reduction of allowance to widow

24 If an employee marries and if his age exceeds that of his wife by twenty years or upwards, the allowance to the wife shall be reduced by such an amount as the board may by regulation prescribe.

R.S.S. 1978, c.S-35, s.24.

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Suspension or discontinuance of allowance

25(1) The allowance to a widow or child may be suspended or discontinued if in the opinion of the board the widow or child becomes unworthy of it.

(2) The allowance to a widower may be suspended or discontinued if in the opinion of the board the widower is not dependant on the allowance.

R.S.S. 1978, c.S-35, s.25.

Payment to legal custodian of child

26(1) Allowances payable to a child shall be paid to the person constituted or appointed legal custodian of the child by or pursuant to *The Children's Law Act* or otherwise.

(2) Lump sum payments payable to a child shall be paid to the person constituted or appointed guardian of the property of the child by or pursuant to *The Children's Law Act*.

(3) Where there is no legal custodian or guardian as described in subsection (1) or (2), moneys payable to a child may be paid to any person that the board in its discretion may determine, having regard to the best interests of the child.

1990-91, c.C-8.1, s.77.

ELECTION TO VARY ALLOWANCE

Election to vary allowance before and after seventy years of age

27(1) An employee or other person who is entitled to receive a superannuation or other allowance under this Act, by a periodic payments during his lifetime or, in the case of a widow, until her remarriage, may in writing elect to receive payment of the allowance in such manner that:

(a) the amount thereof will be increased until he attains the age of sixty-five years and decreased after he attains that age; and

(b) the amounts to be received by the employee or other person will, as nearly as possible, be equal monthly amounts before and after the attainment of the age of sixty-five years, taking into account the old age pension;

payable under the *Old Age Security Act* (Canada) along with the allowance payable under this Act.

(2) If an employee who has made an election under subsection (1) dies and is survived by a widow entitled to an allowance, the allowance payable to his widow shall be one-half of the amount or amounts of the allowance that would have been payable to her husband under subsection (1), whether as increased before his attainment of the age of sixty-five years, or as decreased after his attainment of the said age; provided that where subsection (2) of section 23 or section 24, or both, apply, the allowance provided for in this subsection shall be reduced by such amount as the board may by regulation prescribe.

- (3) Sums payable in respect of children under this Act shall not be affected by anything in this section.
- (4) The amounts of the equalized monthly payments shall be determined in accordance with the regulations.

R.S.S. 1978, c.S-35, s.27.

TEMPORARY AND PERMANENT EMPLOYMENT

Persons employed temporarily with continuous service to date of permanent appointment

28(1) An employee who was, before the first day of April, 1955, temporarily employed in the service of the department or the corporation and who became a permanent employee prior to that date and whose temporary employment was continuous up to the time of his permanent employment, may have his temporary employment reckoned for the purposes of this Act if, before the first day of May, 1963, he makes a written request to the board that such service be so reckoned and authorizes the corporation to deduct from his salary the amount that would have been payable had he been appointed permanently at the date of the commencement of his temporary employment, together with interest thereon, from the date of permanent appointment at four per cent per annum, compounded annually.

(2) A person appointed to the permanent staff on or after the first day of April, 1955, shall be deemed to have been a permanent employee during the period of his temporary employment and shall be required to make contributions in accordance with this Act in respect of such temporary service.

(3) The deductions provided for in this section may be made by instalments payable in such amounts and at such times as the board may direct and instalments shall bear interest at the rate of two per cent per annum, compounded annually.

R.S.S. 1978, c.S-35, s.28.

REFUNDS

Refund or transfer of contributions

29(1) When an employee retires voluntarily or is dismissed from the service of the corporation, or his office is abolished and he is no longer employed, the contributions to the superannuation fund that have been deducted from his salary or paid by him otherwise than by deductions from salary, and standing to his credit in the superannuation fund, may, at the employee's option, be immediately refunded to him with accrued interest. This subsection does not apply in respect of an employee whose name is on a lay-off list or an employee who has elected to take a deferred allowance under section 15.

