

# *The Training Programs Regulations*

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[Chapter D-22.01 Reg 1](#) (effective September 17, 2003) as amended by Saskatchewan Regulations [67/2005](#), [93/2007](#), [77/2008](#) and [22/2017](#); and by the *Statutes of Saskatchewan*, 2014, c.S-32.21.

**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 D-22.01 REG 1

### *The Department of Post-Secondary Education and Skills Training Act, 2000*

#### PART I

#### Title and Interpretation

##### Title

- 1 These regulations may be cited as *The Training Programs Regulations*.

##### Interpretation

- 2 In these regulations:

- (a) **“adult basic education transcript”** means an official record issued by the ministry over which the minister presides of an individual’s marks for courses taken in an adult basic education program;
- (a.1) **“agreement”** means a written agreement between the minister and an applicant respecting financial assistance;
- (b) **“applicant”** means a person who applies for financial assistance and who meets the eligibility criteria set out in these regulations for receiving the type of financial assistance being applied for and, where authorized in these regulations, includes the Federation of Sovereign Indigenous Nations and an Indian band;
- (c) **“approved project”** means a training, career or employment project that is approved by the minister and that is the subject of an agreement;
- (d) **“business”** means a business as defined in *The Business Names Registration Act*;
- (e) **“farmer”** means a farmer as defined in *The Fuel Tax Regulations, 2000*;
- (f) **“financial assistance”** means financial assistance that is authorized pursuant to these regulations;
- (f.1) **“general educational development diploma”** means a credential that is recognized in Canada and the United States of America as equivalent to a high school diploma;
- (f.2) **“general educational development transcript”** means an official record issued by the ministry over which the minister presides of an individual’s scores for tests written towards obtaining a general educational development diploma;
- (g) **“Indian band”** means a band as defined in the *Indian Act* (Canada) and includes the council of a band;

(h) “**mandatory employer costs**” means the costs an employer is required to pay with respect to employing or engaging an employee pursuant to an Act or an Act of the Parliament of Canada;

(i) “**participant**” means an individual who meets the eligibility criteria set out in these regulations for participation in the appropriate approved project and who is involved in the approved project;

(j) “**person**” includes a partnership, association or other non-incorporated body of individuals;

(k) “**record**” includes any information that is recorded or stored in any medium, including an electronic medium, or by means of any device, including a computer;

(l) “**unemployed**” means, with respect to a participant, not earning a wage or salary at the time the participant enters an approved project.

26 Sep 2003 cD-22.01 Reg 1 s2 5 Sep 2008 SR 77/2008 s3; 17 Mar 2017 SR 22/2017 s3.

**3 Repealed.** 17 Mar 2017 SR 22/2017 s4.

**4 Repealed.** 17 Mar 2017 SR 22/2017 s4.

**5 Repealed.** 17 Mar 2017 SR 22/2017 s4.

**6 Repealed.** 17 Mar 2017 SR 22/2017 s4.

**7 Repealed.** 17 Mar 2017 SR 22/2017 s4.

**8 Repealed.** 17 Mar 2017 SR 22/2017 s4.

**9 Repealed.** 17 Mar 2017 SR 22/2017 s4.

**9.1 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**9.2 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**9.3 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**9.4 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**9.5 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**9.6 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**9.7 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**10 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**11 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**12 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**13 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**14 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**15 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**16 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**17 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**18 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**19 Repealed.** 5 Sep 2008 SR 77/2008 s8.

**20 Repealed.** 5 Sep 2008 SR 77/2008 s8.

## PART V

### Employability Assistance for People with Disabilities

#### Employability assistance for people with disabilities program established

**21(1)** The employability assistance for people with disabilities program is established.

(2) The purpose of the program is to assist applicants who are disabled to participate in training and to obtain services that help them prepare for, attain and maintain employment.

26 Sep 2003 cD-22.01 Reg 1 s21.

#### Eligible applicants – Part V

**22** An individual is eligible to apply for financial assistance pursuant to this Part if the individual:

- (a) is at least 18 years of age on the date the person is placed in an approved project;
- (b) is an individual who will benefit from financial assistance pursuant to this Part;
- (c) is legally entitled to work in Canada; and
- (d) satisfies the minister that he or she has a disability that unduly limits or impairs his or her ability to be employed.

