

The Northern Training Program Regulations, 1988

Repealed

by chapter G-5.1 Reg 80 (effective September 10, 1997).

Formerly

Chapter G-5.1 Reg 9 (effective February 10, 1988).

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 G-5.1 REG 9
The Government Organization Act

Title

1 These regulations may be cited as *The Northern Training Program Regulations, 1988*.

Interpretation

2(1) In these regulations:

- (a) **“college”** means the Northlands Career College established pursuant to *The Regional Colleges Act*;
- (b) **“course”** means a course of instruction approved by the minister that relates to a trade, technical or educational subject matter;
- (c) **“dependant”** means, subject to subsection (2), an individual who is provided with food, shelter and clothing by an eligible applicant, whether or not that individual is related by blood or marriage, or has another tie, to the eligible applicant;
- (d) **“district”** means the Northern Saskatchewan Administration District continued pursuant to *The Northern Municipalities Act*;
- (e) **“eligible applicant”** means a person who:
 - (i) has been a resident of the district for at least 12 consecutive months prior to his application for a training allowance;
 - (ii) holds or is named on a valid Saskatchewan Health Services Card issued for the purposes of *The Saskatchewan Medical Care Insurance Act* or *The Saskatchewan Hospitalization Act*;
 - (iii) is not receiving assistance under a training agreement;
 - (iv) subject to subclauses (vi) and (vii), is not eligible for financial assistance from the Department of Indian Affairs and Northern Development or from any other source, including the Canada Assistance Plan;
 - (v) is at least 17 years of age and is under 65 years of age at the date of his application;
 - (vi) has not received a training allowance with respect to more than one course in the 18 months prior to his application; and
 - (vii) has not received more than one allowance from the Canada Employment and Immigration Commission with respect to the course for which he is applying;

or, notwithstanding subclauses (i) to (vii), is approved by the minister as an eligible applicant;

(f) **“full-time attendance”** means, with respect to a course, attendance by a student of at least 25 hours per week or attendance that is defined by the college as full-time;

(g) **“instructor”** means an individual who is:

- (i) employed with the department as a program co-ordinator; or
- (ii) employed by the college to teach a course;

(h) **“minister”** means the Minister of Education;

(i) **“program delivery agent”** means the principal of the college;

(j) **“regional co-ordinator”** means an employee of the department who is responsible for advanced education in the district;

(k) **“spouse”** includes an individual with whom an eligible applicant has cohabited for a period of not less than six continuous months immediately preceding the date of the eligible applicant's application for a training allowance;

(l) **“training agreement”** means an agreement between the Government of Canada and the Government of Saskatchewan that:

- (i) relates to employment opportunity training; and
- (ii) provides for payment by the Government of Canada to the Government of Saskatchewan related to the training mentioned in subclause (i);

(m) **“training allowance”** means an allowance paid pursuant to subsection 4(2).

(2) For the purposes of clause (1)(c), where an eligible applicant is not, in the opinion of the minister, the principal wage earner of the family unit of which the eligible applicant is a member, the eligible applicant is deemed to be single and no other individuals who are members of the family unit or are related by blood or marriage, or have other ties, to the eligible applicant are to be considered as dependants of the eligible applicant.

19 Feb 88 cG-5.1 Reg 9 s2.

Minister may approve courses

3 For the purposes of these regulations, the minister may approve a course as a course for which a training allowance may be paid.

19 Feb 88 cG-5.1 Reg 9 s3.

Training allowance

4(1) An eligible applicant may apply to the minister for a training allowance to assist him in attending a course.

- (2) Where the minister receives an application pursuant to subsection (1), he may pay a training allowance to an eligible applicant where:
- (a) subject to subsection (3), the duration of the course is for a period of not less than five days and not more than 12 weeks;
 - (b) the eligible applicant will be in full-time attendance at the course;
 - (c) the eligible applicant will not be employed for more than 24 hours each week during the course and will submit to the department a declaration of his earnings, on a form supplied by the minister, every two weeks during the course; and
 - (d) during the course, the eligible applicant will not receive:
 - (i) any payments under *The Workers' Compensation Act, 1979*;
 - (ii) accident insurance payments;
 - (iii) unemployment insurance;
 - (iv) superannuation benefits; or
 - (v) any other form of assistance, including payments under the Saskatchewan Assistance Plan.
- (3) For the purposes of clause (2)(a), where a course attended by an eligible applicant is an Adult-Basic Education Program course approved by the minister, the duration of the course is to be for a period of not more than 52 weeks.
- (4) For the purpose of determining those eligible applicants who are to receive training allowances, the minister shall grant a preference to individuals who have lived continuously in the district for the lesser of:
- (a) 15 years; or
 - (b) one half of their lives.
- (5) An eligible applicant shall comply with the requirements described in clauses 2(b) to (d) in order to remain eligible to receive a training allowance.