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(2) If an employee resigns to enter the employ of the Liquor and Gaming Authority, Saskatchewan Power Corporation or The Workers' Compensation Board or of the Government in the public service, all contributions to the superannuation fund that have been deducted from his salary or paid by him otherwise than by deductions from salary, and standing to his credit in the superannuation fund, together with accrued interest, shall thereupon be transferred to the Liquor Board Superannuation Fund, the Power Corporation Superannuation Fund, The Workmen's Compensation Board Superannuation Fund or the consolidated fund, as the case may require, to his credit, and on such resignation this Act shall not apply to him.

(3) Subject to subsection (4), where an employee retires before becoming entitled to a superannuation allowance pursuant to this Act, resigns or is dismissed from the service of the corporation or where the employee's office is abolished and the employee is no longer employed, at the employee's option all contributions to the superannuation fund that have been deducted from an employee's salary and standing to the employee's credit in the superannuation fund, together with accrued interest and an amount equal to the amount deducted from the employee's salary together with accrued interest, shall be transferred to an account in the employee's name in the Public Employees (Government Contributory) Superannuation Plan established pursuant to section 38 of *The Superannuation (Supplementary Provisions) Act* and administered in accordance with that Act if:

- (a) the employee has not elected pursuant to subsection (1) to receive a refund of contributions and interest; or
- (b) the employee has not elected pursuant to section 15 to receive a deferred allowance.

(4) The Lieutenant Governor in Council may prescribe the date after which the option mentioned in subsection (3) may no longer be exercised by an employee, and after that date the option mentioned in subsection (3) ceases to exist.

R.S.S. 1978, c.S-35, s.29; 1993, c.45, s.58; 1993,
c.52, s.6.

No right to demand refund

30 Except as herein expressly provided, nothing in this Act shall be construed to confer upon any person any right to demand or enforce the repayment of his contributions or the payment of interest.

R.S.S. 1978, c.S-35, s.30.

MISCELLANEOUS

Manner of payment of superannuation allowance

31 The superannuation allowance payable to a retired employee, or to his widow or children, shall be paid in monthly instalments.

R.S.S. 1978, c.S-35, s.31.

Deposit of contributions in bank

32 All contributions shall be deposited in a chartered bank or banks to the credit of an account to be known as the Saskatchewan Telecommunications Superannuation Fund.

R.S.S. 1978, c.S-35, s.32.

Reserve fund

33 The corporation may at any time, in its discretion, set up and provide, in such manner as it sees fit, by reserve or otherwise, such funds as may be necessary to meet the allowances payable or to become payable under this Act.

R.S.S. 1978, c.S-35, s.33.

Investments

34(1) Subject to the approval of the Minister of Finance, the board may from time to time invest any part of the moneys standing to the credit of the superannuation fund in securities which are authorized for investment of moneys pursuant to *The Pension Benefits Act, 1992*.

(1.1) The Minister of Finance may impose any terms and conditions that he considers appropriate on an approval pursuant to subsection (1).

(2) The board may dispose of any securities in which any part of the fund has been invested under subsection (1) in such manner and on such terms as the board deems expedient.

R.S.S. 1978, c.S-35, s.34; 1983, c.29, s.46; 1983-84, c.54, s.21; 1988-89, c.42, s.99; 1988-89, c.44, s.12; 1992, c.P-6.001, s.75.

Payments made on resolution of board

35(1) The payment of any benefit under this Act shall be made upon a resolution of the board directing the issue of a cheque on the Saskatchewan Telecommunications Superannuation Fund for the amount named in the requisition. The direction shall be final and conclusive.

(2) Cheques on the fund shall be signed by such person or persons as may be designated by the board.

R.S.S. 1978, c.S-35, s.35.

Audit

36 The Provincial Auditor or any other auditor or firm of auditors that the Lieutenant Governor in Council may appoint shall:

(a) annually; and

(b) at any other time that the Lieutenant Governor in Council may require;

audit the accounts and financial statements of the superannuation fund.

1986-87-88, c.27, s.12.

