

The Fuel Oil and Propane Grants Regulations

being

Chapter E-9.10001 Reg 2
(effective December 21, 2005; expire and repealed on
March 31, 2008).

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 E-9.10001 REG 2

The Energy and Mines Act

Title

- 1 These regulations may be cited as *The Fuel Oil and Propane Grants Regulations*.

Interpretation

- 2 In these regulations:

- (a) **“business”** means:
 - (i) any one of the following carrying on a business or providing a service in Saskatchewan with the object of acquiring a profit or gain:
 - (A) a sole proprietorship;
 - (B) a corporation incorporated, continued or registered pursuant to *The Business Corporations Act*, *The Co-operatives Act, 1996* or *The New Generation Co-operatives Act*;
 - (C) a business within the meaning of *The Business Names Registration Act* that is registered pursuant to that Act;
 - (D) a partnership;
 - (ii) a non-profit corporation that is incorporated, continued or registered pursuant to *The Non-profit Corporations Act, 1995*; or
 - (iii) a person or entity, other than one described in subclause (i) or (ii), that satisfies the minister that it is carrying on a business or providing a service in Saskatchewan;
- (b) **“eligible applicant”** means an individual who or business that meets the criteria set out in section 4;
- (c) **“eligible purpose”** means using fuel oil or propane:
 - (i) as the primary source of heating an individual’s principal residence, or a business’s place of business, in Saskatchewan; or
 - (ii) in the case of a business, as the primary source of heating to carry out the business’s business activity or to provide the business’s service;
- (d) **“fuel oil”** means a refined petroleum product that:
 - (i) is commonly known as stove oil or furnace oil; and
 - (ii) is used for an eligible purpose;
- (e) **“grant”** means a grant payable pursuant to these regulations;
- (f) **“grants program”** means the fuel oil and propane grants program established pursuant to section 3;

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(g) **“health services number”** means the unique number assigned to an individual who is registered as a beneficiary to receive insured services pursuant to *The Saskatchewan Medical Care Insurance Act*;

(h) **“principal residence”** means, with respect to an individual, the building that:

(i) the individual resides in for at least 183 days in a 12-month period; or

(ii) the individual declares in his or her application that the individual intends to reside in for at least 183 days in a 12-month period;

(i) **“Saskatchewan resident”** means an individual who:

(i) holds a valid Saskatchewan Health Services Card issued for the purposes of *The Saskatchewan Medical Care Insurance Act*; or

(ii) provides the minister with any evidence of Saskatchewan residency that is satisfactory to the minister.

30 Dec 2005 cE-9.10001 Reg 2 s2.

Grants program established

3(1) The fuel oil and propane grants program is established.

(2) The purpose of the grants program is to provide a grant to subsidize individuals who and businesses that use fuel oil or propane for an eligible purpose during the period commencing on November 1, 2005 and ending on March 31, 2006.

30 Dec 2005 cE-9.10001 Reg 2 s3.

Eligibility

4 An individual or business is eligible to apply for a grant if:

(a) the individual or business uses or intends to use fuel oil or propane for an eligible purpose during the period commencing on November 1, 2005 and ending on March 31, 2006; and

(b) in the case of an individual:

(i) the individual is a Saskatchewan resident; and

(ii) the individual's heating costs are not being fully paid for pursuant to any other program of the Government of Saskatchewan or the Government of Canada.