26 Sep 2003 cD-22.01 Reg 1 s22.

#### Application for financial assistance – Part V

**23(1)** An applicant who wishes to receive financial assistance pursuant to this Part shall:

- (a) apply in writing to the minister in a form suitable to the minister;
  - (b) comply with subsection (2); and
  - (c) provide the minister with any information that the minister may require to determine that the applicant is eligible for financial assistance and that the applicant's proposed project meets the purposes of this Part.
- (2) In an application pursuant to this section, an applicant must:
- (a) set out the details of the project that the applicant proposes to undertake;

- (b) set out any support measures and equipment that the applicant will require;
- (c) agree to any audit procedures that the minister requires before, during or after the project; and
- (d) agree not to receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that duplicates the financial assistance received pursuant to these regulations.

26 Sep 2003 cD-22.01 Reg 1 s23.

**Approval of application – Part V**

**24(1)** If the minister receives an application for financial assistance pursuant to this Part and is satisfied that the applicant is eligible to receive financial assistance and that the application meets the requirements of this Part, the minister may approve the project set out in the application and agree to provide financial assistance to the applicant.

(2) Before receiving financial assistance pursuant to this Part, an applicant whose project has been approved pursuant to subsection (1) must enter into an agreement with the minister that:

- (a) is in writing;
- (b) confirms the matters set out in section 23;
- (c) is signed by the applicant and an official of the ministry with the proper signing authority as determined by the minister;
- (d) sets out the amount, including any maximum limit, of the financial assistance to be paid to the applicant or another person in accordance with sections 25 and 26;
- (e) sets out in detail the terms and conditions necessary for the payment of the financial assistance;
- (f) provides for a payment schedule that may include an advance payment or interim payments and that sets out the terms and conditions for an advance payment and interim payments;
- (g) provides for the applicant to make available to the minister any audited financial records and statements that may reasonably be required by the minister; and
- (h) contains any other terms and conditions that the minister may determine and that are consistent with the purpose and intent of these regulations.

26 Sep 2003 cD-22.01 Reg 1 s24; 17 Mar 2017  
SR 22/2017 s5.

**Amount of financial assistance – Part V**

**25(1)** Subject to subsection (2) and to section 26, the amount of financial assistance that the minister may pay to the applicant is an amount that the minister considers necessary to reimburse the applicant for all or any of the following costs:

- (a) any assessment of the applicant's disability;
- (b) any counselling services provided to the applicant;
- (c) any technical aids required by the applicant;
- (d) any interpreting, tutoring and job coaching required by the applicant;
- (e) any assistance in note taking required by the applicant;
- (f) any specialized transportation required by the applicant;
- (g) any costs the minister considers appropriate with respect to subsidizing the applicant's wage or salary and any mandatory employer costs related to hiring the applicant in a work experience, job training or on-the-job skills training program;
- (h) any costs similar to those mentioned in clauses (a) to (g) that the minister may consider appropriate.

(2) The maximum amount that the minister may pay to or on behalf of an applicant is \$20,000 in each fiscal year of the Government of Saskatchewan.

26 Sep 2003 cD-22.01 Reg 1 s25.

**Payments to other persons**

**26(1)** With the agreement of the applicant, the minister may pay the amounts mentioned in section 25 to the applicant or to another person who actually supplies the services or assistance mentioned in that section.

(2) Before making a payment pursuant to subsection (1) to a person who employs an applicant, the minister may require that the person enter into an agreement with the minister that:

- (a) sets out a detailed training plan showing the skills, education and experience applicants are to receive;
- (b) contains an undertaking by the person to hire applicants only in job positions that provide work experience, job training and on-the-job skills training;
- (c) contains an undertaking by the person not to hire an applicant until after the applicant's project is approved;
- (d) certifies that no current employee has been or will be displaced, in whole or in part, by hiring an applicant;
- (e) certifies that no current employee's hours have been or will be reduced, in whole or in part, by hiring an applicant;

(f) contains an undertaking by the person to comply with all applicable labour legislation, including maintaining coverage pursuant to *The Workers' Compensation Act, 2013*; and

(g) in the case of a unionized workplace, contains an undertaking by the person to obtain written consent from the bargaining agent to enter into the agreement.

26 Sep 2003 cD-22.01 Reg 1 s26; 17 Mar 2017  
SR 22/2017 s6.

## PART VI Family Literacy

### Family literacy program established

**27(1)** The family literacy program is established.

(2) The purpose of the program is to provide adults, children and families with educational opportunities to help them develop a positive attitude towards reading and writing and to strengthen their literacy skills and practices through shared family learning activities.