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Allowances, etc., a charge on superannuation fund

37 All superannuation allowances, lump sum payments and refunds, together with any accruals of interest thereon, shall be a charge on the superannuation fund and shall be paid therefrom; provided that, if there are insufficient moneys in the fund for such purposes, any deficiencies shall be met by payments from the revenues of the corporation and shall be a charge thereon.

R.S.S. 1978, c.S-35, s.37.

Retention of moneys owing to cover moneys in default, indebtedness, etc.

38 Where money is payable to or in respect of an employee retired, dismissed or deceased or whose employment was otherwise terminated, who has made default in accounting for moneys of the corporation or is indebted to or liable to pay moneys to the Minister of Finance or any Crown corporation or other Government agency, the board may retain the amount payable or as much thereof as is necessary for repayment of the moneys in default and for payment of any indebtedness of the employee to, and of any moneys the employee is liable to pay to, the Minister of Finance, Crown corporation or other Government agency, and any amount so retained shall be paid by the board to the corporation, Minister of Finance, Crown corporation or Government agency, as the case may require.

R.S.S. 1978, c.S-35, s.38.

Medical certificate

39 Where an employee is retired on account of ill health or physical or mental incapacity or is re-employed, the physical or mental condition of the employee shall be established by certificate of a duly qualified medical practitioner, nominated by the board.

R.S.S. 1978, c.S-35, s.39.

Allowances, etc. unattachable and unassignable

40 Any payments to be made under this Act shall not be subject to garnishment or attachment or seizure or any legal process, and shall be unassignable.

R.S.S. 1978, c.S-35, s.40.

Transfer of certain amounts to other plans

41(1) Notwithstanding:

- (a) an employee who separated from the service of the corporation for any reason;
- (b) a superannuate including a widow or child;

may in writing to the board elect to have any amount payable to him under this Act transferred to a pension fund or retirement savings plan registered as such for purposes of the *Income Tax Act* (Canada).

(2) Where the board receives an election made under subsection (1) it shall arrange to pay any amount or amounts to which the employee or superannuate is entitled to the fund or plan in accordance with the election.

(3) An employee or superannuate may at any time cancel an election made under subsection (1) and upon receipt of such a direction the board shall pay to the employee or superannuate any amounts that thereafter become payable to him under this Act.

R.S.S. 1978, c.S-35, s.41.

Certain persons over forty-five years on entering service not eligible for superannuation

42 No person who enters continuous employment with the corporation after the thirty-first day of March, 1955, and who is over the age of forty-five years when he enters such employment shall be eligible for superannuation nor shall such person make contributions under section 12.

R.S.S. 1978, c.S-35, s.42.

Contribution by and payment to persons not eligible for superannuation

43(1) Subject to subsection (7), every employee under the age of sixty-five years who under section 42 is ineligible for superannuation shall, until he attains that age but not thereafter, by reservation from his salary, contribute five per cent of his salary to the superannuation fund.

(2) The corporation shall deduct the amount of such contributions from the employee's salary payments.

(3) Every employee to whom subsection (1) applies who, having attained the age of sixty-five years, retires from the service of the corporation or who retires from the service of the corporation on account of ill health or physical or mental incapacity shall be paid in a lump sum his total contributions with accrued interest together with an amount equal to the said contributions and interest.

(4) Subject to subsection (5), where the service of an employee to whom subsection (1) applies is terminated otherwise than by retirement at the age of sixty-five years or retirement on account of ill health or physical or mental incapacity his total contributions shall be forthwith refunded to him with accrued interest; and where the service of the employee was terminated by his death before he attained the age of sixty-five years his contributions with accrued interest shall be paid to his personal representative or nominee, or to a member of his family, as the board may direct, except where the employee leaves a widow or children who have not attained the age of eighteen years in which case his contributions with accrued interest together with an amount equal to the said contributions and interest shall be paid to his widow, if any, or if no widow to those of his children, if any, who have not attained the age of eighteen years, as the board may direct.