30 Dec 2005 cE-9.10001 Reg 2 s4.

Application for grant

- 5(1)** An eligible applicant may apply to the minister for a grant.
- (2) An eligible applicant who is an individual and who also operates a business may submit a separate application and receive a separate grant for each of the eligible applicant's principal residence and place of business, if the individual's place of business is not in his or her principal residence.
- (3) An application pursuant to this section:
- (a) must be:
 - (i) received by the minister on or before March 31, 2006; or
 - (ii) if submitted by mail, be postmarked on or before March 31, 2006;
 - (b) must be on the form supplied by the minister;
 - (c) must specify:
 - (i) if the application is with respect to a principal residence or a place of business, the location of the principal residence or place of business; or
 - (ii) if the application is with respect to an eligible purpose other than one mentioned in subclause (i), the eligible purpose; and
 - (d) must be accompanied by:
 - (i) an invoice, receipt or other documentation respecting the purchase of fuel oil or propane that:
 - (A) is satisfactory to the minister;
 - (B) is issued to the eligible applicant as purchaser;
 - (C) is dated on or after April 1, 2005; and
 - (D) documents the purchase of fuel oil or propane for a price that is at least \$200; and
 - (ii) any other information, documentation, records or other evidence satisfactory to the minister that the minister may require to determine all or any of the following:
 - (A) the eligible applicant's eligibility for a grant;
 - (B) if the application is with respect to a principal residence, that the principal residence is the eligible applicant's principal residence;
 - (C) whether or not the fuel oil or propane was or is to be used for an eligible purpose during the period commencing on November 1, 2005 and ending on March 31, 2006.
- (4) If an eligible applicant is an individual, for the purpose of verifying that an eligible applicant is a Saskatchewan resident, the eligible applicant must provide with the application:
- (a) the eligible applicant's health services number; or
 - (b) any evidence of being a Saskatchewan resident that is satisfactory to the minister.

(5) The minister may require an eligible applicant, as part of an application, to complete any declarations that the minister may consider necessary respecting:

- (a) any payments pursuant to any other program of the Government of Saskatchewan or Government of Canada that the eligible applicant is receiving or may receive respecting the fuel oil or propane that is the subject of the application;
- (b) any matter concerning the eligible purpose that is the subject of the application or the eligible applicant's eligibility for a grant or both; and
- (c) any other matter concerning the application or the grant to be paid to the eligible applicant.

30 Dec 2005 cE-9.10001 Reg 2 s5.

Grants

6(1) Subject to subsection (2), if the minister receives an application pursuant to these regulations and is satisfied that the application is complete, that the eligible applicant has complied with these regulations and that the eligible applicant is eligible for a grant, the minister shall pay a grant to the eligible applicant in the amount of \$200.

(2) No grant is to be paid to an eligible applicant if:

- (a) subject to subsection 5(2), the eligible applicant has already been paid a grant; or
- (b) another eligible applicant has been paid a grant for the same principal residence or place of business that is the subject of the eligible applicant's application.

(3) If the minister received more than one application for the same principal residence or place of business, the minister has the sole discretion to determine which application the minister may accept.

30 Dec 2005 cE-9.10001 Reg 2 s6.

Conditions to be agreed to by eligible applicants

7 As a condition of receiving a grant, every eligible applicant shall agree:

- (a) to provide the minister, within the period requested by the minister, with any information, document, record or evidence satisfactory to the minister that:
 - (i) is in the possession or control of the eligible applicant; and
 - (ii) the minister may reasonably require respecting the grants program, including information, documents, records or evidence respecting the fuel oil or propane purchased, the use of the fuel oil or propane, the eligible applicant's eligibility or the grant paid;
- (b) to permit the minister to access information, including personal information, in the possession or control of any department or agency of the Government of Saskatchewan or of the Government of Canada for the purpose of verifying the eligible applicant's eligibility; and

(c) to grant access, at any reasonable time, to any building, premises or place to the minister or any person designated by the minister for the purpose of verifying:

- (i) that the fuel oil or propane was used for an eligible purpose during the period commencing on November 1, 2005 and ending on March 31, 2006; or
- (ii) the eligible applicant's eligibility or compliance with these regulations.

30 Dec 2005 cE-9.10001 Reg 2 s7.

Overpayments

8(1) The minister may declare a grant paid to an individual or business pursuant to these regulations to be an overpayment if, in the minister's opinion:

- (a) the individual or business has made a false or misleading statement with respect to a material fact in any information provided to the minister pursuant to these regulations;
- (b) the fuel oil or propane that is the subject of the application was not used during the period commencing on November 1, 2005 and ending on March 31, 2006 for the eligible purpose specified in the application;
- (c) the individual or business has omitted to provide any information and that omission results in a statement with respect to a material fact being misleading; or
- (d) the individual or business has failed to comply with these regulations.

(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 individual or business in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

30 Dec 2005 cE-9.10001 Reg 2 s8.

Coming into force and expiry

9(1) These regulations come into force on the day on which they are filed with the Registrar of Regulations.

(2) These regulations expire and are repealed on March 31, 2008.

30 Dec 2005 cE-9.10001 Reg 2 s9.

