

# *The Saskatchewan Income Plan Regulations, 1992*

*Repealed by*

Chapter S-25.1 Reg 3 (effective February 21, 2002).

*Formerly*

Chapter S-25.1 Reg 2 (effective June 1, 1992) as amended by  
Saskatchewan Regulations 116/92 and 48/1999.

## **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-25.1 REG 2**  
*The Saskatchewan Income Plan Act*

**Title**

1 These regulations may be cited as *The Saskatchewan Income Plan Regulations, 1992*.

**Interpretation**

2 In these regulations:

- (a) “**Act**” means *The Saskatchewan Income Plan Act*;
- (b) “**beneficiary**” means a person to whom payment of a benefit has been approved;
- (c) **Repealed.** 18 Jun 99 SR 48/1999 s3.
- (d) “**married person**” means a person with a spouse;
- (e) “**patient**” means a patient of a hospital within the meaning of *The Saskatchewan Hospitalization Act* who:
  - (i) is not a beneficiary within the meaning of that Act by reason of having been found to require long-term care, as defined in section 8.1 of *The Saskatchewan Hospitalization Regulations, 1978*, being Saskatchewan Regulations 82/78; and
  - (ii) is charged by the hospital an amount per month equal to or less than the monthly charge described in subclause (g)(ii);
- (e.1) “**payment period**” means the period commencing on July 1 of one year and ending on June 30 of the next year;
- (f) “**pensioner**” means a person who is in receipt of a pension and a supplement;
- (g) “**resident of a special-care home**” means a person who:
  - (i) resides in a special-care home within the meaning of *The Housing and Special-care Homes Act*; and
  - (ii) is charged by that home an amount per month equal to or less than the amount to be charged per month to residents requiring and receiving limited personal care, intensive personal care, limited nursing care or long-term care, as prescribed in *The Housing and Special-care Homes Care and Rates Regulations* being Saskatchewan Regulations 132/81;
- (h) “**single person**” means a person without a spouse;
- (i) “**spouse**” means spouse as defined in the *Old Age Security Act* (Canada);
- (j) “**spouse’s allowance**” means the spouse’s allowance authorized to be paid under Part II.1 of the *Old Age Security Act* (Canada).

**Basis of entitlement**

3(1) Subject to subsection (2) and sections 6, 8 and 9, the minister shall base the entitlement of a beneficiary to a benefit on the amount of the supplement to which the beneficiary is entitled for that month.

(2) Except in the case of a person who is entitled to a minimum payment set out in subsection 5(2), no person is entitled to receive a benefit if the amount of the benefit, determined in accordance with these regulations, to which the person would otherwise be entitled is less than:

- (a) \$11 per month in the case of a single person;
- (b) \$6.50 per month in the case of a married person whose spouse is a pensioner;
- (c) \$11 per month in the case of a married person whose spouse is in receipt of a spouse's allowance;
- (d) \$12 per month in the case of a married person whose spouse is not a pensioner and is not in receipt of a spouse's allowance.

6 Nov 92 SR 116/92 s3.

**Maximum benefit**

4(1) Subject to subsection (2) and section 5, the maximum benefit payable is:

- (a) \$90 per month to a single person who is a pensioner or to a married person who is a pensioner and whose spouse is not a pensioner;
- (b) \$72.50 per month to a married person if both that person and that person's spouse are pensioners.

(2) Subject to section 5, in the case of a person who is a patient or a resident in a special-care home, the maximum benefit payable is:

- (a) \$25 per month to a single person who is a pensioner or to a married person who is a pensioner and whose spouse is not a pensioner;
- (b) \$22.50 per month to a married person if both that person and that person's spouse are pensioners.

5 Jne 92 cS-25.1 Reg 2 s4; 6 Nov 92 SR 116/92 s4.

**Reduction**

5(1) If a person receives less than the maximum supplement, the minister shall reduce the maximum benefit payable pursuant to section 4 to that person:

- (a) in the case of a single person or a married person, if his or her spouse is a pensioner, by \$1 for every \$1 reduction made to his or her supplement;
- (b) in the case of a married person whose spouse is not a pensioner or is not in receipt of the spouse's allowance, by \$3 for every \$1 reduction made to his or her supplement;

- (c) in the case of a married person whose spouse is in receipt of the spouse's allowance but is receiving less than the maximum spouse's allowance, by \$1 for every \$3 reduction made to the spouse's allowance.
- (2) Notwithstanding subsection (1), if a beneficiary who is a patient or is a resident of a special-care home is entitled to a benefit, the minimum payment to the beneficiary is:
- (a) \$5 per month in the case of a single person;
  - (b) \$4.50 per month in the case of a married person whose spouse is a pensioner;
  - (c) \$5 per month in the case of a married person whose spouse is in receipt of a spouse's allowance;
  - (d) \$5 per month in the case of a married person whose spouse is not a pensioner and is not in receipt of a spouse's allowance.

5 Jne 92 cS-25.1 Reg 2 s5; 6 Nov 92 SR 116/92 s5.

#### **Admissions and discharges**

**6** The minister shall adjust the beneficiary's benefit payable as of the second month following the month in which the change occurred where:

- (a) a beneficiary:
  - (i) becomes a patient or a resident of a special-care home; or
  - (ii) ceases to be a patient or a resident of a special-care home; and
- (b) as a result of the change in the beneficiary's status described in clause (a), there is a change in the beneficiary's eligibility pursuant to section 4.

5 Jne 92 cS-25.1 Reg 2 s6.

#### **Payment of benefits**

**7** The minister may pay benefits:

- (a) by direct electronic deposit to the same account in a financial institution to which the beneficiary's supplement is paid; or
- (b) by cheque.

5 Jne 92 cS-25.1 Reg 2 s7.

**8 Repealed.** 18 Jun 99 SR 48/1999 s4.

#### **Underpayment of benefits**

**9(1)** Subject to subsection (4), where the department discovers:

- (a) that a beneficiary was entitled to receive a benefit which was not paid; or
- (b) that a beneficiary's entitlement to a supplement was incorrectly assessed;

resulting in an underpayment of benefits, the minister shall calculate and pay the amount of the benefits owing to the beneficiary from the date that the beneficiary was entitled to receive the benefit or the adjusted benefit, as the case may be.

(2) Notwithstanding subsection (1), the minister is not required to calculate and pay, and the beneficiary is not entitled to receive, benefits owing pursuant to subsection (1) from a date earlier than the beginning of the payment period in which the entitlement or the incorrect assessment was discovered by the department.

(3) Subsection 9(2) does not apply with respect to:

(a) beneficiaries who attain the age of 65 years in the period commencing on April 1, 1999 and ending on June 30, 1999;

(b) persons who attained the age of 65 years before April 1, 1999 but have not yet received a benefit; and

(c) former beneficiaries who become eligible again within the period commencing on April 1, 1999 and ending on June 30, 1999.

(4) In the case of persons mentioned in subsection (3), benefits pursuant to subsection (1) shall be paid only with respect to the period commencing on April 1, 1999 and ending on June 30, 1999.

5 Jne 92 cS-25.1 Reg 2 s9; 18 Jun 99  
SR 48/1999 s5.

**R.R.S. S-25.1 Reg 1 repealed**

**10** *The Saskatchewan Income Plan Regulations* are repealed.

5 Jne 92 cS-25.1 Reg 2 s10.