26 Sep 2003 cD-22.01 Reg 1 s27.

### Eligible applicants – Part VI

**28** The following are eligible to apply for financial assistance pursuant to this Part:

(a) a corporation incorporated, continued or registered pursuant to *The Business Corporations Act, The Co-operatives Act, 1996, The New Generation Co-operatives Act* or *The Credit Union Act, 1998*;

(b) a business registered pursuant to *The Business Names Registration Act*;

(c) a corporation incorporated, continued or registered pursuant to *The Non-profit Corporations Act, 1995*;

(d) an educational institution or post-secondary educational institution that satisfies the minister that it provides a recognized program of instruction or training;

(e) a board of education or the Conseil scolaire fransaskois within the meaning of *The Education Act, 1995*;

(f) a public or regional library.

26 Sep 2003 cD-22.01 Reg 1 s28.

### Eligible participants – Part VI

**29** To be eligible to participate in an approved project pursuant to this Part, an individual must satisfy the minister that he or she will benefit from participating in the approved project.

26 Sep 2003 cD-22.01 Reg 1 s29.

**Application for financial assistance – Part VI**

**30(1)** An applicant who wishes to receive financial assistance pursuant to this Part shall:

- (a) apply in writing to the minister in a form suitable to the minister;
  - (b) comply with subsection (2); and
  - (c) provide the minister with any information that the minister may require to determine that the applicant is eligible for financial assistance and that the applicant's proposed project meets the purposes of this Part.
- (2) In an application pursuant to this section, an applicant must:
- (a) set out the details of the family literacy project that the applicant proposes to offer;
  - (b) agree to offer the project only to participants;
  - (c) agree to any audit procedures that the minister requires before, during or after the project;
  - (d) agree to comply with all applicable labour legislation;
  - (e) agree to acquire and maintain insurance in an amount that the minister considers satisfactory to reasonably compensate a participant if the participant is injured as a result of an accident arising out of and in the course of the participant's training with the applicant; and
  - (f) agree not to receive any funds pursuant to another program of the Government of Saskatchewan or the Government of Canada that duplicates the financial assistance received pursuant to these regulations.

26 Sep 2003 cD-22.01 Reg 1 s30.

**Approval of application- Part VI**

**31(1)** If the minister receives an application for financial assistance pursuant to this Part and is satisfied that the applicant is eligible to receive financial assistance and that the application meets the requirements of this Part, the minister may approve the project set out in the application and agree to provide financial assistance to the applicant.

(2) Before receiving financial assistance pursuant to this Part, an applicant whose project has been approved pursuant to subsection (1) must enter into an agreement with the minister that:

- (a) is in writing;
- (b) confirms the matters set out in section 30;
- (c) contains a plan outlining the literacy and related skills development to be provided, as well as the training methods to be used;
- (d) is signed by the applicant and an official of the ministry with the proper signing authority as determined by the minister;
- (e) sets out the amount, including any maximum limit, of the financial assistance to be paid to the applicant in accordance with section 32;

- (f) sets out in detail the terms and conditions necessary for the payment of the financial assistance;
- (g) provides for a payment schedule that may include an advance payment or interim payments and that sets out the terms and conditions for an advance payment and interim payments;
- (h) provides for a minimum of one on-site monitoring visit by a representative of the minister during the term of the agreement;
- (i) provides for the applicant to make available to the minister any audited financial records and statements that may reasonably be required by the minister; and
- (j) contains any other terms and conditions that the minister may determine and that are consistent with the purpose and intent of these regulations.

26 Sep 2003 cD-22.01 Reg 1 s31; 17 Mar 2017  
SR 22/2017 s7.

**Amount of financial assistance – Part VI**

**32(1)** Subject to subsection (2), the amount of financial assistance that the minister may pay to an applicant with respect to an approved project that is the subject of a written agreement is an amount equal to the amount the minister considers necessary:

- (a) to pay for reasonable wages or salaries and mandatory employer costs associated with employing instructors and on-the-job mentors;
- (b) to cover the cost of literacy development and educational training that may be provided by persons other than the applicant;
- (c) to pay for the applicant's reasonable costs of administering the approved project;
- (d) to rent, operate and maintain facilities and equipment reasonably required for the approved project;
- (e) to cover any reasonable tuition costs of participants;
- (f) to acquire learning materials and supplies reasonably required by participants;
- (g) to reimburse participants for their reasonable costs of transportation and obtaining child care;
- (h) to pay the costs of developing and evaluating the approved project; and
- (i) to pay for insurance to cover participants.

(2) The maximum assistance that the minister may pay to an applicant with respect to each approved project is \$50,000.

26 Sep 2003 cD-22.01 Reg 1 s32.

**PART VII**  
**General Educational Development**

**General Educational Development program**

**33** The purpose of the general educational development program is to assist individuals in obtaining a general educational development diploma.