19 Feb 88 cG-5.1 Reg 9 s4.

Calculation of training allowance

- 5(1) The minister shall calculate the amount of the training allowance payable to an eligible applicant using rates approved by Treasury Board and shall base the training allowance on the number of the eligible applicant's dependants.
- (2) A training allowance may be paid to an eligible applicant:
- (a) for each day he is in full-time attendance at the course;
 - (b) for each statutory holiday, where he qualifies for the training allowance on the day before and the day after the statutory holiday;

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- (c) subject to subsection (4), for each day of illness, medical appointment leave, compassionate leave or pressing necessity, where the eligible applicant has accumulated sufficient sick-leave credits;
- (d) where he:
- (i) qualifies for the training allowance on the day before and the day after the Christmas holiday period of the college, for each day of the college's Christmas holiday period;
 - (ii) qualifies for the training allowance on the day before or the day after the Christmas holiday period of the college, for one half of the days of the college's Christmas holiday period.
- (3) For the purpose of clause (2)(c), an eligible applicant earns sick-leave credits in an amount equal to one-half day for each week of the course he has attended.
- (4) Where an eligible applicant is absent from a course for more than two consecutive dates due to illness, he is not eligible for a training allowance for those dates unless he submits to the department a medical certificate in a form satisfactory to the minister.
- (5) Where an eligible applicant has a change in the number of his dependants, he shall notify the minister on a form supplied by the minister, and the minister shall pay an adjusted training allowance as at the date he receives the form.
- (6) Where an eligible applicant and his spouse receive a training allowance, he may not claim as a dependant an individual who is claimed as a dependant by his spouse.
- (7) An eligible applicant may claim his spouse as a dependant only if his spouse is not employed and is not receiving any taxable income within the meaning of the *Income Tax Act (Canada)*, as amended from time to time.

19 Feb 88 cG-5.1 Reg 9 s5.

Travel costs

6 Where an eligible applicant who receives a training allowance resides more than 10 kilometres from the course location, the minister shall reimburse the eligible applicant, in accordance with rates approved by Treasury Board, for the cost of one return trip between the eligible applicant's residence and the course location for each day that the eligible applicant attends the course.

19 Feb 88 cG-5.1 Reg 9 s6.

Payment after start of course

7 Where an eligible applicant applies for a training allowance after the start of a course, the minister shall commence paying the training allowance no earlier than the first day of the week in which he received the application.

19 Feb 88 cG-5.1 Reg 9 s7.

Agreements

8 The minister may enter into agreements with the college to permit the college to:

- (a) receive applications for training allowances and travel allowances;
- (b) determine the eligibility of applicants for training allowances; and
- (c) pay training allowances and travel allowances to eligible applicants;

in accordance with the other provisions of these regulations.

19 Feb 88 cG-5.1 Reg 9 s8.

Termination of training allowance

9 Where, in the opinion of the minister, an eligible applicant who is receiving a training allowance is:

- (a) absent from a course without just cause for more than two days in a two-week period; or
- (b) otherwise violates any provisions of these regulations;

the minister may terminate the eligible applicant's training allowance.

19 Feb 88 cG-5.1 Reg 9 s9.

Overpayment

10 Where an eligible applicant has received for any reason an overpayment of a training allowance or of a payment with respect to travel costs pursuant to section 6, the overpayment is a debt due to Her Majesty in right of Saskatchewan and, in addition to any other manner in which it may be recovered, may be recovered by deducting the amount from any additional training allowance payable pursuant to these regulations to the eligible applicant or pursuant to any other program of the Government of Saskatchewan providing for payments to that eligible applicant.

19 Feb 88 cG-5.1 Reg 9 s10.

Payments during period of non-compliance deemed overpayments

11 Where a person who is receiving a training allowance or other payment pursuant to these regulations fails to comply with these regulations, all payments made during the period of his non-compliance are deemed to be overpayments and may be recovered in accordance with section 10.

19 Feb 88 cG-5.1 Reg 9 s11.