(5) Where the service of an employee to whom subsection (1) applies is terminated by his death or retirement after he attains the age of sixty-five years, the lump sum that would have been payable under subsection (3) had he retired on attaining the age of sixty-five years, together with the contributions made by him after he attained that age but prior to the twenty-sixth day of March, 1959, and interest on those contributions, shall be paid to him or, in case of his death, to his personal representative or nominee, or to a member of his family, as the board may direct.

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(6) No payment shall be made under this section to an employee or any other person unless the board reports that the employee or other person is entitled thereto.

(7) An employee to whom this section applies may advise the board in writing that he does not wish to make contributions, or does not wish to continue making contributions, under this section and thereupon this section shall not apply to that employee and his contributions, if any, together with accrued interest shall be refunded to him. An election made under this subsection shall be irrevocable.

R.S.S. 1978, c.S-35, s.43.

Payments to employees ineligible for superannuation and for payment under section 43

44(1) Every employee ineligible for superannuation who:

- (a) has been contributing under section 12;
- (b) having attained the age of sixty-five years retires from the service of the corporation, or who retires from the service of the corporation on account of ill health or physical or mental incapacity; and
- (c) is not ineligible for superannuation under section 42;

shall be paid in a lump sum his total contributions with accrued interest together with an amount equal to five per cent of his salary for the period of his service subsequent to the thirty-first day of March, 1955, with interest thereon at the rate of three per cent per annum, compounded annually.

(2) Subject to subsection (3), where the service of an employee to whom subsection (1) would apply upon his attaining the age of sixty-five years is terminated otherwise than by retirement at the age of sixty-five years or by retirement on account of ill health or physical or mental incapacity, his total contributions shall be forthwith refunded to him with accrued interest; and where the service of such employee was terminated by his death before he attained the age of sixty-five years his contributions with accrued interest shall be paid to his personal representative or nominee, or to a member of his family, as the board may direct, except where the employee leaves a widow or children who have not attained the age of eighteen years, in which case his contributions with accrued interest together with an amount equal to the said contributions and interest shall be paid to his widow, if any, or if no widow to those of his children, if any, who have not attained the age of eighteen years, as the board may direct.

(3) Where the service of an employee to whom subsection (1) applies is terminated by his death or retirement after he attains the age of sixty-five years, the lump sum that would have been payable under subsection (1) had he retired on attaining the age of sixty-five years, together with the contributions made by him after he attained that age and interest on those contributions shall be paid to him or, in case of his death, to his personal representative or nominee, or to a member of his family, as the board may direct.

(4) No payment shall be made under this section to an employee or other person unless the board reports that the employee or other person is entitled thereto.

R.S.S. 1978, c.S-35, s.44.

Absence during war of 1939-1945

45(1) If during the war of 1939-1945 an employee was absent while serving in His Majesty's active forces, the active forces of the Auxiliary Services, the Merchant Marine of Canada or the active forces of any of His Majesty's allies, the absence shall not be deemed a discontinuance of service and the employee shall for the purposes of this Act be deemed to have been in the employ of the corporation during the period of his absence.

(2) No contribution shall be payable by the employee in respect of the period of his absence.

R.S.S. 1978, c.S-35, s.45.

Absence while serving in certain forces of Her Majesty

46(1) If an employee is absent while serving in Her Majesty's special forces as defined in the *Veterans Benefit Act* (Canada), or in Her Majesty's regular forces for a period not exceeding three years following such service or in Her Majesty's active forces specially recruited for service in Korea, the absence shall not be deemed a discontinuance of service and the employee shall be deemed to have been in the employ of the corporation during the period of his absence.

(2) No contribution shall be payable by the employee in respect of the period of his absence if he has served in a theatre of war during any part of such period.

R.S.S. 1978, c.S-35, s.46.

