

# *The Senior Citizens' Heritage Program Act*

*Repealed*

by [Chapter 17](#) of the *Statutes of Saskatchewan, 2014*  
(effective May 14, 2014)

*Formerly*

Chapter S-46.01 of the *Statutes of Saskatchewan, 1984-85-86*  
(effective January 1, 1986) as amended by the *Statutes of  
Saskatchewan, [1992, c.39](#) and [2004, c.10](#).*

## **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-46.01

### An Act to Provide Heritage Grants to Certain Senior Citizens

#### Short title

1 This Act may be cited as *The Senior Citizens' Heritage Program Act*.

#### Interpretation

2 In this Act:

- (a) **“annual income”** means the income of a person, in whatever form received from any source, that is determined by the minister;
- (b) **“current year”** means the year with respect to which an eligible applicant has applied for a grant;
- (c) **“eligible applicant”** means a person:
  - (i) who is at least 65 years of age in the current year or whose spouse is at least 65 years of age in the current year;
  - (ii) who has been a resident of Saskatchewan for a period of at least six months prior to the date that he applies for a grant; and
  - (iii) who at the time of the application:
    - (A) does not live in public housing; or
    - (B) is not a nursing home resident;
- (d) **“grant”** means a grant payable pursuant to section 5;
- (e) **“hospital”** means a hospital that is approved pursuant to *The Hospital Standards Act*;
- (f) **“minister”** means the member of the Executive Council to whom for the time being administration of this Act is assigned;
- (g) **“nursing home resident”** means:
  - (i) a resident of a special-care home, as defined in *The Housing and Special-care Homes Act*, who is receiving limited personal care, intensive personal care, limited nursing care or long-term care, as those terms are defined in *The Housing and Special-care Homes Care and Rates Regulations*; or
  - (ii) a patient who:
    - (A) in the opinion of the minister, is a long stay resident in a hospital; and
    - (B) is receiving limited nursing care or long-term care, as those terms are defined in *The Housing and Special-care Homes Care and Rates Regulations*;

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(h) **“public housing”** means a rental housing project funded under section 79, 92 or 95 of the *National Housing Act* (Canada) where the rental rates are subsidized based on a graduated rental scale geared to household income;

(i) **“spouse”** means the legal spouse of an eligible applicant or, where an eligible applicant does not have a legal spouse, the person who, at the time an application is submitted, lived and manifested an intention of continuing to live together permanently with the eligible applicant as husband and wife even though they were not married, but does not include a spouse who is living separate and apart at the time an application is submitted from an eligible applicant;

(j) **“submitted”** means submitted to the minister.

1984-85-86, c.S-46.01, s.2; 1992, c.39, s.3.

**Application**

3(1) A person who wishes to obtain a grant shall:

(a) apply to the minister, on or before the time limit prescribed in the regulations, on an application form provided by the minister; and

(b) supply the minister with any evidence of eligibility or any additional information, documentation or material that the minister may require to establish:

(i) the person's status as an eligible applicant;

(ii) the person's annual income and the annual income of his spouse, if any; or

(iii) both of the matters described in subclauses (i) and (ii);

or that may be prescribed in the regulations.

(2) The minister may require a person who has applied for a grant to verify, by affidavit or otherwise, any information, documentation or material submitted to him by that person at the time or at any time after the application is submitted.

1984-85-86, c.S-46.01, s.3; 1992, c.39, s.4.

**4 Repealed.** 1992, c.39, s.5.

**Grants**

5(1) Subject to subsections (2) and (3), the minister may pay a grant of \$500 to an eligible applicant where the minister:

(a) has received an application pursuant to this Act;

(b) is satisfied that the person submitting the application is an eligible applicant who has complied with this Act and the regulations; and

(c) is satisfied that the annual income of the applicant and the applicant's spouse is equal to or less than \$22,000.

(2) Where the spouse of an eligible applicant is also an eligible applicant and has received a grant, the eligible applicant is not entitled to the grant.

(3) Notwithstanding any other provision of this Act, no person is eligible for a grant with respect to any year commencing after December 31, 1992.

1992, c.39, s.6.

#### Prohibition

6(1) No eligible applicant is entitled to receive a grant where:

- (a) at the time:
  - (i) he submits an application; or
  - (ii) **Repealed.** 1992, c.39, s.7.

his name is not listed on a valid Saskatchewan Health Services card issued for the current year for the purposes of *The Saskatchewan Hospitalization Act* or *The Saskatchewan Medical Care Insurance Act*; or

- (b) **Repealed.** 1992, c.39, s.7.

(2) **Repealed.** 1992, c.39, s.7.

1984-85-86, c.S-46.01, s.6; 1992, c.39, s.7.

#### Payment

7 The Minister of Finance shall, on the requisition of the minister, pay out of the general revenue fund any sums required for the purposes of this Act.

1984-85-86, c.S-46.01, s.7; 2004, c.10, s.17.

#### Overpayment

8(1) Where an overpayment to a person results for any reason, the overpayment is a debt due to Her Majesty in right of Saskatchewan and may be recovered:

- (a) by deducting the amount of the overpayment from future grants for which the person is eligible; or
- (b) by filing a certificate with the minister certifying the amount of the overpayment, together with interest at the prescribed rate to the date of the certificate, with the local registrar of the Court of Queen's Bench at any judicial centre.

(2) A certificate filed pursuant to clause (1)(b) has the same force and effect as if it were a judgment obtained in Her Majesty's Court of Queen's Bench for Saskatchewan for the recovery of a debt in the amount specified in the certificate, together with any reasonable costs and charges with respect to its filing.

1984-85-86, c.S-46.01, s.8.

#### Offence and penalty

9 Any person who contravenes any provision of this Act or the regulations is guilty of an offence and liable on summary conviction:

- (a) in the case of a first offence, to a fine of not more than \$500;
- (b) in the case of a subsequent offence, to a fine of not more than \$1,000.

1984-85-86, c.S-46.01, s.9.

**Affidavit prima facie proof**

**10** In a prosecution for a contravention of this Act, or the regulations, an affidavit by a person designated by the minister, sworn before a commissioner for oaths or any other person authorized to take affidavits, stating that he has charge of the appropriate records and that a grant was paid to the person charged, is admissible in evidence as prima facie proof that the person charged was paid a grant.

1984-85-86, c.S-46.01, s.10.

**Repayment of grant**

**11** If a person is convicted of a contravention of this Act or the regulations, the convicting judge shall, in addition to any fine imposed, order that person to remit, to the Minister of Finance, immediately or within a stated period, an amount equal to the amount of the grant paid to the person.

1984-85-86, c.S-46.01, s.11.

**Regulations**

**12** For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make regulations:

- (a) defining any word or expression used in this Act but not defined in this Act;
- (b) extending the time within which any of the provisions of this Act may be complied with;
- (c) prescribing information, documentation or materials to be provided by a person submitting an application pursuant to this Act;
- (d) prescribing a time limit within which applications for grants for a current year are to be filed;
- (e) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations.

1984-85-86, c.S-46.01, s.12.