5 Sep 2008 SR 77/2008 s9.

**Application and approval to write**

**34(1)** Any individual who wishes to write or rewrite one or more tests of general educational development or to obtain a general educational development diploma or transcript shall:

- (a) apply to the minister in a form acceptable to the minister; and
- (b) pay the fees prescribed in this Part.

(2) To be eligible to apply to write or rewrite a test of general educational development, an individual must:

- (a) be 18 years of age or older; or
- (b) be 17 years of age and have obtained the written approval of the minister to write or rewrite the test of general educational development that is applied for.

(3) On receipt of an application pursuant to subsection (1) and if the minister is satisfied that the applicant has complied with this section, the minister shall:

- (a) allow the applicant to write or rewrite the test of general educational development that was applied for; or
- (b) provide the general educational development diploma or transcript that was applied for.

(4) If an applicant fails to write or rewrite a test of general educational development that was applied for within one year after the date that the minister issued an authorization pursuant to clause (3)(a):

- (a) the authorization expires; and
- (b) the applicant must apply for a new authorization to write or rewrite the test of general educational development.

5 Sep 2008 SR 77/2008 s9.

**Fees payable**

**35(1)** For the purposes of clause 34(1)(b), the following fees are required to be paid:

- (a) for each module of the test of general educational development, \$7;
- (b) for each rewrite of any module of the test of general educational development, \$7;
- (c) for each general educational development diploma, \$20;

- (d) for a duplicate general educational development transcript requested by a student:
    - (i) for the first five copies requested, \$20;
    - (ii) for the sixth and subsequent copies requested, \$2 each;
  - (e) for a duplicate general educational development transcript requested by a person other than a student, \$20 for each copy requested.
- (2) A person is exempt from paying the general educational development registration fee as set out in clause (1)(a) or (b) if:
- (a) the person is writing the tests of general educational development for the first time in any two-year period; and
  - (b) the person:
    - (i) is receiving:
      - (A) a benefit pursuant to *The Training Allowance Regulations*;
      - (B) assistance pursuant to *The Saskatchewan Assistance Regulations, 2014*; or
      - (C) an allowance pursuant to *The Transitional Employment Allowance Regulations, 2005*; or
    - (ii) is residing in a correctional facility as defined in *The Correctional Services Act, 2012* and has taken a general educational preparation program.

5 Sep 2008 SR 77/2008 s9; 17 Mar 2017 SR  
22/2017 s8.

## PART VII.1 Adult Basic Education

### Adult basic education program

**35.1** The purpose of an adult basic education program is to assist adults in furthering their education at the primary or secondary education level.

5 Sep 2008 SR 77/2008 s9.

### Application and courses

**35.2(1)** Any individual who wishes to participate in an adult basic education program must:

- (a) be 18 years of age or older;
- (b) have been out of school for at least one year; and
- (c) apply to participate in an adult basic education program offered by an organization that is approved by the minister.

- (2) An adult basic education program:
  - (a) must include credit courses; and
  - (b) may include non-credit courses.
- (3) An adult basic education credit course must follow curricula approved by the minister.

5 Sep 2008 SR 77/2008 s9.

#### **Transcripts**

- 35.3(1)** Any person who wishes to obtain an adult basic education transcript shall:
- (a) apply to the minister in a form acceptable to the minister; and
  - (b) pay the fees prescribed in this Part.
- (2) On receipt of an application pursuant to subsection (1) and if the minister is satisfied that the applicant has complied with this Part, the minister shall provide the adult basic education transcript that was applied for.

5 Sep 2008 SR 77/2008 s9.

#### **Fees payable**

- 35.4** For the purposes of clause 35.3(1)(b), the following fees are required to be paid:
- (a) for an adult basic education transcript requested by a student:
    - (i) for the first five copies requested, \$20;
    - (ii) for the sixth and subsequent copies requested, \$2 each;
  - (b) for a duplicate adult basic education transcript requested by a person other than a student, \$20 for each copy requested.

5 Sep 2008 SR 77/2008 s9; 17 Mar 2017 SR 22/2017 s9.

## **PART VIII General**

#### **Exemptions**

- 36** The minister may exempt an applicant or participant from any requirement set out in these regulations if, in the opinion of the minister:
- (a) one or more of the following applies:
    - (i) the non-compliance is due to a factor beyond the control of the applicant or participant;
    - (ii) the non-compliance is with respect to a minor detail;
    - (iii) the applicant or participant has proposed or agreed to other conditions that meet or exceed the conditions with respect to which there is non-compliance;

- (b) the applicant or participant is substantially in compliance with the requirements of these regulations;
- (c) in the case of a project proposed by an applicant, the project proposed by the applicant meets the purposes of the program for which the application is submitted; and
- (d) it is not contrary to the public interest to grant the exemption.