War service 1939-1945 deemed service with corporation

47(1) Every person, male or female, who:

- (a) served during the war of 1939-1945 in His Majesty's active forces, the active forces of the Auxiliary Services, the Merchant Marine of Canada or the active forces of any of His Majesty's allies;
- (b) at the time of enlistment resided in Saskatchewan;
- (c) became an employee within twelve months after the date:
 - (i) of his or her honourable discharge from His Majesty's forces or the forces of any of His Majesty's allies; or
 - (ii) of his or her discharge from hospitalization rendered necessary as a result of such war service and following immediately after his or her honourable discharge from His Majesty's forces or the forces of any of His Majesty's allies; or
 - (iii) of his or her completion of education or vocational training provided by the Government of Canada on account of such war service;
- (d) remains in the employ of the department or the corporation for a continuous period of at least one year; and
- (e) has been an employee of the department or the corporation continuously to the date of his or her retirement;

shall, for the purposes of this Act, be deemed to have been in the employ of the corporation during such war service.

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(2) The periods covered by the war service, and subsequent continuous employment with the department and the corporation shall be deemed to be continuous service with the corporation for the purposes of this Act.

(3) No employee to whom this section applies shall be required to make any contribution in respect of his or her period of war service.

(4) Before an employee is given credit for war service pursuant to this section, he or she shall submit to the board evidence satisfactory to it that he or she is entitled to the benefit conferred by this section.

R.S.S. 1978, c.S-35, s.47.

**Service of persons who left and returned to service with
the department or corporation**

48(1) Notwithstanding anything hereinbefore contained and subject to the following subsections, if a person who at any time ceased to be an employee has again become or again becomes an employee, the period or periods of his previous service in the employment of the department or the corporation shall be taken into account in computing any allowance or payment to be made to him or his widow or children or any other person under this Act.

(2) If an employee on leaving the service of the department or the corporation received a retiring gratuity or honorarium from the department or the corporation or a refund of contributions pursuant to section 29, he shall not be entitled to the benefit of subsection (1) until he repays the contributions and interest so refunded, with interest thereon at five per cent per annum from the date on which he again became or becomes an employee, and also repays any gratuity or honorarium so received by him.

(3) If an employee had made no contributions under *The Telephone Department Superannuation Act* or this Act prior to the date on which he left the department or the corporation, he shall not be entitled to the benefit of subsection (1) until he has made contributions of four per cent of the salary received by him in respect of his previous service after the thirtieth day of April, 1928, and prior to the first day of April, 1955, and contributions in accordance with this Act in respect of his previous service after the thirty-first day of March, 1955, together with interest thereon at five per cent per annum from the date on which he again became or becomes an employee.

(4) Repayments under subsection (2) and payments under subsection (3) may be made by instalments in such amounts and at such times as the board may direct.

(5) Subsection (1) does not apply to an employee whose previous service did not cover a continuous period of three years or more.

(6) A person who heretofore ceased or hereafter ceases to be an employee and who, after the thirty-first day of March, 1955, again becomes an employee shall be entitled to the benefit of subsection (1) only if:

- (a) the interval between the date of termination of his previous service and the date on which he again becomes an employee is less than six years; and

(b) he had, prior to the date on which he left the service of the department or the corporation, made contributions under *The Telephone Department Superannuation Act* or this Act or both, as the case may be, in respect of a period of at least one year;

and in such case subsection (5) shall not apply.

R.S.S. 1978, c.S-35, s.48.

Certain employment deemed service

49(1) Notwithstanding anything hereinbefore contained and subject to the following subsections, a person who has been or is hereafter employed in a department, branch or bureau or by a board, commission or any other body under the Government of Saskatchewan shall, if he has become or becomes an employee within the meaning of this Act, be deemed to have been such an employee during the period of his employment with that department, branch, bureau, board, commission or other body, and during any period of employment deemed to be employment with such a body under the superannuation Act applicable to that person while employed with that body.

(2) If that person, on leaving such department, branch, bureau, board, commission, or other body, received or receives a retiring gratuity or honorarium from that body or a refund of contributions and interest, he shall not be entitled to the benefit of subsection (1) until he repays the contributions and interest refunded, with interest thereon at five per cent per annum from the date on which he became or becomes an employee, and also repays any gratuity or honorariums so received by him.

(3) That person shall not be entitled to the benefit of subsection (1) until he has made contributions of four per cent of the salary received by him in respect of his service with such department, branch, bureau, board, commission or other body after the thirtieth day of April, 1928, and prior to the first day of April, 1955, and contributions in accordance with this Act in respect of that service after the thirty-first day of March, 1955, together with interest at five per cent per annum from the date on which he became or becomes an employee.

(4) Repayments under subsection (2) and payments under subsection (3) may be made by instalments in such amounts and at such times as the board may direct.

(5) Subsection (1) does not apply to a person whose service with such department, branch, bureau, board, commission or other body did not cover a continuous period of three years or more.

(6) A person mentioned in subsection (1) who, after the thirty-first day of March, 1955, becomes an employee within the meaning of this Act shall be entitled to the benefit of subsection (1) only if the interval between the date of termination of his service with such department, branch, bureau, board, commission or other body and the date on which he becomes such employee is less than six years.

(7) With respect to a person mentioned in subsection (1) who, after the thirty-first day of March, 1955, becomes an employee within the meaning of this Act, subsection (5) shall be read and construed as if the words "one year" were substituted for the words "three years".

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(8) Subsections (5) and (7) do not apply and shall be deemed never to have applied with respect to a person whose employment in a department, branch or bureau or by a board, commission or other body mentioned in subsection (1) was continuous with employment within the meaning of this Act:

Provided that this subsection does not affect any allowance granted before the first day of April, 1955.

(9) Where a person to whom subsection (1) applies is one to whom *The Public Service Superannuation Act*, *The Liquor Board Superannuation Act* or *The Power Corporation Superannuation Act* applied and whose contributions and interest have been transferred to the Saskatchewan Telecommunications Superannuation Fund, then no further amount shall be payable by him in respect of any period during which he was deemed under subsection (1) to be an employee except any balance of contributions required to be made in respect of that period and remaining unpaid at the time of the transfer; and he shall not be entitled to claim a refund of any amount by which the contributions and interest transferred exceed the contributions that he would have made had the entire period of his service been with the department or the corporation or to have any such excess amount applied toward payment of future contributions.

R.S.S. 1978, c.S-35, s.49.

Certain employment reckoned as service

50(1) Where the corporation has heretofore acquired or taken over or hereafter acquires or takes over another telephone system or a telephone agency of the corporation and has added or hereafter adds to its staff of employees any person who, at the time of the acquisition or taking over of the telephone system or telephone agency, was employed on a continuous and full-time basis as agent of the corporation or as an employee of the owner of the system or agency, that person may, subject to section 42, have his service as such agent or as an employee of the owner of the system or agency, or such portion thereof as he may specify in the written request mentioned in clause (b), reckoned as if it were service with the corporation for the purposes of this Act if:

(a) his service with the corporation is on a full-time basis and is continuous with this service as such agent or as an employee of the owner of the system or agency;

(b) within six months after becoming an employee of the corporation or within six months after the first day of May, 1962, whichever is the later, he makes a written request to the board that his service, or a specified portion thereof, as such agent or as an employee of the owner of the system or agency be reckoned for the said purpose; and

(c) he makes a contribution to the fund of five per cent, six per cent, seven per cent or eight per cent, whichever is the contribution percentage payable by him under section 12, of the salary or earnings received by him in respect of that service, or the portion thereof specified in the written request, with interest thereon at the rate of five per cent per annum from the date of commencement of the service to the date of payment, the said contribution to be made by instalments payable in such amounts and at such times as the board may direct:

Provided that, notwithstanding any other provision of this Act, such person's average yearly salary or earnings in respect of the service shall, if it was less than \$2,400, be deemed for the purposes of this Act to have been \$2,400;

Provided, further, that notwithstanding clause (c) the rate of four per cent shall, for the purposes of the said clause, apply in the case of salary or earnings before the first day of April, 1955.

(2) If superannuation allowance or other yearly allowance becomes payable before the contribution provided for in clause (c) of subsection (1) and interest thereon have been fully paid, the unpaid balance shall be deducted from the allowance, and the deduction may be made in instalments of such amounts and at such times as the board may direct. Deductions under this subsection shall not be made so as to reduce a superannuation allowance or other yearly allowance below the minimum allowance provided for by this Act.