26 Sep 2003 cD-22.01 Reg 1 s36.

**Minister may limit or increase financial assistance**

**37(1)** Notwithstanding any other provision of these regulations, if the minister considers it to be appropriate, the minister may do both or either of the following:

- (a) limit the amount of financial assistance provided to any applicant;
- (b) limit a program to a region or area of Saskatchewan.

(2) Notwithstanding any other provision of these regulations, the minister may provide financial assistance to an applicant with respect to an approved project in an amount that is greater than the limit set in these regulations for that type of approved project if:

- (a) the applicant presents evidence to satisfy the minister that the costs of the approved project are reasonable and appropriate and that the approved project meets an important need; and
- (b) the minister considers it to be in the public interest to provide the greater amount of financial assistance.

26 Sep 2003 cD-22.01 Reg 1 s37.

**Information required for payment**

**38(1)** An applicant who wishes to obtain a payment with respect to an approved project shall:

- (a) apply to the minister in a form acceptable to the minister;
- (b) provide the minister with the evidence mentioned in subsections (2) and (3); and
- (c) provide the minister with any additional information or documents that the minister may require to establish that the applicant is entitled to the payment in the amount requested by the applicant.

(2) Before making any payment to an applicant pursuant to these regulations, the minister may require that the applicant provide the minister with evidence, satisfactory to the minister, to prove that:

- (a) the terms and conditions set out in these regulations and in the written agreement between the applicant and the minister have been complied with; and
- (b) the expenditure with respect to which the payment is to be made has been incurred.

- (3) If a payment is to be made to subsidize the wage or salary or mandatory employer costs related to hiring a participant, the minister may require an applicant to provide the minister with evidence, satisfactory to the minister, to prove that:
- (a) the participant was working or in attendance at the position for which the payment is to be made; and
  - (b) the participant was paid all wages or salaries due to the participant for which a payment is to be made.
- (4) Notwithstanding subsections (1) to (3):
- (a) if the minister is authorized pursuant to these regulations or an agreement to make an interim payment to an applicant, the minister may make an interim payment in any amount that is authorized or that the minister considers appropriate, but no applicant is entitled to a final payment until the evidence mentioned in those subsections has been provided to the minister; or
  - (b) if the minister considers it appropriate and the applicant has agreed to any terms and conditions that the minister may impose for the purpose, the minister may make a payment in advance of the expenditure by the applicant.

26 Sep 2003 cD-22.01 Reg 1 s38.

#### **Overpayments**

- 39(1)** The minister may declare all or any payments made to any person pursuant to these regulations to be an overpayment if, in the opinion of the minister:
- (a) the person has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or document provided to the minister pursuant to these regulations;
  - (b) the person has omitted to make a statement or to provide any information or document that results in a statement with respect to a material fact being misleading;
  - (c) in the case of an applicant, the applicant has failed to comply with these regulations or the terms and conditions of an agreement between the applicant and the minister; or
  - (d) in the case of a participant, the participant has failed to comply with these regulations or the terms and conditions of an undertaking between the participant and the minister.
- (2) If the minister declares a payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Crown in right of Saskatchewan and may be recovered from the person in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

26 Sep 2003 cD-22.01 Reg 1 s39.

**Amendment of approved project**

40(1) Subject to subsections (3) to (5), an applicant must apply to the minister to amend a written agreement if the applicant proposes any change to an approved project that affects:

- (a) the amount of financial assistance to be paid to an applicant or on behalf of a participant;
- (b) a training plan set out in the written agreement;
- (c) any reporting requirements set out in the written agreement; or
- (d) any other term or condition of the written agreement.

(2) Subject to subsections (3) to (5), no written agreement may be amended until the minister and the applicant agree in writing to do so.

(3) If an applicant wishes to delay the implementation date for an approved project as set out in a written agreement for a period of not more than eight weeks, the applicant may request that the minister approve that delay.

(4) On receipt of a request pursuant to subsection (3), the minister may notify the applicant in writing that the minister approves of:

- (a) a delay in the implementation date for the period requested by the applicant;
- (b) a delay on the termination date set out in the written agreement for a period equal to the period mentioned in clause (a); and
- (c) a delay in any other dates set out in the written agreement that, in the minister's opinion, is necessitated by the delays of the implementation and termination dates.

(5) On sending out a written notice pursuant to subsection (4), the written agreement is deemed to be amended to refer to the delayed dates mentioned in subsection (4).

26 Sep 2003 cD-22.01 Reg 1 s40.

**PART IX  
Coming into Force**

**Coming into force**

41 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

26 Sep 2003 cD-22.01 Reg 1 s41.