(3) Where an employee has availed himself of the benefit conferred by subsection (1), this Act shall, subject to the limitations and conditions contained in subsection (1), apply to him as if he had been an employee of the corporation during the period of his service as such agent or as an employee of the owner of the system or agency, or during the portion of the period specified in the written request mentioned in clause (b) of subsection (1).

R.S.S. 1978, c.S-35, s.50.

Special provisions respecting certain contributions

51 Contributions made by an employee pursuant to section 48 or 49 or 50 shall not be deemed to be contributions within the meaning of section 18, 22, 43 or 44 but shall be paid with accrued interest:

- (a) in the case of section 18, to him;
- (b) in the case of section 22, to the person to whom a lump sum is granted under that section; or
- (c) in the case of section 43 or 44, to him or to the person to whom a lump sum or the amount of his contributions is payable, as the case may be:

Provided that this section shall not apply to contributions by an employee under section 49 where his employment in a department, branch or bureau or by a board, commission or other body mentioned in subsection (1) of section 49 was continuous with employment within the meaning of this Act.

R.S.S. 1978, c.S-35, s.51.

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Application of Act determined by the board

52 Where a question arises as to the application of this Act to any employee or class or description of employees, it shall be determined by the board.

R.S.S. 1978, c.S-35, s.52.

Proof of age

53(1) An employee shall establish proof of his age in such manner as the board may require.

(2) If any evidence or statement as to age furnished or made to the board by an employee misrepresents his age to such extent as, in the opinion of the board, would materially advance or postpone the date of his retirement then, unless the board is satisfied that such evidence or statement was furnished or made in good faith, the board may penalize the employee by reducing the amount of the allowance to which he is actually entitled on retirement, to such extent as it deems fit.

R.S.S. 1978, c.S-35, s.53.

Power of dismissal not impaired

54 Nothing in this Act impairs or affects the right of the corporation to remove or dismiss an employee.

R.S.S. 1978, c.S-35, s.54.

Payment by instalments to board

55 Subject to clause (c) of subsection (4) of section 5 but otherwise notwithstanding anything in this or any other Act, any amount payable to the board may be paid in instalments in such amounts and at such times as the board may direct together with interest at the rate of six per cent per annum compounded annually on that portion of the amount that remains unpaid from time to time.

R.S.S. 1978, c.S-35, s.55.

Regulations

56 The board may, with the approval of the Lieutenant Governor in Council, make regulations for the purpose of carrying out the provisions of this Act according to their true intent and meaning, and such regulations shall have the same force and effect as if incorporated herein.

R.S.S. 1978, c.S-35, s.56.

Annual report

57 The board shall, each year, transmit to the minister a report showing:

- (a) the names of all employees who have retired or who have died during the last calendar year;
- (b) the offices held by them or the nature of their employment respectively;
- (c) the amount of salary payable to each at the time of retirement or death;
- (d) the age of each at retirement or death;

- (e) the cause of retirement in the case of anyone retiring before attaining the age of retirement;
- (f) the amount of superannuation or other allowance granted in each case;
- (g) its revenues and expenditures and balance sheet for the last calendar year together with the auditor's certificate thereon;
- (h) with respect to any investments made under section 34, a statement of all securities in which moneys of the superannuation fund have been invested, a statement of such securities that have been so acquired during the last calendar year and a statement of all dispositions of such securities during that period.

R.S.S. 1978, c.S-35, s.57.

Statutory vesting and transfer

58 On and from the first day of May, 1969, all moneys standing to the credit of the Saskatchewan Government Telephone Superannuation Fund and all stocks, debentures and securities and all assets, credits and choses in action belonging to the Saskatchewan Government Telephones Superannuation Board or belonging to or standing in the name of the Saskatchewan Government Telephones Superannuation Fund, shall belong to and form part of the Saskatchewan Telecommunications Superannuation Fund without further act, conveyance or other deed and the Saskatchewan Telecommunications Superannuation Board may, subject to this Act, exercise all rights, remedies and powers over or in respect of them.

R.S.S. 1978, c.S-35, s.58.

